

# City of Wilsonville

City Council Meeting

June 18, 2018



**AGENDA**

**WILSONVILLE CITY COUNCIL MEETING  
JUNE 18, 2018  
7:00 P.M.**

**CITY HALL  
29799 SW TOWN CENTER LOOP  
WILSONVILLE, OREGON**

Mayor Tim Knapp

Council President Scott Starr  
Councilor Susie Stevens

Councilor Kristin Akervall  
Councilor Charlotte Lehan

**CITY COUNCIL MISSION STATEMENT**

To protect and enhance Wilsonville’s livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.

**Executive Session is held in the Willamette River Room, City Hall, 2<sup>nd</sup> Floor**

**5:00 P.M. EXECUTIVE SESSION** [20 min.]

- A. Pursuant to: ORS 192.660 (2)(e) Real Property Transactions  
ORS 192.660(2)(h) Litigation

**5:20 P.M. REVIEW OF AGENDA** [5 min.]

**5:25 P.M. COUNCILORS’ CONCERNS** [5 min.]

**5:30 P.M. PRE-COUNCIL WORK SESSION**

- A. Establishment of Pro Tem Municipal Court Roster (Katko) [5 min.] Page 5
- B. Basalt Creek Concept Plan (Bateschell) [30 min.] Page 7
- C. Wilsonville Community Sharing (Cole) [15 min.]

**6:20 P.M. ADJOURN**

*AN URBAN RENEWAL AGENCY MEETING WILL FOLLOW*

**CITY COUNCIL MEETING**

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held, Monday, June 18, 2018 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on June 5, 2018. Remonstrances and other documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered there with except where a time limit for filing has been fixed.

**7:00 P.M. CALL TO ORDER**

- A. Roll Call
- B. Pledge of Allegiance
- C. Motion to approve the following order of the agenda and to remove items from the consent agenda.

**7:10 P.M. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS**

This is an opportunity for visitors to address the City Council on items *not* on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

**7:15 P.M. MAYOR'S BUSINESS**

- A. Citizen Academy Graduation (Handran)  
*Break for refreshments.*
- B. Pollinator Week Proclamation (Rappold) Page 66
- C. Placeholder for Board and Committee Reappointments and Appointments
- D. Upcoming Meetings Page 69

**7:55 P.M. COUNCILOR COMMENTS**

- A. Council President Starr
- B. Councilor Stevens
- C. Councilor Lehan
- D. Councilor Akervall

**8:00 P.M. PUBLIC HEARING**

- A. **Resolution No. 2691** (*legislative hearing*) Page 70  
A Resolution Of The City Of Wilsonville Adopting The Budget, Making Appropriations, Declaring The Ad Valorem Tax Levy, And Classifying The Levy As Provided By ORS 310.060(2) For Fiscal Year 2018-19. (Cole)
- B. **Resolution No. 2692** (*legislative hearing*) Page 80  
A Resolution Declaring The City's Eligibility To Receive State Shared Revenues. (Cole)
- C. **Resolution No. 2693** (*legislative hearing*) Page 84  
A Resolution Declaring The City's Eligibility To Receive State Shared Revenues. (Cole)
- D. **Ordinance No. 821** - 1<sup>st</sup> Reading (*Land Use Public Hearing Script*) Page 85  
An Ordinance Of The City Of Wilsonville Annexing Approximately 20 Acres On The North Side Of Boeckman Road Just East Of Boeckman Creek Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lots 2400, 2600, And 2700, And Portions Of Tax Lot 2300 And Boeckman Road Right-Of-Way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. James H. Wolfston, Jr., West Linn-Wilsonville School District, And City Of Wilsonville, Petitioners. (Rybold)
- E. **Ordinance No. 822** - 1<sup>st</sup> Reading (*Land Use Public Hearing Script*) Page 107  
An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5 (RRFF5) Zone To The Residential Neighborhood (Rn) Zone On Approximately 20 Acres On The North Side Of Boeckman Road Just East Of Boeckman Creek Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lots 2400, 2600, And 2700, And Portions Of Tax Lot 2300 And Boeckman Road Right-Of-Way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Jim Wolfston, Owner / Applicant. (Rybold)

**9:00 P.M. NEW BUSINESS**

**A. Resolution No. 2694**

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A Resolution Of The City Of Wilsonville Authorizing Support Grant Agreement With Wilsonville Community Sharing. (Cole)

**B. Resolution No. 2695**

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A Resolution Authorizing An Intergovernmental Agreement With The Urban Renewal Agency Of The City Of Wilsonville Pertaining To Short Term Subordinate Urban Renewal Debt For The Year 2000 Plan District. (Cole)

**9:15 P.M. CONTINUING BUSINESS**

**A. Ordinance No. 819 - 2<sup>nd</sup> Reading**

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An Ordinance Of The City Of Wilsonville Annexing Approximately 16 Acres On The North Side Of Boeckman Road Just West Of Stafford Road Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lots 2001, 2100, 2201, 2202 Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Thelma J. Roethe, Dale Krielkamp, Verla Krielkamp, Louie Pike, Gayla Cushman-Pike, Amy Pike, Matt Wingard, And Doris A. Wehler, Petitioners. (Pauly)

**B. Ordinance No. 820 - 2<sup>nd</sup> Reading**

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An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5 (Rrff5) Zone To The Residential Neighborhood (Rn) Zone On Approximately 16 Acres On The North Side Of Boeckman Road Just West Of Stafford Road; The Land Is More Particularly Described As Tax Lots 2001, 2100, 2201, 2202 Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. West Hills Land Development LLC, Applicant. (Pauly)

**9:25 P.M. CITY MANAGER'S BUSINESS**

**9:30 P.M. LEGAL BUSINESS**

**9:35 P.M. ADJOURN**

**INFORMATION ITEMS** – No Council Action Necessary.

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Time frames for agenda items are not time certain (i.e. Agenda items may be considered earlier than indicated.) Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting if required at least 48 hours prior to the meeting. The City will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting: Qualified sign language interpreters for persons with speech or hearing impairments. Qualified bilingual interpreters. To obtain services, please contact the City Recorder, (503) 570-1506 or [cityrecorder@ci.wilsonville.or.us](mailto:cityrecorder@ci.wilsonville.or.us).





## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b> June 18, 2018	<b>Subject:</b> Establishment of Pro Tem Municipal Court Roster.  <b>Staff Member:</b> Keith Katko, Finance Operations Manager  <b>Department:</b> Municipal Court	
<b>Action Required</b>	<b>Advisory Board/Commission Recommendation</b>	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable  <b>Comments:</b> Guidance for creating a roster of potential Municipal Court pro tem judges for when Judge Fred Weinhouse is unavailable.	
<b>Staff Recommendation:</b> N/A		
<b>Recommended Language for Motion:</b> N/A		
<b>Project / Issue Relates To:</b>		
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

### ISSUE BEFORE COUNCIL:

Staff is seeking Council direction for creating a roster of pro tem judges.

### EXECUTIVE SUMMARY:

Pursuant to the City Code 2.140, "In case the Municipal Judge shall be absent from the City or otherwise unable or disqualified to act as Judge of the Municipal Court, his/her duties shall be performed by a pro tem Judge appointed by the Mayor." While Judge Gleeson preferred to run two traffic courtrooms, necessitating the need for regular pro tem judges, Judge Weinhouse prefers to run one courtroom only and therefore a pro tem is only needed on an infrequent, on-call, basis.

Staff has identified four options for Council consideration:

1. Formally advertise and recruit;
2. Network with other jurisdictions (Sherwood, Tualatin, etc) and utilize their pro tems or presiding judges, as needed and as available;
3. Ask current municipal Court judge for recommendations;
4. Periodically utilize a combination of all of the above, as needed, to create a roster for Mayor's approval.

**EXPECTED RESULTS:**

Continuation of Municipal Court operations when current presiding municipal court judge is unavailable to serve in that capacity.

**TIMELINE:**

N/A

**CURRENT YEAR BUDGET IMPACTS:**

Funds are included in the Municipal Court Program Area for both Judge Weinhouse and for the occasional use of pro-tem judges.

**FINANCIAL REVIEW / COMMENT:**

Reviewed by: SCole Date: 6/12/2018

**LEGAL REVIEW / COMMENT:**

Reviewed by: BAJ Date: 6/12/2018

Based on the preference of the City's current municipal court judge and the relocation of a single courtroom to the Council chamber, the need for a pro-tem is likely to be infrequent. The important factor in selecting a pro-tem judge is that the person be knowledgeable of the Oregon Traffic Code but also have a legal background that appears fair and unbiased.

**COMMUNITY INVOLVEMENT PROCESS:**

N/A

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:**

Continuation of Municipal Court operations.

**ALTERNATIVES:**

N/A

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

None.



## CITY COUNCIL STAFF REPORT

<b>Meeting Date:</b> June 18, 2018		<b>Subject:</b> Basalt Creek Concept Plan	
		<b>Staff Member:</b> Miranda Bateschell, Planning Manager	
		<b>Department:</b> Community Development Department	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		<b>Comments:</b>	
<b>Staff Recommendation:</b> Staff recommends the City Council conduct a work session on the draft Basalt Creek Concept Plan.			
<b>Recommended Language for Motion:</b> N/A			
<b>Project / Issue Relates To:</b>			
<input checked="" type="checkbox"/> Council Goals/Priorities Basalt Creek Concept Plan		<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

### ISSUE BEFORE COUNCIL:

In 2004, Metro added the Basalt Creek Planning Area to the region's Urban Growth Boundary (UGB) in order to accommodate growth in industrial employment. The area consists of approximately 847 acres, located west of I-5 between the cities of Tualatin and Wilsonville, known as the Basalt Creek and West Railroad Areas and generally referred to as the "Basalt Creek Planning Area." In 2011, the two cities, Metro, and Washington County entered into an Inter-

Governmental Agreement (IGA) that outlines the requirements and responsibilities of the parties regarding their coordinated planning efforts related to the Basalt Creek Planning Area. The project team has led a lengthy process, working with property owners, citizens, service providers, regional partners, and both Cities' Planning Commissions and City Councils, to complete transportation, infrastructure and land use planning for the Basalt Creek Planning Area. The Basalt Creek Concept Plan captures this process, key considerations and guiding principles, and a unified framework for future development in the Basalt Creek Planning Area (see Attachment A).

### **EXECUTIVE SUMMARY:**

Since 2011, the Cities of Wilsonville and Tualatin, Washington County, and Metro have been working together to implement an Intergovernmental Agreement (IGA) to concept plan the Basalt Creek Planning Area. In 2013, the Basalt Creek Transportation Refinement Plan was finalized and adopted. In 2014, planning began on the Basalt Creek Concept Plan. After five joint Council work sessions and two Public Open Houses, a preferred Basalt Creek Land Use Concept Plan draft was completed in September 2016.

On February 13, 2017, the Tualatin City Council, at a work session, provided Tualatin city staff with direction to modify the Basalt Creek Land Use Concept Plan to show the Basalt Creek "Central Subarea" as residential. On March 20, 2017, Wilsonville City Council expressed concern over the residential designation and commissioned a development feasibility analysis for the Central Subarea to determine what types of employment uses, if any, would be achievable. At the Wilsonville City Council work session on May 1, City staff and KPFF Consulting Engineers presented the completed Basalt Creek Concept Plan Feasibility Study with three different schemes for employment development. With concerns for placing residential uses in the middle of the employment area and confidence employment could be achieved in the Central Subarea, Wilsonville City Council remained committed to the area providing employment opportunities.

On June 24, Wilsonville City staff and KPFF Consulting Engineers presented at the Tualatin City Council work session the completed Basalt Creek Concept Plan Feasibility Study. In addition, Mayor Knapp conveyed during public comment at the Tualatin City Council meeting a summary of the Wilsonville City Council's concerns and position regarding employment in the Basalt Creek Concept planning area.

On September 14, representatives from Wilsonville, Tualatin, and Washington County met to discuss options for finalizing the Basalt Creek Concept Plan. The parties reached agreement to have Metro review the record of information pertaining to the Central Subarea submitted by the two cities and determine the appropriate land use designation for the Central Subarea, thereby enabling completion of the Concept Plan. As part of the Inter-governmental Agreement outlining this decision-making process, the cities agreed to adopt by resolution the Basalt Creek Concept Plan within 120 days, and comprehensive plan amendments within one year, of Metro's decision.

On May 3, 2018, the Metro Council adopted Resolution 18-4885 resolving the dispute - determining the Central Subarea should remain designated for employment uses on the Basalt Creek Concept Plan map – and starting the 120-day adoption period. As such, the two cities have prepared the attached Concept Plan using the draft Basalt Creek Land Use Concept Map completed in September 2016. Subsequent to Metro's decision two landowners of parcels in the Central Subarea each submitted a notice of intent to appeal Metro's decision.

The purpose of the Basalt Creek Concept Plan is to establish the overall vision for the area and guide future land use and transportation decisions. It sets the framework for future development and outlines an implementation strategy for future provision of urban services (water, sanitary sewer, and storm water systems), public services (such as transit, parks, and open space), and protection of natural and cultural resources. To accomplish this, the plan:

- Establishes a vision for urbanization of the Basalt Creek area that will meet local and regional goals,
- Coordinates future land use, transportation and infrastructure investments between Tualatin, Wilsonville, and Washington County,
- Establishes a new jurisdictional boundary between Tualatin and Wilsonville (to determine which parts of the planning area may be annexed into and served by each city, contingent upon development),
- Identifies land uses across the area,
- Recommends high-level designs for transportation and infrastructure systems to support future development consistent with local, regional and state goals, and
- Sets specific action items and implementation measures.

Following adoption of the Concept Plan, staff will begin work with Washington County to amend the shared Urban Planning Area Agreement and on proposed Comprehensive Plan Amendments to incorporate key components of the Basalt Creek Concept Plan. This process also provides time for Tualatin to adopt the Concept Plan and LUBA to make a determination with respect to the appeals before Wilsonville undertakes the Comprehensive Plan Amendments, which the City is not required to complete until May 2019. **EXPECTED RESULTS:**

Adoption of the Basalt Creek Concept Plan will set the stage for the next great business district in Wilsonville.

**TIMELINE:**

The Planning Commission is scheduled to hold the first public hearing on the Basalt Creek Concept Plan on July 11, 2018. A Council hearing date has been set for August 6 to adopt the Basalt Creek Concept Plan.

Tualatin City Council meetings are scheduled for July 23 and August 13, 2018, to adopt the Basalt Creek Concept Plan. Once adopted, staff will initiate the Urban Planning Area Agreement amendment process with Washington County, which is anticipated to be finalized in early spring 2019.

**CURRENT YEAR BUDGET IMPACTS:**

The City of Tualatin received approximately \$350K from Metro's Construction Excise Tax (CET) grant program to perform concept planning. The current scope of work and budget with the consultant and as outlined with Metro under the CET grant program does not include additional funds for analysis of additional land use alternatives. The City of Wilsonville has, and will continue to, invest staff time into the process.

**FINANCIAL REVIEW / COMMENT:**

Reviewed by: SCole      Date: 6/11/2018

**LEGAL REVIEW / COMMENT:**

Reviewed by: BAJ      Date: 6/13/2018

Adoption of the Concept Plan is in line with the IGA requirements that Tualatin, Wilsonville and Washington County agreed to in exchange for Metro's assistance with the dispute pertaining to the Central Subarea.

**COMMUNITY INVOLVEMENT PROCESS:**

The project includes participation from affected residents, businesses, and property owners. Two open houses were held to engage and inform the public about the project. Additionally, the website is updated to reflect the most recent work and staff sends out monthly updates to an interested parties list and property owners via email and U.S. postal mail.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:**

The Basalt Creek area is important for the long-term growth of Tualatin, Wilsonville, and the Metro region. Conducting a thorough and thoughtful planning process will identify and resolve each city's vision for the area and potential impacts on the community. The Basalt Creek area presents an opportunity to integrate jobs and housing, develop efficient transportation and utility systems, create an attractive residential and business community, incorporate natural resource areas, and provide recreational opportunities as community amenities and assets.

**ALTERNATIVES:**

The City Council may provide recommendations and modifications to the Concept Plan. However, given the nature of this project, and due to the fact that both Cities need to adopt effectively the same concept plan, modifications would need to be coordinated with the City of Tualatin.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

- A. Draft Basalt Creek Concept Plan (dated: May 2018)



JUNE 13, 2018 DRAFT

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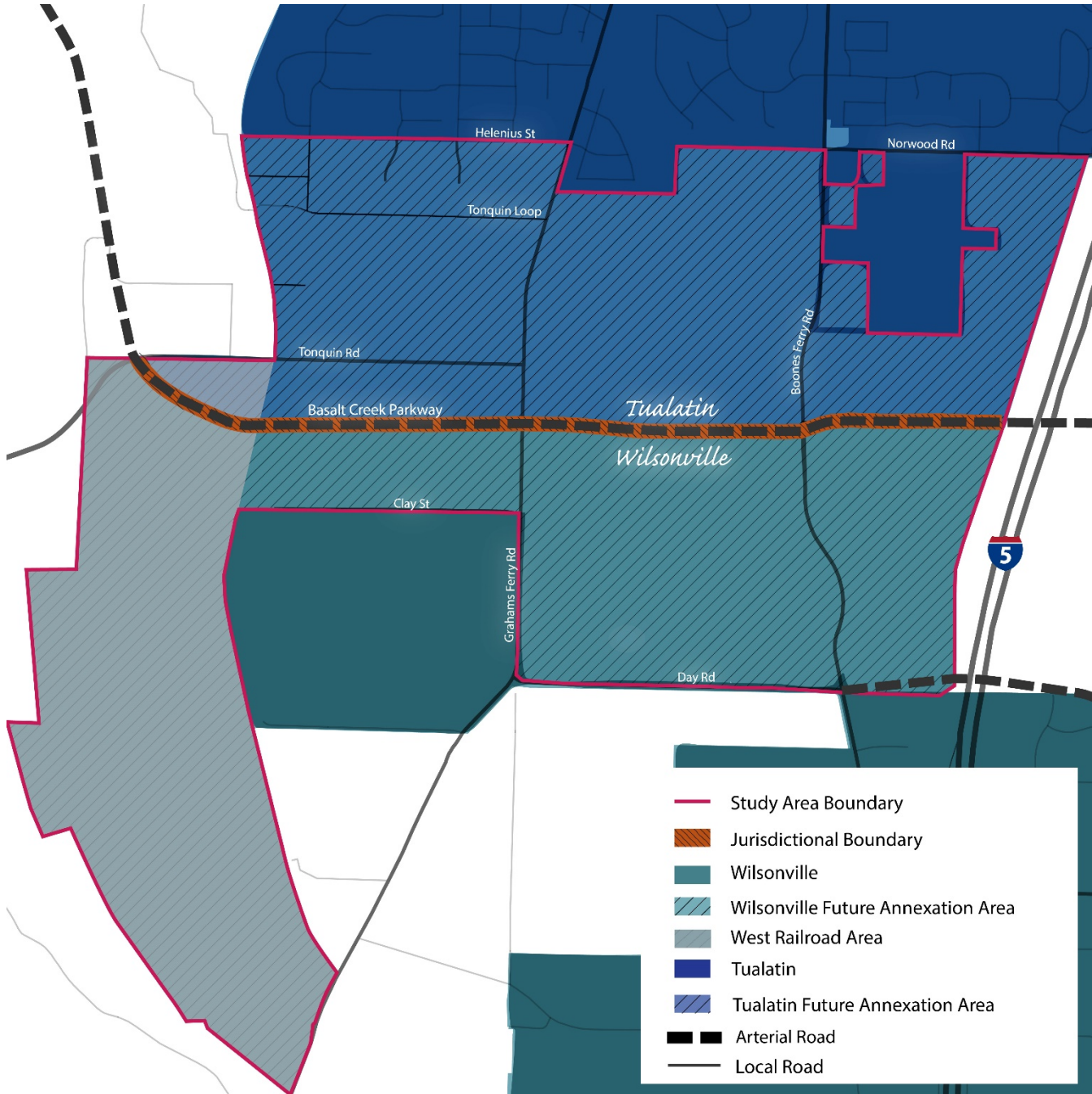
Appendix K: Acknowledgements

# Introduction

## The Basalt Creek Planning Area

The Basalt Creek Planning Area consists of 847 acres located in Washington County between the Cities of Tualatin and Wilsonville. The planning area is irregularly shaped, generally oriented east-west with an extension southward at the western edge, which is commonly referred to as the West Railroad Area. The West Railroad Area is divided from the rest of the planning area by the Portland and Western Railroad (PNWR) and the Coffee Creek Correctional Facility. The rest of the Basalt Creek Planning Area is bound by Norwood and Helenius Roads to the north, Interstate 5 (I-5) to the east, Coffee Lake Creek to the west, and Day Road to the south until it reaches Coffee Creek Correctional Facility, where the boundary turns north on Graham's Ferry and then westward again on Clay Road. The area also has distinctive natural features, particularly its namesake - Basalt Creek - and the surrounding wetlands habitat running north-south through the eastern half of the planning area. The primary existing land uses in Basalt Creek are rural agriculture, industrial, and rural residential consisting of low-density single-family housing. Washington County recently completed construction of a portion of the Basalt Creek Parkway, extending 124<sup>th</sup> Avenue and connecting to Grahams Ferry Road. Soon, the Parkway will run east-west across the planning area between Grahams Ferry Road and Boones Ferry Road, and eventually extend over I-5. The parkway will be a high-capacity major freight arterial with limited access to local streets providing industrial access from the Tonquin, Southwest Tualatin, and Basalt Creek Planning Areas.

Figure 1 Basalt Creek Planning Area and jurisdictional boundaries.



A more detailed description of the planning area, including natural and historic resources, existing land uses and regulatory context can be found in the Existing Conditions Report (Appendix A).

### What is a Concept Plan?

A concept plan identifies a vision and guides future land use and transportation decisions for the planning area. It helps ensure the area has the land capacity to contribute to meeting local and regional land use and transportation goals. Concept plans also ensure compliance with state land use goals,

regional policies, and other plans, including existing transportation plans. A concept plan sets the framework for future development and outlines an implementation strategy for future provision of urban services (water, sanitary sewer, and storm water systems), public services (such as transit, parks, and open space), and protection of natural and cultural resources.

## Basalt Creek Concept Plan

The Basalt Creek Concept Plan guides development in the planning area over the next five to ten years. To accomplish this, the plan:

- Establishes a vision for urbanization of the Basalt Creek area that will meet local and regional goals
- Coordinates future land use, transportation and infrastructure investments between Tualatin, Wilsonville, and Washington County
- Establishes a new jurisdictional boundary between Tualatin and Wilsonville (to determine which parts of the planning area may be annexed into and served by each city, contingent upon development)
- Identifies preferred land uses across the area
- Recommends high-level designs for transportation and infrastructure systems to support future development consistent with local, regional and state goals
- Sets specific action items and implementation measures

Figure 2 Basalt Creek Planning Area in regional context.



In 2004, Metro identified the Basalt Creek Planning Area as a good candidate for industrial development because it is near I-5, adjacent to Wilsonville's industrial area to the south, and contains large, flat sites suitable for industrial users. Metro passed an ordinance in 2004 to annex land into the existing Urban Growth Boundary (UGB), which included the Basalt Creek Planning Area, to ensure a sufficient regional supply of land for employment growth over the next twenty years. Based on Metro's 2014 Employment

and Housing Forecast, Metro projected the region would grow by 474,000 people and 365,000 jobs by 2035. The Basalt Creek Planning Area was expected to accommodate about 1,200 new housing units and 2,300 new jobs (mostly industrial, with some service jobs and few retail jobs). A detailed explanation of these figures and the Industrial Land Alternative Analysis can be found in the Existing Conditions Report (Appendix A, starting on page 17).

In the Metro region, areas brought into the UGB are required to have a land use and transportation Concept Plan before urban development can occur. The intent of the Basalt Creek Concept Plan is to meet this requirement and provide a roadmap for the development of the area that is consistent with state, regional and local land use planning laws. This concept plan involved a collaborative effort between two local jurisdictions – the Cities of Tualatin and Wilsonville.

While several concept plans were developed over the last decade for other UGB annexation areas (e.g. Southwest Tualatin Plan, Tonquin Employment Area Plan, and Coffee Creek), Basalt Creek is somewhat unusual. Its large size, location between (rather than at the edge of) other urbanized areas, and requirement to be jointly planned by two different cities—each with their own identity, goals and local governance—make it different from most other concept plans.

While the process and context were unique, the final concept plan incorporates the key elements consistent with other concept plans and meets all state and regional requirements for a concept plan.

*Table 1 Summary Table of Basalt Creek Concept Plan Elements*

Element	Description
Jurisdictional Boundary	Follows the alignment of Basalt Creek Parkway with Tualatin to the north and Wilsonville to the south.
Land Use and Development	Land uses in Wilsonville focus on employment, while Tualatin has a mix of employment and housing. Housing in the northern part of the area is meant to buffer existing residential neighborhoods from non-residential land uses. There is a small retail node just east of the Basalt Creek Canyon and north of the jurisdictional boundary in the planning area, which will serve residents and workers. The land suitability analysis influenced the most appropriate locations for employment-based land uses. Land use types and densities were balanced to meet obligations for providing regional employment capacity while limiting negative impacts on congestion and traffic levels.
Transportation	Major new roads and improvements will be constructed as laid out in the 2013 Basalt Creek Transportation Refinement Plan, which is also coordinated with the Metro Regional Transportation Plan. Basalt Creek Parkway, portions of which are currently under construction, will be a major east-west arterial, with limited access, creating a new connection between I-5 and 99W. Further roadway improvements—such as adding capacity to north-south collectors, widening Day Road to five lanes, and two additional I-5 crossings at Day and Greenhill—will be needed to handle future traffic levels as the area is built out. Local roads connecting to this network will be planned and built by property owners as the area develops.
Bicycle and Pedestrian Framework	Opportunities for bike and pedestrian connections are identified, and additional bike/pedestrian facilities will be integrated into new and updated road projects in accordance with State, County and City standards, respectively.
Transit	Transit service in the area will be coordinated between TriMet and SMART. Service will build on existing bus routes to enhance service and provide good connectivity both north-to-south and east-to-west through the planning area.

Parks & Open Space	The Basalt Creek Canyon natural area spans both cities and there are opportunities for regionally-connected trails and open space in the planning area. The Cities will each work to create a park plan for the area as part of their respective citywide plans and will coordinate on trail planning particularly as it relates to the Basalt Creek Canyon.
Natural Resources	The Cities recognize that the Basalt Creek Canyon is a significant natural resource and have agreed to coordinate on a joint approach to natural resource management practices. For more details see the Natural Resource section of the Existing Conditions Report (Appendix A, starting on page 31)
Water	Each city will provide its own drinking water infrastructure within its jurisdiction, with connections to existing water lines.
Sewer	Each city will provide sanitary sewer service for development within its jurisdiction to the extent reasonably possible with the understanding that a future agreement may address potential cooperative areas. Tualatin will coordinate with its provider – Clean Water Services (CWS) – to extend service to this area.
Stormwater	New stormwater infrastructure will be primarily integrated with the local road network. Tualatin, Wilsonville and CWS acknowledge they must follow requirements established for their respective stormwater MS4 permits. Much of the area is in a basin that drains toward Wilsonville. Each City will serve its own jurisdictional area. The Cities and CWS will adopt an Intergovernmental Agreement that addresses areas where cooperative stormwater management is needed.
Implementation Strategies and Tools	Recommendations for a public facilities phasing plan include conceptual overviews of the recommended facilities and Class 5 concept level costs and a general overview of possible funding strategies. The development phasing will include recommended near and long-term strategies for land use development. Implementation recommendations include sequential action items necessary for implementing the plan and readying the Basalt Creek area for future development.

## The Planning Process

The Basalt Creek Concept Plan was developed through several years of planning that included extensive research and analysis and a variety of opportunities for input from stakeholders and citizens. The public was engaged at key points and invited to participate through a visioning workshop, an open house, online surveys, and community outreach meetings. The full Public Involvement Plan can be found in Appendix B.

### Decision Making Process

The Tualatin and Wilsonville City Councils were the ultimate decision-making body for the final Basalt Creek Concept Plan. Joint Council meetings were held involving both City Councils at important project milestones. This role included approval of the guiding principles, selection of the preferred land use scenario, and identification of the future jurisdictional boundary and key elements of the plan. Individual City Council meetings were also held to provide periodic updates and discuss measures, ordinances, and resolutions specific to each city to adopt and implement the Basalt Creek Concept Plan. To ensure the greatest level of cooperation and collaboration with local and regional partners, the planning process included a project management team with staff from both cities, an advisory Agency Review Team (ART), and both cities’ Planning Commissions.



## Joint Council

Joint City Council meetings were held at key decision-making stages in the project with the Joint Council serving as the final decision-making body for the plan. There were five Joint Council meetings between October 2013 and December 2015. The purpose of Joint Council meetings was to approve Guiding Principles, determine jurisdictional boundaries and identify key elements for the final concept plan. All Joint Council meetings were advertised and open to the public. Themes from the Joint Council meetings were further developed into the Guiding Principles and included:

- Meeting regional responsibility for jobs & housing
- Capitalizing on the planning area's assets
- Protecting existing neighborhoods
- Maintaining cities' unique identities
- Exploring creative approaches to land use, including integration of employment and housing
- Ensuring appropriate transitions between land uses
- Integrating high-quality design and amenities for employment

## Project Management Team

The Project Management Team (PMT) was composed of each city's project managers, department directors, relevant staff, and project consultant (see Appendix K for full list of members).

The PMT met weekly to check the status of major deliverables, track and maintain a regular project schedule, coordinate materials for individual and Joint Council work sessions and meetings, plan public events and outreach strategies, and develop consistent messaging for project outcomes. The Project Consultant team representatives participated in the PMT meetings on a bi-weekly basis as needed. The plan's content was guided and produced by the project consultant team and reviewed by the PMT.

## Agency Review Team

The Agency Review Team (ART) represented local service providers and regional partners, who advised staff members of both cities about regulatory and planning compliance (see Appendix K for full list of members). Input gathered from the ART was incorporated into the concept plan and included in regular staff updates to the Planning Commissions and City Councils. Involvement was required for some key agencies that needed to approve or concur with the concept plan, while other agencies were invited to participate in the planning process as their advice was needed on specific issues. Metro, CWS, Washington County, and the Sherwood, Tigard-Tualatin and West Linn-Wilsonville school districts participated in the ART to provide support and concurrence with the Concept Plan.

In addition to the above-mentioned, ART member agencies included the Oregon Department of Transportation (ODOT), Tualatin Valley Fire & Rescue, and the Bonneville Power Administration (BPA). Other agencies were invited to the planning process when their specific advice was necessary, specifically the City of Sherwood, City of Tualatin (including Planning, Community Development, Building, Community Services, Economic Development, Engineering, Parks and Recreation, and Public Works departments/divisions), City of Wilsonville (including Planning, Community Development, SMART Transit, Public Works, Engineering, Parks and Recreation, Natural Resources, and Building departments/divisions), Clackamas County, Northwest Natural, Portland General Electric, and Tri-Met.

This collaborative analysis and joint decision-making set a framework for the Basalt Creek Concept Plan to have the greatest possible chance for success for the community.

The ART met three times throughout the project – in June and September of 2014, and then again in February 2016. The first meeting provided an opportunity to present an overview of the Basalt Creek Concept Plan project and process to the ART and inform members of key milestones and decision points where their input would be needed. The project consultant also presented the proposed methodology for the Existing Conditions report, particularly soliciting feedback on the market analysis, infrastructure analysis, and transportation analysis components. The second meeting served to solicit feedback from ART members on the draft Existing Conditions report, clarify issues surrounding infrastructure, provide an overview of public feedback, and present the land suitability analysis for review. The third meeting was held on February 19, 2016 to further discuss transit, parks and open spaces, schools, parks, and trails.

## Information Gathering

The project consultant conducted research on the existing conditions and future needs in the planning area, as well as reviewed previous planning efforts affecting the area. This research included land use, transportation, the real estate market, geology, water and sewer infrastructure, stormwater, natural resources and parks. The Existing Conditions Report provides additional background information in Appendix A.

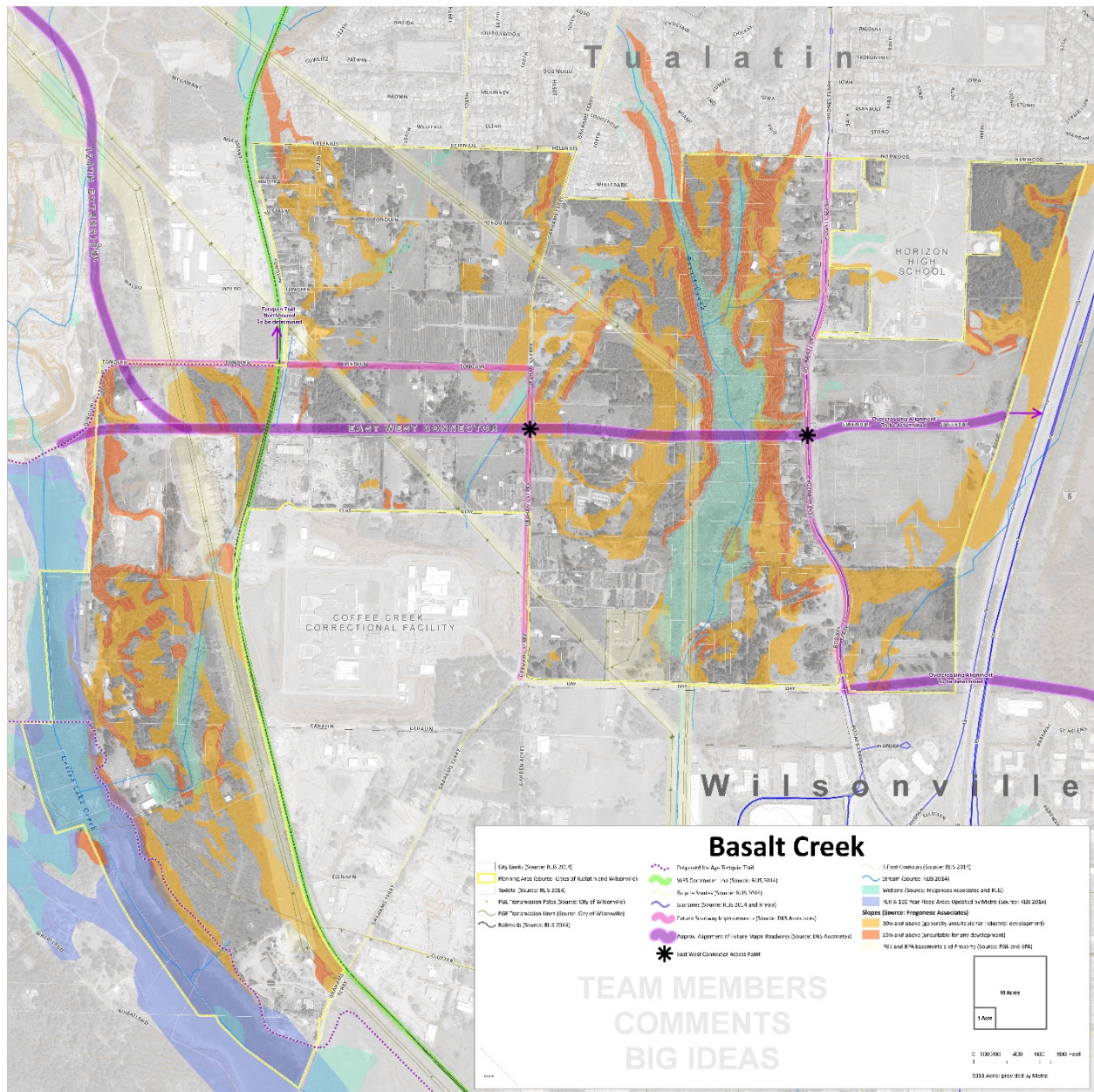
## Public Involvement Plan

A Public Involvement Plan, developed by the PMT, was used to guide outreach strategies and events throughout the planning process (Appendix B).

## Public Workshop

The planning process began with a community workshop for the Basalt Creek Concept Plan on June 17, 2014. This was a visioning workshop and open house attended by roughly 40 people and solicited input on priorities and preferences for future land use and transportation in the Concept Plan area. Key outputs included initial scenarios that identified important issues for the area, including a desire to keep the Basalt Creek Canyon as open space, the need for residential buffer areas, traffic challenges and ideas for new parks. Results indicated a preference for appropriate transitions between land uses and protection of existing neighborhoods, but an openness to a range of employment and commercial uses. Instant polling at the workshop was combined with the results of the online survey for a total of 160 responses from participants living both inside and outside the planning area. Survey results included a strong interest in public access to natural resources and were less focused on housing or industrial warehousing. This participation informed the establishment of Guiding Principles for the project.

Figure 3 Example of the Basalt Creek Planning Area Base Map used for workshop activity. Participants used these maps to draw and design a vision for future uses of the Basalt Creek Planning Area.



### Stakeholder Interviews/Focus Groups

The Basalt Creek planning process included over a dozen focus group meetings and stakeholder interviews with developers and property owners in June and July 2014. Developer discussions included industrial, office, retail, residential, and mixed-use development. Knife River, Coffee Creek Correctional, Ibach Citizen Involvement Organizations and the Chamber of Commerce from each City also provided input. These discussions focused on future industrial development types, housing preferences, land assembly, and employer amenities. Property owners expressed a desire for flexibility in land uses and concern over how development will impact quality of life in the area. Developers were concerned with



industrial development types changing, along with changing housing preferences, the land assembly challenge, and what employers will consider amenities in the area. These discussions informed the Concept Plan's market analysis, land suitability analysis, building prototypes, development types and land use placements for testing different land use scenarios for the Planning Area.

## Open House

A second open house was held on April 28, 2016 to share the draft Concept Plan elements, including land use, road network and improvements, transit, bike, pedestrian and trail network improvements, parks, natural areas, and infrastructure systems. Members of the public were invited to share feedback on the Concept Plan generally as well as specific options for future parks, natural areas, and the bike, pedestrian and trail network. Participants expressed general support for the preferred alternative presented at the Open House, and during instant polling, shared a desire to use the area for recreation, neighborhood parks and conservation areas.

## Email and Website Updates

The Project Management Team (PMT) sent monthly updates to those on the interested parties list via email and to property owners via postal mail, which included approximately 300 people. Council and Planning Commission work sessions and updates were scheduled and held throughout the project, including before critical milestones and Joint Council meetings, all of which were open to the public and notice provided on City websites and the project website.

## Scenario Testing and Concept Plan Development

### What is Scenario Planning?

Scenario planning is a tool used to estimate the likely future effects of growth and development patterns in a specific area. This information helps local governments make decisions about what type of land use, transportation and infrastructure plans and policies will best meet community needs in the future. Scenario planning helps identify challenges and opportunities for desired growth and allows exploration of different approaches to achieve the community vision for an area. Unlike a plan, scenarios are very specific, intending to model likely future land uses. Learning from these, a plan can be developed to allow for several beneficial scenarios.

### Scenario Planning for Basalt Creek

Scenarios were used to understand how different land use decisions, infrastructure investments, other regulations and policies might impact the future outcomes in Basalt Creek – and how well they achieve the guiding principles. The scenarios that were designed and tested for the Basalt Creek Planning Area integrated many different variables (such as different land uses and service areas) and the relationships between those variables. By modifying the scenarios, the impact of different sets of decisions were able to be better understood.

The scenario testing for Basalt Creek sought to answer questions about the implications of various development and infrastructure options. Taken together, these questions formed objectives for the scenario evaluation.

- Where should the boundary between Tualatin and Wilsonville be?
- What combination of land uses is most appropriate for the area?
- What infrastructure is needed to support future development, and what will be the cost of that infrastructure?
- Which agencies will provide public services to different parts of the area?
- How will traffic generated by new development in this area impact traffic flows and congestion levels, both locally and regionally?
- How will the benefits and costs of serving the area be balanced fairly between Tualatin and Wilsonville?

The project team created and evaluated a Development Base Case and tested Alternative Development Scenarios. A description of the scenarios is included in Appendix C. During the scenario development process, jurisdictional boundary discussions were ongoing and different scenarios considered different boundary alternatives. A series of five scenarios were developed in an ongoing iterative process that tested the following variables: the location and amount of different land uses, the location of the jurisdictional boundary, location of service boundaries, and design of infrastructure systems. The PMT also developed performance measures associated with the Guiding Principles, in addition to local and regional goals, to compare the different scenarios. As a complex set of conditions, the variables tested were interrelated and needed to be combined in scenarios to understand how changes in one variable impacted the others. These scenarios were vetted by the project's PMT and each City Council, and then fully analyzed for the transportation, infrastructure, and land use implications.

Based on these analyses, discussions among the PMT, and feedback from the Joint Councils, a preferred scenario was developed. The preferred scenario became the basis for the Basalt Creek Concept Plan.

## Final Plan Development

The final phase of the project included further refinement of the Concept Plan using the preferred scenario, setting the jurisdictional boundary, and drafting an implementation strategy for the Concept Plan.

The final Basalt Creek Concept Plan was designed to meet all the requirements associated with areas added to the urban growth boundary (see Title 11 Compliance Memo in Appendix D) and was forwarded to Metro for review. The Councils from the City of Tualatin and the City of Wilsonville each adopted the Concept Plan by resolution. Comprehensive Plan amendments and implementation strategies and tools are to be consistent with this Plan.

# Concepts that Shaped the Plan

## Guiding Principles

Guiding Principles represent the collective interests and goals for the Basalt Creek Planning Area as agreed to and established by the Joint Council. They provided a framework for gathering input and developing transparent and meaningful measures that helped inform the decision-making process for this plan (See Appendix E for Guiding Principles Memo which provides further descriptions).

1. Maintain and complement the Cities' unique identities
2. Capitalize on the area's unique assets and natural location
3. Explore creative approaches to integrate jobs and housing
4. Create a uniquely attractive business community unmatched in the metropolitan region
5. Ensure appropriate transitions between land uses
6. Meet regional responsibility for jobs and housing
7. Design cohesive and efficient transportation and utility systems
8. Maximize assessed property value
9. Incorporate natural resource areas and provide recreational opportunities as community amenities and assets

## 10 Considerations for Success\*

An addition to the Guiding Principles, the Joint Council also identified ten key elements for successful implementation of Basalt Creek Concept Plan:

1. **Sewer.** Each City will serve its own jurisdiction area independently, to the extent reasonably possible, with the understanding that future agreements may be needed to address potential cooperative areas.
2. **Stormwater** Each City will serve its own jurisdiction area independently, to the extent reasonably possible, with the understanding that future agreements may be needed to address potential cooperative areas, consistent with the respective National Pollutant Discharge Elimination System (NPDES) Stormwater MS4 permits.
3. **Industrial and Housing Lands.** The Basalt Creek Concept Plan area is currently mapped and identified as an "Industrial Area" in Metro's Title 4 Code, which does not prevent housing designations. Recognizing the regional need for employment land and housing, the Cities agree to the employment and housing uses identified in the Basalt Creek Concept Plan.
4. **Transportation Funding.** The Cities acknowledge significant improvements will be needed to the existing and future transportation network as identified in the 2013 Basalt Creek Transportation Refinement Plan. In order to implement the 2013 Basalt Creek Transportation Refinement Plan Tualatin and Wilsonville will coordinate with Washington County to prioritize projects and identify funding strategies.
5. **Future Regional Transportation Projects in the Basalt Creek Area.** The Cities will coordinate with Washington County and Metro to evaluate future regional transportation projects and decisions, beyond those identified in the TRP.
6. **Trips.** Proposed development will be reviewed for impacts to the transportation system.
7. **Basalt Creek Parkway and I-5 Crossings.** The Cities acknowledge the Basalt Creek Parkway and I-5 crossings identified in the TRP are critical to successful implementation of the Basalt Creek Planning Area. The Cities will seek to coordinate timely regional investments in these crossings to implement the Basalt Creek Concept Plan.

8. **North-South Local Street (Kinsman Road).** Kinsman Road is planned as a local street both north and south of the jurisdictional boundary that is not planned to connect to the Basalt Creek Parkway.
9. **Basalt Creek Canyon.** The Cities recognize the natural resource value of the Basalt Creek Canyon. Each city will comply with Metro Titles 3 and 13. The Cities also recognize the benefits of locating north/south trails near the Basalt Creek Canyon and bicycle connections that would connect the cities and other trail systems and be an asset for both residents and employees in the area.
10. **Public Transportation.** Robust transit services are critical to the high-quality employment and housing envisioned in Basalt Creek Planning Area. The Cities agree to coordinate efforts on how SMART and TriMet can best provide service throughout the area.

*\* At the time of preparing this draft of the Concept Plan for the meeting packet, this section was still being revised; staff from both cities are still working together to finalize and agree upon the language for this section.*

## Planning Area Conditions

The project consultant team conducted research on the existing conditions and future needs in the planning area, as well as reviewed previous planning efforts affecting the area. The project team studied land use, transportation, the real estate market, geology, water and sewer infrastructure, stormwater, natural resources and parks.

### Planning Context and Urban Growth Boundary

The Portland Metropolitan Area Urban Growth Boundary (UGB) includes three counties and 24 cities. Metro administers the UGB, which includes a mandatory six-year assessment of whether it includes sufficient land to accommodate 20 years of expected development for residential and job growth.

During the 2004 analysis, Metro identified a shortfall of industrial land and a study identified good candidates for industrial development by looking at soil classification, earthquake hazard, slope steepness, parcel size, accessibility to regional transportation and necessary services, and proximity to existing industrial uses. Several areas of land identified as good candidates for industrial development were added to the UGB by Metro via Ordinance 04-1040B in 2004, two of which comprise the Basalt Creek Planning Area. The current 2040 Growth Concept Map identifies the Basalt Creek Planning Area as industrial, but the Ordinance does provide some flexibility to include housing in the planning area. The Ordinance identified outer neighborhood as a potential land use in the northern portion of the planning area, to provide some housing and a buffer for existing residential neighborhoods in Tualatin.

The industrial designation from Metro is defined within the Regional Framework Plan's Glossary as "an area set aside for industrial activities. Supporting commercial and related uses may be allowed, provided they are intended to serve the primary industrial users. Residential development shall not be considered a supporting use, nor shall retail users whose market area is substantially larger than the industrial area be considered supporting uses."

## The Land

### *Landscape Context*

The general character of the area's landscape was shaped by the Glacial Lake Missoula Ice Age floods, a series of cataclysmic floods that shaped the landscape of the Columbia River Gorge and the Willamette Valley during the last Ice Age. The Ice Age Tonquin Trail Master Plan describes the area as "comprised of upland prairie fragments, and oak and madrone woodlands. Rare wildflowers are found near basalt hummocks (scablands) to the west of the planning area, and rare reptiles (pond turtles) and amphibians (northern red-legged frogs) live in the kolk ponds." Remains from the Ice Age floods that can be seen in and around the Basalt Creek Planning Area include glacial deposits, scablands, kolk ponds (ponds formed by eddies during the Missoula Floods), and flood channels. The terrain includes significant slopes of more than 25% and with a change in elevation from 250 ft above mean sea level (amsl) to a maximum elevation of 350 ft amsl.

### *Existing Land Use*

The primary existing land uses in Basalt Creek are rural agriculture, industrial and rural residential consisting of low-density single-family housing. There are areas of agricultural uses, including a nursery, landscaping supply, and blueberry farms. Existing industrial land users include gravel quarries and cement manufacturing in the northwest corner of the planning area. The existing housing in the Basalt Creek area consists of detached single-family on large lots. A significant portion of single-family homes are located on the eastern edge of the Basalt Creek Canyon along Boones Ferry Road.

### *Adjacent Land Uses*

The planning area is bounded to the north by Tualatin residential neighborhoods, to the south by Wilsonville commercial and industrial uses, I-5 to the east, and to the west by Coffee Lake Creek, wetland habitat, and rural and industrial lands.

- The southernmost residential neighborhoods of Tualatin, including recently-built subdivisions such as Victoria Gardens, are located to the north of the planning area. These neighborhoods are zoned a mix of low- and medium-low density residential and are comprised primarily of high-quality, detached, single-family homes. Also, to the north is the 30-acre campus of Horizon High School. The campus is bordered on three of its sides by the planning area.
- To the west, the planning area is bordered by unincorporated portions of Washington County including the Southwest Tualatin Concept Plan area where active quarries and an asphalt plant are located, which falls in the Basalt Creek Planning Area along the Portland and Western Railroad. Further west of the Southwest Tualatin Concept Plan area is the Tonquin Employment Plan area which falls within the City of Sherwood's urban planning area. Most of this land is undeveloped or vacant at this time.
- South of the planning area are existing and planned commercial, office and industrial uses located within the City of Wilsonville. The employment areas around SW Commerce Circle, Ridder Road, and 95<sup>th</sup> Avenue include advanced manufacturing, clean tech, warehouse, distribution, and logistics businesses. The Coffee Creek Planning Area abuts the Basalt Creek Planning Area along the south side of Day Road and south and west to the existing Wilsonville city boundary. The City adopted a Master Plan and Industrial Form-based Code for this area to create a high caliber business district.

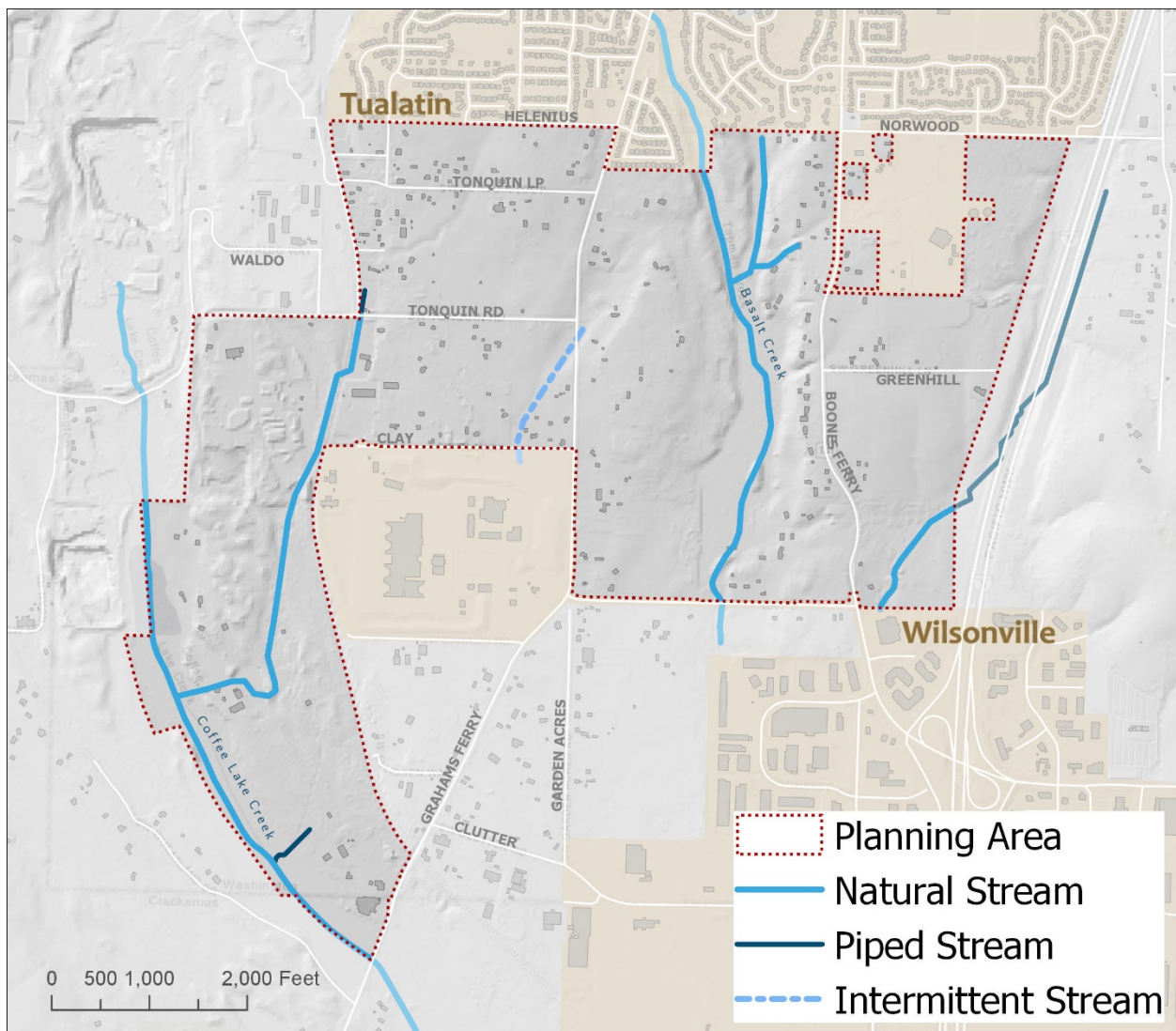


- Adjacent to the southern border of the Planning Area is Coffee Creek Correctional Facility. This is a state-owned correctional facility with 1,250 female inmates, and a fluctuating number of male inmates (around 400) undergoing intake until they are transferred to another facility. The Correctional Facility employs 435 people with day and nighttime shifts comprising a 24-hour workforce.

*Natural Resources*

Land suitability studies for this area identified constrained lands including 18,845 feet of natural streams; 1,402 feet of underground or piped streams, defined as water that flows under the surface in a definite channel; and 789 feet of intermittent streams in the planning area. The two main streams are Basalt Creek (also known as Seeley’s Creek or Tappin Creek) and an unnamed, intermittent creek to the west. Coffee Lake Creek runs though the West Railroad Area and the stream near I-5 is piped underground.

Figure 4 Map of Streams by Category.



Coffee Lake Creek forms the western boundary of the planning area. There are also 69 acres of wetlands (8% of the planning area), including 49 acres of open water in the planning area.

There are 116 acres of land designated by Metro as Water Quality and Flood Management Areas. Following Metro's designations and associated regulations, local jurisdictions determine development rules and requirements that affect these areas. Clean Water Services, who regulates environmental lands in the City of Tualatin and elsewhere in Washington County and the City of Wilsonville, have local ordinances in place that go beyond the level of conservation otherwise required by Metro. Existing local standards from each City would apply upon annexation of property into either Wilsonville or Tualatin.

#### *Buildable Lands Assessment*

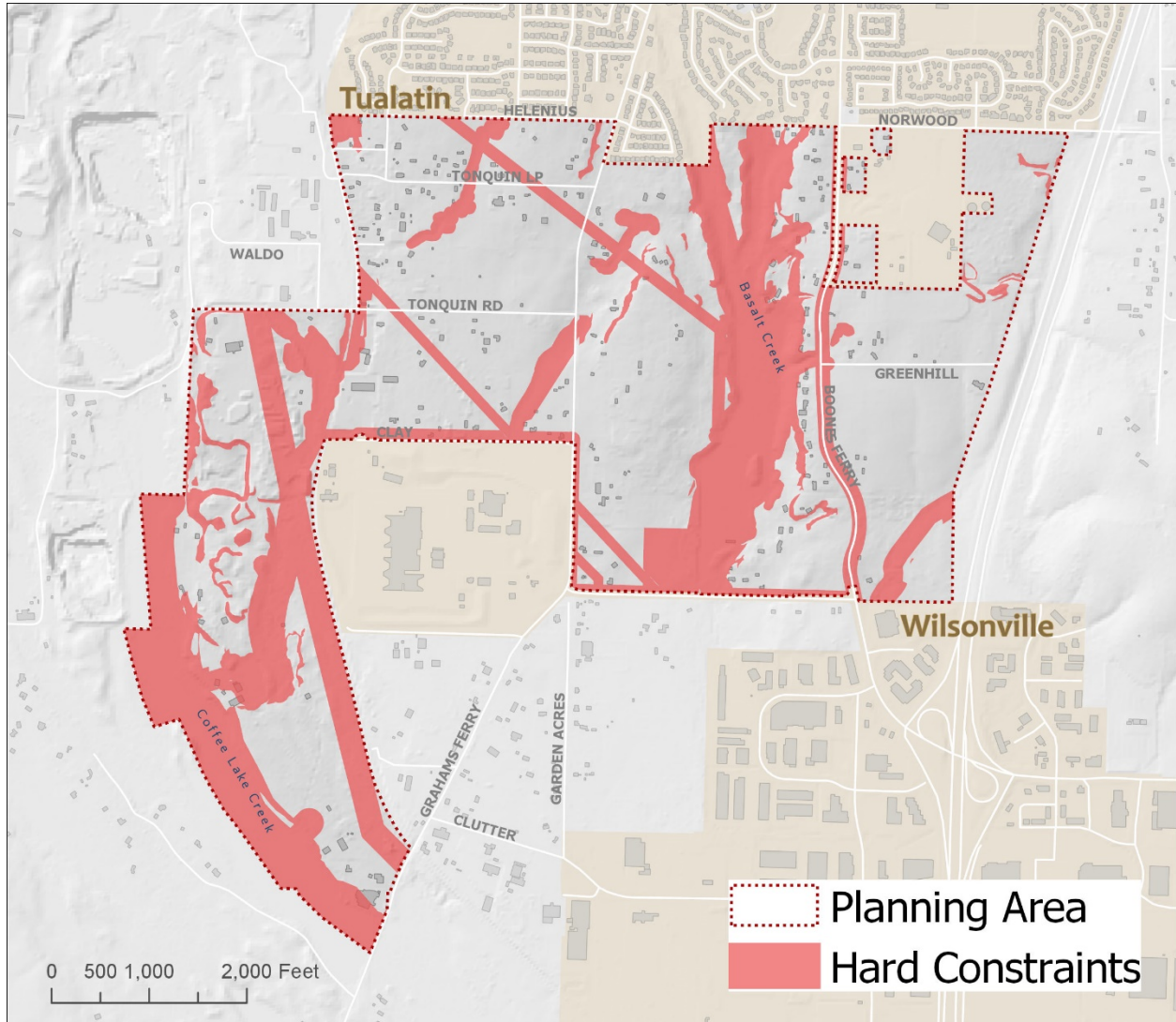
A buildable lands assessment for the Basalt Creek Planning Area (see Appendix F) screened out parcels where there is limited or no development potential to identify the places where development is most suitable given the environmental and regulatory context. There is a range of factors that influence development potential within the planning area, but they can be divided into two categories: hard and soft constraints. Hard constraints are either physical attributes or legal requirements that prohibit new development. These areas are excluded from the analysis. Soft constraints are where physical attributes or legal requirements allow some development with guidance on appropriate land uses and development densities. Assumptions regarding the amount of development in these areas followed Metro guidelines calling for restrained development.

#### *Land Suitability Analysis*

Determining the development capacity for the planning area starts with the buildable lands assessment and then further analyzes the land supply to estimate development capacity on any given parcel. The planning area includes land that is constrained by streams and easements. This land supply analysis then evaluates existing land uses, as provided by tax lot data via Metro's Regional Land Information System (RLIS), visual surveys of the area via aerial photographs and online tools such as Google Earth, and site visits for verifying stream conditions and alignments.

After completing this more detailed review of the land supply to determine development suitability, the land suitability analysis is combined with the buildable lands assessment to remove constrained land and to create a geographically referenced database of developable land within the planning area.

Figure 5 Map of Hard Constraints within the Basalt Creek Planning Area.



The goal is to classify every parcel within the planning area into one of the categories described below:

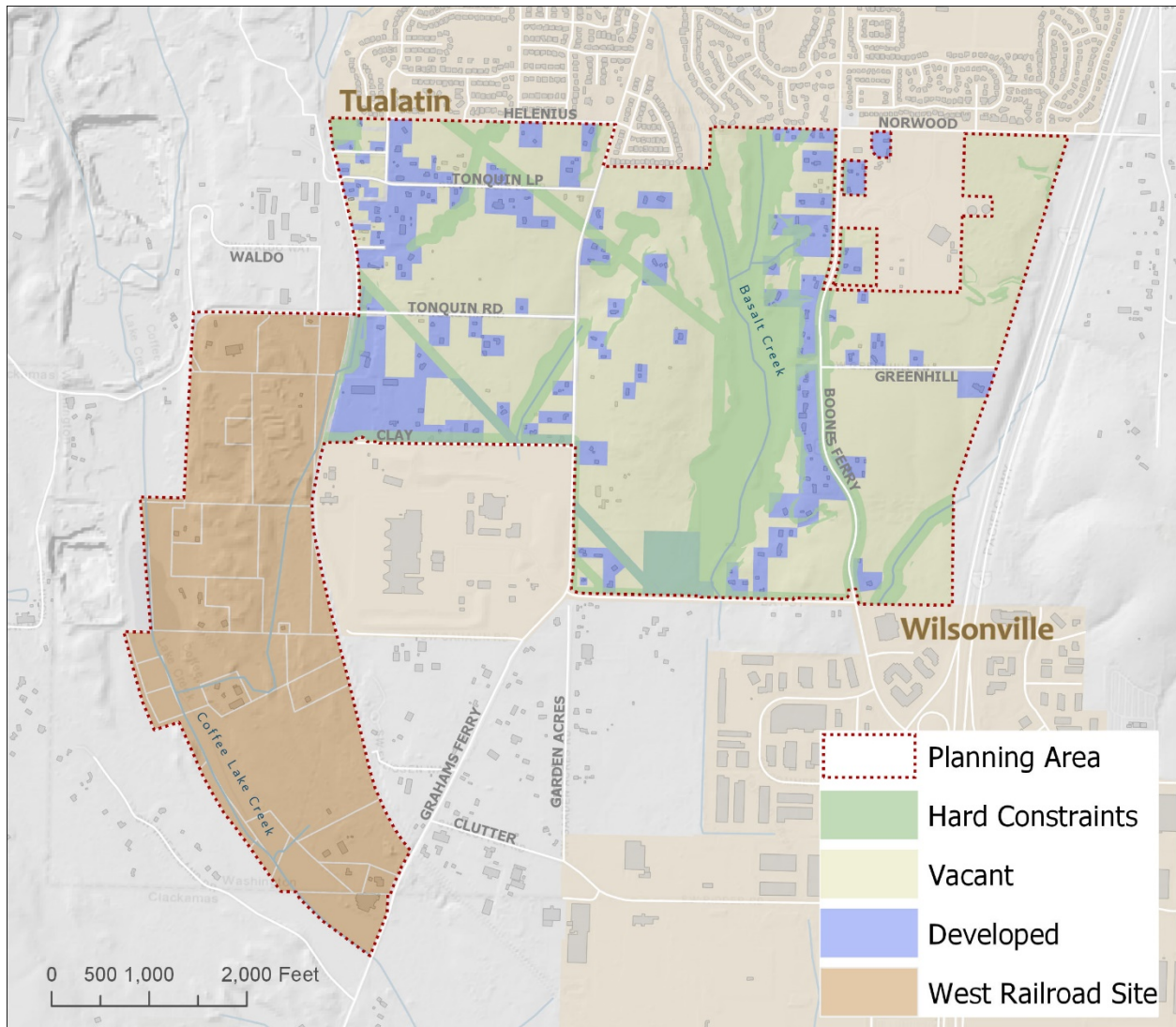
Table 2 Land Supply within the Basalt Creek Planning Area by Type and with Acreage.

Land Supply by Type and Acreage		
Land Type	Acres	Description
Vacant Land	331	Unconstrained land that is ready to build with no major structures located on the site
Developed Land	125	Land already built upon which includes acreage covered by roadways



Constrained Land	153	Land that cannot be built upon due to environmental or other hard constraints
West Railroad Area	238	Excluded from development plan due to large amount of constraints and limited access
<b>Total Land Supply</b>	<b>847</b>	

Figure 6 Land Supply by Type.



There were no redevelopment assumptions incorporated in this analysis. The values associated with the existing buildings were high enough to preclude redevelopment for purposes of determining the development types used during scenario testing. Thus, the developable land estimate for the planning area is 331 acres. This analysis forms the foundation for determining land use and development capacity on each parcel in the Planning Area. The development plan for the Basalt Creek Planning Area excludes

the West Railroad Area from development due to the large amount of constraints on the land and limited access.

## Infrastructure and Services

### *Roadways*

The concept plan looked at the existing transportation system and the planned transportation system developed as part of the TRP, which includes phased investments to support regional and local transportation needs through 2035. The plan provides 18 transportation investments broken into short, medium and long-term projects, all of which are important to ensure that the transportation network functions at acceptable levels over time. The key element is the East-West Connector to 124th Avenue extension, the future and partially constructed Basalt Creek Parkway.

### *Sanitary Sewer*

Currently, no sewer service is provided to the planning area. Existing homes use septic systems. Wastewater conveyance to the south of the planning area is under jurisdiction of the City of Wilsonville. Sewer service to the north of the planning area in Tualatin is provided by the City of Tualatin and Clean Water Services.

The nearest treatment facility to the north of the planning area is the CWS Durham Advanced Wastewater Treatment Facility (AWTF). Eight gravity sewer mains exist near the north planning area boundary that could provide connection points for wastewater from the Basalt Creek plan area into the Tualatin collection system. The Victoria Woods Pump Station and associated force main are also located just to the north of the planning area boundary. From these connection points, wastewater flows by gravity toward the AWTF, crossing the Tualatin River via the Lower Tualatin Pump Station in Tualatin Community Park. Pump stations will be required to lift flows from the planning area into the existing gravity system. Expansion of the service district area to include Tualatin's portion of the Basalt Creek Planning Area needs to be approved by Clean Water Services at time of Annexation.

The nearest treatment facility to the south of the planning area is the City of Wilsonville Wastewater Treatment Plant (WWTP), located approximately 3.2 miles south of the planning area. This facility was recently expanded to accommodate growth within the current city limits and allow for additional buildout to accommodate growth outside the city limits in Urban Growth Boundary expansion areas. Approximately half (300 acres) of the Basalt Creek Planning Area was accounted for in the year 2030 build-out capacity assessment conducted as part of the facility expansion.

The City of Wilsonville's Coffee Creek Master Plan identifies a new sanitary main line to be constructed. After the adoption of that plan, more analysis was completed and determined the appropriate location of the sanitary sewer line to be along Garden Acres Road from Rider and extending north to near Day Road and then continuing up Grahams Ferry Road. A second sanitary sewer line will extend from Garden Acres east and north to Day Road. These lines are intended to provide conveyance of wastewater within the Coffee Creek area and are also intended to serve flows from the Basalt Creek Planning Area to the WWTP. The Sanitary Sewer Collection System Master Plan has analyzed a range of potential flows from the Planning Area.

The Tualatin Sanitary Sewer Master Plan Update is currently being updated and includes Basalt Creek as a sewer basin. The City of Wilsonville updated its Sanitary Sewer Collection Systems Master Plan (MSA,

2014) which included Basalt Creek as a contributing area. The resulting updated master plans identify the improvements needed to increase the capacity of each system to convey flow from the Basalt Creek Planning Area.

### *Drinking Water*

The Basalt Creek Planning Area currently has no municipal water infrastructure in place. Tualatin currently purchases its municipal water from the Portland Water Bureau. The City of Wilsonville receives its potable water from the Willamette River. Based on the topography, the Basalt Creek Planning Area could be served from the south through The City of Wilsonville's distribution system or from the north through the City of Tualatin's distribution system. Lower elevations of the Basalt Creek Planning Area can be adequately served through existing lines in Wilsonville's Pressure Zone B.

### *Stormwater*

Existing stormwater infrastructure consists of roadside drainage ditches and culverts. Culverts in the planning area are under the jurisdiction of Washington County and may not have capacity for future urban conditions. Culverts to the south of the planning area are part of the City of Wilsonville stormwater system. The City of Tualatin has jurisdiction over the stormwater conveyance system to the north of the planning area. Culverts may need to be upsized to provide adequate capacity for runoff from new impervious areas, unless onsite retention or infiltration is required when the location of public drainage or the topography of the site make connection to the system not economically feasible.

Basalt Creek itself flows to the south into Wilsonville as part of the Coffee Lake Creek Basin. Basalt Creek discharges into the Coffee Lake wetlands. Coffee Lake Creek flows south from the wetlands and combines with Arrowhead Creek before discharging to the Willamette River.

The City of Wilsonville's 2012 Stormwater Master Plan identifies capital improvement Project CLC-3 to restore a portion of the Basalt Creek channel, west of Commerce Circle, to increase capacity. The master plan also identifies Project CLC-1 for construction of a wetland for stormwater detention purposes, north of Day Road, to serve an area that includes the Basalt Creek Planning Area. The July 2014 Updated Prioritized Stormwater Project List identifies CLC-3 as a mid-term project (6 to 10 years) and CLC-1 as a long-term project (11 to 20 years).

Locations where stormwater runoff from the Basalt Creek plan area could connect to existing stormwater infrastructure will require evaluation of the conveyance systems at time of development.

### *Schools*

The planning area falls within the Sherwood School District, which has an estimated enrollment of 5,158 and includes four elementary schools, two middle schools, Sherwood High School, and Sherwood Charter School. Most of these schools are within three miles of the edge of the Basalt Creek Planning Area.

The planning area is near Tualatin High School, one of two high schools in the Tigard-Tualatin School District. The district also includes three middle schools and ten elementary schools. It serves 12,363 students overall. Horizon Christian High School (private) has 160 students enrolled on their campus with a vision of serving up to 1,000 students in the future. Existing parks, libraries, and schools are mapped in the Existing Conditions Report (Appendix A in Figure 21 on page 38).

### *Parks*

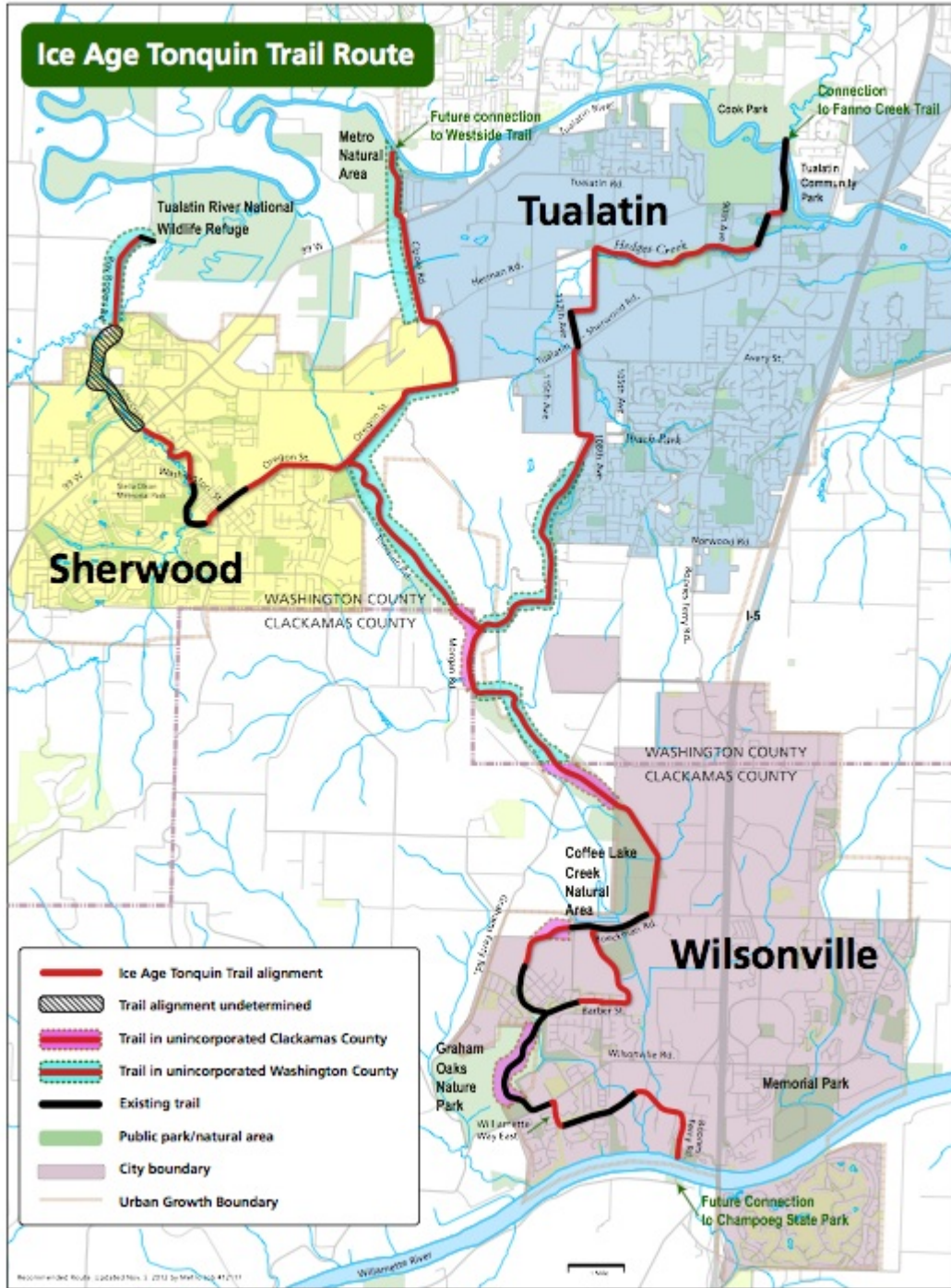
No parks currently exist within the planning area. Wilsonville Parks owns and maintains 16 different public parks, the closest of which is Canyon Creek Park located in Northeast Wilsonville on the other side of I5. It has 1.41 developed acres and 6.87 acres of natural area popular for picnics and walking. The remaining parks are well south of the planning area. City of Tualatin Parks and Recreation owns and maintains 9 different parks, with Ibach Park being the closest to the planning area. Ibach includes an award winning and nationally recognized playground that incorporates Tualatin's pre-historic, Native American, and pioneering past, with information on the cultural and natural history of the area.

### *Trails*

Metro's Ice Age Tonquin Trail Master Plan provides a framework for local and regional jurisdictions to embark on trail implementation efforts. The proposed trail alignments show about 22 miles of trails connected through Tualatin, Wilsonville and Sherwood, and includes a section traversing the Basalt Creek Planning Area.



Figure 7 Map from the Ice Age Tonquin Trail Master Plan



### Market Analysis

A market analysis (Appendix G) to identify the expected development potential for the Basalt Creek area as a future industrial and urban growth area was conducted by Leland Consulting Group.



The planning area is contiguous with several other employment and industrial areas in the southwestern part of the Portland metropolitan region. The market area for the concept plan includes the cities of Tualatin, Wilsonville, and Sherwood, as well as some surrounding areas. Each of these three cities is expecting business expansion and job creation. Viewed together, these areas comprise one of the largest industrial and employment clusters in the region.

Both Tualatin and Wilsonville have seen significant industrial and office development during the past three decades. Industry clusters in which the two cities are already highly competitive are expected to continue and provide significant business and job growth in the future. These include advanced manufacturing, corporate and professional services, health care and related fields, and other specific industrial clusters such as food processing and light manufacturing. The amount of industrial development (including warehousing, production, flexible office/industrial space, high tech, etc.) in both cities is significantly larger than the amount of office development. Office development—nationally and regionally—is not expected to bounce back from the recession with the same resiliency as industrial space.

Employment development in the planning area will benefit from a number of competitive advantages. A major feature and competitive advantage of this “Southwest Metro” employment cluster in general, and the Basalt Creek Planning Area in particular, is its immediate access to I-5, the west coast’s most important transportation route. Additional advantages are access to I-205, Highway 217, nearby arterial roads, and transit service, a growing and educated workforce, and established and expanding industry clusters nearby. Employment corridors are located along transportation arterials that include the 124<sup>th</sup> Avenue Extension and the Basalt Creek Parkway located east west along the future jurisdictional boundary.

The market area’s location and current demographics are also encouraging for new housing development. The planning area is immediately south of several south Tualatin residential neighborhoods, which contain attractive parks, street trees, and schools. The neighborhoods create a positive environment for residential development along the northern edge of the Basalt Creek Planning area.

