



City Council Meeting June 7, 2021

**Work Session – 5:00 p.m.
Council Meeting - 7:00 p.m.
Urban Renewal Agency – Following Council Meeting
Executive Session – If needed following URA Meeting
(Held in Council Chambers)**

This meeting is taking place with social distancing precautions in place.

To Provide Public Comment:

- Written comments may be submitted to the City Recorder (Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR 97070).
- Digital comments (email) may be submitted to cityrecorder@ci.wilsonville.or.us.
- Individuals may participate online through the Zoom videoconferencing platform.
- Contact City Recorder at (503) 570-1506 cityrecorder@ci.wilsonville.or.us to register.

You can watch the City Council Meeting here:

YouTube: [youtube.com/c/CityofWilsonvilleOR](https://www.youtube.com/c/CityofWilsonvilleOR)

Zoom: <https://us02web.zoom.us/j/81536056468>

City of Wilsonville

City Council Meeting

June 7, 2021



AGENDA

**WILSONVILLE CITY COUNCIL MEETING
JUNE 7, 2021
7:00 P.M.**

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

Mayor Julie Fitzgerald

Council President Kristin Akervall
Councilor Charlotte Lehan

Councilor Joann Linville
Councilor Ben West

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 (if needed), Work Session, City Council, and URA meetings
will be held in the Council Chambers, City Hall, 1st Floor**

- | | | |
|------------------|--|-----------|
| 5:00 P.M. | REVIEW OF AGENDA AND ITEMS ON CONSENT | [5 min.] |
| 5:05 P.M. | COUNCILORS’ CONCERNS | [5 min.] |
| 5:10 P.M. | PRE-COUNCIL WORK SESSION | |
| | A. City Council Goals (Cosgrove) | [45 min.] |
| | B. Middle Housing in Wilsonville Project (Pauly) | [30 min.] |
| | C. Twist Bioscience WIN Zone Development Agreement (Vance) | [25 min.] |
| | D. Boeckman Dip Bridge Finance Plan (Weigel) | [10 min.] |
| 7:00 P.M. | ADJOURN | |

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 7, 2021 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on June 8, 2021. 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.

7:05 P.M. MAYOR'S BUSINESS

- A. Juneteenth Proclamation
- B. Appointments/Reappointments
- C. Upcoming Meetings

7:20 P.M. COMMUNICATIONS

- A. Wilsonville Community Sharing (Salazar)

7:35 P.M. CITIZEN INPUT AND 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.

7:45 P.M. COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

- A. Council President Akervall
- B. Councilor Lehan
- C. Councilor West
- D. Councilor Linville

8:00 P.M. CONSENT AGENDA

- A. **Resolution No. 2900**
A Resolution Of The City Of Wilsonville Authorizing Support Grant Agreement With Wilsonville Community Sharing. (Katko)
- B. Minutes of the May 17, 2021 City Council Meeting. (Veliz)

8:05 P.M. NEW BUSINESS

- A. City Council Goals (Cosgrove)

8:20 P.M. CONTINUING BUSINESS

- A. **Ordinance No. 847** – *2nd Reading*
An Ordinance Of The City Of Wilsonville Approving A Comprehensive Plan Map Amendment From Residential 0-1 Dwelling Units Per Acre To Residential 4-5 Dwelling Units Per Acre On Approximately 2.25 Acres Located At 28700 SW Canyon Creek Road South; The Land Is More Particularly Described As Tax Lot 6400, Section 13BD, Township 3 South, Range 1 West, Willamette Meridian, City Of Wilsonville, Clackamas County, Oregon. Scott Miller, Samm-Miller, LLC – Applicant For William Z. Spring – Owner. (Bradford)

B. Ordinance No. 848 – 2nd Reading

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Residential Agriculture-Holding (RA-H) Zone To The Planned Development Residential-3 (PDR-3) Zone On Approximately 2.25 Acres Located At 28700 SW Canyon Creek Road South; The Land Is More Particularly Described As Tax Lot 6400, Section 13BD, Township 3 South, Range 1 West, Willamette Meridian, City Of Wilsonville, Clackamas County, Oregon. Scott Miller, Samm-Miller, LLC – Applicant For William Z. Spring – Owner. (Bradford)

8:25 P.M. PUBLIC HEARING

A. Resolution No. 2901 (Legislative)

A Resolution Declaring The City’s Eligibility To Receive State Shared Revenues. (Rodocker)

B. Resolution No. 2902 (Legislative)

A Resolution Declaring The City’s Election To Receive State Shared Revenues. (Rodocker)

C. Resolution No. 2903 (Legislative)

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 2021-22. (Rodocker)

D. Resolution No. 2904 (Legislative)

A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2020-21. (Katko)

8:55 P.M. CITY MANAGER’S BUSINESS

9:00 P.M. LEGAL BUSINESS

9:05 P.M. ADJOURN

**AN URBAN RENEWAL AGENCY MEETING
WILL IMMEDIATELY FOLLOW THE CITY COUNCIL MEETING**

**IF NEEDED AN EXECUTIVE SESSION WILL IMMEDIATELY
FOLLOW THE URBAN RENEWAL AGENCY MEETING**

EXECUTIVE SESSION (If Needed)

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

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.



MEMORANDUM

TO: City of Wilsonville
Mayor and City Council
Bryan Cosgrove, City Manager

FROM: Sara Singer Wilson, SSW Consulting

DATE: June 1, 2021

SUBJECT: 2021 City Council Goals

BACKGROUND

On May 14-15, the City Council and the City's Executive team participated in a goal-setting workshop to recognize the accomplishments of the previous year, identify a five-year vision, establish a shared understanding of the current community context, and develop a focused list of goals to guide the community over the next two years. The City contracted with SSW Consulting, a professional strategic planning and facilitation firm to prepare and guide the team through their discussion.

Prior to the workshops, SSW conducted outreach with the Council and Executive Team to discuss community challenges, opportunities, and priorities on the horizon. The agenda for the discussion was based on the following outcomes identified through the outreach process:

- Celebrate the accomplishments of the past year, establish a shared understanding of the community context, and align with a shared vision as the basis for goal setting;
- Conduct team building activities and communications training to build a collaborative and aligned team between the Council and staff to advance the Council's goals;
- Develop a focused list of shared, high-level, visionary goals to guide the City over the next two years; and,
- Develop a team agreement that will guide the Council's working relationship over the next two years.

2021-2023 COUNCIL GOALS

The Council identified seven goals with accompanying strategies to provide specific direction to staff on how to advance each goal. These goals have been summarized in the attached summary report. The goals are not listed in any particular order and have not been prioritized by the Council or staff.

At the June 7th City Council meeting, the Council will review the goals and provide any final input or clarification to ensure staff has clear direction on how to advance the Council's desired initiatives over the next two years. During the Council goal-setting workshop, the team expressed an interest in pursuing partnerships with other organizations where appropriate to help advance the goals and strategies. As



SSW CONSULTING

part of the June 7th Council discussion, the Council may want to provide direction to staff on potential partnerships to pursue.

Following this discussion, the Council will prioritize the goals. The prioritization exercise will result in data that will assist staff in finalizing their organizational work plans. The City's Executive Team will consider the Council's priorities, existing projects underway, resources, and other data as they develop implementation timelines for each strategy.

ATTACHMENT

Draft 2021-2023 City Council Goals



2021-2023 City Council Goals

Draft Revised June 1, 2021



Introduction

The City of Wilsonville is pleased to present the summary of its 2021 Goal-Setting Workshop. The City Council and Executive Team conducted a two-day workshop on May 14-15, 2021 to recognize the accomplishments of the previous year, identify a five-year vision, establish a shared understanding of the current community context, and develop a focused list of goals to guide the community over the next two years. The City contracted with SSW Consulting, a professional strategic planning and facilitation firm to prepare and guide the team through their discussion. Prior to the workshops, SSW conducted outreach with the Council and Executive Team to discuss community challenges, opportunities, and priorities on the horizon. The agenda for the discussion was based on the following outcomes identified through the outreach process:

- » Celebrate the accomplishments of the past year, establish a shared understanding of the community context, and align with a shared vision as the basis for goal setting;
- » Conduct team building activities and communications training to build a collaborative and aligned team between the Council and staff to advance the Council's goals;
- » Develop a focused list of shared, high-level, visionary goals to guide the City over the next two years; and,
- » Develop a team agreement that will guide the Council's working relationship over the next two years.

The City Council and Executive Team worked together to identify goals and strategies for 2021-2023 that will build on the work and success of previous years, while also addressing new challenges and shifting community needs. The City will work on these goals in addition to maintaining high-quality core City services and completing prior goals that are still in progress.

The team looks forward to working together with the community and the City's partners as they begin the work to advance these goals.

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Our Team

City Council

Julie Fitzgerald, Mayor
Kristin Akervall, Council President
Charlotte Lehan, Councilor
Ben West, Councilor
Joann Linville, Councilor

Executive Team

Bryan Cosgrove, City Manager
Dwight Brashear, Transit Director
Pat Duke, Library Director
Barbara Jacobson, City Attorney
Delora Kerber, Public Works Director
Chris Neamtzu, Community Development Director
Cathy Rodocker, Finance Director
Andy Stone, Information Technology Director
Jeanna Troha, Assistant City Manager
Rob Wurpes, Police Chief

Facilitated By

Sara Singer Wilson, Principal/Owner
SSW Consulting

Team Vision + Values



To align the group around a future state of mind, the team imagined how they wanted Wilsonville to look, feel and function five years into the future. The team discussed headlines and stories from the future, helping the group to generate alignment around a future direction. This vision guided and inspired the goal-setting process.

Wilsonville's Vision

Wilsonville is a clean, green and safe community for all.

Values

Through the team's visioning exercise, they also articulated values that would guide the team in implementing the goals and providing services to the community. The values are the lens through which each of the goals on the following pages will be evaluated and considered.

Diversity, Equity + Inclusion (DEI): We are committed to promoting DEI in the delivery of City services to the community and in our organizational operations.

Sustainable: We are sustainable in the delivery of services by being good financial stewards and innovative in our approaches to service delivery to the community.

Economic Opportunity: We are committed to strategically growing Wilsonville's economy providing economic opportunity for all.

Environment: We are good stewards of our environment by modeling practices and embracing policies that preserve and protect the natural environment.

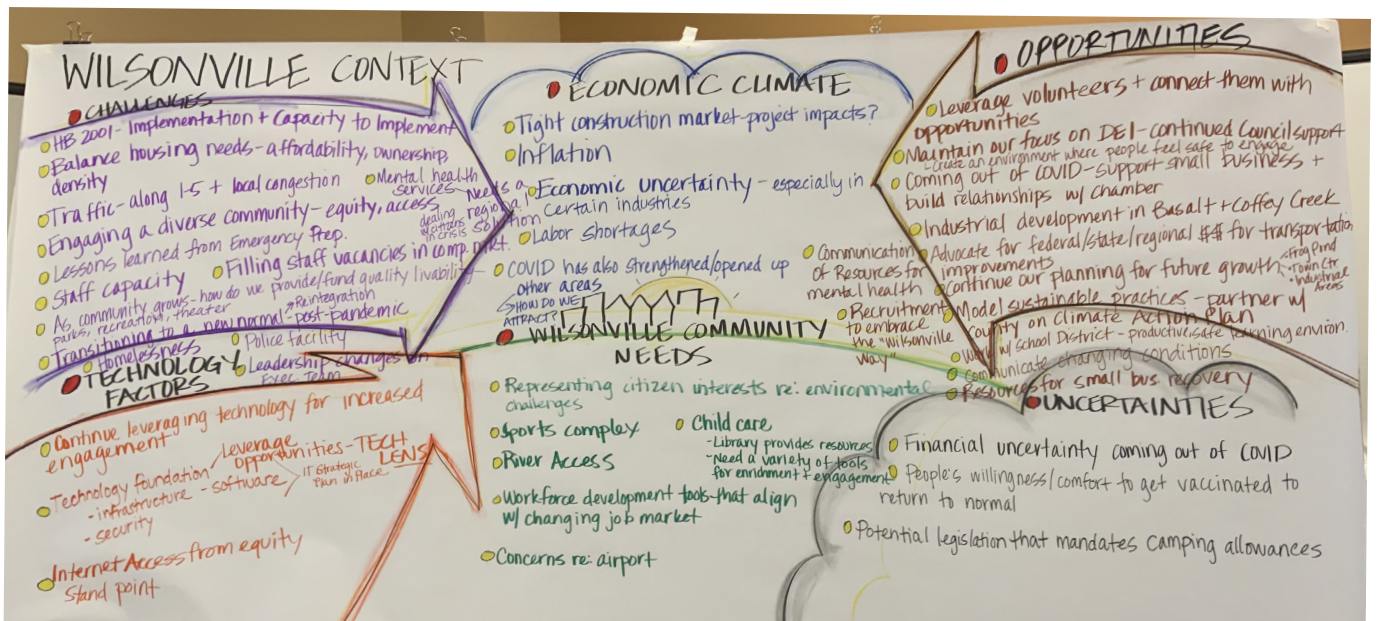
Safety: We are committed to creating a safe, livable community for all by providing a physically safe environment and ensuring people feel psychologically safe.

Setting

The Context

The team celebrated and recognized accomplishments and progress from the last year, in particular the many shifts and transitions in services made to address the COVID-19 pandemic, social justice movements, wildfires, and more. The previous year brought many new challenges that the team met with resilience and efforts to innovate City services to continue meeting the needs of all members of the community.

This section highlights the general context of the community. All organizations work in a context; there are larger environmental forces and trends that shape what is and is not possible just as much as the internal capacities and capabilities of a group. The context map shown in this section provides a big-picture view of the Wilsonville environment.



The team's context map created at the May 14, 2021 workshop

Context Map Highlights

The Context Mapping exercise increased the team's understanding of complex situations and established a common backdrop for goal-setting. To establish this shared context, the City Council and Executive Team discussed topics including opportunities, challenges, economic climate, technology trends, community needs, and uncertainties.

Opportunities

- » Leverage volunteers and connect them with opportunities
- » Maintain our focus on diversity, equity and inclusion (DEI) and provide continued Council support. Create an environment where people feel safe to engage.
- » As we come out of the pandemic, support small business and build relationships with the Chamber of Commerce
- » Industrial development opportunities in Basalt Creek and Coffee Creek areas
- » Advocate for Federal/State/Regional money for transportation improvements
- » Continue our planning for future growth in Frog Pond, Town Center, and the industrial areas
- » Model sustainable practices and partner with the County on a Climate Action Plan
- » Work with the School District to create a productive, safe learning environment post pandemic
- » Communicate changing conditions regarding health/social distancing restrictions
- » Provide resources for small business recovery
- » Communicate resources for mental health
- » Conduct recruitments that attract candidates who will embrace the "Wilsonville Way"

Challenges

- » Implementation of HB 2001 and the related staff capacity necessary for implementation
- » Balance the City's housing needs including affordability, ownership and density
- » Traffic along I-5 and local congestion
- » Engaging a diverse community - ensuring equity and access
- » Understanding and responding to lessons learned from emergency response incidents over the past year
- » Staff capacity
- » As the community grows, how do we provide and fund quality of life/livability amenities including parks, recreation opportunities, cultural services, etc.?
- » How will we transition to a new normal and reintegrate following the pandemic?
- » Homelessness
- » The need for a police facility
- » Upcoming changes in the City's leadership on the Executive Team
- » Mental health services needs a regional response to support citizens in crisis

Economic Climate

- » Tight construction market could cause project impacts
- » Inflation
- » Economic uncertainty especially in certain industries
- » Labor shortages
- » The pandemic has strengthened some industries and opened up new opportunities. How can the City attract these?

Community Needs

- » Represent citizen interests regarding environmental challenges
- » Sports complex
- » River access
- » Workforce development tools that align with a changing job market
- » Addressing concerns regarding the airport
- » Childcare - the Library provides some resources, but a variety of tools for enrichment and engagement are needed

Technology Trends

- » Continue leveraging technology for increased engagement
- » Technology foundation in Wilsonville. We have a strategic plan in place to plan for infrastructure, software and security. Leverage opportunities using a tech lens
- » Equitable access to the Internet

Uncertainties

- » Financial uncertainty coming out of COVID
- » People's willingness/comfort to get vaccinated so we can return to normal activities
- » Potential legislation that mandates camping allowances

2021-2023

City Council Goals

The team reviewed the City's current context, considering challenges and opportunities on the horizon as they identified goals and strategies that would address these challenges and build on the work and success of previous years.

At this time, the goals and actions have not been listed in any particular order. During the Council's review of the draft goals in June 2021, the group will participate in a prioritization process. Staff will use the Council's input on priorities in addition to considering costs, available resources, and work currently in progress as they determine the proposed implementation timeline for each action.



PROTECT WILSONVILLE'S ENVIRONMENT
+ INCREASE ACCESS TO SUSTAINABLE LIFESTYLE CHOICES

A diamond-shaped graphic with a yellow border. At the top is an illustration of a globe with a green plant growing from it. The text "PROTECT WILSONVILLE'S ENVIRONMENT" is written in green, and "INCREASE ACCESS TO SUSTAINABLE LIFESTYLE CHOICES" is written in black below it.

ENGAGE THE COMMUNITY TO SUPPORT EMERGENCY PREPAREDNESS + RESILIENCY

A diamond-shaped graphic with a yellow border. At the top is the text "ENGAGE THE COMMUNITY TO SUPPORT EMERGENCY PREPAREDNESS + RESILIENCY". Below the text is an illustration of a group of people and a yellow warning triangle.

ATTRACT HIGH-QUALITY INDUSTRY + ECONOMIC OPPORTUNITY TO WILSONVILLE

A diamond-shaped graphic with a yellow border. At the top is an illustration of a bar chart with an upward-pointing arrow. The text "ATTRACT HIGH-QUALITY INDUSTRY + ECONOMIC OPPORTUNITY TO WILSONVILLE" is written in red and black.

2021 CITY COUNCIL GOALS

EXPAND HOME OWNERSHIP FOR LOWER INCOME LEVELS + FIRST-TIME HOME BUYERS

A diamond-shaped graphic with a yellow border. At the top is an illustration of a person standing next to a house. The text "EXPAND HOME OWNERSHIP" is written in purple, and "FOR LOWER INCOME LEVELS + FIRST-TIME HOME BUYERS" is written in black below it.

ALIGN INFRASTRUCTURE PLANS WITH SUSTAINABLE FINANCING SOURCES

A diamond-shaped graphic with a yellow border. At the top is an illustration of a blue book and a green dollar sign. The text "ALIGN INFRASTRUCTURE PLANS WITH SUSTAINABLE FINANCING SOURCES" is written in orange and black.

INCREASE MOBILITY FOR ALL IN WILSONVILLE

A diamond-shaped graphic with a yellow border. At the top is the text "INCREASE MOBILITY FOR ALL IN WILSONVILLE". Below the text is an illustration of a person walking, a red car, and a green bus.

SUPPORT LOCAL BUSINESS RECOVERY POST-PANDEMIC

A diamond-shaped graphic with a yellow border. At the top is an illustration of a storefront with a sign. The text "SUPPORT LOCAL BUSINESS RECOVERY POST-PANDEMIC" is written in blue and black.

GOAL	STRATEGIES	STAFF LEAD	TIMELINE (YEARS)
Goal 1: Attract high-quality industry and economic opportunity to Wilsonville	1.1 Identify and convene key stakeholders for workforce development to understand challenges, gaps and opportunities to support local high-paying jobs for the Wilsonville community.	Administration/ Mark Ottenad	TBD
	1.2 Leverage the Coffee Creek Urban Renewal District with the goal of attracting new industry that pays family-wage jobs in two years.	Community Development/Chris Neamtzu	TBD
	1.3 Conduct outreach to help us prioritize infrastructure investments in the industrial area to expedite private investment.	Community Development/Chris Neamtzu	TBD
	1.4 Develop a land aggregation strategy and conduct outreach with property owners to explore long-term plans in Basalt and Coffee Creek.	Community Development/Chris Neamtzu	TBD
	1.5 Advance the existing strategy for recruitment and expansion of the City's industrial areas.	Community Development/ Administration/ Chris Neamtzu	TBD
Goal 2: Support local business recovery post-pandemic	2.1 Convene the Chamber of Commerce and Small Business Development Center (SBDC) to assess local business needs and available resources.	Community Development/ Administration/ Bryan Cosgrove	TBD
	2.2 Develop programs for business support using ARPA funds.	Community Development/ Administration/ Bryan Cosgrove	TBD
Goal 3: Increase mobility for all in Wilsonville	3.1 Pursue a legislative strategy to support aligning the SMART service boundaries with the City limits.	Legal/ SMART/ Government Affairs	TBD
	3.2 Leverage existing City funds to attract outside funding for the I-5 bike and pedestrian bridge.	Engineering/ Government Affairs	TBD
	3.3 Work with ODOT to incorporate the French Prairie bridge crossing into the Boone Bridge project.	Engineering/ Government Affairs	TBD
	3.4 Advocate at the federal, state and regional level to complete the Boone Bridge replacement.	Government Affairs	TBD

GOAL	STRATEGIES	STAFF LEAD	TIMELINE (YEARS)
Goal 4: Align infrastructure plans with sustainable financing sources	4.1 Update the urban renewal strategic plan.	Community Development/Economic Development Manager	TBD
	4.2 Establish the Arts and Culture Board and fund a feasibility study for performing arts facility.	Administration/Mark Ottenad	TBD
	4.3 Conduct a financial analysis to explore costs and revenue options to fund the City's major infrastructure projects that are currently are without available funding.	Finance/Finance Director	TBD
Goal 5: Expand home ownership for lower income levels and first-time home buyers	5.1 Continue implementation of the City's Equitable Strategic Housing Plan and explore funding options including Construction Excise Tax (CET), Vertical Housing Development Zone (VHDZ), etc.	Planning/Miranda	TBD
	5.2 Develop a concept plan, zoning strategy, public outreach, identify partners, pursue grant funding, and draft development agreement for a TOD project at WES Transit Center site.	Planning/Miranda	TBD
	5.3 Explore examples of other programs to support home ownership for low-income residents and first-time home buyers as part of the Frog Pond East and South Master Plan.	Planning/Miranda	TBD
Goal 6: Protect Wilsonville's environment and increase access to sustainable lifestyle choices	6.1 Participate in the Aurora State Airport planning discussions to represent Wilsonville's environmental interests.	Community Development/Chris Neamtzu	TBD
	6.2 Update the City's Comprehensive Plan to include a section on the environmental impacts of the Aurora State Airport.	Community Development/Chris Neamtzu	TBD
	6.3 Explore options to expand access to urban gardening and other sustainable lifestyle choices.	Parks and Recreation/Parks Director	TBD
	6.4 Develop a Wilsonville climate action strategy in alignment with Clackamas County's planning efforts.	Natural Resources	TBD

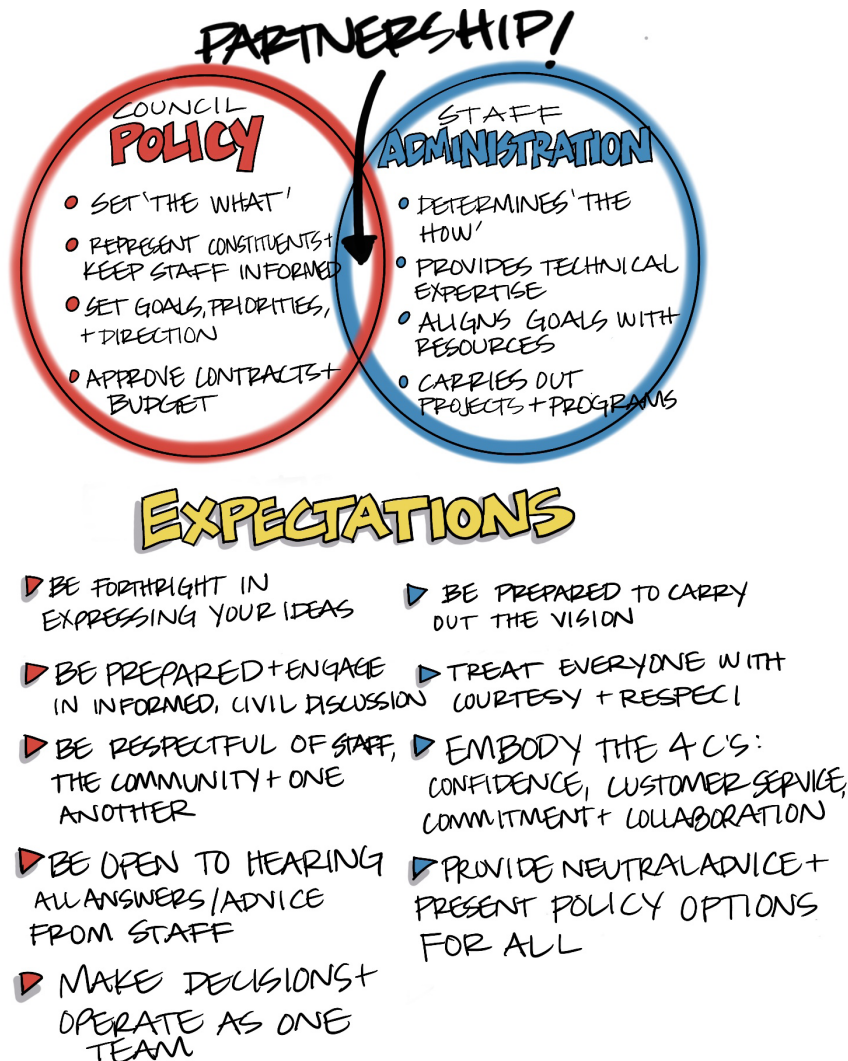
GOAL	STRATEGIES	STAFF LEAD	TIMELINE (YEARS)
Goal 7: Engage the community to support emergency preparedness and resiliency	7.1 Work with emergency response providers to identify gaps and enhance Wilsonville's emergency preparedness planning for all types of emergencies/ disasters.	Public Works/Delora Kerber	TBD
	7.2 Connect the community (residents and businesses) with emergency response resources and educational materials to improve individuals' response planning.	Public Works/ Communications/ Delora Kerber	TBD

Roles, Expectations +

Team Agreement

The Team reviewed the background information regarding the Council-Manager form of government, and roles and expectations of Councils and Administration. This discussion provided context for the goal-setting discussion as well as assisted the team in thinking about how they will work together to advance the goals.

The team agreement identifies how the City Council agrees to work together in alignment with their Council Protocols. Newly elected Councils develop team agreements to honor their individual strengths and communication styles. The purpose of this agreement is to guide the team in working together, build trust, and facilitate open communication and accountability.



City Council Team Agreement



ALL PERSPECTIVES ARE VALUED

We are committed to sharing and listening to all voices on the Council. Each member of the team has an equally important voice that should be heard, respected and included.



TRUST

We are committed to building and maintaining trust amongst the team. If questions or conflict arises, we will personally reach out to address the situation and be open to dialogue with our teammate(s). We support a safe environment where we can explore our individual ideas and motives for community policy.



RESPECT THE DECISION-MAKING PROCESS

We are committed to a fair decision-making process where everyone on the team shares their perspective and can respectfully disagree during the deliberations process. Once a decision has been made, we agree to move forward as ONE team. If we dissent with the decision made, we agree to respectfully state our dissent while including a statement of why the Council made their decision.



ASSUME POSITIVE INTENT

We are committed to serving the whole Wilsonville community and bring positive intentions of providing excellent service to all.

Implementation +

Progress Reporting

To maintain accountability to the goals and ensure two-way communication between the Council, Executive Team, and the community, the following process has been outlined to support the implementation of the goals. This process will also guide the team in evaluating and tracking progress on the goals over the next two years.

Progress Reporting

Every quarter, the Executive Team will provide the City Council with an update on the goals and strategies. These updates will include any progress, challenges that need to be addressed, and/or recommendations or requests for additional Council direction. City staff will continue to provide real time updates on projects as they progress and highlight the goals and strategies in their department work plans, agendas, and staff reports where applicable.

To assist the Council with providing timely information to the community, City staff will look into the creation of a dashboard where Council can obtain real-time updates of the goals and strategies. Additionally, the City Manager reports will include highlights of the goal updates. The City Council and community have access to these reports online. City staff will promote this area of the website and drive more traffic to these valuable updates.



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www.ci.wilsonville.or.us

Prepared by:



SSW CONSULTING
www.sarasingerwilson.com



City of Wilsonville Council Goals

June 4, 2021

Presented By:



SSW CONSULTING

PRESENTATION OVERVIEW

- Review the Draft Council Goals
- Provide input on partnerships
- Prioritize the goals

VISION + VALUES

PROVIDES A 5-YEAR VISION AND VALUES TO GUIDE THE TEAM IN IMPLEMENTING THE GOALS

VALUES

- Diversity, Equity, + Inclusion (DEI)
- Sustainable
- Economic Opportunity
- Environment
- Safety

VISION
WILSONVILLE IS
A CLEAN, GREEN
AND SAFE
COMMUNITY
FOR ALL.

COUNCIL GOALS

An icon of a globe with a sun and a tree.

PROTECT WILSONVILLE'S
ENVIRONMENT
+ INCREASE ACCESS TO SUSTAINABLE LIFESTYLE CHOICES

An icon showing a group of people, a first aid kit, and a warning sign.

ENGAGE THE COMMUNITY TO SUPPORT
EMERGENCY PREPAREDNESS
+ RESILIENCY

An icon of a bar chart with an upward-pointing arrow.

ATTRACT HIGH-QUALITY
INDUSTRY + ECONOMIC OPPORTUNITY
TO WILSONVILLE

2021 CITY COUNCIL GOALS

An icon of a person standing next to a house.

EXPAND
HOME OWNERSHIP
FOR LOWER INCOME LEVELS + FIRST-TIME HOME BUYERS

An icon of a storefront with a sign that says "OPEN".

SUPPORT LOCAL
BUSINESS RECOVERY
POST-PANDEMIC

An icon of a dollar sign and a document.

ALIGN
INFRASTRUCTURE PLANS WITH SUSTAINABLE FINANCING SOURCES

An icon showing a person walking, a car, and a bicycle.

INCREASE
MOBILITY FOR ALL IN WILSONVILLE

GOAL 1: ATTRACT HIGH-QUALITY INDUSTRY AND ECONOMIC OPPORTUNITY TO WILSONVILLE



- 1.1 Identify and convene key stakeholders for workforce development to understand challenges, gaps and opportunities to support local high-paying jobs for the Wilsonville community.
- 1.2 Leverage the Coffee Creek Urban Renewal District with the goal of attracting new industry that pays family-wage jobs in two years.
- 1.3 Conduct outreach to help us prioritize infrastructure investments in the industrial area to expedite private investment.
- 1.4 Develop a land aggregation strategy and conduct outreach with property owners to explore long-term plans in Basalt and Coffee Creek.
- 1.5 Advance the existing strategy for recruitment and expansion of the City's industrial areas

GOAL 2: SUPPORT LOCAL BUSINESS RECOVERY POST- PANDEMIC



2.1 Convene the Chamber of Commerce and Small Business Development Center (SBDC) to assess local business needs and available resources.

2.2 Develop programs for business support using ARPA funds

GOAL 3: INCREASE MOBILITY FOR ALL IN WILSONVILLE



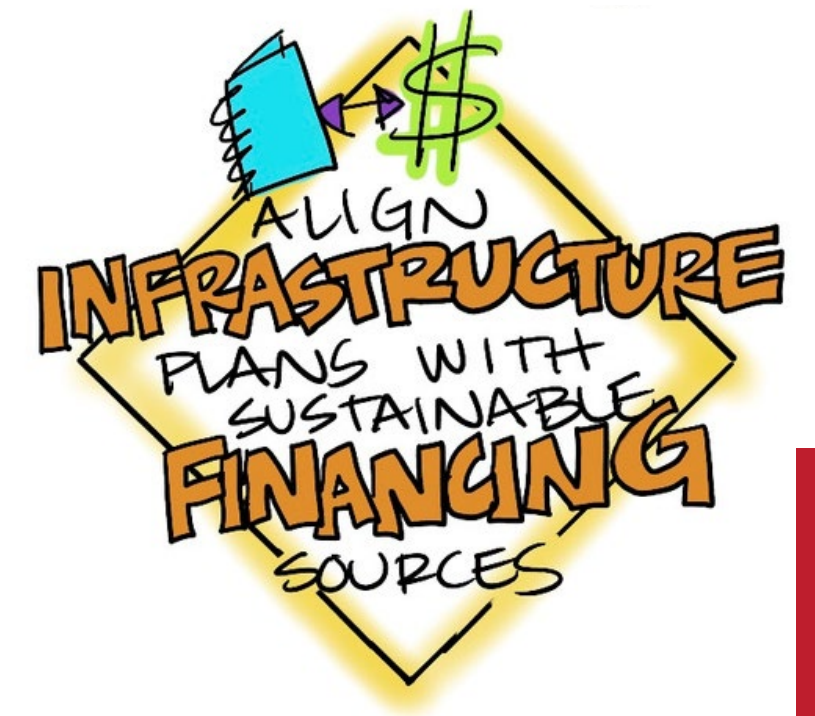
3.1 Pursue a legislative strategy to support aligning the SMART service boundaries with the City limits.

3.2 Leverage existing City funds to attract outside funding for the I-5 bike and pedestrian bridge.

3.3 Work with ODOT to incorporate the French Prairie bridge crossing into the Boone Bridge project.

3.4 Advocate at the federal, state and regional level to complete the Boone Bridge replacement

GOAL 4: ALIGN INFRASTRUCTURE PLANS WITH SUSTAINABLE FINANCING SOURCES



4.1 Update the urban renewal strategic plan.

4.2 Establish the Arts and Culture Board and fund a feasibility study for a performing arts facility.

4.3 Conduct a financial analysis to explore costs and revenue options to fund the City's major infrastructure projects that are currently without available funding.

GOAL 5: EXP AND HOME OWNERSHIP FOR LOWER INCOME LEVELS AND FIRST-TIME HOMEBUYERS



5.1 Continue implementation of the City's Equitable Strategic Housing Plan and explore funding options including Construction Excise Tax (CET), Vertical Housing Development Zone (VHDZ), etc.

5.2 Develop a concept plan, zoning strategy, public outreach, identify partners, pursue grant funding, and draft development agreement for a TOD project at WES Transit Center site.

5.3 Explore examples of other programs to support home ownership for low-income residents and first-time homebuyers as part of the Frog Pond East and South Master Plan.

GOAL 6: PROTECT WILSONVILLE'S ENVIRONMENT AND INCREASE ACCESS TO SUSTAINABLE LIFESTYLE CHOICES



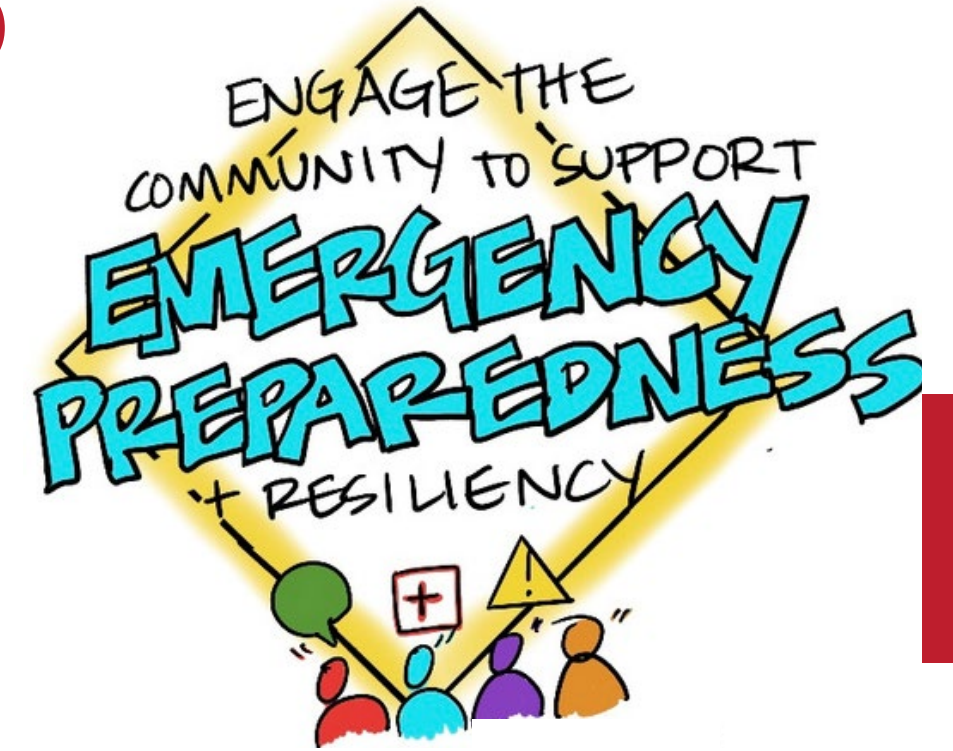
6.1 Participate in the Aurora State Airport planning discussions to represent Wilsonville's environmental interests.

6.2 Update the City's Comprehensive Plan to include a section on the environmental impacts of the Aurora State Airport.

6.3 Explore options to expand access to urban gardening and other sustainable lifestyle choices.

6.4 Develop a Wilsonville climate action strategy in alignment with Clackamas County's planning efforts.

GOAL 7: ENGAGE THE COMMUNITY TO SUPPORT EMERGENCY PREPAREDNESS AND RESILIENCY



7.1 Work with emergency response providers to identify gaps and enhance Wilsonville's emergency preparedness planning for all types of emergencies/disasters.

7.2 Connect the community (residents and businesses) with emergency response resources and educational materials to improve individuals' response planning.

PRIORITIZING THE GOALS

Councilors can join the voting online at
<https://www.menti.com/kwqe1evmvw>

code: 1535 7230

QUESTIONS + DISCUSSION

THANK YOU!



SSW CONSULTING



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: June 7, 2021		Subject: Middle Housing in Wilsonville Project	
		Staff Member: Daniel Pauly, Planning Manager	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd 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 Comments: N/A	
Staff Recommendation: Provide additional project guidance.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Thoughtful, Inclusive Built Environment; Equitable housing study and develop affordable housing strategies	<input type="checkbox"/> Adopted Master Plan(s):	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE CITY COUNCIL:

City Council review of draft Code and policy changes for the Middle Housing in Wilsonville project. Provide direction on a potential requirement for a percentage of middle housing being required in the undeveloped areas of Frog Pond West.

EXECUTIVE SUMMARY:

The City is undertaking a project to update rules related to the allowance of middle housing. Middle housing includes housing types where a few homes are on one lot (duplex, triplex) and where homes are on separate lots that share a common wall (townhouses). The project is driven by updates to State law as well as local equitable housing policy. This will be the City Council's third work session on the project. The Planning Commission has had six work sessions. Since the last work session with the Council, the project team has continued work to develop a recommended package of updates to the City Development Code and related policies.

To assist in the review of the updates and help focus attention on the updates in need of the most attention, the project team categorized the updates. The draft amendments in Attachment 1 are color-coded by category as depicted below.

Category 1: Direct requirement for state compliance, no significant local flexibility.

Category 2: Requirement for state compliance, no significant local flexibility. These updates make middle housing development feasible or acknowledge allowance of middle housing.

Category 3: Requirement of state compliance with some local flexibility.

Category 4: Not necessary for compliance or feasibility and not directly related to middle housing. Includes technical code fixes and updates to the broader residential parking policy not required by the state. These updates are included out of convenience since much of the residential code is already being amended.

This work session will focus on reviewing Category 1 and 2 updates; Category 3 updates for which the project team has previously received direction from Planning Commission and City Council, and Category 4 updates that are minor and do not require in-depth discussion. The Planning Commission reviewed these proposed changes and offered support with minor edits and questions. A brief summary will be presented at the work session, but will not cover every code change due to time constraints. .

Future work sessions will focus on additional Category 3 and 4 updates needing more focus, including siting and design standards and residential parking policy. Note Category 1 and 2 updates to the Residential Neighborhood (RN) zone (Frog Pond) are not included in this work session's package of amendments as they are intertwined with Category 3 updates, subject to further discussion in a future work session.

Beyond reviewing the code and plan updates, this work session will share the Planning Commission's recommendation on a percentage requirements for middle housing in future development projects in Frog Pond West and seeks Council's confirmation or further direction on the recommendation;

Draft Code Updates: The first part of the work session will focus on reviewing the draft updates in Attachment 1. This is planned to be the final work session during which these particular updates will be a focused topic of discussion. As further summarized below, the nature of these updates are:

- Clearly defining middle housing terms and updating related references in the code;
- Specifically establishing middle housing as an allowed use in all residential zones;

- Updating the review process for middle housing to be the same as detached single-family homes;
- Incorporating density exemptions for middle housing for state compliance;
- Updating siting and design standards to limits set by the State;
- Referencing recent housing policy updates in policy documents; and
- Establishing status of previous planned development approvals.

Clearly Define Middle Housing and Update References

These updates add or refine definitions of the various types of middle housing consistent with state statute and rules. This includes adding definitions for triplex, quadplex, and their equivalent detached versions. An updated definition of cottage cluster and townhouse is also added. The definition of multi-family housing and detached single-family are updated to differentiate them from middle housing (see Section 4.001 pages 7-13 of Attachment 1). References to different housing types are updated throughout the Development Code to be consistent with the new definitions (see Section 4.124 page 34 of Attachment 1 as an example).

Clarify Middle Housing as an Allowed Use in Residential Zones

While residential zoning districts already allow most middle housing, the list of allowed uses in all the zones are updated to specifically list the newly defined middle housing types as allowed uses (see Section 4.124 page 34 of Attachment 1 as an example).

Update Review Process for Middle Housing

One state requirement is that middle housing go through the same review process as detached single-family housing. Currently, some middle housing types would go through the same process as multi-family housing. The updates add middle housing to the type of building permits reviewed administratively, without notice, by the Planning Director and designated staff (see Section 4.030, page 2 of Attachment 1). The updates also clarify middle housing, like detached single-family housing, is not subject to Site Design Review. Multi-family housing remains subject to Site Design Review (see Section 4.420, page 106 of Attachment 1).

Incorporate Density Exemptions for Middle Housing

The state rules exempt duplexes, triplexes, quadplexes, and cottage clusters from density maximums. In addition, the rules establish the allowed density of townhouses as the lesser of four times the allowed density for single-family detached dwellings or 25 units per net acre. Updates incorporate these exemptions and special treatment in the various references to density within the Comprehensive Plan and Development Code. For example, footnotes to the density table in Section 4.124, Planned Development Residential Zones, now includes language stating the exemptions (see Section 4.124, page 36 of Attachment 1).

Incorporate Required Limits for Siting and Design Standards

While a future work session will cover some “Category 3” siting and design standards that allow more local flexibility, the updates before the commission in this work session incorporate required “Category 1 and Category 2 updates” to siting and design standards. Specific State-required standards include minimum lot sizes for various middle housing types and cottage cluster setbacks. In addition, while in most residential zones the allowed lot coverage (the percentage of a lot covered by buildings) is high enough to not deter middle housing, the Residential Zone (R Zone)

still has older lot coverage requirements that would limit the ability to add middle housing. The updates make the R Zone lot coverage consistent with similar-sized lots in the Planned Development Residential (PDR) and Residential Neighborhood (RN) Zones (see Section 4.122, page 30 of Attachment 1). Updates also incorporate the limit of requiring no more than one parking space per most middle housing units and the limit of requiring no parking for Accessory Dwelling Units (see Section 4.155, page 95 of Attachment 1). A future work session will cover more elements related to parking, including parking management, design, and potential incentives for extra parking.

Referencing Recent Housing Policy Updates

An explanation of the Equitable Housing Strategic Plan and House Bill 2001 is added to the introductory language of the Comprehensive Plan, Villebois Village Master Plan, and Old Town Neighborhood Plan (see pages 116-117, 141-142, 160-161 of Attachment 1). The reference provides the necessary introduction and background explanation of these policies to build a foundation for related updates to specific language in these documents and the Development Code.

Establish Status of Previous Planned Developments Not Matching New Standards

Planned developments are a key part of Wilsonville's land use regulations. Currently, once approved, planned developments control uses on the land, even if the underlying zoning code changes. This creates a compliance issue as existing single-family-only planned developments would not allow middle housing. The updates add language to the planned development regulations in Section 4.140 (see pages 91-92 of Attachment 1) to allow existing planned developments to become legal non-conforming development, and thus trigger newer zoning regulations to apply to new development. In addition, language specifically ensures the density exemptions for middle housing and density rules for townhouses apply moving forward in existing planned developments. It is worth noting existing private covenants restricting middle housing in planned residential developments may continue to apply.

Middle Housing Percentage Requirement in Frog Pond: The other key focus of the work session will be discussing middle housing in Frog Pond West. Previously, the Planning Commission expressed concern that the limited amount of land available in Frog Pond West may result in little, if any middle housing. Middle housing is currently only allowed in small lot subdistricts most of which have already been developed as single family homes. At the Commission's March work session, the concept was raised to require additional middle housing beyond the limited amount of duplexes currently required. In the April work session, the concept was revisited and the Planning Commission desired additional information on what the percentage requirement would look like. Similarly, when the concept was raised with at the April 19 City Council work session, the Council desired additional information.

Thus, this was a topic for further policy discussion by the Planning Commission, and during their May work session Planning Commission recommended requiring 10% of all uncommitted land, as described below, be allocated for middle housing. The Planning Commission had an excellent discussion concerning this recommendation. With the recommendation the Planning Commission seeks to respect the Frog Pond West planning effort and the decisions made while also honoring the Equitable Housing Strategic Plan and voices that were not engaged in the Frog Pond West planning process. The project team desires either the Council's confirmation of the Planning

Commission's preferred approach or direction on an alternative. Using this direction, the project team will develop draft implementing code language to share at an upcoming work session. For further context and information, Council members may want to watch the Planning Commission's discussion on the City's YouTube channel. The discussion begins at timestamp 1:27:15 of the video linked here (<https://www.youtube.com/watch?v=0jntRHWCHJk>) and lasts for about 17 minutes.

The Planning Commission's recommended option honors the previous planning work for Frog Pond West, while also honoring the Equitable Housing Strategic Plan, by requiring that the existing 10% duplex/middle housing requirement be allowed to be placed on any remaining uncommitted land. The 2017 Frog Pond Master Plan established 10% as a reasonable level of middle housing within a development to provide variety while maintaining a consistent look and feel.

The project team checked to see how many actual middle housing units would actually result from the proposed 10% middle housing approach on any uncommitted. If all the currently uncommitted lands in Frog Pond West developed with the proposed 10% requirement, the project team calculates approximately 30 middle housing units would likely be built. This assumes a developer would try to maximize density while building the minimum amount of middle housing and maximizing the amount of single-family lots, which is consistent with feedback received to date from developers. As a reminder, not adding a requirement may only result in 4-5 middle housing units because there is very little land remaining that is designated small-lot subdistrict.

An alternative approach presented to the Planning Commission that the Council could consider aims to increase the density in these uncommitted subdistricts by about 24.4% using a middle housing requirement. The 24.4% is the required density increase across the Master Plan area required by State rules. A 15% middle housing requirement would be the closest to resulting in a 24.4% density increase across the remaining uncommitted subdistricts. This is again assuming the likely scenario of a developer maximizing density while building the minimum amount of middle housing and maximizing the amount of single-family lots. This required percentage would likely result in between 45 middle housing units.

Discussion Items:

In summary, the project team requests the Council's discussion at the work session and feedback to focus on the following items:

1. Comments and questions about the draft Development Code updates (Attachment 1) to direct the project team as they finalize amendments for the upcoming public hearing. This will be the last time a work session will focus discussion on the specific code updates in this packet.
2. Provide guidance concerning what percentage of middle housing to require in uncommitted portions of Frog Pond West.

EXPECTED RESULTS:

Gather additional feedback and direction from the Council to continue to guide the Middle Housing in Wilsonville Project.

TIMELINE:

The City Council and Planning Commission will continue to review during work sessions over the coming months. A Planning Commission Public Hearing to make a formal recommendation to City Council is scheduled for September and a City Council public hearing and adoption are anticipated in October.

CURRENT YEAR BUDGET IMPACTS:

The main consultant contract is for \$125,000. \$95,000 is covered by a grant from the Oregon Department of Land Conservation and Development (DLCDD). The remaining amount is covered by funds budgeted in the City's FY 2020-2021 Budget. The remaining \$30,000 will be billed in FY 2021-2022, so a supplemental budget rolling over the remaining funds will be needed. Specific outreach to the Latinx community and other historically marginalized communities is funded by an \$81,200 Metro grant.

FINANCIAL REVIEW / COMMENT:

Reviewed by: CAR Date: 5/20/2021

Each year the Finance Department presents a budget supplemental adjustment to account for the funding that needs to be recognized in the subsequent. This adjustment is typically brought to Council in September.

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 6/2/2021

COMMUNITY INVOLVEMENT PROCESS:

Community outreach has begun and will continue until late spring and into summer as needed, including to the Latinx community supported by a Metro Community Engagement Grant. Opportunities to engage have included community meetings, stakeholder meetings, focus groups, online surveys, and other online materials. Outreach to the Latinx community continues. In addition, the project team plans an additional Old Town Neighborhood meeting and Community-wide forum this summer prior to moving forward with public hearings.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

A greater amount of middle housing in neighborhoods meeting standards with broad community support. A greater amount of middle housing will create more housing opportunities for a variety of incomes, needs, and preferences.

ALTERNATIVES:

The Council may direct additional or modified approaches that help the City achieve compliance with House Bill 2001 and implement a key strategy from the Equitable Housing Strategic Plan. If the City does not adopt compliant standards by June 30, 2022, a state model code will come into effect for Wilsonville.

ATTACHMENTS:

1. Attachment 1 Draft Middle Housing Plan and Code updates package 1, dated May 5, 2021 (Category 1 and 2 updates, with select Category 3 and 4 updates)

*** Sections 4.000 – 4.029 are not included in this review draft ***

Section 4.030. Jurisdiction and Powers of Planning Director and Community Development Director.

- (.01) Authority of Planning Director. The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:
- A. A Class I application shall be processed as a ministerial action without public hearing, shall not require public notice, and shall not be subject to appeal or call-up, except as noted below. Pursuant to Class I procedures set forth in Section 4.035, and upon finding that a proposal is consistent with the provisions of this Code and any applicable Conditions of Approval, shall approve the following, with or without conditions:
1. Minor site clearing and grading, prior to the approval of a Site Development Plan, provided that:
 - a. no clearing or grading occurs within the Significant Resource Overlay Zone. Clearing or grading in the Significant Resource Overlay Zone shall require, at a minimum, approval of a Class II permit through the procedures specified below;
 - b. no clearing or grading occurs within twenty-five (25) feet of an area that has been identified by the City as a wetland;
 - c. not more than three (3) trees are proposed to be removed;
 - d. no fill or removal is proposed;
 - e. adequate measures are utilized to control erosion and runoff from the site and that the applicant will submit a final Site Development application within seven (7) days of submitting the minor site grading application. All grading activities require compliance with the requirements of the applicable building code and City Public Works standards.
 2. Class I Sign Permits, and Temporary Sign Permits for thirty (30) days or less. [Amended by Ord. No. 704, 6/18/12.]
 3. Architectural, landscape, tree removal, grading and building plans that substantially conform to the plans approved by the Development Review Board and/or City Council. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.
 4. Building permits for single family ~~or two-family~~ dwellings, middle housing, and in the Village zone, row houses or apartments, meeting zoning requirements and located on lots that have been legally created. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters. [Amended by Ord 557 adopted 9/5/03].

5. Lot line adjustments, where none of the lots increase in area by fifty percent (50%) or more, subject to the standards specified in Section 4.233.
6. A temporary use permit for not more than thirty (30) days, subject to the following standards:
 - a. the applicant has the written permission of the property owner to use the site;
 - b. the proposed use will not create an obstruction within a sight vision clearance area that would impair the vision of motorists entering onto or passing by the property;
 - c. adequate parking is provided;
 - d. signs shall meet the standards of Section 4.156.09. A maximum of two signs, not exceeding a combined total of 24 square feet, are allowed; and
 - e. the proposed use has the approval of the Fire Marshal.
7. Determination that an existing use or structure is a non-conforming use or non-conforming structure, as defined in this Code. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the history of the property, choose to process such determinations through the Class II procedures below.
8. Actions taken subject to Site Development Permits which have been approved by the appropriate decision-making body of the City.
9. Final plats for condominiums, subdivisions, or partitions that are substantially the same as tentative plats approved by the City and which are submitted for review and signature prior to recordation with the appropriate county.
10. Type A tree removal permits as provided in Section 4.600.
11. Determination, based upon consultation with the City Attorney, whether a given development application is quasi-judicial or legislative. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the nature of the application, choose to process such determinations through the Class II procedures below.
12. Expedited land divisions. Applications for expedited land divisions, as provided for in Section 4.232 of this Code and ORS Chapter 197 shall be processed without public hearing, and shall be subject to appeal through the special appeal procedures specified in Section 4.232.
 - a. Authority of Planning Director. The Planning Director shall have authority to review applications for expedited land divisions and to take action approving, approving with conditions, or denying such applications, based on findings of fact.
 - b. Tentative Plat Requirements for Expedited Land Divisions. Tentative plats and all other application requirements for expedited land divisions shall be the same as for other forms of land divisions, except as those requirements are specifically altered by the Oregon Revised Statutes.

- c. Administrative Relief Not Available. In taking action on an application for an expedited land division, the Planning Director is not authorized to grant Variances or waivers from the requirements of the Code.
 - d. Residential Areas Only. As specified in ORS 197, expedited land divisions shall only be approved in areas zoned for residential use.
- B. A Class II application shall be processed as an administrative action, with or without a public hearing, shall require public notice, and shall be subject to appeal or call-up, as noted below. Pursuant to Class II procedures set forth in Section 4.035, the Director shall approve, approve with conditions, deny, or refer the application to the Development Review Board for a hearing:
1. Minor alterations to existing buildings or site improvements of less than twenty-five percent (25%) of the previous floor area of a building, but not to exceed 1,250 square feet, or including the addition or removal of not more than ten (10) parking spaces. Minor modifications to approved Architectural and Site Development Plans may also be approved, subject to the same standards.
 2. Residential accessory buildings or structures with less than one hundred and twenty (120) square feet of floor area located within the Willamette River Greenway Boundary pursuant to Section 4.500 and subject to the flood plain development standards of Section 4.172. Approval of such accessory structures in the Greenway shall be based on all of the following findings of fact:
 - a. The building or structure is located so that the maximum amount of landscape area, open space and/or vegetation is provided between the river and the building;
 - b. Public access to the river is preserved or is provided in accordance with an approved and adopted plan; and
 - c. That the change of use, intensification of use, or development will be directed away from the river to the greatest possible degree while allowing a reasonable use of the property.
 3. Written interpretations of the text or maps of this Code, the Comprehensive Plan or sub-elements of the Comprehensive Plan, subject to appeal as provided in Section 4.022. The Planning Director may review and interpret the provisions and standards of Chapter 4 (Planning) of the Wilsonville Code upon receiving the required filing fee along with a specific written request. The Director shall publish and mail notice to affected parties and shall inform the Planning Commission and City Attorney prior to making a final written decision. The Director's letter and notice of decision shall be provided to the applicant, the Planning Commission, the City Council, and City Attorney and the notice shall clearly state that the decision may be appealed in accordance with Section 4.022 (Appeal Procedures). A log of such interpretations shall be kept in the office of the Planning Department for public review.
 4. A permit to locate an accessory use on a lot adjacent to the site of the principal use.

5. Subdivisions located within the Coffee Creek Industrial Design Overlay District and land partitions, other than expedited land divisions, pursuant to Section 4.210. Approval shall be based on all of the following findings of fact:
 - a. The applicant has made a complete submittal of materials for the Director to review, as required in Section 4.210;
 - b. The proposed plan meets the requirements of the Code regarding minimum lot size and yard setbacks;
 - c. The approval will not impede or adversely affect the orderly development of any adjoining property or access thereto;
 - d. The public right-of-way bordering the lots or parcels will meet City standards;
 - e. Any required public dedications of land have been approved for acceptance by the City and will be recorded with the County prior to final plat approval;
 - f. Adequate easements are proposed where an existing utility line crosses or encroaches upon any other parcel to be created by the partition;
 - g. All public utilities and facilities are available or can be provided prior to the issuance of any development permit for any lot or parcel; and
 - h. Roads extended or created as a result of the land division will meet City standards.
6. Decisions on the following:
 - a. Lot line adjustments, where any of the lots increase by more than fifty percent (50%) in area, subject to the provisions of Section 4.233.
 - b. Temporary use permits for periods exceeding thirty (30) days. Temporary use permits may allow specific activities associated with the primary use or business located on the property for up to 120 days provided that:
 - i. the property owners have given written permission;
 - ii. no structure, sign or any other object shall exceed 20 feet in height;
 - iii. adequate parking is provided in designated spaces;
 - iv. signs are limited to a maximum of two and shall not exceed a total combined area of 24 square feet;
 - v. electrical and building permits are obtained as required;
 - vi. undue traffic congestion will not result and, if traffic congestion is expected, a traffic control plan is submitted along with the application that identifies the traffic control procedures that will be used;
 - vii. the activity and/or use shall not unduly interfere with motorists driving on adjacent roads and streets, including I-5; and
 - viii. public notice has been provided and the comments of interested parties have been considered in the action that has been taken.
7. Solar access permits, as specified in Section 4.137.3.
8. Class II Sign Permits. [Added by Ord. No. 704, 6/18/12.]

[Correction of numbering order for Section 4.030(.01)(B.) by Ordinance No. 538, 2/21/02.]

9. Site design review, as authorized in Section 4.400 for properties located within the Coffee Creek Industrial Design Overlay District, which satisfy all applicable standards and adjustment criteria in Section 4.134.10.
 10. Review of Stage I and Stage II Planned Development applications for properties located within the Coffee Creek Industrial Design Overlay District, which satisfy all applicable standards and adjustment criteria in Section 4.134.
 11. Type C tree removal permits as provided in Section 4.600 for properties located within the Coffee Creek Industrial Design Overlay District.
- C. Other specific actions or duties delegated by Planning Commission or Development Review Board Resolution, or by order of the Council, setting forth the review procedure guided by clear and objective standards for administration.
- D. Administrative Relief: In issuing the permits in subsection “B,” above, the Planning Director may grant limited relief in cases of hardship. The Director shall follow the Class II - Administrative Approval procedures to determine whether administrative relief shall be granted. If the Director receives a complete application, along with the required filing fee, and the request involves only the expansion or reduction by not more than 20 percent of one or more quantifiable provisions of yard, area, lot dimension, or parking requirements of the zone, the Director may approve the application, based upon findings of fact supported by evidence in the record. The Variance procedures and standards specified in Section 4.196 shall be used in determining whether administrative relief shall be granted.
- E. Emergency Situations: The Planning Director may review and approve any reasonable and necessary emergency measure, including the removal of trees and vegetation from the Willamette River Greenway, Significant Resource Overlay Zone and wetlands, necessary for the safety and/or protection of persons or property. The standard shall be that the least amount of activity or disruption is used to provide the necessary protection to the property or to avert damage to the property. The Director may require restoration of landscaping, vegetation or soil to repair any damage resulting from enacting emergency protection measures.
- (.02) Authority of Community Development Director. The Community Development Director shall serve as the City's Flood Plain Administrator and shall have specific additional authority as follows:
- A. Reviewing proposed site development applications to assure compliance with the requirements of Section 4.172 (Flood Plain Regulations);
 - B. Reviewing proposed site development applications to determine whether sufficient information exists to waive the requirement of a traffic study.
 - C. Reviewing and determining the adequacy of security provided in lieu of improvements for a development.
 - D. Reviewing final plats for compliance with conditions of approval and City engineering standards.

[Updated by Ord. #812, 2/22/18]

***** Sections 4.031 – 4.035 are not included in this review draft *****

DRAFT

Section 4.001 Definitions.

NOTE:

Only those definitions which are proposed to be amended or which are particularly pertinent to the amendments have been included in the materials. Areas where definitions have been excluded from this review draft are indicated by three asterisks (***)

In addition to the definitions set forth in Section 4.001, below, for the purpose of this Chapter, the following terms are hereby defined. The word "occupy" includes premises designed or intended to be occupied. The word "shall" is always mandatory. All other words shall have the following respective meanings, unless the context otherwise requires:

7. Accessory Dwelling Unit: A dwelling unit of not more than 800 square feet of habitable floor area subordinate to another dwelling unit on the same lot. [Section 4.001 7., Amended by Ord. #825, 10/15/18]

17. Apartment: A type of attached multi-family dwelling unit in a building that contains five or more dwelling units.

39. Building Façade: The exterior elevation(s) of a building; usually set parallel to the front lot line, often distinguished by elaboration of architectural characteristics.

40. Building Façade, Primary: The main exterior elevation of a building; usually associated with its primary entrance and/or street address.

41. Building Frontage Width, Minimum: A Development Standard that controls the degree of spatial definition of public open space. Described as a percentage, the Minimum Building Frontage Width is calculated as the ratio of the length of the primary building façade(s) to its corresponding lot line length, exclusive of required setbacks.

52. Cluster Housing: ~~A type of detached dwelling units development arranged in groups, on a single lot meeting one of the sub-definitions A.-D. below, with a courtyard(s) containing shared green space and a public access sidewalk easement. A type of middle housing.~~ [Amended by Ord. #825, 10/15/18]

A. Cottage Cluster: Cluster housing of four or more units in which each unit has a footprint of 900 square feet or less and units have a common courtyard(s) containing shared green space.

B. 2-Unit Cluster Housing: Cluster housing containing two units where neither unit is an Accessory Dwelling Unit.

C. 3-Unit Cluster Housing: Cluster housing containing three units.

D. 4-Unit Cluster Housing: Cluster housing containing four units but not meeting the definition of cottage cluster.

53. Cluster Housing (Frog Pond West Master Plan): A type of detached dwelling unit development arranged in groups, each unit on its own lot, with a courtyard(s) containing shared green space and a public access sidewalk easement.

53. Cohousing: Cohousing is an intentional community of private homes clustered around a shared space, with design features to promote frequent interaction and close relationships. Cohousing can be comprised of a single housing type or a variety of housing types, as permitted by the base zone. Applicable regulations are determined by the base zone, specific housing types involved, and applicable regulations such as master plans.

[Cohousing Definition added by Ord. 806, 07/17/17]

55. Common courtyard: A common area for use by residents of a cottage cluster or other type of residential development. A common courtyard may function as a community yard. Hard and soft landscape features may be included in a common courtyard, such as pedestrian paths, lawn, groundcover, trees, shrubs, patios, benches, or gazebos.

78. Density: The number of residential dwelling units per acre of land. As specifically identified elsewhere in this code, certain types of dwelling units may be excluded from density calculations.

85. Driveway Approach: A driveway connection to a public street or highway where it meets a public right-of-way. [Added by Ord. #719, 6/17/13.]

86. Duplex: Two attached dwelling units on a single lot, neither of which meets the definition of an accessory dwelling unit. [Amended by Ord. #825, 10/15/18]

87. Dwelling: A building, mobile home, or manufactured home, designed for residential occupancy, but not a house trailer or recreational vehicle.

88. Dwelling Unit: A building or portion thereof providing complete housekeeping facilities for one family household, including a kitchen and bathroom, but not a trailer house or other recreational vehicle. [Added by Ord. #825, 10/15/18]

89. Dwelling Unit, Attached: A dwelling unit which (1) shares one or more common or abutting wall, floor, or ceiling with one or more dwelling units and/or (2) has a shared roof structure with or a roof without a spatial gap between one or more dwelling units. The common or abutting walls, floors, ceilings, and roofs includes those of attached garages, storage areas, or other accessory uses. When a dwelling unit is attached only to an accessory dwelling unit and the accessory dwelling unit is not attached to any other dwelling unit, the dwelling unit is not "Attached" under this definition while the accessory dwelling unit is "Attached" under this definition. [Added by Ord. #825, 10/15/18]

90. Dwelling Unit, Detached: A dwelling unit not meeting the definition of attached dwelling unit. [Added by Ord. #825, 10/15/18]

91. Dwelling Unit, Multiple-Family: ~~Three-Multiple or more~~ dwelling units located on a single lot where units are not an accessory dwelling unit and the dwelling units are not middle housing. Multiple-family dwelling units may be detached or attached. [Amended by Ord. #825, 10/15/18]

92. Dwelling Unit, Single-Family: A single detached dwelling unit ~~designed for occupancy by one family~~ located on its own lot. ~~A single family dwelling unit may be detached or attached.~~ [Amended by Ord. #825, 10/15/18]

99. Façade. The exterior wall or elevation of a building. [Added by Ord. 649, 6/2/08]

100. Family: ~~One or two persons with or without their direct descendants and adopted children (and including domestic employees thereof) together with not more than five (5) persons not so related, living together in a room or rooms comprising a single housekeeping unit. Every additional group of five (5) or fewer persons living in such housekeeping unit shall be considered a separate family. For housing developed to implement ORS 426.508 or under the Fair Housing Amendments Act of 1988, family shall mean all persons living in a dwelling unit, regardless of relationship.~~

112. Floor Area: The area of the building, exclusive of porches and exterior stairs which shall extend to the exterior faces of all walls. Floor area shall include all levels within a structure, including mezzanines and additional stories above the first floor. Within a residential structure, floor area does not include garages or carports.

127. Home Occupation: An occupation, profession, or craft, which is customarily incidental to or carried on in a dwelling ~~place~~ unit or premises and not one in which the use of the premises as a dwelling ~~place~~ unit is largely incidental to the business use. A home occupation is carried on by an ~~immediate~~ member of the ~~family household~~ residing within the dwelling ~~place~~ unit. A home occupation shall require no structural alteration or changes to the exterior of the dwelling unit, and shall include no display of merchandise on the premises which can be seen from the exterior of the dwelling unit. Any instruction shall be limited to one pupil at a time. Noise, odor, smoke, gases, fallout, vibration, heat or glare resulting from the use shall not be of the intensity as to be detected outside of the containing structure. Traffic and parking are to be such as to give no outward appearance that a business is being conducted on the premise. Short-term rental of a dwelling unit or portion thereof where the operator of the short-term rental lives on the same lot is a home occupation. [Amended by Ord. #825, 10/15/18]

132. Household. A group of individuals comprising a single house-keeping unit sharing such facilities as bathrooms and kitchens. No more than 5 unrelated individuals paying rent or otherwise having financial obligations towards the dwelling unit may comprise a single household. Every group of 5, or portion thereof, shall be considered a separate household. ~~One or two persons with or without their direct descendants and adopted children (and including domestic employees thereof) together with not more than five (5) persons not so related, living together in a room or rooms comprising a~~

single housekeeping unit. Every additional group of five (5) or fewer persons living in such housekeeping unit shall be considered a separate family. For housing developed to implement ORS 426.508 or under the Fair Housing Amendments Act of 1988, family household shall mean all persons living in a dwelling unit, regardless of relationship.

147. Lot: A unit of land owned by or under the lawful control and in the lawful possession of one distinct ownership, or separated from other land by a drawing on a recorded subdivision or partition plat, ~~for separate individual use or development.~~ Outside of applicable specific technical use under land division requirements consistent with definitions in state statute, the term lot is inclusive of parcels created through a partition.

148. Lot Area: The total horizontal area within the lot lines of a lot, excluding the driveway portion of a flag lot.

149. Lot Coverage: The area of a lot covered by ~~all of the buildings on that lot or parcel,~~ expressed as a percentage of the total lot ~~or parcel~~ area.

150. Lot Depth: The lot depth is the mean average distance between the front lot line and rear lot line of a lot measured within the lot boundaries.

157. Lot, Width: The 'lot width' is the mean horizontal distance between the side lot lines of a lot measured within the lot boundaries.

173. Middle Housing: A class of dwelling units comprising duplexes, triplexes, quadplexes, cluster housing (including cottage clusters), and townhouses.

174. Middle Housing, Higher: All middle housing dwelling units besides duplexes and 2-Unit Cluster Housing.

181. Multi family housing. Buildings or structures that contains three or more dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes, apartment houses, condominiums, congregate residences, townhouses and similar non-transient dwellings. [Added by Ord. 649, 6/2/08, amended by Ord. 682 9/9/10]

188. Non-Conforming Lot: A legally created lot ~~or parcel~~ that does not conform in terms of area, width, depth, or other dimensions with the standards of the zone in which it is located.

189. Non-Conforming Site Conditions: A legally established site that does not conform with the landscaping, parking or other site development standards of the zone in which it is located. A site may be rendered non-conforming to development standards through a change in zoning requirements or through the acquisition of some portion of the property by a public agency. For purposes of this Code, a site for which Stage II Planned Development approval has been granted by the City, and which approval remains in effect, shall not be deemed non-conforming, except as provided in Subsection 4.140(.10)C. [Amended by Ordinance No. 538, 2/21/02.]

4.001 Definitions

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ATTACHMENT 1
Draft Amendments 05.05.21

190. Non-Conforming Structure: A legally established building or other structure that does not conform with the height, setback, area, lot coverage, or other standards for structures of the zone in which it is located. A structure may be rendered non-conforming through a change in zoning requirements or through the acquisition of some portion of the property by a public agency. For purposes of this Code, a structure for which Stage II Planned Development approval has been granted by the City, and which approval remains in effect, shall not be deemed non-conforming, except as provided in Subsection 4.140(.10)C. [Amended by Ordinance No. 538, 2/21/02.]

191. Non-Conforming Use: A legally established use, which was established prior to the adoption of the zoning use requirements for the site with which it does not conform. For purposes of this Code, a use for which or Stage II Planned Development approval has been granted by the City, and which approval remains in effect, shall not be deemed non-conforming, except as provided in Subsection 4.140(.10)C. [Amended by Ordinance No. 538, 2/21/02.]

199. Open Space: Land that is not covered by buildings, paving, or other hard surfaces, unless such hard surfaces are part of an approved landscape plan.

200. Open Space Area: A specific measurement. See Section 4.125(.08), Open Space.

206. Parcel: (1) A unit of land resulting from a partition and (2) Within the Coffee Creek Industrial Design Overlay District, areas bounded by addressing streets, supporting streets and/or through connections are defined as a parcel. [Added by Ord. #812, 2/22/18]

237. Quadplex: Four attached dwelling units on a single lot.

252. Row House: ~~In the Village Zone One one of a series of houses, often of similar or identical design, situated side by side, and on their own lots, with or without an accessory dwelling unit or building.~~ Within the Villebois Village Center Boundary, row houses may be attached or detached in accordance with the Village Center Architectural Standards. Attached row houses also meet the definition of townhouse. Detached row houses also meet the definition of single-family dwelling unit. [Amended by Ord. # 667 8/17/09]

321. Townhouse: ~~A configuration of a Multiple Family Dwelling where multi-story units are attached in an unbroken row sharing common walls, and each having a separate entrance. A dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot.~~

322. Townhouse project: One or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the townhouse property lines and any commonly owned property.

332. Triplex: Three attached dwelling units on a single lot.

DRAFT

Section 4.113. Standards Applying To Residential Developments In Any Zone.**(.01) Open Space**

[Section 4.113 (01) Outdoor Recreational Area in Residential Developments was omitted by Ord. #841, effective 6/4/2020]

A. Purpose. The purposes of the following standards for open space are to provide adequate light, air, open space and usable recreational facilities to occupants of each residential development.

B. Applicability.

1. The open space standards of this subsection shall apply to the following:

- a. Subdivisions.
- b. Planned Developments.
- c. Multi-family Development.

2. These standards do not apply to the following:

- a. Partitions for non-Multi-family development. However, serial or adjacent partitions shall not be used to avoid the requirements.
- b. Middle Housing Land Divisions and division of previously platted lots.

CB. Area Required. The minimum open space area required in a development is an area equal to 25% of the size of the Gross Development Area.

DC. Required Open Space Characteristics:

1. Size of Individual Open Spaces. For developments with 10 or more units (excluding middle housing besides 1 unit per lot or parcel and ADU's) an open space area must be at least 2,000 square feet to be counted towards the 25% open space requirement. For developments with less than 10 units (excluding middle housing besides 1 unit per lot or parcel and ADU's) an open space area must be at least 1,000 square feet to be counted towards the 25% open space requirement.
2. Types of Open Space and Ownership. The following types of areas count towards the minimum open space requirement if they are or will be owned by the City, a homeowners' association or similar joint ownership entity, or the property owner for Multi-family Development.
 - a. Preserved wetlands and their buffers, natural and/or treed areas, including those within the SROZ
 - b. New natural/wildlife habitat areas
 - c. Non-fenced vegetated stormwater features
 - d. Play areas and play structures
 - e. Open grass area for recreational play
 - f. Swimming and wading areas
 - g. Other areas similar to a. through f. that are publically accessible
 - h. Walking paths besides required sidewalks in the public right-of-way or along a private drive.
3. Usable open space requirements. Half of the minimum open space area, an area equal to 12.5% of the size of the Gross Development Area, shall be located outside the SROZ and be usable open space programmed for active recreational

use. Any open space considered usable open space programmed for active recreation use shall meet the following requirements.

- a. Be designed by a registered professional landscape architect with experience designing residential park areas. An affidavit of such professional's credentials shall be included in the development application material.
 - b. Be designed and programmed for a variety of age groups or other user groups.
4. Enhancing Existing Wildlife Habitat through Design of Open Space.
- a. Open space designed, as wildlife habitat shall be placed adjacent to and connect to existing, preserved wildlife habitat to the extent feasible.
 - b. To the extent feasible, open space shall create or enhance connections between existing wildlife habitat.

~~ED.~~ ~~Open space area required by this Section may, at the discretion of the Development Review Board, be protected by a conservation easement or dedicated to the City, either rights in fee or easement, without altering the density or other development standards of the proposed development. Provided that, if the dedication is for~~ Any dedication of land as public park land purposes, the must meet size and amount of the proposed dedication shall meet the criteria of the City parks standards. The square footage of any open space land outside the SROZ and BPA easements, whether dedicated to the public or not, which is used for open space shall be deemed a part of the development site for the purpose of computing density or allowable lot coverage considered part of the Gross Development Area.

~~FE.~~ ~~The Development Review Board may specify the method of assuring~~ Approval of open space must ensure the long-term protection and maintenance of open space and/or recreational areas. Where such protection or maintenance are the responsibility of a private party or homeowners' association, the City Attorney shall review any pertinent bylaws, covenants, or agreements prior to recordation.

~~GF.~~ ~~The open space requirements of this subsection are subject to adjustments in PDR zones pursuant to Subsection 4.124 (.08).~~

~~G.~~ ~~Partitions for non Multi family development are exempt from the open space area requirements of this subsection, however serial or adjacent partitions shall not be used to avoid the requirements.~~

[Amended by Ord. #841, effective 6/4/2020]

(.02) Building Setbacks (for Fence Setbacks, see subsection .08). The following provisions apply unless otherwise provided for by the Code or a legislative master plan.

[Section .03 Building Setbacks amended by Ord. 806, 7/17/2017]

A. For lots over 10,000 square feet:

1. Minimum front yard setback: Twenty (20) feet.

2. Minimum side yard setback: Ten (10) feet. In the case of a corner lot less than one hundred (100) feet in width, abutting more than one street or tract with a private drive, the side yard on the street or private drive side of such lot shall be not less than twenty percent (20%) of the width of the lot, but not less than ten (10) feet.
 3. In the case of a key lot, the front setback shall equal one-half (1/2) the sum of depth of the required yard on the adjacent corner lot along the street or tract with a private drive upon which the key lot faces and the setback required on the adjacent interior lot.
 4. No structure shall be erected within the required setback for any future street shown within the City's adopted Transportation Master Plan or Transportation Systems Plan.
 5. Minimum setback to garage door or carport entry: Twenty (20) feet. Except, however, in the case of an alley where garages or carports may be located no less than four (4) feet from the property line adjoining the alley.
 6. Minimum rear yard setback: Twenty (20) feet. Accessory buildings on corner lots must observe the same rear setbacks as the required side yard of the abutting lot.
 7. Cottage Cluster Setbacks: Setbacks in 1.-3. and 6. above do not apply to cottage clusters. For cottage clusters, minimum front, rear, and side setbacks are ten (10) feet.
 8. Townhouse Setbacks: No setback is required along property lines where townhouses are attached.
- B. For lots not exceeding 10,000 square feet:
1. Minimum front yard setback: Fifteen (15) feet, with open porches allowed to extend to within ten (10) feet of the property line.
 2. Minimum side yard setback: One story: five (5) feet; Two or more stories: seven (7) feet. In the case of a corner lot, abutting more than one street or tract with a private drive, the side yard on the street side of such lot shall be not less than ten (10) feet.
 3. In the case of a key lot, the front setback shall equal one-half (1/2) the sum of depth of the required yard on the adjacent corner lot along the street or tract with a private drive upon which the key lot faces and the setback required on the adjacent interior lot.
 4. No structure shall be erected within the required setback for any future street shown within the City's adopted Transportation Master Plan or Transportation Systems Plan.
 5. Minimum setback to garage door or carport entry: Twenty (20) feet. Wall above the garage door may project to within fifteen (15) feet of property line, provided that clearance to garage door is maintained. Where access is taken from an alley, garages or carports may be located no less than four (4) feet from the property line adjoining the alley.

6. Minimum rear yard setback: One story: fifteen (15) feet. Two or more stories: Twenty (20) feet. Accessory buildings on corner lots must observe the same rear setbacks as the required side yard of the abutting lot.
7. Cottage Cluster Setbacks: Any minimum setback in 1.-3. or 6. above that would exceed ten (10) feet for a cottage cluster shall be ten (10) feet.
8. Townhouse Setbacks: No setback is required along property lines where townhouses are attached.

[Section 4.113(.03) amended by Ord. 682, 9/9/10]

*** Subsections (.03) – (.09) are not included in this review draft ***

(.10) Accessory Dwelling Units.

- A. Accessory Dwelling Units, are permitted subject to standards and requirements of this Subsection. [Amended by Ord. #825, 10/15/18]
- B. Standards
 1. Number Allowed
 - a. For detached single-family dwellings units, and attached single family dwelling units for townhouses on lots meeting the minimum lot size for detached single-family in the zone: One per dwelling unit.
 - b. For all other ~~attached~~ dwelling units: None. [Amended by Ord. #825, 10/15/18]
 2. Maximum Floor Area: per definition in Section 4.001, 800 square feet of habitable floor area. Per Subsection 4.138 (.04) C. 1., in the Old Town Overlay Zone the maximum is 600 square feet of habitable floor area. Larger units shall be subject to standards applied to duplex housing.
 3. Accessory dwelling units shall be on the same lot as the dwelling unit to which they are subordinate.
 4. Accessory Dwelling Units may be either attached or detached, but are subject to all zone standards for setbacks, height, and lot coverage, unless those requirements are specifically waived through the Planned Development waiver or Variance approval processes.
 5. Design Standards:
 - a. Roof pitch shall be 4:12 to 12:12. No flat roofs allowed.
 - i. Where the primary dwelling unit has a roof pitch of less than 4:12 the minimum roof pitch does not apply.
 - b. Roof and siding materials shall match the respective material of one or more of the following: (1) the primary dwelling unit on the same lot, (2) a primary dwelling unit on an immediately adjacent lot, or (3) a primary dwelling unit within the same subdivision.

- i. For the purpose of the requirement to match material, fiber cement siding made to appear like wood, stucco, or masonry may be used to match wood, stucco, or masonry respectively.
 - c. Where design standards established for a zone or overlay zone are more restrictive and/or extensive than a. and b. above the more restrictive and/or extensive design standards shall apply. This includes design standards for the Village (V) Zone, the Residential Neighborhood (RN) Zone, and the Old Town Overlay Zone.
6. Where an Accessory Dwelling Unit is proposed to be added to an existing residence and no discretionary land use approval is being sought (e.g., Planned Development approval, Conditional Use Permit approval, etc.) the application shall require the approval of a Class I Administrative Review permit. ~~Application for duplex construction shall be subject to the density standards of the zone in which it is located, or as otherwise provided in a Neighborhood Plan or Stage II/Final Development Plan.~~
 7. Authorization to develop Accessory Dwelling Units does not waive Building Code requirements. Increased firewalls or building separation may be required as a means of assuring adequate fire separation from one unit to the next. Applicants are encouraged to contact, and work closely with, the Building Division of the City's Community Development Department to assure that Building Code requirements are adequately addressed.

~~Parking: Each accessory dwelling unit shall have one standard sized parking space on the same lot.~~

~~Where an off street parking space is not available to serve the accessory dwelling unit, on street parking satisfies this requirement if at least 45 feet of frontage along the lot is available for on street parking and is not otherwise approved to meet minimum parking standards for another use.~~
 8. Each accessory dwelling unit shall provide complete, independent permanent facilities for living, sleeping, eating, cooking, bathing and sanitation purposes, and shall have its own separate secure entrance.
 10. Accessory dwelling units may be short-term rentals, but the owner/local operator must maintain an active business license with the City of Wilsonville for a short-term rental business and pay all applicable lodging and other taxes.
- [Subsection 4.113 (.11) amended by Ord. 677, 3/1/10 and Ord. #825, 10/15/18]

(.11) Reduced Setback Agreements. The following procedure has been created to allow the owners of contiguous residential properties to reduce the building setbacks that would typically be required between those properties, or to allow for neighbors to voluntarily waive the solar access provisions of Section 4.137. Setbacks can be reduced to zero through the procedures outlined in this subsection.

