



**Wilsonville City Hall
Development Review Board Panel A**

Monday, May 13, 2019 - 6:30 P.M.

I. Call to order:

II. Chairman's Remarks:

III. Roll Call:

Fred Ruby

Daniel McKay

Jennifer Willard

Angela Niggli

Joann Linville

IV. Citizens' Input:

V. Consent Agenda:

A. Approval of minutes of February 11, 2019 DRB Panel A meeting

VI. Public Hearing:

A. **Resolution No. 362. Industrial Focus: Gavin Russell, CIDA Architects & Engineers – Representative for David Nicoli, Nicoli Pacific LLC – Owner.** The applicant is requesting approval of a Zone Map Amendment from Residential Agricultural Holding (RA-H) Zone to Planned Development Industrial (PDI) Zone, and adopting findings and conditions approving a Stage I Master Plan For three industrial/flex buildings totaling approximately 96,000 square feet. The subject site is located on Tax Lots 300 and 500 of Section 14A, Township 3 South, Range 1 West, Clackamas County, Oregon. Staff: Cindy Luxhoj

Case Files: DB19-0004 Zone Map Amendment

DB19-0005 Stage I Master Plan

The DRB action on the Zone Map Amendment is a recommendation to the City Council.

- B. Resolution No. 363. Cherbourg Lane Street Vacation: Stacy Connery, AICP, Pacific Community Design, Inc. – Representative for Polygon at Villebois III LLC and Allen and Victor Chang – Petitioners.** The applicant is requesting approval of a request for the City to vacate SW Cherbourg Lane right-of-way north of SW Berlin Avenue, Section 15AB, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Daniel Pauly

Case Files: DB19-0006 Street Vacation

The applicant has requested that this item be removed from the agenda to be heard at a future date.

- C. Resolution No. 364. Morgan Farm TUP: Margaret Lowe, Pahlisch Homes – Owner/Applicant.** The applicant is requesting approval of a Five-Year Temporary Use Permit for a sales office, temporary parking lot and model home in the Morgan Farm Subdivision. The Subject Property Is Located At 7210 and 7218 SW Bay Lane on Tax Lots 100 and 200 Of Section 12DC, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Kimberly Rybold

Case File: DB19-0017 Five-Year Temporary Use Permit

- VII. Board Member Communications:
A. Results of the February 25, 2019 DRB Panel B meeting
B. Recent City Council Action Minutes
- VIII. Staff Communications:
- IX. Adjournment

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this 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 such services, please call the Planning Assistant at 503 682-4960

DEVELOPMENT REVIEW BOARD MEETING
MAY 13, 2019
6:30 PM

- V. Consent Agenda:
 - A. Approval of minutes of February 11, 2019 DRB
Panel A meeting

**Wilsonville City Hall
29799 SW Town Center Loop East
Wilsonville, Oregon**

**Development Review Board – Panel A
Minutes– February 11, 2019 6:30 PM**

I. Call to Order

Chair Fred Ruby called the meeting to order at 6:30 p.m.

II. Chair's Remarks

The Conduct of Hearing and Statement of Public Notice were read into the record.

III. Roll Call

Present for roll call were: Fred Ruby, James Frinell, Joann Linville, Daniel McKay, and Angela Niggli

Staff present: Daniel Pauly, Barbara Jacobson, Kim Rybold, Steve Adams, and Miranda Bateschell

IV. Citizens' Input This is an opportunity for visitors to address the Development Review Board on items not on the agenda. There were no comments.

V. Election of 2019 Chair and Vice-Chair

A. Chair

Jennifer Willard nominated Joann Linville as the 2019 DRB-Panel A Chair. Daniel McKay seconded the nomination. Joann Linville was unanimously elected 2019 DRB-Panel A Chair.

B. Vice-Chair

Fred Ruby nominated Jennifer Willard as the 2019 DRB-Panel A Vice-Chair. Joann Linville seconded the nomination. Jennifer Willard was unanimously elected 2019 Vice-Chair.

VI. Consent Agenda:

A. Approval of minutes of August 13, 2018 DRB Panel A meeting

Joann Linville moved to approve the August 13, 2018 DRB Panel A meeting minutes as presented. Jennifer Willard seconded the motion, which passed 3 to 0 to 2 with Angela Niggli and Daniel McKay abstaining.

VII. Public Hearing:

A. Resolution No. 360. Frog Pond Meadows: Li Alligood, AICP, Otak –

Representative for West Hills Land Development – Applicant. The applicant is requesting approval of an Annexation and Zone Map Amendment from Rural Residential Farm Forest 5-Acre (RRFF-5) to Residential Neighborhood (RN) and Public Facility (PF) for approximately 23.9 acres of property located on the west side of Stafford Road just north of Boeckman Road, and adopting findings and conditions approving a Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of parks and open space, Tentative Subdivision Plat, Tentative Partition Plat (Church property), Tentative Partition Plat (School property), Type C Tree Plan, Waiver to Minimum Lot Size, Waiver to Minimum Front Setback, and Abbreviated SRIR Review

for a 74-lot single-family subdivision. The subject site is located on Tax Lots 1800, 1902, 1903, 2000 and 2200 and portion of Stafford Road right-of-way of Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Staff: Kimberly Rybold

*Case Files: DB18-0060 Annexation
DB18-0061 Zone Map Amendment
DB18-0062 Stage I Preliminary Plan
DB18-0063 Stage II Final Plan
DB18-0064 Site Design Review of Parks and Open Space
DB18-0065 Tentative Subdivision Plat
DB18-0066 Tentative Partition Plat (Church Property)
DB18-0067 Tentative Partition Plat (School Property)
DB18-0068 Type C Tree Plan
DB19-0002 Waiver – Minimum Lot Size
DB19-0003 Waiver – Front Setback
SI18-0006 Abbreviated SRIR Review*

The DRB action on the Annexation and Zone Map Amendment is a recommendation to the City Council.

Chair Ruby called the public hearing to order at 6:39 p.m. and read the conduct of hearing format into the record. All Board members declared for the record that they had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Kim Rybold, Associate Planner, announced that the criteria applicable to the application were stated on page 2 and 3 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room.

Ms. Rybold noted this was the third application the City had reviewed within the Frog Pond West area. She presented the Staff report via PowerPoint, briefly reviewing the background regarding the 2015 Frog Pond Area Plan and key components of the Frog Pond West Master Plan. She described the subject site's location and surrounding features, along with the proposed applications, and proposed traffic and street improvements with these key comments:

- The proposed Frog Pond Meadows development was currently in Clackamas County, adjacent to the northeastern portion of Wilsonville.
- On Slide 2, the larger outlined portion indicated the entire property that was subject to annexation and the Zone Map Amendment. The area outlined in blue was the property subject to the subdivision applications and the various components related to the proposed subdivision.
 - The area was generally developed with rural/residential uses. The Stafford Meadows subdivision, approved last spring, was located south of the site, Morgan Farm was to the west of the site. Farther south were the subdivisions of Arbor Crossing, Wilsonville Meadows, and Landover, all of which were located within the City of Wilsonville.
 - The Frog Pond West Master Plan set the framework for development in the area and guided Staff's review of the submitted proposals to ensure they were consistent with the Master Plan, which represented the vision the community had bought into for future land use in the area. The proposed Frog Pond Meadows was generally consistent with what had been previously put forth in the Master Plan for Frog Pond West.

- The area proposed for annexation was just less than 24 acres in size. It was within the urban growth boundary (UGB), contiguous to the City's existing boundary, and had been master-planned for residential development.
 - The annexation area included the existing church property, which would remain, as well as a portion of the West Linn-Wilsonville School District Property to the west. The parcels were included because the Applicant was acquiring portions of those properties to be brought in to the overall Frog Pond Meadows application, so the annexation covered the entire area.
- Concurrent with the annexation request was a Zone Map Amendment to apply City zoning to the entire area. With the adoption of the Frog Pond West Master Plan, a Development Code category was created, called Residential Neighborhood, to implement the recommendations of the Frog Pond Master Plan. The portion of property proposed as a part of the subdivision would have the Residential Neighborhood zoning applied.
 - The remaining church and school district properties would have a Public Facility designation applied. The school property would be designated for use as a future school and a city park, as shown in the Master Plan as Public Facility (PF) on the Comprehensive Plan Map, so the zoning category was consistent. The church was also an allowed use within the PF District, which was the district that would be applied.
- The Stage I Preliminary Master Plan only applied to the smaller area that was a part of the subdivision, which was approximately 15.5 acres. This application addressed land uses, the overall proposed density, and the general provisions of open space and street layout.
 - The land use within the Frog Pond West Master Plan was broken down into different subdistricts and each subdistrict had different corresponding minimum and maximum dwelling units and different minimum lot sizes depending on whether it was a small, medium, or large lot area.
 - In looking at the overall amount of proposed residential development and whether it fell into the categories, Staff had to look at what proportion of each subdistrict was being represented in the subject application and then project whether full build-out of that number of units could be achieved with future development in the remaining parts of that subdistrict. That information was analyzed for the four different proposed subdistricts highlighted in the table on Slide 13, and the amount of proposed residential units in each either fell within or would fall within, the minimum-to-maximum range recommended for each of the areas.
 - She noted four units were proposed in Civic Subdistrict No. 12 with a footnote because, per the Development Code, medium lot, single-family regulations would apply to any dwelling units in the subdistrict, which served as the guide when looking at things like minimum lot size and other lot dimensions.
- The Stage II Final Plan focused on the function of the subdivision and the overall layout. The proposed lot layout and size demonstrated consistency with the development standards in the Residential Neighborhood Zone and the Master Plan with the exception of a few lots as specified in the waiver requests.
- The scope of the Site Design Review of Parks and Open Space was limited to the design of common tracts, streetscape, and open spaces within the subdivision. Overall the design of these spaces was consistent with Wilsonville's Site Design Review Standards and the Frog Pond West Master Plan, matching the street tree and street lighting standards to achieve the envisioned streetscape called for in the Master Plan. The design also included some enhanced plantings in one of the Significant Resource Overlay Zone (SROZ) riparian areas west of Willow Creek Dr, as well as site furnishings for some of the open space tracts, which included benches, play structures, and landscaping.

- The Tentative Subdivision Plat met all technical platting requirements and demonstrated consistency with the Stage II Final Plan request. It was consistent with the Master Plan and did not create any barriers to future development on adjacent sites in the area.
- The two separate Tentative Partition Plat requests regarded the noncontiguous school and church parcels and would facilitate the transfer of the portions closest to the subdivision for inclusion within the subdivision.
- The Type C Tree Plan considered the existing trees onsite and some of the proposed site work and grading that would occur. A substantial number of trees had been planted fairly close together in the southwestern portion of the site. Many of the trees outside of the mapped SROZ were proposed for removal as it was an overgrown grove of trees, many of which were Douglas Firs, and because the proposed Willow Creek Dr. extension would be located there. The construction of the road and the necessary grading for the lots drove the proposed removal of many of the trees.
 - Trees that would be preserved included a number of Oregon White Oaks in the large grove in the northeast portion of the site, as well as a notable 34-inch Oregon White Oak, around which a median would be constructed in Willow Creek Drive to facilitate its preservation. Some other trees on the periphery of the site would be preserved as well.
 - The Type C Tree Plan required a one-for-one mitigation. The Applicant's current plan showed 160 trees would be planted, but 235 trees were proposed for removal. When mitigation requirements could not be met onsite, Staff looked offsite for locations where the City wanted trees planted; however, no sites were currently identified for plantings, so the Applicant would pay into the City's Tree Fund in lieu of planting trees. (Slide 20)
 - The Applicant had proposed a cost of \$300 per tree as mitigation, which was consistent with the figure used in the Stafford Meadows subdivision to the south, resulting in \$22,500 paid into the City's Tree Fund.
 - Staff added some conditions, recognizing the number of trees might vary as construction proceeded and any adjustments to the total would be determined at the time of final occupancy.
- Two waivers were requested for four of the lots in the northwest portion of site to accommodate preservation of the 34-inch Oregon White Oak.
 - One waiver request was to reduce the minimum lot size for Lots 70 and 71 to slightly under the minimum 6,000 sq ft requirement to accommodate construction of the median in Willow Creek Drive.
 - To add flexibility, a setback waiver to reduce the front setback by a few feet was also requested for four lots to account for the loss in lot depth to accommodate the median.
- The Abbreviated Significant Resource Impact Report (SRIR) reviewed development activities that might impact the defined SROZ or the 25-ft impact area associated with it. Proposed development that could impact the area included minor grading for Willow Creek Dr and Brisbane St, as well as stormwater outfalls. That analysis was included in the Applicant's materials and reviewed by the City's Natural Resources Manager.
 - Some mitigation plantings of native plants were also proposed to help support the creation of a more natural drainage way in the area.
- Traffic & Street Improvements. The transportation study identified five intersections to review for impacts. Table 5 represented the current proposed project as well as other projects that had reached Stage II approval within the City even if they were not yet built, including both the Stafford Meadows and Morgan Farms subdivisions. (Slide 24)
 - All of the studied intersections would continue to perform at an acceptable Level of Service (LOS) or better at the PM Peak Hour, which met City standards for transportation impacts. One caveat to the study was the currently unsignalized intersection at Boeckman Rd and Canyon Creek Rd, which would fall below the acceptable LOS with development. However, a project to improve the intersection was

anticipated to start within the next couple of years that would add a signal, improve traffic flow during the PM Peak Hour, therefore, negating the failure of the intersection.

- Slides 25 and 26 showed the intersections studied along both Wilsonville Rd and Boeckman Rd, the overall aggregate performance with the Stage II approvals plus the subject project, and the distribution of the trips at the PM Peak Hour.
- The City would be responsible for the reconstruction and improvements of the section of Stafford Rd adjoining the development according to the cross section shown on the Frog Pond West Master Plan. (Slide 27)
- With regard to funding, once a number of building permits had been issued for individual homes and funding was available, the City would undertake construction of the project. In the meantime, the Applicant had proposed dedicating sufficient right-of-way along Stafford Rd for the City to make the improvements. All other roadway improvements included with the application were the responsibility of the Applicant to build.
- Willow Creek Dr was shown in the Master Plan as being a collector with a couple different designations. The Master Plan showed a Collector Gateway cross section design from the south at Boeckman Rd for the first couple of blocks. (Slide 28)
 - The Applicant requested a slight modification around the southernmost section to allow for some on-street parking for residents and visitors adjacent to the homes that would front Willow Creek Dr because no driveway access points were allowed along that street.
 - To the north Willow Creek Dr became an internal collector. While the cross section design would change driveway access was still limited for this section of the road, which would become narrower and the median no longer required.
 - However, there were waivers to that cross section due to the preservation of the 34-in Oregon White Oak. The street section would maintain a small median with a 44-ft median that would ultimately go around the tree in the final build-out.
 - The general standard for local street cross sections would be followed for the other local streets in the subdivision. (Slide 30)
- The Subdivision Design included two different subdistrict types. The yellow area was the small lot subdistrict and the green area was the medium lot subdistrict. Generally speaking, the small lot subdistrict featured narrower lots at 4000 sq ft and the medium lot subdistrict featured slightly wider lots with a minimum lot size of 6000 sq ft. Four attached, single-family units were proposed in the small lot subdistrict on lots that were just over 8000 sq ft combined and would have rear access from the rear on a private tract. (Slide 32)
 - For subdivisions or small lot areas that were ten acres in size, the Master Plan required that 10 percent of units in the small lot subdistrict be attached or duplexes. Although the subject property was not quite ten acres, the Applicant went along with the spirit of the recommendation and provided slightly less than 10 percent of attached housing.
 - For the other detached units, the minimum size for a medium lot was 6000 sq ft, but Lots 71 and 72 were just less than 5600 sq ft and were the subjects of the minimum lot waiver request. All other lots met the minimum standard.
 - One aspect of the small lot subdistrict was the open space requirement. With the medium and larger lots in Frog Pond, a larger land area per lot was assumed. However, the individual small lots did not have as much open space so 10 percent of the overall developable area was required to be open space and half of that had to be considered usable for playing, running around, etc. The Applicant proposed two open spaces, including a pocket park so the Frog Pond Master Plan open space requirements were met.
- The Street Demonstration Plan in the Master Plan was meant to demonstrate the desired level of connectivity to be provided in a subdivision with well-connected pedestrian, multimodal, and vehicular spaces; however, that plan was intended as a guide, and not

binding. Slide 33 showed the small variations proposed to the Street Demonstration Plan illustrated on the left. The Applicant illustrated how the modifications could still meet the overall connectivity goals of the Frog Pond Area.

- The Applicant removed one east-west pedestrian connection to meet the required minimum number of lots in that subdistrict; however, some east-west connections were still provided onsite or would be provided in an immediately adjacent development in the future. An additional pedestrian connection was also added to connect the subdivision to Stafford Rd.
- The proposed connections still provided a substantially equivalent level of connectivity throughout the subdivision, which was the Code standard required for any variation to the Street Demonstration Plan.
- Interim Street Connectivity. The subdivision had a few streets that ran north-south and did not appear to connect to anything, but a future connection could be seen on the Street Layout. (Slide 33) An interim street connection across one tract and one lot would ensure access for emergency and service vehicles to serve the neighborhood in the meantime. Once development of the street connections to the north took place, the temporary connections would be removed. (Slide 34)
- Street Trees. The Master Plan includes a street tree plan and different lists for street trees to provide a consistent feel along the different streets within the overall Frog Pond neighborhood and would ensure that a variety of street trees were provided.
 - The Applicant had proposed primary street trees on the collector streets, which were more visually prominent and intended to connect through and weave together the different subdivisions within Frog Pond as a whole. All the other trees fell into a neighborhood street tree type. In the subject subdivision Willow Creek Dr and Brisbane St were the two streets with primary street trees and all other streets would have neighborhood trees. (Slide 35)
 - The Street Tree Plan illustrated that Red Oaks were proposed along Willow Creek Dr, as they were the street trees approved along Willow Creek Dr as a part of Stafford Meadows. Likewise, American Linden were proposed along Brisbane St to continue with the same street trees approved for the Morgan Farm subdivision to the west. These two street segments would ultimately be connected so this plan would provide continuity of street trees throughout the larger Frog Pond area. (Slide 36)
 - All the other proposed trees had been approved as a part of the street tree list within the Master Plan; therefore, the proposal met the Street Tree Plan requirements for Frog Pond.
- Street and Pathway Lighting. No specific or special requirements existed in Frog Pond for gateway entrance lighting or key intersection lighting. All streetlights would be required to meet the City standard for street lighting in the Frog Pond West area. The photo on Slide 37 illustrated the approved street light design.
- Usable Open Space Tracts B and G were being considered for usable open space. Tract B was between two lots along Marigold Terrace and the dead end of Alder St. A pedestrian pathway would connect through from Marigold Terrace to Alder Street. There would also be a pavilion area, some tree plantings, and some benches. Even though it was a part of the Small Lot subdistrict requirement, this pocket park would serve the larger Stafford Meadows neighborhood, as well as the remainder of Frog Pond Meadows, by being well connected.
 - Tract G to the north was close to the Oregon White Oak grove and would contain a small tot lot play area, benches, and tables as a part of the proposed usable open space. As with Tract B, although located within the Small Lot subdistrict area, it would be accessible to the larger subdivision as a whole.
- The requirement for a landscape wall along Stafford Rd was consistent with the other two subdivisions previously reviewed and similar to the requirement along Boeckman Rd. The

wall was about 6 ft high with 4 ft of brick and a 2-ft decorative metal railing on top. That was proposed along the length of Stafford Rd where houses were proposed to be located.

- In the open space farther north, the Applicant proposed a cedar split rail fence similar to a split rail fence used in the Stafford Meadows development along the riparian area.
- The Master Plan required a 12-ft landscape area along the wall and due to the presence of power lines, no tall trees could be planted in the area, so the Applicant proposed a mix of shrubs and other ground cover plantings consistent with what had been approved for the Stafford Meadows subdivision.
- As encountered in other Frog Pond applications, balance was required to position stormwater management facilities, planting strips, houses, street trees and utilities in the subdivision. The Applicant proposed a variety of stormwater management methods, including some street-side LIDA facilities within the planting strips and larger rain gardens and stormwater tracts to provide a mix of stormwater management facilities to serve the subdivision. In doing so, the Applicant was still able to provide the required street trees and stormwater management and also hook up the utilities that would serve the individual lots.
- She entered the Planning Division memorandum dated February 11, 2019 into the record as Exhibit A3 that identified some minor changes to the Staff report related to alley access for Lots 63 to 68 along Larkspur Terrace with an attached Alley Access Plan and Section diagram. In consultation with the Applicant, questions were raised about whether a certain garage access standard would apply to the lots, so Staff wanted to clarify that those lots could take access off of Larkspur Terrace, and that the condition in the Staff report requiring alley access did not apply.
- Staff recommended approval of the Annexation and Zone Map Amendment to City Council and that the DRB approve, with conditions, the other component applications contingent on the City Council approval of the Annexation and Zone Map Amendment.

Daniel McKay asked if the change regarding the garage access standard was within the spirit of the Development Code.

Daniel Pauly, Senior Planner, replied the Code language was not great, adding the requirement was under the Garage Standards and not necessarily referring to access, but where the garage was oriented. If the building was moved up towards the alley, the garage would need to be on the alley, which seemed self-explanatory. The standard tended to have more applicability in the smaller lot districts where fitting a two-car garage on the width of the lot was a challenge. The subject 6,000-plus sq ft lots had room for backyards, so it made sense that the houses would be oriented towards the adjacent street. Overall, alleys were optional. The condition for the alley was driven by the fact that the homes on Willow Creek Dr could not take access from Willow Creek Dr and needed some sort of vehicular access into the lot, otherwise having an alley was optional.

Joann Linville noted the request for an abbreviated SRIR review and requested clarification about the SRIR Impact Area, noting the Applicant's documents stated a 50-ft area would normally be required and had requested 15 ft on either side, while the Staff report stated 25 ft.

Ms. Rybold explained when the Master Plan was adopted the Willow Creek drainage way was shown with a very generalized buffer. The drainage was perennial but it might not always have water in it. The default condition when SROZ was identified was a 50-ft buffer on all sides, which came from recommendations associated with Metro and how different areas with sensitive riparian impacts were reviewed. With the adoption of the Master Plan, the SROZ was mapped with the 50-ft buffer. Typically, more detailed site analysis was done as development progressed to identify where the sensitive habitat might be and what part of that buffer should have the SROZ designation. The 15-ft area shown in the Applicant's materials was based upon

observations that were done to look at the drainage way itself, any slopes associated with the drainage way, the existing vegetation, and to determine if it met the criteria of being SROZ. All of the City's SROZ areas had a 25 ft impact area. The impact area was meant to serve as a buffer around the mapped SROZ, so it was on both sides.

- The subject SROZ area was very narrow and essentially followed the line of the drainage way. With an abbreviated SRIR, Staff knew that some kind of activity could impact the SROZ, so the Applicant's information was reviewed by the Natural Resources Manager to determine that the use would not have a negative impact on the SROZ. For the subject property, there was the generalized 50 ft shape in the Master Plan. The SRIR showed it should not be 50 ft, but 15 ft, which left the remaining 25 ft buffer around the smaller impact area.