The planning area is already served by several major regional and sub-regional retail nodes located nearby—Bridgeport Village, central Tualatin, and Wilsonville’s Argyle Square. Any commercial space built in Basalt Creek will primarily serve residents and employees, as is consistent with Metro’s employment area designation.

# Concept Plan for Basalt Creek

## Concept Plan Overview

The Basalt Creek Concept Plan guides development within the planning area over the next fifty years. It identifies preferred land uses across the area and coordinates future land use, transportation and infrastructure investments between Tualatin, Wilsonville, and Washington County. The partnership

between the two cities which shaped this Plan must continue during implementation to drive successful development in the future.

In Ordinance No. 04-1040B, The Metro Council concluded that the Basalt Creek Planning Area can be planned for industrial use given there are urban services in the vicinity and that urbanization will have no effect on agricultural practices on adjacent land due to its isolation from agricultural activities. The Metro Council identified the area as the most suitable exception area under consideration for warehousing and distribution, a significant industrial need facing the region. The land use framework for the concept plan supports job growth in the area, while preserving natural space, buffering residential areas, and improving connectivity throughout the planning area.

Key considerations and conclusions informed the Basalt Creek Concept Plan:

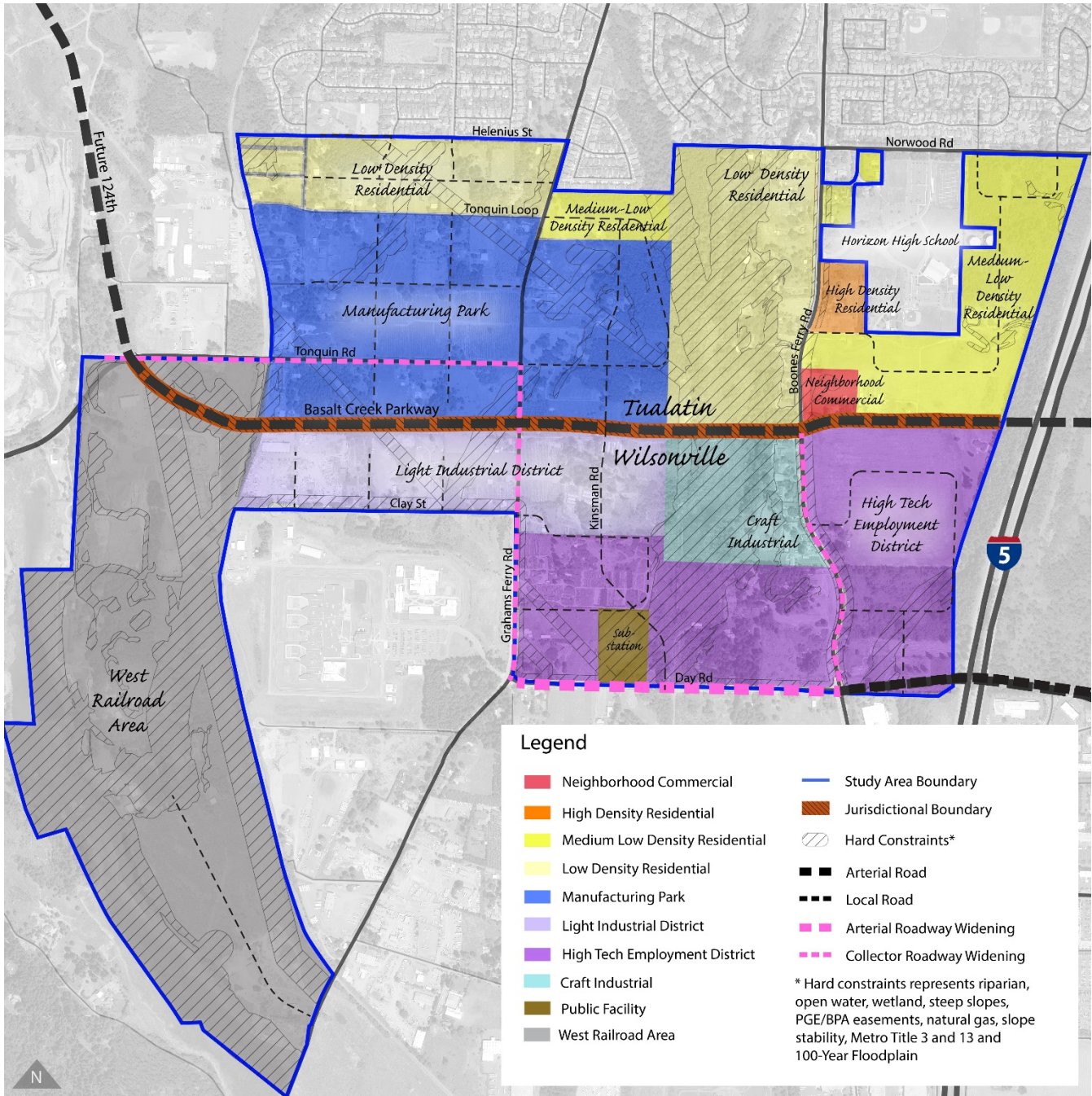
- While there is a unified Concept Plan for the Basalt Creek area, it was also important to customize the land use types and implementation measures for each city.
- Natural features, topography, and future roads identified in the Basalt Creek Transportation Refinement Plan influenced infrastructure service areas and the jurisdictional boundary.
- Operating separate infrastructure systems along the jurisdictional boundary affords each jurisdiction the ability to develop and manage their own public utility systems.
- The topography and geology in this area may present development challenges and infrastructure costs may be higher than average.
- Various employment types impact performance of the transportation system differently; for example, retail uses generate more trips than industrial or warehousing.
- There are uncertainties in estimating assessed value and property tax revenue of future development due to unpredictability of the market and the extent to which the modeled development types will be built over time; likewise, it is difficult to accurately estimate SDC revenue for future development.
- The West Railroad Area has significant environmental, infrastructure, and transportation constraints and costs to serve new development; this area is less likely to develop than the rest of planning area. When there is development interest, future planning would need to be conducted.

### Key Elements of the Concept Plan

- Jurisdictional Boundary Determination
- Land Use and Development
- Transportation
- Transit
- Bicycle, Pedestrian and Trail
- Parks and Open Space
- Natural Resources
- Water
- Sewer

- Stormwater
- Implementation & Phasing

Figure 8 Basalt Creek Land Use Concept Map



## Jurisdictional Boundary, Land Use and Development

The Basalt Creek Planning Area is divided between the Cities of Tualatin and Wilsonville, and the Basalt Creek Parkway serves as the jurisdictional boundary between the two. Of the 847 acres, 367 acres will be annexed by Tualatin, 480 acres will be annexed by Wilsonville. The land use patterns in the Concept Plan are responsive to the setting and to the existing conditions. Since the area is well suited and intended for industrial uses, much of the planning area is designated for employment land uses. The Concept Plan land use pattern also anticipates the inclusion of transitional areas via development design standards to buffer new industrial land from adjacent existing uses and neighborhoods.

The land use designations on the map represent real-world development types. Each development type (i.e. Manufacturing Park) is defined by a set of buildings, which are based on real buildings in each of the cities. Tualatin’s land use designations which are north of the jurisdictional boundary are consistent with its current development code, and Wilsonville’s land use designations, south of the jurisdictional boundary, are consistent with its current development code.

Using the land suitability analysis, and looking at adjacent land uses, the project team identified appropriate land use designations for properties within the planning area. These land use designations were further refined, and appropriate densities selected to provide for regional employment capacity and housing while also maintaining traffic counts consistent with the TRP.

Tualatin land uses include a mix of residential and employment development types, with the housing land use designations in the northern and northeastern portions of the Planning Area. The Plan calls for a small retail node just east of the Basalt Creek Canyon located to serve residents and workers.

Wilsonville land uses include a mix of employment development types and a modest opportunity for live/work housing. These land uses support adjacent and nearby industrial areas such as the Coffee Creek Industrial Area and provide flexibility to meet a range of market demands. These uses could also be a good fit for the City’s Industrial Form-based Code, recently adopted for the Coffee Creek Industrial Area, if the City wanted to extend it north into Basalt Creek.

### Development Types

*Table 3 Summary of Development Types Identified for Basalt Creek Planning Area by Jurisdiction*

Jurisdiction	Land Use Designation	Buildable Acreage
Tualatin	High Density Residential	
	Medium-Low Density Residential	
	Low Density Residential	
	Neighborhood Commercial	
	Manufacturing Park	

Functionally Unbuildable

**Tualatin Subtotal**

Wilsonville

Craft Industrial

Light Industrial District

High Tech Employment District

Functionally Unbuildable

**Wilsonville Subtotal**

Total

---

*Tualatin*

**Employment.** The Concept Plan allocates substantial land as Manufacturing Park, which is expected to accommodate 1,897 new jobs, calculated based on the expected square footage of employment land. The Manufacturing Park is located along the northern edge of the future Basalt Creek Parkway on the land west of Basalt Creek Canyon, including both sides of Tonquin Road and Graham’s Ferry (as shown on the above map).

**Housing.** Most of the remaining land north of the proposed Basalt Creek Parkway (beyond employment land) is allocated to a mix of residential uses at varying densities. The Concept Plan organizes residential land uses into two general areas that are intended to have easy access to services and be connected to parks, schools, and natural areas.

1. The plan focuses the lowest density housing (a mixture of low-density and medium-low density) along the northern portion of the planning area and low density along the west side of Boone’s Ferry Road, adjacent to existing neighborhoods of Tualatin. This land is expected to accommodate 134 new households.
2. The eastern portion of the Tualatin planning area is anticipated to be a mixture of high and medium-low density residential; the land immediately east of Boones Ferry Rd is intended for high density housing; The remainder of the land east and south of Horizon School is planned for medium-low density residential. This eastern subarea is expected to accommodate 407 new housing units in Tualatin. This land is near the intersection between Boones Ferry Road and the new Basalt Creek Parkway.

**Commercial.** Neighborhood Commercial is planned north of the jurisdictional boundary and east of the Basalt Creek Canyon at, or near, the northeast corner of the intersection of Boones Ferry Road / Basalt Creek Parkway. It is intended to serve residents and workers.

*Wilsonville*

**High-Tech Employment District.** Most of the buildable acres in the planning area south of the proposed Basalt Creek Parkway are devoted to a mix of higher-density employment land. The High-Tech



Employment District is expected to accommodate the largest number of jobs (1,916) with a mix of warehousing, manufacturing and office buildings. This land use is in the southern and eastern sections of the planning area, covering all Wilsonville land east of Boones Ferry Road and most of the land south of Clay Street extending to Day Road and bordered to the west by Coffee Creek Correctional Facility.

**Craft Industrial.** The southwest corner of the intersection of Boones Ferry Road and the new Basalt Creek Parkway is planned as Craft Industrial, which allows for a mix of smaller-scale commercial uses, which may include live-work units. These envisioned development types respond to the topography on those parcels and their location directly south across the Parkway from residential land and southwest of the neighborhood commercial node across the Parkway in Tualatin. Craft Industrial is a better fit with those surrounding uses, providing a transition to the higher intensity employment uses to the south. This area allows less than 20 percent residential use and is expected to accommodate 27 new jobs and 6 new housing units in the form of live-work units.

**Light Industrial District.** This land is located across the southern edge of the future Basalt Creek Parkway just north of Coffee Creek Correctional Facility and will be able to accommodate 581 new jobs primarily in warehousing and light manufacturing.

#### *West Railroad Future Planning Area*

The West Railroad Area is divided from the rest of the planning area by the Portland and Western Railroad (PNWR) and the Coffee Creek Correctional Facility. The area is heavily constrained by wetlands habitat (as seen in Figure 5), steep slopes, and fragmented property ownership. Initial estimates show it would be costly to serve this area with adequate water, sewer, and transportation infrastructure due to its location. These initial cost estimates for the infrastructure are included in Appendix H (Basalt Creek Concept Plan Transportation Technical Analysis and Solutions Memo) and Appendix I (Basalt Creek Concept Plan Infrastructure Technical Memo). Topography and the PNWR line also create a relative separation between this area and the rest of the Basalt Creek Planning Area as well as access issues for freight trucks. Given these constraints, the area has potential for resource conservation and future public access to nature. Additional land uses may be appropriate but will need further analysis.

Because it is considered to have much lower development potential than the rest of the planning area, a future land use scenario was not created for this area at this time – it is being considered an area for future study and consideration. Once development and the extension of infrastructure occurs in the rest of Basalt Creek as well as the Coffee Creek Industrial Area, additional analysis should be completed on infrastructure service costs and appropriate land uses. The West Railroad Area is south of the Basalt Creek Parkway and in the City of Wilsonville. Wilsonville’s Comprehensive Plan amendment to adopt this Concept Plan will include a designation of Area of Special Concern for the West Railroad Area. The area will require a rezoning process before any development occurs.

## Transportation

### Key Transportation Solutions

The TRP sets the layout of major new roads and improvements for the area. Prior to land annexing into either city, a cooperative funding strategy needs to be agreed upon between the City of Wilsonville, the City of Tualatin, and Washington County to build out the transportation network as set forth in the TRP.

The network must also coordinate with plans for the area as set out in the Metro Regional Transportation Plan.

The Basalt Creek Parkway, of which the segment between 124th Avenue/Tonquin Road to Grahams Ferry Road is already under construction, is the major east-west arterial through the area. The Parkway allows for limited local access providing important freight connections between Tonquin, Southwest Tualatin, and Basalt Creek Employment Areas to I-5. It also serves as a future jurisdictional boundary between Tualatin and Wilsonville.

Additional road improvements are necessary to handle projected traffic levels as the area develops, including adding capacity to north-south collectors and Day Road as well as two additional I-5 crossings (at Day Road and Greenhill). As the area develops, property owners will plan and build local roads connecting to this network. These roadway improvements will include enhanced bike and pedestrian facilities and connections to the future transit system.

### Roadway Network

The roadway network for the Basalt Creek Concept Plan is shown in Figure 9 on Page 36. The transportation network includes projects considered likely to be in place by 2035 and Washington County’s 2035 Gamma model was used. Forecasting depends partly on the projects planned for the Basalt Creek Planning Area, as well as those planned for the region. Both the BC TRP and Metro’s 2014

RTP, which lists projects reasonably likely to be funded by 2040, informed this analysis. Table 4 shows potential capacity-related projects from the RTP list and indicates which projects we are assuming to be in place by 2035.

The planned roadway network includes the projects and facilities described in Table 4 below, with two exceptions. The East-West Arterial Overcrossing is not included on Figure 9 as that segment of the Basalt Creek Parkway is anticipated to be constructed after 2035 and beyond the planning horizon for the Concept Plan. The second project, the Kinsman Road Extension from SW Ridder Road to SW Tonquin Loop Road, as shown in Figure 9, is no longer proposed as a collector, but rather, a local street. Figure 9 depicts where local streets may be needed to provide access and circulation to existing development and developable parcels.

*Table 4 2014 RTP Projects Assumed for 2035 Forecasting*

Project Number	Project and Description
10736	124 <sup>th</sup> Ave. Extension (Tualatin-She extension)
11243	Day Rd. (Grahams Ferry Rd. to Boc
10588	Grahams Ferry Rd. (Helenius St. to
10590	Tonquin Rd. (Grahams Ferry Rd. to
11438	Tonquin Rd./Grahams Ferry Rd. – i
11469	124 <sup>th</sup> Ave. Extension (Tualatin-She

11470	East-West Arterial (Grahams Ferry
11487	Boones Ferry Rd. (East-West Arter
11488	Boones Ferry Rd./Commerce Circle
11489	Boones Ferry Rd./I-5 Southbound
11490	Day Rd. Overcrossing (Boones Ferr extension/overcrossing of I-5
11436	East-West Arterial Overcrossing (B extension/overcrossing of I-5

Source: <http://www.oregonmetro.gov/regional-transportation-plan>

The Cities agreed to a local street classification for Kinsman Road. In part because SW Kinsman Road between SW Ridder Road and SW Day Road was dropped from the Wilsonville TSP's list of likely funded projects in favor of using Garden Acres as the collector to maximize land use efficiency in the Coffee Creek Master Plan Area. The Cities ultimately agreed to this change in classification as it will still maintain the functionality of the transportation network in the Basalt Creek Planning Area. The project team tested Kinsman Road within the transportation model. Intersections at SW Grahams Ferry Road/SW Day Road experience increased traffic volumes as drivers that might have used the Kinsman Extension use SW Grahams Ferry Road south of SW Day Road instead. However, all intersections meet future mobility standards under both Kinsman as a local street as well as the full Kinsman collector alternative.

Kinsman Road, a local street, will connect SW Tonquin Loop Road to SW Day Road. This means the SW Kinsman Road/SW Day Road intersection is stop-controlled, and not signalized as planned in the TRP. It will require a grade-separated crossing of Basalt Creek Parkway, given the Parkway's limited number of future intersections and requires coordination with Washington County.



Figure 9 Transportation Preferred Alternative 2035

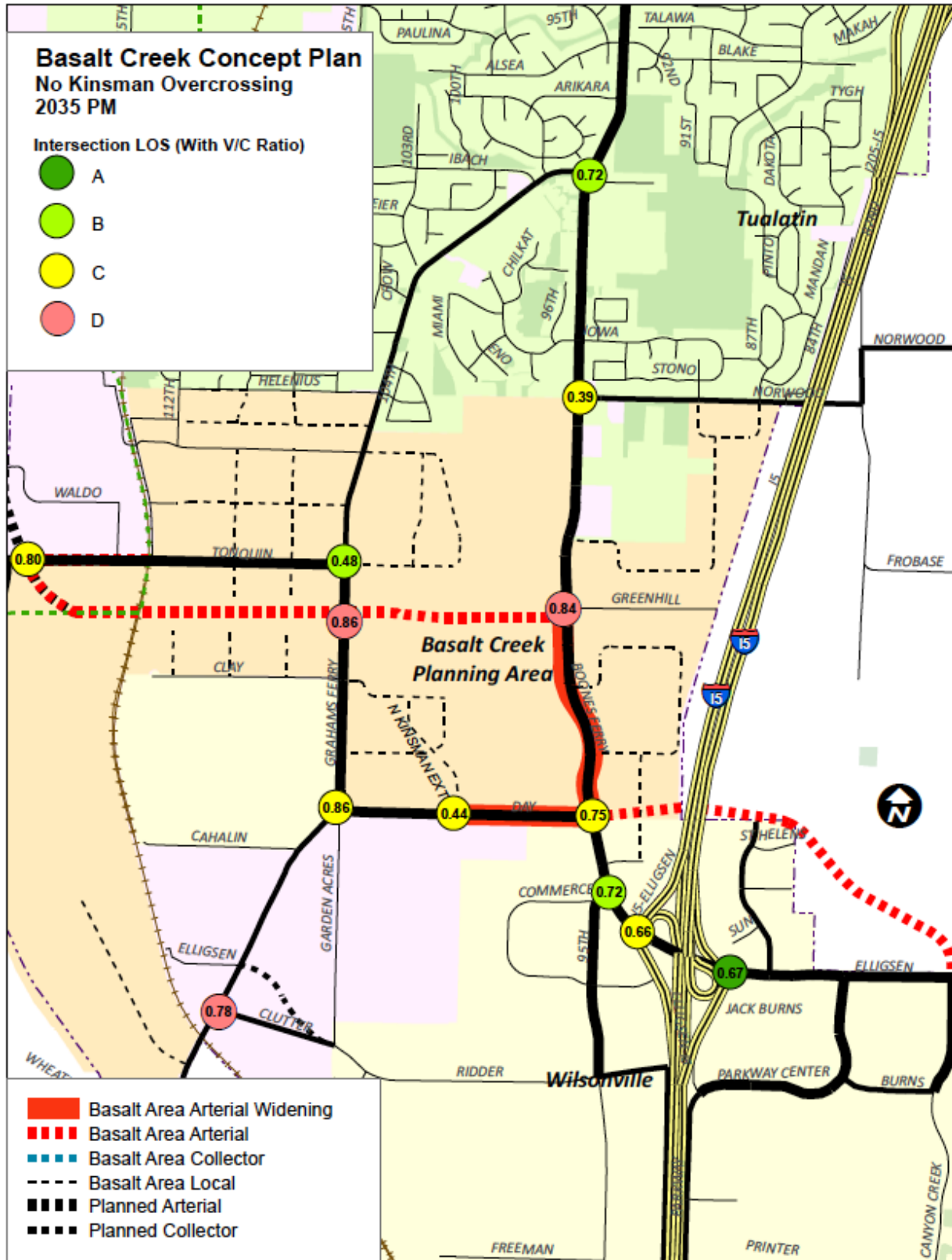


Table 5 Trips by Land Use Designation

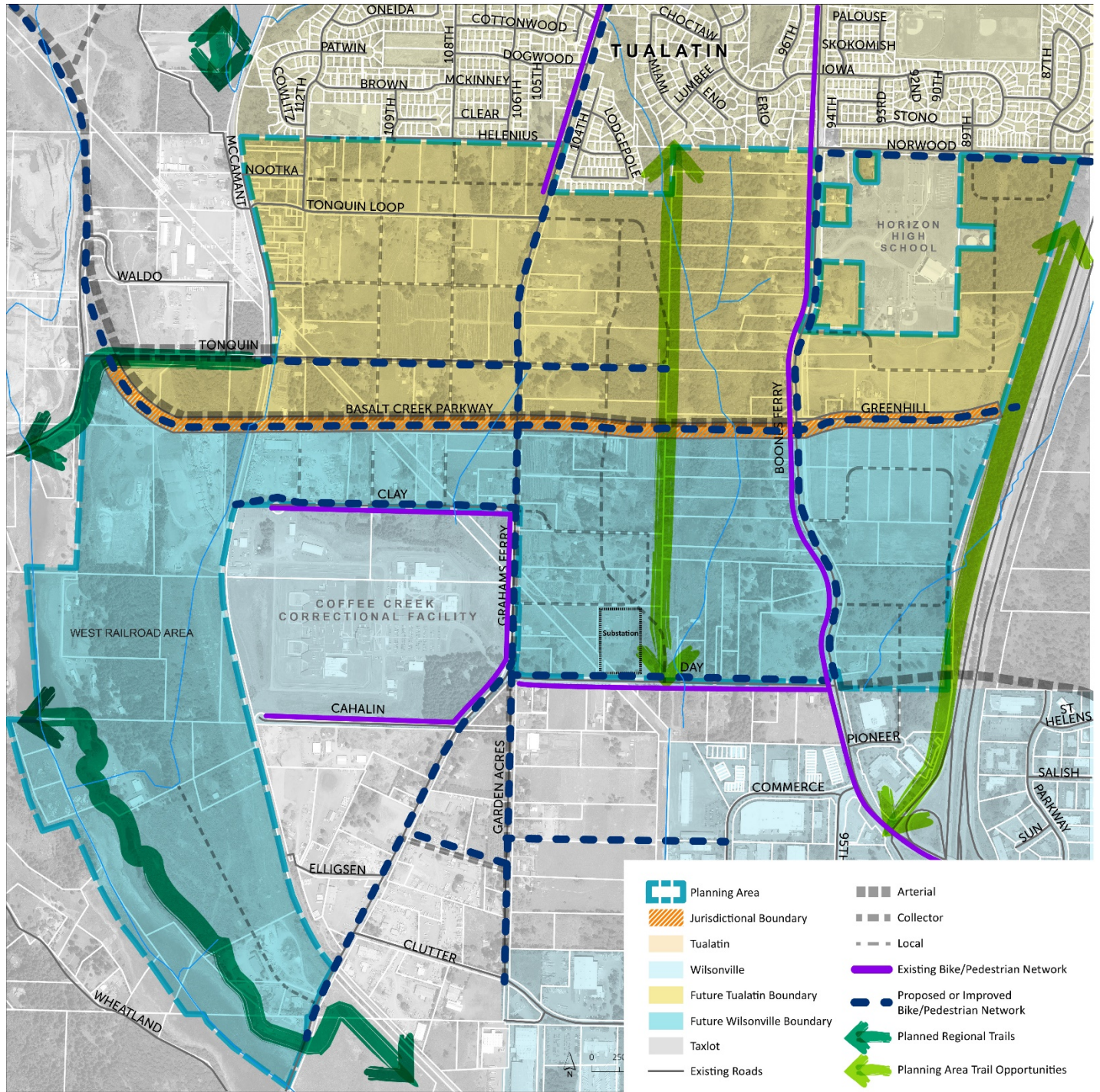
Jurisdiction	Land Use Designation	Trips	Trips per Acre
Tualatin	High Density Residential	42	12.52
	Medium-Low Density Residential	236	3.94
	Low Density Residential	85	3.41
	Neighborhood Commercial	24	8.26
	Manufacturing Park	725	7.80
	Tualatin Subtotal/Average	1,111	5.72
Wilsonville	Craft Industrial	16	12.95
	Light Industrial District	218	6.17
	High Tech Employment District	717	7.59
	Wilsonville Subtotal/Average	951	6.96
	<b>Average</b>		<b>6.23</b>
	<b>Total</b>	<b>2,062</b>	

### Bicycle and Pedestrian Framework

As noted in the existing conditions, the bicycle and pedestrian network is incomplete in the planning area. Additional bike and pedestrian facilities will be integrated into new and updated road projects in accordance with State, County and City standards and in conjunction with predicted traffic flows. The map below illustrates the location of these proposed upgrades, along with identified trail opportunities that would further enhance connectivity in the planning area and to surrounding areas.



Figure 10 Bikes, Trails, and Pedestrian Network Map



While existing bike and pedestrian facilities run along Boones Ferry Road, Day Road, and sections of Graham's Ferry Road, planned improvements will increase safety and completeness. The additional facilities will offer significant east/west connections along the new Basalt Creek Parkway and Tonquin Road as well as an important north/south connection along the length of Graham's Ferry Road within the planning area. These improvements will make connections between the proposed neighborhood

commercial area on Boones Ferry Road with residential neighborhoods and employment areas as well as the future transit network. Most participants polled at the April 2016 Open House suggested they would like to use future bike and pedestrian facilities to access recreation or for exercise, with almost half anticipating using these facilities at least once a week. These new connections will not only provide improved connectivity but also valuable access to local recreational areas, trails, and natural areas.

With the conservation of significant natural areas, the plan outlines opportunities to connect these spaces to pedestrian and bike facilities in key locations to create active and passive recreation, outdoor education, and public art amenities. The two main opportunities for trails within the Basalt Creek Planning Area are a Basalt Creek Canyon Ridge Trail and the I-5 easement Trail, which are shown in Figure 10 as Planning Area Trail Opportunities marked by large light green arrows.

Currently, Basalt Creek Canyon is a barrier to east/west movement through the planning area. A north/south connection to the west of the Canyon would further improve the network and make connections to east/west roads to the north and south of the Canyon. The Basalt Creek Ridge Trail would run along the west ridge of Basalt Creek Canyon. This trail could be connected to the regional trail network by extending Tonquin Road with bike/pedestrian facilities across Graham's Ferry to the new ridge trail. There is also opportunity to create a trail parallel to I-5 in the ODOT regional easement that would provide an additional north/south connection that would connect to existing bike and pedestrian facilities.

Given the nature of the Basalt Creek Parkway, an over or underpass may be preferred or necessary to make the best bike/pedestrian connections in the planning area. Coordination between the cities, Washington County, Metro, ODOT, and possibly BPA will be necessary for a feasibility study, implementation and funding.

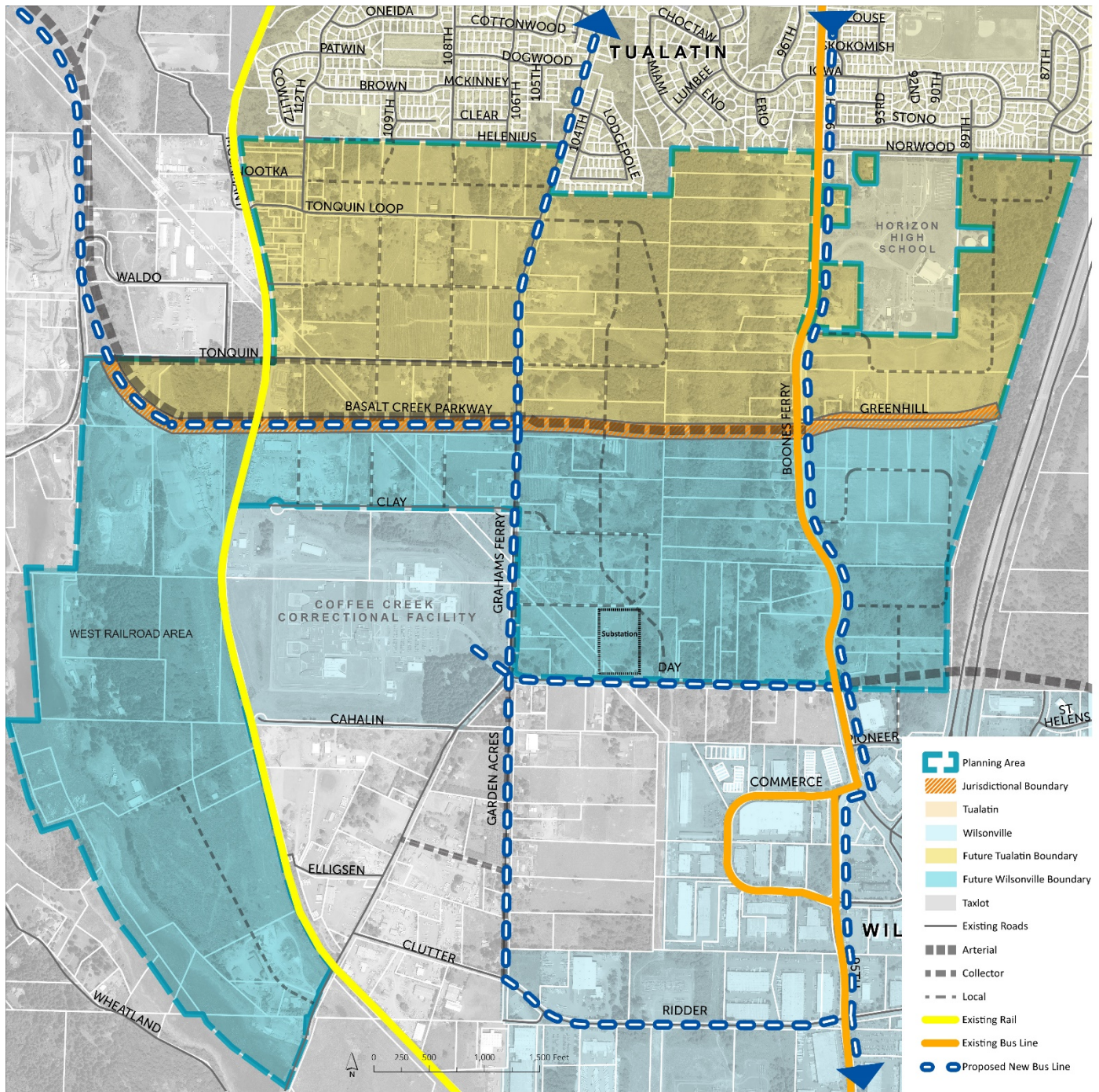
Decision-making on investments should prioritize connections that link pedestrian and bike networks to transit stops and near locations with higher planned density. Potential funding sources for improving the bike/pedestrian network include Washington County (MSTIP) and Metro (i.e. MTIP, RFFA, SW Corridor, Natural Area Bonds).

Coordination with Metro, Tualatin Community Services Department, and the Wilsonville Parks and Recreation Department will be necessary to establish a local trail network with regional connections. Metro's Ice Age Tonquin Trail Master Plan provides a framework for local and regional implementation of the regional Ice Age Tonquin Trail, which is intended to complement the Ice Age Floods National Geological Trail Planning (the national trail will be a network of driving routes with spurs for biking and walking, from Montana to the Pacific Ocean). The preferred alignment for the regional Ice Age Tonquin Trail includes a section bordering the Basalt Creek Planning Area as part of a 22-mile trail alignment through Wilsonville, Tualatin, and Sherwood with trail facility types varying by location based upon landscape and setting. The Ice Age Tonquin Trail is intended to connect in the north to the Tualatin River Greenway Trail, Fanno Creek Trail, and the Westside Trail, and to the south to the Willamette River.



## Future Transit Framework

Figure 11 Future Transit Framework



The creation of additional bus lines along existing and new routes in the Basalt Creek Planning Area will be necessary to increase connectivity and to support the job and household growth envisioned for this area. Transit service in the area requires coordination between TriMet and SMART to enhance service along existing bus routes and to provide effective connections north-to-south and east-to-west through

the planning area. This service would also provide access to surrounding and regional employment centers and residential neighborhoods. Transit service should facilitate riders commuting to and from work and visiting major local destinations such as the Wilsonville and Tualatin Town Centers. As such, transit service should reflect development and density patterns as the area grows.

SMART and TriMet routes will be integrated with the bike, pedestrian, and trail services with key access points along Grahams Ferry Road, Boones Ferry Road, Day Road, SMART Central, and the Correctional Facility. All extensions will comply with ADA requirements. SMART will continue to serve Wilsonville, including the areas annexed into Wilsonville within the planning area. The Cities will work with TriMet to integrate with SMART service. Lawmakers and staff will work together to ascertain the impacts of and process for a possible service boundary change.

The existing Portland and Western Railroad (PNWR) runs along the western side of the Basalt Creek Planning Area. In addition to transporting freight, it also provides the Westside Express Service (WES), a commuter rail line serving Beaverton, Tigard, Tualatin and Wilsonville. WES runs on weekdays during the morning and afternoon rush hours, with trains every 30 minutes, connecting commuters to both the TriMet and SMART transit systems. The feasibility of a new WES station serving the Basalt Creek Planning Area should be studied with increased development and ridership demand.

## Civic Uses

The Basalt Creek Concept Plan does not quantify the specific need or locations for civic uses such as libraries, parks and elementary schools within the planning area, but a minimum park space of a 15- to 20-acre Neighborhood Park is needed to serve Tualatin residents and businesses in the planning area. The facilities for provision of schools and parks will be determined and funded as development occurs in the area and will be based on level of service standards for the subsequent population expansion. However, during scenario planning, assumptions were built into the model for the size and capacity of residential development types to serve as a guide. The development scenarios assumed school districts, cities, and other service providers would use their site selection and land acquisition processes to acquire the land needed for these facilities. Locations of any necessary facilities will be determined through a collaborative planning effort between the cities and service providers, as such they are not included on any plan maps. Cities have decided to provide library services for the Basalt Creek population through existing libraries that will be sized to accommodate the additional demand.

## Schools

Capacity is the main concern for school planning. The school district will calculate the need for new schools based upon demographic and density estimates for future development in the Basalt Creek area according to operational standards related to the number of students allowed per school. The final development scenario estimates 1,156 future households in the Basalt Creek Planning Area.

The planning area currently falls within the Sherwood School District. This district has an estimated enrollment of 5,158 and includes four elementary schools, two middle schools, Sherwood High School, and Sherwood Charter School.

Provision of any new schools will be coordinated with representatives of all nearby school districts for capital planning. The planning area is located very close to Tualatin High School. The Tigard-Tualatin



School District has an estimated enrollment of 12,363, and includes ten elementary schools, three middle schools, and two high schools. A private high school, Horizon Christian, is located within the planning area and currently serves 160 students but plans significant expansion in the future.

The addition of hundreds of new households can be expected to impact existing school districts, but at this time no district has indicated that they plan to locate any new facilities within the planning area. Although, the Basalt Creek area could provide opportunities for shared facilities, such as parks and recreation spaces.

## Parks and Open Space

One of the guiding principles of the Basalt Creek Concept Plan is to protect key natural resources and sensitive areas while making recreational opportunities accessible by integrating new parkland, open spaces, natural areas and trails in the planning area and connecting to existing regional networks.

The planning area provides an interesting opportunity for different types of parks, given the variety of land uses and the extensive Basalt Creek natural area: active and passive neighborhood parks, pocket parks, and even perhaps a large community or regional facility. It also provides opportunities for jogging, hiking, or other outdoor recreation by area employees and nearby residents.

Identifying specific locations of parks and outdoor recreation was beyond the scope of the Concept Plan. Cities will determine this as part of citywide parks planning and implementation, and will adopt funding methods for acquisition, capital and operating costs for parklands in the Basalt Creek area, including the use of their current System Development Charges for parks. Locating parks near schools, natural areas or other public facilities is preferable, especially when it provides an opportunity for shared use facilities. As in any park development, the acquisition is best done in advance of annexation and extension of services, with development of the parks occurring as the need arises.

At the time of this writing, both cities are going through a Park and Recreation Master Plan update. This update has considered the Basalt Creek area in the types of services and facilities that will be needed to serve residents and businesses in this area.

The following represents proposed goals for Tualatin's Parks and Recreation Master Plan updates:

- Provide accessible and inclusive parks and facilities to support community interests and recreation needs.
- Create a walkable, bikeable, and interconnected City by providing a network of regional and local trails to community destinations.
- Conserve and restore natural areas to support wildlife, promote ecological functions, and connect residents to nature and the outdoors.
- Activate parks and facilities through vibrant programs, events, and recreation opportunities for people of all ages, abilities, cultures, and interests.
- Support the arts through parks programs, and public spaces that reflect the City's unique heritage, history, identity and other art expression.
- Promote the City's unique identity, economic vitality, and community cohesion through parks and natural resources, historic presentation, events and programs, placemaking, and tourism.

- Manage and maintain quality parks, facilities, and programs through outstanding customer service, stewardship, and sustainable practices.
- Coordinate with City staff and officials to conserve natural areas, and provide parks and trails to meet residential and business needs in the Basalt Creek Concept Plan Area.
- When annexation occurs in planning areas, apply current applicable park, recreation and library standards to assure equitable availability of facilities, programs, services, and conservation of natural resources.

## Natural, Historical and Cultural Resources

### Overview

The future vitality of the Basalt Creek area hinges on development that efficiently locates job growth on the land most suited for it, while preserving and capitalizing on the natural and cultural resources in the area. The identification of environmentally sensitive lands followed the regulatory framework described briefly below and is illustrated on the Natural Resources Map (Figure 12) and in the Existing Conditions Report (Appendix A starting on page 86).

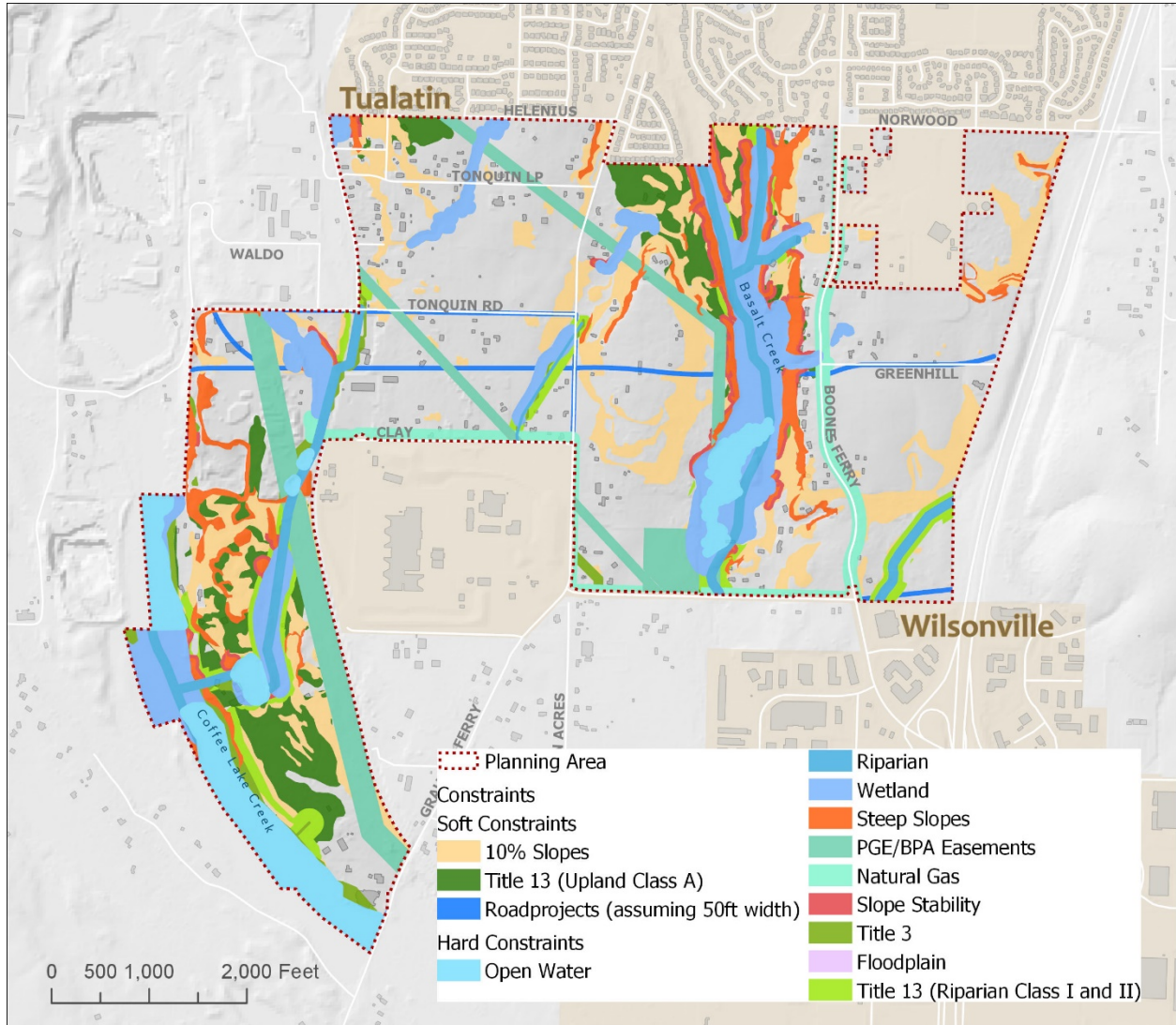
Developable lands for all scenario planning incorporated these findings. Since Clean Water Services and Wilsonville have local regulations compliant with state and regional environmental protection requirements, and in some cases that go above and beyond basic requirements, the constraints analysis used them as a foundation for determining the necessary buffering around a natural feature.

Environmental constraints are summarized below and unless otherwise noted were fully excluded from the developable land input in the scenario testing for the Basalt Creek Concept Plan:

- Open Water
- Streams
- Wetlands
- Floodplains (50% reduction of developable area)
- Title 3 Water Quality and Flood Management protections
- Title 13 Nature in Neighborhoods (20% reduction of developable area in areas designated Riparian Habitat Classes I and II)
- Steep Slopes (25% slopes and greater)



Figure 12 Natural Resources Map



### Regulatory Framework for Conserving Natural Resources

Oregon Statewide Planning Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

Goal 5 protects natural resources and conserves scenic and historic areas and open spaces by directing local governments to adopt protection programs. Titles 3 and 13 of Metro’s Urban Growth Management Functional Plan implements Goal 5 in the Portland Metro region.

### Metro Title 3: Water Quality, Flood Management and Fish and Wildlife Conservation

Title 3 requires local jurisdictions to limit or mitigate the impact of development activities on Water Quality and Flood Management Areas which includes wetlands and riparian areas. An inventory was conducted in 2001.

There are 116 acres of land in the Basalt Creek Planning Area that have been designated by Metro as Water Quality and Flood Management Areas under Title 3. These lands are restricted for development and buffered by a vegetated corridor. Any development within the vegetated corridor must be mitigated by environmental restoration and/or stormwater retention and water quality measures.

As a result of Title 3, these lands were excluded from the developable lands input in the scenario testing.

*Table 6 Title 3 Wetlands by Category and Acres*

Category	Acres	Description
Open Water	49 acres	Includes 50 ft. buffer
Streams	31 acres	Includes 15 to 50 ft. buffers
Wetlands	69 acres	Includes 25 to 50 ft. buffers

### Metro Title 13: Nature in Neighborhoods

Title 13 requires local jurisdictions to protect and encourage restoration of a continuous ecologically viable streamside corridor system integrated with upland wildlife habitat and the urban landscape. Metro's regional habitat inventory in 2001 identified the location and health of fish and wildlife habitat based on waterside, riparian and upland habitat criteria. These areas were named Habitat Conservation Areas (HCAs).

*Table 7 Title 13 HCA Categories with Acreage*

HCA Categories	Acres	Description
Riparian Wildlife Habitat Class I	130	Area supports 3 or more riparian functions
Riparian Wildlife Habitat Class II	31	Area supports 1 or 2 primary riparian functions
Riparian Wildlife Habitat Class III	7	Area supports only secondary riparian functions outside of wildlife areas
Upland Wildlife Habitat Class A	103	Areas with secondary riparian value that have high value for wildlife habitat
Upland Wildlife Habitat Class B	72	Area with secondary riparian value that have medium value for wildlife habitat

Upland Wildlife Habitat Class C	37	Areas with secondary riparian value that have low value for wildlife habitat
Designated Aquatic Impact Areas	52	Area within 150 ft. of streams, river, lakes, or wetlands that are not considered regionally significant natural resources but could have some adverse impacts

Development in Title 13 areas is not prohibited but generally discouraged within the Basalt Creek Planning Area. Areas designated Riparian Habitat Classes I and II require 20% reduction in developable lands. Low impact design and mitigation strategies would be important to any development that might happen to maintain the function of these important ecological areas.

No land within the planning area is identified by the Washington County Comprehensive Plan as a Significant Natural Resource. The nearest Significant Natural Resource area is comprised of the Tonquin Scablands, to the west of Coffee Lake Creek. Both the City of Wilsonville and Clean Water Services have local ordinances in place that go beyond the level of conservation required by Title 3 and existing local standards from each City would apply upon annexation of a planning area property into either Wilsonville or Tualatin.

Future development in Tualatin must comply with Clean Water Services’ Design and Construction Standards & Service Provider Letters (SPLs) for impacts in sensitive areas such as vegetated corridors surrounding streams and wetland habitat, including the Tualatin River Watershed and the entire City of Tualatin.

Within the City of Wilsonville, the Significant Resource Overlay Zone (SROZ) includes floodplains, wetlands, riparian corridors, and vegetated corridors. Impact areas are generally considered to be the areas within 25 feet of a Significant Resource area. Development can only be permitted through review of a Significant Resource Impact Report (SRIR) analyzing the impacts of development within mapped significant resource areas.

### Natural Resource Protection and Enhancement Strategies

Most of the land with environmental constraints is in or near Basalt Creek Canyon. To protect the natural area around the Basalt Creek Canyon, the Cities have agreed to a joint management practice of consistency with Metro Title 3 and 13. The Canyon is very valuable to the area and it needs to be protected, while also having public access points in appropriate locations to connect to the bicycle, pedestrian and recreational facilities of the area and to serve the needs of residents and local employees.

## Cultural Resources

Community members through the planning process have identified the old Carlon Schoolhouse as a historically significant landmark. It sits off Grahams Ferry Road near Day Road and was in use as a school until the late 1800s. While the area has an interesting geologic history, it has not been identified as a resource for any significant archaeological artifacts.

*Figure 13 Picture of the Carlon Schoolhouse from Tualatin Life Newspaper on August 19, 2014 by Loyce Martinazzi*



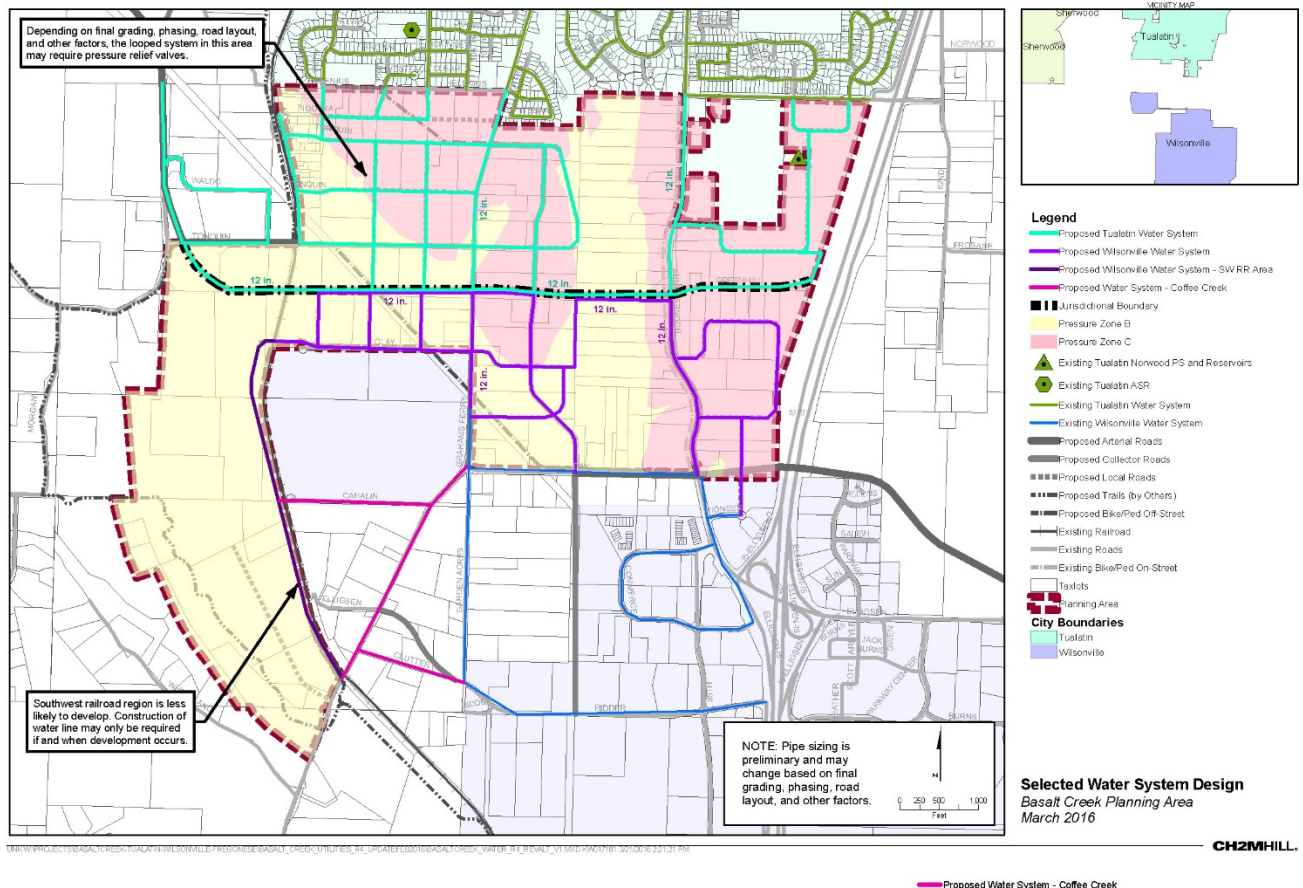
## Infrastructure

### Water

The conceptual water systems designed to serve the Basalt Creek Planning Area are shown below in Figure 14. The systems are independent looped systems that will not be connected to each other. Water lines for each city may be located along the proposed east-west arterial road, the future Basalt Creek Parkway, and other roadways throughout the planning area.



Figure 14 Water Systems Concept for Basalt Creek Planning Area



The existing service zones (levels B and C) from both communities provide sufficient pressure to provide service within each city’s planning area. The Tualatin pressure zones B (ground elevations 192 feet to 306 feet) and C (ground elevations 260 feet to 360 feet) will serve the Basalt Creek Planning Area. To provide service to Wilsonville’s pressure zone C area (ground elevations 275 feet to 410 feet), the City has identified a need to install a booster pump station to serve the higher elevation areas (above approximately 285 feet) south of Greenhill Road. The booster pump station is one of the CIP projects listed in the 2012 Wilsonville Water Master Plan and has been included in the City’s city-wide cost estimates.

The Coffee Creek water system is shown outside of the Basalt Creek Planning Area (east of the railroad, west of SW Grahams Ferry Road, and south of SW Clay Road), but is necessary to extend services to the Wilsonville portion of the Basalt Creek Planning Area. That portion of the system would be installed and funded by development within the Coffee Creek Master Plan area.

The West Railroad Area has a much lower potential for development due to several constraints including slope, geology, wetlands, habitat areas, access, and existing uses. Cost estimates to serve this area have been included as a separate column but would only be required if and when development occurs.

### Demand Calculations

Peak demands were calculated for the proposed Tualatin and Wilsonville service areas. Peak demands were calculated separately for residential areas and commercial/industrial areas. Flow estimate values used for people/EDU, gal/person-day, and peak factors in the calculation of water demand are consistent with recommendations in the 2009 Clean Water Services Sanitary Sewer Master Plan Update and in those in the 2012 Wilsonville Water System Master Plan.

Table 8 Estimated Water Demand

Estimated Water Demand By City and Combined			
	Tualatin	Wilsonville	Both
Peak Daily Demand (gal/d)	364,111	57,261	421,372
Average Annual Daily Demand (gal/d)	165,505	26,028	191,533

### Cost Estimates

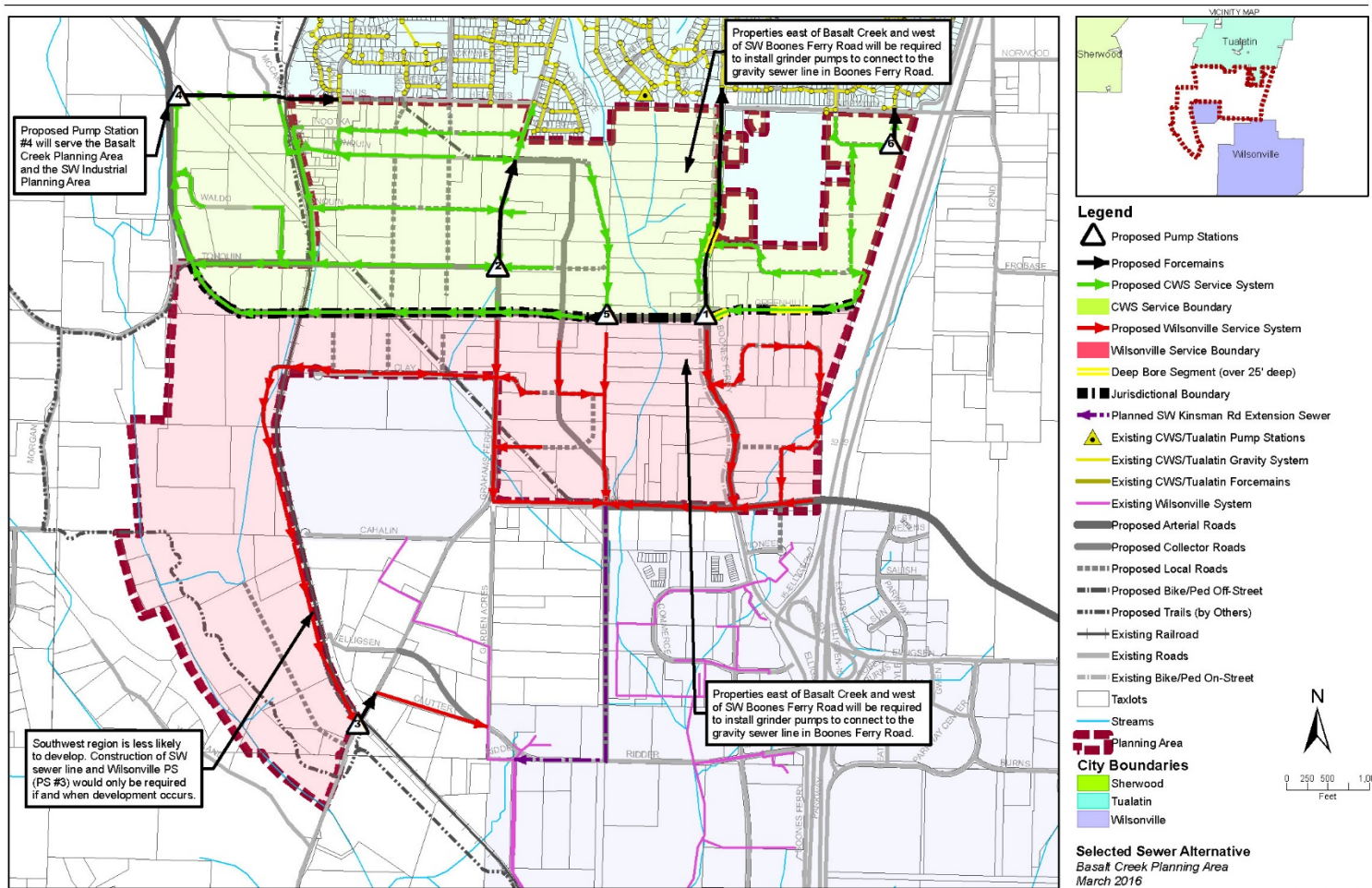
Table 9 Cost Estimate Summary for Conceptual Water System

Cost Estimate Summary for Conceptual Water System by Area						
Item	Tualatin Service Area		Wilsonville Service Area		Wilsonville SW RR Area	
	Tualatin	Developer	Wilsonville	Developer	Wilsonville	Developer
Pipe Cost (8")		\$5,028,000		\$2,666,000		\$521,000
Pipe Cost (Upside 8" to 12")	\$871,000		\$421,000			
Rock Excavation (3%)		\$151,000		\$80,000		\$16,000
<b>Total Construction Cost</b>	<b>\$871,000</b>	<b>\$5,179,000</b>	<b>\$421,000</b>	<b>\$2,746,000</b>	<b>\$0</b>	<b>\$537,000</b>
Engineering/Admin/Legal (25%)	\$218,000	\$1,295,000	\$105,000	\$687,000	\$0	\$134,000
Contingency (30%)	\$261,000	\$1,554,000	\$126,000	\$824,000	\$0	\$161,000
<b>Total Project Cost</b>	<b>\$1,351,000</b>	<b>\$8,028,000</b>	<b>\$652,000</b>	<b>\$4,257,000</b>	<b>\$0</b>	<b>\$832,000</b>
Wilsonville Booster PS			\$609,000			
<b>TOTAL</b>	<b>\$1,351,000</b>	<b>\$8,028,000</b>	<b>\$1,261,000</b>	<b>\$4,257,000</b>	<b>\$0</b>	<b>\$832,000</b>

### Sanitary Sewer

The conceptual sanitary sewer systems are shown in Figure 15. While topography will be a major challenge, the sanitary systems use gravity as much as possible and sewers generally flow to the south and west following the slopes of the existing ground and along existing and proposed roadways and trails to avoid streams and natural areas. These systems include new pump stations, which are used to lift wastewater to higher elevations where it can then be transported by gravity flow systems.

Figure 15 Sanitary Sewer Systems Concept for Basalt Creek Planning Area



Five pump stations are proposed to serve the Tualatin system, managed and maintained by Clean Water Services (CWS), and one pump station is required for the proposed Wilsonville system.

In the area between Basalt Creek Canyon and Boones Ferry Road in both Tualatin and Wilsonville service boundaries, residents and business owners who wish to connect to the proposed gravity system (or are required due to septic failure) would need to install grinder pumps to connect. A grinder pump consists of a collection tank that grinds waste and pumps it to the public sewer system.

The conceptual sewer system connects to the existing Tualatin system at SW 112<sup>th</sup> Avenue between SW Cowlitz Drive and SW Nootka Street, at SW Grahams Ferry Road and SW Helenius Street, at SW Boones Ferry Road and SW Norwood Road, and at SW Vermillion Drive and SW Norwood Road. The sewer system connects to the existing Wilsonville system in Garden Acres Road to SW Day Road, Grahams Ferry Road and Boones Ferry Road (the sewer line initially contemplated in the Coffee Creek Master Plan and included in the analysis for this Concept Plan has changed, shifting from a SW Kinsman Road extension to Garden Acres Road).

### *Estimated Sewer Flows at Connections to the Existing System*

The estimated sewer flows at the connection points to the existing system are summarized in Table 10. The sewer flows are higher due to the estimated wet weather flow. The dry weather flow (both residential and commercial/industrial) was 281,600 gpd for Tualatin and the WWF was 878,200 gpd for Tualatin. We assumed 2,500 gal/ac-day for wet weather flows.

*Table 10 Estimated Sewer Flows at Connections*

Estimated Sewer Flows at Connections to the Existing Systems	
Connection Point	Estimated Sewer Flow (gal/d)
112th and Helenius (Tualatin)	563,200
Grahams Ferry and Helenius (Tualatin)	227,300
Boones Ferry near Norwood (Tualatin)	259,600
Norwood and Vermillion (Tualatin)	109,600
Kinsman (now Garden Acres) Road Extension Sewer (Wilsonville)	499,000
Garden Acres and Clutter (SW RR Area, Wilsonville)	589,600

### *Estimated Excavation Lengths*

Three segments of the collection system will require excavations deeper than 25 feet to install the sewer main lines. These areas are highlighted in yellow in Figure 15. There are other areas that will require excavations around 20-25 feet.

*Table 11 Summary of Estimated Excavation Lengths*

Summary of Estimated Excavation Lengths in Feet			
		Tualatin Service Area	Wilsonville Service Area
Shallow (<20 feet) Excavation	Estimated Length of Excavation	11,672	7,152
	Total Length of Pipe	38,190	23,430
Deep (>20 feet) Excavation	Estimated Length of Excavation	1,531	1,093
	Total Length of Pipe	4,776	2,274

Table 12 provides cost estimates for the sewer system, which include pipe costs, rock excavation, pump station capital costs, pump station operations and maintenance costs for 30 years, engineering/legal/admin fees (25 percent), and contingency (30 percent). These estimates do not include upgrades to the existing downstream systems.



## Cost Estimate for Conceptual Sewer System

Table 12 Cost Estimate Summary for Conceptual Sewer System

Cost Estimate Summary for Conceptual Sewer System							
Item	Tualatin/CWS Service Area			Wilsonville Service Area		Wilsonville SW RR Area	
	Tualatin	CWS	Developer	Wilsonville	Developer	Wilsonville	Developer
Pipe Costs (8")			\$8,033,000		\$3,443,000		\$1,818,000
Pipe Costs (Upsize 8" to 10")	\$34,000						
Force Mains (6")		\$1,523,000				\$55,000	
Rock Excavation		\$66,000	\$422,000		\$161,000	\$6,000	\$145,000
Pump Station Capital Cost		\$2,638,000				\$678,000	
<b>Total Construction Costs</b>	<b>\$34,000</b>	<b>\$4,227,000</b>	<b>\$8,455,000</b>	<b>\$0</b>	<b>\$3,605,000</b>	<b>\$740,000</b>	<b>\$1,963,000</b>
Pump Station O&M Cost (30 years)*		\$5,599,000				\$1,120,000	
<b>Subtotal</b>	<b>\$34,000</b>	<b>\$9,826,000</b>	<b>\$8,455,000</b>	<b>\$0</b>	<b>\$3,605,000</b>	<b>\$1,860,000</b>	<b>\$1,963,000</b>
Engineering/Admin/Legal (25%)	\$9,000	\$2,457,000	\$2,114,000	\$0	\$901,000	\$465,000	\$491,000
Contingency (30%)	\$10,000	\$2,948,000	\$2,536,000	\$0	\$1,081,000	\$558,000	\$589,000
<b>TOTAL</b>	<b>\$53,000</b>	<b>\$15,231,000</b>	<b>\$13,105,000</b>	<b>\$0</b>	<b>\$5,588,000</b>	<b>\$2,883,000</b>	<b>\$3,043,000</b>
*Pump Station O&M costs are not SDC creditable							

All areas are designed to be served by the jurisdiction in which they are located. However, the design includes a proposed pump station in Tualatin for the area immediately west of Basalt Creek Canyon and north of the Basalt Creek Parkway. That area could also be served by gravity sewer to Wilsonville's sewer system. The gravity option would require an intergovernmental agreement between the Cities.

### Stormwater Drainage

The conceptual stormwater system design (included on Figure 15) includes the layout for stormwater pipes in the public right-of-way and does not include private stormwater system designs. Stormwater detention and treatment will occur at local facilities and no regional facilities are planned for the area.

Each city will serve its own jurisdiction area independently. The Cities acknowledge that they must follow requirements established in their respective stormwater MS4 permits. All flows that outlet within each city will be guided by their respective protocols, design standards, and/or discharge permits. Upstream stormwater discharged into Wilsonville's system shall meet or exceed Wilsonville's stormwater management requirements at all locations where the City of Tualatin's pipe system connects to the City of Wilsonville's pipe system.

Much of the area is in a basin that drains toward Wilsonville, which requires Low Impact Development (LID) to mitigate the impact of urbanization. Public stormwater systems are included in the road network cost estimate. Stormwater systems outside of the public right-of-way are assumed to be part of the development costs, which have not been estimated.

# Implementation and Phasing Strategy

## Implementation Measures

Implementing the concept plan will take a predictable path in this area:

- First, each city amends its comprehensive plan to include the essential elements of the concept plan.
- Next, the Cities ensure that the zoning and/or development code is updated to enable development in the Concept Plan Area, and includes appropriate zoning standards
- Generally, annexation is predicated on investor interest, and the expectation is that investors will finance the extension of services.
- Either city may decide to invest in service extension as a way to spur development or may decide to help a group of investors develop an area, for example by providing the formation of a Local Improvement District or other funding mechanism.

## Action Items

### 1. Amend Comprehensive Plans

Tualatin, which has a “one map” system where the zoning and comprehensive plan are essentially the same map, will be adopted after adoption of the Concept Plan anticipated by August 2019.

Wilsonville, which has a “two map” system where the Comprehensive Plan shows future conditions and not necessarily zoning, will adopt Comprehensive Plan amendments soon after the adoption of the Concept Plan. The Comprehensive Plan amendments will draw from the Concept Plan and use its definitions of uses and standards to design the amendments.

### 2. Assure zoning is compatible with future land use

Each city will need to assess its zoning codes and ensure that they permit the anticipated uses with appropriate development standards. This will be made fairly easy in that each city has its own development types, drafted around current zoning code standards. However, new uses anticipated in some of the development types will need some zoning code amendments.

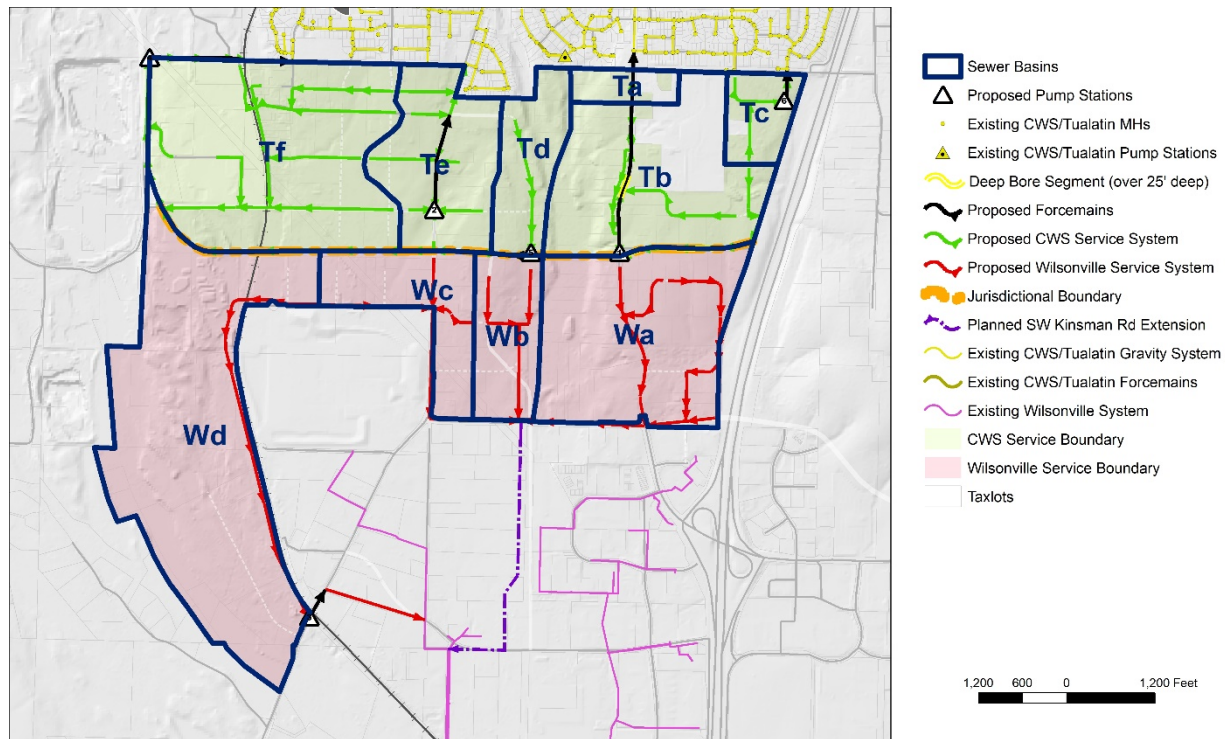
In addition, the Cities will need to consider special design elements of the Concept Plan and determine if their respective development codes need to be updated. Specifically, the City of Tualatin will want to determine what design standards are relevant to creating appropriate transitions between residential and employment uses, and the City of Wilsonville will want to consider the application of its Industrial Form-based Code to help create a uniquely attractive business community.

### 3. Annex as demand occurs based on feasible phasing

Utility improvements will be made as properties are annexed into each city, so phasing will be driven by the pace of development. Generally, utility improvements will begin at the boundaries of the planning area that are adjacent to the existing city services and progress outward. Most of the utility infrastructure follows existing or proposed roadways and construction should be coordinated with new road construction and existing roadway improvements.

The most formative of the utilities (sewer, water and roads) will be sanitary sewer. This is because it is a gravity system that must be hooked into an existing sanitary system or drained to a pump station that will lift the sewage via pressure line to an existing sanitary line.

Figure 16 Implementation Map



Based on the Sewer Master Plan, several natural phasing districts are evident. These are shown on Figure 16. Tualatin has six potential phases based on existing sewer basins and five pump stations. No one sewer basin is dependent on the other. If the initial installation can install the pump station and pressure line, development can proceed in increments, from the pump station uphill to the extent of the sewer basin. Water and transportation infrastructure can then be installed as needed. Figure 16 shows Tualatin stages advancing from Ta through Tf.

Wilsonville has four basins, three gravity and one with a pump station. Figure 16 shows phasing progressing from Wa through Wd. District Wd, which serves the Railroad area, is the most constrained and likely to see development last in the Planning Area. The other three are gravity lines that can be constructed independently. They can proceed from the inlet to the existing gravity system uphill in the basin. As in Tualatin, the water and transportation improvements can be installed as needed and will require prioritization by the Cities in concert with the regional projects set forth in the BC TRP. Some enabling projects may be required to be constructed prior to development to connect properties to existing systems.

#### 4. Consider capital improvements to spur development

In both systems, the sewer basin is large enough that it contains several property owners. Each city has a method of reimbursing the developer for installing infrastructure when other development hooks in.

However, the Cities may find that in some cases, the property owners of developers cannot finance the infrastructure themselves. In that case, the city may decide to participate in one of several ways:

- Finance the infrastructure themselves, charging reimbursement as projects hook up
- Create a cooperative financing district such as a Local Improvement District, that would allow the infrastructure to be installed and paid off over time by the property owners, relieving them of the burden of a large capital financial commitment, while not requiring the expenditure of public funds
- Develop the infrastructure as an inducement for desired development, such as for an important job creating project

In the end, there are many options for phasing, and each city will use the option that best suits it at the time the demand is made.



## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b> June 18, 2018	<b>Subject:</b> 2018 Pollinator Week Proclamation.  <b>Staff Member:</b> Kerry Rappold, Natural Resources Manager  <b>Department:</b> Community Development	
<b>Action Required</b>	<b>Advisory Board/Commission Recommendation</b>	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable  <b>Comments:</b>	
<b>Staff Recommendation:</b> There is no recommendation; the item is informational only.		
<b>Recommended Language for Motion:</b> N/A		
<b>Project / Issue Relates To:</b>		
<input checked="" type="checkbox"/> Council Goals/Priorities: Become a bee city.	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

### ISSUE BEFORE COUNCIL:

2018 Pollinator Week Proclamation and Celebration.

### EXECUTIVE SUMMARY:

In August 2017, the City Council adopted a resolution designating Wilsonville a Bee City USA affiliate. Bee City USA is a nationwide effort to foster ongoing dialogue in urban areas to raise awareness of pollinators and the role they play in our communities and what each of us can do to provide them with healthy habitat. Currently, there are 69 Bee City affiliates across the country, but only five in Oregon (i.e., Wilsonville, Ashland, Gold Hill, Phoenix, and Talent).



Bee City USA corresponds with many of the existing “Bee Stewards” program initiatives, such as creating pollinator habitat, developing an integrated pest management plan for City properties and facilities, and raising community awareness and participation in pollinator conservation.

One of the requirements of the Bee City USA designation is to hold an annual celebration of National Pollinator Week. This year marks the City of Wilsonville’s first pollinator week celebration, which will take place on June 20, 2018 at 6 pm at City Hall. The event will include a screening of the documentary film “The Guardians,” which tells the story of the monarch migratory journey and the people fighting to protect their habitat; a brief presentation about monarchs by a staff person from the Xerces Society; informational tables; and free native plants.

**EXPECTED RESULTS:**

To raise the awareness of community members and foster a sense of stewardship for pollinators.

**TIMELINE:**

N/A

**CURRENT YEAR BUDGET IMPACTS:**

The costs of the celebration are paid for out of the stormwater and natural resources budget, part of the Program Area of CD Administration. Costs are expected to be less than \$300.00.

**FINANCIAL REVIEW / COMMENT:**

Reviewed by: SCole Date: 6/12/2018

**LEGAL REVIEW / COMMENT:**

Reviewed by: BAJ Date: 6/13/2018

**COMMUNITY INVOLVEMENT PROCESS:**

The participation of community members in the event.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:**

As mentioned above, the event will raise the awareness of community members.

**ALTERNATIVES:**

N/A

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENT:**

1. 2018 Pollinator Week Proclamation

# CITY OF WILSONVILLE 2018 Pollinator Week Proclamation



WHEREAS, in August 2017, the City Council adopted a resolution designating Wilsonville a Bee City USA affiliate; and

WHEREAS, Bee City USA is a nationwide effort to foster ongoing dialogue in urban areas to raise awareness of pollinators and the role they play in our communities and what each of us can do to provide them with healthy habitat; and

WHEREAS, Bee City USA corresponds with many of the existing “Bee Stewards” program initiatives, such as creating pollinator habitat, developing an integrated pest management plan for City properties and facilities, and raising community awareness and participation in pollinator conservation; and

WHEREAS, One of the requirements of the Bee City USA designation is to hold an annual celebration of National Pollinator Week. This year marks the City of Wilsonville’s first pollinator week celebration, which will take place on June 20, 2018 at 6 pm at City Hall.

NOW, THEREFORE, I, Tim Knapp, Mayor of the City of Wilsonville, do hereby proclaim June 18 –24, 2018 as

## **2018 Pollinator Week**

and pledge the City’s support and invite all Wilsonville residents, businesses, civic groups, government, and other organizations to participate in local and regional celebratory and educational activities.