A. Examples

1. First example: the owner of one house is allowed to build to the sideyard property line, with no setback, provided that the owner of the neighboring

property agrees and that the agreements of both owners are recorded with the deed records for those properties.

2. Second example: the owner of one property is allowed to build a structure, or grow trees that are not solar friendly, shading an adjoining property beyond the amount that is permitted in Section 4.137.

B. Standards

1. The use of the Reduced Setback Agreement procedure does not waive Building Code requirements. The Building Code may require increased firewall standards or increased setbacks on one property as a means of assuring adequate fire separation from the adjoining property. Applicants are advised to work with the Building Division of the Community Development Department prior to filing for approval of a Reduced Setback Agreement.
- ~~2. The Reduced Setback Agreement procedure may be used to allow for the construction of common wall units.~~
3. Property owners using the Reduced Setback Agreement procedure have responsibility for notifying lien holders of the changes, for meeting all requirements of utility providers, and for avoiding conflicts with established easements.
4. The Reduced Setback Agreement procedure shall require the approval of a Class I Administrative Review permit.
5. Owners must provide accurate metes and bounds descriptions of all areas to be covered by non-construction easements.
6. Nothing in this Section shall abrogate any easements or utility locations existing on the subject properties. The property owners are responsible for assuring that easements and utilities are not adversely affected by any construction that is anticipated.

*** Subsections (.12) - (.13) are not included in this review draft ***

Section 4.118. Standards applying to all Planned Development Zones:

- (.01) Height Guidelines: In “S” overlay zones, the solar access provisions of Section 4.137 shall be used to determine maximum building heights. In cases that are subject to review by the Development Review Board, the Board may further regulate heights as follows:
- A. Restrict or regulate the height or building design consistent with adequate provision of fire protection and fire-fighting apparatus height limitations.
 - B. To provide buffering of low density developments by requiring the placement of three or more story buildings away from the property lines abutting a low density zone.
 - C. To regulate building height or design to protect scenic vistas of Mt. Hood or the Willamette River.
 - D. In no case shall the height of duplexes, triplexes, fourplexes, or townhouses be limited to less than the maximum height allowed for detached single-family dwellings in the same zone. In addition, in no case shall the height of triplexes, fourplexes, or townhouses be limited to less than 25 feet.
- (.02) Underground Utilities shall be governed by Sections 4.300 to 4.320. All utilities above ground shall be located so as to minimize adverse impacts on the site and neighboring properties.
- (.03) Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:
- A. Waive the following typical development standards:
 - 1. minimum lot area;
 - 2. lot width and frontage;
 - 3. height and yard requirements;
 - 4. lot coverage;
 - 5. lot depth;
 - 6. street widths;
 - 7. sidewalk requirements;
 - 8. height of buildings other than signs;
 - 9. parking space configuration and drive aisle design;
 - 10. minimum number of parking or loading spaces;
 - 11. shade tree islands in parking lots, provided that alternative shading is provided;
 - 12. fence height;

- 13. architectural design standards;
- 14. transit facilities; and
- 15. On-site pedestrian access and circulation standards; and
- 16. Solar access standards, as provided in section 4.137.

[Amended by Ord. #719, 6/17/13.]

- B. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways:
 - 1. open space requirements in residential areas;
 - 2. minimum density standards of residential zones;
 - 3. minimum landscape, buffering, and screening standards;
- C. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways, and the action taken will not violate any applicable federal, state, or regional standards:
 - 1. maximum number of parking spaces;
 - 2. standards for mitigation of trees that are removed;
 - 3. standards for mitigation of wetlands that are filled or damaged; and
 - 4. trails or pathways shown in the Parks and Recreation Master Plan.
- D. Locate individual building, accessory buildings, off-street parking and loading facilities, open space and landscaping and screening without reference to lot lines; and
- E. Adopt other requirements or restrictions, inclusive of, but not limited to, the following, except that no additional requirements or restrictions can conflict with established clear and objective standards for residential development or be grounds for denying a residential development proposal when the applicant has selected the clear and objective path for approval:
 - 1. Percent coverage of land by buildings and structures in relationship to property boundaries to provide stepped increases in densities away from low-density development.
 - 2. Parking ratios and areas expressed in relation to use of various portions of the property and/or building floor area.
 - 3. The locations, width and improvement of vehicular and pedestrian access to various portions of the property, including portions within abutting street or private drive. [amended by Ord. 682, 9/9/10]
 - 4. Arrangement and spacing of buildings and structures to provide appropriate open spaces around buildings.
 - 5. Location and size of off-street loading areas and docks.

6. Uses of buildings and structures by general classification, and by specific designation when there are unusual requirements for parking, or when the use involves noise, dust, odor, fumes, smoke, vibration, glare or radiation incompatible with present or potential development of surrounding property. Such incompatible uses may be excluded in the amendment approving the zone change or the approval of requested permits.
7. Measures designed to minimize or eliminate noise, dust, odor, fumes, smoke, vibration, glare, or radiation which would have an adverse effect on the present or potential development on surrounding properties.
8. Schedule of time for construction of the proposed buildings and structures and any stage of development thereof to insure consistency with the City's adopted Capital Improvements Plan and other applicable regulations.
9. A waiver of the right of remonstrance by the applicant to the formation of a Local Improvement District (LID) for streets, utilities and/or other public purposes.
10. Modify the proposed development in order to prevent congestion of streets and/or to facilitate transportation.
11. Condition the issuance of an occupancy permit upon the installation of landscaping or upon a reasonable scheduling for completion of the installation of landscaping. In the latter event, a posting of a bond or other security in an amount equal to one hundred ten percent (110%) of the cost of the landscaping and installation may be required.
12. A dedication of property for streets, pathways, and bicycle paths in accordance with adopted Facilities Master Plans or such other streets necessary to provide proper development of adjacent properties.

*** Subsections (.04) – (.09) are not included in this review draft ***

**Section 4.120. Zones. RA-H Residential-FDA-H Future Development
Agricultural - Holding Zone.**

(.01) Purpose. It is the purpose of this zone to serve as a holding zone to preserve the future urban level development potential as undeveloped or underdeveloped property designated for more intensive development. This zone has been applied to all urbanizable properties within the city which are planned for development and which have not previously received development approval in accordance with the Comprehensive Plan.

(.02) Where zone can be applied. No land zoned one of the other zoning designations in Wilsonville's Development Code can be rezoned to FDA-H.

(.032) Uses Permitted Outright:

A. On land with a residential Comprehensive Plan Designation:

1. One Single-family Dwelling Unit per lot, with or without Accessory Dwelling Units subject to the standards of Section 4.113 (.10).

B. On land with a non-residential Comprehensive Plan Designation that calls for future non-residential zoning:

1. One single-family dwelling, per lot and accessory dwelling units subject to the standards of Section 4.113 (.10). ~~Where the Comprehensive Plan calls for future non-residential zoning of the site, the~~ The building permit for any proposed residential development shall not be granted until a statement has been recorded applying to the title of the subject property, notifying any potential buyer that future development in the area is expected to be non-residential. [Amended by Ord. #825, 10/15/18]

CB. Except for existing lots of record of less than two acres, recorded prior to the effective date of this Code, partitioning or subdivision of properties designated for development shall only be considered in conjunction with or following a zone change in conformance with the Comprehensive Plan. Said zoning shall confirm the adequate provision of public facilities and the protection of future urban development potentials.

DC. If the proposed development is for a less intensive interim density consisting of large lots, a pre-plat and Site Plan review shall be required that provides for future development of the property in accordance with the uses and densities shown in the Comprehensive Plan. Said plat shall be filed on the City's Lien Docket as an obligation toward the property, together with an agreement of non-remonstrance towards the formation of any local improvement district which may serve the subject site.

ED. For properties designated in the City's Comprehensive Plan for nonresidential use, the intensity of use shall be restricted to activities which do not require construction of a permanent structure and which will

not tend to restrict, obstruct, or adversely affect the future development of the property for its designated use. Except, however, that the development of a single-family dwelling shall be permitted as specified in subsection (.02) B., above.

FE. Temporary structures or uses, subject to the procedures for temporary uses set forth in Section 4.163.

GF. Agriculture, horticulture, greenhouses, nurseries (provided that any commercial sales of products shall require the approval of a conditional use permit), timber growing, grazing, and the small scale raising of livestock and animals.

HG. Public parks, playgrounds, recreational and community buildings and grounds, public golf courses, tennis courts, and similar recreational uses, all of a non-commercial nature. Any principal building or public swimming pool shall be located not less than forty-five (45) feet from any other lot in a residential or RA-H district.

IH. Accessory Uses Permitted:

1. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal uses permitted located on the same lot therewith.
2. Home occupations.
3. Signs, subject to the provisions of Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]

(.03) Uses Permitted Subject to receiving approval of a Conditional Use Permit:

A. Private parks, municipal and government buildings, public utilities, public information centers, semi-public buildings of a non-commercial nature, churches, ~~attached family dwelling units limited to two (2) family maximum~~, public, private, and parochial schools as provided in Section 4.184 when approved by the Development Review Board at a Public Hearing as provided in Section 4.013.

B. Roadside stands when located on the same property as the principal uses, selling only those products that are produced on the same property on which the stand is located, or on adjacent property.

(.04) Dimensional Standards:

A. Minimum Lot Size: 30,000 square feet.

B. Minimum Front and Rear Yard Setbacks: Thirty (30) feet. Minimum Side Yard Setback: Ten (10) feet.

~~1. Legal, non-conforming RA-H lots in the Old Town Overlay Zone shall have the following setbacks:~~

~~a. Front: Ten (10) feet for single family dwellings, for all other uses: none;~~

~~b. Rear: Fifteen (15) feet;~~
~~c. Side: Five (5) feet.~~

2. Minimum setback for residential garage or carport: At least five (5) feet behind the front of the nearest residential unit on the property. In no case shall the front of a garage or carport be located less than twenty (20) feet behind a sidewalk or a public right-of-way providing access to that garage or carport. Except, however, in the case of an alley where garages or carports are located within five (5) feet of the property line adjoining the alley. [Amended by Ord. 682, 9/9/10]
 - C. Minimum Street Frontage: Seventy-five (75) feet. A reduced street frontage may be approved, based on a finding that the proposed lot frontage will not hinder the future development of the site to densities proposed in the Comprehensive Plan.
 - D. Maximum Height: thirty-five (35) feet.
 - E. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses do not exceed 120 square feet or ten (10) feet in height, and they are detached and located behind the rear-most line of the main buildings, the side and rear yard setbacks may be reduced to three (3) feet.
- (.05) Off-Street Parking Requirements: As provided in Section 4.155.
- (.06) Signs: As provided in Sections 4.156.01 through 4.156.11.
[Amended by Ord. No. 704, 6/18/12]
- (.07) Corner Vision: As provided in Section 4.177.
- (.08) Prohibited Uses:
- A. Uses of structures and land not specifically listed as permitted or conditionally permitted in the zone, or substantially similar to those uses, are prohibited in all FDARA-H Zones.
 - B. The use of a trailer, travel trailer, or mobile coach as a residence.
 - C. Service stations for petroleum products.
- (.09) Block and access standards:
1. Maximum block perimeter: 1,800 feet.
 2. Maximum spacing between streets or private drives for local access: 530 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions meeting this standard.
[Amended by Ordinance No. 538, 2/21/02; Ord. 682, 9/9/10.]
 3. Maximum block length without pedestrian and bicycle crossing: 330 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings,

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topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions meeting this standard.

DRAFT

Section 4.122. Residential Zone.

- (.01) Purpose: The purpose of this zone is to provide for standards and a simplified review process for small-scale urban low and medium density residential development. Developments in the ‘R’ zone are not intended to be Planned Developments.
- (.02) Residential Densities: Residential densities shall be determined using Table 1 of this section based on the Comprehensive Plan Map Density Range District.

Table 1. R. Zone Density Calculations

Comprehensive Plan Map Density Range District*	Max Density Per Acre**	Min. Density per Acre***
2-3	3	2.4
4-5	5	4
6-7	7.5	6
10-12	12	9.6

~~*All dwelling unit types, except accessory dwelling units, are included for calculating density.~~ Accessory Dwelling Units are not included in calculating density. In addition, Duplexes, Triplexes, Quadplexes, and Cluster Housing are not included in calculating density beyond 1 unit per lot or parcel.

**For Townhouses, the maximum density is the less of: (1) four times the maximum net density listed in Table 1; or (2) net density of 25 units per acre. If applying a maximum density for townhouses of four times the density listed in Table 1, the minimum density remains 80% of the maximum density listed in Table 1.

***For Cottage Clusters, the minimum net density shall be no less than 4 units per acre.

[Amended by Ord. #841, effective 6/04/2020]

- (.03) Lot Size Qualifications:
 - A. The owner or the owner's authorized agent shall not hold or cause to be held any interest in any adjacent property with the intent to avoid PDR regulations.
 - B. The lot or any part thereof shall not be an identified area of special concern as defined in the Comprehensive Plan.
 - C. The development area must be two (2) acres or less in size. Development of larger properties shall be reviewed through planned development procedures.

~~D. Not more than thirty percent (30%) of the lot shall be covered by buildings.~~

(.04) Principal Uses Permitted:

A. Single-Family Dwelling Units.

~~B. Duplexes. [Amended by Ord. #825, 10/15/18]~~ Duplexes, triplexes, quadplexes, townhouses, and cluster housing, including cottage clusters.

C. Multiple-Family Dwelling Units. [Amended by Ord. #825, 10/15/18]

D. Public parks, playgrounds, recreational and community buildings and grounds, tennis courts, and similar recreational uses, all of a non-commercial nature. Any principal building or public swimming pool shall be located not less than forty-five (45) feet from any other lot in a residential or RA-H zone.

E. Manufactured homes. [Note: Section 4.115 Standards Applying to Manufactured Housing in All Zones Where Manufactured Housing is Permitted deleted per by Ord. 538, 2/21/02.]

(.05) Accessory Uses Permitted to Single Family, Townhouses, and Detached Dwelling Units:

A. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal permitted uses, including accessory dwelling units subject to the standards of Subsection 4.113 (.10), located on the same lot therewith. [Amended by Ord. #825, 10/15/18]

B. Home occupations.

C. A private garage or parking area.

D. Temporary real estate signs, small announcement or professional signs, and subdivision signs, as provided in Sections 4.156.05, 4.156.07, 4.156.09, and 4.156.10. [Amended by Ord. No. 704, 6/18/12]

E. Temporary buildings for uses incidental to construction work, which buildings shall be removed immediately upon completion or abandonment of the construction work. In no case shall such buildings remain on the premises longer than ten (10) days after the receipt of a Certificate of Occupancy or the expiration of construction permits.

F. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses are detached and located behind the rear most line of the main buildings, at least one-half (1/2) of the side yard setback is required. In no case shall a setback less than three (3) feet be permitted unless a Reduced Setback Agreement has been approved and properly recorded, as provided in Section 4.113.

G. Livestock and farm animals shall be permitted subject to the provisions of Section 4.162.

- (.06) Accessory Uses Permitted for Duplexes, Triplexes, Quadplexes, and Attached Multiple-Family Dwelling Units: [Amended by Ord. #825, 10/15/18]
- A. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal permitted uses, located on the same lot therewith.
 - B. Home occupations.
 - C. A private garage or parking area.
 - D. Temporary buildings for uses incidental to construction work, which buildings shall be removed immediately upon completion or abandonment of the construction work. In no case shall such buildings remain on the premises longer than ten (10) days after the receipt of a Certificate of Occupancy or the expiration of construction permits.
 - E. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses are detached and located behind the rear most line of the main building, at least one-half (1/2) of the side yard setback is required.
 - F. Livestock and farm animals shall be permitted, subject to the provisions of Section 4.162.
- (.07) Other Standards:
- A. Minimum lot width at building line:
 - 1. For Townhouses: Twenty (20) feet.
 - 2. For all other housing types: Sixty (60) feet.
 - B. Minimum street frontage of lot:
 - 1. For Townhouses: Twenty (20) feet, except as provided in 3. below.
 - 2. For all other housing types: Thirty (30) feet; however, except as provided in 3. below.
 - 3. No street frontage is required when the lot fronts on an approved, platted private drive.
 - C. Minimum lot size:
 - 1. For single-family dwelling units, duplexes, and triplexes and 2 or 3 unit cluster housing: 5000 square feet.
 - 2. For quadplexes, 4-unit cluster housing, and cottage clusters: 7000 square feet.
 - 3. For development with multi-family dwelling units: 10000 square feet.
 - 4. For townhouses: 1250 square feet.
 - D. Minimum lot depth: Seventy (70) feet.
 - E. Maximum building or structure height: Thirty-five (35) feet.

F. Maximum lot coverage: ~~Twenty percent (20%) for all residential dwelling units; thirty percent (30%) for all buildings.~~

<u>Lot Size</u>	<u>Maximum Lot Coverage (percent of lot area) of Largest Building/All Buildings^{A, B}</u>
<u>20,000 sf or more</u>	<u>20/25</u>
<u>More than 12,000 sf and less than 20,000 sf</u>	<u>25/30</u>
<u>More than 8,000 sf up to 12,000 sf</u>	<u>40/50</u>
<u>More than 7,000 sf up to 8,000 sf</u>	<u>45/55</u>
<u>7,000 square feet or less</u>	<u>50/60</u>

A. A building must be completely detached from the largest building to be considered a separate building for the purpose of lot coverage calculations

B. Cottage clusters are exempt from maximum lot coverage standards.

G. Block and access standards:

1. Maximum block perimeter in new land divisions: 1,800 feet.
2. Maximum spacing between streets or private drives for local access: 530 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions meeting this standard.
3. Maximum block length without pedestrian and bicycle crossing: 330 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions meeting this standard.

[Section 4.122(.07) amended by Ord. 538, 2/21/02; Ord 682, 9/9/10.]

Section 4.123. Old Town Residential (OTR) Zone.

- (.01) Purpose: The purpose of this zone is to provide for standards and a simplified review process for small-scale residential development in the Old Town Neighborhood. Developments in the 'OTR' zone are not intended to be Planned Developments.
- (.02) Residential Densities: This zone falls within the 6-7 units per acre Comprehensive Plan Density Range district thus allowing a maximum of 7.5 units per acre of Gross Development Area and requiring a minimum of 6 units per acre of Gross Development Area. The following are exceptions from the density requirements:
- A. Accessory Dwelling Units are not included in calculating density.
 - B. Duplexes, Triplexes, Quadplexes, and Cluster Housing are not included in calculating density beyond 1 unit per lot.
 - C. For Townhouses, the maximum net density is 25 units per acre.
- (.03) Principal Uses Permitted:
- A. Single-Family Dwelling Units.
 - B. Middle Housing.
- (.04) Accessory Uses Permitted to Single-Family Dwelling Units and Middle Housing:
- A. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal permitted uses, including accessory dwelling units subject to the standards of Subsection 4.113 (.10).
 - B. Home occupations.
 - C. A private garage or parking area.
 - D. Accessory buildings and uses shall conform to front and side yard setback requirements. If a non-dwelling unit accessory building is detached and located behind the rear most line of the main buildings, the side-yard setback may be reduced by half. In no case shall a setback less than three (3) feet be permitted.
- (.05) Lot Standards:
- A. Minimum lot width at building line: Thirty-five (35) feet, except as provided in 1. below.
 - 1. There is no minimum lot width for individual townhouse lots. The total cumulative lot width for townhouses attached to each must be at least 35 feet.
 - B. Minimum street frontage of lot:

1. For townhouses: Twenty (20) feet.
2. For all other housing types: Thirty-five (35) feet.

C. Minimum lot size:

1. For single-family dwelling units, duplexes, and two-unit cluster housing: 3,000 square feet.
2. For triplexes and 3-unit cluster housing: 5,000 square feet.
3. For quadplexes, 4-unit cluster housing, and cottage clusters: 7,000 square feet.
4. For individual townhouse lots: 1,500 square feet; however, the cumulative area of lots for all townhouses attached to each other shall be as follows:
 - a. For 2 attached units: minimum 3,000 square feet
 - b. For 3 attached units: minimum 5,000 square feet
 - c. For 4 attached units: minimum 7,000 square feet.

(.06) Design and Siting Standards:

- A. Development shall comply (except as noted in 1. and 2. below) with the standards of the Old Town Residential Design Standards Book including but not limited to architectural design, height, setbacks, and lot coverage.
 1. An applicant for a remodel of and/or addition to structures existing prior to December 1, 2017 may elect to match the existing design of the structure rather than comply with the architectural design standards of the Old Town Residential Design Standards Book if all of the following are met:
 - a. The height of the structure remains the same and any additions do not exceed the height of the existing structure;
 - b. The roof pitch on the existing portion of the structure remains the same and is matched for additions involving facades facing a street or public open space;
 - c. All exterior materials are substantially similar in style and texture to the existing materials on the structure;
 - d. For facades of the structure facing a street or public open space (does not include alleys) all architectural elements, such as windows, doors, porches, dormers, details, etc. are kept the same, or in the case of extending out a wall during an addition, reproduced; and
 - e. Setbacks and lot coverage set in the Old Town Residential Design Standards are met or maintain current legal non-conforming status.

2. Accessory structures less than 120 square feet and 10 feet in height are not subject to the Old Town Residential Design Standards but rather the standards of the underlying zone.
- B. The following standards shall apply to Accessory Dwelling Units (ADU's) within the "OTR" Zone to ensure smaller bulk of residential buildings consistent with the historic character of the neighborhood. Where these standards differ from those of Subsection 4.113 (.10), including size and design, these standards take precedence. All other standards of Subsection 4.113 (.10), including but not limited to number of ADU's and review process, continue to apply.

 1. Size: ADU's shall not exceed 600 square feet of living space.
 2. Design: ADU's shall be substantially the same exterior design and architecture (i.e. siding, windows, color, roof pitch, doors and roofing materials) as the primary dwelling unit on the property. ADU's shall be either:

 - a. Detached single-story structures; or
 - b. Over a detached garage meeting the following requirements:

 - i. The garage/ADU structure is a maximum 1.5 stories tall, not exceeding a height of 20 feet; and
 - ii. The primary dwelling unit on the property is 1.5 or 2 stories tall.
- C. Rather than meet the standards prescribed above, applicants may elect to go through a Site Design review process before the Development Review Board for any housing type which include requirements to meet standards in Subsection 4.138 (.05).

Section 4.124. Standards Applying To All Planned Development Residential Zones.

- (.01) Examples of principal uses that are typically permitted:
- A. Open Space.
 - B. Single-Family Dwelling Units.
 - C. ~~Duplexes.~~ [Added by Ord. #825, 10/15/18] Duplexes, triplexes, quadplexes, townhouses.
 - D. Cluster housing, including cottage clusters
 - D. Multiple-Family Dwelling Units. [Amended by Ord. #825, 10/15/18]
 - E. Public parks, playgrounds, recreational and community buildings and grounds, tennis courts, and similar recreational uses, all of a non-commercial nature, provided that any principal building or public swimming pool shall be located not less than forty-five (45) feet from any other lot.
 - F. ~~Manufactured homes, subject to the standards of Section 4.115 (Manufactured Housing).~~
- (.02) Permitted accessory uses to single family and middle housing and detached dwelling units: [Amended by Ord. #825, 10/15/18]
- A. Accessory uses, buildings and structures customarily incidental to any of the principal permitted uses listed above, and located on the same lot.
 - B. Living quarters without kitchen facilities for persons employed on the premises or for guests. Such facilities shall not be rented or otherwise used as a separate dwelling unless approved as an accessory dwelling unit or duplex.
 - C. Accessory dwelling units, subject to the standards of Section 4.113 (.10). [Amended by Ord. #841, 6/04/2020]
 - D. Home occupations.
 - E. A private garage or parking area.
 - G. Temporary real estate signs, small announcement or professional signs, and subdivision signs, as provided in the provisions of Sections 4.156.05, 4.156.07, 4.156.09, and 4.156.10. [Amended by Ord. No. 704, 6/18/12]
 - H. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
 - I. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses do not exceed 120 square feet or ten (10) feet in height, and they are detached and located

behind the rear-most line of the main buildings, the side and rear yard setbacks may be reduced to three (3) feet.

J. Livestock and farm animals, subject to the provisions of Section 4.162.

(.03) Permitted accessory uses for ~~duplexes and attached~~ multiple-family dwelling units: [Amended by Ord. #825, 10/15/18]

A. Accessory uses, buildings, and structures customarily incidental to any of the aforesaid principal permitted uses, located on the same lot therewith.

B. Home occupations.

C. A private garage or parking area.

D. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.

E. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses do not exceed 120 square feet or ten (10) feet in height, and they are detached and located behind the rear-most line of the main buildings, the side and rear yard setbacks may be reduced to three (3) feet.

F. Livestock and farm animals, subject to the provisions of Section 4.162.

(.04) Uses permitted subject to Conditional Use Permit requirements:

A. Public and semi-public buildings and/or structures essential to the physical and economic welfare of an area, such as fire stations, sub-stations and pump stations.

B. Public or private clubs, lodges or meeting halls. Public or private parks, playground, golf courses, driving ranges, tennis clubs, community centers and similar recreational uses.

C. Churches, public, private and parochial schools, public libraries and public museums.

D. Neighborhood Commercial Centers limited to the provisions of goods and services primarily for the convenience of and supported by local residents, and not requiring a zone change to a commercial designation:

1. The site of a Neighborhood Commercial Center was proposed at the time of the original application.

2. Such centers are of a scale compatible with the surrounding residential structures.

3. Such centers shall be compatible with the surrounding residential uses.

4. The site of a Neighborhood Commercial Center shall be at least one-quarter (1/4) mile from any other sites zoned for commercial uses.

5. The site of a Neighborhood Commercial Center shall not exceed five percent (5%) of the total area or one (1) acre, whichever is less.

- 6. The site of a Neighborhood Commercial Center shall have direct access to a street of a collector classification and shall have direct pedestrian access to the residential areas.
- 7. The site of a Neighborhood Commercial Center shall not include more than one quadrant of an intersection and shall not result in traffic of a nature which causes a substantial adverse impact on the residential character of the planned development.
- E. Commercial Recreation which is compatible with the surrounding residential uses and promotes the creation of an attractive, healthful, efficient and stable environment for living, shopping or working. All such uses except golf courses and tennis courts shall conform to the requirements of subsection “D” (Neighborhood Commercial Centers), above.
- F. Home businesses. [Added by Ord. #825, 10/15/18]

(.05) Appropriate PDR Zoning Designation and Maximum and Minimum Density based on Comprehensive Plan Density Range District:

Table 1: PDR Zoning Designation and Maximum and Minimum Density based on Comprehensive Plan Density Range District

Zoning Designation	Comprehensive Plan Map Density Range District*	Max. Density per Acre**	Min. Density per Acre***
PDR-1	0-1	1	.8
PDR-2	2-3	3	2.4
PDR-3	4-5	5	4
PDR-4	6-7	7.5	6
PDR-5	10-12	12	9.6
PDR-5	16-20	20	16
PDR-6	Over 20	As approved by Zoning Order/Stage 1 Master Plan, at least 25	80% of Max Density

*** Accessory Dwelling Units are not included for calculating density. In addition, Duplexes, Triplexes, Quadplexes, and Cluster Housing are not included in calculating density beyond 1 unit per lot or parcel. All dwelling unit types, except accessory dwelling units, are included for calculating density.**

**** For townhouses the maximum density is the less of: (1) four times the maximum net density listed in Table 1; or (2) net density of 25 units per acre. If applying a maximum density for townhouses of four times the density listed in Table 1, the minimum density remains 80% of the maximum density listed in Table 1.**

*****For Cottage Clusters, the minimum net density shall be no less than 4 units per acre.**

[Amended by Ord. #841, effective 6/4/2020]

(.06) Unit Count Limitations. Unit count limitations are calculated as follows:

- A. Maximum Unit Count. Maximum unit count at build out of Stage I Master Plan area: is calculated by taking the Gross Development Area multiplied by Maximum Density per Acre stated in Table 1 of this Code section, plus any density transferred from SROZ areas pursuant to Subsection 4.139.11 (.02). For example, any number greater than 4 and less than 5 shall be rounded down to 4. Accessory Dwelling Units are not included in maximum unit count. In addition, Duplexes, Triplexes, Quadplexes, and Cluster Housing are not included in maximum unit count beyond 1 unit per lot or parcel.
- B. Minimum Unit Count. Minimum unit count at build out of Stage I Master Plan area: 80% of maximum unit count described in A. above.
- C. If the Stage I Master Plan area is subject to more than one Comprehensive Plan Map Density Range District and Zoning Designation, calculations for areas of differing densities shall be done separately and then summed together, and the final summed number rounded down to the nearest whole number.

(.07) Lot Standards

Table 2: Lot Standards for All PDR Zoned Lots

Zoning Designation	Minimum Lot Size (square feet) ^{AB}	Setbacks	Maximum Lot Coverage (percent of lot area) of Largest Building/All Buildings ^A Buildings ^C	Minimum Lot Width at building Line/Minimum Street Frontage of Lot ^B -Lot ^{DE} (feet)	Minimum Lot Depth (feet)	Maximum Building Height (feet)
PDR-1	20,000	Per Section 4.113 (.02)	20/25	80/80	100	35
PDR-2	7,000		25/30 (more than 12000 and less than 20000 sf lot) 40/50 (more than 8000 up to 12000 sf lot) 45/55 (7000 to 8000 sf lot)	60/30	70	
PDR-3	4,500		50/60	40/40 ^E 40 ^F	60	
PDR-4	3,000		75/75	35/35 ^E 35 ^F	60	
PDR-5	2,000		75/75	30/30	60	
PDR-6	NA		75/75	30/30	60	
PDR-7	NA		75/75	30/30	60	

A. For townhouses the minimum lot size in PDR-1 through PDR-5 zones is 1,500 square feet.
 B. For the PDR 3 through PDR 7 zones, the minimum lot size for triplexes and 3-unit cluster housing is 5,000 square feet; the minimum lot size for quadplexes, 4-unit cluster housing, and cottage clusters is 7,000 square feet.

AC. A building must be completely detached from the largest building to be considered a separate building for the purpose of lot coverage calculations. Cottage clusters are exempt from maximum lot coverage standards.

BD. Lot frontage may be on a public street or approved, platted private drive.

E. For townhouses the minimum lot width at building line and minimum street frontage is 20 feet in all PDR zones.

CF. Lot frontage may be reduced to 24 feet when the lot fronts a cul-de-sac.

(.08) Adjustments to Ensure Minimum Density is Met. In development not involving Multi-Family Dwelling Units, if demonstrated by the applicant that it is not physically possible to accommodate the minimum number of units at the required minimum lot size and the minimum open space, the following adjustments, A.-B., shall be made to the minimum extent necessary to enable minimum density to be met. To prioritize the provision of required open space, adjustments to minimum lot size, width, and depth shall be used to the extent allowed, as described in A. below, prior to any adjustment to open space requirements as described in B. below.

A. Adjustments to Minimum Lot Size, Width, and Depth: Reduce minimum lot size of up to 20% of the residential lots, rounded consistent with Subsection (.06) above or one lot for a four-lot subdivision, by up to 20%. For example, the potential adjustment, if determined necessary, for a 100-lot subdivision in the PDR-4 zone would be to reduce 20 lots to as low as 2,400 square feet (a 20% reduction of the 3,000 square foot minimum lot size). Also reduce the minimum lot width and minimum lot depth by up to 20% as necessary to allow the reduction of lot size.

B. Adjustment to Open Space Area: Reduce the amount of open space area required pursuant to Subsection 4.113 (.01). Reduce non-usable open space to the extent possible prior to usable open space required by Subsection 4.113 (.01) C. 3. After any adjustment to open space, all subdivisions with 10 or more units must still include a minimum of one usable, programmed open space of at least 2,000 square feet meeting the requirements of Subsection 4.113 (.01) C. 3. Subdivisions less than 10 units shall require one usable open space of at least 1,000 square feet meeting the same requirements.

[Sections (.06-.08) added by Ord. #841, effective 6/4/2020]

*** Subsections (.09) – (.12) are not included in this review draft ***

ATTACHMENT 1

Section 4.125. V – Village Zone

(.01) Purpose.

The Village (V) zone is applied to lands within the Residential Village Comprehensive Plan Map designation. The Village zone is the principal implementing tool for the Residential Village Comprehensive Plan designation. It is applied in accordance with the Villebois Village Master Plan and the Residential Village Comprehensive Plan Map designation as described in the Comprehensive Plan.

- A. The Village zone provides for a range of intensive land uses and assures the most efficient use of land.
- B. The Village zone is intended to assure the development of bicycle and pedestrian-sensitive, yet auto-accommodating, communities containing a range of residential housing types and densities, mixed-use buildings, commercial uses in the Village Center and Neighborhood Centers, and employment opportunities.
- C. The Village zone, together with the Architectural Pattern Book and Community Elements Book, is intended to provide quantitative and objective review guidelines.

(.02) Permitted Uses. Examples of principle uses that are typically permitted:

- A. Single Family Dwellings
- B. Accessory Dwelling Units, subject to the standards of Section 4.113 (.10)
- C. ~~Duplexes~~ Duplexes, triplexes, and quadplexes
- D. Row Houses
- E. Multi-Family Dwellings
- F. Cluster Housing, including cottage clusters
- G. Residential Facilities, Residential Homes, and Community Housing developed to implement ORS 426.508
- H. Non-commercial parks, plazas, playgrounds, recreational facilities, community buildings and grounds, tennis courts, and other similar recreational and community uses owned and operated either publicly or by an owners association.
- I. Commercial uses within the Village Center, subject to the standards of (.06) Standards Applying to Commercial Uses and similar to the following:
 - 1. Sales and servicing of consumer goods:
 - Bicycle shop
 - Bookstore
 - Clothing store
 - Electronics and appliances store
 - Florist
 - Furniture store

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- Jeweler
- Pet shop
- 2. Food and sundries:
 - Bakery
 - Butcher shop
 - Convenience store
 - Delicatessen
 - Drugstore
 - Gifts Store
 - Hardware store
- 3. Lifestyle and recreation:
 - Art gallery
 - Barbershop or hair salon
 - Boutique shops and other specialty retail
 - Coffee shops including outdoor eating areas
 - Health club or gymnasium
 - Restaurants and pubs including outdoor eating areas
 - Dance or martial arts studio
- 4. Service Commercial:
 - Banking and investment services
 - Child day care
 - Custom tailoring
 - Dry cleaners
 - Photo processing
 - Postal service
 - Reproduction services
 - Laundromat
 - Locksmith
 - Telecommunications services
 - Upholstery shop
- 5. General Office:
 - Computer and technology companies
 - Governmental services
 - Health services
 - Insurance agencies
 - Nonprofit organizations
 - Professional-type services
 - Real estate offices
 - Secretarial services
 - Travel agencies
- J. Commercial uses within a Neighborhood Center, subject to the standards of (.06) Standards Applying to Commercial Uses, and similar to the following:
 - Bakery
 - Barbershop and/or hair salon
 - Bookstore

ATTACHMENT 1

Coffee shop including outdoor eating areas
Convenience store
Dry cleaners
Florist
Newsstand
Postal services
Service oriented offices
Wine bar

K. Group Living Facility

*** Subsections (.03) – (.04) are not included in this review draft ***

(.05) Development Standards Applying to All Developments in the Village Zone. In addition to other applicable provisions of the Wilsonville Planning and Land Development Ordinance, all development in the Village zone shall be subject to Tables V-1 through V-4, and to the following. If there is a conflict between the provisions of the Village zone and other portions of the Code, then the provisions of this section shall apply.

A. Block, Alley, Pedestrian and Bicycle Standards:

1. Maximum Block Perimeter: 1,800 feet, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent a block perimeter from meeting this standard.
2. Maximum spacing between streets or private drive for local access: 530 feet, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions from meeting this standard. Under such circumstances, intervening pedestrian and bicycle access shall be provided, with a maximum spacing of 330 feet from those local streets or private drives, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions from meeting this standard. [Amended by Ord. 682, 9/9/10]

B. Access: All lots with access to a public street, and an alley, shall take vehicular access from the alley to a garage or parking area, except as determined by the City Engineer.

C. Trailers, travel trailers, mobile coaches, or any altered variation thereof shall not be used for the purpose of conducting a trade or calling, or for storage of material, unless approved for such purpose as a temporary use.

D. Fences:

1. General Provisions:

ATTACHMENT 1

- a. Fencing in the Village Zone shall be in compliance with the Master Fencing Program in the adopted Architectural Pattern Book for the appropriate SAP. [Section 4.125(.09)(D)(1)(a) amended by Ord. No. 596, 10/3/05.]
 - b. When two or more properties with different setbacks abut, the property with the largest front yard setback requirement shall be used to determine the length and height of the shared side yard fence, as required by Section 4.125(.05)(D)(1)(a), above.
Example: Building 'A' has 20' front yard setback and Building 'B' has zero front yard setback. Since Building 'A' has the larger front yard setback, it shall be used to determine the height and length of the shared side yard fence. It is 6' tall, but is reduced to 3' in front of Building 'A's building line.
 - c. The Development Review Board may, in their discretion, require such fencing as deemed necessary to promote and provide traffic safety, noise mitigation, and nuisance abatement, and the compatibility of different uses permitted on adjacent lots of the same zone and on adjacent lots of different zones.
2. Residential:
- a. The maximum height of any fence located in the required front yard of a residential development shall not exceed three (3) feet.
 - b. Fences on residential lots shall not include chain link, barbed wire, razor wire, electrically charged wire, or be constructed of sheathing material such as plywood or flake board. Fences in residential areas that protect wetlands, or other sensitive areas, may be chain link.
- E. Recreational Area in Multi-family Residential and Mixed Use Developments
1. The Recreational Area requirement is intended to provide adequate recreational amenities for occupants of multiple family developments and mixed use developments where the majority of the developed square footage is to be in residential use.
 2. Recreational Area is defined as the common area of all lawns, community gardens, play lots, plazas, court yards, interior and exterior swimming pools, ball courts, tennis courts, exercise rooms, health and exercise facilities, libraries, internet/electronic media rooms, decks and other similar areas for common recreational uses. Recreational Area may include Parks required under the Villebois Village Master Plan, and any usable park areas not shown in such plan. Private areas under this definition, defined as those areas that are accessible only by a single owner or tenant, or commercial or retail recreation facilities serving the general public, shall not constitute or contribute to the measurement of Recreational Area.
 3. A variety of age appropriate facilities shall be included in the mix of Recreational Area facilities.
 4. Recreational Area shall be calculated at the following ratios:
 - a. At the SAP Level – 195 square feet per residential unit.

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- b. At the PDP level – an additional 30 square feet per residential unit
 - 3. Outdoor Living Area shall be considered to be part of the Open Space requirement in Section 4.125(.08). [Section 4.125(.05)(E.) amended by Ord. 606, 4/3/06.]
- F. Fire Protection:
- 1. All structures shall include a rated fire suppression system (i.e., sprinklers), as approved by the Fire Marshal.

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Table A.1: Development Standards²¹

Building Type	Min. Lot Size (sq.ft.)	Min. Lot Width (ft.)	Min. Lot Depth (ft.)	Max. Lot Coverage (note)	Min. Building Frontage Width ^{10, 12} (%age)	Max. Bldg. Height ⁹ (ft.)	Setbacks ^{10, 13, 20}				Alley-Loaded Garage (note)	Street-Loaded Garage (note)
							Front Min. (ft.)	Front Max. (ft.)	Rear Min. (ft.)	Side Min. (ft.)		
Commercial Buildings - Village Center ¹⁴	NR	NR	NR	¹	90	60	NR ³	5	NR	NR	NR	NA
Hotels - Village Center ¹⁴	NR	NR	NR	¹	80	60	NR ³	15	NR	NR	NR	NA
Mixed Use Buildings - Village Center ¹⁴	NR	NR	NR	¹	90	60	NR ³	8	NR	NR	NR	NA
Multi-Family Dwellings - Village Center ¹⁴	NR	NR	NR	¹	80	45	5 ⁴	15	NR	NR	NR	NA
Row Houses ¹¹ - Village Center ¹⁴	NR	NR	NR	¹	80	45	5 ⁴	10	NR	NR	NR	NA
Commercial Buildings	NR	NR	NR	¹	60	45	NR	15	NR	NR	NR	NA
Mixed Use Buildings	NR	NR	NR	¹	60	45	NR	15	NR	NR	NR	NA
Multi-Family Dwellings	NR	NR	NR	¹	60	45	8 ⁴	15	NR	NR	NR	NA
Row Houses ¹¹	NR	15	50	¹	80	45	8 ⁵	15	NR	NR	NR	NA
Duplexes	4,000	45	70	²	60 ¹⁶	35	12 ^{5,6}	20 ⁶	5	5 ¹⁵	7	8,17,18
Single-Family Dwellings and Duplexes	2,250	35	50	²	60 ¹⁶	35	12 ^{5,6}	20 ⁶	5	5 ¹⁵	7	8,17,18

Notes: NR No Requirement

NA Not Allowed

¹ Lot < 8000sf: NR; Lot >8000sf: 80% (Max. Lot Coverage)

² Small lots: 75%, Medium Lots: 65%, Standard and Large Lots: 55%, Estate Lots: 45% Maximum Lot Coverage
On lots where detached accessory buildings are built, maximum lot coverage may be increased by 10%.

³ Bay windows, balconies, and other structural building projections above 8 ft. may encroach up to 5 ft. into the Public Way; canopies, awnings, and other non-structural projections may encroach up to 8 ft. into the Public Way.

⁴ Porches, stairs, stoops, decks, canopies, balconies, bay windows, chimneys, awnings, and other building projections may encroach up to the Public Way.

⁵ Porches, stoops, decks, canopies, balconies, bay windows, chimneys, awnings, and other building projections may encroach to within 8 ft. of the Public Way. Stairs may encroach to the Public Way.

⁶ For Standard, or Large Lots on Collector Avenues, front setbacks are 20 ft. min., (13' setback to porch), side street setbacks are 15' (8' setback to porch). Pie-shaped lots or lots with significant trees or grade banks at frontage have no maximum front setback.

⁷ The garage setback from alley shall be between 3 and 5 foot or, when as optional parking space is located between the garage and the alley, shall be 16 ft. minimum. Lots with important trees, as identified in the Master Plan, or grade differences at the alley, affecting garage location shall be exempt from this requirement.

⁸ Street-loaded garages shall be a minimum 20 ft. front setback to face of garage, and located a minimum of 5 ft. behind main façade of the associated dwelling unit.

⁹ Vertical encroachments are allowed up to ten additional feet, for up to 10% of the building footprint; vertical encroachments shall not be habitable space.

¹⁰ For Village Center buildings with lots fronting two or more streets, at least two facades shall be subject to the minimum frontage width and front setback requirements.

¹¹ Row Houses are typically attached, but may be detached within the Village Center Boundary. When attached, no more than ten units shall be contiguous along a street edge. When row houses are detached, the Minimum Building Frontage Width is 65%. The Minimum Building Frontage Width for detached row houses may be less than 65% on corner lots or to accommodate the curve radius of street frontage, public utility easements, important trees, important trees, public open space requirements, or as otherwise approved by the DRB.

¹² See Definitions, 4.0014-125.01, for measurement of Minimum Building Frontage Width.

¹³ Front Setback is measured as the offset of the front lot line or a vehicular or pedestrian access easement line. On lots with alleys, Rear Setback shall be measured from the rear lot line abutting the alley.

¹⁴ See Figure 2A - Village Center Boundary & Land Use Plan in the Villebois Village Master Plan for areas included within the Village Center.

¹⁵ On Estate Lots and Large Lots with frontage 70 ft. or wider, the minimum combined side yard setbacks shall total 15 ft. with a minimum of 5 ft. On Small and Medium Lots, minimum side setback shall be 0 ft. or as required by Building Code.

¹⁶ For cluster housing with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right of way or a public pedestrian access easement linking the courtyard with the Public Way.

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- 17 Dwellings on lots without alley access shall be at least 36 feet wide.
- 18 ~~Single-family dwellings and duplexes with front-loaded garages are limited to one shared-standard-sized driveway/apron.~~
- 19 Maximum setbacks may be increased as necessary to accommodate deeper porches, building code, public utility easements or public open space requirements.
- 20 Lots are categorized as small, medium, standard, large or estate as shown in the Pattern Book. [Table V-1 amended by Ord. 667 on 8/17/09; Ord. 682, 9/9/10]
- 21 ~~Subsection 4.125 (.23) contains special provisions for redevelopment to add middle housing units.~~

*** Subsection (.06) is not included in this review draft ***



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(.07) General Regulations - Off-Street Parking, Loading and Bicycle Parking Except as required by Subsections (A) through (D), below, the requirements of Section 4.155 shall apply within the Village zone.

A. General Provisions:

1. The provision and maintenance of off-street parking spaces is a continuing obligation of the property owner. The standards set forth herein shall be considered by the Development Review Board as minimum criteria.
2. The Board shall have the authority to grant variances or refinements to these standards in keeping with the purposes and objectives set forth in this zone.

B. Minimum and Maximum Off-Street Parking Requirements:

1. Table V-2, Off-Street Parking Requirements, below, shall be used to determine the minimum and maximum parking standards for noted land uses. The minimum number of required parking spaces shown in Table V-2 shall be determined by rounding to the nearest whole parking space. For example, a use containing 500 square feet, in an area where the standard is one space for each 400 square feet of floor area, is required to provide one off-street parking space. If the same use contained more than 600 square feet, a second parking space would be required.
2. Minimum parking requirements may be met by dedicated off-site parking, including surfaced parking areas and parking structures.
3. Except for initial development of detached single-family dwellings and duplexes, on-street parking spaces, directly adjoining and on the same side of the street as the subject property, may be counted towards meeting the minimum off-street parking requirements. This includes the ability to count on-street parking spaces towards minimum parking requirements for Redevelopment to Add Units as defined in Subsection 4.125 (.23).
4. Minimum parking requirements may be reduced under the following conditions:
 - a. When complimentary, shared parking availability can be demonstrated, or;
 - b. Bicycle parking may substitute for up to 25% of required Mixed-Use or Multi-Family Residential parking. For every five non-required bicycle parking spaces that meet the short or long-term bicycle parking standards, the motor vehicle parking requirement for compact spaces may be reduced by one space.

C. Minimum Off-Street Loading Requirements:

1. Loading facilities shall be sited at the rear or side whenever practicable, and if adjacent to a residential use, shall be screened. Screening shall match the adjacent residential development in terms of quality of materials and design. Such screening shall minimize light glare and noise levels affecting adjacent residential uses. See also Section 4.155(.03)(B).

D. Bicycle Parking Requirements:

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- 1 Purpose: Bicycle parking is required for most use categories to encourage the use of bicycles by providing safe and convenient places to park bicycles for short and long stays.
 - a. Short-term bicycle parking is intended to encourage shoppers, customers, messengers, and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles.
 - b. Long-term bicycle parking is intended to provide employees, students, residents, commuters and others who generally stay at a site for several hours, a secure and weather-protected place to park bicycles. The intent of the long-term standards is to provide bicycle parking within a reasonable distance in order to encourage bicycle use.
2. General Provisions
 - a. Required Bicycle Parking:
 - i. The required minimum number of bicycle parking spaces for each use category is shown in Table V-2, Parking Requirements, below. Bicycle parking is not required for uses not listed.
 - ii. Bicycle parking spaces are not required for accessory uses. If a primary use is listed in Table V-2, bicycle parking is not required for the accessory use.
 - iii. When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.
3. Bicycle Parking Standards:
 - a. Short-term bicycle parking. Required short-term bicycle parking shall meet the following standards:
 - i. Short-term bicycle parking shall be provided in lockers or racks that meet the standards of this section.
 - ii. Short-term bicycle parking shall be located either within 30 feet of the main entrance to the building; or inside a building, in a location that is easily accessible for bicycles.
 - iii. If 10 or more short-term bicycle spaces are required, then at least 50 percent of the required short-term bicycle spaces shall be covered and meet the standards of this section.
 - b. Long-term bicycle parking. Required long-term bicycle parking shall meet the following standards:
 - i. Long-term bicycle parking shall be provided in racks or lockers that meet the standards of this section.
 - ii. Long-term bicycle parking shall be located on the site or in an area where the closest point is within 300 feet of the site
 - iii. At least 50 percent of required long-term bicycle parking shall be covered in compliance with the standards of this section
 - iv. To provide security, long-term bicycle parking shall be in at least one of the following locations:
 - In a locked room or locker

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- In an area that is enclosed by a fence with a locked gate. The fence shall be either eight (8) feet high, or be floor-to-ceiling, subject to review and approval of a building permit;
 - In an area that is visible from employee work areas or within view of an attendant or security guard;
 - In a dwelling unit or dormitory unit. If long-term bicycle parking is provided in a dwelling unit or dormitory unit, neither racks nor lockers shall be required.
- c. Bicycle Lockers, Racks and Cover (Weather Protection):
- i. Where required bicycle parking is provided in lockers, the lockers shall be securely anchored.
 - ii. Covered bicycle parking, as required by this section, shall be provided inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures. Where required covered bicycle parking is not within a building or locker, the cover must be permanent, designed to protect the bicycle from rainfall and provide seven (7) foot minimum overhead clearance.

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Table V-2: Off Street Parking Requirements				
	Min. Vehicle Spaces	Max. Vehicle Spaces	Bicycle Short-term (Spaces)	Bicycle Long-term (Spaces)
Permitted or Conditional Use				
Permitted Uses				
Single-Family Detached Dwellings	1.0/DU	NR	NR	NR
Single-Family Accessory Dwelling Units ²	NR 1.0/DU	NR	NR	NR
Duplex Middle Housing ^{2,3,4}	1.0/DU	NR	NR	NR
Row Houses	1.0/DU	NR	NR	NR
Multi-Family Dwellings	1.0/1 Bdr 1.5/2 Bdr 1.75/3 Bdr	NR	1 per 20 units Min. of 2	1 per 4 units Min. of 2
Community Housing	1 per 4 residents	1 per unit	None	1 per 8 residents Min. of 2
Commercial Uses				
Convenience Store	2/1000 sf	5/1000 sf	1 per 5000 sf Min. of 2	1 per 12,000 sf Min. of 2
Restaurant/Pub	2/1000 sf	10/1000 sf	1 per 5000 sf Min. of 2	1 per 12,000 sf Min. of 2
Child Day Care	0.2 per student/staff	0.3 per student/staff	None	1 per 10,000 sf Min. of 2
Medical/Dental	3/1000 sf	4/1000 sf	1 per 40,000 sf Min. of 2	1 per 70,000 sf Min. of 2
All other commercial uses	2/1000 sf	4/1000 sf	1 per 10,000 sf Min. of 2	1 per 40,000 sf Min. of 2
Conditional Uses				
Schools	0.2 per student/staff	0.3 per student/staff	0.3 per student/staff	0.2 per classroom
Recreational Facilities	3/1000 sf ¹	5/1000 sf ¹	1 per 3,000 sf Min. of 4	1 per 3000 sf Min. of 4
Conference Center	0.3 per seat	0.5 per seat	1 per 15 seats Min. of 2	1 per 40 seats Min. of 10
Library/Museum	2/1000 sf	4/1000 sf	1 per 1000 sf Min. of 6	1 per 1000 sf Min. of 6
Religious Institution	.25 per seat	.5 per seat	1 per 2,000 sf Min. of 2	1 per 4,000 sf Min. of 2
Theater	.25 per seat	.5 per seat	1 per 20 seats Min. of 2	1 per 50 seats Min. of 4
Overnight Lodging Facility	1 per room	1.5 per room	1 per 20 rooms Min. of 2	1 per 20 rooms Min. of 2
Light Manufacturing/Research and Development	2/1000 sf	4/1000 sf	1 per 10,000 sf Min. of 2	1 per 40,000 sf Min. of 2
All other Conditional Uses	2/1000 sf	4/1000 sf	1 per 10,000 sf Min. of 2	1 per 40,000 sf Min. of 2

Notes: ¹ 1/1000 sf min. for court facilities

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² For triplexes developed on lots smaller than 5,000 square feet, minimum off-street parking requirements are as follows:

- Lots under 3,000 square feet: 1 space per lot;
- Lots 3,000 square feet and over, but less than 5,000 square feet: 2 spaces per lot.

³ For quadplexes developed on lots smaller than 7,000 square feet, minimum off-street parking requirements are as follows:

- Lots under 3,000 square feet: 1 space per lot;
- Lots 3,000 square feet and over, but less than 5,000 square feet: 2 spaces per lot.
- Lots 5,000 square feet and over, but less than 7,000 square feet: 3 spaces per lot.

⁴ No additional off-street parking is required for middle housing created through the addition to, or conversion of, an existing single-family detached dwelling.

NR No requirement

* See WC Section 4.113(.10) Accessory Dwelling Units

[Table 4-2 amended by Ord. 677, 3/1/10]

*** Subsections (.08) – (.13) are not included in this review draft ***

(.14) Design Standards Applying to the Village Zone

A. The following Design Standards implement the Design Principles found in Section 4.125(.13), above, and enumerate the architectural details and design requirements applicable to buildings and other features within the Village (V) zone. The Design Standards are based primarily on the features, types, and details of the residential traditions in the Northwest, but are not intended to mandate a particular style or fashion. All development within the Village zone shall incorporate the following:-

1. General Provisions:

- a. Flag lots are not permitted.
- b. The minimum lot depth for a single-family dwelling with an accessory dwelling unit shall be 70 feet.
- c. Village Center lots may have multiple front lot lines.
- d. For Village Center lots facing two or more streets, two of the facades shall be subject to the minimum building frontage width requirement. Where multiple buildings are located on one lot, the facades of all buildings shall be used to calculate the Minimum Building Frontage Width.
- e. Neighborhood Centers shall only be located within a Neighborhood Commons.
- f. Commercial Recreation facilities shall be compatible with surrounding residential uses.
- g. Convenience Stores within the Village zone shall not exceed 4,999 sq. ft., and shall provide pedestrian access.

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- h. Specialty Grocery Stores within the Village zone shall not be more 19,999 square feet in size.
 - i. A Grocery Store shall not be more than 40,000 square feet in size.
 2. Building and site design shall include:
 - a. Proportions and massing of architectural elements consistent with those established in an approved Architectural Pattern Book or Village Center Architectural Standards.
 - b. Materials, colors and architectural details executed in a manner consistent with the methods included in an approved Architectural Pattern Book, Community Elements Book or approved Village Center Architectural Standards.
 - c. Protective overhangs or recesses at windows and doors.
 - d. Raised stoops, terraces or porches at single-family dwellings.
 - e. Exposed gutters, scuppers, and downspouts, or approved equivalent.
 - f. The protection of existing significant trees as identified in an approved Community Elements Book.
 - g. A landscape plan in compliance with Sections 4.125(.07) and (.11), above.
 - h. Building elevations of block complexes shall not repeat an elevation found on an adjacent block.
 - i. Building elevations of detached buildings shall not repeat an elevation found on buildings on adjacent lots.
 - j. A porch shall have no more than three walls.
 - k. A garage shall provide enclosure for the storage of no more than three motor vehicles, as described in the definition of Parking Space, except that a single garage for a quadplex may provide enclosure for up to four motor vehicles.
 3. Lighting and site furnishings shall be in compliance with the approved Architectural Pattern Book, Community Elements Book, or approved Village Center Architectural Standards.
 4. Building systems, as noted in Tables V-3 and V-4 (Permitted Materials and Configurations), below, shall comply with the materials, applications and configurations required therein. Design creativity is encouraged. The LEED Building Certification Program of the U.S. Green Building Council may be used as a guide in this regard.

[Section 4.125(.14) amended by Ord. No. 595, 12/5/05.]

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Table V-3: Permitted Materials and Configurations

All Single Family Detached, ~~Duplexes, Row Houses~~ Middle Housing - any location
All Mixed-Use, Multi-Family, and Commercial Buildings - outside the Village Center*

Permitted Materials		Configuration and Application
Exterior Surfaces of Building Walls and Chimneys	<ul style="list-style-type: none"> ▪ Cedar siding and shingles ▪ Dimensional lumber elements ▪ Fiber-cement siding and shingles ▪ Stucco, cementitious ▪ Masonry: brick, stone, concrete, and faux-stone ▪ Exposed cast-in-place concrete ▪ Pre-cast concrete trim and veneer ▪ Plywood with battens (not primary façade) 	<ul style="list-style-type: none"> ▪ Materials can only be changed at horizontal lines or at an inside corner of two vertical planes ▪ Any material used on a front façade shall return a minimum of 16" on side wall ▪ Lap-siding shall not exceed 7" and drop-siding 10" to the weather ▪ Board and batten shall not exceed 10", and 2" running alternately ▪ Brick shall be laid in a true bonding pattern (no stack bond) ▪ Stucco shall be smooth sand finish ▪ Concrete block shall be split-faced or scored ▪ Cast concrete walls shall have a textured finish
Building Elements	<ul style="list-style-type: none"> ▪ Posts and columns shall be of stone masonry, brick, cast concrete, stucco, wood, built-up fiber-cement board, fiberglass, iron, or tubular steel ▪ Arches and piers shall be stone masonry, brick, cast concrete, or stucco ▪ Porches, balconies, decks, stoops, and stairs shall be of wood, wood polymer, stucco, concrete, brick, or stone ▪ Railings and balustrades shall be iron, welded steel, pre-cast concrete, stone, wood or wood polymer ▪ Trellises shall be iron, welded steel, or wood ▪ Walls and fences may be of permitted wall materials, and wood pickets, lattice, boards, or open painted metal 	<ul style="list-style-type: none"> ▪ All balconies, decks, and trellises - whether cantilevered or not - shall be visibly supported by columns, beams, or brackets ▪ Columns and posts shall be minimum 5" in section ▪ Masonry shall be terminated on a concrete base or carried to the ground ▪ The area under porches and decks shall be screened with wall or fencing material ▪ Landscape walls and fences shall match materials on buildings ▪ Concrete and masonry landscape walls shall be a minimum of 8" thick ▪ Stucco landscape walls shall be over concrete or block walls ▪ Metal fencing shall be of open nature and predominately vertical ▪ Fence heights may step up or down in one ft. increments but not at corners ▪ Ornamentation is only allowed to highlight or embellish a functional element ▪ Balconies shall extend no more than 36 inches beyond the furthestmost adjacent building face ▪ Fence boards must be stained or painted
Roofs	<ul style="list-style-type: none"> ▪ Architectural grade composition shingles ▪ Cedar shingles ▪ Concrete or clay tiles ▪ Slate ▪ Built-up flat roofs ▪ Standing seam metal, parallel to slope ▪ Eco/Green roofs ▪ Metal or wood gutters. Metal downspouts or (1) copper, brass or aluminum chain, (2) rope, or (3) freefall water, in lieu of metal downspouts. ▪ Fabric, steel, or glass awnings 	<ul style="list-style-type: none"> ▪ Principal sloped roofs shall have symmetrical 4:12 to 12:12 pitches ▪ Eaves shall overhang at least 12 inches or be tight to the wall and finished by a molding or stucco detail ▪ Eco/Green roofs are permitted on flat roofs or sloped roofs up to 6.9:12 pitch. ▪ Fascia gutters are not allowed ▪ Gutters shall have a half-round, ogee, or square profile ▪ Metal Downspouts shall be round or box and use standoffs instead of bending around trim boards or other elements. ▪ All roof-mounted components, such as mechanical equipment, solar equipment, antennas, satellites, etc., shall be screened from view. ▪ Chain or rope downspouts anchored at bottom, or gutter freefall, shall convey water to a no-splash basin. The basin and drainage conveyance away from the basin require City approval on a per design basis. ▪ Roof vents shall be minimized where visible from public areas ▪ Dormers shall be placed at least 36 inches from side building walls ▪ Flat roofs shall be enclosed by parapets
Windows & Doors	<ul style="list-style-type: none"> ▪ Wood, metal or vinyl-clad wood, vinyl or steel frames and sashes ▪ Clear or Low-E glass where visible from public areas ▪ Entry and garage doors of wood, fiberglass, or embossed metal ▪ Sliding glass doors are allowed only where screened from public areas ▪ Wood, fiber-cement, vinyl, or fiberglass shutters 	<ul style="list-style-type: none"> ▪ Individual windows shall be square or vertical in proportion ▪ Windows and doors shall be recessed at least 3" from the exterior wall surface or surrounded by trim ▪ Door and window shutters shall be sized to cover the window

*** Table V-4 is not included in this review draft. **ATTACHMENT 1**

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(.15) Village Center Design Principles

- A. In addition to the design principles found in Section 4.125(.13), above, the following principles reflect the fundamental concepts, support the objectives of the Villebois Village Master Plan, and guide the fundamental qualities within the Village Center:
1. The buildings, streets and open spaces of the Village Center are intended to relate in such a way as to create an identifiable and related series of public and private spaces.

(.16) Village Center Design Standards

- A. In addition to the design standards found in Section 4.125(.14), above, the following Design Standards are applicable to the Village Center, exclusive of single-family detached dwellings and ~~row houses~~ middle housing:
1. Off-street parking areas shall not be located between buildings and the street.
 2. The design of off-street parking areas shall include pedestrian connections to the buildings they serve, sidewalks, and adjacent parking areas.
 3. The design of buildings and public spaces shall include interior (through-buildings) and exterior public pedestrian accessways, as required, to facilitate pedestrian connections.
 4. The design of buildings shall include rear and side entrances in addition to primary street front entrances when necessary to facilitate pedestrian connections.
 5. Building facades shall be broken into multiple vertical elements.
 6. Canopies and awnings should be provided as specified in the Village Center Architectural Standards. [Section 4.125(.16)(A)(6) amended by Ord. No. 595, 12/5/05.]
 7. The design of buildings and landscapes shall provide opportunities for public art at a minimum of one location per block.

*** Subsections (.17) – (.18) are not included in this review draft ***

(.19) Expiration of SAP, PDP and FDP Approvals

A SAP approval shall not expire. A PDP or FDP approval shall expire two years after its approval date, if substantial development has not occurred on the property prior to that time. Provided, however, that the Development Review Board may extend these expiration times for up to three (3) additional periods of not more than one (1) year each. Applicants seeking time extensions shall make their requests in writing at least thirty (30) days in

advance of the expiration date. Requests for time extensions shall only be granted upon a showing that the applicant has in good faith attempted to develop or market the property in the preceding year or that development can be expected to occur within the next year. For purposes of this section, “substantial development” is deemed to have occurred if the subsequently-required development approval, building permit or public works permit has been submitted for the development, and the development has been diligently pursued, including the completion of all conditions of approval established for the permit.

- (.20) 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 FDP. The approved FDP and phase development sequence shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved FDP may be approved by the Planning Director if such changes are consistent with the purposes and general character of the approved development plan. All other modifications, excluding revision of the phase development sequence, shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. [Section 4.125(.20) amended by Ord. No. 587, 5/16/05.]
- (.21) In the event of a failure to comply with the approved FDP, or any prescribed condition of approval, including failure to comply with the phase development schedule, the Development Review Board may, after notice and hearing, revoke a FDP. General economic conditions that affect all in a similar manner may be considered as a basis for an extension of a development schedule.

(.22) In the Village Zone approved SAPs, PDPs, and FDPs, are considered “approved plans” and are the basis of legal conforming status of development consistent with Subsection 4.140 (.10) C. SAPs, PDPs, and FDPs can become or be declared by ordinance to be legal non-conforming in the same manner as other planned developments in the City as described in Subsection 4.140 (.10) C.

(.23) Redevelopment to Add Middle Housing Units: For lots previously developed with at least one residential unit in the Village Zone, the following standards apply for adding additional residential units. This includes replacement of residential structures, adding new residential structures, expanding existing residential structures, or adding units within a residential structure without expanding the structure.

A. Residential Density Calculation:

1. The following are exempt from unit count calculation and the added units shall not count toward unit maximums defined by the SAP and PDP:

a. Accessory Dwelling Units

- b. Duplexes
- c. Triplexes
- d. Quadplexes
- e. Cluster housing

2. The allowed density for new townhouses built as redevelopment shall be the lesser of: (1) four times the unit count established for the lot or lots in the Preliminary Development Plan, or (2) 25 units per net acre.

B. Lot and Development Standards: The standards of Table V-1 for single-family dwellings apply with the following exceptions:

- 1. The minimum lot size for duplexes and 2-unit cluster housing is the same as single-family homes.
- 2. The minimum lot size for triplexes and 3-unit cluster housing is 5,000 square feet.
- 3. The minimum lot size for quadplexes, 4-unit cluster housing, and cottage clusters is 7,000 square feet
- 4. If front, rear, or side setbacks would otherwise exceed 10 feet for cottage clusters they shall be reduced to 10 feet.
- 5. Cottage clusters are exempt from maximum lot coverage standards.
- 6. Cottage clusters must be developed at a minimum density of 4 units per acre.

C. Compliance with Architectural Pattern Book: Where the size of the residential structure and lot is the same as shown for one of the unit types in the Architectural Pattern Book for the PDP, all standards for that unit type shall be adhered to. If the residential structure or lot size does not match at least one of the unit types in the Architectural Pattern Book, only the Architectural Styles, Architectural Patterns (can comply with the unit type of choice), variety rules such as rules of adjacency, and Fencing must be complied with.

D. Parking: Parking shall be provided consistent with Table V-2 and other related provisions of Section 4.125.

(.24) The Village Zone zoning designation shall not be applied to any land not within the boundaries of the Villebois Village Master Plan as of December 31, 2021.

[Section 4.125 V-Village Zone, added by Ord 557, adopted 9/5/03.]

Section 4.138. Old Town (O) Overlay Zone.

[Section 4.138 amended in its entirety by Ord. 810, 11/20/2017]

- (.01) Purpose. The purpose of this overlay zone is to establish the design standards that will be applied to developments within the Old Town neighborhood, mapped as the Boones Ferry District in the City's West Side Master Plan. The following purpose statement is not intended as a set of additional permit criteria. Rather, it is a description of the desired outcome as development occurs incrementally, over time. This overlay district is intended to create a modern interpretation of a traditional old town Main Street and mixed use neighborhood. It is recognized that the Old Town neighborhood is of unique significance because of its existing pattern of mixed uses, its access to the Willamette River and because it was the original center of housing and commerce for the community.
- A. The standards of the "O" overlay zone are intended to assure that, through the appropriate use of architectural details, windows, building orientation, facades, and construction materials, new structures, and major alterations of existing structures, create a pleasing and pedestrian-friendly environment.
 - B. It is the desire of the City to have commercial, industrial, multi-family, and mixed use buildings in the "O" overlay zone reflect a range of architectural types and styles that were popular in the Willamette Valley from approximately 1880 to 1930 and for single-family homes and middle housing to be consistent with and enhance the historic small town residential character of the neighborhood. The following design standards are intended to further define those characteristics that will convey the desired architecture.
 - C. These standards are intended to encourage quality design, to enhance public safety, and to provide a comfortable and attractive street environment by providing features and amenities of value to pedestrians. Quality design will result in an arrangement of buildings that are in visual harmony with one-another, leading to a neighborhood that is vital, interesting, attractive, and safe. These qualities contribute to the health and vitality of the overall community.
 - D. These standards shall be used by the City's Planning Division and Development Review Board in reviewing development applications within the Old Town neighborhood.
- (.02) The "O" Overlay zone shall be applied in conjunction with the underlying base zones in the Old Town neighborhood.
- (.03) Review Process in the "O" Overlay zone.

A. The following shall be reviewed using the Site Design Review process for conformance with the standards in Subsection (.05) as well the Site Design Review standards (Sections 4.421) and other applicable standards:

1. New commercial, industrial, public facility, multi-family residential, and mixed use building construction and the substantial redevelopment of existing buildings; and
2. Exterior remodeling of commercial, industrial, public facility, multi-family residential, or mixed use building that requires a building permit, when that remodeling is visible from a public street (other than an alley) and changes the existing design of the building; and
3. Upon the request of an applicant, in order to pursue a design not in conformance with the Old Town ~~Single-Family Residential~~ Design Standards Book, new single-family homes, middle housing, ~~(including duplexes)~~ and accessory buildings, or remodeling thereof. Standards for ADU's in Subsection (.04) C. below shall apply.

B. The following (except as noted in A.3. above) shall be reviewed through the Class I administrative review process for conformance with the Development Standards of Subsection (.04) concurrently with building plan review:

1. New single-family homes ~~(including duplexes and middle housing)~~, single-family home or middle housing additions, remodels, accessory dwelling units, garages, and other buildings accessory to a single-family or middle housing use.

(.04) Single-Family and Middle Housing Development Standards (including accessory buildings and duplexes)

A. The standards of this subsection shall take precedence over setback, lot coverage, height, and accessory dwelling unit standards otherwise established in the Development Code except that 10 foot front and rear setbacks for cottage clusters and zero setbacks for attached townhouses shall continue to apply. All other standards of the base zone and/or approved planned developments shall apply. For PDR Zones, the setback and lot coverage standards are subject to the waiver provisions of Section 4.118.

B. Development shall comply (except as noted in 1. and 2. below) with the standards of the Old Town ~~Single-Family Residential~~ Design Standards Book including but not limited to architectural design, height, setbacks, and lot coverage.

1. An applicant for a remodel of and/or addition to structures existing prior to December 1, 2017, including the creation of middle housing through conversion of or addition to an existing single-family home, may elect to match the existing design of the structure rather than comply with the Old Town ~~Single-Family Residential~~ Design Standards Book if all of the following are met:

- a. The height of the structure remains the same and any additions do not exceed the height of the existing structure;
 - b. The roof pitch on the existing portion of the structure remains the same and is matched for additions involving facades facing a street or public open space;
 - c. All exterior materials are substantially similar in style and texture to the existing materials on the structure;
 - d. For facades of the structure facing a street or public open space (does not include alleys) all architectural elements, such as windows, doors, porches, dormers, details, etc. are kept the same, or in the case of extending out a wall during an addition, reproduced; and
 - e. Setbacks and lot coverage requirements of the underlying zone are met.
2. Accessory structures less than 120 square feet and 10 feet in height are not subject to the Old Town ~~Single-Family Residential~~ Design Standards but rather the standards of the underlying zone.
- C. The following standards shall apply to Accessory Dwelling Units (ADU's) within the "O" Overlay Zone to ensure smaller bulk of residential buildings and minimal use of on-street parking consistent with the historic character of the neighborhood. Where these standards differ from those of Subsection 4.113 (.10), including size design and parking, these standards take precedence. All other standards of Subsection 4.113 (.10), including but not limited to number of ADU's and review process, continue to apply.
1. Size: ADU's shall not exceed 600 square feet of living space.
 2. Design: ADU's shall be substantially the same exterior design and architecture (i.e. siding, windows, color, roof pitch, doors and roofing materials) as the primary dwelling unit on the property. ADU's shall be either:
 - a. Detached single-story structures; or
 - b. Over a detached garage meeting the following requirements:
 - i. The garage/ADU structure is a maximum 1.5 stories tall, not exceeding a height of 20 feet; and
 - ii. The primary dwelling unit on the property is 1.5 or 2 stories tall.

*** Subsection (.05) is not included in this review draft ***

NOTE:

Attachment 1 Draft plan and code updates package 1 (Category 1 and 2 updates, with select Category 3 and 4 updates)

All proposed amendments included in this draft are necessary for compliance with state law (Category 1 and 2).

ATTACHMENT 1

WILSONVILLE OLD TOWN

Single-Family Residential Design Standards





ATTACHMENT 1

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Wilsonville Old Town **Residential** ~~Single Family~~ Design Standards were produced by The Urban Collaborative, LLC and Town Green in collaboration with the City of Wilsonville and the Old Town Neighborhood Association.

Drawings in the **Residential** ~~Single Family~~ Design Standards Book are for illustrative purposes only and not to be used for construction purposes. A professional architect or engineer should be consulted for any residential construction.

ATTACHMENT 1

INTRODUCTION AND HISTORY



Boone's Ferry on the Willamette River, OSU Special Collections: Gifford Photographic Collection

The city of Wilsonville, Oregon was first developed in the mid-19th century around the Boone's Ferry landing on the Willamette River. The landing served as the starting point for a new community to spring up, initially consisting of stores, hotels, shops, offices, and banks-- many of which were later converted into residences. The neighborhoods that first formed from this social and economic landmark are reflective of the city's historic culture and character. The modern-day result of the preservation of this historic style is a traditional neighborhood in which collections of interesting and diverse houses and sequences of small shops join together to create beautiful streets and public spaces that preserve a rural feel while in an urban setting.



Wilsonville Railroad Bridge Under Construction - circa 1907, Old Oregon Historic Photos

The area as a whole shares a visual richness and celebrates historic character. The historical residences in this area were constructed primarily between the 1880's and the 1930's, creating a beautiful snapshot of the era when the area was first developed. As new homes and businesses are constructed in the neighborhood, it is important to preserve Old Town's visual historical identity.



George Law Curry House, Front View - 1934, Old Oregon Historic Photos

The following design standards reflect the cultural characteristics of the Boone's Ferry neighborhood as it has developed over the past 160 years while integrating the current community's goals for the future. It provides a clear and straightforward set of architectural and planning guidelines to preserve historical integrity as new homes are constructed and existing homes are renovated.











PURPOSE AND OVERVIEW

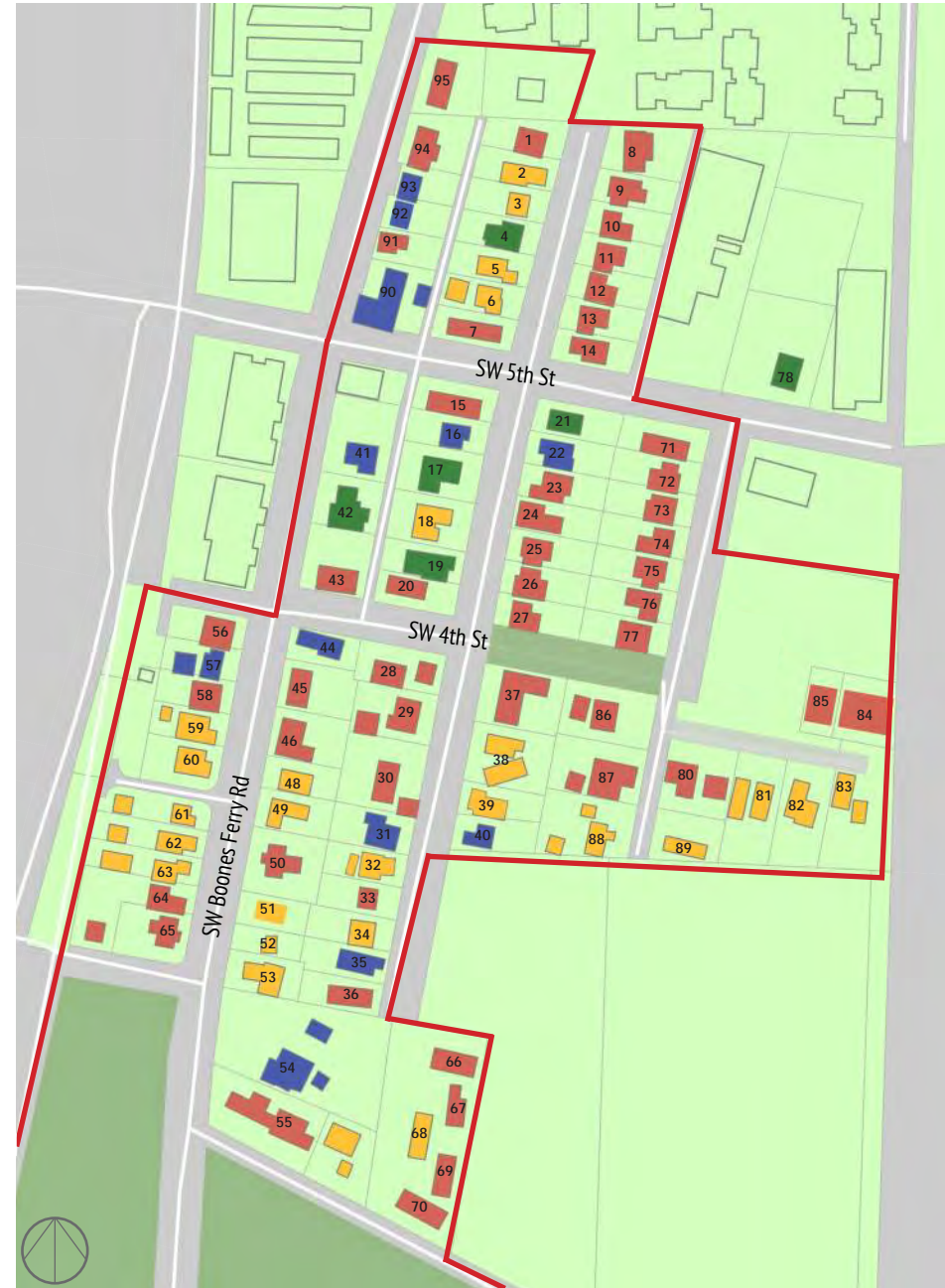
These Single-Family Residential Design Standards are designed with the intention of preserving the unique character of Wilsonville’s Old Town neighborhood, and uniting future development projects with a shared vision of preserving local traditions. Historic architecture offers important lessons about making buildings work at both the street and pedestrian scale. The Design Standards apply to the homes within the red boundary on the neighborhood map to the right. This map shows the style of homes within Old Town and the current mix of new and historical homes.

Old Town Wilsonville maintains a unique character reflective of a period before the rest of Wilsonville existed. However, as the City of Wilsonville grows, the neighborhood has been experiencing development pressures. In order to maintain the desired scale and massing for residential buildings within Old Town, the Design Standards present clear guidelines for new build, renovations, or additions to existing buildings in the neighborhood.

The Old Town Overlay Zone, within the Wilsonville Zoning Code, refers directly to these Design Standards and the two documents should be referred to in conjunction when planning any new homes or when renovating homes in Old Town.

This document provides simple, clear, and objective standards that illustrate the patterns and elements of architectural styles in Old Town Wilsonville. The guidelines provide the City of Wilsonville and the community with tools to minimize problems regarding future development and redevelopment projects that are inconsistent with the context of Old Town. By protecting the spirit and sense of place in Old Town, the look, feel, and culture unique to the neighborhood is also preserved.

- Western Farmhouse 
- Craftsmen 
- Ranch 
- Modern Mix and Other 
- Residential Scope Border 
- City Parks 
- Roads 
- Tax Lots 



OLD TOWN HISTORICAL RESIDENTIAL TYPES



Existing Farmhouse Styles



The residential housing types currently present in the Boones Ferry district of Old Town Wilsonville include Farmhouses, Craftsman Style homes, and Ranch Style homes among other more modern homes. To preserve the historic character of the neighborhood, this document will focus on these three historic styles: Farmhouse, Craftsman, and Ranch, which together compose about 80% of the homes in old Town.

The Farmhouse style in Wilsonville dates back to when the neighborhood was first developed in the 19th century. This style is prevalent throughout the Willamette Valley and consists primarily of a simple building form with added features and forms to add character to the home. Farmhouse homes have porches and pitched roofs, and have a traditional and historic visual style such as vertical or horizontal wood siding, vertically aligned windows, and a large front porch.



Existing Craftsman Styles



The Craftsman style first appeared along the American west coast at the turn of the 20th century, featuring arts-and-crafts style elements that were popular at the time. This style uses detailed features, gabled porches, dormers, and structurally expressive elements to maintain a classic appearance with a contemporary charm.

The State Historic Preservation Office recognizes structures that are 50 years or older as historically consistent with the criteria for listing on the National Register of Historic Places. For this reason, the Ranch style home was added to the historic residential types. This addition reflects the evolving nature of Old Town.



Existing Ranch Styles



The Ranch style first appeared in the 1940's, and was popular into the 1960's. The style features a linear or shallow L-shaped form, with large front-facing windows and a pitched or hipped roof. Exterior ornamentation is limited, making these homes a versatile addition to this historic neighborhood.



USING DESIGN STANDARDS ATTACHMENT 1

STEP 1: Identify Appropriate Architectural Project Type

- 1.1 Is it new build or renovation?
- 1.2 Is a garage or carport planned?
- 1.3 Is there an Accessory Dwelling Unit?

STEP 2: Choose an Architectural Style

- 2.1 Under which of the three architectural styles does your project fit?
 - i. How does the style define roofs, windows, porches, doors, etc?
 - ii. How many stories does it have?
- 2.2 Does your building height fit into the immediate context?
 - i. Immediate context is defined as the homes on the same block face as the project as well as the homes along the facing street.
 - a. If immediate context is 1 story, stay within 1.5 stories
 - b. If immediate context is mixed, stay within 2 stories
 - c. If project is along SW Boones Ferry Road, north of SW 4th, dwellings are encouraged to be 2 stories
 - d. Regardless of context, triplexes, quadplexes, and townhouses are permitted to be 25 feet in height and two stories.
- 2.3 What shape, form, and massing will the building have?