Ms. Linville stated on Page 17 of 74 of the Staff report, Request L, the Abbreviated SRIR Review, stated that it was contingent on City Council approval and "no conditions for this request." There were a lot of different numbers, 50, 15, 25, but no Staff recommendation stating that a review had been done and that Staff's condition was a certain kind of buffer.

Ms. Rybold replied that on Page 71 of the Staff report there were findings of fact that the Natural Resources Manager made to the requirements of the SROZ. Essentially, he said that because there were no conditions, what had been mapped and submitted by the Applicant was acceptable. There was no additional condition involved in his approval; what was mapped and in the submitted documentation was approvable as the SROZ boundary.

- She confirmed the Natural Resources Manager recommended 15 ft on either side, which had been approved, and that was also about what the buffer was in Stafford Meadows.

Ms. Linville stated the building height was addressed on Page 47 of Applicant's document. She believed the standard required larger or more mature trees for structure sizes that were 24 ft or 50,000 sq ft. The Applicant's rationale was that some buildings would be greater than 24 ft, but not 50,000 sq ft. She asked why Staff would not require larger, more mature trees for any structures over 24 ft, since the Code standard stated 'and' and not 'or.'

Ms. Rybold responded that standard was generally applied for more commercial/industrial uses when larger buildings were proposed. She did not know if it had been applied with individual residential units. It was also worded as 'may' and not 'shall.' If, for example, Staff evaluated a large industrial building with a big footprint, a larger, more mature tree, or a tree that could grow taller, would be pursued as it helped to break up the façade. There were conflicts with that type of tree immediately adjacent to a residential house because they would grow too big to be next to a house.

Mr. Pauly added that onsite landscaping was not subject to DRB review. The standard was applied when Staff looked at site design review for commercial, industrial, or multifamily buildings.

Ms. Linville noted the Applicant indicated that 348 trees would be removed, and the Staff report indicated less than that. Condition PDI-1 stated, "The approval for removal applies only to the 235 trees identified in the Applicant's submitted Tree Maintenance and Protection Plan." She asked where 235 had come from.

Ms. Rybold believed the narrative number provided by the Applicant was incorrect. They had done a larger tree survey that encompassed a greater area. Appendix F of the submitted materials included a Tree Table that showed 289 trees had been analyzed. Of those, some

trees were dead and some were merely a notation that a stump had been removed. The final number of onsite trees proposed for removal was 235.

Ms. Linville noted five areas were identified in the Transportation Impact Analysis (TIA). ODOT had recommended analysis of Elligsen Rd and I-5 at Wilsonville Rd and Staff's assessment was that the majority of traffic would be at Stafford Rd rather than at those two intersections. She asked why Town Center Loop and Wilsonville Rd, which was two blocks away from I-5, was not addressed as one of the five areas analyzed by the TIA.

Ms. Rybold responded that Mr. Adams worked with the Applicant to help scope the intersections studied within the Transportation Study. The Elligsen Rd interchange was not studied because it had been included in the larger Frog Pond Master Plan study.

Steve Adams, Development Engineering Manager, elaborated that the study for the entire Frog Pond Master Plan had looked at everything, both interchanges and a lot of the intersections. Base counts were taken at that time, so progress moving forward could be tracked. The intersections that were chosen depended upon what else was happening in the city. If another development had done a study within the past two to three months, he would use that same information for another project, as it was recently obtained and there was no need for a restudy. To date, both Morgan Farm and Stafford Meadows had been required to study different intersections, and the subject development had been required to study intersections not studied by the other two developments. This allowed Staff to keep track of what was happening at various intersections. Some were closer to experiencing problems, and he watched those more closely to see if needed improvements were triggered. Intersections at the freeways were looked at in the initial study and, as each new development came up, Staff anticipated X amount of impact would occur. Every three or four years a Transportation Modeling Study was conducted in the city. Currently, money was available in the budget to hire a transportation consultant to again, look at all of the key intersections, including Elligsen Rd/I-5, Wilsonville Rd/I-5, and approximately 8 to 10 other intersections throughout the city. That periodic study was used as a backup to ensure Staff was tracking traffic impacts correctly based on the developments that occurred. That information would be available in 6 to 8 months, but that was not stated in tonight's meeting packet.

Ms. Linville asked what led Mr. Adams to suspect that most of the traffic from the subject development would use I-205 at Stafford Rd.

Mr. Adams replied DKS Associates had a citywide traffic model and had been tracking traffic for approximately 20 years. He relied on DKS to tell him how traffic patterns were developing. Metro wide models showed in what areas people worked, lived in, and how many people would go from one area to another. All of that information was plugged into the model. DKS believed 50 percent of the traffic from Frog Pond would go up Stafford Rd to I-205 and then split either east or west from there. He relied upon their professional judgment and that their model of the city was accurate.

Jennifer Willard asked when the Boeckman Rd/Canyon Creek intersection would be upgraded to a signalized intersection and if it met the City's concurrency requirement.

Mr. Adams responded he had been working with Capital Projects Manager Zach Weigel and Mr. Weigel's staff member, Dominique Hoffman, had been assigned to that project. Both were made aware that signaling that intersection was critical as Frog Pond developed because it could fail in the PM Peak Hour. The City had money budgeted both this year and next year for the design of that intersection, the bridge, and Boeckman Rd. He understood the intersection

could get moved up as a separate package. The City wanted to design all of the projects at the same time so they were integrated and would work well together but construction might be split up as different pieces required different amounts of building time. It was likely that once design was completed later this year or early 2020 that the City could go out to bid for that intersection early, get it done, and then build the bridge and Boeckman Rd. All of the projects were anticipated to be completed within a couple of years.

- He believed the Boeckman Rd/Canyon Creek Rd intersection did meet the City's concurrency requirement, as the project was planned and funded. The intersection would only fail once all of the homes were built, 42 homes in Stafford Meadows, 77 in Morgan Farm, and all of the homes in the subject subdivision which would take a couple of years.

Ms. Willard understood, explaining she was concerned because this was the third application and she assumed a fourth and fifth application would follow, which would worsen the issues at that intersection.

Mr. Adams replied the intersection should be fine throughout 2019. He understood most homebuilding was completed for the year with nothing more being built until next year. The builder was present this evening and could speak more to that if necessary.

Mr. McKay stated that Condition PDI 3 required 160 trees; however, PDI 5 implied that less than 160 trees might be planted. He asked if a minimum number of trees needed to be specified for the development.

Ms. Rybold responded that the fee is paid when applicants apply for Type C Tree Removal permit. Sometimes this happened when Staff was in the process of reviewing other subsequent construction plans which gave Staff a better sense of what might be planted as a part of the SROZ mitigation or in a stormwater facility because those details were reviewed as a part of the Public Works (PW) permit. If Staff had documentation providing certainty that there were additional approved trees above the 160, Condition PDI 4 allowed Staff to take that into account at that point. Condition PDI 5 recognized that although the DRB approved a set of plans, as construction occurred and PW plan sets were reviewed, sometimes a water line might change or a street tree might get shifted or moved. Condition PDI 5 allowed the City to add or subtract trees but asked for an accounting of how many trees were actually planted. If 160 trees were approved, the final number might be 162 or 158, but the City would have know that number and adjust the mitigation payment accordingly.

Mr. McKay asked what happened if Condition PDI 3 was no longer met.

Ms. Rybold replied that a condition generally applied to DRB approvals that allowed Staff had to do a minor administrative review for changes consistent with the DRB approval but reflected minor changes that might come up, such as during the PW review process. Typically, for projects of this nature that usually happened at some point. That condition was how Planning accounted for those minor changes and kept them on file. Once that was done, if the number of trees changed, there was an action that accounted for that so the Applicant was still in conformance with the condition.

- She confirmed that a significant drop in the number of trees to be planted would not be a minor administrative approval because it would not be generally consistent with the DRB approval. There would have to be a very understandable reason why the number would change so drastically and a higher level of review would be required; whether it would be a Class 2 administrative review or return to the DRB would depend.

Chair Ruby confirmed that duplexes, but not multifamily housing, was permitted in Frog Pond.

Ms. Rybold added that different types of housing were envisioned in the Area Plan, but within the subject Frog Pond West area, the duplex was the highest level of density that was envisioned.

Mr. McKay noted it appeared that Lots 7 through 10 on Marigold Terrace had no street trees.

Ms. Rybold clarified that was not the case, noting Exhibit B4 recognized that the street trees for those lots were approved as a part of Stafford Meadows. Staff had Exhibit B4 because some of the proposed utility locations that would serve those lots had conflicts when compared to the street trees on the Stafford Meadows plan, so the Tree Plan the Applicant submitted with that exhibit reflected where they had modified the tree locations for those lots.

Mr. McKay noted the picture of Stafford Rd showed a significant increase in traffic on that road. In the picture, Stafford Rd appeared to be one lane in each direction. He asked if Staff's analysis had demonstrated that one lane in each direction would be sufficient once the full development of Frog Pond was complete.

Mr. Adams clarified there would be one lane in each direction and a median turn lane, and those three lanes could handle up to 18,000 vehicle trips per day. Of the City's three-lane streets, the highest volume street, Wilsonville Rd, saw 10,000 vehicle trips per day, most of which was local traffic. DKS projected that through 2040, a three-lane street was sufficient in that location. The City went with DKS's recommendation and kept the three-lane road as opposed to a five-lane road as there was nowhere to take a five-lane road into the city itself down Wilsonville Rd.

Chair Ruby called for the Applicant's presentation.

Mike Robinson, Land Use Attorney, Schwabe, Williamson & Wyatt, stated he was present on behalf of the Applicant, noting that Otak had done the planning and civil engineering for the application. He requested that any additional questions be asked before the hearing was completed tonight so they could have an opportunity to answer them. He agreed with the entire Staff report and the conditions of approval, but they had one change. The Applicant had spoken with Mr. Pauly and Ms. Rybold before tonight's hearing, who agreed with the Applicant's proposed change on Page 2 of Exhibit A3. The Applicant was fine with adding Condition PDD 9, but wanted to change the 4-ft landscape and non-vehicular access easement to a 2-ft landscape and non-vehicular access easement. The easements provided those who used the 20-ft-wide alley with an 18-ft driveway a little more width in the rear to back up and maneuver in the alley. The Applicant believed 38-ft between the garage and the rear of the alley was plenty of space, and had no objection to providing 2-ft in that easement, which would also provide enough room to do some landscaping, but a 4-ft easement would start to impinge on the desire to have a usable rear yard to those lots. He welcomed questions, adding it was very important that the easement depth be reduced to 2 ft.

Li Alligood, Planner, Otak, began presenting the Applicant's proposal via PowerPoint with these comments:

- She displayed the existing site conditions noting Frog Pond Meadows was the second project by West Hills in the Frog Pond area with the first being Stafford Meadows, located adjacent to the proposed subdivision. (Slide 4)
- The site plan demonstrated how the block patterns and street connections worked and joined with streets coming from adjacent properties. In Morgan Farms, Brisbane would

connect a few streets across the entire Frog Pond West area, so the Applicant planned for that future connection when developing their street plan.

Steve Dixon, Urban Designer/Landscape Architect, Otak continued the PowerPoint as follows:

- The Applicant's arborist inspected the 34-in Oregon White Oak and deemed it in excellent condition, probably due to the blackberries that surrounded it. The recommendation was to provide a preservation area with a 22-ft to 24-ft radius around the trunk. The actual diameter would be closer to 45-ft which the arborist determined was needed to preserve the sensitive area around the tree.
- The Frog Pond Master Plan cross section for this portion of Willow Creek Dr was the internal collector without a median. Preserving the tree clearly required the creation of a median. There would also be a slight median at the southern end to funnel traffic into the southern gateway portion of Willow Creek Dr, where the street transitioned from a median to no median based on the Master Plan. It made sense to continue the median and the gateway collector cross section up into the subject area. The Applicant had worked closely with City Staff and Engineering on lane width in the area and came up with a reasonable design.
 - One challenge was that the Applicant was only building half of the median, as the remainder was not on their property. Therefore, the single lane that would be provided through the area had to be wide enough to accommodate two-way traffic until the western portion was constructed. Northbound, the street transitioned back to an internal collector cross section and then entered an intersection on the next adjacent property.
- Another challenge was grading to limit cuts and fills around the tree, and he believed the Applicant had done a good job with that.

Ms. Alligood continued the presentation, noting that while the Future Street Connections illustration (Slide 9) was still conceptual, it gave a sense of how the final block pattern and street connectivity in Frog Pond West would work, and gave some basis for the stubbing out of the streets at the property lines. She noted this was probably a year out, but the DRB would see it again in the future.

Mr. Dixon added it would be subject to refinement. He explained that the pedestrian connection from Stafford Rd through Marigold and Larkspur, and the center of those blocks was removed for a few reasons. The connection did impact the minimum density, and the Applicant felt that combining a portion of that with a widened green space on the next street up in the next development, and centering that corridor visually on the grove of Oak trees and Ponderosa Pine, would make a really strong statement. Additionally, the Master Plan alignment of that pedestrian access ended up running right into an existing wetland along Stafford Rd. Since it was clearly intended to provide access through that area, moving it up and providing the major access through that Oak grove and significant open space seemed to make a lot of sense.

Mr. McKay stated that 2 ft seemed small, and asked what kind of landscaping could be done in 2 ft.

Mr. Robinson replied that internal conversations on that subject had taken place prior to tonight's meeting. The Applicant did not yet have a landscaping plan as the discussion had just begun on Friday, but 2 ft was more than sufficient to do some type of landscaping, such as ground cover or something that might be vertical.

Mr. McKay noted according to the diagram in Exhibit A3 there appeared to be a significant grade on the suggested easement. He apologized, stating he had overheard some of the

conversation about the movement to 2 ft, and asked what would be lost it remained 4 ft as proposed. It seemed that 2 ft would be terrible usable space for the property owner.

Mr. Robinson replied that people wanted rear yards. It was already fairly narrow, but further reducing the back yard due to a 4ft landscape easement would be a concern for prospective homeowners. As always, the Applicant wanted to work cooperatively with the City, and believed 2 ft could be properly landscaped. They were confident that the grading could be done in a way that would result in usable rear yards.

Mr. Dixon stated the grade did vary from north to south along the alley, and it was fairly substantial on the northern end. The opportunity exists to grade it down slightly and possibly steepen the slope. From a landscape buffering standpoint that planting would be visible on whatever that sloped edge was on the home side of the fence with the point being to buffer those homes from the alley uses as opposed to vice versa. In some cases, a small landscape wall might be required, or an opportunity might exist to terrace it a bit, but that would depend on the individual lots.

Mr. McKay confirmed the 2 ft would be measured on a flat plane, not sloped.

Mr. Robinson added the easement would be dedicated to the homeowners association (HOA), who would collect reserves from the property owners and would be responsible for maintaining it. Easements with a landscaping requirement maintained by an HOA had a high likelihood of better maintenance overall as opposed to when an individual homeowner had that responsibility.

Mr. Dixon added that constructing an alley with only single-sided access was not typical; however, the Applicant had been involved in projects in North Bethany where that was the norm. In that case, there was attached residential against a neighborhood collector street with single-family homes on the other side that were screened and buffered with a fence.

Ms. Linville asked if the property line would remain the same if the 4-ft easement was reduced to 2 ft. She asked if the fence would move out farther, giving the property owner the 2 ft.

Mr. Robinson clarified the property line would not change with the easement, which meant another entity had interest in that property. The property owner would continue to own that area but it was used by the HOA for landscaping.

Ms. Linville asked why a homeowner would give up 2 ft of yard space so the alley would look pretty.

Mr. Robinson replied the Applicant wanted to minimize the reduction of rear yard space as much as possible and they were comfortable with 2 ft.

Ms. Alligood noted the Applicant had cooperated with the City on that requirement. It was not a Code requirement, but something the Applicant had agreed to provide.

Ms. Linville understood that the homes with the easement would still have front doors on Larkspur and the alley was to access the garages.

Mr. Robinson confirmed the alley was for garage access for the lots on Willow Creek Dr, which was a collector and could not have driveways, so it was alley-loaded, but that was not the case for the lots that fronted on Larkspur.

Ms. Willard asked if it was normal to have only six spots of street parking for all 74 homes. No street parking was shown on the P2.10 and P2.11 cross sections.

Ms. Alligood replied there was street parking on the local, internal streets. The only street that did not allow onstreet parking was portions of Willow Creek.

Ms. Willard said it could be one of the section lines that showed only a buffered bike lane and usually a planter of some type, adding it seemed excessive.

Ms. Willard agreed having no parking on the street would be an issue. Parking on Brisbane was limited as it got closer to Stafford Rd, but all of the local, internal streets had onstreet parking. She confirmed the only nonlocal streets were Willow Creek Dr and Brisbane St.

Chair Ruby confirmed there was no public testimony, and therefore, no Applicant rebuttal. He asked for any further questions of Staff or the Applicant.

Ms. Linville asked Staff to respond the request to change the easement from 2 ft to 4 ft in Condition PDD 9.

Ms. Rybold replied the 4-ft easement was based on a meeting Staff had with the Applicant's design team last week. She believed the Applicant had wanted to have room for a narrower columnar tree. She had been given 2 ft as a minimum to ensure a safe buffer between alley travel and the fence to prevent cars potentially hitting the fence. If that space was wider it could provide an opportunity to buffer the homes from alley use, but the 4-ft was really considered only to provide a wider variety of vegetation.

Mr. Pauly added there was no specific standard that mandated 4 ft. The space confirmed that the dwelling did not abut the alley, but had a physical separation of the dwelling from the alley. The space needed to be functional, so if the DRB believed 2 ft could be functional, it would be allowed.

Mr. McKay asked if 2 ft was the standard strip found along sidewalks.

Mr. Pauly responded a narrow street median was 4 ft with 6 ft to 8 ft being the typical space between the sidewalk and street. For perspective, a typical sidewalk was 5 ft wide.

Mr. McKay asked if any parts of the city had a smaller section, like 2 ft.

Mr. Pauly responded not that he knew of, adding that in Villebois a fence was required to be setback 2 ft from the sidewalk.

Mr. Adams stated that 2 ft from face of curb was a minimum for fire hydrants, signs, and streetlights, which created a bumper protection zone to prevent infrastructure from getting potentially hit. The 2 ft distance was used quite a bit in engineering.

Mr. Pauly stated 2 ft would accommodate some shrubs or climbing vines.

Mr. McKay asked if Staff had sought counsel about the definition regarding the dwelling and lot or was it the opinion of the Planning Department opinion.

Mr. Pauly replied it was Staff's professional opinion that it was a reasonable interpretation. If the Code was clear about mandating the lot access, it would state that all lots abutting alleys shall take access from the alley, but the Code did not say that, it said a dwelling that abuts an alley. Where the language was located in the Code also pointed to that. It was under the Garage Standards in the same section that discussed where the garage was put on the house, rather than any actual access to the garage. He had spoken with the Community Development Director who had helped develop the Frog Pond Code and said the intention was for alleys to be optional in Frog Pond. Including an access alley for the homes along Willow Creek made sense. Planning Staff agreed that from an urban design standpoint, it made design sense to have that type of home mirrored across Larkspur rather than having a different product type across the street to provide a more consistent look all the way down the street. In terms of newer development, 6,000 sq ft was a fairly large lot and would typically have a backyard. It was larger than the typical mid-size alley-loaded lot in Villebois, for example.

Mr. McKay stated the Master Plan seemed to prefer lots with the garage facing the alley, as it discussed not having garages dominating the façade and having the front area for pedestrian access and not vehicle. He asked if that was envisioning smaller lots, or if the four or five lots were a poor placement with an odd orientation.

Mr. Pauly confirmed it regarded small lots, adding that otherwise, the garage would have to be split from the house. Garages facing the alley were typically seen on smaller lots. In a traditional neighborhood, homes had detached garages in the back and the house in the front. The overall approach to Frog Pond was quality design, but a menu option was used as opposed to a mandate. There was a list of items that had to be checked off to make a nice-looking product, but one option was not necessarily mandated over another.

Ms. Willard stated the drawings, specifically Sheets P2.10, showed no street parking and asked if street parking could be added as a condition.

Mr. Adams clarified the Frog Pond Master Plan had all of the street details shown by the Applicant, and the 28-ft wide standard for Frog Pond allowed parking on both sides and the 24-ft wide standard allowed parking on one side. The minimum width was 20-ft wide and had no parking on either side. All of the subject details came from the adopted Frog Pond Master Plan.

- He clarified that the street details were from the Frog Pond Master Plan, which were unchangeable without approval of the City Engineer.

Ms. Linville noted it did say parking on both sides.

Ms. Willard responded that was only one section. That section was not called out on Sheet P2.00, except in one location.

Mr. Pauly stated from a Code perspective, if there was an option and a developer selected a local street that did not have on street parking, but they provided the minimum parking on the lot, there would be no legal standing to compel them to do onstreet parking as long as they met the Code parking minimum per dwelling unit. He confirmed the Code minimum of one space per unit would take precedence.

Mr. McKay understood the design, including the number of units and parking, was not being approved tonight.

Mr. Pauly responded with regard to the Lot Plan, Staff had clear and objective criteria to review the building plans. In this case, he believed the lots were big enough and he had no concern

that the Applicant would not put parking either in the garage or on the lot. If there was concern about being able to provide one space on the lot, a condition could be added that the Applicant provide at least one space on the lot, if no adequate street parking was available. He believed the Applicant's narrative indicated that at least one space would be provided on each lot.

Mr. Adams clarified that the local roads section on the right side of Sheet P2.10 stated that each one was 28 ft and that parking was allowed on both sides.

Ms. Willard thanked Mr. Adams and stated that she felt much better. She confirmed for Mr. McKay that there was parking on both sides of the local streets, which was specified in the text and not in the diagram.

Mr. McKay noted that would cover more than the minimum parking requirement because at least one car would fit in front of each house.

Chair Ruby closed the public hearing at 8:22 pm.

Staff advised how to best phrase the motion to capture the changes discussed.

Joann Linville moved to accept the Staff report with the addition of Exhibit A3 and modifying new Condition PDD 9 (Page 2 of Exhibit A3) to provide "a four two-foot landscape and non-vehicular access easement..." Jennifer Willard seconded the motion, which passed unanimously.

Joann Linville moved to approve Resolution No. 360. The motion was seconded by Jennifer Willard and passed unanimously.

Chair Ruby read the rules of appeal into the record.

VIII. Board Member Communications

- A. Results of the August 27, 2018 DRB Panel B meeting
- B. Results of the October 22, 2018 DRB Panel B meeting
- C. Results of the November 26, 2018 DRB Panel B meeting
- D. Recent City Council Action Minutes

There were no comments.

IX. Staff Communications

- A. Welcome Daniel McKay and Angela Niggli!

Daniel Pauly, Senior Planner, thanked Fred Ruby for doing a great job as Chair in 2018, adding he looked forward to working with Chair Linville in 2019. He noted the lighter work load was expected in 2019, but the Board would meet quarterly, if only for training, discussion, and policy updates when there were no items on the agenda. He invited the Board to reach out to him with comments or ideas.

- He welcomed Angela Niggli and Daniel McKay as new DRB members, adding it had been a pleasure getting to know them as they had done some training and he believed they would be a great addition to the Board. He invited the Board members to introduce themselves and share some of their experiences on this Board and other Boards.