Dated this 18th day of June 2018

---

Tim Knapp, Mayor

# **CITY COUNCIL ROLLING SCHEDULE**

## **Board and Commission Meetings 2018**

**Items known as of 06/13/18**

### **June**

<b>DATE</b>	<b>DAY</b>	<b>TIME</b>	<b>EVENT</b>	<b>LOCATION</b>
6/25	Thursday	6:30 p.m.	DRB Panel B	Council Chambers
6/27	Wednesday	6:30 p.m.	Library Board Meeting	Library

### **July**

<b>DATE</b>	<b>DAY</b>	<b>TIME</b>	<b>EVENT</b>	<b>LOCATION</b>
7/2	Monday	7:00 p.m.	City Council Meeting	Council Chambers
7/11	Wednesday	1:00 p.m.	Wilsonville Community Seniors, Inc. Advisory Board	Wilsonville Community Center
7/11	Wednesday	6:00 p.m.	Planning Commission	Council Chambers
7/9	Monday	6:30 p.m.	DRB Panel A	Council Chambers
7/16	Monday	7:00 p.m.	City Council Meeting	Council Chambers
7/23	Thursday	6:30 p.m.	DRB Panel B	Council Chambers
7/25	Wednesday	6:30 p.m.	Library Board Meeting	Library

### **Community Events:**

- 6/11- 8/10**      Wilsonville Library Summer Reading Program
- 6/20**            Walk at Lunch, noon - 1:00 p.m., at American Family Insurance - Kyle Bunch
- 6/26**            Signage & Wayfinding Open House, 5:30 p.m.- 7:30 p.m. at Wilsonville City Hall
- 6/26**            History Pub, 6:30 p.m. - 8:00 p.m. at Wilsonville McMenamins' Old Church
- 6/27**            Walk at Lunch, noon - 1:00 p.m., at Al's Garden and Home
- 7/2**                Teen Summer Reading Program Kick-Off Party in the Park, 4:00 p.m., - 6:30 p.m., at Wilsonville Library
- 7/4**                City Offices Closed in Observance of Independence Day
- 7/11**            Walk at Lunch, noon - 1:00 p.m., at Allstate Insurance - Scott Nichols
- 7/18**            Walk at Lunch, noon - 1:00 p.m., at BenchMark Physical Therapy
- 7/25**            Walk at Lunch, noon - 1:00 p.m., at Orangetheory Fitness
- 7/30**            Teen Summer Reading Program Annual Party in the Park, 4:00 p.m., - 6:00 p.m., at Murase Plaza
- 7/31**            History Pub, 6:30 p.m. - 8:00 p.m. at Wilsonville McMenamins' Old Church
- 8/28**            History Pub, 6:30 p.m. - 8:00 p.m. at Wilsonville McMenamins' Old Church

All dates and times are tentative; check the City's online calendar for schedule changes at [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us).



## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b> June 18, 2018	<b>Subject: Resolution No. 2691</b> City Budget Adoption for FY 2018-19  <b>Staff Member:</b> Susan Cole, Finance Director  <b>Department:</b> Finance	
<b>Action Required</b>	<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: June 18, 2018 <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial  <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b> Budget as approved by Budget Committee on June 6, 2018.	
<b>Staff Recommendation:</b> Staff recommends that Council adopt Resolution No. 2691.		
<b>Recommended Language for Motion:</b> I move to approve Resolution No. 2691.		
<b>Project / Issue Relates To:</b>		
<input checked="" type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

### ISSUE BEFORE COUNCIL:

Public hearing and adoption of the budget for fiscal year 2018-19.

### EXECUTIVE SUMMARY:

Following the Budget Committee vote to approve the budget the City Council must hold a public hearing and receive comments on the budget prior to adoption. Council must adopt the budget no later than June 30, 2018.

By law, the Council may make changes in the approved budget within certain limitations: (1) taxes may not be increased over the amount approved by the budget committee, and (2) estimated

expenditures in a fund cannot be increased by more than \$5,000 or 10 percent, whichever is greater. The Council can reduce the budget from that approved by the Budget Committee.

The Budget Committee made one change to the FY 2018-19 Proposed Budget prior to approving it; based upon staff recommendation, the Budget Committee increased resources for the Water Capital Improvement Program project #1111, Water Treatment Plant Surge Tank. The total budget increased by \$785,884, for additional construction and overhead costs associated with the project.

**EXPECTED RESULTS:**

Create the budget for operating and capital purposes for the fiscal year 2018-19.

**TIMELINE:**

May 16 and May 30, 2018 - Public notice of the availability of the proposed budget and Budget Committee meeting dates published in the Wilsonville Spokesman.

May 30, 2018 – First meeting of the Budget Committee, presentation of budget message, public testimony taken.

June 6, 2018 – Second meeting of the Budget Committee, opportunity for public to testify, voted to approve budget with amendment.

June 13, 2018 – Public notice of the meeting to adopt published in the Wilsonville Spokesman.

June 18, 2018 – Council meeting to receive public testimony, consider Resolution to adopt budget.

**COMMUNITY INVOLVEMENT PROCESS:**

The opportunity for the public to address the Budget Committee was offered at the meetings on May 30, 2018 and June 6, 2018. Staff responded to the issues and questions that were submitted in writing prior to June 6, 2018. The public may also attend the June 18, 2018 public hearing on the City’s budget.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:**

The budget provides for the delivery of services and construction of capital projects throughout the community.

**BUDGET COMMITTEE ACTIONS:**

The Budget Committee amended the Proposed Budget for FY 2018-19 as noted above.

**CURRENT YEAR BUDGET IMPACTS:**

Does not affect the current year budget.

**FINANCIAL REVIEW / COMMENT:**

Reviewed by: SCole Date: 6/8/2018

No Financial impact.

**LEGAL REVIEW / COMMENT:**

Reviewed by: BAJ Date: 6/13/2018

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENT:**

1. Resolution No. 2691

**Resolution No. 2691 Staff Report**

**RESOLUTION NO. 2691**

**A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING THE BUDGET, MAKING APPROPRIATIONS, DECLARING THE AD VALOREM TAX LEVY, AND CLASSIFYING THE LEVY AS PROVIDED BY ORS 310.060(2) FOR FISCAL YEAR 2018-19.**

WHEREAS, in accordance with ORS 294.426 the Wilsonville Budget Committee met on May 30, 2018 and June 6, 2018 to receive public testimony, hear the budget message and listen to presentations pertaining to the proposed budget for Fiscal Year 2018-19; and,

WHEREAS, the Budget Committee deliberated on the proposed budget on May 30, 2018 and on June 6, 2018; and

WHEREAS, the Budget Committee approved the proposed budget on June 6, 2018; and

WHEREAS, the proposed budget document included the Comprehensive Financial Management Policies which specifies certain reserves and contingency balances for operating funds and such a amounts were included in the approved budget, and

WHEREAS, on June 13, 2018 a summary of the budget, as required by ORS 294.438, was duly published in the Wilsonville Spokesman, a newspaper of general circulation in the City; and,

**WHEREAS**, in accordance with ORS 294.456 the Wilsonville City Council duly held a public hearing on June 18, 2018 where all interested persons were afforded an opportunity to appear and be heard with respect to the approved budget for the fiscal year beginning July 1, 2018.

**NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:**

1. The Council adopts the budget for FY 2018-19 in the total amount of \$185,809,514.
2. Of the total adopted budget of \$185,809,514, the City appropriates \$178,027,214 for the fiscal year beginning July 1, 2018 as shown in Attachment A – Schedule of Appropriations. The difference of \$7,782,301 is not appropriated and is not available for expenditure during the year.
3. The City of Wilsonville City Council hereby imposes the taxes provided for in the Adopted Budget at the rate of \$2.5206 per \$1,000 of assessed value for general operations; and that



these taxes are hereby imposed and categorized for the tax year 2018-19 upon the assessed value of all taxable property in the City.

	<u>General Government Limit</u>
General Fund	\$2.5206 / \$1,000

4. In compliance with the City's Financial Management Policies certain contingencies, reserves and carryover balances are established as part of the budget process. These balances are matched to the Governmental Accounting Standards Board (GASB) Pronouncement Number 54 standard terminology as set forth below.
  - a. GASB Restricted category includes amounts for which an external source has created a legal restriction on available balances, such as for bond covenants and taxes restricted to payment of debt. Within the budget document such amounts are titled Restricted.
  - b. GASB Committed category includes amounts for which Council has approved by resolution. Only a subsequent council resolution may change the amount or intended use. Within the budget document such amounts are titled Committed (unappropriated). The Committed (unappropriated) is also referred to as the unappropriated ending fund balance and serves as a carryover from one fiscal year to the next.
  - c. GASB Assigned category includes amounts which are designated but for which a resolution has not been adopted. Authority is hereby granted to the City Council, City Manager and the Finance Director for the purpose of setting aside resources for specific future needs, such as equipment and building replacements and prudent financial reserves. Within the budget document such amounts are titled Assigned (designated) and Assigned (contingency). Assigned (designated) purpose is identified on page 263 of the Proposed Budget document. Assigned (contingency) is the portion of appropriations available for use during a fiscal year if approved through Council Resolution.
  - d. GASB Unassigned category is used exclusively in the General Fund and has the same meaning as Assigned (contingency) in paragraph (c) above.
  - e. City Council considers the spending of the restricted classification of fund balance on purposes for which such funds can be used to occur first when funds are spent

for restricted and unrestricted purposes. When unrestricted classifications of fund balance are spent, the Council will consider that assigned amounts will be reduced first, followed by unassigned amounts and then committed amounts.

5. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regularly scheduled meeting thereof this 18<sup>th</sup> day of June, 2018 and filed with the City Recorder this date.

---

TIM KNAPP, Mayor

ATTEST:

---

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Knapp  
Council President Starr  
Councilor Akervall  
Councilor Stevens  
Councilor Lehan

Attachment:

A. Attachment A – Schedule of Appropriations

<b>Attachment A – Schedule of Appropriations</b>
--

<b>General Fund</b>		
Administration	\$	1,564,669
Finance		1,549,991
Information Services		1,230,185
Legal		601,038
Human Resources and Risk Management		817,774
Public Works Administration		631,517
Building Maintenance		1,024,469
Parks Maintenance		1,441,782
Parks and Recreation		1,653,023
Library		2,046,851
Law Enforcement		4,998,790
Municipal court		225,486
Transfers to Other Funds		7,412,171
Contingency		9,910,447
<b>Total Fund Appropriations</b>		<b>\$35,108,193</b>
<b>Community Development Fund</b>		
CD Administration	\$	968,288
Engineering		1,726,446
Planning		1,223,925
Transfers to Other Funds		551,172
Contingency		1,571,741
<b>Total Fund Appropriations</b>		<b>\$6,041,572</b>
<b>Building Fund</b>		
Building	\$	1,217,651
Transfers to Other Funds		900,660
Contingency		2,533,820
<b>Total Fund Appropriations</b>		<b>\$4,652,131</b>

<b>Attachment A – Schedule of Appropriations</b>
--

<b>Transit Fund</b>		
Transit	\$	6,065,259
Transfers to Other Funds		669,002
Contingency		1,748,464
<b>Total Fund Appropriations</b>		<b>\$8,482,725</b>
<b>Road Operating Fund</b>		
Road Operating	\$	954,783
Debt Service		82,000
Transfers to Other Funds		659,035
Contingency		531,235
<b>Total Fund Appropriations</b>		<b>\$2,227,053</b>
<b>Road Maintenance Regulatory Fund</b>		
Transfers to Other Funds	\$	2,818,993
Contingency		1,193,040
<b>Total Fund Appropriations</b>		<b>\$4,012,033</b>
<b>Water Operating Fund</b>		
Water Distributions and Sales	\$	1,516,244
Water Treatment		3,864,963
Debt Service		1,875,000
Transfers to Other Funds		2,544,628
Contingency		11,224,518
<b>Total Fund Appropriations</b>		<b>\$21,025,353</b>
<b>Sewer Operating Fund</b>		
Sewer Collection	\$	954,143
Sewer Treatment		2,698,940
Sewer Pretreatment		132,926
Debt Service		3,030,000
Transfers to Other Funds		2,396,947
Contingency		12,219,470
<b>Total Fund Appropriations</b>		<b>\$21,432,426</b>

<b>Attachment A – Schedule of Appropriations</b>
--

<b>Street Lighting Operating Fund</b>		
Street Lighting	\$ 359,651	
Transfers to Other Funds	442,270	
Contingency	758,837	
<b>Total Fund Appropriations</b>		<b>\$1,560,758</b>
<b>Stormwater Fund</b>		
Stormwater Maintenance	895,275	
Debt Service	508,500	
Transfers to Other Funds	1,791,053	
Contingency	1,433,980	
<b>Total Fund Appropriations</b>		<b>\$4,628,808</b>
<b>Fleet Service Fund</b>		
Fleet	\$ 1,555,074	
Transfers to Other Funds	2,400	
Contingency	999,663	
<b>Total Fund Appropriations</b>		<b>\$2,557,137</b>
<b>Water Capital Projects Fund</b>		
Water Capital Projects	\$ 3,726,980	
Transfers to Other Funds	417,126	
Contingency	78,101	
<b>Total Fund Appropriations</b>		<b>\$4,222,207</b>
<b>Sewer Capital Projects Fund</b>		
Sewer Capital Projects	\$ 3,663,025	
Transfers to Other Funds	350,478	
Contingency	108,751	
<b>Total Fund Appropriations</b>		<b>\$4,122,254</b>

<b>Attachment A – Schedule of Appropriations</b>
--

<b>Streets Capital Projects Fund</b>		
Streets Capital Projects	\$ 8,104,400	
Transfers to Other Funds	944,874	
Contingency	<u>1,101,021</u>	
<b>Total Fund Appropriations</b>		<b>\$10,150,295</b>
<b>Stormwater Capital Projects Fund</b>		
Stormwater Capital Projects	\$ 1,473,860	
Transfers to Other Funds	257,941	
Contingency	<u>250,289</u>	
<b>Total Fund Appropriations</b>		<b>\$1,982,090</b>
<b>Facilities and Information Systems Capital Projects Fund</b>		
Building Capital Projects	\$ 3,512,513	
Transfers to Other Funds	64,168	
Contingency	<u>174,023</u>	
<b>Total Fund Appropriations</b>		<b>\$3,750,704</b>
<b>Parks Capital Projects Fund</b>		
Parks Capital Projects	\$ 4,124,731	
Transfers to Other Funds	493,584	
Contingency	<u>275,692</u>	
<b>Total Fund Appropriations</b>		<b>\$4,894,007</b>
<b>Water Development Charges</b>		
Materials & Services	\$ 9,891	
Transfers to Other Funds	2,148,875	
Contingency	<u>5,175,432</u>	
<b>Total Fund Appropriations</b>		<b>\$7,334,198</b>
<b>Sewer Development Charges</b>		
Materials & Services	\$ 6,388	
Transfers to Other Funds	2,990,462	
Contingency	<u>6,688,169</u>	
<b>Total Fund Appropriations</b>		<b>\$9,685,019</b>



<b>Attachment A – Schedule of Appropriations</b>
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**Streets Development Charges**

Materials & Services	\$ 16,382	
Transfers to Other Funds	3,537,229	
Contingency	3,915,877	
<b>Total Fund Appropriations</b>	<u>                    </u>	<b>\$7,469,488</b>

**Washington County TDT**

Materials & Services	\$ -	
Transfers to Other Funds	-	
Contingency	337,084	
<b>Total Fund Appropriations</b>	<u>                    </u>	<b>\$337,084</b>

**Stormwater Development Charges**

Materials & Services	\$ 2,679	
Transfers to Other Funds	446,886	
Contingency	3,053,929	
<b>Total Fund Appropriations</b>	<u>                    </u>	<b>\$3,503,494</b>

**Parks Development Charges**

Materials & Services	\$ 3,967	
Transfers to Other Funds	4,196,748	
Contingency	4,647,470	
<b>Total Fund Appropriations</b>	<u>                    </u>	<b>\$8,848,185</b>

<b>Total City Appropriations - All Funds</b>	<u>                    </u>	<b>\$178,027,214</b>
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## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b> June 18, 2018	<b>Subject: Resolution Nos. 2692 and 2693</b> State Shared Revenue  <b>Staff Member:</b> Susan Cole, Finance Director  <b>Department:</b> Finance	
<b>Action Required</b> <input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: June 18, 2018 <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<b>Advisory Board/Commission Recommendation</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial  <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b> Budget as approved by Budget Committee on June 6, 2018.	
<b>Staff Recommendation:</b> Staff recommends that the City Council adopt Resolution Nos. 2692 and 2693.		
<b>Recommended Language for Motion:</b> Two separate motions: I move to approve Resolution No. 2692. I move to approve Resolution No. 2693.		
<b>Project / Issue Relates To:</b>		
<input checked="" type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

### ISSUE BEFORE COUNCIL:

Public hearing on receipt and use of state shared revenues.

### EXECUTIVE SUMMARY:

Oregon law requires the public be given two opportunities to comment on receiving state shared revenues and their proposed use. The first opportunity is extended during the Budget Committee meeting held on May 30, 2018. The second opportunity is offered in conjunction with the budget adoption.

The following table provides a summary of State Shared Revenue for FY 2018-19:

Summary of State Shared Revenues Resources and Possible Uses		
State Shared Revenues:	General Fund	Road Operating Fund
Alcoholic beverage taxes	\$ 360,000	
Cigarette taxes	\$ 28,000	
State shared revenues	\$ 290,000	
Gas tax		\$ 1,642,800
Possible uses:		
Police	✓	
Parks & Building maintenance	✓	
Library	✓	
Youth, Adult & Senior services	✓	
Policy and administration	✓	
Planning	✓	
Road operations		✓

**EXPECTED RESULTS:**

Accompanying resolutions satisfy legal requirements to receive state shared revenues in FY 2018-19.

**TIMELINE:**

- May 16 and May 30, 2018 – Notice of meeting to receive comments from the public on uses of state shared revenues at the May 30, 2018 Budget Committee meeting published in the Wilsonville Spokesman.
- May 30, 2018 – First meeting of the Budget Committee, public invited to testify.
- June 13, 2018 – Posted notice of public hearing.
- June 18, 2018 – Council meeting to receive public testimony and to adopt the budget.

**CURRENT YEAR BUDGET IMPACTS:**

Does not affect the current budget.

**FINANCIAL REVIEW / COMMENT:**

Reviewed by: SCole Date: 6/8/2018

**LEGAL REVIEW / COMMENT:**

Reviewed by: BAJ Date: 6/13/2018

**COMMUNITY INVOLVEMENT PROCESS:**

The opportunity for the public to address the Budget Committee pertaining to state shared revenues was offered at the meeting on May 30, 2018. No public testimony was received.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:**

State revenues allow, in part, funding for the road operations program, facility and parks maintenance, law enforcement, parks and recreation services and library operations.

**ATTACHMENTS:**

1. Resolution No. 2692
2. Resolution No. 2693

**RESOLUTION NO. 2692**

**A RESOLUTION DECLARING THE CITY'S ELIGIBILITY TO RECEIVE STATE SHARED REVENUES.**

WHEREAS, ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police protection;
- (2) Fire protection;
- (3) Street construction, maintenance and lighting;
- (4) Sanitary sewer;
- (5) Storm sewers;
- (6) Planning, zoning and subdivision control;
- (7) One or more utility services; and

WHEREAS, City officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760.

**NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:**

1. That the Wilsonville City Council hereby declares that the City directly provides all of the municipal services enumerated above, save and except the provision of the City's fire protection which is through Tualatin Valley Fire & Rescue.
2. This resolution is effective upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 18<sup>th</sup> day of June, 2018 and filed with the Wilsonville City Recorder this date.

---

TIM KNAPP, Mayor

ATTEST:

---

Kimberly Veliz, City Recorder

**SUMMARY OF VOTES:**

Mayor Knapp  
Council President Starr  
Councilor Akervall  
Councilor Stevens  
Councilor Lehan

**RESOLUTION NO. 2693**

**A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE SHARED REVENUES.**

WHEREAS, the Budget Committee has reviewed and approved the proposed use of State Shared Revenues; and

WHEREAS, a public hearing has been held before the Budget Committee on May 30, 2018 to discuss possible uses of the funds and before the City Council on June 18, 2018 to obtain public input as to the proposed uses of State Shared Revenues.

**NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:**

1. Pursuant to ORS 221.770 the City of Wilsonville hereby elects to receive state shared revenues for the fiscal year 2018-19.
2. This resolution is effective upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 18<sup>th</sup> day of June, 2018 and filed with the Wilsonville City Recorder this same date.

---

TIM KNAPP, Mayor

ATTEST:

---

Kimberly Veliz, City Recorder

**SUMMARY OF VOTES:**

Mayor Knapp  
Council President Starr  
Councilor Akervall  
Councilor Stevens  
Councilor Lehan





## CITY COUNCIL MEETING STAFF REPORT

<p><b>Meeting Date:</b> June 18, 2018</p>	<p><b>Subject: Ordinance Nos. 821 and 822 - 1<sup>st</sup> Reading</b> Annexation and Zone Map Amendment for Morgan Farm subdivision in Frog Pond West.</p> <p><b>Staff Member:</b> Kimberly Rybold, AICP, Associate Planner</p> <p><b>Department:</b> Community Development</p>	
<p><b>Action Required</b></p>	<p><b>Advisory Board/Commission Recommendation</b></p>	
<p><input checked="" type="checkbox"/> Motion</p> <p><input checked="" type="checkbox"/> Public Hearing Date: June 18, 2018</p> <p><input checked="" type="checkbox"/> Ordinance 1<sup>st</sup> Reading Date: June 18, 2018</p> <p><input checked="" type="checkbox"/> Ordinance 2<sup>nd</sup> Reading Date: July 2, 2018</p> <p><input type="checkbox"/> Resolution</p> <p><input type="checkbox"/> Information or Direction</p> <p><input type="checkbox"/> Information Only</p> <p><input type="checkbox"/> Council Direction</p> <p><input type="checkbox"/> Consent Agenda</p>	<p><input checked="" type="checkbox"/> Approval</p> <p><input type="checkbox"/> Denial</p> <p><input type="checkbox"/> None Forwarded</p> <p><input type="checkbox"/> Not Applicable</p> <p><b>Comments:</b> Following their review at the May 31, 2018 meeting, the Development Review Board, Panel B, unanimously recommended approval of an Annexation and a Zone Map Amendment for the subject property. The DRB also approved with conditions, contingent on the Annexation and Zone Map Amendment, a Stage I Master Plan, Stage II Final Plan, Site Design Review, Tentative Subdivision Plat, Type C Tree Removal Plan, SRIR, and SROZ Boundary Verification, copies of which are included for reference.</p>	
<p><b>Staff Recommendation:</b> Staff recommends that the City Council adopt Ordinance Nos. 821 and 822.</p>		
<p><b>Recommended Language for Motion:</b> Two separate motions: I move to approve Ordinance No. 821 on first reading. I move to approve Ordinance No. 822 on first reading.</p>		
<p><b>Project / Issue Relates To:</b></p>		
<p><input type="checkbox"/> Council Goals/Priorities</p>	<p><input checked="" type="checkbox"/> Adopted Master Plan(s) Frog Pond West</p>	<p><input type="checkbox"/> Not Applicable</p>

**ISSUE BEFORE COUNCIL:**

Approve, modify, or deny Ordinance Nos. 821 and 822 to annex and rezone approximately 20 acres on the north side of Boeckman Road just east of Boeckman Creek within the Frog Pond West Master Plan area, enabling development of an 82-lot single-family subdivision.

**EXECUTIVE SUMMARY:**

The proposed 20-acre subdivision is the second area, following the 44-lot Stafford Meadows subdivision to the east, proposed for annexation and subsequent development consistent with the Frog Pond West Master Plan. The subdivision will be among the first of many envisioned to blend together as one cohesive high-quality neighborhood. Concurrent with the adoption of the Frog Pond West Master Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The requested zone map amendment proposes applying the Residential Neighborhood (RN) Zone to the entire subject property consistent with this intention.

**EXPECTED RESULTS:**

Adoption of Ordinance Nos. 821 and 822 will bring this portion of the Frog Pond West Master Plan area into the City and zone for development consistent with the Master Plan.

**TIMELINE:**

The Annexation and Zone Map Amendment will be in effect 30 days after ordinance adoption and upon filing the annexation records with the Secretary of State as provided by ORS 222.180.

**CURRENT YEAR BUDGET IMPACTS:**

FY 18/19 will see the first of the income and expenditures consistent with the infrastructure financing plan of the Frog Pond West Master Plan. Funds for preliminary work are included in the City’s budget, but major construction on City-built infrastructure projects is contingent on the timing of building permits, and may require a budget supplemental to “pass through” revenue received from the Infrastructure Supplemental Fee to fund infrastructure projects build by the City.

**FINANCIAL REVIEW / COMMENT:**

Reviewed by: SCole Date: 6/11/2018

**LEGAL REVIEW / COMMENT:**

Reviewed by: BAJ Date: 6/13/2018

**COMMUNITY INVOLVEMENT PROCESS:**

Staff sent the required public hearing notices. In addition, significant public involvement occurred during development and approval of the Frog Pond Area Plan and Frog Pond West Master Plan, with which the proposed actions are consistent.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:**

The annexation and development of the subject land will provide additional housing choices and continued development of quality neighborhoods.

**ALTERNATIVES:**

The alternatives are to approve or deny the annexation and zone map amendment requests.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

Exhibit A – Annexation Ordinance No. 821:

Attachment 1 – Legal Description and Sketch Depicting Land/Territory to be Annexed

Attachment 2 – Petition for Annexation

Attachment 3 – Annexation Findings

Attachment 4 – Development Review Board Panel B Resolution No. 352 Recommending Approval of Annexation

Exhibit B – Zone Map Amendment Ordinance No. 822

Attachment 1 – Zoning Order DB18-0016 Including Legal Description and Sketch Depicting Zone Map Amendment

Attachment 2 – Zone Map Amendment Findings

Attachment 3 – Development Review Board Panel B Resolution No. 352 Recommending Approval of Zone Map Amendment

Exhibit C – Amended and Adopted DRB Staff Report and DRB Recommendation

**ORDINANCE NO. 821**

**AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING APPROXIMATELY 20 ACRES ON THE NORTH SIDE OF BOECKMAN ROAD JUST EAST OF BOECKMAN CREEK INTO THE CITY LIMITS OF THE CITY OF WILSONVILLE, OREGON; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 2400, 2600, AND 2700, AND PORTIONS OF TAX LOT 2300 AND BOECKMAN ROAD RIGHT-OF-WAY, SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. JAMES H. WOLFSTON, JR., WEST LINN-WILSONVILLE SCHOOL DISTRICT, AND CITY OF WILSONVILLE, PETITIONERS.**

WHEREAS, a petition submitted to the City requests annexation of certain real property legally described and depicted in Attachment 1; and

WHEREAS, the real property includes current and future right-of-way owned by the City of Wilsonville and the West Linn-Wilsonville School District that is to be included as a part of the future development of the property; and

WHEREAS, Kathleen E. Ludwig, an authorized signer for the West Linn-Wilsonville School District, Bryan Cosgrove, an authorized signer for the City of Wilsonville, and James H. Wolfston, Jr., together representing 100 percent of the property ownership within the annexation area signed the petition; and

WHEREAS, ORS 227.170 authorizes the annexation of territory based on consent of more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory and enables the City Council to dispense with submitting the question of the proposed annexation to the electors of the City for their approval or rejection; and

WHEREAS, the land to be annexed is within the Urban Growth Boundary and has been master planned as part of the Frog Pond West Neighborhood; and

WHEREAS, the land to be annexed is contiguous to the City and can be served by City services; and

WHEREAS, Panel B of the Development Review Board considered the annexation and after a duly advertised public hearing held on May 31, 2018 unanimously recommended City Council approve the annexation; and

WHEREAS, on June 4, 2018, the City Council held a public hearing as required by Metro Code 3.09.050 and ORS 227.120; and

WHEREAS, reports were prepared and considered as required by law; and because the annexation is not contested by any party, the City Council chooses not to submit the matter to the voters and does hereby favor the annexation of the subject tract of land based on findings, conclusions, and the Development Review Board’s recommendation to City Council.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. The tract of land, described and depicted in Attachment 1, is declared annexed to the City of Wilsonville.
2. The findings and conclusions incorporated in Attachment 3 are adopted. The City Recorder shall immediately file a certified copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(g) and ORS 222.005. The annexation shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 18<sup>th</sup> day of June, 2018, and scheduled for a second reading at a regular meeting of the Council on the 2<sup>nd</sup> day of July, 2018, commencing at the hour of 7:00 P.M. at the Wilsonville City Hall.

\_\_\_\_\_  
Kimberly Veliz, City Recorder

ENACTED by the City Council on the 2<sup>nd</sup> day of July, 2018 by the following votes:

Yes:\_\_\_ No: \_\_\_

\_\_\_\_\_  
Kimberly Veliz, City Recorder

DATED and signed by the Mayor this \_\_\_\_\_ day of July, 2018.

---

TIM KNAPP, Mayor

**SUMMARY OF VOTES:**

Mayor Knapp

Council President Starr

Councilor Stevens

Councilor Lehan

Councilor Akervall

**Attachments:**

Attachment 1 – Legal Description and Sketch Depicting Land/Territory to be Annexed

Attachment 2 – Petition for Annexation

Attachment 3 – Annexation Findings

Attachment 4 – Development Review Board Panel B Resolution No. 352 Recommending  
Approval of Annexation



## Ordinance No. 821 Attachment 1

### SUBJECT PROPERTY BOUNDARY LEGAL DESCRIPTION

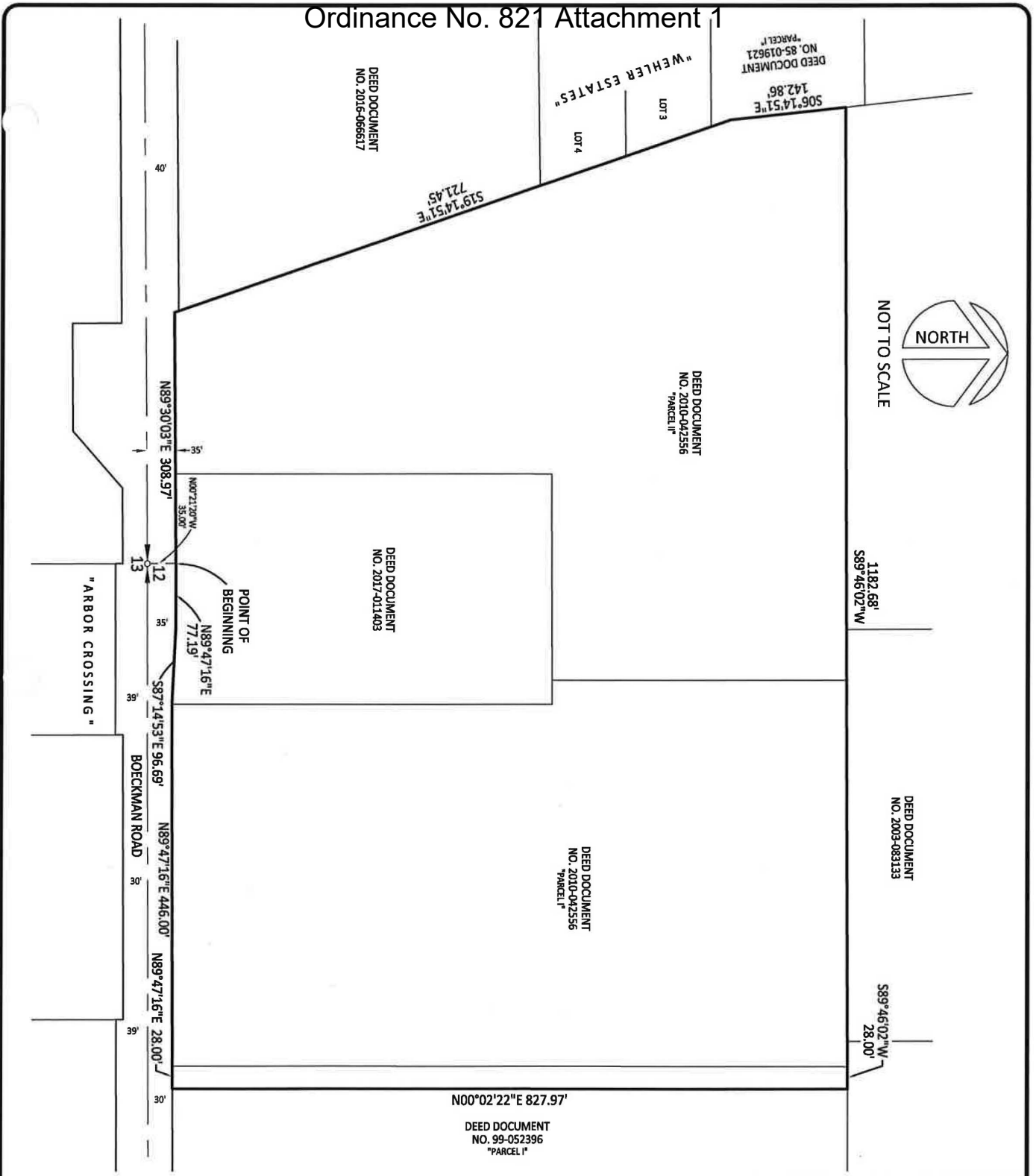
FROG POND

PDG PROJECT NO. 338-001

A PORTION OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BOECKMAN ROAD, 35.00 FEET FROM THE CENTERLINE THEREOF AND BEARING NORTH 00°21'20" WEST, 35.00 FEET FROM THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 12; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING (4) COURSES; NORTH 89°47'16" EAST, 77.19 FEET; THENCE SOUTH 87°14'53" EAST, 96.69 FEET; THENCE NORTH 89°47'16" EAST, 446.00 FEET TO THE SOUTHEAST CORNER OF "PARCEL I" OF DEED DOCUMENT NO. 2010-042556 (CLACKAMAS COUNTY DEED RECORDS) AND THE SOUTHWEST CORNER OF "PARCEL I" DESCRIBED IN DEED DOCUMENT NO. 99-052396, SAID RECORDS; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE AND THE SOUTH LINE OF SAID DOCUMENT NO. 99-052396, NORTH 89°47'16" EAST, 28.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 00°02'22" EAST, 827.97 FEET TO THE NORTH LINE OF SAID DOCUMENT NO. 99-052396; THENCE SOUTH 89°46'02" WEST ALONG THE NORTH LINE THEREOF, 28.00 FEET TO THE NORTHWEST CORNER THEREOF, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF SAID "PARCEL I" DESCRIBED IN SAID DEED DOCUMENT NO. 2010-042556; THENCE SOUTH 89°46'02" WEST ALONG THE NORTH LINE OF SAID "PARCEL I" AND THE NORTH LINE OF "PARCEL II", SAID DEED DOCUMENT, 1182.68 FEET TO THE NORTHWEST CORNER OF SAID "PARCEL II"; THENCE ALONG THE WEST BOUNDARY OF "PARCEL II" SOUTH 06°14'51" EAST, 142.86 FEET; THENCE CONTINUING ALONG SAID WEST BOUNDARY, SOUTH 19°14'51" EAST, 721.45 FEET TO A POINT 35.00 FEET, PERPENDICULAR MEASURE, FROM THE CENTERLINE OF BOECKMAN ROAD; THENCE PARALLEL WITH SAID CENTERLINE, NORTH 89°30'03" EAST, 308.97 FEET TO THE POINT OF BEGINNING.

Ordinance No. 821 Attachment 1



PDG JOB NO.:  
338-001

DATE:  
04/24/18

SCALE:  
NTS

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION



9020 SW WASHINGTON SQUARE RD  
SUITE 170  
PORTLAND, OREGON 97223  
p 503.641.8311  
f 844.715.4743  
www.pdg-grp.com

ANNEXATION EXHIBIT  
LOCATED IN THE SOUTHEAST AND SOUTHWEST  
QUARTERS OF SECTION 12, TOWNSHIP 3 SOUTH,  
RANGE 1 WEST OF THE WILLAMETTE MERIDIAN,  
CLACKAMAS COUNTY, OREGON

**ANNEXATION  
PETITION SIGNERS**

**NOTE: This petition may be signed by qualified persons even though they may not know their property description or precinct number.**

SIGNATURE	PRINTED NAME	I AM A: *			PROPERTY ADDRESS	PROPERTY DESCRIPTION				PRECINCT #	DATE
		PO	RV	OV		LOT #	¼ SEC	T	R		
	James H. Wolfston Jr	X			7331 SW Boeckman Road	2400	12D	3S	1W	N/A	
	James H. Wolfston Jr	X			7331 SW Boeckman Road	2700	12D	3S	1W	N/A	
	James H. Wolfston Jr	X			7447 SW Boeckman Road	2400	12D	3S	1W	N/A	
		X									
					Boeckman Road Right-of-way	n/a	12D	3S	1W	N/A	
Representing City of Wilsonville <i>[Signature]</i>	Bryan Cosgrove										4.26.10B

\* PO =Property Owner  
RV =Registered Voter  
OV =Owner And Registered Voter

**ANNEXATION  
PETITION SIGNERS**

**NOTE: This petition may be signed by qualified persons even though they may not know their property description or precinct number.**

SIGNATURE	PRINTED NAME	I AM A: *			PROPERTY ADDRESS	PROPERTY DESCRIPTION				PRECINCT #	DATE
		PO	RV	OV		LOT #	1/4 SEC	T	R		
	James H. Wolfston Jr.	X			7331 SW Boeckman Road	2400	12D	3S	1W	N/A	2/2/18
	James H. Wolfston Jr.	X			7331 SW Boeckman Road	2700	12D	3S	1W	N/A	2/2/18
	James H. Wolfston Jr.	X			7447 SW Boeckman Road	2400	12D	3S	1W	N/A	2/2/18

\* PO =Property Owner  
RV =Registered Voter  
OV =Owner And Registered Voter

**ANNEXATION  
PETITION SIGNERS**

**NOTE: This petition may be signed by qualified persons even though they may not know their property description or precinct number.**

SIGNATURE	PRINTED NAME	I AM A: *			PROPERTY ADDRESS	PROPERTY DESCRIPTION				PRECINCT #	DATE
		PO	RV	OV		LOT #	¼ SEC	T	R		
	James H. Wolfston Jr	X			7331 SW Boeckman Road	2400	12D	3S	1W	N/A	
	James H. Wolfston Jr	X			7331 SW Boeckman Road	2700	12D	3S	1W	N/A	
	James H. Wolfston Jr	X			7447 SW Boeckman Road	2400	12D	3S	1W	N/A	
<i>Kathleen E. Ludwig</i>	Kathleen E. Ludwig	X			7151 SW Boeckman Road	2300	12D	3S	1W	N/A	3/29/2018
Representing West Linn-Wilsonville Clackamas School District #3.J											

\* PO =Property Owner  
RV =Registered Voter  
OV =Owner And Registered Voter

Ordinance No. 821 Attachment 2

## Ordinance No. 821 Attachment 2

### SUBJECT PROPERTY BOUNDARY LEGAL DESCRIPTION

FROG POND

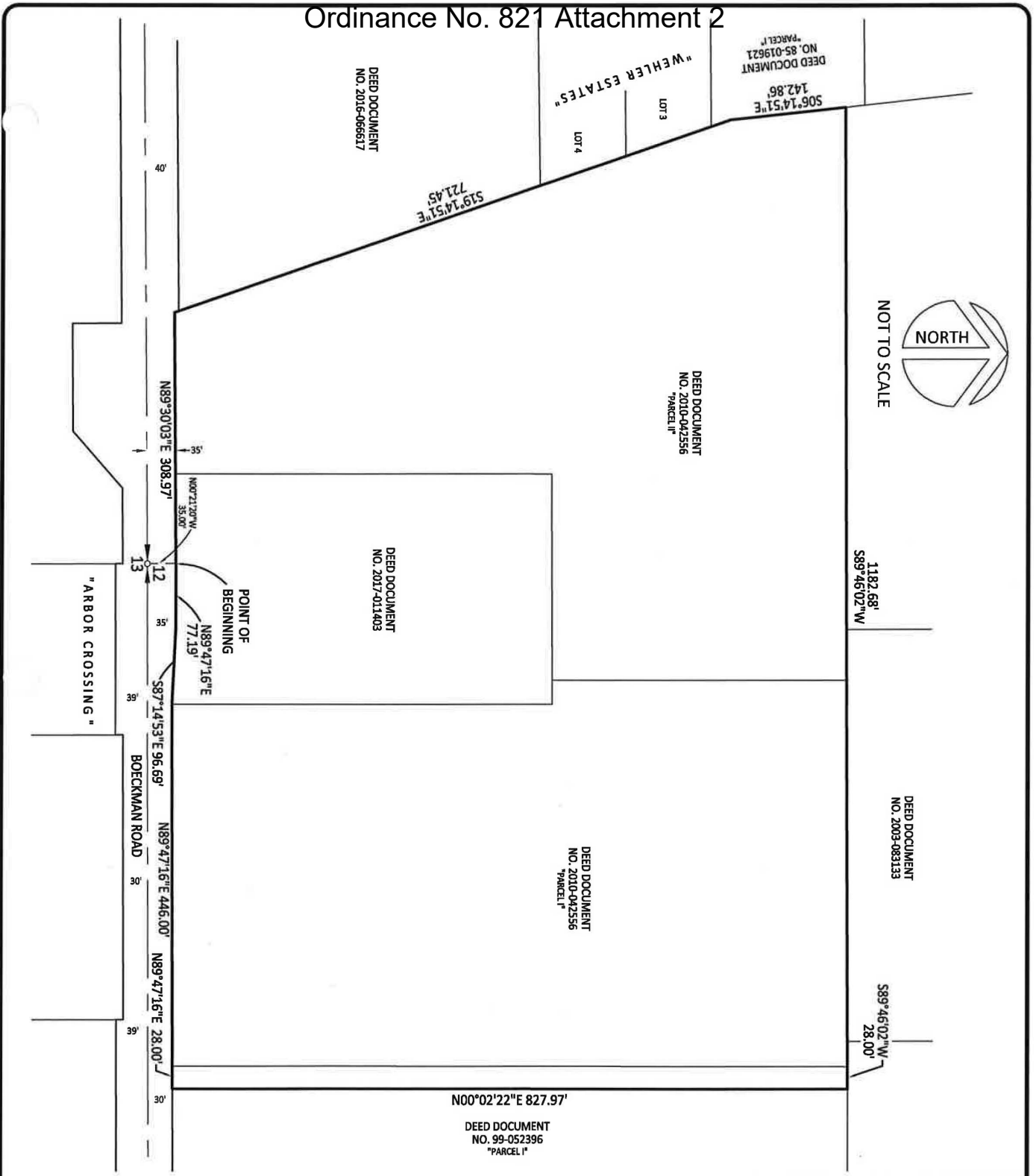
PDG PROJECT NO. 338-001

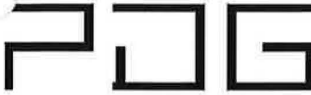
A PORTION OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BOECKMAN ROAD, 35.00 FEET FROM THE CENTERLINE THEREOF AND BEARING NORTH 00°21'20" WEST, 35.00 FEET FROM THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 12; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING (4) COURSES; NORTH 89°47'16" EAST, 77.19 FEET; THENCE SOUTH 87°14'53" EAST, 96.69 FEET; THENCE NORTH 89°47'16" EAST, 446.00 FEET TO THE SOUTHEAST CORNER OF "PARCEL I" OF DEED DOCUMENT NO. 2010-042556 (CLACKAMAS COUNTY DEED RECORDS) AND THE SOUTHWEST CORNER OF "PARCEL I" DESCRIBED IN DEED DOCUMENT NO. 99-052396, SAID RECORDS; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE AND THE SOUTH LINE OF SAID DOCUMENT NO. 99-052396, NORTH 89°47'16" EAST, 28.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 00°02'22" EAST, 827.97 FEET TO THE NORTH LINE OF SAID DOCUMENT NO. 99-052396; THENCE SOUTH 89°46'02" WEST ALONG THE NORTH LINE THEREOF, 28.00 FEET TO THE NORTHWEST CORNER THEREOF, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF SAID "PARCEL I" DESCRIBED IN SAID DEED DOCUMENT NO. 2010-042556; THENCE SOUTH 89°46'02" WEST ALONG THE NORTH LINE OF SAID "PARCEL I" AND THE NORTH LINE OF "PARCEL II", SAID DEED DOCUMENT, 1182.68 FEET TO THE NORTHWEST CORNER OF SAID "PARCEL II"; THENCE ALONG THE WEST BOUNDARY OF "PARCEL II" SOUTH 06°14'51" EAST, 142.86 FEET; THENCE CONTINUING ALONG SAID WEST BOUNDARY, SOUTH 19°14'51" EAST, 721.45 FEET TO A POINT 35.00 FEET, PERPENDICULAR MEASURE, FROM THE CENTERLINE OF BOECKMAN ROAD; THENCE PARALLEL WITH SAID CENTERLINE, NORTH 89°30'03" EAST, 308.97 FEET TO THE POINT OF BEGINNING.



Ordinance No. 821 Attachment 2



PDG JOB NO.: <b>338-001</b>	DATE: <b>04/24/18</b>	SCALE: <b>NTS</b>	<b>EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION</b>
 <p> <b>PIONEER DESIGN GROUP, INC.</b>              9020 SW WASHINGTON SQUARE RD              SUITE 170              PORTLAND, OREGON 97223              p 503.641.8311              f 844.715.4743              www.pdg-grp.com           </p>			<p align="center"> <b>ANNEXATION EXHIBIT</b>              LOCATED IN THE SOUTHEAST AND SOUTHWEST              QUARTERS OF SECTION 12, TOWNSHIP 3 SOUTH,              RANGE 1 WEST OF THE WILLAMETTE MERIDIAN,              CLACKAMAS COUNTY, OREGON           </p>



Ordinance No. 821 Attachment 2

EXISTING TREE TABLE											
POINT #	DESC.-DBHI	POINT #	DESC.-DBHI	POINT #	DESC.-DBHI	POINT #	DESC.-DBHI	POINT #	DESC.-DBHI	POINT #	DESC.-DBHI
5128	DE-48	6262	DE-48	8063	DE-18	8114	EV-30	8164	EV-8	8216	DE-10
5129	EV-24	6264	DE-12	8064	DE-36	8115	DE-8	8165	DE-14	8217	DE-8
5130	DE-24	6265	DE-12	8065	EV-10	8116	DE-8	8166	DE-12	8218	DE-20
5133	DE-28	6266	DE-12	8066	DE-16	8117	DE-8	8167	DE-16	8219	EV-22
5134	DE-24	6267	DE-18	8067	DE-10	8118	DE-6	8168	DE-12	8220	EV-46
5135	DE-9x12	7572	DE-6	8068	DE-8	8119	EV-26	8169	DE-14	8221	EV-48
5136	DE-36	7573	DE-6	8069	DE-20	8120	EV-26	8170	DE-14	8222	EV-22
5137	EV-18	7574	DE-8	8070	DE-10	8121	DE-12	8171	DE-26	8223	DE-8
5138	EV-18	7575	DE-2x8	8071	DE-12	8122	DE-6	8172	EV-12	8224	DE-14
5139	EV-18	7576	DE-6	8072	EV-18	8123	DE-8	8173	EV-12	8225	DE-10
5140	DE-60	7577	DE-8	8073	EV-18	8124	EV-22	8174	EV-10	8226	DE-8
5205	DE-8	7578	DE-6	8074	EV-22	8125	EV-34	8175	EV-8	8227	DE-22
5206	DE-18	7579	EV-24	8075	EV-18	8126	DE-14	8176	EV-8	8228	DE-14
5207	DE-16	7580	DE-6	8076	EV-18	8127	DE-10	8177	EV-6	8229	DE-30
5234	EV-14	7581	EV-24	8077	EV-28	8128	EV-32	8178	EV-14	8230	DE-18
5235	EV-14	7582	EV-10	8078	EV-12	8129	DE-8	8179	EV-10	8231	DE-10
5236	EV-10	7583	DE-6	8079	EV-12	8130	DE-8	8180	EV-14	8232	DE-16
5237	EV-12	7584	DE-6	8080	EV-26	8131	DE-6	8181	EV-12	8233	EV-45
5362	DE-6	7585	EV-30	8081	EV-36	8132	EV-30	8182	EV-14	8234	EV-6
5363	EV-10	7586	DE-6	8082	EV-28	8133	EV-22	8183	EV-14	8235	DE-8
5480	DE-6	7587	DE-6	8083	EV-20	8134	DE-8	8184	EV-12	8236	DE-8
5481	DE-8	7588	DE-12	8084	EV-26	8135	DE-8	8185	EV-10	8237	DE-8
5482	DE-8	7589	DE-10	8085	EV-26	8136	DE-12	8186	DE-26	8238	DE-10
5483	DE-10	7590	EV-36	8086	EV-28	8137	DE-6	8189	DE-20	8239	DE-10
5484	DE-14	7630	EV-28	8087	EV-18	8138	DE-6	8190	DE-48 STUMP	8240	DE-8
5485	DE-8	7631	EV-26	8088	EV-18	8139	DE-8	8191	DE-8	8241	DE-26
5486	DE-8	7632	EV-12-18	8089	EV-22	8140	DE-8	8192	DE-26	8242	DE-10
5695	EV-24	7633	EV-16-18-10	8090	EV-30	8141	EV-12	8193	DE-24	8243	DE-14
5696	EV-36	7634	EV-16-8-12-12	8091	EV-30	8142	DE-18	8194	DE-8	8244	DE-10
5697	EV-26	7635	EV-14	8092	EV-28	8143	DE-20	8195	DE-18	8245	DE-18
5698	EV-36	7636	EV-14	8093	DE-14	8144	DE-16	8196	DE-38	8246	DE-20
5699	EV-18	7637	EV-12	8094	DE-6	8145	EV-14	8197	DE-10	8247	DE-12
5700	EV-24	7638	EV-10	8095	DE-6	8146	EV-6	8198	DE-8	8248	DE-8
5701	EV-24	7639	EV-10	8096	DE-8	8147	EV-18	8199	DE-6	8249	DE-8
5702	EV-48	7640	EV-8	8097	EV-6	8148	EV-15	8200	DE-10	8250	DE-20
5703	EV-48	7641	EV-6	8098	EV-16	8149	EV-8	8201	DE-12	8251	DE-20
5861	EV-24	7642	EV-8	8099	EV-8	8150	NEZ-19	8202	DE-24	8452	DE-40
5876	DE-18	7643	EV-8	8100	EV-14	8151	EV-16	8203	DE-10	20020	DE-14
5877	DE-16	7653	DE-34	8101	EV-8	8152	EV-6	8204	DE-32		
5878	DE-24	8050	DE-24	8102	EV-34	8153	EV-8	8205	DE-16		
5994	EV-48	8051	EV-26	8103	EV-32	8154	EV-18	8206	DE-14		
6119	DE-36	8052	DE-8	8104	DE-8	8155	EV-6	8207	DE-8		
6157	DE-24	8053	DE-8	8105	EV-14	8156	EV-12	8208	DE-6		
6158	DE-18	8054	DE-8	8106	EV-18	8157	EV-12	8209	DE-10		
6159	DE-8	8055	DE-8	8107	EV-18	8158	EV-14	8210	DE-26		
6160	DE-20	8056	DE-20	8109	EV-12	8159	EV-14	8211	EV-32		
6161	DE-20	8057	DE-28	8110	DE-10	8160	EV-10	8212	EV-16		
6162	DE-36	8058	DE-18	8111	EV-22	8161	EV-14	8213	DE-16		
6165	DE-30	8059	DE-22	8112	DE-10	8162	DE-24	8214	DE-18		
6166	DE-30	8062	DE-10	8113	DE-8	8163	DE-12	8215	DE-18		

8000 SW WASHINGTON SQUARE RD.  
SUITE 170  
PORTLAND, OREGON 97223  
P 503.643.8888  
F 503.643.8888  
WWW.PDRG.COM

**PDRG**  
PIONEER DESIGN GROUP, INC.

**EXISTING CONDITIONS AND  
DEMOLITION PLAN**

FROG POND  
CITY OF WILSONVILLE, OREGON

Designed by	DA	Date	07/2017
Drawn by	TCC	Date	07/2017
Reviewed by	BA	Date	07/2017
Project No.	138-001	REF.	
Horiz. Scale:	N/A		
Vert. Scale:	N/A		
Scale:	AS SHOWN		

No.	Date	Revision	By
Project: FROG POND			
No: 138-001			
Type: PLANNING			
Sheet: <b>2A</b> of <b>XX</b>			

B:\Land Projects\2006\338-001\dwg\planning\3381\_02A.ecm.dwg 1/23/2018 11:01:51 AM



Ordinance No. 821 Attachment 3  
Annexation Findings

Morgan Farm 82-Lot Single-Family Subdivision

City Council  
Quasi-Judicial Public Hearing

---

<b>Hearing Date:</b>	June 18, 2018
<b>Date of Report:</b>	June 1, 2018
<b>Application No.:</b>	DB18-0015 Annexation

---

**Request/Summary:** City Council approval of quasi-judicial annexation of approximately 20 acres concurrently with its proposed development as a single-family subdivision consistent with the Frog Pond West Master Plan.

**Location:** North side of Boeckman Road, east of Boeckman Creek. The property is specifically known as Tax Lots 2400, 2600, and 2700, and portions of Tax Lot 2300 and Boeckman Road right-of-way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon

**Owners/Petitioners:** James Wolfson, West Linn-Wilsonville School District, City of Wilsonville

**Applicant:** James Wolfston

**Applicant's Rep.:** Ben Altman, Pioneer Design Group

**Comprehensive Plan Designation:** Residential Neighborhood

**Zone Map Classification (Current):** RRFF 5 (Rural Residential Farm Forest 5-Acre)

**Zone Map Classification (Proposed Concurrent with Annexation):** RN (Residential Neighborhood)

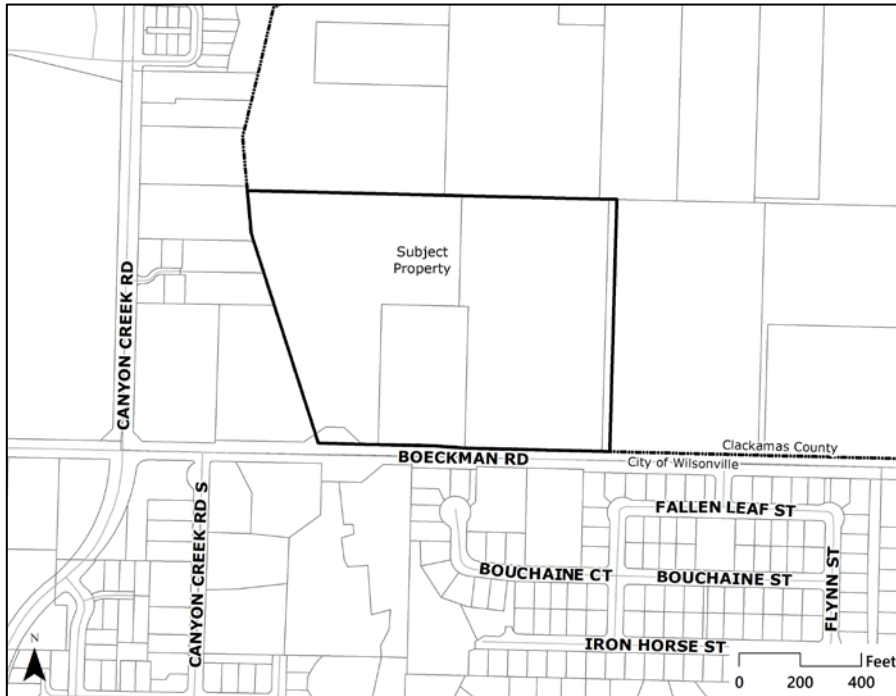
**Staff Reviewer:** Kimberly Rybold, AICP, Associate Planner

**Staff/DRB Recommendation:** Approve the requested annexation.

**Applicable Review Criteria:**

<b><u>Development Code:</u></b>	
Section 4.700	Annexation
<b><u>Comprehensive Plan and Sub-elements:</u></b>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<b><u>Regional and State Law and Planning Documents</u></b>	
Metro Code Chapter 3.09	Local Government Boundary Changes
ORS 222.111	Authority and Procedures for Annexation
ORS 222.125	Annexation by Consent of All Land Owners and Majority of Electors
ORS 222.170	Annexation by Consent Before Public Hearing or Order for Election
Statewide Planning Goals	

**Vicinity Map**



## **Background/Summary:**

The subject area has long been rural/semi-rural adjacent to the growing City of Wilsonville. Metro added the 181-acre area now known as Frog Pond West to the Urban Growth Boundary (UGB) in 2002 to accommodate future residential growth. To guide development of the area and the urban reserve areas to the east and southeast, the City of Wilsonville adopted the Frog Pond Area Plan in November 2015. The Frog Pond Area Plan envisions that “The Frog Pond Area in 2035 is an integral part of the Wilsonville community, with attractive and connected neighborhoods. The community’s hallmarks are the variety of quality homes; open spaces for gathering; nearby services, shops and restaurants; excellent schools; and vibrant parks and trails. The Frog Pond Area is a convenient bike, walk, drive, or bus trip to all parts of Wilsonville.”

As a follow up to the area plan and in anticipation of forthcoming development, in July 2017 the City of Wilsonville adopted the Frog Pond West Master Plan for the area within the UGB.

The area of the proposed 20-acre annexation will be the second development, following the 44-lot Stafford Meadows subdivision to the east, consistent with the Frog Pond West Master Plan. The subdivision will be the first of many envisioned to blend together as one cohesive neighborhood.

All property owners in the annexation area have consented in writing to the annexation.

## **Conclusion and Conditions of Approval:**

Staff has reviewed the Applicant’s analysis of compliance with the applicable criteria. The Staff report adopts the applicant’s responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, Staff recommends the City Council annex the subject property with the following condition:

<p><b>PDA 1.</b> The developer shall be subject to a Development and Annexation Agreement with the City of Wilsonville as required by the Frog Pond West Master Plan. The developer shall enter in the Development and Annexation Agreement prior to issuance of any public works permits by the City within the annexation area.</p>
---



## Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

### **Request: DB18-0015 Annexation**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

#### **Comprehensive Plan-Annexation and Boundary Changes**

Consistent with Future Planned Public Services  
Implementation Measure 2.2.1.a.

**A1.** The Frog Pond West Master Plan establishes the future planned public services and funding plan for the subject property. The development of public services and funding will be consistent with the Frog Pond West Master Plan thus allowing the annexation to proceed. Pahlisch Homes and the City will enter into an annexation agreement detailing provision and development of public services as required by Condition of Approval PDA 1.

Demonstrated Need for Immediate Urban Growth  
Implementation Measure 2.2.1.a.

**A2.** Metro brought the subject area into the Urban Growth Boundary in 2002 to meet demonstrated regional housing needs. With adoption for the Frog Pond West Master Plan the subject area is now primed for development to help meet regional housing needs.

Adherence to State and Metro Annexation Laws and Standards  
Implementation Measures 2.2.1.e., 2.2.1.e. 3., 2.2.1.e. 4.

**A3.** This review applies all applicable Metro and Stage rules, regulations, and statutes as seen in findings below.

Orderly, Economic Provision of Public Facilities and Services  
Implementation Measure 2.2.1.e. 1.

**A4.** The Frog Pond Area Plan includes implementation measures to ensure the orderly and economic provision of public facilities and services for the Frog Pond Area, including Frog Pond West. The applicant proposed site development with concurrent applications for Stage I and Stage II Planned Unit Development and Land Division, which proposes the extension of public facilities and services to the Morgan Farm site. These proposed services are generally consistent with the Frog Pond Area Plan and Frog Pond West Master Plan, and the City's Finance Plan and Capital Improvements Plan.

## Availability of Sufficient Land for Uses to Insure Choices over 3-5 Years

Implementation Measure 2.2.1.e. 2.

- A5.** The inclusion of the Frog Pond area within the UGB and the adoption of the Frog Pond Area Plan demonstrate the need for residential development in the Frog Pond Area. Annexation of the subject site will allow development of the uses envisioned by the adopted Frog Pond West Master Plan.

### **Wilsonville Development Code-Annexation**

#### Authority to Review Quasi-Judicial Annexation Requests

Subsections 4.030 (.01) A, 11, 4.031 (.01) K, 4.033 (.01) F., and 4.700 (.02)

- A6.** The review of the quasi-judicial annexation request by DRB and City Council is consistent with the authority established in the Development Code.

#### Procedure for Review, Etc.

Subsections 4.700 (.01) and (.04)

- A7.** The submission materials from the applicant include an annexation petition signed by the necessary parties, a legal description and map of the land to be annexed, a narrative describing conformance with applicable criteria, and the City Council, upon recommendation from the Development Review Board, will declare the subject property annexed.

#### Adoption of Development Agreement with Annexation

Subsection 4.700 (.05)

- A8.** Subject to requirements in this subsection and the Frog Pond West Master Plan Condition of Approval PDA 1 requires the necessary parties enter into an annexation development agreement with the City covering the annexed land.

### **Metro Code**

#### Local Government Boundary Changes

Chapter 3.09

- A9.** The request is within the UGB, meets the definition of a minor boundary change, satisfies the requirements for boundary change petitions, is consistent with the Comprehensive Plan, and Frog Pond West Master Plan.

### **Oregon Revised Statutes (ORS)**

#### Authority and Procedure for Annexation

ORS 222.111

- A10.** The request meets the applicable requirements in state statute including the facts that subject property is within the UGB, is contiguous to the City, the request has been initiated

by the property owners of the land being annexed, and all property owners within the annexed area consent in writing to the annexation.

#### Procedure Without Election by City Electors

ORS 222.120

**A11.** The City charter does not require elections for annexation, the City is following a public hearing process defined in the Development Code, and request meets the applicable requirements in state statute including the facts that all property owners within the annexed area consent in writing to the annexation. Annexation of the subject property thus does not require an election.

#### Annexation by Consent Before Public Hearing

ORS 222.170

**A12.** All property owners owning more than half of the land to be annexed representing more than half of the assessed value of the real property within the annexed area have provided their consent in writing. The City is following a public hearing process as prescribed in the City's Development Code concurrent with a Zone Map Amendment request and other quasi-judicial land use applications.

### **Oregon Statewide Planning Goals**

#### Statewide Planning Goals

Goals 1, 2, 5, 6, 8, 9, 10, 11, 12, 13

**A13.** The area proposed for annexation will be developed consistent with the City's Comprehensive Plan and the Frog Pond West Master Plan, both which have been found to meet the statewide planning goals.

**Ordinance No. 821 Attachment 4**

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 352**

**A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) FOR APPROXIMATELY 20 ACRES OF PROPERTY LOCATED ON THE NORTH SIDE OF BOECKMAN ROAD JUST EAST OF BOECKMAN CREEK, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, SRIR REVIEW, AND SROZ BOUNDARY VERIFICATION FOR AN 82-LOT SINGLE-FAMILY SUBDIVISION. THE SUBJECT SITE IS LOCATED ON TAX LOTS 2400, 2600, AND 2700, AND PORTIONS OF TAX LOT 2300 AND BOECKMAN ROAD RIGHT-OF-WAY OF SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. BEN ALTMAN, PIONEER DESIGN GROUP – REPRESENTATIVE FOR JIM WOLFSTON – OWNER / APPLICANT.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated May 24, 2018, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B at a scheduled meeting conducted on May 31, 2018, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated May 24, 2018, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations, subject to City Council approval of the Annexation and Zone Map Amendment Requests (DB18-0015 and DB18-0016) for:

DB18-0017 through DB18-0021, SI18-0003 and SI18-0004; Stage I Master Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Removal Plan, SRIR Review, and SROZ Boundary Verification for an 82 lot single-family subdivision and associated improvements.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 31<sup>st</sup> day of May, 2018 and filed with the Planning Administrative Assistant on June 4, 2018. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per WC Sec 4.022(.09) unless appealed per WC Sec 4.022(.02) or called up for review by the council in accordance with WC Sec 4.022(.03).

  
Richard Martens, Chair, Panel B  
Wilsonville Development Review Board

Attest:

  
Shelley White, Planning Administrative Assistant

**ORDINANCE NO. 822**

**AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE CLACKAMAS COUNTY RURAL RESIDENTIAL FARM FOREST 5 (RRFF5) ZONE TO THE RESIDENTIAL NEIGHBORHOOD (RN) ZONE ON APPROXIMATELY 20 ACRES ON THE NORTH SIDE OF BOECKMAN ROAD JUST EAST OF BOECKMAN CREEK INTO THE CITY LIMITS OF THE CITY OF WILSONVILLE, OREGON; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 2400, 2600, AND 2700, AND PORTIONS OF TAX LOT 2300 AND BOECKMAN ROAD RIGHT-OF-WAY, SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. JIM WOLFSTON, OWNER / APPLICANT.**

WHEREAS, certain real property within the Frog Pond West Master Plan is being annexed into the City; and

WHEREAS, the City of Wilsonville desires to have the properties zoned consistent with their Wilsonville Comprehensive Plan Map designation of “Residential Neighborhood” rather than maintain the current Clackamas County zoning designations; and

WHEREAS, concurrent with the adoption of the Frog Pond West Master Plan and designating the subject property as “Residential Neighborhood” in the Comprehensive Plan Map, the City added a new zoning district Residential Neighborhood (RN) intended for application to the Master Plan area; and

WHEREAS, the Zone Map Amendment is contingent on annexation of the property to the City of Wilsonville, which annexation has been petitioned for concurrently with the Zone Map Amendment request; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on May 31, 2018; and

WHEREAS, the Development Review Board Panel 'B' held a public hearing on the application for a Zone Map Amendment on May 31, 2018, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 352 which recommends City Council approval of the Zone Map Amendment request (Case File DB18-0016), adopts the staff report with findings and recommendation, all as placed on the record at the hearing; and

**ORDINANCE NO. 822**

**Page 1 of 3**

WHEREAS, on June 18, 2018, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. The City Council adopts, as findings and conclusions, the forgoing Recitals and the Zone Map Amendment Findings in Attachment 2, as if fully set forth herein.
2. The official City of Wilsonville Zone Map is hereby amended, upon finalization of the annexation of the property to the City, by Zoning Order DB18-0016, attached hereto as Attachment 1, from the Clackamas County Rural Residential Farm Forest 5 (RRFF5) Zone to the Residential Neighborhood (RN) Zone.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 18<sup>th</sup> day of June, 2018, and scheduled for a second reading at a regular meeting of the Council on the 2<sup>nd</sup> day of July, 2018, commencing at the hour of 7:00 P.M. at the Wilsonville City Hall.

\_\_\_\_\_  
Kimberly Veliz, City Recorder

ENACTED by the City Council on the 2<sup>nd</sup> day of July, 2018 by the following votes:

Yes:\_\_\_ No: \_\_\_

\_\_\_\_\_  
Kimberly Veliz, City Recorder

DATED and signed by the Mayor this \_\_\_\_\_ day of July, 2018.

\_\_\_\_\_  
TIM KNAPP, Mayor

**SUMMARY OF VOTES:**

Mayor Knapp

Council President Starr

Councilor Stevens

Councilor Lehan

Councilor Akervall

**Attachments:**

Attachment 1 – Zoning Order DB18-0016 Including Legal Description and Sketch  
Depicting Zone Map Amendment

Attachment 2 – Zone Map Amendment Findings

Attachment 3 – Development Review Board Panel B Resolution No. 352 Recommending  
Approval of Zone Map Amendment



# Ordinance No. 822 Attachment 1

## BEFORE THE CITY COUNCIL OF THE CITY OF WILSONVILLE, OREGON

In the Matter of the Application of	)	
James Wolfston	)	
for a Rezoning of Land and Amendment	)	<b>ZONING ORDER DB18-0016</b>
of the City of Wilsonville Zoning Map	)	
Incorporated in Section 4.102 of the	)	
Wilsonville Code.	)	

The above-entitled matter is before the Council to consider the application of DB18-0016, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached legal description and sketch, has heretofore appeared on the Clackamas County zoning map Rural Residential Farm Forest 5 (RRFF5).

The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 20 acres on the north side of Boeckman Road just east of Boeckman Creek comprising Tax Lots 2400, 2600, and 2700 of Section 12D, as more particularly shown and described in the attached legal description and sketch, is hereby rezoned to Residential Neighborhood (RN), subject to conditions detailed in this Order’s adopting Ordinance. The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 2<sup>nd</sup> day of July,  
2018.

\_\_\_\_\_  
TIM KNAPP, MAYOR

APPROVED AS TO FORM:

\_\_\_\_\_  
Barbara A. Jacobson, City Attorney

## Ordinance No. 822 Attachment 1

ATTEST:

---

Sandra C. King, CMC, City Recorder

Attachment: Legal Description and Sketch Depicting Land/Territory to be Rezoned

## Ordinance No. 822 Attachment 1

### SUBJECT PROPERTY BOUNDARY LEGAL DESCRIPTION

FROG POND

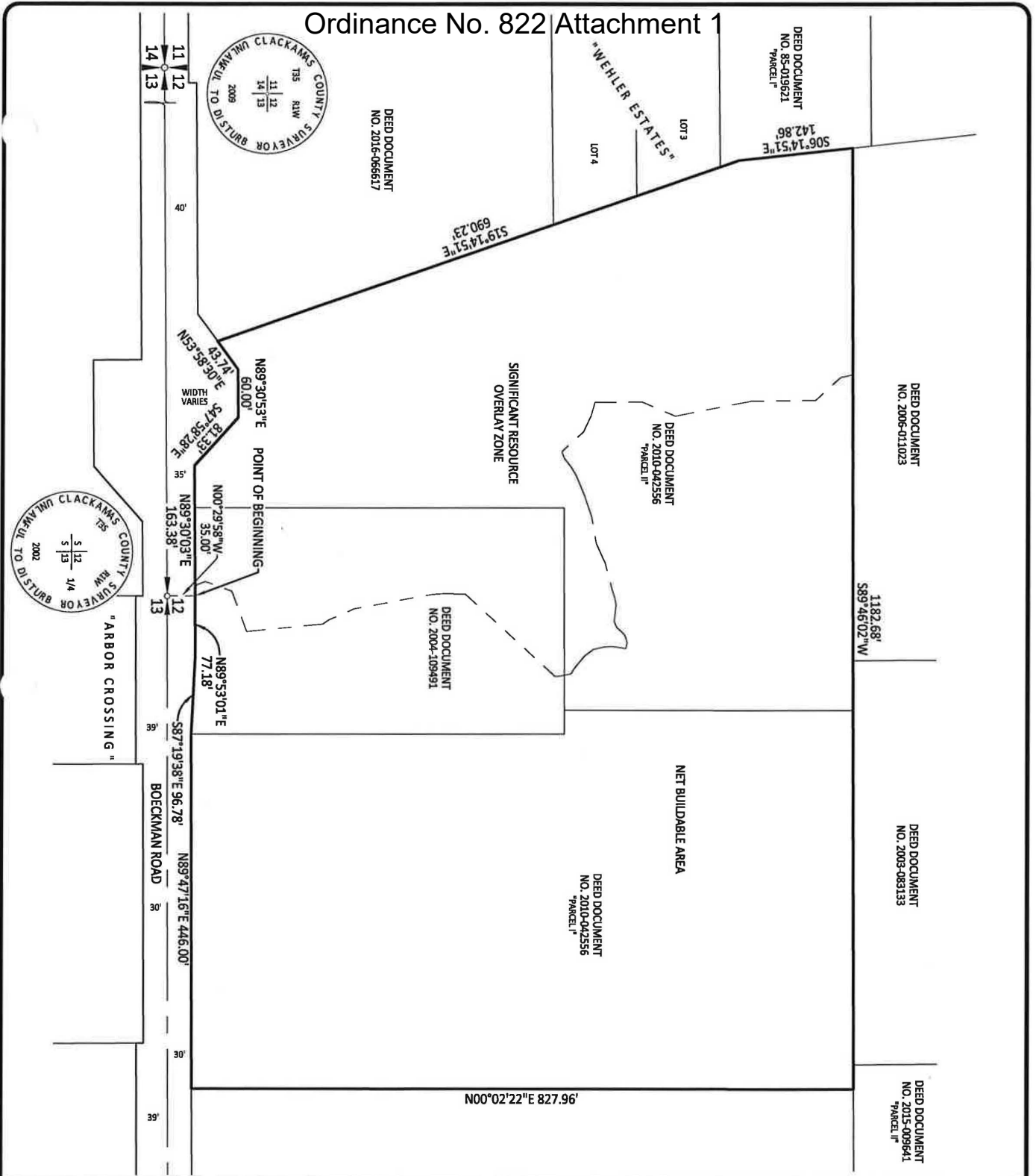
PDG PROJECT NO. 338-001


A PORTION OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BOECKMAN ROAD, 35.00 FEET FROM THE CENTERLINE THEREOF AND BEARING NORTH 20°32'43" WEST, 37.28 FEET FROM THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 12; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING (4) COURSES; NORTH 89°30'03" EAST, 12.77 FEET; THENCE NORTH 89°53'01" EAST, 77.18 FEET; THENCE SOUTH 87°19'38" EAST, 96.78 FEET; THENCE NORTH 89°47'16" EAST, 446.00 FEET TO THE SOUTHEAST CORNER OF "PARCEL I" OF DEED DOCUMENT NO. 2010-042556; THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 00°02'22" EAST ALONG THE EAST LINE OF SAID "PARCEL I", 827.96 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 89°46'02" WEST ALONG THE NORTH LINE OF SAID "PARCEL I" AND THE NORTH LINE OF "PARCEL II", SAID DEED DOCUMENT, 1182.68 FEET TO THE NORTHWEST CORNER OF SAID "PARCEL II"; THENCE ALONG THE WEST BOUNDARY OF "PARCEL II" SOUTH 06°14'51" EAST, 142.86 FEET; THENCE CONTINUING ALONG SAID WEST BOUNDARY, SOUTH 19°14'51" EAST, 690.23 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BOECKMAN ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING (4) COURSES; NORTH 53°58'30" EAST, 43.74 FEET; THENCE NORTH 89°30'53" EAST, 60.00 FEET; THENCE SOUTH 47°58'28" EAST, 81.33 FEET; THENCE NORTH 89°30'03" EAST, 150.61 FEET TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 20.128 ACRES, MORE OR LESS.