STEP 3: Identify Site and Lot Requirements

- 3.1 Are there appropriate landscaping needs to fit with immediate context?
- 3.2 How will the development meet setback standards and address edges?
- 3.3 Does your plan meet the Old Town Overlay Zoning code in areas not covered by these Design Standards?

INTRODUCTION TO STYLES ATTACHMENT 1

Three distinct historical building typologies reoccur throughout the Boone's Ferry Old Town neighborhood and can be used to guide future residential construction as well as additions and renovations.

While there are modern architectural styles in Old Town, these building types represent the scale, massing, and historical precedent desired by the community.

Western Farmhouse

This style is typically two stories, in a 'T' or 'L' shape, and featuring an entry porch with gable or hipped roofs.



Craftsman

Typically one and a half stories, this style features an integrated porch with medium-pitched roofs and dormers. This historic style is often richly detailed with structurally expressive elements.



New Ranch

This style is often a long rectangular shape or 'L' plan. It is typically one story with an attached garage, adorned with a large street-facing picture window.





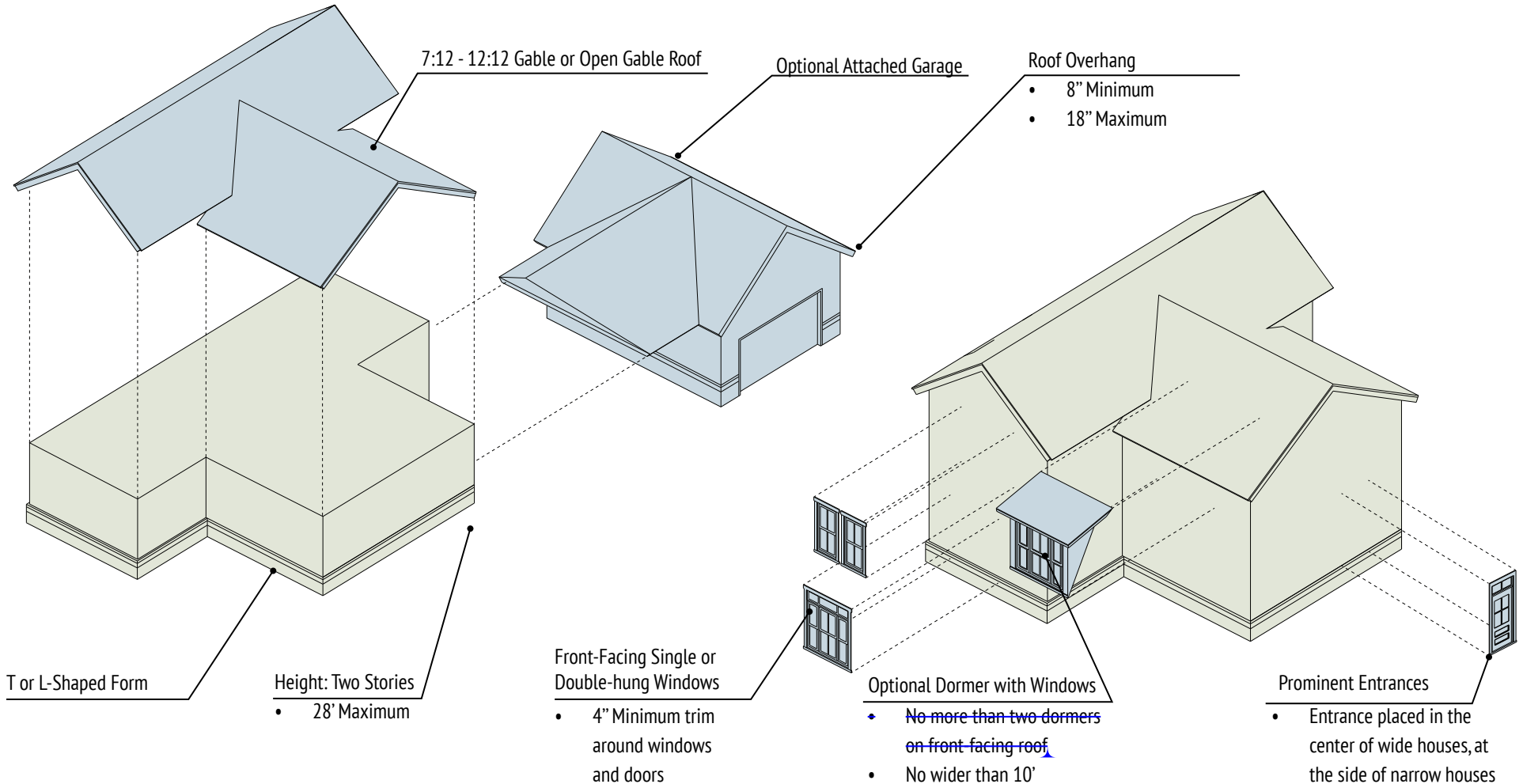
WESTERN FARMHOUSE STYLE
ATTACHMENT 1



WESTERN FARMHOUSE STYLE ATTACHMENT 1

MASSING AND ROOFS

WINDOWS AND DOORS

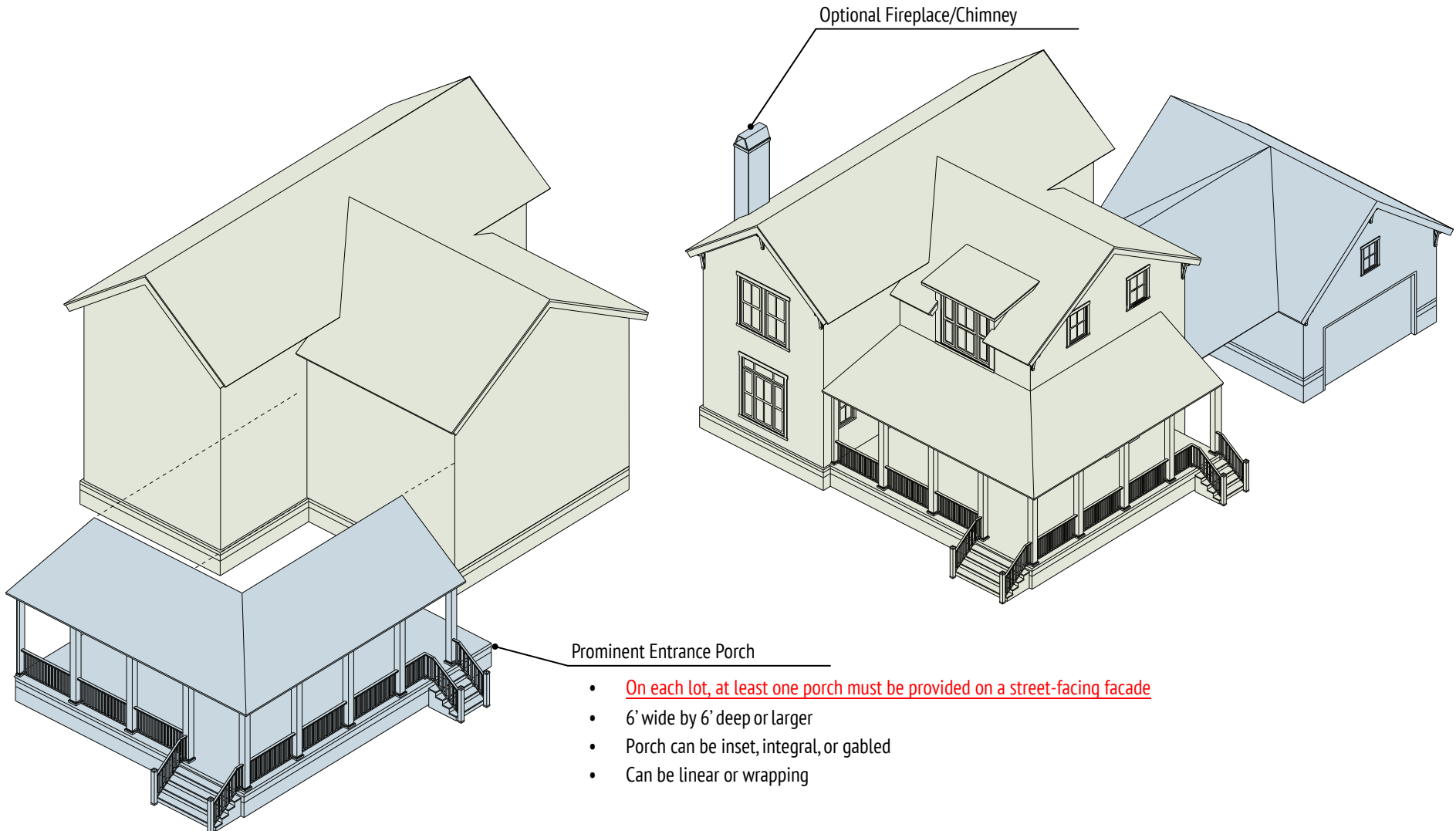




ATTACHMENT 1

PORCHES

OTHER ELEMENTS



ATTACHMENT 1

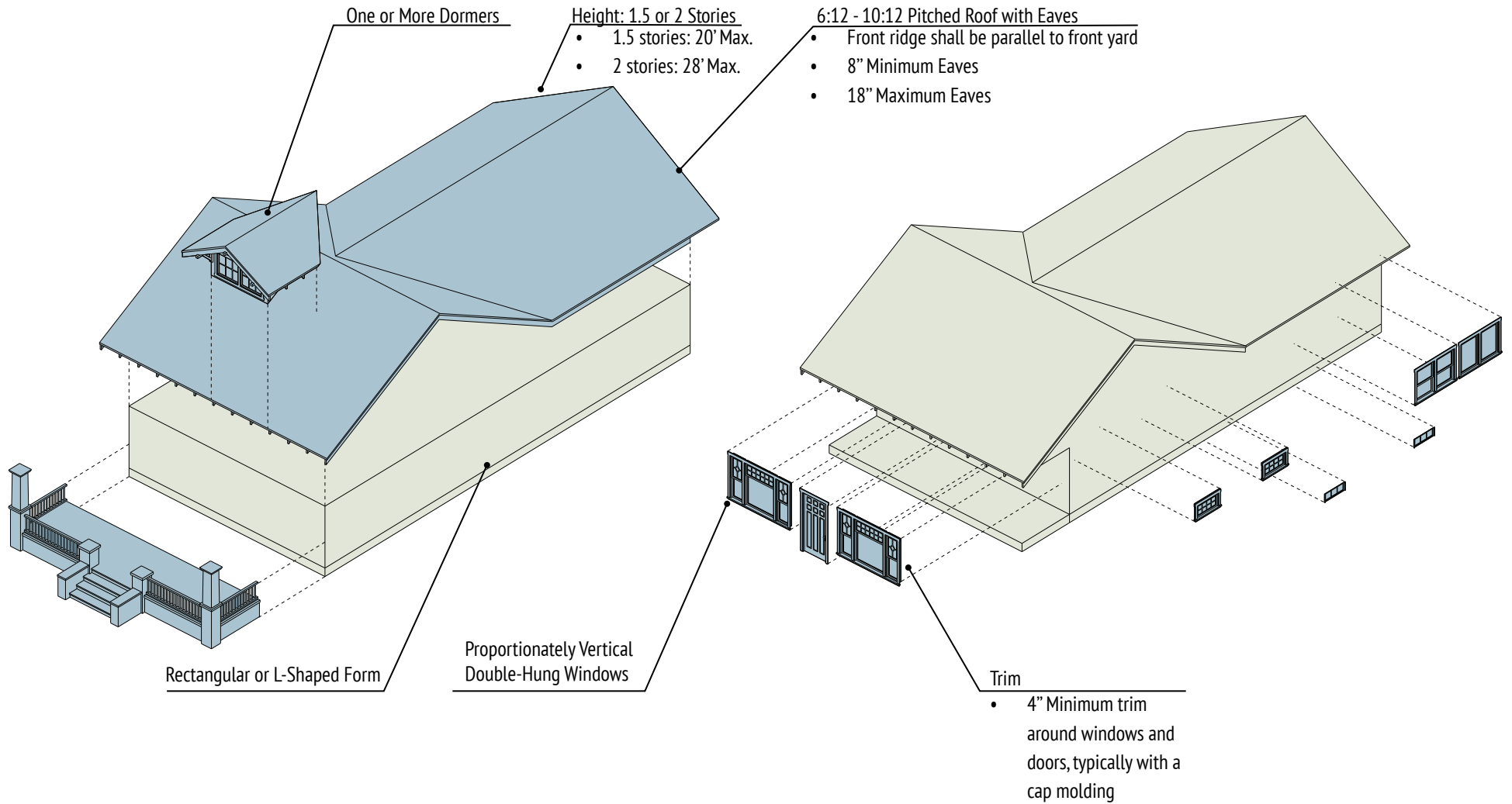




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MASSING AND ROOFS

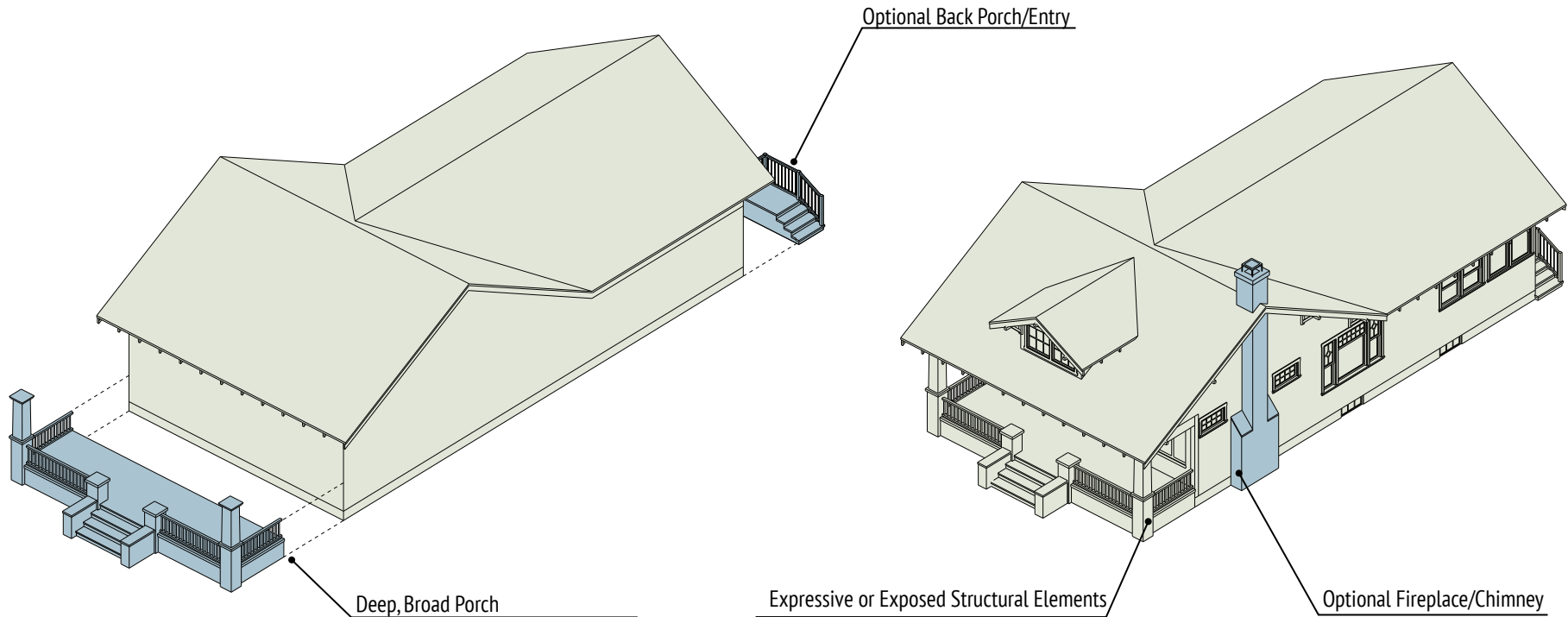
WINDOWS AND DOORS



ATTACHMENT 1

PORCHES

OTHER ELEMENTS



- On each lot, at least one porch must be provided on a street-facing facade
- Integrated with building form
- Minimum 6' deep, 6' wide

- Porch Columns
- Exposed Rafters and Beams
- Detailed Brackets



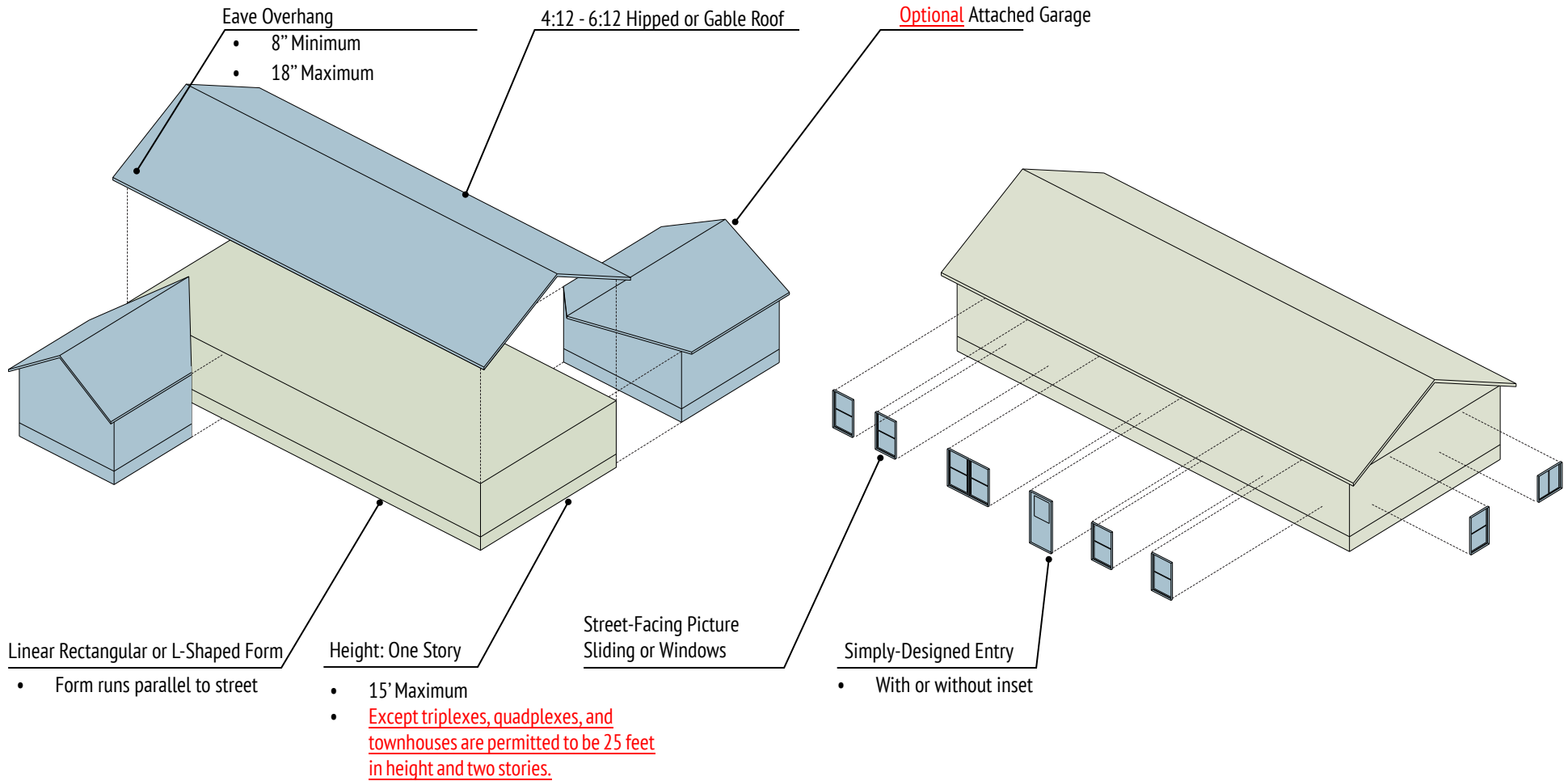
ATTACHMENT 1



NEIGHBORHOOD 1

MASSING AND ROOFS

WINDOWS AND DOORS

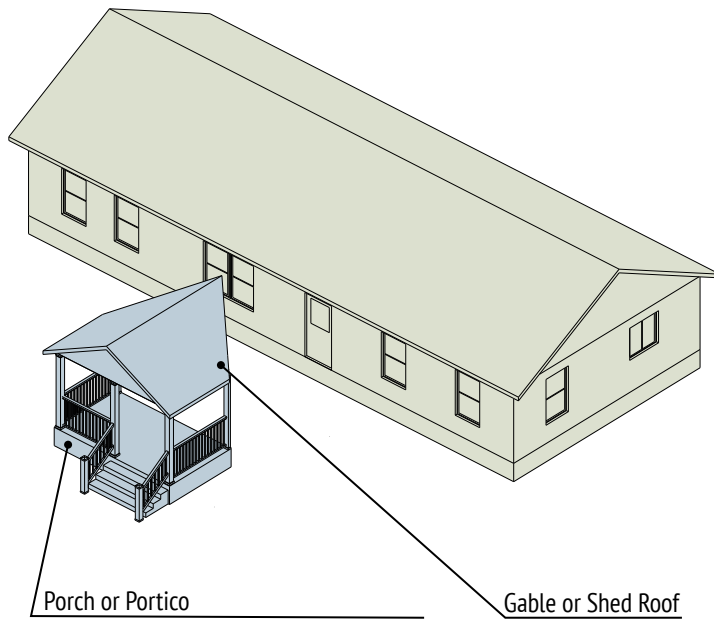




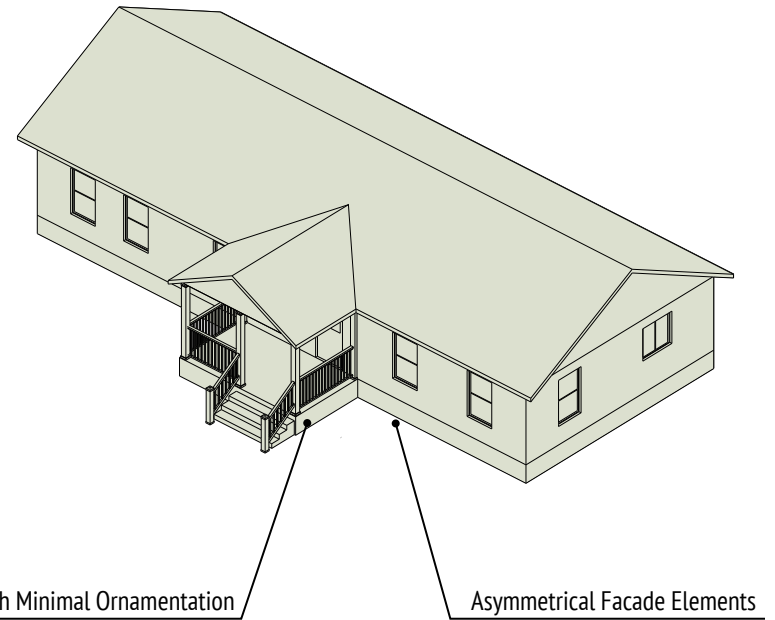
ATTACHMENT 1

PORCHES

OTHER ELEMENTS



- On each lot, at least one porch must be provided on a street-facing facade
- Minimum 6' wide
- Minimum 6' deep
- Porches are encouraged on remodels and required for new homes



- Shutter are encouraged (but optional) and should be sized and mounted as if operable.

RENOVATION GUIDELINES ATTACHMENT 1

Remodels, renovations, and/or additions shall comply with the same Design Standards as new construction except that remodels, renovations, and/or additions to structures existing prior to December 1, 2017, including the creation of middle housing through conversion of or addition to an existing single-family home, may elect to match the existing design of the structure rather than comply with the Old Town Residential Single-Family Design Standards Book if all of the following are met:

- a. The height of the structure remains the same and any additions do not exceed the height of the existing structure;
- b. The roof pitch on the existing portion of the structure remains the same and is matched for additions involving facades facing a street or public open space;
- c. All exterior materials are substantially similar in style and texture to the existing materials on the structure;
- d. For facades of the structure facing a street or public open space (does not include alleys) all architectural elements, such as windows, doors, porches, dormers, details, etc. are kept the same, or in the case of extending out a wall during an addition, reproduced; and
- e. Setbacks and lot coverage requirements of the underlying zone are met.

See Wilsonville Code Subsection 4.138 (.04) B.





ATTACHMENT 1 ~~DUPLEX~~ EXAMPLES OF MIDDLE HOUSING STYLES

Duplexes shall appear indistinguishable from single-family houses except for the two entries. If new, the duplex New middle housing shall meet all design standards for the applicable architectural style.

New middle housing shall also meet the applicable design standards in Wilsonville Code Sections 4.113 (.14) - (.16), unless they conflict with the standards in this design book.

New Ranch Duplexes are middle housing is encouraged, but not required, to have entries on separate streets so that each one or more primary entrance faces a different street front. This could be accomplished on any corner lot.

Western Farmhouse Duplex

This style is typically two stories, in a 'T' or 'L' shape, and featuring an entry porch and gable or hipped roofs.



Craftsman Duplex

Typically one and a half stories, this style features an integrated porch with medium-pitched roofs and dormers. This historic style is often richly detailed with structurally expressive elements.



New Ranch Duplex

This style is often a long rectangular shape or 'L' plan. It is typically one story and adorned with a large street-facing picture window.



Accessory Dwelling Units and Garages

DESIGN

Design guidelines are applicable to any and all exterior building elements visible from the public right-of-way or public parcel, in any direction, regardless of existing or proposed landscaped or natural visual barriers between the public view shed and exterior building elements.

The garage and other accessory buildings over 120sf and 10ft in height must be designed using the same exterior design and architecture (i.e. siding, windows, doors, and roofing materials) as the primary residence on the lot. Accessory buildings cannot be taller than the primary residence. If the primary residence is less than 15 feet, an accessory building can be 15 feet or less.

Accessory Dwelling Units (ADU's) in Old Town shall:

1. Size: ADU's shall not exceed 600 square feet of living space.
2. Design. ADU's shall be either:
 - a. Detached single-story structures; or
 - b. Over a detached garage meeting the following requirements:
 - i. The garage ADU structure is a maximum 1.5 stories tall, not exceeding a height of 20 feet; and
 - ii. The primary dwelling unit on the property is 1.5 or 2 stories tall.

All other standards of Subsection 4.113 (.10) related to ADU's apply. See Subsection 4.138 (.04) C. Wilsonville Code.

STYLE GUIDELINES

Western Farmhouse

Roof Style: Gable
Roof Pitch: 7:12 to 12:12
Eaves: 8" minimum to 18" maximum

New Ranch

Roof Style: Hip or Low-Pitched Gable
Roof Pitch: 4:12 to 6:12
Eaves: 8" minimum to 18" maximum

Craftsman

Roof Style: Gable
Roof Pitch: 6:12 to 10:12
Eaves: 8" minimum to 18" maximum



© The Bungalow Company, Portland, Oregon



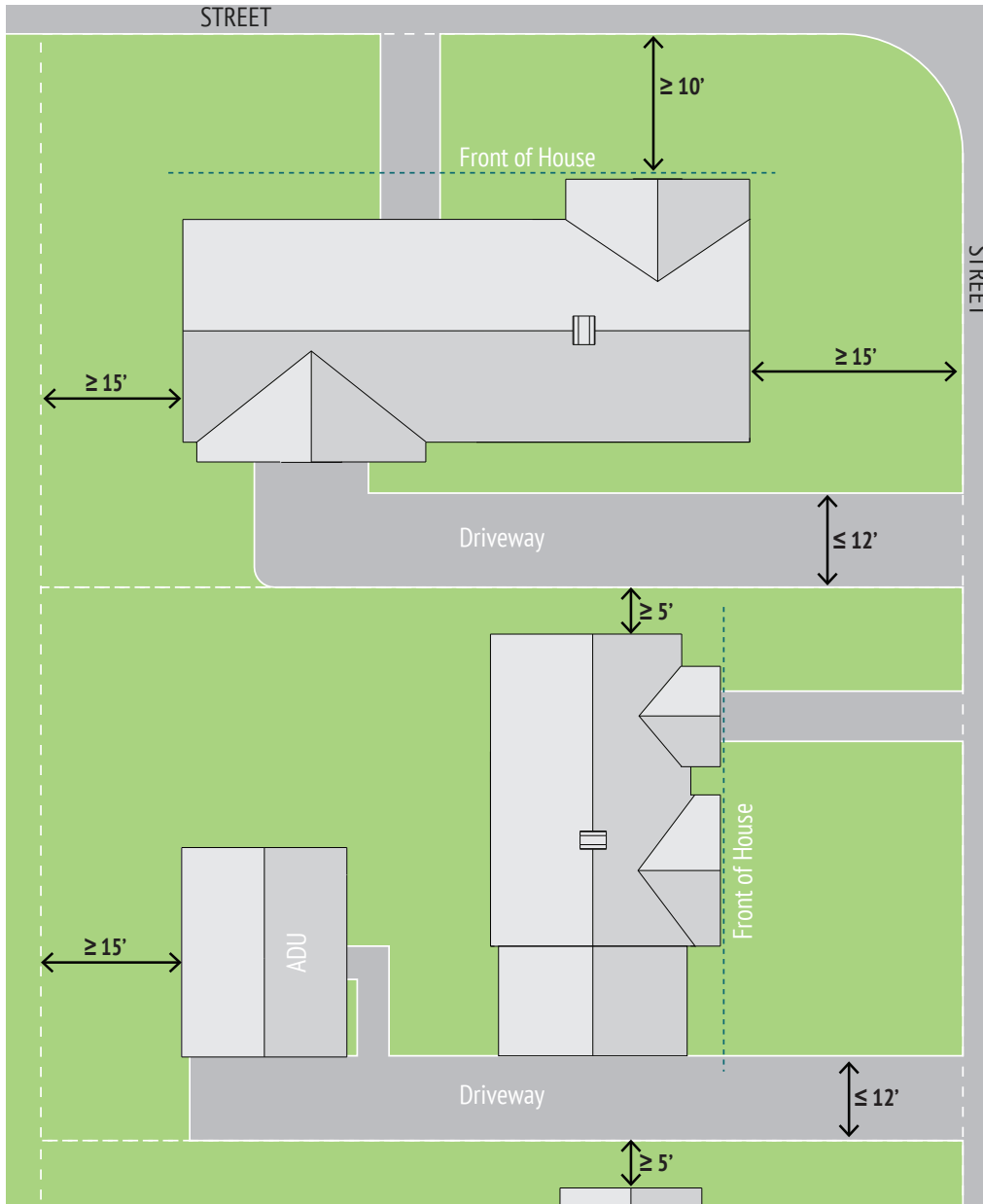
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MATERIALS AND LOT COVERAGE



MATERIALS

The following construction materials may not be used as an exterior finish:

1. Vinyl siding.
2. Wood fiber hardboard siding.
3. Oriented strand board siding.
4. Corrugated or ribbed metal.
5. Fiberglass panels

LOT COVERAGE

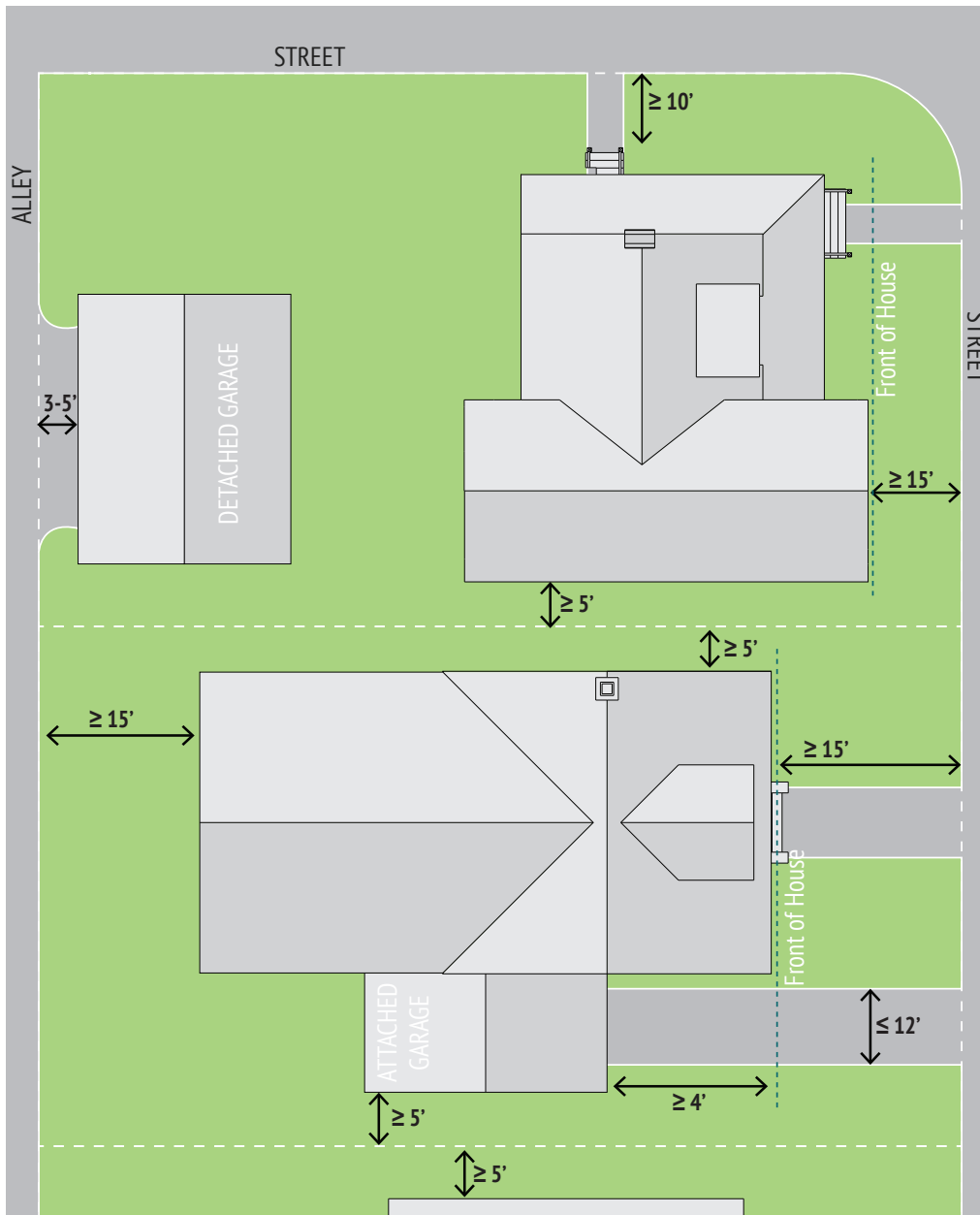
The ratio of building to lot area is a part of the Old Town historic character. The existing community is developed to have smaller homes on larger lots. The lot coverage ratio maintains the existing balance and openness of the neighborhood.

All built structures are not to exceed 40% lot coverage.*

Buildings under 120sf and 10ft in height are not counted in lot coverage.

*Lot coverage for townhouses is calculated based on the overall townhouse project, rather than each townhouse lot. Cottage clusters are exempt from maximum lot coverage standards.

EDGES AND SETBACKS: PREMIUM RESIDENCES



FRONT SETBACKS*

Street-facing: Minimum 15' from street edge to front of the house
 Porches added as part of a remodel to an existing Ranch house can encroach 6 feet into the front setback.
 Residences along SW Boones Ferry Road, north of SW 4th Street: 5 feet minimum setback

SIDE AND REAR SETBACKS*

Minimum side yard: 5'
 Minimum rear yard: 15'
 Minimum side street setback: 10'

**For cottage clusters, minimum front and rear setbacks are 10'.*

GARAGES

Minimum front setback for any and all garages and/or accessory buildings is 4 feet from the front building line, not including the front porch.

The width of garage doors shall not exceed 50 percent of the length of the street-facing façade.

Where access is taken from an alley, garages or carports may be located a minimum of 3 feet and maximum of 5 feet from the property line adjoining the alley. Or a minimum of 16 feet, if an additional parking area is desired.

DRIVEWAYS

For single-family homes and duplexes, maximum driveway width at the front property line extending to the minimum required primary building setback dimension is encouraged (but not required) to be no greater than 12 feet. Other middle housing types must meet the applicable driveway design standards in Wilsonville Code Sections 4.113 (.14) - (.16).

FACADES AND ENTRIES

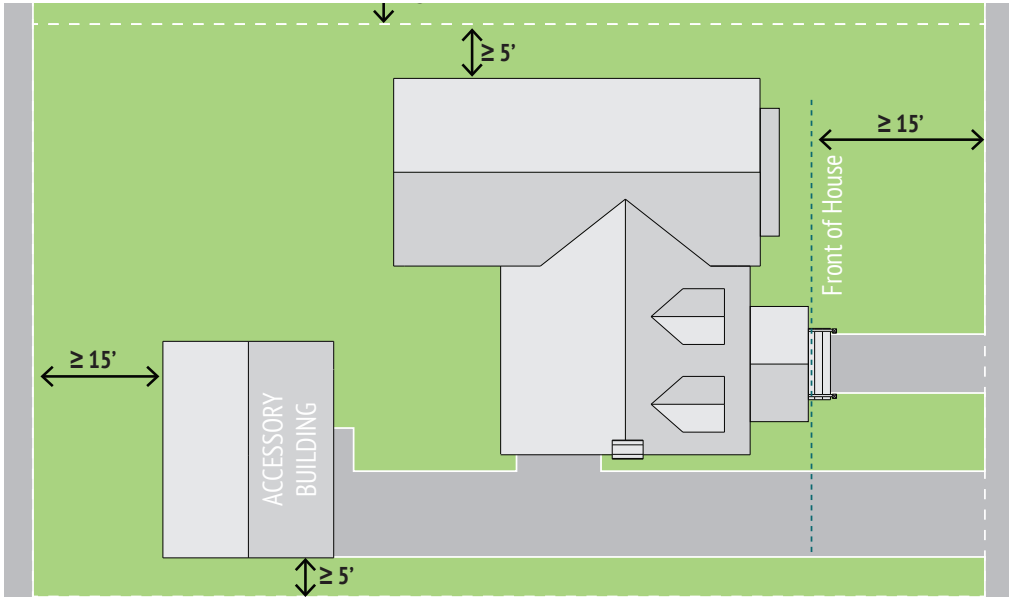
For lots over 100 feet wide at the front lot line, the street-facing building facade shall not exceed xx feet or xx percent of the lot width, whichever is less.

On each lot, no more than two entry doors shall face the same street.

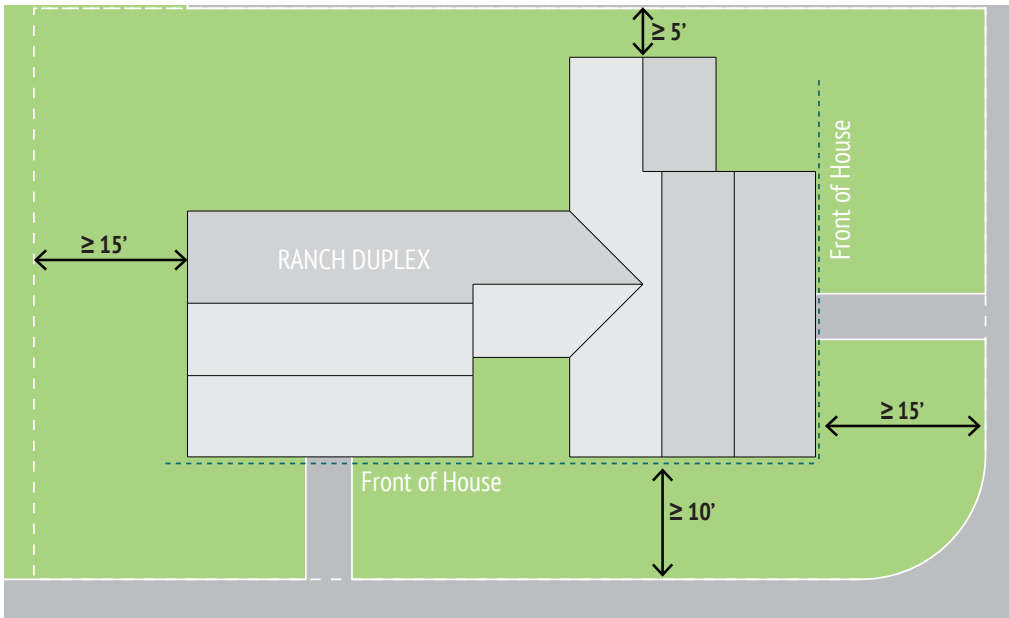




EDGES AND DETAILS: ACCESSORY BUILDINGS



Accessory buildings ~~should~~ **shall** follow the same front, rear, and side yard setbacks as primary dwellings and fit within the 40% maximum lot coverage (except accessory buildings that are part of a cottage cluster are exempt from lot coverage standards).

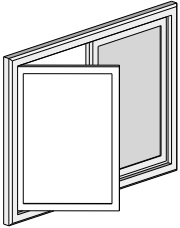


Duplexes Middle housing on corners could have entrances on separate street fronts.

GLOSSARY OF TERMS ATTACHMENT 1

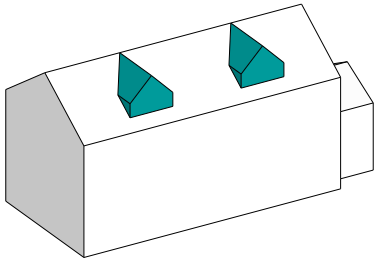
CASEMENT WINDOWS

A window that is attached to its frame by one or more hinges at the side and opens outward



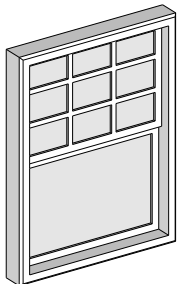
DORMER

A roofed structure, often containing a window, that projects vertically beyond the plane of a pitched roof. Dormers can have gable, hip, or flat roofs



DOUBLE-HUNG WINDOW

Vertically moving windows with two panels where both the top and bottom panels move

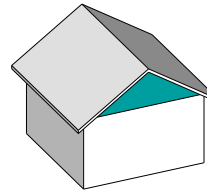


"FRONT OF THE HOUSE"

The first built element of the primary dwelling: wall, porch, etc.

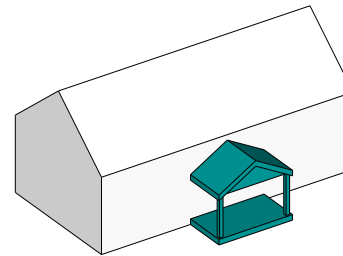
GABLE

Generally triangular portion of a wall between the edges of intersecting roof pitches



GABLE PORCH

Porch with a front facing gable

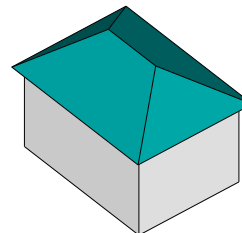


GABLE ROOF

Two roof sections sloping in opposite directions and placed such that the highest, horizontal edges meet

HIP ROOF

A roof where all sides slope downwards to the walls, usually with a fairly gentle slope. A hipped roof house has no gables or other vertical sides to the roof



ATTACHMENT 1



Section 4.139.00 Significant Resource Overlay Zone (SROZ) Ordinance

***** Section 4.139.00 is not included in this review draft *****

Section 4.139.01 SROZ - Purpose

The Significant Resource Overlay Zone (SROZ) is intended to be used with any underlying base zone as shown on the City of Wilsonville Zoning Map. The purpose of the Significant Resource Overlay Zone is to implement the goals and policies of the Comprehensive Plan relating to natural resources, open space, environment, flood hazard, and the Willamette River Greenway. In addition, the purposes of these regulations are to achieve compliance with the requirements of the Metro Urban Growth Management Functional Plan (UGMFP) relating to Title 3 Water Quality Resource Areas, and Title 13 Habitat Conservation Areas, and that portion of Statewide Planning Goal 5 relating to significant natural resources. It is not the intent of this ordinance to prevent development where the impacts to significant resources can be minimized or mitigated. [Amended by Ord. # 674 11/16/09]

Section 4.139.02 Where These Regulations Apply

The regulations of this Section apply to the portion of any lot or development site, which is within a Significant Resource Overlay Zone and its associated “Impact Areas”. The text provisions of the Significant Resource Overlay Zone ordinance take precedence over the Significant Resource Overlay Zone maps. The Significant Resource Overlay Zone is described by boundary lines shown on the City of Wilsonville Significant Resource Overlay Zone Map. For the purpose of implementing the provisions of this Section, the Wilsonville Significant Resource Overlay Zone Map is used to determine whether a Significant Resource Impact Report (SRIR) is required. Through the development of an SRIR, a more specific determination can be made of possible impacts on the significant resources.

Unless otherwise exempted by these regulations, any development proposed to be located within the Significant Resource Overlay Zone and/or Impact Area must comply with these regulations. Where the provisions of this Section conflict with other provisions of the City of Wilsonville Planning and Land Development Ordinance, the more restrictive shall apply.

The SROZ represents the area within the outer boundary of all inventoried significant natural resources. The Significant Resource Overlay Zone includes all land identified and protected under Metro’s UGMFP Title 3 Water Quality Resource Areas and Title 13 Habitat Conservation Areas, as currently configured, significant wetlands, riparian corridors, and significant wildlife habitat that is inventoried and mapped on the Wilsonville Significant Resource Overlay Zone Map. [Amended by Ord. # 674 11/16/09]

***** Section 4.139.03 is not included in this review draft *****

Section 4.139.04 Uses and Activities Exempt from These Regulations

A request for exemption shall be consistent with the submittal requirements listed under Section 4.139.06(.01)(B – I), as applicable to the exempt use and activity. [Added by Ord. # 674 11/16/09]

- (.01) Emergency procedures or emergency activities undertaken which are necessary for the protection of public health, safety, and welfare. Measures to remove or abate hazards and nuisances. Areas within the SROZ that are disturbed because of emergency procedures or activities should be repaired and mitigated.
- (.02) Maintenance and repair of buildings, structures, yards, gardens or other activities or uses that were in existence prior to the effective date of these regulations.
- (.03) Alterations of buildings or accessory structures which do not increase building coverage.
- (.04) The following agricultural activities lawfully in existence as of the effective date of this ordinance:
 - A. Mowing of hay, grass or grain crops.
 - B. Tilling, disking, planting, seeding, harvesting and related activities for pasture, tree crops, commercial woodlots, food crops or business crops, provided that no additional lands within the SROZ are converted to these uses after the effective date of this ordinance.
- (.05) Operation, maintenance, and repair of irrigation and drainage ditches, constructed ponds, wastewater facilities, stormwater detention or retention facilities, and water facilities consistent with the Stormwater Master Plan or the Comprehensive Plan.
- (.06) Maintenance and repair of streets and utility services within rights-of way, easements, access drives or other previously improved areas. [Amended by Ord. 682, 9/9/10]
- (.07) Normal and routine maintenance and repair of any public improvement or public recreational area regardless of its location.
- (.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.
- (.09) Maintenance and repair of existing railroad tracks and related improvements.
- (.10) The removal of invasive vegetation such as Himalayan Blackberry, English Ivy, Poison Oak, Scots (Scotch) Broom or as defined as invasive in the Metro Native Plant List.

- (.11) The planting or propagation of any plant identified as native on the Metro Native Plant List. See Wilsonville Planning Division to obtain a copy of this list.
- (.12) Grading for the purpose of enhancing the Significant Resource as approved by the City.
- (.13) Enhancement of the riparian corridor or wetlands for water quality or quantity benefits, fish, or wildlife habitat as approved by the City and other appropriate regulatory authorities.
- (.14) Flood control activities pursuant to the Stormwater Master Plan, save and except those stormwater facilities subject to Class II Administrative Review, as determined by the Planning Director, to ensure such facilities meet applicable standards under federal, state and local laws, rules and regulations.
- (.15) Developments that propose a minor encroachment into the Significant Resource Overlay Zone. The purpose of this adjustment would be to allow for minor encroachments of impervious surfaces such as accessory buildings, eave overhangs, building appurtenances, building access and exiting requirements or other similar feature. The total adjustment shall not exceed 120 square feet in cumulative area.
- (.16) The expansion of an existing single family dwelling or duplex not exceeding 600 square feet in area. The expansion of an existing single family dwelling or duplex or structures that are accessory to a single family dwelling or duplex inside the SROZ, provided that the following criteria have been satisfied. An SRIR is not required to evaluate and reach a decision on the issuance of a permit to expand a single-family residence under this paragraph.
 - A. The expansion of a single family or duplex structure or improvement (including decks and patios) shall not be located any closer to the stream or wetland area than the existing structure or improvement; and
 - B. The coverage of all structures within the SROZ on the subject parcel shall not be increased by more than 600 square feet, based on the coverage in existence prior to the effective date of this ordinance; and,
 - C. The applicant must obtain the approval of an erosion and sediment control plan from the City's Building and Environmental Services Divisions; and,
 - D. No part of the expansion is located within the Metro UGMFP Title 3 Water Quality Area.
- (.17) New Single-Family Dwelling or Duplex. The construction of a new single family dwelling or duplex, including a duplex created through conversion of an existing detached single-family dwelling, is exempt unless the building encroaches into the Impact Area and/or the SROZ.
 - A. If the proposed building encroaches only into the Impact Area then an abbreviated SRIR may be required as specified in Section 4.139.05, unless it can be clearly determined by the Planning Director that the development

proposal will have no impact on the Significant Resource. The primary purpose of the Impact Area is to insure that development does not encroach into the SROZ. Development otherwise in compliance with the Planning and Land Development Ordinance may be authorized within the Impact Area.

- B. If the proposed building encroaches into the SROZ, then a complete or abbreviated SRIR report is required.
- (.18) Private or public service connection laterals and service utility extensions.
 - (.19) A Stage II development permit or other development permits issued by the City and approved prior to the effective date of this ordinance.
 - (.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.
 - (.21) Structures which are non conforming to the standards of this Section may be re-built in the event of damage due to fire or other natural hazard subject to Sections 4.189 – 4.192 of the Planning and Land Development Ordinance, provided that the structure is placed within the same foundation lines (See Figure NR-6.). An SRIR is not required to evaluate and reach a decision on the issuance of a permit to replace a structure subject to this paragraph.

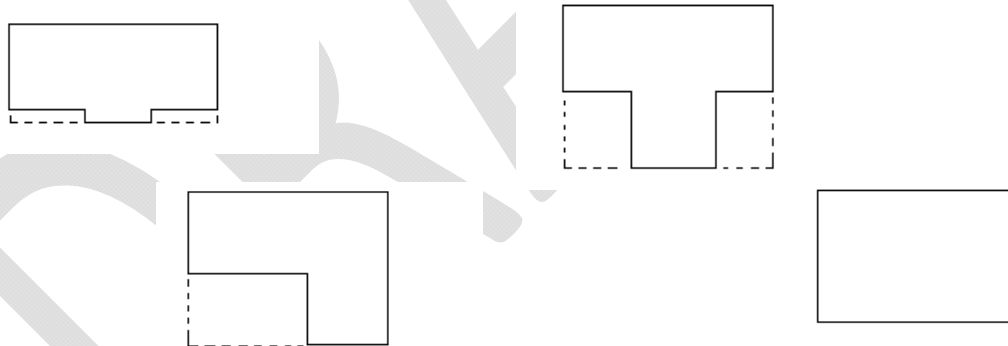


Figure NR-6. Building Line Examples

- (.22) Any impacts to resource functions from the above excepted activities, such as gravel construction pads, erosion/sediment control materials or damaged vegetation, shall be mitigated using appropriate repair or restoration/enhancement techniques.

***** Sections 4.139.05 – 4.139.08 are not included in this review draft *****

Section 4.139.09 Activities Requiring a Class II Administrative Review Process

- (.01) The review of any action requiring an SRIR except:
 - A. Activities and uses exempt under this Section;
 - B. Adjustments permitted as a Class I Administrative Review.
 - C. Adjustments permitted as part of a Development Review Board public hearing process.
- (.02) Single family dwelling or duplex or the expansion of a single family dwelling on lots with limited buildable land. Single family dwelling or duplex or the expansion of a single family dwelling which meet all of the following requirements:
 - A. The lot was legally created and has less than 5,000 square feet of buildable land located outside the SROZ; and
 - B. No more than one single family house or duplex is permitted on the property and no more than 3,000 square feet of land is to be developed by impervious improvements within the SROZ; and
 - C. The single-family or duplex structure shall be sited in a location, which reduces the impacts to the Significant Resources.
 - D. An Abbreviated SRIR is required to be submitted.
- (.03) The expansion of an existing single family dwelling or duplex or structures that are accessory to a single-family dwelling or duplex located inside Metro's UGMFP Title 3 Water Quality Resource Areas.
 - A. The expansion of a single family structure or improvement is located no closer to the stream or wetland area than the existing structures, roadways, driveways or accessory uses and development; and
 - B. The coverage of all structures shall not be increased by more than 600 square feet, based on the coverage in existence as of the effective date of this ordinance; and
 - C. The applicant must obtain the approval of an erosion and sediment control plan from the City's Building and Environmental Services Divisions.
 - D. In determining appropriate conditions of approval, the applicant shall:
 - 1. Demonstrate that no reasonably feasible alternative design or method of development exists that would have a lesser impact on the Water Quality Resource Area than the one proposed; and
 - 2. If no such reasonably feasible alternative design or method of development exists, the project shall be conditioned to limit its disturbance and impact on the Water Quality Resource to the minimum extent necessary to achieve the proposed addition, alteration, restoration, replacement or rehabilitation; and

3. Provide mitigation consistent with Section 4.139.06 to ensure that impacts to the functions and values of the Water Quality Resource Area will be mitigated or restored to the extent practicable.

***** Sections 4.139.10 – 4.139.11 are not included in this review draft *****

DRAFT

Section 4.140. Planned Development Regulations.

(.01) Purpose.

- A. The provisions of Section 4.140 shall be known as the Planned Development Regulations. The purposes of these regulations are to encourage the development of tracts of land sufficiently large to allow for comprehensive master planning, and to provide flexibility in the application of certain regulations in a manner consistent with the intent of the Comprehensive Plan and general provisions of the zoning regulations and to encourage a harmonious variety of uses through mixed use design within specific developments thereby promoting the economy of shared public services and facilities and a variety of complimentary activities consistent with the land use designation on the Comprehensive Plan and the creation of an attractive, healthful, efficient and stable environment for living, shopping or working.
- B. It is the further purpose of the following Section:
1. To take advantage of advances in technology, architectural design, and functional land use design:
 2. To recognize the problems of population density, distribution and circulation and to allow a deviation from rigid established patterns of land uses, but controlled by defined policies and objectives detailed in the comprehensive plan;
 3. To produce a comprehensive development equal to or better than that resulting from traditional lot land use development.
 4. To permit flexibility of design in the placement and uses of buildings and open spaces, circulation facilities and off-street parking areas, and to more efficiently utilize potentials of sites characterized by special features of geography, topography, size or shape or characterized by problems of flood hazard, severe soil limitations, or other hazards;
 5. To permit flexibility in the height of buildings while maintaining a ratio of site area to dwelling units that is consistent with the densities established by the Comprehensive Plan and the intent of the Plan to provide open space, outdoor living area and buffering of low-density development.
 6. To allow development only where necessary and adequate services and facilities are available or provisions have been made to provide these services and facilities.
 7. To permit mixed uses where it can clearly be demonstrated to be of benefit to the users and can be shown to be consistent with the intent of the Comprehensive Plan.
 8. To allow flexibility and innovation in adapting to changes in the economic and technological climate.

*** Subsections (.02) – (.09) are not included in this review draft ***

(.10) Adherence to Approved Plans, Modification

A. 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. The approved final plan and stage development schedule shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved preliminary or final development plan may be approved by the Director of Planning if such changes are consistent with the purposes and general character of the development plan. All other modifications, including extension or revision of the stage development schedule, shall be processed in the same manner as the original application and shall be subject to the same procedural requirements.

B. In the event of a failure to comply with the approved plan or any prescribed condition of approval, including failure to comply with the stage development schedule, the Development Review Board may, after notice and hearing, revoke a Planned Development permit. General economic conditions that affect all in a similar manner may be considered as a basis for an extension of a development schedule. The determination of the Board shall become final thirty (30) days after the date of decision unless appealed to the City Council.

C. Approved plans and non-conforming status with updated zoning and development standards.

1. Approved plans are the basis of legal conforming status of development except where one of the following occurs, at which point, the approved planned development becomes legally non-conforming:

a. the zoning of land within the plan area has been changed since adoption of the plan; or

b. the zoning standards for the zone under which it was approved have been substantially modified (50% or more of the regulatory standards have been modified as determined by the Planning Director); or

c. the City Council declared all planned developments in a certain zone or zones to be legal non-conforming as part of an ordinance to update or replace zoning standards; or

d. the City Council declared, by a stand-alone ordinance, planned developments in a certain zone not complying with current standards to be legal non-conforming. The City Council may, in an ordinance establishing non-conforming status of a planned development, declare the entire planned development to be non-conforming or declare certain

standards established in the planned development to be non-conforming (i.e., lot coverage, setbacks, stormwater standards).

2. If one of the conditions of subsection 1. is met, development that is consistent with the approved plan, but not complying with current zoning standards, shall be considered legal non-conforming and subject to the standards of Sections 4.189 thru 4.192.

3. In no case shall a planned development approved within the previous 24 months, or under a time-extension under WC Section 4.023, be considered non-conforming; but automatically will become non-conforming after 24-months, and the end of any extensions, if it otherwise would qualify as legally non-conforming or is so declared pursuant to this subsection.

D. The following are exempt from established residential density requirements in any approved plan in residential zones.

1. Accessory Dwelling Units
2. Duplexes
3. Triplexes
4. Quadplexes
5. Cluster housing

E. For new townhouses in existing residential planned developments in residential zones, the allowed density shall be the lesser of: (1) 4 times the maximum net density for the lot(s) or parcel(s) established in the approved plan, or (2) 25 units per acre.

(.11~~0~~) Early Vesting of Traffic Generation. Applicants with Stage I or Master Plan approvals occurring after June 2, 2003 may apply to vest the right to use available transportation capacity at the intersections of Wilsonville Road with Boone's Ferry Road and with Town Center Loop West, and/or the I-5 interchange. Vesting for properties with such approvals shall occur upon execution of a vesting agreement satisfactory to the city, which agreement shall include a proposed development schedule or phasing plan and either provide for the payment of any and all Supplemental Street SDCs or provide other means of financing public improvements. Vesting for properties pending such approvals shall occur upon such agreement and the date the approvals are final.

The number of trips vested is subject to modification based upon updated traffic analysis associated with subsequent development approvals for the property. A reduction in vested trips shall attend repayment of vesting fees by the City. An increase in available vested trips shall occur upon payment of necessary vesting fees.

Vesting shall remain valid and run with the property, unless an approval that is necessary for vesting to occur is terminated or a vesting agreement is terminated. If the vested right to use certain trips is lost or terminated, as determined by the Community Development Director with the concurrence of City Council, such trips shall be made available to other

development upon City repayment, without interest, of associated vesting fees. [Added by Ord. 561, adopted 12/15/03.]

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Section 4.155. General Regulations - Parking, Loading and Bicycle Parking.

*** Subsections (.01) – (.04) are not included in this review draft ***

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ATTACHMENT 1

Note: In considering proposed waivers to the following standards, the City will consider the potential uses of the site and not just the uses that are currently proposed. For waivers to exceed the maximum standards, applicants shall bear the burden of proving that Metro, State, and federal clean air standards will not be violated.

[Table 5 amended per Ordinance No. 835, 05/06/2019]

TABLE 5: PARKING STANDARDS			
USE	PARKING MINIMUMS	PARKING MAXIMUMS	BICYCLE MINIMUMS
a. Residential			
1. Single-family dwelling units, duplexes, middle housing, as well as multiple-family dwelling units of nine (9) or fewer units	1 per D.U. ^{1,2,3,4}	No Limit	Multiple-family dwelling units – Min. of 2
2. Accessory dwelling unit	Per Subsection 4.113 (.10) None required	No limit	None required
3. Multiple-family dwelling units of ten (10) or more units	1 per D.U. (less than 500 sq. ft.) 1.25 per D.U. (1 bdrm) 1.5 per D.U. (2 bdrm) 1.75 per D.U. (3 bdrm) Within the TC Zone, parking minimum is 1 per DU, regardless of the number of bedrooms, if constructed as a residential only building ⁴	No Limit	1 per D.U.
4. Manufactured or mobile home park	2 spaces/unit ⁴	No Limit	1 per D.U.
b. Commercial Residential			
1. Hotel	1 per 1000 sq. ft.	No Limit	1 per 5 units Min. of 2

ATTACHMENT 1

TABLE 5: PARKING STANDARDS

USE	PARKING MINIMUMS	PARKING MAXIMUMS	BICYCLE MINIMUMS
2. Motel	1 per 1000 sq. ft.	No Limit	1 per 5 units Min. of 2
3. Clubs, Lodges	Spaces to meet the combined requirements of the uses being conducted such as hotel, restaurant, auditorium, etc.	No Limit	1 per 20 parking spaces Min. of 2
c. Institutions			
1. Welfare or correctional institution	1 space/3 beds for patients or inmates	No Limit	1 per 50 beds Min. of 2
2. Convalescent hospital, nursing home, sanitarium, rest home, home for the aged	1 space/2 beds for patients or residents	No Limit	1 per 6000 sq. ft. Min. of 2
3. Hospital	2 spaces/bed	No Limit	1 per 20 parking spaces Min. of 2
d. Places of Public Assembly			
1. Church	1 space/4 seats, or 8 ft of bench length in the main auditorium	.8 per seat	1 per 50 seats Min. of 2
2. Library, reading room, museum, art gallery	2.5 per 1000 sq. ft.	No Limit	1 per 1000 sq. ft. Min. of 6
3. Preschool nursery, kindergarten	.2 per student and staff	.3 per student and staff	1 per 3500 sq. ft. Min. of 2

ATTACHMENT 1

TABLE 5: PARKING STANDARDS			
USE	PARKING MINIMUMS	PARKING MAXIMUMS	BICYCLE MINIMUMS
4. Elementary or Middle School	.2 per student and staff	.3 per student and staff	8 per class (above 2 nd grade) K – 2 nd grade: 1 per 3500 sq. ft.
5. High School	.2 per student and staff	.3 per student and staff	4 per class
6 College, commercial school for adults	.2 per student and staff	.3 per student and staff	1 per class Min. of 4
7 Other auditorium, meeting rooms	.3 per seat	.5 per seat	1 per 50 seats Min. of 4
8. Stadium, arena, theater	.3 per seat	.5 per seat	1 per 40 seats Min. of 4
9. Bowling alley	4 spaces/lane	No Limit	1 per 10 lanes Min. of 2
10. Dance hall, skating rink, gym, swim or fitness center	4.3 per 1000 sq. ft.	6.5 per 1000- sq. ft.	1 per 4000 sq. ft. Min. of 2
11. Tennis or racquetball facility	1 per 1000 sq. ft.	1.5 per 1000 sq. ft.	1 per court Min. of 2

ATTACHMENT 1

TABLE 5: PARKING STANDARDS

USE	PARKING MINIMUMS	PARKING MAXIMUMS	BICYCLE MINIMUMS
e. Commercial			
1. Retail store except supermarkets and stores selling bulky merchandise and grocery stores 1500 sq. ft. gross floor area or less	4.1 per 1000 sq. ft.	6.2 per 1000 sq. ft.	1 per 4000 sq. ft. Min. of 2
2. Commercial retail, 1501 sq. ft. or more	4.1 per 1000 sq. ft. There is no minimum off-street parking requirement within the TC zone for commercial retail less than 5000 sq. ft. and within a mixed-use building	6.2 per 1000 sq. ft.	1 per 4000 sq. ft. Min. of 2
3. Service or repair shops	4.1 per 1000 sq. ft.	6.2 per 1000 sq. ft.	1 per 4000 sq. ft.
4. Retail stores and outlets selling furniture, automobiles or other bulky merchandise where the operator can show the bulky merchandise occupies the major areas of the building	1.67 per 1000 sq. ft.	6.2 per 1000 sq. ft.	1 per 8000 sq. ft. Min. of 2
5. Office or flex space (except medical and dental)	2.7 per 1000 sq. ft.	4.1 per 1000 sq. ft.	1 per 5000 sq. ft. Min. of 2

ATTACHMENT 1

TABLE 5: PARKING STANDARDS

USE	PARKING MINIMUMS	PARKING MAXIMUMS	BICYCLE MINIMUMS
Bank with drive-thru	4.3 per 1000 sq. ft.	6.5 per 1000 sq. ft.	
6. Medical and dental office or clinic area	3.9 per 1000 sq. ft.	5.9 per 1000 sq. ft.	1 per 5000 sq. ft. Min. of 2
7. Eating or drinking establishments	15.3 per 1000 sq. ft.	23 per 1000 sq. ft.	1 per 4000 sq. ft. Min. of 4
Fast food (with drive-thru)	9.9 per 1000 sq. ft.	14.9 per 1000 sq. ft.	
Other			
8. Mortuaries	1 space/4 seats, or 8ft. of bench length in chapels	No Limit	Min. of 2
f. Industrial			
1. Manufacturing establishment	1.6 per 1000 sq. ft.	No Limit	1 per 10,000 sq. ft. Min. of 6
2. Storage warehouse, wholesale establishment, rail or trucking freight terminal	.3 per 1000 sq. ft.	.5 per 1000 sq. ft.	1 per 20,000 sq. ft. Min. of 2
g. Park & Ride or Transit Parking	As needed	No Limit	10 per acre, with 50% in lockable enclosures

ATTACHMENT 1

NOTES:

¹ For triplexes developed on lots smaller than 5,000 square feet, minimum off-street parking requirements are as follows:

- Lots under 3,000 square feet: 1 space per lot;
- Lots 3,000 square feet and over, but less than 5,000 square feet: 2 spaces per lot.

² For quadplexes developed on lots smaller than 7,000 square feet, minimum off-street parking requirements are as follows:

- Lots under 3,000 square feet: 1 space per lot;
- Lots 3,000 square feet and over, but less than 5,000 square feet: 2 spaces per lot.
- Lots 5,000 square feet and over, but less than 7,000 square feet: 3 spaces per lot.

³ No additional off-street parking is required for middle housing created through the addition to, or conversion of, an existing single-family detached dwelling.

[Table 5 amended by Ordinance No. 835, 6/5/19]
[Table 5 amended by Ordinance No. 538, 2/21/02]
[Table 5 amended by Ordinance No. 548, 10/9/02]
[Table 5 amended by Ordinance No. 719, 6/17/13]
[Table 5 amended by Ordinance No. 825, 10/15/18]

*** Subsections (.05) – (.06) are not included in this review draft ***

Section 4.177. Street Improvement Standards.

This section contains the City's requirements and standards for pedestrian, bicycle, and transit facility improvements to public streets, or within public easements. The purpose of this section is to ensure that development, including redevelopment, provides transportation facilities that are safe, convenient, and adequate in rough proportion to their impacts.

*** Subsections (.01) – (.06) are not included in this review draft ***

(.07) Residential Private Access Drives. Residential Private Access Drives shall meet the following standards:

- A. Residential Private Access Drives shall provide primary vehicular access to no more than four (4) ~~dwelling units, excluding accessory dwelling units~~ residential lots.
- B. The design and construction of a Residential Private Access Drive shall ensure a useful lifespan and structural maintenance schedule comparable, as determined by the City Engineer or City's Authorized Representative, to a local street constructed in conformance to current public works standards.
 1. The design of residential private access drives shall be stamped by a professional engineer registered in the state of Oregon and shall be approved by the City Engineer or City's Authorized Representative to ensure the above requirement is met.
 2. Prior to issuing a certificate of occupancy for any residential dwelling unit whose primary vehicular access is from a Residential Private Access Drive the City Engineer or City's Authorized Representative shall certify construction of the Residential Private Access Drive substantially conforms the design approved by the City Engineer or City's Authorized Representative.
- C. Residential Private Access Drives shall be named for addressing purposes. All Residential Private Access Drives shall use the suffix "Lane", i.e. SW Oakview Lane.
- D. Residential Private Access Drives shall meet or exceed the standards for access drives and travel lanes established in Subsection (.08) of this Section.
[Amended by Ord. 682, 9/1/10]

(.08). Access Drive and Driveway Approach Development Standards.

- A. An access drive to any proposed development shall be designed to provide a clear travel lane free from any obstructions.
- B. Access drive travel lanes shall be constructed with a hard surface capable of carrying a 23-ton load.

- C. Where emergency vehicle access is required, approaches and driveways shall be designed and constructed to accommodate emergency vehicle apparatus and shall conform to applicable fire protection requirements. The City may restrict parking, require signage, or require other public safety improvements pursuant to the recommendations of an emergency service provider.
- D. Secondary or emergency access lanes may be improved to a minimum 12 feet with an all-weather surface as approved by the Fire District. All fire lanes shall be dedicated easements.
- E. Minimum access requirements shall be adjusted commensurate with the intended function of the site based on vehicle types and traffic generation.
- F. The number of approaches on higher classification streets (e.g., collector and arterial streets) shall be minimized; where practicable, access shall be taken first from a lower classification street.
- G. The City may limit the number or location of connections to a street, or impose access restrictions where the roadway authority requires mitigation to alleviate safety or traffic operations concerns.
- H. The City may require a driveway to extend to one or more edges of a ~~parcel-lot~~ and be designed to allow for future extension and inter-~~parcel-lot~~ circulation as adjacent properties develop. The City may also require the owner(s) of the subject site to record an access easement for future joint use of the approach and driveway as the adjacent property(ies) develop(s).
- I. Driveways shall accommodate all projected vehicular traffic on-site without vehicles stacking or backing up onto a street.
- J. Driveways shall be designed so that vehicle areas, including but not limited to drive-up and drive-through facilities and vehicle storage and service areas, do not obstruct any public right-of-way.
- K. Approaches and driveways shall not be wider than necessary to safely accommodate projected peak hour trips and turning movements, and shall be designed to minimize crossing distances for pedestrians.
- L. As it deems necessary for pedestrian safety, the City, in consultation with the roadway authority, may require traffic-calming features, such as speed tables, textured driveway surfaces, curb extensions, signage or traffic control devices, or other features, be installed on or in the vicinity of a site.
- M. Approaches and driveways shall be located and designed to allow for safe maneuvering in and around loading areas, while avoiding conflicts with pedestrians, parking, landscaping, and buildings.
- N. Where a proposed driveway crosses a culvert or drainage ditch, the City may require the developer to install a culvert extending under and beyond the edges of the driveway on both sides of it, pursuant applicable Public Works standards.

- O. Except as otherwise required by the applicable roadway authority or waived by the City Engineer, temporary driveways providing access to a construction site or staging area shall be paved or graveled to prevent tracking of mud onto adjacent paved streets.
- P. Unless constrained by topography, natural resources, rail lines, freeways, existing or planned or approved development, or easements or covenants, driveways proposed as part of a residential or mixed-use development shall meet local street spacing standards and shall be constructed to align with existing or planned streets, if the driveway.
 - 1. Intersects with a public street that is controlled, or is to be controlled in the planning period, by a traffic signal;
 - 2. Intersects with an existing or planned arterial or collector street; or
 - 3. Would be an extension of an existing or planned local street, or of another major driveway.

*** Subsections (.09) – (.10) are not included in this review draft ***

DRAFT

2015 Development Code

Section 4.179. Mixed Solid Waste and Recyclables Storage in New Multi-Family Unit Residential and Non-Residential Buildings.

- (.01) All site plans for multi-family unit residential and non-residential buildings submitted to the Wilsonville Development Review Board for approval shall include adequate storage space for mixed solid waste and source separated recyclables. [Amended by Ordinance No. 538, 2/21/02.]
- (.02) The floor area of an interior or exterior storage area shall be excluded from the calculation of building floor area for purposes of determining minimum storage requirements.
- (.03) The storage area requirement shall be based on the predominant use(s) of the building. If a building has more than one of the uses listed herein and that use occupies 20 percent or less of the floor area of the building, the floor area occupied by that use shall be counted toward the floor area of the predominant use(s). If a building has more than one of the uses listed herein and that use occupies more than 20 percent of the floor area of the building, then the storage area requirement for the whole building shall be the sum of the requirement for the area of each use.
- (.04) Storage areas for multiple uses on a single site may be combined and shared.
- (.05) The specific requirements are based on an assumed storage height of four feet for solid waste/recyclables. Vertical storage higher than four feet but no higher than seven feet may be used to accommodate the same volume of storage in a reduced floor space. Where vertical or stacked storage is proposed, the site plan shall include drawings to illustrate the layout of the storage area and dimensions for the containers.
- (.06) The specific requirements for storage area are as follows:
- A. Multi-family unit residential buildings containing five-ten units shall provide a minimum storage area of 50 square feet. Buildings containing more than ten residential units shall provide an additional five square feet per unit for each unit above ten.
 - B. Non-residential buildings shall provide a minimum storage area of ten square feet, plus:
 1. Office: Four square feet per 1,000 square feet gross floor area (GFA);
 2. Retail: Ten square feet per 1,000 square feet GFA;
 3. Wholesale / Warehouse / Manufacturing: Six square feet per 1,000 square feet GFA; and
 4. Other: Four square feet per 1,000 square feet GFA.

2015 Development Code

- (.07) The applicant shall work with the City’s franchised garbage hauler to ensure that site plans provide adequate access for the hauler’s equipment and that storage area is adequate for the anticipated volumes, level of service and any other special circumstances which may result in the storage area exceeding its capacity. The hauler shall notify the City by letter of their review of site plans and make recommendations for changes in those plans pursuant to the other provisions of this section.
- (.08) Existing multi-family unit residential and non-residential developments wishing to retrofit their structures to include storage areas for mixed solid waste and recycling may have their site plans reviewed and approved through the Class I Administrative Review process, according to the provisions of Section 4.035. Site plans for retrofitting existing developments must conform to all requirements of this Section, “Mixed Solid Waste and Recyclables Storage In New Multi-Family Unit Residential and Non-Residential Buildings,” and 4.430, “Location, Design and Access Standards for Mixed Solid Waste and Recycling Areas,” of the Wilsonville City Code. [Added by Ordinance #426 - April 4, 1994]

DRAFT

***** Sections 4.189 – 4.191 are not included in this review draft *****

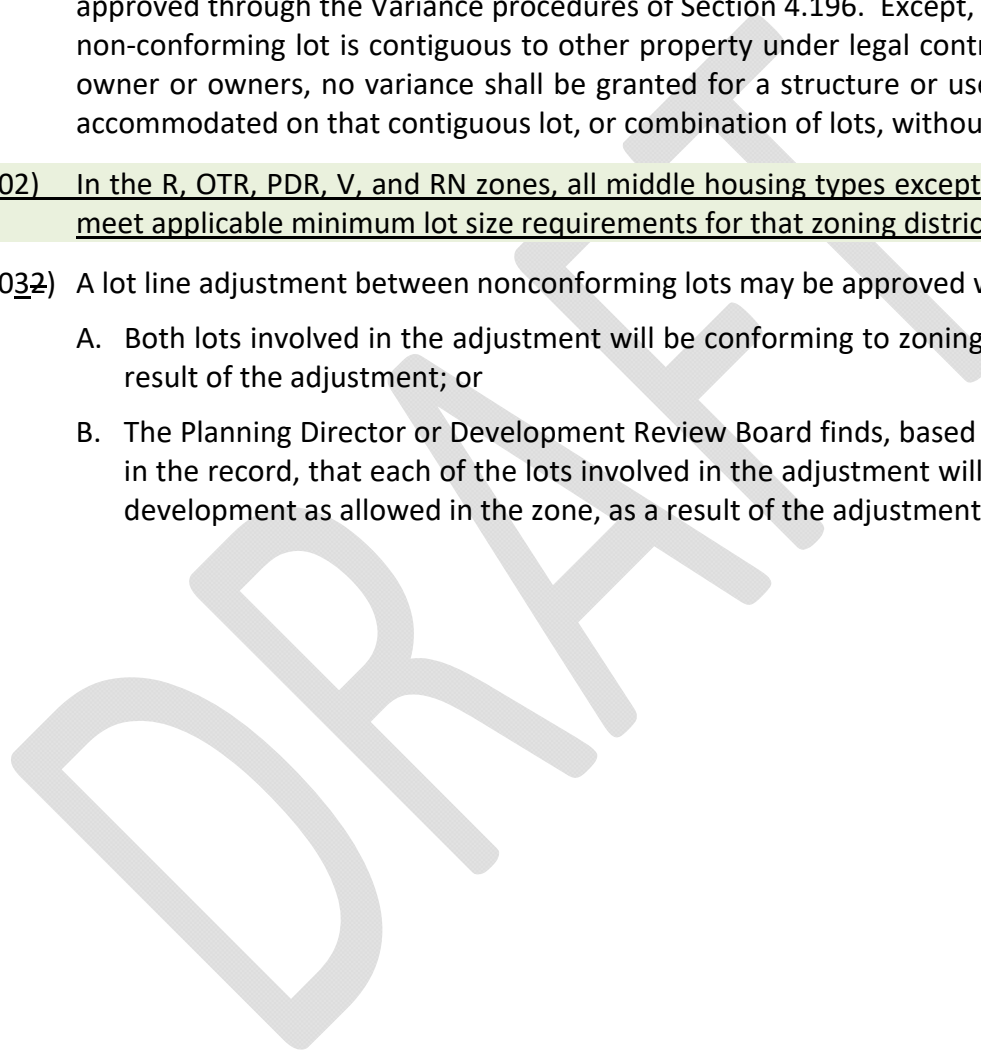
Section 4.192. Non-Conforming Lots.

(.01) Except as provided in subsection (.02), Aa non-conforming lot may be used for any purpose allowed by zoning, provided that any structure built or located upon a non-conforming lot must meet all of the lot development standards of the zone, or be approved through the Variance procedures of Section 4.196. Except, however, if the non-conforming lot is contiguous to other property under legal control of the same owner or owners, no variance shall be granted for a structure or use that could be accommodated on that contiguous lot, or combination of lots, without a Variance.

(.02) In the R, OTR, PDR, V, and RN zones, all middle housing types except duplexes must meet applicable minimum lot size requirements for that zoning district.

(.03~~2~~) A lot line adjustment between nonconforming lots may be approved where either:

- A. Both lots involved in the adjustment will be conforming to zoning standards as a result of the adjustment; or
- B. The Planning Director or Development Review Board finds, based on information in the record, that each of the lots involved in the adjustment will be suitable for development as allowed in the zone, as a result of the adjustment.



SITE DESIGN REVIEW.

***** Section 4.400 is not included in this review draft *****

Section 4.420. Jurisdiction and Powers of the Board.

- (.01) Application of Section. Except for single-family ~~or two-family~~ and middle housing dwellings in any residential zoning district, and apartments in the Village zone, ~~row houses or apartments,~~ no Building Permit shall be issued for a new building or major exterior remodeling of an existing building, and no Sign Permit, except as permitted in Sections 4.156.02 and 4.156.05, shall be issued for the erection or construction of a sign relating to such new building or major remodeling, until the plans, drawings, sketches and other documents required for a Sign Permit application have been reviewed and approved by the Board. [Amended by Ord. No. 538, 2/21/02.] [Amended by Ord. No. 557, 9/5/03.] [Amended by Ord. No. 704, 6/18/12]
- (.02) Development in Accord with Plans. Construction, site development and landscaping shall be carried out in substantial accord with the plans, drawings, sketches and other documents approved by the Board, unless altered with Board approval. Nothing in this subsection shall be construed to prevent ordinary repair, maintenance and replacement of any part of the building or landscaping which does not involve a substantial change from the purpose of Section 4.400. If the Board objects to such proposed changes, they shall be subject to the procedures and requirements of the site design review process applicable to new proposals.
- (.03) Variances. The Board may authorize variances from the site development requirements, based upon the procedures, standards and criteria listed in Section 4.196. Variances shall be considered in conjunction with the site design review process.

***** Sections 4.421 – 4.450 are not included in this review draft *****

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City of Wilsonville
Comprehensive Plan



October 2018

Updated June 2020

**CITY OF WILSONVILLE
 COMPREHENSIVE PLAN**

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The Wilsonville Comprehensive Plan was revised in entirety and adopted by City Council Ordinance No. 517 on October 16, 2000. It has been amended since then by the ordinances below. These ordinances have been incorporated into the December 2018 Comprehensive Plan.