Mr. McKay stated he was happy to be on the Board. He was born and raised in Oregon, and had lived in Wilsonville for about 4 ½ years in the Village at Main Street. He loved the city. He

had studied economic development, but did not do that currently, so he hoped his service on the Board would help him hone back in on that skill set. He had a passion for public service. He attended a good amount of Wilsonville events and liked to get to know his neighbors. He hoped to be a productive member of the Board.

Ms. Niggli stated that she had grown up in Wilsonville. She and her husband knew they wanted to raise their family in Wilsonville and had just moved back last year from Tualatin when her son started kindergarten. She had four children and stayed home with them, but her educational background was in architecture with residential design as her major focus. Serving on the Board was a way to give back to the community, volunteer, and put her design background to use.

Chair Ruby stated was a retired attorney and a City Councilor in Beaverton from 2000 to 2006. He had lived in Wilsonville for the last few years and was impressed with the way the City operated. Being on the Board had been a good experience.

Ms. Willard stated that this was her third year on the Board. Currently, she was an Engineering Manager for Intel and most of her career had been on the project management side for construction. She had never served on a Board quite like this one before, but she had presented to such boards and this gave her an opportunity to see the other side.

Ms. Linville stated that she was probably the least qualified person to be on the Board from a planning and architecture standpoint. She grew up in the Portland area. Her undergraduate degree was in nursing and her master's and doctorate were in educational leadership and policy studies. Most of her career had been in nursing education and college administration. She had tried to retire three times, with her most recent stint had been at Rogue Community College. She considered herself basically retired, but helped where necessary. She had more experience in Boards than she did in planning and architecture, having started serving on boards in the 1970s on HOAs, as well as a health systems review board, and as President of the Regional Medical Board of Trustees for a number of years with lots of other boards and a lot of board training in between. She had served as an officer in the Charbonneau Women's Association, and was currently the Vice President of the Charbonneau Women's Golf Association. She also golfed and volunteered as a Rules Official for the Oregon Golf Association. She lived with her cat and poodle.

Mr. Pauly announced that a new associate planner was starting tomorrow.

X. Adjournment

The meeting adjourned at 8:37 p.m.

Respectfully submitted,

Paula Pinyerd, ABC Transcription Services, Inc. for
Shelley White, Planning Administrative Assistant

**DEVELOPMENT REVIEW BOARD MEETING
MAY 13, 2019
6:30 PM**

VI. Public Hearing:

A. Resolution No. 362. Industrial Focus: Gavin Russell, CIDA Architects & Engineers – Representative for David Nicoli, Nicoli Pacific LLC – Owner. The applicant is requesting approval of a Zone Map Amendment from Residential Agricultural Holding (RA-H) Zone to Planned Development Industrial (PDI) Zone, and adopting findings and conditions approving a Stage I Master Plan For three industrial/flex buildings totaling approximately 96,000 square feet. The subject site is located on Tax Lots 300 and 500 of Section 14A, Township 3 South, Range 1 West, Clackamas County, Oregon. Staff: Cindy Luxhoj

Case Files: DB19-0004 Zone Map Amendment
 DB19-0005 Stage I Master Plan

The DRB action on the Zone Map Amendment is a recommendation to the City Council.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 362**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF A ZONE MAP AMENDMENT FROM RESIDENTIAL AGRICULTURAL HOLDING (RA-H) ZONE TO PLANNED DEVELOPMENT INDUSTRIAL (PDI) ZONE, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I MASTER PLAN FOR THREE INDUSTRIAL/FLEX BUILDINGS TOTALING APPROXIMATELY 96,000 SQUARE FEET. THE SUBJECT SITE IS LOCATED ON TAX LOTS 300 AND 500 OF SECTION 14A, TOWNSHIP 3 SOUTH, RANGE 1 WEST, CLACKAMAS COUNTY, OREGON. GAVIN RUSSELL, CIDA ARCHITECTS & ENGINEERS – REPRESENTATIVE FOR DAVID NICOLI, NICOLI PACIFIC LLC – OWNER.

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

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated May 6, 2019, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on May 13, 2019, 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 6, 2019, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB19-0004 and DB19-0005; Zone Map Amendment, and Stage I Master Plan.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 13th day of May, 2019 and filed with the Planning Administrative Assistant on _____. 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)*.

Joanne Linville, Chair - Panel A
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant

Exhibit A1
 Staff Report
 Wilsonville Planning Division
 Industrial Focus – Zone Map Amendment and Stage I Master Plan

Development Review Board Panel 'A'
 Quasi-Judicial Public Hearing

Hearing Date:	May 13, 2019
Date of Report:	May 6, 2019
Application Nos.:	DB19-0004 Zone Map Amendment DB19-0005 Stage I Master Plan
Request/Summary:	The requests before the Development Review Board include a Quasi-judicial Zone Map Amendment and a Stage I Master Plan.
Location:	The property is approximately 6.16 acres in two undeveloped parcels located south of SW Boeckman Road between SW Boberg Road on the west and SW Boones Ferry Road and Interstate 5 (I-5) on the east. The property is specifically known as Tax Lots 300 and 500, Section 14A, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon
Owner:	Nicoli Pacific, LLC (Contact: David Nicoli)
Applicant:	CIDA Architects & Engineers (Contact: Gavin Russell)
Comprehensive Plan Designation:	Industrial
Zone Map Classification (Current):	RA-H (Residential Agricultural Holding)
Zone Map Classification (Proposed):	PDI (Planned Development Industrial)
Staff Reviewers:	Cindy Luxhoj AICP, Associate Planner Daniel Pauly AICP, Planning Manager Steve Adams PE, Development Engineering Manager Kerry Rappold, Natural Resources Program Manager

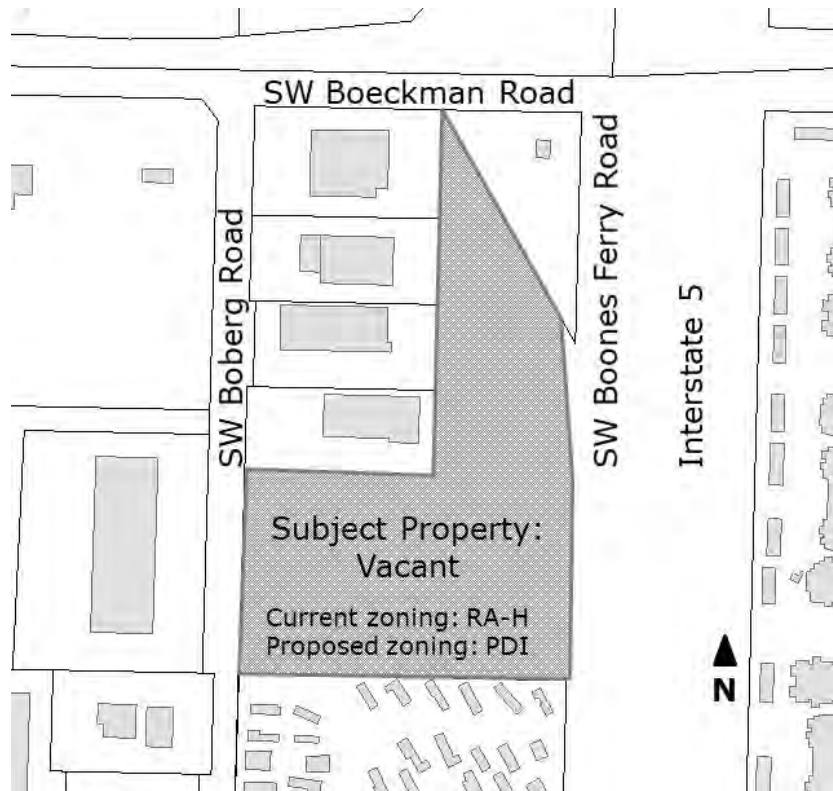
Staff Recommendation: Recommend approval to the City Council of the Zone Map Amendment (DB19-0004), and approve with conditions the requested Stage I Master Plan (DB19-0005) contingent on City Council approval of the Zone Map Amendment.

Applicable Review Criteria:

Development Code:	
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 4.029	Zoning to be Consistent with Comprehensive Plan
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 4.117	Standards Applying to Industrial Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.120	Zones, RA-H Residential Agricultural Holding Zone
Section 4.135	Planned Development Industrial (PDI) Zone
Section 4.137.5	Screening and Buffering (SB) Overlay Zone
Section 4.140	Planned Development Regulations
Section 4.197	Zone Changes
Other Planning Documents:	
Wilsonville Comprehensive Plan	

Vicinity Map



Background:

The subject property is designated Industrial in the Wilsonville Comprehensive Plan and currently zoned Residential Agricultural Holding (RA-H). The requested Zone Map Amendment changes the zoning to Planned Development Industrial (PDI) consistent with the Comprehensive Plan with consideration of Design Objectives of Area of Special Concern E in which the property is located. The Design Objectives relate to protection of the Walnut Mobile Home Park located immediately south of the subject site.

The owner plans to develop an industrial/flex complex to attract local industry and house DP Nicoli Shoring Solution's corporate headquarters. DP Nicoli Shoring Solutions provides shoring equipment to the construction industry and their current headquarters in Tualatin are inadequate for their business needs. The owner has applied for a Stage I Master Plan to develop the subject site with flexible buildings to accommodate multiple industrial users. The development is not meant to be a campus for one user but to provide three buildings that will each function independently and house multiple tenants. Due to its speculative nature, development is proposed to occur in three phases with each phase submitted separately for Stage II Final Plan, Site Design Review, and associated permits.

Summary:

Zone Map Amendment (DB19-0004)

The proposed Zone Map Amendment requested by the applicant changes the zoning from Residential Agricultural Holding (RA-H) to Planned Development Industrial (PDI) consistent with the Comprehensive Plan and proposed use for the site subject to considerations of Area of Special Concern E.

Stage I Master Plan (DB19-0005)

The proposed Stage I Master Plan includes three speculative industrial/flex buildings totaling approximately 96,000 square feet that will be developed in three separate phases. Each building will accommodate office-technology, headquarters, manufacturing and warehouse uses.

Phase 1, expected to occur in 2019, includes construction of one 53,000-square-foot, three-story industrial concrete tilt-up building on the east side of Tax Lot 500, fronting on SW Boones Ferry Road and I-5. One quarter (25%) of this building will house the headquarters of DP Nicoli Shoring Solutions, the property owner. The other 75% will be speculative industrial/flex space that will be leased to other tenants. In addition, Phase 1 includes a 40,000-square-foot fenced and screened gravel equipment storage yard on the west side of Tax Lot 500. Two access driveways off SW Boberg Road and one access driveway off SW Boones Ferry Road will be provided and public improvements along SW Boones Ferry and SW Boberg Roads will be constructed under this phase.

Phase 2, estimated to occur in 2024, includes construction of a second 24,000-square-foot one-story industrial concrete tilt-up building on the west side of Tax Lot 500, fronting on SW Boberg Road. This building will replace the 40,000-square-foot equipment storage yard that is part of Phase 1 and provide speculative industrial/flex space for multiple tenants.

Phase 3, estimated to occur in 2029, includes construction of a third 19,000-square-foot one-story industrial concrete tilt-up building on Tax Lot 300, north of the Phase 1 and 2 buildings and fronting on SW Boones Ferry Road and I-5. This building will provide speculative industrial/flex space for multiple tenants. Phase 3 also includes an additional access driveway from SW Boones Ferry Road.

Phasing Schedule

A summary of the phasing schedule includes:

- Phase (1): 2019
 - Planning Review: March - July 2019
 - Current Submittal:
 - Zone Map Amendment
 - Stage I Master Plan
 - Subsequent Submittal (separate):
 - Stage II Final Plan (Phase 1 only)
 - Site Design Review
 - Type C Tree Removal Plan
 - Class 3 Sign Permit
 - Waivers (if applicable)
 - Building Review (submitted concurrently): May – July 2019
 - Construction: August 2019

- Phase (2): 2024

- Phase (3): 2029

Stage II Final Plan, Site Design Review and Associated Applications

Application for this project has been split into two submittals. The current package includes Zone Map Amendment (DB19-0004) and Stage I Master Plan (DB19-0005) requests. These applications were submitted first so that the Zone Map Amendment, which involves City Council approval and requires a longer timeframe to accomplish, can proceed while components of the second set of submittals are being finalized. The applicant submitted for Stage II Final Plan, Site Design Review, and associated requests for Phase 1 of the proposed development on April 5, 2019. This second submittal will be reviewed by the same Development Review Board as the Zone Map Amendment and Stage I Master Plan in an upcoming meeting.

Discussion Points:

Detail in Drawings

The scope of the current review is conceptual and limited to defining the uses and general layout of the property. Certain submitted drawings are more detailed than necessary for Stage I Master Plan review. Specifically, they include details that are not being reviewed with this application but will be reviewed with future Stage II Final Plan and Site Design Review.

Phasing

Development of Phase 1 of the proposed project is expected to occur in the second half of 2019, as the applicant's current headquarters in Tualatin are inadequate for their business requirements and there is an urgent need to relocate to the subject site. Timing of development of Phases 2 and 3 of the project, although anticipated in 2024 and 2029, respectively, is less certain and could occur earlier or later depending on market demand.

Comprehensive Plan Area of Special Concern E

The subject property is located in Area of Special Concern E in the Comprehensive Plan. This is an area planned for industrial use between Boeckman Road and Barber Street, from Boones Ferry Road to the railroad tracks. Primary concerns for this area relate to continuity in design and protection of the Walnut Mobile Home Park, which is zoned Residential Agricultural Holding (RA-H). The Plan states that "the life of the park can be prolonged through careful design considerations of surrounding development and doing so will help retain one of the City's affordable housing opportunities". The subject property is located immediately north of and shares its south property boundary with the mobile home park and, therefore, is subject to these specific design considerations.

Public Improvements and Dedications

The proposed development will require public improvements, to be coordinated with the City, on SW Boberg and SW Boones Ferry Roads. Improvements will include landscaping, sidewalk, lighting, and a bike lane where appropriate. In addition, a water utility easement will run horizontally along the southern drive aisle of Tax Lot 500 to create a looped water system.

Access Driveways and Drive Aisle

Tax Lots 300 and 500 are vacant parcels with no existing access driveways from either SW Boones Ferry or SW Boberg Roads. Four new access driveways are proposed in the Stage I Master Plan, two on SW Boberg Road and one on SW Boones Ferry Road. The applicant is seeking a waiver to the Public Works Standards for one access driveway on SW Boberg Road and for a reduced clear drive aisle length. Both waiver requests will be reviewed in subsequent Stage II Final Plans.

Land Exchange

The unique triangular shape of the north half of Tax Lot 300 creates potential design difficulties for Phase 3 development of the subject property. The City of Wilsonville owns the adjacent triangular parcel to the east (Tax Lot 2300) where one of the City's well houses is located. The applicant has expressed interest to work with the City of Wilsonville to change the boundary configuration of Tax Lot 300 (and the City-owned Tax Lot 2300) from triangular to rectangular through a land exchange process. The outcome of these negotiations, although not part of the current application, could impact the configuration of development in Phase 3 of the project, which would require modification of the Stage I Master Plan.

Flag Pole

Flag poles in the City of Wilsonville are limited to a height of 30 feet (per Wilsonville Code 4.156.06 (.01) C.). The applicant has expressed interest in erecting a flagpole of at least 100 feet in height, which would require a waiver to the height restriction. Such a waiver request is not part of the current application, but could be included in a future submittal.

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 approve, with the conditions below, the proposed Zone Map Amendment and Stage I Master Plan (DB19-0004 and DB19-0005) and recommend to City Council approval of the proposed Zone Map Amendment (DB19-0004).

Planning Division Conditions:

Request A: DB19-0004 Zone Map Amendment

This action recommends adoption of the Zone Map Amendment to the City Council for the subject property. Case file DB19-0005, Stage I Master Plan, is contingent upon City Council's action on the Zone Map Amendment request.	
PDA 1.	The proposed project shall be carefully designed to promote continuity in design with other development in Comprehensive Plan Special Area of Concern E and sufficiently buffered to minimize disturbance for residents of the Walnut Mobile Home Park immediately south of the subject property. See Findings A1 and A3.
PDA 2.	The proposed project shall be designed to minimize traffic (truck) conflicts with residential activities, including pedestrians. See Finding A4.

Request B: DB19-0005 Stage I Master Plan

Approval of DB19-0005 (Stage I Master Plan) is contingent on City Council approval of the Zone Map Amendment request (DB19-0004).	
PDB 1.	The proposed project shall provide appropriate screening and buffering to assure adequate separation of potentially conflicting land uses specifically related to the

	residentially zoned (RA-H) residential use (Walnut Mobile Home Park) to the south. See Finding B14.
PDB 2.	The SB Overlay Zone shall be applied along the southern boundary of the subject property abutting the Walnut Mobile Home Park property. See Finding B15.
PDB 3.	No motor vehicle access shall be allowed through the landscaped area required in the SB Overlay Zone area. See Finding B17.

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, performance standards, 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 Findings and Conditions:

No conditions for this request.

Natural Resources Division Conditions:

No conditions for this request.

Master Exhibit List:

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 DB19-0004 and DB19-0005. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

Planning Staff Materials

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

Materials from Applicant

B1. Applicant’s Narrative and Submitted Materials

- Table of Contents
- Application
- Ownership and Legal Description
- Narrative
- Property Owner Labels
- Performance Bond Commitment Letter
- Reduced Scale Drawings (same as Exhibit B2)

B2. Drawing Package

- Master Plan
- Site Plan Phase 1
- Site Plan Phase 2
- Site Plan Phase 3
- ALTA/NSPS Land Title Survey

Development Review Team Correspondence

None received.

Other Correspondence

None received.

Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application on March 12, 2019. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application incomplete on March 18, 2019. The applicant submitted additional materials on March 22, 2019. Planning Staff deemed the application complete on March 26, 2019. The City must render a final decision for the request, including any appeals, by July 24, 2019.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	PDI	City of Wilsonville Boeckman Well House, Wilsonville Toyota (north of SW Boeckman Road)
East:	I-5/PDR4	Terrene at the Grove (apartments; east of SW Boones Ferry Road and I-5)
South:	RA-H	Walnut Mobile Home Park
West:	PDI	Industrial Development

3. Previous Planning Approvals:

None on file.

4. The applicant has complied with Sections 4.008 through 4.011, 4.013-4.031, 4.033, and 4.035 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The City sent the required public notices and followed all proper notification procedures.

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 application is being processed in accordance with the applicable general procedures of this Section.

Initiating Application
Section 4.009

The application has the signatures of David Nicoli, Nicoli Pacific LLC (property owner) and Gavin Russell, CIDA Architects & Engineers, an authorized signer for the property owner.

Pre-Application Conference
Subsection 4.010 (.02)

The City held a Pre-application conference (PA18-0007) on August 16, 2018, 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
Subsections 4.035 (.04) A. and 4.035 (.05)

The applicant has provided all of the applicable general submissions and the application was deemed complete on March 26, 2019.

Zoning-Generally
Section 4.110

The subject property is zoned Residential Agricultural Holding (RA-H). The requested Zone Map Amendment would change the zoning to Planned Development Industrial (PDI) consistent with the Comprehensive Plan designation of Industrial subject to special considerations of Area of Special Concern E. Development proposed in the Stage I Master Plan is in conformity with the applicable proposed zoning district and City review uses the general development regulations listed in Sections 4.117, 4.118, 4.120, 4.135, 4.137.5, 4.140, and 4.197.

Request A: DB19-0004 Zone Map Amendment

Comprehensive Plan

Areas of Special Concern-Area E-Summary and Special Considerations

A1. The subject property is located in Area of Special Concern E (Area E), an area planned for industrial use between Boeckman Road and Barber Street, from Boones Ferry Road to the railroad tracks. Primary concerns for Area E relate to continuity in design and protection of the Walnut Mobile Home Park. The Plan states that “the life of the park can be prolonged through careful design considerations of surrounding development and doing so will help retain one of the City’s affordable housing opportunities”. The subject property is located immediately north of and shares its south property boundary with the mobile home park and, therefore, is subject to these specific design considerations. This requirement is satisfied or will be satisfied by Condition of Approval PDA 1.

Areas of Special Concern-Area E-Consolidation of Smaller Lots Design Objective 1

A2. The applicant proposes to develop two smaller lots (Tax Lots 300 and 500) as one consolidated Stage I Master Plan consistent with this Design Objective.

Areas of Special Concern-Area E-Buffers to Mobile Home Park Design Objective 2

A3. A condition of approval for the Zone Map Amendment is that the proposed project be carefully designed to promote continuity in design with other development in Area E and that adequate buffering be included in the site design to minimize disturbance for residents of the Walnut Mobile Home Park immediately south of the subject property. This requirement is satisfied or will be satisfied by Condition of Approval PDA 1 (see Finding A1).

Areas of Special Concern-Area E-Minimize Traffic (Truck) Conflicts Design Objective 3

A4. The applicant proposes two driveway entrances on SW Boberg Road, one of which would be located within 30 feet of the south property line and adjacent to the Walnut Mobile Home Park. It is anticipated that there will be substantial truck traffic associated with the applicant’s business (providing shoring equipment to the construction industry) and

potentially additional traffic associated with other business that may locate in the industrial/flex buildings proposed for the site. To comply with this Design Objective, the proposed development must be designed to minimize traffic (truck) conflicts with residential activities, including pedestrians. This requirement is satisfied or will be satisfied by Condition of Approval PDA 2.

Development Code

Zoning Consistent with Comprehensive Plan

Section 4.029

- A5.** The applicant is applying for a zone change from RA-H to PDI, consistent with the Comprehensive Plan designation of Industrial, concurrently with a Stage I Master Plan for the entirety of the subject property. As discussed above, the subject property is located in Special Area of Concern E in the Comprehensive Plan, which requires special consideration to design of development surrounding the Walnut Mobile Home Park, adequate buffering, and reduced traffic (truck) conflicts with residential activities. This requirement is satisfied or will be satisfied by Conditions of Approval PDA1 and PDA2.

Base Zones

Subsection 4.110 (.01)

- A6.** The requested zoning designation of Planned Development Industrial (PDI) is among the base zones identified in this subsection.

Standards for Planned Development Industrial Zone

Purpose of PDI

Subsection 4.135 (.01)

- A7.** The zoning will allow a variety of industrial operations and associated uses such as those proposed by the applicant consistent with the purpose stated in this subsection.

Uses Typically Permitted

Subsection 4.135 (.03)

- A8.** The proposed zoning will allow only uses such as those proposed by the applicant including office-technology, headquarters, manufacturing and warehousing, consistent with the list established in this subsection.

Zone Change Procedures

Subsection 4.197 (.02) B. and C. 1.

- A9.** The request for a Zone Map Amendment has been submitted as set forth in the applicable code sections including Section 4.008, Subsection 4.197 (.02) B. and C. and Section 4.140.

Conformance with Comprehensive Plan Map, etc.

Subsection 4.197 (.02) C. 2.

A10. The proposed Zone Map Amendment is consistent with the Comprehensive Map designation of Industrial with consideration given to Design Objectives for Special Area of Concern E in the Comprehensive Plan (see Findings A1 through A5 and Conditions of Approval PDA1 and PDA2).

Public Facility Concurrency

Subsection 4.197 (.02) C. 4. and C. 8.