# Ordinance No. 822 Attachment 1



PDG JOB NO.: <b>338-001</b>	DATE: <b>02/13/18</b>	SCALE: <b>NTS</b>	<b>EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION</b>
 <b>PIONEER DESIGN GROUP, INC.</b> 9020 SW WASHINGTON SQUARE RD SUITE 170 PORTLAND, OREGON 97223 p 503.841.8311 f 844.715.4743 www.pd-grp.com			<b>SUBJECT PROPERTY BOUNDARY</b> LOCATED IN THE SOUTHEAST AND THE SOUTHWEST QUARTERS OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON



Ordinance No. 822 Attachment 2  
 Zone Map Amendment Findings

Morgan Farm 82-Lot Single-Family Subdivision

City Council  
 Quasi-Judicial Public Hearing

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<b>Hearing Date:</b>	June 18, 2018
<b>Date of Report:</b>	June 1, 2018
<b>Application No.:</b>	DB18-0016 Zone Map Amendment

---

**Request:** The request before the City Council is a Zone Map Amendment for approximately 20 acres.

**Location:** North side of Boeckman Road, east of Boeckman Creek. The property is specifically known as Tax Lots 2400, 2600, and 2700, and portions of Tax Lot 2300 and Boeckman Road right-of-way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon

**Owner/Applicant:** James Wolfston

**Applicant's Rep.:** Ben Altman, Pioneer Design Group

**Comprehensive Plan Designation:** Residential Neighborhood

**Zone Map Classification (Current):** RRFF 5 (Rural Residential Farm Forest 5-Acre)

**Zone Map Classification (Proposed):** RN (Residential Neighborhood)

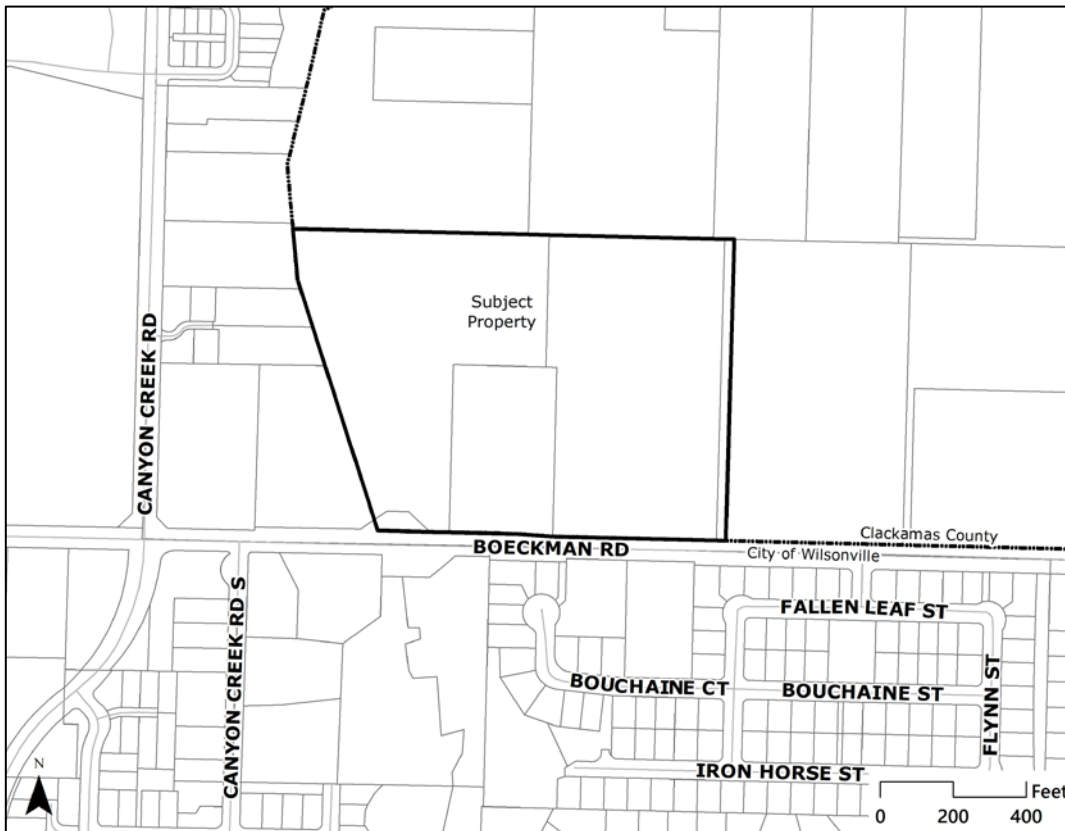
**Staff Reviewers:** Kimberly Rybold, AICP, Associate Planner

**Staff/DRB Recommendation:** Adopt the requested Zone Map Amendment.

**Applicable Review Criteria:**

<b><u>Development Code:</u></b>	
Section 4.110	Zones
Section 4.127	Residential Neighborhood (RN) Zone
Section 4.197	Zone Changes
<b><u>Comprehensive Plan and Sub-elements:</u></b>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<b><u>Regional and State Law and Planning Documents</u></b>	
Statewide Planning Goals	

**Vicinity Map**



## Summary:

Zone Map Amendment (DB18-0016)

Concurrent with the adoption of the Frog Pond West Master Plan the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The applicant proposes applying the Residential Neighborhood (RN) Zone to the entire subject property consistent with this intention.

## Conclusion and Conditions of Approval:

Staff and the Development Review Board recommend approval with the following condition:

Request: DB18-0016 Zone Map Amendment

This action is contingent upon annexation of the subject properties to the City of Wilsonville (DB18-0015).
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## Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

### General Information

Application Procedures-In General  
Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application  
Section 4.009

The property owner, Jim Wolfston, signed the submitted application form.



**Request: DB18-0016 Zone Map Amendment**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

**Comprehensive Plan**

“Residential Neighborhood” on the Comprehensive Plan Map  
Implementation Measure 4.1.7.a.

**B1.** The subject area has a Comprehensive Plan Map Designation of “Residential Neighborhood” enabling implementation of the Frog Pond West Master Plan adopted for the subject area.

“Residential Neighborhood” Zone Applied Consistent with Comprehensive Plan  
Implementation Measure 4.1.7.c.

**B2.** The applicant requests the subject area receive the zoning designation of Residential Neighborhood (RN) as required for areas with the Comprehensive Plan Map Designation of “Residential Neighborhood”.

Safe, Convenient, Healthful, and Attractive Places to Live  
Implementation Measure 4.1.4.c.

**B3.** The proposed Residential Neighborhood zoning allows the use of planned developments consistent with a legislative Master Plan enabling development of safe, convenient, healthful, and attractive places to live.

Residential Density  
Implementation Measure 4.1.4.u.

**B4.** The subject area will be zoned Residential Neighborhood allowing the application of the adopted residential densities of the Frog Pond West Master Plan to the subject area. The sub-districts established in the Frog Pond West Master Plan govern the allowed residential densities for the subject area.

Purpose of Residential Neighborhood Designation  
Implementation Measure 4.1.7.a.

**B5.** The subject area will be zoned Residential Neighborhood consistent with the “Residential Neighborhood” designation on the Comprehensive Plan Map. The designation enables development of the site consistent with the legislatively adopted Frog Pond West Master Plan, including creating an attractive and connected residential neighborhood, cohesive neighborhoods, high quality architecture and community design, provide transportation choices, and preserve and enhance natural resources.

## Development Code

### Zoning Consistent with Comprehensive Plan Section 4.029

- B6.** The applicant requests a zone change concurrently with a Stage I Master Plan, Stage II Final Plan, and other related development approvals. The proposed zoning designation of Residential Neighborhood is consistent with the Comprehensive Plan Residential Neighborhood designation. See also Finding B2 above.

### Base Zones Subsection 4.110 (.01)

- B7.** The requested zoning designation of Residential Neighborhood (RN) is among the base zones identified in this subsection.

## Residential Neighborhood (RN) Zone

### Purpose of the Residential Neighborhood (RN) Zone Subsection 4.127 (.01)

- B8.** The request to apply the Residential Neighborhood Zone on lands with the Residential Neighborhood Comprehensive Plan Map designations enables a planned development process implementing the Residential Neighborhood policies and implementation measures of the Comprehensive Plan and the Frog Pond West Master Plan.

### Permitted Uses in the Residential Neighborhood (RN) Zone Subsection 4.127 (.02)

- B9.** Concurrent with the zone map amendment request the applicant requests approval of a single-family subdivision. Single-family dwelling units, attached single-family dwelling units (maximum two attached), open space, and public and private parks are among the permitted uses in the RN zone.

### Residential Neighborhood Zone Sub-districts and Residential Density Subsection 4.127 (.05) and (.06)

- B10.** The Frog Pond West Master Plan establishes a range of 66 to 82 units for Sub-district 1. The applicant proposes 82 units, which is the maximum of the allowed range.

**Ordinance No. 822 Attachment 3**

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 352**

**A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) FOR APPROXIMATELY 20 ACRES OF PROPERTY LOCATED ON THE NORTH SIDE OF BOECKMAN ROAD JUST EAST OF BOECKMAN CREEK, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, SRIR REVIEW, AND SROZ BOUNDARY VERIFICATION FOR AN 82-LOT SINGLE-FAMILY SUBDIVISION. THE SUBJECT SITE IS LOCATED ON TAX LOTS 2400, 2600, AND 2700, AND PORTIONS OF TAX LOT 2300 AND BOECKMAN ROAD RIGHT-OF-WAY OF SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. BEN ALTMAN, PIONEER DESIGN GROUP – REPRESENTATIVE FOR JIM WOLFSTON – OWNER / APPLICANT.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated May 24, 2018, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B at a scheduled meeting conducted on May 31, 2018, at which time exhibits, together with findings and public testimony were entered into the public record, and

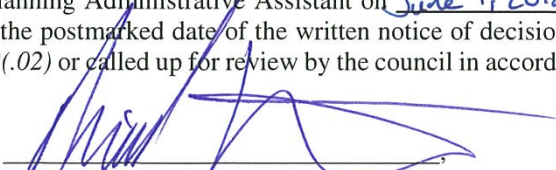
WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated May 24, 2018, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations, subject to City Council approval of the Annexation and Zone Map Amendment Requests (DB18-0015 and DB18-0016) for:

DB18-0017 through DB18-0021, SI18-0003 and SI18-0004; Stage I Master Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Removal Plan, SRIR Review, and SROZ Boundary Verification for an 82 lot single-family subdivision and associated improvements.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 31<sup>st</sup> day of May, 2018 and filed with the Planning Administrative Assistant on June 4, 2018. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per WC Sec 4.022(.09) unless appealed per WC Sec 4.022(.02) or called up for review by the council in accordance with WC Sec 4.022(.03).

  
Richard Martens, Chair, Panel B  
Wilsonville Development Review Board

Attest:

  
Shelley White, Planning Administrative Assistant



VIA: Certified Mail, Return Receipt Requested

June 4, 2018

Jim Wolfston  
CollegeNet, Inc.  
805 SW Broadway, Suite 1600  
Portland, OR 97205

Re: Morgan Farms Subdivision

Case Files:	Request A:	DB18-0015	Annexation
	Request B:	DB18-0016	Zone Map Amendment
	Request C:	DB18-0017	Stage I Master Plan
	Request D:	DB18-0018	Stage II Final Plan
	Request E:	DB18-0019	Site Design Review
	Request F:	DB18-0020	Tentative Subdivision Plat
	Request G:	DB18-0021	Type C Tree Plan
	Request H:	SI18-0003	SRIR Review
	Request I:	SI18-0004	SROZ Boundary Verification

Two copies of the Development Review Board’s decision on your referenced project, including conditions of approval rendered are attached. *Please note that these approvals are contingent upon the City Council’s approval of the Annexation and Zone Map Amendment, which are scheduled for a hearing on June 18, 2018.*

Please note that your signature acknowledging receipt and acceptance of the Conditions of Approval is required to be returned to the Planning Office before the decision is effective. One copy is provided for this purpose. Please sign and return to the undersigned. Thank you.

Thank you.

Shelley White  
Planning Administrative Assistant

CC: Ben Altman -Pioneer Design Group  
Mike Morse – Pahlisch Homes, Inc.

June 4, 2018

**DEVELOPMENT REVIEW BOARD PANEL B**

**DEVELOPMENT REVIEW BOARD NOTICE OF DECISION AND  
RECOMMENDATION TO CITY COUNCIL**

**Project Name:** Morgan Farms Subdivision

**Case Files:**

<b>Request A:</b>	<b>DB18-0015</b>	<b>Annexation</b>
<b>Request B:</b>	<b>DB18-0016</b>	<b>Zone Map Amendment</b>
Request C:	DB18-0017	Stage I Master Plan
Request D:	DB18-0018	Stage II Final Plan
Request E:	DB18-0019	Site Design Review
Request F:	DB18-0020	Tentative Subdivision Plat
Request G:	DB18-0021	Type C Tree Plan
Request H:	SI18-0003	SRIR Review
Request I:	SI18-0004	SROZ Boundary Verification

**Owner/Applicant:** Jim Wolfston

**Applicant's  
Representative:** Ben Altman, Pioneer Design Group

**Property  
Description:** Tax Lots 2400, 2600, and 2700 and portions of Tax Lot 2300 and Boeckman Road right-of-way of Section 12D; T3S R1W; Clackamas County; Wilsonville, Oregon.

**Location:** 7331 and 7447 SW Boeckman Road; North side of Boeckman Road, just east of Boeckman Creek

On May 31, 2018 at the meeting of the Development Review Board Panel B, the following action was taken on the above-referenced proposed development applications:

Requests A and B: The DRB has forwarded a recommendation of approval to the City Council. *A Council hearing date is scheduled for Monday, June 18, 2018 to hear these items.*

Requests C, D, E, F, G, H and I:  
Approved with conditions of approval.  
*These approvals are contingent upon City Council's approval of Requests A and B.*

An appeal of Requests C, D, E, F, G, H and I to the City Council by anyone who is adversely affected or aggrieved, and who has participated in this hearing, orally or in writing, must be filed with the City Recorder within fourteen (14) calendar days of the mailing of this Notice of Decision. *WC Sec. 4.022(.02)*. A person who has been mailed this written notice of decision cannot appeal the decision directly to the Land Use Board of Appeals under *ORS 197.830*.

This decision has been finalized in written form and placed on file in the City records at the Wilsonville City Hall this 4<sup>th</sup> day of June 2018 and is available for public inspection. The decision regarding Requests C, D, E, F, G, H and I shall become final and effective on the fifteenth (15<sup>th</sup>) calendar day after the postmarked date of this written Notice of Decision, unless appealed or called up for review by the Council in accordance with *WC Sec. 4.022(.09)*.

Written decision is attached

For further information, please contact the Wilsonville Planning Division at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon 97070 or phone 503-682-4960

Attachments: DRB Resolution No. 352, including adopted staff report with conditions of approval.



**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 352**

**A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) FOR APPROXIMATELY 20 ACRES OF PROPERTY LOCATED ON THE NORTH SIDE OF BOECKMAN ROAD JUST EAST OF BOECKMAN CREEK, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, SRIR REVIEW, AND SROZ BOUNDARY VERIFICATION FOR AN 82-LOT SINGLE-FAMILY SUBDIVISION. THE SUBJECT SITE IS LOCATED ON TAX LOTS 2400, 2600, AND 2700, AND PORTIONS OF TAX LOT 2300 AND BOECKMAN ROAD RIGHT-OF-WAY OF SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. BEN ALTMAN, PIONEER DESIGN GROUP – REPRESENTATIVE FOR JIM WOLFSTON – OWNER / APPLICANT.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated May 24, 2018, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B at a scheduled meeting conducted on May 31, 2018, at which time exhibits, together with findings and public testimony were entered into the public record, and

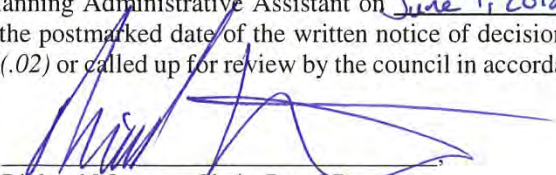
WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated May 24, 2018, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations, subject to City Council approval of the Annexation and Zone Map Amendment Requests (DB18-0015 and DB18-0016) for:

DB18-0017 through DB18-0021, SI18-0003 and SI18-0004; Stage I Master Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Removal Plan, SRIR Review, and SROZ Boundary Verification for an 82 lot single-family subdivision and associated improvements.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 31<sup>st</sup> day of May, 2018 and filed with the Planning Administrative Assistant on June 4, 2018. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per WC Sec 4.022(.09) unless appealed per WC Sec 4.022(.02) or called up for review by the council in accordance with WC Sec 4.022(.03).

  
Richard Martens, Chair, Panel B  
Wilsonville Development Review Board

Attest:  
  
Shelley White, Planning Administrative Assistant





Exhibit A1 Staff Report  
Morgan Farm 82-Lot Single-Family Subdivision

Development Review Board Panel 'B'  
Quasi-Judicial Public Hearing  
Added language *bold italics underline*

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<b>Hearing Date:</b>	May 31, 2018
<b>Date of Report:</b>	May 24, 2018
<b>Application Nos.:</b>	DB18-0015 Annexation DB18-0016 Zone Map Amendment DB18-0017 Stage I Preliminary Plan DB18-0018 Stage II Final Plan DB18-0019 Site Design Review of Parks and Open Space DB18-0020 Tentative Subdivision Plat DB18-0021 Type C Tree Removal Plan SI18-0003 SRIR Review SI18-0004 SROZ Boundary Verification

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**Request/Summary:** The requests before the Development Review Board include Annexation, Zone Map Amendment, Class 3 Stage I Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Removal Plan, SRIR Review, and SROZ Boundary Verification

**Location:** North side of Boeckman Road, east of Boeckman Creek. The property is specifically known as Tax Lots 2400, 2600, and 2700, and portions of Tax Lot 2300 and Boeckman Road right-of-way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon

**Owner/Applicant:** Jim Wolfston

**Applicant's Rep.:** Ben Altman, Pioneer Design Group

**Comprehensive Plan Designation:** Residential Neighborhood

**Zone Map Classification (Current):** RRFF 5 (Clackamas County designation – Rural Residential Farm Forest 5-Acre)

**Zone Map Classification (Proposed):** RN (Residential Neighborhood)

**Staff Reviewers:** Kimberly Rybold, AICP, Associate Planner  
Steve Adams PE, Development Engineering Manager  
Kerry Rappold, Natural Resources Program Manager

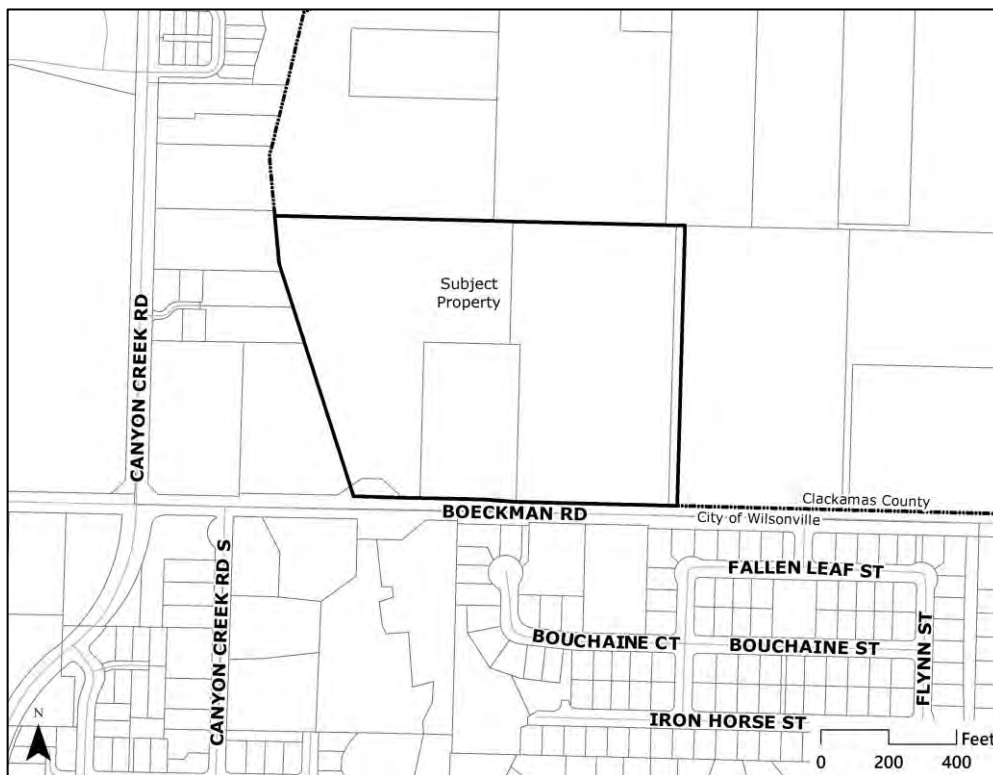
**Staff Recommendation:** **Recommend approval to the City Council** of the Annexation and Zone Map Amendment, **approve with conditions** the Stage I Master Plan, State II Final Plan, Site Design Review request, tentative subdivision plat, Type C Tree Plan, and SRIR Review, and SROZ Boundary Verification contingent on City Council approval of the Annexation and Zone Map Amendment.

**Applicable Review Criteria:**

<b>Development Code:</b>	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Section 4.033	Authority of City Council
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.113	Standards Applying to Residential Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.127	Residential Neighborhood (RN) Zone
Sections 4.139.00 through 4.139.11	Significant Resource Overlay Zone (SROZ) Regulations
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Sections 4.156.01 through 4.156.11	Signs
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.197	Zone Changes
Sections 4.200 through 4.290	Land Divisions
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600-4.640.20	Tree Preservation and Protection
Section 4.700	Annexation

<b><u>Comprehensive Plan and Sub-elements:</u></b>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<b><u>Regional and State Law and Planning Documents</u></b>	
Metro Code Chapter 3.09	Local Government Boundary Changes
ORS 222.111	Authority and Procedures for Annexation
ORS 222.125	Annexation by Consent of All Land Owners and Majority of Electors
ORS 222.170	Annexation by consent before public hearing or order for election
Statewide Planning Goals	

**Vicinity Map**



## Background:

The subject property has long been rural/semi-rural, adjacent to the growing City of Wilsonville. Metro added the 181-acre area now known as Frog Pond West to the Urban Growth Boundary in 2002 to accommodate future residential growth. To guide development of the area and the urban reserve areas to the east and southeast, the City of Wilsonville adopted the Frog Pond Area Plan in November 2015. The Frog Pond Area Plan envisions that “The Frog Pond Area in 2035 is an integral part of the Wilsonville community, with attractive and connected neighborhoods. The community’s hallmarks are the variety of quality homes; open spaces for gathering; nearby services, shops and restaurants; excellent schools; and vibrant parks and trails. The Frog Pond Area is a convenient bike, walk, drive, or bus trip to all parts of Wilsonville.”

As a follow up to the Area Plan and in anticipation of forthcoming development, in July 2017 the City of Wilsonville adopted the Frog Pond West Master Plan for the area within the UGB. To guide development and implement the vision of the Area Plan, the Master Plan includes details on land use (including residential types and unit count ranges), residential and community design, transportation, parks and open space, and community elements such as lighting, street trees, gateways, and signs. The Master Plan also lays out the infrastructure financing plan.

The proposed 20-acre subdivision is the second development proposal, following the 44-lot Stafford Meadows subdivision to the east, under review for annexation and development consistent with the Frog Pond West Master Plan. The subdivision will be one of the first of many envisioned to blend together as one cohesive neighborhood.

## Summary:

### Annexation (DB18-0015)

The approximately 20.8 acres proposed for annexation are contiguous to land currently in the City, are within the Urban Growth Boundary, and are master planned for residential development. All property owners in the annexation area have consented in writing to the annexation.

### Zone Map Amendment (DB18-0016)

Concurrent with the adoption of the Frog Pond West Master Plan the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The applicant proposes applying the Residential Neighborhood (RN) Zone to the entire subject property consistent with this intention.

### Stage I Master Plan (DB18-0017)

The proposed single-family use, number of units, preservation of open space, and general block and street layout are consistent with the Frog Pond West Master Plan. Specifically in regards to residential land use unit count, the proposed Stage I area includes the entirety of small lot Sub-

district 1. The Frog Pond West Master Plan establishes a range of 66 to 82 units for Sub-district 1. Within small lot sub-districts, a minimum of 10 percent of units must be duplexes or attached two-unit homes. The applicant proposes 82 units, 10 of which are attached two-unit single-family homes. The proposed number of units is within the allowed range and exceeds the minimum number of required duplex or attached two-unit homes.

#### Stage II Final Plan (DB18-0018)

The applicant proposes installing necessary facilities and services concurrent with the development of the proposed subdivision.

Proposed lot layout and size as well as block size and access demonstrate consistency with development standards established for the Residential Neighborhood (RN) zone and in the Frog Pond West Master Plan.

Regarding the protection of natural features and other resources, the design of the project avoids disturbance of the significant natural features on the site, particularly the Boeckman Creek Canyon. The site elevation drops by approximately 25 ft. from east to west toward the Boeckman Creek Canyon. This slope necessitates a significant amount of grading to provide the infrastructure needed to serve the development, as well as to prepare lots for development with single-family homes.

#### Site Design Review (DB18-0019)

The scope of the Site Design Review request includes design of common tracts and the streetscape. Overall, the design of these spaces is consistent with the Site Design Review standard and the Frog Pond West Master Plan. In particular, the proposed design conforms to the street tree and street lighting elements of the Frog Pond West Master Plan providing for the envisioned streetscape. The design also includes the required open space tracts and trailheads consistent with the Master Plan. Among the additional specific elements reviewed is the wall and landscaping required by the Master Plan along the Boeckman Road frontage, retaining walls used throughout the site and adjacent to the Boeckman Creek Trail, and the landscaping and site furnishings in open space tracts.

#### Tentative Subdivision Plat (DB18-0020)

The proposed tentative plat meets technical platting requirements, demonstrates consistency with the Stage II Final Plan, and thus the Frog Pond West Master Plan, and does not create barriers to the future development of adjacent neighborhoods and sites.

#### Type C Tree Removal Plan (DB18-0021)

The site elevation drops by approximately 25 ft. from east to west toward the Boeckman Creek Canyon. This slope necessitates a significant amount of grading to provide the infrastructure needed to serve the development, as well as to prepare lots for development with single-family

homes. The extent of the necessary grading requires removal of 81 trees, the majority of trees on the site outside of the SROZ. The applicant proposes to preserve five trees, with two additional Douglas-fir trees left as snags near the SROZ. Three of the preserved trees (two Oregon white oaks and one bigleaf maple) are located in between the Boeckman Creek Trail and Lots 77-79. A 38-inch d.b.h. Oregon white oak is located south of Lot 12, in between the decorative wall along Boeckman Road and the landscape buffer. The design for this wall needs to keep the wall at native grade with no excavation to avoid significant root impacts. If this approach is not feasible, it may be necessary to remove this tree. The design of Tract G preserves a 56-inch Oregon white oak in excellent condition.

The proposed planting of 137 landscaping and street trees will mitigate for the removals.

#### SRIR Review (SI18-0003)

The applicant requests approval of a Significant Resource Impact Report (SRIR) for exempt development located within the Significant Resource Overlay Zone and its associated 25-foot Impact Area. The impacts to the SROZ are necessary for the construction of the Boeckman Creek trail and stormwater infrastructure.

Proposed exempt development in the SROZ and its associated 25-foot Impact Area include the following:

- 1) Residential lots and a small area of Street E within the Impact Area.
- 2) A regional bicycle/pedestrian trail.
- 3) Stormwater facilities in open space areas.
- 4) Stormwater outfalls – installation of pipe and outfall structures.

#### SROZ Boundary Verification (SI18-0004)

Consistent with Development Code requirements, a verification of the SROZ boundary is required at the time an applicant requests a land use decision. The applicant conducted a detailed site analysis consistent with Development Code requirements, which the City's Natural Resources Manager reviewed to verify the SROZ boundary.

#### **Traffic Impacts:**

The Traffic Impact Analysis (see Exhibit B1) performed by the City's consultant, DKS Associates, identifies the most probable used intersections for evaluation as:

- Boeckman Road/SW Parkway Avenue
- Boeckman Road/Canyon Creek Road
- Boeckman Road/Project Entrance Road (Street "A")
- Boeckman Road/Advance Road/SW Stafford Road/Wilsonville Road
- Wilsonville Road/Town Center Loop West
- Wilsonville Road/Town Center Loop East-Memorial Drive

The study intersections will continue to perform at Level of Service D or better and thus meet City standards with the exception of the intersection of Boeckman Road and Canyon Creek Road, which will fall to a Level of Service E without any improvements made. The City has identified fully signalizing this intersection as part of project UU-01 in the Transportation System Plan, which would allow the intersection to function at the required Level of Service. The City has identified funding for design and construction as CIP 4206 in the proposed budgets for Fiscal Year 18/19 and Fiscal Year 19/20. Subsection 4.140 (.09) J. 2. allows measuring Level of Service based on existing and immediately planned streets. This subsection defines immediately planned as being part of the Capital Improvement Program, and being funded for completion within two years. Based on the budget proposal described above, the future signalized intersection can be used for the purpose of determining Level of Service for this project.

## **Discussion Points:**

### Balancing Uses in Planter Strips

Many design elements compete for space within the planter strips between sidewalks and streets. These elements include street trees, stormwater facilities, and streetlights while accommodating appropriate spacing from underground utilities and cross access by pedestrians. For various reasons, it is not practical to place street trees and streetlights in stormwater swales. As directed by the City, the applicant's plans show a priority to laying out street trees and street lighting keeping appropriate spacing from utility laterals and water meters, and then placing stormwater facilities where space remains available and placement is desirable.

### Boeckman Road Improvements

The City is responsible for the reconstruction/improvements to Boeckman Road per the Frog Pond West Master Plan. The City will undertake this construction following the issuance of an appropriate number of home building permits and depositing of sufficient funding into the infrastructure supplemental fee account. As part of this project, the applicant will dedicate right-of-way and construct a decorative wall and 10-foot planting area consistent with the Master Plan along the frontage outside of the right-of-way.

In the period between construction of Morgan Farm and completion of the Boeckman Road improvements, Condition of Approval PFD 8 requires construction of an enhanced pedestrian crossing on the west leg of the Boeckman Road/Street A intersection to provide safe pedestrian passage to existing City sidewalks. Additionally, this condition requires construction of a temporary pathway to fill a 190-foot gap in the sidewalk along the south side of Boeckman Road just west of Willow Creek Drive.

### Lot and Design Standards for Attached Single-family Homes in Small Lot Sub-districts

The Frog Pond West Master Plan requires that small lot sub-districts more than 10 acres in size provide a minimum 10 percent of homes as duplexes or attached two-unit single-family homes.



The applicant proposes 10 attached two-unit single-family homes on corner lots, exceeding this requirement. The applicant proposes these homes as attached two-unit single-family homes rather than duplexes to facilitate the sale of the individual units to two different owners. As the lot development standards in the RN zone do not provide specific standards for attached single-family units regarding minimum lot size and lot width, these lots are considered equivalently to duplexes in meeting the RN zone development standards. As such, the review considers lot size and minimum lot width in combination when determining compliance with other standards in the RN zone.

### Street Demonstration Plan Compliance

The Street Demonstration Plan (Figure 18 of the Frog Pond West Master Plan), is an illustrative layout of the desired level of connectivity in the Frog Pond West neighborhood. The Street Demonstration Plan is intended to be guiding, not binding, allowing for flexibility providing that the overall connectivity goals are met.

In order to achieve adequate spacing for lots while providing access throughout the subdivision, to the Boeckman Creek Trail, and to the future school site, the applicant proposes some limited variations from the Street Demonstration Plan. In particular, adherence to the curvilinear pattern of Street A, as shown in the Street Demonstration Plan, renders it difficult to orient lots along the east side of this street given the limitations on the rear of lots facing the adjacent school property. This proposed street alignment frames the future school site with a public street, with the sides of homes facing the school site. Likewise, the alignment of Streets A, C, and H allow for continuation of the grid shown in the Street Demonstration Plan at the time of future development to the north. The proposed variations provide substantially equivalent connectivity to the public, as required for a variation.

### Woonerf Street

The list of cross sections in the Frog Pond West Master Plan includes a local street type called a "Woonerf". This specialized street section is for low-volume, local streets that emphasize pedestrian safety, low impact storm water management, and traffic calming, while still maintaining connectivity. The applicant proposes Street B as a Woonerf, featuring a curvilinear design that provides wide landscaping areas to provide additional buffer for the double-frontage lots on the north side of the street.

### Boeckman Creek Trail and SROZ

The applicant will construct a portion of the Boeckman Creek Regional Trail along the eastern edge of the SROZ. As noted in the Frog Pond West Master Plan, this trail will run along the western edge of the Frog Pond neighborhood, with access provided via trailheads at the termination of east-west streets in Frog Pond. South of Morgan Farm, the trail will descend into the Boeckman Creek Canyon, passing under Boeckman Road to run along the existing sewer line

easement. The City expects construction of this trail connection concurrent with the Boeckman Road bridge improvements.

The City's Parks and Recreation Advisory Board reviewed the proposed trail alignment in February 2018. The Parks and Recreation Advisory Board recommended that the DRB approve the proposed trailheads and trail alignment with the addition of a center dividing line on the trail for safety purposes. Condition of Approval PFD 10 ensures the painting of the center dividing line on the trail at the time of construction.

The Boeckman Creek Regional Trail will be located in Tract A, an open space tract including the SROZ and adjacent areas. The applicant proposes dedication of this tract to the City of Wilsonville. Condition of Approval PDD 8 ensures that dedication of this tract does not take place until mitigation of slope erosion and undocumented fill issues within the tract occurs to the satisfaction of the City.

#### Tract C Pedestrian Connection

The applicant's plans show Tract C as a combined pedestrian connection and emergency vehicle access point. The tract is 26 feet wide with a 20-foot-wide path and vehicle access. The provided pathway exceeds the typical cross section by ten feet and does not allow for the provision of required street trees along this pedestrian connection. Frog Pond West will continue to develop and will provide another secondary vehicular access point to Morgan Farm, removing the need for the emergency access point in this tract. Condition of Approval PDE 9 requires the applicant to convert Tract C to the ten-foot cross section with installation of street trees and lighting consistent with the Frog Pond West Master Plan upon completion of a secondary vehicular access point to Morgan Farm. This condition also requires the installation of pathway lighting along one side of the tract to provide uniform illumination along this path in its interim condition. The Condition of Approval requires approval of final design and placement by the City Engineer prior to installation.

#### Tree Removal

The applicant proposes leaving portions of two of the trees proposed for removal within the SROZ impact area standing as wildlife snags. Although left standing, the conversion of these trees into snags requires mitigation consistent with tree removal.

Nine of the trees proposed for removal are located along the northern property boundary under joint ownership or ownership of the property owner immediately to the north. Condition of Approval PDG 6 requires that before issuance of a Type C tree removal permit for these trees, the applicant obtain written permission of the property owner to the north.

### **Conclusion and Conditions of Approval:**

Staff has reviewed the applicant's analysis of compliance with the applicable criteria. The Staff Report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based

Development Review Board Panel 'B' Staff Report May 24, 2018

Exhibit A1

Morgan Farm 82-Lot Single-Family Subdivision *Amended and Adopted May 31, 2018*

DB18-0015 through DB18-0021, SI18-0003 & SI18-0004

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on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, Staff recommends that the Development Review Board recommend approval or approve, as relevant, the proposed application (DB18-0008 through DB18-0014, SI18-0001) with the following conditions:

### Planning Division Conditions:

#### Request A: DB18-0015 Annexation

This action recommends to the City Council approval of Annexation for the subject properties. The Zone Map Amendment (DB18-0016) and all approvals contingent on it are contingent on annexation.

**PDA 1.** The developer shall be subject to a Development and Annexation Agreement with the City of Wilsonville as required by the Frog Pond West Master Plan. The developer shall enter in the Development and Annexation Agreement prior to issuance of any public works permits by the City within the annexation area.

#### Request B: DB18-0016 Zone Map Amendment

This action recommends adoption of the Zone Map Amendment to the City Council for the subject properties. This action is contingent upon annexation of the subject properties to the City of Wilsonville (DB18-0015). Case files DB18-0017, DB18-0018, DB18-0019, DB18-0020, DB18-0021, SI18-0003, and SI18-0004 are contingent upon City Council's action on the Zone Map Amendment request.

#### Request C: DB18-0017 Stage I Master Plan

Approval of DB18-0017 (Stage I Master Plan) is contingent on City Council approval of the Zone Map Amendment request (DB18-0016).

No conditions for this request

#### Request D: DB18-0018 Stage II Final Plan

Approval of DB18-0018 (Stage II Final Plan) is contingent on City Council approval of the Zone Map Amendment request (DB18-0016).

**PDD 1.** The approved Stage II Final Plan (Final Plan) shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. The Planning Director through the Class I Administrative Review Process may approve minor changes to the Final Plan if such changes are consistent with the purposes and general character of the Final Plan. All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. See Finding D7.

**PDD 2.** All crosswalks shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-colored concrete inlay between asphalt, or similar contrast). See Finding D25.

**PDD 3.** Any area, whether in a garage or in a driveway, counted as a required parking space shall have the minimum dimensions of 9 feet by 18 feet. See Finding D28.

<b>PDD 4.</b>	A waiver of remonstrance against formation of a local improvement district shall be recorded in the County Recorder's Office as well as the City's Lien Docket as part of the recordation of the final plat. See Finding D43.
<b>PDD 5.</b>	The design of the private access drive in Tract D shall provide for a useful lifespan and structural maintenance schedule comparable to a public local residential street. See Finding D52.
<b>PDD 6.</b>	All travel lanes shall be constructed to be capable of carrying a twenty-three (23) ton load. See Finding D54.
<b>PDD 7.</b>	On the Final Subdivision Plat, public pedestrian and bicycle access easements, including egress and ingress, shall be established across the entirety of all pathways located in private tracts. See Finding D22.
<b>PDD 8.</b>	Prior to transfer of Tract A to the City, the applicant/owner shall provide all necessary documentation, including, but not limited to environmental site assessment, removal and backfill of undocumented fill and repair and stabilization of erosion issues observed on Tract A to the satisfaction of the City. See Findings D31 and D34.
<b>PDD 9.</b>	At least one street tree, of a species and variety listed in the Frog Pond West Master Plan Neighborhood Street Tree List, shall be installed on Lots 13 and 14 fronting the private drive along the sidewalk. The street trees shall be the same on both Lots 13 and 14 but shall be of a different species than the street trees planted on Street B. The street trees shall be installed prior to occupancy of each home. The street trees shall be in a street tree easement granted to the City assuring long term preservation and maintenance of the tree as a street tree. See Finding D37.

#### Request E: DB18-0019 Site Design Review

Approval of DB18-0019 (Site Design Review) is contingent on City Council approval of the Zone Map Amendment request (DB18-0016).	
<b>PDE 1.</b>	Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding E3.
<b>PDE 2.</b>	All landscaping and site furnishings required and approved by the Board for common tracts shall be installed prior to issuance of a building permit for the 42 <sup>nd</sup> lot, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of issuance of the permit. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time

	authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant/owner. See Finding E12.
<b>PDE 3.</b>	All street trees and other right-of-way landscaping shall be installed in right-of-way fronting a lot prior to issuance of an occupancy permit for a home on the lot. See Finding E12.
<b>PDE 4.</b>	The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville's Development Code. See Finding E13.
<b>PDE 5.</b>	All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered as allowed by Wilsonville's Development Code. See Findings E14 and E15.
<b>PDE 6.</b>	The following requirements for planting of shrubs and ground cover shall be met: <ul style="list-style-type: none"> <li>• Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch.</li> <li>• Native topsoil shall be preserved and reused to the extent feasible.</li> <li>• Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings.</li> <li>• All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10" to 12" spread.</li> <li>• Shrubs shall reach their designed size for screening within three (3) years of planting.</li> <li>• Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum.</li> <li>• No bare root planting shall be permitted.</li> <li>• Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting.</li> <li>• Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.</li> <li>• Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding E19.</li> </ul>
<b>PDE 7.</b>	All trees shall be balled and burlapped and conform in size and grade to "American Standards for Nursery Stock" current edition.
<b>PDE 8.</b>	Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within one

	growing season, unless appropriate substitute species are approved by the City. See Finding E20.
<b>PDE 9.</b>	<p>In the Frog Pond West Master Plan, Tract C is shown as a pedestrian connection. The applicant/owner shall install pedestrian scale lighting along one side of the Interim Emergency Vehicle Secondary Access, allowing sufficient setback as to not interfere with an emergency vehicle.</p> <p>As Frog Pond West develops in the future and other street connections are made, this Interim Emergency Vehicle Secondary Access will no longer be needed and Tract C shall revert to a pedestrian connection consistent with the cross section, lighting, and street tree provisions of the Frog Pond West Master Plan. The applicant/owner shall have an engineer's estimate prepared for the demolition and removal of ten feet of this interim connection, and cost to add landscaping and extending the irrigation system; the estimate shall be reviewed and approved by the City. The applicant/owner shall deposit 150% of the engineer's estimate with the City prior to the City accepting public improvements for the project. See Findings E24 and E27.</p>
<b>PDE 10.</b>	<p>The applicant/owner shall work with the applicant/owner for the Stafford Meadows project to develop a design for a unifying sign cap for use on street name signs throughout the entirety of the Frog Pond West Master Plan area. Such design shall be given to the City for production and developers will buy the signs from the City. The applicant/owner shall submit the final design to the Planning Division and receive final approval from the Planning Division and City Engineer prior to issuance of any public works permits for the proposed development. See Finding E29.</p>

#### Request F: DB18-0020 Tentative Subdivision Plat

	Approval of DB18-0020 (Tentative Subdivision Plat) is contingent on City Council approval of the Zone Map Amendment request (DB18-0016).
<b>PDF 1.</b>	Any necessary easements or dedications shall be identified on the Final Subdivision Plat.
<b>PDF 2.</b>	The Final Subdivision Plat shall indicate dimensions of all lots, lot area, minimum lot size, easements, proposed lot and block numbers, parks/open space by name and/or type, and any other information that may be required as a result of the hearing process for the Stage II Final Plan or the Tentative Plat.
<b>PDF 3.</b>	Where any street will be extended signs stating "street to be extended in the future" or similar language approved by the City Engineer shall be installed. See Finding F13.
<b>PDF 4.</b>	Prior to the recording of the final plat of the subdivision, the applicant/owner shall submit for review and approval by the City Attorney CC&R's, bylaws, etc. related to the maintenance of the open space tracts. Such documents shall assure the long-term protection and maintenance of the open space tracts.

<b>PDF 5.</b>	For all public pipeline easements, public access easements, and other easements, as required by the city, shown on the Final Subdivision Plat, the applicant/owner and the City shall enter into easement agreements on templates established by the City specifying details of the rights and responsibilities associated with said easements and such agreements will be recorded in the real property records of Clackamas County.
<b>PDF 6.</b>	With the Final Subdivision Plat a street tree easement shall be granted for Lots 13 and 14 along the private drive guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees located on private property. See Finding F20.

#### Request G: DB18-0021 Type C Tree Plan

Approval of DB18-0021 (Type C Tree Plan) is contingent on City Council approval of the Zone Map Amendment request (DB18-0016).	
<b>PDG 1.</b>	This approval for removal applies only to the 81 trees identified in the applicant's submitted Tree Maintenance and Protection Plan, see Exhibit B1. All other trees on the property shall be maintained unless removal is approved through separate application.
<b>PDG 2.</b>	The applicant/owner shall submit an application for a Type 'C' Tree Removal Permit on the Planning Division's Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the applicant/owner shall provide the City's Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant/owner shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff. See Finding G19.
<b>PDG 3.</b>	The applicant/owner shall install the required 81 mitigation trees, as shown in the applicant's sheets L2, L4, L5, L6, and L10 per Section 4.620 WC.
<b>PDG 4.</b>	The permit grantee or the grantee's successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees for two (2) years after the planting date. A "guaranteed" tree that dies or becomes diseased during the two (2) years after planting shall be replaced.
<b>PDG 5.</b>	Prior to site grading or other site work that could damage trees, the applicant/owner shall install six-foot-tall chain-link fencing around the drip line of preserved trees. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. See Finding G25.
<b>PDG 6.</b>	The applicant/owner shall obtain written consent of the adjoining property owner prior to issuance of a Type 'C' Tree Removal Permit for trees #7572, #7573, #7576, #7577, #7578, #7579, #7581, #7582, and #7585 identified in the Tree Maintenance and Protection Plan along the northern boundary line of the subject property.
<b>PDG 7.</b>	Special care shall be taken in designing the footings for the wall along Boeckman Road near tree #6119 identified in the Tree Maintenance and Protection Plan so that



<p>the wall is at native grade with no excavation to avoid significant root impacts. The contractor shall coordinate with the project arborist prior to adjusting protection fencing for wall construction. Within the dripline circle, columns shall be excavated with hand tools only. The contractor shall contact the project arborist if tree roots are encountered in order to assess root impacts and document root pruning. If this approach is not feasible, it may be necessary to remove this tree. Under this circumstance, removal of this tree would be approved through separate application. See Finding G5.</p>
<p><b>PDG 8.</b> Encroachment of tree protection fencing is allowed for trees #5994, #5140, #5129, #5130, #5133 and #5134 as noted in the Tree Maintenance and Protection Plan. Tree protection fencing shall not be removed without the arborist present onsite and prior notice given to the Planning Division.</p>

**Request H: SI18-0003 SRIR Review**

<p>Approval of SI18-0003 (SRIR Review) is contingent on City Council approval of the Zone Map Amendment request (DB18-0016).</p>
<p>No conditions for this request.</p>

**Request I: SI18-0004 SROZ Boundary Verification**

<p>Approval of SI18-0004 (SROZ Boundary Verification) is contingent on City Council approval of the Zone Map Amendment request (DB18-0016).</p>
<p>No conditions for this request.</p>

*The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City's Community Development Department or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.*

**Engineering Division Conditions:**

**Request D: DB18-0018 Stage II Final Plan**

<p><b>PFD 1.</b> Public Works Plans and Public Improvements shall conform to the "Public Works Plan Submittal Requirements and Other Engineering Requirements" in Exhibit C1 and to specifics as found in the Frog Pond West Master Plan (July 17, 2017).</p>
<p><b>PFD 2.</b> Streets shall be constructed per the street type and cross section as shown in the Frog Pond West Master Plan. Minimum structural thickness for public streets and</p>

	<p>adjacent private streets is 4" of asphalt over a suitable base rock as designed by a geotechnical engineer.</p> <p>An exception to this is Street A, south of Street E. Being adjacent to a future, proposed school site Street A will be four feet wider than the typical local street from Boeckman Road to Street E.</p>
<b>PFD 3.</b>	The City understands that the West Linn – Wilsonville School District has dedicated 10 feet of land from tax lot 31W12D 02300 and that the applicant/owner will use this dedication to install 10 feet of pavement for Street A. The applicant/owner shall work with the School District and City to obtain all material necessary to finalize this roadway dedication.
<b>PFD 4.</b>	Development of the land north of Street G is unknown at this time (Sheet 9 of 13 of the preliminary plan set dated 02/2018). Therefore, this segment of Street G will be allowed to be designed for a 5" section of asphalt and paved with a single 3" base lift with the proposed development; 2" top lift to be completed by adjacent development when it occurs. Alternately, if constructed with a 4" section of asphalt the adjacent development would be required to complete a 2" grind and overlay of Street E after utility services are installed.
<b>PFD 5.</b>	<p>The applicant/owner shall install LED street lighting in compliance with the Public Works Standards and Frog Pond West Master Plan. The street lighting shall be Westbrook style streetlights.</p> <p>The applicant/owner shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets.</p>
<b>PFD 6.</b>	The Interim Emergency Vehicle Secondary Access through Tract C shall be constructed up to the existing edge of pavement on Boeckman. Removable bollards or No-Vehicle access signage will be installed at both ends of the access to prevent unauthorized use; TVF&R approved locks shall be installed.
<b>PFD 7.</b>	Street A shall be constructed completely up to the current edge of the paved section of Boeckman Road. The sidewalk at the south end of Street A shall be constructed as shown on Sheet 7 of 13 of the preliminary plan set dated 02/2018. Curb and gutter shall be constructed completely up to the point of tangency adjacent to Boeckman road as shown on Sheet 7 of 13 of the preliminary plan set dated 02/2018; this allows for complete construction of the ADA ramps.
<b>PFD 8.</b>	The applicant/owner shall be required to provide safe pedestrian passage to existing City sidewalks. On the west leg of the Boeckman Road/Street A intersection this will require construction of an enhanced pedestrian crossing. Current City approved enhanced crossings consist of Rectangular Raped Flashing Beacons and continental style crosswalks. Additionally, the applicant/owner shall be required to construct ADA ramps on both sides of this pedestrian crosswalk on Boeckman Road.

	<p>Additionally, there is an approximate 190-foot gap in the sidewalk along the south side of Boeckman Road just west of Willow Creek Drive. The applicant/owner shall install a temporary, minimum 5-foot-wide hard surface pathway from the east edge of the Arbor Crossing development to Willow Creek Drive. The applicant/owner shall work with City staff in locating this temporary sidewalk to minimize damage to existing trees.</p>
<b>PFD 9.</b>	<p>Street G (as shown on the Preliminary Plat dated 02/2018) is a partial street and shall be constructed with a minimum paved width of 20 feet to meet TVF&amp;R requirements.</p>
<b>PFD 10.</b>	<p>The applicant/owner shall build a section of the Boeckman Creek Trail as shown on sheet 12 of 13 of the Preliminary Plans dated 02/2018. Design and construction shall include Trailhead Parks with pedestrian scale lighting, viewing areas, and signage. A center dividing line shall be striped on the trail.</p> <p>The trail cross-section shall be compliant with Figure 32 of the Frog Pond West Master Plan and designed in conformance with City Public Works Standards. Removable bollards shall be installed where the trail intersects with public or private streets.</p> <p>Extension of the trail south in the Boeckman Creek watershed shall be the responsibility of the City.</p>
<b>PFD 11.</b>	<p>The Boeckman Trail and Trailhead Park are included in the City's Master Plan projects. The applicant/owner shall be credited for costs of design and construction of the Boeckman Trail and Trailhead Park and associated amenities through Parks SDC credits as provided in the Development and Annexation Agreement.</p>
<b>PFD 12.</b>	<p>Rainwater management components will be allowed to be located in the public right-of-way, however the applicant/owner shall work with City staff for location and extent of these facilities, location of streetlights when adjacent to a stormwater facility, and location of street trees adjacent to a stormwater facility.</p>
<b>PFD 13.</b>	<p>For the stormwater facilities on Tract F, access to the inlet and outlet structures shall be provided per Sec. 301.4.10 of the Public Works Standards.</p>
<b>PFD 14.</b>	<p>All rainwater management components located on private tax lots or tracts shall have a stormwater maintenance easement over them. All rainwater management components on either private land or in the public right-of-way shall be privately maintained by a qualified landscaper.</p>
<b>PFD 15.</b>	<p>The applicant/owner shall release treated stormwater via two pipes and outlets located on Tract A at or near the bottom of the slopes (as shown on sheet 9 of 13 of the Preliminary Plans dated 02/2018). Pipes shall be welded HDPE pipe anchored to the ground; outlets shall be through a ditch inlet and associated protective riprap. The City understands that access to these outfalls will be limited to foot traffic.</p>
<b>PFD 16.</b>	<p>For the public water system, two connection points to the existing water main in Boeckman Road shall be required to provide redundancy. The proposed 8" water</p>

	main tie-ins on Boeckman Road at Tract C and Street A shall have a 12" x 12" x 8" tee and three-way valve cluster at each location.
<b>PFD 17.</b>	Sanitary sewer within the project shall be constructed with minimum slopes to maintain maximum depths to allow greater service to undeveloped land north and east of the proposed project. The applicant/owner shall design and construct the sanitary connection to a manhole south of Tract C at a location approximately 18.5 feet north of the street centerline.
<b>PFD 18.</b>	For the sanitary sewer system connection the City will undertake design of the connection from the termination of the applicant/owner's responsibility (PFD 19) to the City's existing sanitary main in the Boeckman Creek drainage. However, construction of the sewer shall be done by the applicant/owner. Reimbursement/credit for the construction cost shall be as provided in the Development and Annexation Agreement.
<b>PFD 19.</b>	Sanitary, storm and water public utility systems shall be extended to the northerly and easterly limits of the site.
<b>PFD 20.</b>	The applicant/owner shall provide sufficient mailbox units for this proposed development. The applicant/owner shall construct a mail kiosk at a location(s) coordinated with City staff and the Wilsonville U.S. Postmaster.
<b>PFD 21.</b>	At the time of plan submittal for a Public Works Permit, the applicant/owner shall provide to the City a copy of correspondence showing that the plans have also been distributed to the franchise utilities. Prior to issuance of a Public Works Permit, the applicant/owner shall have coordinated the proposed locations and associated infrastructure design for the franchise utilities. Should permanent construction easements or right-of-way be required to construct the public improvements or to relocate a franchised utility, the applicant/owner shall provide a copy of the recorded documents. Should the construction of public improvements impact existing utilities within the general area, the applicant/owner shall obtain written approval from the appropriate utility prior to commencing any construction.
<b>PFD 22.</b>	Structural retaining wall calculations shall be submitted to engineering for review and approval.

## Request F: DB18-0020 Tentative Subdivision Plan

<b>PFF 1.</b>	In the Frog Pond West Master Plan, Boeckman Road is shown with an 81-foot right-of-way. Presently, the Boeckman Road right-of-way is insufficient to accommodate full build-out of the roadway as depicted in the Frog Pond West Master Plan. The applicant/owner shall be required to dedicate 10.5 feet of right-of-way along the Boeckman Road frontage to provide for a total 40.5-foot half-street right-of-way width.
<b>PFF 2.</b>	Lots 1, 30, 31, 46, 54 and 55 (as shown on the Preliminary Plat dated 02/2018) shall not be allowed to take vehicle access from Street A.
<b>PFF 3.</b>	Lots 1 through 12 (as shown on the Preliminary Plat dated 02/2018) shall not be allowed to take vehicle access from Boeckman Road.

<b>PFF 4.</b>	Tracts D and E (as shown on the Preliminary Plat dated 02/2018) shall have public access over their entirety.
<b>PFF 5.</b>	If franchise utilities are installed with Tracts D or E they shall be located within a minimum, 3-foot wide PUE located at back of curb.

### Natural Resources Division Conditions:

#### All Requests

<b>NR 1.</b>	Natural Resource Division Requirements and Advisories listed in Exhibit C3 apply to the proposed development.
<b>NR 2.</b>	The Significant Resource Overlay Zone (SROZ) identified as Tract A shall be identified in a conservation easement. The applicant shall record the conservation easement with Clackamas County Clerk's office. The conservation easement shall include language prohibiting any disturbance of natural vegetation without first obtaining approval from the City Planning Division and the Natural Resources Program Manager. The conservation easement shall be reviewed by the City Attorney prior to recording.

### Building Division Conditions:

#### All Requests

<b>BD1.</b>	<p>Prior to construction of the subdivisions' residential homes, designated through approved planning procedures, the following conditions must be met and approved through the Building Official:</p> <ol style="list-style-type: none"> <li>a. Street signs shall be installed at each street intersection and approved per the public work design specifications and their required approvals.</li> <li>b. All public access roads and alleys shall be complete to "Base Lift" for access to the residential home sites.</li> <li>c. All public and service utilities to the private building lots must be installed, tested and approved by the City of Wilsonville's Engineering/Public Works department or other service utility designee.</li> <li>d. All required fire hydrants and the supporting piping system shall be installed tested and approved by the Fire Code Official prior to model home construction. (OFC 507.5).</li> </ol>
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## Master Exhibit List:

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case Files DB18-0015 through DB18-0021, SI18-0003 and SI18-0004. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

### Planning Staff Materials

- A1. Staff report and findings (this document)
- A2. Staff's Presentation Slides for Public Hearing (to be presented at Public Hearing)

### Materials from Applicant

#### **B1. Applicant's Narrative and Materials**

- Completeness Response
- Application
- Compliance Narrative
- Annexation Petition & Legal Description
- Zone Change Legal Descriptions
- DKS Trip Generation Report
- SROZ/SRIR Report
- DSL Report Wetland Determination
- Arborist Report
- Geotechnical Report
- Storm Drainage Report
- Retaining Walls Details
- Republic Services Letter
- Parks Board Review
- School District Dedication Legal Description
- Title Report and Tax Map
- Subdivision Name Request
- Reduced Plans 11x17

#### **B2. Drawings and Plans**

- 1 Cover Sheet
- 2 Existing Conditions and Demolition Plan
- 2A Existing Tree Table
- 3 Zone Map Amendment Plan
- 4 Stage I Master Plan – Conceptual
- 5 Stage II Development Plan – Preliminary Plat

- 6 Preliminary Grading and Erosion Control Plan
- 7 Preliminary Streets Plan
- 8 Typical Street Sections
- 9 Preliminary Utility Plan
- 10 Preliminary Tree Removal & Protection Plan
- 10A Tree Protection Specifications
- 11 Future Trail Plan and Profile
- 12 Preliminary Trail A & B Plan and Profile
- 13 Circulation and Aerial Plan
- L1 Context/Key Plan Landscape
- L2 Trailhead #1 – Landscape Plan
- L3 Trailhead #2 – Landscape Plan
- L4 Trailhead #3 – Landscape Plan
- L5 Private Open Space – Tract ‘G’ Landscape Plan
- L6 Private Open Space – Tract ‘F’ Landscape Plan
- L7 Site Furnishings
- L8 Site Furnishings
- L9 Landscape Buffer along Boeckman Road and Wall and Fences
- L10 Development Street Trees Landscape Plan
- L11 Private and Public LIDA (Stormwater) Facilities Landscape Plan
- E0.1 Street Lighting Schedules, Notes, and Symbol Legend
- E0.2 Street Lighting Details
- E1.0 Street Lighting Partial Site Plan Photometric
- E1.1 Street Lighting Partial Site Plan Photometric
- 1 Preliminary Stormwater Management Plan

**B3. Applicant’s Site Rendering Presented at Public Hearing**

Development Review Team Correspondence

- C1. Engineering Requirements
- C2. Public Works Comments
- C3. Natural Resource Requirements

Other Correspondence

None Received

**Procedural Statements and Background Information:**

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application on February 15, 2018. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on March 13, 2018. The applicant submitted additional material on March 30, 2018 and again on



April 26, 2018. Planning Staff deemed the application complete on April 27, 2018. The City must render a final decision for the request, including any appeals, by August 25, 2018.

2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	RRFF-5	Rural Residential/Agriculture
East:	RRFF-5	School/Agriculture
South:	RA-H, PDR-4	Boeckman Road, Open Space, Single-family residential
West:	RA-H, PDR-2	Single-family residential

3. Previous City Planning Approvals: None
4. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

## Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

### General Information

#### Application Procedures-In General

Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

#### Initiating Application

Section 4.009

The property owner, Jim Wolfston, signed the submitted application form.

#### Pre-Application Conference

Subsection 4.010 (.02)

Following a request from the applicant, the City held two pre-application conferences for the proposal on August 17, 2017 (PA17-0015) and December 21, 2018 (PA17-0025) in accordance with this subsection.

#### Lien Payment before Approval

Subsection 4.011 (.02) B.

No applicable liens exist for the subject property. The application can thus move forward.

#### General Submission Requirements

Subsection 4.035 (.04) A.

The applicant has provided all of the applicable general submission requirements contained in this subsection.

#### Zoning-Generally

Section 4.110

This proposed development is in conformity with the applicable zoning district and general development regulations listed in Sections 4.150 through 4.199, applied in accordance with this Section.

## Request A: DB18-0015 Annexation

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Comprehensive Plan-Annexation and Boundary Changes

Consistent with Future Planned Public Services  
Implementation Measure 2.2.1.a.

- A1.** The Frog Pond West Master Plan establishes the future planned public services and funding plan for the subject property. The development of public services and funding will be consistent with the Frog Pond West Master Plan thus allowing the annexation to proceed. Pahlisch Homes and the City will enter into an annexation agreement detailing provision and development of public services as required by Condition of Approval PDA 1.

Demonstrated Need for Immediate Urban Growth  
Implementation Measure 2.2.1.a.

- A2.** Metro brought the subject area into the Urban Growth Boundary in 2002 to meet demonstrated regional housing needs. With adoption for the Frog Pond West Master Plan the subject area is now primed for development to help meet regional housing needs.

Adherence to State and Metro Annexation Laws and Standards  
Implementation Measure 2.2.1.e.

- A3.** This review applies all applicable Metro and Stage rules, regulations, and statutes as seen in findings below.

Orderly, Economic Provision of Public Facilities and Services  
Implementation Measure 2.2.1.e. 1.

- A4.** The Frog Pond Area Plan includes implementation measures to ensure the orderly and economic provision of public facilities and services for the Frog Pond Area, including Frog Pond West. The applicant proposed site development with concurrent applications for Stage I and Stage II Planned Unit Development and Land Division, which proposes the extension of public facilities and services to the Morgan Farm site. These proposed services are generally consistent with the Frog Pond Area Plan and Frog Pond West Master Plan, and the City's Finance Plan and Capital Improvements Plan.

Availability of Sufficient Land for Uses to Insure Choices over 3-5 Years  
Implementation Measure 2.2.1.e. 2.

- A5.** The inclusion of the Frog Pond area within the UGB and the adoption of the Frog Pond Area Plan demonstrate the need for residential development in the Frog Pond Area. Annexation of the subject site will allow development of the uses envisioned by the adopted Frog Pond West Master Plan.

## **Wilsonville Development Code-Annexation**

### Authority to Review Quasi-Judicial Annexation Requests

Subsections 4.030 (.01) A, 11, 4.031 (.01) K, 4.033 (.01) F., and 4.700 (.02)

- A6.** The review of the quasi-judicial annexation request by DRB and City Council is consistent with the authority established in the Development Code.

### Procedure for Review, Etc.

Subsections 4.700 (.01). and (.04)

- A7.** The submission materials from the applicant include an annexation petition signed by the necessary parties, a legal description and map of the land to be annexed, a narrative describing conformance with applicable criteria, and the City Council, upon recommendation from the Development Review Board, will declare the subject property annexed.

### Adoption of Development Agreement with Annexation

Subsection 4.700 (.05)

- A8.** Subject to requirements in this subsection and the Frog Pond West Master Plan, Condition of Approval PDA 1 requires the necessary parties enter into an annexation development agreement with the City covering the annexed land.

## **Metro Code**

### Local Government Boundary Changes

Chapter 3.09

- A9.** The request is within the UGB, meets the definition of a minor boundary change, satisfies the requirements for boundary change petitions, and is consistent with both the Comprehensive Plan and the Frog Pond West Master Plan.

## **Oregon Revised Statutes (ORS)**

### Authority and Procedure for Annexation

ORS 222.111

- A10.** The request meets the applicable requirements in state statute including the facts that subject property is within the UGB, is contiguous to the City, the request has been initiated by the property owners of the land being annexed, and all property owners within the annexed area consent in writing to the annexation.

### Procedure Without Election by City Electors

ORS 222.120

- A11.** The City charter does not require elections for annexation, the City is following a public hearing process defined in the Development Code, and request meets the applicable

requirements in state statute including the facts that all property owners within the annexed area consent in writing to the annexation. Annexation of the subject property thus does not require an election.

Annexation by Consent Before Public Hearing  
ORS 222.170

**A12.** All property owners owning more than half of the land to be annexed representing more than half of the assessed value of the real property within the annexed area have provided their consent in writing. However, the City is following a public hearing process as prescribed in the City's Development Code concurrent with a Zone Map Amendment request and other quasi-judicial land use applications.

**Oregon Statewide Planning Goals**

Statewide Planning Goals  
Goals 1, 2, 5, 6, 8, 9, 10, 11, 12, 13

**A13.** The area proposed for annexation will be developed consistent with the City's Comprehensive Plan and the Frog Pond West Master Plan, both which have been found to meet the statewide planning goals.

**Request B: DB18-0016 Zone Map Amendment**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

**Comprehensive Plan**

"Residential Neighborhood" on the Comprehensive Plan Map  
Implementation Measure 4.1.7.a.

**B1.** The subject area has a Comprehensive Plan Map Designation of "Residential Neighborhood" enabling implementation of the Frog Pond West Master Plan adopted for the subject area.

"Residential Neighborhood" Zone Applied Consistent with Comprehensive Plan  
Implementation Measure 4.1.7.C.

**B2.** The applicant requests the subject area receive the zoning designation of Residential Neighborhood (RN) as required for areas with the Comprehensive Plan Map Designation of "Residential Neighborhood."

### Safe, Convenient, Healthful, and Attractive Places to Live

Implementation Measure 4.1.4.c.

- B3.** The proposed Residential Neighborhood zoning allows the use of planned developments consistent with a legislative Master Plan enabling development of safe, convenient, healthful, and attractive places to live.

### Residential Density

Implementation Measure 4.1.4.u.

- B4.** The subject area will be zoned Residential Neighborhood allowing the application of the adopted residential densities of the Frog Pond West Master Plan to the subject area. The sub-districts established in the Frog Pond West Master Plan govern the allowed residential densities for the subject area. See also Request C, Stage I Preliminary Plan.

### Purpose of Residential Neighborhood Designation

Implementation Measure 4.1.7.a.

- B5.** The subject area will be zoned Residential Neighborhood consistent with the “Residential Neighborhood” designation on the Comprehensive Plan Map. The designation enables development of the site consistent with the legislatively adopted Frog Pond West Master Plan, including creating an attractive and connected residential neighborhood, cohesive neighborhoods, high quality architecture and community design, provide transportation choices, and preserve and enhance natural resources.

## Development Code

### Zoning Consistent with Comprehensive Plan

Section 4.029

- B6.** The applicant requests a zone change concurrently with a Stage I Master Plan, Stage II Final Plan, and other related development approvals. The proposed zoning designation of Residential Neighborhood is consistent with the Comprehensive Plan Residential Neighborhood designation. See also Finding B2 above.

### Base Zones

Subsection 4.110 (.01)

- B7.** The requested zoning designation of Residential Neighborhood (RN) is among the base zones identified in this subsection.

## Residential Neighborhood (RN) Zone

### Purpose of the Residential Neighborhood (RN) Zone

Subsection 4.127 (.01)

- B8.** The request to apply the Residential Neighborhood Zone on lands with the Residential Neighborhood Comprehensive Plan Map designation enables a planned development

process implementing the Residential Neighborhood policies and implementation measures of the Comprehensive Plan and the Frog Pond West Master Plan.

#### Permitted Uses in the Residential Neighborhood (RN) Zone

Subsection 4.127 (.02)

- B9.** Concurrent with the zone map amendment request the applicant requests approval of a single-family subdivision. Single-family dwelling units, attached single-family dwelling units (maximum two attached), open space, and public and private parks are among the permitted uses in the RN zone.

#### Residential Neighborhood Zone Sub-districts and Residential Density

Subsection 4.127 (.05) and (.06)

- B10.** The Frog Pond West Master Plan establishes a range of 66 to 82 units for Sub-district 1. The applicant proposes 82 units, which is the maximum of the allowed range.

### **Request C: DB18-0017 Stage I Preliminary Plan**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

#### **Comprehensive Plan**

City Support Development of Land Within City Consistent with Land Use Designation Goal 2.1, Policy 2.1.1., Implementation Measure 2.1.1.a., Policy 2.2.1

- C1.** The City's Comprehensive Plan, the Frog Pond Area Plan, the Frog Pond West Master Plan designate the subject property for residential use. The Frog Pond West Master Plan specifically identifies procedures for development of the subject and surrounding land, thus supportive of the development of the subject land for residential dwellings as long as proposed development meets applicable policies and standards.

Urbanization for Adequate Housing for Workers Employed in Wilsonville, Jobs and Housing Balance

Implementation Measures 2.1.1.b., 4.1.4.l., 4.1.4.p.

- C2.** The proposal provides for urbanization of an area planned for residential use to provide additional housing within the City available to workers employed within the City. However, no special provisions or programs target the units to workers employed within the City.

Encouraging Master Planning of Large Areas

Implementation Measure 2.1.1.b.2.

- C3.** The proposed development is part of a larger area covered by the Frog Pond West Master Plan consistent with the City's policies and encouragement related to master planning.



City Obligated to do its Fair Share to Increase Development Capacity within UGB  
Implementation Measure 2.2.1.b.

- C4. The property is within the urban growth boundary and available for use consistent with its residential designation. Allowing development of the property for additional residential units supports the further urbanization and increased capacity of residential land within the Urban Growth Boundary.

Urban Development Only Where Necessary Facilities can be Provided  
Implementation Measure 3.1.2.a.

- C5. As can be found in the findings for the Stage II Final plan, the proposed development provides all necessary facilities and services consistent with the Frog Pond West Master Plan.

Provision of Usable Open Space  
Implementation Measures 3.1.11.p, 4.1.5.kk

- C6. The proposal provides usable open space throughout the subdivision as required by the Frog Pond Master Plan for small lot single-family sub-districts. Findings related to Section 4.127 of the Development Code offer additional details related to provision of usable open space.

Consistency with Street Demonstration Plans May Be Required  
Implementation Measure 3.2.2

- C7. Section 4.127 requires the area subject to the Stage I Master Plan be consistent with the street demonstration plan in Figure 18 of the Frog Pond West Master Plan. The proposed street layout is generally consistent with the street demonstration plan with variations as noted in Finding D15.

Wide Range of Housing Choices, Planning for a Variety of Housing  
Policy 4.1.4., Implementation Measures 4.1.4.b., 4.1.4.c., 4.1.4.d., 4.1.4.j., 4.1.4.o.

- C8. The Frog Pond Area Plan and the Frog Pond West Master Plan identified a variety of single-family homes as the appropriate housing type for the subject area as part of the broader mix of housing in Wilsonville.

Safe, Convenient, Healthful, and Attractive Places to Live  
Implementation Measure 4.1.4.c.

- C9. The proposed planned development complies with relevant standards within the legislatively adopted Frog Pond West Master Plan enabling development of safe, convenient, healthful, and attractive places to live.

## Accommodating Housing Needs of Existing Residents

Implementation Measure 4.1.4.f.

- C10.** The applicant intends on providing a housing product attractive to existing residents of the City as a whole including current homeowners and current renters looking to purchase in a medium to high price range, similar to other nearby homes. The attached single-family homes proposed within the subdivision provide an opportunity for existing City residents to purchase a home in a more moderate price range than the detached homes.

## Residential Density

Implementation Measure 4.1.4.u.

- C11.** The proposed Stage I Master plan establishes residential densities consistent with the Frog Pond West Master Plan for the subject area. Findings related to Section 4.127 of the Development Code offer additional details related to conformance with residential density requirements.

## Planned Development Regulations

### Planned Development Lot Qualifications

Subsection 4.140 (.02)

- C12.** The planned 82-lot subdivision will accommodate attached and detached single-family homes, provide functional public streets, and be surrounded by open space and recreational opportunities consistent with the purpose of Section 4.140. The subject property is 20.13 acres and is suitable for planning and development. The property is not currently nor is proposed to be zoned "PD". Concurrently with the request for a Stage I Master Plan, the applicant proposes to rezone the property to RN (Residential Neighborhood). Pursuant to the Frog Pond West Master Plan development in the RN zone follows the same planned development procedure as PDR zones.

### Ownership Requirements

Subsection 4.140 (.03)

- C13.** The owner of the subject property has signed an application form included with the application.

### Professional Design Team

Subsection 4.140 (.04)

- C14.** Ben Altman of Pioneer Design Group is the coordinator of a professional design team with all the necessary disciplines including engineers, a landscape architect, and a planner among other professionals.

## Planned Development Application Requirements

Subsection 4.140 (.07)

**C15.** Review of the proposed Stage I Master Plan has been scheduled for a public hearing before the Development Review Board in accordance with this subsection and the applicant has met all the applicable submission requirements as follows:

- The property affected by the Stage I Master Plan is under an application by the property owner.
- The applicant submitted a Stage I Master Plan request on a form prescribed by the City.
- The applicant identified a professional design team and coordinator. See Finding C14.
- The applicant has stated the uses involved in the Master Plan and their locations.
- The applicant provided the boundary information.
- The applicant has submitted sufficient topographic information.
- The applicant provided a tabulation of the land area to be devoted to various uses.
- The applicant proposes a single phase of development.
- Any necessary performance bonds will be required.

## Standards for Residential Development in Any Zone

### Outdoor Recreational Area and Open Space Land Area Requirements

Subsections 4.113 (.01) and (.02)

**C16.** The Frog Pond West Master Plan controls outdoor recreational area and open spaces for the subject area as well as surrounding areas. The proposed amount of open space in the proposed development is consistent with the Frog Pond West Master Plan.

## Residential Neighborhood Zone

### Permitted Uses

Subsection 4.127 (.02)

**C17.** The applicant proposes attached and detached single-family homes and open spaces, allowed uses in the RN zones.

### Residential Neighborhood Sub-districts

Subsection 4.127 (.05)

**C18.** The proposed Stage I Master Plan area includes the entirety of Sub-district 1 shown in Figure 6 of the Frog Pond West Master Plan.

### Minimum and Maximum Residential Units

Subsection 4.127 (.06)

**C19.** The Frog Pond West Master Plan establishes a range of 66 to 82 units for Sub-district 1. The applicant proposes 82 units, which is the maximum of the allowed range.

Parks and Open Space Beyond Master Planned Parks  
Subsection 4.127 (.09) B.

**C20.** The proposed Stage I Master Plan area includes residential land designated R-5 in the Frog Pond West Master Plan, thus the code requires 10 percent of the net developable area to be in open space. Net developable area does not include land for nonresidential uses, SROZ-regulated lands, streets and private drives, alleys and pedestrian connections. Of this open space, 50 percent is to be usable open space. Open space is provided in accordance with this criterion, as noted in Finding D14.

**Request D: DB18-0018 Stage II Final Plan**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

**Planned Development Regulations**

Planned Developments Lot Qualifications  
Subsection 4.140 (.02)

**D1.** The planned 82-lot subdivision will accommodate attached and detached single-family homes, provide functional public streets, and be surrounded by open space and recreational opportunities consistent with the purpose of Section 4.140. The subject property is 20.13 acres and is suitable for planning and development. The property is not currently nor is proposed to be zoned "PD". Concurrently with the request for a Stage I Master Plan, the applicant proposes to rezone the property to RN (Residential Neighborhood). Pursuant to the Frog Pond West Master Plan development in the RN zone follows the same planned development procedure as PDR zones.

Ownership Requirements  
Subsection 4.140 (.03)

**D2.** Owners of each of the subject properties have signed an application form included with the application.

Professional Design Team  
Subsection 4.140 (.04)

**D3.** Ben Altman of Pioneer Design Group is the coordinator of a professional design team with all the necessary disciplines including engineers, a landscape architect, and a planner among other professionals.

## Stage II Final Plan Submission Requirements and Process

### Consistency with Comprehensive Plan and Other Plans

Subsection 4.140 (.09) J. 1.

- D4.** As demonstrated in Findings C1 through C11 under the Stage I Master Plan the project is consistent with the Comprehensive Plan. This review includes review for consistency with the Frog Pond West Master Plan.

### Traffic Concurrency

Subsection 4.140 (.09) J. 2.

- D5.** The Traffic Impact Analysis (see Exhibit B1) performed by the City's consultant, DKS Associates, identifies the most probable used intersections for evaluation as:
- Boeckman Road/SW Parkway Avenue
  - Boeckman Road/Canyon Creek Road
  - Boeckman Road/Project Entrance Road (Street "A")
  - Boeckman Road-Advance Road/SW Stafford Road-Wilsonville Road
  - Wilsonville Road/Town Center Loop West
  - Wilsonville Road/Town Center Loop East-Memorial Drive

The study intersections will continue to perform at Level of Service (LOS) D or better and thus meet City standards with the exception of the intersection of Boeckman Road and Canyon Creek Road, which will fall to a LOS E without any changes made. The City has identified fully signalizing this intersection as part of project UU-01 in the Transportation System Plan, which would allow the intersection to function at LOS A. The City has identified funding for design and construction as CIP 4206 in the proposed budgets for FY 18/19 and FY 19/20. Subsection 4.140 (.09) J. 2. allows measuring based on existing and immediately planned streets. This subsection defines immediately planned as being part of the Capital Improvement Program, and being funded for completion within two years. Based on the budget proposal described above, the future signalized intersection can be used for the purpose of determining traffic concurrency for this project.

### Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

- D6.** The applicant proposes sufficient facilities and services, including utilities, concurrent with development of the residential subdivision.

### Adherence to Approved Plans

Subsection 4.140 (.09) L.

- D7.** Condition of Approval PDD 1 ensures adherence to approved plans except for minor revisions approved by the Planning Director.

## General Residential Development Standards

### Effects of Compliance Requirements and Conditions on Cost of Needed Housing Subsection 4.113 (.14)

**D8.** No parties have presented evidence nor has staff discovered evidence that provisions of this section are in such a manner that additional conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of housing or effectively excluding a needed housing type.

### Underground Utilities Required

Subsection 4.118 (.02) and Sections 4.300 to 4.320

**D9.** The applicant proposes installation of all new utilities underground. Besides high voltage power lines unable to be undergrounded, the applicant or City will underground all existing utility lines fronting the subject properties.

### Habitat Friendly Development Practices to be Used to the Extent Practicable

Subsection 4.118 (.09)

**D10.** Consistent with City and other standards, the applicant proposes protection of the SROZ, with ultimate dedication of the SROZ tract to the City. The design of the proposed Boeckman Creek Trail and trailhead improvements minimize impacts to the SROZ. Outside the SROZ, the developer will minimize grading to only what is required to install site improvements and build homes. The applicant proposes to fill a small, non-significant wetland on the east side of the property, and has submitted the required Joint Permit Application to fill this wetland. The applicant has designed, and will construct, water, sewer, and storm water infrastructure in accordance with the applicable City requirements in order to minimize adverse impacts on the site, adjacent properties, and surrounding resources.