Ordinance #	Description	Adoption Date
841	Planned Development Residential (PDR) and Residential (R) Zones	5/4/2020
835	Town Center Plan	6/5/19
834	Comp. Plan and Map Amendments related to Basalt Creek Concept Plan	4/15/19
825	Accessory Dwelling Units and Other Housing	10/15/18
810	Old Town Development code	11/20/17
806	Frog Pond Master Plan Adoption	7/17/17
Res. 2536	Memorial Park Master Plan	5/2015
742	Wilsonville Residential Land Study	5/19/14
718	2013 Transportation System Plan (Replaces prior Transportation Systems Plan)	9/6/12
707	Water System Master Plan (<i>Replaces all prior Water System Master Plans</i>)	9/6/12
700	Stormwater Master Plan (<i>Repeals Ordinance No. 515</i>)	2/23/12
676	Accessory Dwelling Units	3/3/10
671	Transportation-related amendments	11/16/09
653	Transit Master Plan	7/7/08
638	Statewide Planning Goal 9: Economic Opportunities Analysis	12/3/07
637	Coffee Creek 1 Master Plan (<i>Repeals Area H</i>)	10/15/07
625	Parks and Recreation Master Plan	9/17/07
623	Bicycle and Pedestrian Master Plan	12/20/06
609	Villebois Village Master Plan Amendments	5/15/06
610	Public Works Standards	5/1/06
594	Villebois Village Master Plan Amendments	12/3/05
574	Reduction of Allowable Commercial Uses in Industrially-Zoned Land	11/1/04
571	Wastewater Facility Plan	8/30/04
566	Villebois Village Master Plan Amendment	6/21/04
556	Villebois Village Master Plan (adoption of)	8/18/03
552	Transportation Systems Plan	6/2/03
555	Villebois Village Concept Plan - Comprehensive Plan Map amendment	6/2/03
554	Villebois Village Concept Plan text amendment	6/2/03
553	Villebois Village Concept Plan (adoption of)	6/2/03
549	Metro Title 5 Compliance	10/21/02
531	Water System Master Plan (<i>Replaced by Ordinance No. 707, adopted 9/6/12</i>)	1/24/02
530	Wastewater Collection System Master Plan	7/17/01
515	Stormwater Master Plan (<i>Repealed by Ordinance No. 700, adopted 2/23/12</i>)	6/7/01
516	Natural Resources Plan	6/7/01

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***** The Introduction through Public Facilities and Services chapters are not included in this review draft *****

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LAND USE AND DEVELOPMENT

The previous sections on urbanization and public facilities have addressed the City's intent in terms of where and when development should occur. This section discusses the “what” (type) and “how” (design) of development.

The City of Wilsonville is required to utilize standards to help implement the Metro 2040 Growth Concept and Metro functional plans. Such standards include allowing the creation of smaller lots and more flexible use of land, strategies to encourage land assembly, more flexible zoning, and improvements in the pre-application process to ensure timely and thorough review.

The following plan policies are divided into five sections. The first deals with general development standards applying throughout the City. The second deals with commercial development; followed by sections on the Town Center, industrial development and residential development.

[Section amended per Ordinance No. 835, 05/06/2019]

The last section deals with resource areas and natural hazards and it discusses the City's intention to protect environmental resources. It also supports the establishment of community design standards. It provides guidelines for integrating development with the natural features of the community, as well as with surrounding uses. In combination, these standards yield an integrated community design that blends the natural environment with urban development. The design criteria ensure the protection of significant natural resources and enhance the visual attractiveness of the community.

In reviewing this section of the Comprehensive Plan, it is important to remember that Wilsonville is required to conduct its planning efforts in conformance with state and regional requirements. The fundamental theme of the statewide planning program is that urban areas (especially cities) are expected to provide urban services and accommodate urban densities and intensities of development in order to reduce the development pressure on farm and forest lands. The fundamental theme of Metro's regional requirements is that the cities and counties in the urban Portland region must cooperate in meeting urban growth needs in order to reduce the development pressure on farms and forest lands outside the regional Urban Growth Boundary.

Metro has established its own standards for design that the City must consider in amending the local Comprehensive Plan. These “design types” can be found in Metro's 2040 Growth Concept. It is important to note that Wilsonville's Comprehensive Plan does not necessarily use the same terminology as Metro's Growth Concept and the results can be different. The following Metro design types do not necessarily have the same meaning as the words used in Wilsonville's Comprehensive Plan:

Town Center - Local retail and services will be provided within this area, with compact development and transit service. Note that the boundaries of Wilsonville's Town Center area, as defined in the local Comprehensive Plan and zoning, are more refined than Metro's Town Center designation. Recommended average density - 40 persons (residents and employees) per acre.

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[Section amended per Ordinance No. 835, 05/06/2019]

Station Communities - Include nodes of development centered approximately one-half mile around a light rail or high capacity transit station that feature a high-quality pedestrian environment. Depending on the location and design of a station within Wilsonville for commuter rail, a Station Community may be developed within the City. It should be noted, however, that commuter rail stations tend to have different operating characteristics than light rail stations because they have fewer arrivals and departures throughout the course of a day. Because of those different operating characteristics, development planned around Wilsonville's commuter rail station should not be expected to meet the same standards as light rail areas elsewhere in the region. Recommended average density - 45 persons (residents and employees) per acre.

Main Streets - Include the neighborhoods served by main streets, typically including retail and service developments, as well as housing, served by transit. Wilsonville's plans for the Old Town District along Boones Ferry Road would help to establish that neighborhood as a Main Street. Recommended average density - 39 persons (residents and employees) per acre.

Corridors - Along good quality transit lines, corridors feature a high-quality pedestrian environment, convenient access to transit, and generally high-densities. Corridor areas in Wilsonville include Parkway Drive from Town Center through the north Wilsonville freeway interchange, and the northern end of Boones Ferry Road leaving the city limits. Recommended average density - 25 persons (residents and employees) per acre.

Employment Areas - Various types of employment and some residential development are encouraged in employment areas, with limited commercial uses. Wilsonville has three employment areas according to Metro maps. Metro's employment areas are regarded primarily as industrial development sites in the City's Comprehensive Plan. The site that previously housed the Burns Brothers Truck Stop (Area of Special Concern 'A') is labeled as an employment area by Metro, but is zoned for commercial development by the City. Such sites with existing commercial zoning have been exempted from Metro requirements limiting large retail developments in employment areas. Recommended average density - 20 persons (employees) per acre.

Industrial Areas - Industrial areas are set aside primarily for industrial activities with limited supporting uses. Metro maps designate one large industrial area within the City. Most of Wilsonville's industrial properties have been categorized by Metro as employment areas. Recommended average density - 9 persons (employees) per acre.

Inner Neighborhoods - Residential areas accessible to jobs and neighborhood businesses with smaller lot sizes, are classified as inner neighborhoods. It should be noted that the residential designations on Wilsonville's Comprehensive Plan Land Use Map cover a wide range of densities. Overall, properties with residential zoning in Wilsonville will exceed the recommended density established by Metro. Recommended average density - 14 persons per acre.

Outer Neighborhoods - Residential neighborhoods farther away from large employment centers with larger lot sizes and lower densities, are classified as outer neighborhoods. (Please see the

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notes on residential densities in inner neighborhoods, above.) Recommended average density - 13 persons per acre.

[Section amended per Ordinance No. 835, 05/06/2019]

It should be noted that the City will revisit and reconsider Metro's design types as part of the on-going revisions to the Comprehensive Plan. The City will be considering possible changes to the Land Use Map of the Comprehensive Plan in the process of completing the Transportation Systems Plan in 2000 or 2001. The potential for changing City land use designations to better match Metro's design types will be considered at that time.

***** The following sections of the Land Use and Development chapter are not included in this review draft: Economic Development, General Development, Commercial Development, Town Center Development, and Industrial Development *****

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within a Planned Development Industrial Zone, provided that those non-industrial uses do not limit the industrial development potential of the area.

Implementation Measure 4.1.3.k Encourage high-growth employment industries in which the City is already competitive, including advanced manufacturing, corporate and professional services, and health care and medical-related fields.

Implementation Measure 4.1.3.l Encourage growth in industrial business types prevalent in the region but new to the City, such as “craft” manufacturing (such as bicycle manufacturing, breweries, distilleries). Consider integrating live/work units into “craft” manufacturing areas.

Implementation Measure 4.1.3.m Encourage new industrial development that contributes to employment districts with a high density of jobs and a range of employment opportunities.

Implementation Measure 4.1.3.n Encourage development that incorporates active urban green spaces, such as trails, linear parks, and pocket parks, and use vegetation for buffering where possible.

RESIDENTIAL DEVELOPMENT

Housing is a basic human need which concerns everyone. With today's housing costs, satisfying this basic need is becoming an increasingly difficult task. Governments at all levels are giving more and more attention to housing issues.

In the process of adopting the Statewide Planning Goals, LCDC established the goal providing for the housing needs of citizens of the State. To meet this goal, all local jurisdictions in the State must develop plans, "that encourage the availability of adequate number of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density."

Equitable Housing Strategic Plan

In 2020, the Wilsonville City Council adopted the Equitable Housing Strategic Plan (EHSP), which calls for a set of actions intended to move toward more equitable housing outcomes for Wilsonville residents. The EHSP’s actions aspire to encourage the production of more diverse housing types with access to services, improve partnerships with housing providers, expand homeownership opportunities, and reduce displacement risk for Wilsonville residents. The EHSP incorporates Metro’s definition of equitable housing:

Equitable housing goes beyond simple affordability. It aims to ensure all people have housing choices that are diverse, high quality, physically accessible, and reasonably priced, with access to opportunities, services, and amenities. This broad definition includes choices for homes to buy or rent that are accessible across all ages, abilities, and incomes and convenient to everyday needs, such as transit, schools, childcare, food, and parks.

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Equitable housing also represents a system that accounts for the needs of households with low income and communities of color, recognizes a history of housing discrimination, and complies with current state and federal fair housing policy.

The EHSP will guide the City's approach to housing planning going forward. This includes updates to the City's middle housing regulations, which are needed for compliance with House Bill 2001 (see below), and planning for new urban growth areas.

Updates to State Law

In 2019, the Oregon State Legislature passed House Bill 2001 (HB 2001) to help provide Oregonians with more housing choices. HB 2001 requires Oregon cities with populations over 25,000 and those within the Portland metro area (referred to as "Large Cities") to adopt zoning regulations and comprehensive plan amendments to allow "middle housing" (duplexes, triplexes, quadplexes, townhouses, and cottage clusters) in areas zoned for residential use that allow for the development of detached single-family dwellings. Specifically, Large Cities must allow:

- A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings; and
- Triplexes, quadplexes, cottage clusters, and townhouses in areas zoned for residential use that allow for the development of detached single-family dwellings.

The related administrative rules exempt middle housing from density calculations or set specific density allowances. In addition, the rules require middle housing to be reviewed through the same development approval process that applies to single-family detached dwellings.

According to the 2014 Wilsonville Residential Land StudyAs of October 1999, the existing housing stock of 9,4176,788 units consisted of 40%41.2% single-family detached and attached units, 58%52.4% multi-family dwellings(including duplexes and condominiums), 1% duplexes, and 2%6.4% manufactured housing (mobile homes). This mix of housing types indicates that the City met the intent of the State's "Metro Housing Rule" applying to housing mix. It is also important to note that the total number of housing units within the City increased by more than 200% in thirteen years. During that period there were 476 more multiple-family units than single-family units added to the City's housing mix. The number of mobile and manufactured housing units actually declined during that period, in spite of the fact that local codes were amended to permit those units to be located alongside conventionally built houses and multiple-family units.

Even prior to the adoption of the Statewide Planning Goals, Wilsonville's 1971 General Plan contained a goal that supported affordable housing, plus the following objectives:

Establish residential areas that are safe, convenient, healthful, and attractive places to live;

Encourage variety through the use of clusters and planned developments; and

Develop a renewal program to update the "Old Town" area.

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In compliance with these objectives, numerous residential developments, including apartments, single family subdivisions, planned developments, and a mobile home park were approved by the City. However, during the review hearings of many of these projects, questions of need, related to the timing, type, and number of units continually arose. Subsequently, as part of the 1988 Plan update, a detailed housing and economic development analysis was conducted (the Housing and Economic Development Report). While the report discussed several factors, it identified two significant factors related to housing. They were as follows:

The majority of workers employed in Wilsonville did not live in the City.

The prevailing vacancy rates for all types of housing as of January 1987, within the City were extremely low. This indicates that the demand for housing in Wilsonville exceeded the supply.

Many members of the community's sizable work force still cannot afford to live in Wilsonville because of their incomes and the lack of affordable housing.

The City recognizes that some of the existing mobile home parks were originally approved as temporary transitional uses, eventually to be phased out for commercial or industrial uses in conformance with the designations of the 1975 Plan map. The City also recognizes that existing residents within these parks have chosen to live in mobile or manufactured homes based on personal preference and economic factors. They have also invested money in their homes and, if their parks are phased out, will be faced with finding suitable relocation sites, be forced to relocate outside of the City or sell their mobile homes.

The City is required by Metro to assure that residential densities in new developments are not less than 80 percent of maximum-zoned densities. The City is also required to determine the calculated capacity of dwelling units and jobs by the year 2017, using the capacity of its current Comprehensive Plan and implementing ordinances.

Additionally, the City is required to periodically review its public facility capacities and plans to assure that planned public facilities can be provided to accommodate the calculated capacity within the planning period.

The City is required to calculate the increases in dwelling unit and job capacities by the year 2017 from any proposed changes to the current Comprehensive Plan and Development Code that must be adopted and add the increases to the calculation of expected capacities.

The City is required to determine the effect of each of the following on calculated capacities, and include any resulting increase or decrease in calculated capacities:

1. Required dedications for public streets, consistent with Metro's Regional Accessibility requirements;
2. Off-street parking requirements, consistent with the Metro Urban Growth Management Functional Plan;

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3. Landscaping, setback, and maximum lot coverage requirements;
4. The effects of tree preservation ordinances, environmental protection ordinances, view preservation ordinances, solar access ordinances, or any other regulations that may have the effect of reducing the capacity of the land to develop at the zoned density;
5. The effects of areas dedicated to bio-swales, storm water retention, open space dedications, and other requirements of local codes that may reduce the capacity of the land to develop at the planned density.

If any of the calculated capacities are determined to be less than the City's target dwelling unit and job capacities specified by Metro, either jurisdiction-wide or in mixed-use areas, or both, then the City is required to increase calculated capacities, as needed, to comply with the calculated capacities of Metro's Urban Growth Management Functional Plan. The City is required to achieve the target capacities for both dwelling units and jobs.

As stated above, housing is a basic human need. Therefore, residential development is considered a primary element of this Plan. A priority is given to satisfying the housing Goal. In so doing, however, it is not the intent of this section to ignore other sections of the Plan. Rather, the intent is to balance conformance to other provisions of the Plan so as to best satisfy housing needs within the City. To complete the framework for evaluating residential development, the following Implementation Measures have been established.

Policy 4.1.4 The City of Wilsonville shall provide opportunities for a wide range of housing types, sizes, and densities at prices and rent levels to accommodate people who are employed in Wilsonville.

Implementation Measure 4.1.4.a The City shall encourage that at least an area of land equal to that now utilized for existing mobile home parks within the City, shall be identified within the City for development of replacement mobile or manufactured parks or subdivisions prior to redevelopment of the existing parcels for other uses. Preservation of existing parks will be encouraged where consistent with other provisions of this Plan.

Implementation Measure 4.1.4.b Plan for and permit a variety of housing types consistent with the objectives and policies set forth under this section of the Comprehensive Plan, while maintaining a reasonable balance between the economics of building and the cost of supplying public services. It is the City's desire to provide a variety of housing types needed to meet a wide range of personal preferences and income levels. The City also recognizes the fact that adequate public facilities and services must be available in order to build and maintain a decent, safe, and healthful living environment.

Implementation Measure 4.1.4.c Establish residential areas that are safe, convenient, healthful, and attractive places to live while encouraging variety through the use of planned developments and clusters and legislative Master Plans.

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- Implementation Measure 4.1.4.d Encourage the construction and development of diverse housing types, but maintain a general balance according to housing type and geographic distribution, both presently and in the future. Such housing types may include, but shall not be limited to: Apartments, single-family detached houses, middle housing (including duplexes, triplexes, quadplexes, townhouses, and cottage clusters), ~~single family common wall~~, manufactured homes, mobile homes, modular homes, and condominiums in various structural forms.
- Implementation Measure 4.1.4.e Targets are to be set in order to meet the City's Goals for housing and assure compliance with State and regional standards.
- Implementation Measure 4.1.4.f Accommodate the housing needs of the existing residents of the City of Wilsonville. The future status of existing mobile home dwellers within the City is a particular concern in establishing this Measure.
- Implementation Measure 4.1.4.g Coordinate housing development with the social and economic needs of the community.
- Implementation Measure 4.1.4.h Require new housing developments to pay an equitable share of the cost of required capital improvements for public services.
- Implementation Measure 4.1.4.i Restrict the number of housing starts to the capacities of public facilities and services.
- Implementation Measure 4.1.4.j The City shall have a diverse range of housing types available within its City limits.
- Implementation Measure 4.1.4.k The City shall adopt specific goals for low and moderate cost housing to ensure that sufficient and affordable housing is available to households of all income levels that live or have a member working within the City of Wilsonville.
- Implementation Measure 4.1.4.l The City shall work to improve the balance of jobs and housing within its jurisdictional boundaries.
- Implementation Measure 4.1.4.m The City will consider the use of the following tools identified by Metro to improve availability of sufficient housing affordable to households of all income levels and manufactured housing to assure a diverse range of available housing types.
1. Donation of buildable tax-foreclosed properties to nonprofit organizations or governments for development as mixed-market affordable housing.
 2. Development of permitting process incentives for housing being developed to serve people at or below 80% of area median income.
 3. Provision of fee waivers and property tax exemptions for projects developed by nonprofit organizations or governments serving people at or below 60% of area median income.

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4. Creation of a land-banking program to enhance the availability of appropriate sites for permanently affordable housing.
5. Adoption of replacement ordinances that would require developers of high-income housing, commercial, industrial, recreational or government projects to replace any affordable housing destroyed by these projects.
6. Creation of linkage programs that require developers of job-producing development, particularly that which receives tax incentives, to contribute to an affordable housing fund.
7. Committing locally controlled funds, such as Community Development Block Grants, Strategic Investment Program tax abatement funds, or general fund dollars, to the development of permanently affordable housing for people at or below 60% of area median income.
8. Within the limits set by State law, consider inclusionary zoning requirements, particularly in tax incentive programs, for new development in transit zones and other areas where public investment has contributed to the value and developability of land.

Implementation Measure 4.1.4.n Amend the Development Code to permit manufactured homes configured as duplexes, triplexes, fourplexes, etc. outside manufactured dwelling parks, consistent with zoning ~~densities~~.

Implementation Measure 4.1.4.o The City will encourage the development of housing of various types and densities. Guided by the urbanization, public facilities, and economic elements, the City will, however, manage residential growth to ensure adequate provision of public facilities and that proposed housing satisfies local need and desires, i.e., type, price and rent levels.

Implementation Measure 4.1.4.p In an effort to balance residential growth with the City's employment base, the City shall encourage the development of housing to meet the needs of the employees working in the City.

Implementation Measure 4.1.4.q The City will continue to allow for mobile homes and manufactured dwellings, subject to development review processes that are similar to those used for other forms of housing. Individual units will continue to be allowed on individual lots, subject to design applicable standards. Mobile home parks and subdivisions shall be subject to the same procedures as other forms of planned developments.

Implementation Measure 4.1.4.r All development, except as indicated in the lowest density districts, will coincide with the provision of adequate streets, water, and sanitary sewerage and storm drainage facilities, as specified in the Public Facilities and Services Section of the Plan. These facilities shall be (a) capable of adequately serving all intervening properties as well as the proposed development and (b) designed to meet City standards.

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Implementation Measure 4.1.4.s Residential subdivisions, including mobile home subdivisions, shall be developed with paved streets, curbs and gutters, street lights and walkways, according to City standards. All utilities, other than storm water facilities, will be placed underground.

Implementation Measure 4.1.4.t Site plans will provide for adequate open space to (a) protect adjacent properties; and (b) provide ample yard space and play areas for residents. The residential character of established neighborhoods, particularly low density developments, shall also be protected as surrounding development occurs. Site development standards shall continue to be applied to ensure compatibility with adjacent land uses. High design standards will be established for signage and appearance, including the landscaping of setback areas and the designation of access points.

Implementation Measure 4.1.4.u To provide variety and flexibility in site design and densities, residential lands shown on the Land Use Map and legislative Master Plans of the Comprehensive Plan have been divided into districts, with different density ranges for each district. In all residential developments, other than those that are so small that it is not mathematically feasible to achieve the prescribed minimum density, the 80% minimum shall apply. The following density ranges have been prescribed for each district:

Density:	0-1 units/acre
	2-3 units/acre
	4-5 units/acre
	6-7 units/acre
	10-12 units/acre
	16-20 units/acre

Densities may also be defined for specific areas in legislative Master Plans. Certain housing is exempt from density requirements including Accessory Dwelling Units and specific middle housing types.

[Amended by Ord. #841, effective 06/04/2020]

Implementation Measure 4.1.4.v Site development standards and performance criteria have been developed for determining the approval of specific densities within each district. Densities may be increased through the Planned Development process to provide for meeting special needs (e.g., low/moderate income, elderly, or handicapped). Site development standards, performance criteria, density flexibility and other standards may be established for specific areas in legislative Master Plans.

Implementation Measure 4.1.4.w These Implementation Measures shall not be administered in such a manner as to violate other provisions of this Plan.

Implementation Measure 4.1.4.x Apartments and mobile homes are to be located to produce an optimum living environment for the occupants and surrounding residential areas. Development criteria includes:

1. Buffering by means of landscaping, fencing, and distance from conflicting uses.

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2. Compatibility of design, recognizing the architectural differences between apartment buildings and houses.
3. On-site recreation space as well as pedestrian and bicycle access to parks, schools, mass transit stops and convenience shopping.
4. The siting of buildings to minimize the visual effects of parking areas and to increase the availability of privacy and natural surveillance for security.

Implementation Measure 4.1.4.y Housing units shall be designed, constructed, and maintained so that the community is assured of safe, sanitary, and convenient living conditions in dwellings that are sound, energy efficient, and attractive in their appearance. Conservation of housing resources shall be encouraged through code enforcement, renovation, and rehabilitation of the existing housing stock.

Implementation Measure 4.1.4.z The City shall continue to apply a minimum density standard to all zones allowing residential use, such that all development, including subdivisions, will result in the eventual build-out of 80 percent or more of the maximum number of dwelling units per net acre permitted by the zoning designation for a given development. The minimum density requirement does not apply inside areas designated by the City as open spaces or significant resource sites. The maximum-zoned density does not include the density bonus for zones that allow them. Certain housing is exempt from density requirements including Accessory Dwelling Units and specific middle housing types.

Implementation Measure 4.1.4.aa The City will continue to allow partitioning or subdividing where existing lot sizes are two or more times that of the minimum lot size in the Development Code, and all other applicable requirements are met.

Implementation Measure 4.1.4.bb The City allows the construction of one accessory dwelling unit with any detached single-family dwelling unit or attached single family dwelling townhouse permitted to be built in any zone, subject to standards in the Land Development Code. Regulations of such units include size and parking requirements. [Amended by Ord. #825, 10/15/18]

Implementation Measure 4.1.4.cc In order to encourage originality, flexibility, and innovation in land development, and minimize monotonous standardized subdivisions, all subdivisions over two acres in size require Planned Development review (P.D.R.). Multi-plexes and single family attached units may also be approved as part of a planned development.

Implementation Measure 4.1.4.dd Continue the development of a renewal program to update/upgrade the "Old Town" area of Wilsonville.

RESIDENTIAL PLANNING DISTRICTS SHOWN ON THE LAND USE MAP OF THE COMPREHENSIVE PLAN

Density (0-1 du/ac)

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The purpose of this district is to provide for very low density housing areas to satisfy individuals desiring to own a large lot within an urban setting. This district recognizes and protects existing and future large-lot developments within the City.

[Amended by Ord. #841, effective 06/04/2020]

The following areas should be designated and developed at this density:

1. Areas which are currently developed at suburban densities and where little need exists for redevelopment.
2. Areas where transportation is limited to minor collector and local streets, and where high volume traffic would create safety problems.
3. Areas where sensitivity to the natural environment or natural hazards warrant a reduced density.

Density (2-3 or 4-5 du/ac)

The purpose of these districts are to provide for low density residential areas.

[Amended by Ord. #841, effective 06/04/2020]

The following areas should be designated and developed at this density:

1. Areas with access to a minor arterial, collector, or local streets. However, direct vehicular access from individual lots onto a minor arterial will be restricted.
2. Undeveloped areas adjacent to existing lower density developments, or near the fringe of the Urban Growth Boundary.
3. Areas where sensitivity to the natural environment or natural hazards warrant a reduced density.

Density (6-7 or 10-12 du/ac)

The purpose of these districts are to ensure an efficient use of urban land by providing for the development of medium density housing areas.

[Amended by Ord. #841, effective 06/04/2020]

The following areas should be designated and developed as urban medium density:

1. Areas with access to a major or minor arterial or collector street. Siting should not, however, result in significant traffic impacts through lower density residential areas.
2. Areas located near or adjacent to commercial areas, employment centers and/or mass transit routes.
3. Areas adjacent to urban lower density developments or planning districts.

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Permitted uses in this district typically include single-family detached single-family dwellings, middle housing (including duplexes, triplexes, quadplexes, townhouses, and cottage clusters), ~~whether detached or attached~~, accessory dwelling units, multi-family dwellings, ~~including duplexes and tri-plexes~~, and mobile home parks or subdivisions, ~~multi~~Multi-family developments, ~~including duplexes and multi-plexes~~ and mobile home parks or subdivisions, will be subject to Development Review approval.

Neighborhood or convenience commercial uses may be permitted as part of a Planned Development but should be integrated into the design of the surrounding residential development, i.e., first floor of multi-story structure or similar design as residential units. Such commercial developments shall be limited to locations where there is clearly demonstrated local need. All such uses shall be subject to Development Review approval.

Density (16-20 du/ac)

The purpose of this district is to provide for efficient use of land near the major commercial or employment centers by providing for high-density residential development. It is a further purpose of this district to encourage mixed uses in commercial areas.

[Amended by Ord. #841, effective 06/04/2020]

The following areas may be designated urban high-density residential:

1. Areas located on major or minor arterials and where such development will not result in significant traffic impacts through low- or medium-density residential areas.
2. Areas located within or adjacent to major shopping centers, employment centers and/or adjacent to mass transit routes.

Because of the land use intensity allowable in this district, the zoning will be restricted to a Planned Development review.

All developments, except as restricted by law for middle housing, will be subject to Development Review Board approval, including lot sizes, setbacks, open space, and parking requirements. Where feasible, under-structure parking will be encouraged on structures over two (2) stories in height.

Residential – Village

See the Compact Urban Development section of this Plan for the description of the Residential Village designation.

Residential – Neighborhood

See the Residential Neighborhood section of this Plan for the description of the Residential Neighborhood designation.

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ENVIRONMENTAL RESOURCES AND COMMUNITY DESIGN

At a glance, most land appears to be much the same as the lands surrounding it, with the exception of obvious differences such as topography and vegetation. However, a more detailed analysis can reveal distinct differences in the land composition and physical characteristics of nearly any two adjacent parcels of land. These differences can affect the overall suitability of a particular parcel of land for various types of land use. Each piece of land has a natural land use intensity potential which results from variations in its physical features and their interrelationships with natural processes, such as:

1. Underlying geological deposits and associated characteristics.
2. Types of surface soils and associated characteristics.
3. Water, the hydrologic cycle and natural drainage.
4. Slope of the land.
5. Vegetative cover (type, size, and location).
6. Weather conditions.
7. Character of adjoining natural features and developments.

Certain combinations of these natural features and processes can create inherently hazardous or unstable conditions which have special significance to humans and their land use activities. These conditions, referred to as natural hazards, are more appropriately labeled physical or natural limitations and occur in the form of:

1. Flood plains and wetlands
2. Runoff and erosion potentials.
3. Soil instability, including landslides, settlement, shrink/swell potential and earthquakes.

In addition to natural limitations, there are also natural potentials which can provide a more desirable living environment if given proper consideration in determining land use patterns and development design. The elements which offer these potentials are:

1. Existing vegetation.
2. Topography.
3. Wildlife and their associated habitats.
4. River, streams, lakes, and ponds.

In nature, there is a balanced system of events and processes that affect and shape the land on which we live. Because these processes continually and ultimately affect land and property, it follows that we should respect these natural processes in making land use decisions. For example, unless mitigated, it would not be wise to make a land use decision that encourages subdivisions to be built in areas that are known to flood.

By using nature as a guide to initial land use decisions, it is possible to minimize potential development hazards due to physical limitations of the land. It is also possible to maximize the preservation of nature and natural processes, thereby insuring that development occurs in harmony with the natural features of the community. This approach can also maintain and even enhance the natural aesthetic qualities of the community.

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Following a detailed analysis of the characteristics of Wilsonville's natural environment, several areas of special concern were identified. They are:

1. Areas containing weak foundation soils, which are soft or compressible or those prone to liquefaction in the event of earthquakes and require special foundation engineering for construction.
2. Areas subject to seasonal or periodic flooding.
3. Areas with seasonally high ground water tables.
4. Areas of steep slope and subject to landslide and/or erosion.
5. Fish and wildlife habitat and associated water courses and native vegetation.

These areas are discussed in detail in the Physical Inventory report. The most significant areas identified are as follows:

1. Coffee Lake Creek/Seely Ditch - this area contains historically hydric soils with a high water table and low compressive strength. The wet soil conditions are compounded by winter rains resulting in standing water over much of the area during the winter months.
2. Boeckman Creek and other small streams have formed steep-sided canyons and ravines as they drain into the Willamette River. These steep slopes, as well as the steep banks along the Willamette River itself, include locations that are extremely unstable and subject to landslide and/or excessive erosion.
3. The flood plains along the Willamette River, Coffee Lake Creek, and Seely Ditch which are subject to seasonal and/or periodic high water following heavy storms.
4. Several stands of native vegetation scattered throughout the City, particularly along natural drainage ways. These areas provide visual relief from urban development plus run-off erosion control and habitat for wildlife.

Generally, all intensive urban development creates conflicts with open space and associated wildlife areas. However, careful management within and adjacent to these areas can significantly reduce these conflicts. Open-space-use management can also increase public safety by controlling development in hazardous areas while preserving valuable natural resources.

The City has identified significant natural resource areas that warrant special use management consideration in order to preserve water quality, visual quality, and sensitive wildlife habitats. Uncontrolled development of adjacent properties could diminish the natural quality of these areas. Therefore, it is necessary to establish development standards for properties along the fringe of the sensitive areas. The management and protection of these natural resource areas is implemented through the provisions of the Significant Resource Overlay Zone ordinance. The economic loss of development of open space lands can be compensated for through such techniques as density

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transfers. In order for such a technique to work, the City must take an effective and creative approach to proposed developments, without placing unnecessary limitations on the density of development that will be permitted.

Many of these open space areas also provide scenic views, although no significant site-specific viewpoints have been identified. The Physical Inventory Report identifies the following general scenic views:

1. The Willamette River from the water, its bank, and from the I-5 bridge.
2. Numerous stands of trees throughout the City.
3. Mount Hood.
4. Boeckman Creek.

These views can be observed from numerous locations throughout the City and are infrequently threatened by development in accordance with current standards. Therefore, special scenic view standards are considered impracticable and unnecessary.

The City has determined that there is limited commercial timber resource in the numerous stands of trees throughout the City. However, as noted, they have been considered worthy of protection to preserve wildlife habitats and the community's air and visual quality, as well as providing shade, soil stabilization, and erosion control.

Other environmental resources investigated in the Physical Inventory Report include mineral and aggregate deposits. Based on the Report, there are no known mineral deposits in the City. There are some gravel deposits along the I-5 corridor north of the Willamette River. However, these deposits are of low grade in both quality and quantity. In addition, further excavation of these deposits would significantly conflict with the urban uses planned along the I-5 corridor. Therefore, no provisions have been made to protect this resource.

In addition to these factors, one of the major aspects of Wilsonville's natural environment is its relationship to agricultural land. Statewide Planning Goal #3 is intended to preserve agricultural lands.

Wilsonville's 1971 General Plan and 1988 Comprehensive Plan set objectives to allow for the continuation of agriculture as a viable part of the community's economy. Agricultural activities still exist as an interim use within the City, and they are the primary land use outside of the City. In recognition of this factor, Metro has established an urban growth boundary to protect prime agricultural lands outside of the urban area. The urban growth boundary has been established in consideration of the placement of existing and planned utilities in relation to existing and planned development patterns and provides sufficient vacant land for continued growth over the next 20 years.

As a basic framework for land use decisions in these areas, the following Policies and Implementation Measures have been established. Many of these Policies and Implementation Measures are complemented by policies in the parks and open space sections of the Public Facilities Element.

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In combination, these Policies and Implementation Measures form the foundation for an integrated community design that preserves the integrity and aesthetic quality of the natural environment while allowing for development. It is the underlying intent of the Plan to reconcile these factors through site planning and design, so that they complement each other. Wilsonville's agricultural and rural heritage has long given it a sense of openness accented by lines and clusters of trees and other natural vegetation. As the City has become more urban, there remains a desire to create the sense of openness and to preserve natural features, while allowing for higher density development, as expected in urban areas.

Noise, water quality, and air quality affect our health, our economic interests and quality of life. High noise levels affect a person's mental and physical well being and ability to work. Poor water and air quality can be a health hazard. Because of their complexities, air and water quality and noise control require both local and regional action. A regional and urban growth boundary has been established to concentrate urban growth within a specified area and to reduce sprawl. Wilsonville is within the regional growth boundary. While urban growth will be contained by the boundary, the boundary, without the necessary safeguards (such as performance standards), could simultaneously exaggerate and concentrate urban pollution.

Wilsonville is located within the Portland/Vancouver Air Quality Maintenance Area (AQMA). Within the AQMA there are three non-attainment areas (CO, TSP, O₃). Only the O₃ non-attainment area includes Wilsonville (it has the same boundaries as the AQMA). Consequently, the City is subject to the policies and standards set forth in the State Implementation Plan jointly adopted by Metro and State Department of Environmental Quality (DEQ).

Full compliance with these standards could result in some development constraints with the City and at a minimum could require installation of air pollution control devices on some industries. Air quality will remain a concern as urban development occurs.

Similarly, water quality is regulated by Federal Standards enforced by DEQ at the State level. For example, the City's sanitary sewer treatment system is monitored to insure compliance with DEQ wastewater discharge standards.

The major source of noise pollution within the City is the I-5 Freeway. Other noticeable sources include boats on the river and trains passing through town.

In recognition of the noise conflicts with the Freeway and railroad tracks, the City has made an effort to minimize the location of residential development adjacent to the Freeway or tracks. In addition, site design and sound control devices, i.e., berms and walls can be used to reduce noise conflicts.

In considering the overall character of the community, it is important to look to the past. As a community develops, it should not discard its past for the sake of the future. Historic features provide a link with the past and add character and variety to the community's design.

The Statewide Inventory of Historic Sites and Building identifies one historic site in the City, the Boones Ferry Landing Site. There is no physical evidence of this landing site, except that

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Boone's Ferry Road terminates at the river's edge. The site is part of a six-acre City Park and is located within the Willamette River Greenway Boundaries. Other than documentation and recognition that this landing site exists, no additional standards or measures are considered necessary to preserve its historic value.

Additional Wilsonville sites and buildings have been inventoried and the results have been included as an appendix to the Comprehensive Plan as potential historic sites and structures. The City has worked with the local Historical Society on that inventory in the past and is expected to continue to coordinate with that group in completing the Goal 5 process for historic resources in the future.

Policy 4.1.5 Protect valuable resource lands from incompatible development and protect people and property from natural hazards.

Implementation Measure 4.1.5.a Require the placement of utilities underground in new developments and seek means of undergrounding existing above-ground utilities, other than storm drainage facilities.

Implementation Measure 4.1.5.b Help to preserve agricultural land by protecting the agricultural lands outside the Urban Growth Boundary, by guiding development within the boundary. Discourage long term agricultural uses within the urban boundary.

Implementation Measure 4.1.5.c Provide a buffer use or transition zone between urban and adjacent agricultural areas.

Implementation Measure 4.1.5.d Conserve and create open space throughout the City for specified objectives.

Implementation Measure 4.1.5.e Protect the beneficial uses and functional values of resources within the Water Quality and Flood Management Areas and Habitat Conservation Areas identified by Metro by limiting or mitigating the impact on these areas from development activities.

Implementation Measure 4.1.5.f Ensure protection of Water Quality and Flood Management Areas and Habitat Conservation Areas pursuant to Title's 3 and 13 of the Metro Urban Growth Management Functional Plan by either:

1. Adopting the relevant provisions of the Metro Water Quality and Flood Management model ordinance and Metro Water Quality and Flood Management Conservation Area Map; or
2. Adopting the relevant provisions of the Metro Title 13 model ordinance and Habitat Conservation Areas Map; or
3. Demonstrating that the City's plans and implementing ordinances substantially comply with the performance standards, including the map, contained in Title 3. In this case, the purpose of this map is to provide a performance standard for evaluation of substantial compliance for the City; or

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4. Demonstrating that the City's plans and implementing ordinances substantially comply with the development standards, including the Habitat Conservation Areas Map; or
5. Any combination of 1 and 3 above that substantially complies with all performance standards in Section 4 of Title 3 of Metro's Urban Growth Management Functional Plan.
6. Any combination of 2 and 4 above that substantially complies with all development standards in Section 6 of Title 13 of Metro's Urban Growth Management Functional Plan.

Implementation Measure 4.1.5.g Encourage identification and conservation of natural scenic and historic areas within the City.

Implementation Measure 4.1.5.h Develop an attractive and economically sound community.

Implementation Measure 4.1.5.i Identify buildings of unusual or outstanding architectural style from earlier eras. Encourage preservation of these structures.

Implementation Measure 4.1.5.j Ensure that open space conforms to the characteristics of the land, type of land use, adjacent land uses and City needs.

Implementation Measure 4.1.5.k Develop open, limited, or restricted access natural areas connected where possible by natural corridors, for wildlife habitat, watershed, soil and terrain protection. Preservation of contiguous natural corridors throughout the City for the protection of watersheds and wildlife will be given priority in land use decisions regarding open space.

Implementation Measure 4.1.5.l Identify areas of natural and scenic importance and give them priority in selection of public open space. Where legal rights of access have been acquired, extend public access to, and knowledge of such areas, in order to encourage public involvement in their preservation.

Implementation Measure 4.1.5.m Protect the river-connected wildlife habitat and encourage the integration and inter-connection of the Willamette River Greenway to open space areas of the City. Continue to regulate development within the Greenway boundaries. Provide for public access to the river only through and within the City parks or other properties intended for public access.

Implementation Measure 4.1.5.n Adopt performance and development standards, in accordance with Metro, to conserve, preserve, protect, and enhance fish and wildlife habitat within the fish and wildlife habitat conservation areas identified on Metro's water quality and flood management area map and Habitat Conservation Areas Map.

Implementation Measure 4.1.5.o Adopt Metro's Habitat-Friendly Development Practices, which provide a method of developing property that protects natural resources and focuses on

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land development and site design that mimic natural processes. The design and construction practices include the following categories:

1. Minimize hydrologic impacts
2. Minimize impacts on wildlife corridors and fish passage
3. Protect and enhance native landscaping

Implementation Measure 4.1.5.p Require compliance with Oregon Department of Fish and Wildlife (ODFW) seasonal restrictions for in-stream work. Limit development activities that would impair fish and wildlife during key life-cycle events according to the guidelines contained in ODFW’s “Oregon Guidelines for Timing of In-water Work to Protect Fish and Wildlife Resources.”

Implementation Measure 4.1.5.q The Administrative Review, Variance and mitigation procedures within the Development Code may be used to consider claims of map error and unique hardship, to assure that the standards do not render any legal tax lot to be unbuildable by application of requirements for natural resource protection.

Implementation Measure 4.1.5.r Continue to regulate development in potential disaster and hazard areas to minimize risks to life or property.

Implementation Measure 4.1.5.s Housing development, and any other development intended for human occupancy, shall occur, to the greatest extent possible, on lands designated for development that are free from flood hazard, severe soil limitations, or other hazards.

Implementation Measure 4.1.5.t Ensure adequate storm drainage.

Implementation Measure 4.1.5.u Define risks of development by using Federal Emergency Management Agency maps showing flood plains and floodways. Restrict buildings in the flood plains and prohibit buildings in the floodway.

Implementation Measure 4.1.5.v Require engineering where necessary to minimize the potential effects of natural hazards.

Implementation Measure 4.1.5.w Require all future utilities to be placed underground, other than storm drainage facilities.

Implementation Measure 4.1.5.x Provide available information, when requested, to those interested in developing land in areas of the following hazards:

- a. 100 year floods;
- b. slides and earthquake damage; or
- c. wind damage, possible tree topping.

Implementation Measure 4.1.5.y Protect the Willamette River Greenway from incompatible uses or development activities, using the standards of the Greenway section of the Development Code.

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Implementation Measure 4.1.5.z Riparian corridors, wetlands and wildlife habitat that are determined to be significant through the Goal 5 process shall be designated as one or more overlay zones on the City Zoning Map.

Implementation Measure 4.1.5.aa Protected natural resources within the Significant Resource Overlay Zone are intended to remain undeveloped with the possible exceptions of passive recreation and underground public facilities. These areas include the following:

1. Riparian corridors, wetlands and wildlife habitat that are determined to be significant through the Goal 5 process and are included in the Significant Resource Overlay Zone.
2. Water quality resource areas as defined by Metro's Title 3 of the Urban Growth Management Functional Plan.
3. Habitat Conservation Areas as defined by Metro's Title 13.

Implementation Measure 4.1.5.bb An Area of Limited Conflicting Use is defined as an area located between the riparian corridor boundary, riparian impact area or the Metro Urban Growth Management Functional Plan Title 3 Water Quality Resource Area boundary, whichever is furthest away from the wetland or stream and the outside edge of the SROZ or an isolated significant wildlife habitat area as defined by Goal 5. These areas can serve as a buffer between development and conservation. Limited development impacts may be permitted in accordance with special development standards found within the Planning and Land Development Ordinance.

Implementation Measure 4.1.5.cc Undeveloped portions of the Significant Resource Overlay Zone may be used towards satisfaction of open space requirements. A density transfer credit of not more than 50% of the designated Significant Resource Overlay Zone will also be allowed except where legislative Master Plans have defined subdistricts or use other means to determine the amount and location of residential density outside of the SROZ without the use of a density transfer credit.

Implementation Measure 4.1.5.dd In vegetated areas, the positive visual impact of the trees, etc., is to be preserved. Any clearing of trees for development is subject to arboricultural standards and the requirements of the Planning and Land Development Ordinance.

Implementation Measure 4.1.5.ee Due to potential hazards to human health, the high voltage powerline easements within the City are regulated by the Planning and Land Development Ordinance. No residential structures shall be allowed within the easements and any development, particularly residential, adjacent to the easements will be carefully reviewed. While these corridors offer some potential for recreational use, their use is also somewhat limited by utility requirements. Any proposed non-residential development within powerline easements shall also be coordinated with, and approved by, the Bonneville Power Administration or Portland General Electric Company, depending on the easement ownership.

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Implementation Measure 4.1.5.ff To protect the integrity of the Willamette River Greenway, the City has established standards for the development of non-water-related and non-water-dependent uses consistent with Greenway standards. These standards:

- a. Direct incompatible (non-water-related and non-water-dependent) development away from the river.
- b. Establish a minimum setback from the top of bank where no native vegetation can be removed, and only allow selective vegetation removal within the remaining portion of the Greenway Boundaries with revegetation required.
- c. Establish a minimum setback from the river banks for all uses that are not appropriate river-dependent or river-related land uses.
- d. Provide protection of public and private property, as well as public safety.
- e. Provide necessary and needed public access to the river oriented through public lands, without precluding legal river access at appropriate locations across private property. Such public access shall be based upon recorded easements or other legal instruments.

Implementation Measure 4.1.5.gg Where possible, on-site drainage should be designed to preserve natural drainage channels and to allow for ground water infiltration. Man-made structures should be designed to complement the natural system. It is not the intent of this Measure to encourage unsightly and unsafe open ditches. Rather, open drainage systems should be designed to: (1) accent natural creeks and drainage channels and provide an attractive natural area-like appearance; and/or (2) be an integrated part of the streetscape; and/or (3) be designed as an attractive and functional amenity within a development.

Implementation Measure 4.1.5.hh Minimize the impact of urban development on adjacent rural and agricultural lands. Buffering of open space and low density land use designation may be employed.

Implementation Measure 4.1.5.ii The design of developments within the community can be regarded from two viewpoints: the design of structures as they relate to site and function (architectural design) and, their relationship to the surrounding area (community design). Both aspects shall be considered to be of equal importance. Good architectural design is necessary to provide visual variety and allow for individual identity. At the same time, good community design provides a sense of unity with other development while eliminating conflicting appearances.

Implementation Measure 4.1.5.jj All proposed developments, except single family dwellings and middle housing outside of designated significant natural resource areas, shall continue to be subject to site plan (including landscaping) and architectural development review approval. Single-family subdivisions are subject to development review for approval of street tree plans. Individual (single-family) dwellings and middle housing to be located within a designated significant natural resource area are subject to site plan review for removal of trees and vegetation and impacts to natural resources. They are not, however, subject to architectural review.

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Implementation Measure 4.1.5.kk Minimum open space and landscaping standards have been established, emphasizing the incorporation of native vegetation and unique topographic features in site design. Additional landscaping may be required based on the scale and type of development and its compatibility with abutting land uses. Legislative Master Plans may further direct open space standards appropriate to their planning areas.

Implementation Measure 4.1.5.ll Landscaping and/or open space may be used to buffer non-compatible uses. It is intended to soften the visual impact and provide a sense of openness and should be used to complement good building designs and may be used to screen certain types of development.

Implementation Measure 4.1.5.mm Sign standards have been established to control the visual impact of signs on the community and minimize sign clutter. Legislative Master Plans may specify sign standards appropriate to their planning area.

Implementation Measure 4.1.5.nn The City shall coordinate with and encourage the State and other appropriate agencies to assist in developing noise controls and mitigation measures.

Implementation Measure 4.1.5.oo Industrial and other potential noise generating activities will be located and designed so as to minimize noise conflicts with adjacent uses. The City will cooperate with DEQ and ODOT in establishing and where practicable assisting in enforcing noise control standards.

Implementation Measure 4.1.5.pp In reviewing all major residential, commercial, industrial and public facility uses, the City shall coordinate with DEQ to insure compliance with the Portland AQMA Plan and standards as well as other applicable regional, State and Federal air, water and environmental quality standards.

Implementation Measure 4.1.5.qq The City will further cooperate with the appropriate State and Federal agencies for enforcement of air, water, noise and other environmental quality standards.

Implementation Measure 4.1.5.rr The City recognizes that historic features form a desirable link with the past and that they form a vital part of and contribute to the overall character of Wilsonville. The City, therefore, will cooperate with the Wilsonville Historical Society, the State Historic Preservation Office, Clackamas County and other interested parties to evaluate and identify potential historic sites and structures and proceed with the Goal 5 process. The City shall determine which sites and structures, if any, are suitable for inclusion on the Plan Inventory and will contact the owners of potentially historic properties to determine whether they object to having their properties listed.

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***** The following sections and chapters are not included in this review draft:
Land Use and Development chapter – Compact Urban Development and
Residential Neighborhood Development sections; The Plan Map; Areas of Special Concern

ATTACHMENT 1



Villebois

Villebois Village Master Plan



The City of Wilsonville
Adopted October 7, 2013

ATTACHMENT 1 VILLEBOIS VILLAGE MASTER PLAN

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THE VILLEBOIS VILLAGE MASTER PLAN WAS FIRST ADOPTED AUGUST 18, 2003 BY ORDINANCE NO. 556 AND HAS SINCE BEEN AMENDED BY THE FOLLOWING ORDINANCES:

ORDINANCE NO.:	DESCRIPTION	DATE ADOPTED
724	LAND USE PLAN FOR FUTURE STUDY AREA	OCT. 7, 2013
681	RELOCATION OF SCHOOL SITE FROM SAP-NORTH TO SAP-EAST	AUG. 2, 2010
609	CHAPTER 3 AND CHAPTER 4 AMENDMENTS	MAY 15, 2006
594	AMENDMENT PERTAINING TO CENTRAL SAP & SCHOOL SITE; DELETION OF REFERENCES TO LEC, & OTHER MINOR EDITS	DEC. 5, 2005
566	FIGURE 1A AMENDMENT	JUNE 21, 2004

CHAPTER 1 – PURPOSE & SCOPE OF VILLEBOIS VILLAGE MASTER PLAN

1.1 PURPOSE

The *Villebois Village Master Plan* was developed in close coordination with City staff, following adoption of the *Villebois Village Concept Plan*. The *Villebois Village Master Plan* affects an estimated 480-acre area identified on *Figure 1 – Land Use Plan* as the “Village Area Boundary.”

The *Villebois Village Master Plan* is intended to implement the *Villebois Village Concept Plan* and serve as a basis for Village zone development standards. These standards in turn direct development through the build-out period of the *Concept Plan*. The *Villebois Village Master Plan* provides a detailed analysis of the framework systems identified in the *Concept Plan*, including the land use program, parks and open space system, utilities framework and circulation system. Consistency of these elements with the relevant system Master Plans is shown in the *Villebois Village Master Plan*. Compliance with the *Concept Plan* and with all other City, State and Regional applicable review criteria is presented in a separate supporting document.

The *Villebois Village Master Plan* incorporates the guiding design principles that were adopted in the *Villebois Village Concept Plan*. The guiding design principles are listed below.

Connectivity: Refers to a series of physical connections created within the village that also fosters other “connections,” such as the link between land use and transportation, as well as a sense of place and a sense of community. The list of these connectivity options and where they are addressed are as follows:

- Land Use Patterns (see Chapter 2);
- Parks/Open Space and Pathways (see Chapter 3); and
- Transportation (see Chapter 5).

Diversity: Refers to Villebois’ commitment to providing a community that offers many options and choices for those who live, work and play there. The list of these diversity options and where they are addressed are as follows:

- Housing Options (see Chapter 2);
- Village Center (see Chapter 2);
- Parks/Open Space (see Chapter 3); and
- Transportation (see Chapter 5).

Sustainability: Refers to the thread of stewardship and viability – social, environmental and economic – that is woven throughout every aspect of Villebois. The list of sustainability examples and where they are addressed are as follows:

- Village Center and Neighborhood Centers (see Chapter 2);
- Parks/Open Space (see Chapter 3); and
- Rainwater Systems (see Chapter 4).

1.2 SCOPE

Prior to or concurrent with approval of this *Villebois Village Master Plan*, the City of Wilsonville Comprehensive Plan text will be amended to include a discussion of the Residential-Village (R-V) land use designation (City File 02PC07A) and the Comprehensive Plan Map will be revised to designate the *Villebois Village Master Plan* area Residential-Village (City File 02PC07C). The uses and systems envisioned by the *Villebois Village Master Plan* within the Residential-Village designation will be implemented through the ordinances of the Village zone and the review procedures established with the Village zone (City File 02PC08 – WC 4.125).

The Land Use Chapter, which follows **ATTACHMENT 1**, identifies the proposed land uses to be developed at Villebois Village to create a complete community with a vibrant mixed-use Village Center as envisioned in the *Villebois Village Concept Plan* (City File 02PC06). It provides goals, policies and implementation measures for the general land use plan, residential neighborhood housing, the Village Center, and the elementary school.

The Parks and Open Space / Off-Street Pathways Chapter demonstrates that Villebois Village meets the vision of the City's Parks & Recreation Master Plan of a "comprehensive parks and recreation system that grows along with the community" by providing diversity in the types of recreational opportunities within the Village and responding to the unique opportunity to provide a regional link between the adjacent major open space and wildlife areas. This project does not require amendment of the City's Parks & Recreation Master Plan in order to be implemented. However, the next scheduled update of the City's Parks & Recreation Master Plan will need to account for the addition of the *Villebois Village Master Plan* area.

The Utilities Chapter is broken into three sections: sanitary sewer, water, and storm drainage. Each section provides a description of the proposal, a technical analysis of the proposal's compliance with the relevant City Master Plan, and an analysis of the proposal's compliance with the City's implementation measures of the relevant Master Plan. The *Villebois Village Master Plan* is consistent with the City's Wastewater Collection System Master Plan and the City's Water System Master Plan. The *Villebois Village Master Plan* is consistent with the City's Stormwater Master Plan, and exceeds the standards of City's Stormwater Master Plan with the addition of the proposed Rainwater Management Program. The City's Stormwater Master Plan was recently updated to comply with Metro Title 13 for the entire city and including Villebois.

The Circulation Chapter compares the proposed street system for Villebois with the provisions of the City's Transportation Systems Plan (TSP). The analysis contained in the Circulation Chapter identifies the consistencies and differences between the *Villebois Village Master Plan* and the City's TSP. This Chapter recommends implementation measures that will assure that identified differences are addressed through the appropriate review process for the alternatives proposed with the Villebois street system.

The *Villebois Village Master Plan* will receive an extensive public review that includes public hearings before the City of Wilsonville Planning Commission and City Council. This *Villebois Village Master Plan* will be a supporting document to the City of Wilsonville Comprehensive Plan.

1.3 Master Plan Update

In 2019, the Oregon State Legislature passed House Bill 2001 (HB 2001) to help provide Oregonians with more housing choices. HB 2001 requires Oregon cities with populations over 25,000 and those within the Portland metro area (referred to as "Large Cities") to adopt zoning regulations and comprehensive plan amendments to allow middle housing in areas zoned for residential use that allow for the development of detached single-family dwellings. Specifically, Large Cities must allow:

- A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings; and
- Triplexes, quadplexes, cottage clusters, and townhouses in areas zoned for residential use that allow for the development of detached single-family dwellings.

Because the Villebois Village Master Plan is considered a supporting document of the Wilsonville Comprehensive Plan, updates to the Master Plan are needed to comply with the requirements of HB 2001 and associated statutes and administrative rules (Oregon Revised Statutes [ORS] 197.758 and Oregon Administrative Rules [OAR] Chapter 660, Division 46). OAR 660-046 provides alternative options for compliance with middle housing requirements in "existing Master Planned

Communities.” This provision allows cities to limit development of middle housing types other than duplexes in undeveloped portions of master planned areas as long as a net residential density of 8 units per acre is permitted overall and duplexes are permitted on every lot that allows a detached single-family dwelling. After a master planned area is built out, cities cannot limit development of middle housing (i.e., as infill or redevelopment) and must comply with the minimum OAR standards. Because the residential density planned for Villebois Village exceeds 8 units per net acre, the undeveloped portions of the Master Plan area are allowed to build out as previously planned other than allowing duplexes on all lots that allow detached single-family dwellings. For the built-out portions of Villebois, and the undeveloped areas after they are developed, all middle housing types must be permitted as infill or redevelopment on any lot where single-family detached dwellings are allowed.

The 2021 update to the Villebois Village Master Plan and to the Village Zone (Wilsonville Code Section 4.125) is intended to comply with state laws regulating middle housing, to guide what remains of the initial Villebois Village build-out, as well as to guide future infill and redevelopment of additional housing in the Master Plan area. The updates to the Master Plan are minor, and include amendments to the Land Use Policies and Implementation measures in Section 2.2 and in the Glossary.

CHAPTER 2 – LAND USE ATTACHMENT 1

*** Section 2.1 is not included in this review draft ***

2.2 VILLEBOIS VILLAGE MASTER PLAN IMPLEMENTATION GENERAL – LAND USE PLAN

Goal

Villebois Village shall be a complete community that integrates land use, transportation, and natural resource elements to foster a unique sense of place and cohesiveness.

Policies

1. The Villebois Village shall be a complete community with a wide range of living choices, transportation choices, and working and shopping choices. Housing shall be provided in a mix of types and densities resulting in a minimum of 2,300 dwelling units within the *Villebois Village Master Plan* area.
2. Future development applications for initial development within the Villebois Village area shall provide land uses and other major components of the Plan such as roadways and parks and open space in general compliance with their configuration as illustrated on *Figure 1 – Land Use Plan* or as refined by Specific Area Plans. The proposed uses for the Future Study Area Specific Area Plan Amendment to SAP South shall be those identified in *Figure 1 – Land Use Plan*, which includes residential uses being limited to single-family lots in the medium to estate land use category identified in Wilsonville Code Subsection 4.125 (.18) F. 1. a. iv. arranged in a similar pattern as other areas on the edges of Villebois. Due to its location outside the general trapezoidal shape of Villebois and distance from the Village Center and neighborhood commons as well as its relatively small size, the Future Study Area Specific Area Plan Amendment to SAP South shall not be considered a neighborhood plan as defined in Section 2.1 of the *Villebois Village Master Plan*.
3. The Villebois Village shall provide civic, recreational, educational and open space opportunities.
4. The Villebois Village shall have full public services including: transportation; rainwater management; water; sanitary sewer; fire and police services; recreation, parks and open spaces; education; and transit.
5. Development of Villebois shall be guided by a Finance Plan and the City's Capital Improvement Plan, ensuring that the availability of services and development occur in accordance with the City's concurrency requirements (see Implementation Measure 4, below).

Implementation Measures

1. Allow for unique planning and regulatory tools that are needed to realize the *Villebois Village Master Plan*. These tools shall include, but are not limited to: Specific Area Plans; Pattern Books; and Community Elements Books.
2. Adopt the newly created Village zone district, which may be applied to the *Villebois Village Master Plan* area designated Residential-Village on the Comprehensive Plan Map. The new Village zone shall be based on the *Villebois Village Master Plan* Goals, Policies and Implementation Measures contained within this document.
3. Refinements to the *Villebois Village Master Plan* are anticipated as more detailed plans are

developed for the Specific Area Plan. Specific Area Plans may propose refinements to the *Villebois Village Master Plan* without requiring an amendment to the *Villebois Village Master Plan* provided the refinement is not significant. Non-significant refinements shall be defined in the Village ("V") Zone text and may include, but are not limited to: minor alterations to street alignments or minor changes in area or uses.

Disagreement about whether a refinement is significant shall be resolved by a process provided in the Village ("V") Zone text.

4. The Master Planner shall coordinate with the City on the development of a Finance Plan for necessary urban services and public infrastructure. Each developer within Villebois Village will sign their own Development Agreement that will address the necessary urban services and public infrastructure as appropriate.
5. The Specific Area Plan (SAP) Amendment to SAP South for the Future Study Area shall demonstrate compliance with the *Villebois Village Master Plan*, the City's Comprehensive Plan and its sub-elements, the City's Planning and Land Development Ordinance, and all other applicable regulatory requirements. The developer of the Future Study Area shall be responsible for obtaining any master plan or ordinance amendment(s) that may be necessitated by their proposal.
6. For each lot in the Villebois Village Master Plan area that is not developed as of December 31, 2021 and that is designated for development of a detached single-family dwelling, development of a duplex is also permitted.
- 5-7. For lots in the Villebois Village Master Plan area that have previously been developed with at least one residential unit, redevelopment to add middle housing units shall be permitted pursuant to Wilsonville Code Subsection 4.125 (.23). Redevelopment to add middle housing units includes replacement of residential structures, adding new residential structures, expanding existing residential structures, or adding units within a residential structure without expanding the structure. Permitted uses for middle housing redevelopment are listed in Wilsonville Code Subsection 4.125 (.02).

RESIDENTIAL NEIGHBORHOOD HOUSING

Goal

The Villebois Village shall provide neighborhoods consisting of a mix of homes for sale, apartments for rent, row homes, duplexes, and single-family homes on a variety of lot sizes, as well as providing housing for individuals with special needs. The Villebois Village shall provide housing choices for people of a wide range of economic levels and stages of life through diversity in product type.

Policies

1. Each of the Villebois Village's neighborhoods shall include a wide variety of housing options and shall provide home ownership options ranging from affordable housing to estate lots.
2. Affordable housing within Villebois shall include rental and home ownership opportunities.
3. The mix of housing shall be such that the Village development provides an overall average density of at least 10 dwelling units per net residential acre.
4. The Villebois Village shall accommodate a total of at least 2,300 dwelling units within the boundary of the *Villebois Village Master Plan*.
5. The Villebois Village shall provide a mix of housing types within each neighborhood and

on each street to the greatest extent practicable.

ATTACHMENT 1

6. The Villebois Village shall include community housing types consistent with Oregon Revised Statute 426.508(4), which requires that no more than 10 acres be retained from the sale of the former Dammasch State Hospital property for development of community housing for chronically mentally ill persons. The City of Wilsonville, the Oregon Department of Administrative Services, and the Mental Health and Developmental Disability Services Division shall jointly coordinate the identification of the acreage to be retained.
7. The development standards and Specific Area Plans required by the Village zone shall be consistent with the Governor's Quality Development Objectives and the Governor's Livability Initiative.
8. Each neighborhood shall be designed to increase transportation options. Neighborhoods shall be bike and pedestrian friendly.
9. Higher density residential uses shall be of a scale and design in keeping with the desired vision for Villebois as expressed in the *Villebois Village Concept Plan* and in the Policies and Implementation Measures of the *Villebois Village Master Plan*.
10. Natural features shall be incorporated into the design of each neighborhood to maximize their aesthetic character while minimizing impacts to said natural features.

Implementation Measures

1. Ensure, through the development standards and Pattern Book(s) required by the Village zone, that the design and scale of dwellings are compatible with the compact, pedestrian-oriented character of the concepts contained in the *Villebois Village Concept Plan* and the contents of this *Villebois Village Master Plan*.
2. Create a set of design guidelines for the development of Pattern Books with the Village zone requirements. Pattern Books shall address, at a minimum, architectural styles and elements, scale and proportions, and land use patterns with lot diagrams.
3. Develop affordable housing objectives for Villebois. Develop strategies to accomplish a variety of mixes and densities and indicate how build out under each Specific Area Plan implements those strategies and contributes to the overall goals and policies of the *Villebois Village Master Plan*. The affordable housing objectives and plan is to be submitted before, or together with, the application for SAP Central.

VILLAGE CENTER

Goal

The Villebois Village shall include a mixed-use Village Center that will be the core of the community.

Policies

1. The Village Center shall be a highly pedestrian-oriented place that is the focus of a mix of residential, shopping, service, and civic and mixed-use buildings.
2. The Village Center shall encourage multi-modal transportation system opportunities with good access by vehicular, pedestrian, bicycle and transit traffic.
3. The Village Center shall include a civic plaza to serve as a community gathering space, along with a main street environment establishing a social atmosphere that encourages residents and visitors to linger and interact.
4. Connectivity to the Village Center from adjacent neighborhoods shall ensure that services

are centralized and convenient to pedestrian-oriented shopping.

5. The core area of the Village Center shall provide for mixed-use residential, retail, and employment areas that may include office uses and live-work housing opportunities.
6. The Villebois Village shall allow redevelopment of the former Dammasch State Hospital building provided that it does not create conflicts with the overall development plan.

Implementation Measures

1. Establish a review process for the Village Center with the implementing Village zone ordinances. This review process shall guide development in the Village Center and recognize that uses may evolve over time as this area matures.
2. Specify a mixture of uses (residential, commercial, retail, civic, and office development) with the implementing Village zone that will support the long-term vitality of the Village Center and enhance the creation of a true urban village at its core. Employment may include uses related to high-tech businesses. The Village Center is intended to provide locations for uses consistent with, but not limited to, the following examples.
 - *Consumer Goods:* bookstore, clothing, florist, jeweler, pet shop, bicycle shop.
 - *Food & Sundries:* bakery, specialty grocery, hardware, laundromat, dry cleaner, gifts.
 - *General Office:* professional offices, non-profit, health services, governmental services, real estate, insurance, travel.
 - *Service Commercial:* bank, day care center, photo processing, telecommunications, upholstery shop.
 - *Lifestyle & Recreation:* hair salon, specialty retail, theater, video/DVD store, art gallery, health club, restaurants, dance studio.
 - *Hospitality:* hotel, bed and breakfast, conference center.
 - *Light Manufacturing/Research and Development.*
 - *Civic/Institutional:* meeting hall, library, museum, churches, farmer's market, community center.
 - *Residential:* condominiums, apartments, and townhouses.

ELEMENTARY SCHOOL

Goal

The *Villebois Village Master Plan* shall provide for an elementary school within the Villebois Village portion of the *Villebois Village Concept Plan*.

Policies

1. The Plan for Villebois Village shall provide an elementary school site in a location that provides safe and convenient access and complements the surrounding neighborhood.
2. Coordination shall continue to occur among the West Linn/Wilsonville School District, the Master Planner, the City and the affected property owners throughout the subsequent planning and development stages relating to the elementary school.

Implementation Measure

1. The school site shall be developed in the location noted on *Figure 1 – Land Use Plan*.
2. Architectural and community elements associated with the school shall be addressed in the

forthcoming SAP East application. If these details are not available at the time of SAP East application, a SAP amendment may be filed to address these elements when the school is ready to develop.

***** Chapters 3 – 5 are not included in this review draft *****

ATTACHMENT 1

GLOSSARY

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ATTACHMENT 1

Glossary

*** Definitions that are not proposed to be amended are not included in this review draft ***

Row House:

~~A form of Single Family Dwelling where fee simple, for sale multi-story units are arranged in an unbroken row with no side yards and with or without an accessory dwelling unit or building. One of a series of houses, often of similar or identical design, situated side by side, and on their own lots. Within the Villebois Village Center Boundary, row houses may be attached or detached in accordance with the Village Center Architectural Standards. Attached row houses also meet the definition of townhouse. Detached row houses also meet the definition of single-family dwelling unit.~~

ATTACHMENT 1

LIST OF REFERENCE DOCUMENTS

City of Wilsonville Final Draft Wastewater Collection System Master Plan, June 2001.

City of Wilsonville Final Draft Wastewater Collection System Appendix, June 2001.

City of Wilsonville Parks & Recreation Master Plan, Final Report, December 1994.

City of Wilsonville Stormwater Master Plan, June 2001.

City of Wilsonville Transportation Systems Plan (TSP), April 17, 2003 Public Draft.

City of Wilsonville Water System Master Plan – Ordinance No. 531, Adopted January 24, 2001.

Creating Livable Streets: Street Design Guidelines for 2040, Metro, and June 2002.

Memorandum to Eldon Johansen, City of Wilsonville from Ransford S. McCourt, P.E., DKS Associates, April 6, 2004.

Villebois Village Master Plan Technical Appendix,

Appendix A: Capital Improvement List and Cost Estimate

Appendix B: DKS Memorandums dated:
February 28, 2003
January 6, 2003
April 6, 2004
June 15, 2005
August 7, 2013

Appendix C: Memorandum of Understanding between Villebois/City of Wilsonville and Metro, Metro Contract #926225

Appendix D: Bus Stop Exhibit

Appendix E: Memorandums regarding 100-year Flood Plan and Stormwater from HDR and inter-fluve

Appendix F: Parks Capacity Analysis Drawings

Appendix G: Parks PowerPoint Print-out

Appendix H: Parks Lighting Concept

Appendix I: Sanitary Lift Station for Future Study Area Requirements

ATTACHMENT 1

Old Town



Neighborhood Plan

Wilsonville Oregon

Adopted September 19, 2011

ATTACHMENT 1

Acknowledgements:

2011 Wilsonville City Council

Mayor Tim Knapp
Councilor Celia Núñez
Councilor Steve Hurst
Councilor Richard Goddard
Councilor Scott Starr
Former Councilor Alan Kirk
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- B. Boones Ferry Historic District & Architectural Pattern Book
- C. Boones Ferry Road Streetscape Project by Nevue Ngan Associates
- D. Proposed Capital Projects – Preliminary Cost Estimates, prepared by MacKay & Sposito, Inc.

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1. Introduction and Intent: Old Town – “Our Vision”

The Old Town Neighborhood Plan (OTNP) sets forth a vision for the neighborhood. As the City continues to change, and development pressures and the cost of living increase, it is critical that the character that makes Old Town special needs to be identified, maintained and enhanced. City staff worked with neighbors and business owners who live and work within Old Town to develop a neighborhood vision and recommendations for the first neighborhood plan for the Old Town area. The Old Town Neighborhood Plan (OTNP) will help guide new development as it occurs in the neighborhood.

To the families that live in Old Town, and the businesses that are located there, Old Town is a very special place. For the most part, they made a choice to locate there (over other neighborhoods in Wilsonville) and would not consider relocating.

Many of Wilsonville’s residents have never been in Old Town and know very little about it. So what is it about Old Town that generates such fierce loyalty in its residents and business people?

The purpose of the Old Town Neighborhood Plan (OTNP) is to identify the essence of what makes Old Town a special place, and to provide guidance on how to move Old Town into the 21st Century while maintaining its unique character. The intent of the Old Town Neighborhood Plan is to retain those aspects that contribute to its unique character: older buildings with simple design and small scale, stands of mature trees, and streets with a rural feel which are safely shared with bikes and pedestrians. To accomplish this, the OTNP proposes land use, transportation, utilities, parks/trails/trees/open space, and architectural guidelines. A list of recommendations is proposed for those parts of the plan.

Background of the Old Town Neighborhood Plan:

The Old Town Neighborhood Plan is based on the results of a series of meetings with Old Town residents, businesses and property owners. Each meeting was organized around a specific topic with a goal of learning how that subject or issue has been implemented in the past, determining whether that should change, and if so developing recommendations for those changes.

The impetus for this series of meetings was a “New Urbanism” type residential development proposal on one of the few larger vacant lots in Old Town. The neighborhood was opposed to the development, feeling that it would set a precedent for future similar development proposals that would destroy much of what makes Old Town unique.

The City Council responded to that testimony by requesting that City staff work with the Old Town community to determine the parameters of acceptable development and redevelopment in their community.

Old Town Neighborhood Plan Update

In 2021, the Old Town Neighborhood Plan was updated to reflect recent changes to Oregon state law and associated changes to Wilsonville’s Development Code and Zoning Map. These updates are found in the Land Use section of the plan (Chapter 6).

Wilsonville's Old Town Neighborhood Plan

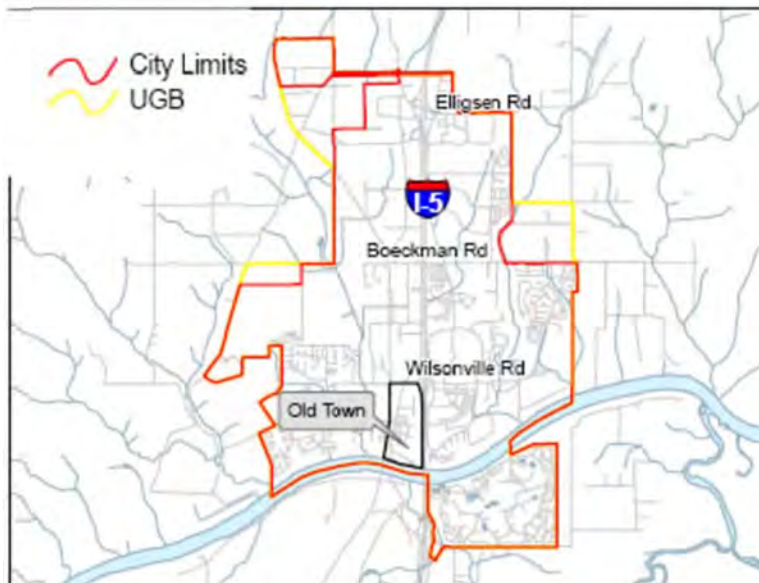
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Where Is Old Town?

According to the West Side Master Plan, accepted by the City Council in December 1996, the Boones Ferry District (Old Town) includes all the lands located between the Oregon Electric Railway and the I 5 right-of-way, and between the Willamette River and approximately Wilsonville Road. (Map 1.1) Others would say that Old Town is smaller, ending at Bailey Street on the north or even at the north end of Magnolia Avenue, but including the south, east and west boundaries identified as “the Boones Ferry District”. Still others feel that the historic core area developed around the Boones Ferry landing, and later, with the coming of the rail, expanding north to the vicinity of 5th Street is the ‘real’ Old Town. After discussion, it was decided to use the Boones Ferry District boundary extended north to Wilsonville Road for a more comprehensive planning effort. (Map 1.1)



Map 1.1. Boones Ferry District

*Wilsonville's Old Town Neighborhood Plan***ATTACHMENT 1****Map 1.2. Old Town In Wilsonville****What Is Different About Old Town?**

Some of the defining characteristics of Old Town are the older development and the human scale of the neighborhood. The plat of Old Town was recorded in 1908 (See Chapter 5), and reflects larger lots than are generally found in today's residential developments. There has been little partitioning or further subdivision, so large lot sizes remain. Old Town has built out incrementally with a variety of architectural styles reflecting housing trends from the respective period. Most of the development occurred in the county before Wilsonville was incorporated. Dwellings are mostly single story with large yards and mature trees. Since there are few sidewalks and no through traffic, the character of the neighborhood is "old fashioned" and much less formal. Residents walk and play in the streets, and visit with their neighbors. Social interaction is encouraged by the evolving patterns of the neighborhood. Infrastructure does not separate people, but enables them to interact more freely.

Most of the recent development in Wilsonville occurred after the construction of the Boone

Bridge and I-5 in the late 1950's, and the incorporation of the City of Wilsonville in 1969. In contrast, the oldest buildings in Old Town were built in the late 1880's and early 1900's. Early aerial photos (1936) show Old Town surrounded by operating farms. The older buildings are simple in design and small in scale as shown in early photos. Several have been renovated in keeping with their historic character. Infill development has maintained the modest scale and has been repeating basic architectural style elements. At one time, Old Town was generally self-sufficient with a school, a church, a general store, post office and other businesses serving the community.

Because it is older, and very little redevelopment has occurred, stands of mature trees are found throughout Old Town.

Streets were built to rural standards without curbs, gutters, and in many instances, without sidewalks. The overall appearance is less formal than in newer neighborhoods. There are no

Wilsonville's Old Town Neighborhood Plan

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through streets and no large scale commercial establishments so the neighborhood is quieter, and streets can be safely shared with bikes and pedestrians.

No riverfront development has occurred other than Boones Ferry Park, which is an under-utilized City park located at the south end of Boones Ferry Road.

Existing Development:

Existing development within Old Town includes a bank building, the Old Methodist Church, apartments, a mini-storage facility, two historic commercial structures, a manufacturing facility, Lowries Marketplace and three mixed-use commercial/industrial buildings, as well as many residential properties with varying densities. Two of the mixed-use buildings were developed as the first historic replica façade envisioned for the Old Town District discussed in the Land Use chapter.

In 2009, the City approved development/re-development at the southeast corner of Boones Ferry Road and Wilsonville Road. The site was approved for mixed-use development, commercial and residential, with the main anchor being a Fred Meyer store, which opened in July 2011. The development is a much larger scale than typically found in Old Town, however, design consideration was given to provide smaller perimeter pad buildings architecturally designed to complement Old Town.

The majority of Wilsonville's residential areas were developed after 1970 as planned unit developments, and built out with similar architectural styles in a relatively short time period.

Dwellings are generally two-story or taller. The rights-of-way are fully developed with streets, sidewalks, street lights and street trees. A strong sense of identity and ownership has developed within each neighborhood.

Conventional wisdom says that Old Town should be retrofitted with all the amenities of residential planned unit developments (PUD) in the remainder of the city, and the housing stock upgraded to modern housing styles and densities. If that occurs, Old Town as it now exists will be lost, and it will become just one more PUD in the city. The intent of the OTNP is to preserve the existing neighborhood, while being open to redevelopment and infrastructure upgrades consistent with the Old Town character.

***** Chapters 2 – 5 are not included in this review draft *****

ATTACHMENT 1

6. *Land Use*

Overview of Land Use

The Old Town Neighborhood has an overlay of land use regulations, some of which conflict. Old Town is subject to State, Metro and local land use rules and regulations.

State

The State's land use program is based on the Department of Land Conservation and Development's (DLCD) nineteen (19) Statewide Planning Goals and Guidelines; the first fifteen (15) of which apply to Wilsonville. The first 14 goals were adopted in December 1974, with the remaining goals adopted over the next two years. The Statewide Planning Goals have since been amended and readopted as part of the Oregon Administrative Rules (OAR 660, Division 15)

OAR 660 requires municipalities to prepare Comprehensive Land Use Plans and implementing ordinances, which are then reviewed by DLCD and the Land Conservation and Development Commission (LCDC) for compliance with the Goals. Plans and ordinances that are determined to comply are then "acknowledged" by LCDC to be in compliance with the Goals and become acknowledged plans. If a municipality does not have an acknowledged Plan, then the Statewide Goals must be applied directly to each development proposal in that municipality. Once a municipality has received acknowledgement, then development proposals are reviewed under the local Comprehensive Plan and development regulations. Municipalities are required to update their Comprehensive Plans and ordinances periodically, a process called "Periodic Review".

The City of Wilsonville has an acknowledged Comprehensive Plan and acknowledged development regulations which apply to all of Wilsonville, including Old Town. The Comprehensive Plan includes a Transportation Systems Plan, ~~the Villebois Village Master Plan,~~ the Water System Master Plan, the Wastewater Treatment System Master Plan, the Stormwater Master Plan, the Bike and Pedestrian Master Plan, Park and Recreation Master Plan, ~~and the Transit Master Plans, and various area-specific master plans, such as the Villebois Village Master Plan.~~ and will eventually include the The Old Town Neighborhood Plan was adopted by resolution, with a direction to work on specific tasks in the future, but is not considered a supporting document to the Comprehensive Plan.

Updates to the Old Town Neighborhood Plan were added in 2021 to reflect recent changes to state law. In 2017, the Oregon State Legislature passed Senate Bill 1051 (SB 1051), which requires cities with a population greater than 2,500 to allow the development of at least one accessory dwelling unit (ADU) for each detached single-family dwelling on a residentially-zoned lot, subject to reasonable local regulations relating to siting and design. The requirements of SB 1051 are codified in Oregon Revised Statutes (ORS) 197.312. The City of Wilsonville updated its Development Code to comply with these requirements in 2018.

Then, in 2019, the Legislature passed House Bill 2001 (HB 2001) to help provide Oregonians with more housing choices. HB 2001 requires Oregon cities with populations over 25,000 and those within the Portland metro area (referred to as "Large Cities") to adopt zoning regulations and comprehensive plan amendments to allow middle housing in areas zoned for residential use that allow for the development of detached single-family dwellings. Specifically, Large Cities must allow:

- A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings; and
- Triplexes, quadplexes, cottage clusters, and townhouses in areas zoned for residential use

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that allow for the development of detached single-family dwellings.

HB 2001's middle housing requirements are codified in ORS 197.758 and Oregon Administrative Rules (OAR) Chapter 660, Division 46. HB 2001 also modified the ADU provisions of SB 1051, clarifying that "reasonable local regulations relating to siting and design" does not include owner-occupancy requirements or requirements to construct additional off-street parking for ADUs.

Because the Old Town Neighborhood Plan is not a component of the Comprehensive Plan, amendments to the Old Town plan are not necessary for legal compliance with these state laws. However, amendments were needed to ensure that the plan continues to be a useful policy document going forward and contributes to the larger goal of increasing opportunities for housing in Wilsonville.

Metro:

The City of Wilsonville is a member of Metro, an elected regional service district serving three counties and 25 cities within its service area. Under its charter, Metro has jurisdiction over the urban growth boundary and other regional land use issues, solid waste and recycling, regional open space and regional transportation planning as well as several facilities such as the Zoo and the Convention Center. Metro also has adopted and acknowledged land use-related documents, including a 2040 Growth Concept Plan.

The Metropolitan Housing Rule (OAR 660-007/Division 7) establishes regional residential density and housing mix standards for communities within the Metro Urban Growth Boundary. It sets minimum residential density standards for new construction by jurisdiction. Wilsonville must provide for the opportunity to build new housing at an overall average density of 8 or more dwelling units per net buildable acre, as well as designate sufficient buildable land to provide the opportunity for at least 50% of new residential units to be attached housing (either single-family attached or multiple-family units.)

Title 1 of the Metro Urban Growth Management Functional Plan requires member cities to adopt minimum residential development density standards. If minimum density standards were not adopted by 2011, Title 1 requires cities to adopt a minimum density that is at least 80 percent of the maximum density in the zone.

Old Town

Title 12 of the Metro Urban Growth Management Functional Plan is titled "Protection of Residential Neighborhoods". It states that, "Existing neighborhoods are essential to the success of the 2040 Growth Concept" and that, "Metro shall not require any city to authorize an increase in residential density of a single-family neighborhood in an area mapped solely as an Inner or Outer Neighborhood pursuant to Metro Code Section 3.07.130 prior to May 22, 2002".