A11. Based on existing nearby utilities and utility master plans, and the Transportation System Plan, necessary facilities are or can be made available for development of the subject property consistent with the proposed zoning. A preliminary review of the application materials appears to confirm the site can be adequately served by streets and utilities. Details of required street and utility connections and improvements will be established with review of subsequent Stage II Final Plans.

Impact on Significant Resource Overlay Zone (SROZ) Areas

Subsection 4.197 (.02) C. 5.

A12. No SROZ areas or identified natural or geologic hazards are located within the area to be rezoned.

Development within 2 Years

Subsection 4.197 (.02) C. 6.

A13. The applicant has submitted a phasing schedule that anticipates Phase 1 development in 2019 with subsequent Phases 2 and 3 development occurring in 2024 and 2029, respectively, depending on market demand. Thus development is expected to start within two (2) years of the initial approval of the zone change. In the scenario where the applicant or their successors do not start development within two (2) years, thus allowing related land use approvals to expire, the zone change shall remain in effect.

Development Standards and Conditions of Approval

Subsection 4.197 (.02) C. 7.

A14. As can be found in the findings for the accompanying request for a Stage I Master Plan (Request B), the applicable development standards will be met either as proposed or as a condition of approval.

Request B: DB19-0005 Stage I Master Plan

Planned Development Regulations

Planned Development Purpose

Subsection 4.140 (.01)

B1. The subject property is 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. The proposed Stage I Master Plan is consistent with the Planned Development Regulations and the land use designation on the Comprehensive Plan with consideration given to Design Objectives for Area of Special Concern E (see Findings A1 through A5 and Conditions of Approval PDA1 and PDA2).

Planned Development Lot Qualifications

Subsection 4.140 (.02)

- B2.** The property is of sufficient size (6.16 acres in two Tax Lots) to be developed in a manner consistent with the purposes and objectives of Section 4.140. The subject property is greater than 2 acres, is designated for industrial development in the Comprehensive Plan, and, with approval of the requested Zone Map Amendment (Request A), will be zoned Planned Development Industrial (PDI). The property will be developed as a planned development in accordance with this subsection.

Ownership Requirements

Subsection 4.140 (.03)

- B3.** The subject property is in a single ownership as required by this subsection.

Professional Design Team

Subsection 4.140 (.04)

- B4.** As can be found in the applicant's submitted materials, the design team is composed of appropriate professionals, including survey, geotechnical engineering, civil and landscape, architectural, planning and structural design, and a commercial general contractor. Lead team members include: Tara Lund, Principal Architect, and Gavin Russell, Project Manager, with CIDA Architects & Engineers; and Teresa Long, Landscape Architect, and Craig Harris, Civil Engineer, with AAI.

Planned Development Permit Process

Subsection 4.140 (.05)

- B5.** The subject property is greater than 2 acres, designated for industrial development in the Comprehensive Plan, and will be zoned Planned Development Industrial (PDI; Request A) with approval of the requested Zone Map Amendment. Application for this project has been split into two submittals. The current package includes Zone Map Amendment (DB19-0004) and Stage I Master Plan (DB19-0005) requests. These applications were submitted first so that the Zone Map Amendment, which involves City Council approval and requires a longer timeframe to accomplish, can proceed while components of the second set of submittals are being finalized. The applicant submitted for Stage II Final Plan, Site Design Review, and associated requests in April 2019. The property will be developed as a planned development in accordance with this subsection.

Comprehensive Plan Consistency
Subsection 4.140 (.06)

- B6.** The proposed project complies with the requested Planned Development Industrial (PDI) zoning designation, which implements the Comprehensive Plan designation of Industrial for this property. The proposed Stage I Master Plan is consistent with the land use designation in the Comprehensive Plan with consideration given to Design Objectives for Area of Special Concern E (see Findings A1 through A5 and Conditions of Approval PDA1 and PDA2).

Application Requirements
Subsection 4.140 (.07)

- B7.** 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 the sole ownership of David Nicoli, Nicoli Pacific LLC, and the application has been signed by the owner and an authorized representative, Gavin Russell, CIDA Architects & Engineers.
 - The application for a Stage I Master Plan has been submitted on a form prescribed by the City.
 - The professional design team and coordinator have been identified. (See Finding B4.)
 - The applicant has stated the various uses involved in the Stage I Master Plan and their locations.
 - The boundary affected by the Stage I Master Plan has been clearly identified and legally described.
 - Sufficient topographic information has been submitted.
 - Information on the land area to be devoted to various uses has been provided.
 - Phasing information has been provided.
 - Any necessary performance bonds will be required.
 - Waiver information has been submitted.

Planned Development Industrial (PDI) Zone

Purpose of Planned Development Industrial (PDI) Zone
Subsection 4.135 (.01)

- B8.** The subject property is proposed for a variety of industrial operations and associated uses consistent with the purpose stated in this subsection.

Uses Typically Permitted
Subsection 4.135 (.03)

- B9.** The uses proposed in the Stage I Master Plan are limited to industrial uses such as office-technology, headquarters, manufacturing and warehousing, consistent with the list established in this subsection

Block and Access Standards

Subsections 4.135 (.04) and 4.131 (.03)

B10. Preliminary drawings show development on the properties can provide adequate pedestrian and vehicle connectivity along SW Boberg and SW Boones Ferry Roads. No changes to blocks or access spacing are proposed, however, the applicant is seeking a waiver to the Public Works Standards for reduced driveway separation between the north driveway on SW Boberg Road and the driveway on the adjacent property to the north. Conformance with these subsections will be reviewed with the Stage II Final Plans.

PDI Performance Standards

Industrial Performance Standards

Subsections 4.135 (.05) A. through N.

B11. The Stage I Master Plan enables conformance with the Industrial performance standards. Final compliance will be reviewed with the Stage II Final Plans.

Other Standards for PDI Zone

Lot Size and Maximum Lot Coverage

Subsections 4.135 (.06) A. and B.

B12. Nothing in the Stage I Master Plan would prevent the minimum individual lot size, maximum lot coverage, or minimum landscape requirements from being met.

Setbacks

Subsections 4.135 (.06) C. through E.

B13. While setbacks for final buildings will be reviewed as part of the Stage II Final Plans, the conceptual layout for the Stage I Master Plan shows PDI zone setbacks can be met. In particular, as noted elsewhere in this staff report, special care needs to be taken related to the setbacks and screening from the Walnut Mobile Home Park to the south consistent with Comprehensive Plan language for Area of Special Concern E.

Screening and Buffering (SB) Overlay Zone

Purpose of SB Overlay Zone

Subsection 4.137.5 (.01)

B14. The subject property is proposed for a variety of nonresidential uses consistent with the PDI zone and abuts a residentially zoned (RA-H) residential use (Walnut Mobile Home Park) to the south, which meets the purpose for applying the SB Overlay Zone and requiring appropriate screening and buffering to assure adequate separation of potentially conflicting land uses. This requirement is satisfied or will be satisfied by Condition of Approval PDB 1.

Application of SB Overlay Zone
Subsection 4.137.5 (.02)

B15. The criteria for applying the SB Overlay Zone is met along the southern boundary of the subject property, which abuts the Walnut Mobile Home Park property, and this requirement is satisfied or will be satisfied with Condition of Approval PDB2 (also see Finding B14 and Condition of Approval PDB1).

Landscaped Areas-Industrial Properties
Subsection 4.137.5 (.03) B.

B16. While landscaping of the site will be reviewed as part of the Stage II Final Plan, the conceptual layout for the Stage I Master Plan shows landscape requirements can be met. As noted elsewhere in this staff report, special care needs to be taken related buffering and screening from the Walnut Mobile Home Park to the south consistent with Comprehensive Plan language for Area of Special Concern E (see Findings B14 and B15).

Ingress and Egress
Subsection 4.137.5 (.04)

B17. No motor vehicle access will be allowed through the landscaped area required in the SB Overlay Zone area consistent with this subsection. The requirement is satisfied or will be satisfied with Condition of Approval PDB3.

Exterior Work
Subsection 4.137.5 (.05)

B18. As reviewed in the Stage I Master Plan no exterior manufacturing, storage, sales, or other similar work is proposed in the SB Overlay Zone area.

Signs
Subsection 4.137.5 (.06)

B19. No signs other than approved monument signs are proposed in the SB Overlay Zone area.

Performance Standards and Off-Site Impacts
Subsection 4.137.5 (.07)

B20. As reviewed in the Stage I Master Plan the proposed development appears able to comply with performance standards of the PDI zone to limit impacts on surrounding properties and the overall community. Final review of conformance with the PDI zone Performance Standards will occur with the Stage II Final Plans.

INDUSTRIAL FOCUS

STAGE I



15895 SW 72ND AVE SUITE 200
PORTLAND, OREGON 97224
TEL: 503.226.1285
FAX: 503.226.1670
WWW.CIDAINC.COM

PROJECT #180146.01





3/19/2019

City of Wilsonville - Planning
29799 SW Town Center Loop E
Wilsonville, OR 97070

PROJECT #: 180146.01

To City of Wilsonville:

15895 SW 72ND AVE
SUITE 200
PORTLAND, OR 97224
PHONE: 503.226.1285
FAX: 503.226.1670
INFO@CIDAINC.COM
WWW.CIDAINC.COM

A performance bond or other acceptable security for the capital improvements will be provided in the Final Approval (Stage II).

Sincerely,

A handwritten signature in blue ink that reads "Gavin Russell".

Gavin Russell
Project Manager

Enclosures:
Cc:

ARCHITECTURE
ENGINEERING
PLANNING
INTERIORS

TABLE OF CONTENTS

- application
- proof of ownership
- property owner labels
- narrative
- survey
- master plan

NOTE:

Stage 2, Site Design Review and any other applicable application will be submitted in April 2019.



PROJECT #180146.01



**Planning Division
Development Permit Application**

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175

A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements

Pre-Application Meeting Date: _____

Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.

29799 SW Town Center Loop E, Wilsonville, OR 97070
Phone: 503.682.4960 Fax: 503.682.7025
Web: www.ci.wilsonville.or.us

Applicant:

Name: Gavin Russell - Project Manager
Company: CIDA Architects & Engineers
Mailing Address: 15895 SW 72nd Ave. #200
City, State, Zip: Portland, OR 97224
Phone: 503-226-1285 Fax: 503-226-16670
E-mail: gavindr@cidainc.com

Authorized Representative:

Name: Gavin Russell
Company: CIDA Architects & Engineers
Mailing Address: 15895 SW 72nd Ave. #200
City, State, Zip: Portland, OR 97224
Phone: 503-226-1285 Fax: 503-226-16670
E-mail: gavindr@cidainc.com

Property Owner:

Name: Dave Nicoli
Company: Nicoli Pacific, LLC
Mailing Address: PO Box 2401
City, State, Zip: Lake Oswego, OR, 97035
Phone: 503.692.1799 Fax: _____
E-mail: dnicoli@dpnicoli.com

Property Owner's Signature:

David Nicoli
Printed Name: DAVID NICOLI Date: 3/8/2019

Applicant's Signature: (If different from Property Owner)

Gavin Russell
Printed Name: GAVIN RUSSELL Date: 3/8/2019

Site Location and Description:

Project Address if Available: N/A Suite/Unit N/A
Project Location: South of SW Boakman Rd. between SW Boberg and SW Boones Ferry Rd.
Tax Map #(s): 14A Tax Lot #(s): 300 & 500 County: Washington Clackamas

Request:

New multi-phase industrial/flex development. Submitting for Zone Map Amendment and Stage 1 Master Plan. Additional applications to be submitted at later time.

Project Type: Class I Class II Class III

Residential Commercial Industrial Other: _____

Application Type(s):

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Appeal | <input type="checkbox"/> Comp Plan Map Amend | <input type="checkbox"/> Parks Plan Review |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Major Partition | <input type="checkbox"/> Minor Partition | <input type="checkbox"/> Request to Modify Conditions |
| <input type="checkbox"/> Plan Amendment | <input type="checkbox"/> Planned Development | <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Site Design Review |
| <input type="checkbox"/> Request for Special Meeting | <input type="checkbox"/> Request for Time Extension | <input type="checkbox"/> Signs | <input type="checkbox"/> Stage II Final Plan |
| <input type="checkbox"/> SROZ/SRIR Review | <input type="checkbox"/> Staff Interpretation | <input checked="" type="checkbox"/> Stage I Master Plan | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Type C Tree Removal Plan | <input type="checkbox"/> Tree Permit (B or C) | <input type="checkbox"/> Temporary Use | <input type="checkbox"/> Other (describe) |
| <input type="checkbox"/> Villebois SAP | <input type="checkbox"/> Villebois PDP | <input type="checkbox"/> Villebois FDP | |
| <input checked="" type="checkbox"/> Zone Map Amendment | <input type="checkbox"/> Waiver(s) | <input type="checkbox"/> Conditional Use | |

RECORDING REQUESTED BY:



5665 SW Meadows Rd., Ste 100
Lake Oswego, OR 97035

Clackamas County Official Records **2018-074607**

Sherry Hall, County Clerk

12/12/2018 02:47:00 PM

D-D Cnt=1 Stn=74 LESLIE
\$15.00 \$16.00 \$10.00 \$20.00 \$62.00

\$123.00

GRANTOR'S NAME:

Lee H. and Marion B. Thompson Foundation, an Oregon non profit foundation

GRANTEE'S NAME:

Nicoli Pacific, L.L.C

AFTER RECORDING RETURN TO:

Order No.: 36261803916-GS
David Nicoli
Nicoli Pacific, L.L.C
PO Box 241
Lake Oswego, OR 97035

SEND TAX STATEMENTS TO:

Nicoli Pacific, L.L.C
PO Box 241
Lake Oswego, OR 97035

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Lee H. and Marion B. Thompson Foundation, an Oregon non profit foundation, Grantor, conveys and warrants to Nicoli Pacific, L.L.C, an Oregon limited liability company, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FIVE MILLION TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$5,200,000.00). (See ORS 93.030).

Subject to:

The herein described Land has no rights of ingress and egress to the thoroughfare named below, except across that portion of the boundary line herein after set forth, such rights having been:

Relinquished by a deed to the State of Oregon

Recording Date: November 5, 1951

Recording No: Book 450, Page 376 and Deed recorded March 4, 1953 in Book 466, Page 188

Street name: West Portland-Hubbard Hwy (Pacific Highway I-5)

Affects: Parcel I

Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Entitled: Street construction and public utility easement, including the terms and provisions thereof,

In favor of: City of Wilsonville, Oregon

Purpose: Public utilities

Recording Date: June 2, 1986

Recording No: 86-019645

Affects: Strip along SW Boberg Road (Parcel II)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

36261803916
Recorded by TICOR TITLE

STATUTORY WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated 12/12/18; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Lee H. and Marion B. Thompson Foundation, an Oregon non profit foundation

BY: Catherine A. Snyder
Catherine A. Snyder
President

State of Oregon
County of Clatsop

This instrument was acknowledged before me on 12/12/18 by Catherine A. Snyder as President of the Lee H. and Marion B. Thompson Foundation, an Oregon non profit foundation.

Nanette Jean Estey
Notary Public - State of Oregon

My Commission Expires: 7/11/20

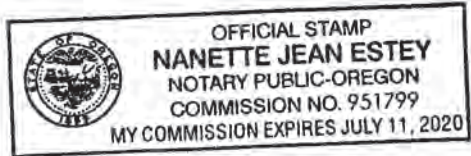


EXHIBIT "A"
Legal Description

Parcel I:

Lot 4, BOBERG, in the City of Wilsonville, County of Clackamas and State of Oregon.

EXCEPTING THEREFROM that portion conveyed to Clackamas County for road purposes by deed recorded March 12, 1914, in Book 134, page 423, Deed Records; and EXCEPTING THEREFROM those portions conveyed to the State of Oregon for highway purposes by deeds recorded November 5, 1951, in Book 450, page 376, Deed Records, and March 4, 1953 in Book 466, page 188, Deed Records, Clackamas County, Oregon.

ALSO EXCEPTION THEREFROM that portion conveyed to the State of Oregon, by and through its State Highway Commission by deed recorded March 26, 1969 as No. 69-4949

Parcel II:

Lot 5, BOBERG, in the City of Wilsonville, County of Clackamas and State of Oregon.

EXCEPTING THEREFROM that certain tract of land conveyed to the State of Oregon by deed recorded June 29, 1951 in Book 446, page 64, Deed Records of Clackamas County, Oregon.

BL & DJ LLC
PO BOX 728
BEAVERTON , OR 97075

CITY OF WILSONVILLE
29799 SW TOWN CENTER LOOP E
WILSONVILLE , OR 97070

FRANCIS JOHN L & JOELYN M
12477 SW KAME TERRACE CT
SHERWOOD , OR 97140

HERITAGE SPECIALTY FOODS LLC
28220 SW BOBERG RD
WILSONVILLE , OR 97070

HOUSTON WILLIAM M III TRUSTEE
1710 WILLOW CREEK CIR STE 1
EUGENE , OR 97402

NICOLI PACIFIC LLC
PO BOX 241
LAKE OSWEGO , OR 97035

WILBERG LLC
PO BOX 91574
PORTLAND , OR 97291

BOBERG PROPERTY LLC
 9760 SW FREEMAN DR
 WILSONVILLE , OR 97070

CITY OF WILSONVILLE
 29799 SW TOWN CENTER LOOP E
 WILSONVILLE , OR 97070

FRANKLIN GRIFFITH L TRUSTEE
 PO BOX 1655
 LAKE OSWEGO , OR 97035

HERITAGE SPECIALTY FOODS LLC
 28220 SW BOBERG RD
 WILSONVILLE , OR 97070

IOSCO WAREHOUSING &
 DISTRIBUTION LLC
 PO BOX 426
 WILSONVILLE , OR 97070

NICOLI PACIFIC LLC
 PO BOX 241
 LAKE OSWEGO , OR 97035

PORTLAND GEN ELEC CO
 121 SW SALMON ST
 PORTLAND , OR 97204

TROYER KENNETH A TRUSTEE
 28465 SW BOBERG RD
 WILSONVILLE , OR 97070

WALNUT MOBILE HOME PARK LLC
 8915 SW COMMERCIAL ST
 TIGARD , OR 97223

WILBERG LLC
 PO BOX 91574
 PORTLAND , OR 97291

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 - 4.118 – standards for all PD zones
 - 4.133.00 – 4.133.06 – IAMP overlay zone
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PROJECT SUMMARY

The site for this project is located on two undeveloped lots, 31W14A 00500 and 31W14A 00300 in Wilsonville, OR. Lot 500 is approximately 4.07 acres and lot 300 is approximately 2.09 acres. There is no request to consolidate these lots. The lots are currently zoned RA-H and will require a zone change to PDI.

The proposed stage (1) master plan includes three speculative industrial/flex buildings totaling approximately 96,000 square feet. Each building will have the ability to accommodate office-technology, headquarters, manufacturing and warehouse uses. These building will be constructed in three separate phases (see phase schedule and provided phase exhibits).

- Phase (1) includes the construction of one of the 53,000 square foot industrial concrete tilt building on lot 500. 25% of the building will house the headquarters of DP Nicoli Shoring Solutions (construction/special trade contractors). The other 75% will be speculative industrial/flex. In addition, the development will contain new landscaping, parking stalls, a trash enclosure, a 40,000 square foot gravel storage yard, a 1,200 square wash bay and three access driveways off the public right of ways. All outdoor storage will be screened by fencing and landscaping. Furthermore, public improvements along SW Boones Ferry Road and SW Boberg Road will be constructed under this phase.
- Phase (2) includes the construction of an additional 24,000 square foot industrial/flex building on lot 500. The 40,000 square foot storage yard and fencing will be removed under this phase, the wash bay will remain. In addition, the development will contain new landscaping, parking stalls, and a trash enclosure.
- Phase (3) includes the construction of a 19,000 square foot industrial/flex building on lot 300. In addition, the development will contain new landscaping, parking stalls, a trash enclosure and one access driveway off SW Boones Ferry Road.

This development requires city dedications and public improvements. A 20-foot dedication will be taken on SW Boones Ferry Road and 1.5 foot dedication will be taken on SW Boberg Road. In addition, an 8-foot utility easement will run along both side of the new right of way and a 15-foot water utility easement will run across the site. Improvements on SW Boberg Road will include new landscaping and 5-foot-wide sidewalks. Improvements along SW Boones Ferry Road include new landscaping, 5-foot-wide sidewalks, lighting and a bike lane. These dedications and improvements will be coordinated with the city.

BACKGROUND INFORMATION

The vision for this development is to create industrial/flex complex to attract local industry and house DP Nicoli Shoring Solution's corporate headquarters. DP Nicoli Shoring Solutions provides shoring equipment to the construction industry and has been a part of the greater Portland area since 1982. The current headquarters located in Tualatin are inadequate for the needs of their business. Wilsonville and this site are an ideal location for DP Nicoli Shoring Solution's operation due to its excellent exposure off Interstate 5 and the cities' allowance of outdoor storage, which is a necessity for their operation.

With the abundance of space on this site it was logical to develop a master plan that included future buildings. It is the owner's intent to develop buildings that are flexible to accommodate multiple industrial uses. Aesthetically, the buildings will be in harmony with the existing context and will bring visual appeal off Interstate 5. This development is not intended to be single user, rather we envision each building will function independently and have multiple tenants.

Due to the speculative nature of this development, the development packages for each phase will be submitted at separate periods. It should be known that land swap negotiations with the City of Wilsonville on lot 300 are currently in early discussions and are not part of this submittal. However, the outcome of the negotiations may impact phase (3).

We are looking forward to partnering with the city and moving forward with this project.

PHASED DEVELOPMENT SCHEDULE

Phase (1):

- Planning Review: March - July 2019
 - o Zone Map Amendment
 - o Stage 1 Master Plan
 - o Stage 2 Final Plan (Phase 1 only)
 - o Site Design Review
- Building Review (submitted concurrently): May – July 2019
- Construction: August 2019

Phase (2): Construction estimated to begin June 2024

Phase (3): Construction estimated to begin June 2029

KEY ISSUES

Access Driveways:

Lot 300 and 500 have no existing access driveways; four new access driveways are proposed in in the master plan. Two driveways are proposed to be located on SW Boberg Road and two access driveways are proposed on SW Boones Ferry Road. City of Wilsonville Public Works Standards recommend a minimum separation distance of 100 and a desired 300 feet between access driveways. The proposed north driveway on SW Boberg Road is less than 100 feet from an existing driveway on the neighboring property. Based on the DKS Transportation Impact Analysis and subsequent discussions with the City of Wilsonville we are currently in the process of obtaining a waiver to the Public Works Standards.

Parking:

Employee parking is located to the perimeter of the site and is separated from larger industrial traffic circulation towards the center of the site. Wilsonville's Public Use Standards require a minimum clear access drive aisle length of 100 feet, which would severely limit access into the perimeter parking areas. We have looked at numerous traffic circulation patterns on this site and it is crucial that parking lot drive aisle be allowed to intersect the 100' access aisle. Based on the DKS Transportation Impact Analysis and subsequent discussions with the City of Wilsonville we are currently in the process of obtaining a waiver to the Public Works Standards.

Flag Pole:

City of Wilsonville limits flagpole height to 30'. The owner has expressed interest in erecting a flagpole of at least 100'.