## Residential Neighborhood (RN) Zone

### General Lot Development Standards

Subsections 4.127 (.08) Table 2.

**D11.** The applicant proposes lots reviewed for consistency with applicable development code standards and the Frog Pond West Master Plan. The proposed lots meet or exceed the standards of Table 2, or the applicant can meet or exceed the standards with final design, as follows:

Name of Standard	Details of Standard	Met or Exceeded	Compliance Notes
Min. Lot Size	4,000 sf 6,000 sf for duplex units*	Yes	The smallest lot size for a detached single-family home is 4,000 sf. The smallest combined lot size for attached single-family units is 6,446 sf.

Min. Lot Depth	60 feet	Yes	The smallest lot depth is 89 feet.
Max. Lot Coverage	60%	Can be met	The example house plans submitted by the applicant range in size from approximately 1,700 to 2,800 sf. Assuming the lot footprint is about half of the overall square footage, the applicant could place one or more example floor plan on each proposed lot and not exceed max. lot coverage.
Min. Lot Width	35 feet	Yes	The smallest lot width for a detached single-family home is 35 feet. The smallest combined lot width for attached single-family units is 65 feet.
Max. Bldg Height	35 feet	Can be met	The example house plans are less than 35 feet in height.
Min. Front Setback	12 feet	Can be met	By exceeding the min. lot depth, sufficient space exists to allow meeting of front setbacks.
Min. Rear Setback	15 feet	Can be met	By exceeding the min. lot depth, sufficient space exists to allow meeting of rear setbacks.
Min. Side Setback	5 feet (10 feet for corner lots)	Can be met	By meeting the min. lot width, sufficient space exists to allow meeting of side setbacks.
Min. Garage Setback from Alley	18 feet	Can be met	By exceeding the min. lot depth, sufficient space exists to allow meeting of alley setbacks.
Min. Garage Setback from Street	20 feet	Can be met	By exceeding the min. lot depth, sufficient space exists to allow meeting of garage setbacks.

\*The review considers lots proposed as attached single-family units equivalently to duplexes in meeting the RN zone development standards. The review considers lot size and minimum lot width in combination when determining compliance with RN zone criteria.

#### Wall and Landscaping for Lots Adjacent to Boeckman Road

Subsection 4.127 (.08) D 1. a., Figure 10 of the Frog Pond West Master Plan

**D12.** Submitted plans show Lots 1-12 adjacent to Boeckman Road. Sheets L1 and L9 show a brick and aluminum fence along the Boeckman Road frontage of these lots. The design and materials for the wall shown on Sheet L9 are consistent with Figure 10. Sheet L9 shows

low shrubs and ornamental plants at the base of the wall and in the planted buffer area consistent with Figure 10.

### Open Space Requirements

Subsection 4.127 (.09)

**D13.** As stated in Subsection 4.127 (.09) B. 2., R-5 sub-districts require 10 percent of the net developable area to be in open space. Net developable area does not include land for nonresidential uses, SROZ-regulated lands, streets and private drives, alleys and pedestrian connections. Of this open space, 50 percent is to be usable open space. The net developable area is approximately 384,125 square feet. Therefore, the design must provide a minimum of 38,512 square feet of open space, including 19,256 square feet of usable open space. The proposed preliminary plat provides a total of 39,654 square feet of general open space outside of the SROZ, equaling 10.3 percent of the net developable area. The proposed usable open space totals 41,952 square feet, exceeding the total amount of general open space outside of the SROZ due to the inclusion of portions of the Boeckman Creek Trail within the SROZ. Useable open space also includes portions of Tract A, Tract C, Tract F, and Tract G, exceeding the 50 percent requirement.

Block, Access, and Connectivity Consistent with Frog Pond West Neighborhood Plan Subsection 4.127 (.10) and Figure 18. Frog Pond West Master Plan

**D14.** The block size and shape, access, and connectivity of the proposed subdivision complies with Figure 18 of the Frog Pond West Master Plan or is an allowed variation as follows:

- Street A: Southern portion of alignment consistent with Figure 18. Northern portion varies from Figure 18 to follow western boundary of school property to the east.
- Streets B and G: Alignment generally consistent with Figure 18.
- Street C: Southern portion of alignment generally consistent with Figure 18. Northern portion varies from Figure 18 to continue in a straight north-south alignment.
- Street D: New street not shown on Figure 18, provides additional east-west connectivity.
- Street E: Alignment varies from Figure 18, which shows an east-west pedestrian connection in this location. Current alignment allows for a direct access point to the school property to the east.
- Street F: New street not shown on Figure 18.
- Street G: Alignment generally consistent with Figure 18. Street G extends westward to Street F, connecting to the northernmost Boeckman Creek Trailhead.
- Pedestrian Connections between Street B and Boeckman Road: The applicant proposes only one pedestrian connection instead of the two shown in Figure 18; however, the City anticipates a second connection to Boeckman Road in coordination with the construction of the Boeckman Creek trail. The public connection from Street B is via an easement over a private tract.

In order to achieve adequate spacing for lots while providing access throughout the



subdivision, to the Boeckman Creek Trail, and to the future school site, the applicant proposes the above variations from the Street Demonstration Plan as shown in Figure 18. In particular, adherence to the curvilinear pattern of Street A, as shown in the Street Demonstration Plan, renders it difficult to orient lots along the east side of this street given the limitations on the rear of lots facing school property, as noted in Finding D22. This street alignment frames the future school site with a public street, with the sides of homes facing the school site. Likewise, the alignment of Streets A, C, and H allow for continuation of the grid shown in the Street Demonstration Plan at the time of future development to the north. The efficient use of land while providing substantially equivalent connectivity justify the variation consistent with this subsection.

#### Main Entrance, Garage, and Residential Design Standards

Subsections 4.127 (.14-.17)

**D15.** The proposed subdivision provides lots of sufficient size and of a typical orientation to enable the meeting of the entrance, garage, residential design, and fence standards. The City will verify compliance with the review of building permits for individual homes.

#### Street-Facing Garage Walls - Duplexes

Subsection 4.127 (.15) B. 3. A.

**D16.** The applicant proposes Lots 23, 24, 53, 54, 61, and 62 as attached single-family units with front-loaded garages. While the applicant proposes these attached units on individual lots, this review considers them equivalently to duplexes in meeting the RN zone development standards. The lots have a combined lot width of more than 50 feet. The length of the garage wall facing the street may be up to 50 percent of the total combined length of the street-facing building façade. The City will verify compliance with the review of building permits for individual homes.

#### Garage Orientation Towards Alley or Shared Driveway

Subsection 4.127(.15) B. a.

**D17.** The applicant proposes one alley, Tract E, providing access to the rear of Lots 31-46. The applicant proposes garages oriented to this alley and a rear garage setback of 18 feet will apply. The City will verify compliance with the review of building permits for individual homes.

#### House Plan Variety – Small Lot Sub-districts

Subsection 4.127 (.16) F

**D18.** The applicant proposes 10 attached single-family homes on Lots 23, 24, 31, 32, 39, 40, 53, 54, 61, and 62. These lots, located on street corners, comprise 12 percent of the homes proposed in the subdivision, exceeding the 10 percent requirement.

## Fences

### Subsection 4.127 (.17)

**D19.** Where practicable, columns for the Boeckman Road brick wall are located at property corners. However, the design gives placement priority to equal and consistent spacing between columns to maintain a consistent look along this and other developments along Boeckman Road. The City will review other fences at the time of building permit review for individual homes to ensure height near the brick wall meets the standards of this subsection and height transitions occur at fence posts.

## Homes Adjacent to Schools, Parks and Open Space

### Subsection 4.127 (.18) and Boeckman Creek Frontages, pages 41-42 of Frog Pond West Master Plan

**D20.** Lots 1, 30, 31, 46, 54, and 55 are subject to this Development Code subsection. The side of Lots 1, 30, 31, 46, 54, and 55 face a future primary school to the east. The City will review the building permits for homes on these lots to ensure compliance with the standards of this subsection. No rear lot lines face schools or parks. The rear of Lots 76-82 face the SROZ and are not subject to the requirements of this Development Code subsection. The Frog Pond West Master Plan requires minimization of rear-yard orientation to the SROZ, and recommends transparent fencing and enhanced elevations adjacent to the SROZ. Three trailheads and other open space tracts along the SROZ boundary meet the intent of the Master Plan recommendations.

## **SROZ Regulations**

### Uses and Activities Exempt from These Regulations

#### Section 4.139.04

**D21.** The proposed Boeckman Creek Trail improvement is exempt from SROZ regulations of the SROZ Ordinance as it provides pedestrian and bicycle access to or across a sensitive area at the location shown in the Frog Pond West Master Plan, a sub-component of Wilsonville's Comprehensive Plan. Encroachments into the SROZ from the proposed stormwater piping and outfalls are also an exempt as service connection laterals and service utility extensions.

## **On-site Pedestrian Access and Circulation**

### Continuous Pathway System

#### Section 4.154 (.01) B. 1.

**D22.** The submitted plans show sidewalks along the frontages of all lots providing a continuous pathway system throughout the proposed subdivision. The proposal provides additional connections consistent with Figure 18 of the Frog Pond West Master Plan. The proposal enables connections to future adjacent development. To ensure full access and function of the planned pathway system for the public, Condition of Approval PDD 7 requires public access easements across all pathways within private tracts.

The City will construct additional sidewalks and bike paths along Boeckman Road with planned City-led improvements. Prior to the completion of these improvements, Condition of Approval PFD 8 requires the applicant/owner to construct an enhanced pedestrian crossing and install a temporary, minimum five-foot-wide hard surface pathway from the east edge of the Arbor Crossing development to Willow Creek Drive. This ensures the proposed development can access the City's existing network of sidewalks prior to completion of the Boeckman Road improvements.

#### Safe, Direct, and Convenient

Section 4.154 (.01) B. 2.

**D23.** The submitted plans show sidewalk and pathways providing safe, direct, and convenient consistent with Figure 18 of the Frog Pond West Master Plan.

#### Vehicle/Pathway Separation

Section 4.154 (.01) B. 3.

**D24.** The proposed design vertically and or horizontally separates all sidewalks and pathways from vehicle travel lanes except for driveways and crosswalks.

#### Crosswalks Delineation

Section 4.154 (.01) B. 4.

**D25.** Condition of Approval PDD 2 requires all crosswalks shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-colored concrete inlay between asphalt, or similar contrast).

#### Pathway Width and Surface

Section 4.154 (.01) B. 5.

**D26.** The applicant proposes all pathways to be concrete or asphalt, meeting or exceeding the 5-foot required width.

### **Parking Area Design Standards**

#### Minimum and Maximum Parking

Subsection 4.155 (.03) G.

**D27.** Each dwelling unit requires one parking space. Between garages and driveways, each home will have at least two parking spaces.

#### Other Parking Area Design Standards

Subsections 4.155 (.02) and (.03)

**D28.** The applicable standards are met as follows:

Standard	Met	Explanation
Subsection 4.155 (.02) General Standards		
B. All spaces accessible and usable for Parking	☒	Though final design of garages and driveways is not part of the current review they are anticipated to meet the minimum dimensional standards to be considered a parking space as well as fully accessible. Condition of Approval PDD 3 requires the dimensional standards to be met.
I. Surfaced with asphalt, concrete or other approved material.	☒	Garages and driveways will be surfaced with concrete.
Drainage meeting City standards	☒	Drainage is professionally designed and being reviewed to meet City standards
Subsection 4.155 (.03) General Standards		
A. Access and maneuvering areas adequate.	☒	The parking areas will be typical single-family design adequate to maneuver vehicles and serve the needs of the homes.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	☒	Pursuant to Section 4.154 pedestrian circulation is separate from vehicle circulation by vertical separation except at driveways and crosswalks.

### Other General Regulations

Access, Ingress and Egress  
Subsection 4.167 (.01)

**D29.** Planned access points are typical of local residential streets. The City will approve final access points for individual driveways at the time of issuance of building permits.

Double Frontage Lots  
Section 4.169

**D30.** The applicant proposes eight double-frontage lots, Lots 23-30. The lot size is adequate to meet the front yard setback on both Street B and Street D. The proposed Woonerf design of Street B will add additional landscaped buffering on the rear side of these lots.

### Protection of Natural Features and Other Resources

General Terrain Preparation  
Section 4.171 (.02)

**D31.** The major natural feature associated with this development is Boeckman Creek and its associated riparian canyon. This area is designated for protection as SROZ and is proposed to ultimately be dedicated to the City. Condition of Approval PDD 8 will ensure

channel restoration is completed within Tract A prior to dedication to the City. Prior to any site earth work a grading permit must be issued by the City's Building Division ensuring planned grading conforms with the Uniform Building Code. Contractors will also use erosion control measures, and stake and protect SROZ and preserved trees prior to commencement of site grading. The elevation drops by approximately 25 feet from east to west toward the Boeckman Creek Canyon. This slope necessitates a significant amount of grading to provide the infrastructure needed to serve the development, as well as to prepare lots for development with single-family homes. The extent of the necessary grading requires removal of the majority of trees on the site outside of the SROZ.

#### Hillsides

##### Section 4.171 (.03)

**D32.** The steeper slopes within this property are all related to the Boeckman Creek Canyon, within the SROZ. The applicant has provided a Geotechnical report addressing slope stability and providing setback recommendations from the slope break. All buildable areas of lots will be set back a minimum of 20 feet from the slope break. All lots adjacent to the SROZ have sufficient depth to avoid any structural impacts within 20 feet of the top the slope break.

#### Trees and Wooded Areas

##### Section 4.171 (.04)

**D33.** The major natural feature associated with this development is Boeckman Creek and its associated riparian canyon. Generally, the applicant proposes preserving all trees within the SROZ, except for specific hazard trees and trees conflicting with the trail system. Any identified hazard trees will be cut, but left on the ground as woody debris or left standing as snags. Outside of the SROZ, the applicant proposes removing most trees due to the required site grading. As noted in Request G, the applicant proposes retaining five trees outside of the SROZ.

#### Earth Movement Hazard Area

##### Subsection 4.171 (.07)

**D34.** The applicant has provided a Geotechnical report (Exhibit B1) addressing slope stability and providing setback recommendations from the top of bank. All buildable areas of lots will be set back a minimum of 20 feet from top of bank. All lots adjacent to the SROZ have sufficient depth to avoid any structural impacts within 20 feet of the top of bank. Additionally, undocumented fill is present in one test site and may be present along the top of the nearby sloped area near Lot 76. The Geotechnical report recommends removal of this fill and backfill with engineered fill. Condition of Approval PDD 8 requires that the removal and backfill take place prior to the acceptance of ownership of Tract A by the City.

Historic Resources  
Subsection 4.171 (.09)

D35. The applicant nor the City have identified any historic, cultural, or archaeological items on the sites, nor does any available information on the history of the site compel further investigation.

**Public Safety and Crime Prevention**

Design for Public Safety, Addressing, Lighting to Discourage Crime  
Section 4.175

D36. The proposed street and pathway system is laid out to provide good surveillance of the neighborhood. The design of homes will allow eyes on the streets and pathways. The design of street and pathway lighting will be consistent with the criteria set forth in the Frog Pond West Master Plan.

**Landscaping Standards**

Intent and Required Materials  
Subsections 4.176 (.02) C. through I.

D37. The planting areas along the street and the open spaces within the subdivision are generally open and are not required to provide any specific screening, thus the design of the landscaping follows the general landscaping standards. The plantings include a mixture of ground cover, shrubs, trees, and stormwater swale plantings. The applicant proposes street trees consistent with the Frog Pond West Master Plan. The landscaping design meets the standard except on the frontages of Lots 13 and 14 facing the private drive, which do not have street trees. Condition of Approval PDD 9 requires at least one street tree for each lot along the private drive.

Types of Plant Material, Variety and Balance, Use of Natives When Practicable  
Subsection 4.176 (.03)

D38. The applicant proposes a professionally designed landscape using a variety of plant material. The design includes number of native plants, including Oregon grape, dwarf Oregon grape, serviceberry, Oregon white oak, and Oregon ash.

**Street Improvement Standards-Generally**

Conformance with Standards and Plan  
Subsection 4.177 (.01), Figures 19-27 Frog Pond West Master Plan

D39. The proposed streets appear to meet the City's public works standards and transportation systems plan. Further review of compliance with public works standards and transportation plan will occur with review and issuance of the Public Works construction

permit. The required street improvements are consistent with the cross sections shown in the Frog Pond West Master Plan.

#### Street Design Standards-Future Connections and Adjoining Properties

Subsection 4.177 (.02) A.

**D40.** The proposed design provides for continuation of streets, including Streets A, C, F, and G, consistent with the Frog Pond West Master Plan.

#### City Engineer Determination of Street Design and Width

Subsection 4.177 (.02) B.

**D41.** The City Engineering Division has preliminarily found the street designs and widths as consistent with the cross sections shown in the Frog Pond West Master Plan. The Engineering Division will check final conformance with the cross sections shown in the Frog Pond West Master Plan during review of the Public Works Permit.

#### Right-of-Way Dedication

Subsection 4.177 (.02) C. 1.

**D42.** The tentative subdivision plat shows right-of-way dedication. See Request F.

#### Waiver of Remonstrance Required

Subsection 4.177 (.02) C. 2.

**D43.** Condition of Approval PDD 4 requires a waiver of remonstrance against formation of a local improvement district be recorded in the County Recorder's Office as well as the City's Lien Docket as a part of the recordation of a final plat.

#### Dead-end Streets Limitations

Subsection 4.177 (.02) D.

**D44.** The applicant proposes only one dead-end street, Street B. The street is 150 feet long past its intersection with Street C, serving six homes, including two accessed via a private driveway. The length and number of homes access are both less than the maximum allowed for a dead-end street.

### **Street Improvement Standards-Clearance**

#### Corner Vision Clearance

Subsection 4.177 (.02) E.

**D45.** Street locations and subdivision design allow the meeting of vision clearance standards.

## Vertical Clearance

Subsection 4.177 (.02) F.

- D46.** Nothing in the proposed subdivision design would prevent the meeting of vertical clearance standards.

## Street Improvement Standards-Interim Improvements

### Interim Improvement Standards

Subsection 4.177 (.02) G.

- D47.** The City Engineer has or will review all interim improvements to meet applicable City standards.

## Street Improvement Standards-Sidewalks

### Sidewalks Requirements

Subsection 4.177 (.03)

- D48.** The applicant proposes sidewalks along all public street frontages abutting proposed lots, except along Boeckman Road, where the City will develop the sidewalks with planned street improvements. To provide safe pedestrian passage to existing City sidewalks, Condition of Approval PFD 8 requires construction of an enhanced pedestrian crossing on the west leg of the Boeckman Road/Street A intersection, along with a temporary pathway to fill a 190-foot gap in the sidewalk along the south side of Boeckman Road just west of Willow Creek Drive.

## Street Improvement Standards-Bicycle Facilities

### Bicycle Facility Requirements

Subsection 4.177 (.03)

- D49.** The design of local streets accommodates in-street bike travel. In addition, the Boeckman Creek Trail will serve as a multi-purpose pathway. The design provides bicycle-friendly connections between Streets B and E and the trailheads. Condition of Approval PDD 7 ensures public access to these connections. See Finding D22.

## Street Improvement Standards-Transit Improvements

### Transit Improvements Requirements

Subsection 4.177 (.06)

- D50.** The applicant does not propose any transit improvements within the proposed subdivision or the Boeckman Road frontage. There is not currently transit service along Boeckman Road; however, as the Frog Pond area develops, additional transit service may be added. Any transit improvements would be addressed at the time the need for additional transit service is identified.



## **Residential Private Access Drives**

### Access to No More Than 4 Dwelling Units

Subsection 4.177 (.07) A.

- D51.** The proposed private access drive provides access to two homes, less than the four home limit set by this subsection.

### Lifespan and Structure Similar to Public Local Street for Private Access Drives

Subsection 4.177 (.07) B.

- D52.** Condition of Approval PDD 5 ensures the design of the private access drives provides for a useful lifespan and structural maintenance schedule comparable to a public local residential street.

### Addresses for Private Access Drives

Subsection 4.177 (.07) C.

- D53.** The orientation of the homes fronting the private access drive and the short length of the drive enables addressing the homes off the nearby public street.

### Access Drive Development Standards

Subsection 4.177 (.07) D. and 4.177 (.08)

- D54.** Condition of Approval PDD 6 ensures the responsible parties keep the access drives clear and the access drives are capable of carrying a 23-ton load.

## **Street Improvement Standards-Intersection Spacing**

### Offset Intersections Not Allowed

Subsection 4.177 (.09) A.

- D55.** The applicant does not propose any offset intersections.

### Transportation System Plan Table 3-2

Subsection 4.177 (.09) B.

- D56.** The intersection for Street A is approximately 350 feet west of the SW Laurel Glen Street intersection, which serves Arbor Crossing on the south side of Boeckman Road. The City also expects the Laurel Glen alignment to provide bus only access to the future school site to the east. The alignment of Street A and Boeckman Road is consistent with the Frog Pond West Master Plan, and approved by the City Engineer. Streets within the subdivision are local streets, which are not subject to minimum spacing standards.

## Request E: DB18-0019 Site Design Review for Parks and Open Space

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Objectives of Site Design Review

Proper Functioning of the Site, High Quality Visual Environment Meets Objectives  
Subsections 4.400 (.02) A., 4.400 (.02) C.-J., and Subsection 4.421 (.03)

- E1. The proposed professionally designed landscaping provides stormwater, air quality, and other site functions while not interfering with utilities, sidewalks, or other site features while demonstrating consistency with the Frog Pond West Master Plan. The landscaping also adds to the high quality visual environment. By functioning properly and contributing to a high quality visual environment, the proposed design fulfills the objectives of site design review.

Encourage Originality, Flexibility, and Innovation  
Subsection 4.400 (.02) B. and Subsection 4.421 (.03)

- E2. The City code affords the applicant's design team flexibility to create an original design appropriate for the site while ensuring consistency with the Frog Pond West Master Plan, particularly for street trees and the plantings along Boeckman Road.

### Jurisdiction and Power of the DRB for Site Design Review

Development Review Board Jurisdiction  
Section 4.420

- E3. Condition of Approval PDE 1 ensures landscaping is carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. The City will issue no building permits prior to approval by the Development Review Board. The applicant has requested no variances from site development requirements.

### Design Standards

Preservation of Landscaping  
Subsection 4.421 (.01) A. and Section 4.171

- E4. The major natural feature associated with this development is Boeckman Creek and its associated riparian canyon. This area is designated for protection as a SROZ is proposed to ultimately be dedicated to the City. The elevation drops by approximately 25 feet from east to west toward the Boeckman Creek Canyon. This slope necessitates a significant amount of grading to provide the infrastructure needed to serve the development, as well as to prepare lots for development with single-family homes. The extent of the necessary grading requires removal of the majority of trees on the site outside of the SROZ.

### Surface Water Drainage

Subsection 4.421 (.01) D.

- E5. A professionally designed drainage system demonstrates proper attention.

### Above Ground Utility Installations

Subsection 4.421 (.01) E.

- E6. The applicant proposes no above ground utility installations. Existing overhead lines will be underground except for high voltage power lines not technically feasible to underground along Boeckman Road.

### Screening and Buffering of Special Features

Subsection 4.421 (.01) G.

- E7. No exposed storage areas, exposed machinery installations, surface areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures exist requiring screening.

### Applicability of Design Standards

Subsection 4.421 (.02)

- E8. This review applies the design standards to the proposed streetscape and open space areas, which are the portions of the proposed development subject to site design review.

### Conditions of Approval Ensuring Proper and Efficient Functioning of Development

Subsection 4.421 (.05)

- E9. Staff recommends no additional conditions of approval to ensure the proper and efficient functioning of the development.

## **Site Design Review Submission Requirements**

### Submission Requirements

Section 4.440

- E10. The applicant has provided a sufficiently detailed landscape plan and street tree plan to review the streetscape and open space areas subject to site design review. The applicant's design team has coordinated the design of the landscaping along the Boeckman Road frontage with the proposed Stafford Meadows development fronting Boeckman Road to the west.

## **Time Limit on Site Design Review Approvals**

Void after 2 Years  
Section 4.442

**E11.** The applicant has indicated that they will pursue development within two years. The approval will expire after two years if not vested, or an extension is not requested and granted, consistent with City Code.

## **Installation of Landscaping**

Landscape Installation or Bonding  
Subsection 4.450 (.01)

**E12.** Condition of Approval PDE 2 ensures all landscaping in common tracts shall be installed prior to issuance of a building permit for the 42<sup>nd</sup> lot, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant. Condition of Approval PDE 3 further requires all street trees and other right-of-way landscaping be installed in right-of-way fronting a lot prior to issuance of an occupancy permit for a home on the lot.

Approved Landscape Plan  
Subsection 4.450 (.02)

**E13.** Condition of Approval PDE 4 ensures the approved landscape plan is binding upon the applicant/owner. It prevents substitution of plant materials, irrigation systems, or other aspects of an approved landscape without official action of the Planning Director or Development Review Board, as specified in this Code.

Landscape Maintenance and Watering  
Subsection 4.450 (.03)

**E14.** Condition of Approval PDE 5 ensures continual maintenance of the landscape, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered with appropriate City approval.

Modifications of Landscaping  
Subsection 4.450 (.04)

E15. Condition of Approval PDE 5 provides ongoing assurance by preventing modification or removal without the appropriate City review.

**Natural Features and Other Resources**

Protection  
Section 4.171

E16. The proposed design of the site provides for protection of natural features and other resources consistent with the proposed Stage II Final Plan for the site as well as the purpose and objectives of site design review. See Findings D33 through D37 under Request D.

**Landscaping**

Landscape Standards Code Compliance  
Subsection 4.176 (.02) B.

E17. The applicant requests no waivers or variances to landscape standards. Thus all landscaping and screening must comply with standards of this section.

Intent and Required Materials  
Subsections 4.176 (.02) C. through I.

E18. The general landscape standard applies throughout different landscape areas of the site and the applicant proposes landscape materials to meet each standard in the different areas. Site Design Review is being reviewed concurrently with the Stage II Final Plan which includes an analysis of the functional application of the landscaping standards. See Finding D37 under Request D.

Quality and Size of Plant Material  
Subsection 4.176 (.06)

E19. A note on the landscape plans ensures the quality of the plant materials will meet American Association of Nurserymen (AAN) standards. Trees are specified at 2" caliper or greater than 6 foot for evergreen trees. Shrubs are all specified 2 gallon or greater in size. Ground cover is all specified as greater than 4". Turf or lawn is used for minimal amount of the proposed public landscape area. Condition of Approval PDE 6 ensures other requirements of this subsection are met including use of native topsoil, mulch, and non-use of plastic sheeting.

Landscape Installation and Maintenance  
Subsection 4.176 (.07)

E20. The installation and maintenance standards are or will be met by Condition of Approval PDE 8 as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival.
- Plants that die are required to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City.
- Irrigation Notes on the applicant's sheet L2 provides for irrigation during the establishment period.

Landscape Plans  
Subsection 4.176 (.09)

E21. The applicant's submitted landscape plans in Exhibit B2 provide the required information.

Completion of Landscaping  
Subsection 4.176 (.10)

E22. The applicant has not requested to defer installation of plant materials.

**Public Lighting Plan**

Lighting of Local Streets  
Local Street, page 78 and Figure 42 of Frog Pond West Master Plan

E23. Local streets use the dark sky friendly Phillips Hadco Westbrooke with a professionally designed layout to minimize negative effects on future homes, provide for safety, and use a consistent design established by the Frog Pond West Master Plan.

Lighting of Pathways  
Pedestrian Connections, Trailheads and Paths, page 80 and Figure 42 of Frog Pond West Master Plan

E24. The applicant's plans show no lighting along the Tract C pedestrian path. Condition of Approval PDE 9 requires the applicant to install pedestrian scale lighting along one side of the Interim Emergency Vehicle Secondary Access, allowing sufficient setback as to not interfere with an emergency vehicle. The City Engineer shall approve final design prior to installation. The plans show trailhead lighting at each of the three trailheads, mounted at ten feet as recommended in the Frog Pond West Master Plan. The applicant proposes no lighting along the Boeckman Creek Trail as it is located along the edge of the SROZ.

**Street Tree Plan**

Primary Streets Street Trees  
Primary Streets, page 81 and Figure 43 of Frog Pond West Master Plan

E25. Figure 43 of the Frog Pond West Master Plan identifies Street A and Street G as Primary Streets for the purpose of the street tree plan. The applicant proposes Green Vase Zelkova along the entire length of Street A and American Linden along the entire length of Street G, both trees listed for primary streets on page 81 of the Frog Pond West Master Plan.

## Neighborhood Streets Street Trees

Neighborhood Streets, page 82 and Figure 43 of Frog Pond West Master Plan

E26. Figure 43 of the Frog Pond West Master Plan identifies all other streets besides Street A and Street G as Neighborhood Streets for the purpose of the street tree plan. All the proposed street trees are on the list on page 82 of the Frog Pond West Master Plan and otherwise meet the Frog Pond Master Plan as follows:

- East-West Street B has Chinese Pistache along its entire length
- North South Street C has Katsura along its entire length
- East-West Street D has Red Sunset Maple along its entire length
- East-West Street E has Paperbark Maple along its entire length
- North-South Street F has Yellow Wood along its entire length

## Pedestrian Connections Street Trees

Neighborhood Streets, page 83 and Figure 43 of Frog Pond West Master Plan

E27. Tract C serves as a pedestrian connection and a temporary emergency vehicle access. Since the emergency vehicle access requires the entire width of Tract C, the design does not include street trees at this time. Condition of Approval PDE 9 requires the applicant/owner to prepare an engineer's estimate for the demolition and removal of ten feet of this interim connection, along with the cost to add landscaping and extending the irrigation system, ensuring the ultimate meeting of the cross section, lighting, and street tree provisions of the Frog Pond West Master Plan.

## Gateways, Monuments and Signage

Unifying Frog Pond Name, Gateway Signs, Prohibition on Individual Subdivision Signs  
Page 92 of the Frog Pond West Master Plan

E28. There are no neighborhood gateways planned within the area of Morgan Farm; therefore, no monument signs or other permanent subdivision identification signs are permitted.

Unifying Frog Pond Name, Sign Caps on Street Signs  
Page 92 of the Frog Pond West Master Plan

E29. As proposed by the applicant and required by Condition of Approval PDE 10, the applicant shall work with the applicant of the other current subdivision proposal to develop a design of a unifying sign cap for use throughout the entirety of the Frog Pond West Master Plan. Such design will be given to the City for production and developers will buy the signs from the City to ensure uniformity throughout the Frog Pond West neighborhood. The applicant shall submit the final design to the Planning Division and receive final approval from the Planning Division and City Engineer prior to issuance of any public works permits.

## Request F: DB18-0020 Tentative Subdivision Plan

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Land Division Authorization

Plat Review Authority  
Subsection 4.202 (.01) through (.03)

- F1.** The Development Review Board is reviewing the tentative subdivision according to this subsection. The Planning Division will review the final plat under the authority of the Planning Director to ensure compliance with the DRB review of the tentative subdivision plat.

Undersized Lots Prohibited  
Subsection 4.202 (.04) B.

- F2.** The proposed land division does not divide lots into smaller sizes than allowed by the RN zone for the respective sub-districts of the Frog Pond West Master Plan. See Finding D11 under Request D.

### Plat Application Procedure

Pre-Application Conference  
Subsection 4.210 (.01)

- F3.** The applicant requested and attended a pre-application conference in accordance with this subsection.

Tentative Plat Preparation  
Subsection 4.210 (.01) A.

- F4.** Following gathering information from Planning staff, the appropriate professionals from the applicant's design firm, Pioneer Design Group, prepared the tentative plat.

Tentative Plat Submission  
Subsection 4.210 (.01) B.

- F5.** The applicant has submitted a tentative plat with all the required information.

Phases to Be Shown  
Subsection 4.210 (.01) D.

- F6.** The applicant proposes development in a single phase with subsequent home development pursuant to the market and other factors.



Remainder Tracts  
Subsection 4.210 (.01) E.

F7. The tentative plat accounts for all land within the plat area as lots, tracts, or right-of-way.

### **Street Requirements for Land Divisions**

Master Plan or Map Conformance  
Subsection 4.236 (.01)

F8. As found in other findings in this report, the land division is in harmony with the Transportation Systems Plan, Frog Pond West Master Plan, and other applicable plans.

Adjoining Streets Relationship  
Subsection 4.236 (.02) A.

F9. The proposed plat enables the extension of streets consistent with the Frog Pond West Master Plan.

Streets Standards Conformance  
Subsection 4.236 (.03)

F10. As part of the Stage II Final Plan approval, the streets conform with Section 4.177 and block sizes established in the Frog Pond West Master Plan. See Request D.

Topography  
Subsection 4.236 (.05)

F11. No street alignment adjustments from the Frog Pond West Master Plan are necessary due to topographic conditions.

Reserve Strips  
Subsection 4.236 (.06)

F12. The City is not requiring any reserve strips for the reasons stated in this subsection.

Future Street Expansion  
Subsection 4.236 (.07)

F13. Where the Frog Pond West Master Plan shows street extensions the tentative plat extends the right-of-way to the edge of the plat. Condition of Approval PDF 3 requires signs stating “street to be extended in the future” or similar language approved by the City Engineer.

Additional Right-of-Way  
Subsection 4.236 (.08)

F14. Condition of Approval PFF 1 ensures dedication of sufficient right-of-way for planned improvements along Boeckman Road.

## Street Names

Subsection 4.236 (.09)

- F15.** No street names are proposed with this application. The City Engineer will check all street names to not be duplicative of existing street names and otherwise conform to the City's street name system at the time of the Final Plat review.

## General Land Division Requirements-Blocks

Blocks for Adequate Building Sites in Conformance with Zoning

Subsection 4.237 (.01)

- F16.** The proposed blocks substantially conform to Figure 18 of the Frog Pond West Master Plan. See Finding D14 under Request D. The proposed blocks allow for lots meeting the minimum size and other dimensional standards for the relevant sub-districts of the Frog Pond West Master Plan. See Finding D11 under Request D.

## General Land Division Requirements-Easements

Utility Line Easements

Subsection 4.237 (.02) A.

- F17.** As will be further verified during the Public Works Permit review and Final Plat review, the applicant will install all utility lines in right-of-way or dedicated easements. Franchise utility providers will install their lines within public utility easements established on the plat.

Water Courses

Subsection 4.237 (.02) B.

- F18.** The applicant proposes a dedicated tract for the drainage way and associated riparian area of the Boeckman Creek SROZ.

## General Land Division Requirements-Pedestrian and Bicycle Pathways

Mid-block Pathways Requirement

Subsection 4.237 (.03)

- F19.** The applicant proposes pedestrian paths of ten feet or greater where required for consistency with the Frog Pond West Master Plan.

## General Land Division Requirements-Tree Planting

Tree Planting Plan Review and Street Tree Easements

Subsection 4.237 (.03)

- F20.** The City is reviewing the tree planting plan concurrently with the tentative plat, see Requests D and E. Condition of Approval PDF 6 ensures that street tree easements will be provided for Lots 13 and 14, which are accessed via a private tract.

## **General Land Division Requirements-Lot Size and Shape**

### Lot Size and Shape Appropriate Subsection 4.237 (.05)

**F21.** The size, width, shape, and orientation of lots comply with the identified sub-districts in the Frog Pond West Master Plan. See Finding D11 in Request D.

## **General Land Division Requirements-Access**

### Minimum Street Frontage Subsection 4.237 (.06)

**F22.** The full width of the front lot line of each lot fronts a public street or private drive. Each lot meets or exceeds the minimum lot width at the front lot line. See Finding D11 in Request D.

## **General Land Division Requirements-Other**

### Through Lots Subsection 4.237 (.07)

**F23.** The proposed subdivision generally minimizes through lots, with Lots 23-30 being through lots. The through lot is not avoidable due to the overall orientation of the subdivision and the block configuration established by Figure 18 of the Frog Pond West Master Plan. The proposed Woonerf design of Street B will add additional landscaped buffering on the rear side of these lots.

### Lot Side Lines Subsection 4.237 (.08)

**F24.** Almost all side lot lines run at a 90-degree angle to the front line. Angles and curves of streets necessitate the exceptions, including Lots 76, 77, and 78.

### Corner Lots Subsection 4.237 (.13)

**F25.** All corner lots have radii exceeding the 10-foot minimum.

## **Lots of Record**

### Lots of Record Section 4.250

**F26.** The applicant provided documentation all subject lots are lots of record.

## Request G: DB18-0021 Type C Tree Removal Plan

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Type C Tree Removal

#### Review Authority When Site Plan Review Involved

Subsection 4.610.00 (.03) B.

- G1.** The requested tree removal is connected to site plan review by the Development Review Board. Review is thus under the authority of the DRB.

#### Reasonable Timeframe for Removal

Subsection 4.610.00 (.06) B.

- G2.** It is understood the tree removal will be completed by the time the applicant completes construction of all homes and other improvements in the subdivision, which is a reasonable time frame for tree removal.

#### Security for Permit Compliance

Subsection 4.610.00 (.06) C.

- G3.** As allowed by Subsection 1 the City is waiving the bonding requirement as the application is required to comply with WC 4.264(1).

### General Standards for Tree Removal, Relocation or Replacement

#### Preservation and Conservation

Subsection 4.610.10 (.01)

- G4.** The design of the site avoids disturbance of the significant natural features on the site, particularly the Boeckman Creek Canyon. The site elevation drops by approximately 25 feet from east to west toward the Boeckman Creek Canyon. This slope necessitates a significant amount of grading to provide the infrastructure needed to serve the development, as well as to prepare lots for development with single-family homes. The extent of the necessary grading requires removal of the majority of trees on the site outside of the SROZ. The applicant proposes to preserve five trees, with two additional Douglas-fir trees left as snags near the SROZ. Three of the preserved trees (two Oregon white oak and one bigleaf maple) are located in between the Boeckman Creek Trail and Lots 77-79. A 38-inch d.b.h. Oregon white oak is located south of Lot 12, in between the decorative wall along Boeckman Road and the landscape buffer. Tract G preserves a 56-inch Oregon white oak in excellent condition.

## Development Alternatives

Subsection 4.610.10 (.01) C.

**G5.** The Frog Pond West Master Plan provides clear direction for street connections, residential densities, and preservation of the SROZ. Preservation and conservation of the majority of trees onsite, while addressing the requirements of the Frog Pond West Master Plan, is not feasible. To preserve a 56-inch Oregon white oak in excellent condition, the applicant proposes Tract G as an open space tract. Additionally, special care must be taken in designing the footings for the wall along Boeckman Road near the 38-inch Oregon white oak tree to be preserved so that the wall is at native grade with no excavation to avoid significant root impacts. If this approach is not feasible, it may be necessary to remove this tree. Condition of Approval PDG 7 ensures this criterion is met.

## Land Clearing Limited to Right-of-Way and Areas Necessary for Construction

Subsection 4.610.10 (.01) D.

**G6.** The proposed clearing is necessary for streets, alleys, homes, and related improvements.

## Residential Development to Blend into Natural Setting

Subsection 4.610.10 (.01) E.

**G7.** Preservation and enhancement of the SROZ area allows the development to blend with the significant natural elements of the property. The project area is otherwise relatively flat land without significant natural features with which to blend.

## Compliance with All Applicable Statutes and Ordinances

Subsection 4.610.10 (.01) F.

**G8.** This standard is broad and duplicative. As found elsewhere in this report, the City is applying the applicable standards.

## Tree Relocation and Replacement, Protection of Preserved Trees

Subsection 4.610.10 (.01) G.

**G9.** Reviews of tree removal, replacements, and protection is in accordance with the relevant sections related to replacement and protection.

## Tree Removal Limitations

Subsection 4.610.10 (.01) H.

**G10.** The proposed tree removal is due to health or necessary for construction.

## **Additional Standards for Type C Permits**

### Tree Survey and Tree Maintenance and Protection Plan to be Submitted

Subsection 4.610.10 (.01) I. 1.-2.

**G11.** The applicant submitted the required Tree Survey Maintenance and Protection Plan.

## Utilities Locations to Avoid Adverse Environmental Consequences

Subsection 4.610.10 (.01) I. 3.

**G12.** The Utility Plan shows a design to minimize the impact upon the environment to the extent feasible given existing conditions, particularly the Boeckman Creek SROZ. The City will further review utility placement in relation to the drainage area and preserved trees during review of construction drawings and utility easement placement on the final plat.

### **Type C Tree Plan Review**

#### Tree Removal Related to Site Development at Type C Permit

Subsection 4.610.40 (.01)

**G13.** The review of the proposed Type C Tree Plan is concurrent with other site development applications.

#### Standards and Criteria of Chapter 4 Applicable

Subsection 4.610.40 (.01)

**G14.** This standard is broad and duplicative. As found elsewhere in this report, this review applies applicable standards.

#### Application of Tree Removal Standards Can't Result in Loss of Development Density

Subsection 4.610.40 (.01)

**G15.** Review of the proposal allows residential unit counts consistent with the Frog Pond West Master Plan.

#### Development Landscape Plan and Type C Tree Plan to be Submitted Together

Subsection 4.610.40 (.01)

**G16.** The applicant submitted the Type C Tree Plan concurrently with the landscape plan for the proposed development.

#### Type C Tree Plan Review with Stage II Final Plan

Subsection 4.610.40 (.01)

**G17.** Review of the proposed Type C Tree Plan is concurrent with the Stage II Final Plan. See Request D.

#### Required Mitigation May Be Used to Meet Landscaping Requirements

Subsection 4.610.40 (.01)

**G18.** The applicant proposes counting the proposed street trees and other landscaping trees as the mitigation for removal.

#### No Tree Removal Before Decision Final

Subsection 4.610.40 (.01)

**G19.** Review of The proposed Type C Tree Plan is concurrent with other necessary land use approvals. The City will not issue any tree removal permit prior to final approval of concurrent land use requests and annexation into the City. While the land is currently under jurisdiction of Clackamas County, Condition of Approval PDG 2 binds the applicant to no tree removal on the properties, except for hazardous situations unrelated to development, prior to issuance of the post-annexation tree removal permit by the City.

Tree Maintenance and Protection Plan Submission Requirements  
Section 4.610.40 (.02)

**G20.** The applicant submitted the necessary copies of a Tree Maintenance and Protection Plan.

**Tree Relocation, Mitigation, or Replacement**

Tree Replacement Required  
Subsection 4.620.00 (.01)

**G21.** The tree mitigation requirements will be more than exceeded by the planned street trees and other landscape trees.

Replacement Requirement: 1 for 1, 2" Caliper  
Subsection 4.620.00 (.02)

**G22.** The applicant proposes tree mitigating removed trees on the basis of one tree for each tree removed. Staff does not recommend any inch per inch mitigation. The applicant proposes planting more trees than trees proposed for removal. The landscape plans show each tree, including street trees and trees in parks and linear greens, meets or exceeds the minimum diameter requirement.

Replacement Plan and Tree Stock Requirements  
Subsections 4.620.00 (.03) and (.04)

**G23.** Review of the tree replacement and mitigation plan is prior to planting and in accordance with the Tree Ordinance, as established by other findings in this request. The applicant's landscape plans show tree stock meeting the tree stock requirements.

Replacement Locations Requirements: On Site and Same General Area to Extent Feasible and Desirable  
Subsection 4.620.00 (.05)

**G24.** The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development.

## Protection of Preserved Trees

### Tree Protection During Construction Section 4.620.10

**G25.** Condition of Approval PDG 5 ensures tree protection measures, including fencing are in place consistent with Public Works Standards Detail Drawing RD-1240.

### Request H: SI 18-0003 SRIR Review

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

#### Findings of Fact:

1. Pursuant to Section 4.139.05 (Significant Resource Overlay Zone Map Verification), the map verification requirements shall be met at the time an applicant requests a land use decision. The applicant conducted a detailed site analysis consistent with code requirements, which the Natural Resources Manager reviewed and approved.
2. Boeckman Creek and its associated riparian corridor constitute the western third of the development site (Site ID Number 1.03U). Designated as Tract A (i.e., 300,782 SF), the riparian corridor includes two tributaries - T1 and T2. The delineated wetlands, identified as wetlands A-C, are located in the riparian corridor and southeast horse pasture. These wetlands were not included in the City's Natural Resources Inventory and do not qualify as locally significant due to their size (i.e., less than 0.5 acre). However, they may be jurisdictional and subject to regulation by the Oregon Department of State Lands and the U.S. Army Corps of Engineers.
3. The steeply sloped riparian corridor contains a mixed-deciduous forest. Typical native vegetation includes big-leaf maple, Douglas fir, red alder, western red cedar, Indian plum, vine maple, beaked hazelnut, western sword fern, and Pacific waterleaf. Non-native, invasive plant species, such as Himalayan blackberry, English ivy, and English holly are present in the forest. In addition to the native vegetation, snags and large woody debris provide beneficial wildlife habitat.
4. The Significant Resource Overlay Zone ordinance prescribes regulations for development within the SROZ and its associated 25-foot Impact Area. Setbacks from significant natural resources implement the requirements of Metro Title 3 Water Quality Resource Areas, Metro Title 13 Nature in Neighborhoods, and Statewide Planning Goal 5. All significant natural resources have an Impact Area. Development or other alteration activities may be permitted within the SROZ and its associated Impact Area through the review of a Significant Resource Impact Report (SRIR). The primary purpose of the Impact Area is to insure that development does not encroach into the SROZ.



5. Pursuant to the city’s SROZ ordinance, development is only allowed within the Area of Limited Conflicting Use (ALCU). The ALCU is located between the riparian corridor boundary, riparian impact area or the Metro Title 3 Water Quality Resource Area boundary, whichever is furthest from the wetland or stream, and the outside edge of the SROZ, or an isolated significant wildlife habitat (upland forest) resource site.
6. The applicant’s Significant Resource Impact Report delineated specific resource boundaries and analyzed the impacts of development within the SROZ. The applicant’s SRIR contained the required information, including an analysis and development recommendations for mitigating impacts.

**Exempt Uses in SROZ**

Use and Activities Exempt from These Regulations  
Section 4.139.04

**H1.** Proposed exempt development in the SROZ and its associated 25-foot Impact Area comply with the following exemptions:

(.08) “The construction of new roads, pedestrian or bike paths into the SROZ in order to provide access to the sensitive area or across the sensitive area, provided the location of the crossing is consistent with the intent of the Wilsonville Comprehensive Plan. Roads and paths shall be constructed so as to minimize and repair disturbance to existing vegetation and slope stability.”

The proposed pedestrian trail is part of the future Boeckman Creek regional trail identified in the City’s Bicycle and Pedestrian Master Plan. The trail has been designed to minimize impacts to existing vegetation and prevent slope instability.

(.13) “Enhancement of the riparian corridor or wetlands for water quality or quantity benefits, fish, or wildlife habitat as approved by the City and appropriate regulatory agencies.”

Due to the current degraded nature of the open space areas, the placement and operation of stormwater facilities will provide a water quality and habitat benefit through the planting of stormwater facility vegetation and the installation of soil media.

(.17) “New Single-Family Dwelling. The construction of a new single-family dwelling is exempt unless the building encroaches into the Impact Area and/or the SROZ.

B. If the proposed building encroaches into the SROZ, then a complete or abbreviated SRIR report is required.”

The rear/side yards of lots 12-15 and 76-82 encroach into the Impact Area. In addition, within lots 12 and 14, a small portion of the building footprint encroaches into the Impact Area. These encroachments will not have an adverse impact to the SROZ.

- (.18) "Private or public service connection laterals and service utility extensions."

The stormwater pipes and outfalls are necessary for conveying treated and controlled runoff to Boeckman Creek and its associated tributaries.

- (.20) "The installation of public streets and utilities specifically mapped within a municipal utility master plan, the Transportation Systems Plan or a capital improvement plan."

Street E is necessary for the internal road network. The street is consistent with the intent of the City's planning documents.

#### **Section 4.139.06 (.03) SRIR Review Criteria:**

**In addition to the normal Site Development Permit Application requirements as stated in the Planning and Land Development Ordinance, the following standards shall apply to the issuance of permits requiring an SRIR. The SRIR must demonstrate how these standards are met in a manner that meets the purposes of this Section.**

Development permitted only within the Area of Limited Conflicting Use  
Subsection 4.139.06 (.03) A.

- H2.** The proposed exempt development is located within the SROZ. Only exempt development is allowed within a stream (riparian) corridor.

Development not permitted within Metro's Urban Growth Management Functional Plan Title 3 Water Quality Resource Areas boundary  
Subsection 4.139.06 (.03) B.

- H3.** The proposed exempt development is permitted within Metro's Title 3 Water Quality Resource Areas boundary.

No more than five (5) percent of the Area of Limited Conflicting Use may be impacted by a development proposal.  
Subsection 4.139.06 (.03) C.

- H4.** Only exempt development is proposed within the Area of Limited Conflicting Use.

Mitigation of the area to be impacted shall be consistent with SROZ Regulations  
Subsection 4.139.06 (.03) D.

**H5.** The proposed mitigation is consistent with the Development Code provisions. The mitigation will provide an enhancement to the removal of invasive plant species.

The impact on the Significant Resource is minimized by limiting the degree or magnitude of the action, by using appropriate technology or by taking affirmative steps to avoid, reduce or mitigate impacts

Subsection 4.139.06 (.03) E.

**H6.** The impact to the SROZ has been minimized through thoughtful planning and consultation with City staff.

#### On-Site Mitigation

Subsection 4.139.06 (.03) F.

**H7.** Impacts to the SROZ will be mitigated for onsite.

#### Material for non-structural fill

Subsection 4.139.06 (.03) G.

**H8.** Non-structural fill will consist of natural materials similar to the soil types found on the site.

#### Minimum Fill

Subsection 4.139.06 (.03) H.

**H9.** The amount of fill has been minimized to the extent practicable.

Minimize turbidity during construction, stream turbidity not be significantly increased by development

Subsection 4.139.06 (.03) I.

**H10.** All proposed grading activities onsite will be managed pursuant to guidelines established and identified in the applicant's approved erosion control plan and a 1200-C Erosion Control Permit issued by the Oregon Department of Environmental Quality. Stream turbidity is regulated under the City's Grading and Erosion Control Permit and the DEQ's 1200-C Erosion Control Permit.

#### Obtaining appropriate federal and state permits

Subsection 4.139.06 (.03) J.

**H11.** The applicant may need to submit a joint permit application for the filling of Wetland C, which will require permit approval from the Oregon Department of State Lands and the U.S. Army Corps of Engineers.

## Request I : SI 18-0004 SROZ Boundary Verification

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### SROZ Map Verification

#### Requirements and Process

Section 4.139.05

- I1. Consistent with the requirements of this section, a verification of the SROZ boundary is required as the applicant requests a land use decision. The applicant conducted a detailed site analysis consistent with the requirements of this section, which the City's Natural Resources Manager reviewed verifying the SROZ boundary.

Sign off accepting Conditions of Approval

Project Name: Morgan Farms Subdivision

<b>Case Files:</b>	<b>Request A:</b>	<b>DB18-0015</b>	<b>Annexation</b>
	<b>Request B:</b>	<b>DB18-0016</b>	<b>Zone Map Amendment</b>
	Request C:	DB18-0017	Stage I Master Plan
	Request D:	DB18-0018	Stage II Final Plan
	Request E:	DB18-0019	Site Design Review
	Request F:	DB18-0020	Tentative Subdivision Plat
	Request G:	DB18-0021	Type C Tree Plan
	Request H:	SI18-0003	SRIR Review
	Request I:	SI18-0004	SROZ Boundary Verification

*The Conditions of Approval rendered in the above case files have been received and accepted by:*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

*This decision is not effective unless this form is signed and returned to the planning office as required by WC Section 4.140(.09)(L).*

*Adherence to Approved Plan and Modification Thereof: The applicant shall agree in writing to be bound, for her/himself and her/his successors in interest, by the conditions prescribed for approval of a development.*

Please sign and return to:  
Shelley White  
Planning Administrative Assistant  
City of Wilsonville  
29799 SW Town Center Loop E  
Wilsonville OR 97070









## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b> June 18, 2018		<b>Subject: Resolution No. 2694</b> Wilsonville Community Sharing Support Grant Agreement for 2018.	
		<b>Staff Member:</b> Susan Cole, Finance Director	
		<b>Department:</b> Finance	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable  <b>Comments:</b> This resolution authorizes an agreement between the City and Wilsonville Community Sharing, for WCS to provide certain assistance to Wilsonville residents for fiscal year 2018-19 in the total amount of \$50,740.	
<b>Staff Recommendation:</b> Staff recommends Council adopt Resolution No.2694.			
<b>Recommended Language for Motion:</b> I move to approve Resolution No. 2694.			
<b>Project / Issue Relates To:</b>			
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable	

### ISSUE BEFORE COUNCIL:

Authorization for a grant of financial assistance to Wilsonville Community Sharing for fiscal year 2018-19.

### EXECUTIVE SUMMARY:

The annual Support Grant Agreement between the City of Wilsonville and Wilsonville Community Sharing (WCS) expires June 30, 2018.

The City of Wilsonville has supported the administrative and operational services of Wilsonville Community Sharing (WCS) through financial support for more than 17 years.

For FY 2018-19, the Approved Budget includes \$50,740; \$34,740 for a general purpose portion dedicated to, but not limited to, providing staffing, food, prescription help, rent & housing support and other services to those community members in need. Additionally, \$16,000 has been provided for utility bill paying assistance. The general purpose portion of the grant has been increased above the FY 2017-18 amount of \$33,340 by \$1,400, representing inflation.

**EXPECTED RESULTS:**

The expected result of this agreement is to continue support of WCS.

**TIMELINE:**

This resolution and agreement would be effective from July 1, 2018, through June 30, 2019.

**CURRENT YEAR BUDGET IMPACTS:**

There are no current year budget impacts. For FY 2018-19, \$50,740 in General Fund has been budgeted in the City Administration Department.

**FINANCIAL REVIEW / COMMENT:**

Reviewed by: SCole Date: 6/5/2018

**LEGAL REVIEW / COMMENT:**

Reviewed by: BAJ Date: 6/13/2018

**COMMUNITY INVOLVEMENT PROCESS:**

N/A

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:**

Helping those in need through Wilsonville Community Sharing.

**ALTERNATIVES:**

Not renew the Support Grant Agreement, which would impede the mission of WCS to help community members in need.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. Resolution No. 2694



**RESOLUTION NO. 2694**

**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING SUPPORT GRANT AGREEMENT WITH WILSONVILLE COMMUNITY SHARING.**

WHEREAS, Wilsonville Community Sharing, an Oregon non-profit corporation, has been providing community outreach services, including but not limited to staffing, food, utility bill-paying assistance, prescription help, rent and housing support, and referral to other services beyond that which Wilsonville Community Sharing can meet for those in need; and

WHEREAS, the City of Wilsonville has supported the administrative and operational services of Wilsonville Community Sharing through grant support since fiscal year 1999-2000; and

WHEREAS, since fiscal year 2010-11 the City has provided both a general purpose grant and a separate utility bill-paying assistance grant, collectively referred to as “Grant”; and

WHEREAS, the City has included the Grant within the City Manager’s budget which is subject to review by the Budget Committee and adoption by City Council; and

WHEREAS, Wilsonville Community Sharing has provided detailed quarterly and annual financial statements that include information on services and activities and Grant expenditures; and

WHEREAS, the Grant totaling \$50,740 is included in the FY 2018-19 budget and is composed of \$34,740 for the general purpose portion and \$16,000 for the utility bill-paying assistance portion; and

WHEREAS, the parties agree that it is prudent to enter into a Support Grant Agreement setting forth the respective parties’ rights and obligations for the fiscal year 2018-19 (ending June 30, 2019), ensure a financial reporting and review system, and state the specific purpose for which the Grant monies can be used;

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. A one-year Grant is awarded to Wilsonville Community Sharing.
2. The City Manager is authorized to enter into for the fiscal year 2018-19 (ending June 30, 2019) a Support Grant Agreement with Wilsonville Community Sharing, an Oregon non-profit organization, in the amount of \$50,740 for the fiscal year 2018-19, under the terms and conditions as set forth in the Support Grant Agreement, a copy of which is marked Exhibit A, attached hereto, and incorporated by reference as if fully set forth herein.
3. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 18<sup>th</sup> day of June, 2018, and filed with the Wilsonville City Recorder this date.

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Tim Knapp, Mayor

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Knapp

Council President Starr

Councilor Akervall

Councilor Lehan

Councilor Stevens

Attachments:

- A. Exhibit A – Wilsonville Community Sharing Support Grant Agreement
- B. Exhibit B - Wilsonville Community Sharing Support Guidelines for Utility-Bill Paying Assistance Program

**EXHIBIT A**

**WILSONVILLE COMMUNITY SHARING  
SUPPORT GRANT AGREEMENT**

WHEREAS, Wilsonville Community Sharing, an Oregon non-profit corporation, has been providing community outreach services, including but not limited to staffing, food, bill-paying assistance, prescription help, rent and housing support, and referral to other services beyond that which Wilsonville Community Sharing can meet for those in need; and

WHEREAS, the City of Wilsonville has supported the administrative and operational services of Wilsonville Community Sharing through financial support since fiscal year 1999-2000 and has included the grant support in the City Manager's program budget; and

WHEREAS, the fiscal year 2018-19 budget includes a total of \$50,740 for financial support which is separated into a general purpose portion of \$34,740 and a utility bill-paying assistance portion of \$16,000, collectively this is referred to as "Grant"; and

WHEREAS, the general purpose portion of the Grant has been indexed to the Portland-Salem Metropolitan Area Consumer Price Index from December 2016 to December 2017; and

WHEREAS, the Bureau of Labor Statistics has announced the discontinuance of the Portland-Salem Metropolitan Area Consumer Price Index after December, 2017, and the City will replace it with the "West – Size A CPI-W" index December-to-December change; and

WHEREAS, the utility bill-paying assistance portion was added in May 2010 in response to a Council Goal to address increased need resulting from the recession during that time period and contained a provision to continue through June 2013 or until the Portland metro area unemployment rate fell below 7%, whichever happened later; and

WHEREAS, the City Council has recognized utility bill-paying assistance is an on-going need and developed guidelines in 2015 for the use of funds for utility bill-paying assistance; and

WHEREAS, Wilsonville Community Sharing has provided detailed quarterly and annual financial statements that include information on services and activities and Grant expenditures; and

WHEREAS, the parties agree that it is prudent to enter into a Grant Agreement setting forth the respective parties' rights and obligations and to establish the Grant for fiscal year 2018-19 (ending June 30, 2019), ensure a financial reporting and review system, and state the specific purpose for which the Grant monies can be used;

NOW, THEREFORE, based on the mutual considerations and provisions set forth below, the parties enter into this Support Grant Agreement ("Grant Agreement") as follows:

1. Purpose of Grant. To provide financial support to Wilsonville Community Sharing for administration and operations to provide community services and outreach to and for community members in need of such services, including but not limited to staffing, food, utility bill-paying assistance, prescription help, rent and housing support, and referral to other services beyond that which Wilsonville Community Sharing can provide. The financial support provided by the Grant is not for capital construction or renovation.

2. Grant Amount. The amount of the Grant for fiscal year 2018-19 shall be \$50,740, composed of \$34,740 for general support of all programs including administration and \$16,000 dedicated solely to utility bill-paying assistance.

3. Term of Grant. The term of the Agreement commences July 1, 2018 and terminates June 30, 2019, subject to the terms and provisions of this Agreement and Wilsonville Community Sharing providing the community services and outreach set forth in the above Section 1–Purpose.

4. Consumer Price Index Escalator. If the general support portion of the Grant shall be continued into the ensuing fiscal year (FY 2019-20) it shall be indexed to the Bureau of Labor Statistics Consumer Price Index labeled “West – Size A CPI-W”, December-to-December annual change, unless other modifications are approved by the City Council.

5. Utility Bill-Paying Assistance Guidelines. Utility bill-paying assistance shall be granted and administered according to the Utility Bill Paying Assistance Program Guidelines, attached as Exhibit B.

6. Grant Administration.

6.1. The Grant shall be administered by the City’s Finance Director.

6.2. The Grant shall be paid quarterly by the seventh day of each quarter.

7. Reporting.

7.1. Wilsonville Community Sharing shall provide a report to the City on the use of the utility bill-paying assistance portion within three weeks following the end of a calendar quarter. The form of the report shall be similar to the format used in the prior fiscal year.

7.2. Wilsonville Community Sharing shall provide to the City an annual financial report each January setting forth the operational and administrative services and activities provided and the Grant expenditures in support thereof. The reports shall provide the information on services and activities and Grant expenditures for the prior calendar year and a budget from the 1<sup>st</sup> of January of that reporting year to December 31<sup>st</sup> of that year.

7.3. Wilsonville Community Sharing shall provide to the City a copy of its full and complete annual Form 990 IRS filing within 10 business days of filing it with the IRS.

8. Finance Review.

8.1. Wilsonville Community Sharing shall maintain books, records, documents, and other materials (collectively referred to as “documents and records”) that sufficiently and properly reflect back-up for all expenditures made pursuant to this Agreement. The City shall have full access to and the right to examine and copy, during normal Wilsonville Community Sharing business hours, all of the documents and records of Wilsonville Community Sharing related to matters covered by this Agreement, whether the documents and records are in electronic form or printed form and whether maintained separately or as part of other financial information. This inspection right shall remain in full force and effect for two (2) years from July 1, 2018.

8.2. Upon fifteen (15) days’ prior written notice, the City shall have the right to conduct an audit or financial review of Wilsonville Community Sharing’s documents and records, as reasonably related to this Agreement. If an audit or review of the documents and records determines that Grant funds have been inappropriately expended by Wilsonville Community Sharing under this Agreement or any federal, state, or City regulation, Wilsonville Community Sharing agrees that it must reimburse the City for the full amount identified by the audit or review as an inappropriate expenditure. Such outstanding amounts shall bear interest at the rate of the Federal Funds Rate (currently at 1.75%), plus 5%.

8.3. If the inappropriate expenditure(s) exceeds five hundred dollars (\$500) Wilsonville Community Sharing will reimburse the City for the cost of the audit or review.

8.4. Wilsonville Community Sharing may contest the audit findings and, if so, the parties will meet to arrive at a mutual resolution. If no resolution can be agreed upon within sixty (60) days, the parties will mutually agree on a review auditor to resolve the dispute or, if the parties cannot agree on a review auditor, either party may ask a Clackamas County judge to appoint a review auditor, whose finding shall be binding on the parties and non-appealable.

9. Grant Confidentiality. In reporting to the City under Section 7 and in reporting the findings of any audit or financial review, the names, social security numbers, medical information, or other information that is confidential under law as may pertain to the clients of Wilsonville Community Sharing shall not be reported and shall remain confidential.

10. Termination.

10.1. The City and Wilsonville Community Sharing may mutually terminate this Grant Agreement at any time.

10.2. The City may terminate this Grant Agreement at the end of the fiscal year in which the Grant has been funded if the City is unable to appropriate sufficient funding to fund the Grant for the ensuing year.

10.3. The City may terminate upon fifteen (15) days' notice upon an audit or financial review determination of inappropriate expenditure.

10.4. The City may terminate the Grant Agreement immediately upon receiving notice that Wilsonville Community Sharing is no longer providing the services set forth in Section 1–Purpose.

10.5. Wilsonville Community Sharing may terminate this Grant Agreement at the end of any quarter in which it has received funds and it may terminate this Grant at any time, provided it reimburses the City for any unexpended funds received.

11. Authority. The individuals executing this Grant Agreement on behalf of the respective parties thereto each represent and warrant to the other that he/she has the full power and authority to do so on behalf of said party and to bind said party to the terms of this Grant Agreement.

IN WITNESS WHEREOF, the undersigned have executed this Grant Agreement effective this \_\_\_\_ day of \_\_\_\_\_, 2018.

WILSONVILLE COMMUNITY SHARING

CITY OF WILSONVILLE

By: \_\_\_\_\_

By: \_\_\_\_\_

As Its: President

Bryan Cosgrove  
As Its: City Manager

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**EXHIBIT B**

## **Wilsonville Community Sharing Guidelines for Utility-Bill Paying Assistance Program**

*(Approved 2015)*

### **Guidelines:**

The Wilsonville City Council will designate City funds to be used by Wilsonville Community Sharing (WCS) for utility bill-paying assistance via Resolution. WCS may augment these funds from other sources. However, the use of City funds for utility bill-paying assistance shall be in accordance with the following guidelines:

- Utility bill-paying assistance is available for the following utilities:
  - Utilities that provide heat
  - Utilities that provide electricity
  - City of Wilsonville combined utility bill
- Each client shall have an in-person in-take appointment with WCS.
- The client must live within the City limits of Wilsonville, as verified by address on utility bills and income documents.
- The reason for bill-paying assistance must be stated by the client to WCS staff.
- Utility bills for which the client is requesting bill-paying assistance must be original and presented to WCS staff at the time of in-take appointment.
- For assistance with heat and/or electric utilities, client must demonstrate evidence of working with Clackamas County Social Services or Washington County Community Action, by providing to WCS staff the name, phone number and dates of contact with the staff person with whom they have worked.
- Bill-paying assistance from City funds for utilities that provide heat and/or electricity (PGE & NW Natural, etc.) shall be after the client either received, or made a good faith effort to receive, any assistance granted through other organizations, such as Clackamas County Social Services or Community Action in Washington County. In the event no assistance was granted, WCS will evaluate on a case-by-case basis as to the reason, but the lack of assistance from another organization will not disqualify a client from receiving bill-paying assistance through this program.
- WCS will follow Clackamas County's Social Services income guidelines for eligibility:
  - 60% of State median income by household size; for use in Federal fiscal year (Oct. 1 - Sept 30)
  - Income eligibility is based on the total gross household income received by all adults age 18 and over living at the home at the time of application.
  - Gross income is before taxes and deductions.
- WCS will follow Clackamas County's income eligibility determination:
  - Income for the 30 days prior to the application is verified for the purpose of determining income eligibility.
  - Income eligibility can also be demonstrated by the client through the verification of a major financial crisis or set-back that has negatively impacted the client's financial situation, thereby impacting their ability to pay the full amount of their utility bill(s). In

## EXHIBIT B

such cases, the financial crisis or set –back must demonstrably detract from their income in an amount that would make them fall within the income eligibility guidelines.

- WCS will contact Clackamas County Social Services each August or September to verify and update, as necessary, income guidelines and income eligibility determination. WCS will remain consistent, on an annual basis, with Clackamas County Social Services in these areas.
- Bill-paying assistance for utilities is capped as follows:
  - At total \$300 per the City’s fiscal year (July 1 through June 30), per household, for all utilities.
  - If bill-paying assistance is requested for the City of Wilsonville’s combined utility bill, this amount shall be capped at \$150 per the City’s fiscal year, per household.
  - These caps may be adjusted as the Wilsonville City Council determines through Resolution.
- WCS will verify with the utilities the amount owed by the client.
- WCS will pay the utilities directly. No funds will be disbursed to the client. For bill-paying assistance for the City of Wilsonville combined utility bill, no funds will be disbursed; WCS staff will contact the City and the City will adjust the client’s bill accordingly.
- WCS staff shall make a good faith effort to avoid actual or perceived conflict of interest in administering the bill-paying assistance program, meaning that WCS staff will recuse themselves from determining eligibility and award amount for bill-paying assistance to their family members and friends, other WCS staff, and city of Wilsonville staff; and instead convene a panel of the WCS Board Chair and City Finance Director, or their designees, to determine eligibility and bill-paying assistance amount, following the above guidelines.
- WCS shall maintain a generalized list of clients awarded bill-paying assistance, in order to provide information annually to the City’s Finance Department. This list shall consist of the client’s initials (not name), address, the amount of the assistance awarded and the utilities covered by the assistance. This information will be kept confidential and will be used for statistical purposes. WCS will provide this information annually by September 1 of each year, covering the previous fiscal year period of July 1 through June 30.

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## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b> June 18, 2018	<b>Subject: Resolution No. 2695</b> Interagency Agreement – City and URA to Lend and Repay up to \$3.0 Million.  <b>Staff Member:</b> Susan Cole, Finance Director  <b>Department:</b> Finance	
<b>Action Required</b>	<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b> Action provides resources to fund Urban Renewal projects underway in FY 2017-18 and continuing into FY 2018-19.	
<b>Staff Recommendation:</b> Staff recommends that Council adopt Resolution No. 2695.		
<b>Recommended Language for Motion:</b> I move to approve Resolution No. 2695.		
<b>Project / Issue Relates To:</b>		
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

### ISSUE BEFORE COUNCIL:

Council action is needed to approve an intergovernmental agreement between the City and the Urban Renewal Agency that will provide up to \$3.0 million on a short term basis.

### EXECUTIVE SUMMARY:

The Year 2000 Plan District has capital projects that are under construction. Short-term borrowing is necessary to complete these projects. The district has sufficient cash balances in its debt service fund to allow for repayment of borrowing on a short term basis – short term being defined as “overnight.”

Previously, the Urban Renewal Agency would enter into an agreement with a financial institution for these types of transactions. The City's general fund has the capacity to loan the funds on a short term basis. The Urban Renewal Agency is now able to borrow from the City's General Fund provided both the City and Agency agree to the terms of the borrowing and it serves a public purpose. The terms of the borrowing are as follows:

- City lends to Agency \$3,000,000 at 2.0 percent (2.0%).
- The Agency repays the amount from tax increment funds on hand the day after receipt of the loan.
- Total interest to the General Fund, therefore, will be approximately \$164.
- The borrowing is subordinate to outstanding senior lien debt.

By borrowing from City funds the Agency is able to avoid loan origination fees and legal costs associated with borrowing from a financial institution, estimated to be more than \$10,000 for this type of financing. The public purpose is to fund projects authorized in the urban renewal plans for the district.

**EXPECTED RESULTS:**

Authorizing the IGA by the respective Resolution of the City and the Agency will provide cash resources of \$3.0 million to pay for costs associated with the 5<sup>th</sup> Street Extension project (previously known as the Old Town Escape project) within the Year 2000 Plan district.

**TIMELINE:**

Borrowing and repayment will occur within the month of June 2018. The IGA anticipates the loan and repayment occurring on June 19 and June 20, respectively.

**CURRENT YEAR BUDGET IMPACTS:**

This loan and repayment were anticipated when the FY 2017-18 budget was developed.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: SCole      Date: 6/4/2018

**LEGAL REVIEW / COMMENT:**

Reviewed by: BAJ      Date: 6/13/2018

The form of the Resolutions and IGA are approved. The City is a home rule city and as such under its Charter it has the authority to act in ways that are necessary and convenient under the laws and Constitution of the State of Oregon. The Oregon Constitution, Article XI, Section 9 limits the powers of cities to loan its credit to private corporations. The Agency is not a private corporation, but is a unit of local government as is the City. Specifically, the laws in ORS Chapter 190 provide for intergovernmental agreements between units of local governments to provide for functions or activities which they are authorized to do (building road projects are such functions or activities) and to provide for apportioning the responsibility for providing funds to pay for the expenses incurred in the performance of the functions or activities, which is what is occurring in this IGA.

**COMMUNITY INVOLVEMENT PROCESS:**

There has been no specific community outreach or involvement pertaining to this borrowing.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:**

The borrowing will not directly impact local businesses or neighborhoods, however, the construction projects to be funded will have significant positive impact on both.

**ALTERNATIVES:**

Engage in borrowing from a financial institution. Using this process would take more time and cost the Urban Renewal Agency significantly more money.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENT:**

1. Resolution No. 2695

**RESOLUTION NO. 2695**

**A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE PERTAINING TO SHORT TERM SUBORDINATE URBAN RENEWAL DEBT FOR THE YEAR 2000 PLAN DISTRICT.**

WHEREAS, the City of Wilsonville finds it desirable to authorize an intergovernmental agreement with the Urban Renewal Agency (the “Agency”) of the City of Wilsonville, Oregon which is to lend money to the Agency on a short term basis in an amount of not more than \$3,000,000 for the Agency’s Year 2000 Plan District; and,

WHEREAS, ORS 190.010 provides legal authority for the two entities to enter into a binding intergovernmental agreement (the “Agreement”); and,

WHEREAS, the use of an Agreement is efficient and less costly than other means of obtaining financing for the Agency; and,

WHEREAS, ORS 294.468 allows a city to loan money from one fund to another fund of the municipal corporation provided the loan is authorized by official resolution and states the terms of the loan; and,

WHEREAS, the Year 2000 Plan District debt service fund has sufficient cash balances to allow for repayment of the amounts borrowed without violation of terms of outstanding senior debt liens.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WILSONVILLE HEREBY RESOLVES AS FOLLOWS:

1. To enter into the Agreement with the Urban Renewal Agency of the City of Wilsonville to lend from the City’s General Fund to the Agency’s capital project funds and receive repayment from the Agency back into the General Fund of up to \$3,000,000 together with interest of 2.0 percent per annum on a 365 day year basis in accordance with the terms specified in the Agreement.
2. To authorize the City Manager, or designee, to negotiate any and all documents to complete the Agreement and transactions related to the borrowing and repayment.

3. Effective Date of this Resolution shall be immediately upon its adoption.

ADOPTED by the City of Wilsonville at a regular meeting thereof this 18<sup>th</sup> day of June, 2018 and filed with Wilsonville City Recorder this same date.

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TIM KNAPP, Mayor

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Knapp  
Council President Starr  
Councilor Akervall  
Councilor Stevens  
Councilor Lehan

Attachment:

A. Exhibit A - Intergovernmental Agreement Between the City and the Urban Renewal Agency

**INTERGOVERNMENTAL LOAN AGREEMENT, IN AN AMOUNT NOT TO EXCEED  
\$3,000,000, FROM THE CITY OF WILSONVILLE TO THE URBAN RENEWAL  
AGENCY OF THE CITY OF WILSONVILLE FOR THE PURPOSE OF FUNDING  
APPROVED PROJECTS IN THE YEAR 2000 PLAN**

**THIS INTERGOVERNMENT AGREEMENT** entered into between the City of Wilsonville, an Oregon municipal corporation (the City), and the Urban Renewal Agency of the City of Wilsonville, Oregon, Oregon quasi-municipal corporation (the Agency),

**RECITALS**

**WHEREAS**, the Agency is a public body, corporate and politic, duly activated by the City, exercising its powers to engage in urban renewal activity as authorized by ORS Chapter 457; and

**WHEREAS**, the Year 2000 Plan district (the “District“) was duly established on May 4, 1992, and the Year 2000 Plan (the “Plan”) was adopted on August 29, 1990, setting out goals, objectives and projects (the “Projects”) for the Area; and

**WHEREAS**, the West Side district (the “District“) was duly established on November 3, 2003, and the West Side Plan (the “Plan”) was adopted on November 3, 2003, setting out goals, objectives and projects (the “Projects”) for the Area; and

**WHEREAS**, the Board of the Urban Renewal Agency has determined that a need exists to borrow funds for the Projects, to be repaid with tax increment financing; and

**WHEREAS**, Oregon Revised Statutes 457 and Oregon Constitution Article IX, Section 1(c) authorizes the Urban Renewal Agency to incur debt for the purpose of financing projects of an urban renewal plan, and to repay the debt and related costs with tax increment revenue; and

**WHEREAS**, the City of Wilsonville has approved a maximum indebtedness for the Year 2000 Plan District of \$92,687,423. The Agency has previously issued \$81,385,000 of long and short term indebtedness that is subject to the maximum indebtedness limitation, and there is no other indebtedness outstanding for the District to which the maximum indebtedness limitation

applies. As a result the Agency has \$11,302,423 of capacity (before issuance of the referenced borrowing of this Agreement) to incur indebtedness for the District, and

**WHEREAS**, ORS 294.468 authorizes a municipality to lend unrestricted money from its general fund to other funds of the municipal corporation if authorized by resolution of the governing body, and

**WHEREAS**, the City and Agency have determined that financing the Projects through an intergovernmental agreement as allowed by ORS 190.010, is more cost efficient than external financing methods, is financially feasible, and is in the best interest of both parties.

**NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:**

**Section 1: Term and Termination.** This agreement shall become effective upon the date of the last signature hereon, and shall continue in full force and effect until the loan is paid in full.

**Section 2: Delegation.** The Designated Representatives, or a person(s) assigned by the Designated Representatives, may, on behalf of the City or Agency, act without further action by the Council, to establish the final principal amounts.

**Section 3: Duties of the City.** The City shall authorize all actions and execute all documents necessary or desirable to loan up to \$3,000,000 from the City's General Fund to the Agency's capital project funds as delineated in Section 5, and comply with the laws of the State of Oregon, including the terms and conditions contained within this Agreement. The Agency shall reimburse the City for its expenses incurred in the performance of this Agreement.

**Section 4: Duties of the Agency.** The Agency shall authorize all actions and execute all documents necessary or desirable to accept the loan, authorize repayment of the loan under the terms and conditions stated herein, and comply with the laws of the State of Oregon, applicable Urban Renewal Plans. The Agency shall be responsible for its expenses incurred in the performance of this agreement and of its activities contemplated herein.

**Section 5: Loan Terms.** The Loan shall be made from the City's General Fund to the Agency's Year 2000 Plan Capital Improvement Fund in the principal amount as noted below. The City shall transfer up to \$3,000,000 in aggregate on or before June 20, 2018, as follows:

Year 2000 Plan Capital Improvement Fund	<u>\$3,000,000</u>
Total	\$3,000,000

Interest on the loan, at a rate of 2.00 percent (2.0%) shall begin to accrue on the date of transfer and the corresponding loan plus accrued interest shall be repaid by each District not later than June 20, 2018.

**Section 6: Consideration.** In consideration of the terms and conditions set forth herein, the City agrees to loan up to \$3,000,000 in exchange for the Agency’s obligation to repay the loan solely from the tax increment revenues of the corresponding urban renewal Districts. The lien of this pledge shall be subordinate to the lien of any currently outstanding senior lien bonds and to any requirement to fund or maintain debt service funds, reserve funds or similar funds or as part of minim balances or similar requirements for those senior lien bonds.

**Section 7: Indemnification.** Subject to the limitations in the Oregon Constitution and the Oregon Tort Claims Act, the parties agree to defend, indemnify and hold each other, its officers, agents and employees harmless from all claims, suits, or actions of whatsoever kind, which arise out of or result from the transfer of funds.

**Section 8: Modification.** This agreement may not be altered, modified, supplemented or amended in any manner whatsoever except by mutual agreement of the parties in writing. Any such alteration, modification, supplementation, or amendment, if made, shall be effective only in the specific instance and for the specific purpose given, and shall be valid and binding only if signed by the parties.

**Section 9: Waiver.** No provision of the agreement may be waived except in writing by the party waiving compliance. No waiver of any provision of the Agreement shall constitute waiver of any other provision, whether similar or not, nor shall any one waiver constitute a continuing waiver. Failure to enforce any provision of this Agreement shall not operate as a waiver of such provision or of any other provision.

**Section 10: Severability.** The parties agree that if any term or provision of the Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the



parties shall be construed and enforced as if the Agreement did not contain the particular term and provision held to be invalid.

**Section 11: Designated Representative.** The City authorizes the City Manager or the City Manager's designee to act on behalf of the City under this agreement. The Agency authorizes the Executive Director of the Agency or the Executive Director's designee to act on behalf of the Agency under this Agreement.

IN WITNESS WHEREOF, the execution of which having been first duly authorized according to law.

CITY OF WILSONVILLE

\_\_\_\_\_  
Bryan Cosgrove  
City Manager of the City of Wilsonville, Oregon

\_\_\_\_\_  
Date

URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE, OREGON

\_\_\_\_\_  
Bryan Cosgrove  
Executive Director of the Urban Renewal  
Agency of the City of Wilsonville, Oregon

\_\_\_\_\_  
Date



## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b> June 18, 2018	<b>Subject: Ordinance Nos. 819 and 820 - 2<sup>nd</sup> Reading</b> Annexation and Zone Map Amendment for Stafford Meadows subdivision in Frog Pond West.  <b>Staff Member:</b> Daniel Pauly AICP, Senior Planner  <b>Department:</b> Community Development	
<b>Action Required</b>	<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: <input checked="" type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: June 4, 2018 <input checked="" type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: June 18, 2018  <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded  <input type="checkbox"/> Not Applicable  <b>Comments:</b> On May 14, 2018 the Development Review Board, Panel A, unanimously recommended approval of Annexation and a Zone Map Amendment for the subject property. The DRB also approved with conditions, contingent on the Annexation and Zone Map Amendment, a Stage I Master Plan, Stage II Final Plan, Site Design Review, Tentative Subdivision Plat, Type C Tree Removal Plan, and Abbreviated SRIR, copies of which are included for reference.	
<b>Staff Recommendation:</b> Staff recommends that the City Council adopt Ordinance Nos. 819 and 820.		
<b>Recommended Language for Motion:</b> Two separate motions: I move to approve Ordinance No. 819 on second reading. I move to approve Ordinance No. 820 on second reading.		
<b>Project / Issue Relates To:</b>		
<input type="checkbox"/> Council Goals/Priorities	<input checked="" type="checkbox"/> Adopted Master Plan(s) Frog Pond West	<input type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:**

Adoption of Ordinance Nos.: 819 and 820 to annex and rezone approximately 16 acres on the north side of Boeckman Road just west of Stafford Road within the Frog Pond West Master Plan area enabling development of a 44-46 lot single-family subdivision.

**EXECUTIVE SUMMARY:**

The proposed 16-acre subdivision is the first area proposed for annexation and subsequent development consistent with the Frog Pond West Master Plan. The subdivision will be the first of many envisioned to blend together as one cohesive high-quality neighborhood. Concurrent with the adoption of the Frog Pond West Master Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The requested zone map amendment proposes applying the Residential Neighborhood (RN) Zone to the entire subject property consistent with this intention.

**EXPECTED RESULTS:**

Adoption of Ordinance Nos. 819 and 820 to bring the first portion of the Frog Pond West Master Plan area into the City and zone for development consistent with the Master Plan.

**TIMELINE:**

The second reading of Ordinance Nos. 819 and 820 is scheduled for June 18, 2018. The Annexation and Zone Map Amendment will be in effect 30 days after ordinance adoption and upon filing the annexation records with the Secretary of State.

**CURRENT YEAR BUDGET IMPACTS:**

FY 18/19 will see the first of the income and expenditures consistent with the infrastructure-financing plan of the Frog Pond West Master Plan.

**FINANCIAL REVIEW / COMMENT:**

Reviewed by: SCole Date: 5/29/2018

**LEGAL REVIEW / COMMENT:**

Reviewed by: BAJ Date: 5/31/2018

**COMMUNITY INVOLVEMENT PROCESS:**

Staff sent, posted, and published the required public hearing notices. In addition, significant public involvement occurred during development and approval of the Frog Pond Area Plan and Frog Pond West Master Plan, with which the proposed actions are consistent.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:**

The annexation and development of the subject land will provide additional housing choices and continued development of quality neighborhoods consistent with adopted City plans.

**ALTERNATIVES:**

To deny the Annexation and Zone Map Amendment requests based on alternative set of findings.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

Exhibit A - Ordinance No. 819 (Annexation):

Attachment 1 – Legal Description and Sketch Depicting Territory to be Annexed

Attachment 2 – Petition for Annexation

Attachment 3 – Annexation Findings

Attachment 4 – Development Review Board Panel A Resolution No. 351 Recommending Approval of Annexation

Exhibit B - Ordinance No. 820 (Zone Map Amendment):

Attachment 1 - Zoning Order DB18-0009 including legal description and sketch depicting Zone Map Amendment

Attachment 2 – Zone Map Amendment Findings

Attachment 3 – DRB Resolution No. 351 recommending approval of Zone Map Amendment

Exhibit C – Amended and Adopted Staff Report and DRB Recommendation

**ORDINANCE NO. 819**

**AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING APPROXIMATELY 16 ACRES ON THE NORTH SIDE OF BOECKMAN ROAD JUST WEST OF STAFFORD ROAD INTO THE CITY LIMITS OF THE CITY OF WILSONVILLE, OREGON; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 2001, 2100, 2201, 2202 SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. THELMA J. ROETHE, DALE KRIELKAMP, VERLA KRIELKAMP, LOUIE PIKE, GAYLA CUSHMAN-PIKE, AMY PIKE, MATT WINGARD, AND DORIS A. WEHLER, PETITIONERS.**

WHEREAS, a petition submitted to the City request annexation of certain real property legally described and depicted in Attachment 1; and

WHEREAS, Thelma J. Roethe, an authorized signer for The Killinger Trust, Doris A. Wehler, an authorized signer for Wehler Family Survivor's Trust & Wehler Family Decedent's Trust, Louie Pike, Gayla Cushman-Pike, Dale Krielkamp, and Verla Krielkamp, together representing 100 percent of the property ownership within the annexation area signed the petition; and

WHEREAS, Doris A. Wehler, Dale Krielkamp, Verla Krielkamp, Louie Pike, Gayla Cushman-Pike, Amy Pike, and Matthew Wingard, together representing a majority of the electors within the annexation area signed the petition; and

WHEREAS, ORS 227.125 authorizes the annexation of territory based on consent of all owners of land and a majority of electors within the territory and enables the City Council to dispense with submitting the question of the proposed annexation to the electors of the City for their approval or rejection; and

WHEREAS, the land to be annexed is within the Urban Growth Boundary and has been master planned as part of the Frog Pond West Neighborhood; and

WHEREAS, the land to be annexed is contiguous to the City and can be served by City services; and

WHEREAS, Panel A of the Development Review Board considered the annexation and after a duly advertised public hearing held on May 14, 2018 unanimously recommended City Council approve the annexation; and

WHEREAS, on June 4, 2018, the City Council held a public hearing as required by Metro Code 3.09.050; and

WHEREAS, reports were prepared and considered as required by law; and because the annexation is not contested by any party, the City Council chooses not to submit the matter to the voters and does hereby favor the annexation of the subject tract of land based on findings, conclusions, and the Development Review Board’s recommendation to City Council.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. The tracts of land, described and depicted in Attachment 1, are declared annexed to the City of Wilsonville.
2. The findings and conclusions incorporated in Attachment 3 are adopted. The City Recorder shall immediately file a certified copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(g) and ORS 222.005. The annexation shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 4<sup>th</sup> day of June, 2018, and scheduled for a second reading at a regular meeting of the Council on the 18<sup>th</sup> day of June, 2018, commencing at the hour of 7:00 P.M. at the Wilsonville City Hall.

ENACTED by the City Council on the 18<sup>th</sup> day of June, 2018 by the following votes:

Yes: \_\_\_\_ No: \_\_\_\_

\_\_\_\_\_  
Kimberly Veliz, City Recorder

DATED and signed by the Mayor this \_\_\_\_ day of June, 2018.

\_\_\_\_\_  
TIM KNAPP, Mayor

**SUMMARY OF VOTES:**

Mayor Knapp

Council President Starr

Councilor Stevens

Councilor Lehan

Councilor Akervall

**Attachments:**

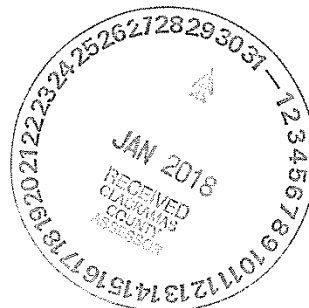
1. Attachment 1 – Legal Description and Sketch Depicting Territory to be Annexed
2. Attachment 2 – Petition for Annexation
3. Attachment 3 – Annexation Findings
4. Attachment 4 – Development Review Board Panel A Resolution No. 351 Recommending Approval of Annexation

# Ordinance No. 819 Attachment 1

## **EXHIBIT A** **LEGAL DESCRIPTION** **STAFFORD MEADOWS PROPERTIES** January 30, 2018 (Otak #17868)

Those properties described in Bargain and Sale Deed to Louie M. Pike and Gayla D. Cushman-Pike recorded as Document Number 89-06039, in Bargain and Sale Deeds to Doris A. Wehler recorded as Document Numbers 2012-0160063 and 2012-016064, in Statutory Bargain and Sale Deed to Dale I. Kreilkamp and Verla S. Kreilkamp, recorded as Document Number 2015-045034, and in Warranty Deed to Donald E. Killinger and Elva C. Killinger recorded as Document Number 95-068541, all of Clackamas County Records, in the southeast one-quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, the exterior boundary of said properties being described as follows:

BEGINNING at a point on the north right of way line of S.W. Boeckman Road being North 01°24'30" East a distance of 30.00 feet from a point on the centerline thereof, said centerline also being the south line of said Section 12, said point on centerline being North 88°35'30" West a distance of 219.98 feet from a 3-1/4 inch brass disk found in a monument box at the southeast corner of said Section 12;  
thence along said north right of way line being parallel with and 30.00 feet north of the south line of said Section 12, North 88°35'30" West a distance of 1278.79 feet to the most southerly east line of that property described in Warranty Deed to Clackamas County School District 3, West Linn-Wilsonville School District 3JT recorded as Document Number 99-052396, Clackamas County Records;  
thence along the east and south lines of said Clackamas County School property through the following three courses:  
North 01°38'47" East a distance of 429.26 feet;  
South 88°35'30" East a distance of 540.59 feet;  
and North 01°39'45" East a distance of 398.35 feet to a point on the south line of that property described in Statutory Warranty Deed to West Linn-





## Ordinance No. 819 Attachment 1

Wilsonville School District 3J recorded as Document Number 98-125139, Clackamas County Records;

thence along said last said south line, South 88°35'30" East a distance of 464.07 feet to the northwest corner of that property described in Warranty Deed to Pat's Rapids, LLC recorded as Document Number 2006-019465, Clackamas County Records;

thence along the west line of said Pat's Rapids LLC property, and along the west lines of those properties described in General Warranty Deed for Oregon to Joint Revocable Trust of Theodore and Lynette Eaton recorded as Document Number 2016-072238, and in Statutory Warranty Deed to Community of Hope E.L.C.A. recorded as Document Number 99-094345, both of Clackamas County Records, South 01°40'51" West a distance of 513.87 feet;

thence along the most westerly south line and most southerly west line of said Community of Hope E.L.C.A. property through the following two courses:

South 88°38'13" East a distance of 277.22 feet;

and South 01°38'35" West a distance of 313.93 feet to a point on a curve in said north right of way line;

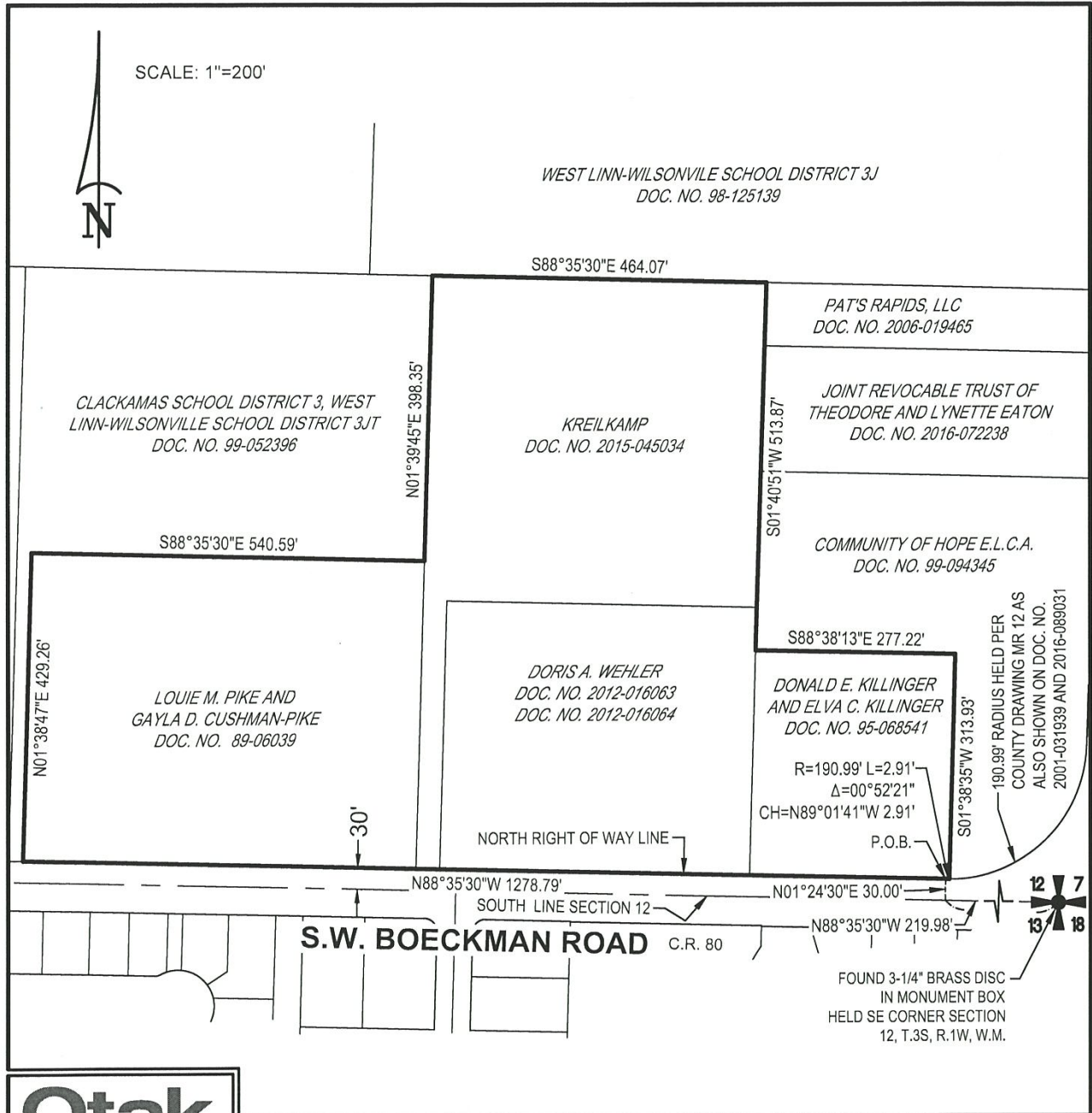
thence westerly along the arc of a non-tangent 190.99 foot radius curve to the right (radius point bears North 00°32'09" East), through a central angle of 00°52'21", an arc length of 2.91 feet (chord bears North 89°01'41" West a distance of 2.91 feet) to the POINT OF BEGINNING.

Contains 16.14 acres, more or less.

Bearings based on the Oregon State Plane Coordinate System, NAD'83, North Zone.



# Ordinance No. 819 Attachment 1



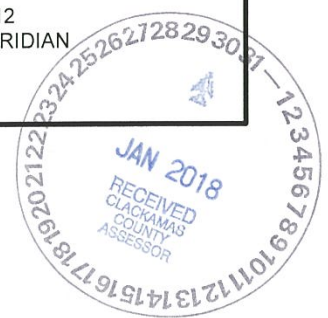
**Otak**

808 SW 3rd Ave., Ste. 300  
Portland, Oregon 97204  
Phone: (503) 287-6825  
www.otak.com  
project: 17868

**EXHIBIT A** SHEET 3 OF 3

STAFFORD MEADOWS PROJECT  
IN THE SOUTHEAST ONE-QUARTER OF SECTION 12  
TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN  
CLACKAMAS COUNTY, OREGON

JANUARY 30, 2018



RECEIVED  
JAN 31 2018

### Ordinance No. 819 Attachment 2

#### CERTIFICATION OF PROPERTY OWNERSHIP OF 100% OF LAND AREA

I hereby certify that the attached petition contains the names of the owners<sup>1</sup> (as shown on the last available complete assessment roll) of 100% of the land area of the territory proposed for annexation as described in the attached petition.

NAME DIS STORM

TITLE GIS CARTOGRAPHER 2

DEPARTMENT A & T

COUNTY OF CLATSOP

DATE 1-30-18




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<sup>1</sup> Owner means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If a parcel of land has multiple owners, each consenting owner shall be counted as a percentage of their ownership interest in the land. That same percentage shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.















## Ordinance No. 819 Attachment 2

### CERTIFICATION OF REGISTERED VOTERS

I hereby certify that the attached petition contains the names of at least 50% of the electors registered in the territory proposed for annexation as described in the attached petition.



NAME Rebekah St. Doll  
TITLE Deputy Clerk  
DEPARTMENT Elections  
COUNTY OF Clackamas County  
DATE 1/29/18



Ordinance No. 819 Attachment 3  
Annexation Findings for Stafford Meadows

City Council  
Quasi-Judicial Public Hearing

---

<b>Hearing Date:</b>	June 4, 2018
<b>Date of Report:</b>	May 18, 2018
<b>Application No.:</b>	DB18-0008 Annexation

---

**Request/Summary:** City Council approval of quasi-judicial annexation of approximately 16 acres concurrently with its proposed development as a single-family subdivision consistent with the Frog Pond West Master Plan.

**Location:** North side of Boeckman Road, just west of Stafford Road. The property is specifically known as Tax Lots 2001, 2100, 2201, 2202 Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon

**Owners/Electors/**

**Petitioners:** Thelma J. Roethe, Dale Krielkamp, Verla Krielkamp, Louie Pike, Gayla Cushman-Pike, Amy Pike, Matt Wingard, and Doris Wehler

**Applicant:** Dan Grimberg, West Hills Development

**Applicant's Rep.:** Li Alligood AICP, OTAK

**Comprehensive Plan Designation:** Residential Neighborhood

**Zone Map Classification (Current):** RRFF 5 (Rural Residential Farm Forest 5-Acre)

**Zone Map Classification (Proposed Concurrent with Annexation):** RN (Residential Neighborhood)

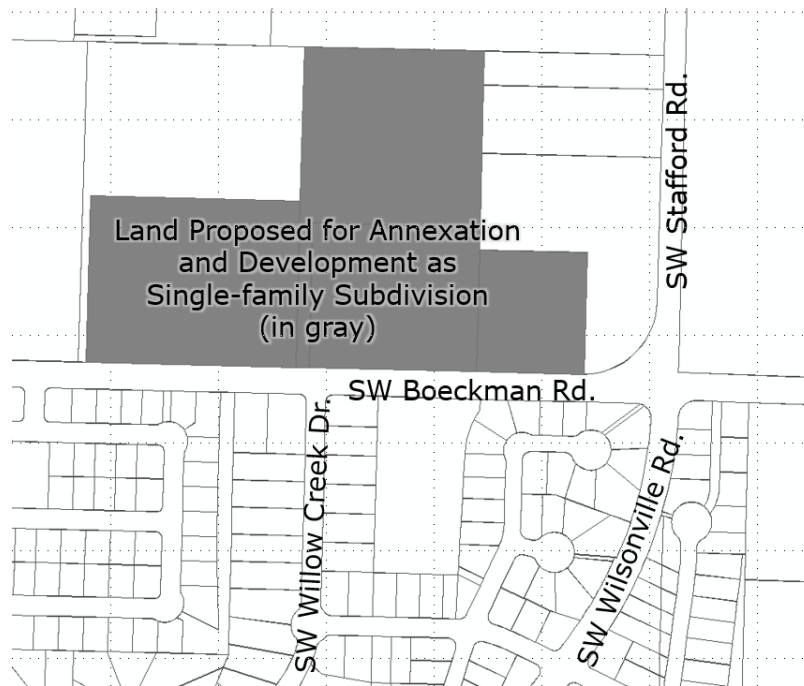
**Staff Reviewer:** Daniel Pauly AICP, Senior Planner

**Staff Recommendation:** Approve the requested annexation.

**Applicable Review Criteria:**

<b><u>Development Code:</u></b>	
Section 4.700	Annexation
<b><u>Comprehensive Plan and Sub-elements:</u></b>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<b><u>Regional and State Law and Planning Documents</u></b>	
Metro Code Chapter 3.09	Local Government Boundary Changes
ORS 222.111	Authority and Procedures for Annexation
ORS 222.125	Annexation by Consent of All Land Owners and Majority of Electors
ORS 222.170	Annexation by consent before public hearing or order for election
Statewide Planning Goals	

**Vicinity Map**



## **Background/Summary:**

The subject area has long been rural/semi-rural adjacent to the growing City of Wilsonville. Metro added the 181-acre area now known as Frog Pond West to the Urban Growth Boundary (UGB) in 2002 to accommodate future residential growth. To guide development of the area and the urban reserve areas to the east and southeast, the City of Wilsonville adopted the Frog Pond Area Plan in November 2015. The Frog Pond Area Plan envisions that “The Frog Pond Area in 2035 is an integral part of the Wilsonville community, with attractive and connected neighborhoods. The community’s hallmarks are the variety of quality homes; open spaces for gathering; nearby services, shops and restaurants; excellent schools; and vibrant parks and trails. The Frog Pond Area is a convenient bike, walk, drive, or bus trip to all parts of Wilsonville.”

As a follow up to the area plan and in anticipation of forthcoming development, in July 2017 the City of Wilsonville adopted the Frog Pond West Master Plan for the area within the UGB.

The area of the proposed 16-acre annexation will be the first development consistent with the Frog Pond West Master Plan. The subdivision will be the first of many envisioned to blend together as one cohesive neighborhood.

All property owners and a majority of registered voters in the annexation area have consented in writing to the annexation.

## **Conclusion and Condition of Approval:**

Staff and the Development Review Board recommend the City Council annex the subject property with the following condition:

<p><b>PDA 1.</b> The developer shall be subject to a Development and Annexation Agreement with the City of Wilsonville as required by the Frog Pond West Master Plan. The developer shall enter in the Development and Annexation Agreement prior to issuance of any public works permits by the City within the annexation area.</p>
---

## Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

### **Request: DB18-0008 Annexation**

As described in the Findings below, the request meets the applicable criteria or will by a Condition of Approval.

#### **Comprehensive Plan-Annexation and Boundary Changes**

Consistent with Future Planned Public Services  
Implementation Measure 2.2.1.a.

**A1.** The Frog Pond West Master Plan establishes the future planned public services and funding plan for the subject property. The development of public services and funding will be consistent with the Frog Pond West Master Plan thus allowing the annexation to proceed. West Hills and the City will enter into an annexation agreement detailing provision and development of public services as required by Condition of Approval PDA 1.

Demonstrated Need for Immediate Urban Growth  
Implementation Measure 2.2.1.a.

**A2.** Metro brought the subject area into the Urban Growth Boundary in 2002 to meet demonstrated regional housing needs. With adoption of the Frog Pond West Master Plan the subject area is now primed for development to help meet regional housing needs.

Adherence to State and Metro Annexation Laws and Standards  
Implementation Measures 2.2.1.e., 2.2.1.e. 3., 2.2.1.e. 4.

**A3.** This review applies all applicable Metro and State rules, regulations, and statutes as seen in findings below.

Orderly, Economic Provision of Public Facilities and Services  
Implementation Measure 2.2.1.e. 1.

**A4.** The Frog Pond Area Plan includes implementation measures to ensure the orderly and economic provision of public facilities and services for the Frog Pond Area, including Frog Pond West. The applicant proposed site development with concurrent applications for Stage I and Stage II Planned Unit Development and Land Division, which proposes the extension of public facilities and services to the Stafford Meadows site. These proposed services are generally consistent with the Frog Pond Area Plan and Frog Pond West Master Plan, and the City's Finance Plan and Capital Improvements Plan.

## Availability of Sufficient Land for Uses to Insure Choices over 3-5 Years

Implementation Measure 2.2.1.e. 2.

- A5.** The inclusion of the Frog Pond area within the UGB and the adoption of the Frog Pond Area Plan demonstrate the need for residential development in the Frog Pond Area. Annexation of the subject site will allow development of the uses envisioned by the adopted Frog Pond West Master Plan. .

## **Wilsonville Development Code-Annexation**

### Authority to Review Quasi-Judicial Annexation Requests

Subsections 4.030 (.01) A. 11, 4.031 (.01) K., 4.033 (.01) F., and 4.700 (.02)

- A6.** The review of the quasi-judicial annexation request by DRB and City Council is consistent with the authority established in the Development Code.

### Procedure for Review, Etc.

Subsections 4.700 (.01). and (.04)

- A7.** The submission materials from the applicant include an annexation petition signed by the necessary parties, a legal description and map of the land to be annexed, a narrative describing conformance with applicable criteria, and the City Council, upon recommendation from the Development Review Board, will declare the subject property annexed.

### Adoption of Development Agreement with Annexation

Subsection 4.700 (.05)

- A8.** Subject to requirements in this subsection and the Frog Pond West Master Plan Condition of Approval PDA 1 requires the necessary parties enter into an annexation development agreement with the City covering the annexed land.

## **Metro Code**

### Local Government Boundary Changes

Chapter 3.09

- A9.** The request is within the UGB, meets the definition of a minor boundary change, satisfies the requirements for boundary change petitions, and is consistent with the Comprehensive Plan and Frog Pond West Master Plan.

## **Oregon Revised Statutes (ORS)**

### Authority and Procedure for Annexation

ORS 222.111

- A10.** The request meets the applicable requirements in state statute including the facts that subject property is within the UGB, is contiguous to the City, the request has been initiated

by the property owners of the land being annexed, and all property owners and a majority of electors within the annexed area consent in writing to the annexation.

#### Procedure Without Election by City Electors

ORS 222.120

**A11.** The City charter does not require elections for annexation, the City is following a public hearing process defined in the Development Code, and request meets the applicable requirements in state statute including the facts that all property owners and a majority of electors within the annexed area consent in writing to the annexation. Annexation of the subject property thus does not require an election.

#### Annexation by Consent of All Owners and Majority of Electors

ORS 222.125

**A12.** All property owners and a majority of electors within the annexed area have provided their consent in writing. However, the City is following a public hearing process as prescribed in the City's Development Code concurrent with a Zone Map Amendment request and other quasi-judicial land use applications.

### **Oregon Statewide Planning Goals**

#### Statewide Planning Goals

Goals 1, 2, 5, 6, 8, 9, 10, 11, 12, 13

**A13.** The area proposed for annexation will be developed consistent with the City's Comprehensive Plan and the Frog Pond West Master Plan, both which have been found to meet the statewide planning goals.

# Ordinance No. 819 Attachment 4

## DEVELOPMENT REVIEW BOARD RESOLUTION NO. 351

**A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) FOR APPROXIMATELY 16 ACRES OF PROPERTY LOCATED ON THE NORTH SIDE OF BOECKMAN ROAD JUST WEST OF STAFFORD ROAD, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, AND ABBREVIATED SRIR REVIEW FOR A 44 TO 46-LOT SINGLE-FAMILY SUBDIVISION. THE SUBJECT SITE IS LOCATED ON TAX LOTS 2001, 2100, 2201, AND 2202 OF SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. LI ALLIGOOD, AICP, OTAK – REPRESENTATIVE FOR WEST HILLS LAND DEVELOPMENT LLC - APPLICANT.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated May 7, 2018, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on May 14, 2018, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and


WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated May 7, 2018, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations, subject to City Council approval of the Annexation and Zone Map Amendment Requests (DB18-0008 and DB18-0009) for:

DB18-0010 through DB18-0014, and SI18-0001; Stage I Master Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Removal Plan, and Abbreviated SRIR Review for a 44-46 lot single-family subdivision and associated improvements.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 14<sup>th</sup> day of May, 2018 and filed with the Planning Administrative Assistant on May 15, 2018. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per WC Sec 4.022(.09) unless appealed per WC Sec 4.022(.02) or called up for review by the council in accordance with WC Sec 4.022(.03).

  
\_\_\_\_\_  
Fred Ruby Chair, Panel A  
Wilsonville Development Review Board

Attest:  
  
\_\_\_\_\_  
Shelley White, Planning Administrative Assistant



**ORDINANCE NO. 820**

**AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE CLACKAMAS COUNTY RURAL RESIDENTIAL FARM FOREST 5 (RRFF5) ZONE TO THE RESIDENTIAL NEIGHBORHOOD (RN) ZONE ON APPROXIMATELY 16 ACRES ON THE NORTH SIDE OF BOECKMAN ROAD JUST WEST OF STAFFORD ROAD; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 2001, 2100, 2201, 2202 SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. WEST HILLS LAND DEVELOPMENT LLC, APPLICANT.**

WHEREAS, certain real property within the Frog Pond West Master Plan is being annexed into the City; and

WHEREAS, the City of Wilsonville desires to have the properties zoned consistent with their Wilsonville Comprehensive Plan Map designation of “Residential-Neighborhood” rather than maintain the current Clackamas County zoning designations; and

WHEREAS, concurrent with the adoption of the Frog Pond West Master Plan and designating the subject property as “Residential-Neighborhood” in the Comprehensive Plan Map, the City added a new zoning district Residential Neighborhood (RN) intended for application to the Master Plan area; and

WHEREAS, the Zone Map Amendment is contingent on annexation of the property to the City of Wilsonville, which annexation has been petitioned for concurrently with the Zone Map Amendment request; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on May 14, 2018; and

WHEREAS, the Development Review Board Panel 'A' held a public hearing on the application for a Zone Map Amendment on May 14, 2018, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 351 which recommends City Council approval of the Zone Map Amendment request (Case File DB18-0009), adopts the staff report with findings and recommendation, all as placed on the record at the hearing; and

WHEREAS, on June 4, 2018, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before

the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. The City Council adopts, as findings and conclusions, the forgoing Recitals and the Zone Map Amendment Findings in Attachment 2, as if fully set forth herein.
2. The official City of Wilsonville Zone Map is hereby amended, upon finalization of the annexation of the property to the City, by Zoning Order DB18-0009, attached hereto as Attachment 1, from the Clackamas County Rural Residential Farm Forest 5 (RRFF5) Zone to the Residential Neighborhood (RN) Zone.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 4<sup>th</sup> day of June, 2018, and scheduled for a second reading at a regular meeting of the Council on the 18<sup>th</sup> day of June, 2018, commencing at the hour of 7:00 P.M. at the Wilsonville City Hall.

\_\_\_\_\_  
Kimberly Veliz, City Recorder

ENACTED by the City Council on the 18<sup>th</sup> day of June, 2018 by the following votes:

Yes: \_\_\_ No: \_\_\_

\_\_\_\_\_  
Kimberly Veliz, City Recorder

DATED and signed by the Mayor this \_\_\_\_\_ day of June, 2018.

\_\_\_\_\_  
TIM KNAPP, Mayor

**SUMMARY OF VOTES:**

Mayor Knapp

Council President Starr

Councilor Stevens

Councilor Lehan

Councilor Akervall

**Attachments:**

1. Attachment 1 – Zoning Order DB18-0009 including legal description and sketch depicting zone map amendment
2. Attachment 2 – Zone Map Amendment Findings
3. Attachment 3 – DRB Resolution No. 351 recommending approval of Zone Map Amendment

# Ordinance No. 820 Attachment 1

## BEFORE THE CITY COUNCIL OF THE CITY OF WILSONVILLE, OREGON

In the Matter of the Application of	)	
West Hills Land Development LLC	)	
for a Rezoning of Land and Amendment	)	<b>ZONING ORDER DB18-0009</b>
of the City of Wilsonville Zoning Map	)	
Incorporated in Section 4.102 of the	)	
Wilsonville Code.	)	

The above-entitled matter is before the Council to consider the application of DB18-0009, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached legal description and sketch, has heretofore appeared on the Clackamas County zoning map Rural Residential Farm Forest 5 (RRFF5).

The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 16 acres on the north side of Boeckman Road just west of Stafford Road comprising Tax Lot 2001, 2100, 2201, 2202 of Section 12D, as more particularly shown and described in the attached legal description and sketch, is hereby rezoned to Residential Neighborhood (RN), subject to conditions detailed in this Order’s adopting Ordinance. The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 18<sup>th</sup> day of May,  
2018.

\_\_\_\_\_  
TIM KNAPP, MAYOR

APPROVED AS TO FORM:

\_\_\_\_\_  
Barbara A. Jacobson, City Attorney

## Ordinance No. 820 Attachment 1

ATTEST:

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Sandra C. King, CMC, City Recorder

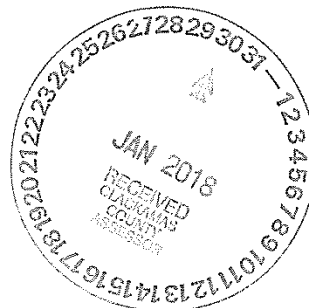
Attachment: Legal Description and Sketch Depicting Land/Territory to be Rezone

# Ordinance No. 820 Attachment 1

## **EXHIBIT A** **LEGAL DESCRIPTION** **STAFFORD MEADOWS PROPERTIES** January 30, 2018 (Otak #17868)

Those properties described in Bargain and Sale Deed to Louie M. Pike and Gayla D. Cushman-Pike recorded as Document Number 89-06039, in Bargain and Sale Deeds to Doris A. Wehler recorded as Document Numbers 2012-0160063 and 2012-016064, in Statutory Bargain and Sale Deed to Dale I. Kreilkamp and Verla S. Kreilkamp, recorded as Document Number 2015-045034, and in Warranty Deed to Donald E. Killinger and Elva C. Killinger recorded as Document Number 95-068541, all of Clackamas County Records, in the southeast one-quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, the exterior boundary of said properties being described as follows:

BEGINNING at a point on the north right of way line of S.W. Boeckman Road being North 01°24'30" East a distance of 30.00 feet from a point on the centerline thereof, said centerline also being the south line of said Section 12, said point on centerline being North 88°35'30" West a distance of 219.98 feet from a 3-1/4 inch brass disk found in a monument box at the southeast corner of said Section 12;  
thence along said north right of way line being parallel with and 30.00 feet north of the south line of said Section 12, North 88°35'30" West a distance of 1278.79 feet to the most southerly east line of that property described in Warranty Deed to Clackamas County School District 3, West Linn-Wilsonville School District 3JT recorded as Document Number 99-052396, Clackamas County Records;  
thence along the east and south lines of said Clackamas County School property through the following three courses:  
North 01°38'47" East a distance of 429.26 feet;  
South 88°35'30" East a distance of 540.59 feet;  
and North 01°39'45" East a distance of 398.35 feet to a point on the south line of that property described in Statutory Warranty Deed to West Linn-



## Ordinance No. 820 Attachment 1

Wilsonville School District 3J recorded as Document Number 98-125139, Clackamas County Records;

thence along said last said south line, South 88°35'30" East a distance of 464.07 feet to the northwest corner of that property described in Warranty Deed to Pat's Rapids, LLC recorded as Document Number 2006-019465, Clackamas County Records;

thence along the west line of said Pat's Rapids LLC property, and along the west lines of those properties described in General Warranty Deed for Oregon to Joint Revocable Trust of Theodore and Lynette Eaton recorded as Document Number 2016-072238, and in Statutory Warranty Deed to Community of Hope E.L.C.A. recorded as Document Number 99-094345, both of Clackamas County Records, South 01°40'51" West a distance of 513.87 feet;

thence along the most westerly south line and most southerly west line of said Community of Hope E.L.C.A. property through the following two courses:

South 88°38'13" East a distance of 277.22 feet;

and South 01°38'35" West a distance of 313.93 feet to a point on a curve in said north right of way line;

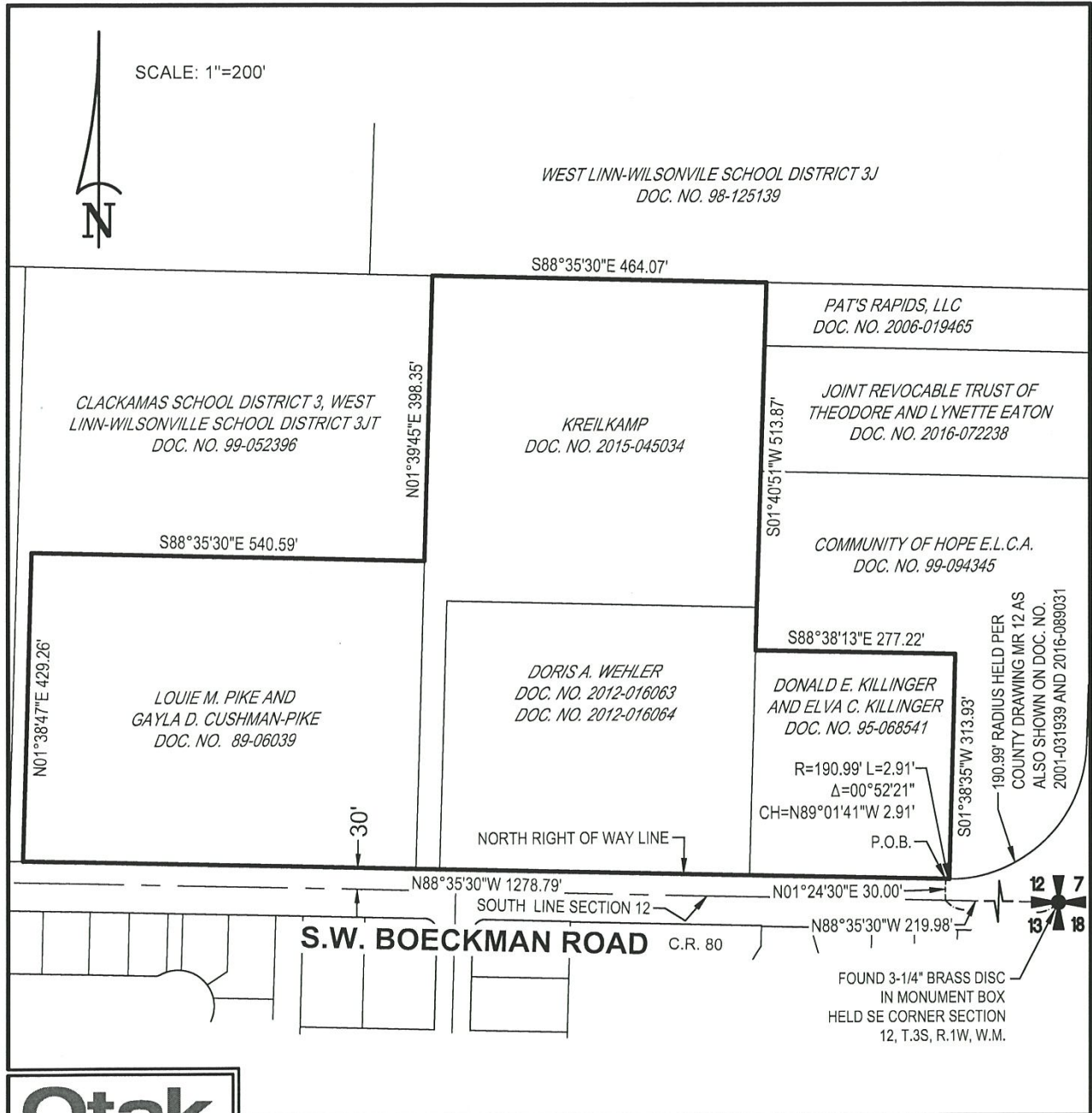
thence westerly along the arc of a non-tangent 190.99 foot radius curve to the right (radius point bears North 00°32'09" East), through a central angle of 00°52'21", an arc length of 2.91 feet (chord bears North 89°01'41" West a distance of 2.91 feet) to the POINT OF BEGINNING.

Contains 16.14 acres, more or less.

Bearings based on the Oregon State Plane Coordinate System, NAD'83, North Zone.



# Ordinance No. 820 Attachment 1



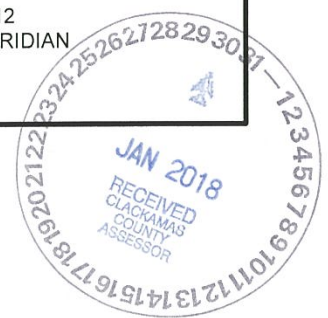
**Otak**

808 SW 3rd Ave., Ste. 300  
Portland, Oregon 97204  
Phone: (503) 287-6825  
www.otak.com  
project: 17868

**EXHIBIT A** SHEET 3 OF 3

STAFFORD MEADOWS PROJECT  
IN THE SOUTHEAST ONE-QUARTER OF SECTION 12  
TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN  
CLACKAMAS COUNTY, OREGON

JANUARY 30, 2018







Ordinance No. 820 Attachment 2  
 Zone Map Amendment Findings

Stafford Meadows 44-46 Lot Single-Family Subdivision

City Council  
 Quasi-Judicial Public Hearing

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<b>Hearing Date:</b>	June 4, 2018
<b>Date of Report:</b>	May 18, 2018
<hr/>	
<b>Application No.:</b>	DB18-0009 Zone Map Amendment
<b>Request:</b>	The request before the City Council is a Zone Map Amendment for approximately 16 acres.
<b>Location:</b>	North side of Boeckman Road, just west of Stafford Road. The property is specifically known as Tax Lots 2001, 2100, 2201, 2202 Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon
<b>Owners:</b>	Thelma J. Roethe, Dale Krielkamp, Verla Krielkamp, Louie Pike, Gayla Cushman-Pike, and Doris Wehler
<b>Applicant:</b>	Dan Grimberg, West Hills Development
<b>Applicant's Rep.:</b>	Li Alligood AICP, OTAK
<b>Comprehensive Plan Designation:</b>	Residential Neighborhood
<b>Zone Map Classification (Current):</b>	RRFF 5 (Rural Residential Farm Forest 5-Acre)
<b>Zone Map Classification (Proposed):</b>	RN (Residential Neighborhood)
<b>Staff Reviewer:</b>	Daniel Pauly AICP, Senior Planner
<b>Staff/DRB Recommendation:</b>	<u>Adopt</u> the requested Zone Map Amendment.

**Applicable Review Criteria:**

<b><u>Development Code:</u></b>	
Section 4.110	Zones
Section 4.127	Residential Neighborhood (RN) Zone
Section 4.197	Zone Changes
<b><u>Comprehensive Plan and Sub-elements:</u></b>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<b><u>Regional and State Law and Planning Documents</u></b>	
Statewide Planning Goals	

**Vicinity Map**



## Summary:

Zone Map Amendment (DB18-0009)

Concurrent with the adoption of the Frog Pond West Master Plan the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The applicant proposes applying the Residential Neighborhood (RN) Zone to the entirety of the subject properties consistent with this intention.

## Conclusion and Conditions of Approval:

Staff and the Development Review Board recommend approval with the following condition:

Request: DB18-0009 Zone Map Amendment.

This action is contingent upon annexation of the subject properties to the City of Wilsonville (DB18-0008).
---

## Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

### General Information

Application Procedures-In General  
Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application  
Section 4.009

The owners of all property included in the application signed the application forms. West Hills Development initiated the application with their approval.

**Request: DB18-0009 Zone Map Amendment**

As described in the Findings below, the request meets the applicable criteria or will by Condition of Approval.

**Comprehensive Plan**

“Residential Neighborhood” on the Comprehensive Plan Map  
Implementation Measure 4.1.7.a.

- B1.** The subject area has a Comprehensive Plan Map Designation of “Residential Neighborhood” enabling implementation of the Frog Pond West Master Plan adopted for the subject area.

“Residential Neighborhood” Zone Applied Consistent with Comprehensive Plan  
Implementation Measure 4.1.7.c.

- B2.** The applicant requests the subject area receive the zoning designation of Residential Neighborhood (RN) as required for areas with the Comprehensive Plan Map Designation of “Residential Neighborhood”.

Safe, Convenient, Healthful, and Attractive Places to Live  
Implementation Measure 4.1.4.c.

- B3.** The proposed Residential-Neighborhood zoning allows the use of planned developments consistent with a legislative Master Plan enabling development of safe, convenient, healthful, and attractive places to live.

Residential Density  
Implementation Measure 4.1.4.u.

- B4.** The subject area will be zoned Residential-Neighborhood allowing the application of the adopted residential densities of the Frog Pond West Master Plan to the subject area. The sub-districts established in the Frog Pond West Master Plan govern the allowed residential densities for the subject area.

Purpose of Residential Neighborhood Designation  
Implementation Measure 4.1.7.a.

- B5.** The subject area will be zoned Residential Neighborhood consistent with the “Residential Neighborhood” designation on the Comprehensive Plan Map. The designation enables development of the site consistent with the legislatively adopted Frog Pond West Master Plan, including creating an attractive and connected residential neighborhood, cohesive neighborhoods, high quality architecture and community design, provide transportation choices, and preserve and enhance natural resources.

## Development Code

### Zoning Consistent with Comprehensive Plan Section 4.029

- B6.** The applicant requests a zone change concurrently with a Stage I Master Plan, Stage II Final Plan, and other related development approvals. The proposed zoning designation of Residential Neighborhood is consistent with the Comprehensive Plan “Residential Neighborhood” designation. See also Finding B2 above.

### Base Zones Subsection 4.110 (.01)

- B7.** The requested zoning designation of Residential Neighborhood (RN) is among the base zones identified in this subsection.

## Residential Neighborhood (RN) Zone

### Purpose of the Residential Neighborhood (RN) Zone Subsection 4.127 (.01)

- B8.** The request to apply the Residential Neighborhood zone on lands with the Residential Neighborhood Comprehensive Plan Map designations enables a planned development process implementing the Residential Neighborhood policies and implementation measures of the Comprehensive Plan and the Frog Pond West Master Plan.

### Permitted Uses in the Residential Neighborhood (RN) Zone Subsection 4.127 (.02)

- B9.** Concurrent with the Zone Map Amendment request the applicant requests approval of a single-family subdivision. Single-family dwelling units are among the permitted uses in the RN zone. In one scenario identified by the applicant, they may deed Tract M to the neighboring church for development as part of the church campus, such as parking. Churches are among the uses allowed through a Conditional Use Permit in the RN zone. Alternatively, the Church could request to rezone the Tract M to the Public Facility Zone at a future date.

### Residential Neighborhood Zone Sub-districts and Residential Density Subsection 4.127 (.05) and (.06)

- B10.** The proposed rezoning includes the entirety of Sub-district 3 and the majority of Sub-district 2 shown in Figure 6 of the Frog Pond West Master Plan. The residential unit counts within these areas will be consistent with Table 1 of the Master Plan.

### Ordinance No. 820 Attachment 3

#### DEVELOPMENT REVIEW BOARD RESOLUTION NO. 351

**A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) FOR APPROXIMATELY 16 ACRES OF PROPERTY LOCATED ON THE NORTH SIDE OF BOECKMAN ROAD JUST WEST OF STAFFORD ROAD, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, AND ABBREVIATED SRIR REVIEW FOR A 44 TO 46-LOT SINGLE-FAMILY SUBDIVISION. THE SUBJECT SITE IS LOCATED ON TAX LOTS 2001, 2100, 2201, AND 2202 OF SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. LI ALLIGOOD, AICP, OTAK – REPRESENTATIVE FOR WEST HILLS LAND DEVELOPMENT LLC - APPLICANT.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated May 7, 2018, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on May 14, 2018, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and


WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated May 7, 2018, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations, subject to City Council approval of the Annexation and Zone Map Amendment Requests (DB18-0008 and DB18-0009) for:

DB18-0010 through DB18-0014, and SI18-0001; Stage I Master Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Removal Plan, and Abbreviated SRIR Review for a 44-46 lot single-family subdivision and associated improvements.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 14<sup>th</sup> day of May, 2018 and filed with the Planning Administrative Assistant on May 15, 2018. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per WC Sec 4.022(.09) unless appealed per WC Sec 4.022(.02) or called up for review by the council in accordance with WC Sec 4.022(.03).

  
\_\_\_\_\_  
Fred Ruby Chair, Panel A  
Wilsonville Development Review Board

Attest:  
  
\_\_\_\_\_  
Shelley White, Planning Administrative Assistant





VIA: Certified Mail, Return Receipt Requested

May 15, 2018

Dan Grimberg  
 West Hills Land Development  
 3330 NW Yeon Ave., Ste 200  
 Portland, OR 97210

Re: Stafford Meadows Subdivision

<b>Case Files:</b>	<b>Request A:</b>	<b>DB18-0008</b>	<b>Annexation</b>
	<b>Request B:</b>	<b>DB18-0009</b>	<b>Zone Map Amendment</b>
	Request C:	DB18-0010	Stage I Preliminary Plan
	Request D:	DB18-0011	Stage II Final Plan
	Request E:	DB18-0012	Site Design Review of Parks & Open Space
	Request F:	DB18-0013	Tentative Subdivision Plat
	Request G:	DB18-0014	Type C Tree Plan
	Request H:	SI18-0001	Abbreviated SRIR Review

Two copies of the Development Review Board's decision on your referenced project, including conditions of approval rendered are attached. *Please note that these approvals are contingent upon the City Council's approval of the Annexation and Zone Map Amendment, which are scheduled for a hearing on June 4, 2018.*

Please note that your signature acknowledging receipt and acceptance of the Conditions of Approval is required to be returned to the Planning Office before the decision is effective. One copy is provided for this purpose. Please sign and return to the undersigned. Thank you.

Thank you.

Shelley White  
 Planning Administrative Assistant

CC: Li Alligood, AICP – OTAK, Inc.

Via e-mail:

Mike Morse – Pahlisch Homes  
 Ronald Heberlein  
 Michael Robinson  
 David Roethe

Ben Altman – Pioneer Design Group  
 Doris Wehler  
 Mike & Gayla Pike

May 15, 2018

**DEVELOPMENT REVIEW BOARD PANEL A**

**DEVELOPMENT REVIEW BOARD NOTICE OF DECISION AND  
RECOMMENDATION TO CITY COUNCIL**

**Project Name:** Stafford Meadows Subdivision

<b>Case Files:</b>	<b>Request A:</b>	<b>DB18-0008</b>	<b>Annexation</b>
	<b>Request B:</b>	<b>DB18-0009</b>	<b>Zone Map Amendment</b>
	Request C:	DB18-0010	Stage I Preliminary Plan
	Request D:	DB18-0011	Stage II Final Plan
	Request E:	DB18-0012	Site Design Review of Parks & Open Space
	Request F:	DB18-0013	Tentative Subdivision Plat
	Request G:	DB18-0014	Type C Tree Plan
	Request H:	SI18-0001	Abbreviated SRIR Review

**Owner/Applicant:** Dan Grimberg, West Hills Development

**Applicant's  
Representative:** Li Alligood, AICP, OTAK

**Property  
Description:** Tax Lots 2001, 2100, 2201, 2202 in Section 12D; T3S R1W; Clackamas  
County; Wilsonville, Oregon.

**Location:** North side of Boeckman Road, just west of Stafford Road

On May 14, 2018 at the meeting of the Development Review Board Panel A, the following action was taken on the above-referenced proposed development applications:

Requests A and B: The DRB has forwarded a recommendation of approval to the City Council. *A Council hearing date is scheduled for Monday, June 4, 2018 to hear these items.*

Requests C, D, E, F, G and H:  
Approved with conditions of approval.  
*These approvals are contingent upon City Council's approval of Requests A and B.*



Exhibit C

An appeal of Requests C, D, E, F, G and H to the City Council by anyone who is adversely affected or aggrieved, and who has participated in this hearing, orally or in writing, must be filed with the City Recorder within fourteen (14) calendar days of the mailing of this Notice of Decision. *WC Sec. 4.022(.02)*. A person who has been mailed this written notice of decision cannot appeal the decision directly to the Land Use Board of Appeals under *ORS 197.830*.

This decision has been finalized in written form and placed on file in the City records at the Wilsonville City Hall this 15<sup>th</sup> day of May 2018 and is available for public inspection. The decision regarding Requests C, D, E, F, G and H shall become final and effective on the fifteenth (15<sup>th</sup>) calendar day after the postmarked date of this written Notice of Decision, unless appealed or called up for review by the Council in accordance with *WC Sec. 4.022(.09)*.

Written decision is attached

For further information, please contact the Wilsonville Planning Division at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon 97070 or phone 503-682-4960

Attachments: DRB Resolution No. 351, including adopted staff report with conditions of approval.

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 351**

**A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) FOR APPROXIMATELY 16 ACRES OF PROPERTY LOCATED ON THE NORTH SIDE OF BOECKMAN ROAD JUST WEST OF STAFFORD ROAD, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, AND ABBREVIATED SRIR REVIEW FOR A 44 TO 46-LOT SINGLE-FAMILY SUBDIVISION. THE SUBJECT SITE IS LOCATED ON TAX LOTS 2001, 2100, 2201, AND 2202 OF SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. LI ALLIGOOD, AICP, OTAK – REPRESENTATIVE FOR WEST HILLS LAND DEVELOPMENT LLC - APPLICANT.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated May 7, 2018, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on May 14, 2018, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated May 7, 2018, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations, subject to City Council approval of the Annexation and Zone Map Amendment Requests (DB18-0008 and DB18-0009) for:

DB18-0010 through DB18-0014, and SI18-0001; Stage I Master Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Removal Plan, and Abbreviated SRIR Review for a 44-46 lot single-family subdivision and associated improvements.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 14<sup>th</sup> day of May, 2018 and filed with the Planning Administrative Assistant on May 15, 2018. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per WC Sec 4.022(.09) unless appealed per WC Sec 4.022(.02) or called up for review by the council in accordance with WC Sec 4.022(.03).

  
\_\_\_\_\_  
Fred Ruby Chair, Panel A  
Wilsonville Development Review Board


Attest:  
  
\_\_\_\_\_  
Shelley White, Planning Administrative Assistant



Exhibit A1 Staff Report  
 Stafford Meadows 44-46 Lot Single-Family Subdivision

Development Review Board Panel 'A'  
 Quasi-Judicial Public Hearing  
 Added language ***bold italics underline***  
 Removed Language ~~struck through~~

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<b>Hearing Date:</b>	May 14, 2018
<b>Date of Report:</b>	May 7, 2018

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**Application Nos.:**

- DB18-0008 Annexation
- DB18-0009 Zone Map Amendment
- DB18-0010 Stage I Preliminary Plan
- DB18-0011 Stage II Final Plan
- DB18-0012 Site Design Review of Parks and Open Space
- DB18-0013 Tentative Subdivision Plat
- DB18-0014 Type C Tree Removal Plan
- SI18-0001 Abbreviated SRIR Review

**Requests:** The requests before the Development Review Board include Annexation, Zone Map Amendment, Class 3 Stage I Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Removal Plan, and Abbreviated SRIR Review.

**Location:** North side of Boeckman Road, just west of Stafford Road. The property is specifically known as Tax Lots 2001, 2100, 2201, 2202 Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon

**Owner/Applicant:** Dan Grimberg, West Hills Development

**Applicant's Rep.:** Li Alligood AICP, OTAK

**Comprehensive Plan Designation:** Residential Neighborhood

**Zone Map Classification (Current):** RRFF 5 (Rural Residential Farm Forest 5-Acre)

**Zone Map Classification (Proposed):** RN (Residential Neighborhood)

**Staff Reviewers:** Daniel Pauly AICP, Senior Planner  
 Steve Adams PE, Development Engineering Manager  
 Kerry Rappold, Natural Resources Program Manager

**Staff Recommendation:** Recommend approval to the City Council of the Annexation and Zone Map Amendment, approve with conditions the Stage I Master Plan, Stage II Final Plan, Site Design Review request, tentative subdivision plat, Type C Tree Plan, and abbreviated SRIR contingent on City Council approval of the Annexation and Zone Map Amendment.

**Applicable Review Criteria:**

<b>Development Code:</b>	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Section 4.033	Authority of City Council
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.113	Standards Applying to Residential Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.127	Residential Neighborhood (RN) Zone
Sections 4.139.00 through 4.139.11	Significant Resource Overlay Zone (SROZ) Regulations
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Sections 4.156.01 through 4.156.11	Signs
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.197	Zone Changes
Sections 4.200 through 4.290	Land Divisions
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600-4.640.20	Tree Preservation and Protection
Section 4.700	Annexation
<b>Comprehensive Plan and Sub-elements:</b>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	

Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<b><u>Regional and State Law and Planning Documents</u></b>	
Metro Code Chapter 3.09	Local Government Boundary Changes
ORS 222.111	Authority and Procedures for Annexation
ORS 222.125	Annexation by Consent of All Land Owners and Majority of Electors
ORS 222.170	Annexation by consent before public hearing or order for election
Statewide Planning Goals	

**Vicinity Map**



## Background:

The subject area has long been rural/semi-rural adjacent to the growing City of Wilsonville. Metro added the 181-acre area now known as Frog Pond West to the Urban Growth Boundary (UGB) in 2002 to accommodate future residential growth. To guide development of the area and the urban reserve areas to the east and southeast, the City of Wilsonville adopted the Frog Pond Area Plan in November 2015. The Frog Pond Area Plan envisions that “The Frog Pond Area in 2035 is an integral part of the Wilsonville community, with attractive and connected neighborhoods. The community’s hallmarks are the variety of quality homes; open spaces for gathering; nearby services, shops and restaurants; excellent schools; and vibrant parks and trails. The Frog Pond Area is a convenient bike, walk, drive, or bus trip to all parts of Wilsonville.”

As a follow up to the area plan and in anticipation of forthcoming development, in July 2017 the City of Wilsonville adopted the Frog Pond West Master Plan for the area within the UGB. To guide development and implement the vision of the area plan, the Master Plan includes details on land use (including residential types and unit count ranges), residential and community design, transportation, parks and open space, and community elements such as lighting, street trees, gateways, and signs. The Master Plan also lays out the infrastructure financing plan.

The proposed 16-acre subdivision is the first development proposal under review for annexation and development consistent with the Frog Pond West Master Plan. The subdivision will be the first of many envisioned to blend together as one cohesive neighborhood.

## Summary:

### Annexation (DB18-0008)

The approximately 16 acres proposed for annexation are contiguous to land currently in the City, are within the Urban Growth Boundary, and are master planned for residential development. All property owners and a majority of registered voters in the annexation area have consented in writing to the annexation. Boeckman Road to the south is a City of Wilsonville street.

### Zone Map Amendment (DB18-0009)

Concurrent with the adoption of the Frog Pond West Master Plan the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The applicant proposes applying the Residential Neighborhood (RN) Zone to the entire subject property consistent with this intention.

### Stage I Master Plan (DB18-0010)

The proposed single-family use, number of units, preservation of open space, and general block and street layout are consistent with the Frog Pond West Master Plan. Specifically in regards to residential land use unit count, the proposed Stage I area includes the entirety of large lot Sub-district 3 and a majority of medium lot Sub-district 2. The Frog Pond West Master Plan establishes a range of 20 to 25 units for Sub-district 2 and 26 to 32 residential units in Sub-district 3 and. While

the project only includes 74% of the gross area of Sub-district 2, most of the portion of the sub-district not within the project area is master planned for right-of-way and open space, so all residential units would be within the project. For Sub-district 2, the applicant proposes 18 units. An additional 6 units are anticipated combining Tract L and an additional 43 feet on the adjoining property to the west, for a total of 24 units, which is within the allowed range. The project includes 100% of Sub-district 3. For Sub-district 3, the applicant proposes 26 to 28 lots, which is within the allowed range.

#### Stage II Final Plan (DB18-0011)

The applicant proposes installing necessary facilities and services concurrent with the development of the residential neighborhood.

Proposed lot layout and size as well as blocks size and access demonstrate consistency with development standards established for the Residential Neighborhood (RN) Zone and in the Frog Pond West Master Plan.

In regards to protection of natural features and other resources, the design of the project avoids disturbance of the significant natural features on the site, particularly the riparian area west of Willow Creek Drive. Although the site generally appears to be flat, the elevation drops by 15 feet from east to west, with a low point created by the drainage west of Willow Creek Drive. This slope necessitates a significant amount of earth-moving (grading) to provide the infrastructure needed to serve the development, as well as to prepare lots for development with single-family homes.

#### Site Design Review (DB18-0012)

The scope of the Site Design Review request includes design of common tracts and the streetscape. Overall, the design of these spaces is consistent with the Site Design Review standards and the Frog Pond West Master Plan. In particular, the proposed design conforms to the street tree and street lighting elements of the Frog Pond West Master Plan providing for the envisioned streetscape. The design also includes substantial plantings and enhancement in the riparian area west of Willow Creek Drive. Among the additional specific elements reviewed is the wall and landscaping required by the Master Plan along the Boeckman Road frontage and the gateway elements at Willow Creek Drive and Boeckman Road.

#### Tentative Subdivision Plat (DB18-0013)

The proposed tentative plat meets technical platting requirements, demonstrates consistency with the Stage II Final Plan, and thus the Frog Pond West Master Plan, and does not create barriers to the future development of adjacent neighborhoods and sites.

#### Type C Tree Removal Plan (DB18-0014)

Although the site generally appears to be flat, the elevation drops by 15 ft. from east to west, with a low point created by the drainage west of Willow Creek Drive. This slope necessitates a

significant amount of earth-moving (grading) to provide the infrastructure needed to serve the development, as well as to prepare lots for development with single-family homes. The extent of the necessary grading requires removal of the majority of trees on the site, many of which are scotch pine planted by the property owner for agricultural purposes. The total number of trees proposed for removal is ~~565~~<sup>567</sup>. The applicant proposes to preserve ~~11-9~~ trees. ~~Four~~<sup>Two</sup> of those trees are located adjacent to the existing Wehler home on Lots 22 and 25. A Douglas Fir located northwest of the Willow Creek Drive and Boeckman Road intersection is also preserved. Six Douglas Firs are proposed for protection along the western boundary of Tract L. However, removal of these six trees is likely as part of future subdivision proposals.

The proposed planting of 264 landscaping and street trees (see Sheets L2.0 through L2.3 of Exhibit B3) will partially mitigate for the removal. Additional mitigation will be satisfied by paying into the City's tree fund and potential future off-site plantings in subsequent adjacent phases of development.

#### Abbreviated SRIR Review (SI18-0001)

The applicant requests approval of an abbreviated Significant Resource Impact Report (SRIR) for exempt development that is located within the Significant Resource Overlay Zone and its associated 25-foot Impact Area. The impacts to the SROZ are necessary for the construction of the road network and stormwater infrastructure.

Proposed exempt development in the SROZ and its associated 25-foot Impact Area include the following:

- 1) Street A – minor grading for the construction of curbs and sidewalks.
- 2) Street C- a proposed crossing incorporating a concrete box culvert and retaining wall on the downstream side.
- 3) Boeckman Road – frontage improvements.
- 4) Stormwater Outfalls – installation of pipe and outfall structures.

#### Traffic Impacts:

The Traffic Impact Analysis (see Appendix C of Exhibit B2) performed by the City's consultant, DKS Associates, identifies the most probable used intersections for evaluation as:

- Boeckman Road/SW Parkway Avenue
- Boeckman Road/Canyon Creek Road
- Boeckman Road/Advance Road/Stafford Road/Wilsonville Road
- Boeckman Road/Willow Creek Drive

The study intersections will continue to perform at Level of Service D or better and thus meet City standards with the exception of the intersection of Boeckman Road and Canyon Creek Road, which will fall to a Level of Service E without any improvements made. The City has identified fully signaling this intersection as part of project UU-01 in the Transportation System Plan, which would allow the intersection to function at Level of Service A. The City has identified



funding for design and construction as CIP 4206 in the proposed budgets for Fiscal Year 18/19 and Fiscal Year 19/20. Subsection 4.140 (.09) J. 2. allows measuring Level of Service based on existing and immediately planned streets. This subsection defines immediately planned as being part of the Capital Improvement Program, and being funded for completion within two years. Based on the budget proposal described above, the future signalized intersection can be used for the purpose of determining Level of Service for this project.

## **Discussion Points:**

### Gateway Signage and Monuments

The neighborhood gateway at Willow Creek Drive and Boeckman Road is one of only two neighborhood gateways, the other being Frog Pond Lane at Stafford Road. The proposed gateway will serve as the gateway to many subdivisions within the Frog Pond neighborhood, not just the subject subdivision. As such, subdivision specific signage is not appropriate. Condition of Approval PDE 11 requires the gateway to emphasize the broader unifying Frog Pond neighborhood identity. In addition to the wall sign shown in the applicant's plans, Figures in the Frog Pond West Master Plan (including Figures 44 and 47) show brick monuments in the planter strips as part of the gateway treatment. Condition of Approval PDE 10 requires the addition of these monuments using materials consistent with the nearby brick and concrete walls.

### Balancing Uses in Planter Strips

Many design elements compete for space within the planter strips between sidewalks and streets. The elements include driveways, street trees, stormwater facilities, and streetlights while accommodating appropriate spacing from underground utilities and cross access by pedestrians. For various reasons, it is not practical to place street trees and streetlights in stormwater swales. As directed by the City, the applicant's plans show a priority to laying out street trees and street lighting keeping appropriate spacing from utility laterals and water meters, and then placing stormwater facilities where space remains available and placement is desirable.

### ~~Preserving Access Options for Future Lots Incorporating Tract L~~

~~Consistent with the Frog Pond West Master Plan, the City anticipates Tract L and adjacent land to the west to develop as medium sized lots fronting Willow Creek Drive, a collector. Subsection 4.127(.08) D. 2. requires these future lots to not take access from Willow Creek Drive unless no practical alternative exists for access. With the expected future fill of Tract L and the adjacent land to the west to raise the grade a mid block alley may be a practical alternative to access from Willow Creek Drive for these future lots. Condition of Approval PDF 3 requires the rear most 10 feet of Lots 39-44 be in a "potential future alley" easement to preserve the future possibility of a mid block alley.~~

## Options for Tract M

The proposed development will include 44-46 lots, depending on the disposition of Tract M. As shown on Sheets P2.00 and P3.00 of Exhibit B3, there are two proposed options for the development of Tract M:

- Option A would divide this tract into Lots 45 and 46, and extend Street B to the eastern property line. Tract K would be developed as a pedestrian pathway. This would result in a 46-lot development.
- Option B reflects the potential transfer of Tract M to another ownership. In this scenario, the tract would be separated from the project site boundaries and Street B would terminate at its western boundary. This would result in a 44-lot development.

## Boeckman Road Improvements

The City is responsible for the reconstruction/improvements to Boeckman Road per the Frog Pond West Master Plan. The City will undertake this construction following the issuance of an appropriate number of home building permits and depositing of sufficient funding into the infrastructure supplemental fee account. As part of this project, the applicant will dedicate right-of-way and construct a decorative wall and 10-foot planting area consistent with the Master Plan along the frontage outside of the right-of-way. As the applicant will build the subdivision prior to improvements of Boeckman Road, the City requires the applicant to construct a number of interim improvements including: extending Willow Creek Drive and all pedestrian paths to the existing pavement, constructing a temporary, minimum 5-ft. wide, hard surface pathway from the south end of Tract K to the northwest corner of the intersection of Stafford/Boeckman/Advance/Wilsonville Road (see Conditions of Approval PFD 3, 6, and 7).

## Lighting for Pedestrian Paths

The applicant's plans show no lighting along pedestrian paths. Condition of Approval PDE 9 requires the applicant to provide pedestrian-scale Philips Hadco Westbrooke lights mounted at 10 feet to provide uniform illumination along the paths, including those in Tracts D, H, J, and K. Final design and placement shall be approved by the City Engineer prior to installation.

## Mitigation for Tree Removal

The applicant must mitigate for the ~~565~~567 trees proposed for removal on a 1 to 1 basis. The City's standards for tree mitigation looks first at replacing trees on-site. As such, the applicant proposes counting the planned street trees and other landscaping trees, totaling 264 trees as mitigation, leaving a remaining mitigation requirement of ~~301~~303 trees.

If completion of tree mitigation cannot be or is not desirable on site, the City standards next look at potential off-site mitigation locations. The City does not currently have another site identified as desirable to plant the additional mitigation trees. However, the applicant is in the process of acquiring immediately adjacent property for development. Due to differing land acquisition schedules, the applicant did not include these adjacent properties with this application; however,

in the long-run these adjacent properties will likely be an extension of the proposed development. In light of the interrelatedness of this project and expected adjacent development by the same applicant, staff recommends counting any trees proposed for planting on adjoining properties above and beyond mitigation requirements for the Type C Removal Plan for adjoining properties, as mitigation for tree removal for this project. Since the number of qualifying mitigation trees on the adjacent properties is unknown, the applicant will initially pay into the City's tree fund, described below, as if no off-site mitigation is occurring. They will subsequently receive a refund per qualifying tree within their adjacent development.

If completion of tree mitigation cannot be on-site or another location approved by the City, the applicant can then pay into the City's tree fund an amount per tree established by the City. The applicant proposes, based on current bid prices, a cost of \$300 per tree for a 2" caliper deciduous or 6' conifer installed, which the City finds reasonable. The number of trees required initially for mitigation by payment into the City's Tree Fund is ~~301~~303. The total initial payment amount into the City tree fund is thus ~~\$90,300~~ \$90,900 (~~301~~303 trees x \$300).

With the large number of trees proposed for removal and planting the final tree count may differ slightly from the current proposal. Condition of Approval PDG 4 requires, prior to approval of occupancy of the final home in the subdivision, the applicant to provide a full accounting of the number of trees actually planted. Based on this accounting, the applicant will receive a refund of \$300 for each tree over 264 planted, or will pay an additional \$300 for each tree less than 264 planted.

## Conclusion and Conditions of Approval:

Staff has reviewed the Applicant's analysis of compliance with the applicable criteria. The Staff report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, Staff recommends that the Development Review Board recommend approval or approve, as relevant, the proposed application (DB18-0008 through DB18-0014, SI18-0001) with the following conditions:

### Planning Division Conditions:

#### Request A: DB18-0008 Annexation

This action recommends to the City Council approval of Annexation for the subject properties. The Zone Map Amendment (DB18-0009) and all approvals contingent on it are contingent on annexation.

**PDA 1.** The developer shall be subject to a Development and Annexation Agreement with the City of Wilsonville as required by the Frog Pond West Master Plan. The developer shall enter in the Development and Annexation Agreement prior to issuance of any public works permits by the City within the annexation area.

#### Request B: DB18-0009 Zone Map Amendment.

This action recommends adoption of the Zone Map Amendment to the City Council for the subject properties. This action is contingent upon annexation of the subject properties to the City of Wilsonville (DB18-0008). Case files DB18-0010, DB18-0011, DB18-0012, DB18-0013, DB18-0014, and SI18-0001 are contingent upon City Council's action on the Zone Map Amendment request.

#### Request C: DB18-0010 Stage I Master Plan

Approval of DB18-0010 (Stage I Master Plan) is contingent on City Council approval of the Zone Map Amendment request (DB18-0009).

No conditions for this request

#### Request D: DB18-0011 Stage II Final Plan

Approval of DB18-0011 (Stage II Final Plan) is contingent on City Council approval of the Zone Map Amendment request (DB18-0009).

**PDD 1.** The approved Stage II Final Plan (Final Plan) shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. The Planning Director through the Class I Administrative Review Process may approve minor changes to the Final Plan if such changes are consistent with the purposes and general character of the Final Plan. All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. See Finding D7.

**PDD 2.** All crosswalks shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-colored concrete inlay between asphalt, or similar contrast). See Finding D24.