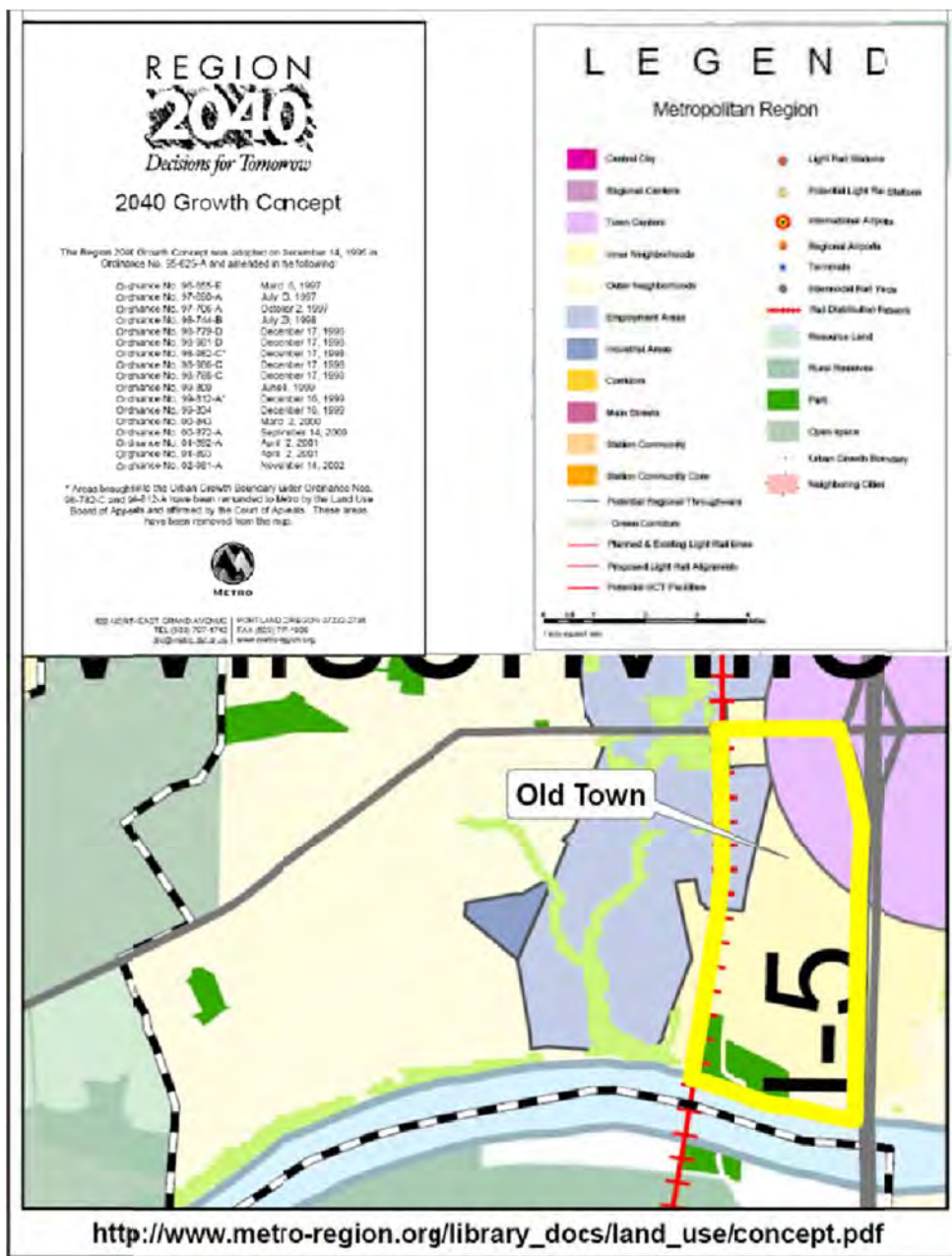
Wilsonville's Old Town Neighborhood Plan

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The question becomes, "Is Old Town a single-family neighborhood mapped solely as an Inner Neighborhood?" Metro's 2040 Growth Concept Plan was first adopted in 1995, and designated most of the Old Town area as an Inner Neighborhood. However, the map also included a Town Center designation which applies to the Town Center development north of Wilsonville Road, to the Village at Main, and extends across I-5 to the Fred Meyer lands, Lowries Marketplace

(Albertson's) and commercial lands along Wilsonville Road west almost to the railroad tracks. Due to large differences in the scale of Metro maps vs. city maps, City staff has been working to reconcile the exact location of the designations on the Metro map with the City's

Comprehensive Plan and zoning. For the purposes of this Plan, the residential area of Old Town is mapped as Inner Neighborhood and is protected by Title 12. (Map 6.1)



Map 6.1. Old Town's Metro's Region 2040 Growth Concept Map Designations

Wilsonville's Old Town Neighborhood Plan

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City

City regulations need to be reviewed in light of the City's development process which requires application for a development proposal at the same time as an application for a Zoning Map amendment. The City's Comprehensive Plan designates future land uses of properties in the City, but unlike many other communities in Oregon, zoning is not changed to be consistent with the Comprehensive Plan until a development application on a specific site has been reviewed by the DRB and approved by the City Council.

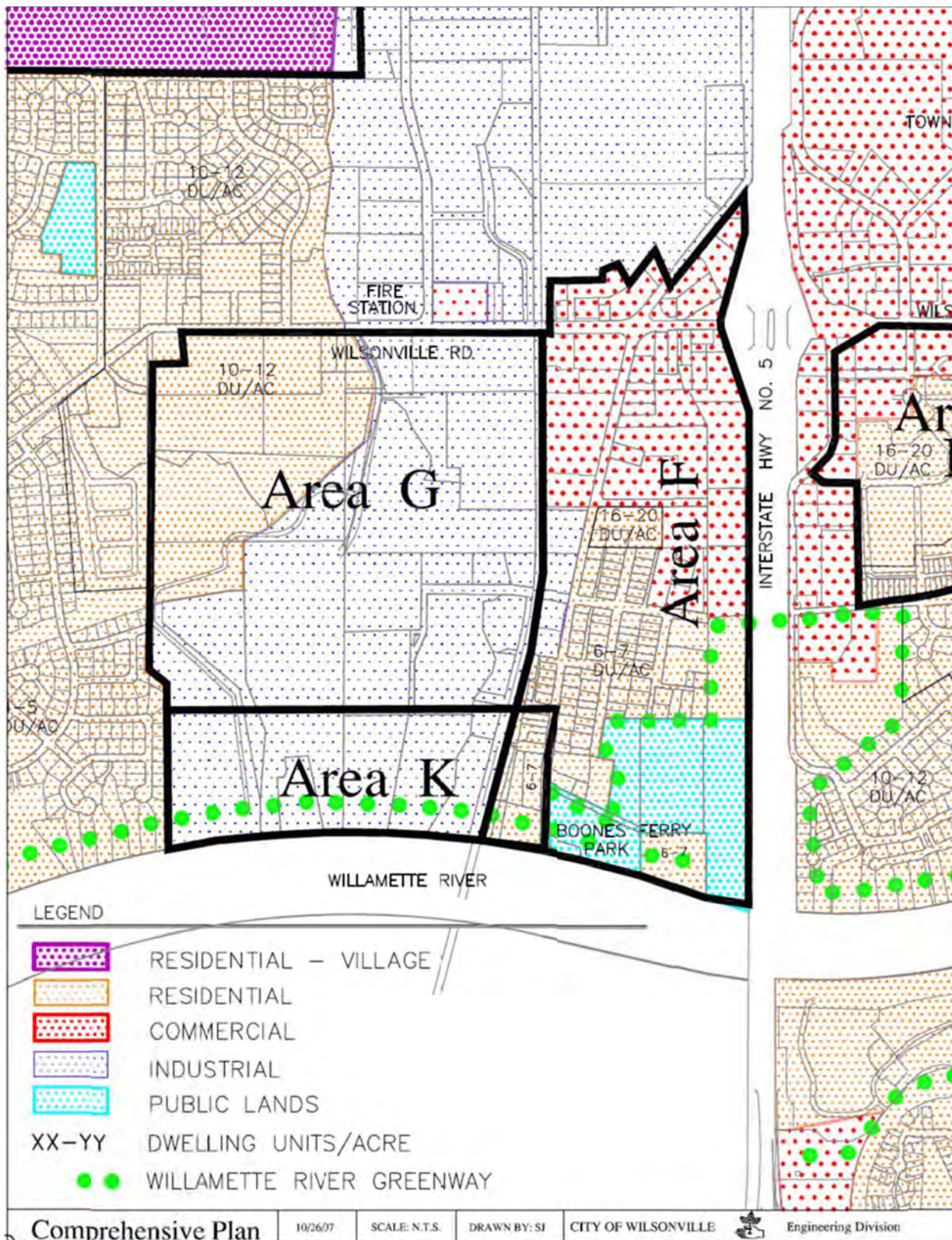
City Comprehensive Plan

The Comprehensive Plan designates lands between Wilsonville Road and Bailey Street as Commercial. (Map 6.2) Lands between Bailey Street and 5th Street, west of I-5 to the alley east of Magnolia Avenue, are also designated Commercial. Lands west of Boones Ferry Road between Bailey Street and 4th Street are designated Industrial. The remaining lands, except for those in public ownership are designated as a variety of residential densities, mostly 6 – 7 dwelling units/acre with the apartments being designated at 16 – 20 du/acre. The River Village Mobile Home Park, located at the east end of Tauchman Street between the street and the Willamette River, is also designated 6 – 7 dwelling units per acre.

According to the Comprehensive Plan, the 6 – 7 du/acre designation translates to zoning districts of Planned Development Residential – 3 (PDR-3) or Planned Development Residential – 4 (PDR-4). The Planning and Land Development Ordinance (Wilsonville's Development Code) further refines the designation by equating the PDR-4 zone with the 6 - 7 du/acre Plan designation.

Wilsonville's Old Town Neighborhood Plan

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Map 6.2. Existing Old Town Planning Area Comprehensive Plan

Wilsonville's Old Town Neighborhood Plan

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The Old Town area is also included in two Areas of Special Concern in the Comprehensive Plan. Area F includes almost all of Old Town.

Area of Special Concern F

This area is situated west of I-5 and primarily, although not entirely, south of Wilsonville Road, and includes commercial and residential properties in the Old Town neighborhood. It includes the existing retail centers, both north and south of Wilsonville Road, plus land to the south along both sides of Boones Ferry Road to the Willamette River. Future development applications in Area F must address the design objectives listed below, as well as all other applicable Development Code requirements.

This Area of Concern specifically includes the “Old Town” area of the City. A portion of Old Town includes properties previously master planned as “Wilsonville Square 76.” As a result of the West Side master planning effort, additional emphasis has been placed on creating an Old Town District (through overlay zoning), and reinforcing the appearance of the City’s historic beginnings.

The purpose of the Old Town Overlay Zone is to reinforce the appearance of the city’s historic beginnings and to create a unique commercial main street. The Old Town District is envisioned as a modern representation of the community’s past, and is intended to promote compatibility of commercial designs with Old Town residential development and to create a functional main street.

By moving in the direction of recreating an “Old Town”, it is recognized that the Wilsonville Square 76 Plan is outdated, falling short of new design objectives. Therefore, there is a need for coordinated planning and broader based master planning that addresses all of the commercial development in Old Town, not just that on the east side of Boones Ferry Road.

Area of Special Concern K

The portion of Old Town located west of Boones Ferry Road and south of 3rd Street is located in the second Area of Special Concern, Area K. Area K lies south of and immediately adjacent to Area G. Planning and development must be coordinated between the two areas for efficiency of infrastructure and compatibility of uses.

The Comprehensive Plan says, “Note: Area K, land along the Willamette River, west of Boones Ferry, has been designated in the West Side Master Plan for river-focused development. Text applying to this Area of Special Concern will be completed when the Natural Resource Plan has been adopted.” Within Area K, east of the railroad tracks, lands south of 2nd Street are in public ownership, while residential lots between 3rd Street and 2nd Street are in private ownership.

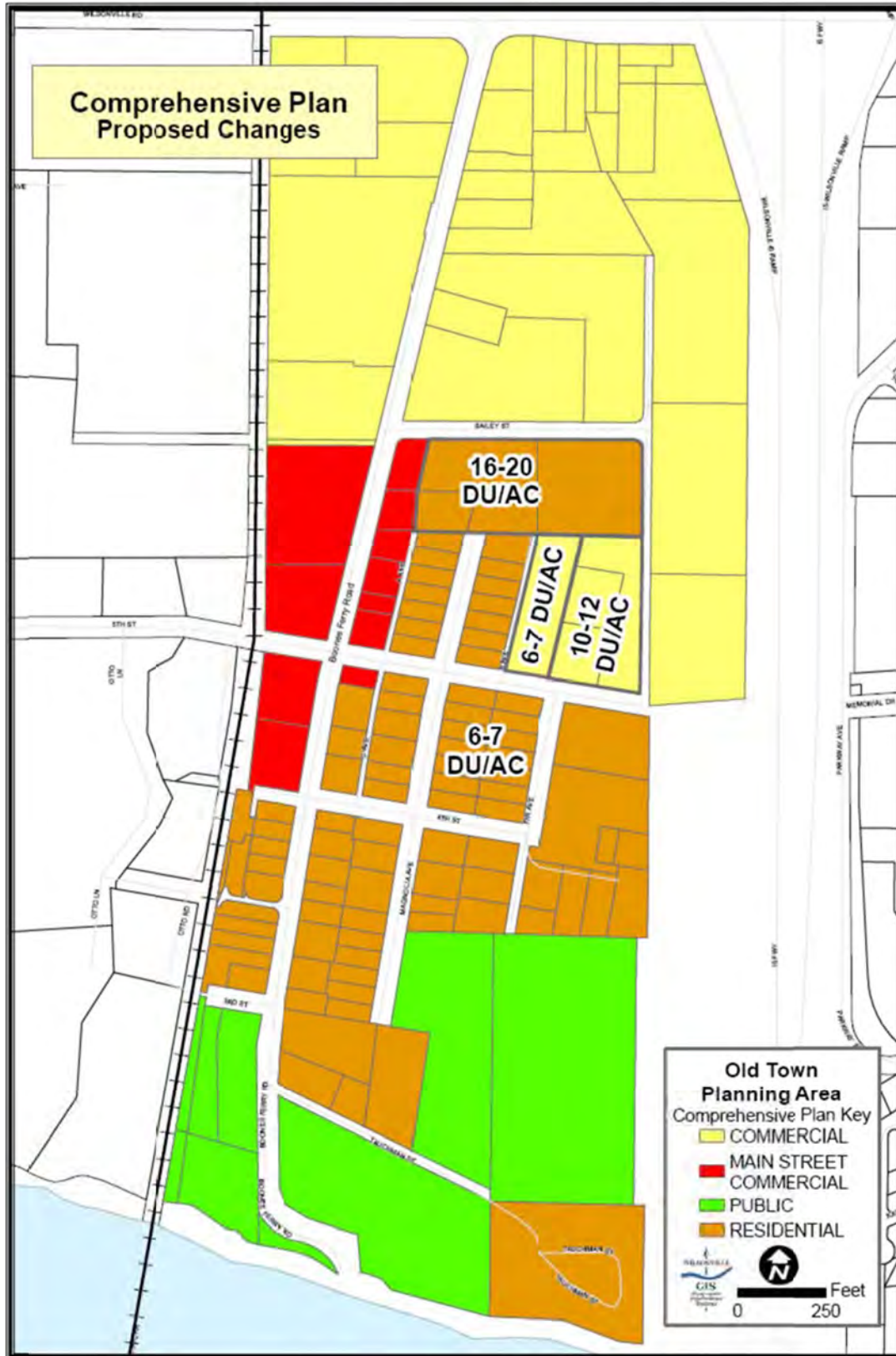
Recommendations:

- 6.1. Amend the Existing Comprehensive Plan Map (see Map 6.3) as follows:**
 - 6.1.a. Designate lands in public ownership south of 2nd Street east of the railroad tracks from Residential to Public.**
 - 6.1.b. Designate all ODOT-owned lands south of 5th Street as public.**
 - 6.1.c. Designate lands one lot deep on both sides of Boones Ferry Road between Bailey Street and 5th Street; and lands on the west side of Boones Ferry Road between 4th Street and 5th Street; and Tax Lot 3S 1W 23AC, 4100, as the Old Town Main Street District.**
 - 6.1.d. Designate all ~~single family~~ residential lands in Old Town south of Boones Ferry Village, including lands east of Boones Ferry Road between 4th and 5th as Old Town Residential. Designate existing multi-family complexes at either 10 -12 du/ac or 16 – 20 du/ac, whichever is closest to the existing density.**
 - 6.1.e. Designate all of Boones Ferry Village as Residential, 16 – 20 du/ac.**
 - 6.1.f. Designate Tax Lot 3S 1W 23AC, 2500 as Residential, 6 - 7 du/ac.**
 - 6.1.g. Designate Tax Lots 3S 1W 23AC, 200, 201 and 202 as Residential, 10 – 12 du/ac.**
 - 6.1.h. Re-designate the lot at the north end of Magnolia Avenue (Tax Lot 3S 1W 23AB, 2101) from Commercial to 6 – 7 du/ac, since its access is via Magnolia Avenue, a residential street.**
 - 6.1.i. Move the Areas of Special Concern, Area F boundary to the north side of Wilsonville Road.**
 - 6.1.j. Move the Areas of Special Concern, Area K boundary to the west side of the railroad right-of-way.**

- 6.2. Amend the Comprehensive Plan text as follows:**
 - ~~**6.2.a. Adopt policies supporting the potential for changing the zoning for the River Village Mobile Home Park to a higher residential density at the time a development application is approved if trees are preserved.**~~
 - 6.2.a. Amend the Comprehensive Plan text to direct that the appropriate zone for implementation of the residential designation of 6 – 7 du/ac within the Old Town area is an Old Town Residential (R) Zone and not the PDR-4 Zone.**
 - ~~**6.2.c.**~~**6.2.b. Amend the text for Area F to delete language relating to Old Town that has been implemented in the Old Town Plan and recommended code amendments.**

Wilsonville's Old Town Neighborhood Plan

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Map 6.3. Comprehensive Plan – Proposed Changes

Wilsonville's Old Town Neighborhood Plan

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Zoning Designations

In order to provide a process to insure orderly development consistent with the availability of adequate public facilities, lands are rezoned consistent with the Comprehensive Plan on a case-by-case basis.

At time of acceptance of the Old Town Neighborhood Plan by the City~~In Old Town~~, lands within the approved Lowries Marketplace development and Wilsonville Square 76 ~~are~~were zoned Planned Development Commercial. Lands included in Old Town Village ~~are~~were zoned Planned Development Industrial, and most of the area between 2nd Street and 3rd Street ~~has been~~was zoned Planned Development Residential (PDR- 4). (Map 6.4) The remaining residential lands ~~are~~were zoned either Residential Agricultural-Holding (RA-H, Residential) or Residential (R), and the public lands ~~are~~were zoned RA-H (Public Lands).

Urbanizable properties within the City which are planned for development and which have not previously received development approval in accordance with the Comprehensive Plan are placed within the Future Development Residential Agricultural Holding (FDARA-H) Zone (formerly RA-H zone). At such time as development is proposed the property must be rezoned consistent with the Comprehensive Plan. The FDARA-H zone allows a single-family dwelling and accessory uses, and home occupations subject to the applicable criteria in Section 4.001(440) of the City's Development Code, as well as agricultural uses and public recreational facilities.

The purpose of the Residential (R) Zone is to provide standards and a simplified review process for small-scale low and medium density residential development. It is for sites which do not qualify as Planned Developments. The subject site must be 2 acres or less in size, ~~and no more than 30% of the site can be proposed to be covered by buildings~~. Detached ~~and attached~~ single-family dwellings, middle housing, and apartments are permitted uses subject to the density limitations of the Comprehensive Plan. For example, the apartments north of Tauchman are zoned 'R'.

Table 6.1: Comparison of the PDR-4 Zone, the OTOZ and the R Zone (NOTE: These code provisions have changed since the adoption of this plan. This table is no longer accurate.)

	PDR-4	OTOZ	Residential (R) Zone
Average lot size	5000 square feet	5000 square feet	
Minimum lot size	4000 square feet	4000 square feet	5000 square feet
Minimum density	1 unit/6000 square feet		
Minimum lot width at building line	35 feet	35 feet	60'
Minimum street frontage on public street	35 feet		30'
Minimum lot depth	60 feet	60 feet	70'
Setbacks			
Minimum front yard	15 feet To garage or carport: 20'	15 feet To garage or carport: 20'	15' To garage or carport: 20'
Minimum side yard		5'	
One story	5'		5'
Two or more stories	7'		7'
Corner lots	10' adjacent to streets	10' adjacent to streets	10' adjacent to streets
To garage or carport	20'	20'	20'
Rear yard		15'	
One story	15'		15'
Two or more stories	20'		20'
Maximum building height	35 feet	35 feet	35'

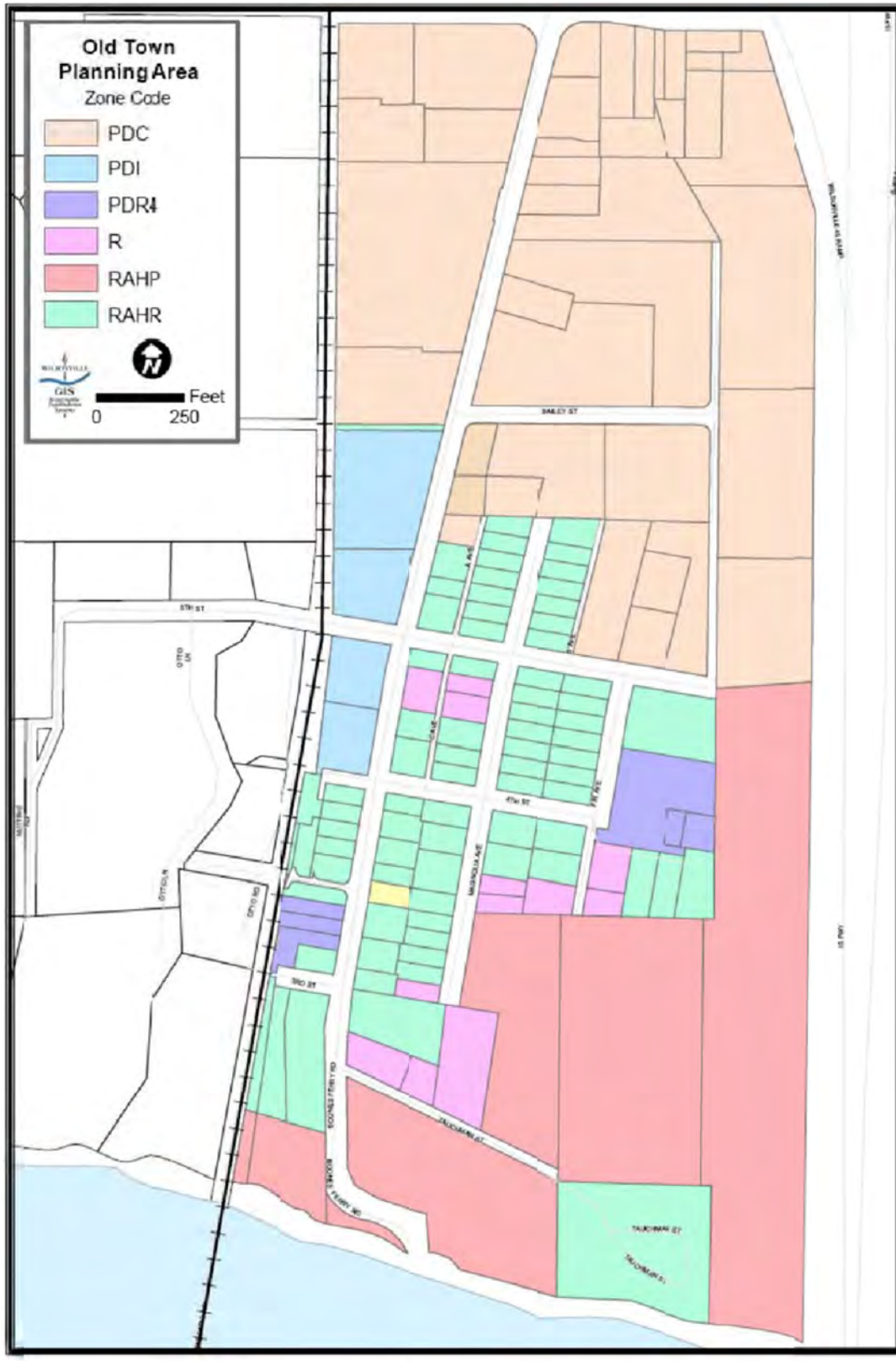
Wilsonville's Old Town Neighborhood Plan

Maximum lot coverage	75% total for all buildings	75% total for all buildings	20% for all residential bldgs, 30% for all bldgs.
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Map 6.4. Existing Old Town Planning Area – Zone Code (NOTE: The zoning map has changed since the adoption of this plan. This map is no longer accurate.)

Wilsonville's Old Town Neighborhood Plan

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Wilsonville Square 76 Plan:

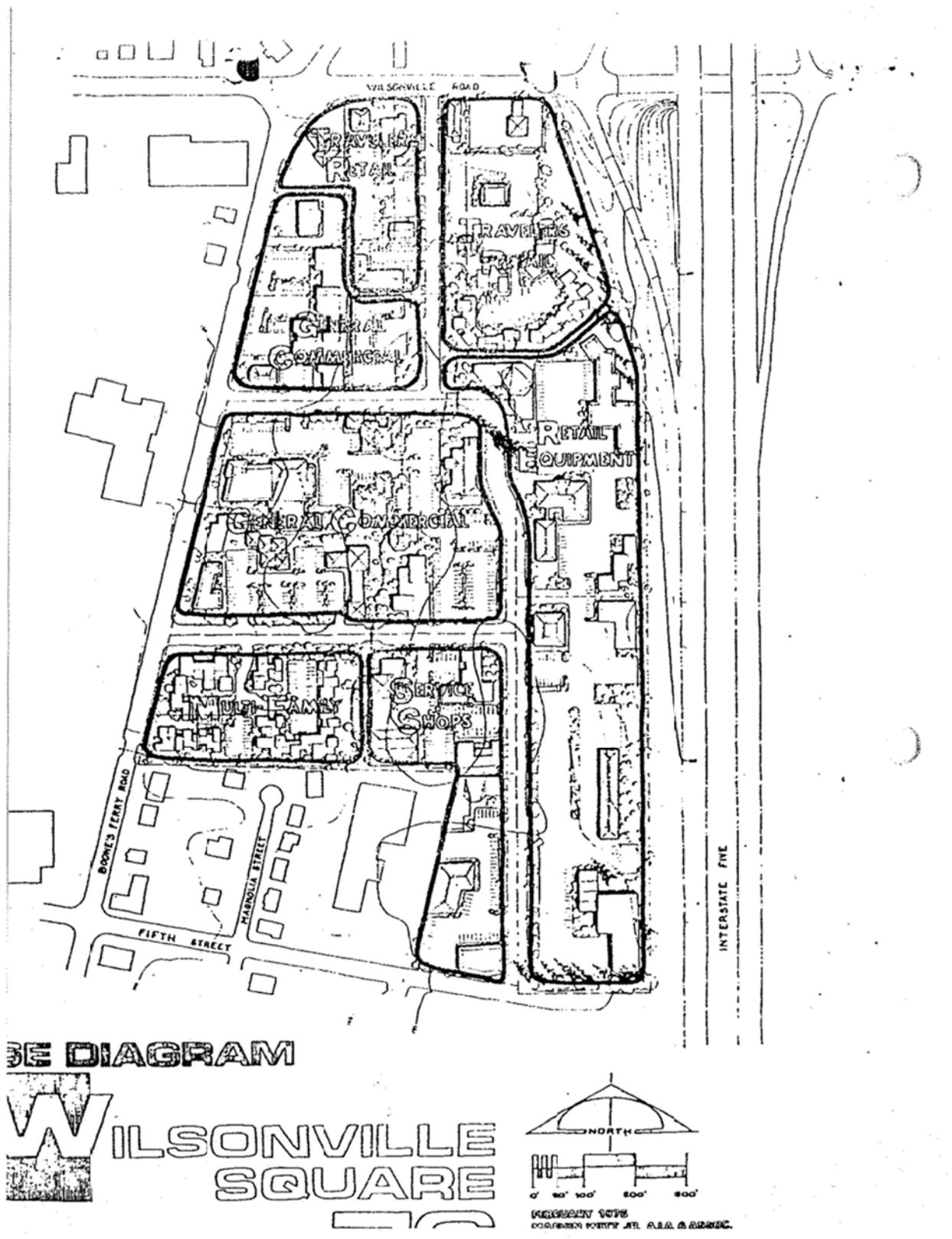
The Square 76 Plan was approved in 1976, modifying an earlier Concept Plan adopted in 1973 (Map **6.5**). It includes 33 acres of land located east of Boones Ferry Road, between Wilsonville Road and a line running east from Boones Ferry Road at the north end of Magnolia Street, to the I-5 right-of-way; and also including lands located between the Curran Coil Spring, Inc. plant and I-5 north of 5th Street. In 1998, the Catholic Church purchased the lands due east of the Curran lands. Approval was received for modification of the Square 76 Plan and for the construction of the Church's Social Hall and parking lot. The modification located the building approximately where an internal street for Square 76 was located. According to the Clackamas County Assessor's Maps, there is a 25' right-of-way, dedicated to the public in 2003, running north-south along the east side of the Social Hall parcel. Tax Lot 3S 1W 23AC, 0101 located between I-5 and the dedicated public right-of-way is vacant and is still included in the Square 76 Plan.

Recommendations:

- 6.4 The Planning Commission should initiate a public hearing process to consider proposed changes to the Comprehensive Plan and Zoning.**

Wilsonville's Old Town Neighborhood Plan

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Map 6.5. W Isonville Square 76

Old Town Overlay Zone (OTOZ)

Over the period from the mid-1990's until today, the city has consulted with a variety of nationally recognized planning and development experts. Several of these experts came to Wilsonville to assess the needs of the city from the standpoint of transportation needs, commercial services, neighborhood development, pedestrian-friendly and human-scale concepts as applied to Wilsonville. Expert consultants who have worked with the city in these areas include Architectural and Planning Consultants, Bill Lennertz and Steve Coyle (Lennertz & Coyle), Retail Development Expert Robert Gibb and renowned Urban Planner Fred Kent.

Several important concepts were developed through these discussions. These concepts include:

- Development of amenities for people will enhance the community. Development of amenities for automobiles will increase traffic.
- Infrastructure development to encourage alternate transportation modes will have to occur before growth in non-automobile transportation mode usage can be expected.
- Delineation of "neighborhoods" should guide plans to make direct connections from each neighborhood center to adjacent neighborhood centers.
- Multiple connections need to be available to residents to choose routes when faced with vehicle congestion on the roads. More small connections are better than a few large ones.
- Residents need to be able to travel to schools, commercial services, recreation and employment on routes other than Wilsonville Road, if they are not intending to access I-5.
- Commercial goods and services need to be available to residents on both sides of I-5, so that unnecessary congestion-causing trips across I-5 are avoided.

The creation of the Old Town Overlay was the first step in implementing this vision of creating a commercial development to serve west side residents. It was envisioned that that development would be located along Boones Ferry Road (Map 6.6). Significant investment by the private sector in commercial development and street improvements based on these concepts has occurred, and more is pending. The next steps to codify a master plan for Old Town north of 5th Street need to honor and continue the vision, concepts and plans to which this commitment has been made. Clarification, refinement and improvements can be made while maintaining the integrity of the overall concept. Building communities is a long-term project requiring consistent long-term direction for success.

The OTOZ is an overlay zone over base zoning. The criteria in the base zone apply, unless specifically modified by the OTOZ.

Section 4.138 of the City's Development Code states that the purpose of the Old Town Overlay Zone is to establish design standards that will be applied to developments within the Old Town Neighborhood. It is not intended as an additional set of permit criteria, but rather to serve as guidelines creating a traditional Old Town Main Street and mixed-use neighborhood. It is recognized that the Old Town neighborhood is of unique significance because of its existing pattern of mixed uses, its access to the Willamette River and because it was the original center of housing and commerce for the community. It is the desire of the City to have buildings in the Overlay Zone reflect a range of architectural types and styles that were popular in the Willamette Valley from approximately 1880 to 1930. The OTOZ assumes gradual, but significant redevelopment in Old Town, rather than lot-by-lot improvements and/or replacements of existing

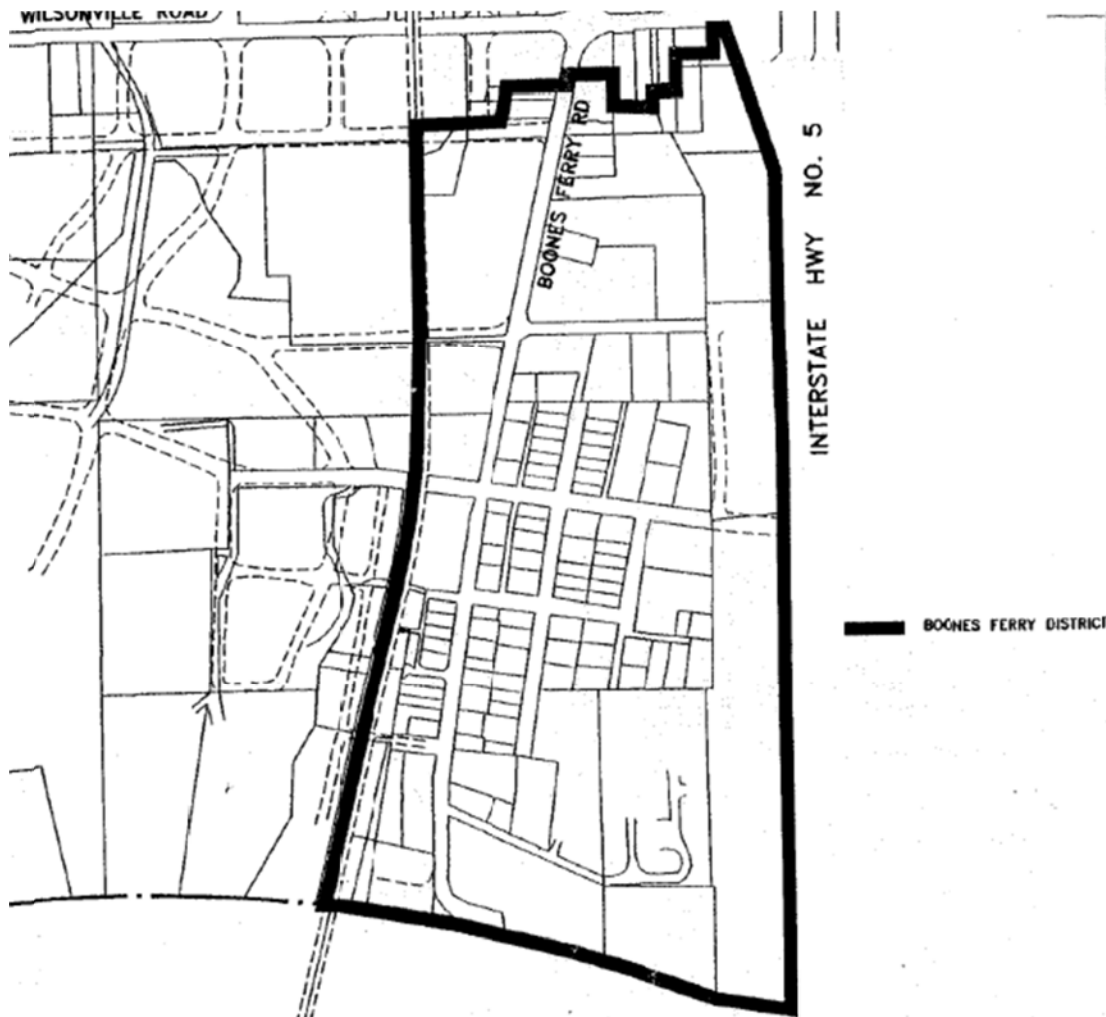
Wilsonville's Old Town Neighborhood Plan

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dwellings. The majority of the standards included in the OTOZ apply to development along Boones Ferry Road and/or to commercial, industrial and multi-family dwellings.

The primary land use type in Old Town, south of Bailey Street, is the detached single-family dwelling on 50' x 125' (6250 square feet) or larger lots. The character is more similar to development under the provisions of the R Zone, rather than the PDR-4 Zone. (Table 6.1) The greatest difference in character is the difference in allowable lot coverage. The R Zone standards clearly provide more open lot area, and by default, a smaller dwelling footprint, both of which are typical of existing Old Town development patterns.

The architectural design standards in the OTOZ will not preserve the character of Old Town without accompanying regulations that continue to allow the existing ratio of open yard area to building on individual lots.



Map 6.6. Old Town Overlay Zone.

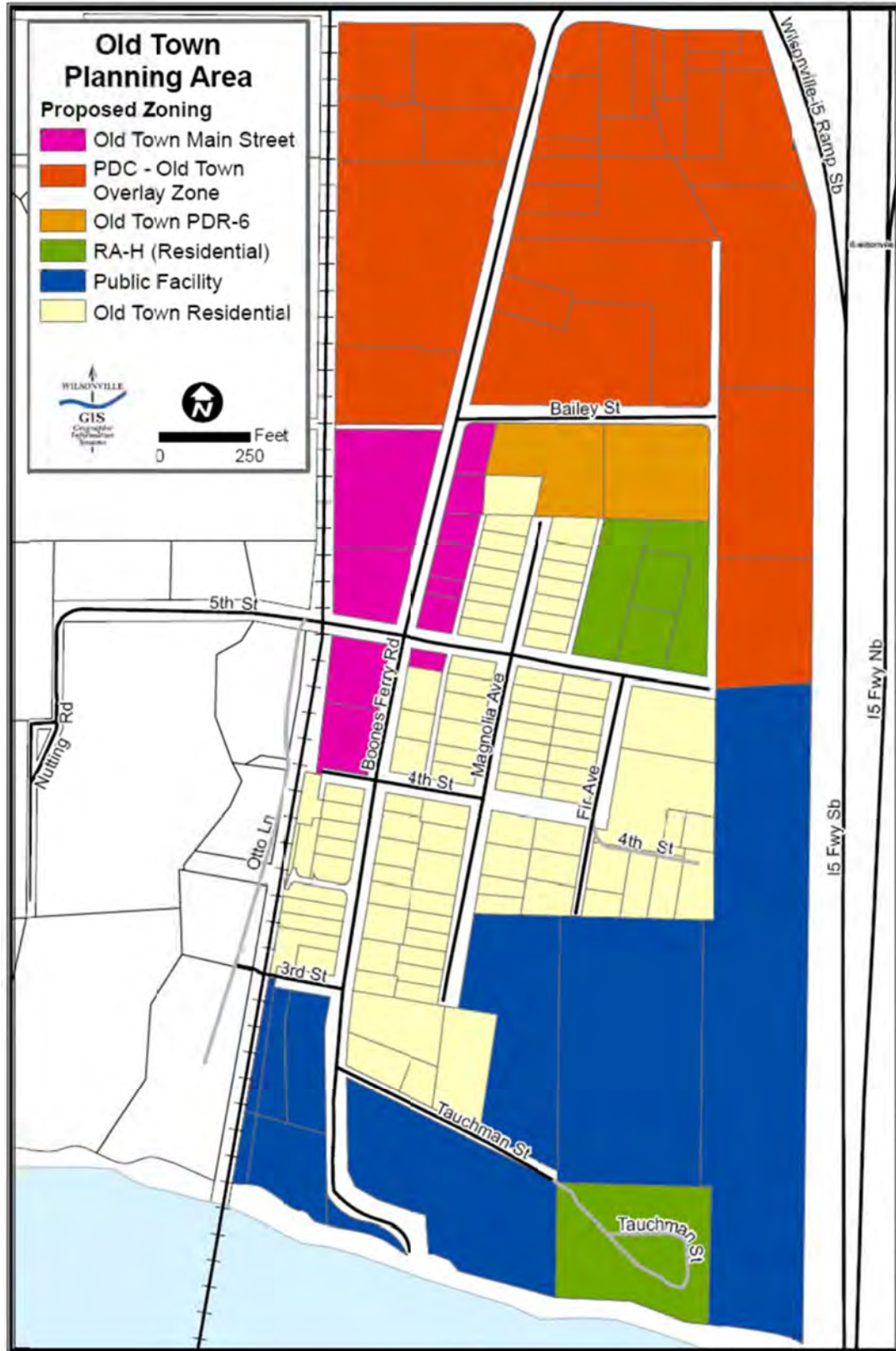
Recommendations: (See Map 6.7)

6.5. Amend the Planning and Land Development Ordinance as follows:

- 6.5.a. Adopt an Old Town Residential Zone based on the City's existing Residential (R) Zone, incorporating by reference architectural ~~standards~~ guidelines and including a special subsection applicable to residential land abutting Boones Ferry Road south of 4th Street, and incorporating Boones Ferry Streetscape Concept Plan standards. Provide for adaptive reuse of the historic buildings east of Boones Ferry Road between 4th Street and 5th Street in keeping with their historic character and Main Street principles.**
- 6.5.b. Rezone all single-family lots in Old Town as Old Town Residential (OTR) Zone. Normally, rezoning is done at the time of development, but this is a developed neighborhood. Rezoning at this time requires new development and alterations to existing development to meet the requirements of the OTR Zone and not the PDR-4 Zone, thus helping to maintain the historic development pattern of Old Town.**
- 6.5.c. Adopt a Planned Development Commercial-Old Town District modeled on the PDC-TC Zone, but including applicable sections of the Old Town Overlay District. Amend the Zoning Map to PDC-OT for lands between Bailey Street and Wilsonville Road that are also between the railroad and I- 5, and for vacant lands adjacent to the ODOT right-of-way east of Boones Ferry Village and St. Cyril's Social Hall.**
- 6.5.d. Adopt an Old Town Main Street District applicable to lands one lot deep adjacent to Boones Ferry Road between Bailey Street and 5th Street, to lands on the west side of Boones Ferry Road between 4th Street and 5th Street, and to the lot at the southeast corner of Boones Ferry Road and 5th Street. Incorporate applicable design guidelines from the existing Old Town Overlay Zone. Include the Old Town Architectural Guidelines and the Boones Ferry Streetscape Concept Plan by reference.**
- 6.5.e. Repeal the Old Town Overlay District and the Square 76 Plan when these recommended zones are adopted.**
- 6.5.f. See Accessory Dwelling Unit section for ADU recommendations.**

Wilsonville's Old Town Neighborhood Plan

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Map 6.7. Recommended Zoning Map

Wilsonville's Old Town Neighborhood Plan

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Accessory Dwelling Units (ADU's)

Accessory dwelling units, sometimes called “granny flats” are small dwelling units accessory to the main dwelling unit on a lot. They may be attached or detached. ADU's are widely used within the United States, initially to provide housing for dependent relatives, for caregivers for a resident of the main dwelling, or as a living unit for caretakers of property. In college communities, ADUs provide student housing and income for the resident family while reducing the number of illegal apartment conversions. Over time, as housing has become more costly, the use of ADU's has been broadened in many places to allow affordable occupancy by anyone, whether related to the occupants or operation of the main dwelling unit or not.

As noted previously, Oregon state statute requires cities with a population greater than 2,500 to allow the development of at least one ADU for each detached single-family dwelling on a residentially-zoned lot, subject to reasonable local regulations relating to siting and design (per ORS 197.312). As defined by the statute, “reasonable local regulations relating to siting and design” does not include owner-occupancy requirements or requirements to construct additional off-street parking for ADUs. In addition, ADUs cannot be subject to density limits.

At the time the Old Town Neighborhood Plan was initially adopted, the placement of ADU's in Old Town is still anwas a controversial issue. The City's Development Code presently allows ADU's as a permitted use in residential zones subject to certain standards. A compromise proposal was drafted by Old Town residents and is included in the Appendix. Other property owners have provided another alternative also included in the appendix. If adopted, limitation on ADU's in Old Town would differ from other neighborhoods with Wilsonville. However, state law requires Wilsonville to allow an ADU for every single-family detached dwelling, special exceptions for the Old Town neighborhood would not be permissible.

Table 6.2, below, compares the two proposals to the existing City Code. This table was updated in 2021 to reflect recent Code updates. It is important to note that the Old Town residents' and developers' proposals do not comply with state law with regard to occupancy, off-street parking, and density standards.

Table 6.2. Comparisons of ADU Characteristics

ADU characteristics	City Code	OT residents & Property Owners	Developers' Preferred Alternative
Size of unit	600 sq. ft.	600 sq. ft.	600 sq. ft.
# of units/sfd	1	1	1
Occupancy	Anyone	Family member in ADU or primary unit	Anyone
Architectural compatibility	yes	yes	yes
Off-street parking spaces	0+	1	1
Limit on # of total occupants on lot	no	yes	no
Limit density of ADUs in neighborhood	no Specific to Planned Development approvals.	yes	no

Wilsonville's Old Town Neighborhood Plan

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Areas of Consensus on ADUs:

Architectural Design:

There is agreement that the architecture of the ADU should be compatible with the architectural style of the main dwelling unit.

The City's Development Code was updated to make the ADU design standards clear and objective, as required by state law. The code currently requires that roof and siding materials for the ADU match either the primary dwelling, a primary dwelling on an adjacent lot, or a primary dwelling within the same subdivision. "The Accessory Dwelling Unit must be of substantially the same exterior design and architecture (i.e., siding, windows, doors and roofing materials) as the primary dwelling unit on the property."

Size and location of ADUs:

The ADU may be attached to, or detached from the primary dwelling unit. The size of ADUs is limited to 600 square feet or less. There appears to be consensus on these requirements.

Parking:

~~The Development Code requires one parking space per ADU. The Architectural Pattern Books for Villebois included one parking space per ADU. There are a few ADUs in Canyon Creek Estates. They do not have extra parking spaces for those units. Concerns have been raised about the additional congestion and loss of neighborhood character caused by onstreet parking for ADUs.~~

Limit density of ADUs in the neighborhood:

~~There is a strong desire by Old Town residents to limit the number of ADUs that can be approved in Old Town, due to parking, traffic and character of the area issues. However, no mechanism has been identified for directly limiting density of ADUs in the neighborhood, since ADUs are not counted in density calculations within the city. They are, in essence, bonus units to encourage provision of affordable housing. The recommendation to require that either the main unit or the ADU be occupied by the owner of the lot will serve to somewhat limit the number of ADUs.~~

Recommendations:

(NOTE: The recommendations regarding ADUs that were originally included in this plan no longer comply with state law. Therefore, they have been deleted.)

~~**6.6.1 Amend the Planning and Land Development Code to regulate ADU development in the Old Town Residential Zone by density and dispersal restrictions to retain the historic single-family character of the neighborhood.**~~

~~**6.6.2. Amend the Planning and Land Development Code requiring one onsite parking space per ADU in residential zones. The additional parking space should not be in the front yard unless screened from the street by fencing or landscaping.**~~

***** Chapters 7 – 12 are not included in this review draft *****



Middle Housing in Wilsonville

City Council
Work Session
June 7, 2021

Topics for Discussion

- Draft Code & Plan Updates – focus on Category 1 and 2
- Middle housing percentage requirement in Frog Pond West



Desired Project Outcomes

- Thoughtful, inclusive built environment
- House Bill 2001 compliance
- Meet housing needs
- Impactful public outreach
- Infrastructure to support middle housing
- Usable standards
- Minimize parking congestion



Code + Plan Updates: Four Categories

- **Category 1:** Direct requirement for state compliance, no significant local flexibility.

- **Category 2:** Indirect requirement for state compliance, no significant local flexibility. Make middle housing development feasible or acknowledge allowance of middle housing.

- **Category 3:** Requirement of state compliance with local flexibility.

- **Category 4:** Not necessary for compliance or feasibility, but intended to improve the code or provide technical updates.

Key
Focus



```
graph LR; C1[Category 1] --> KF[Key Focus]; C2[Category 2] --> KF; C3[Category 3] --> AP[Also in packet...]; C4[Category 4] --> AP;
```

Also in packet:
Some minor
updates & areas
where PC/CC
already provided
clear direction

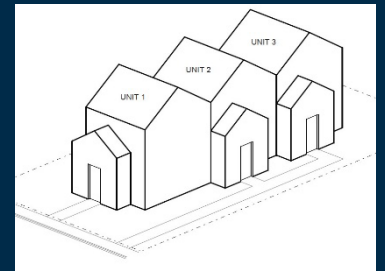
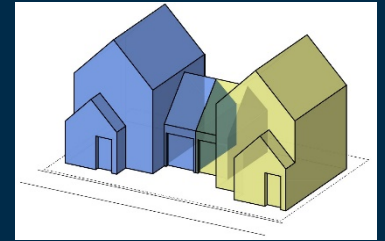
Drivers of Category 1 & 2 Updates

- Clearly **defining terms** for middle housing
- Establishing middle housing as an **allowed use** in all residential zones
- Updating the **review process** for middle housing
- Incorporating **density exemptions** for middle housing
- Updating siting and design standards based on **limits set by the State**
- Establishing status of **previous planned development approvals**
- Referencing recent **housing policy updates**



Middle Housing Terms [WC 4.001]

- Separate triplex and quadplex from multi-family and add new definitions
- Add definitions for “detached plexes” (2-unit, 3-unit, and 4-unit cluster housing)
- Add definition of cottage cluster consistent with state law
- Update existing terms for consistency with state law and to better differentiate housing types (duplex, townhouse, etc.)
- Add secondary terms used in middle housing regulations (e.g., common courtyard)
- Replace “family” with “household” to be more inclusive of different living arrangements



Incorporate Density Exemptions for Middle Housing

Per state law:

- Duplexes, triplexes, quadplexes, and cottage clusters must be exempt from density maximums.
 - » Minimum lot size will control density.
- Townhouses can be limited to 4x density for single-family dwellings or 25 units per acre, whichever is less.
 - » 25 units/acre \approx 1,750 sf per townhouse lot



Old Town Design Standards

- Need to update design standards to comply with state law
 - » Design standards for middle housing can't be more restrictive than for single-family
 - » Standards must be clear and objective
- Minimum changes for compliance
 - » Example: Cannot require duplexes (or other middle housing) to “*appear indistinguishable from single-family houses*”
- Potential for additional standards that promote good design (for future discussion)



Old Town Neighborhood Plan

Updates to Chapter 6. Land Use

- Summarize recent state laws regarding middle housing and ADUs (HB 2001 and SB 1051)
- Reflect recent changes in ownership and development plans for specific lots
- Reflect proposed changes to R and RA-H zones
- Accessory Dwelling Units – Reflect code changes pursuant to state law



Villebois Village Master Plan and Village Zone [WC 4.125]

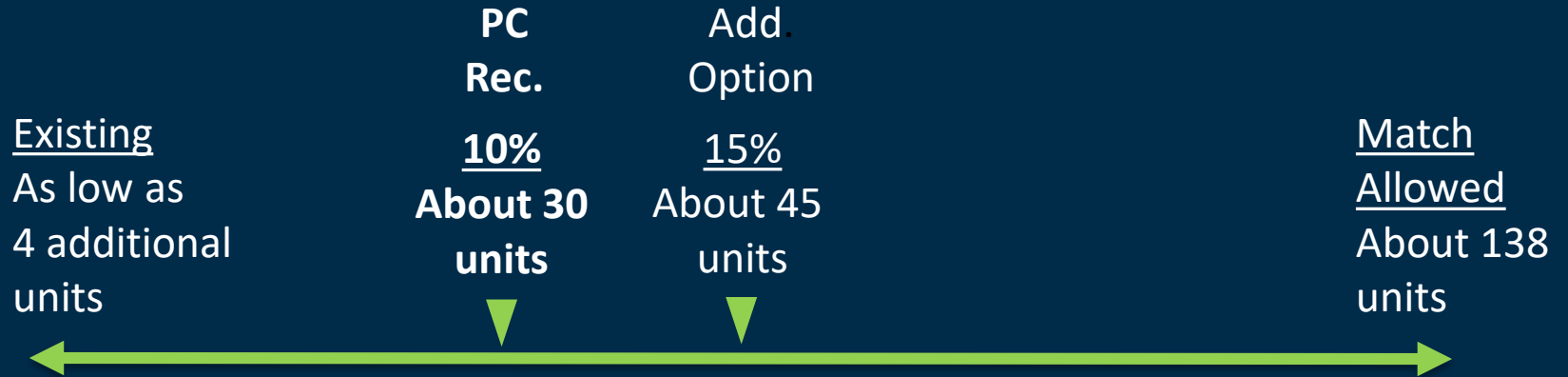
- Planned density is over 10 units per acre (so state's special Master Planned Community provisions apply)
- Mostly built-out already
- Master Plan / code amendments primarily needed to allow middle housing as infill/redevelopment in the future
- Updates to V zone reflect:
 - Requirement to allow duplexes on any remaining single-family lots during initial buildout
 - Allowance for other middle housing after lots initially developed
 - OAR limits on siting and design standards



Frog Pond West Master Plan



Middle Housing Requirement Concept



**Additional Questions or
Discussion?**





Twist Bioscience Wilsonville Investment Now (WIN) Zone – Development Agreement

June 7, 2021

History of TIF Zones/WIN in Wilsonville

2013

- Business incentive approved by voters
- 6 TIF Zones created offering property tax rebate for qualifying investment

2019

- No qualifying development, TIF Zones expire

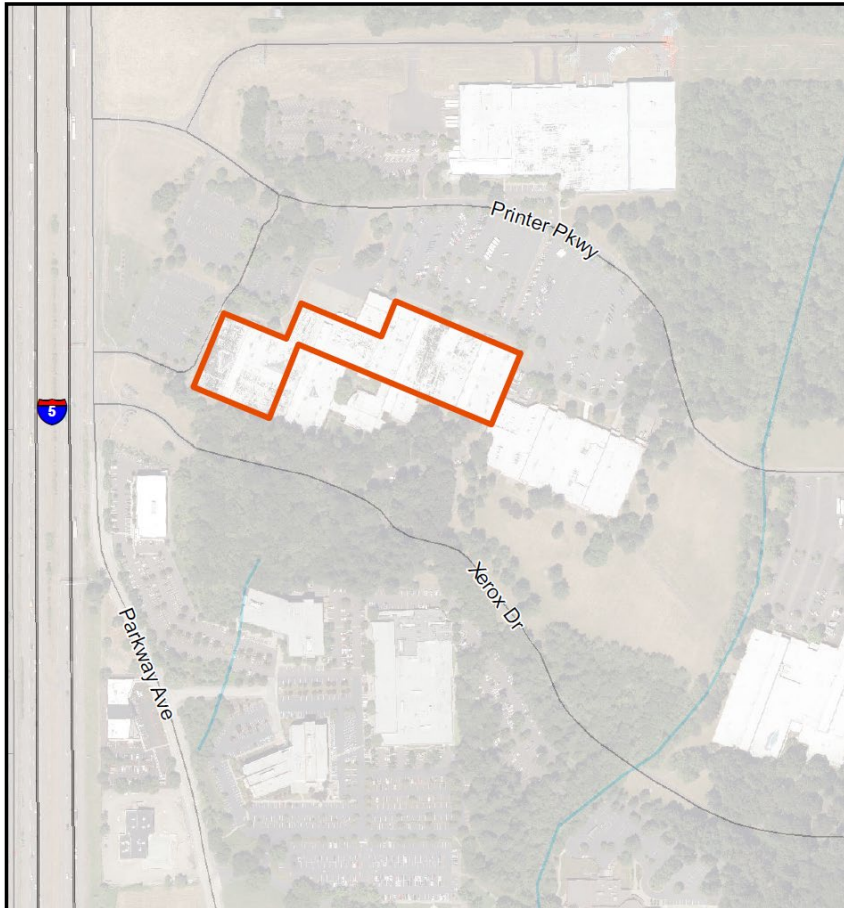
2020

- Redesignated as Wilsonville Investment Now (WIN) Program w/ flexible criteria and tiers of benefits
- Task Force: unanimous support, recommended inclusion of DEI and BRE criteria

2021

- Twist Bioscience proposes 190K SF “Factory of the Future” facility in Wilsonville with \$70M investment and 400 new jobs
- Business pre-qualifies for WIN Program URA property tax rebate

Proposed Twist Bioscience WIN Zone Location



The City of Wilsonville, Oregon
Clackamas and Washington Counties

 **Proposed Twist Bioscience
WIN Zone**

Location: ParkWorks Industry Center

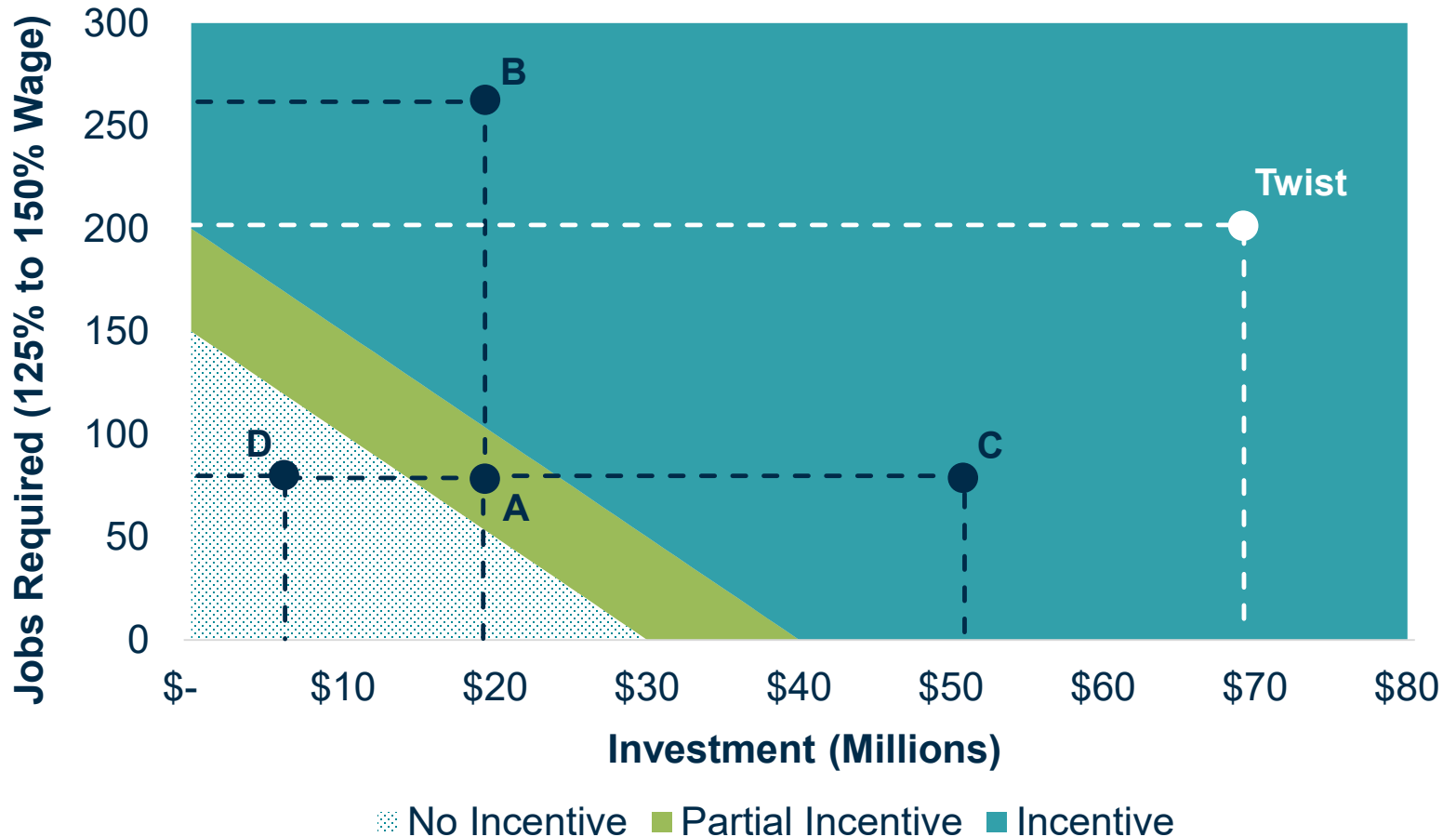
Address: 26600 S.W. Parkway Ave
Wilsonville, OR 97070

Size: 190,519 square feet or 4.4 acres

- Double gene manufacturing
- Produce antibody therapeutics
- New product offerings in biopharma market
- 400 new jobs including scientists and lab technicians

Twist Bioscience Application

- 220 points, qualifies for 7-year rebate



Twist Tax Rebate Forecast – Year 1

Improvement Value	\$70,000,000
Net AV from Improvement	\$48,720,000
Total Taxes Paid	\$944,200
Total Taxes to URA (Rebate Received)	\$597,800
% of Taxes Paid	63%



Twist Bioscience WIN Zone Implementation

- 1. Development Agreement adoption by Resolution 315**
 - Stipulates conditions to receive WIN benefits
 - Twist pays taxes up front and on time, provides employment, tax, and investment verification to City by Jan 31
 - City deducts 10% admin cost, pays rebate to Twist by July 21



Twist Bioscience WIN Zone Implementation (con't)

2. WIN Zone URA Creation

- June 21: **Wilsonville URA Agency** authorization to implement by Resolution 318
- July 14: **Planning Commission** hearing to ensure conformance to Wilsonville Comprehensive Plan
- July 24—Aug 8: transmittal to **taxing districts** with 45-day comment period. Required briefing of **Clackamas County Commissioners** (no action required)
- August 16: Public hearing and **City Council** vote on non-emergency ordinance.



Questions?

Thank you!



Taxing Districts Impact

FYE	City of Wilsonville	Clackamas County - City	Clackamas County Extension & 4H	Clackamas County Library	Clackamas County Soil Conservation	FD64 Tualatin Valley F&R	Port of Portland	Road District 15 Wilsonville	Metro	Vector Control	Subtotal
2024	\$116,663	\$111,276	\$2,314	\$18,393	\$2,314	\$70,592	\$3,245	\$0	\$4,471	\$301	\$329,570
2025	\$103,641	\$98,855	\$2,056	\$16,340	\$2,056	\$62,712	\$2,882	\$0	\$3,972	\$267	\$292,781
2026	\$90,659	\$86,472	\$1,798	\$14,293	\$1,798	\$54,857	\$2,521	\$0	\$3,474	\$234	\$256,107
2027	\$77,718	\$74,129	\$1,542	\$12,253	\$1,542	\$47,027	\$2,161	\$0	\$2,978	\$200	\$219,550
2028	\$64,820	\$61,827	\$1,286	\$10,220	\$1,286	\$39,222	\$1,803	\$0	\$2,484	\$167	\$183,114
2029	\$51,966	\$49,566	\$1,031	\$8,193	\$1,031	\$31,444	\$1,445	\$0	\$1,992	\$134	\$146,802
2030	\$53,525	\$51,053	\$1,062	\$8,439	\$1,062	\$32,388	\$1,489	\$0	\$2,051	\$138	\$151,206
Total	\$558,992	\$533,178	\$11,088	\$88,131	\$11,088	\$338,242	\$15,546	\$0	\$21,423	\$1,442	\$1,579,130

FYE	Clackamas Community College	Clackamas ESD	West Linn/Wilsonville School District	Subtotal	Total
2024	\$25,836	\$17,065	\$225,329	\$268,230	\$597,800
2025	\$22,952	\$15,160	\$200,177	\$238,288	\$531,070
2026	\$20,077	\$13,261	\$175,102	\$208,440	\$464,547
2027	\$17,211	\$11,368	\$150,108	\$178,687	\$398,237
2028	\$14,355	\$9,482	\$125,196	\$149,032	\$332,146
2029	\$11,508	\$7,601	\$100,370	\$119,479	\$266,281
2030	\$11,853	\$7,829	\$103,381	\$123,063	\$274,269
Total	\$123,792	\$81,766	\$1,079,661	\$1,285,219	\$2,864,349



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: June 7, 2021		Subject: Boeckman Dip Bridge Finance Plan	
		Staff Member: Cathy Rodocker, Finance Director & Zach Weigel, PE, Capital Projects Engineering Manager	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd 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 Comments: N/A	
Staff Recommendation: Review and provide feedback on the finance plan for the Boeckman Dip Bridge project.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Expand and Maintain High Quality Infrastructure	<input checked="" type="checkbox"/> Adopted Master Plan(s): Transportation System Plan Project UU-01	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Staff will provide a proposed financing plan for the Boeckman Dip Bridge project and seeks City Council confirmation prior to proceeding with design of the project.

EXECUTIVE SUMMARY:

The Boeckman Dip Bridge project is identified as a high priority urban upgrade, Project UU-01, in the 2013 Transportation System Plan (Amended November 16, 2020). The bridge project will make needed safety improvements to Boeckman Road by correcting a vertical curve deficiency and upgrading the steep, narrow, rural roadway to an urban standard roadway with safe bicycle and pedestrian facilities that connect residential neighborhoods, jobs, schools, and commercial land uses.

Funding for the bridge project was first established on May 7, 2018, when City Council enacted Ordinance 817, approving the Year 2000 Urban Renewal Plan 11th Amendment. The Council action increased the maximum indebtedness of the Urban Renewal Area by \$14,509,101 and added the Boeckman Dip Bridge project to the Urban Renewal Projects and Improvement Activities. The result of the amendment approval allows Urban Renewal revenue to fund the majority of the Boeckman Dip Bridge project.

Beginning in 2019, work on the Boeckman Dip Bridge construction alternatives, environmental evaluation, and traffic impacts analyses began to help better inform project assumptions and anticipated costs. As a result of this work, City Council adopted Resolution No. 2890 on April 19, 2021, authorizing staff to proceed with the bridge design alternative with a full road closure during construction of the Boeckman Dip Bridge project.

The project cost to design and construct the selected bridge alternative is estimated at \$20.8 million. The current funding identified for the Boeckman Dip Bridge project consists of \$14.5 million in Year 2000 Urban Renewal funds, leaving a funding gap of \$6.3 million. Engineering and Finance staff have reviewed current and projected revenues and propose a financing plan that minimizes the funding impacts on other priority projects within the City while still ensuring the bridge project is adequately funded. The following sources of revenue are proposed to fill the gap in bridge funding:

\$1.1 M	Year 2000 Urban Renewal Program Income
\$0.7 M	Clackamas Vehicle Registration Fee
\$1.0 M	Willamette Water Supply Program Right-of-Way Lease
\$1.0 M	Road Operating Fund (Gas Tax Revenue)
\$1.0 M	*Fee-In-Lieu Transportation Fund
\$1.5 M	<u>Interfund Loan from the Wastewater Operating Fund</u>
\$6.3 M	Total

*The Fee-In-Lieu Transportation Fund is revenue from fees paid by private development for transportation frontage improvements that cannot be constructed at the time of development due to existing site constraints. Properties that pay this fee have satisfied their transportation infrastructure obligation, which is tracked by the Community Development Department.

As proposed, repayment of the Wastewater Operating Fund interfund loan would occur over a five year period with a projected annual payment of \$301,000 per year. The Frog Pond Infrastructure Fee will be adjusted on July 1, 2021, adding the Boeckman Dip Bridge funding gap to the project list, as allowed by the adopting resolution. For this reason, future collection of the Frog Pond Infrastructure Fee is the proposed source of the repayment funds, equating to 16 single-family residential building permits (\$306,992) per year. The annual payback amount is well below both the projected and historic annual collection of the Frog Pond Infrastructure fee, resulting in an economically sound and feasible method of repayment with little risk of default.

Should an unexpected slowdown in development occur within the Frog Pond district within the next five years, the Clackamas Vehicle Registration Fee can serve as a secondary source for the interfund loan repayment, with an annual collection of approximately \$435,000.

TIMELINE:

Once Council confirms the proposed funding plan for the Boeckman Dip Bridge project, Staff will determine if an alternative project delivery method is beneficial and will proceed with soliciting proposals for either an owner's representative or engineering design team to begin 30% design. Once this critical milestone is achieved, environmental permitting and right of way acquisition can begin and a construction schedule can be established.

CURRENT YEAR BUDGET IMPACTS:

The approved FY 2020/2021 budget includes \$2,600,000 in Year 2000 Urban Renewal District funds for project design and overhead associated with the Boeckman Dip Bridge project (CIP #4212).

FINANCIAL REVIEW / COMMENT:

Reviewed by: CAR Date: 5/20/2021

Eastside Urban Renewal funds will be used to fund the FY2021-22 expenses as included in the proposed budget.

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 6/2/2021

COMMUNITY INVOLVEMENT PROCESS:

A comprehensive and robust community involvement process will be defined and incorporated into the work scope as part of further project design work. To date, preliminary public outreach occurred as part of the Year 2000 Urban Renewal Plan amendment, Frog Pond master planning and subsequent land use reviews, and as part of the Transportation System Plan adoption.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

The adopted Wilsonville Transportation System Plan includes the Boeckman Road Dip Improvements as a high priority to replace the existing road. Widening to accommodate bike lanes and sidewalks, updating the vertical profile to meet Public Works standards and improving sight distance are all necessary to provide sufficient transportation infrastructure and safe and accessible connections that will benefit the existing community. The project will also provide adequate space for the Boeckman Creek trail and wildlife passage under Boeckman Road at the bridge location.

ALTERNATIVES:

Numerous alternatives have been analyzed and considered for the Boeckman Dip project arriving at bridge construction with full road closure as the preferred option.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Boeckman Dip Bridge Finance Plan Presentation Slides

Boeckman Dip Bridge Finance Proposal

City Council Work Session
June 7, 2021

Cathy Rodocker, Finance Director
Zach Weigel, Engineering Manager





Finance Proposal

FUNDING SOURCE	AMOUNT
Year 2000 Urban Renewal	\$14.5 M
Year 2000 UR Program Income	\$1.1 M
Clackamas VRF Fund Balance	\$0.7 M
WWSP ROW Lease Fund Balance	\$1.0 M
Road Operating Fund	\$1.0 M
Fee In Lieu Transportation Fund	\$1.0 M
Interfund Loan (Wastewater Operating)	\$1.5 M
Total Project Funding	\$20.8 M



Loan Details

Loan Source: Wastewater Operating
Term: 5 Years
Annual Payment Due: \$301,000/year

Repayment Proposal

- Frog Pond Infrastructure Fee (Primary)
 - \$306,992/year
 - Equates to 16 SFR permits/year
- Clackamas VRF Annual Collection (Secondary)
 - \$435,000/year available

Boeckman Dip Bridge Finance Proposal

City Council Work Session
June 7, 2021

Cathy Rodocker, Finance Director
Zach Weigel, Engineering Manager





Finance Proposal

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Year 2000 Urban Renewal	\$14.5 M
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 - Equates to 16 SFR permits/year
- Clackamas VRF Annual Collection (Secondary)
 - \$435,000/year available

Proclamation Declaring June 19, 2021, as “Celebration of Juneteenth in Wilsonville”

WHEREAS, the Emancipation Proclamation, was an executive order issued by President Abraham Lincoln on September 22, 1862, effective January 1, 1863, that freed approximately 3.5 million slaves in the Confederate states; and

WHEREAS, while President Abraham Lincoln had officially freed the slaves, enforcement of this order became difficult to enforce in areas where there were few Union soldiers. Texas, in particular, remained unaffected, as it was geographically isolated from Union troops and thus was the last confederate state to have the proclamation announced; and

WHEREAS, many slave owners moved to Texas looking to not be affected by the enforcement of the proclamation. By the end of the Civil War on April 9, 1865, the number of slaves in Texas had increased by tens of thousands, despite the proclamation; and

WHEREAS, on June 19, 1865, Major General Gordon Granger from the Headquarters District of Texas in Galveston, with more than 2,000 Union troops, traveled to every county in Texas informing the people that all slaves were free; and

WHEREAS, the Juneteenth celebration was started a year later in Texas to celebrate the importance of June 19 with the announcement that slavery had been abolished. It was from this celebration that Juneteenth (“June” combined with “nineteenth”) was born; and

WHEREAS, Juneteenth is celebrated in 47 of the 50 states - Oregon being one of them - but, it is not officially recognized as a national holiday; and

WHEREAS, traditions include public readings of the Emancipation Proclamation, singing traditional songs such as "Swing Low, Sweet Chariot" and "Lift Every Voice and Sing", and reading of works by noted African-American writers such as Ralph Ellison and Maya Angelou, as well as sharing of slave food delicacies, including the barbecue pit, and certain foods that became popular and synonymous with Juneteenth celebrations, such as strawberry soda-pop.

NOW THEREFORE, I, Julie Fitzgerald, Mayor of the City of Wilsonville, encourage all citizens to join with our neighbors and Wilsonville’s African American community to declare June 19, 2021, as “Celebration of Juneteenth in Wilsonville.”

Dated the 7th day of June 2021



Julie Fitzgerald, Mayor



**Boards/Commissions
Appointment List for
June 7, 2021 Council Meeting**

Development Review Board Panel B - Appointment

Appointment of Katherine Dunwell to the Development Review Board Panel B for a term beginning 7/1/2021 to 12/31/2022.

Motion: I move to ratify the appointment of Katherine Dunwell to the Development Review Board Panel B for a term beginning 7/1/2021 to 12/31/2022.

Library Board - Appointment

Appointment of Joseph Mallet to the Library Board for a term beginning 7/1/2021 to 6/30/2025.

Motion: I move to ratify the appointment of Joseph Mallet to the Library Board for a term beginning 7/1/2021 to 6/30/2025.

Tourism Promotion Committee - Reappointment

Reappointments of Brian Everest and Lizabeth Price to the Tourism Promotion Committee for a term beginning 7/1/2021 to 6/30/2024.

Motion: I move to ratify the reappointments of Brian Everest and Lizabeth Price to the Tourism Promotion Committee for a term beginning 7/1/2021 to 6/30/2024.

Tourism Promotion Committee - Appointment

Appointment of Jennifer Gage to the Tourism Promotion Committee, Position 5 for a term beginning 7/1/2021 to 6/30/2024.

Motion: I move to ratify the appointment of Jennifer Gage to the Tourism Promotion Committee, Position 5 for a term beginning 7/1/2021 to 6/30/2024.

Tourism Promotion Committee – Appointment – Unexpired Term

Appointment of Elaine Owen to the Tourism Promotion Committee, Position 3 for a term beginning 7/1/2021 to 6/30/2023.

Motion: I move to ratify the appointment of Elaine Owen to the Tourism Promotion Committee, Position 3 for a term beginning 7/1/2021 to 6/30/2023.

Wilsonville-Metro Community Enhancement Committee - Reappointment

Reappointments of Amy Day and Jordan Snyder to the Wilsonville-Metro Community Enhancement Committee for a term beginning 7/1/2021 to 6/30/2024.

Motion: I move to ratify the reappointments of Amy Day and Jordan Snyder to the Wilsonville-Metro Community Enhancement Committee for a term beginning 7/1/2021 to 6/30/2024.

CITY COUNCIL ROLLING SCHEDULE
Board and Commission Meetings 2021
Items known as of 06/08/21

June


DATE	DAY	TIME	EVENT	LOCATION
6/9	Wednesday	6:00 p.m.	Planning Commission	Council Chambers
6/14	Monday	6:30 p.m.	DRB Panel A - CANCELLED	Council Chambers
6/21	Monday	7:00 p.m.	City Council Meeting	Council Chambers
6/23	Wednesday	6:30 p.m.	Library Board	Library
6/28	Monday	6:30 p.m.	DRB Panel B	Council Chambers

July

DATE	DAY	TIME	EVENT	LOCATION
7/8	Thursday	7:00 p.m.	City Council Meeting - CANCELLED	Council Chambers
7/12	Monday	6:30 p.m.	DRB Panel A	Council Chambers
7/13	Tuesday	6:00 p.m.	Wilsonville-Metro Community Enhancement Committee	Council Chambers
7/14	Wednesday	6:00 p.m.	Planning Commission	Council Chambers
7/19	Monday	7:00 p.m.	City Council Meeting	Council Chambers
7/26	Monday	6:30 p.m.	DRB Panel B	Council Chambers
7/28	Wednesday	6:30 p.m.	Library Board	Library

Community Events:

- 6/1-8/13** Summer Reading Program at the Wilsonville Library
- 6/8** Estate Planning 101 Webinar with Rose Elder Law at 10:00 a.m.
- 6/11** American Red Cross Blood Drive from 10:00 a.m. to 3:00 p.m. at the Library
- 6/22** Toddler and Baby Time from 10:30 a.m. to 11:00 a.m. online.
- 6/23** Teen Event from 7:00 p.m. to 8:00 p.m. online
- 6/24** Family Stories & Science from 10:30 a.m. to 11:00 a.m. online.
- 6/24** Book Club from 6:00 p.m. to 8:00 p.m. online
- 6/29** Toddler and Baby Time from 10:30 a.m. to 11:00 a.m. online.
- 6/30** Teen Event from 7:00 p.m. to 8:00 p.m. online
- 7/1** Family Stories & Science from 10:30 a.m. to 11:00 a.m. online.
- 7/5** City Offices closed in observance of Independence Day
- 7/7** Book Club from 6:00 p.m. to 8:00 p.m. online



Wilsonville Community Sharing

Neighbors Helping Neighbors

Wilsonville City Council
June 7, 2021





What We Do

*Provide social services, food assistance, utility assistance, and mental health services to **any** community member in financial need.*

2020 Snapshot

- Food Bank
 - 88,982 lbs of food distributed
- Utility Assistance
 - 83 renters
- Housing & COVID Support
 - 23 community members
- Prescription Help & Senior Fund
- More! **Each person's situation is unique - WCS is here to help!**

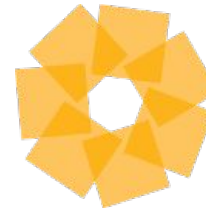


Our Team

- Carlos Salazar, President
- Jerri Bohard, Vice President
- Shanti Villarreal, Secretary
- Katie Eicher, Treasurer
- Nicole Hendrix, Member at Large
- Leigh Crosby, Staff
- Lani Snyder, Staff
- Andi Yates, Staff

Our Projects

- Created Executive Director position
- Refreshed governing documents
 - Bylaws
 - Articles of Incorporation
- Updated phone system
- Joined Nonprofit Association of Oregon
- Established cloud-based filing system



THE NONPROFIT
ASSOCIATION OF
OREGON

Good works. Together.



Moving Forward

1 Community Awareness

Educate, share, and inform of the services Wilsonville Community Sharing provides.

2 Community Connection

Pursue opportunities for connection through events and activities. Build a network that can help build access to services.

3 Explore & Pursue Opportunity

Explore various ways to provide our services and practices. Actively pursue funding opportunities and partnerships. Recruit for new board members.



Thank you

Questions?



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: June 7, 2021	Subject: Resolution No. 2900 Wilsonville Community Sharing Support Grant Agreement Staff Member: Keith Katko, Assistant Finance Director Department: Finance	
Action Required	Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda	<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: This resolution authorizes an agreement between the City and Wilsonville Community Sharing (WCS), for WCS to provide certain assistance to Wilsonville residents for fiscal year 2021-22 in the total amount of \$53,591	
Staff Recommendation: Staff recommends Council adopt the Consent Agenda.		
Recommended Language for Motion: I move to approve the Consent Agenda.		
Project / Issue Relates To:		
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL:

Approve a grant of financial assistance to Wilsonville Community Sharing for fiscal year 2021-22.

EXECUTIVE SUMMARY:

The annual Support Grant Agreement between the City of Wilsonville and Wilsonville Community Sharing (WCS) expires June 30, 2021 and the attached agreement will extend through June 30, 2022.

The City of Wilsonville has supported the administrative and operational services of Wilsonville Community Sharing (WCS) through financial support for more than 20 years.

For FY 2021-22, the Approved Budget includes \$53,591; \$37,591 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 2020-21 amount of \$36,963 by \$628, representing a 1.7% year over year CPI-West Size A indexed increase.

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, 2021, through June 30, 2022.

CURRENT YEAR BUDGET IMPACTS:

There are no current year budget impacts. For FY 2021-22, \$53,591 in General Fund has been budgeted in the City Administration Department.

FINANCIAL REVIEW / COMMENT:

Reviewed by: CAR Date: 5/18/2021

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 6/2/2021

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. 2900
 - A. Wilsonville Community Sharing Support Grant Agreement

RESOLUTION NO. 2900

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 \$53,591 is included in the FY 2021-22 budget and is composed of \$37,591 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 2021-22 (ending June 30, 2022), 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 2021-22 (ending June 30, 2022) a Support Grant Agreement with Wilsonville Community Sharing, an Oregon non-profit organization, in the amount of \$53,591 for the fiscal year 2021-22, 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 7th day of June, 2021, and filed with the Wilsonville City Recorder this date.

Julie Fitzgerald, Mayor

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

Exhibit:

- A. Wilsonville Community Sharing Support Grant Agreement

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 2021-22 budget includes a total of \$53,591 for financial support which is separated into a general purpose portion of \$37,591 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 West – Size A CPI-W Consumer Price Index from December 2019 to December 2020; 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 2021-22 (ending June 30, 2022), 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 2021-22 shall be \$53,591, composed of \$37,591 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, 2021 and terminates June 30, 2022, 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 2021-22) 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 1st of January of that reporting year to December 31st 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, 2021.

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 2.50%), 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 the Grant Agreement immediately upon receiving notice that Wilsonville Community Sharing is no longer providing the services set forth in Section 1–Purpose or for making inappropriate expenditures.

10.3. 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 _____, 2021.

WILSONVILLE COMMUNITY SHARING

CITY OF WILSONVILLE

By: _____

By: _____

As Its: President

Bryan Cosgrove
As Its: City Manager

I:\wslv community sharing\grant agr comm serv support

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, May 17, 2021. Mayor Fitzgerald called the meeting to order at 7:00 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Fitzgerald
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

Staff present included:

Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Beth Wolf, Systems Analyst
Zoe Monahan, Assistant to the City Manager
Andy Stone, IT Director
Delora Kerber, Public Works Director

Motion to approve the order of the agenda.