Land Swap:

The unique triangular shape at the north end of lot 300 creates potential difficulties for future development. The City of Wilsonville has offered a land swap of the abutting property to square off the site. This land swap is currently in early discussions and has no impact on the current development review.

ANTICIPATED WAIVERS

Modification to maximum height restriction for flag poles. (4.156.06(.01)C)

Section 4.001 Definitions.

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:

1. Abutting: See Adjoining.
2. Access, Vehicular: The designed location of ingress and egress, where vehicles enter or leave property.
3. Access, Pedestrian: The designed location of ingress and egress, where pedestrians enter or leave property.
4. Access Control Restriction: A type of access restriction that involves establishing a reserve area adjacent to and paralleling a half street improvement, or across the end of a street that is to be extended in the future, to ensure proper participation by adjoining properties in completion of the required street improvements. See Street, Half. [Amended by Ord. #719, 6/17/13]
5. Access Drive: A private travel lane primarily used as a means of approach for vehicles.
6. Accessory Building or Use: A subordinate building or use, the function of which is clearly incidental to that of the main building or use on the same lot. An accessory use may be located on a lot adjoining that of the main use if approved for this purpose through the Administrative Review procedures of Section 4.030.
7. Accessory Dwelling Unit: A dwelling unit of not more than 800 square feet on the same lot as a single family dwelling, and being of substantially the same exterior design as that single family dwelling, whether attached or detached. [Amended by Ord. 677, 3/1/10]
8. Address Overlay Zone: Distinct areas within the Villebois Village Center where additional information is provided for the definition of architectural character and community elements. [Added by Ord. No. 595, 12/5/05.]
9. Adjacent: See adjoining.
10. Adjoining: Contiguous or abutting exclusive of street width. It shall include the terms adjacent, abutting or contiguous.
11. Agriculture: The use of land larger than one acre for the primary purpose of deriving income from growing plants on land including, but not limited to, land used principally for the production of crops, land used for orchards or production of fruit, but not including land used primarily for another use and incidentally for growing plants, crops, or fruit.
12. Alley: A public or private way which includes a roadway used to provide vehicular ingress and egress to the back or side of properties otherwise abutting on a street, private drive, or shared common area. An alley typically has a width of no more than twenty (20) feet.

13. Alteration, Structural: Any change or repair which would tend to prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders.
14. Ancillary Telecommunication Facilities: The structures and equipment required for operation of the telecommunication equipment, including but not limited to antennae, repeaters, equipment housing structure, footings and foundations, and ventilation or other electrical or mechanical equipment. [Added by Ord. #479, 5/19/97]
15. Antenna(e): Any exterior, apparatus, electrical conductor or group of electrical conductors, the surface of which is designed for telephonic, radio or television communications by sending and/or receiving radio-frequency or electromagnetic waves, including those sent and/or received by wireless communication facilities. Antennae include the following types:
 - A. Directional or Parabolic (“panel” or “disk”) antenna, which receives and transmits signals in a directional pattern typically encompassing an arc of 120 degrees.
 - B. Omni-direction (“whip”) antenna, which receives and transmits signals in a 360-degree pattern.
 - C. Other, which means all other transmitting or receiving equipment not specifically described herein. Other antennae shall be regulated in conformity with the type of antenna described herein which most closely resembles such equipment. For purposes of this ordinance, the term antenna shall not include ancillary antennae, which are antennae less than 12 inches in their largest dimension and are not directly used to provide personal wireless communication services. [Added by Ord. #479, 5/19/97]
 - D. Satellite Dish antenna, which receives signals from satellites.
16. Apartment: A type of multi-family dwelling.
17. Appeal: Means a request for a review of any land use decision or interpretation of any provision of this ordinance.
18. Appropriate Potential Tree Height: The Appropriate Potential Tree Height (APTH) is used to delineate certain areas adjacent to the riparian corridor. The APTH is the mature average height of the appropriate tree species that does or could potentially grow on the site. The term “appropriate” is meant to limit the potential tree species to those species that provide critical riparian functions, and are appropriate and acceptable on the specific site based on such factors as public safety, property protection, zoning and other factors. The minimum APTH is fifty feet.
19. Arborist: An arborist who is a member of the American Society of Consulting Arborists (ASCA) or is certified by the International Society of Arboriculture, or an ornamental horticulturist or urban forester who possesses equivalent credentials and experience, and who is approved by the City Planning Director.
20. Architectural Character: The distinctive qualities of the form, features, details, color and ornamentation that comprise a style of building.
21. Area of Limited Conflicting Uses: See Section 4.139.00

22. Area of Shallow Flooding: Means a designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.
23. Area of Special Flood Hazard: Means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. This is the area subject to a base flood event. Designation on FIRM maps always includes the letters A or V.
24. Artificial Sky Glow. The brightening of the night sky attributable to human made sources of light. [Added by Ord. 649, 6/2/08]
25. Attached Family Dwelling Units: A building or structure designed to house two (2) or more families, whether related to each other or not.
26. Attached Wireless Communication Facility: A wireless communication facility that is affixed to an existing structure, (e.g., an existing building wall or roof, mechanical equipment, or alternative tower structure. [Added by Ord. #479, 5/19/97]
27. Attachment: An antenna or other piece of related equipment affixed to a transmission tower. [Added by Ord. #479, 5/19/97]
28. Accessory Dwelling Unit: A dwelling unit of not more than 600 square feet on the same lot as a single family dwelling, and being of substantially the same exterior design as that single family dwelling, whether attached or detached.
29. Base Flood: Means the flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood". Designation on FIRM maps always includes the letters A or V.
30. Basement: A portion of a building which has less than one-half (1/2) of its height measured from finished floor to finished ceiling above the average elevation of the adjoining grade. For areas located in a Special Flood Hazard Area, the definition of basement is any area of the building having its floor subgrade (below ground level) on all sides.
31. Bed and Breakfast Home or Boarding House: A building or premises used for the provision of lodging and meals, where not more than five (5) rooms are available for rent.
32. Bikeway: Bikeway is a general term used to describe any type of transportation facility that is designated for use by bicycles in conformance with City standards. Bikeways may or may not be within a public right-of-way and include the following:
 - A. Bike Lane: A bike lane facility is a type of bikeway where a section of the roadway is designated for exclusive bicycle use.
 - B. Recreational Trail: A recreation trail is a type of pedestrian, bicycle, or equestrian facility that is entirely separate from roadways and has unimproved, gravel, or bark dust surface.

- C. Shared Roadway: A shared roadway facility is a type of bikeway where motorists and cyclists occupy the same roadway area.
 - D. Shoulder Bikeway: A shoulder bikeway facility is a type of bikeway where cyclists occupy the paved roadway shoulder. Shoulder bikeways are common in rural areas.
 - E. Cycle Track: A cycle track is a bike lane with a physical barrier between the bike and motor vehicle travel lanes, such as a curb or parking lanes. Cycle tracks must “rejoin” the motor vehicle travel lanes at signalized intersections. Cycle tracks may require a two stage left turn for bicyclists.
 - F. See also: Multipurpose Pathway or Path.
[Amended by Ord. #719, 6/17/13.]
- 33. Block: A tract of land bounded by streets, or bounded by such features as the City limits or barriers such as bodies of water or steep slopes.
 - 34. Block Complex: An assemblage of buildings bounded entirely by intersecting streets so as to form a single, comprehensive group.
 - 35. Block Perimeter: The outer boundary of a block.
 - 36. Board: The Development Review Board established pursuant to Chapter 2 of the Wilsonville Code.
 - 37. Buffers or Buffering: Distance, landscaping, walls, berms, or other measures used to separate one land use from another, and to mitigate or minimize the adverse effects of one land use on another.
 - 38. Build-To Line: A line shown on a final plat or other development plan indicating that buildings are required to be built to it, rather than set back from it.
 - 39. Building: Any structure built for the support, shelter or enclosure of any persons, animals, chattels, or property of any kind which requires location on the ground or is attached to something having a location on the ground.
 - 40. Building Façade: The exterior elevation(s) of a building; usually set parallel to the front lot line, often distinguished by elaboration of architectural characteristics.
 - 41. Building Façade, Primary: The main exterior elevation of a building; usually associated with its primary entrance and/or street address.
 - 42. 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.
 - 43. Building Line: A line that is adjacent to the front side of a main building parallel to the front lot line.
 - 44. Building Official. The person holding the position of Building Official of the City of Wilsonville. [Added by Ord. 649, 6/2/08]

45. Building or Structure Height: The term 'height of building or structure' shall be deemed to mean the perpendicular distance from the average elevation of the adjoining ground to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the middle height gable between the eaves and ridge of a pitch or hip roof. If a building is divided into units by means of masonry division walls, each unit shall be considered separately in calculation for height of building.
46. Candela. The unit of luminous intensity of a lighting source emitted in a given direction. [Added by Ord. 649, 6/2/08]
47. Canopy. A roof-like covering over an area, in or under which a lighting fixture is mounted. [Added by Ord. 649, 6/2/08]
48. Category of Use: Type of use. See Mixed Use.
49. Change of Use: Within the Willamette River Greenway means making a different use of the land or water than that which existed on December 6, 1975. It includes a change which requires construction, alterations of the land, water or other areas outside of the existing buildings or structures and which substantially alters or affects the land or water. It does not include a change of use of a building or other structure which does not substantially alter or affect the land or water upon which it is situated. The sale of property is not in itself considered to be a change of use. An existing open storage area shall be considered to be the same as a building. Landscaping, construction of driveways, modifications of existing structures, or the construction or placement of such subsidiary structures or facilities as are usual and necessary to the use and enjoyment of existing improvements shall not be considered a change of use for the purposes of Sections 4.500.
50. Civic: Relating to, or derived from, a city or citizen.
51. Civic Building or Place: A building or place that functions communally, such as religious, cultural, environmental or educational institutions.
52. Clear Vision Area: A standard for sight lines at intersections of streets, railways, and driveways. See section 4.125.09, Street Improvement Standards.
53. Cluster Housing: Small lot detached single-family dwellings arranged in groups, with a courtyard(s) containing shared green space and a public access sidewalk easement.
54. Commercial: Development having to do with retail, service, commercial recreation, and/or office uses.
55. Common Residential Areas.
 - Areas shared in common by residents of buildings with three or more dwelling units, (i.e. common open space, play areas, trash receptacle areas, “common property” under a subdivision or partition declaration); and
 - Three or more open off-street stripped parking spaces, either abutting or within 10 feet of each other and not separated by a wall or other physical barrier between the two parking spaces, designated or set aside for use by the three or more dwelling units, regardless of whether the parking space is

assigned for exclusive use of each dwelling unit or non-exclusively used by three or more dwelling units, and are either commonly owned or were developed for the purpose of serving the parking needs of “multiple dwellings” or multiple attached single-family dwellings, as defined in the Development Code. [Added by Ord. 649, 6/2/08]

56. Community Center: A structure for the social, cultural, and educational activities of an entire neighborhood or group of people having common rights, privileges, or interests, or living in the same place under the same laws and regulations.
57. Community Elements Book: A plan which is used to establish the type and location of community elements within the Village zone. Community elements may include lighting, site furniture, , bollards, trash receptacles, recycling receptacles, benches, bicycle racks, , and playground equipment. The Community Elements Book also includes a Street Tree Master Plan and Lighting Master Plan.
58. Community Housing: Dwellings developed as defined by ORS 426.502(2).
59. Collocation: The use or placement of two or more antenna systems or platforms by separate FCC license holders on a single support structure, transmission tower or building. [Added by Ord. #479, 5/19/97]
60. Commercial Nursery or Tree Farm. A plant or tree nursery or tree farm where trees are planted and grown on the premises for sale in the ordinary course of business, but not including commercial woodlots, or land that is designated or assessed as forest land for tax deferral purposes or managed for timber production.
61. Commercial Recreation: A planned development commercial center or complex of recreational and complimentary uses. Typical uses include miniature golf courses, bowling alleys, theaters, tennis and racquetball clubs, health spas, swim centers, pool halls and sports complexes. Appropriate complimentary uses would include restaurants and sporting goods stores.
62. Commercial Woodlot. A site of at least 30,000 square feet on which trees are grown for the purpose of harvesting, and which is assessed as forest land for tax deferral purposes, and which is not a part of the approved open space or landscaping of a previously approved development.
63. Commission: The Planning Commission of the City established in Chapter 2 of the Wilsonville Code.
64. Comprehensive Plan: The City of Wilsonville Comprehensive Plan (effective date June 7, 2000).
65. Conditional Use: A use allowable if processed in accordance with the procedures listed in Section 4.512 and 4.184.
66. Conference Center: A facility where the primary function is the formal gathering of large groups of people.
67. Contiguous: See Adjoining.
68. Convenience Store: A retail business that provides for the purchase of limited food and household sundries.

69. Critical Facility: Facilities for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste. [Added by Ord. # 647, 4/21/08]
70. Crown Cover: The area within the drip line or perimeter of the foliage of a tree.
71. Curb Line: The line indicating the edge of the roadway within the overall right-of-way.
72. Curfew. A time each night after which certain electric illumination must be turned off or reduced in intensity. [Added by Ord. 649, 6/2/08]
73. DATELUP: An acronym for the Dammasch Area Transportation-Efficient Land Use Plan, which is the City of Wilsonville’s 1997 adopted land-use plan within the Comprehensive Plan Area of Special Concern “B”.
74. Design: The conceptualization of the built environment in response to specific sets of human needs and desires.
75. Design Standards ,Village Center: Criteria applicable to the design and construction of development within the Village Center, to guide the selection and arrangement of building elements to achieve a minimum level of quality and consistency in the finished product.
76. Design Principles, Village Zone: The fundamental concepts that support the objectives of the Master Plan and guide the intrinsic qualities of the built environment within the Residential Village Plan District. Design Principles are implemented through conformance with the Design Standards.
77. Design Standards, Village Zone: Criteria applicable to the design and construction of development within the Village zone, to guide the selection and arrangement of building elements to achieve a minimum level of quality and consistency in the finished product.
78. Density: The number of residential units per acre of land.
79. Development: Any human-caused change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located or storage of equipment or materials located within the area of special flood hazard. [Amended by Ord. # 647, 4/21/08]
80. Development Standards: Criteria established for initial planning of any change to improved or unimproved real estate that determines the relative size and arrangement of common building elements in order to achieve a certain level of quality and consistency in the built environment.
81. Diameter Breast Height (d.b.h.): A tree’s diameter in inches measured by diameter tape at four and one-half (4-1/2) feet above grade. On multi-stem trees, the largest diameter stem shall be measured.

82. Director: The Planning Director as established in Section 2.190 of the Wilsonville Code. As used in this Chapter, the term “Planning Director” also applies to other staff persons or consultants specifically assigned to act on behalf of the Director.
83. Drip Line: An imaginary vertical line extending downward from the outermost tips of the tree branches to the ground; when delineating the drip line on the ground, it will appear as an irregularly shaped circle defining the canopy’s perimeter. [Amended by Ord. # 674 11/16/09]
84. 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.]
85. Duplex: Two dwelling units on a single lot, neither of which meets the definition of an accessory dwelling unit.
86. Dwelling: A building, mobile home, or manufactured home, designed for residential occupancy, but not a house trailer or recreational vehicle.
87. Dwelling, Multiple Family: Three or more attached dwelling units located on a single tax lot. In the Village zone, such use also includes stacked flats or townhouses.
88. Dwelling, Single Family: A dwelling unit designed for occupancy by one family. A single-family dwelling may be detached or attached, provided that each such unit is located on its own tax lot. A single-family dwelling may also include an accessory dwelling unit, if approved for that use as specified in this Code.
89. Dwelling Unit: A building or portion thereof providing complete housekeeping facilities for one family, including a kitchen and bathroom, but not a trailer house or other recreational vehicle.
90. Encroachment Area: See Section 4.139.00
91. Equipment Enclosures: A small structure, shelter, cabinet or vault used to house and protect the electronic equipment necessary for processing wireless communication signals. Associated equipment may include air conditioning and emergency generators. [Added by Ord. #479, 5/19/97]
92. Essential Government Services. Services and facilities provided by a governmental unit, that are basis and inherent to the public health and welfare including, but not limited to, fire, police, water, sewer, transportation, emergency communication, and education, and governmental services and facilities in support thereof. [Added by Ord. 545, 8/19/02]
93. Exempt tree or vegetation: As used in the solar access provisions of this Code, the terms “exempt tree or exempt vegetation” refer to the full height and breadth of vegetation that has been identified by the City as “solar friendly,” and any vegetation listed as exempt on a plat, a document recorded with the plat, or a solar access permit.
94. Existing Manufactured Home Park or Subdivision: A manufactured home park subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of

concrete pads) is completed before the effective date of the adopted floodplain management regulations. [Added by Ord. # 647, 4/21/08]

95. Exterior Display: The outdoor exhibit of merchandise by a retail merchant.
96. Façade. The exterior wall or elevation of a building. [Added by Ord. 649, 6/2/08]
97. 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.
98. Feasible: Able to be accomplished, considering all aspects of preservation and proposed site development, including the cost of mitigation and relocation.
99. Fill: Any act by which earth, sand, gravel, rock, structures or any similar material is deposited, erected, placed, pulled or transported, including the conditions resulting therefrom, whether within the limits of the 100-year flood plain or not.
100. Final Development Plan: A plan that includes a final map and other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a land development, in the form required by Section 4.125(.18).
101. Flag Lot: A flag-shaped lot located behind another lot where the frontage on the street is only wide enough for its vehicular and pedestrian access; often found at the end of a street or adjacent to the outside corner of an L-shaped block.
102. Flood or Flooding: General and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters, and/or the unusual and rapid accumulation of runoff of surface waters from any source.
103. Flood Insurance Rate Map (FIRM): The official map prepared for the City of Wilsonville on which the Federal Insurance Administration has delineated both the flood plain and the risk premium zones applicable to the community.
104. Flood Insurance Study: The official report prepared for the City of Wilsonville by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.
105. Flood Plain: Flood-prone areas as identified on the FIRM.
106. 100-Year Flood Plain: Land adjacent to a floodway that has a one percent chance of flooding in any given year, and as identified within the "A" zones of the FIRM.
107. Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
108. Floodway Fringe: That portion of the flood plain not contained in the floodway.

109. 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.
110. Foot Candle. The unit of density of luminous flux (lumens) incident at a point on a surface having an area of one square foot. [Added by Ord. 649, 6/2/08; amended by Ord. 688, 11/15/10]
111. Front lot line: For purposes of the solar access regulations, a lot line abutting a street. For corner lots the front lot line is that with the narrowest frontage. When the lot line abutting a street is curved, the front lot line is the chord or straight line connecting the ends of the curve. For a flag lot, the front lot line is the shortest lot line adjoining the pole portion of the lot, excluding the unbuildable portion of the pole (see Figure 2: Front Line Lot).
112. Garage: Enclosure for the storage of vehicles.
113. Garage, private: An accessory building or portion of a main building used for the parking or temporary storage of vehicles owned or used by occupants of the main building.
114. Glare. Light that causes visual discomfort or disability, and the wattage and/or light distribution is excessive for the purposes for which the illumination is necessary. [Added by Ord. 649, 6/2/08]
115. Grocery Store: A retail business that sells food and household sundries.
116. Grocery Store, Specialty: A retail business that sells specialty food and specialty household sundries.
117. Habitable floor: Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor".
118. Habitat-Friendly Development: A method of developing property that protects our natural resources as we grow and focuses on land development and site design that mimic natural processes. Examples include clustering development to avoid habitat, minimizing tree removal and root disturbance, managing storm water on-site to help filter rainwater and recharge groundwater sources, and, where feasible, reducing the amount of impervious surface created by development. [Added by Ord. # 674 11/16/09]
119. Hardscape Permanent improvements to a site, including but not limited to, parking lots, driveways, streets, plazas, sidewalks, walkways, bikeways, abutments, stairs, ramps, and architectural features, such as fountains and sculptures. [Added by Ord. 649, 6/2/08]
120. Hearing Body: The City Council, the Development Review Board, or the Planning Commission having the authority to review an application assigned by Section 4.031, Section 4.032, and Section 4.033.

121. Heritage Tree: A tree that, due to age, size, species, quality or historic association, is considered of landmark importance to the community and has been designated as such by the City Council.
122. Home Business: A business operating from a dwelling unit that does not meet the definition of a "Home Occupation" listed below, and for which a conditional use permit has been issued by the City.
123. Home Occupation: "Home Occupation" means an occupation, profession, or craft, which is customarily incidental to or carried on in a dwelling place or premises and not one in which the use of the premises as a dwelling place is largely incidental to the business use. A home occupation is carried on by an immediate member of the family residing within the dwelling place. A home occupation shall require no structural alteration or changes to the exterior of the dwelling, and shall include no display of merchandise on the premises which can be seen from the exterior of the dwelling. 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 premises.
124. Hospital: A building or premises providing in-patient services that is used for human medical or surgical treatment.
125. Hospital, Animal: A building or premises for the medical or surgical treatment of domestic animals or pets, including dog, cat and veterinary hospitals.
126. Hotel, Motel, or Overnight Lodging Facility: A building which is designed or used to offer lodging, with or without meals, for compensation, for six (6) or more people.
127. House Side Shield. For fully shielded luminaires only, an internal shield designed and installed by the luminaire manufacturer that significantly attenuates candlepower in the back photometric hemisphere at all angles greater than 30 degrees relative to nadir. [Added by Ord. 649, 6/2/08]
128. Human Occupancy: For purposes of Section 4.172(.02)(C.)(4.), any structure usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof, is considered to be for human occupancy. A structure used only for storage purposes is not for "human occupancy." [Added by Ordinance No. 538, 2/21/02.]
129. IESNA. The Illuminating Engineering Society of North America (see www.iesna.com). [Added by Ord. 649, 6/2/08]
130. Impact Area: See Section 4.139.00
131. Impervious Area: An area with minimal infiltration of surface water into the underlying soil and shall include pavement (including but not limited to concrete or asphaltic concrete surfaces), gravel roads, structures, roadways, and roofs.
132. Intensification of Use: Within the Willamette River Greenway means any additions which increase or expand the area or amount of an existing use, or the level of activity. Remodeling of the exterior of a structure not excluded below is an

intensification when it will substantially alter the appearance of the structure. Maintenance and repair usual and necessary for the continuance of an existing use is not an intensification of use. Reasonable emergency procedures necessary for the safety or the protection of property are not an intensification of use. Residential use of land within the Greenway includes the practices and activities customarily related to the use and enjoyment of one's home. Landscaping, construction of driveways, modification of existing structures or construction or placement of such subsidiary structures or facilities adjacent to the residence as are usual and necessary to such use and enjoyment shall not be considered an intensification for the purposes of this Code. Seasonal increases in gravel operations shall not be considered an intensification of use.