<b>PDD 3.</b>	Any area, whether in a garage or in a driveway, counted as a required parking space shall have the minimum dimensions of 9 feet by 18 feet. See Finding D27.
<b>PDD 4.</b>	A waiver of remonstrance against formation of a local improvement district shall be recorded in the County Recorder's Office as well as the City's Lien Docket as part of the recordation of the final plat. See Finding D41.
<b>PDD 5.</b>	The design of the private access drives in Tracts B and C shall provide for a useful lifespan and structural maintenance schedule comparable to a public local residential street. See Finding D50.
<b>PDD 6.</b>	All travel lanes shall be constructed to be capable of carrying a twenty-three (23) ton load. See Finding D52.
<b>PDD 7.</b>	<i><u>If Tract M is developed as homes Tract K shall be fully developed as a pedestrian path as shown in the larger site plan on Sheet P2.00 of Exhibit B3. If Tract M is sold or transferred to any other party, as contemplated in Option B described in the applicant's narrative, the applicant shall still develop the path at least 5 feet wide consistent with the site plan inset labeled "Option B" on Sheet P2.00 of Exhibit B3. See Finding D21.</u></i>
<b>PDD 8.</b>	<i><u>On the Final Subdivision Plat, public pedestrian and bicycle access easements, including egress and ingress, shall be established across the entirety of all pathways located in private tracts. See Finding D21.</u></i>

## Request E: DB18-0012 Site Design Review

Approval of DB18-0012 (Site Design Review) is contingent on City Council approval of the Zone Map Amendment request (DB18-0009).	
<b>PDE 1.</b>	Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding E3.
<b>PDE 2.</b>	All landscaping required and approved by the Board for common tracts shall be installed prior to issuance of a building permit for the 24th lot, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of issuance of the permit. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding E12.

<b>PDE 3.</b>	All street trees and other right-of-way landscaping shall be installed in right-of-way fronting a lot prior to issuance of an occupancy permit for a home on the lot. See Finding E12.
<b>PDE 4.</b>	The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville's Development Code. See Finding E13.
<b>PDE 5.</b>	All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered as allowed by Wilsonville's Development Code. See Findings E14 and E15.
<b>PDE 6.</b>	<p>The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"> <li>• Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch.</li> <li>• Native topsoil shall be preserved and reused to the extent feasible.</li> <li>• Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings.</li> <li>• All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10" to 12" spread.</li> <li>• Shrubs shall reach their designed size for screening within three (3) years of planting.</li> <li>• Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum.</li> <li>• No bare root planting shall be permitted.</li> <li>• Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting.</li> <li>• Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.</li> <li>• Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding E19.</li> </ul>
<b>PDE 7.</b>	All trees shall be balled and burlapped and conform in size and grade to "American Standards for Nursery Stock" current edition. See Finding E20.
<b>PDE 8.</b>	Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City.
<b>PDE 9.</b>	Philips Hadco Westbrooke lights mounted at 10 feet shall be installed along paths, including those in Tracts D, H, J, and K, to provide uniform illumination along the

	paths. Final design and placement shall be approved by the City Engineer prior to installation. See Finding E25.
<b>PDE 10.</b>	Brick monuments consistent with Figures 44 and 47 of the Frog Pond West Master Plan and using the same brick and concrete material and coloring as the Boeckman Creek frontage wall shall be installed in the landscape strip on both sides of Willow Creek Drive at Boeckman Road. See Finding E29.
<b>PDE 11.</b>	Signage as part of the gateway signage at the intersection of Willow Creek Drive and Boeckman Road shall emphasize the broader unifying Frog Pond neighborhood identify and no individual subdivision signs shall be installed (except temporary real estate signage). See Finding E30.
<b>PDE 12.</b>	West Hills Development shall work with the developer for the other Frog Pond subdivision under review by the City (currently Pahlisch Homes) to develop a design for a unifying sign cap for use on street name signs throughout the entirety of the Frog Pond West Master Plan area. Such design shall be given to the City for production and developers will buy the signs from the City. The applicant shall submit the final design to the Planning Division and receive final approval from the Planning Division and City Engineer prior to issuance of any public works permits for the proposed development. See Finding E31.

## Request F: DB18-0013 Tentative Subdivision Plat

	Approval of DB18-0013 (Tentative Subdivision Plat) is contingent on City Council approval of the Zone Map Amendment request (DB18-0009).
<b>PDF 1.</b>	Any necessary easements or dedications shall be identified on the Final Subdivision Plat.
<b>PDF 2.</b>	The Final Subdivision Plat shall indicate dimensions of all lots, lot area, minimum lot size, easements, proposed lot and block numbers, parks/open space by name and/or type, and any other information that may be required as a result of the hearing process for the Stage II Final Plan or the Tentative Plat.
<b>PDF 3.</b>	<del>The Final Subdivision Plat shall establish a “reserved for future alley” easement on the rearmost 10 feet of Lots 39-44. Such easement shall allow for construction of an alley allowing public access associated with the development of Tract L. An easement agreement between the applicant and the City detailing the easement shall be recorded concurrently with the plat. If Tract L and land to West adjacent to the future extension of Willow Creek Drive is designed and approved by the City for homes not involving construction of an alley using the easement, the City shall vacate the easement. The rear setback for Lots 39-44 shall be from the easement area, unless the easement is vacated. See Finding F10. <i>Not used.</i></del>
<b>PDF 4.</b>	Where any street will be extended signs stating “street to be extended in the future” or similar language approved by the City Engineer shall be installed. See Finding F14.
<b>PDF 5.</b>	<i>For all public pipelines easements, public access easements, and other easements, as required by the city, shown on the Final Subdivision Plat, the applicant and the City shall enter into easement agreements on templates established by the City</i>

*specifying details of the rights and responsibilities associated with said easements and such agreements will be recorded in the real property records of Clackamas County.*

Request G: DB18-0014 Type C Tree Plan

<b>PDG 1.</b>	Approval of DB18-0014 (Type C Tree Plan) is contingent on City Council approval of the Zone Map Amendment request (DB18-0009).
<b>PDG 2.</b>	This approval for removal applies only to the <del>565-567</del> trees identified in the Applicant's submitted materials. All other trees on the property shall be maintained unless removal is approved through separate application.
<b>PDG 3.</b>	The Applicant shall submit an application for a Type 'C' Tree Removal Permit on the Planning Division's Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the Applicant shall provide the City's Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff.
<b>PDG 4.</b>	Prior to issuance of the Type 'C' Tree Removal Permit required in Condition of Approval PDG 2, the applicant shall pay an amount of <del>\$90,300</del> <b>\$90,900</b> into the City's tree fund. Adjustments to the amount paid shall be made as described in Condition of Approval PDG 4. In addition, any trees approved by the City for planting on adjoining property controlled by the applicant as part of a subdivision design may be counted as mitigation for this Tree Removal Plan if not necessary for mitigation for the proposed tree removal on said adjoining properties. In order to claim tree plantings on adjoining properties as mitigation as described herein, the applicant shall prior to the next June 15 <sup>th</sup> following issuance of the tree permit payment of the tree mitigation amount (anticipated to be June 15, 2019), submit in writing to the Planning Division a count of the planned new trees on the adjoining properties in excess of the required mitigation for tree removal on said properties. Following verification that the trees proposed for mitigation will meet City standards, the City shall refund the applicant an amount of \$300 per tree on adjoining property claimed as mitigation for this Tree Removal Plan. See Finding G24.
<b>PDG 5.</b>	Prior to approval of occupancy of the final home in the subdivision the applicant shall provide a full accounting of the number of trees actually planted. Based on this accounting, the applicant will receive a refund of \$300 for each tree over 264 planted, or will pay an additional \$300 for each tree less than 264 planted prior to approval of occupancy. In See Finding G24.
<b>PDG 6.</b>	The permit grantee or the grantee's successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees for two (2) years after the planting date. A "guaranteed" tree that dies or becomes diseased during the two (2) years after planting shall be replaced.



<p><b>PDG 7.</b> Prior to site grading or other site work that could damage trees, the Applicant/Owner shall install six-foot-tall chain-link fencing around the drip line of preserved trees. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. See Finding G26.</p>
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Request H: SI18-0001 Abbreviated SRIR Review

<p>Approval of SI18-0001 (Abbreviated SRIR Review) is contingent on City Council approval of the Zone Map Amendment request (DB18-0009).</p>
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<p>No conditions for this request</p>
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*The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City's Community Development Department or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.*

**Engineering Division Conditions:**

Request D: DB18-0011 Stage II Final Plan

<p><b>PFD 1.</b> Public Works Plans and Public Improvements shall conform to the "Public Works Plan Submittal Requirements and Other Engineering Requirements" in Exhibit C1 and to specifics as found in the Frog Pond West Master Plan (July 17, 2017).</p>
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<p><b>PFD 2.</b> Streets shall be constructed per the street type and cross section as shown in the Frog Pond West Master Plan.</p>
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<p><b>PFD 3.</b> Street A shall be constructed completely up to the current edge of the paved section of Boeckman Road. Sidewalk at the south end of Street A shall be constructed as shown on Sheet P4.00 of the preliminary plan set dated 3/26/2018. Curb and gutter shall be constructed completely up to the current edge of the Boeckman right-of-way as shown on Sheet P4.00 of the preliminary plan set dated 3/26/2018; this allows for complete construction of the ADA ramps.</p>
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<p><b>PFD 4.</b> Development of the land east of Street E is unknown at this time (Sheet P4.00 of the preliminary plan set dated 3/26/2018). Therefore, this segment of Street E will be allowed to be designed for a 5" section of asphalt and paved with a single 3" base lift with the proposed development; 2" top lift to be completed by adjacent development when it occurs. Alternately, the adjacent development would be</p>
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	required to complete a 2" grind and overlay of Street E after utility services are installed.
<b>PFD 5.</b>	<p>Applicant shall install LED street lighting in compliance with the Public Works Standards and Frog Pond West Master Plan. The street lighting shall be Westbrook style streetlights.</p> <p>The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets.</p>
<b>PFD 6.</b>	All pedestrian connections from Street G, Tract H, Tract J and Tract K shall be constructed to the proposed new right-of-way at Boeckman Road.
<b>PFD 7.</b>	Applicant shall construct a temporary, minimum 5-ft. wide hard surface pathway from the south end of Tract K to the northwest corner of the intersection of Stafford/Boeckman/Advance/Wilsonville Road. Pathway shall be located north of the proposed new right-of-way at Boeckman Road. Applicant shall be required to obtain a public sidewalk and public access easement from the owner of tax lot 31W12D 02000.
<b>PFD 8.</b>	Streets F and E(as shown on the Preliminary Plat dated 3/26/2018) are partial streets and shall be constructed with a minimum paved width of 20 feet to meet TVF&R requirements.
<b>PFD 9.</b>	With Lots 45 and 46 (as shown on the Preliminary Plat dated 3/26/2018) the City understands the applicant has an Option B of eliminating these lots and creating Tract M. Should this occur the applicant shall work with City staff in adjusting the termination points of the roadway, sidewalks, and City public utilities in Street B.
<b>PFD 10.</b>	Rainwater management components will be allowed to be located in the public right-of-way, however the applicant shall work with City staff for location and extent of these facilities, location of streetlights when adjacent to a stormwater facility, and location of street trees adjacent to a stormwater facility.
<b>PFD 11.</b>	For the stormwater facilities on Tract "G" access to the inlet and outlet structures shall be provided per the Public Works Standards (per Sec. 301.4.10 of the Public Works Standards).
<b>PFD 12.</b>	For the stormwater facilities on Tract "F" the outlet structures shall be located adjacent to the proposed Boeckman right-of-way to allow better future maintenance access.
<b>PFD 13.</b>	For the water system, two connection points to the existing water main in Boeckman Road shall be required to provide redundancy.
<b>PFD 14.</b>	Sanitary sewer within the project shall be constructed with minimum slopes to maintain maximum depths to allow greater service to undeveloped land north and east of the proposed project.

PFD 15.	For the sanitary sewer system, a temporary connection will be allowed to the existing public sanitary manhole located on the north side of Boeckman Road, opposite of Willow Creek Drive.
PFD 16.	To allow connection to the future sanitary sewer main that will be installed in Boeckman Road applicant shall construct a sanitary sewer manhole at the south edge of Street A at the current Boeckman Road right-of-way.
PFD 17.	Sanitary, storm and water public utility systems shall be extended to the northerly and easterly limits of the site.
PFD 18.	<u>All utilities planned for the Public Utility Easement (PUE) in Tracts E and I (as shown on the Preliminary Plat) shall be installed, or conduit sufficient for future planned undergrounding, with subdivision development prior to required landscaping installation so as to avoid disturbing the landscaping in these tracts during undergrounding of utilities as part of the planned Boeckman Road improvements. This condition does not modify the requirement that landscaping in these tracts be completed consistent with Condition of Approval PDE 2 except for the area occupied by the temporary sidewalk.</u>
PFD 19.	<u>Prior to issuance of the 1st building permit for the proposed subdivision, the applicant shall provide the City a cash deposit equal to 150% of the Engineer's estimate for the cost to demolish the temporary sidewalk required by PFD 7 and installation of the planned landscaping in the demolition area. Within 90 days of the applicant receiving written notice from the City the temporary sidewalk is not needed due to completion of the planned Boeckman Road improvements the applicant shall demolish the sidewalk and plant the demolition area and install irrigation consistent with the approved landscaping plan. Upon acceptable demolition of temporary sidewalk and installation of landscaping and irrigation, and submittal of a landscape warranty bond, the City will release the 150% deposit. If the applicant fails to fully perform the demolition or landscaping installation within the 90 days, the City shall use the cash deposit to complete the demolition and landscaping and will refund any excess funds or will bill the applicant for any costs in excess of the cash deposit..</u>
PFD 20.	<u>If the applicant does not develop Tract M and provide the hammerhead at the top of Tract K as shown on Sheet P.200 of Exhibit B3, the applicant shall modify their design to provide an alternative hammerhead of similar size and design in the immediate area acceptable to the City Engineer.</u>
<del>PFD 18.</del>	<u>PFD 21.</u> Applicant shall provide sufficient mail box units for this proposed development; applicant shall construct mail kiosk at a location(s) coordinated with City staff and the Wilsonville U.S. Postmaster.
<del>PFD 19.</del>	<u>PFD 22.</u> At the time of plan submittal for a Public Works Permit, the applicant shall provide to the City a copy of correspondence showing that the plans have also been distributed to the franchise utilities. Prior to issuance of a Public Works Permit, the applicant shall have coordinated the proposed locations and associated

infrastructure design for the franchise utilities. Should permanent/construction easements or right-of-way be required to construct the public improvements or to relocate a franchised utility, the applicant shall provide a copy of the recorded documents. Should the construction of public improvements impact existing utilities within the general area, the applicant shall obtain written approval from the appropriate utility prior to commencing any construction.

**PFD-20.** PFD 23. Structural retaining wall calculations shall be submitted to engineering for review and approval.

#### Request F: DB18-0013 Tentative Subdivision Plat

**PFF 1.** In the Frog Pond West Master Plan Boeckman Road is shown with an 81-foot right-of-way. Presently the Boeckman Road right-of-way is insufficient to accommodate full build-out of the roadway as depicted in the Frog Pond West Master Plan. Applicant shall be required to dedicate sufficient right-of-way along Boeckman Road frontage to provide for a total 81-foot right-of-way width. This may be more than the current 10-foot dedication as shown on the Preliminary Plat dated 3/26/2018.

**PFF 2.** Street A shall be named Willow Creek Drive. Streets C and G (as shown on the Preliminary Plat dated 3/26/2018) shall have the same name. City policy is not to change street names at an intersection.

**PFF 3.** Lots 12, 23, and 24 (as shown on the Preliminary Plat dated 3/26/2018) shall not be allowed to take vehicle access from Street A.

**PFF 4.** Lots 3, 4, 11, 12, 13, 14, 15, 16, 17 and 46 (as shown on the Preliminary Plat dated 3/26/2018) shall not be allowed to take vehicle access from Boeckman Road.

**PFF 5.** Tract C (as shown on the Preliminary Plat dated 3/26/2018) shall have public access over its entirety.

**PFF 6.** Tract A (as shown on the Preliminary Plat dated 3/26/2018) shall have public access over its entirety. Applicant shall allow the City to construct a public sidewalk across Tract A to allow access into the proposed park north of Tract A.

#### Natural Resources Division Conditions:

##### All Requests

**NR 1.** Natural Resource Division Requirements and Advisories listed in Exhibit C3 apply to the proposed development.

#### Building Division Conditions:

##### All Requests

**BD1.** Prior to construction of the subdivisions' residential homes, designated through approved planning procedures, the following conditions must be met and approved through the Building Official:

- a. Street signs shall be installed at each street intersection and approved per the public work design specifications and their required approvals.
- b. All public access roads and alleys shall be complete to "Base Lift" for access to the residential home sites.
- c. All public and service utilities to the private building lots must be installed, tested and approved by the City of Wilsonville's Engineering/ Public Works department or other service utility designee.
- d. All required fire hydrants and the supporting piping system shall be installed tested and approved by the Fire Code Official prior to model home construction. (OFC 507.5).

### Master Exhibit List:

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case File DB18-0008 through DB18-0014, SI18-0001. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

#### Planning Staff Materials

- A1. Staff report and findings (this document)
- A2. Staff's Presentation Slides for Public Hearing (to be presented at Public Hearing)
- A3. Staff Memorandum to DRB Dated May 10, 2018 Regarding Staff Report Changes
- A4. Staff Memorandum to DRB Dated May 11, 2018 Regarding Staff Report Changes Related to Potential Future Alley

#### Materials from Applicant

- B1. Land Use Application Forms
- B2. Applicant's Narrative and Appendices
  - Narrative
  - Appendix A Annexation Petitions
  - Appendix B Preliminary Stormwater Report
  - Appendix C Traffic Impact Analysis
  - Appendix D Wetland Delineation Report
  - Appendix E SRIR Report
  - Appendix F Tree Plan
  - Appendix G Geotechnical Reports
  - Appendix H Draft CC&R's
  - Appendix I Example Building Elevations

- B3.** Drawings and Plans
  - P0.00 Cover Sheet
  - L1.0 Tree Removal and Protection Plan
  - P1.00 Existing Conditions-Aerial
  - P1.10 Existing Conditions-Survey Mapping
  - P2.00 Preliminary Site Plan
  - P2.10 Preliminary Street Cross Sections
  - P3.00 Preliminary Plat
  - P4.00 Preliminary Utility Plan
  - P4.10-2.0 Utility Details
  - P5.00 Preliminary Grading Plan
  - P5.10 Retaining Wall Profiles
  - P6.00 Annexation Plan
  - P7.00 Zoning Map
  - L1.1-3 Tree Tables
  - L2.0 Landscape Site Plan
  - L2.1 Landscape Detail Plan
  - L2.2 SROZ and Pond Planting Plan
  - L2.3 SROZ Riparian Mitigation Planting Plan
  - L2.4 LIDA Facility Planting Plan
  - L3.0-1 Landscape Details and Notes
- B3.** Response to Incompleteness Memo Dates March 23, 2018
- B4.** Response to Incompleteness Memo Dates April 18, 2018
- B5.** *Memorandum Dated May 11, 2018 Requesting Removal of 2 Additional Trees and Discussing LIDA Facility Location on Lot 22*

Development Review Team Correspondence

- C1.** Email from Steve Adams
- C2.** PW Comments
- C3.** Natural Resource Requirements

Other Correspondence

None Received

### Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application on February 12, 2018. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on March 8, 2018. The applicant submitted additional material on March 26, 2018 and again on April 18, 2018. Planning Staff deemed the application complete on May 7, 2018. The City must render a final decision for the request, including any appeals, by September 4, 2018.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	RRFF-5	Rural Residential/Agriculture
East:	RRFF-5	Church/Rural Residential
South:	PDR-3, RA-H, PDR-4	Boeckman Road, Single-family residential, Church
West:	RRFF-5	Rural Residential/Agriculture

3. Previous City Planning Approvals: None
4. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

## Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

### General Information

#### Application Procedures-In General

Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

#### Initiating Application

Section 4.009

The owners of all property included in the application signed the application forms. West Hills Development initiated the application with their approval.

#### Pre-Application Conference

Subsection 4.010 (.02)

Following a request from the applicant, the City held a pre-application conference for the proposal on September 28, 2017 (PA17-0017) in accordance with this subsection.

#### Lien Payment before Approval

Subsection 4.011 (.02) B.

No applicable liens exist for the subject property. The application can thus move forward.

#### General Submission Requirements

Subsection 4.035 (.04) A.

The applicant has provided all of the applicable general submission requirements contained in this subsection.

#### Zoning-Generally

Section 4.110

This proposed development is in conformity with the applicable zoning district and general development regulations listed in Sections 4.150 through 4.199, applied in accordance with this Section.



### Request A: DB18-0008 Annexation

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

#### Comprehensive Plan-Annexation and Boundary Changes

Consistent with Future Planned Public Services  
Implementation Measure 2.2.1.a.

- A1.** The Frog Pond West Master Plan establishes the future planned public services and funding plan for the subject property. The development of public services and funding will be consistent with the Frog Pond West Master Plan thus allowing the annexation to proceed. West Hills and the City will enter into an annexation agreement detailing provision and development of public services as required by Condition of Approval PDA 1.

Demonstrated Need for Immediate Urban Growth  
Implementation Measure 2.2.1.a.

- A2.** Metro brought the subject area into the Urban Growth Boundary in 2002 to meet demonstrated regional housing needs. With adoption for the Frog Pond West Master Plan the subject area is now primed for development to help meet regional housing needs.

Adherence to State and Metro Annexation Laws and Standards  
Implementation Measures 2.2.1.e., 2.2.1.e. 3., 2.2.1.e. 4.

- A3.** This review applies all applicable Metro and Stage rules, regulations, and statutes as seen in findings below.

Orderly, Economic Provision of Public Facilities and Services  
Implementation Measure 2.2.1.e. 1.

- A4.** The Frog Pond Area Plan includes implementation measures to ensure the orderly and economic provision of public facilities and services for the Frog Pond Area, including Frog Pond West. The applicant proposed site development with concurrent applications for Stage I and Stage II Planned Unit Development and Land Division, which proposes the extension of public facilities and services to the Stafford Meadows site. These proposed services are generally consistent with the Frog Pond Area Plan and Frog Pond West Master Plan, and the City's Finance Plan and Capital Improvements Plan.

Availability of Sufficient Land for Uses to Insure Choices over 3-5 Years  
Implementation Measure 2.2.1.e. 2.

- A5.** The inclusion of the Frog Pond area within the UGB and the adoption of the Frog Pond Area Plan demonstrate the need for residential development in the Frog Pond Area. Annexation of the subject site will allow development of the uses envisioned by the adopted Frog Pond West Master Plan. .

## Wilsonville Development Code-Annexation

### Authority to Review Quasi-Judicial Annexation Requests

Subsections 4.030 (.01) A, 11, 4.031 (.01) K, 4.033 (.01) F., and 4.700 (.02)

- A6.** The review of the quasi-judicial annexation request by DRB and City Council is consistent with the authority established in the Development Code.

### Procedure for Review, Etc.

Subsections 4.700 (.01). and (.04)

- A7.** The submission materials from the applicant include an annexation petition signed by the necessary parties, a legal description and map of the land to be annexed, a narrative describing conformance with applicable criteria, and the City Council, upon recommendation from the Development Review Board, will declare the subject property annexed.

### Adoption of Development Agreement with Annexation

Subsection 4.700 (.05)

- A8.** Subject to requirements in this subsection and the Frog Pond West Master Plan Condition of Approval PDA 1 requires the necessary parties enter into an annexation development agreement with the City covering the annexed land.

## Metro Code

### Local Government Boundary Changes

Chapter 3.09

- A9.** The request is within the UGB, meets the definition of a minor boundary change, satisfies the requirements for boundary change petitions, is consistent with the Comprehensive Plan, and Frog Pond West Master Plan.

## Oregon Revised Statutes (ORS)

### Authority and Procedure for Annexation

ORS 222.111

- A10.** The request meets the applicable requirements in state statute including the facts that subject property is within the UGB, is contiguous to the City, the request has been initiated by the property owners of the land being annexed, and all property owners and a majority of electors within the annexed area consent in writing to the annexation.

### Procedure Without Election by City Electors

ORS 222.120

- A11.** The City charter does not require elections for annexation, the City is following a public hearing process defined in the Development Code, and request meets the applicable requirements in state statute including the facts that all property owners and a majority of

electors within the annexed area consent in writing to the annexation. Annexation of the subject property thus does not require an election.

#### Annexation by Consent of All Owners and Majority of Electors ORS 222.125

**A12.** All property owners and a majority of electors within the annexed area have provided their consent in writing. However, the City is following a public hearing process as prescribed in the City's Development Code concurrent with a Zone Map Amendment request and other quasi-judicial land use applications.

### Oregon Statewide Planning Goals

#### Statewide Planning Goals Goals 1, 2, 5, 6, 8, 9, 10, 11, 12, 13

**A13.** The area proposed for annexation will be developed consistent with the City's Comprehensive Plan and the Frog Pond West Master Plan, both which have been found to meet the statewide planning goals.

### Request B: DB18-0009 Zone Map Amendment

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

#### Comprehensive Plan

##### "Residential Neighborhood" on the Comprehensive Plan Map Implementation Measure 4.1.7.a.

**B1.** The subject area has a Comprehensive Plan Map Designation of "Residential Neighborhood" enabling implementation of the Frog Pond West Master Plan adopted for the subject area.

##### "Residential Neighborhood" Zone Applied Consistent with Comprehensive Plan Implementation Measure 4.1.7.c.

**B2.** The applicant requests the subject area receive the zoning designation of Residential Neighborhood (RN) as required for areas with the Comprehensive Plan Map Designation of "Residential Neighborhood".

##### Safe, Convenient, Healthful, and Attractive Places to Live Implementation Measure 4.1.4.c.

**B3.** The proposed Residential-Neighborhood zoning allows the use of planned developments consistent with a legislative Master Plan enabling development of safe, convenient, healthful, and attractive places to live.

### Residential Density

Implementation Measure 4.1.4.u.

- B4.** The subject area will be zoned Residential-Neighborhood allowing the application of the adopted residential densities of the Frog Pond West Master Plan to the subject area. The sub-districts established in the Frog Pond West Master Plan govern the allowed residential densities for the subject area. See also Request C, Stage I Preliminary Plan.

### Purpose of Residential Neighborhood Designation

Implementation Measure 4.1.7.a.

- B5.** The subject area will be zoned Residential-Neighborhood consistent with the “Residential Neighborhood” designation on the Comprehensive Plan Map. The designation enables development of the site consistent with the legislatively adopted Frog Pond West Master Plan, including creating an attractive and connected residential neighborhood, cohesive neighborhoods, high quality architecture and community design, provide transportation choices, and preserve and enhance natural resources.

### Development Code

#### Zoning Consistent with Comprehensive Plan

Section 4.029

- B6.** The applicant requests a zone change concurrently with a Stage I Master Plan, Stage II Final Plan, and other related development approvals. The proposed zoning designation of Residential Neighborhood is consistent with the Comprehensive Plan Residential Neighborhood designation. See also Finding B2 above.

#### Base Zones

Subsection 4.110 (.01)

- B7.** The requested zoning designation of Residential Neighborhood (RN) is among the base zones identified in this subsection.

### Residential Neighborhood (RN) Zone

#### Purpose of the Residential Neighborhood (RN) Zone

Subsection 4.127 (.01)

- B8.** The request to apply the Residential Neighborhood Zone on lands with the Residential Neighborhood Comprehensive Plan Map designations enables a planned development process implementing the Residential Neighborhood policies and implementation measures of the Comprehensive Plan and the Frog Pond West Master Plan.

Permitted Uses in the Residential Neighborhood (RN) Zone  
Subsection 4.127 (.02)

- B9.** Concurrent with the zone map amendment request the applicant requests approval of a single-family subdivision. Single-family dwelling units are among the permitted uses in the RN zone. In one alternative identified by the applicant, they may deed Tract M to the neighboring church for development as part of the church campus, such as parking. Churches are among the uses allowed through a Conditional Use Permit in the RN zone.

Residential Neighborhood Zone Sub-districts and Residential Density  
Subsection 4.127 (.05) and (.06)

- B10.** Concurrent with the zone map amendment request the applicant requests approval of a single-family subdivision. Single-family dwelling units are among the permitted uses in the RN zone. In one scenario identified by the applicant, they may deed Tract M to the neighboring church for development as part of the church campus, such as parking. Churches are among the uses allowed through a Conditional Use Permit in the RN zone. Alternatively, the Church could request to rezone the Tract M to the Public Facility Zone at a future date.

**Request C: DB18-0010 Stage I Preliminary Plan**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

**Comprehensive Plan**

City Support Development of Land Within City Consistent with Land Use Designation  
Goal 2.1, Policy 2.1.1., Implementation Measure 2.1.1.a., Policy 2.2.1

- C1.** The City's Comprehensive Plan, the Frog Pond Area Plan, the Frog Pond West Master Plan designate the subject property for residential use. The Frog Pond West Master Plan specifically identifies procedures for development of the subject and surrounding land, thus supportive of the development of the subject land for residential dwellings as long as proposed development meets applicable policies and standards.

Urbanization for Adequate Housing for Workers Employed in Wilsonville, Jobs and Housing Balance  
Implementation Measures 2.1.1.b., 4.1.4.l., 4.1.4.p.

- C2.** The proposal provides for urbanization of an area planned for residential use to provide additional housing within the City available to workers employed within the City. However, no special provisions or programs target the units to workers employed within the City.

### Encouraging Master Planning of Large Areas

Implementation Measure 2.1.1.b.2.

- C3. The proposed development is part of a larger area covered by the Frog Pond West Master Plan consistent with the City's policies and encouragement related to master planning.

### City Obligated to do its Fair Share to Increase Development Capacity within UGB

Implementation Measure 2.2.1.b.

- C4. The property is within the urban growth boundary and available for use consistent with its residential designation. Allowing development of the property for additional residential units supports the further urbanization and increased capacity of residential land within the Urban Growth Boundary.

### Urban Development Only Where Necessary Facilities can be Provided

Implementation Measure 3.1.2.a.

- C5. As can be found in the findings for the Stage II Final plan, the proposed development provides all necessary facilities and services consistent with the Frog Pond West Master Plan.

### Provision of Usable Open Space

Implementation Measures 3.1.11.p, 4.1.5.kk

- C6. No usable open space planned in the Frog Pond West Master Plan is within the subject area. A future application may incorporate Tract A into a potential future City park immediately to its North.

### Consistency with Street Demonstration Plans May Be Required

Implementation Measure 3.2.2

- C7. Section 4.127 requires the area subject to the Stage I Master Plan be consistent with the street demonstration plan in Figure 18 of the Frog Pond West Master Plan. The proposed street layout is generally consistent with the street demonstration plan.

### Wide Range of Housing Choices, Planning for a Variety of Housing

Policy 4.1.4., Implementation Measures 4.1.4.b., 4.1.4.c., 4.1.4.d., 4.1.4.j., 4.1.4.o.

- C8. The Frog Pond Area Plan and the Frog Pond West Master Plan identified a variety of single-family homes as the appropriate housing type for the subject area as part of the broader mix of housing in Wilsonville.

### Safe, Convenient, Healthful, and Attractive Places to Live

Implementation Measure 4.1.4.c.

- C9. The proposed planned development complies with relevant standards within the legislatively adopted Frog Pond West Master Plan enabling development of safe, convenient, healthful, and attractive places to live.

### Accommodating Housing Needs of Existing Residents

Implementation Measure 4.1.4.f.

- C10.** The applicant intends on providing a housing product attractive to existing residents of the City as a whole including current homeowners and current renters looking to purchase in a medium to high price range, similar to other nearby homes. The number of units and location context consistent with the Frog Pond West Master Plan do not lend themselves to creation of housing units at a lower price point to accommodate existing residents looking at the low to medium low price range.

### Residential Density

Implementation Measure 4.1.4.u.

- C11.** The proposed Stage I Master plan establishes residential densities consistent with the Frog Pond West Master Plan for the subject area. Findings related to Section 4.127 of the Development Code offer additional details related to conformance with residential density requirements.

## Planned Development Regulations

### Planned Development Lot Qualifications

Subsection 4.140 (.02)

- C12.** The planned 44 to 46-lot subdivision will accommodate detached single-family homes, provide functional public streets, and be surrounded by open space and recreational opportunities consistent with the purpose of Section 4.140. The subject property is 16.15 acres and is suitable for planning and development. The property is not currently nor is proposed to be zoned "PD". Concurrently with the request for a Stage I Master Plan, the applicant proposes to rezone the property to RN (Residential Neighborhood). Pursuant to the Frog Pond West Master Plan development in the RN zone follows the same planned development procedure as PDR zones.

### Ownership Requirements

Subsection 4.140 (.03)

- C13.** Owners of each of the subject properties have signed an application form included with the application.

### Professional Design Team

Subsection 4.140 (.04)

- C14.** Li Alligood of OTAK is the professional coordinator of a professional design team including all the necessary disciplines including engineers, a landscape architect, and a planner among other professionals.

### Planned Development Application Requirements Subsection 4.140 (.07)

- C15.** The City has scheduled the proposed Stage I Master Plan for a public hearing before the Development Review Board in accordance with this subsection and the applicant has met all the applicable submission requirements as follows:
- The property affected by the Stage I Master Plan is under an application by the property owners.
  - The applicant submitted a Stage I Master Plan request on a form prescribed by the City.
  - The applicant identified a professional design team and coordinator. See Finding C13.
  - The applicant stated the uses involved in the Master Plan and their locations.
  - The applicant provided the boundary information.
  - The applicant has submitted sufficient topographic information.
  - The applicant provided a tabulation of the land area to be devoted to various uses.
  - The applicant proposes a single phase of development.
  - Any necessary performance bonds will be required.

### **Standards for Residential Development in Any Zone**

#### Outdoor Recreational Area and Open Space Land Area Requirements Subsections 4.113 (.01) and (.02)

- C16.** The Frog Pond West Master Plan controls outdoor recreational area and open spaces for the subject area as well as surrounding areas. The proposed amount of open space in the proposed development is consistent with the Frog Pond West Master Plan.

### **Residential Neighborhood Zone**

#### Permitted Uses Subsection 4.127 (.02)

- C17.** The applicant proposes detached single-family homes and open spaces, allowed uses in the RN zones.

#### Residential Neighborhood Sub-districts Subsection 4.127 (.05)

- C18.** The proposed Stage I Master Plan area includes the entirety of Sub-district 3 and the majority of Sub-district 2 shown in Figure 6 of the Frog Pond West Master Plan.

#### Minimum and Maximum Residential Units Subsection 4.127 (.05)

- C19.** The Frog Pond West Master Plan establishes a range of 20 to 25 units for Sub-district 2 and 26 to 32 residential units in Sub-district 3. While the project only includes 74% of the gross



area of Sub-district 2, most the portion of the sub-district not within the project area is master planned for right-of-way and open space, so all residential units would be within the project. For Sub-district 2, the applicant proposes 18 units. An additional 6 units are anticipated combining Tract L and additional 43 feet on the adjoining property to the west, for a total of 24 units, which is within the allowed range. The project includes 100% of Sub-district 3. For Sub-district 3, the applicant proposes 26 to 28 lots, which is within the allowed range.

Parks and Open Space Beyond Master Planned Parks, R-10 and R-7 Exempt  
Subsection 4.127 (.09) B.

**C20.** The proposed Stage I Master Plan area includes only residential land designated R-10 or R-7 in the Frog Pond West Master Plan, thus the code requires no additional parks and open space beyond the SROZ open space proposed as shown in the Frog Pond West Master Plan.

### **Request D: DB18-0011 Stage II Final Plan**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

#### **Planned Development Regulations**

Planned Development Lot Qualifications  
Subsection 4.140 (.02)

**D1.** The planned 44 to 46-lot subdivision will accommodate detached single-family homes, provide functional public streets, and be surrounded by open space and recreational opportunities consistent with the purpose of Section 4.140. The subject property is 16.15 acres and is suitable for planning and development. The property is not currently nor is proposed to be zoned "PD". Concurrently with the request for a Stage I Master Plan, the applicant proposes to rezone the property to RN (Residential Neighborhood). Pursuant to the Frog Pond West Master Plan development in the RN zone follows the same planned development procedure as PDR zones.

Ownership Requirements  
Subsection 4.140 (.03)

**D2.** Owners of each of the subject properties have signed an application form included with the application.

Professional Design Team  
Subsection 4.140 (.04)

**D3.** Li Alligood of OTAK is the professional coordinator of a professional design team including all the necessary disciplines including engineers, a landscape architect, and a planner among other professionals.

## Stage II Final Plan Submission Requirements and Process

### Consistency with Comprehensive Plan and Other Plans

Subsection 4.140 (.09) J. 1.

- D4.** As demonstrated in Findings C1 through C10 under the Stage I Master Plan the project is consistent with the Comprehensive Plan. This review includes review for consistency with the Frog Pond West Master Plan.

### Traffic Concurrency

Subsection 4.140 (.09) J. 2.

- D5.** The Traffic Impact Analysis (see Appendix C of Exhibit B2) performed by the City's consultant, DKS Associates, identifies the most probable used intersections for evaluation as:

- Boeckman Road/SW Parkway Avenue
- Boeckman Road/Canyon Creek Road
- Boeckman Road/Advance Road/Stafford Road/Wilsonville Road
- Boeckman Road/Willow Creek Drive

The study intersections will continue to perform at Level of Service (LOS) D or better and thus meet City standards with the exception of the intersection of Boeckman Road and Canyon Creek Road, which will fall to a LOS E without any changes made. The City has identified fully signalizing this intersection as part of project UU-01 in the Transportation System Plan, which would allow the intersection to function at LOS A. The City has identified funding for design and construction as CIP 4206 in the proposed budgets for FY 18/19 and FY 19/20. Subsection 4.140 (.09) J. 2. allows measuring based on existing and immediately planned streets. This subsection defines immediately planned as being part of the Capital Improvement Program, and being funded for completion within two years. Based on the budget proposal described above, the future signalized intersection can be used for the purpose of determining traffic concurrency for this project.

### Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

- D6.** The applicant proposes sufficient facilities and services, including utilities, concurrent with development of the residential subdivision.

### Adherence to Approved Plans

Subsection 4.140 (.09) L.

- D7.** Condition of Approval PDD 1 ensures adherence to approved plans except for minor revisions approved by the Planning Director.

## General Residential Development Standards

### Effects of Compliance Requirements and Conditions on Cost of Needed Housing Subsection 4.113 (.14)

**D8.** No parties have presented evidence nor has staff discovered evidence that provisions of this section are in such a manner that additional conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of housing or effectively excluding a needed housing type.

### Underground Utilities Required

Subsection 4.118 (.02) and Sections 4.300 to 4.320

**D9.** The applicant proposes installation of all new utilities underground. Besides high voltage power lines unable to be undergrounded, the applicant or City will underground all existing utility lines fronting the subject properties.

### Habitat Friendly Development Practices to be Used to the Extent Practicable

Subsection 4.118 (.09)

**D10.** Consistent with City and other standards, the applicant proposes protection and enhancement of the riparian area and buffer around the headwaters of a stream within the Significant Resource Overlay Zone (SROZ). Outside the SROZ, the developer will minimize grading to only what is required to install site improvements and build homes. The applicant has designed, and will construct, water, sewer, and storm water infrastructure in accordance with the applicable City requirements in order to minimize adverse impacts on the site, adjacent properties, and surrounding resources.

## Residential Neighborhood (RN) Zone

### General Lot Development Standards

Subsections 4.127 (.08) Table 2.

**D11.** The applicant proposes lots reviewed for consistency with applicable development code standards and the Frog Pond West Master Plan. The proposed lots meet or exceed the standards of Table 2, or the applicant can meet or exceed the standards with final design, as follows:

Name of Standard	Details of Standard	Met or Exceeded	Compliance Notes
Min. Lot Size	R-10 8,000 sf R-7 6,000 sf	Yes	In Sub-district 3 (R-10), the smallest lot size is 8,032 sf. In Sub-district 3 (R-7), the smallest lot size is 6,017 sf.
Min. Lot Depth	60 feet	Yes	The smallest lot depth is 83.4 feet.
Max. Lot Coverage	R-10 40% R-7 45%	Can be met	The example floor plans submitted by the applicant have footprints ranging from approx.. 1700 to 3300

			square feet. The applicant could place one or more example floor plan on each proposed lot and not exceed max. lot coverage.
Min. Lot Width	R-10 40 feet R-7 35 feet	Yes	In Sub-district 3 (R-10), the smallest lot width is 67 feet. In Sub-district 3 (R-7), the smallest lot width is 60 feet.
Max. Bldg Height	35 feet	Can be met	The example house plans are less than 35 feet in height.
Min. Front Setback	R-10 20 feet R-7 15 feet	Can be met	By exceeding the min. lot depth, sufficient space exists to allow meeting of front setbacks.
Min. Rear Setback	R-10 20 feet R-7 15 feet	Can be met	By exceeding the min. lot depth, sufficient space exists to allow meeting of front setbacks.
Min. Side Setback	10,000 sf+, 20 feet combined. Others: 5 feet, 10 feet on corners	Can be met	By exceeding the min. lot width, sufficient space exists to allow meeting of side setbacks.
Min. Garage Setback from Street	20 feet	Can be met.	By exceeding the min. lot depth, sufficient space exists to allow meeting of front setbacks.

#### Wall and Landscaping for Lots Adjacent to Boeckman Road

Subsection 4.127 (.08) D 1. a., Figures 10-11 of the Frog Pond West Master Plan

**D12.** Submitted plans show Lots 3, 4, 11, 12-17, and optional Lot 46 adjacent to Boeckman Road. Sheets L2.0 and L2.1 show fencing a brick fence along the Boeckman Road frontage of these lots. The design and materials for the wall shown on Sheet L3.1 are consistent with Figure 10. Sheet L2.1 shows low shrubs and ornamental plants at the base of the wall and in the planted buffer area consistent with Figure 10.

Access Limits for Willow Creek Drive and Frog Pond Lane for Medium and Small Lots  
Subsection 4.127 (.08) D. 2.

**D13.** Lots fronting Willow Creek Drive south of Street C are within a large lot sub-district, thus not subject to access restrictions under this subsection. ~~Consistent with Subsection 4.236 (.02) C. Condition of Approval PDF 2 requires the rear most 10 feet of Lots 39-44 be in an easement for a potential future mid-block alley. This would enable rear access to future~~ ***Future*** lots incorporating Tract L and adjacent land to the west, ~~avoiding these~~ ***will be*** medium lots ~~from needing to~~ ***restricted from take-taking*** access from Willow Creek Drive ***if practical alternatives exist. A mid-block alley may be a practical alternative. Consistent with Subsection 4.236 (.02) C. the design of the current project must not preclude an alley***

as a practical alternative. Typically, an alley would be centered on the block. However, an alley could be fully accommodated within Tract L to serve the future development. The proposed design of this project does not thus preclude or make substantially less likely the alley alternative for the future lots. With the expected future fill of Tract L and the adjacent land to the west to raise the grade a mid block alley may be a practical alternative to access from Willow Creek Drive for these future lots.

#### Open Space Requirements

Subsection 4.127 (.09)

**D14.** As stated in Subsection 4.127 (.09) B. 1., the R-10 and R-7 sub-districts involved in the proposal are exempt from open space requirements.

Block, Access, and Connectivity Consistent with Frog Pond West Neighborhood Plan.  
Subsection 4.127 (.10) and Figures 18 and 30 Frog Pond West Master Plan

**D15.** The block size and shape, access, and connectivity of the proposed subdivision complies with Figure 18 of the Frog Pond West Master Plan or is an allowed variation as follows:

- Willow Creek Drive: Alignment consistent with Figure 18
- Streets B, C, D, E, and F: Alignments consistent with Figure 18
- Pedestrian Connections between Street B and Boeckman Road: Alignments consistent with Figure 18.
- Street G: The alignment varies from Figure 18. Street G provides the sole vehicle access to an area of the subdivision locked in by a future primary school site to the west, a land banked parcel owned by the school district to the north, the natural area to the east, and Boeckman Road to the south. The proposed alignment of Street G provides for efficient use of land surrounded by barriers to future street expansion. Figure 18 shows no through vehicle access in this area of the subdivision, thus a different street alignment that also does not provide through access provides substantially equivalent connectivity to the public, as required for a variation. The efficient use of land while providing substantially equivalent connectivity justify the variation consistent with the language of this subsection.
- Pedestrian Connections to Boeckman Road from Street G Area: Alignment consistent with Figure 18. Public connections provided from Street G via easements over private tracts.

#### Main Entrance, Garage, and Residential Design Standards

Subsections 4.127 (.14-.17)

**D16.** The proposed subdivision provides lots of sufficient size and of a typical orientation to enable the meeting of the entrance, garage, residential design, and fence standards. The City will verify compliance with the review of building permits for individual homes.

### Garage Orientation Towards Alley or Shared Driveway

Subsection 4.127(.15) B. a.

**D17.** The applicant proposes no alleys or shared driveways. However, future development may include an alley at the rear of Lots 39-44. As the applicant does not propose an alley at this time and uncertainty exists whether a future alley will exist, the garages cannot be required to face a future unknown alley. ~~Staff finds the "future alley" easement required by Condition of Approval PDF 4 to not be an alley for purposes of determining garage placement for Lots 39-44.~~ If, at a future date, a developer or property owner elects to build a garage oriented towards a future alley, the setbacks for alley-oriented garages will apply.

### Fences

Subsection 4.127 (.17)

**D18.** Where practicable columns for the Boeckman Road brick wall are at property corners. However, the design gives placement priority to equal and consistent spacing between columns to maintain a consistent look along this and other developments along Boeckman Road. The City will review other fences at the time of building permit review for individual homes to ensure height near the brick wall meets the standards of this subsection and height transitions occur at fence posts.

### Homes Adjacent to Schools, Parks and Open Space

Subsection 4.127 (.18)

**D19.** Lots 1, 2, 3, 6, and 7 are subject to this subsection. The side of Lots 1, 2, and 3 face a future primary school to the west. The front of Lots 1 and 6 face a future park to the north. The City will review the building permits for homes on Lots 1, 2, 3, and 6 to ensure compliance with the standards of this subsection. No rear lot lines face schools or parks.

## **SROZ Regulations**

### Uses and Activities Exempt from These Regulations

Section 4.139.04

**D20.** The proposed improvements related to Street G are exempt from SROZ regulations of the SROZ Ordinance as they provide access to or across a sensitive area at the location shown in the Frog Pond West Master Plan, a sub-component of Wilsonville's Comprehensive Plan. Encroachments into the SROZ from the proposed stormwater piping and outfalls are also an exempt as service connection laterals and service utility extensions. See also Request H.

## **On-site Pedestrian Access and Circulation**

### Continuous Pathway System

Section 4.154 (.01) B. 1.

**D21.** The submitted plans show sidewalks along the frontages of all lots providing a continuous pathway system throughout the proposed subdivision. The proposal provides additional

connections consistent with Figure 18 of the Frog Pond West Master Plan. The proposal enables connections to future adjacent development. The applicant proposes a temporary sidewalk connecting the path in Tract K to nearby existing sidewalks and Meridian Creek Middle School and the broader pedestrian network in the City. The City will construct additional sidewalks and bike paths along Boeckman Road with planned City led improvements. To ensure full access and function of the planned pathway system for the public, Condition of Approval PDD 8 requires public access easements across all pathways within private Tracts. In addition, two options are proposed for Tract M which impacts the extent of pathway improvements in Tract K. Condition of Approval PDD 7 clarifies the required improvements and ensures a minimum 5 foot wide path is constructed with the proposed subdivision regardless of what happens with Tract M.

#### Safe, Direct, and Convenient Pathways Section 4.154 (.01) B. 2.

**D22.** The submitted plans show sidewalk and pathways providing safe, direct, and convenient access consistent with Figure 18 of the Frog Pond West Master Plan. Conditions of Approval ensure public access to the pathways for safe, direct, and convenient access for the public. See Finding D21.

#### Vehicle/Pathway Separation Section 4.154 (.01) B. 3.

**D23.** The proposed design vertically and or horizontally separates all sidewalks and pathways from vehicle travel lanes except for driveways and crosswalks.

#### Crosswalks Delineation Section 4.154 (.01) B. 4.

**D24.** Condition of Approval PDD 2 requires all crosswalks shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-colored concrete inlay between asphalt, or similar contrast).

#### Pathway Width and Surface Section 4.154 (.01) B. 5.

**D25.** The applicant proposes all pathways to be concrete or asphalt, meeting or exceeding the 5 foot required width. Condition of Approval PDD 7 ensures all pathways, including a potential half-pathway improvement in Tract K meets the minimum width.

### Parking Area Design Standards

#### Minimum and Maximum Parking Subsection 4.155 (.03) G.

**D26.** Each dwelling unit requires 1 parking space. Between garages, driveways, each home will have at least 2 parking spaces.

Other Parking Area Design Standards  
Subsections 4.155 (.02) and (.03)

**D27.** The applicable standards are met as follows:

Standard	Met	Explanation
<b>Subsection 4.155 (.02) General Standards</b>		
B. All spaces accessible and usable for Parking	<input checked="" type="checkbox"/>	Though final design of garages and driveways is not part of the current review they are anticipated to meet the minimum dimensional standards to be considered a parking space as well as fully accessible. Condition of Approval PDD 3 requires the dimensional standards to be met.
I. Surfaced with asphalt, concrete or other approved material.	<input checked="" type="checkbox"/>	Garages and driveways will be surfaced with concrete.
Drainage meeting City standards	<input checked="" type="checkbox"/>	Drainage is professionally designed and being reviewed to meet City standards
<b>Subsection 4.155 (.03) General Standards</b>		
A. Access and maneuvering areas adequate.	<input checked="" type="checkbox"/>	The parking areas will be typical single-family design adequate to maneuver vehicles and serve the needs of the homes.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	<input checked="" type="checkbox"/>	Pursuant to Section 4.154 pedestrian circulation is separate from vehicle circulation by vertical separation except at driveways and crosswalks.

### Other General Regulations

Access, Ingress and Egress  
Subsection 4.167 (.01)

**D28.** Planned access points are typical of local residential streets. The City will approve final access points for individual driveways at the time of issuance of building permits.

Double Frontage Lots  
Subsection 4.169 (.01)

**D29.** The applicant proposes one double-frontage lot, Lot 24. The lot size is adequate to meet the front yard setback on both Street B and Street C.



## Protection of Natural Features and Other Resources

### General Terrain Preparation

#### Section 4.171 (.02)

**D30.** The design of the site avoids disturbance of the significant natural features on the site, particularly the riparian area west of Willow Creek Drive. Contractors will perform grading, filling, and excavating in accordance with the Uniform Building code. Contractors will also use erosion control measures, and stake and protect SROZ and preserved trees prior to commencement of site. Although the site generally appears to be flat, the elevation drops by 15 ft. from east to west, with a low point created by the drainage west of Willow Creek Drive. This slope necessitates a significant amount of earth-moving (grading) to provide the infrastructure needed to serve the development, as well as to prepare lots for development with single-family homes. The extent of the necessary grading requires removal of the majority of trees on the site, many of which property owners planted for agricultural purposes.

### Trees and Wooded Areas

#### Section 4.171 (.04)

**D31.** Property owners planted many of the trees on the site for agricultural purposes. The necessary grading, described in Finding D30 above, necessitates removal of most of the trees. However, the trees proposed for removal are primarily not native tree stands having stabilizing hillsides or preserving a natural scenic character. The applicant proposes extensive native tree planting within the natural area west of Willow Creek Drive to enhance the habitat and aesthetic value of the drainage area. The applicant provides details in Exhibit B5 on why a number of significant trees are not feasible to retain.

### Earth Movement Hazard Area

#### Subsection 4.171 (.07)

**D32.** The applicant states they performed geotechnical investigations on all of the subject properties and the investigation found no earth movement hazards.

### Historic Resources

#### Subsection 4.171 (.09)

**D33.** The applicant nor the City have identified any historic, cultural, or archaeological items on the sites, nor does any available information on the history of the site compel further investigation.

## Public Safety and Crime Prevention

Design for Public Safety, Addressing, Lighting to Discourage Crime  
Section 4.175

D34. The design of the Stafford Meadows development deters crime and insures public safety. The lighting of streets and pedestrian connections allow for visibility and safety. The orientation of homes toward streets provide “eyes on the street.” All dwellings will be addressed per Building and Fire Department requirements to allow identification for emergency response personnel. Dwellings will also have exterior porch lighting, which will support the streetlights to provide safety and visibility.

## Landscaping Standards

Intent and Required Materials  
Subsections 4.176 (.02) C. through I.

D35. The planting areas along the street and the open spaces within the subdivision are generally open and are not required to provide any specific screening, thus the design of the landscaping follows the general landscaping standards. The plantings include a mixture of ground cover, shrubs, trees, and stormwater swale plantings. The applicant proposes street trees consistent with the Frog Pond West Master Plan. Ground cover and shrubs cover the non-tree landscape areas.

Types of Plant Material, Variety and Balance, Use of Natives When Practicable  
Subsection 4.176 (.03)

D36. The applicant proposes a professionally designed landscape using a variety of plant material. The design includes a number of native plants, particularly in the SROZ area.

## Street Improvement Standards-Generally

Conformance with Standards and Plan  
Subsection 4.177 (.01), Figures 19-27 Frog Pond West Master Plan

D37. The proposed streets appear to meet the City’s public works standards and transportation systems plan. Further review of compliance with public works standards and transportation plan will occur with review and issuance of the Public Works construction permit. The required street improvements are consistent with the cross sections shown in the Frog Pond West Master Plan.

Street Design Standards-Future Connections and Adjoining Properties  
Subsection 4.177 (.02) A.

D38. The proposed design provides for continuation of streets, including Willow Creek Drive and Street F, consistent with the Frog Pond West Master Plan.

City Engineer Determination of Street Design and Width  
Subsection 4.177 (.02) B.

**D39.** The City Engineering Division has preliminarily found the street designs and widths as consistent with the cross sections shown in the Frog Pond West Master Plan. The Engineering Division will check final conformance with the cross sections shown in the Frog Pond West Master Plan during review of the Public Works Permit.

Right-of-Way Dedication  
Subsection 4.177 (.02) C. 1.

**D40.** The applicant proposes right-of-way dedication as part of the Tentative Subdivision Plat. See Request F.

Waiver of Remonstrance Required  
Subsection 4.177 (.02) C. 2.

**D41.** Condition of Approval PDD 4 requires a waiver of remonstrance against formation of a local improvement district be recorded in the County Recorder's Office as well as the City's Lien Docket as a part of the recordation of a final plat.

Dead-end Streets Limitations  
Subsection 4.177 (.02) D.

**D42.** The applicant proposes a dead end street exceeding 200 feet, Street G. The land adjoining the homes served by Street G contain barriers preventing future street extensions, including the riparian area west of Willow Creek Drive, a future school, a future park, and an arterial on which spacing standards would not allow additional access. 11 homes take access from Street G and private tracts with sole vehicle access via Street G, which is less than the allowed 25 homes the code allows access for via a dead end street.

**Street Improvement Standards-Clearance**

Corner Vision Clearance  
Subsection 4.177 (.02) E.

**D43.** Street locations and subdivision design allow the meeting of vision clearance standards.

Vertical Clearance  
Subsection 4.177 (.02) F.

**D44.** Nothing in the proposed subdivision design would prevent the meeting of vertical clearance standards.

## Street Improvement Standards- Interim Improvements

### Interim Improvement Standards

Subsection 4.177 (.02) G.

**D45.** The City Engineer has or will review all interim improvements to meet applicable City standards.

## Street Improvement Standards-Sidewalks

### Sidewalks Requirements

Subsection 4.177 (.03)

**D46.** The applicant proposes sidewalks along all street frontages abutting proposed lots, except along Boeckman Road, where the City will develop the sidewalks with planned street improvements. All proposed sidewalks are 5 feet wide. Condition of Approval PFD 7 requires the applicant, as an interim improvement to ensure public safety, to construct a temporary, minimum 5-ft. wide hard surface pathway from the south end of Tract K to the northwest corner of the intersection of Stafford/Boeckman/Advance/Wilsonville Road.

## Street Improvement Standards-Bicycle Facilities

### Bicycle Facility Requirements

Subsection 4.177 (.04)

**D47.** The applicant proposes 8 foot buffered bike lanes, 6-foot lane with 2-foot buffer, along Willow Creek Drive consistent with the Frog Pond West Master Plan. The City requires no specific bike facilities on local streets. A number of pathways also provide bicycle connection thru to future bike improvements on Boeckman Road. Public access to these connections is ensured by Condition of Approval PDD 8. See Finding D21. Condition of Approval PDD 7 ensures all pathways, including a potential half-pathway improvement in Tract K meets the minimum width.

## Street Improvement Standards-Transit Improvements

### Transit Improvements Requirements

Subsection 4.177 (.06)

**D48.** The applicant does not propose any transit improvements within the proposed subdivision or the Boeckman Road frontage. The 46 p.m. peak vehicles trips are less than 49 trips, the trigger for additional transit improvements.

## Residential Private Access Drives

### Access to No More Than 4 Dwelling Units

Subsection 4.177 (.07) A.

**D49.** The two proposed private access drives provide access to 2 homes and 4 homes not exceed the 4 home limit set by this subsection.

Lifespan and Structure Similar to Public Local Street for Private Access Drives  
Subsection 4.177 (.07) B.

**D50.** Condition of Approval PDD 5 ensures the design of the private access drives provide for a useful lifespan and structural maintenance schedule comparable to a public local residential street.

Addresses for Private Access Drives  
Subsection 4.177 (.07) B.

**D51.** The orientation of the homes fronting the private access drives and the short length of the drives enables addressing the homes off the nearby public street.

Access Drive Development Standards  
Subsection 4.177 (.07) D. and 4.177 (.08)

**D52.** Condition of Approval PDD 6 ensures the responsible parties keep the access drives clear and the access drives are capable of carrying a 23-ton load.

### **Street Improvement Standards- Intersection Spacing**

Offset Intersections Not Allowed  
Subsection 4.177 (.09) A.

**D53.** The applicant does not propose any offset intersections.

Transportation System Plan Table 3-2  
Subsection 4.177 (.09) B.

**D54.** The spacing of Willow Creek Drive from Stafford/Wilsonville Road aligns with the existing access to the south, is consistent with the Frog Pond West Master Plan, and approved by the City Engineer. Street spacing on Willow Creek Drive is also consistent with the Frog Pond West Master Plan. The applicant proposes no lot access directly from Willow Creek Drive.

### **Request E: DB18-0013 Site Design Review for Parks and Open Space**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

#### **Objectives of Site Design Review**

Proper Functioning of the Site, High Quality Visual Environment Meets Objectives  
Subsections 4.400 (.02) A., 4.400 (.02) C.-J., and Subsection 4.421 (.03)

**E1.** The proposed professionally designed landscaping provides stormwater, air quality, and other site functions while not interfering with utilities, sidewalks, or other site features while demonstrating consistency with the Frog Pond West Master Plan. The landscaping

also adds to the high quality visual environment. By functioning properly and contributing to a high quality visual environment, the proposed design fulfills the objectives of site design review.

#### Encourage Originality, Flexibility, and Innovation

Subsection 4.400 (.02) B. and Subsection 4.421 (.03)

- E2.** The City code affords the applicant's design team flexibility to create an original design appropriate for the site while ensuring consistency with the Frog Pond West Master Plan, particularly for street trees and the plantings along Boeckman Road.

#### Jurisdiction and Power of the DRB for Site Design Review

##### Development Review Board Jurisdiction

Section 4.420

- E3.** Condition of Approval PDE 1 ensures landscaping is carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. The City will issue no building permits prior to approval by the Development Review Board. The applicant has requested no variances from site development requirements.

#### Design Standards

##### Preservation of Landscaping

Subsection 4.421 (.01) A. and Section 4.171

- E4.** The design of the site avoids disturbance of the significant natural features on the site, particularly the riparian area west of Willow Creek Drive. Although the site generally appears to be flat, the elevation drops by 15 ft. from east to west, with a low point created by the drainage west of Willow Creek Drive. This slope necessitates a significant amount of earth-moving (grading) to provide the infrastructure needed to serve the development, as well as to prepare lots for development with single-family homes. The extent of the necessary grading requires removal of the majority of trees on the site, many of which property owners planted for agricultural purposes.

##### Surface Water Drainage

Subsection 4.421 (.01) D.

- E5.** A professionally designed drainage system demonstrates proper attention.

##### Above Ground Utility Installations

Subsection 4.421 (.01) E.

- E6.** The applicant proposes no above ground utility installations. Existing overhead lines will be undergrounded except for high voltage power lines not technically feasible to underground along Boeckman Road.

### Screening and Buffering of Special Features

Subsection 4.421 (.01) G.

- E7. No exposed storage areas, exposed machinery installations, surface areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures exist requiring screening.

### Applicability of Design Standards

Subsection 4.421 (.02)

- E8. This review applies the design standards to the proposed streetscape and open space areas, which are the portions of the proposed development subject to site design review.

### Conditions of Approval Ensuring Proper and Efficient Functioning of Development

Subsection 4.421 (.05)

- E9. Staff recommends no additional conditions of approval to ensure the proper and efficient functioning of the development.

## Site Design Review Submission Requirements

### Submission Requirements

Section 4.440

- E10. The applicant has provided a sufficiently detailed landscape plan and street tree plan to review the streetscape and open space areas subject to site design review. The applicant's design team has coordinated the design of the landscaping along the Boeckman Road frontage with the proposed Morgan Farm development fronting Boeckman Road to the west.

## Time Limit on Site Design Review Approvals

### Void after 2 Years

Section 4.442

- E11. The applicant has indicated that they will pursue development within 2 years. The approval will expire after 2 years if not vested, or an extension is not requested and granted, consistent with City Code.

## Installation of Landscaping

### Landscape Installation or Bonding

Subsection 4.450 (.01)

- E12. Condition of Approval PDE 2 ensures all landscaping in common tracts shall be installed prior to issuance of a building permit for the 24th lot, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings

account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant. Condition of Approval PDE 3 further requires all street trees and other right-of-way landscaping be installed in right-of-way fronting a lot prior to issuance of an occupancy permit for a home on the lot.

#### Approved Landscape Plan Subsection 4.450 (.02)

- E13.** Condition of Approval PDE 4 ensures the approved landscape plan is binding upon the applicant. It prevents substitution of plant materials, irrigation systems, or other aspects of an approved landscape without official action of the Planning Director or Development Review Board, as specified in this Code.

#### Landscape Maintenance and Watering Subsection 4.450 (.03)

- E14.** Condition of Approval PDE 5 ensures continual maintenance of the landscape, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered with appropriate City approval.

#### Modifications of Landscaping Subsection 4.450 (.04)

- E15.** Condition of Approval PDE 5 provides ongoing assurance by preventing modification or removal without the appropriate City review.

### **Natural Features and Other Resources**

#### Protection Section 4.171

- E16.** The proposed design of the site provides for protection of natural features and other resources consistent with the proposed Stage II Final Plan for the site as well as the purpose and objectives of site design review. See Findings D30 and D33 under Request D.

### **Landscaping**

#### Landscape Standards Code Compliance Subsection 4.176 (.02) B.

- E17.** The applicant requests no waivers or variances to landscape standards. Thus all landscaping and screening must comply with standards of this section.



### Intent and Required Materials

Subsections 4.176 (.02) C. through I.

**E18.** The general landscape standard applies throughout different landscape areas of the site and the applicant proposes landscape materials to meet each standard in the different areas. Site Design Review is being reviewed concurrently with the Stage II Final Plan which includes an analysis of the functional application of the landscaping standards. See Finding D35 under Request D.

### Quality and Size of Plant Material

Subsection 4.176 (.06)

**E19.** A note on the landscape plans ensures the quality of the plant materials will meet American Association of Nurserymen (AAN) standards. Trees are specified at 2" caliper or greater than 6 foot for evergreen trees. Shrubs are all specified 2 gallon or greater in size. Ground cover is all specified as greater than 4". Turf or lawn is used for minimal amount of the proposed public landscape area. Condition of Approval PDE 6 ensures other requirements of this subsection are met including use of native topsoil, mulch, and non-use of plastic sheeting,

### Landscape Installation and Maintenance

Subsection 4.176 (.07)

**E20.** The installation and maintenance standards are or will be met by Condition of Approval PDE 7 as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival.
- Plants that die are required to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City.
- Irrigation Notes on the applicant's Sheet L2.1 of Exhibit B3 provides for irrigation.

### Landscape Plans

Subsection 4.176 (.09)

**E21.** The applicant's submitted landscape plans in Exhibit B3 provide the required information.

### Completion of Landscaping

Subsection 4.176 (.10)

**E22.** The applicant has not requested to defer installation of plant materials.

## Public Lighting Plan

### Lighting of Key Intersections

Key Intersections, page 77 and Figure 42 of Frog Pond West Master Plan

**E23.** Figure 42 of the Frog Pond West Master Plan identifies the intersection of Willow Creek Drive and Boeckman Road as a key intersection for the purposes of public lighting. The applicant proposes Westbrooke fixtures identified for local streets in the Frog Pond West Master Plan. Using Westbrooke fixture at this key intersection and along Willow Creek Drive helps achieve the goals within this transition zone, including minimizing visual conflicts between the different styles of lighting equipment. Because the street lighting has been designed to meet the guidelines established in the American National Standard Practice for Roadway Lighting (RP-8-00) per the City's 2015 Public Works Standards, the intersection with Boeckman Road will be more brightly-lit than Willow Creek Drive, therefore acting as a wayfinding 'beacon' for all travelers. Lastly, the placement of light poles at the intersection and along Willow Creek Drive has been coordinated with the landscape gateway features. The pole placement will not interfere the proposed gateway landscaping shown in Sheet L2.1.

### Lighting of Local Streets

Key Intersections, page 78 and Figure 42 of Frog Pond West Master Plan

**E24.** Local streets use the dark sky friendly Phillips Hadco Westbrooke with a professionally designed layout to minimize negative effects on future homes, provide for safety, and use a consistent design established by the Frog Pond West Master Plan.

### Lighting of Pathways

Pedestrian Connections, Trailheads and Paths, page 80 and Figure 42 of Frog Pond West Master Plan

**E25.** The applicant's plans show no lighting along pedestrian paths. Condition of Approval PDE 9 requires the applicant to provide pedestrian-scale Philips Hadco Westbrooke lights mounted at 10 feet to provide uniform illumination along the paths, including those in Tracts D, H, J, and K. Final design and placement shall be approved by the City Engineer prior to installation.

## Street Tree Plan

### Primary Streets Street Trees

Primary Streets, page 81 and Figure 43 of Frog Pond West Master Plan

**E26.** Figure 43 of the Frog Pond West Master Plan identifies Willow Creek Drive and Street F as Primary Streets for the purpose of the street tree plan. The applicant proposes Northern Red Oak along the entire length of Willow Creek Drive and American Linden along the entire length of Street F, both trees listed for primary streets on page 81 of the Frog Pond West Master Plan.

### Neighborhood Streets Street Trees

Neighborhood Streets, page 82 and Figure 43 of Frog Pond West Master Plan

**E27.** Figure 43 of the Frog Pond West Master Plan identifies all other streets besides Willow Creek Drive and Street F as Neighborhood Streets for the purpose of the street tree plan. All the proposed street trees are on the list on page 82 of the Frog Pond West Master Plan and otherwise meet the Frog Pond Master Plan as follows:

- East-West Street B has Red Sunset Maple along its entire length
- East-West portion of Street G has Katsura along its entire length
- North-South portion of Street G has Chinese Pistache along its entire length
- North South Street D has Skycole Honeylocust along its entire length
- North-South Street E has Yellowwood along its entire length

### Pedestrian Connections Street Trees

Neighborhood Streets, page 83 and Figure 43 of Frog Pond West Master Plan

**E28.** The applicant proposes Bowhall Red Maple along pedestrian pathways consistent with the list on page 83 of the Frog Pond West Master Plan.

## Gateways, Monuments and Signage

### Neighborhood Gateways

Table 3 and Figures 44, 45, 47 of Frog Pond West Master Plan

**E29.** The Frog Pond West Master Plan identifies the Willow Creek Drive/Boeckman Road intersection as a neighborhood gateway. As required by the Master Plan the applicant proposes a simple brick sign blending with the Boeckman Creek frontage wall. Proposed lettering is at a scale appropriately proportionate to the brick feature and high enough to avoid conflicts with low lying landscaping in front of the sign. Condition of Approval PDE 10 requires brick monuments be added to the landscape strip on both sides of Willow Creek Drive consistent with Figures 44 and 47 of the Frog Pond West Master Plan. The monuments will use the same brick and concrete material and coloring as the Boeckman Road frontage wall.

Unifying Frog Pond Name, Gateway Signs, Prohibition on Individual Subdivision Signs  
Page 92 of the Frog Pond West Master Plan

**E30.** The neighborhood gateway at Willow Creek Drive and Boeckman Road is one of only two neighborhood gateways, the other being Frog Pond Lane at Stafford Road. The proposed gateway will serve as the gateway to many subdivisions within the Frog Pond neighborhood, not just the subject subdivision. As such, subdivision specific signage is not appropriate. As required by Condition of Approval PDE 11 the gateway shall emphasize the broader unifying Frog Pond neighborhood identity and no individual subdivision signs shall be installed (except temporary real estate signage).

Unifying Frog Pond Name, Sign Caps on Street Signs

Page 92 of the Frog Pond West Master Plan

- E31.** As proposed by the applicant and required by Condition of Approval PDE 12, the developer of Stafford Meadows shall work with the developer of the proposed Morgan Farm subdivision to develop a design of a unifying sign cap for use throughout the entirety of the Frog Pond West Master Plan. Such design will be given to the City for production and developers will buy the signs from the City to ensure uniformity throughout the Frog Pond West neighborhood. The applicant shall submit the final design to the Planning Division and receive final approval from the Planning Division and City Engineer prior to issuance of any public works permits.

## Request F: DB18-0013 Tentative Subdivision Plan

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Land Division Authorization

Plat Review Authority  
Subsection 4.202 (.01) through (.03)

- F1.** The Development Review Board is reviewing the tentative subdivision according to this subsection. The Planning Division will review the final plat under the authority of the Planning Director to ensure compliance with the DRB review of the tentative subdivision plat.

Undersized Lots Prohibited  
Subsection 4.202 (.04) B.

- F2.** The proposed land division does not divide lots into smaller sizes than allowed by the RN zone for the respective sub-districts of the Frog Pond West Master Plan. See Finding D11 under Request D.

### Plat Application Procedure

Pre-Application Conference  
Subsection 4.210 (.01)

- F3.** The applicant requested and attended a pre-application conference in accordance with this subsection.

Tentative Plat Preparation  
Subsection 4.210 (.01) A.

- F4.** Following gathering information from Planning Staff, the appropriate professionals from the applicant's design firm, OTAK, prepared the tentative plat.

Tentative Plat Submission  
Subsection 4.210 (.01) B.

- F5.** The applicant has submitted a tentative plat with all the required information.

Phases to Be Shown  
Subsection 4.210 (.01) D.

- F6.** The applicant proposes development in a single phase with subsequent home development pursuant to the market and other factors.

Remainder Tracts  
Subsection 4.210 (.01) E.

F7. The tentative plat accounts for all land within the plat area as lots, tracts, or right-of-way.

### Street Requirements for Land Divisions

Master Plan or Map Conformance  
Subsection 4.236 (.01)

F8. As found in other findings in this report, the land division is in harmony with the Transportation Systems Plan, Frog Pond West Master Plan, and other applicable plans.

Adjoining Streets Relationship  
Subsection 4.236 (.02) A.

F9. The proposed plat enables the extension of streets consistent with the Frog Pond West Master Plan.

Planning for Further Land Divisions  
Subsection 4.236 (.02) C.

F10. ~~Condition of Approval PDF 3 requires the rear most 10 feet of Lots 39-44 be in an easement for a potential future mid-block alley, enabling rear access to future *Future* lots incorporating Tract L and adjacent land to the west to avoid these *will be* medium lots from needing to *avoid take-taking* access from Willow Creek Drive, a collector. Subsection 4.127(.08) D. 2. requires these future lots not take access from Willow Creek Drive unless no practical alternative exists for access. With the expected future fill of Tract L and the adjacent land to the west to raise the grade a mid-block alley may be a practical alternative to access from Willow Creek Drive for these future lots. *However, a future design could fully accommodate the mid-block alley on Tract L and no addition considerations for this proposed plat are necessary.* See also Findings D13 and D17 under Request D.~~

Streets Standards Conformance  
Subsection 4.236 (.03)

F11. As part of the Stage II Final Plan approval, see Request D, the streets conform with Section 4.177 and block sizes established in the Frog Pond West Master Plan.

Topography  
Subsection 4.236 (.05)

F12. No street alignment adjustments from the Frog Pond West Master Plan are necessary due to topographic conditions.

Reserve Strips  
Subsection 4.236 (.06)

F13. The City is not requiring any reserve strips for the reasons stated in this subsection.

### Future Street Expansion

Subsection 4.236 (.07)

- F14.** Where the Frog Pond West Master Plan shows street extensions the tentative plat extends the right-of-way to the edge of the plat. Condition of Approval PDF 4 requires signs stating “street to be extended in the future” or similar language approved by the City Engineer.

### Additional Right-of-Way

Subsection 4.236 (.08)

- F15.** Condition of Approval PFF 1 ensures dedication of sufficient right-of-way for planned improvements along Boeckman Road.

### Street Names

Subsection 4.236 (.09)

- F16.** The only known street name for the subdivision is Willow Creek Drive for Street A as it aligns with Willow Creek Drive to the south of Boeckman Road. The City Engineer will check all other street names to not be duplicative of existing street names and otherwise conform to the City’s street name policy at the time of the Final Plat review.

## General Land Division Requirements-Blocks

### Blocks for Adequate Building Sites in Conformance with Zoning

Subsection 4.237 (.01)

- F17.** The proposed blocks substantially conform to Figure 18 of the Frog Pond West Master Plan. See Finding D15 under Request D. The proposed blocks allow for lots meeting the minimum size and other dimensions standards for the relevant sub-districts of the Frog Pond West Master Plan. See Finding D11 under Request D.

## General Land Division Requirements- Easements

### Utility Line Easements

Subsection 4.237 (.02) A.

- F18.** As will be further verified during the Public Works Permit review and Final Plat review, the applicant will install all utility lines in right-of-way or dedicated easements. Franchise utility providers will install their lines within public utility easements established on the plat.

### Water Courses

Subsection 4.237 (.02) B.

- F19.** The applicant proposes dedicated tracts for the drainage way and associated riparian area west of Willow Creek Drive.

## General Land Division Requirements- Pedestrian and Bicycle Pathways

Mid-block Pathways Requirement  
Subsection 4.237 (.03)

**F20.** The applicant proposes 10 foot pedestrian paths where required for consistency with the Frog Pond West Master Plan. Condition of Approval PDD 8 ensures public access to these paths. See Finding D21.

## General Land Division Requirements- Tree Planting

Tree Planting Plan Review and Street Tree Easements  
Subsection 4.237 (.03)

**F21.** The City is reviewing the tree planting plan concurrently with the final plat, see Requests D and E. The proposal does not require any street tree easements as the applicant proposes all street trees within the public right-of-way.

## General Land Division Requirements- Lot Size and Shape

Lot Size and Shape Appropriate  
Subsection 4.237 (.05)

**F22.** The size, width, shape, and orientation of lots comply with the identified sub-districts in the Frog Pond West Master Plan. See Finding D11 in Request D.

## General Land Division Requirements- Access

Minimum Street Frontage  
Subsection 4.237 (.06)

**F23.** The full width of the front lot line of each lot fronts a public street or private drive. Each lot meets or exceeds the minimum lot width at the front lot line. See Finding D11 in Request D.

## General Land Division Requirements- Other

Through Lots  
Subsection 4.237 (.07)

**F24.** The proposed subdivision minimizes through lots, with only Lot 22 being a through lot. The through lot is not avoidable due to the block configuration established by Figure 18 of the Frog Pond West Master Plan and the desired size of the subject lot, which is permissible under the RN zone as long as the proposal meets the minimum lot count for the sub-district, which it does.



**Lot Side Lines**

Subsection 4.237 (.08)

**F25.** Almost all side lot lines run at a 90-degree angle to the front line. Angles and curves of streets necessitate the exceptions, including Lots 19, 20, 22, 23, 24, and 26.