Motion: Councilor West moved to approve the order of the agenda. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

MAYOR'S BUSINESS

A. Upcoming Meetings

Upcoming meetings were announced by the Mayor as well as the regional meetings she attended on behalf of the City.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

B. Diversity, Equity and Inclusion Committee Appointments

Positions 1 – 5 (1 year appointment)

Appointments of Malak El Manhawym, Camryn Lau, Erika Pham, Luis Gonzalez and Rudyane Rivera-Lindstrom to the Diversity, Equity and Inclusion Committee for a term beginning 6/1/2021 to 12/31/2022.

Motion: Councilor West moved to ratify the appointment of Malak El Manhawym, Camryn Lau, Erika Pham, Luis Gonzalez and Rudyane Rivera-Lindstrom to the Diversity, Equity and Inclusion Committee for a term beginning 6/1/2021 to 12/31/2022. Councilor Akervall seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

Position 6 – 9 (2 year appointment)

Appointments of Joni McNeil, Sudeep Taksali, Tracy Hester and Fay Gyapong-Porter to the Diversity, Equity and Inclusion Committee for a term beginning 6/1/2021 to 12/31/2023.

Motion: Councilor Linville moved to ratify the appointment of Joni McNeil, Sudeep Taksali, Tracy Hester and Fay Gyapong-Porter to the Diversity, Equity and Inclusion Committee for a term beginning 6/1/2021 to 12/31/2023. Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

Position 10 – 13 (3 year appointment)

Appointments of Imran Haider, Eugenia Imel, Santiago Landazuri and Jay Edwards to the Diversity, Equity and Inclusion Committee for a term beginning 6/1/2021 to 12/31/2024.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Motion: Councilor Akervall moved to ratify the appointment of Imran Haider, Eugenia Imel, Santiago Landazuri and Jay Edwards to the Diversity, Equity and Inclusion Committee for a term beginning 6/1/2021 to 12/31/2024. Councilor Lehan seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

The Mayor to shared information on additional meetings she attended and announced the upcoming Budget Committee meetings that would take place on May 19 and 20, 2021.

C. Pride Month Proclamation

The Mayor read a proclamation declaring the month of June 2021 as Pride Month in Wilsonville.

D. National Public Works Week Proclamation

Delora Kerber, Public Works Director displayed a PowerPoint, which has been made part of the record. The Mayor then read a proclamation declaring the week of May 16 – 22, 2021 Public Works Week in Wilsonville.

COMMUNICATIONS

A. Recognition of Delora Kerber, Public Works Director, as National Public Works Leader of the Year

City Manager Cosgrove announced that Public Works Director Delora Kerber had been named the 2021 National Public Works leader of the year by the American Public Works Association (APWA).

Council congratulated Ms. Kerber on her achievement.

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.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Susan Hanson, Wilsonville resident, spoke about National Gun Violence Awareness Day on June 4, 2021. Ms. Hanson advocated for more common sense gun laws and actions to support gun safety measures. Furthermore, she encouraged all to wear orange on June 4, 2021 to show their support of National Gun Violence Awareness Day.

Maripat Hersel, Wilsonville resident, also spoke in support of National Gun Violence Awareness Day on June 4, 2021. Ms. Hersel encouraged the audience to wear orange to visually show support of National Gun Violence Awareness Day and uphold those who have lost their lives or suffered trauma from the ripple effect of firearm violence. Ms. Hersel shared additional information on upcoming National Gun Violence Awareness Day events can be found at momsdemandaction.org.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

A. Council President Akervall

Councilor Akervall shared her daughter provided testimony to the legislature regarding a House Bill being considered regarding the labeling on wipe products. She clarified the bill being proposed is on the labeling of proper disposal of wipes to ensure wipes that are not intended to be flushed into the wastewater system be properly disposed.

Ms. Akervall announced and shared details on the following events she attended:

- League of Oregon Cities Spring Symposium
- West Side Economic Alliance meeting featuring Senator Jeff Merkley
- Washington County Coordinating meeting
- Council Retreat

Reminded May is Asian American and Pacific Islander Heritage Month. Ms. Akervall shared there are a number of workshops, and resources provided by Asian Pacific American Network of Oregon (APANO) on their website apano.org regarding Asian American and Pacific Islander Heritage Month.

B. Councilor Lehan

Councilor Lehan reminded Memorial Day is May 31, 2021. She recalled this is a time when various events occur to remember and honor our veterans. She also reminded that Memorial Day is a time to remember all that have passed. Ms. Lehan further shared Memorial Day weekend is a great time to visit cemeteries.

C. Councilor West

Councilor West reported on past and upcoming events he attended or planned to attend:

- Wilsonville Chamber of Commerce listening session with various small businesses
- Council Retreat

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

- Budget Committee meetings
- Bulky Waste Day on Saturday, May 22, 2021
- City Council meeting on Monday, June 7, 2021

D. Councilor Linville

Councilor Linville provided an update on the following:

- May 6, 2021 C4 meeting
- May 11, 2021 Wilsonville-Metro Community Enhancement Committee
- May 19, 2021 C4 Metro Subcommittee
- May 19, 20 and 25, 2021 Budget Committee meetings
- Willamette Falls Lock House Bill was approved by the House and would be moved to the Senate.
- League of Oregon Cities Equity and Inclusion Committee approved the bylaws for the Women's Caucus would now go to the Executive Committee for approval.

CONSENT AGENDA

Ms. Jacobson read the titles of the Consent Agenda items into the record.

A. **Resolution No. 2895**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Eagle-Elsner, Inc. For Construction Of The 2021 Street Maintenance Project (Capital Improvement Project # 4014, 4118 And 4725).

B. **Resolution No. 2896**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Memorandum Of Understanding With The Willamette Falls And Landings Heritage Area Coalition.

C. **Resolution No. 2897**

A Resolution Of The Wilsonville City Council Adopting An Intergovernmental Agreement Between Metro And The City Of Wilsonville To Continue The Wilsonville - Metro Community Enhancement Program.

D. **Resolution No. 2898**

A Resolution Of The City Of Wilsonville Adopting The FY 2021/22 Five-Year Action Plan And Annual One-Year Implementation Plan For The Wilsonville Tourism Development Strategy.

E. **Resolution No. 2899**

A Resolution And Order Amending Resolution No. 2882 To Further Extend The Local State Of Emergency And Emergency Measures, As Authorized By Resolution No. 2803.

F. Minutes of the May 3, 2021 City Council Meeting.

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Motion: Councilor Lehan moved to approve the Consent Agenda as read. Councilor Linville seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

NEW BUSINESS

A. None.

CONTINUING BUSINESS

A. None.

PUBLIC HEARING

A. None.

CITY MANAGER'S BUSINESS

Restated the next City Council meeting is on May 26, 2021.

Mr. Cosgrove disclosed there were no items on the agenda for first City Council meeting in July. He then explained that meeting would normally fall on the first Monday which is July 5, 2021. However, since July 5 is considered a holiday, Council would meet on Thursday, July 8, 2021. Mr. Cosgrove stated if Council prefers to cancel the first meeting in July they can do so with a motion and a second.

Motion: Councilor Lehan moved to cancel the first Council meeting in July on the fifth because Council does not have a large enough agenda to go forward. Councilor West seconded the motion.

Vote: Motion carried 5-0.

SUMMARY OF VOTES

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

CITY OF WILSONVILLE
CITY COUNCIL MEETING MINUTES

Mr. Cosgrove shared staff is receiving questions from other board and commission members about issues relating to masking and social distancing. Mr. Cosgrove explained he met with the Human Resource Department on this subject matter. He noted at this time there is no clear guidance on the issue. Furthermore, Occupational Safety and Health Administration (OSHA) is responsible for the enforcement of COVID guidelines and the City is required by law to follow those mandates. It is staff's understanding that the Oregon Health Authority (OHA) and the governor would be making announcements on the issue of masking. Mr. Cosgrove informed he would pass along additional information as it becomes available.

Mr. Cosgrove stated that Councilors should plan on attending the upcoming Budget Committee meetings via Zoom. Council was reminded the Budget Committee meetings would be held May 19, 20 and if needed May 25.

It was announced that over the weekend a current Public Works employee and former Public Works employee both had passed away. Furthermore, Kitakata Sister City Advisory Board member Cathy Rice had also passed over the weekend.

LEGAL BUSINESS

No Report.

Prior to the adjournment of the meeting Councilor Linville shared information on available COVID-19 vaccination appointments.

ADJOURN

Mayor Fitzgerald adjourned the meeting at 8:05 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: June 7, 2021	Subject: Ordinance Nos. 847 & 848 – 2nd Reading Comprehensive Plan Amendment and Zone Map Amendment for Canyon Creek Subdivision Staff Member: Philip Bradford, Associate Planner Department: Community Development, Planning Division	
Action Required	Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: May 26, 2021 <input checked="" type="checkbox"/> Ordinance 1 st Reading Date: May 26, 2021 <input checked="" type="checkbox"/> Ordinance 2 nd Reading Date: June 7, 2021 <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 Comments: Development Review Board Panel A unanimously recommended approval.	
Staff Recommendation: Staff recommends Council adopt Ordinance Nos. 847 and 848 on second reading.		
Recommended Language for Motion: Two separate motions: I move to approve Ordinance No. 847 on second reading. I move to approve Ordinance No. 848 on second reading.		
Project / Issue Relates To: Comprehensive Plan Amendment and Zone Map Amendment on approximately 2.25 acres of land located at 28700 SW Canyon Creek Road South.		
<input type="checkbox"/> Council Goals/Priorities:	<input type="checkbox"/> Adopted Master Plan(s):	<input checked="" type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL:

Approve, modify, or deny Ordinance Nos. 847 and 848 to modify the Comprehensive Plan Map designation from Residential 0-1 dwelling units per acre to Residential 4-5 dwelling units per acre and to rezone from Residential Agriculture – Holding (RA-H) to Planned Development Residential

3 (PDR-3) on approximately 2.25 acres of land located at 28700 SW Canyon Creek Road South, enabling a 5-lot residential subdivision.

EXECUTIVE SUMMARY:

Based on a number of contributing circumstances, the staff report for this application was not ready for the planned March 8 Development Review Board (DRB) hearing and the DRB continued their hearing to April 12, 2021. After receiving testimony from the applicant and numerous citizens, DRB continued the April 12, 2021 to May 10, 2021 to allow additional time for discussion and deliberation. As a result of the DRB continuations, City Council continued the hearing of the subject Ordinances from April 5, 2021 to April 19, 2021, then to the Special City Council Meeting on May 26, 2021, in order to receive a recommendation from the DRB prior to the Council hearing and decision.

The subject property is part of the 1964 Bridle Trail Ranchetts subdivision where each lot was approximately two acres in size. When the City adopted the current Comprehensive Plan Map a density of 0-1 dwelling units per acre was designated for this area. Beginning in the mid-2000s, the City approved a series of requests to increase the density from 0-1 to 4-5 dwelling units an acre recognizing the opportunity to provide housing near Town Center and employment centers. The changes have all kept the zoned density at or below that of neighboring zones. The City has previously approved similar zone change applications on 15 of the original 19 Bridle Trail lots.

Contingent on approval of the Comprehensive Plan Map Amendment of 4-5 dwelling units per acre, the subject property would receive a corresponding zoning designation of PDR-3. The City approved the same zoning for other portions of Bridle Trail Ranchetts. The current development standards for PDR-3, updated in 2020 by Ordinance No. 841, would then apply to the subject property.

After sending the Public Hearing Notice to adjacent property owners, staff received numerous comments from residents with concerns about the proposed development, the public input and other exhibits can be found on the [project page on the City website](#). Several citizens also testified at the public hearings before DRB. Many of the concerns noted by residents were related to tree removal, privacy, traffic and safety, parking, and density. City staff also highlighted in the staff report concerns with the tree removal plan and reduced setbacks proposed by the applicant. This resulted in specific conditions of approval, which the applicant objected to at the April 12 hearing, stating it would make those lots unbuildable.

Based on the additional evidence of the infeasibility of home construction on the proposed lots and compatibility issues with surrounding development, the applicant revised the proposal to reduce the subdivision from eight (8) lots to five (5) lots and no longer included the need for any waivers. The applicant also modified the site plan to widen the proposed right-of-way to provide a public street wide enough for parking on one side of the street to respond to citizen concerns. During the DRB hearing on May 10, the board added additional conditions that further incorporated requests from adjacent residents including swapping Lot 1 and Tract A, which is the usable open space tract, as well as storm water treatment and tree preservation.

EXPECTED RESULTS:

Hold a public hearing and adopt Ordinance Nos. 847 and 848 on first reading. Approval of these Ordinances will also make effective the Stage I Master Plan, Stage II Final Plan, Tentative Subdivision Plat, and Type C Tree Removal Plan approved with conditions by the DRB, contingent on the Comprehensive Plan Map Amendment and Zone Map Amendment.

TIMELINE:

The applicant signed a Land Use Application Extension of Time form extending the land use decision time frame to June 30, 2021. Council must make a decision on the application by June 30, 2021. To meet this timeframe, Ordinance first reading is scheduled for May 26, 2021, and Ordinance second reading will be June 7, 2021.

CURRENT YEAR BUDGET IMPACTS:

None.

FINANCIAL REVIEW / COMMENT:

Reviewed by: CAR Date: 5/18/2021

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 5/18/2021

DRB performed thoughtful deliberation and spent many hours on this file. The Applicant worked with staff to address most of the concerns raised by residents. The residents should be pleased with these changes. It is important for all property owners to remember when buying next to vacant land, that land will likely be developed in the future, as allowed by Code, and determined by the owner of that land.

COMMUNITY INVOLVEMENT PROCESS:

The required public hearing notices have been sent and public hearings held. City staff has made materials regarding the application readily available to the public.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:

The development of the subject land will provide additional housing choices within the current urban growth boundary.

ALTERNATIVES:

The alternatives are to approve, modify, or deny the Comprehensive Plan Map Amendment and Zone Map Amendment.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

Exhibit A – Annexation Ordinance No. 847

Attachment 1 – Comprehensive Plan Map Order DB20-0040 Including Legal Description and Sketch Depicting Zone Map Amendment

Attachment 2 – Comprehensive Plan Map Amendment Findings

- Attachment 3 – Development Review Board Panel A Resolution No. 388 Recommending Approval of Comprehensive Plan Map Amendment
- Exhibit B – Zone Map Amendment Ordinance No. 848
 - Attachment 1 – Zoning Order DB20-0039 Including Legal Description and Sketch Depicting Zone Map Amendment
 - Attachment 2 – Zone Map Amendment Findings
 - Attachment 3 – Development Review Board Panel A Resolution No. 388 Recommending Approval of Zone Map Amendment
- Exhibit C – Amended and Adopted DRB Staff Report and DRB Recommendation



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: May 26, 2021	Subject: Ordinance Nos. 847 & 848 – 1st Reading Comprehensive Plan Amendment and Zone Map Amendment for Canyon Creek Subdivision Staff Member: Philip Bradford, Associate Planner Department: Community Development, Planning Division	
Action Required	Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: May 26, 2021 <input checked="" type="checkbox"/> Ordinance 1 st Reading Date: May 26, 2021 <input checked="" type="checkbox"/> Ordinance 2 nd Reading Date: June 7, 2021 <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 Comments: Development Review Board Panel A unanimously recommended approval.	
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<input type="checkbox"/> Council Goals/Priorities:	<input type="checkbox"/> Adopted Master Plan(s):	<input checked="" type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL:

Approve, modify, or deny Ordinance Nos. 847 and 848 to modify the Comprehensive Plan Map designation from Residential 0-1 dwelling units per acre to Residential 4-5 dwelling units per acre and to rezone from Residential Agriculture – Holding (RA-H) to Planned Development Residential

3 (PDR-3) on approximately 2.25 acres of land located at 28700 SW Canyon Creek Road South, enabling a 5-lot residential subdivision.

EXECUTIVE SUMMARY:

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The subject property is part of the 1964 Bridle Trail Ranchetts subdivision where each lot was approximately two acres in size. When the City adopted the current Comprehensive Plan Map a density of 0-1 dwelling units per acre was designated for this area. Beginning in the mid-2000s, the City approved a series of requests to increase the density from 0-1 to 4-5 dwelling units an acre recognizing the opportunity to provide housing near Town Center and employment centers. The changes have all kept the zoned density at or below that of neighboring zones. The City has previously approved similar zone change applications on 15 of the original 19 Bridle Trail lots.

Contingent on approval of the Comprehensive Plan Map Amendment of 4-5 dwelling units per acre, the subject property would receive a corresponding zoning designation of PDR-3. The City approved the same zoning for other portions of Bridle Trail Ranchetts. The current development standards for PDR-3, updated in 2020 by Ordinance No. 841, would then apply to the subject property.

After sending the Public Hearing Notice to adjacent property owners, staff received numerous comments from residents with concerns about the proposed development, the public input and other exhibits can be found on the [project page on the City website](#). Several citizens also testified at the public hearings before DRB. Many of the concerns noted by residents were related to tree removal, privacy, traffic and safety, parking, and density. City staff also highlighted in the staff report concerns with the tree removal plan and reduced setbacks proposed by the applicant. This resulted in specific conditions of approval, which the applicant objected to at the April 12 hearing, stating it would make those lots unbuildable.

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CURRENT YEAR BUDGET IMPACTS:

None.

FINANCIAL REVIEW / COMMENT:

Reviewed by: CAR Date: 5/18/2021

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 5/18/2021

DRB performed thoughtful deliberation and spent many hours on this file. The Applicant worked with staff to address most of the concerns raised by residents. The residents should be pleased with these changes. It is important for all property owners to remember when buying next to vacant land, that land will likely be developed in the future, as allowed by Code, and determined by the owner of that land.

COMMUNITY INVOLVEMENT PROCESS:

The required public hearing notices have been sent and public hearings held. City staff has made materials regarding the application readily available to the public.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:

The development of the subject land will provide additional housing choices within the current urban growth boundary.

ALTERNATIVES:

The alternatives are to approve, modify, or deny the Comprehensive Plan Map Amendment and Zone Map Amendment.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

Exhibit A – Annexation Ordinance No. 847

Attachment 1 – Comprehensive Plan Map Order DB20-0040 Including Legal Description and Sketch Depicting Zone Map Amendment

Attachment 2 – Comprehensive Plan Map Amendment Findings

- Attachment 3 – Development Review Board Panel A Resolution No. 388 Recommending Approval of Comprehensive Plan Map Amendment
- Exhibit B – Zone Map Amendment Ordinance No. 848
 - Attachment 1 – Zoning Order DB20-0039 Including Legal Description and Sketch Depicting Zone Map Amendment
 - Attachment 2 – Zone Map Amendment Findings
 - Attachment 3 – Development Review Board Panel A Resolution No. 388 Recommending Approval of Zone Map Amendment
- Exhibit C – Amended and Adopted DRB Staff Report and DRB Recommendation

ORDINANCE NO. 847

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A COMPREHENSIVE PLAN MAP AMENDMENT FROM RESIDENTIAL 0-1 DWELLING UNITS PER ACRE TO RESIDENTIAL 4-5 DWELLING UNITS PER ACRE ON APPROXIMATELY 2.25 ACRES LOCATED AT 28700 SW CANYON CREEK ROAD SOUTH; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOT 6400, SECTION 13BD, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. SCOTT MILLER, SAMM-MILLER, LLC – APPLICANT FOR WILLIAM Z. SPRING – OWNER.

WHEREAS, William Z. Spring (“Owner”) and Scott Miller of SAMM-MILLER LLC (“Applicant”) have made a development application requesting, among other things, a Comprehensive Plan Map Amendment for the Property; and

WHEREAS, the development application form has been signed by the Owner of the real property legally described and shown in Attachment 1, attached hereto and incorporated by reference herein (“Property”); and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Comprehensive Plan Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Comprehensive Plan Map Amendment and recommending approval of the Comprehensive Plan Map Amendment, which staff report was presented to the Development Review Board on April 12, 2021; and

WHEREAS, the City of Wilsonville Planning Staff followed all public noticing requirements and sent a Public Hearing Notice on March 23, 2021, which was posted in City Hall, Wilsonville Library, and published in the newspaper, and mailed to all property owners within 250 feet of the subject property and posted in a highly visible location on the project site; and

WHEREAS, the Development Review Board Panel A held a public hearing on the application for a Comprehensive Plan Map Amendment on April 12, 2021, and continued the public hearing and kept the record open to a date certain of May 10, 2021, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 388 which recommends City Council approval of the Comprehensive Plan Map Amendment request (Case File DB20-0040), adopts the amended staff report with findings and recommendation, all as placed on the record at the hearing; and

WHEREAS, on May 26, 2021, 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 Comprehensive Plan 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 Comprehensive Plan Map Amendment Findings in Attachment 2, as if fully set forth herein.
2. The official City of Wilsonville Comprehensive Plan Map is hereby amended by Comprehensive Plan Map Order DB20-0040, attached hereto as Attachment 1, from Residential 0-1 dwelling units per acre to Residential 4-5 dwelling units per acre.

SUBMITTED to the Wilsonville City Council and read for the first time at a special meeting thereof on the 26th day of May, 2021, and scheduled for a second reading at a regular meeting of the Council on the 7th day of June, 2021, 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 7th day of June, 2021 by the following votes:

Yes: ___ No: ___

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 7th day of June, 2021.

JULIE FITZGERALD, Mayor

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

Attachments:

Attachment 1 – Comprehensive Plan Map Order DB20-0040 Including Legal Description
and Sketch Depicting Comprehensive Plan Map Amendment

Attachment 2 – Comprehensive Plan Map Amendment Findings

Attachment 3 – Development Review Board Panel A Resolution No. 388 Recommending
Approval of Comprehensive Plan Map Amendment

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

In the Matter of the Application of)	
SAMM-MILLER LLC)	
for an Amendment)	COMPREHENSIVE PLAN MAP
of the City of Wilsonville)	ORDER DB20-0040
Comprehensive Plan Map)	

The above-entitled matter is before the Council to consider the application of DB20-0040, for a Comprehensive Plan Map Amendment and an Order, amending the official Comprehensive Plan Map of the City of Wilsonville.

The Council finds that the subject property (“Property”), legally described and shown in the attached legal description and sketch, has heretofore appeared on the City of Wilsonville Comprehensive Plan Map with a designation of Residential 0-1 dwelling units per acre.

The Council having heard and considered all matters relevant to the application for a Comprehensive Plan 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 2.25 acres located at 28700 SW Canyon Creek Road South comprising Tax Lot 6400 of Section 13BD, T3S, R1W, City of Wilsonville, Clackamas County, Oregon, as more particularly shown and described in the attached legal description and sketch, is hereby designated as Residential 4-5 dwelling units per acre, subject to conditions detailed in this Order’s adopting Ordinance. The foregoing designation is hereby declared an amendment to the Wilsonville Comprehensive Plan Map and shall appear as such from and after entry of this Order.

Dated: This 26th day of May,
2021.

JULIE FITZGERALD, MAYOR

APPROVED AS TO FORM:

Barbara A. Jacobson, City Attorney

ATTEST:

Kimberly Veliz, City Recorder

Attachment: Legal Description and Sketch Depicting Land/Territory Subject to the Comprehensive Plan Map Amendment

ASPEN MEADOWS PHASE 3
BOUNDARY DESCRIPTION

JOB NO. 0463-005
APRIL 29, 2021

EXHIBIT A (PAGE 1 OF 2)

A TRACT OF LAND SITUATED IN THE N.W. 1/4 OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 9, "BRIDLE TRAIL RANCHETTS" (PLAT NO. 1147), BEING ON THE EASTERLY RIGHT OF WAY LINE OF CANYON CREEK ROAD SOUTH (25.0 FEET FROM CENTERLINE); THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 01°48'04" EAST, 106.85 FEET; THENCE 53.00 FEET ON THE ARC OF A NONTANGENT 50.00 FOOT RADIUS CURVE (THE RADIUS POINT BEARS NORTH 28°11'56" WEST) THROUGH A CENTRAL ANGLE OF 60°44'05" (THE CHORD BEARS NORTH 31°26'01" EAST, 50.55 FEET) TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE ALONG THE NORTH LINE OF SAID LOT 9 AND ITS EASTERLY EXTENSION, SOUTH 88°52'03" EAST, 636.03 FEET TO THE CENTER OF SECTION LINE OF SAID SECTION 13; THENCE ALONG SAID CENTER OF SECTION LINE, SOUTH 01°46'38" WEST, 148.48 FEET TO THE NORTH LINE OF THE PLAT OF "SUNDIAL" (PLAT NO, 2910); THENCE ALONG SAID NORTH LINE, NORTH 89°02'35" WEST, 661.11 FEET TO THE POINT OF BEGINNING.

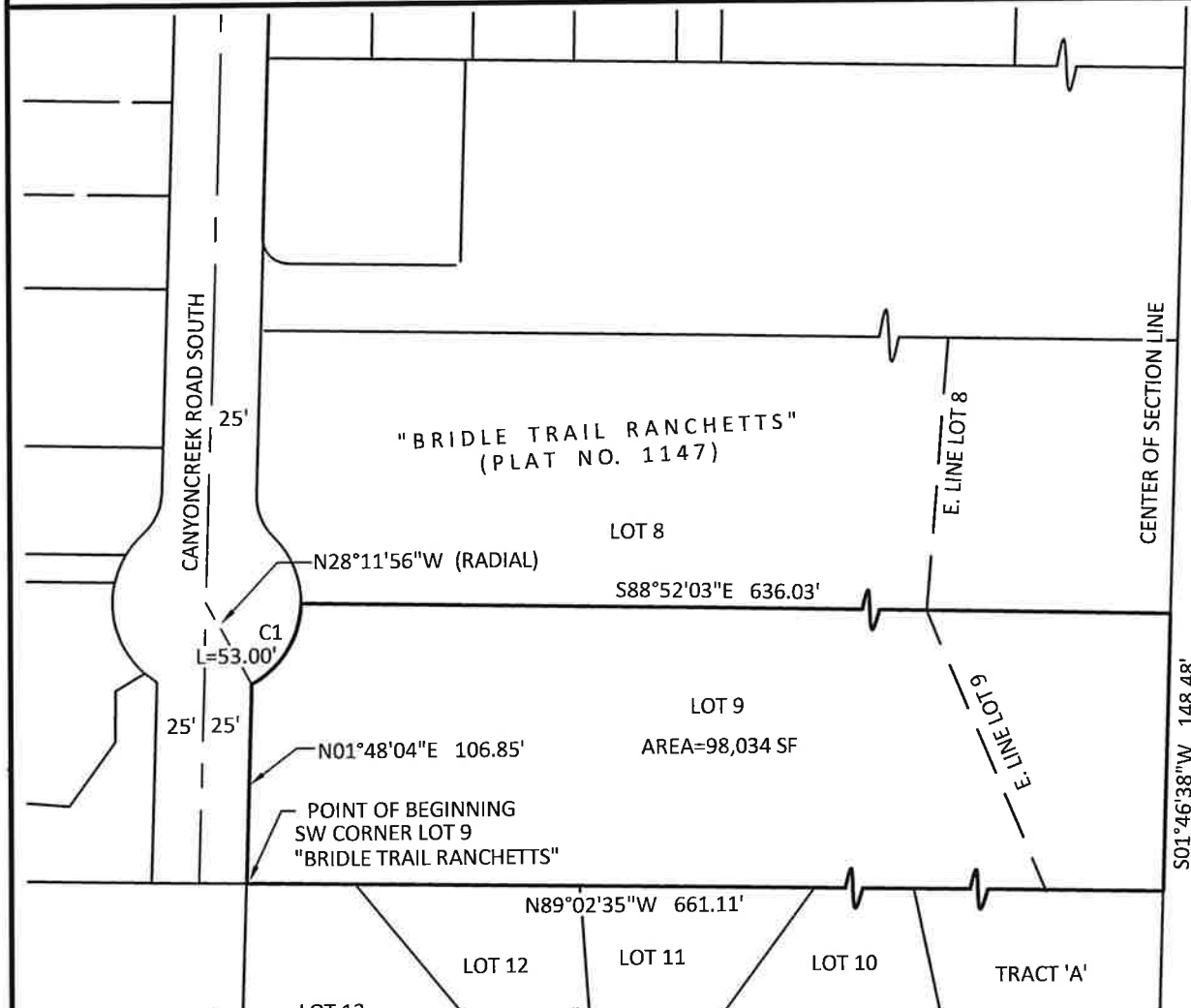
CONTAINING 98,034 SQUARE FEET, MORE OR LESS.



BASIS OF BEARINGS: PARTITION PLAT NO. 2020-097, CLACKAMAS COUNTY PLAT RECORDS

EXHIBIT A (PAGE 2 OF 2)

LOT 9, "BRIDLE TRAIL RANCHETTES" AND ADJACENT LAND ATTACHED
 LOCATED IN THE
 NW 1/4 OF SEC. 13, T.3S, R.1W., W.M.,
 CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



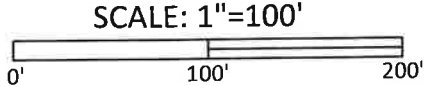
CURVE TABLE	
C1	L=53.00'
	R=50.00'
	$\Delta=60^{\circ}44'05''$
	CB= $N31^{\circ}26'01''E$
	50.55'

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Jon T. Feigion

OREGON
 JANUARY 15, 1987
 JON T. FEIGION
 2252

EXPIRES 12-31-21



JOB NO.: 0463-005
DATE: 4-29-21
SCALE: 1" = 100'
DRAWN BY: JTF

ASPEN MEADOWS PHASE 3
 CLACKAMAS COUNTY
 TAX LOT 6400 31W 33BD

EMERIO
 ENGINEERING • SURVEYING • DESIGN

6445 SW FALLBROOK PLACE, SUITE 100
 BEAVERTON, OREGON 97008
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com
 EMERIO JOB: 0463-005

Ordinance No. 847
Comprehensive Plan Amendment Findings

Canyon Creek Phase 3 Subdivision – 5 New Residential Lots

City Council
Quasi-Judicial Public Hearing

Hearing Date: May 26, 2021

Date of Report: May 11, 2021

Application Nos.: DB20-0040 – Comprehensive Plan Amendment

Request/Summary: The request before the City Council is a Comprehensive Plan Map Amendment for approximately 2.25 acres.

Location: 28700 SW Canyon Creek Road South The property is specifically known as Tax Lot 6400, Section 13BD, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon

Owner: William Z. Spring

Applicant: SAMM-Miller, LLC (Contact: Scott Miller)

Applicant's Rep.: Emerio Design, LLC (Contact: Steve Miller)

Comprehensive Plan Designation (Current): Residential 0-1 dwelling units per acre (du/ac)

Comprehensive Plan Designation (Proposed): Residential 4-5 dwelling units per acre (du/ac)

Zone Map Classification (Current): RA-H (Residential Agricultural-Holding)

Zone Map Classification (Proposed): PDR-3 (Planned Development Residential-3)

Staff Reviewers: Philip Bradford, Associate Planner

Staff Recommendation: Adopt the requested Comprehensive Plan Map Amendment.

Applicable Review Criteria:

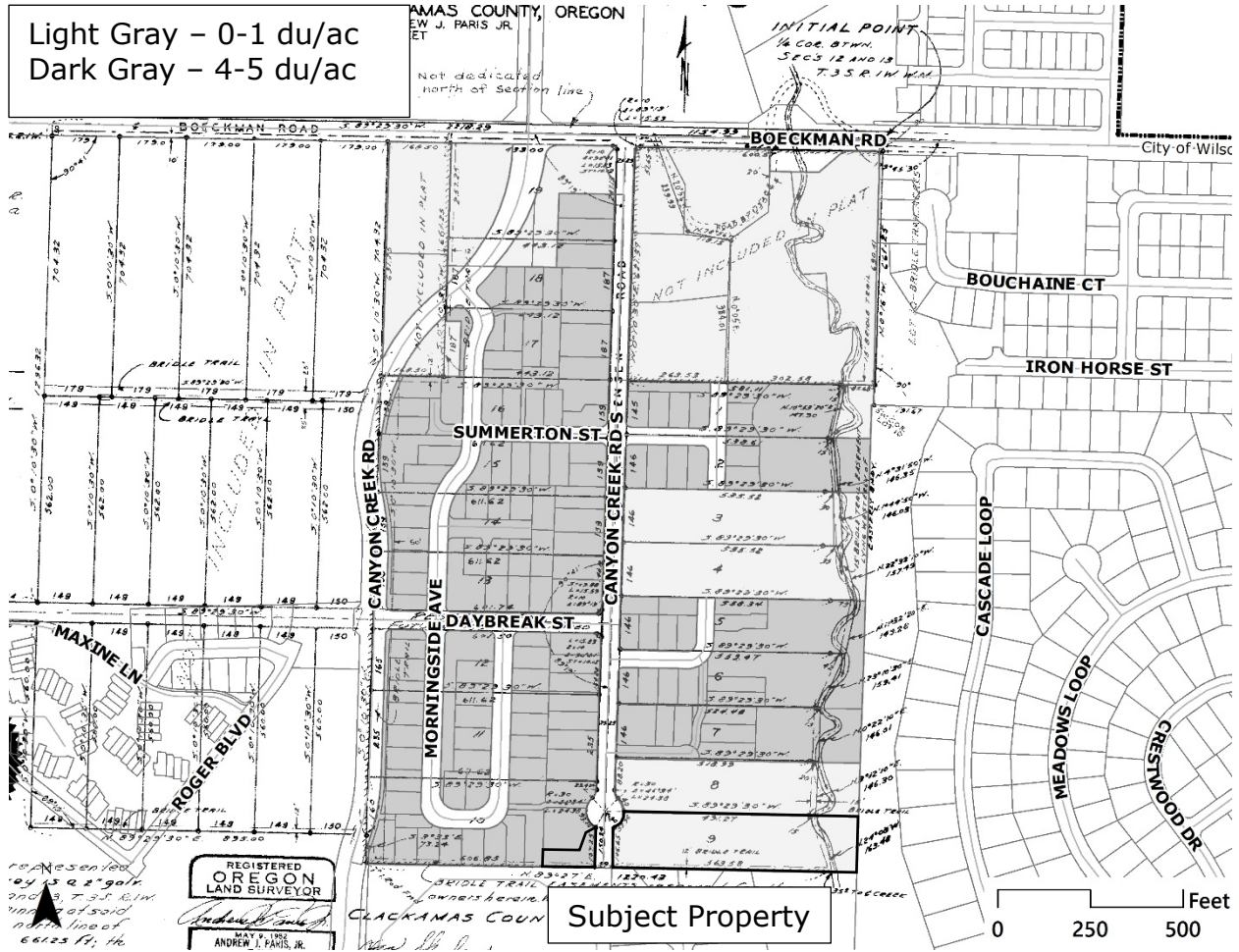
<u>Development Code:</u>	
Section 4.198	Comprehensive Plan Changes
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Transportation Systems Plan	
<u>Regional and State Law and Planning Documents</u>	
Oregon Statewide Planning Goals	

Vicinity Map



Background / Summary:

The subject property is part of the 1964 Bridle Trail Ranchetts subdivision, developed prior to Wilsonville’s incorporation as a city. Each lot in the subdivision was approximately 2 acres in size, and adoption of the current Comprehensive Plan Map included a residential density for this area reflecting the existing subdivision. Beginning in the mid-2000s, the City approved many of the Bridle Trail Ranchett lots for Comprehensive Plan Map amendments to increase the density from 0-1 to 4-5 dwelling units an acre (du/ac). Currently, the City has approved portions of 15 of the original 19 Bridle Trail Ranchett lots for increased density.



The first and largest approved change in this area from 0-1 to 4-5 du/ac was in 2004 with the adoption of Ordinance No. 570 for Renaissance at Canyon Creek. The supporting staff report discussed the need of additional homes to provide housing for people working in Wilsonville as well as others desiring to live here. In addition, the findings point out the limited amount of vacant residential land within the City, and that designations for higher residential density surround the subject area.

In early 2006, Ordinance No. 604 similarly changed the Comprehensive Plan designation for approximately four acres on the east side of Canyon Creek Road South from 0-1 to 4-5 du/ac for the development of the 13-lot Cross Creek Subdivision. The City made the same findings regarding the need of additional housing units, the limited amount of vacant land within the City, and the density of surrounding areas.

In 2007, Ordinance No. 635 approved a similar Comprehensive Plan designation change for approximately 0.69 acres on the west side of Canyon Creek Road South, north of Renaissance at Canyon Creek. The City made findings consistent with the previously approved amendments.

In 2014, Ordinance No. 738 approved the same density change in 2014 for a property whose owners had elected not to participate in the 2004 project and now desired to redevelop.

In 2016, Ordinance No. 790 changed the Comprehensive Plan designation from 0-1 to 4-5 du/ac for the 14-lot Aspen Meadows subdivision to the immediate north of the subject property.

In 2018, Ordinance No. 823 changed the Comprehensive Plan designation from 0-1 to 4-5 du/ac for the 5-lot Aspen Meadows Phase 2 subdivision located north of the subject property. The City made findings consistent with the previously approved amendments.

The applicant proposes to change the Comprehensive Plan Map designation for the 2.25-acre subject property from 0-1 du/ac to 4-5 du/ac, consistent with previous Comprehensive Plan Map amendments for properties in the Bridle Trail Ranchetts subdivision.

Conclusion and Conditions of Approval:

Staff and the Development Review Board recommend approval of this request with no additional conditions.

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, William Z. Spring, signed the submitted application form.

Request: DB20-0040 Comprehensive Plan Map Amendment

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

Development Code - Comprehensive Plan Amendment Process

Procedures and Criteria in Comprehensive Plan
Subsection 4.198 (.01)

- A1. The lot of the subject development site is of sufficient size for development in a manner consistent with the purposes and objectives of Section 4.140.

Review Bodies

Subsection 4.198 (.02)

A2. The DRB and City Council are considering the request as described.

Applicant Agreeing to Conditions of Approval

Subsection 4.198 (.05)

A3. The owner will be required to sign a statement accepting conditions for approvals granted contingent on the Comprehensive Plan Map Amendment and Zone Map Amendment.

Comprehensive Plan Amendment Required Findings

Meets Identified Public Need

Subsection 4.198 (.01) A.

A4. The “Residential Development” portion of the Comprehensive Plan (Policy 4.1.4) identifies the need for additional housing within the City to serve housing and economic needs of residents and employees working within the City.

Based on data used for the City of Wilsonville Annual Housing Report, as of the third quarter of 2020 the city has 11,381 housing units. The most recent data from the 2019 Annual Housing Report shows the following mix of housing units:

- 45.7% Apartments
- 40.4% Single-Unit Dwellings
- 7.5% Middle Housing
- 4.8% Condominiums
- 1.3% Mobile Homes

Policy 4.1.4 and its implementation measures, seek to “provide opportunities for a wide range of housing types, sizes, and densities at prices and rent levels to accommodate people who are employed in Wilsonville.” The proposal provides additional residential lots supporting an ongoing desire for homes at various price levels as part of Wilsonville’s strong diversity of housing unit types.

Meets Identified Public Need As Well As Reasonable Alternative

Subsection 4.198 (.01) B.

A5. The proposed subdivision has similarities in site density and housing product to other subdivisions nearby such as Renaissance at Canyon Creek and Aspen Meadows, and provides a consistent density and development type as the area becomes more dense and urban over time. The consistency with nearby development makes the proposed continued residential use at the proposed density meet the need for a variety of homes better than other density or design options for the site. The decision to not use the available SROZ density transfer supports the ability to have lots that meet the context of immediately adjacent lots.

Supports Statewide Planning Goals
Subsection 4.198 (.01) C.

A6. The City's Comprehensive Plan complies with the Statewide Planning Goals. The consistency of the proposal with the Comprehensive Plan, as stated in the findings for this request, demonstrates the proposal also complies with the Statewide Planning Goals. See also Findings A33-A37.

No Conflict with Other Portions of Plan
Subsection 4.198 (.02) D.

A7. The applicant is requesting an amendment of the Comprehensive Plan Map for the subject properties. The applicant does not propose to modify or amend any other portion of the Comprehensive Plan or Plan Map.

Comprehensive Plan-Initiating, Applying for, and Considering Plan Amendments

Who May Initiate Plan Amendments
Introduction Page 7 "Plan Amendments" 1.

A8. The property owner of the subject lot has initiated the proposed amendment.

How to Make Application
Introduction Page 7 "Plan Amendments" 2.

A9. The property owner of the subject lots, who has submitted a signed application form provided by the City and paid the required application fee, initiated the proposed amendment.

Consideration of Plan Amendments
Introduction Page 7 "Plan Amendments" 3.

A10. The City Council will consider the plan amendment only after receiving a recommendation from the Development Review Board.

Standards for Approval of Plan Amendments

Conformance with Other Portions of the Plan
Introduction Page 7 "Plan Amendments" 4. a.

A11. The change of residential density for the subject properties does not lead to nonconformance with other portions of the Comprehensive Plan.

Public Interest

Introduction Page 7 "Plan Amendments" 4. b.

A12. The request is in the public interest by providing needed housing. See also Finding A4.

Public Interest Best Served by Timing of Amendment

Introduction Page 7 "Plan Amendments" 4. c.

A13. The timing of the amendment is appropriate. See Finding A5.

Factors to Address in Amendment

Introduction Page 7 "Plan Amendments" 4. d.

A14. The area is suitable for the proposed development as it is in a residential area with similar development and has the necessary public services, including streets, available. It is similar to and follows the trends in recent nearby developments such as Renaissance at Canyon Creek and Aspen Meadows. The density is consistent with these other recent nearby developments. No parties submitted substantiated evidence that the development would negatively affect property values. Preservation of natural resource areas is part of the development. The application of design standards ensures healthful, safe and aesthetic surroundings.

Conflict with Metro Requirements

Introduction Page 7 "Plan Amendments" 4. e.

A15. The review did not identify any conflicts with Metro requirements. Particularly, Wilsonville's housing mix continues to exceed Metro's requirements.

Public Notice Requirements

Introduction Page 8 "Plan Amendments" 5.

A16. The City has or will send all required public hearing notices.

Urban Growth Management

Urbanization for Adequate Housing

Implementation Measure 2.1.1.b.

A17. The proposal provides for additional housing density to accommodate those employed with the City. See also Finding A4.

Revenue Sources for Urbanization

Implementation Measure 2.1.1.d.

A18. Existing requirements for improvements and systems development charges apply to the development proposed concurrently with the Comprehensive Plan Map amendment.

New Development and Concurrency

Implementation Measure 2.1.1.e.

A19. The City's concurrency requirements in the Development Code apply to the concurrently proposed development.

Encourage Master Planning

Implementation Measure 2.1.1.f.2.

A20. The subject property is large enough, being greater than the two-acre threshold for planned development established in Section 4.140, for design consistent with the City's planned development regulations to support design quality and conformity with the Comprehensive Plan.

Public Facilities and Services

Urban Development Only Where Facilities and Services Can Be Provided

Implementation Measure 3.1.2.a.

A21. Application of the concurrency standards of the City's Development Code ensures the development proposed concurrently with this amendment request will have all necessary facilities and services provided. See Stage II Final Plan in Request D.

Paying for Facilities and Services

Implementation Measures 3.1.3.a., 3.1.4.f., 3.1.5.c., 4.1.4.h.

A22. The City has all necessary codes and processes in place to ensure the development pays for public facilities/services directly related to the development.

Growth and Sewer Capacity

Implementation Measure 3.1.4.b

A23. The City will not allow development without adequate sanitary sewer capacity. As reviewed in the Stage II Final Plan, adequate sanitary sewer capacity exists by connecting to the existing sewer in Canyon Creek Road South.

Land Use and Development

Variety of Housing Types

Implementation Measures 4.1.4.b, 4.1.4.j., and 4.1.4.o.

A24. Wilsonville has a rich diversity of housing types. Infill in other areas of the Bridle Trail Ranchetts involved residential development of a similar density as proposed (including Renaissance at Canyon Creek and Aspen Meadows subdivisions). The proposal supports the area's existing role amongst Wilsonville's housing mix.

Encouraging Variety and Housing Balance

Implementation Measure 4.1.4.c and 4.1.4.d

- A25.** Being relatively small for a planned development, not a lot of variety would be expected within the development. However, the proposal provides some variety of lot sizes allowing diversity of housing products.

The proposed development does not detract from the City's ongoing work to encourage variety and promote housing balance. Based on data used for the City of Wilsonville Annual Housing Report, as of the third quarter of 2020 the city has 11,381 housing units. The most recent data from the 2019 Annual Housing Report shows the following mix of housing units:

- 45.7% Apartments
- 40.4% Single-Unit Dwellings
- 7.5% Middle Housing
- 4.8% Condominiums
- 1.3% Mobile Homes

The addition of five (5) residential lots would not take away from the variety that currently exists within the city.

Housing Needs of Existing Residents

Implementation Measure 4.1.4.f.

- A26.** The proposed housing will fit into the rich diversity of Wilsonville's housing to allow existing residents to move up or move down, thus opening their units to others.

Housing Development and the Social and Economic Needs of the Community

Implementation Measure 4.1.4.g.

- A27.** Wilsonville has a rich diversity of housing types, to which these additional homes would contribute. The diversity of housing types supports the variety of needs of members of the community.

Jobs Housing Balance

Implementation Measures 4.1.4.l. and 4.1.4.p.

- A28.** It is anticipated the planned homes could be occupied by people working in Wilsonville. The location is close to employment centers including Town Center and the industrial area north of Boeckman between Canyon Creek Road and Parkway Avenue.

Provision of Open Space and Protection of Established Neighborhoods

Implementation Measure 4.1.5.t

- A29.** The applicant proposes an open space area that is consistent with the development standards applicable to the requested zoning of the property, PDR-3. The city's Comprehensive Plan requires new development to preserve the character of established neighborhoods, in particular the low-density zones. The site abuts properties with a

comprehensive plan designation of 0-1 du/ac to the north, 4-5 du/ac to the west, and 6-7 du/ac to the south and east. It is important to note that while the property to the south has a higher density designation, it was developed at a substantially lower density that would make the configuration more similar to 2-3 or 4-5 du/ac designated properties. The previous iteration of the project presented at the April 12, 2021 DRB Panel A Hearing utilized the density transfer provision in WC Section 4.130.11. The density transfer is permitted if the applicable code criteria is met for uses, setbacks, outdoor living area, landscaping, building height, and parking. With the previously requested waiver it became clear that the project was not able to utilize the SROZ density transfer without a setback waiver, which does not meet the intent of the provision and resulted in a site configuration that was inconsistent with the surrounding neighborhoods. The applicant has now revised the proposal to include five (5) residential lots, which provides a site configuration that is more consistent with the established neighborhood context and is no longer utilizing the SROZ density transfer nor proposing the side-yard setback request.

Residential Districts and Density

Implementation Measures 4.1.4.u. and 4.1.4.z.

A30. The applicant requests the density to change from 0-1 du/ac to 4-5 du/ac in an area transitioning from rural residential to denser urban residential. Similar changes have occurred on other nearby properties including the areas currently occupied by Renaissance at Canyon Creek and Aspen Meadows subdivisions.

2-3 or 4-5 Dwelling Unit Per Acre Residential District

"Residential Planning Districts" page D-19

A31. The 4-5 du/ac designation is appropriate as adequate access to streets is available creating traffic volumes within the limits set by the City, it is adjacent to a variety of residential densities, including low density, and it is an appropriate density to allow development while preserving the natural slope and riparian areas of the properties.

Metro Urban Growth Functional Plan

Maintaining or Increasing Housing Capacity

Title 1 3.07.110

A32. The proposal will increase the City's housing capacity within the current City limits.

Statewide Planning Goals

Citizen Involvement

Goal 1

A33. A thorough citizen involvement process, as defined in Wilsonville's Development Code and Comprehensive Plan, ensures citizen involvement in the decision.

Land Use Planning

Goal 2

A34. The Comprehensive Plan Amendment is required to meet policies based on the statewide framework and is required to provide adequate facts to make a decision based on the applicable review criteria.

Agriculture Lands

Goal 3

A35. The areas proposed for new housing development are not currently in commercial agriculture use. Increasing development within the City limits has the potential to lessen slightly the demand for housing on land currently in use for commercial agriculture.

Natural Resources, Scenic and Historic Areas, and Open Spaces

Goal 5

A36. The City's SROZ overlay standards ensure protection of significant natural resources on the eastern portion of the subject properties.

Air, Water and Land Resources Quality

Goal 6

A37. The requirements to preserve the natural area as well as stormwater requirements help maintain water quality. No significant negative impacts to air and land resources can reasonably be anticipated.

Housing

Goal 10

A38. The proposed Comprehensive Plan map amendments will continue to allow the City to meet its housing goals and obligations reflected in the Comprehensive Plan. Specifically:

- The City has an existing Housing Needs Analysis and Buildable Lands Inventory adopted in 2014 collectively known as the Wilsonville Residential Land Study. The key conclusions of this study are that Wilsonville: (1) may not have a 20-year supply of residential land and (2) the City's residential policies meet Statewide Planning Goal 10 requirements.
- Under the Metro forecast, Wilsonville is very close to having enough residential land to accommodate expected growth. Wilsonville could run out of residential land by 2032.
- If Wilsonville grows faster than the Metro forecast, based on historic City growth rates, the City will run out of residential land before 2030.
- Getting residential land ready for development is a complex process that involves decisions by Metro, City decision makers, landowners, the Wilsonville community,

and others. The City is beginning the process of ensuring that additional residential land is available through the concept planning process for the Advance Road new urban growth area. The City also adopted a new plan and development standards for more multi-family units in the Wilsonville Town Center. Finally, the City provides infill opportunities, allowing properties with existing development at more rural densities to be re-zoned for more housing, which this application falls under.

- Wilsonville is meeting Statewide Planning Goal 10 requirements to “provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing” and to “provide for an overall density of 8 or more dwelling units per net buildable acre.”
- Wilsonville uses a two-map system, with a Comprehensive Plan Map designating a density for all residential land and Zone Map with zoning to implement the Comprehensive Plan designation. Changing the Comprehensive Plan Map to a higher density zone will ensure related zone map amendment and development approvals support the Comprehensive Plan and Goal 10.
- The proposal increases density allowed and development capacity within the existing urban growth boundary and improving the capacity identified in the 2014 study. The type of housing is anticipated to be single-family; however, the approval will allow middle housing consistent with House Bill 2001 and implementing administrative rules once the City’s updated code is adopted.
- The proposal directly impacts approximately 0.4% of the developable residential land identified in the 2014 Wilsonville Residential Land Study (approximately 2 of 477 acres).

DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 388

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF A COMPREHENSIVE PLAN MAP AMENDMENT FROM RESIDENTIAL 0-1 DWELLING UNITS PER ACRE TO RESIDENTIAL 4-5 DWELLING UNITS PER ACRE, A ZONE MAP AMENDMENT FROM RESIDENTIAL AGRICULTURE-HOLDING (RA-H) TO PLANNED DEVELOPMENT RESIDENTIAL 3 (PDR-3) AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I MASTER PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW, TYPE C TREE PLAN, TENTATIVE SUBDIVISION PLAT, FOR AN 5-LOT RESIDENTIAL SUBDIVISION AND NOT APPROVING REQUESTED WAIVERS THAT ARE NO LONGER NEEDED WITH AN UPDATED DESIGN LOCATED AT 28700 SW CANYON CREEK ROAD SOUTH. THE SUBJECT SITE IS LOCATED ON TAX LOT 6400 SECTION 13BD, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. SCOTT MILLER, SAMM-MILLER, LLC – APPLICANT FOR WILLIAM Z. SPRING – OWNERS.

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, on March 8, 2021, the Development Review Board continued the public hearing to a date and time certain of April 12, 2021, and

WHEREAS, on April 12, 2021, the Development Review Board opened the public hearing and after hearing from staff, the applicant, and other parties continued the public hearing to a date and time certain of May 10, 2021, and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated April 5, 2021, and

WHEREAS, the Planning Staff has prepared an amended staff report on the above-captioned subject dated May 3, 2021, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at meeting conducted on April 12, 2021 and May 10, 2021, 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 3, 2021, as amended, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB20-00039 through DB20-0045; Comprehensive Plan Map Amendment, Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, and Type C Tree Removal Plan.

ADOPTED by the Development Review Board of the City of Wilsonville this 10th day of May, 2021, and filed with the Planning Administrative Assistant on May 11, 2021. 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).



Daniel McKay, Chair - Panel A
Wilsonville Development Review Board

Attest:



Shelley White, Planning Administrative Assistant

ORDINANCE NO. 848

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE RESIDENTIAL AGRICULTURE-HOLDING (RA-H) ZONE TO THE PLANNED DEVELOPMENT RESIDENTIAL-3 (PDR-3) ZONE ON APPROXIMATELY 2.25 ACRES LOCATED AT 28700 SW CANYON CREEK ROAD SOUTH; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOT 6400, SECTION 13BD, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. SCOTT MILLER, SAMM-MILLER, LLC – APPLICANT FOR WILLIAM Z. SPRING – OWNER.

WHEREAS, William Z. Spring (“Owner”) and Scott Miller of SAMM-MILLER LLC (“Applicant”) have made a development application requesting, among other things, a Zone Map Amendment of the Property; and

WHEREAS, the development application form has been signed by the Owner of the real property legally described and shown in Attachment 1, attached hereto and incorporated by reference herein (“Property”); and

WHEREAS, concurrently with the Zone Map Amendment the Applicant is requesting a change of the Comprehensive Plan Map designation to “Residential 4-5 dwelling units per acre”; and

WHEREAS, the City of Wilsonville desires to have the properties zoned consistent with the Comprehensive Plan Map designation of “Residential 4-5 dwelling units per acre”, upon approval of the requested Comprehensive Plan Map designation; 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 April 12, 2021; and

WHEREAS, the City of Wilsonville Planning Staff followed all public noticing requirements and sent a Public Hearing Notice on March 23, 2021, which was posted in City Hall, Wilsonville Library, and published in the newspaper, and mailed notice to all property owners within 250 feet of the subject property and posted in a highly visible location on the project site; and

WHEREAS, the Development Review Board Panel A held a public hearing on the application for a Zone Map Amendment on April 12, 2021, and continued the public hearing and kept the record open to a date certain of May 10, 2021, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 388 which recommends City Council approval of the Zone Map Amendment request (Case File DB20-0039), adopts the amended staff report with findings and recommendation, all as placed on the record at the hearing; and

WHEREAS, on May 26, 2021, 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 by Zoning Order DB20-0039, attached hereto as Attachment 1, from the Residential Agriculture-Holding (RA-H) Zone to Planned Development Residential-3 (PDR-3) Zone contingent on finalization of concurrent Comprehensive Plan Map Amendment.

SUBMITTED to the Wilsonville City Council and read for the first time at a special meeting thereof on the 26th day of May, 2021, and scheduled for a second reading at a regular meeting of the Council on the 7th day of June, 2021, 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 7th day of June, 2021 by the following votes:

Yes: ____ No: ____

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 7th day of June, 2021.

JULIE FITZGERALD, Mayor

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

Attachments:

Attachment 1 – Zoning Order DB20-0039 Including Legal Description and Sketch
Depicting Zone Map Amendment

Attachment 2 – Zone Map Amendment Findings

Attachment 3 – Development Review Board Panel B Resolution No. 388 Recommending
Approval of Zone Map Amendment

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

In the Matter of the Application of)
SAMM-MILLER LLC)
for a Rezoning of Land and Amendment) **ZONING ORDER DB20-0039**
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 DB20-0039, 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 City of Wilsonville zoning map zoned as Residential Agriculture-Holding (RA-H).

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 2.25 acres located at 28700 SW Canyon Creek Road South comprising Tax Lot 6400 of Section 13BD, T3S, R1W, City of Wilsonville, Clackamas County, Oregon, as more particularly shown and described in the attached legal description and sketch, is hereby rezoned to Planned Development Residential-3 (PDR-3), 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 26th day of May,
2021.

JULIE FITZGERALD, MAYOR

APPROVED AS TO FORM:

Barbara A. Jacobson, City Attorney

ATTEST:

Kimberly Veliz, City Recorder

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

ASPEN MEADOWS PHASE 3
BOUNDARY DESCRIPTION

JOB NO. 0463-005
APRIL 29, 2021

EXHIBIT A (PAGE 1 OF 2)

A TRACT OF LAND SITUATED IN THE N.W. 1/4 OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 9, "BRIDLE TRAIL RANCHETTS" (PLAT NO. 1147), BEING ON THE EASTERLY RIGHT OF WAY LINE OF CANYON CREEK ROAD SOUTH (25.0 FEET FROM CENTERLINE); THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 01°48'04" EAST, 106.85 FEET; THENCE 53.00 FEET ON THE ARC OF A NONTANGENT 50.00 FOOT RADIUS CURVE (THE RADIUS POINT BEARS NORTH 28°11'56" WEST) THROUGH A CENTRAL ANGLE OF 60°44'05" (THE CHORD BEARS NORTH 31°26'01" EAST, 50.55 FEET) TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE ALONG THE NORTH LINE OF SAID LOT 9 AND ITS EASTERLY EXTENSION, SOUTH 88°52'03" EAST, 636.03 FEET TO THE CENTER OF SECTION LINE OF SAID SECTION 13; THENCE ALONG SAID CENTER OF SECTION LINE, SOUTH 01°46'38" WEST, 148.48 FEET TO THE NORTH LINE OF THE PLAT OF "SUNDIAL" (PLAT NO, 2910); THENCE ALONG SAID NORTH LINE, NORTH 89°02'35" WEST, 661.11 FEET TO THE POINT OF BEGINNING.

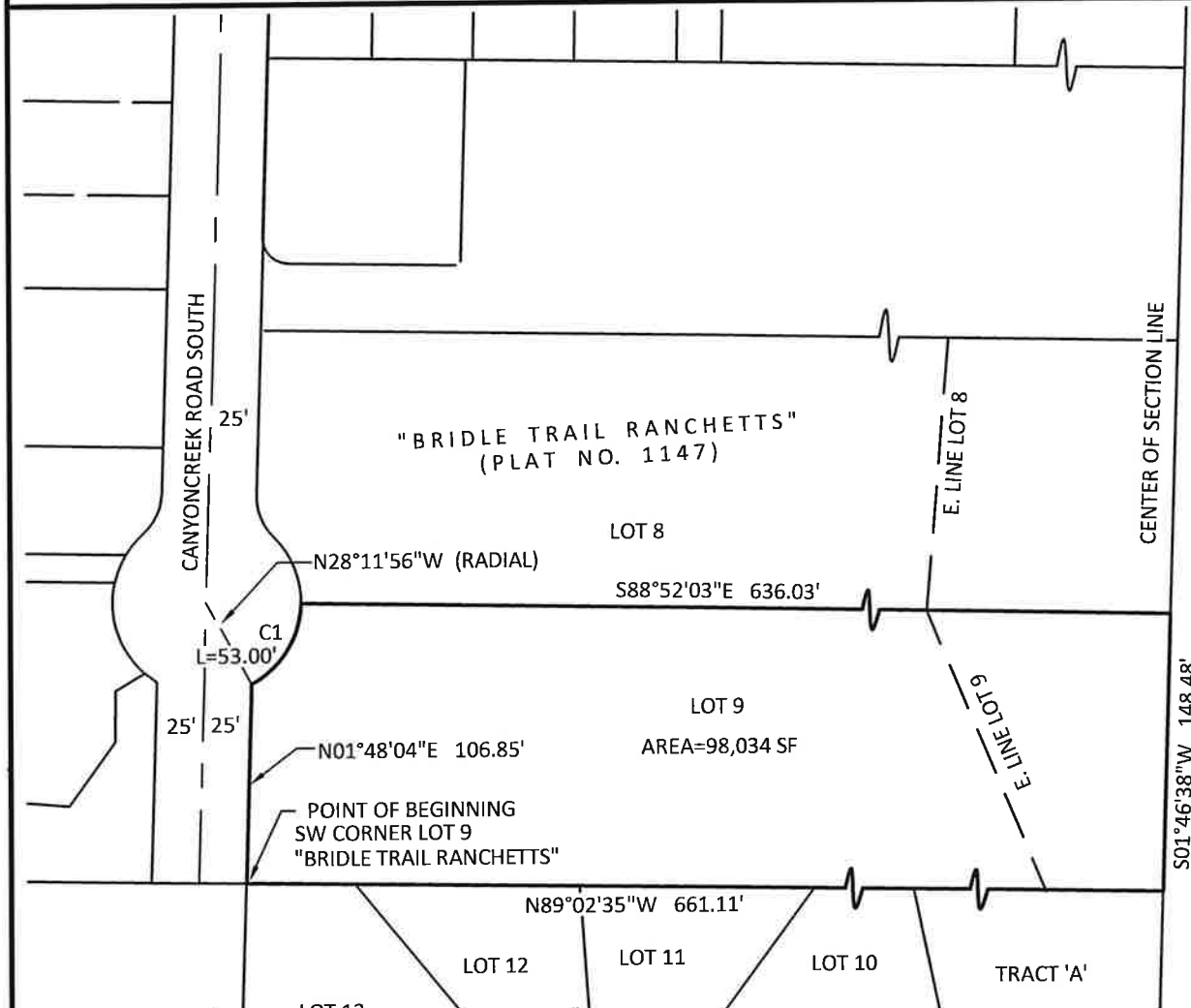
CONTAINING 98,034 SQUARE FEET, MORE OR LESS.



BASIS OF BEARINGS: PARTITION PLAT NO. 2020-097, CLACKAMAS COUNTY PLAT RECORDS

EXHIBIT A (PAGE 2 OF 2)

LOT 9, "BRIDLE TRAIL RANCHETTES" AND ADJACENT LAND ATTACHED
 LOCATED IN THE
 NW 1/4 OF SEC. 13, T.3S, R.1W., W.M.,
 CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



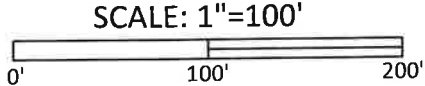
CURVE TABLE	
C1	L=53.00'
	R=50.00'
	$\Delta=60^{\circ}44'05''$
	CB= $N31^{\circ}26'01''E$
	50.55'

**REGISTERED
 PROFESSIONAL
 LAND SURVEYOR**

Jon T. Feigion

OREGON
 JANUARY 15, 1987
 JON T. FEIGION
 2252

EXPIRES 12-31-21



JOB NO.: 0463-005
DATE: 4-29-21
SCALE: 1" = 100'
DRAWN BY: JTF

ASPEN MEADOWS PHASE 3
 CLACKAMAS COUNTY
 TAX LOT 6400 31W 33BD

EMERIO
 ENGINEERING • SURVEYING • DESIGN

6445 SW FALLBROOK PLACE, SUITE 100
 BEAVERTON, OREGON 97008
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com
 EMERIO JOB: 0463-005

Ordinance No. 848 Attachment 2
Zone Map Amendment Findings

Canyon Creek Phase 3 Subdivision –5 New Residential Lots

City Council
Quasi-Judicial Public Hearing

Hearing Date:	May 26, 2021
Date of Report:	May 11, 2021

Application Nos.:	DB20-0039 – Zone Map Amendment
--------------------------	--------------------------------

Request/Summary: The requests before the City Council is a Zone Map Amendment for approximately 2.25 acres.

Location: 28700 SW Canyon Creek Road South The property is specifically known as Tax Lot 6400, Section 13BD, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon

Owner: William Z. Spring

Applicant: SAMM-Miller, LLC (Contact: Scott Miller)

Applicant’s Rep.: Emerio Design, LLC (Contact: Steve Miller)

Comprehensive Plan Designation (Current): Residential 0-1 dwelling units per acre (du/ac)
Comprehensive Plan Designation (Proposed): Residential 4-5 dwelling units per acre (du/ac)

Zone Map Classification (Current): RA-H (Residential Agricultural-Holding)
Zone Map Classification (Proposed): PDR-3 (Planned Development Residential-3)

Staff Reviewers: Philip Bradford, Associate Planner

Staff Recommendation: Adopt the requested Zone Plan Map Amendment.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.110	Zones
Section 4.124.3	PDR-3 Zone
Section 4.197	Zone Changes
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Transportation Systems Plan	
<u>Regional and State Law and Planning Documents</u>	
Oregon Statewide Planning Goals	

Vicinity Map



Zone Map Amendment (DB20-0039)

Contingent on approval of the Comprehensive Plan Map Amendment for an increased density of 4-5 du/ac, the applicant proposes a corresponding PDR zoning of PDR-3. Other portions of Bridle Trail Ranchetts with past approval of increased density to 4-5 du/ac have the same PDR-3 zoning.

Conclusion and Conditions of Approval:

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

Request: DB20-0039 Zone Map Amendment

No conditions for this request

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, William Z. Spring, signed the submitted application form.

Request: DB20-0039 Zone Map Amendment

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

Comprehensive Plan

Diversity of Housing Types
Implementation Measure 4.1.4.b.,d.

B1. Based on data used for the City of Wilsonville Annual Housing Report, as of the third quarter of 2020 the city has 11,381 housing units. The most recent data from the 2019 Annual Housing Report shows the following mix of housing units:

- 45.7% Apartments
- 40.4% Single-Unit Dwellings
- 7.5% Middle Housing
- 4.8% Condominiums
- 1.3% Mobile Homes

The City has approved hundreds of new residential lots, mainly in Villebois and Frog Pond West, for development over the next few years. The proposal will provide additional

residential lot options outside of Villebois and Frog Pond West within the existing City limits.

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

- B2.** The proposed Planned Development Residential-3 (PDR-3) zoning allows the use of planned development to enable development of safe, convenient, healthful, and attractive places to live.

Residential Density
Implementation Measure 4.1.4.u.

- B3.** The subject area will be zoned PDR-3, allowing the application of the proposed residential density of 4-5 du/ac to the subject property.

Development Code

Zoning Consistent with Comprehensive Plan
Section 4.029

- B4.** 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 PDR-3 is consistent with the proposed Comprehensive Plan Residential 4-5 du/ac designation. The approval of the Zone Map Amendment is contingent on City approval of the related Comprehensive Plan Map Amendment.

List of Base Zones
Subsection 4.110 (.01)

- B5.** The requested zoning designation of PDR-3 is among the base zones identified.

Standards for All Planned Development Residential Zones

Typically Permitted Uses
Subsection 4.124 (.01)

- B6.** The list of typically permitted uses includes residential building lots for development of allowed residential uses, and open space, covering all proposed uses on the subject properties.

Appropriate PDR Zone
Subsection 4.124 (.05)

- B7.** PDR-3 is the appropriate PDR designation based on the Comprehensive Plan density designation, as proposed, of 4-5 du/ac.

Zone Change Procedures

Subsection 4.197 (.02) A.

- B8.** The applicant submitted the request for a Zone Map Amendment as set forth in the applicable code sections.

Conformance with Comprehensive Plan Map, etc.

Subsection 4.197 (.02) B.

- B9.** The proposed Zone Map Amendment is consistent with the proposed Comprehensive Map designation of Residential 4-5 du/ac (see Exhibit A Attachment 2 Comprehensive Plan Map Amendment Findings). As shown in Exhibit A Attachment 2 and Findings B1 through B3, the request complies with applicable Comprehensive Plan text.

Specific Comprehensive Plan Findings for Residential Designated Lands

Subsection 4.197 (.02) C.

- B10.** Findings B1 through B3 under this request and A24 through A30 under Request A provide the required specific findings for Implementation Measures 4.1.4.b, d, e, q, and x.

Public Facility Concurrency

Subsection 4.197 (.02) D.

- B11.** The applicant's Exhibits B1, B2, and B3 (compliance report and the plan sheets) demonstrate the existing primary public facilities are available or can be provided in conjunction with the project.

Impact on SROZ Areas

Subsection 4.197 (.02) E.

- B12.** The proposed design of the development preserves and protects the SROZ area on the property.

Development within 2 Years

Subsection 4.197 (.02) F.

- B13.** Related land use approvals will expire after 2 years, so requesting the land use approvals assumes development would commence within two (2) years. However, in the scenario where the applicant or their successors do not commence development within two (2) years allowing related land use approvals to expire, the zone change shall remain in effect.

Development Standards and Conditions of Approval

Subsection 4.197 (.02) G.

- B14.** As can be found in the findings for the accompanying requests, the proposal meets the applicable development standards either as proposed or through a condition of approval.

DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 388

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF A COMPREHENSIVE PLAN MAP AMENDMENT FROM RESIDENTIAL 0-1 DWELLING UNITS PER ACRE TO RESIDENTIAL 4-5 DWELLING UNITS PER ACRE, A ZONE MAP AMENDMENT FROM RESIDENTIAL AGRICULTURE-HOLDING (RA-H) TO PLANNED DEVELOPMENT RESIDENTIAL 3 (PDR-3) AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I MASTER PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW, TYPE C TREE PLAN, TENTATIVE SUBDIVISION PLAT, FOR AN 5-LOT RESIDENTIAL SUBDIVISION AND NOT APPROVING REQUESTED WAIVERS THAT ARE NO LONGER NEEDED WITH AN UPDATED DESIGN LOCATED AT 28700 SW CANYON CREEK ROAD SOUTH. THE SUBJECT SITE IS LOCATED ON TAX LOT 6400 SECTION 13BD, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. SCOTT MILLER, SAMM-MILLER, LLC – APPLICANT FOR WILLIAM Z. SPRING – OWNERS.

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, on March 8, 2021, the Development Review Board continued the public hearing to a date and time certain of April 12, 2021, and

WHEREAS, on April 12, 2021, the Development Review Board opened the public hearing and after hearing from staff, the applicant, and other parties continued the public hearing to a date and time certain of May 10, 2021, and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated April 5, 2021, and

WHEREAS, the Planning Staff has prepared an amended staff report on the above-captioned subject dated May 3, 2021, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at meeting conducted on April 12, 2021 and May 10, 2021, 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 3, 2021, as amended, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB20-00039 through DB20-0045; Comprehensive Plan Map Amendment, Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, and Type C Tree Removal Plan.

ADOPTED by the Development Review Board of the City of Wilsonville this 10th day of May, 2021, and filed with the Planning Administrative Assistant on May 11, 2021. 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).



Daniel McKay, Chair - Panel A
Wilsonville Development Review Board

Attest:



Shelley White, Planning Administrative Assistant



Exhibit A1
Staff Report
Canyon Creek Phase 3 Subdivision – 5 & New Residential Lots

Development Review Board Panel 'A' Quasi-Judicial Public Hearing
Amended and Adopted May 11, 2021
Added language ***bold italics underline***
Removed language ~~struck through~~

<i><u>1st Hearing Date:</u></i>	April 12, 2021
<i><u>Continued Hearing Date:</u></i>	<i><u>May 10, 2021</u></i>
<i><u>Date of Original Report:</u></i>	April 5, 2021
<i><u>Date of Revised Report:</u></i>	<i><u>May 3, 2021</u></i>

Application Nos.:

- DB20-0040 – Comprehensive Plan Amendment
- DB20-0039 – Zone Map Amendment
- DB20-0041 – Stage I Master Plan
- DB20-0042 – Stage II Final Plan
- DB20-0043 – Site Design Review
- DB20-0044 – Type C Tree Plan
- DB20-0045 – Tentative Subdivision Plat
- ~~DB20-0053 – Waiver~~

Request/Summary: The requests before the Development Review Board include a Comprehensive Plan Map Amendment, Zone Map Amendment, Stage I Master Plan, Stage II Final Plan, Type C Tree Removal Plan, ***and*** Tentative Subdivision Plat, ~~and Waiver.~~

Location: 28700 ~~and 28705~~ SW Canyon Creek Road South - The property is specifically known as Tax Lot 6400 ~~and a portion of Tax Lot 3800~~, Section 13BD, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon

Owner: William Z. Spring
~~Fallbrook, LLC (Contact: Neil Fernando)~~

Applicant: SAMM-Miller, LLC (Contact: Scott Miller)

Applicant’s Rep.: Emerio Design, LLC (Contact: Steve Miller)

Comprehensive Plan Designation (Current): Residential 0-1 dwelling units per acre (du/ac)
Comprehensive Plan Designation (Proposed): Residential 4-5 dwelling units per acre (du/ac)

Zone Map Classification (Current): RA-H (Residential Agricultural-Holding)
Zone Map Classification (Proposed): PDR-3 (Planned Development Residential-3)

Staff Reviewers: Philip Bradford, Associate Planner
Khoi LE, PE, Development Engineering Manager
Kerry Rappold, Natural Resources Program Manager

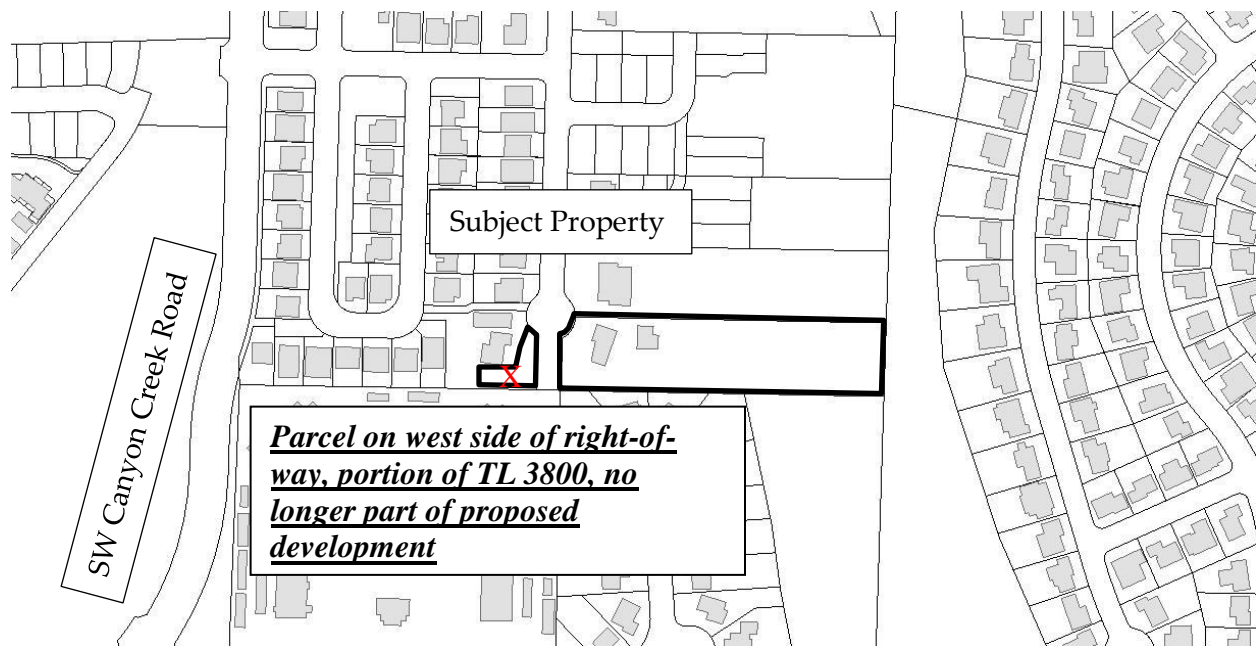
Staff Recommendation: Based on relevant review criteria, recommend approval to the City Council of the Comprehensive Plan Map Amendment and Zone Map Amendment ~~with conditions~~; and approve with conditions the Stage I Master Plan, State II Final Plan, Type C Tree Plan, and Tentative Subdivision Plat, ~~and Waiver~~ contingent on City Council approval of the Comprehensive Plan Map Amendment and Zone Map Amendment. Not approve the Waiver request based on the applicant's revised plan that no longer requests any waivers.

Applicable Review Criteria:

<u>Development Code:</u>	
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 the 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 4.124	Standards Applying to All Planned Development Residential Zones
Section 4.124.3	PDR-3 Zone
Sections 4.139.00 through 4.139.11	Significant Resource Overlay Zone (SROZ)
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
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
Section 4.198	Comprehensive Plan Changes
Sections 4.200 through 4.290	Land Divisions
Sections 4.300 through 4.320	Underground Utilities
Sections 4.600-4.640.20	Tree Preservation and Protection
<u>Comprehensive Plan and Sub-elements:</u>	

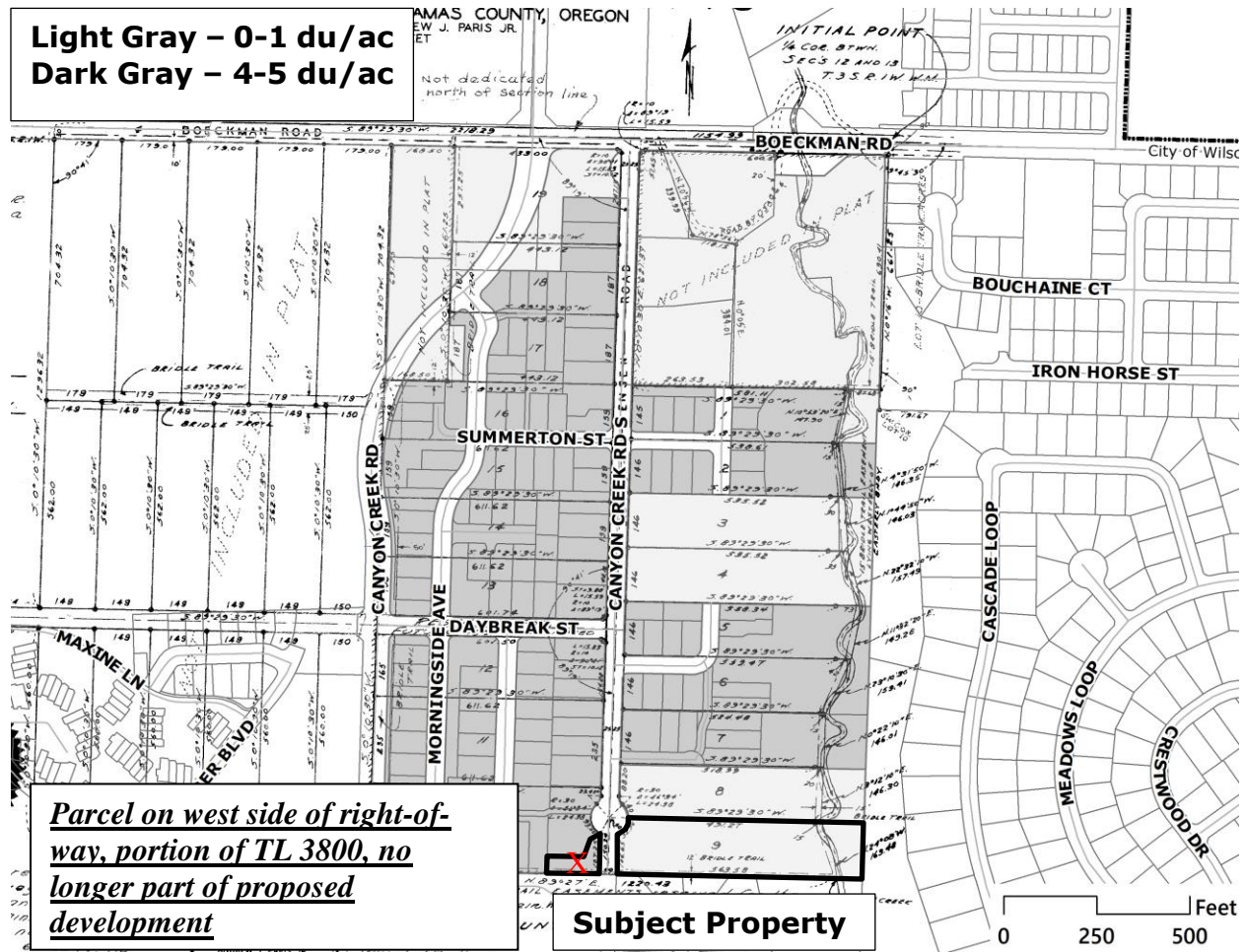
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Transportation Systems Plan	
<u>Regional and State Law and Planning Documents:</u>	
Oregon Statewide Planning Goals	

Vicinity Map



Background:

The subject property is part of the 1964 Bridle Trail Ranchetts subdivision, developed prior to Wilsonville’s incorporation as a city. Each lot in the subdivision was approximately 2 acres in size, and adoption of the current Comprehensive Plan Map included a residential density for this area reflecting the existing subdivision. Beginning in the mid-2000s, the City approved many of the Bridle Trail Ranchett lots for Comprehensive Plan Map amendments to increase the density from 0-1 to 4-5 dwelling units an acre (du/ac). Currently, the City has approved portions of 15 of the original 19 Bridle Trail Ranchett lots for increased density of 4-5 dwelling units an acre (du/ac).



The first and largest approved change in this area from 0-1 to 4-5 du/ac was in 2004 with the adoption of Ordinance No. 570 for Renaissance at Canyon Creek. The supporting staff report discussed the need of additional homes to provide housing for people working in Wilsonville as well as others desiring to live here. In addition, the findings point out the limited amount of vacant residential land within the City, and that designations for higher residential density surround the original Bridal Trail Ranchettes subdivision.