133. Kennel: Any lot or premises on which four (4) or more dogs, more than four (4) months of age, are kept for boarding, breeding or sales.
134. Landscaping: The term "landscaping" includes trees, grass, shrubs, flowers, water features, and garden areas, and the arrangement of paths, walkways, fountains, patios, decks, fencing, street furniture and ornamental concrete or stonework areas, earth forms such as grading, mounding and contours. The use of pervious materials is encouraged. Both native and non-native vegetation may constitute landscaping materials. This definition pertains to complete site modifications rather than just buildings. [Amended by Ord. # 674 11/16/09]
135. Landscape Lighting. Luminaires attached to structures, mounted on poles or otherwise, or at grade (luminaire not to exceed 3 feet above grade) and used solely for landscape rather than area lighting. [Added by Ord. 649, 6/2/08]
136. Legislative process: A process that leads to the adoption of rules or policies that have broad implications for a large geographic area or for the community overall.
137. Light Manufacturing: Low- to moderate-impact industrial, manufacturing, processing, and assembly uses that exhibit benign external characteristics compatible with the character and overall design of a Residential Village environment.
138. Light Source (or Lamp): The actual bulb or lamp that emits the light. [Added by Ord. 649, 6/2/08]
139. Light Trespass. Spill light that because of quantitative, directional, or spectral content causes light level at the property line that is greater than as provided on Table 4 of this Code. [Added by Ord. 649, 6/2/08]
140. Lighting Master Plan: A plan that indicates the criteria for, and general location of exterior lighting within the Village zone. See also Community Elements Book.
141. Lighting System. One or more luminaires, together with associated wires, conduits and poles that constitute the illumination system on the parcel. [Added by Ord. 649, 6/2/08]
142. Lighting Zones. Specific allowances and limitations for lighting systems and fixtures as specified in this Ordinance. [Added by Ord. 649, 6/2/08]

143. 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.
144. Lot Area: The total horizontal area within the lot lines of a lot, excluding the driveway portion of a flag lot.
145. Lot Coverage: The area of a lot covered by all of the buildings on that lot, expressed as a percentage of the total lot area.
146. 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.
147. Lot, Front: The boundary line of a lot abutting a street, other than a boundary line along a side or rear yard. If the lot does not abut a street, the narrowest boundary line shall be considered to be the front.
148. Lot, Key: A lot, the side line of which abuts the rear line of one or more adjoining lots.
149. Lot Line, Front: The boundary line of a lot abutting a street or private drive, other than a boundary line along a side or rear yard. If the lot does not abut a street or private drive, the narrowest boundary line shall be considered to be the front. In the Village zone: the case of an interior lot, the lot line separating the lot from the public space, street or private drive, other than an alley. In the case of a corner lot, the shortest lot line along a public space, street or private drive, other than an alley. The boundary line of a lot abutting a street or private drive, other than a boundary line along a side or rear yard. If the lot does not abut a street or private drive, the narrowest boundary line shall be considered to be the front. A private drive bounded on two sides by a single lot shall not be considered in determining if a lot is a through lot.
150. Lot Line, Rear: Any boundary line opposite and most distant from a front line and not intersecting a front lot line, except in the case of a corner lot.
151. Lot Line, Side: Any boundary line not a front or rear lot line.
152. Lot, Through: Any lot, except a corner lot, that abuts two or more streets or private drives other than a freeway. Private drives which are bounded by two sides by a single lot shall not be considered in determining if a lot is a through lot.
153. Lot, Width: The 'lot width' is the mean horizontal distance between the side lot lines of a lot measured within the lot boundaries.
154. Lowest floor: Means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.
155. Lumen. The unit of luminous flux: a measure of the amount of light emitted by a lamp. [Added by Ord. 649, 6/2/08]

156. Luminaire (or “Light Fixture”). A complete lighting unit consisting of one or more electric lamps, the lamp holder, reflector, lens, ballast, and/or other components and accessories. [Added by Ord. 649, 6/2/08]
157. Luminance. The amount of light emitted in a given direction from a surface by the light source or by reflection from a surface. The unit is candela per square meter. [Added by Ord. 649, 6/2/08]
158. Luminous Flux. A measure of the total light output from a source, the unit being the lumen. [Added by Ord. 649, 6/2/08]
159. Major Alteration: Any change, enlargement or modification to existing site improvements or structures, or use thereof or any which substantially alters the exterior appearance or function of the site or building or increases the previous floor area by an amount equal to or greater than one-third.
160. Major Transit Stop: Transit stops that are located where two or more existing or planned routes intersect or where there are existing or planned transfer locations between transit systems, Park & Ride lots, and shopping centers and other major destinations. [Added by Ord. #719, 6/17/13.]
161. Major Transit Street: A primary corridor for transit, receiving half-hour or better service during peak traffic hours. Typically, these streets are also arterials or major collectors. [Added by Ord. #719, 6/17/13.]
162. Manufactured Dwelling: Includes residential trailer, mobile home, mobile house, trailer and manufactured home. This definition does not include any building or structure subject to the structural specialty code adopted pursuant to ORS 455.100 to 455.450 or any unit identified as a recreational vehicle by the manufacturer.
163. Manufactured Home: A structure built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities, for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, and was constructed in accordance with Federal Manufactured Housing Construction and Safety Standards regulations in effect at the time of construction. [Amended, Ord. #317, 11/4/87]. For flood plain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For flood insurance purposes, and City zoning standards, the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles. [Amended by Ord. # 647, 4/21/08]
164. Manufactured Home or Mobile Home Park: Means a parcel (or contiguous parcels) of land divided into two or more spaces that are rented or leased for the placement of manufactured or mobile homes.
165. Manufactured Home or Mobile Home Subdivision: Means a group of three (3) or more separate lots intended for the location of manufactured or mobile homes, and which lots may be rented or sold.
166. Master Plan: See “Villebois Village Master Plan”.

167. Master Planner: A professional team selected by the City of Wilsonville and the State of Oregon in accordance with ORS 426.508 to master plan the area prescribed in DATELUP.
168. Master Signage and Wayfinding Plan: A plan that describes the design principles and standards of public and private signage and wayfinding elements within the Village zone.
169. Mixed Solid Waste: Solid Waste that contains recoverable or recyclable materials and materials that are not capable of being recycled or recovered for further use. [Amended by Ord. # 426 - April 4, 1994]
170. Mixed Use: A development in which a site or building provides more than one type of use, such as commercial and residential
171. Mobile Home: A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of the Oregon mobile home law in effect at the time of construction. [Amended by Ord. #317, 11/4/87]
172. Modular Home: A structure intended for residential use that has sleeping, cooking and plumbing facilities and is constructed off-site in compliance with the Uniform Building Code (Oregon State Structural Specialty Code) and designed to be transported to a site for installation and/or assembly of modular components to form a permanent structure. [Amended by Ord. #317, 11/4/87].
173. Multiuse Pathway or Path: A path that is separate from the roadway either in the roadway right-of-way or in an independent right-of-way. It is designed and constructed to allow for safe walking, biking, and other human-powered travel modes. [Added by Ord. #719, 6/17/13.]
174. Native: As applied to any tree or plant, this term means indigenous to the northern Willamette Valley.
175. Neighborhood: An urban sector of multiple uses served by a network of pedestrian-friendly streets and alleys within approximately ¼ mile in radius. Neighborhoods are defined by arterial or collector streets and/or open space at their edges and include a Neighborhood Commons at their center.
176. Mounting Height. The vertical distance between the lowest part of the luminaire and the ground surface directly below the luminaire. [Added by Ord. 649, 6/2/08]
177. 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]
178. Nadir. The downward direction; exactly vertical, directly below a luminaire. [Added by Ord. 649, 6/2/08]

179. Neighborhood Center: An area of mixed-use buildings at or near the center of a neighborhood, providing nearby residents with convenient access to goods and services.
180. Neighborhood Commons: A site within a neighborhood, for use by local residents, which may include a transit shelter and waiting place for transit riders, and public space, providing a social gathering place.
181. Neighborhood Commercial: A planned development commercial center or complex of commercial uses to provide for the daily convenience, goods and services of nearby residential areas. Typical uses include grocery, hardware, and drug stores; barber and beauty stores; banks; laundry and dry cleaning; and professional offices, but exclude service stations.
182. New Construction: For purposed of flood plain management, structures for which the "start of construction" commenced on or after June 17, 2008. [Added by Ord. # 647, 4/21/08]
183. New Facility: The installation of a new transmission tower. New attachments are not new facilities. [Added by Ord. #479, 5/19/97]
184. 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.
185. 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. [Amended by Ordinance No. 538, 2/21/02.]
186. 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. [Amended by Ordinance No. 538, 2/21/02.]
187. 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. [Amended by Ordinance No. 538, 2/21/02.]
188. Northern lot line: The lot line that is the smallest angle from a line drawn east-west and intersecting the northernmost point of the lot, excluding the pole portion of a

flag lot. If the north line adjoins an undevelopable area other than a required yard area, the northern lot line shall be at the northern edge of such undevelopable area. If two lot lines have an identical angle relative to a line drawn east-west, or if the northern lot lines is less than 35 feet, then the northern lot line shall be a line 35 feet in length within the lot parallel with and at a maximum distance from the front lot line (see Figure 3: Northern Lot Line in Section 4.137).

189. North-south dimension: The length of a line beginning at the mid-point of the northern lot line and extending in a southerly direction perpendicular to the northern lot line until it reaches a property boundary (see Figure 4: North-South Dimension of the Lot in Section 4.137).
190. Office: A use category designating buildings commonly used as a workplace for professional or government functions.
191. Office Complex: A planned development commercial center or complex of administrative, professional and general office uses. Typical uses include governmental, financial, architectural, medical, dental, legal, real estate, accounting, insurance and general business offices.
192. Obtrusive Light. Glare and light trespass. [Added by Ord. 649, 6/2/08]
193. Office Complex - Technology. Applies to office uses in an industrial, typically high-technology, setting, including research and development, software or hardware development, telecommunication or data manipulation operations.

Typically in an industrial campus setting, Technology-Office Complexes are expected to generate less traffic than general office uses.

Technology-Office Complex is not intended to apply to general office uses such as medical offices, real estate sales offices, or similar operations that are more appropriately the predominate uses in non-industrial areas.
194. Official Map: The map established by the City Council on which the plan locations, particularly of streets, are indicated with detail and exactness so as to furnish the basis for property acquisition, building restrictions, building permits, zoning or other uses, the original -of which is on file in the office of the City Recorder.
195. 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.
196. Open Space Area: A specific measurement. See Section 4.125(.08), Open Space.
197. Ornamentation: The details of shape, texture, and color that are deliberately added to a structure for decorative effect.
198. Outdoor Dining Area: A space designated for commercial dining, partially bounded by building walls, screening or property lines, but open to the sky, and open on at least one side to a street or public space.
199. Outdoor Living Area: Outdoor recreational area intended for the use of the residents of the development. In order to be considered “outdoor living area” it must be usable and accessible by the residents of the development.

200. Ornamental or Accent Lighting. Outdoor lighting that is installed mainly or entirely for its decorative effect or to accent an object or a feature, rather than as an aid to visibility. [Added by Ord. 649, 6/2/08]
201. Parking Facility, Commercial: A surface lot or parking structure that is operated as a business and is not integral to a specific use or uses within Villebois.
202. Parking Space: A permanently surfaced and marked area not less than nine (9) feet wide and eighteen (18) feet long, excluding paved area necessary for access, for the parking of a motor vehicle.
203. Parking Space, Accessible: A permanently surfaced and marked area meeting the standards established by ORS 447.233. Such spaces shall be appropriately reserved and signed for use by the disabled and shall be subject to any additional standards of the Americans with Disabilities Act (ADA) or other applicable provisions of local, state or federal law.
204. Parking Space, Compact: A permanently surfaced and marked area not less than seven (7) feet, six (6) inches wide and fifteen (15) feet long, excluding paved area necessary for access, for the parking of a compact motor vehicle. In order to be considered a compact parking space, it must be clearly labeled as such. [Amended by Ord. # 674 11/16/09]
205. Parking Space, Handicapped: Be designed for safe and convenient access that meets ADA and ODOT standards. All parking areas which contain ten (10) or more parking spaces, shall for every fifty (50) standard spaces, provide one ADA-accessible parking space that is constructed to building code standards, Wilsonville Code 9.000. [Amended by Ordinance No. 538, 2/21/02.]
206. Parking Space, Motorcycle: A permanently surfaced and marked area not less than four (4) feet wide and eight (8) feet long, excluding paved area necessary for access, for the parking of a compact motor vehicle. In order to be considered a motorcycle parking space, it must be clearly labeled as such.
207. Partition:
- A. "Partition" means either an act of partitioning land or an area or tract of land partitioned under the provisions of Section 4.200. As used in this Code, a land partition may be either a "major" or "minor" partition, as those terms are commonly used.
 - B. "Partition land" means to divide an area or tract of land into two or three parcels when such area or tract of land exists as a unit or contiguous units of land under single ownership. "Partition land" does not include divisions of land resulting from lien foreclosures, and divisions of land made pursuant to a court order, including but not limited to court orders in proceedings involving testate or intestate succession; and "partition land" does not include any adjustment of a lot line by the relocation of a common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot size established by any applicable zoning ordinance.

208. Pathway: A pathway is a pedestrian facility that is entirely separate from the roadway and generally serves as an on-site pedestrian system for multi-family, commercial and industrial developments. The Americans with Disabilities Act defines a pathway as an "Exterior Accessible Route."
209. Pattern Book: An illustrative document that depicts the architectural character of a proposed development, in compliance with the Design Principles and Design Standards. See Section 4.125.15, Pattern Book.
210. Pedestrian Access: A path of travel to approach and enter a building , or open space on foot.
211. Permit (Tree cutting): Approval to remove trees according to the following categories:
- A. Type A - Permits removal of one to three trees within a twelve (12) month period on any property.
 - B. Type B - Permits removal of four or more trees on any property (a) not subject to site development review, or b) previously approved for site development, and is c) not in a commercial woodlot.
 - C. Type C - Permits removal of trees on property under a site development application.
 - D. Type D - Permits removal of trees on a commercial woodlot.
212. Permit Grantee: Any person, including the person's successors-in-interest, whose application for a Permit has been approved, or who is acting on the permit grantee's behalf with the grantee's consent.
213. Person: Any individual or legal entity.
214. Phasing: To plan and then carry out development in stages over time. The length of time will be determined by several factors, including response to market conditions, availability and capacity of existing utilities and infrastructure, and timing of road improvement approval and funding.
215. Planning Commission: The Planning Commission of the City of Wilsonville established in Chapter 2 of the Wilsonville Code.
216. Planning Director: The Planning Director as established in Section 2.190 of the Wilsonville Code. As used in this Chapter, the term "Planning Director" also applies to other staff persons or consultants specifically assigned to act on behalf of the Planning Director.
217. Photometric Test Report. A report by an independent testing laboratory or one certified by the National Institute of Standards and Technology (NIST) describing the candela distribution, shielding type, luminance, and other characteristics of a specific luminaire. [Added by Ord. 649, 6/2/08]
218. Plat: A map, diagram, drawing, replat or other writing containing all of the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision, condominium division or land partition. A tentative plat is one that is prepared for review and consideration by the City. A final plat is one that

- is prepared for recordation with the County after the City has approved the tentative plat.
219. Plaza: A public space at the intersection of important streets, as illustrated and described in the Villebois Village Master Plan, for civic purposes and commercial activity.
 220. Porch: An open-air room appended to the mass of a building, with floor and roof.
 221. Pre-existing Towers and Pre-existing Antennae: Any tower or antennae for which a building permit has been properly issued prior to the effective date of this ordinance. [Added by Ord. 479, 5/19/97]
 222. Preliminary Development Plan: A conceptual and quantitatively accurate representation of a defined area within an approved Specific Area Plan, in the form required by Section 4.125(.18).
 223. Premises: A site with or without buildings.
 224. Private Drive: A private way, other than an alley, that includes a roadway.
 - A. Private Access/Circulation Drive - Industrial/Commercial/Multi-family/Mixed Use: A private drive in an industrial, commercial, multi-family (including mobile home parks), or mixed-use development providing vehicular ingress and egress to the development and/or internal circulation.
 - B. Residential Private Access Drive: A private drive in a non-multi-family residential development providing primary vehicle access to no more than four (4) dwelling units, excluding accessory dwelling units. A residential private access drive provides for no through vehicle access and is not extendable. This definition does not include private alleys.
 - C. Residential Private Drive - Pre-existing: A private drive in a non-multi-family residential development approved prior to (effective date of ordinance) including those that provides vehicular access to more than four (4) dwelling units.
 225. Private Way: A private area dedicated to circulation, including roadways, bikeways, paths, or utilities.
 226. Professional-Type Services: A “professional-type service” shall include activities such as those offered by a physician, surgeon, dentist, lawyer, architect, engineer, accountant, artist, teacher, real estate and insurance sales.
 227. Protected solar building line: A line on a plat or map recorded with the plat that identifies the location on a lot where a point two feet above may not be shaded by structures or non-exempt trees (see Figure 11: Soar Lot Option 2: Protected Solar Building Line in Section 4.137).
 228. Protected Outdoor Space: An outdoor space that is partially protected from direct exposure to the weather by a roof, building walls, and/or other enclosures.
 229. Private Way: A private area dedicated to circulation, including the roadway for private streets, bikeways, paths or utilities.

230. Public Space: An area without buildings, reserved for public use, whether owned and maintained by a public or private organization, including but not limited to, plazas, parks, natural preserves, and trails.
231. Public Way: A public area dedicated to circulation, including the roadway or street, bikeways, paths and public utilities.
232. Quasi-judicial process: A process that leads to a decision on a land use or development application involving a single property or small group of properties. (Please see the definition of Legislative Process, above.)
233. Rainwater Management Program: Infrastructure and procedures for the collection, filtration, and conveyance of rainwater.
234. Rainwater Management System: The physical components of the Rainwater Management Program.
235. Rainwater Path: The route of movement of rainwater from building roofs and paved surfaces to the Rainwater Management System.
236. Recreational Vehicle: Means a vehicle which is:
- A. Built on a single chassis;
 - B. 400 square feet or less, when measured at the largest horizontal projection;
 - C. designed to be self-propelled or permanently towable by a light-duty truck; and
 - D. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
237. Religious Institution: A building or structure, or groups of buildings or structures, such as a church, synagogue, temple or mosque, that is used for conducting organized religious services, including ceremonies, rituals, and education pertaining to a particular system of beliefs.
238. Remove or Removal: The act of removing a tree by topping, digging up or cutting down, effecting removal through damage, or causing to be removed, transplanted or destroyed.
239. Replacement Area: the mitigation area required to compensate for an encroachment into the SROZ when allowed in accordance within Section 4.139.00
240. Research and Development: Commercial and non-profit establishments primarily engaged in performing laboratory or other physical or biological, primary, basic, or applied research, development and testing. Does not include Light Manufacturing.
241. Residential Facility: As used in ORS 197, a residential facility is a residential treatment or training facility, licensed by the State of Oregon, which provides care, treatment or training for six (6) to fifteen (15) individuals, and which may also provide housing for staff persons who provide services to those individuals. For the purposes of this Code, unless inhabited by a single family, a residential facility is considered to be a form of multiple family residential development.
242. Residential Home: As used in ORS 197, a residential home is a residential treatment or training home, or adult foster home, licensed by the State of Oregon, which

provides care, treatment or training for five (5) or fewer individuals, and which may also provide housing for staff persons who provide services to those individuals. For the purposes of this Code, a residential home is considered to be a form of single-family dwelling unit.

243. Residential Trailer: A structure constructed for movement on the public highways, that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed before January 1, 1962. [Amended by Ordinance 317, II/4/87].
244. Residential Village Comprehensive Plan Designation: The area within which the Village zone applies, as illustrated on the Comprehensive Plan Map.
245. Row House: One of a series of houses, often of similar or identical design, situated side by side, 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. [Amended by Ord. # 667 8/17/09]
246. Right-of-way: The area between boundary lines of a public way.
247. Riparian Corridor: See Section 4.139.00.
248. Riparian Corridor Cross Sections: See Section 4.139.00.
249. Riparian Impact Area: See Section 4.139.00.
250. Road: Same as “Street”.
251. Roadway: The portion of a public way or street or private way developed for use by vehicular traffic.
252. Roadway, Shared: a roadway that is designed to be shared by additional users besides motor vehicles, especially bicycles.
253. School: An educational facility.
254. School, Commercial: A school operated as a commercial enterprise. See Section 4.125(.04), Conditional Uses.
255. School, Private: Schools, including kindergartens, nurseries, children’s or adult day care facilities, play schools, and other such facilities, operated primarily through private funding sources. See Section 4.125(.04), Conditional Uses.
256. School, Public: A school endowed and/or supported by taxation. See Section 4.125(.04), Conditional Uses.
257. Screening: Any construction whose essential function is to visually conceal, as in sight-obscuring fencing or sight-obscuring planting. See Section 4.176.
258. Setback: The distance between a reference line (usually a property line) and the nearest point of a building, or portion thereof. In the Village Zone, see Section 4.125.06, Standards Applying to all Developments.
259. Service Center: A planned development commercial center or complex of uses related to serve the motoring public and located at or near the freeway interchanges.

Typical uses include restaurants, motels, automobile and truck service stations and centers.

260. Shade point: The part of a structure or non-exempt tree that casts the longest shadow onto the adjacent northern lot(s) when the sun is at an altitude of 21.3 degrees and an azimuth ranging from 22.7 degrees east and west of true south; except a shadow caused by a narrow object such as a mast or whip antenna, a dish antenna with a diameter of 3 feet or less, a chimney, utility pole, or wire. The height of the shade point shall be measured from the shade point to either the average elevation at the front lot line or the elevation at the midpoint of the front lot line. If the shade point is located at the northern end of a ridgeline of a structure oriented within 45 degrees of a true north-south line, the shade point height computed according to the preceding sentence may be reduced by 3 feet. If a structure has a roof oriented within 45 degrees of a true east-west line with a pitch that is flatter than 5 feet (vertical) in 12 feet (horizontal) the shade point will be the eave of the roof. If such a roof has a pitch that is 5 feet in 12 feet or steeper, the shade point will be the peak of the roof (see Figures 5: Height of the Shade Point of the Structure and Figure 6: Shade Point Height in Section 4.137).
261. Shade reduction line: A line drawn parallel to the northern lot line that intersects the shade point (see Figure 7: Shade Reduction Line in Section 4.137).
262. Shade: As used in the solar access provisions of this Code, a shadow cast by the shade point of a structure or vegetation when the sun is at an altitude of 21.3 degrees and an azimuth ranging from 22.7 degrees east and west of true south.
263. Shadow pattern: A graphic representation of an area that would be shaded by the shade point of a structure or vegetation when the sun is at an altitude of 21.3 degrees and an azimuth ranging between 22.7 degrees east and west of true south (see Figure 13: Shadow Pattern in Section 4.137).
264. Shielding.
- Directional. A luminaire designed to be aimed or pointed.
 - Fully Shielded. A luminaire emitting no more than 0.5 percent of its luminous flux above the horizontal plane, including any luminaire rated “full cut off” according to IESNA RP-8-01.
 - Partly Shielded. A luminaire emitting no more than 10 percent of its total luminous flux above the horizontal plane, including any luminaire rated “semi-cutoff” according to IESNA RP-8-01.
 - Shielded. A luminaire emitting no more than 2 percent of its total luminous flux above the horizontal plane, including any luminaire rated “cutoff” according to IESNA RP-8-01.
 - Unshielded. A luminaire that may emit its flux in any direction. [Added by Ord. 649, 6/2/08]
265. Sidewalk: A walkway, within or adjacent to a street right-of-way, paved to City standards.