**Large Lot Land Divisions**

Subsection 4.237 (.09)

**F26.** Lot 22 is of sufficient size for future division while meeting minimum lot size standards. An additional lot resulting from a future division of Lot 22 would still result in the number of units in Sub-district 10 being within the range allowed in Table 1 of the Frog Pond West Master Plan.

**Corner Lots**

Subsection 4.237 (.13)

**F27.** All corner lots have radii exceeding the 10-foot minimum.

**Lots of Record****Lots of Record**

Section 4.250

**F28.** The applicant provided documentation all subject lots are lots of record.

### **Request G: DB18-0014 Type C Tree Removal Plan**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

**Type C Tree Removal****Review Authority When Site Plan Review Involved**

Subsection 4.610.00 (.03) B.

**G1.** The requested tree removal is connected to site plan review by the Development Review Board. Review is thus under the authority of the DRB.

**Reasonable Timeframe for Removal**

Subsection 4.610.00 (.06) B.

**G2.** It is understood the tree removal will be completed by the time the applicant completes construction of all homes and other improvements in the subdivision, which is a reasonable time frame for tree removal.

Security to Ensure Compliance  
Subsection 4.610.00 (.06) C.

- G3.** As allowed by Subsection 1 the City is waiving the bonding requirement as the application is required to comply with WC 4.264(1).

**General Standards for Tree Removal, Relocation or Replacement**

Preservation and Conservation  
Subsection 4.610.10 (.01) B.

- G4.** The design of the site avoids disturbance of the significant natural features on the site, particularly the riparian area west of Willow Creek Drive. Although the site generally appears to be flat, the elevation drops by 15 ft. from east to west, with a low point created by the drainage west of Willow Creek Drive. This slope necessitates a significant amount of earth-moving (grading) to provide the infrastructure needed to serve the development, as well as to prepare lots for development with single-family homes. The extent of the necessary grading requires removal of the majority of trees on the site, many of which property owners planted for agricultural purposes. The applicant proposes to preserve 11 trees. Four of those trees (2 Ponderosa Pine and 2 Kwanzan Cherry) are located adjacent to the existing Wehler home on Lots 22 and 25. A Douglas Fir located northwest of the Willow Creek Drive and Boeckman Road intersection Six Douglas Firs are proposed for protection along the western boundary of Tract L. However, these six trees are likely to be removed as part of future subdivision proposals.

Development Alternatives to Retain Trees  
Subsection 4.610.10 (.01) C.

- G5.** The Frog Pond West Master Plan provides clear direction for street connections, residential densities, and preservation of the SROZ. Preservation and conservation of the tree plantation on site, while addressing the requirements of the Frog Pond West Master Plan, is not feasible. The future dwelling on Lot 22 will be sited to avoid impacts to the Ponderosa Pine and Kwanzan Cherry trees on site, and the stormwater facility within Tract G has been sited to allow retention of a Douglas Fir tree.

Land Clearing Limited to Right-of-Way and Areas Necessary for Construction  
Subsection 4.610.10 (.01) D.

- G6.** Proposed clearing is necessary for streets, alleys, homes, and related improvements.

Residential Development to Blend into Natural Setting  
Subsection 4.610.10 (.01) E.

- G7.** Preservation and enhancement of the SROZ area allows the development to blend with the significant natural elements of the property. The project area is otherwise relatively flat land without significant natural features with which to blend.

Compliance with All Applicable Statutes and Ordinances  
Subsection 4.610.10 (.01) F.

**G8.** This standard is broad and duplicative. As found elsewhere in this report, the City is applying the applicable standards.

Tree Relocation and Replacement, Protection of Preserved Trees  
Subsection 4.610.10 (.01) G.

**G9.** Reviews of tree removal, replacements, and protection is in accordance with the relevant sections related to replacement and protection.

Tree Removal Limitations  
Subsection 4.610.10 (.01) H.

**G10.** The proposed tree removal is due to health or necessary for construction.

**Additional Standards for Type C Permits**

Tree Survey and Tree Maintenance and Protection Plan to be Submitted  
Subsection 4.610.10 (.01) I. 1.-2.

**G11.** The applicant submitted the required Tree Survey Maintenance and Protection Plan.

Utilities Locations to Avoid Adverse Environmental Consequences  
Subsection 4.610.10 (.01) I. 3.

**G12.** The Composite Utility Plan shows a design to minimize the impact upon the environment to the extent feasible given existing conditions, particular the natural drainage area. The City will further review utility placement in relation to the drainage area and preserved trees during review of construction drawings and utility easement placement on the final plat.

**Type C Tree Plan Review**

Tree Removal Related to Site Development at Type C Permit  
Subsection 4.610.40 (.01)

**G13.** The review of the proposed Type C Tree Plan is concurrent with other site development applications.

Standards and Criteria of Chapter 4 Applicable  
Subsection 4.610.40 (.01)

**G14.** This standard is broad and duplicative. As found elsewhere in this report, this review applies applicable standards.

Application of Tree Removal Standards Can't Result in Loss of Development Density  
Subsection 4.610.40 (.01)

**G15.** Review of the proposal allows residential unit counts consistent with the Frog Pond West Master Plan.

Development Landscape Plan and Type C Tree Plan to be Submitted Together  
Subsection 4.610.40 (.01)

**G16.** The applicant submitted the Type C Tree Plan concurrently with the landscape plan for the proposed development.

Type C Tree Plan Review with Stage II Final Plan  
Subsection 4.610.40 (.01)

**G17.** Review of the proposed Type C Tree Plan is concurrent with the Stage II Final Plan. See Request D.

Required Mitigation May Be Used to Meet Landscaping Requirements  
Subsection 4.610.40 (.01)

**G18.** The applicant proposes counting the proposed street trees and other landscaping trees as a portion of the mitigation for removal.

No Tree Removal Before Decision Final  
Subsection 4.610.40 (.01)

**G19.** Review of The proposed Type C Tree Plan is concurrent with other necessary land use approvals. The City will not issue any tree removal permit prior to final approval of concurrent land use requests and annexation into the City. While the land is currently under jurisdiction of Clackamas County, Condition of Approval PDG 2 binds the applicant to no tree removal on the properties, except for hazardous situations unrelated to development, prior to issuance of the post-annexation tree removal permit by the City.

Tree Maintenance and Protection Plan Submission Requirements  
Section 4.610.40 (.02)

**G20.** The applicant submitted the necessary copies of a Tree Maintenance and Protection Plan.

**Tree Relocation, Mitigation, or Replacement**

Tree Replacement Required  
Subsection 4.620.00 (.01)

**G21.** Consistent with the tree replacement requirements for Type C Tree Removal Permits established by this subsection, the applicant proposes to either plant mitigation trees or pay into the City's tree fund consistent with Subsection 4.620.00 (.06).

Replacement Requirement: 1 for 1, 2" Caliper  
Subsection 4.620.00 (.02)

**G22.** The applicant proposes mitigation of removed trees on the basis of 1 tree for each tree removed. Staff does not recommend any inch per inch mitigation. The applicant's plans, see Sheets L2.0 and L2.2 of Exhibit B3, show all trees proposed for planting as mitigation as 2" caliper, or the equivalent 6-8' for conifer trees. The proposed Oregon White Oak, are smaller than 2" caliper, however as allowed by this subsection, the unique value of Oregon White Oak and the general lack of nursery stock of 2" plus caliper Oregon White Oak, allows the proposed 1 ¾" caliper Oregon White Oak to count as mitigation.

Replacement Plan and Tree Stock Requirements  
Subsections 4.620.00 (.03) and (.04)

**G23.** Review of the tree replacement and mitigation plan is prior to planting and in accordance with the Tree Ordinance, as established by other findings in this request. The applicant's landscape plans show tree stock meeting the tree stock requirements.

Replacement Trees, City Tree Fund  
Subsection 4.620.00 (.05)

**G24.** The applicant proposes removal of ~~565~~567 trees 6 inches or greater dbh, many of which are plantation grown. The applicant proposes 264 street trees and other site trees, which partially meet the replacement/mitigation requirement. Insufficient space exists on site to replant the remainder trees in a desirable manner.

The City does not currently have another site identified as desirable to plant the additional mitigation trees. However, the applicant is in the process of acquiring immediately adjacent property for development. In the long-run these adjacent properties will be an extension of the proposed development. The primary reason they are different proposals is land acquisition schedules. In light of the interrelatedness of this project and expected adjacent development by the same applicant staff recommends any trees proposed for planting on these adjoining properties above and beyond mitigation requirements for the Type C Removal Plan for those properties, can be counted as mitigation for tree removal for this project. The adjacent property is considered a "location approved by the City" as referenced in Subsection (.05) B. However, it is not practical for the City to hold the mitigation money long-term. Thus the ability to count proposed tree plantings on adjacent properties as mitigation for this project expires the June 30th following payment of the tree mitigation fee described below (anticipated to be June 30, 2019) to correspond with the end of the City's fiscal year.

The applicant requests a tree credit of ~~19~~11 trees for preserved trees. Subsection 4.176 (.06) F. allows a landscape tree credit for preserved trees. However, no code language establishes an allowance for tree credits to count as mitigation for tree removal. The typical application for this code is in parking areas where a certain number of trees are required based on the

number of parking spaces. If proposals preserve a large tree in these cases, fewer new trees need to be planted. However, if an applicant has a grove of 6 mature trees, and removes 5, the code does not establish the ability to avoid mitigating for the 5 removed trees by applying a tree credit from the one preserved tree. Staff is not aware of any circumstances where preserved tree credits were used as mitigation for tree removal. The applicant proposes paying into the City's tree fund as mitigation for the remaining ~~282~~292 trees (~~565~~567 trees removed-264 planted trees-~~19~~11 tree credits=~~282~~292). However, adding back the ~~19~~11 tree credits, the number of trees to base the payment on is ~~301~~303 (~~282~~292+~~19~~11). The applicant proposes, based on current bid prices, a cost of \$300 per tree for a 2" caliper deciduous or 6' conifer installed. The total payment amount into the City tree fund is ~~\$90,300~~\$90,900. This amount will be paid prior to issuance of the Type C Tree Permit by Planning staff.

With the large number of trees proposed for removal and planting the final tree count may differ slightly from the current proposal. Condition of Approval PDG 4 requires, prior to approval of occupancy of the final home in the subdivision the applicant shall provide a full accounting of the number of trees actually planted. Based on this accounting, the applicant will receive a refund of \$300 for each tree over 264 planted, or will pay an additional \$300 for each tree less than 264 planted prior to approval of occupancy.

### Tree Protection During Construction

Tree Protection During Construction  
Section 4.620.10

**G25.** Condition of Approval PDG 6 ensures tree protection measures, including fencing are in place consistent with Public Works Standards Detail Drawing RD-1240.

### Request H: SI 18-0001 Abbreviated SRIR Review

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

#### Findings of Fact:

1. Pursuant to Section 4.139.10.01(D) (Significant Resource Overlay Zone Map Refinement), the applicant may propose to amend the Significant Resource Overlay Zone (SROZ) boundary through a Development Review Board quasi-judicial zone change where more detailed information is provided. The Frog Pond West Master Plan identified a conceptual SROZ boundary, which the applicant is proposing to refine as part of their land use application.
2. The stream and riparian corridor west of Willow Creek Drive comprises the upper reach of the West fork of Meridian Creek (Site ID Number 2.15S). The delineated wetlands (i.e., wetland A and wetland B) were not included in the City's Natural Resources Inventory and do not qualify as locally significant due to their size (i.e., less than 0.5 acre). However, these

wetlands may be considered jurisdictional and subject to regulation by the Oregon Department of State Lands and the Army Corps of Engineers.

3. The stream and riparian corridor, inclusive of the wetland A, is 0.15 acres. The stream is an intermittent stream, with an average width of 4 to 6 feet, which flows from north to south. The stream originates offsite to the north and receives surface water from the surrounding pastures and agricultural fields. Typical vegetation includes herbaceous plants, such as plantain, foxtail, parsley, mannagrass, sedge, and a few scattered wild rose shrubs.
4. The Significant Resource Overlay Zone ordinance prescribes regulations for development within the SROZ and its associated 25-foot Impact Area. Setbacks from significant natural resources implement the requirements of Metro Title 3 Water Quality Resource Areas, Metro Title 13 Nature in Neighborhoods, and Statewide Planning Goal 5. Secondary Protected Water Features, with drainage areas between 50 and 100 acres and adjacent slopes of less than 25% are assigned a vegetated corridor width of 15 feet. All significant natural resources have a 25-foot Impact Area. Development or other alteration activities may be permitted within the SROZ and its associated 25 foot Impact Area through the review of a Significant Resource Impact Report (SRIR).
5. Pursuant to the city's SROZ ordinance, development is only allowed within the Area of Limited Conflicting Use (ALCU). The ALCU is located between the riparian corridor boundary, riparian impact area or the Metro Title 3 Water Quality Resource Area boundary, whichever is furthest from the wetland or stream, and the outside edge of the SROZ, or an isolated significant wildlife habitat (upland forest) resource site.
6. The applicant's Significant Resource Impact Report delineated specific resource boundaries and analyzed the impacts of development within the SROZ. The applicant's SRIR contained the required information, including an analysis and development recommendations for mitigating impacts.

### **Exempt Uses in SROZ**

#### Use and Activities Exempt from These Regulations

Section 4.139.04

**H1.** Proposed exempt development in the SROZ and its associated 25-foot Impact Area comply with the following exemptions:

- (.18) Private or public service connection laterals and service utility extensions.
  1. The stormwater pipes and outfalls are necessary for conveying treated and controlled runoff to stream west of Willow Creek Drive.
- (.20) The installation of public streets and utilities specifically mapped within a municipal utility master plan, the Transportation Systems Plan or a capital improvement plan.

1. The streets are necessary to establish and improve the internal and external road network. The streets are consistent with the intent of the City's planning documents.

**Section 4.139.06 (.03) SRIR Review Criteria:**

**In addition to the normal Site Development Permit Application requirements as stated in the Planning and Land Development Ordinance, the following standards shall apply to the issuance of permits requiring an SRIR. The SRIR must demonstrate how these standards are met in a manner that meets the purposes of this Section.**

Development permitted only within the Area of Limited Conflicting Use  
Subsection 4.139.06 (.03) A.

- H2.** The proposed exempt development is located within the SROZ, but not a designated Area of Limited Conflicting Use. Only exempt development is allowed within a stream (riparian) corridor or locally significant wetlands.

Development not permitted within Metro's Urban Growth Management Functional Plan Title 3 Water Quality Resource Areas boundary  
Subsection 4.139.06 (.03) B.

- H3.** The proposed exempt development is allowed within Metro's Title 3 Water Quality Resource Areas boundary.

No more than five (5) percent of the Area of Limited Conflicting Use may be impacted by a development proposal.  
Subsection 4.139.06 (.03) C.

- H4.** The proposed SROZ boundary does not include an Area of Limited Conflicting Use.

Mitigation of the area to be impacted shall be consistent with SROZ Regulations

Subsection 4.139.06 (.03) D.

- H5.** The proposed mitigation is consistent with the development code provisions. The mitigation will provide an enhancement to the stream riparian corridor through the planting of native trees and shrubs.

The impact on the Significant Resource is minimized by limiting the degree or magnitude of the action, by using appropriate technology or by taking affirmative steps to avoid, reduce or mitigate impacts;  
Subsection 4.139.06 (.03) E.

- H6.** The impacts to the SROZ have been minimized by reducing the width of the proposed Street C from 52 to 31 feet in width. In addition, the proposed box culvert will reduce the amount of excavation and fill material needed for culvert installation.



The stormwater pipe and outfall impacts will primarily be temporary impacts, with only minor impacts associated with the riprap pads.

#### On-Site Mitigation

Subsection 4.139.06 (.03) F.

**H7.** Impacts to the SROZ will be mitigated for on-site.

#### Material for non-structural fill

Subsection 4.139.06 (.03) G.

**H8.** Non-structural fill will consist of natural materials similar to the soil types found on the site.

#### Minimum Fill

Subsection 4.139.06 (.03) H.

**H9.** The amount of fill has been minimized to the extent practicable.

Minimize turbidity during construction, stream turbidity not be significantly increased by development

Subsection 4.139.06 (.03) I.

**H10.** All proposed grading activities on-site will be managed pursuant to guidelines established and identified in the applicant's approved erosion control plan and a 1200-C Erosion Control Permit issued by the Oregon Department of Environmental Quality. Stream turbidity is regulated under the City's Grading and Erosion Control Permit and the DEQ's 1200-C Erosion Control Permit.

#### Obtaining appropriate federal and state permits

Subsection 4.139.06 (.03) J.

**H11.** The applicant intends to submit a joint permit application for the filling of wetlands A and B and the crossing of drainage west of Willow Creek Drive, which will require permit approval from the Oregon Department of State Lands and the Army Corps of Engineers.

Sign off accepting Conditions of Approval

Project Name: Stafford Meadows Subdivision

<b>Case Files:</b>	<b>Request A:</b>	<b>DB18-0008</b>	<b>Annexation</b>
	<b>Request B:</b>	<b>DB18-0009</b>	<b>Zone Map Amendment</b>
	Request C:	DB18-0010	Stage I Preliminary Plan
	Request D:	DB18-0011	Stage II Final Plan
	Request E:	DB18-0012	Site Design Review of Parks & Open Space
	Request F:	DB18-0013	Tentative Subdivision Plat
	Request G:	DB18-0014	Type C Tree Plan
	Request H:	SI18-0001	Abbreviated SRIR Review

*The Conditions of Approval rendered in the above case files have been received and accepted by:*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title Date

*This decision is not effective unless this form is signed and returned to the planning office as required by WC Section 4.140(.09)(L).*

*Adherence to Approved Plan and Modification Thereof: The applicant shall agree in writing to be bound, for her/himself and her/his successors in interest, by the conditions prescribed for approval of a development.*

Please sign and return to:  
Shelley White  
Planning Administrative Assistant  
City of Wilsonville  
29799 SW Town Center Loop E  
Wilsonville OR 97070



# MAY 2018 MONTHLY REPORT

## From The Director's Office

So much happening! Frog Pond West is taking off with two development applications already approved by the Development Review Board (DRB); our Budgets have been submitted to the Budget Committee; Tooze Road and the Wastewater Treatment Plant replacement outfall are under construction; and housing construction continues to hum along in Villebois.

Exciting news for the department arrived on May 14 in the form of Dominique Huffman—our new Civil Engineer! With her she brings a wealth of valuable experience from working at the Washington Department of Transportation and the City of Tualatin. Some of the projects she will be starting with are the Memorial Park Wastewater Pump Station and the Willamette Way West flashing beacon for the pedestrian crossing to Graham Oaks Park. Additionally, she will be heading up the Boeckman Road improvements and the dip bridge.

We are actively engaged in two major region-wide efforts led by Metro: the Urban Growth Boundary (UGB) expansion requests and the Regional Transportation Plan (RTP). Chris Neamtzu will be presenting the City's request to bring Frog Pond East and South into the UGB at upcoming MTAC, MPAC, and Metro Council meetings. Jenn Scola and Charlie Tso are helping me digest various sections of the draft RTP, including the Policy and Implementation chapters, new Racial and Social Equity policies, and Regional Transit Strategy.

In response to the growing traffic on Barber Street and increased crosswalk users at Costa Circle West, we converted the 2-way stop into a 4-way stop at this intersection. Many Villebois residents welcomed the modification—some having asked for a safer crossing—especially for the west leg where the Ice Age Tonquin Trail connects the two parks.

Jordan Vance and I (along with the Mayor and several others from City Hall) attended the DW Fritz ribbon cutting and open house on May 31. What an amazing re-use of an industrial building—the transformation from a walled building to one filled with natural light with an impressive use of beautifully finished recycled wood in the entry hallway. Learning about the products manufactured by DW Fritz was fascinating. Their engineers demonstrated the robotics, accuracy, research, and testing that go into the equipment they build for their clients to use in their manufacturing processes.

–Nancy Kraushaar, PE, Director



## Building Division

### Building Safety Month: May 2018

Across the United States, the month of May was recognized as Building Safety Month. Each week featured a theme from the International Code Council that emphasized ways in which building safety professionals contribute to a built environment that is safer, stronger, healthier, and more efficient.

For one of our local Wilsonville events, Building staff partnered with Library staff during Library Story Time.

Building staff setup a building safety booth just outside City Hall, where Story Time was being held. Building Safety Inspectors helped kids as “Junior Inspectors” to construct wooden planter boxes. Natural Resource staff were also on hand to help each kid plant marigolds in the planters.



**Building Safety Month — May, 2018**



Parents received information that focused on building safety in their homes and what types of safety features are present and how to recognize and maintain them. Al's Garden & Home donated some of the supplies and provided coupons. The event was informative and great times were had by all. Below are a few photos of the Junior Inspectors and staff.



For questions about building safety and other construction topics, Building Inspection staff are a resource and are happy to answer questions. In addition, the Building Safety Month website has some great resources available year-round at [www.buildingsafetymonth.org](http://www.buildingsafetymonth.org).



## Building Division



### Building Codes Save Lives

May 1-5, 2018

May 6-12, 2018

May 13-19, 2018

May 20-26, 2018

May 27-31, 2018



## Economic Development

- **Urban Renewal**
  - **Year 2000 URA Maximum Indebtedness:**
    - Staff has been meeting with the Year 2000 URA overlapping taxing jurisdictions (Clackamas County, School District, City of Wilsonville) to obtain formal concurrence that will allow the agency to increase maximum indebtedness of the Year 2000 URA to help finance the Boeckman Dip Bridge project.
      - School District: **Passed resolution** supporting amendment on January 8.
      - Clackamas County: **Passed resolution** supporting amendment on March 29.
      - City of Wilsonville: **Passed resolution** supporting amendment on May 7.
- **Business Recruitment**
  - Portland-based architectural sheet metal business with 200 jobs assessing Wilsonville relocation, looking for 5-10 acres and a 70,000 square foot building.
  - Global Trade Group is looking to obtain business permit and land use compatability to manufacture hemp water in Wilsonville facility, helping to create up to 12 new jobs. Business also seeks to offer custom label water bottling.
- **Business Retention**
  - Conducting analysis on Strategically Significant Employment Lands in Wilsonville in partnership with Clackamas County. Project seeks to produce for property owners a site rendering and analysis on subject sites illustrating development potential.

## Engineering Division, Capital Projects

### Charbonneau High Priority Utility Repair Phase II (2500/7500)

This project continues the replacement and repair of the most deficient sewer and storm pipes within Charbonneau. This project represents the second of three planned phases to construction over three years. Construction is complete with the exception of a conflicting PGE conduit, which will be completed in spring 2018.

### Charbonneau High Priority Utility Repair Phase III (7500)

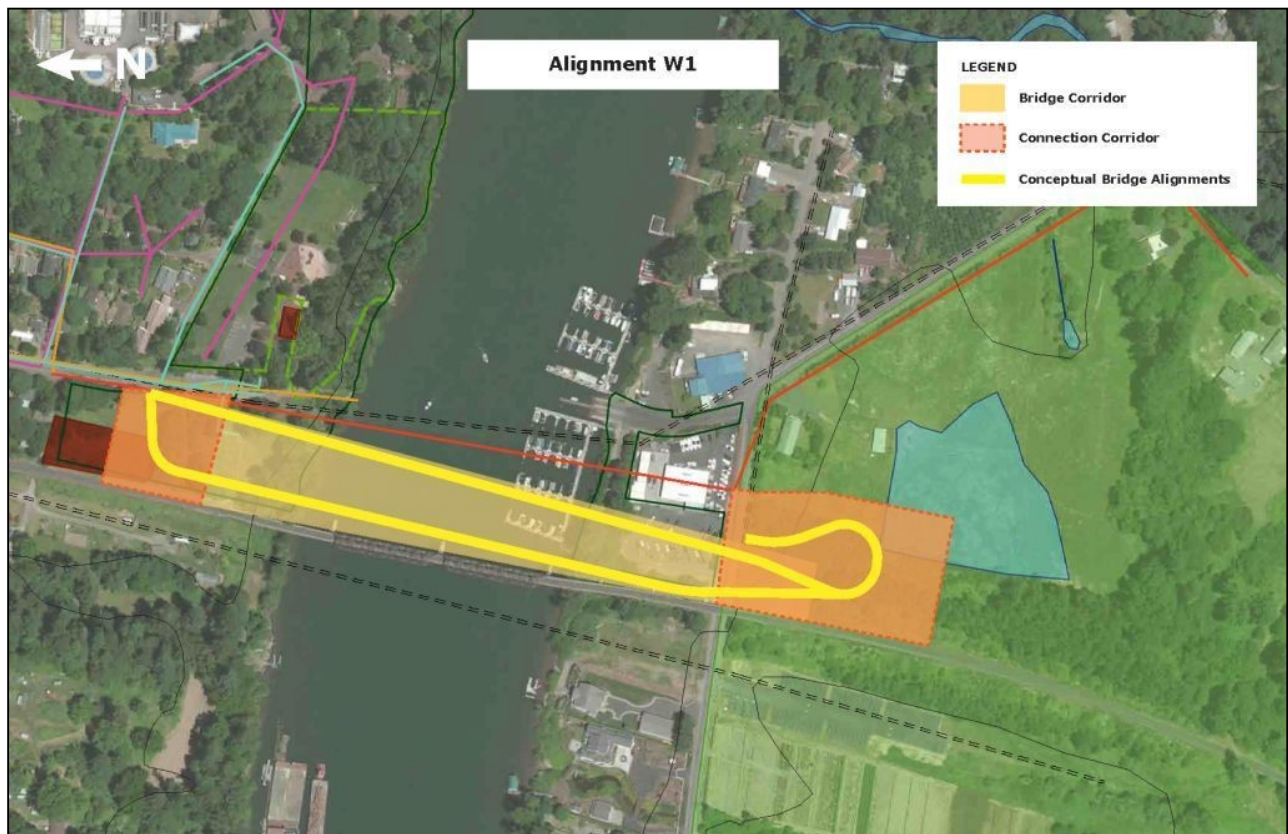
This project continues the replacement and repair of the most deficient storm pipes within Charbonneau. This project represents the last of three planned phases to construction over three years. Construction work is underway. Completion is expected in July 2018.

### Exit 283 Southbound Ramps (4199)

Project is almost complete. The new ramp meter signal will be installed the week of June 11 and activated a short time after that. The pleasant, peaceful days of having no ramp meter are soon to be over.

### French Prairie Bridge (9137)

This project will determine the final location, alignment, and design type and includes preparation of preliminary construction and environmental documents for a new pedestrian, bike, and emergency vehicle bridge over the Willamette River in the vicinity of Boones Ferry Road. Staff is coordinating with ODOT to determine the Environmental Assessment scope of work and cost. At the May 21 work session, the project team gave City Council a preview of the proposed resolution to support the project Task Force recommendation of designating Alignment W1 (pictured below) as the preferred bridge location. The project team is scheduled to bring the final bridge location recommendation to City Council for consideration on June 4.





## Engineering Division, Capital Projects (Cont.)

### **Garden Acres Road (4201)**

The project involves the design and construction of Garden Acres Road from a rural local access road to an urban industrial roadway as part of the Coffee Creek Industrial Area plan. Property acquisition work is kicking off with selection of appraisal and right-of-way agent firms. 90% design plans are expected next month.

### **I-5 Pedestrian Bridge (4202)**

This project involves the design and preparation of construction documents for a pedestrian and bicycle bridge over Interstate 5 from Town Center Loop West to Boones Ferry/Barber Street. Working with Metro to exchange grant funds with the Kinsman Road Extension project, allowing the bridge project to be de-federalized, but the grant funds to apply to a City project. Design of the bridge will begin after completion of the Town Center Plan.

### **Memorial Park Sewer Pump Station (2065)**

The pump station replacement and upgrade project design continues with Murraysmith. The land use process and architecture design have begun.

### **Tooze Road to Grahams Ferry Road (4146)**

To allow for reconstruction of sections of Tooze Road and Grahams Ferry Road, there are current closures and detours scheduled from May 21 to June 22. Current detour route is via Malloy Way. When circumstances allow for safe passage the roads will be open during the weekends. (See photo.)



### **Water Telemetry (1114)**

The next phase of the water telemetry project is under way. Brown & Caldwell completed evaluation of our existing system and the standards plan. Now they are helping us develop the standards that will enable us to upgrade our existing facilities and construct future projects that align with our hardware and control needs. Brown & Caldwell will also be developing a network and communication upgrade plan that will include a project list and estimates for future upgrades.



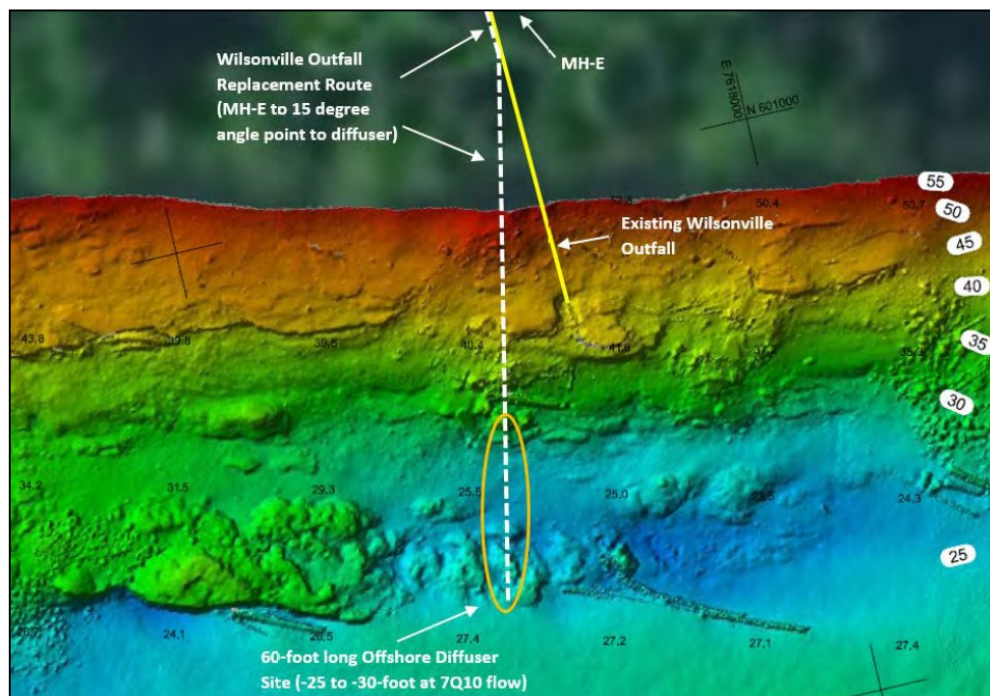
## Engineering Division, Capital Projects (Cont.)

### WWSP Coordination (1127)

Ongoing coordination efforts are occurring for the Garden Acres Road project (4201), the 5<sup>th</sup>/Kinsman project (4196), and the Kinsman/Wilsonville Road truck turning improvements. Submittal of 90% design plans for the 5<sup>th</sup>/Kinsman project and Kinsman/Wilsonville Road truck turning improvements is anticipated within the next month.

### WWTP Outfall Replacement (2095)

The Wilsonville Wastewater Treatment Plant is under a directive from DEQ to replace the damaged outfall pipe with a new, upsized outfall that meets current discharge compliance requirements. Site clearing and erosion control work is underway. Outfall pipe installation work is scheduled to begin the first part of July. Construction is anticipated to finish at the end of October.



## Engineering Division, Private Developments

### Frog Pond—Stafford Meadows

Staff is busy reviewing the first set of plans for this 44-46 lot subdivision. Developer plans to get the project under construction in July after Council approves the land annexation.

### Marion's Carpets

Construction is ongoing. Includes widening of Boones Ferry Road adjacent to the development and a sidewalk expansion.

Villebois Calais East subdivision is almost complete. Model home construction will get underway in June. Construction of the Villebois Fir Terrace subdivision (11 lots near Villebois Drive and Stockholm Drive) is underway. The Villebois Mont Blanc subdivision (68 lots near Villebois Drive and Orleans Ave) is underway. Construction of Villebois Drive North is almost complete and will soon be open to traffic.

## Natural Resources

### “Free” Native Tree Program

To help reduce stream temperatures and pollutants, the City offers up to five native tree seedlings for any resident or business within City limits to install on their property. Residents or businesses receive a tree coupon, which allows them to redeem the native plants at Bosky Dell Natives nursery. Plantings along streams, riparian corridors, or other water bodies are encouraged, but regardless of the location, tree plantings enhance the City’s “urban forest” and contribute to a healthier environment. The incentive program is part of the strategy to address the City’s NPDES stormwater permit requirements.



### Stormwater System Annual Inspection and Maintenance Report

The City has stormwater maintenance agreements with property owners for the operation and maintenance of private stormwater systems. By May 1 of each year, an annual inspection and maintenance report is due from the owner or responsible party (e.g. management company, HOA, etc.). In March, 99 letters were mailed to property owners or responsible parties, including a report form, reminding them to submit their annual report. The required information includes the inspection date and any maintenance, repair, or replanting activities that were completed. After receiving the reports, City staff conducts an inspection to verify the information in the report.

## Planning Division, Current

### Projects Being Prepared for DRB Hearings

- 10 Unit Detached Condo Development 4<sup>th</sup> Street and Fir Avenue-Old Town
- EyeHealth Northwest—New medical office building in Town Center
- Aspen Meadows II—6 lot subdivision off Canyon Creek Road South

### Administrative Land Use Decisions Issued

- Sign revisions for new Marion's Carpet building
- New tenant sign for Sig Sauer at 27200 SW Parkway Avenue
- 3 Class I Administrative Reviews
- 11 Type A Tree Permits
- 1 Type B Tree Permits
- 5 Class I Sign Permits
- New Single-family building permits

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## Board and Commission Updates

### Development Review Board (DRB)

The DRB Panels A & B held hearings for the first subdivisions in Frog Pond. On May 14, DRB Panel A unanimously approved the 44-lot Stafford Meadows Subdivision on the north side of Boeckman Road just west of Stafford Road. On May 31, DRB Panel B unanimously approved the 82-lot Morgan Farm Subdivision on the north side of Boeckman Road just east of Boeckman Creek. Both board actions included recommendations to City Council to approve the necessary annexations and zone map amendments.

### Planning Commission

On May 9, Parks and Recreation Director Mike McCarty presented a hearing with the consultant team on the Citywide Parks and Recreation Master Plan update. The hearing was opened and continued to a date certain of August 8. The commissioners asked pertinent questions and provided feedback for inclusion in the plan. Feedback related primarily to inclusion of natural resource protection and enhancement goals, the relationship to the upcoming Integrated Pest Management plan, and providing direction to decision-makers on the implementation of turf fields.

The informational session updated Commissioners on Senate Bill 1051 and provided them with a memo regarding city code language pertaining to Accessory Dwelling Units, which will be the subject of a work session at their next meeting.

The next regular Planning Commission meeting will be Wednesday, June 13 at 6:00 pm.

## Planning Division, Long Range



### **Basalt Creek Concept Plan**

On May 3, the Metro Council adopted Resolution 18-4885 acknowledging the decision made at the April 19 Metro Council meeting to support the COO's recommendation directing the two cities to adopt a Basalt Creek Concept Plan with the Central Subarea designed with an employment use. On May 22, a Notice of Intent to Appeal Metro's decision was filed by Peter O. Watts to the Land Use Board of Appeals. The project team is still preparing a final draft concept plan for the Basalt Creek Planning Area consistent with Metro's decision for adoption by resolution by both Councils in August 2018. Wilsonville City staff is also drafting Comprehensive Plan amendments acknowledging the Concept Plan. Both items will be reviewed at Planning Commission and City Council work sessions in June.

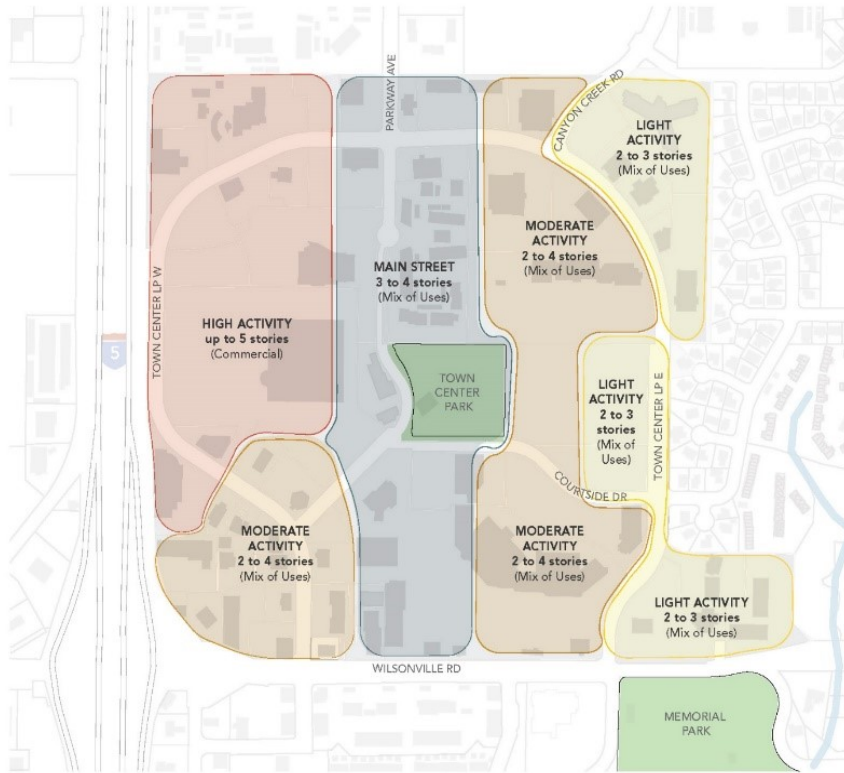
General project information is available on the project website <http://www.basaltcreek.com/>.

### **Sign Design and Wayfinding Signage Plan**

On April 18, a focus group meeting was held to engage the community around preliminary design concepts for the signage and wayfinding plan. At the meeting, a visual identity and mental mapping exercise were conducted. The consultant team at Alta Planning and Design will take the input received at this focus group meeting and will prepare three distinct options for presentation at a public open house scheduled for June 26 at 5:30 pm in the Willamette River Rooms of City Hall. The in-person open house will be followed by an online open house to broaden opportunities for feedback and input.

The project is anticipated to be completed over the next six months.

# Planning Division, Long Range



### LEGEND

- Building Footprint
- Parcel
- Highway
- Existing Park
- LAND USE
  - Main Street (mixed use buildings with active ground floor uses, generally 3 to 4 stories)
  - High Activity (mix of office, entertainment, hospitality, civic uses, generally 3 to 5 stories)
  - Moderate Activity (mix of residential, retail, office, services, generally 2 to 4 stories)
  - Light Activity (mix of townhomes, small-scale commercial businesses, generally 2 to 3 stories)

22<sup>ND</sup> JANUARY, 2018  
 SCALE: 1" = 500'

**DRAFT COMMUNITY DESIGN CONCEPT: PROPOSED LAND USE**

The Town Center Project Team has been working to refine the Town Center Design Concept, based on community input, into a draft Town Center Plan. This includes developing draft cross sections for the different street types, updating the building block maps, and outlining various development code options regarding land use and built form. The Town Center Task Force will meet June 5 at 6:00 pm in City Hall to review and refine these items. Results from the Task Force work session and updated documents will be the focus of work sessions with the Planning Commission and City Council later this summer.

In May, the team also shared the results of the online survey and open houses with the public as well as next steps for the project. The team will be working hard to refine implementation options and best practices regarding the most asked questions and voiced concerns. As a result, the next two questions of the month will pertain to transit service and parking designs. As part of the public outreach, the project team also concluded its project with Meridian Creek Middle School 7<sup>th</sup> grade classes on May 4 by listening to students present their site plans and building proposals for future Town Center.

For additional information about the Town Center Plan project, visit the project website [www.wilsonvilletowncenter.com](http://www.wilsonvilletowncenter.com).





**Wilsonville Public Library  
Monthly Report to Council  
June 2018**

**Library Renovation Update**

Substantial Completion is scheduled for the week of June 11<sup>th</sup>. Library staff are currently working to select furniture as well as preparing to develop a signage plan for the building. Mark your calendars for a renovation celebration in the evening of July 20<sup>th</sup>.

Below are pictures of the renovation, with notes:



This is the new entrance of the Library, taken from the outer lobby. We have removed the front doors in order to provide an open inviting entry into the library itself. The entrance is currently

waiting for the installation of a metal gate that will be pulled across the entrance when the library is closed, and to have an oak finish around the entrance, similar to what you see further in the library. We are also waiting for security gates. You can see the cones covering the electrical boxes for the gates just inside the entrance. Note that we now have a clear view of the central area of the library all the way to the back windows. This space will be developed over time to be an inviting discovery space for library collections and services.



The Library will emphasize its collections in these new opened spaces. This is a view of the new fiction shelf just inside the front door, with the entrance of the Walt Morey Children's Room beyond. The Library will be turning its attention to merchandising the collection displays in order to make them more accessible.





The Library's new circulation desk is inviting and open, and it tucked a bit back towards the wall to create more space through the Library.





The Library's Children's area received new carpet and paint, and we have had the opportunity to expand the imaginative play area. A new door to the Children's patio will soon be installed in the place of the windows seen at the back of the room. We expect to be developing the patio over time.



Teens have a new dedicated space in the Library, behind the Fiction collection. We are already seeing increased use of the space and have plans to update the space.



Yes, it's a bathroom. But it is a new ADA Accessible bathroom. The two bathrooms near Non-Fiction have been upgraded and refreshed and are now accessible to all users.





A major element of the renovation was the upgrade of the Library's HVAC system. You see the Oak Room here, with ceiling tiles removed so that work on ducts can be completed. Units in the Library's original building (the Northeast corner of the building) which were originally installed in 1988, have been completely replaced.

**Project Summary:**

Construction will touch just about every square inch of the library and should be complete by the end of June. Notable elements of the renovation include new carpet and paint throughout the Library, replacing the heating units in the 'old' part of the library (these units were originally installed in 1988 when the original building was constructed), remodeling bathrooms by the non-fiction collection to make them ADA accessible, and replacing the Library's Adult and Children's Reference desks as well as the Circulation desk to reduce their overall footprint and open the central core of the Library.

**The next Library Board meeting will be June 27th at 6:30pm at the Library.**

## Recreation Updates:

So... what's the story with all the **Rocks**?

On a recent trip to the coast, Recreation Coordinator, Erica Behler saw a peculiar looking, bright colored rock during a beach walk. Upon examination, this rock had a wonderful drawing of a pony on it, and instructions to keep or re-hide the beautiful rock for someone else to find. Inspired by this experience, and the joy that it brought, Wilsonville Parks and Recreation has adopted a similar program to encourage kids of all ages to get outside. So far, with the help of city staff and community members, we have painted just over 50 rocks with various images and pictures on them. The back of each rock has Wilsonville Parks and Recreation written on it, with instructions to post a picture to our Facebook page and then either keep or re-hide the rock for someone else to find. The pictures that have recently been flooding our Facebook page are absolutely worth the effort. Kids around the community are finding these special rocks and loving them!



## WERK Day

The annual City WERK Day was held at Memorial Park on Saturday, May 12th. An estimated 200 people attended and several parks tasks were completed including painting of picnic tables, spreading of bark dust and invasive species removal. The rotary club served a complementary breakfast before the event began.





## Memorial Day Ceremony

The Korean War Veterans Associations (KWVA) held a free, public Memorial Day Observance Ceremony on Monday, May 28th in Town Center Parks. The event featured the national anthem, presentation of colors, wreath laying ceremony, various speakers, POW/MIA recitation, closing prayer, TAPS and retiring of the colors. An estimated 200 people attended.



## Sponsorship Opportunities

Throughout the year, the department hosts several events that rely heavily on the support of sponsorships. The Parks and Recreation team has been working together to create a 2018/2019 Sponsorship Packet and Giving Guide that will streamline the process for organizations and businesses to get involved. This packet outlines all of our community special events with estimated attendance, description of the event, and the varying levels of sponsorship opportunity. This packet will also live on our new Parks and Recreation page on the updated website.

## Activity Guide Cover Contest

Calling all photographers! The department is hosting a cover contest for the Fall 2018 Activity Guide. Community members may submit park and outdoor, print quality images to Recreation Coordinator, Erica Behler until Monday July 2nd. The top three photos will be picked by Parks and Recreation staff and then a social media poll will be posted to decide the winner!



## Boones Ferry Master Plan Public Work Session

The department hosted a work session for the public at the Tauchman House on June 5th. Robby Layton from Design Concepts joined the group to present a working edition or “road map” of the future park master plan. The turn out was fantastic, and a lot of very valuable feedback and input was given by participants that will be incorporated into the final plan.

## Board Updates:

**WCSI:** The WCSI board has asked Parks and Recreation staff for more detailed information regarding the number of social services clients served by the community center.

**Parks and Recreation Advisory Board:** The Parks and Recreation Advisory Board met twice this month to discuss a wide gamut of topics. The board was given a presentation on Bee City USA, as well as a presentation on Frog Pond Community Park by AKS Engineering. Board goals were also reviewed and updated.



## Parks Maintenance Updates



Continued Work on IPM plan



Moved and wired new chemical storage unit



Planted trees at Memorial Park River Shelter Parking lot as part of Master Plan implementation



WERK Day



Continued implementation of Memorial Park Master-Plan (Cartograph outlining of relocated dog park)



# Wilsonville

## April 2018



## City of Wilsonville Police Department

30000 SW Town Center Loop E  
Wilsonville, OR 97070

In Partnership with

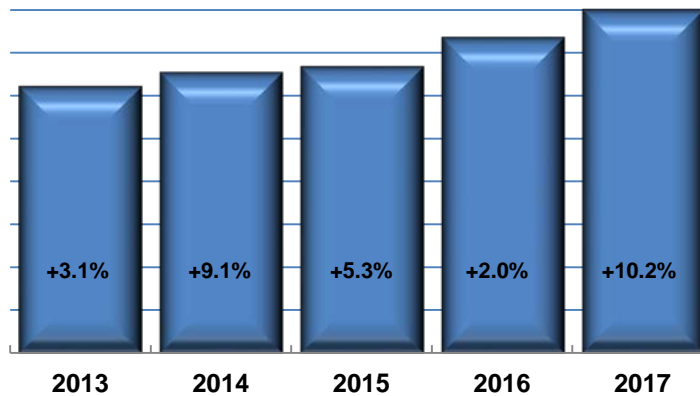


## Monthly Summary

During April 2018, the Clackamas County Sheriff's Office provided law enforcement service to the City of Wilsonville on a 24 hour a day basis. During this time deputies assigned to Wilsonville responded to 570 calls for service, which was an average of 19.0 calls a day.

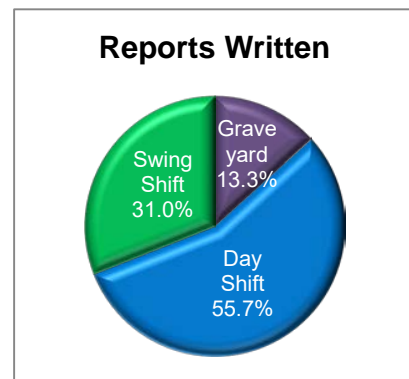
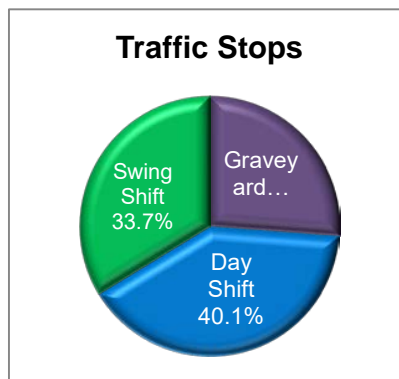
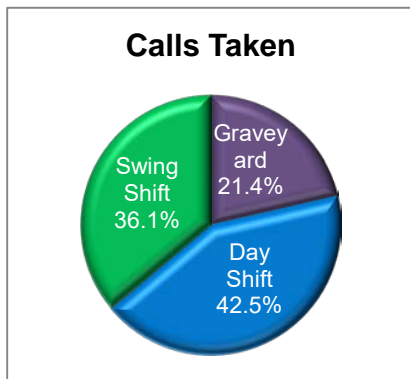
Below is a chart showing the number of calls for service in the City during the last 5 years.

<u>Year</u>	<u>Number of Calls</u>	<u>Monthly Average</u>	<u>Daily Average</u>
2013	6,230	519.2	17.1
2014	6,558	546.5	18.0
2015	6,689	557.4	18.3
2016	7,369	614.1	20.2
2017	8,021	668.4	22.0



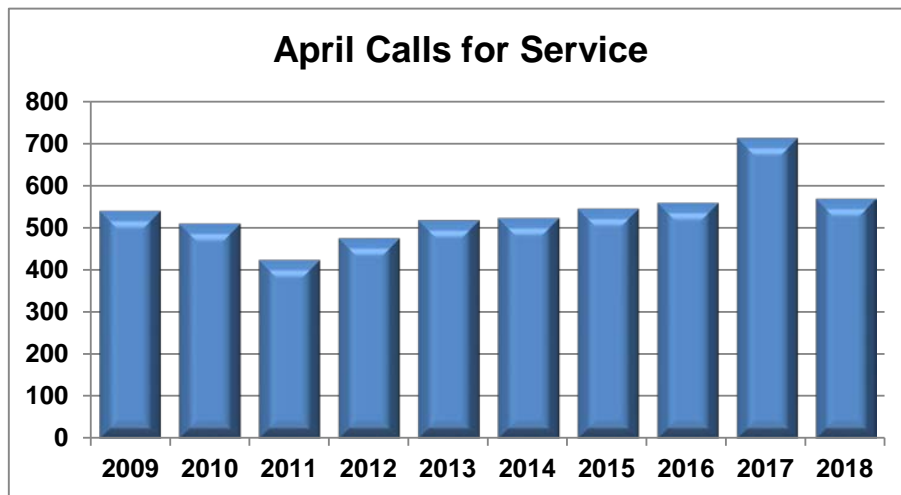
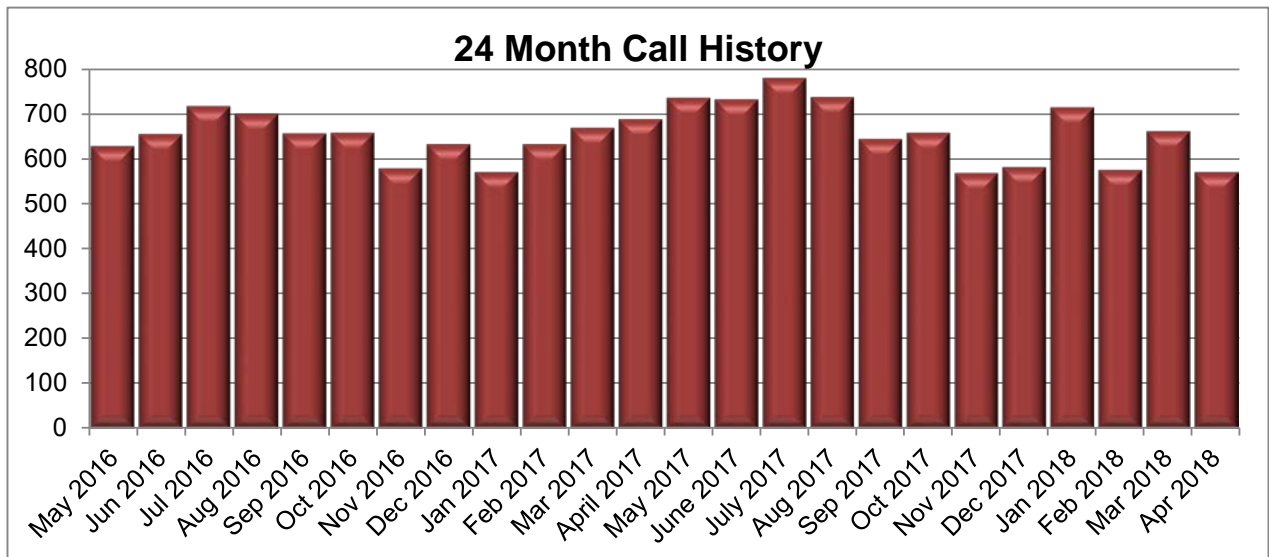
An overall look at the shift activity shows the following percentages of calls taken, traffic stops made and reports written for April.

	<u>Percentage of Calls Taken</u>	<u>Percentage of Traffic Stops</u>	<u>Percentage of Reports Written</u>
Graveyard	21.4%	26.2%	13.3%
Day Shift	42.5%	40.1%	55.7%
Swing Shift	36.1%	33.7%	31.0%



### Calls for Service

Number of Calls Per Shift	April 2018	April 2017	Monthly Average 2017
<b>Graveyard (2100-0700)</b>	122	121	131.4
<b>Day Shift (0700-1700)</b>	242	383	320.3
<b>Swing Shift (1100-0300)</b>	206	210	216.7
<b>Monthly Total</b>	<b>570</b>	<b>714</b>	<b>668.4</b>
<b>Daily Average</b>	19.0	23.8	22.0



## Types of Calls

This chart shows the types of calls for service during the month. These calls do not reflect actual criminal activity. In some cases the call was dispatched as a particular type of incident, but it was later determined to be of a different nature.

Type of Call	April 2018	April 2017	2017 Monthly Avg.
Alarm	63	63	66.8
Traffic Complaint	46	51	35.0
Assist Public	43	48	42.8
Parking Complaint	39	52	51.6
Theft	39	49	42.0
Disturbance	34	28	34.5
Welfare Check	33	24	27.9
Suspicious Person	29	29	33.2
Traffic Crash	27	33	27.8
Suspicious Vehicle	25	20	16.2
Threat / Harassment	19	20	20.0
Assist Agency	16	43	30.5
Suspicious Circumstances	15	16	13.8
Unwanted / Trespass	15	23	20.5
Property Investigation	13	18	16.2
Other	12	11	11.2
Fraud	11	18	18.6
Fire Services	10	8	9.7
Juvenile Problem	8	20	17.0
Suicide Attempt / Threat	8	10	8.2
Unknown / Incomplete	7	8	9.0
Burglary	6	4	5.0
Criminal Mischief	6	19	12.1
Hazard	6	12	10.3
Noise Complaint	6	13	7.7
Assault	5	4	5.3
Stolen Vehicle	5	7	5.7
Vice Complaint	5	6	8.7
Mental	4	6	6.1
Sex Crimes	3	3	2.7
Abandoned Vehicle	2	6	3.5
Death Investigation	2	2	1.8
Missing Person	2	2	3.9
Open Door / Window	2	1	1.2
Robbery	2	1	0.8
Runaway	2	3	5.3
Animal Complaint		7	12.4
Extra Patrol Request		2	2.1
Minor in Possession		4	1.9
Promiscuous Shooting		1	1.1
Provide Information		13	13.5
Prowler		1	0.5
Recovered Stolen Vehicle		1	1.9
Shooting			0.1
Viol. Restraining Order		4	2.3
<b>Total Calls:</b>	<b>570</b>	<b>714</b>	<b>668.4</b>

**Other / Self-Initiated Activity**

Type of Call	April 2018	April 2017	2017 Monthly Avg.
Traffic Stop	516	396	339.8
Follow-Up Contact	79	101	92.3
Suspicious Veh. Stop	70	69	53.4
Subject Stop	26	31	28.2
Premise Check	17	15	8.8
Suspect Contact	3	10	4.6
Warrant Service	3	7	7.7
Detail	2	38	32.7
Court		5	4.8
Foot Patrol		1	4.2
Meeting		16	10.6
Training		19	15.5
<b>Total Calls:</b>	<b>716</b>	<b>708</b>	<b>602.6</b>

**Reports Written**

During April, 158 reports were written. 13.3% were written by the graveyard shift, 55.7% by the dayshift units and 31.0% were written by the swing shift units.

Type of Report	April 2018
Theft	33
Traffic Crash	16
Criminal Mischief	11
Drug Crimes	11
Burglary	4
Stolen Vehicle	3
Identity Theft	3
Assault	2
Other Reports	75
<b>Total Calls:</b>	<b>158</b>

April 2017	2017 Monthly Avg.
35	31.1
13	10.9
14	9.0
12	6.3
4	3.2
7	3.6
4	2.5
3	4.9
112	114.4
<b>204</b>	<b>185.9</b>

Shift Totals	April 2018
Graveyard	21
Day Shift	88
Swing Shift	49

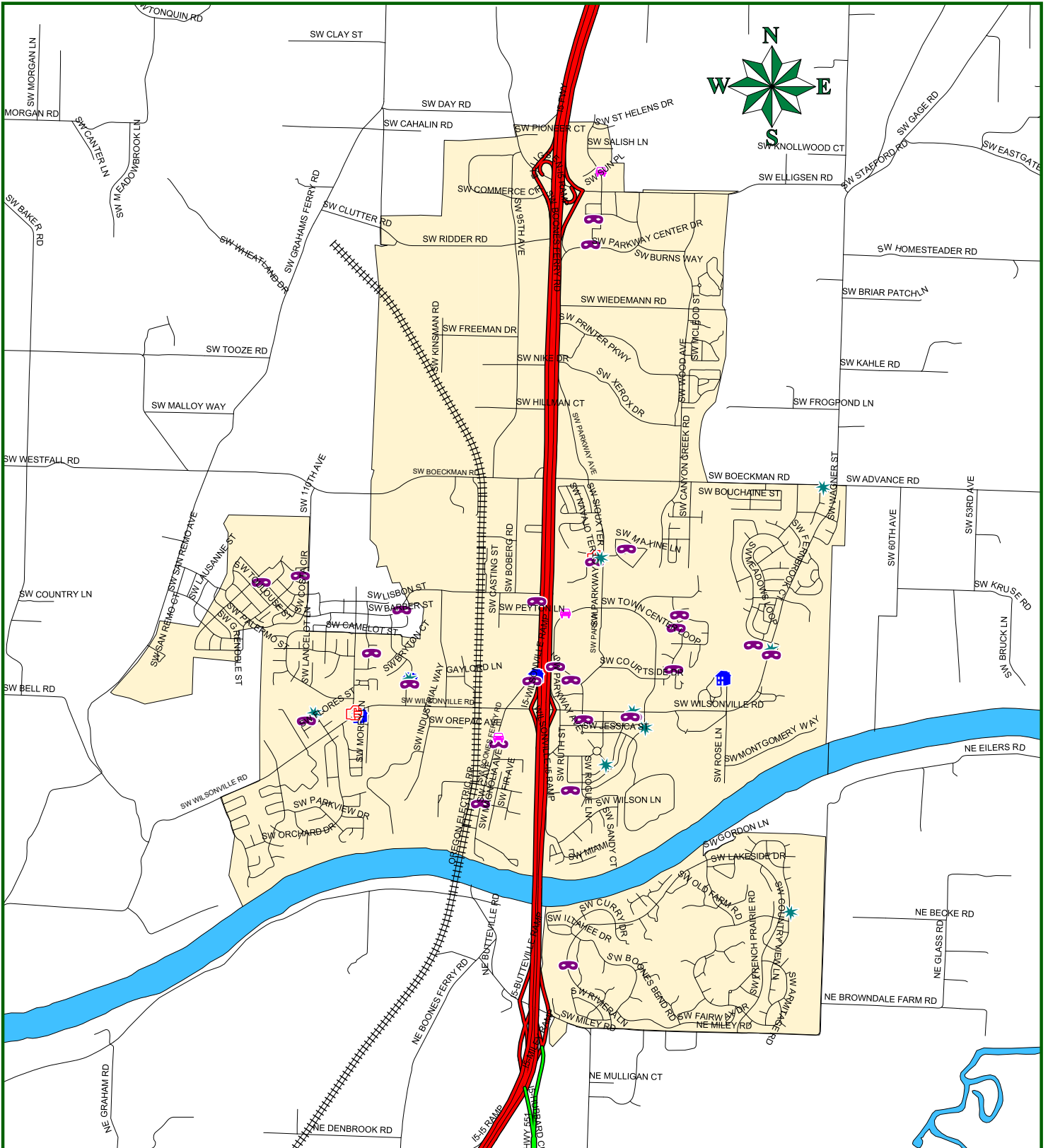
April 2017	2017 Monthly Avg.
44	38.2
103	86.0
57	61.7



# Wilsonville April 2018



- Assault
- Burglary
- Criminal Mischief
- Stolen Vehicle
- Theft

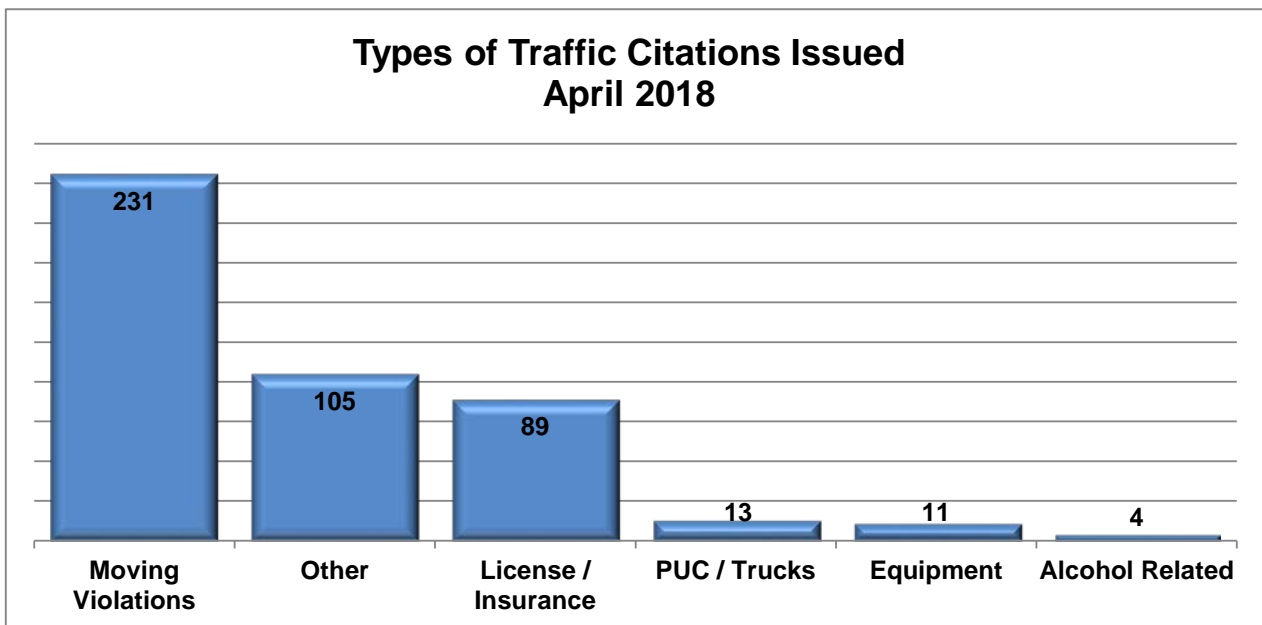
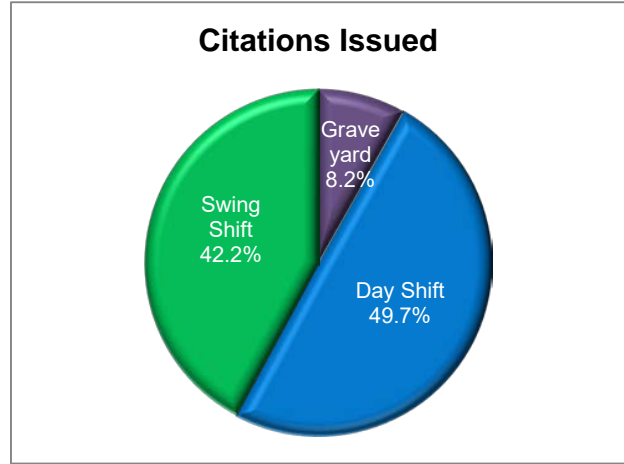
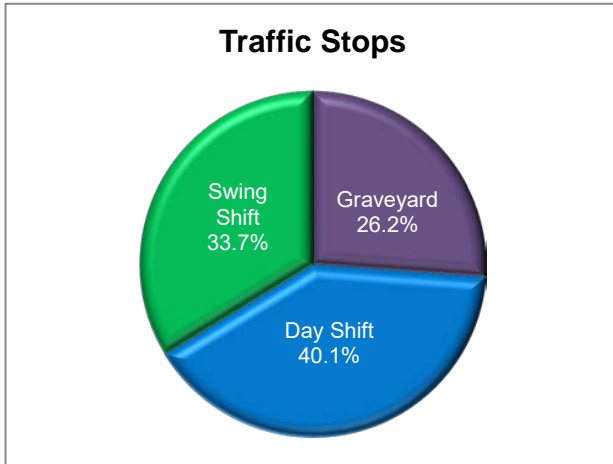


## Traffic

During April 2018, 516 traffic stops were made in the City and 453 traffic citations were issued. Included in these totals are 297 traffic stops (57.6%) and 387 (85.4%) citations issued by the traffic deputies.

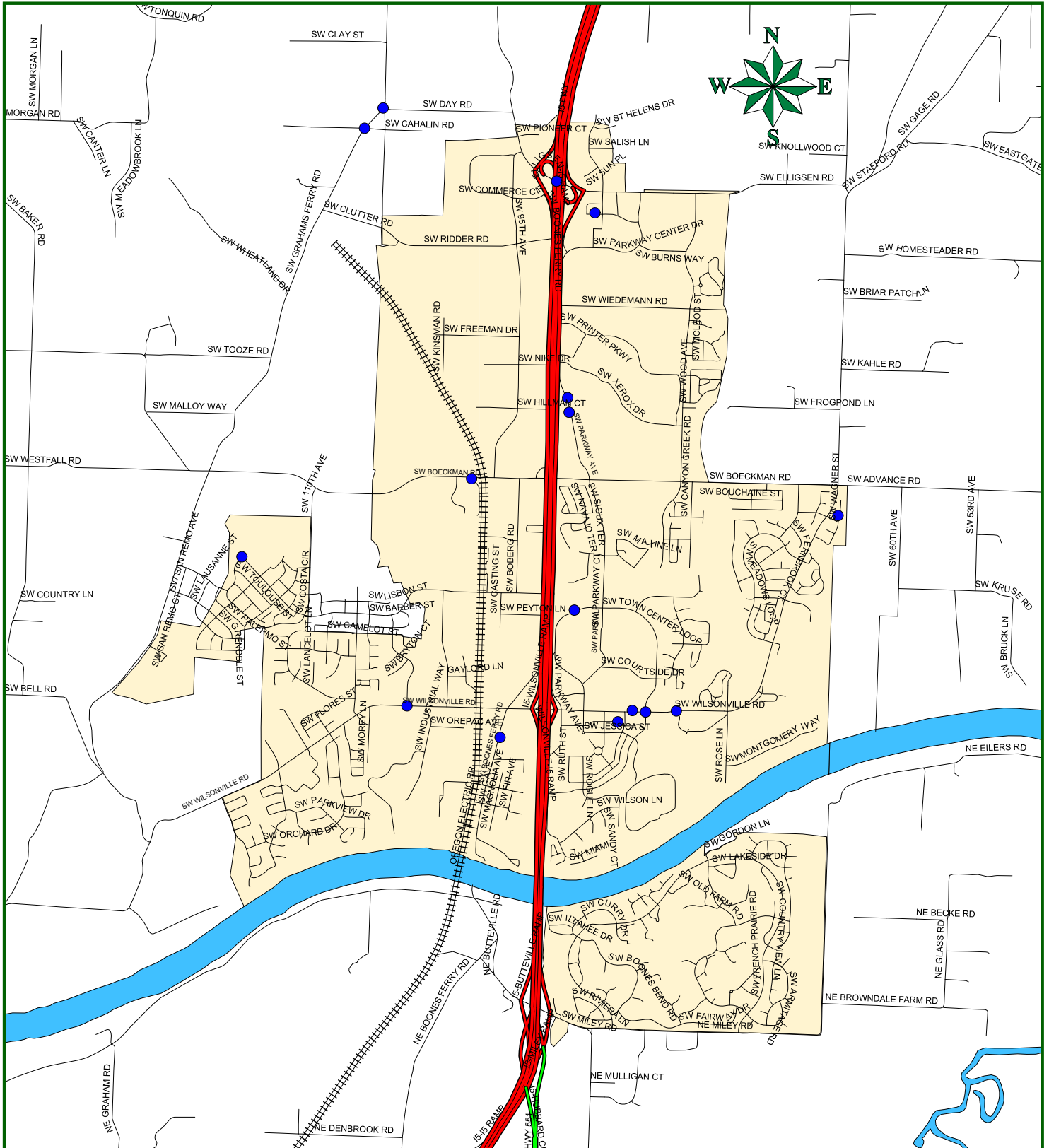
There were 6 arrests for Driving Under the Influence of Intoxicants (DUII).

Shift	Traffic Stops	Citations Issued
<b>Graveyard</b>	135	37
<b>Day Shift</b>	207	225
<b>Swing Shift</b>	174	191
<b>Total:</b>	<b>516</b>	<b>453</b>





# Wilsonville Traffic Crashes April 2018





# PUBLIC WORKS IN MAY

## ROAD MAINTENANCE

### Sidewalk Repair on Lancelot Lane

Repaired curb and sidewalk on Lancelot. With a crew of three we were able to remove and replace the damage in less than a day saving the City of Wilsonville roughly \$2100-\$3100 by performing the work in house.



## ROAD MAINTENANCE

### Green Signs

Roads has also become more green this month by partnering up with Northwest Sign Recycling. They strip the surface and reface it with a new print lessening the foot print. They are also able to repair many of the damaged signs this way. The ones that cannot be saved are recycled and they credit the account.



Northwest Sign Recycling inventories the signs, hydrostrips them, deburrs any rough edges, and returns the refurbished sign blanks to the City.

#### Hydrostripping:

- Provides an environmentally friendly option for recycling the signs
- Restores fresh aluminum surfaces allowing reuse of the existing signs
- Signs are returned in prime condition to form a clean bond with laminates
- Reduces the need for selling scrap aluminum, sanding blanks, and buying new signs at increasing aluminum prices
- Receive top dollar credits for the scrap aluminum signs that are damaged, bent or have holes
- Credits go back to the department rather than general funds, to maintain departmental funding allocations
- Saves time and money – they pickup, refurbish and deliver back fresh sign blanks

Recycling aluminum has the potential to reduce materials production energy consumption by 95%





**Director's Report**  
**Dwight Brashear,**  
Transit Director



**May Report**  
June 5, 2018

*Giving is  
SMART Business*

The month of May brought us flowers in bloom, allergies a plenty, and smiles overflowing. Did I mention that the family of deer that call our property home have begun their spring frolicking across the back of the property? Yes, spring is definitely in the air.

The SMART team continues working hard to provide a high quality service to the residents and visitors of Wilsonville. One of the ways we are upping our game is by improving our passenger amenities. We are happy to announce the addition and/or upgrading of a number of our bus stops and shelters. We are proud to be able to provide brand new shelters and benches at many of our high traffic locations, Brown



Road and our stop near Shari's Restaurant to highlight a few. The new shelters were constructed using the finest materials and will include solar lighting to make it easier for our drivers to see waiting customers during hours of darkness.

We believe that our customers are the best anywhere and that they deserve the greatest amenities. SMART is pleased to be able to give our customers the most premier amenities available.



Simply put...giving is SMART business.



## **Outreach - Michelle Marston Marketing and Outreach Coordinator**

**Events** SMART was on hand at the Earth Day Fair at Rockwell Collins providing trip planning assistance and encouraging folks to join Walk at Lunch. May was Bike Month, with encouragement to students we were able to get 125 out riding bikes to school on May 9. Comments were made on Facebook about how excited the children were and that finding that little gift bag makes them want to ride to school more now! Another 75 were passed out by bus drivers to cyclists. Walk at Lunch is in full swing now with an average of 28 walkers each week.



**Marketing** Updated system maps, routes and marketing materials are underway with branding changes to make the routes easier to read by passengers. Expected delivery date will be June 20.

## **Travel Training - Sydney Herbst Travel Trainer**

Two Wilsonville residents participated in travel training and learned to take transit independently to various Wilsonville destinations and one Tualatin destination. The travel training program is preparing for the launch of the new Charbonneau Shuttle and planning for three classes in June and July to teach Charbonneau residents how to use the shuttle for shopping or connecting to other bus lines. An ongoing task is the re-design of the Dial-a-Ride eligibility process with the goal of creating a more efficient service.

## **Grants & Procurement - Elli Work Grants and Programs Manager**

- Seven new bus shelters, from 5307 federal funding, were put in place and included amenities such as benches and solar lighting.
- Submitted \$35,000 Inclusive Transportation Planning Framework Grant (no match). Project "Plan SMART" will engage older adults and persons with disabilities as active participants in the transportation planning process. Grants awarded at the end of June.
- Awarded \$555,200 5339b Bus and Bus Facilities grant for four vehicles (includes a CNG Trolley) and a CNG refueling station expansion.
- In partnership with Parks & Rec, submitted 5310 grant for \$39,727 Federal (\$9,932 match) to provide a 2-year contract for Senior Trips service.

## **Planning - Nicole Hendrix Transit Management Analyst**

**House Bill 2017, Keep Oregon Moving.** SMART has been preparing for public comment of new potential projects. As part of this process, SMART developed an online survey for public input. SMART presented at the Clackamas County Housing and Transit Workshop and to the Washington County Coordinating Committee advisory committee regarding potential projects and opportunity for feedback. SMART is scheduled to speak and receive feedback at several June worksite and community events in addition to presenting at a Planning Commission work session.

*Public comment period will be from June 1 – 30 at [www.ridesmart.com/surveyTMPupdate](http://www.ridesmart.com/surveyTMPupdate). We would appreciate your feedback.*

## Operations Report

Eric Loomis, Operations Manager

SMART held a quarterly safety meeting in May with all Operations staff. Multiple sessions were held to ensure everyone could attend. Supervisor Tim Viets led the discussion on fatigue, drowsiness, and sleep deprivation awareness. For drivers, preparedness and attentiveness are critical for operating transit vehicles safely.

In addition to quarterly safety meetings, supervisors conduct ride checks to ensure safe driving habits continue to be the highest priority at SMART. Safety tips and exercises are given monthly to remind employees of SMART's dedication to a culture of safety. Employees are also encouraged to attend an annual Bus Rodeo event to practice challenging maneuvers and increase expert driving skills.

## Ridership by Route

Route	1X Salem	2X Barbur	2X Sat Barbur	3 Canby	4 Wilsonville	4 Sat Wilsonville	5 95th Commerce	6 Argyle Square	7 Villebois	Villebois Shuttle	Total
May 2017	4489	6073	246	1037	8511	346	1046	1562	205	1807	25322
May 2018	3402	6722	166	755	9397	401	1542	1370	126	1528	25684
% Change	-24.21%	+10.69%	-32.52%	-27.19%	+10.41%	+15.9%	+30.98%	+16.33%	-38.54%	-15.44%	

## Fleet Report

Scott Simonton, Fleet Manager



### Battery electric bus project update

Progress continues in preparation for the upcoming electric bus launch. Over the past month, we have accomplished the following items:

- We have begun pre-production meetings with the bus manufacturer (Proterra). In this stage, we discuss and select options and configurations, leading us to a final build specification. We also learned that our anticipated build date would be March of 2019.
- Our consultant, CTE, traveled to Wilsonville to present the results of their route simulations, and provided us with anticipated range numbers. In large part, the news was positive. Our routes were simulated using a GPS tracker on an actual bus in service. The data collected was run through a number of simulations, including various weather conditions and passenger loads. Another set of simulations were completed in which battery degradation (due to age) was factored in.
- The results were - for the most part - favorable, with some concern over the range of the buses on the coldest of winter days. The simulations show that in Wilsonville's planned application, the buses will have enough range to accomplish our daily routes under all conditions, the exception being the extreme cold we may experience for a few days every year or two.
- Next steps will be to work with PGE for electrical design, and to finalize final build specs.