In early 2006, Ordinance No. 604 similarly changed the Comprehensive Plan designation for approximately four acres on the east side of Canyon Creek Road South from 0-1 to 4-5 du/ac for the development of the 13-lot Cross Creek Subdivision. The City made the same findings regarding the need of additional housing units, the limited amount of vacant land within the City, and the density of surrounding areas.

In 2007, Ordinance No. 635 approved a similar Comprehensive Plan designation change for approximately 0.69 acres on the west side of Canyon Creek Road South, north of Renaissance at Canyon Creek. The City made findings consistent with the previously approved amendments.

In 2014, Ordinance No. 738 approved the same density change in 2014 for a property whose owners had elected not to participate in the 2004 Renaissance at Canyon Creek subdivision project, but desired to redevelop in 2014.

In 2016, Ordinance No. 790 changed the Comprehensive Plan designation from 0-1 to 4-5 du/ac for the 14-lot Aspen Meadows subdivision to the north of the subject property.

In 2018, Ordinance No. 823 changed the Comprehensive Plan designation from 0-1 to 4-5 du/ac for the 5-lot Aspen Meadows Phase 2 subdivision located south of the 14-lot Aspen Meadows subdivision. The City made findings consistent with the previously approved amendments.

Summary:

Comprehensive Plan Map Amendment (DB20-0040)

The applicant proposes to change the Comprehensive Plan Map designation for the 2.25-acre subject property from 0-1 du/ac to 4-5 du/ac, consistent with previous Comprehensive Plan Map amendments for properties in the Bridle Trail Ranchetts subdivision.

Zone Map Amendment (DB20-0039)

Contingent on approval of the Comprehensive Plan Map Amendment for an increased density of 4-5 du/ac, the applicant proposes a corresponding PDR zoning of PDR-3. Other portions of Bridle Trail Ranchettes with past approval of increased density to 4-5 du/ac have the same PDR-3 zoning.

Stage I Master Plan (DB20-0041)

The Stage I Master Plan generally establishes the location of housing, streets, and open space tracts on the site, reviewed in more detail with the Stage II Final Plan. The applicant proposes residential lots and open space as allowed in the PDR-3 zone.

Stage II Final Plan (DB20-0042)

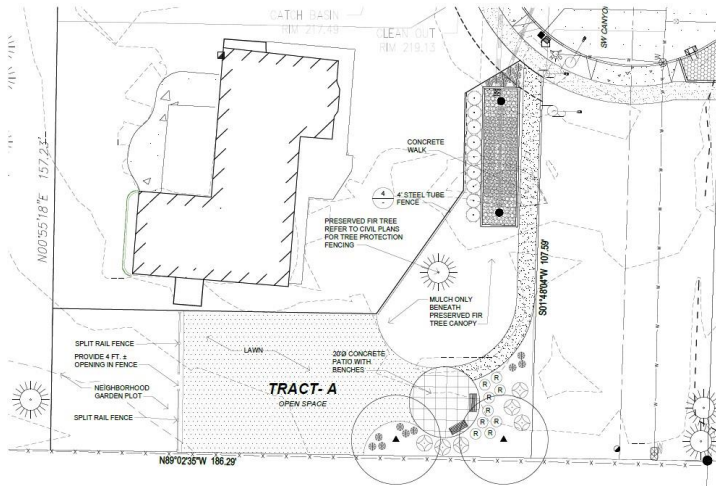
The Stage II Final Plan includes a proposed lot layout and size as well as block size and access that demonstrate consistency with development standards for Planned Development Residential Zones. The applicant proposes installing necessary facilities and services concurrent with the development of the proposed subdivision.

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 riparian area. The applicant proposes development on the eastern portion of the site, which drops by approximately 15 feet near the edge of the SROZ. This slope necessitates some grading and construction of a retaining wall, specifically on lots 13 and Tract A, to prepare lots for development.

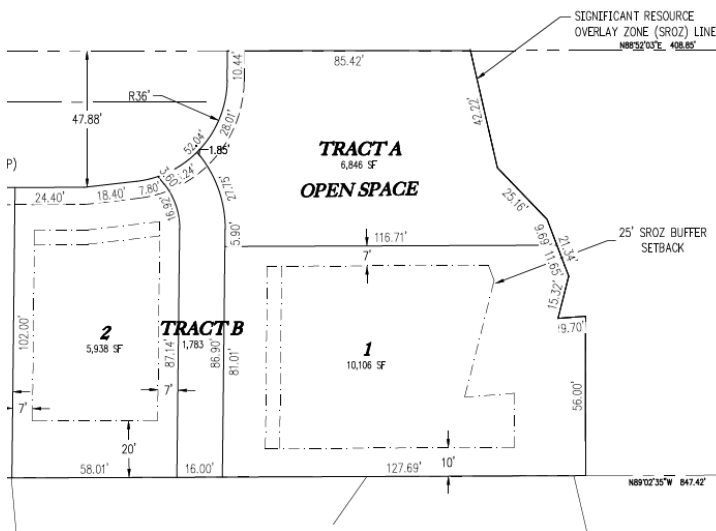
Site Design Review (DB20-0043)

The applicant proposes an open space area (Tract A) which provides ~~7,691~~ 6,729 square feet of usable open space. ~~The usable open space area provides a pedestrian connection into the open space area from the public sidewalk, a preserved tree, a stormwater facility, a community garden, and an open play area. The applicant has included a completed affidavit form attesting that the usable open space area has been designed by a registered landscape architect with experience designing similar usable open space areas within residential areas. At the time of writing this staff report, only the size and general shape of the required usable open space area has been submitted to staff. The layout, amenities, and overall appearance including landscaping are subject to the Site Design Review criteria and are intended to be reviewed by the Development Review Board. It is unlikely the applicant can provide Staff with a professionally designed landscape plan and affidavit prior to the continued hearing date of May 10, 2021. In order to ensure the future open space meets Site Design Review criteria and requirements for Open Space areas contained in Section 4.113, staff has conditioned that the final design of Tract A return before the DRB for final approval.~~

On April 29, 2021 the applicant sent staff a revised subdivision plan that includes a newly configured open space area (Tract A) which now provides 6,729 square feet of usable open space. The location of the open space is more appropriate than the previous proposal and allows clear sightlines into the usable open space area and adjacent natural area. Due to the time constraints involved in revising the open space to meet the requirement that it be designed by a registered landscape architect, the open space has been conditioned to return to the DRB for final design approval.



Previous Usable Open Space Location (Tract A)



Proposed Usable Open Space Location (Tract A)

Tentative Subdivision Plat (DB20-0044)

The applicant’s tentative subdivision plat shows all the necessary information consistent with the Stage II Final Plan for dividing the property in a manner to allow the proposed development.

Type C Tree Removal Plan (DB20-0045)

While the development plans preserve the large forested area in the eastern portion of the site within the Significant Resource Overlay Zone (SROZ), the plans include removal of 21 ~~26~~ trees that are either not viable or not practicable to preserve with proposed grading for development. The proposed planting of 35 trees, including street trees and additional trees in the SROZ, will mitigate for the removals.

Waiver (DB20-0053)

~~The applicant is requesting a waiver to reduce setbacks. The request includes reducing the 7 foot side yard setback as required by development standards for all residential zones to 5 feet on the~~

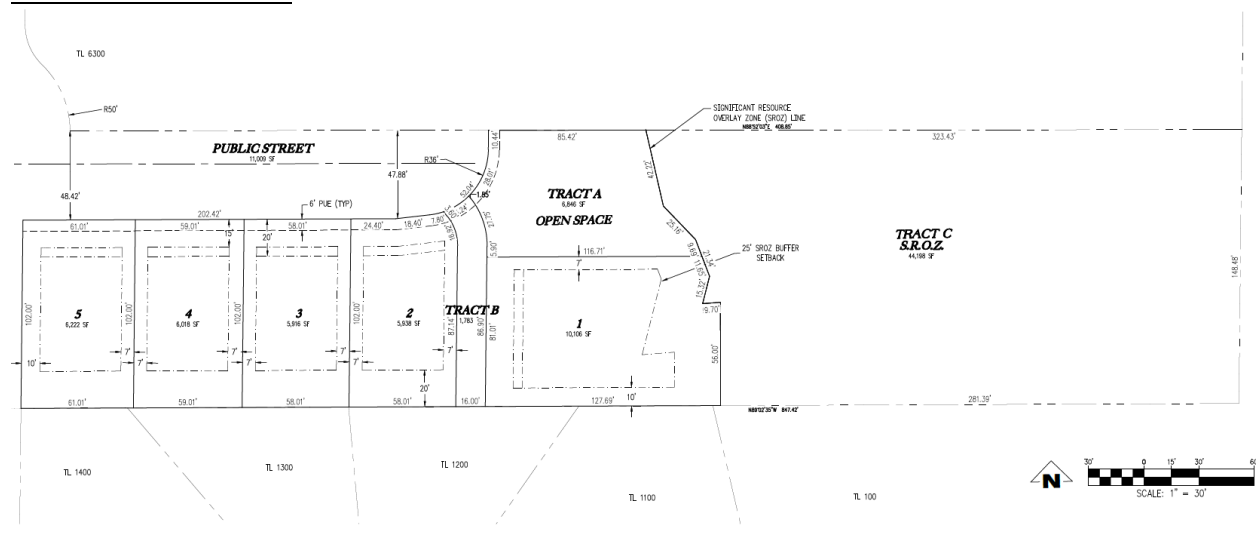
internal side yards of lots 2 and 4-7 for two-story homes. The applicant also requests a 7-foot setback on the western side of Lot 8 where 10 feet is required for corner lots by the development code in Section 4.113 Standards Applying to Residential Developments in Any Zone.

A revised layout submitted to the City on April 29, 2021 no longer shows the requested side yard setbacks that necessitated a waiver. The Applicant no longer requests the waiver application. The DRB therefore will not approve any of the previously requested waivers.

Discussion Points:

Changes to Proposal after April 12, 2021 DRB Panel A Hearing

Staff and the Applicant have been in communication regarding the project since the April 12, 2021 DRB hearing to explore various options that would result in a proposal that better addresses the resident and staff concerns, particularly regarding the waiver request. With previous conditions requiring increased setbacks and only partial support for the side-yard setback waiver, it became clear upon further review, that the density transfer from the SROZ was resulting in a need for the waiver in order to fit the additional density on a smaller infill site. The SROZ density transfer criteria require the transfer to be permitted only if other development standards for the zone are able to be met such as setbacks. Without the waiver it is not possible to meet setbacks, therefore the applicant chose to not utilize the density transfer. The applicant has since revised the proposed subdivision to contain five (5) residential lots. The new proposal provides a more consistent layout similar to adjacent established low-density neighborhoods, which is more consistent with the language and implementation measures within the Comprehensive Plan for Residential Districts.



Redevelopment of Bridle Trail Ranchettes

The 1964 Bridle Trail Ranchettes Subdivision created 19 lots, many of which were approximately 2 acres in size. In the most recent adoption of the Comprehensive Plan map, the entire subdivision was designated Residential 0-1 dwelling units per acre, and had a Zone Map designation of RA-

H. Subsequently, portions of 15 of the 19 lots have been rezoned to 4-5 dwelling units per acre, consistent with residential development in the City nearby. The subject proposal continues the trend reflecting the continued infill with urban residential densities of this area.

Residential Code Modernization Project

In April 2020, the City approved the Residential Code Modernization Project, which updated the Planned Development Residential (PDR) and Residential (R) zones to improve clarity, consistency, and usability of standards related to density and open space. Additionally, the code updates aimed to better coordinate minimum and typical lot sizes with the Comprehensive Plan and Zoning density ranges. These changes altered the PDR-3 zone by removing the average lot size requirement of 7,000 square feet, minimum density of one unit per 8,000 square feet and minimum lot size of 5,000 square feet. The new requirements contain a minimum lot size of 4,500 square feet and no average lot size or minimum density at build out. This is the first land use application to be reviewed under the new code requirements.

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. Due to the site constraints posed by the site, the street trees have been provided in the front yard area of the lots rather than within the planter strips.

~~Land Divisions to Create Open Space Tract~~

~~The applicant controls the site to the west of the subject property located at 28705 SW Canyon Creek Road S. In November of 2020, the city approved an application to partition the property, creating the parcel that is now proposed as a usable open space tract for this subdivision (Casefile AR20-0032).~~

Usable Open Space Requirements

The Applicant proposes the ~~five~~ eight lot subdivision with development plans that include an open space tract of ~~7,694~~ 6,729 square feet outside of the SROZ. For developments with less than 10 units, an open space area must be at least 1,000 square feet in order to count toward the 25% open space requirement. Half of the open space area must be located outside the SROZ and be programmed for active recreational use. ~~The applicant has provided an open space area that meets the size and usability requirements and has submitted the required affidavit that shows the open space was designed by a professional landscape architect.~~ *Due to the changes made to site plan and thus, the proposed open space area, the Applicant will be required to return to the*

DRB for a detailed open space area design that meets the site design review standards. The Applicant will need to submit an open space designed by a professional landscape architect, and should the landscape architect change from the previous proposal, a new affidavit will be required.

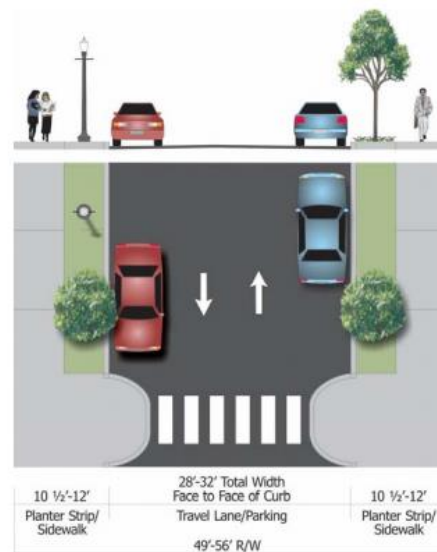
Traffic Study Memo

The proposed development generates less than 25 PM peak trips; therefore, a full Transportation Impact Study is not required. At the time the Trip Generation Memo was written by DKS Associates, the proposed development contained 11 dwelling units. The current proposal contains ~~eight (8)~~ five (5) dwelling units and would generate less trips than stated within the Trip Generation Memo. As the proposed development now contains less units than originally anticipated, a revised Trip Generation Memo is not required. The Trip Generation Memo concluded by stating the subdivision would generate 10 new PM peak hour trips (6 in, 4 out), and that 3 PM peak hour trips will travel through I-5/Elligsen Road interchange and 1 PM peak hour trip will travel through the I-5 Wilsonville Road interchange. The proposed plan provides adequate access to each parcel and that the existing walkway that connects Canyon Creek Road South to SW Morningside is not impacted by the proposed plan. No additional off-site improvements were required and DKS did not note any safety concerns stemming from the proposed subdivision.

Public Streets and Private Drives

The applicant proposes a new Public Street and a new private drive (Tract B) to provide access to the subdivision. The private drive provides access to three lots and is not proposed for extension. The private drive along with the cul-de-sac bulb aid in providing truck turn around space for TVF&R and Republic Services vehicles. The proposed public street has a proposed width of 48.42' at the west and 47.88' at the eastern end. Figure 3-9. Local Street Cross-Section from the Transportation System Plan (TSP) shows a right-of-way width for a local street to be between 49' and 56' feet. As noted in the TSP, 47' is allowed with constraints, and in this particular situation, the applicant proposes street improvements including two-way traffic, sidewalk, and a planter strip on the south side of the proposed street. Full improvements are not feasible as the property to the north is under separate ownership and not under redevelopment to require right-of-way dedication. If the property to the north is developed, there will be additional right-of-way dedication and public improvements required that will meet the Local Street Cross-Section standard. The applicant's modified site plan has also widened the proposed right-of-way to provide a public street wide enough for parking on one side of the street. The proposed public street continues to meet the standards for partial street improvements.

FIGURE 3-9. LOCAL STREET CROSS-SECTION



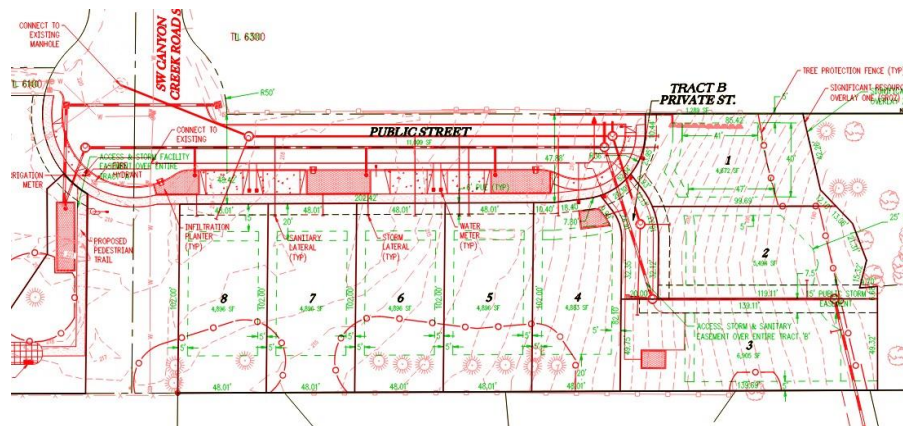
Notes:

1. Minimum right-of-way width of 47 feet (parking on one side) and 51 feet (parking on both sides). Providing parking on both sides is preferred unless constraints exist.
2. Minimum sidewalk width is 5 feet; minimum planter strip width is 5 feet.
3. Curb width of ½ foot is included in the planter strip width.
4. Curb and sidewalk bulb-outs at crosswalks or street intersections as determined by Community Development Director.
5. Street lights shall be located within the planter strip as required in the PW Standards.
6. No lane striping on street. Signage as required.
7. New streets shall incorporate low impact development design as practicable.

Tree Removal and Protection Plans

There are currently 92 trees that have been surveyed on the subject property. The applicant proposes the removal of ~~21~~ 26 trees outside the SROZ due to grading and site improvements, and one (1) tree due to poor condition. The proposed mitigation consists of planting 26 additional trees in the SROZ area, 6 black tupelo *Nyssa sylvatica* street trees, one (1) Red Maple *Acer rubrum* street tree, and two (2) eastern redbud *Cercis Canadensis* trees within the usable open space area for a total of 35 trees.

However, the arborist report notes that several of the trees shown as preserved along the rear lot lines for lots ~~2-5~~ 4-8 should be reevaluated against the future home plans as the tree protection fencing overlaps with the buildable area of the proposed lots (shown in the image below delineated by green dashed lines). It is important the tree protection fencing is realistic and easy to maintain as fencing ensures construction impacts will not impact the root zones of the trees and increases the likelihood the preserved trees will survive after construction is complete. Staff has witnessed similar situations in other projects and in order to preserve the trees to the greatest extent possible, a condition of approval has been added to reassess the trees with the project arborist when the future house plans are provided to ensure maximum preservation. In the case that tree removal is requested for one of the trees indicated for preservation, the project arborist will submit a report to City Staff including a written explanation of the measures considered to preserve the trees along with the reasoning that makes preservation not feasible.



Side Yard Setback Waiver Request

The applicant has requested a waiver for side yard setbacks for two story homes, which would decrease the setbacks from the required 7 foot setback to a 5 foot setback on the interior lot lines of the lots. The applicant also requests a waiver for the required 10 foot setback for Lot 8, which is a corner lot. Staff supports the waiver for the interior setback reduction on the interior lot lines based on the applicant's rationale; however, a condition of approval has been added to require a 10 foot setback in line with the requirements for a corner lot as this setback is not typically waived. Furthermore, as a condition of the zone map amendment, staff has included a condition of approval to require 10 foot setbacks on the northern lot line of Lot 1 and southern lot line of Lot 3, which maintains the setback of the Rural Agricultural Holding – Residential (RAH-R) zone.

Comments Received and Responses:

Comments were received from the following individuals during the public comment period and are included in Exhibits D1 through D20 of this Staff Report:

- Email from D. and J. Carlson
- Email from H. And J. Lulay
- Email from B. Lund
- Email from A. and M. Calcagno
- Email from S. and S Lorente
- Email from J. Britt
- Email from K. Troupe
- Email from M. Davis
- Email from M. Lama
- Email from A. Halter
- Email from K. and B Colyer
- Email from K. Tinker
- Email from K. Halstead
- Email from K. and R. Fink
- Email from M. Kochanowski
- Email from M. and A. Falconer
- Email from S. Heath
- Email from J. Dupell
- Email from C. Halstead
- Email from G. Pelser
- Email from N. and P. Mukherjee
- Email from W. Spring
- Email from Housing Land Advocates (HLA) and Fair Housing Council of Oregon (FHCO)

A summary of comments by topic area is included below. All concerns raised in the comments received are addressed in the Summary and Discussion Points sections above as well as in the Findings, which can be found later in this Staff Report.

Traffic Congestion

The majority of comments received by the City note concerns regarding additional development where there is only one access point in and out of the neighborhood. A Trip Generation Memo was prepared by DKS and is included as part of Exhibit B1. A local street such as SW Daybreak that provides access to SW Canyon Creek Road can handle 1,000 to 1,500 daily trips without issues. Streets within a neighborhood such as this, with less than 100 dwelling units would not see congestion at neighborhood intersections. It should be noted the City policy is not to minimize traffic on local streets, but rather to ensure all streets and intersections function within established limits. The traffic memo confirmed the street network continues to function at the City standards set forth in the code.

Privacy Concerns

In addition to tree removal impacts contributing to a loss of privacy, residents expressed concerns and asked questions regarding fencing and screening requirements where the new subdivision abuts existing development. Based on the proposed layout, headlights on the private street (Tract B) may impact adjacent properties at night. The code does not require screening or buffering where two residential zones meet. This is particularly true as the proposed zone PDR-3 is a lower density zone than the PDR-4 zone to the south. While there is no requirement for the proposed subdivision to require a fence along the proposed residential lots, the occupants of the new homes will likely also desire privacy and developers typically construct privacy fences along property lines. ~~In addition, to address neighborhood concerns of more intense development resulting from the zone change, a Condition of Approval for the Zone Map Amendment requires the setbacks along existing north and south property lines be kept at no less than 10 feet, which is the current setback required in the existing RA H zone for these property lines.~~

Lot Size

Residents expressed concerns about the proposed residential lots containing a smaller lot size than the other residential lots zoned PDR-3 in the immediate vicinity. Concern is expressed that this subdivision will be inconsistent with the adjacent developments. Based on code changes that went into effect in June 2020 that revised the minimum lot size in the PDR-3 zone, the residential lots proposed all exceed the minimum lot requirement. Lot size is a clear and objective development criteria. If lot sizes meet the minimum size set by the zone, then there are no grounds for denying an application based on lot size. It should also be noted that the property development to the south has substantially larger lots than typical for the zone they are located in (PDR-4), which actually is a denser zone with a lower minimum lot size than the proposed project. The underlying zoning standards, not the adjacent development pattern which happens to have larger lot sizes than zoned for, is what the City is required to apply when evaluating a development application. *The revised proposal has reduced the amount of lots in the proposal from eight (8) to five (5), which results in fewer lots with larger lot sizes, which is more consistent with the surrounding residential developments.*

Parking

Neighbors expressed concerns regarding on-street parking in the nearby Aspen Meadows subdivision despite there being no parking signs. Residents are concerned that the same situation will occur upon development of this proposed subdivision, which exacerbates their concerns regarding fire safety. The proposed subdivision contains at least one (1) off-street parking space per unit meeting the code requirement of one (1) space per dwelling unit, additionally with the condition that each driveway contain enough room to fit a standard 9 x 18 parking space, each lot will provide two (2) parking spaces. *The revised proposal now includes on-street parking to address concerns regarding parking.*

Property Values

Several residents noted concerns about the configuration of the proposed subdivision resulting in reduced property values for adjacent properties. No evidence in the record related to this concern demonstrate any criteria applicable to this application would be violated.

Grading Plans

Several residents raised concerns regarding the steep slope on site and questioned how future homes will be built on a site that will require grading work. Another resident noted inconsistencies within the grading plans provided by the applicant and their feasibility concerning the homes being shown on Lots 1 and 2. Staff would like to note that the homes shown on Lots 1 and 2 were requested to show feasibility of fitting a home on the lot and are not reflective of the final homes to be built in those locations. The current grading plans are preliminary grading plans; the final grading plans will be reviewed during the site grading permit process and cross-referenced during the building permit process to ensure compliance.

Architectural Compatibility

There are concerns that these homes will not take into consideration the precedent set by adjacent subdivisions in terms of the architectural design of the future dwellings on the proposed lots. This application is for an 8-lot subdivision; construction of future dwelling units will be reviewed under separate permits. Architectural design of future residential units is not a criteria applicable to this application. The Development Code does not contain design standards residential dwelling units outside Villebois, Frog Pond, and Old Town; therefore, future dwellings will be able to utilize any architectural style. Adjacent properties and development projects were not subject architectural design requirements either.

Process and Role of the Planning Division and Board

A number of comments concern the nature of the process, City staff, decision makers and their role in approving development. Staff, the Development Review Board members, and City Council, in their roles reviewing development applications, must be impartial and focus on the facts of the case and how the facts align with adopted policies and code standards. The staff report serves not to represent the developer or surrounding residents; the purpose is to represent the City as a whole through the City's policies and standards which serve to represent the needs and interests of the community, and to evaluate the development application against those standards. Planners use their technical knowledge and professional judgment to evaluate the specifics of a project and whether it meets the relevant standards of the Code, presenting this in the staff report to DRB. If a development proposal meets all of the clear and objective development standards, then the staff recommend approval of the project regardless of any personal opinion they may hold.

Housing Land Advocates and Fair Housing Council of Oregon Comments

A comment letter submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO) was received by Staff after the deadline to submit public comments in order to be integrated into the staff report. The letter, received on April 12, 2021, requests the Board defer adoption of Resolution No. 388 until Goal 10 findings are added to the staff report. Goal 10 findings that evaluate the proposal under the Housing Needs Analysis (HNA) and Buildable Lands Inventory (BLI) have been added to the staff report to satisfy this request, see Finding A38.

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 and approve, as relevant, the proposed application (DB20-0039 through DB20-0045 and ~~DB20-0053~~) with the following conditions:

Planning Division Conditions:

Request A: DB20-0040 Comprehensive Plan Map Amendment

This action recommends to the City Council approval of the Comprehensive Plan Map Amendment for the subject property. The Zone Map Amendment (DB20-0039) and all approvals contingent on it are contingent on the Comprehensive Plan Map Amendment.

No conditions for this request

Request B: DB20-0039 Zone Map Amendment

This action recommends adoption of the Zone Map Amendment to the City Council for the subject property. This action is contingent upon the Comprehensive Plan Map Amendment (DB20-0040). Case files DB20-0041, DB20-0042, DB20-0043, DB20-0044, DB20-0045, and ~~DB20-0053~~ are contingent upon City Council's action on the Zone Map Amendment request.

~~PDB 1. Ongoing: Future homes constructed shall maintain the side yard setbacks of the RAH R zone of 10 feet at the northern lot line of Lot 1 and the southern lot line of Lot 3. See Finding B14.~~

No conditions for this request

Request C: DB20-0041 Stage I Master Plan

Approval of DB20-0041 (Stage I Master Plan) is contingent on City Council approval of the Zone Map Amendment request (DB20-0039).

~~PDC 1. General: The applicant shall revise AR20-0032, and record the partition with Clackamas County to ensure the subdivision meets the open space requirements. See Finding C14.~~

No conditions for this request

Request D: DB20-0042 Stage II Final Plan

Approval of DB20-0042 (Stage II Final Plan) is contingent on City Council approval of the Zone Map Amendment request (DB20-0039).

PDD 1. General: 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.	<u>Prior to Final Plat Approval:</u> 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 D34.
PDD 3.	<u>Prior to Final Plat Approval:</u> 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 D37.
PDD 4.	<u>General:</u> 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 subdivision plat. See Finding D59.
PDD 5.	<u>General:</u> The design of the private access drive in Tract B shall provide for a useful lifespan and structural maintenance schedule comparable to a public local residential street. See Finding D68.
PDD 6.	<u>General:</u> All travel lanes shall be constructed to be capable of carrying a twenty-three (23) ton load. See Finding D70.
PDD 7.	<u>Prior to Final Plat Approval:</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 D31.
PDD 8.	<u>General:</u> All street trees and right-of-way landscaping shall be installed fronting a lot prior to issuance of an occupancy permit for a home on the lot. See Finding D51.
PDD 9.	<u>General:</u> 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 D52.
PDD 10.	<u>General:</u> 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 D53 and D54.
PDD 11.	<p><u>General:</u> The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"> • Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch. • Native topsoil shall be preserved and reused to the extent feasible. • 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. • 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. • Shrubs shall reach their designed size for screening within three (3) years of planting. • 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

<p>minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum.</p> <ul style="list-style-type: none"> • No bare root planting shall be permitted. • Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. • Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations. <p>Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding D47.</p>
<p>PDD 12. <u>General:</u> All trees shall be balled and burlapped and conform in size and grade to "American Standards for Nursery Stock" current edition. See Finding D47.</p>
<p>PDD 13. <u>General:</u> 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. The applicant shall provide specific details on the proposed irrigation method prior to installation of street trees. See Finding D48.</p>
<p>PDD 14. <u>Prior to Final Plat Approval:</u> The applicant shall submit a revised Sheet L1 showing the landscaping plan to match the new shape and square footage of the proposed usable open space area in Tract A. <i><u>If the project landscape architect changes, the applicant shall submit a new Affidavit of Professional Credentials for Residential Usable Open Space Areas in the City of Wilsonville. For final approval of the revised open space area, the applicant shall return to the Development Review Board for review of the redesigned open space.</u></i> See Finding D49.</p>
<p>PDD 15. <u>Prior to Final Plat Approval:</u> The applicant shall revise the CC&R's and Bylaws documents to require the future Homeowners Association to actively enforce no parking areas, tow any illegally parked vehicle within 12 hours, and establish fees for homeowners who violate the no parking zones. See finding D37.</p>

Request E: DB20-0043 Site Design Review of Parks and Open Space

<p>Approval of DB20-0043 (Site Design Review of Parks and Open Space) is contingent on City Council approval of the Zone Map Amendment request (DB20-0039)</p>
<p>PDE 1. <u>Prior to Final Plat Approval:</u> The applicant shall submit landscape plans meeting applicable design standards and receive DRB approval of the landscape plans for the usable open space (Tract A) and install the approved landscaping unless such landscaping installation is deferred based written agreement with the City.</p>

Request F: DB20-0044 Type C Tree Plan

Approval of DB20-0044 (Type C Tree Plan) is contingent on City Council approval of the Zone Map Amendment request (DB20-0039).	
PDF 1.	General: This approval for removal applies only to the 21 26 trees identified in the applicant's submitted Tree Maintenance and Protection Plan, see Exhibit B3 <u>as revised</u> . All other trees on the property shall be maintained unless removal is approved through separate application.
PDF 2.	Prior to Grading Permit Issuance: 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 F18.
PDF 3.	Prior to Final Plat Approval: The applicant/owner shall install the required 26 mitigation trees, as shown in the applicant's sheets 4 and L1 of Exhibit B3 <u>as revised</u> , per Section 4.620 WC.
PDF 4.	General: 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.
PDF 5.	Prior to Commencing Site Grading: The applicant/owner shall install six-foot-tall chain-link fencing around the drip line of preserved trees as identified on the Tree Preservation and Removal Plan Sheet 3 of 14 in Exhibit B2 <u>as revised</u> . The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. See Finding F24.
PDF 6.	Ongoing: The project arborist shall be on site to observe any grading or construction that may impact the required tree protection fencing and to ensure the root zones of the trees are not negatively impacted by construction. See finding F24.
PDF 7.	Prior to Final Plat: The applicant shall appropriately clear debris and invasive species within the SROZ area prior to planting any mitigation plantings. See Finding F23.
PDF 8.	Prior to Final Plat: The applicant shall submit a revised tree preservation and removal plan that shows the retention of trees 6245, 6245, 6247, and 6248, including proper tree protection fencing. <u>Should the trees require removal in the future, City of Wilsonville approval will be required and the applicant shall follow the steps outlined in Condition of Approval PDF 9 to demonstrate that the removal is necessary.</u> See Finding F20.
PDF 9.	Ongoing: While an extensive arborist report has been completed and trees and conditions have been inventoried to determine which trees will be preserved, based

on staff analysis of the plans it is expected that future construction situations may arise involving preserved trees at the rear of Lots ~~two four~~ (2) (4) through ~~five eight~~ (5) (8). If such issues or situations arise, the project arborist shall provide City staff with a written explanation of the measures considered to preserve the trees along with the line of reasoning that makes the preservation of the tree not feasible. Prior to further construction within the tree protection zone, the City will verify the validity of the report through review by an independent arborist to ensure that the tree cannot be preserved. If it is ultimately decided that the tree cannot be preserved by both arborists, then the developer may remove the tree, and will be required to plant one tree of the same variety at another location within the project area. See Finding F20.

PDF 10. *The applicant shall provide the two (2) mitigation trees located in the usable open space (Tract A) as proposed on April 12 within the new usable open space area (Tract A), and provide street trees consistent with the amounts shown on the previous configuration of the proposal. See Finding F20.*

Request G: DB20-0053 Tentative Subdivision Plat

Approval of DB18-0031 (Tentative Subdivision Plat) is contingent on City Council approval of the Zone Map Amendment request (DB20-0039).

PDG 1. **Prior to Final Plat Approval:** Any necessary easements or dedications shall be identified on the final subdivision plat.

PDG 2. **Prior to Final Plat Approval:** 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 Subdivision Plat.

PDG 3. **Prior to Final Plat Approval:** 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 E14.

PDG 4. **Prior to Final Plat Approval:** Prior to the recording of the final subdivision plat, 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.

PDG 5. **Prior to Final Plat Approval:** 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.

Request H: DB20-0053 Waiver

Approval of DB20-0053 (Tentative Partition Plat) is contingent on City Council approval of the Zone Map Amendment request (DB20-0039).
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PDH 1. Ongoing: Future construction on Lot 8 shall have a 10-foot side yard setback along the western lot line. See Finding H2.

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: DB20-0040 Stage II Final Plan**

PFD 1.	Prior to Issuance of Public Works Permit, Public Works Plans and Public Improvements shall conform to the "Public Works Plan Submittal Requirements and Other Engineering Requirements" in Exhibit A1.
PFD 2.	Prior to Issuance of Public Works Permit, submit site plans to Engineering demonstrating how the site being served with public utilities: domestic and fire water, sanitary sewer, and storm drainage. Public utility improvements shall be designed and constructed in accordance with the Public Works Standards.
PFD 3.	Prior to Issuance of Public Works Permit, submit site plans to Engineering showing street improvements including pavement, curb, planter strip, street trees, sidewalk, and driveway approaches along site frontage on Canyon Creek Road South and the proposed new public street. Street improvements shall be constructed in accordance with the Public Works Standards. The eyebrow corner shall be designed with minimum centerline radii to allow fire, utility, moving trucks turnaround.
PFD 4.	Prior to Issuance of Public Works Permit, submit a storm drainage report to Engineering for review and approval. The storm drainage report shall demonstrate the proposed development is in conformance with the Low Impact Development (LID) treatment and flow control requirements, and the Public Work Standards.

PFD 5.	Prior to Issuance of Public Works Permit, a Performance Bond in an amount equals to 150% of the approved Design Engineer’s construction estimate shall be submitted to Engineering for public infrastructures construction guarantee purposes.
PFD 6.	Prior to Site Commencement, an approved Erosion Control Permit must be obtained and erosion control measures must be in place. Erosion Control Permit must be renewal annually until the entire site is completely established and stabilized.
PFD 7.	Prior to Final Plat Approval, street improvements including pavement, curb, planter strip, street trees, streetlights, sidewalks and driveway approaches along the site frontage on Canyon Creek Road South and the new public street shall be constructed and completed.
PFD 8.	Prior to Final Plat Approval, storm drainage improvements along the site frontage on Canyon Creek Road South, in the new public street, in Tract A, and the private street Tract B, and the easement located on <u>Lot 1</u> lots 2 and 3 shall be constructed and completed.
PFD 9.	Prior to Final Plat Approval, the 8-inch public sanitary sewer mains, associated manholes and laterals serving the proposed lots shall be constructed and completed.
PFD 10.	Prior to Final Plat Approval, public 8-inch DI water main, associated fittings, fire hydrants, blow-off assembly, and services serving the proposed lots shall be constructed and completed.
PFD 11.	Prior to Final Plat Approval, streetlights shall be constructed and energized.
PFD 12.	Prior to Final Plat Approval, provide a copy of the Home Owner Association (HOA) establishment legal document to Engineering for City’s record.
PFD 13.	Prior to Final Plat Approval, provide a copy of the HOA’s CC&R to Engineering for review and City’s record. The CC&R shall include language indicating the maintenance responsibility for <u>the open space Tract A</u> , the private street Tract B and all the stormwater LID facilities.
PFD 14.	A Stormwater Maintenance Agreement and Access Easement for the maintenance and access to all the LID stormwater facilities located on private lots shall be in place. The document shall be recorded as a part of the Final Plat recordation.
PFD 15.	A Stormwater Maintenance Agreement for the maintenance of the LID stormwater facilities locate in the right of way or public tract shall be in place. The document shall be recorded as a part of the Final Plat recordation.
PFD 16.	Record a 6-foot Public Utility Easement (PUE) as a part of the Final Plat recordation.
PFD 17.	Record the Open Space-Tract A and the Private Street-Tract B as a part of the Final Plat recordation.
PFD 18.	Record the Aeess , Storm <u>easement over the entirety of</u> Tract B as a part of the Final Plat.

PFD 19.	Record the 15-foot stormwater easement over the public stormwater line located on Tract A and Lot 1 as a part of the Final Plat.
PFD 20.	The City will prepare all easement documents and provide them to the Developer for signatures. Exhibits and legal descriptions associated with all Tracts and Easements and Agreements however shall be prepared by a license Surveyor/Engineer hired by the Developer. The developer will also be responsible for the preliminary title report, title insurance and recording fees associated with the recordation of all the Tracts and Easements and Agreements.
PFD 21.	Prior to Issuance of Conditional Acceptance, a Maintenance Bond in the amount equals to 10% of the cost to construct the public improvements shall be submitted to Engineering for maintenance purposes. The Maintenance Bond shall be kept in place for a period of 2 years from the day of Conditional Acceptance.
PFD 22.	Prior to Issuance of Conditional Acceptance, a Maintenance Bond in the amount of 100% of the cost to install all required landscaping in water quality/quantity facilities and vegetated corridors, plus 100% of the cost to maintain the landscaping in these areas shall be submitted to Engineering for maintenance purposes. The Maintenance shall be kept in place for a period of 2 years from the day of Conditional Acceptance.
PFD 23.	Prior to Issuance of Conditional Acceptance, provide the City with the As-Built plans for the City's record.

Natural Resources Division Conditions:

All Requests

NR 1.	Natural Resource Division Requirements and Advisories listed in Exhibit C3 apply to the proposed development.
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Building Division Conditions:

All Requests

BD1.	<p>Prior to construction of the subdivision's 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"> 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).
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Development Review Board Conditions:

All Requests

DRB 1.	<i><u>Update the plans swapping Tract A with Lot 1 maintaining the required open space requirements</u></i>
DRB 2.	<i><u>City Staff will assess the Applicants proposal of designing and installing a new outfall on Boeckman Creek in effort to reduce site and slope disturbance and tree removal, however the preferred approach is to minimize the number of new outfalls to reduce impact to Boeckman Creek. City Staff shall ensure any changes that revise lot layout or storm water utilities for the proposed subdivision meet all adopted standards and code criteria</u></i>
DRB 3.	<i><u>Preserve any additional trees that are possible in the open space as a result</u></i> <i><u>Development Review Board Condition DRB 1 and DRB 2.</u></i>
DRB 4.	<i><u>The Applicant shall demonstrate the Private Drive be used as a vehicle turn around.</u></i>

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 DB20-0039 through DB20-0053. 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 April 12, 2021
- A3. Staff's Presentation Slides for Public Hearing May 10, 2021

Materials from Applicant

- B1. **Applicant's Narrative and Materials**
 - Signed Development Permit Application
 - Narrative
 - Amended Property Information Report – National Title Insurance Company
 - Legal Description
 - Tax Map
 - Tree Protection Specifications
 - Tree Inventory Data
 - Arborist Report – Morgan Holen & Associates
 - Draft CC&Rs and Bylaws

DKS Trip Generation Memo
 Preliminary Stormwater Management Plan
 Reduced 11x17 Subdivision Plans

B2. Drawings and Plans – 8-Lot Subdivision

1 Cover Sheet
 2 Existing Conditions & Demolition Plan
 3 Tree Preservation and Removal Plan
 4 Tree Mitigation Plan
 5 Preliminary Plat
 6 Preliminary Grading Plan
 7 Preliminary Site and Utility Plan
 8 Preliminary Public Street Plan and Profile
 9 Preliminary Storm Plan and Profile
 10 Preliminary Lighting Plan
 Preliminary Street Tree Plan
 Lots 1 & 2 Lot Fit Exhibit
 Lot 1 Floor Plan
 Lot 2 Floor Plan
 L1 Landscape Plan

B3. Affidavit of Professional Credentials for Residential Usable Open Space Areas in the City of Wilsonville

Relevant Projects List

B4. TVF&R Standard Thumb Turn Around Plan

B5. 3/24/21 E-mail Response to Staff Questions from Emerio Design

B6. Revised Legal Description and Sketch

B7. Republic Services Service Provider Letter

B8. Signed Land Use Application Extension of Time Form April 13, 2021

B9. Revised Plan Set April 29, 2021

B10. Additional Findings from Applicant, May 3, 2021

B11. Plan Set Presented by the Applicant at the Hearing May 10, 2021

Development Review Team Correspondence

- C1. Engineering Requirements
- C2. Building Division Requirements
- C3. Natural Resource Requirements
- C4. TVF&R Standards

Other Correspondence

- D1. Email from D. and J Carlson Dated February 25, 2021, April 1, 2021, and April 2, 2021
- D2. Email from H. and J Lulay Dated February 25, 2021 and April 2, 2021
- D3. Email from B. Lund Dated February 25, 2021, March 5, 2021, and April 1, 2021
- D4. Email from A. and M. Calcagno Dated February 26, 2021 and April 2, 2021

- D5. Email from S. and S. Lorente Dated February 26, 2021
- D6. Email from J. Britt Dated March 6, 2021
- D7. Email from K. Troupe Dated March 7, 2021 and April 1, 2021
- D8. Email from M. Davis Dated March 27, 2021
- D9. Email from M. Lama Dated March 30, 2021 and April 2, 2021
- D10. Email from A. Halter Dated April 2, 2021
- D11. Email from K. and B. Colyer Dated April 1, 2021
- D12. Email from K. Tinker Dated April 1, 2021
- D13. Email from K. Halstead Dated April 2, 2021
- D14. Email from K. and R. Fink Dated April 2, 2021
- D15. Email from M. Kochanowski Dated April 2, 2021
- D16. Email from A. Falconer Dated April 2, 2021
- D17. Email from S. Heath Dated April 2, 2021
- D18. Email from J. Dupell Dated April 2, 2021
- D19. Email from C. Halstead Dated April 2, 2021
- D20. Email from G. Pelser Dated April 2, 2021
- D21. Email from Helena Lulay dated April 8, 2021.
- D22. Email from Brenda Lund dated April 8, 2021
- D23. Email from Nilanjan Mukherjee dated April 2, 2021
- D24. Unlabeled Comment letter received from Bill Spring via email
- D25. Letter dated April 12, 2021 received jointly from Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO)
- D26. Written testimony submitted by Mike Lama during DRB A Meeting
- D27. PowerPoint presented by Anthony Calcagno
- D28. PDF presentation by Dave Carlson
- D29. PowerPoint presented by Joan Carlson
- D30. PDF presentation by Mark Kochanowski
- D31. PowerPoint presented by Michelle Calcagno
- D32. PDF presentation by Helena Lulay
- D33. Email from Brenda Troupe Dated May 5, 2021
- D34. Email from Dave Carlson Dated May 5, 2021
- D35. Email from Joan Carlson Dated May 5, 2021
- D36. Email from Chip Halstead Dated May 6, 2021
- D37. Email from Kristi Halstead Dated May 6, 2021
- D38. Email from Anthony and Michelle Calcagno Dated May 7, 2021
- D39. Email from Helena Lulay, Dated May 7, 2021
- D40. Petition

Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application on September 8, 2020. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on

October 8, 2020. The applicant submitted additional material on November 18, 2020. Planning Staff conducted a second completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on December 11, 2020. The applicant submitted additional materials on December 23, 2020. Planning Staff deemed the application complete on January 7, 2021. The City must render a final decision for the request, including any appeals, by May 7, 2021. *The applicant submitted a signed Land Use Application Extension of Time form on April 13, 2021 to extend the 120-day time limit set by ORS 221.178. The applicant has extended the date for final action to June 30, 2021.*

2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	RA-H	Residential
East:	PDR-4	SROZ, Residential
South:	PDR-4	SROZ, Residential
West:	PDR-3	Residential

3. Previous City Planning Approvals:

Current subdivision (Bridle Trail Ranchetts) approved prior to City incorporation
AR20-0032 – Class II Administrative Review 2-Lot Partition

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 owners William Z. Spring and Neil Fernando on behalf of Fallbrook, LLC, have has signed the submitted application form.

Pre-Application Conference

Subsection 4.010 (.02)

Following a request from the applicant, the City held a pre-application conference for the proposal on March 28, 2019 (PA19-0006) 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: DB20-0040 Comprehensive Plan Map Amendment

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

Development Code - Comprehensive Plan Amendment Process

Procedures and Criteria in Comprehensive Plan

Subsection 4.198 (.01)

- A1. The lot of the subject development site is of sufficient size for development in a manner consistent with the purposes and objectives of Section 4.140.

Review Bodies

Subsection 4.198 (.02)

- A2. The DRB and City Council are considering the request as described.

Applicant Agreeing to Conditions of Approval

Subsection 4.198 (.05)

- A3. The owner will be required to sign a statement accepting conditions for approvals granted contingent on the Comprehensive Plan Map Amendment and Zone Map Amendment.

Comprehensive Plan Amendment Required Findings

Meets Identified Public Need

Subsection 4.198 (.01) A.

- A4. The “Residential Development” portion of the Comprehensive Plan (Policy 4.1.4) identifies the need for additional housing within the City to serve housing and economic needs of residents and employees working within the City.

Based on data used for the City of Wilsonville Annual Housing Report, as of the third quarter of 2020 the city has 11,381 housing units. The most recent data from the 2019 Annual Housing Report shows the following mix of housing units:

- 45.7% Apartments
- 40.4% Single-Unit Dwellings
- 7.5% Middle Housing
- 4.8% Condominiums
- 1.3% Mobile Homes

Policy 4.1.4 and its implementation measures, seek to “provide opportunities for a wide range of housing types, sizes, and densities at prices and rent levels to accommodate people who are employed in Wilsonville.” The proposal provides additional residential lots supporting an ongoing desire for homes at various price levels as part of Wilsonville’s strong diversity of housing unit types.

Meets Identified Public Need As Well As Reasonable Alternative

Subsection 4.198 (.01) B.

- A5. The proposed subdivision has similarities in site density and housing product to other subdivisions nearby such as Renaissance at Canyon Creek and Aspen Meadows, and provides a consistent density and development type as the area becomes more dense and urban over time. The consistency with nearby development makes the proposed continued residential use at the proposed density meet the need for a variety of homes better than other density or design options for the site. The decision to not use the available SROZ density transfer supports the ability to have lots that meet the context of immediately adjacent lots.

Supports Statewide Planning Goals

Subsection 4.198 (.01) C.

- A6. The City's Comprehensive Plan complies with the Statewide Planning Goals. The consistency of the proposal with the Comprehensive Plan, as stated in the findings for this request, demonstrates the proposal also complies with the Statewide Planning Goals. See also Findings A33-A37.

No Conflict with Other Portions of Plan

Subsection 4.198 (.02) D.

- A7. The applicant is requesting an amendment of the Comprehensive Plan Map for the subject properties. The applicant does not propose to modify or amend any other portion of the Comprehensive Plan or Plan Map.

Comprehensive Plan-Initiating, Applying for, and Considering Plan Amendments

Who May Initiate Plan Amendments

Introduction Page 7 "Plan Amendments" 1.

- A8. The property owner of the subject lot has initiated the proposed amendment.

How to Make Application

Introduction Page 7 "Plan Amendments" 2.

- A9. The property owner of the subject lots, who has submitted a signed application form provided by the City and paid the required application fee, initiated the proposed amendment.

Consideration of Plan Amendments

Introduction Page 7 "Plan Amendments" 3.

- A10. The City Council will consider the plan amendment only after receiving a recommendation from the Development Review Board.

Standards for Approval of Plan Amendments

Conformance with Other Portions of the Plan

Introduction Page 7 "Plan Amendments" 4. a.

A11. The change of residential density for the subject properties does not lead to nonconformance with other portions of the Comprehensive Plan.

Public Interest

Introduction Page 7 "Plan Amendments" 4. b.

A12. The request is in the public interest by providing needed housing. See also Finding A4.

Public Interest Best Served by Timing of Amendment

Introduction Page 7 "Plan Amendments" 4. c.

A13. The timing of the amendment is appropriate. See Finding A5.

Factors to Address in Amendment

Introduction Page 7 "Plan Amendments" 4. d.

A14. The area is suitable for the proposed development as it is in a residential area with similar development and has the necessary public services, including streets, available. It is similar to and follows the trends in recent nearby developments such as Renaissance at Canyon Creek and Aspen Meadows. The density is consistent with these other recent nearby developments. No parties submitted substantial evidence supporting concerns that the development would negatively affect property values. Preservation of natural resource areas is part of the development. The application of design standards ensures healthful, safe and aesthetic surroundings.

Conflict with Metro Requirements

Introduction Page 7 "Plan Amendments" 4. e.

A15. The review did not identify any conflicts with Metro requirements. Particularly, Wilsonville's housing mix continues to exceed Metro's requirements.

Public Notice Requirements

Introduction Page 8 "Plan Amendments" 5.

A16. The City has or will send all required public hearing notices.

Urban Growth Management

Urbanization for Adequate Housing

Implementation Measure 2.1.1.b.

A17. The proposal provides for additional housing density to accommodate those employed with the City. See also Finding A4.

Revenue Sources for Urbanization

Implementation Measure 2.1.1.d.

A18. Existing requirements for improvements and systems development charges apply to the development proposed concurrently with the Comprehensive Plan Map amendment.

New Development and Concurrency

Implementation Measure 2.1.1.e.

A19. The City's concurrency requirements in the Development Code apply to the concurrently proposed development.

Encourage Master Planning

Implementation Measure 2.1.1.f.2.

A20. The subject property is large enough, being greater than the two-acre threshold for planned development established in Section 4.140, for design consistent with the City's planned development regulations to support design quality and conformity with the Comprehensive Plan.

Public Facilities and Services

Urban Development Only Where Facilities and Services Can Be Provided

Implementation Measure 3.1.2.a.

A21. Application of the concurrency standards of the City's Development Code ensures the development proposed concurrently with this amendment request will have all necessary facilities and services provided. See Stage II Final Plan in Request D.

Paying for Facilities and Services

Implementation Measures 3.1.3.a., 3.1.4.f., 3.1.5.c., 4.1.4.h.

A22. The City has all necessary codes and processes in place to ensure the development pays for public facilities/services directly related to the development.

Growth and Sewer Capacity

Implementation Measure 3.1.4.b

A23. The City will not allow development without adequate sanitary sewer capacity. As reviewed in the Stage II Final Plan, adequate sanitary sewer capacity exists by connecting to the existing sewer in Canyon Creek Road South.

Land Use and Development

Variety of Housing Types

Implementation Measures 4.1.4.b, 4.1.4.j., and 4.1.4.o.

A24. Wilsonville has a rich diversity of housing types. Infill in other areas of the Bridle Trail Ranchetts involved residential development of a similar density as proposed (including

Renaissance at Canyon Creek and Aspen Meadows subdivisions). The proposal supports the area's existing role amongst Wilsonville's housing mix.

Encouraging Variety and Housing Balance

Implementation Measure 4.1.4.c and 4.1.4.d

- A25. Being relatively small for a planned development, not a lot of variety would be expected within the development. However, the proposal provides some variety of lot sizes allowing diversity of housing products.

The proposed development does not detract from the City's ongoing work to encourage variety and promote housing balance. Based on data used for the City of Wilsonville Annual Housing Report, as of the third quarter of 2020 the city has 11,381 housing units. The most recent data from the 2019 Annual Housing Report shows the following mix of housing units:

- 45.7% Apartments
- 40.4% Single-Unit Dwellings
- 7.5% Middle Housing
- 4.8% Condominiums
- 1.3% Mobile Homes

The addition of ~~eight (8)~~ five (5) residential lots would not take away from the variety that currently exists within the city.

Housing Needs of Existing Residents

Implementation Measure 4.1.4.f.

- A26. The proposed housing will fit into the rich diversity of Wilsonville's housing to allow existing residents to move up or move down, thus opening their units to others.

Housing Development and the Social and Economic Needs of the Community

Implementation Measure 4.1.4.g.

- A27. Wilsonville has a rich diversity of housing types, to which these additional homes would contribute. The diversity of housing types supports the variety of needs of members of the community.

Jobs Housing Balance

Implementation Measures 4.1.4.l. and 4.1.4.p.

- A28. It is anticipated the planned homes could be occupied by people working in Wilsonville. The location is close to employment centers including Town Center and the industrial area north of Boeckman between Canyon Creek Road and Parkway Avenue.

Provision of Open Space and Protection of Established Neighborhoods

Implementation Measure 4.1.4.t

A29. The applicant proposes an open space area that is consistent with the development standards applicable to the requested zoning of the property, PDR-3. The city's Comprehensive Plan requires new development to preserve the character of established neighborhoods, in particular the low-density zones. The site abuts properties with a comprehensive plan designation of 0-1 du/ac to the north, 4-5 du/ac to the west, and 6-7 du/ac to the south and east. It is important to note that while the property to the south has a higher density designation, it was developed at a substantially lower density that would make the configuration more similar to 2-3 or 4-5 du/ac designated properties. The previous iteration of the project presented at the April 12, 2021 DRB Panel A Hearing utilized the density transfer provision in WC Section 4.130.11. The density transfer is permitted if the applicable code criteria is met for uses, setbacks, outdoor living area, landscaping, building height, and parking. With the previously requested waiver it became clear that the project was not able to utilize the SROZ density transfer without a setback waiver, which does not meet the intent of the provision and resulted in a site configuration that was inconsistent with the surrounding neighborhoods. The applicant has now revised the proposal to include five (5) residential lots, which provides a site configuration that is more consistent with the established neighborhood context and is no longer utilizing the SROZ density transfer nor proposing the side-yard setback request.

Residential Districts and Density

Implementation Measures 4.1.4.u. and 4.1.4.z.

A30. The applicant requests the density to change from 0-1 du/ac to 4-5 du/ac in an area transitioning from rural residential to denser urban residential. Similar changes have occurred on other nearby properties including the areas currently occupied by Renaissance at Canyon Creek and Aspen Meadows subdivisions.

2-3 or 4-5 Dwelling Unit Per Acre Residential District

"Residential Planning Districts" page D-19

A31. The 4-5 du/ac designation is appropriate as adequate access to streets is available creating traffic volumes within the limits set by the City, it is adjacent to a variety of residential densities, including low density, and it is an appropriate density to allow development while preserving the natural slope and riparian areas of the properties.

Metro Urban Growth Functional Plan

Maintaining or Increasing Housing Capacity

Title 1 3.07.110

A32. The proposal will increase the City's housing capacity within the current City limits.

Statewide Planning Goals

Citizen Involvement

Goal 1

A33. A thorough citizen involvement process, as defined in Wilsonville's Development Code and Comprehensive Plan, ensures citizen involvement in the decision.

Land Use Planning

Goal 2

A34. The Comprehensive Plan Amendment is required to meet policies based on the statewide framework and is required to provide adequate facts to make a decision based on the applicable review criteria.

Agriculture Lands

Goal 3

A35. The areas proposed for new housing development are not currently in commercial agriculture use. Increasing development within the City limits has the potential to lessen slightly the demand for housing on land currently in use for commercial agriculture.

Natural Resources, Scenic and Historic Areas, and Open Spaces

Goal 5

A36. The City's SROZ overlay standards ensure protection of significant natural resources on the eastern portion of the subject properties.

Air, Water and Land Resources Quality

Goal 6

A37. The requirements to preserve the natural area as well as stormwater requirements help maintain water quality. No significant negative impacts to air and land resources can reasonably be anticipated.

Housing

Goal 10

A38. *The proposed Comprehensive Plan map amendments will continue to allow the City to meet its housing goals and obligations reflected in the Comprehensive Plan. Specifically:*

- *The City has an existing Housing Needs Analysis and Buildable Lands Inventory adopted in 2014 collectively known as the Wilsonville Residential Land Study. The key conclusions of this study are that Wilsonville: (1) may not have a 20-year supply of residential land and (2) the City's residential policies meet Statewide Planning Goal 10 requirements.*

- Under the Metro forecast, Wilsonville is very close to having enough residential land to accommodate expected growth. Wilsonville could run out of residential land by 2032.
- If Wilsonville grows faster than the Metro forecast, based on historic City growth rates, the City will run out of residential land before 2030.
- Getting residential land ready for development is a complex process that involves decisions by Metro, City decision makers, landowners, the Wilsonville community, and others. The City is beginning the process of ensuring that additional residential land is available through the concept planning process for the Advance Road new urban growth area. The City also adopted a new plan and development standards for more multi-family units in the Wilsonville Town Center. Finally, the City provides infill opportunities, allowing properties with existing development at more rural densities to be re-zoned for more housing, which this application falls under.
- Wilsonville is meeting Statewide Planning Goal 10 requirements to “provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing” and to “provide for an overall density of 8 or more dwelling units per net buildable acre.”
- Wilsonville uses a two-map system, with a Comprehensive Plan Map designating a density for all residential land and Zone Map with zoning to implement the Comprehensive Plan designation. Changing the Comprehensive Plan Map to a higher density zone will ensure related zone map amendment and development approvals support the Comprehensive Plan and Goal 10.
- The proposal increases density allowed and development capacity within the existing urban growth boundary and improving the capacity identified in the 2014 study. The type of housing is anticipated to be single-family; however, the approval will allow middle housing consistent with House Bill 2001 and implementing administrative rules once the City’s updated code is adopted.
- The proposal directly impacts approximately 0.4% of the developable residential land identified in the 2014 Wilsonville Residential Land Study (approximately 2 of 477 acres).

Request B: DB20-0039 Zone Map Amendment

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

Comprehensive Plan

Diversity of Housing Types

Implementation Measure 4.1.4.b.,d.

- B1.** Based on data used for the City of Wilsonville Annual Housing Report, as of the third quarter of 2020 the city has 11,381 housing units. The most recent data from the 2019 Annual Housing Report shows the following mix of housing units:

- 45.7% Apartments
- 40.4% Single-Unit Dwellings
- 7.5% Middle Housing
- 4.8% Condominiums
- 1.3% Mobile Homes

The City has approved hundreds of new residential lots, mainly in Villebois and Frog Pond West, for development over the next few years. The proposal will provide additional residential lot options outside of Villebois and Frog Pond West within the existing City limits.

Safe, Convenient, Healthful, and Attractive Places to Live

Implementation Measure 4.1.4.c.

- B2.** The proposed Planned Development Residential-3 (PDR-3) zoning allows the use of planned development to enable development of safe, convenient, healthful, and attractive places to live.

Residential Density

Implementation Measure 4.1.4.u.

- B3.** The subject area will be zoned PDR-3, allowing the application of the proposed residential density of 4-5 du/ac to the subject property.

Development Code

Zoning Consistent with Comprehensive Plan

Section 4.029

- B4.** 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 PDR-3 is consistent with the proposed Comprehensive Plan Residential 4-5 du/ac designation. The approval of the Zone Map Amendment is contingent on City approval of the related Comprehensive Plan Map Amendment.

List of Base Zones
Subsection 4.110 (.01)

B5. The requested zoning designation of PDR-3 is among the base zones identified.

Standards for All Planned Development Residential Zones

Typically Permitted Uses

Subsection 4.124 (.01)

B6. The list of typically permitted uses includes residential building lots for development of allowed residential uses, and open space, covering all proposed uses on the subject properties.

Appropriate PDR Zone

Subsection 4.124 (.05)

B7. PDR-3 is the appropriate PDR designation based on the Comprehensive Plan density designation, as proposed, of 4-5 du/ac.

Zone Change Procedures

Subsection 4.197 (.02) A.

B8. The applicant submitted the request for a Zone Map Amendment as set forth in the applicable code sections.

Conformance with Comprehensive Plan Map, etc.

Subsection 4.197 (.02) B.

B9. The proposed Zone Map Amendment is consistent with the proposed Comprehensive Map designation of Residential 4-5 du/ac (see Request A). As shown in Request A and Findings B1 through B3, the request complies with applicable Comprehensive Plan text.

Specific Comprehensive Plan Findings for Residential Designated Lands

Subsection 4.197 (.02) C.

B10. Findings B1 through B3 under this request and A24 through A30 under Request A provide the required specific findings for Implementation Measures 4.1.4.b, d, e, q, and x.

Public Facility Concurrency

Subsection 4.197 (.02) D.

B11. The applicant's Exhibits B1, B2, and B3 (compliance report and the plan sheets) demonstrate the existing primary public facilities are available or can be provided in conjunction with the project.

Impact on SROZ Areas

Subsection 4.197 (.02) E.

B12. The proposed design of the development preserves and protects the SROZ area on the property.

Development within 2 Years

Subsection 4.197 (.02) F.

B13. Related land use approvals will expire after 2 years, so requesting the land use approvals assumes development would commence within two (2) years. However, in the scenario where the applicant or their successors do not commence development within two (2) years allowing related land use approvals to expire, the zone change shall remain in effect.

Development Standards and Conditions of Approval

Subsection 4.197 (.02) G.

B14. As can be found in the findings for the accompanying requests, the proposal meets the applicable development standards either as proposed or through a condition of approval. ~~One condition is added to address neighbor concerns about the closeness of new homes to existing property lines. Condition of Approval PDB 1. requires the side yard setback in the current RA H zone of 10 feet be maintained along the north and south project boundaries. The Zone Map Amendment would otherwise allow 7 foot setbacks where a side yard of a new lot faces the existing property lines. This would apply primarily to proposed lots 1 and 3 as other lots either do not touch existing property lines or have the rear yards facing existing property lines where setbacks greater than 10 feet would already be required.~~

Request C: DB20-0041 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.

C1. The City's Comprehensive Plan designates the subject property for residential use. The proposed Comprehensive Plan Map amendment would increase the density for the subject property and would continue to be 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.

City Obligated to do its Fair Share to Increase Development Capacity within UGB

Implementation Measure 2.2.1.b.

- C3. 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.

- C4. As can be found in the findings for the Stage II Final plan, the proposed development provides all necessary facilities and services.

Provision of Usable Open Space

Implementation Measures 3.1.11.p, 4.1.5.kk

- C5. Findings related to Section 4.113 of the Development Code offer additional details related to provision of usable open space.

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.

- C6. Based on data used for the City of Wilsonville Annual Housing Report, as of the third quarter of 2020 the city has 11,381 housing units. The most recent data from the 2019 Annual Housing Report shows the following mix of housing units:

45.7% Apartments
 40.4% Single-Unit Dwellings
 7.5% Middle Housing
 4.8% Condominiums
 1.3% Mobile Homes

The City has approved hundreds of new residential lots, mainly in Villebois and Frog Pond West, for development over the next few years. The proposal will provide additional residential lot options outside of Villebois and Frog Pond West within the existing City limits.

Accommodating Housing Needs of Existing Residents

Implementation Measure 4.1.4.f.

- C7. 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 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

Planned Development Regulations

Planned Development Lot Qualifications

Subsection 4.140 (.02)

- C8. The planned ~~five~~ eight-lot subdivision will accommodate residential development, a functional public street, and preserved open space consistent with the purpose of Section 4.140.

Ownership Requirements

Subsection 4.140 (.03)

- C9. The owner of the subject property has signed an application form included with the application.

Professional Design Team

Subsection 4.140 (.04)

- C10. Steve Miller of Emerio Design is the coordinator of a professional design team with all the necessary disciplines including an engineer, a surveyor, and a planner among other professionals.

Planned Development Permit Process

Subsection 4.140 (.05)

- C11. The subject property is greater than 2 acres, is designated for residential development in the Comprehensive Plan, and is proposed to be zoned Planned Development Residential. The property will be developed as a planned development.

Comprehensive Plan Consistency

Subsection 4.140 (.06)

- C12. The proposed project, as found elsewhere in this report, complies with the PDR-3 zoning designation, which implements the proposed Comprehensive Plan designation of Residential 4-5 du/ac.

Planned Development Application Requirements

Subsection 4.140 (.07)

- C13. 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 C10.
 - 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)

- C14. The proposed ~~five~~ eight-lot subdivision must provide 25% open space half of which (12.5%) must be located outside of the Significant Resource Overlay Zone (SROZ) and be usable open space programmed for active recreational use. The applicant has provided Tract A to be the usable open space area for the subdivision. The GDA including Tract A is ~~105,727~~ 98,034 square feet. After removing the SROZ area of 44,198 square feet, the net buildable area is ~~61,527~~ 53,836 square feet. 25% of the GDA is ~~15,381~~ 13,459 square feet and 12.5% of the site GDA is ~~7,690~~ 6,729 square feet. The revised open space area shown on the plans is now ~~7,691~~ 6,729 square feet which meets the minimum open space requirement for the proposed subdivision. ~~To ensure the subdivision meets the open space requirements as the open space tract was created by AR20-0032, a condition of approval PDC 1 that requires the applicant to record the proposed partition with the county prior to site development.~~

Other Standards

Subsections 4.113 (.03) through (.14)

- C15. The applicant proposes meeting these standards. See Request D, Stage II Final Plan.

Standards for All Planned Development Residential Zones

Typically Permitted Uses

Subsection 4.124 (.01)

C16. The list of typically permitted uses includes residential uses the lot s can accommodate and open space on the subject property.

Accessory Uses

Subsection 4.124 (.02)

C17. While the proposal does not specifically propose any of the listed accessory uses, they continue to be allowed accessory uses.

Appropriate PDR Zone and Maximum and Minimum Density

Subsection 4.124 (.05)

C18. PDR-3 is the appropriate PDR designation based on the Comprehensive Plan density designation, as proposed, of 4-5 du/ac. See Requests A and B.

Block and Access Standards

Subsection 4.124 (.09)

C19. Street locations and lot configurations are such as to support the development of blocks supportive of these standards with existing and potential future development of adjacent properties.

PDR-3 Zone

Development Standards

Section 4.124(.07)

C20. Each lot meets the minimum lot size of 4,500 square feet. The lots are all at least 40 feet wide meeting the minimum lot width at the building line and meet the minimum street frontage requirements. Lots will allow all structures will meet the maximum lot coverage of 50% for the largest building and 60% for all structures along with the 35 foot height limit at the time of building permit issuance.

Request D: DB20-0042 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 ~~five eight~~-lot subdivision will provide residential building lots, a functional public street, and preserved open space consistent with the purpose of Section 4.140. The subject property is 2.25 acres and is suitable for a planned unit development. Concurrent with the request for a Stage II Final Plan, the applicant proposes to rezone the property to PDR-3.

Ownership Requirements

Subsection 4.140 (.03)

- D2. The owner of the subject property signed an application form included with the application.

Professional Design Team

Subsection 4.140 (.04)

- D3. Steve Miller of Emerio Design is the coordinator of a professional design team with all the necessary disciplines including an engineer, a surveyor, 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. With the requested Comprehensive Plan Map Amendment, Request A, the project is consistent with the Comprehensive Plan and other applicable plans of which staff is aware.

Traffic Concurrency

Subsection 4.140 (.09) J. 2.

- D5. As shown in the Trip Generation Memorandum, Exhibit B1, the City expects the proposed subdivision to generate ten new p.m. peak hour trips. Of the studied intersections, the City expects the proposed development to generate three p.m. peak hour trip through the I-5/Elligsen Road interchange area and one p.m. peak hour trip through the I-5/Wilsonville Road interchange area. No identified intersection would fall below the City's Level of Service D. At the time the Trip Generation Memo was written the proposed development contained 11 dwelling units. ~~The current proposal contains 8 dwelling units and would~~

generate less trips than stated within the memo. *The current proposal now contains 5 lots / dwelling units and would generate less trips than stated within the Memo.*

Table 1: Trip Generation Summary

Land Use (ITE Code)	Size	Trip Rate ^b	P.M. Peak Hour Trips		
			In	Out	Total
<i>Proposed</i>					
Single-Family Detached Housing (210)	11 DU ^a	1.1 trips/DU	7	5	12
<i>Existing</i>					
Single-Family Detached Housing (210)	2 DU ^a	1.1 trips/DU	-1	-1	-2
Net New Total Trips			6	4	10

^aDU = 1 Dwelling Unit

^bTrip rates shown were back-calculated using the ITE fitted curve equation.

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

Purpose of Outdoor Recreational Area

Subsection 4.113 (.01)

- D8. The purpose and intent of the open space requirements are met through the provision of a ~~7,690~~ 6,729 open space tract to meet the usable open space tract along with an additional 44,198 square feet of open space located within the SROZ.

25 % Open Space Required

Subsection 4.113 (.01) B.

- D9. As over half of the subject property is classified as SROZ, well in excess of 25 percent of the property is proposed as open space.

Required Open Space Characteristics

Subsection 4.113 (.01) C.

- D10. The proposed ~~five~~ eight-lot subdivision must provide 25% open space half of which (12.5%) must be located outside of the Significant Resource Overlay Zone (SROZ) and be usable open space programmed for active recreational use. The applicant has provided Tract A to be the usable open space area for the subdivision. The GDA including Tract A

is 105,727 square feet. After removing the SROZ area of 44,198 square feet, the net buildable area is ~~61,527~~ 53,836 square feet. 25% of the GDA is ~~15,381~~ 13,459 square feet and 12.5% of the site GDA is ~~7,690~~ 6,729 square feet. The revised open space area shown on the plans is now ~~7,691~~ 6,729 square feet which meets the minimum open space requirement for the proposed subdivision. ~~To ensure the subdivision meets the open space requirements as the open space tract was created by AR20-0032, a condition of approval PDC 1 that requires the applicant to record the proposed partition with the county prior to site development.~~

~~The open space will be owned by an HOA and contains a non-fenced stormwater feature, an open play area to accommodate a variety of activities, and a community garden. The applicant has provided a concrete pathway into the open space area that terminates in a seating area. The application contains an affidavit that attests to the open space area being designed by a registered landscape architect with past experience designing similar residential park areas.~~ The proposed open space will be owned by an HOA and at the time of publishing this staff report, the specifics of the open space area design are unknown. Staff has conditioned that the applicant return before the DRB and provide additional documentation demonstrating compliance with the open space standards. See condition of approval PDD 14 and Finding D49 for additional discussion.

Building Setbacks – Lots Over 10,000 Square Feet

Subsection 4.113 (.02) A.

- D11. Except for the 44,198 square foot SROZ tract which is not buildable, ~~no~~ one lots (Lot 1) within the proposed ~~8-lot subdivision~~ 5-lot subdivision exceeds 10,000 square feet. This subsection is not applicable. The proposed lot will meet the front yard and garage setback of 20 feet, and side yard setbacks of 10 feet, and rear yard setback of 20 feet in accordance with this subsection. Compliance with these standards will be reviewed and enforced during the building permit review process.

Building Setbacks – Lots Not Exceeding 10,000 Square Feet

Subsection 4.113 (.02) B.

- D12. The proposed lots will allow homes to be built to meet the front yard setback of 15 feet, garage door setback of 20 feet, side yard setbacks of five (one story) to seven (two stories) feet, and rear yard setback of 15 (one story) to 20 (two stories) feet. ~~The applicant has requested a waiver to reduce the side yard setback to five feet for two-story homes, see Request H. Condition of Approval PDB 1 requires an additional 10-foot side yard setback for Lots 1 and 3.~~

Effects of Compliance Requirements and Conditions on Cost of Needed Housing

Subsection 4.113 (.13)

- D13. 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

D14. The developer will install all utilities underground.

Habitat Friendly Development Practices to be Used to the Extent Practicable

Subsection 4.118 (.09)

D15. The portions of the subject property proposed for development do not contain any wildlife corridors or fish passages. Consistent with City and other standards, the applicant proposes protection of the SROZ, and no disturbance within this area is proposed. 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.

Permitted Uses

Subsections 4.124 (.01) and (.02)

D16. The applicant proposes open space and residential lots, which are or accommodate allowed uses in the PDR zones. While no allowed accessory uses are specifically mentioned in the applicant's materials, they will continue to be allowed.

Block and Access Standards in PDR Zones

Maximum Block Perimeter: 1800 Feet

Subsection 4.124 (.09) 1.

D17. No new blocks will be created as part of the proposed subsection. The existing block lengths in the neighborhood will not be compromised with the proposed development and no additional blocks will be created as part of the proposed subdivision.

Maximum Spacing Between Streets for Local Access: 530 Feet

Subsection 4.124 (.09) 2.

D18. The proposed public street providing access to the project is approximately 155 feet south of SW Helene Street. The distance between the subdivision entrance, which for the purposes of measurement is the cul-de-sac bulb of SW Canyon Creek Road S and the private street is approximately 227 feet.

Maximum Block Length Without Bicycle or Pedestrian Crossing: 330 Feet

Subsection 4.124 (.09) 3.

D19. The newly proposed public street providing access to the subdivision from SW Canyon Creek Road S is less than 330 feet. An existing bicycle and pedestrian crossing is provided from SW Canyon Creek Road S to SW Morningside Ave.

PDR-3 Zone Standards**Minimum (4,500 sf) Lot Size**

Subsections 4.124 (.07)

D20. The Preliminary Subdivision Plans show all lots exceeding the minimum lot size of 4,500 square feet for the PDR-3 zone.

Minimum Density and Maximum Density

Subsection 4.124 (.05)

D21. Minimum density has been calculated based on the Comprehensive Plan density range, understood to be the controlling standard for density, as historically applied elsewhere with Planned Development Residential zoning. The minimum and maximum density calculation for the site is as follows:

~~Total Gross Acreage: 2.43 AC~~~~Total SROZ: 1.01 AC~~~~Total Usable Acreage: 1.41 AC (Gross — SROZ)~~~~SROZ AC $1.01 \times 4 \text{ DU/AC} = 4.04 \times .50$ (50% SROZ transfer credit) = 2.02 or 2~~~~SROZ AC $1.01 \times 5 \text{ DU/AC} = 5.05 \times .50$ (50% of SROZ transfer credit) = 2.5 or 3~~~~Usable acres $1.24 \times 4 \text{ DU/AC} = 5.64$ or 6 minimum lots~~~~Usable acres $1.24 \times 5 \text{ DU/AC} = 7.05$ or 7 maximum lots~~~~5 minimum lots + 2 transfer credits = 8 minimum lots~~~~6 maximum lots + 3 transfer credits = 10 maximum lots~~Total Gross Acreage: 2.25 ACTotal SROZ: 1.01 ACTotal Usable Acreage: 1.24 ACUsable Acres $1.24 \times 4 \text{ DU/AC} = 4.96$ or 4 minimum lotsUsable Acres $1.24 \times 5 \text{ DU/AC} = 6.2$ or 6 maximum lots

The proposed development is for a 5-lot subdivision, thus meeting the minimum density of the range for the site in compliance with this subsection and the proposed comprehensive

plan designation.**Minimum Lot Width: 40 Feet**

Subsection 4.124(.07)

D22. The Preliminary Subdivision Plans show all lots with more than a 40-foot width.

Minimum Street Frontage: 40 Feet, 24 Feet on Cul-de-sac

Subsection 4.124(.07)

D23. The tentative subdivision plat shows Lots ~~4-8~~ 1-5 having a minimum street frontage of at least 40 feet. Lot 1 has frontage on ~~both a cul-de-sac and a private drive~~, with the ~~combined~~ frontage exceeding 40 feet. ~~Lots 2-3 have frontage on a private drive (Tract B) and meet the minimum lot frontage.~~

Minimum Lot Depth: 60 Feet

Subsection 4.124 (.07)

D24. The tentative subdivision plat shows the minimum lot depth for all lots exceeds 60 feet.

Maximum Height: 35 Feet

Subsection 4.124 (.07)

D25. No homes will be approved for construction in this subdivision with a height greater than 35 feet.

Maximum Lot Coverage

Subsection 4.124 (.07)

D26. All lots will meet the maximum lot coverage of 50% for the largest building and 60% for all structures at time of building permit issuance.

SROZ Regulations**Prohibited Activities**

Section 4.139.04

D27. The site contains 44,198 square feet of SROZ area in Tract C located to the east of ~~lots 1-3~~. Lot 1 and Tract A Condition of Approval NR 1 requires the SROZ portion of the site to be preserved in a conservation easement along with Tract C to prohibit any disturbance of natural vegetation without first obtaining approval from the City.

Uses and Activities Exempt from These Regulations

Section 4.139.04

D28. The regulations apply to a significant portion of the property within the SROZ. The applicant proposed no development within the SROZ; however, the applicant limits plantings in the SROZ to those identified as native on the Metro Native Plant List.

Condition of Approval NR13 requires that the City's Natural Resources Manager approve the SROZ plantings prior to their installation.

Density Transfer from Significant Resource Overlay Zone

Transfer of Density from SROZ Permitted

Subsection 4.139.11 (.02)

~~D29.~~ The applicant proposes a density transfer of two units consistent with this subsection. The permitted density transfer is three units based on the following calculation:
~~SROZ acres 1.01 x 5 du/ac (maximum density per proposed Comprehensive Plan designation) = 65.05 x 0.5 (50% SROZ transfer credit) = 2.58 or 3 units.~~ *The Applicant is not utilizing a density transfer from the SROZ, therefore this Subsection does not apply.*

SROZ Density Transfer Limiting Standards.

Subsection 4.139.11 (.02) B. 2.-3.

~~D30.~~ The standards for outdoor living area, landscaping, building height and parking are still met as established by other findings under this request. The proposed lots are of a similar size as many in the area and meet the minimum of the PDR-3 zone and will allow development of homes similar to many in the area. Setbacks and relationships to adjacent properties are similar with or without the density transfer. Setbacks for the PDR-3 zone are met. Lots for permitted residential uses and parks and open space continue to be the only uses proposed with the density transfer. All other applicable standards are able to be met with the density transfer. *Based on testimony provided during the April 12, 2021 DRB Panel A Hearing and only conditional support from staff regarding the previous side-yard setback waiver request, staff reevaluated the proposed density of the subdivision and worked with the applicant on a solution. It became apparent that the Waiver request was necessitated by the SROZ density transfer, as the additional lots as allowed by the transfer would only be able to fit on the property through the Waiver request. The SROZ density transfer requires projects to meet setbacks of the zone, therefore the SROZ transfer is not supportable. The applicant has revised the proposed development which now includes five (5) residential lots which does not utilize a density transfer, and thus, no longer includes a waiver request.*

On-site Pedestrian Access and Circulation

Continuous Pathway System

Section 4.154 (.01) B. 1.

D31. The submitted plans show sidewalks along the frontages of all lots providing a continuous pathway system throughout the proposed subdivision. 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 or lots.

Safe, Direct, and Convenient

Section 4.154 (.01) B. 2.

D32. The submitted plans show sidewalk and pathways providing safe, direct, and convenient access to homes and open spaces in the adjacent Aspen Meadows subdivision.

Vehicle/Pathway Separation

Section 4.154 (.01) B. 3.

D33. 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.

D34. Condition of Approval PDD 2 requires the clear marking of all crosswalks 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.

D35. 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.

D36. Each dwelling unit requires one parking space. The applicant states each lot will accommodate at least one exterior parking space. The dimensional standard for a standard parking space is nine by eighteen feet; each driveway will be at least 12 feet wide by 20 feet long ensuring each unit meets the parking standard. Additionally, the proposed homes will have at least a single-car garage, providing an additional parking space.

Other Parking Area Design Standards

Subsections 4.155 (.02) and (.03)

D37. 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 meeting the dimensional standards.
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
Subsection 4.155 (.03) General Standards		
A. Access and maneuvering areas adequate.	<input checked="" type="checkbox"/>	The parking areas will be typical residential design adequate to maneuver vehicles and serve the needs of the homes. In order to address concerns regarding access and maneuvering areas, Condition of Approval PDD 15 requiring the HOA actively enforce no parking areas, tow any illegally parked vehicle within 12 hours, and establish fees for homeowners who violate the no parking zones.
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)

D38. 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.

Protection of Natural Features and Other Resources

General Terrain Preparation

Section 4.171 (.02)

D39. 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 will not be disturbed. 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 applicant designed the development to limit the extent of disturbance of soils. Tree removal is limited to those that are non-viable, dead, diseased, dying, or those that will impede construction of infrastructure, street improvements, driveways and future building sites.