266. Sight-Obscuring Planting: A dense perennial evergreen planting with sufficient foliage to obscure vision as specified in Section 4.176 and which will reach a height of at least six (6) feet within thirty (30) months after planting.
267. Sign: A device or display used or intended to be used for advertising purposes or used or intended to be used to inform or attract the attention of the public. "Sign" includes, where applicable, the structure, display surface, or other component parts of the device or display. Examples include, but are not limited to, advertising sign, banner, outdoor advertising sign, on-premises sign, temporary sign, window sign, message, light (other than a device used primarily to illuminate a building and/or premise), emblem, figure or, painting, mural, drawing, placard, or poster. The display of merchandise that is offered on the premises shall not be considered to be a sign unless it is attached to any exterior surface or structure of the building including, but not limited to, roofs, walls, marquees, monuments, or poles. The scope of the term "sign" does not depend on the content of the message or image conveyed. A sign does not include architectural or landscape features that may attract attention but do not convey a message or image considered speech, or trademark, protected under federal or state law.
- A. Addressing Signs: Signs indicating, at a minimum, the numerical address of the building.
 - B. Baseline: The invisible line on which text or other characters sit, the bottom extent of the cap height of a typeface.
 - C. Bowl: In a font or typeface, an open or closed circular line that creates an interior space, such as in the letters "d" and "c."
 - D. Cap Height: In a font or typeface, the distance from the baseline to the top of uppercase letters like "H" and "J."
 - E. Changing image sign. Any sign which, through the use of moving structural elements, flashing or sequential lights, lighting elements, prisms, or other method, results in movement, the appearance of movement, or change of sign image or text except changeable copy signs defined below.
 - F. Changeable copy sign. Any sign, digital or manual, which is designed to have the copy changed routinely and where the frequency of copy change does not exceed once every fifteen (15) minutes, except in emergency situations as requested by the City Manager or designee.
 - G. Descender: In a font or typeface, the part of a letter extending below the baseline including lower portion of the lowercase letters "g," "j," "p," "q," and "y."
 - H. Directional signs: Signs on private property that provide directions for the traveling public and are deemed necessary for the safe traverse of the public.
 - I. Flashing Sign: Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity or color at all times when such sign is in use. For the purpose of this Code, any moving illuminated sign shall be considered a flashing sign.

- J. Freestanding Sign: A sign erected and maintained on a freestanding frame, mast, or pole not attached to any building, and not including ground-mounted signs.
- K. Ground-mounted Sign: A non-temporary sign which extends from the ground, or has support which places the bottom of the sign less than two (2) feet from the ground, including monument signs.
- L. Inflatable Sign: Any device that depends on a differential between internal and external air pressure to maintain its size, form or shape regardless of whether it is tied, tethered, mounted or connected to a pole, building, or ground.
- M. Institutional Signs: Signs that identify public buildings, churches, public and private schools and other such structures used for public gathering or to serve the general public. The Planning Director shall determine the nature of such signs if there is a question. Institutional signage shall comply with all applicable provisions of this Code.
- N. Integral Sign: A sign carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction indicating names of buildings, date of erection, monumental citations, commemorative tablets and the like when made an integral a part of the structures.
- O. Lawn Sign. A temporary freestanding sign commonly made of corrugated plastic, greyboard, or similar type of material, constructed and maintained to prevent being moved or heavily damaged by typical exposure to natural elements. Lawn signs in the rights-of-way under W.C. 4.156.10 may be constructed to be portable.
- P. Marquee Sign: A canopy or covering structure bearing a signboard or graphics projecting from, and attached to, a building.
- Q. Permanent Sign: Any sign that does not meet the definition of a temporary sign, below.
- R. Portable Sign: A sign that is not permanently affixed to a building, structure, or the ground; a sign designed to be moved from place to place. These signs include, but are not limited to movable A-frame signs, sandwich board signs, signs on vehicles or trailers, and signs attached to wood or metal frames designed to be self-supporting and movable, including trailer reader boards.
- S. Projecting Sign: A sign, other than a wall sign which projects from and is supported by a wall of a building or structure. Projecting Signs are differentiated from Wall Flat Signs as defined below.
 - 1. Blade Sign: A sign hanging, perpendicular to a building façade, from a canopy, building projection, or mounting bracket intended to aid pedestrians in wayfinding.
- T. Rigid Sign: A temporary freestanding sign designed and constructed with materials of a grade and quality to withstand strong winds, rains, and harsh weather conditions, and maintained as a potentially year-long temporary sign to ensure that degradation or weathering does not present aesthetic and public safety concerns and the sign retains substantially the same quality throughout

the year. Such signs may not be constructed of cardboard, poster board, or other similar lightweight paper products.

- U. Roof Sign: A sign located on or above the roof of any building, not including a false mansard roof, canopy or other fascia.
- V. Selling Slogans: A brief striking phrase used in advertising or promotion. The hours of operation of a business shall be considered to be a selling slogan.
- W. Serif: In fonts and typefaces, the extra stroke at the end of a letter or character.
- X. Shoulder: In fonts and typefaces, the curve at the beginning of a leg of a character such as the upper curved portion of the lowercase letters “m” and “n.”
- Y. Sign Area: The display surface or face of the sign calculated as prescribed in Section 4.156.04
- Z. Temporary Sign: A sign not permanently affixed to a building, structure, or the ground, intended to be displayed for a limited period of time.
- AA. Video Sign: Moving visual messages projected on any surface.
- BB. Wall Flat Sign: A sign affixed directly to or painted on or otherwise inscribed on an exterior wall and confined within the limits of any building and which projects from that surface not more than twelve (12) inches at all points.
- CC. Wayfinding Sign: The term way finding sign has two different contextual meanings. First, it is used as a general description of one of the basic purposes or functions of signs, which is to assist in directing the general public to specific destinations within the community, so that they find their way. In this context almost all signs provide some degree of way finding information. Second, the term is used to describe a specific type of sign, such as local directional signs and district wayfinding signs, that provides specific identity and/or direction to particular businesses, facilities, or places of interest, such as parks, tourist attractions, public buildings, schools, special districts, or other locations to which the public commonly asks for directions.

[Sign definitions revised by Ord. 675, 3/1/10.] [Sign definitions revised by Ord. No. 704, 6/18/12].

- 268. Significant Resource Impact Report (SRIR): See Section 4.139.00
- 269. Significant Resource Overlay Zone (SROZ): See Section 4.139.00
- 270. Site Area, Net: The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.
- 271. Site Development: Any human-caused change to improved or unimproved property -, including, but not limited to, land surface mining, grading, filling, excavation, tree cutting, clearing, construction, installation or alteration of a building or other structure, establishment or termination of an access or outdoor storage on the land.
- 272. Solar access height limit: A series of contour line establishing the maximum permitted height for non-exempt vegetation on lots affected by a Solar Access Permit (see Figure 12: Solar Access Height Limit in Section 4.137).

273. Solar access permit: A document issued by the city that describes the maximum height that non-exempt vegetation is allowed to grow on lots to which a solar access permit applies.
274. Solar feature: A device or combination of devices or elements that does or will use direct sunlight as a source of energy for such purposes as heating or cooling of a structure, heating or pumping of water, and generating electricity. Examples of a solar feature include a window or windows that contain(s) at least 20 square feet of glazing oriented within 45 degrees east and west of true south, a solar greenhouse, or a solar hot water heater. A solar feature may be used for purposes in addition to collecting solar energy, including but not limited to serving as a structural member or part of a roof, wall, or window. A south-facing wall without windows and without other features that use solar energy is not a solar feature for purposes of this Section.
275. Solar gain line: A line parallel to the northern property line(s) of the lot(s) south of and adjoining a given lot, including lots separated only by a street, that intersects the solar feature on that lot (see Figure 8: Solar Gain Line in Section 4.137).
276. Source Separated Recyclables: Recyclable materials designated “principle recyclable materials” by the Oregon Environmental Quality Commission under ORS 495A.025 with the exception of yard debris, as well as other source-separated recyclables that may be designated by local ordinance or regulation. [Amended by Ord. #426 – 4/1/94]
277. South or South facing: True south, or 20 degrees east of magnetic south.
278. Special Flood Hazard Area: Means an area having special flood, mudslide (i.e., mudflow), and/or flood-related erosion hazards, and shown on an FHBM or FIRM as zone A, AO, AE, AH, VE, or V. [Amended by Ord. # 647, 4/21/08; Ord. 686, 11/1/10]
279. Specific Area Plan (SAP): A plan with a series of detailed components covering one of the five distinct areas of the Villebois Village Master Plan. These plans provide a higher level of analysis and detail than the Villebois Village Master Plan.
280. Stacked Flats: Two or more single-level dwelling units, the second arranged above the first, etc.
281. Start of Construction: Includes substantial improvement, and means the date the building permit was issued provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration

- affects the external dimensions of the building. [Added by Ord. # 647, 4/21/08; amended by Ord. 686, 11/1/10]
282. Stoop: A small uncovered platform or porch at the entrance to a dwelling, usually up several steps from the sidewalk.
283. Storage Area for Solid Waste or Recyclables: The space necessary to store mixed solid waste and source separated recyclables that accumulate between collection days. [Amended by Ord. #426 – 4/1/94]
284. Story: That portion of a building included between a floor and the ceiling next above it, exclusive of a basement.
285. Street: The entire right-of-way of a dedicated public way, which provides vehicular and pedestrian access to adjacent properties. Except in the Village zone, a right-of-way less than twenty (20) feet in width shall not be recognized as a street.
286. Street, Arterial: A street used primarily for through traffic.
287. Street, Collector: A street used to some extent for through traffic and to some extent for access to abutting properties.
288. Street, Frontage: A minor street parallel to and adjacent to a major street providing access to abutting properties and protection from through traffic.
289. Street, Half: A portion of the width of a street, usually along the edge of a development where the remaining portion of the street could be provided in another adjacent development. In the Village Zone, see Section 4.125(.09), Street Improvement Standards.
290. Street, Private: Same as Private Drive.
291. Street Tree Master Plan: A plan that denotes the species, spacing, minimum size and location of all street trees.
292. Street, Local: A street used exclusively for access to abutting properties.
293. Structure: Anything built which requires location on the ground or is attached to something having a location on the ground. For floodplain management purposes a structure is a walled and roofed building including a gas or liquid storage tank that is principally above ground. [Amended by Ord. # 647, 4/21/08; Ord. 686, 11/1/10]
294. Structured Parking: Enclosure for the storage of four or more vehicles.
295. Subdivide: To effect a subdivision of land, as defined below.
296. Subdivider: Any owner commencing proceedings under Sections 4.200 to 4.290 to effect a subdivision of land.
297. Subdivision: Either an act of subdividing land, or an area or tract of land subdivided as defined in this Code. A subdivision means the division of land into more than three (3) lots.
298. Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. [Added by Ord. # 647, 4/21/08]

299. Substantial Development: Receipt of a valid public works permit or building permit for construction activities, other than a grading permit, is deemed to constitute “substantial development.”
300. Substantial Improvement: Means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50 percent) of the market value of the structure, as determined by the City's Building Official, either:
- A. Before the improvement or repair is started, or
 - B. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term is not used in the same manner as the term “substantial development” and does not include either:
 - (1) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
 - (2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.
301. Sunchart: One or more photographs that plot the position of the sun between 10:30 am and 1:30 pm on January 21, prepared pursuant to guidelines issued by the Planning Director. The sunchart shall show the southern skyline through a transparent grid on which is imposed solar altitude for a 45-degree and 30-minute northern latitude in 10-degree increments and solar azimuth from true south in 15-degree increments.
302. Support Structure (Telecommunication): The structure to which wireless communication antennae and other necessary hardware are mounted. For purposes of this ordinance the terms “support structure,” “tower,” and “transmission tower” shall be interchangeable. Support structures include, but are not limited to:
- A. Guyed Tower: A tower which is supported, in whole or in part, but the use of cables (guy wires) and ground anchors.
 - B. Lattice tower: A freestanding support structure which consists of an open framework of crossed metal braces on three or four sides which stabilize the tower and which is built without guy wires and ground anchors.
 - C. Monopole: A freestanding support structure consisting of a single upright pole sunk into the ground and/or attached to a foundation and engineered to be self-supporting without guy wires or ground anchors.
303. Terrace: A raised space or platform adjoining a building, paved or planted, especially one used for leisure enjoyment.
304. Temporary Lighting. Lighting installed with temporary wiring and operated for less than 120 days in any calendar year. [Added by Ord. 649, 6/2/08]
305. Theater: A building or outdoor structure providing facilities for the presentation of performances.

306. Through Zone: The width of unobstructed space on a sidewalk or pedestrian pathway. [Added by Ord. #719, 6/17/13.]
307. Tower Footprint: The area described at the base of a transmission tower as the perimeter of the transmission tower including the transmission tower foundation and any attached or overhanging equipment, attachments or structural members but excluding ancillary facilities and guy wires and anchors. [Added by Ord. #479, 5/19/97]
308. Tower Height: The distance measured vertically from the highest point when positioned for operation to the lowest point, which is defined as the bottom of the base of the structure being measured at either roof level for a roof-mounted structure or at ground level for a freestanding structure. The height of a tower shall include the height of any antennae positioned for operation attached or which may be attached to the highest point on the tower. [Added by Ord. #479, 5/19/97]
309. Tower Pad: The area encompassing the tower footprint, ancillary facilities, fencing and screening. [Added by Ord. #479, 5/19/97]
310. Town Center: That part of the community that is generally bounded by, or adjoining, Town Center Loop Road.
311. 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.
312. Trailers, Travel Trailers, Mobile Coaches: A vehicle or structure constructed for movement on the public highways, that has sleeping, cooking or plumbing facilities and is intended for temporary residential and/or recreational uses. Trailers, travel trailers, and mobile coaches do not meet the standards to be considered mobile homes or manufactured dwellings noted above.
313. Transit Stop: A designated location along or near a transit street for pick-up and drop-off of transit users.
314. Transit Station: A facility at a major transit stop accommodating multiple types of transportation, including the seating, sheltering, pick-up, and drop-off of transit users; bicycle storage; automobile drop-off lanes; and other uses compatible with transit use.
315. Transit Street: A designated transit route with one or more transit stops serving TRI-MET or South Metro Area Rapid Transit (SMART) riders.
316. Tree: Any living, standing woody plant having a trunk six inches or more d.b.h. at four and one-half (4-1/2) feet above grade.
317. Tree Cutting: The falling or removal of a tree, or any procedure the natural result of which is to cause the death or substantial destruction of a tree, including topping and severe cutting back of limbs to such a degree as to destroy or adversely affect the normal growth pattern of the tree. Cutting does not include routine pruning or trimming.

318. Tree Preservation and Protection Plan: A plan that indicates the locations of existing trees to be preserved and the methods to be employed to do so. See the City of Wilsonville Tree Preservation Code, Section 4.600 for additional information.
319. Tree Pruning: Reduction of a tree to achieve a better shape and more fruitful growth, using common practices of the arboriculture industry, including the International Society of Arboriculture, the Oregon Department of Forestry (Urban Forestry), or other professional arboriculture industry organizations.
320. Tree Survey: Information provided by an arborist which describes size, species, health, and condition, and an accurate map that locates the trees on the property and descriptive text. Tree surveys shall be provided in keeping with WC 4.610.30 and 4.610.40.
321. Tree Topping: The severe cutting of the top or limbs within the tree's crown to such a degree so as to remove the natural canopy or disfigure the tree.
322. TRP: Tree Removal Permit.
323. Undevelopable area: As used in the solar access provisions of this Code, an area that cannot be used practicably for a habitable structure, because of natural conditions, such as slopes exceeding 20% in a direction greater than 45 degrees east or west of true south, severe topographic relief, water bodies, or conditions that isolate one portion of a property from another portion so that access is not practicable to the unbuildable portion; or man-made conditions, such as existing development which isolates a portion of the site and prevents its further development; setbacks or development restrictions that prohibit development of a given area of a lot by law or private agreement; or existence or absence of easements or access rights that prevent development of a given area.
324. Urban Growth Management Function Plan (UGMFP): Regulatory requirements imposed on local governments by Metro.
325. Use: The purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied.
326. Utilities: Any water, gas, sewer, storm drainage, electrical, telephone, or communication service and all persons, companies, and agencies supplying the same.
327. Value: Current market value or replacement cost as determined by a licensed or certified professional in the tree, nursery, or landscape field.
328. Variance: Means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance. A Variance does not allow a use that is prohibited by this Chapter.
329. View Corridor: As located and defined in the Master Plan, a view corridor is a panorama or line-of-site that, for aesthetic or cultural reasons, is to remain free of noncontributing elements.
330. Village Center: An area illustrated and described in the Villebois Village Master Plan, providing a mixture of residential and commercial uses, at the intersection of

three neighborhoods. The Village Center is the focal point of civic and commercial activity.

331. Village Center Architectural Standards: A document that includes standards for all buildings within the Village Center. [Definition amended by Ord. No. 595, 12/5/05.]
332. Village Zone: The zoning district that is applied to areas designated Residential Village on the Wilsonville Comprehensive Plan Map. The Village zone implements the Residential-Village designation and the Villebois Village Master Plan. Also known as the V zone.
333. Villebois Village Master Plan: The approved document depicting the general organizational structure of the Villebois Village Concept Plan, implemented by the Residential-Village Comprehensive Plan designation, and the Village (V) zone, including but not limited to the form and location of public open spaces, types and alignment of the utilities and various thoroughfares, and land use types and locations.
334. Violation: The division or use of land or structures, or the construction of, addition to, or alteration of, structures in a manner that does not fully comply with the provisions of Chapter 4. Structures located in flood hazard areas without adequate elevation certificates or other satisfactory proof of compliance with the provisions of Section 4.172 will be presumed to be in violation until such time as the necessary information has been provided to the Community Development Director.
335. Wall: An upright construction having a length greater than the thickness and presenting a continuous surface except where pierced by doors, windows, etc., used for shelter, protection, or privacy.
336. Water-Dependent: A use or activity which can be carried out only on, in, or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation, energy production or source of water.
337. Water-Related: Uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered. Except as necessary for water-dependent or water-related uses or facilities, residences, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories; and trailer parks are not generally considered dependent on or related to water location needs.
338. Wayfinding Plan: See Master Signage and Wayfinding Plan.
339. Wetlands: Existing wetlands include jurisdictional wetlands as determined by the Division of State Lands (DSL) and/or the US Army Corps of Engineers (COE). "Wetlands" are those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Created wetlands are mitigation wetlands as defined by the Division of State Lands or US Army Corps of Engineers. For the purpose of this ordinance, wetlands shall not include these constructed facilities:

- A. stormwater treatment ponds or swales;
 - B. stormwater treatment wetlands;
 - C. detention ponds;
 - D. a 25-foot buffer adjacent to the wetland;
 - E. an off-stream recreational lake, lagoon, fire pond or reservoir; and
 - F. ditches that are not mapped within the Significant Resources Overlay Zone and are constructed solely for the purpose of draining roads, lots, and outfalls of storm drains.
340. Wildlife Habitat: A Goal 5 resource defined as an area upon which wildlife depend in order to meet their requirements for food, water, shelter and reproduction. Wildlife habitat in the *City of Wilsonville Natural Resource Inventory and Goal 5, Title 3, Endangered Species Act Compliance and Protection Plan* refers to upland, forested areas of at least one-acre size. Hazelnut orchards, small clumps of trees and areas with only a few scattered trees are not included as wildlife habitat.
341. Wireless Communication Facilities (WCF): An unstaffed facility for the transmission and reception of radio or microwave signals used for commercial communications. WCFs are composed of two or more of the following components: (1) antenna: (2) support structure: (3) equipment enclosures; and (4) security barrier. [Added by Ord. #479, 5/19/97]
342. Yard: The open space, other than a court, on a lot, unoccupied and unobstructed other than by landscaping or permitted fences from the ground upward, between a structure or structures and any lot line. The minimum horizontal distance between any point on a lot line and the nearest part of any structure or building is the yard depth.
343. Yard, Front: Any yard abutting a street or private drive, unless one side is determined to meet the definition of a side yard, below. Private drives which are bounded on two sides by a single lot shall not be considered in determining if a yard is a front yard.
344. Yard, Rear: Any yard abutting a rear lot line.
345. Yard, Side: Any yard abutting a side lot line and, for corner lots, the side with the longest frontage along a street or private drive. Where a corner lot has an existing building with a primary entrance, the side along a street or private drive without the entrance shall be deemed the side yard. Where a corner lot has the same amount of frontage on both streets or private drives, and no primary building entrance facing either street or private drive, the Planning Director may designate the side yard in order to determine required setbacks. Private drives which are bounded on two sides by a single lot shall not be considered in determining if a yard is a side yard.

[Definitions amended by Ord. 557, 9/5/03; Ord. 682, 9/9/10; Ord. 686, 11/1/10]

Section 4.117. Standards Applying To Industrial Developments In Any Zone.

- (.01) All industrial developments, uses, or activities are subject to performance standards. If not otherwise specified in the Planning and Development Code, industrial developments, uses, and activities shall be subject to the performance standards specified in Section 4. 135 (.05) (PDI Zone).

[Response: The proposed development for Industrial Focus will meet the performance standards specified in 4.135\(.05\) per responses below.](#)

Section 4.135. PDI- Planned Development Industrial Zone.

- (.01) Purpose: The purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses.

[Response: The proposed development uses are permitted in the PDI zone.](#)

- (.02) The PDI Zone shall be governed by Section 4.140, Planned Development Regulations, and as otherwise set forth in this Code.

[Response: See response to Section 4.140 for specific responses.](#)

- (.03) Uses that are typically permitted:

- A. Warehouses and other buildings for storage of wholesale goods, including cold storage plants.
- B. Storage and wholesale distribution of agricultural and other bulk products, provided that dust and odors are effectively contained within the site.
- C. Assembly and packing of products for wholesale shipment
- D. Manufacturing and processing
- E. Motor vehicle services, or other services complementary or incidental to primary uses, and which support the primary uses by allowing more efficient or cost-effective operations
- F. Manufacturing and processing of electronics, technical instrumentation components and health care equipment.
- G. Fabrication
- H. Office complexes - Technology
- I. Corporate headquarters
- J. Call centers
- K. Research and development
- L. Laboratories
- M. Repair, finishing and testing of product types manufactured or fabricated within the zone.

- N. Industrial services
- O. Any use allowed in a PDC Zone, subject to the following limitations:
 - 1. Service Commercial uses (defined as professional services that cater to daily customers such as financial, insurance, real estate, legal, medical or dental offices) not to exceed 5000 square feet of floor area in a single building, or 20,000 square feet of combined floor area within a multi-building development.
 - 2. Office Complex Use (as defined in Section 4.001) shall not exceed 30% of total floor area within a project site.
 - 3. Retail uses, not to exceed 5000 square feet of indoor and outdoor sales, service or inventory storage area for a single building and 20,000 square feet of indoor and outdoor sales, service or inventory storage area for multiple buildings.
 - 4. Combined uses under Subsections 4.135(.03)(O.)(1.) and (3.) shall not exceed a total of 5000 square feet of floor area in a single building or 20,000 square feet of combined floor area within a multi-building development.
- P. Training facilities whose primary purpose is to provide training to meet industrial needs.
- Q. Public facilities.
- R. Accessory uses, buildings and structures customarily incidental to any permitted uses.
- S. Temporary buildings or structures for uses incidental to construction work. Such structures to be removed within 30 days of completion or abandonment of the construction work.
- T. Other similar uses, which in the judgment of the Planning Director, are consistent with the purpose of the PDI Zone.