Trees and Wooded Areas

Section 4.171 (.04)

D40. The major natural feature associated with this development is Boeckman Creek and its associated riparian canyon. The applicant proposes preserving all trees within the SROZ. Outside of the SROZ, the applicant proposes retaining all trees except those that are in the way of the required frontage improvements, the new public street, the proposed private road or future dwellings. As noted in Request F, the applicant proposes removing 21 ~~26~~ trees outside of the SROZ.

Earth Movement and Soil Hazard Areas

Subsections 4.171 (.07) and (.08)

D41. The applicant states the subject property does not contain any earth movement or soil hazard areas.

Historic Resources

Subsection 4.171 (.09)

D42. 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

D43. The development will be a traditional residential subdivision to create a quiet area with eyes on the street to discourage crime. Lighting will be typical of other subdivisions in Wilsonville. The Building Permit process will ensure appropriate addresses are affixed to the homes for emergency responders.

Landscaping Standards

Landscape Standards Code Compliance

Subsection 4.176 (.02) B.

D44. 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.

D45. 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 trees and stormwater swale plantings. Except where driveways and utility conflicts prevent, street trees are placed 30 feet on center.

Types of Plant Material, Variety and Balance, Use of Natives When Practicable

Subsection 4.176 (.03)

D46. The applicant proposes a professionally designed landscape using a variety of plant material. The design incorporates native plants, including coastal strawberry and spreading rush.

Quality and Size of Plant Material

Subsection 4.176 (.06)

D47. 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. Conditions of Approval PDD 12 and PDD 13 ensure 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)

D48. The installation and maintenance standards are or will be met by Condition of Approval PDD 14 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.
- An irrigation system is required to ensure the plant materials survive during the establishment period. – need additional condition?

Landscape Plans

Subsection 4.176 (.09)

D49. The applicant's submitted landscape plans in Exhibit B3 provide the required information. *The information contained in Exhibit B3 is based on the previous proposal.* Due to the changes in the proposed open space Tract A discussed in Findings C14 and D10, the landscape plans shown on Sheet L1 do not correspond to the plans designed by the landscape architect. ~~Condition of Approval PDD 14 ensures the applicant submit a revised landscape plan based on the new shape and configuration of the proposed open space~~ *For final approval of the revised open space area, the applicant shall return to the Development Review Board for review of the redesigned open space. If the project landscape architect changes, the applicant shall submit a new Affidavit of Professional Credentials for Residential Usable Open Space Areas in the City of Wilsonville. Condition of Approval PDD 14 ensures the applicant will return to the DRB for review of the usable*

open space plans, provide a new affidavit should the project landscape architect change, and provide new landscaping plans to correspond to the new configuration of the usable open space area (Tract A).

Completion of Landscaping

Subsection 4.176 (.10)

D50. The applicant has not requested to defer installation of plant materials.

Specific Landscaping Requirements

Section 4.450

D51. When the applicant returns to the DRB for approval of the landscape plan for the relocated open space Conditions of Approval ensuring the requirements of this section will be met.

Street Improvement Standards-Generally

Conformance with Standards and Plan

Subsection 4.177 (.01)

D52. 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 a standard local residential street proportional to and typical of the residential development proposed.

Street Design Standards-Future Connections and Adjoining Properties

Subsection 4.177 (.02) A.

D53. The proposed design provides for the future possibility of continuation of the new public street onto the adjacent property to the north and connect to SW Helene Street.

City Engineer Determination of Street Design and Width

Subsection 4.177 (.02) B.

D54. The City Engineering Division has preliminarily found the street designs and widths as consistent with the cross sections shown in Figure 3-9 of the 2013 Transportation Systems Plan. The Engineering Division will check final conformance with the cross sections shown in the Transportation Systems Plan during review of the Public Works Permit.

Right-of-Way Dedication

Subsection 4.177 (.02) C. 1.

D55. The tentative subdivision plat shows right-of-way dedication. See Request E.

Waiver of Remonstrance Required

Subsection 4.177 (.02) C. 2.

D56. 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.

D57. The full length of the proposed public street exceeds the 200-foot maximum for a dead-end street. However, the street may be extended in the future with development of the property to the north. The project contains a private drive, providing an outlet and turn-around for emergency services, along with a turn around in the existing cul-de-sac bulb at the southern end of SW Canyon Creek Road S which is included in Exhibit B4. The number of homes accessing the street is less than the maximum allowed for a dead-end street.

Street Improvement Standards-Clearance**Corner Vision Clearance**

Subsection 4.177 (.02) E.

D58. Street locations and subdivision design allow the meeting of vision clearance standards.

Vertical Clearance

Subsection 4.177 (.02) F.

D59. 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.

D60. The City Engineer has or will review all interim improvements to meet applicable City standards.

Street Improvement Standards-Sidewalks**Sidewalk Requirements**

Subsection 4.177 (.03)

D61. The applicant proposes sidewalks along all public street frontages abutting proposed lots and along the project frontage with Canyon Creek Road South.

Street Improvement Standards-Bicycle Facilities

Bicycle Facility Requirements

Subsection 4.177 (.04)

D62. The streets within and adjacent to the project do not require any bike facilities per the Transportation Systems Plan.

Residential Private Access Drives

Definition

Subsection 4.001 (224.) B

D63. The applicant proposes Tract B as a residential private access drive. The connection of this private drive would provide access to a total of two dwelling units. No future extension of the street is possible.

Access to No More Than 4 Dwelling Units

Subsection 4.177 (.07) A.

D64. 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.

D65. Condition of Approval PDD 6 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.

D66. 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)

D67. Condition of Approval PDD 7 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.

D68. The applicant does not propose any offset intersections.

Transportation System Plan Table 3-2

Subsection 4.177 (.09) B.

D69. All involved streets are local streets with no spacing standard.

Request E: DB20-0019 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.

E1. The applicant previously proposed a professionally designed park space meeting the applicable standards for Site Design Review. However, late changes to the site layout in response to evidence raised during the public hearing process led to the relocation of the open space. The Development Review Board is required to make a decision on other related applications prior to the design team having sufficient time to complete a professional design of the relocated open space. No evidence on the record would prevent a design on the proposed open space area meeting applicable City standards. Certainty exists a design meeting City standards can be created for the proposed space. It is simply a process of allowing the landscape architect adequate time, not afforded by the current process, to create a new site-specific design meeting City standards. A Condition of Approval requiring the applicant return to the DRB with a design meeting the applicable open space design standards is an appropriate mechanism to ensure all applicable standards are met. Condition of Approval PDE 1, along with Condition of Approval PDD 4 ensures the applicable standards will be met.

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. 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 InnovationSubsection 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. The applicant provides an active open space area that contains a variety of areas to meet the needs of the future residents of the subdivision. The community garden area will provide a calm activity for residents, next to the garden area~~

the applicant proposes an open play area that could accommodate a variety of activities. There is also a seating area adjacent to trees, which provide a sense of enclosure.

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. A conservation easement is being placed along the rear of lots 1-3 to preserve the non-usable area of those lots. The elevation drops by approximately 15 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. 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.~~

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 StandardsSubsection 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 DevelopmentSubsection 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.~~

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 final plat approval or as otherwise agreed upon in a written agreement with the City. 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 PlanSubsection 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 WateringSubsection 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 LandscapingSubsection 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 MaterialsSubsections 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 MaterialSubsection 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.~~

Request F: DB20-0042 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.

- F1. 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.

- F2. 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.

- F3. As allowed by Subsection 4.610.00 (.06) C. 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.

- F4. The applicant has taken tree preservation into consideration, and has limited tree removal to non-viable trees and trees necessary to remove for development.

Development Alternatives

Subsection 4.610.10 (.01) C.

- F5. No significant wooded areas or trees would be preserved by design alternatives.

Land Clearing Limited to Right-of-Way and Areas Necessary for Construction

Subsection 4.610.10 (.01) D.

- F6. The proposed clearing is necessary for streets, homes, and related improvements.

Residential Development to Blend into Natural Setting

Subsection 4.610.10 (.01) E.

- F7. 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.

- F8. 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.

- F9. 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.

- F10. 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.

- F11. 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.

- F12. 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 preserved trees during review of construction drawings and utility easement placement on the final subdivision plat.

Type C Tree Plan Review

Tree Removal Related to Site Development at Type C Permit

Subsection 4.610.40 (.01)

- F13. 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)

F14. 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)

F15. Review of the proposal allows residential unit counts consistent with the proposed Comprehensive Plan Map density range.

Type C Tree Plan Review with Stage II Final Plan

Subsection 4.610.40 (.01)

F16. The applicant submitted the Type C Tree Plan concurrently with the landscape plan for the proposed development. 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)

F17. The applicant proposes counting the proposed street trees, SROZ plantings, and trees within the usable open space area as the mitigation for removal.

No Tree Removal Before Decision Final

Subsection 4.610.40 (.01)

F18. 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.

Tree Maintenance and Protection Plan Submission Requirements

Section 4.610.40 (.02)

F19. The applicant submitted the necessary copies of a Tree Maintenance and Protection Plan.

Tree Relocation, Mitigation, or Replacement

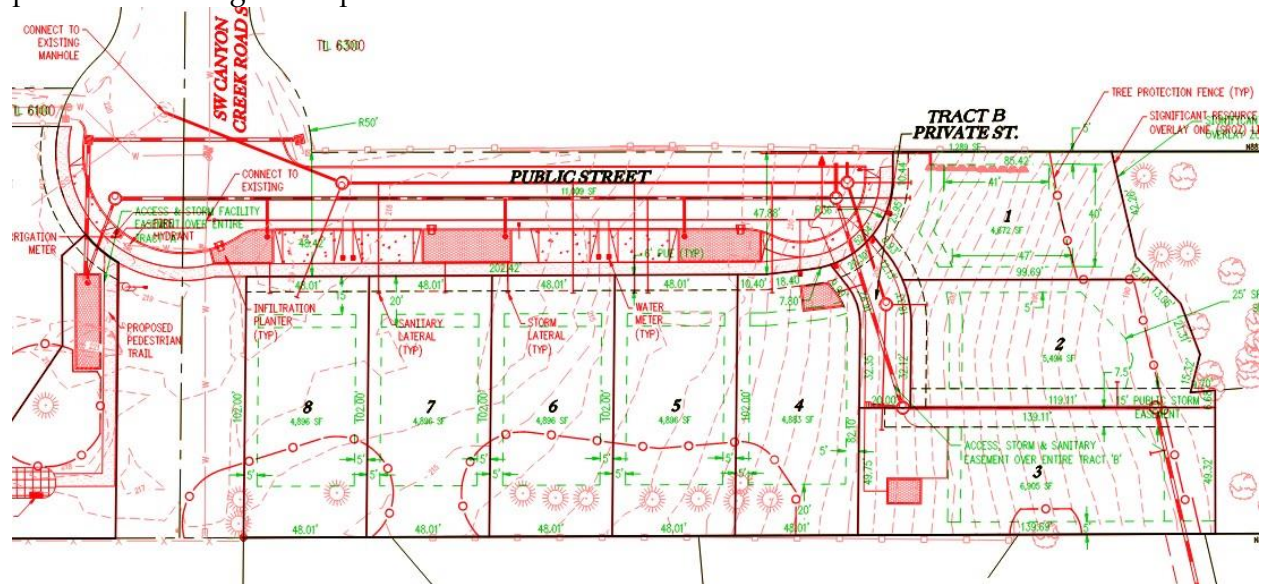
Tree Replacement Required

Subsection 4.620.00 (.01)

F20. The applicant proposes removal of ~~21~~ 26 trees 6 inches d.b.h. or greater. The applicant will plant six trees as street trees and 26 trees within the SROZ, and two trees within the usable open space area exceeding a one to one ratio. The arborist report does note that 9 trees shown as being preserved on the applicant's plan set may not be feasible stating the following: "Trees planned for retention in the rear of lots 3-6 should be re-evaluated in terms of

future home plans. The protection zones proposed for creation of the subdivision encroach into a substantial portion of the allowable building envelopes and it may not be feasible to provide adequate protection for these trees with home building."

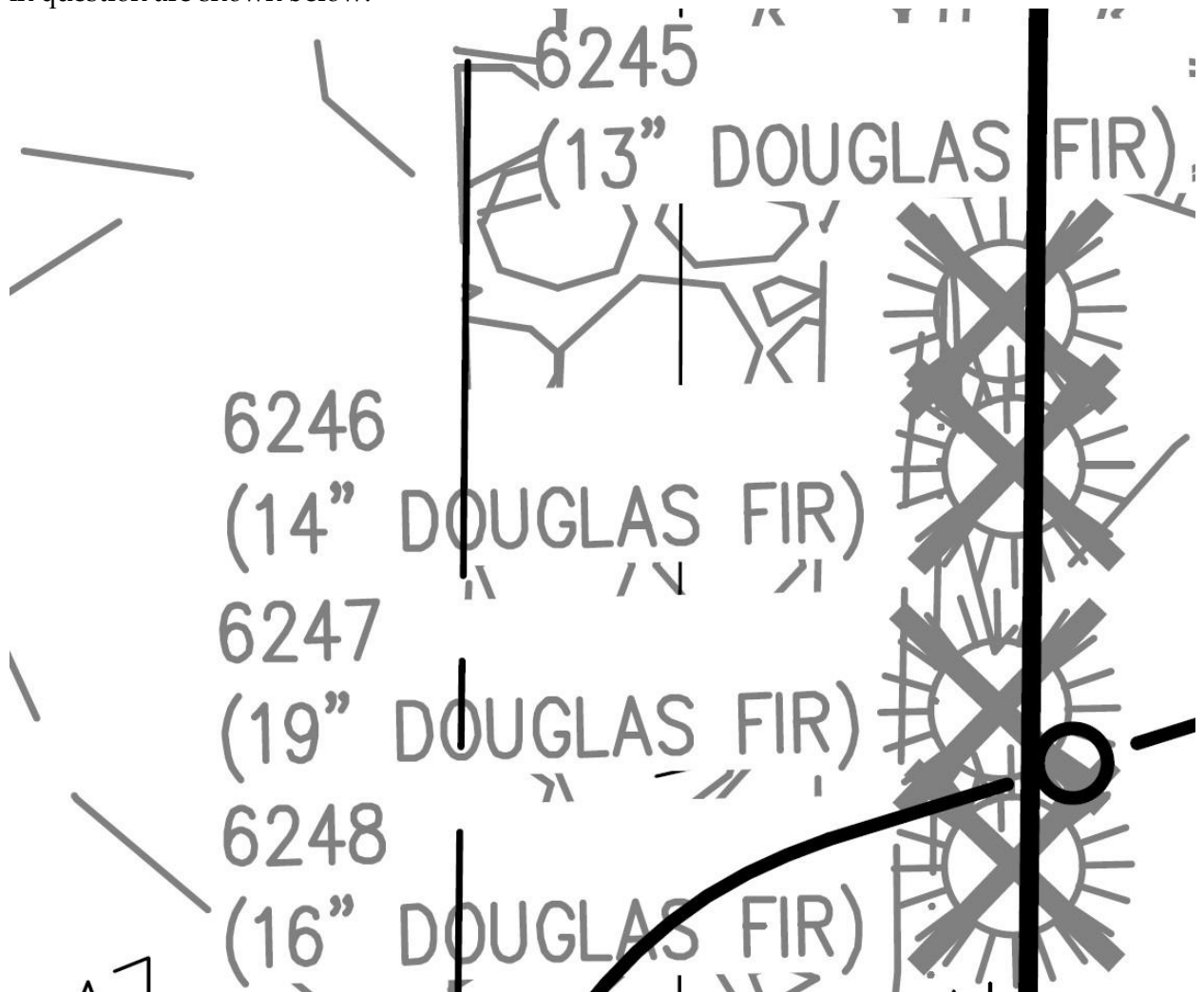
Based on when the arborist report was written, the lot numbers do not reflect the current proposal and lot numbers for the final site plan. Based on the proposed plans and arborist report, staff has concerns regarding the trees proposed for retention at the rear of lots 2-5 3 —8. The image below overlays the proposed preliminary site plan and preliminary plat and clearly shows significant overlap between the tree protection fencing and the delineated buildable area of the lots. The trees are depicted directly adjacent to the potential building envelopes.



Staff questioned the applicant on the proposed tree preservation plans as they relate to the construction of future homes on the newly created lots. The applicant's response contained in Exhibit B5 states: *"The submitted tree preservation and removal plan is specific to the construction of the subdivision only and does not include potential tree removal to accommodate the future homes. Any necessary tree removal required for lots 4-6 and 7 to accommodate future dwellings will be addressed during the building permit review process."*

By time of this staff report publication, the Applicant did not submit new exhibits showing modified building envelopes. Nor did the Applicant submit new findings and exhibits to modify the tree removal and protection plan as a result of a reduced buildable area that would not be feasible. As such, staff has included Condition of Approval PDF 9 that requires an assessment and written report by an arborist if any of these preserved trees are proposed for removal in the future due to construction; the report must provide a written explanation of the measures considered to preserve the trees along with the line of reasoning that prevents preservation, submitted to City staff, who will verify the validity through review by a second arborist.

In addition to the issues concerning the trees at the rear of lots 2-5 4-8, the trees proposed for removal along the western property line of Lot 8 appear to be on City of Wilsonville property and the applicant does not have City permission to remove these trees. The trees in question are shown below:



Condition of approval PDF 8 requires Tree Numbers 6245 (13" Douglas Fir), 6246 (14" Douglas Fir), 6247 (19" Douglas Fir), and 6248 (16" Douglas Fir) shall be retained unless City approval and signature is granted for these four (4) trees. The applicant shall revise the tree protection fencing plan to ensure these trees are properly protected during grading and construction. Should these trees require removal in the future due to construction, the applicant shall provide an assessment from an arborist as outlined in Condition of Approval PDF 9, and may be removed if City Staff and an independent arborist concur that removal is necessary.

Based on the revised plans provided by the applicant, the usable open space area (Tract A) has been shifted to the east and revised in size and shape. The previous open space tract contained two trees that counted toward mitigation. Condition of Approval PDF 10 requires the mitigation of these trees to shift to the new usable open space area (Tract A) and that the amount of street trees remain consistent with the numeric amounts contained within this finding.

Replacement Requirement: 1 for 1, 2" Caliper

Subsection 4.620.00 (.02)

F21. 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 tree mitigation and street tree plans show each tree, including street trees and trees in the SROZ, meets or exceeds the minimum diameter requirement.

Replacement Plan and Tree Stock Requirements

Subsections 4.620.00 (.03) and (.04)

F22. 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)

F23. The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development. Much of the mitigation is planned to occur within the SROZ and in addition to the tree mitigation, there is a condition of approval from Natural Resources to include twenty-five (25) native shrubs in the mitigation area upon review and approval from the Natural Resources Manager. Based on staff visits to the site, there is significant debris located within the mitigation area and there are staff concerns about the viability of replanting in this area. Condition of Approval PDF 7 requires the applicant to appropriately clear debris and invasive species within the SROZ area prior to planting any mitigation plantings in the SROZ area.

Protection of Preserved Trees

Tree Protection During Construction

Section 4.620.10

F24. Condition of Approval PDF 5 ensures tree protection measures, including fencing are in place consistent with Public Works Standards Detail Drawing RD-1240. Based on the feasibility of retaining the trees at the rear of lots 4-8, Condition of Approval PDF 6 requires the project arborist to be on site during grading and future construction to ensure the root zones of the existing trees are protected properly.

**Request G: DB20-0044
Tentative Subdivision Plat**

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)

G1. The Development Review Board is reviewing the tentative subdivision according to this subsection. The Planning Division will review the final subdivision 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.

G2. The proposed land division does not divide lots into smaller sizes than allowed by the PDR-3 zone. See Finding D20 under Request D.

Plat Application Procedure

Pre-Application Conference

Subsection 4.210 (.01)

G3. The applicant requested and attended a pre-application conference in accordance with this subsection.

Tentative Plat Preparation

Subsection 4.210 (.01) A.

G4. Following gathering information from Planning staff, the appropriate professionals from the applicant's design firm, Emerio Design, prepared the tentative subdivision plat.

Tentative Plat Submission

Subsection 4.210 (.01) B.

G5. The applicant has submitted a tentative subdivision plat with all the required information.

Phases to Be Shown

Subsection 4.210 (.01) D.

G6. 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.

- G7. The tentative subdivision 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)

- G8. As found in other findings in this report, the land division is in harmony with the Transportation Systems Plan and other applicable plans.

Adjoining Streets Relationship

Subsection 4.236 (.02) A.

- G9. The proposed public street allows for the potential future extension of the street to the north. The two remaining lots within the Bridle Trail Ranchetts subdivision have a Comprehensive Plan designation of 0-1 dwelling units an acre reflecting the current development. While no plans or requirements, short or long term, exist to require the these lots to develop and connect to the proposed subdivision it is possible that the property owners may elect to change the Comprehensive Plan and Zone Map and pursue development similar to the subject lots. Therefore, the provision for street continuation should be provided.

Planning for Further Land Divisions

Subsection 4.236 (.02) C.

- G10. No further land divisions are planned or anticipated requiring consideration in arrangement of lots and streets.

Streets Standards Conformance

Subsection 4.236 (.03)

- G11. As part of the Stage II Final Plan approval, the streets conform with Section 4.177 and block sizes requirements. See Request D.

Topography

Subsection 4.236 (.05)

- G12. No significant topography exists affecting street layout decisions.

Reserve Strips

Subsection 4.236 (.06)

- G13. No reserve strips are proposed as part of this subdivision, therefore this criteria is not applicable.

Future Street Expansion Subsection 4.236 (.07)

G14. The proposed public street is extended to the boundary of the land division to allow for potential future extension. Condition of Approval PDE 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)

G15. No additional right-of-way is required for the proposed subdivision plat.

Street Names Subsection 4.236 (.09)

G16. 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 subdivision plat review.

General Land Division Requirements-Blocks

Blocks for Adequate Building Sites in Conformance with Zoning Subsection 4.237 (.01)

G17. Streets and block size for Planned Development Residential zones are addressed in the Stage II Final Plan. See Request D. The tentative subdivision plat provides adequate residential building sites, and safe and convenient access and circulation will be provided by the project for vehicles, pedestrians, and bicycles in compliance with applicable requirements in the Wilsonville Development Code and Transportation System Plan.

General Land Division Requirements-Easements

Utility Line Easements Subsection 4.237 (.02) A.

G18. As will be further verified during the Public Works Permit review and final subdivision 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.

G19. 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)

G20. No mid-block pathways are proposed or required.

General Land Division Requirements-Tree Planting

Tree Planting Plan Review and Street Tree Easements

Subsection 4.237 (.03)

G21. The City is reviewing the tree planting plan concurrently with the tentative subdivision plat, see Request D.

General Land Division Requirements-Lot Size and Shape

Lot Size and Shape Appropriate

Subsection 4.237 (.05)

G22. Proposed lot sizes, widths, shapes and orientations are appropriate for the proposed single-family residential development and meet standards for the PDR-3 zone.

General Land Division Requirements-Access

Minimum Street Frontage

Subsection 4.237 (.06)

G23. 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 D23 in Request D.

General Land Division Requirements-Other

Lot Side Lines

Subsection 4.237 (.08)

G24. Side lot lines run at or near a 90-degree angle to the front line.

Corner Lots

Subsection 4.237 (.13)

G25. All corner lots have radii exceeding the 10-foot minimum.

Lots of Record

Lots of Record

Section 4.250

G26. The applicant provided documentation all subject lots are lots of record.

Request H: DB20-0053 Minimum Side Yard Setback Waiver

H1. The applicant's revised site plan layout submitted April 29, 2021 no longer necessitates the requested setback waivers. The waivers therefore should not be approved.

As described in the Findings below, the request meets the applicable criteria.

~~Waivers: Waive Minimum Side Yard Setback~~

~~Waiver of Typical Development Standards~~

~~Subsection 4.118 (.03) A.~~

~~H1. The applicant requests a waiver to reduce the required minimum side yard setback from 7 feet to 5 feet for Lots 1-8 for two-story homes. For single-story homes the required side yard setback is 5 feet. Lot 8 is a corner lot where the required side yard setback on the western lot line is 10 feet. Since the initial request, the applicant revised the waiver request to reduce side yard setbacks for side yards internal to the project to 5 feet from 7 feet for two-story homes, and to reduce the 10-foot setback for a corner lot from 10 feet to 7 feet for the lot line of lot 8. The typical development standards able to be waived pursuant to this subsection include setbacks. Condition of Approval PDB-1 establishes a 10-foot setback for the north side of Lot 1 and south side of Lot 3 which are not subject to the waiver request~~

~~Purpose and Objectives of Planned Development Regulations~~

~~Subsection 4.140 (.01) B.~~

~~H2. Pursuant to Subsection 4.118 (.03) A. waivers must implement or better implement the purpose and objectives listed in this subsection. The applicant specifically requests the minimum side yard setback waiver, however the narrative responses from the applicant states that "the applicant has added additional features to mitigate for those waivers, which are addressed in detail under the subsection of this document pertaining to the waiver." However, in those subsections staff finds no additional evidence that the applicant has provided any evidence of better implementing the purposes and objectives within the subsection. The proposed layout of the subdivision creates an undesirable site condition for the existing development to the south by placing the side lot line of the proposed lots where it would be more typical for the rear of these lots to face the adjacent subdivision.~~

~~The reduction in side yard setback from 7 feet to 5 feet in the case of north side of lots 1 and south side of lot 3 is not supported by staff and is addressed in further detail in Finding B14. Lot 8 is a corner lot abutting unimproved City right of way and must be setback 10 feet along the western property line. Staff requested additional findings from the applicant to support the waiver request and the additional findings provided are included in Exhibit B6. The additional findings focus on the size of the homes and how they will be more compatible with the existing area by granting the waiver. The applicant also revises the waiver request to specifically request a 5-foot side yard setback waiver for internal to project side yards, which are internal to the proposed subdivision. For Lots 1, 3, and 8 the applicant~~

~~proposes a 7 foot side yard setback, which is the side yard setback required by the PDR 3 zone for a two story home. As Lot 8 is a corner lot 10 feet would be required on the western side yard. As much of the rationale for the waiver request now focuses on larger building footprints staff still does not find this a strong basis for recommending approval of the waiver.~~

~~Staff recommends Condition of Approval PDH 1, granting approval of the waiver to allow reduced setbacks on the interior lot lines of Lots 1 8, which is consistent with other developments in the area. However, staff recommends that the setbacks for the western property line of Lot 8 remain 10 feet in accordance with the required setbacks for a corner lot. As a condition of the zone map amendment, staff has added a condition to require the northern property line of Lot 1 and the southern property line of Lot 3 to be 10 feet, as currently required by the RA H zone, in order to reduce the impact of the proposed subdivision on adjacent developments.~~

FORM LB-1

NOTICE OF BUDGET HEARING

A public meeting of the City of Wilsonville City Council will be held on June 7, 2021 at 7:00 p.m. at the City of Wilsonville City Hall, 29799 SW Town Center Loop E, Wilsonville, OR 97070. The purpose of this meeting is to discuss the budget for the fiscal year beginning July 1, 2021 as approved by the City of Wilsonville Budget Committee. A summary of the budget is presented below and can be viewed at <https://www.ci.wilsonville.or.us/finance/page/budget>. A copy of the budget may be inspected or obtained at City Hall, 29799 SW Town Center Loop E., Wilsonville, Oregon by appointment between the hours of 8:00 a.m. and 5:00 p.m. For appointment call 503-682-1011. This budget is for an annual budget period. This budget was prepared on a basis of accounting that is the same as used the preceding year.

Contact: Keith Katko

Telephone: 503-570-1516

Email: katko@ci.wilsonville.or.us

FINANCIAL SUMMARY - RESOURCES			
TOTAL OF ALL FUNDS	Actual Amount 2019-20	Adopted Budget This Year 2020-21	Approved Budget Next Year 2021-22
Beginning Fund Balance/Net Working Capital	108,210,015	101,171,456	97,790,930
Fees, Licenses, Permits, Fines, Assessments & Other Service Charges	38,734,406	42,600,565	42,690,396
Federal, State and All Other Grants, Gifts, Allocations and Donations	9,577,171	13,223,241	18,769,641
Revenue from Bonds and Other Debt	0	0	7,000,000
Interfund Transfers / Internal Service Reimbursements	19,334,957	57,553,085	50,678,998
All Other Resources Except Property Taxes	12,083,878	163,566	16,246,861
Property Taxes Estimated to be Received	7,953,126	8,259,500	8,655,440
Total Resources	\$195,893,552	\$222,971,413	\$241,832,266

FINANCIAL SUMMARY - REQUIREMENTS BY OBJECT CLASSIFICATION			
Personnel Services	18,420,356	20,159,652	20,883,932
Materials and Services	22,771,105	23,812,033	24,033,213
Capital Outlay	11,793,190	46,780,909	49,518,881
Debt Service	6,108,274	3,721,200	3,626,500
Interfund Transfers	26,371,709	55,943,012	64,886,298
Contingencies	0	66,398,083	71,438,455
Unappropriated Ending Balance and Reserved for Future Expenditure	110,428,918	6,156,524	7,444,987
Total Requirements	\$195,893,552	\$222,971,413	\$241,832,266

FINANCIAL SUMMARY - REQUIREMENTS BY ORGANIZATIONAL UNIT OR PROGRAM						
Name of Organizational Unit or Program	Amount	FTE	Amount	FTE	Amount	FTE
Administration	1,783,293	6.50	1,873,694	6.50	2,029,655	6.50
Finance	3,116,108	9.50	1,627,782	9.50	1,719,230	9.50
Information Technology	1,019,025	5.50	1,166,564	5.50	1,221,554	5.50
Legal	654,868	3.70	708,697	3.70	708,452	3.70
Human Resources & Risk Management	753,380	3.60	874,010	3.60	888,700	3.60
Community Development - Administration	1,062,324	2.00	614,330	2.00	619,221	2.00
Community Development - Engineering	1,789,925	13.50	2,158,937	13.50	2,194,343	13.50
Community Development - Planning	907,451	7.60	1,154,977	7.60	1,236,790	7.60
Community Development - Building Inspection	1,318,106	8.80	1,247,097	8.80	1,279,508	8.80
Public Works - Administration	716,565	4.50	862,961	4.50	885,531	4.50
Public Works - Facilities	1,150,487	8.75	1,279,830	8.75	1,379,931	9.75
Public Works - Roads	839,972	3.85	909,848	3.85	925,830	4.60
Public Works - Street Lighting	315,989	0.00	381,320	0.00	384,030	0.00
Public Works - Water Distribution	1,495,862	5.53	1,550,843	5.53	1,578,978	5.53
Public Works - Water Treatment Plant	2,863,218	0.00	3,895,838	0.00	3,835,711	0.00
Public Works - Wastewater Collection	863,339	2.63	1,031,437	2.63	1,216,011	2.63
Public Works - Industrial Pretreatment	95,999	1.00	118,287	1.00	118,923	1.00
Public Works - Wastewater Treatment Plant	2,616,256	0.00	3,065,577	0.00	3,074,746	0.00
Public Works - Stormwater Maintenance	752,489	2.74	1,084,428	2.74	1,168,706	2.74
Transit	6,222,754	43.13	9,004,319	43.13	8,360,088	44.13
Fleet Service	1,620,784	8.00	1,530,606	8.00	1,473,285	8.00
Parks and Recreation - General Services	1,499,611	9.20	1,711,151	9.20	1,609,227	9.20
Parks and Recreation - Parks Maintenance	1,520,761	10.25	1,630,414	10.25	1,787,569	11.25
Library	1,993,192	16.36	2,166,430	16.36	2,121,120	16.36
Law Enforcement	4,961,616	0.00	5,378,922	0.00	5,538,456	0.00
Municipal Court	171,456	1.65	236,295	1.65	230,050	1.65
Non-Departmental / Non-Program	153,788,722	0	175,706,819	0	194,246,621	0
Total Requirements & FTE	\$195,893,552	178.29	\$222,971,413	178.29	\$241,832,266	182.04

STATEMENT OF CHANGES IN ACTIVITIES and SOURCES OF FINANCING

The total proposed operating budget for 2020-21 consisting of personnel services, materials and services, and capital equipment purchases is \$47,585,645, up 1% from prior year. For FY 2021-22. Personnel services include the addition of 3.75 FTE. Materials and services include contractual increases in the City's wastewater treatment plant operations, water treatment plant operations, and law enforcement program. Capital outlay includes both capital equipment acquisitions and capital improvement (infrastructure) projects. The City is proposing a capital improvement project (CIP) budget of \$46,850,381. In Fiscal Year 2021-22 the City anticipates issuing new debt in the amount of \$7 million.

PROPERTY TAX LEVIES			
	Rate or Amount Imposed	Rate or Amount Imposed	Rate or Amount Approved
Permanent Rate Levy (rate limit 2.5206 per \$1,000)	2.5206	2.5206	2.5206
Local Option Levy	0	0	0
Levy For General Obligation Bonds	\$0	\$0	\$0

STATEMENT OF INDEBTEDNESS		
LONG TERM DEBT	Estimated Debt Outstanding on July 1.	Estimated Debt Authorized, But Not Incurred on July 1
General Obligation Bonds	\$0	\$0
Other Bonds	\$24,280,200	\$7,000,000
Other Borrowings	\$0	\$0
Total	\$24,280,200	\$7,000,000



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: June 7, 2021	Subject: Resolutions Nos. 2901 & 2902 State Shared Revenue Staff Member: Cathy Rodocker, Finance Director Department: Finance	
Action Required	Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: June 7, 2021 <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd 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 Comments: Budget as approved by Budget Committee on May 20, 2021.	
Staff Recommendation: Staff recommends Council adopt Resolution Nos. 2901 and 2902.		
Recommended Language for Motion: Two separate motions: I move to approve Resolution No. 2901. I move to approve Resolution No. 2902.		
PROJECT / ISSUE RELATES TO:		
<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 19, 2021. The second opportunity is offered in conjunction with the budget adoption.

The following table provides a summary of State Shared Revenue for FY 2021-22:

Summary of State Shared Revenues Resources and Possible Uses		
State Shared Revenues:	General Fund	Road Operating Fund
Alcoholic beverage taxes	\$ 430,000	
Cigarette taxes	\$ 20,000	
State shared revenues	\$ 350,000	
Gas tax		\$ 1,995,223
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 2021-22.

TIMELINE:

May 15 – Notice of meeting to receive comments from the public on uses of state shared revenues at the May 19, 2021 Budget Committee meeting published in the Oregonian and OregonLive website

May 19, 2021 – First meeting of the Budget Committee, public invited to testify

June 2, 2021 – Posted notice of public hearing

June 7, 2021 – 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: CAR Date: 5/21/2021

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 6/2/2021

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 19, 2021. 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:

- A. Resolution No. 2901
- B. Resolution No. 2902

RESOLUTION NO. 2901

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:

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.

This resolution is effective upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 7th day of June, 2021 and filed with the Wilsonville City Recorder this same date.

JULIE FITZGERALD, Mayor

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

RESOLUTION NO. 2902

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 19, 2021 to discuss possible uses of the funds and before the City Council on June 7, 2021 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 2021-22.
2. This resolution is effective upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 7th day of June, 2021 and filed with the Wilsonville City Recorder this same date.

JULIE FITZGERALD, Mayor

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Lehan

Councilor West

Councilor Linville

Budget Adoption

FY 2021-22



WILSONVILLE
OREGON

State Shared Revenues



State Shared Revenues (ORS 221.760)

Gas tax	\$1,995,223
Liquor tax	\$430,000
State Revenue Sharing	\$350,000
Cigarette tax	\$20,000

Four or more of the following:

- Police Protection
- Fire Protection
- Planning
- Street Maint./Lighting/Constr
- Sanitary Sewers
- Utility Services
- Storm Sewers

Public Hearings/Citizen Input



- Public Hearing for State Shared Revenue
 - Eligibility to Receive Funds

- Public Hearing for State Shared Revenue
 - City's Intent to Receive Funds

Summary By Fund – \$241,832,266



General Fund	\$	51,791,257
Community Development		6,317,795
Building Inspection		3,042,775
Transit		16,565,806
Road Operating		4,332,953
Road Maintenance		4,285,770
Water Operating		29,042,916
Sewer Operating		25,041,422
Street Lighting		1,791,645
Stormwater Operating		7,490,269
Fleet Services		2,591,730
Capital Projects		53,714,893
System Development		35,823,036
Total FY2021-22 Budget	\$	241,832,266

Adoption of FY21-2022



Adoption Budget Process

Council may adopt the budget as presented, or

1. Can reduce or eliminate any expenditure or program/fund
2. Can increase up to 10% any expenditure or \$5K, whichever greater
3. Can NOT create a new expenditure or fund with out republishing
4. Can NOT increase tax levy



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: June 7, 2021		Subject: Resolution No. 2903 City Budget Adoption for FY 2021-22	
		Staff Member: Cathy Rodocker, Finance Director	
		Department: Finance	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: June 7, 2021 <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd 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	
		Comments: Budget as approved by Budget Committee on May 20, 2021.	
Staff Recommendation: Staff recommends Council adopt Resolution No. 2903.			
Recommended Language for Motion: I move to approve the FY2021-22 proposed budget, in the total amount of \$241,832,266 (two hundred forty-one million, eight hundred and thirty-two thousand and two hundred and sixty-six dollars); and levying the full amount of the city general tax rate of \$2.5206. (two dollars and fifty two zero six cents)			
PROJECT / ISSUE RELATES TO:			
<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 fiscal year 2021-22 budget.

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, 2021.

After two meetings, held via Zoom this year, the budget was approved for a total of \$241,832,266. This includes the FY2021-22 operating budget and the \$60.5M capital budget.

The City is currently in negotiations with both represented unions. The budget only reflects known increases to benefits at this time. Once the contracts are approved, Finance Staff will present a supplemental budget adjustment for Council’s approval.

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.

EXPECTED RESULTS:

Create the budget for operating and capital purposes for the fiscal year 2021-22.

TIMELINE:

- May 12, 2021 - Public notice of the availability of the proposed budget and Budget Committee meeting dates published in the Wilsonville Spokesman
- May 19, 2021 – First meeting of the Budget Committee, presentation of budget message, public testimony taken
- May 20, 2021 – Second meeting of the Budget Committee, opportunity for public to testify, voted to approve budget with amendment
- June 2, 2021 – Public notice of the meeting to adopt published in the Wilsonville Spokesman.
- June 7, 2021 – 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 19, 2021 and May 20, 2021. Being as the meeting was held via Zoom, in addition to the public notices, specific information was provided during each meeting to provide comments to the Committee. The public may also attend the June 7, 2021 public hearing via zoom prior to the City’s budget adoption process.

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 approved the Proposed Budget for FY 2021-22 with a 9-0-1 vote at the May 20, 2022 meeting.

CURRENT YEAR BUDGET IMPACTS:

Does not affect the current year budget.

FINANCIAL REVIEW / COMMENT:

Reviewed by: CAR Date: 5/2/2021

Financial impact: Budget for FY21/22.

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 6/2/2021

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Resolution No. 2903
 - A. Schedule of Appropriations

RESOLUTION NO. 2903

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 2021-22.

WHEREAS, in accordance with ORS 294.426 the Wilsonville Budget Committee met on May 19, 2021 and May 20, 2021 to receive public testimony, hear the budget message and listen to presentations pertaining to the proposed budget for Fiscal Year 2021-22; and,

WHEREAS, the Budget Committee deliberated on the proposed budget on May 19, 2021 and on May 20, 2021; and

WHEREAS, the Budget Committee approved the proposed budget on May 20, 2021; 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 2, 2021 a summary of the budget, as required by ORS 294.438, was duly published in the Pamplin Media, formerly 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 7, 2021 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, 2021.

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

1. The Council adopts the budget for FY 2021-22 in the total amount of \$241,832,266.
2. Of the total adopted budget of \$241,832,266, the City appropriates \$233,628,916 for the fiscal year beginning July 1, 2021 as shown in Attachment A – Schedule of Appropriations. The difference of \$8,203,350 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 2021-22 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 7th day of June, 2021 and filed with the City Recorder this date.

JULIE FITZGERALD, Mayor

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Councilor President Akervall

Councilor Linville

Councilor Lehan

Councilor West

Attachment:

- A. Schedule of Appropriations

Attachment A – Schedule of Appropriations
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General Fund		
Administration	\$ 2,029,655	
Finance	1,598,810	
Information Technology/GIS	1,221,554	
Legal	708,452	
Human Resources and Risk Management	888,700	
Public Works Administration	885,531	
Facilities	1,379,931	
Parks Maintenance	1,787,569	
Parks and Recreation	1,609,227	
Library	2,121,120	
Law Enforcement	5,538,456	
Municipal court	230,050	
Transfers to Other Funds	19,100,169	
Contingency	<u>9,692,033</u>	
Total Fund Appropriations		\$48,791,257
Community Development Fund		
CD Administration	\$ 619,221	
Engineering	2,194,343	
Planning	1,236,790	
Transfers to Other Funds	598,095	
Contingency	<u>858,346</u>	
Total Fund Appropriations		\$5,506,795
Building Inspection Fund		
Building	\$ 1,279,508	
Transfers to Other Funds	405,606	
Contingency	<u>1,101,661</u>	
Total Fund Appropriations		\$2,786,775
Transit Fund		
Transit	\$ 8,360,088	
Transfers to Other Funds	669,447	
Contingency	<u>5,861,271</u>	
Total Fund Appropriations		\$14,890,806

Attachment A – Schedule of Appropriations
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Road Operating Fund		
Road Operating	\$ 925,830	
Transfers to Other Funds	809,155	
Contingency	<u>2,412,467</u>	
Total Fund Appropriations		\$4,147,452
Road Maintenance Regulatory Fund		
Transfers to Other Funds	\$ 2,503,924	
Contingency	<u>1,781,846</u>	
Total Fund Appropriations		\$4,285,770
Water Operating Fund		
Water Distributions and Sales	\$ 1,578,978	
Water Treatment	3,835,711	
Transfers to Other Funds	10,798,267	
Contingency	<u>11,746,960</u>	
Total Fund Appropriations		\$27,959,916
Sewer Operating Fund		
Sewer Collection	\$ 1,216,011	
Sewer Treatment	3,074,746	
Sewer Pretreatment	118,923	
Debt Service	2,623,500	
Transfers to Other Funds	2,907,055	
Contingency	<u>14,219,187</u>	
Total Fund Appropriations		\$24,159,422
Street Lighting Operating Fund		
Street Lighting	\$ 384,030	
Transfers to Other Funds	1,045,000	
Contingency	<u>285,765</u>	
Total Fund Appropriations		\$1,714,795
Stormwater Fund		
Stormwater Maintenance	1,168,706	
Debt Service	518,000	
Transfers to Other Funds	2,049,216	
Contingency	<u>3,520,347</u>	
Total Fund Appropriations		\$7,256,269

Attachment A – Schedule of Appropriations
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Fleet Service Fund		
Fleet	\$ 1,473,285	
Transfers to Other Funds	2,400	
Contingency	<u>1,116,045</u>	
Total Fund Appropriations		\$2,591,730
Water Capital Projects Fund		
Water Capital Projects	\$ 26,735,916	
Transfers to Other Funds	997,351	
Contingency	<u>1,524,558</u>	
Total Fund Appropriations		\$29,257,825
Sewer Capital Projects Fund		
Sewer Capital Projects	\$ 3,025,344	
Transfers to Other Funds	312,773	
Contingency	<u>95,257</u>	
Total Fund Appropriations		\$3,433,374
Streets Capital Projects Fund		
Streets Capital Projects	\$ 11,606,587	
Transfers to Other Funds	740,178	
Contingency	<u>2,183,589</u>	
Total Fund Appropriations		\$14,530,354
Streets Capital Projects Fund		
Stormwater Capital Projects	\$ 1,437,576	
Transfers to Other Funds	218,314	
Contingency	<u>108,232</u>	
Total Fund Appropriations		\$1,764,122
Facilities and Information Technology Capital Projects Fund		
Building Capital Projects	\$ 1,970,453	
Transfers to Other Funds	52,721	
Contingency	<u>105,765</u>	
Total Fund Appropriations		\$2,128,939
Parks Capital Projects Fund		
Parks Capital Projects	\$ 2,074,505	
Transfers to Other Funds	157,593	
Contingency	<u>368,181</u>	
Total Fund Appropriations		\$2,600,279

Attachment A – Schedule of Appropriations
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Water Development Charges		
Materials & Services	\$ 25,940	
Debt Service	\$ 485,000	
Transfers to Other Funds	9,625,868	
Contingency	<u>2,769,437</u>	
Total Fund Appropriations		\$12,906,245

Sewer Development Charges		
Materials & Services	\$ 22,050	
Transfers to Other Funds	1,792,521	
Contingency	<u>7,118</u>	
Total Fund Appropriations		\$1,821,689

Streets Development Charges		
Materials & Services	\$ 41,470	
Transfers to Other Funds	7,766,745	
Contingency	<u>1,076,298</u>	
Total Fund Appropriations		\$8,884,513

Washington County TDT		
Materials & Services	\$ -	
Transfers to Other Funds	-	
Contingency	<u>355,335</u>	
Total Fund Appropriations		\$355,335

Frog Pond West Fund		
Materials & Services	\$ 8,320	
Contingency	<u>5,138,874</u>	
Total Fund Appropriations		\$5,147,194

Stormwater Development Charges		
Materials & Services	\$ 5,750	
Transfers to Other Funds	253,382	
Contingency	<u>2,867,901</u>	
Total Fund Appropriations		\$3,127,033

Parks Development Charges		
Materials & Services	\$ 16,890	
Transfers to Other Funds	1,322,155	
Contingency	<u>2,241,982</u>	
Total Fund Appropriations		\$3,581,027

		<u><u>\$233,628,916</u></u>
Total City Appropriations - All Funds		

CITY BUDGET APPROVAL MOTION

I move for approval of the FY2021-22 proposed budget, in the total amount of \$241,832,266 (two hundred forty-one million, eight hundred and thirty-two thousand and two hundred and sixty-six dollars);

and levying the full amount of the city general tax rate of \$2.5206. (two dollars and fifty two o six cents)

(get a second for discussion purposes)

Discussion can now take place

URBAN RENEWAL APPROVAL MOTION

I move for Approval of the 2021-22 Proposed Budget for the Urban Renewal Agency in the amount of \$62,266,300. (Sixty-two million, two hundred sixty-six thousand, three hundred dollars)

and set the Increment Assessed Value in the West Side Plan District to approximately \$401,210,000 (four hundred one million, two hundred ten thousand dollars) which will generate an estimated levy of \$5,000,000

and set the Increment Assessed Value in the Year 2000 Plan District to approximately \$322,000,000 (three hundred twenty two million) which will generate an estimated levy of \$4,200,000.

And levy the full amount of the “divide-the-taxes” amount for the Coffee Creek District.

(get a second for discussion purposes)

Discussion can now take place.



West Linn – Wilsonville Schools

May 21, 2021

City of Wilsonville
Bryan Cosgrove, City Manager
29799 SW Town Center Loop E
Wilsonville, OR 97070

Re: Arts and Technology High School Lease

Dear Mr. Cosgrove,

The building leased from the City has been the home for our Arts and Technology High School for many years and has served the District well. When we renewed the lease agreement in 2017, the District committed to relocating this program to another facility by the 2022/2023 school year. The renewed lease expires on June 30, 2022.

The original planned relocation of students to our other high schools was already in progress and construction activities have started on the new Third Option High School at Athey Creek. In the wake of the ongoing Covid-19 pandemic, the District has made the decision to relocate the entire program one year earlier than planned. As a result of that decision, the District has no need to occupy the Arts and Technology High School Building for the 2021/2022 school year.

The District is requesting that the City allow the termination of this lease, effective June 30, 2021. We understand that this may impact City budgets, just as it can impact ours. I would also like to make it clear that should the City not grant this request; the District will honor its commitments until the lease expires. However, if this request is granted, the funding can be reallocated to directly support our educational program.

The District and the City have enjoyed a long and successful partnership that has served our community well for decades. We certainly recognize that a request like this has major implications and we both want to do what is best for our community. Thank you for your partnership; we will await your response.

Sincerely,

Dr. Kathy Ludwig, Superintendent
West Linn-Wilsonville School District

Cc: Pat McGough, Chief Operating Officer West Linn-Wilsonville School District
Dr. Son Le Hughes, Chief Financial Officer, West Linn-Wilsonville School District



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: June 7, 2021		Subject: Resolution No. 2904 Supplemental Budget Adjustment	
		Staff Member: Keith Katko, Assistant Finance Director	
		Department: Finance	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: June 7, 2021 <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd 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 Comments: N/A	
Staff Recommendation: Staff recommends Council adopt Resolution No. 2904.			
Recommended Language for Motion: I move to approve Resolution No. 2904.			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

A supplemental budget resolution for the FY2020/21 budget year.

EXECUTIVE SUMMARY:

Oregon's Local Budget Law allows the Council to amend the adopted budget for an occurrence or condition that was not known at the time the budget was adopted. An appropriation transfer resolution moves expenditures from one category to another within a specific fund and does not increase the overall budget that was approved during the annual budget process. A supplemental budget adjustment can impact the budget by increasing revenues and/or expenditures. The supplemental adjustment can also recognize expenditures that exceed 10% of the adopted budget expenditures or 15% of the adopted contingency in a fund.

This budget supplemental consists of four items:

- (1) **Sewer Operations Fund / Debt:** On 03/10/21, the City refinanced the wastewater treatment plant outstanding debt with a 10-year term, 1.43% interest rate resulting in present value savings of approximately \$2.9 million. This budget adjustment is needed to reflect the \$24,150,000 expense of principal payoff of the old debt; \$80,000 ancillary interest; \$50,000 issuance costs; and recognition of the new proceeds as revenue of \$24,280,000.
- (2) **General Fund / IT Department:** Equipment related to television broadcast/online government access. This is specifically a camera package (\$9,425.90) for the Library to use to record Story Time performances and new content. Funding out of the General Fund by reserved PEG fees collected.
- (3) **Sewer SDC Fund:** Budgeted recognition to align budgeted beginning fund balance (\$819,831) with prior year actual as well as current year interest revenue (\$23,800) with offset proceeds increasing the funds contingency.
- (4) **Road Operating Fund / Road CIP Fund:** Transfer the (\$496,651) budgeted revenue of Washington County and Clackamas County Vehicle Licensing Fees (VLF) from Road Operations Fund to the Road CIP Fund. The VLF can only be use for infrastructure and the transfer will allow for easier accountability in the Roads CIP fund.

EXPECTED RESULTS:

As stated in the Fiscal Management Policies, the City shall amend its annual budget in accordance with Oregon local budget law. The supplemental budget adjustment is adopted by the Council at a regularly scheduled meeting. Convening the budget committee is not required.

TIMELINE:

As required by Local Budget Law, a notice for the public hearing has been published in the Wilsonville Spokesman. The notice was published on May 27, 2021. Adoption of the Supplemental Budget Adjustment is required prior to the end of the fiscal year, June 30, 2021.

FINANCIAL REVIEW / COMMENT:

Reviewed by: KAK/CAR Date: 5/18/2021

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 5/18/2021

COMMUNITY INVOLVEMENT PROCESS:

As required by Local Budget Law, a notice for the public hearing has been published in the Wilsonville Spokesman. The notice has also been published on the City’s website. As the accompanying resolution is a budget adjustment, a public hearing must be part of the adoption process.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:

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

ALTERNATIVES:

Not approving the attached supplemental budget could result in overspending current budget appropriations. The City is required to disclose all excess of expenditures over appropriations in the Comprehensive Annual Financial report.

CITY MANAGER COMMENT:

N/A

ATTACHMENT:

1. Resolution No. 2904
 - A. Need, Purpose And Amount: Detail By Fund & Category

RESOLUTION NO. 2904

A RESOLUTION AUTHORIZING A SUPPLEMENTAL BUDGET ADJUSTMENT FOR FISCAL YEAR 2020-21.

WHEREAS, the City adopted a budget and appropriated funds for fiscal year 2020-21 by Resolution No. 2815; and,

WHEREAS, certain expenditures are expected to exceed the original adopted budget in some of the City's funds and budgetary transfers are necessary within these funds to provide adequate appropriation levels to expend the unforeseen costs; and,

WHEREAS, ORS 294.463 provides that a city may adjust appropriations within appropriation categories provided the enabling resolution states the need for the adjustment, purpose of the expenditure and corresponding amount of appropriation; and,

WHEREAS, all transfers from contingencies within the fiscal year to date that exceed fifteen percent (15%) of the fund's total appropriations, are included in the supplemental budget adjustment request; and,

WHEREAS, all expenditure transfers within the fiscal year to date in aggregate exceed ten percent (10%) of the fund's total expenditures, are included in the supplemental budget adjustment request; and,

WHEREAS, consistent with local budget law and based upon the foregoing, the staff report in this matter and public hearing input, the public interest is served in the proposed supplemental budget adjustment,

WHEREAS, to facilitate clarification of the adjustments in this resolution, Attachment A to this resolution provides a summary by fund of the appropriation categories affected by the proposed transfer of budget appropriation and the purpose of the expenditure.

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

The City amends and adjusts the estimated revenues and appropriations within the funds and categories delineated and set forth in Attachment A, attached hereto and incorporated by reference herein as if fully set forth.

This resolution becomes effective upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 7th day of June and filed with Wilsonville City Recorder this same date.

Julie Fitzgerald, Mayor

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald
Councilor President Akervall
Councilor Lehan
Councilor West
Councilor Linville

Attachment:

A. Need, Purpose And Amount: Detail By Fund & Category

ATTACHMENT A
NEED, PURPOSE AND AMOUNT: DETAIL BY FUND & CATEGORY

	Current Appropriations	Change in Appropriations	Amended Appropriations
General Fund			
Expenses			
Capital Outlay	\$ 20,000	\$ 9,500	\$ 29,500
Contingency	7,776,693	(9,500)	7,767,193
All other requirements	29,649,641	-	29,649,641
Net change in requirements	\$ 37,446,334	\$ -	\$ 37,446,334
Request for PEG funded equipment (camera package) for library.			
Road Operating Fund			
Revenues			
All other resources	\$ 4,651,816	\$ (496,151)	\$ 4,155,665
Total increase in resources	4,651,816	(496,151)	4,155,665
Expenses			
Contingency	\$ 1,800,703	\$ (496,151)	\$ 1,304,552
All other requirements	2,851,113	-	2,851,113
Net change in requirements	\$ 4,651,816	\$ (496,151)	\$ 4,155,665
Request to recognize Vehicle Licensing Fee to Street Capital Project Fund and reclass budget accordingly.			
Street Capital Project Fund			
Revenues			
All other resources	\$ 15,866,984	\$ 496,151	\$ 16,363,135
Total increase in resources	15,866,984	496,151	16,363,135
Expenses			
Contingency	\$ 1,482,630	\$ 496,151	\$ 1,978,781
All other requirements	14,384,354	-	14,384,354
Net change in requirements	\$ 15,866,984	\$ 496,151	\$ 16,363,135
Request to recognize Vehicle Licensing Fee to Street Capital Project Fund and reclass budget accordingly.			
Sewer Operating Fund			
Revenues			
All other resources	\$ 25,677,829	\$ 24,280,000	\$ 49,957,829
Total increase in resources	25,677,829	24,280,000	49,957,829
Expenses			
Debt Service	2,960,000	24,280,000	\$ 27,240,000
All other requirements	22,717,829	-	22,717,829
Net change in requirements	\$ 25,677,829	\$ 24,280,000	\$ 49,957,829
Debt refinancing of outstanding WWTP bond.			

	Current Appropriations	Change in Appropriations	Amended Appropriations
Sewer SDC Fund			
Revenues			
Beginning fund balance	\$ 5,620,842	\$ 819,831	\$ 6,440,673
All other resources	940,215	23,800	964,015
Total increase in resources	6,561,057	843,631	7,404,688
Expenses			
Contingency	(840,958)	843,631	2,673
All other requirements	7,402,015	-	7,402,015
Net change in requirements	\$ 6,561,057	\$ 843,631	\$ 7,404,688
Align budgeted beginning fund balance to prior year actual.			

From: [Katie D](#)
To: [City Recorder](#)
Subject: Equitable Strategic Housing Plan
Date: Sunday, June 6, 2021 8:28:44 PM

[This email originated outside of the City of Wilsonville]

I am writing this message in support of the proposed Equitable Strategic Housing Plan. As a Villebois homeowner who was subjected to lack of equitable housing as a young mother with a student husband, I will always remember how difficult it was to find quality housing. Because quality housing was unavailable, we were forced to accept whatever was available, often inferior quality and in questionable neighborhoods. My young children shared late night visits to the kitchen with mice, and high heating bills due to drafty windows.

By implementing the Equitable Strategic Housing Plan, we offer both singles and families, many of whom will be our future leaders, the opportunity to experience the opportunities and possibilities of a safe home. Equitable housing means more than four walls, it also brings the hopefulness and pride that comes with embracing the possible rather than accepting inferior living conditions.

Katie Dunwell
11812 SW Grenoble Street
Wilsonville, Oregon

From: [Susan Reep](#)
To: [City Recorder](#)
Cc: [Mayor Julie Fitzgerald](#)
Subject: middle housing/equitable housing
Date: Sunday, June 6, 2021 10:02:40 PM

[This email originated outside of the City of Wilsonville]

I'd like to weigh in on the subject of the middle housing/equitable housing strategic plan. I know it's a complicated issue and that many people have reasons to weigh in against supporting equitable housing. I, too, may have misgivings on one aspect or another. But the thing is, if we are ever to achieve our goals on anything, be it climate change, equitable housing, equitable anything - nothing will be perfect for everyone. We just have to take the plunge and do the best we can. We cannot wait for perfection. We have to listen to our own buzz words - be our best selves - and elevate them to a community level - be our best community - and then we can solve unanticipated problems as they arise. At the risk of sounding corny, or too American, we can take the words of the Preamble to the Constitution at the most basic level - "to promote the general welfare" - and apply them in our own community.

That's one reason my husband and I relocated to Villebois. Our house is smaller than we were used to, it's two stories which we decided we could live with even though we are seniors, our yard is small, which isn't ideal, but our footprint is smaller which is better for the planet and the neighborhood. We have less land but more parks. We have small yards, but front porches and know our neighbors. We've lived in mixed neighborhoods in other states that were even denser but we benefitted.

Look at the possibilities, not the obstacles.

Best regards,

Susan Reep
28689 SW Costa Circle E
Wilsonville OR 97070

Susan Reep Photography
susanreep.com
661 477-2118

"The cure to boredom is curiosity. There is no cure for curiosity." - Dorothy Parker

From: [Kate Greenfield](#)
To: [City Recorder](#)
Subject: Middle Housing
Date: Monday, June 7, 2021 10:32:08 AM

[This email originated outside of the City of Wilsonville]

I strongly support the work of Wilsonville City Council in adapting our housing policy to comply with state law and in keeping Wilsonville the open, livable, safe, and successful community that it is. Policies supporting middle housing are being instituted across much of the country, partly in recognition of the wide variety of housing needed by our many family configurations today. Wilsonville's existing variety of available housing has not diminished its desirability as a place to live. Instead, it has allowed a very healthy mix of family sizes and a range of incomes consistent with today's varied household sizes.

Wilsonville remains an extremely attractive city, safe to walk at night for a senior citizen or anyone else, with excellent schools and a strong sense of community, and with a highly successful public school system that maintains excellence (as noted in national awards) while meeting the needs of our diverse community.

Wilsonville should take advantage of the statewide mandate to permit middle housing by making sure that the availability of middle housing enhances the ability of our city to accommodate today's young professionals, varied family configurations, and senior citizens.

Kate Greenfield
Canyon Creek Meadows

From: [Jennifer Evert](#)
To: [City Recorder](#)
Cc: [Mayor Julie Fitzgerald](#)
Subject: Middle Housing Initiative
Date: Monday, June 7, 2021 11:19:19 AM

[This email originated outside of the City of Wilsonville]

Mayor Fitzgerald and the Wilsonville City Council:

I write to you to urge you to take up the redevelopment of the Frog Pond Development and the inclusion of additional middle housing in the Master Plan. As you are aware, recent action by the Oregon legislature requires municipalities to increase density in new developments. In addition, developers can now build denser housing in neighborhoods that were formerly zoned single-family. We are already seeing a few duplexes built in Frog Pond as a result of the changes to the state law.

Wilsonville is increasingly becoming unaffordable to many families, including young families starting out, as well as seniors who are interested in staying in our community. Wilsonville has the unique opportunity to get ahead of current and future housing issues by planning housing for people from all walks of life; this includes the current Frog Pond neighborhood that is under development. The Frog Pond Master Plan was adopted prior to changes in state law, and rather than leave the future development up to the whims of developers, a thoughtful edit of the plan to include more middle housing benefits the neighborhood and community as a whole, because the City and the residents of Wilsonville will have a say in how this density will be spread out in the neighborhood.

Detractors point to increased traffic that will result from denser housing. Clearly there are traffic choke points in and around the city, some of which are not under the city's control (I-5) and others that the city could get ahead of in conjunction with the county to make sure they don't become even more problematic (65th and Elligsen Rd. intersection). None of these are reasons enough to exclude people from all income levels from living in the city. In fact, with the robust SMART bus system in place, our family has eschewed purchasing an additional vehicle and we now utilize public transit and the city's bike system even more. Rather than building more large houses with three and four-car garages, density combined with public transit and bike lanes and bridges has the potential to reduce traffic in town.

Wilsonville is at a crossroads now, and it can choose to build more of the same single-family housing that our wealthy, exclusionary neighboring suburbs have chosen, or it can be visionary and grow a 21st century suburb that is welcoming and inclusive to all.

Sincerely,
Jennifer Evert
Wilsonville Meadows resident

From: [Mary Pettenger](#)
To: [City Recorder](#)
Subject: Public comment on Equitable Housing
Date: Monday, June 7, 2021 12:04:55 PM

[This email originated outside of the City of Wilsonville]

Dear Councilors Akervall, Lehan, West, and Linville, and Mayor Fitzgerald,

I ask that the Wilsonville City Council act on its Diversity, Equity and Inclusion strategies and Equitable Housing Strategic Plan to establish middle income housing in Wilsonville and particularly in the Frog Pond development.

I am writing today from a position of privilege. When I moved to Wilsonville 17 years ago, I bought a new home. I have since moved to a larger home with a larger lot in Wilsonville, but these homes were not my first. I remember the joy and independence I felt when buying my first home several decades ago. Luckily for me there were smaller, less expensive homes to buy in my price range. That first home has led to financial growth to bring me to my home today. Numerous sources document that housing prices in Oregon are soaring and homes in Wilsonville barely stay on the market before they are quickly sold. Purchasing a starter home as I did, is beyond the reach of many people in our community as incomes have not kept pace with the increase in home prices.

I care strongly about my community and am grateful for all the opportunities that Wilsonville offers me and my family. I care about traffic and property taxes, but more importantly I care about members of my community. I care about equity and inclusion for without these principles my community will not be strong socially and economically. I am privileged and must understand that privilege. Providing middle income homes is what we must do as required by the law, and for ethical reasons. Creating the opportunity for members of our community who want to buy a home to buy their first home is what equity and inclusion are about. We cannot just use the words of diversity, equity and inclusion, the Wilsonville community must act on our words.

Thank you,
Mary Pettenger
Wilsonville resident

To Mayor Fitzgerald, Council President Akervall, and Councilors Lehan, West and Linville,

I am writing to show my appreciation and support of your 2021 City Council Goals as outlined in the Council Meeting Package for June 7, 2021. I appreciate the energy and commitment that each of you have made to protect the best of Wilsonville, and to help us grow and evolve in responsible and prudent ways to ensure our quality of community and keeping Wilsonville as an attractive place to visit, live, work and play. I especially want to commend you on the intention to expand home ownership for lower income levels and first-time homebuyers.

The pandemic forced many of us to utilize our homes in ways that had not been necessary before, as our workplace, our schools, and our daycares. This caused a ripple effect for the housing industry, as we saw single family home sales far outpacing new home construction. This has caused prices to skyrocket in many cities and has increased the gap between affordability and availability for many first time and middle and lower-income households. Zillow.com, on 6/6/21 was showing the average price of a Wilsonville home as \$542,145, which is a one-year increase of 11.8%. The steps that council has made to adopt and implement the Equitable Strategic Housing Plan are critical to ensure that homeownership in our city is attainable for the next generation. Middle Income housing in all future developments is a necessary component to meeting this need.

This concern is not new for Wilsonville. We have seen the growth of our city for many years, but we now have the opportunity to make an immediate impact in creating the equal opportunity for anyone who would want to be a homeowner, and to plant roots in our community, to have the type of housing options that they can afford and that can complement the needs of our community members in the newer developments including the proposed developments in Frog Pond.

Our city already has a large percentage of rental units. These apartments are occupied by neighbors who work in our stores, our businesses, and our warehouses. But they will not stay a part of our community if we do not provide them with the infrastructure to support their housing needs. I encourage you to continue to work to find ways to provide middle housing and smaller home development opportunities to increase the variety of housing stock within our city. The Equitable Strategic Housing Plan is the framework for ensuring that anyone who would want to be a part of our thriving city would have the opportunity to own a home within our city limits.

While critics to smaller lots, townhomes, duplex and rowhome style construction will show concern about traffic congestion, parking concerns or building designs that don't fit into our existing neighborhoods, those concerns can be addressed with thoughtful planning on road infrastructure, parking requirements in our zoning rules, and through the DRB process. These concerns aren't about the housing type that is being built, but the inconvenience it may have on them. As our elected officials it is your goal to ensure that you make decisions that better the greatest good for the greatest number of people. This doesn't just mean the greatest preference for the greatest number of residents; it also means the greatest good for the city we have today, as well as the city we will have in the future.

Again, I thank you ALL for the work that you are doing. I hope that you continue to support the implementation of the Equitable Strategic Housing Plan as a framework for our future developments to ensure that we keep our city diverse and inclusive for anyone who would like to call Wilsonville Home.

Sincerely,

Brian Everest

8710 SW Ash Meadows Rd, #1118

Wilsonville, OR 97070

Veliz, Kim

Subject: FW: NO DENSITY INCREASE IN THE FROG POND MASTER PLAN!

-----Original Message-----

From: Karin Grano <kgrano@msn.com>

Sent: Monday, June 7, 2021 1:47 PM

To: Mayor Julie Fitzgerald <fitzgerald@ci.wilsonville.or.us>; Councilor Kristin Akervall <akervall@ci.wilsonville.or.us>; Councilor Charlotte Lehan <lehan@ci.wilsonville.or.us>; Councilor Ben West <west@ci.wilsonville.or.us>; Councilor Joann Linville <linville@ci.wilsonville.or.us>; Cosgrove, Bryan <cosgrove@ci.wilsonville.or.us>; Pauly, Daniel <paul@ci.wilsonville.or.us>

Subject: NO DENSITY INCREASE IN THE FROG POND MASTER PLAN!

[This email originated outside of the City of Wilsonville]

To Mayor Fitzgerald and the City Council,

Back in 2015, I testified and argued against the city's high density aspirations for the Frog Pond master plan. Many of us came together and asked you all to compromise and give us all single family dwellings and some more options for bigger lots in Frog Pond, given a lack of diversity in housing options with bigger lots and increased traffic concerns. With the support we got from the community, you did indeed compromise.

Today however, I understand that you are wishing now to break your promise with me and my fellow citizens and are considering to dramatically increase the density in Frog Pond BEYOND what the state now requires.

That is COMPLETELY UNACCEPTABLE!! You are pushing this decision under the guise of inclusivity and equality, but in reality, nothing in Frog Pond will be affordable for our marginalized populations. But what will indeed happen, because I don't see a lot of improvements proposed for infrastructure, coming in and out of our community, you are essentially creating an enormous grid lock and traffic congestion problem. Tolls are coming to I-205 and possibly I-5, which will necessarily dramatically increase traffic on our rural side roads leading into and out of Wilsonville, the only way for many school kids to get to school and residents to work. What also for certain will happen, is an overcrowding problem in our city's schools.

This increase in density to Frog Pond is a terrible idea and you should scrap it all together. We don't need more traffic congestion. We don't need more multi-family dwellings. We already lead the METRO area in multi-family housing. Please stop now!!

Be well,

Karin Grano
28620 SW Morningside Ave.
Wilsonville, OR 97070

From: [Richard Truitt](#)
To: [Mayor Julie Fitzgerald](#); [Councilor Kristin Akervall](#); [Councilor Charlotte Lehan](#); [Councilor Joann Linville](#); [Councilor Ben West](#); [Cosgrove, Bryan](#); [Veliz, Kim](#); [Neamtzu, Chris](#)
Subject: Fwd: Middle housing is essential for Wilsonville
Date: Monday, June 7, 2021 3:33:11 PM

Good afternoon, Mayor Fitzgerald, Council President Akervall, and Councilors Lehan, Linville, and West,

As a 20-year resident of Wilsonville and current President of North Willamette Valley Habitat for Humanity, I commend City Council for considering initial steps to implement the Equitable Housing Strategic Plan for Wilsonville. During the development of the Plan, I indicated to the Task Force staff and to Council that our Habitat Affiliate was willing to share ideas regarding specific policies that would make it more likely for organizations such as ours to partner with the City to help create opportunities for middle housing in the community.

At this time our Affiliate is partnering with another nearby municipality to develop a cluster of 18 middle homes in that community. This has been made economically feasible for our Affiliate through concessions related to System Development Charges and other adjustments in that City's practices.

While I would be happy to meet with Council and staff to explore policy actions that could make middle housing more likely in Wilsonville, unfortunately I cannot be present this evening as we are meeting with the other Council to finalize approval for the middle housing cluster in that community.

Please let me know if our Board and Executive Director can be of assistance to Council as you move forward in making policy decisions in support of this important initiative to create more housing opportunities in Wilsonville.

Sincerely,

Rich Truitt, P.E., President
North Willamette Valley Habitat for Humanity

From: [Jay Edwards](#)
To: [Mayor Julie Fitzgerald](#); [Councilor Kristin Akervall](#); [Councilor Charlotte Lehan](#); [Councilor Joann Linville](#); [Councilor Ben West](#); [Cosgrove, Bryan](#); [Veliz, Kim](#); [Neamtzu, Chris](#)
Subject: Mixed-income housing in Wilsonville
Date: Monday, June 7, 2021 5:35:50 PM

Dear Mayor and City Council,

Although I may not be able to provide public comment this evening, I wanted to express my support for mixed-income housing in the context of your discussion regarding the Equitable Housing Strategic Plan. As we all know, home ownership is an extremely powerful means of generating not only family wealth but intergenerational wealth, and extending this opportunity to a wider segment of the population can be a similarly powerful catalyst for equity.

My first step into home ownership in the Chicago area was via a small one-bedroom condo in the town where I went to college, Evanston. At the time, Evanston was just beginning to open up the city to such housing options, and it provided an affordable entry point for me into the market. Leaping directly from my prior apartment to a single-family home in Chicagoland -- particularly in Evanston -- would have been unattainable at that time. Given the rate at which home prices are climbing in Wilsonville, similar barriers likely exist here as well.

Many thanks for your work in this area, and take care!

Jay Edwards
(m) 503.939.0388
[Wilsonville Alliance for Inclusive Community](#)

From: [Alys McKnight](#)
To: [Mayor Julie Fitzgerald](#); [Councilor Kristin Akervall](#); [Councilor Charlotte Lehan](#); linville@ci.wilsonville.or.us
Cc: [Karin Grano](#); [Cosgrove, Bryan](#); [Pauly, Daniel](#); daweher@gmail.com
Subject: Strongly Oppose higher density
Date: Monday, June 7, 2021 6:07:33 PM

[This email originated outside of the City of Wilsonville]

Dear Wilsonville Mayor Fitzgerald and
City Councilors Akervall, West, Linville, Lehan-

Please **do not go back on Wilsonville city's plan and word to not increase the housing density** in Frog Pond. Our traffic is already at extreme levels and it doesn't seem there is even a plan improve our lacking infrastructure. I would dream of Stafford being a better, safer road ... the the Eligsen intersection being safer and not feel like I need to hold my breath... hoping there won't be an accident.

A path where families and individuals could walk, run or bike along there would be a dream...

The overcrowding we currently growing needs to be helped ... not increased.

I am shocked to hear that the city would go back on these promises and plans that have been made. Our city is lovely and beautiful but rapidly becoming bigger and crowded and not the same place we all love.

Thanks for your service and commitment.
Alys McKnight

From: [kevin dicken](#)
To: [Mayor Julie Fitzgerald](#)
Subject: Fwd: Frog Pond West Density changes
Date: Monday, June 7, 2021 6:07:06 PM

[This email originated outside of the City of Wilsonville]

Mayor Fitzgerald, I wanted you to see what I sent to the City Manager and Planning Manager.

We in Frog Pond West would appreciate your support.

Thank you!

Kevin

Begin forwarded message:

From: Kevin Dicken <KDBIZNW@gmail.com>
Date: June 7, 2021 at 5:11:11 PM PDT
To: cosgrove@ci.wilsonville.or.us, pauly@ci.wilsonville.or.us
Cc: Doris Wehler - Matt & Derk <daweher@gmail.com>
Subject: Frog Pond West Density changes

I'm going to express my feelings and those of many of our neighbors who have made a significant investment in the Masterplanned community of Frog Pond West. We know that many years went into this planning, as well as valuable input from residents in the surrounding area.

Many of us left other cities in the Portland metro area seeking this well planned out community.

While we were very concerned and disappointed with the Oregon housing changes and the possible impact on our new community, we were assured that these changes would result in minimal impact in our community.

We do not feel our questions and concerns have not been properly addressed.

The Planning Commission has gone from discussing whether or not the builders would even implement the suggested changes in Frog Pond, to requiring the builders to implement the new State law, to now suggesting a recommendation to exceed Oregon density requirements.

Why have the residents, those of us who have made the commitment to Frog Pond, been ignored in this process? Many of us purchased homes here because of the infrastructure and community design. This infrastructure was designed to support the planned density. We know that it took years to finalize and was accomplished by soliciting the surrounding communities input and support.

To require increased density because you can, is not a reason. It is appropriate for the City planning department to meet with the homeowners in Frog Pond and discuss the proposed changes and address our concerns. We would appreciate that opportunity, sooner than later.

Thank you.

Kevin Dicken
Frog Pond West resident
503.840.7271

From: [Emily McClelland](#)
To: [Mayor Julie Fitzgerald](#); [Councilor Kristin Akervall](#); [Councilor Charlotte Lehan](#); [Councilor Ben West](#); [Councilor Joann Linville](#)
Cc: [Cosgrove, Bryan](#); [Pauly, Daniel](#); dawehler@gmail.com; [Karin Grano](#)
Subject: Please keep Frog Pond low density
Date: Monday, June 7, 2021 3:57:34 PM

[This email originated outside of the City of Wilsonville]

Hello-

In regards to the Frog Pond development, please remember to keep it low density. Traffic is already a struggle.

Thank you.

Emily McClelland
Wilsonville, OR

From: [Lisa Jensen](#)
To: [Mayor Julie Fitzgerald](#); [Councilor Kristin Akervall](#); [Councilor Charlotte Lehan](#); [Councilor Ben West](#); [Councilor Joann Linville](#)
Subject: Frog Pond - PLEASE do not increase traffic!
Date: Monday, June 7, 2021 3:43:12 PM

Hello all-

I wanted to add my opinion on the issue of increasing the density to the new Frog Pond Area more than necessary. We were drawn to Wilsonville because of its neighborly, "small town" feel, and have loved the quieter pace here (as opposed to Hillsboro, where we came from).

Our neighborhood backs up to the Frog Pond area, and we use Stafford road and Boeckman quite a bit, and we DO NOT want it to be overtaken by traffic, and increased drivers making Stafford more and more dangerous. Please protect the wonderfully quiet, neighborly feel of our community.

Thank you,

Lisa Jensen

From: Paul Diller
To: cityrecorder@ci.wilsonville.or.us
Cc: [Mayor Julie Fitzgerald](#); [Councilor Kristin Akervall](#); [Councilor Charlotte Lehan](#); [Councilor Ben West](#); [Councilor Joann Linville](#)
Subject: Citizen input re affordable housing for tonight's council meeting
Date: Monday, June 7, 2021 11:10:29 AM

[This email originated outside of the City of Wilsonville]

To Whom It May Concern:

I write in support of the city's efforts to implement the Equitable Housing Strategic Plan. I am a resident, property owner, and taxpayer in Wilsonville. In addition to my full-time job out of the city, I also own a small business that helps fund the city's excellent public transit system through the SMART tax. I had the pleasure of serving as a citizen member of the city's equitable housing task force in 2019-20. The task force considered the city and region's acute housing needs in suggesting ways for the city to move forward on being a welcoming and inclusive community. In 2019, of course, the state legislature passed House Bills 2001 and 2003, which make it clear that all cities, including Wilsonville, must zone for a diverse array of housing choices.

One of the many reasons my family enjoys living in Wilsonville is the mix of housing options. I live in Wilsonville Meadows, which includes single-family homes that are both multiple stories and single-level. Our community abuts a large apartment complex. Through their neighborhood public schools the boys make friends from all income levels and walks of life. We do not desire to live in an "exclusive" community that consists of only large, single-family houses that only the wealthiest can afford. With adequate planning for infrastructure — including bicycle, pedestrian, and public transportation — the city should be able to continue accommodating a broad array of housing options as it implements the strategic plan.

Thank you for considering my views on this matter.

Sincerely,
Paul Diller
28500 SW Meadows Lp
Wilsonville, OR 97070
pdiller@hotmail.com

From: [Meacham, Tony A](#)
To: [Mayor Julie Fitzgerald](#); [Councilor Kristin Akervall](#); [Councilor Charlotte Lehan](#); [Councilor Ben West](#); [Councilor Joann Linville](#)
Cc: [Cosgrove, Bryan](#); [Pauly, Daniel](#)
Subject: Frog Pond - middle housing
Date: Tuesday, June 1, 2021 4:17:18 PM

[This email originated outside of the City of Wilsonville]

City of Wilsonville,

I recently heard that the Planning Commission has recently recommended the city to require 10% middle housing. As a longtime resident of Wilsonville I would like to express my feelings against this requirement. The housing currently being built in Frog Pond makes for some beautiful neighborhoods and my wife and I currently walk our dogs through there several times a week. Moving away from the single-family homes is going to make the areas dense, and less attractive. One of the reasons that makes Wilsonville great in my opinion are the single-family housing communities. Take Villebois for example; the original first housing communities that were installed were very attractive with beautiful homes, great parks, etc. Then a few years go by and they start cramming all these small lots with townhomes, duplexes, etc. This completely took away from Villebois attractiveness and I believe if you allow/approve this to happen to Frog Pond we're going to end up with the same.

I can certainly understand that some people can't afford single-family homes, however, people should continue to save to afford such housing as I had to do for years before. In addition from what I understand due to the higher cost of the Frog Pond land and city fees the equity could not be reached anyways to make them affordable.

I understand the city has to comply with House Bill 2001 which ALLOWS for 10% middle housing. However, my family opposes REQUIRING 10% middle housing. The existing single-family housing market has been doing well for quite some time; there is not a market need to push towards lower cost housing. Please vote this down and keep our single-family housing communities intact.

Thank you and God bless.

Tony Meacham

✉ Tony.Meacham@mdlz.com

📞 503-320-3090

"If there is something wrong, those who have the *ability* to take action have the *responsibility* to take action."

From: [Garet Prior](#)
To: [Mayor Julie Fitzgerald](#); [Councilor Kristin Akervall](#); [Councilor Charlotte Lehan](#); [Councilor Joann Linville](#); [Councilor Ben West](#); [Cosgrove, Bryan](#); [Veliz, Kim](#); [Neamtzu, Chris](#)
Subject: Middle housing is essential for Wilsonville
Date: Monday, June 7, 2021 9:31:05 AM

Dear Mayor and City Council,

At your [work session tonight](#), I please ask you to take the next step forward in fulfilling the goals of the [Equitable Housing Strategic Plan](#) by supporting the changes we need to get needed missing middle (mix-income) housing in Wilsonville.

The need

Only 9% of residents are middle income, with 40% above, and 51% below.

A person would need to make 185% of the average household income (\$116,550/year) to buy an average home (\$454,400) and not be considered cost-burdened (more than 30% of income towards monthly mortgage payment).

Middle housing (mix-income), a key tool in the toolbox

Changes to lessen government control by giving back rights to property owners to develop more types of housing is a key part of the missing middle housing changes. In looking at how these changes have impacted other communities, it will lead to small, incremental growth over time. It is pairing these changes with price reductions or removal of system development changes (or other development costs, such as land), which is necessary to see greater integration of housing take place. This is the case in established or newly planned neighborhoods like Frog Pond.

These changes will meet essential needs in our community while not overwhelming our traffic, parking, green space, and community safety needs. Case in point is my neighborhood, Villebois. I live in a single-family detached home, with apartments and townhomes on my block. There are no traffic or parking problems in Villebois. I have access to more green spaces than any neighborhood I have lived in my life.

Please take the next step forward by supporting missing middle (mix-income) housing changes!

Thank you,

--

Garet Prior
[A Garet in Wilsonville](#)