[Response: The proposed uses include Office Complexes–Technology, Headquarters, Warehousing and Manufacturing.](#)

(.04) Block and access standards:

The PDI zone shall be subject to the same block and access standards as the PDC zone, Section 4.131(.02) and (.03).

[Response: The proposed development will provide adequate pedestrian and vehicle connectivity along SW Boberg Rd. and SW Boones Ferry Rd.](#)

- (.05) Performance Standards. The following performance standards apply to all industrial properties and sites within the PDI Zone, and are intended to minimize the potential adverse impacts of industrial activities on the general public and on other land uses or activities. They are not intended to prevent conflicts between different uses or activities that may occur on the same property.

- A. All uses and operations except storage, off-street parking, loading and unloading shall be confined, contained, and conducted wholly within completely enclosed buildings, unless outdoor activities have been approved as part of Stage II, Site Design or Administrative Review.

Response: All uses for the proposed development are proposed to be within the building.

- B. Vibration: Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any boundary line of the property on which the use is located.

Response: The proposed use does not generate any equipment vibration.

- C. Emission of odorous gases or other odorous matter in quantities as detectable at any point on any boundary line of the property on which the use is located shall be prohibited.

Response: The proposed use does not use odorous gases or other matters and therefore will not emit these odors.

- D. Any open storage shall comply with the provisions of Section 4.176, and this Section.

Response: The proposed development contains a 40,000 sf storage yard (phase 1) for shoring equipment and material. The yard will be properly screened with fencing and landscaping. Additional information is provided in section 4.176 and will be submitted at a later time.

- E. No building customarily used for night operation, such as a baker or bottling and distribution station, shall have any opening, other than stationary windows or required fire exits, within one hundred (100) feet of any residential district and any space used for loading or unloading commercial vehicles in connection with such an operation shall not be within one hundred (100) feet of any residential district.

Response: The proposed building is not intended for night operation.

- F. Heat and Glare:

1. Operations producing heat or glare shall be conducted entirely within an enclosed building.
2. Exterior lighting on private property shall be screened, baffled, or directed away from adjacent residential properties. This is not intended to apply to street lighting.

Response: The proposed building operation will not produce heat or glare.

All exterior lighting will be limited to pole mounted light locations, mounted light locations and new canopy and building mounted lights. All lights are noted with directional throw and/or cutoffs to not produce light off the property.

- F. Dangerous Substances: Any use which involves the presence, storage or handling of any explosive, nuclear waste product, or any other substance in a manner which would cause a health or safety hazard for any adjacent land use or site shall be prohibited.

Response: The proposed use does not involve the use or handling of the materials noted.

- H. Liquid and Solid Wastes:

1. Any storage of wastes which would attract insects or rodents or otherwise create a health hazard shall be prohibited.
2. Waste products which are stored outside shall be concealed from view from any property line by a sight-obscuring fence or planting as required in Section 4.176.
3. No connection with any public sewer shall be made or maintained in violation of applicable City or State standards.
4. No wastes conveyed shall be allowed to or permitted, caused to enter, or allowed to flow into any public sewer in violation of applicable City or State standards.
5. All drainage permitted to discharge into a street gutter, caused to enter or allowed to flow into any pond, lake, stream, or other natural water course shall be limited to surface waters or waters having similar characteristics as determined by the City, County, and State Department of Environmental Quality.
6. All operations shall be conducted in conformance with the City's standards and ordinances applying to sanitary and storm sewer discharges.

Response: The proposed development does not include the storage of liquid and solid wastes beyond typical materials recycling and garbage collection which will be stored within the noted enclosure on the site plan. This enclosure location and layout will be reviewed with Republic Services. Additional information is provided in section 4.176

- I. Noise: Noise generated by the use, with the exception of traffic noises from automobiles, trucks, and trains, shall not violate any applicable standards adopted by the Oregon Department of Environmental Quality and W.C. 6.204 governing noise control in the same or similar locations. [Amended by Ord. 631, 7/16/07]

Response: The development will not produce excessive noise as defined by W.C. 6.204. Primary functions take place during city noted allowed hours. Cleaning functions, deliveries etc. may take place in the overnight hours as allowed by the code.

- J. Electrical Disturbances. Except for electrical facilities wherein the City is preempted by other governmental entities, electrical disturbances generated by

uses within the PDI zone which interfere with the normal operation of equipment or instruments within the PDI Zone are prohibited. Electrical disturbances which routinely cause interference with normal activity in abutting residential use areas are also prohibited.

Response: The development proposes no function or construction methods etc. which would interfere with electrical systems. Any construction activity which may require temporary electrical disruption for safety or connection reasons will be limited to the project site and coordinated by the contractor and electrical subcontractor with the appropriate utilities.

- K. Discharge Standards: There shall be no emission of smoke, fallout, fly ash, dust, vapor, gases, or other forms of air pollution that may cause a nuisance or injury to human, plant, or animal life, or to property. Plans of construction and operation shall be subject to the recommendations and regulations of the State Department of Environmental Quality. All measurements of air pollution shall be by the procedures and with equipment approved by the State Department of Environmental Quality or equivalent and acceptable methods of measurement approved by the City. Persons responsible for a suspected source of air pollution upon the request of the City shall provide quantitative and qualitative information regarding the discharge that will adequately and accurately describe operation conditions.

Response: The proposed use does not produce emissions of the noted air pollutants. Construction activities will be monitored for air pollutants and use Best Management Practices for control of dust and other forms of pollutants including those methods depicted within the civil documents for construction entrances and wash downs.

- L. Open burning is prohibited.

Response: Open burning is not proposed with the development's use.

- M. Storage:

1. Outdoor storage must be maintained in an orderly manner at all times.
2. Outdoor storage area shall be gravel surface or better and shall be suitable for the materials being handled and stored. If a gravel surface is not sufficient to meet the performance standards for the use, the area shall be suitably paved.
3. Any open storage that would otherwise be visible at the property line shall be concealed from view at the abutting property line by a sight obscuring fence or planting not less than six (6) feet in height.

Response: The storage area (Phase 1) will be maintained and organized. The proposed development storage yard is a gravel surface. The storage will be screened by a 6' high fence and plantings.

- N. Landscaping:

1. Unused property, or property designated for expansion or other future use, shall be landscaped and maintained as approved by the Development Review Board. Landscaping for unused property disturbed during construction shall include such things as plantings of ornamental shrubs, lawns, native plants, and mowed, seeded fieldgrass.

Response: The site (lot 500) will be 100% developed with either building, parking and circulation (pedestrian and vehicle) or landscaping. All areas not used for building or parking are noted as developed landscaped areas with various trees and shrubs as depicted on the landscape plans. Any disturbance to adjacent lot 300 will be properly landscaped.

2. Contiguous unused areas of undisturbed fieldgrass may be maintained in their existing state. Large stands of invasive weeds such as Himalayan blackberries, English ivy, cherry Laurel, reed canary grass or other identified invasive plants shall be removed and/or mowed at least annually to reduce fire hazard. These unused areas, located within a phased development project or a future expansion cannot be included in the area calculated to meet the landscape requirements for the initial phase(s) of the development.

Response: The property (lot 500) has no contiguous unused areas within its property boundaries, therefore this section does not apply.

3. Unused property shall not be left with disturbed soils that are subject to siltation and erosion. Any disturbed soil shall be seeded for complete erosion cover germination and shall be subject to applicable erosion control standards.

Response: As noted above the areas of the site not developed with building or paved development will be landscaped therefore there will be no property left unused.

(.06) Other Standards:

- A. Minimum Individual Lot Size: No limit save and except as shall be consistent with the other provisions of this Code (e.g., landscaping, parking, etc.).

Response: The proposed development is on existing lot (lot 500) with no modification to the existing size.

- B. Maximum Lot Coverage: No limit save and except as shall be consistent with the other provisions of this Code (e.g., landscaping, parking, etc.).

Response: The proposed development has a lot coverage of 37% with the remaining site provided for parking, circulation and landscaping. The site provides 15.8% landscaping. The remaining 47.2% is sidewalk, trash enclosure, parking and circulation.

- C. Front Yard Setback: Thirty (30) feet. Structures on corner or through lots shall observe the minimum front yard setback on both streets. Setbacks shall also be

maintained from the planned rights-of-way shown on any adopted City street plan.

Response: The proposed buildings are set back more than 30' on East and West sides.

Phase 1: E=73'8" & W=312'8".

- D. Rear and Side Yard Setback: Thirty (30) feet. Structures on corner or through lots shall observe the minimum rear and side yard setbacks on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.

Response: The proposed buildings are set back more than 30' on North and South sides.

Phase 1: N=57'6" & S=73'8"

- E. No setback is required when side or rear yards abut on a railroad siding.

Response: The property does not abut a railroad. This section is not applicable.

- F. Corner Vision: Corner lots shall have no sight obstruction to exceed the vision clearance standards of Section 4.177.

Response: The property is not a corner lot. This section is not applicable.

- G. Off-Street Parking and Loading: As provided in Section 4.155.

Response: The parking lot requirements are in compliance with Section 4.155 as noted within this section. Stage 2 narrative will provide further information.

- H. Signs: As provided in Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]

Response: The proposed development will include building mounted signs along the SW Boones Ferry Road frontage. Further information on signage will be submitted at a future time.

[Section 4.135 amended by Ordinance No. 574, 11/1/04.]

Section 4.135.5: Planned Development Industrial – Regionally Significant Industrial Area

- (.01) Purpose. The purpose of the PDI-RSIA Zone is to provide opportunities for regionally significant industrial operations along with a limited and appropriate range of related and compatible uses; to provide the flexibility to accommodate the changing nature of industrial employment centers, to protect industrially zoned lands for industrial uses, primarily in those areas near significant transportation facilities for the movement of freight and to facilitate the redevelopment of under-utilized industrial sites.

Response: The proposed development is not located within a PDI-RSIA zone. Section 4.125.5 and subsections below are not applicable.

- (.02) The PDI-RSIA Zone shall be governed by Section 4.140, Planned Development Regulations, and as otherwise set forth in this Code.
- (.03) Uses that are typically permitted:
- A. Wholesale houses, storage units, and warehouses.
 - B. Laboratories, storage buildings, warehouses, and cold storage plants.
 - C. Assembly of electrical equipment, including the manufacture of small parts.
 - D. The light manufacturing, simple compounding or processing packaging, assembling and/or treatment of products, cosmetics, drugs, and food products, unless such use is inconsistent with air pollution, excess noise, or water pollution standards.
 - E. Office Complexes-Technology (as defined in Section 4.001).
 - F. Experimental, film or testing laboratories.
 - G. Storage and distribution of grain, livestock feed, provided dust and smell is effectively controlled.
 - H. Motor vehicle service facilities complementary or incidental to permitted uses.
 - I. Any use allowed in a PDC Zone or any other light industrial uses provided that any such use is compatible with industrial use and is planned and developed in a manner consistent with the purposes and objectives of Sections 4.130 to 4.140 and is subject to the following criteria:
 - 1. Service Commercial (defined as professional services that cater to daily customers such as financial, insurance, real estate, legal, medical or dental offices) shall not exceed 3000 square feet of floor space in a single building or 20,000 square feet of combined floor area within a multiple building development.
 - 2. Office Use (as defined in Section 4.001) shall not exceed 20% of total floor area within a project site.
 - 3. Retail uses not to exceed 3000 square feet of indoor and outdoor sales, service, or inventory storage area for a single building or 20,000 square feet of indoor and outdoor sales, service or inventory storage area for multiple buildings.
 - 4. Combined uses under I.1 and 3. above shall not exceed a total of 3000 square feet of floor area in a single building or 20,000 square feet of combined floor area within a multi-building development.
 - J. Residential uses shall not exceed 10% of total floor area.
 - K. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal permitted uses.

- L. Temporary buildings or structures for uses incidental to construction work, which buildings or structures shall be removed upon completion or abandonment of the construction work.
- M. Expansion of a building, structure or use approved prior to October 25, 2004 of up to 20% additional floor area and/or 10% additional land area.
- N. Other similar uses which in the judgment of the Planning Director are consistent with the purpose of the PDI-RSIA Zone.

(.04) Prohibited uses.

- A. Retail operations exceeding 3,000 square feet of area for sales, service area or storage area for retail inventory in a single building, or 20,000 square feet of sales, service or storage area for multiple buildings, except training facilities whose primary purpose is to provide training to meet industrial needs.
- B. Any use or activity that violates the performance standards specified in Subsection 4.135.5(.06), below.

(.05) Block and Access Standards. The PDI-RSIA Zone shall be subject to the same block and access standards as the PDC Zone [Section 4.131(.02) and (.03)].

(.06) Performance Standards. The following performance standards apply to all industrial properties and sites within the PDI-RSIA Zone, and are intended to minimize the potential adverse impacts of industrial activities on the general public and on other land uses or activities. They are not intended to prevent conflicts between different uses or activities that may occur on the same property or site.

- A. All uses and operations except storage, off-street parking, loading and unloading shall be confined, contained and conducted wholly within completely enclosed buildings, unless outdoor activities have been approved as part of Stage II, Site Design or Administrative Review.
- B. Vibration: Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any boundary line of the property or site on which the use is located.
- C. Emission of odorous gases or other odorous matter in quantities detectable at any time and at any point on any boundary line of the property or site on which the use is located are prohibited.
- D. Any open storage shall comply with the provisions of Section 4.176 and this Section.
- E. No building customarily used for night operation, such as a bakery, bottling and distribution plant or other similar use, shall have any opening, other than stationary windows or required fire exits, within one hundred (100) feet of any

residential district and any space used for loading or unloading commercial vehicles in connection with such an operation shall not be within one hundred (100) feet of any residential district.

- F. Heat and Glare.
 - 1. Operations producing heat or glare shall be conducted entirely within an enclosed building.
 - 2. Exterior lighting on private property shall be screened, baffled, or otherwise directed away from adjacent residential properties. This is not intended to apply to street lighting.
- G. Dangerous Substances: Any use which involves the presence, storage or handling of any explosive, nuclear waste product or any other substance in a manner which would cause a health or safety hazard on any adjacent land use or site shall be prohibited.
- H. Liquid and Solid Wastes:
 - 1. Any storage of wastes which would attract rodents or insects or otherwise create a health hazard shall be prohibited.
 - 2. Waste products which are stored outside shall be concealed from view from any property line by a sight-obscuring fence or planting as required by Section 4.176.
 - 3. No connection with any public sewer shall be made or maintained in violation of applicable City or State standards.
 - 4. No wastes conveyed shall be allowed to or permitted, caused to enter, or allowed to flow into any public sewer in violation of applicable City or State standards.
 - 5. All drainage permitted to discharge into a street gutter, caused to enter or allowed to flow into any pond, lake, stream or other natural water course shall be limited to surface waters or waters having similar characteristics as determined by the City, County, and State Department of Environmental Quality.
 - 6. All operations shall be conducted in conformance with the city's standards and ordinances applying to sanitary and storm sewer discharges.
- I. Noise: Noise generated by the use, with the exception of traffic uses from automobiles, trucks and trains, shall not violate any applicable standards adopted by the Oregon Department of Environmental Quality and W.C. 6.204 governing noise control in the same or similar locations. [Amended by Ord. 631, 7/16/07]
- J. Electrical Disturbances. Except for electrical facilities wherein the City is pre-empted by other governmental entities, electrical disturbances generated by uses within the PDI-RSIA Zone which interfere with the normal operation of equipment or instruments within the PDI-RSIA Zone are prohibited. Electrical

disturbances which routinely cause interference with normal activity in abutting residential uses are also prohibited.

- K. Discharge Standards: There shall be no emission of smoke, fallout, fly ash, dust, vapors, gases or other forms of air pollution that may cause a nuisance or injury to human, plant or animal life or to property. Plans for construction and operation shall be subject to the recommendations and regulations of the State Department of Environmental Quality. All measurements of air pollution shall be by the procedures and with equipment approved by the State Department of Environmental Quality or equivalent and acceptable methods of measurement approved by the City. Persons responsible for a suspected source of air pollution upon request of the City shall provide quantitative and qualitative information regarding the discharge that will adequately and accurately describe operation conditions.
- L. Open burning is prohibited.
- M. Storage.
 - 1. Outdoor storage must be maintained in an orderly manner at all times.
 - 2. Outdoor storage areas shall be gravel surfaced or better and shall be sufficient for the materials being handled and stored. If a gravel surface is not sufficient to meet the performance standards for the use, the area shall be suitably paved.
 - 3. Any open storage that would otherwise be visible at the property line shall be concealed from view at the abutting property line by a sight obscuring fence or planting not less than 6' in height.
- N. Landscaping.
 - 1. Unused property, or property designated for expansion or other future use shall be landscaped and maintained as approved by the Development Review Board. Landscaping for unused property disturbed during construction shall include such materials as plantings of ornamental shrubs, lawns, native plants, and mowed, seeded fieldgrass.
 - 2. Contiguous unused areas of undisturbed fieldgrass may be maintained in their existing state. Large stands of invasive weeds such as Himalayan blackberry, English ivy, cherry laurel, reed canary grass or other identified invasive species shall be removed and/or mowed at least annually to reduce fire hazard. These unused areas, located with a phased development project or a future expansion cannot be included in the area calculated to meet the landscape requirements for the initial phase(s) of the development.
 - 3. Unused property shall not be left with disturbed soils that are subject to siltation and erosion. Any disturbed soil shall be seeded for complete erosion cover germination and shall be subject to applicable erosion control standards.

(.07) Other Standards.

A. Lot Size:

1. Parcels less than 50 acres in size at the time of adoption of this amended Section: Land divisions may occur in conformance with an approved Master Plan consistent with the requirements of this section. No lot size limit, save and except as shall be consistent with the other provisions of this code.
2. Parcels 50 acres or greater in size existing on October 25, 2004 may be divided into any number of parcels or lots pursuant to an approved Master Plan provided that at least one lot or parcel of at least 50 acres in size remains. Provided further however, at least forty percent (40%) of the lot or parcel so created has been developed or planned for industrial uses and associated accessory uses and no portion has been developed or planned for the uses listed in Section 4.135.5(03)(I).(1.) through (3).
3. Uses not subject to the foregoing lot size provisions:
 - a. Public facilities and services
 - b. Separation of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by DEQ pursuant to ORS 465.225.
 - c. Separation of a lot or parcel containing a nonconforming use from the remainder of the site in order to improve the utility of the remainder site for the intended industrial uses
 - d. Separation for the purposes of financing when the new lot or parcel is consistent with the approved Master Plan.
 - e. Division of lots or parcels consistent with a Master Plan approved by the City prior to July 1, 2004.

B. Maximum Lot Coverage. No limit save and except as shall be consistent with the other provisions of this code.

C. Front Yard Setback. Thirty (30) feet. Structures on corner or through lots shall observe the minimum front yard setback on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.

D. Rear and Side Yard Setback. Thirty (30) feet. Structures on corner or through lots shall observe the minimum rear and side yard setback on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.

E. No setback is required when rear or side yards abut a railroad siding.

F. Corner Vision. Corner lots shall have no lot obstruction to exceed the vision clearance standards of Section 4.177.

G. Off-street Parking and Loading. As required in Section 4.155.

H. Signs. As required in Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]

[Section 4.135.5 added by Ordinance No. 574, 11/1/04.]

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.

Response: The subject site is does not include an “S” overlay zone therefore the solar access provisions are not applicable to this development.

(.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.

Response: All site utilities are underground.

(.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;

Response: No waiver for lot area requested. Existing lot to remain.

- 2. lot width and frontage;

Response: No waiver for lot width or frontage requested. Existing lot dimensions to remain.

- 3. height and yard requirements;

Response: No waiver for height or yard requirements requested.

- 4. lot coverage;

Response: No waiver for lot coverage is requested. The proposed development complies with the allowed coverage requirements.

- 5. lot depth;

Response: No waiver for lot depth requested. Existing lot dimensions to remain.

- 6. street widths;

Response: No adjustment to the existing streets are proposed.

- 7. sidewalk requirements;

Response: No waiver for sidewalk requirements requested.

8. height of buildings other than signs;

Response: No waiver for height or yard requirements requested.

9. parking space configuration and drive aisle design;

Response: No waiver for parking or drive aisle design. Layout and sizing meet the development code standards.

10. minimum number of parking or loading spaces;

Response: No waiver for parking quantities requested. See description of use and calculations for required parking in Section 4.155.

11. shade tree islands in parking lots, provided that alternative shading is provided;

Response: No waiver for tree islands requested.

12. fence height;

Response: No waiver for fence height is requested.

13. architectural design standards;

Response: The development does not request any waiver of architectural design standards. The building mass, placement and height meet the development regulations of the zoning district.

14. transit facilities; and

Response: Proposed development does not include transit facilities.

15. On-site pedestrian access and circulation standards; and

Response: No waiver of on-site pedestrian access or circulation standards is proposed.

16. Solar access standards, as provided in section 4.137.

Response: No requirement for solar access "S" overlay.

[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;

Response: Not applicable, the proposed development is not located in a residential area.

2. minimum density standards of residential zones;

Response: Not applicable, the proposed development is not located in a residential zone.

3. minimum landscape, buffering, and screening standards;

Response: No waiver for landscape, buffering or screening standard is requested.

- 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;

Response: The proposed development does not exceed maximum number of parking spaces noted in Section 4.155.

2. standards for mitigation of trees that are removed;

Response: Trees to be removed are mitigated through the proposed landscape plan. landscape plan and arborist report will be submitted with Stage 2.

3. standards for mitigation of wetlands that are filled or damaged; and

Response: Not applicable, there are no wetlands on the site being impacted.

4. trails or pathways shown in the Parks and Recreation Master Plan.

Response: Not applicable, there are no trails or pathways as part of the proposed development.

- 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:

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.

Response: Proposed development does not seek lot coverage beyond maximum percentage noted.

2. Parking ratios and areas expressed in relation to use of various portions of the property and/or building floor area.

Response: Proposed parking is based on the proposed uses and as calculated within Section 4.155.

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]

Response: Proposed development does not seek to modify existing vehicular access. Greater pedestrian access is provided from structure and parking to the existing public right-of-way with onsite circulation.

4. Arrangement and spacing of buildings and structures to provide appropriate open spaces around buildings.

Response: Open space surrounds all proposed building, with the greatest concentration of open area at the building's frontages to the public way.

5. Location and size of off-street loading areas and docks.

Response: Off street truck loading areas are located at the rear of the buildings. Drive aisles, door separation distance and building separation distance are designed to standards for industrial vehicles. A single loading dock is located on the side of the phase 1 and phase 2 buildings. Each dock is sized appropriately for standard 62' truck and trailer. No off street passenger loading/unloading areas proposed.

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.

Response: Proposed development provides parking ratios based on proposed primary uses of office, storage and manufacturing, as noted within the Parking Section 4.155.

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.

Response: Development does not propose uses which produce noise, dust, odor etc. and therefor additional measures to minimize are not needed.

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.

Response: Construction schedules should not impede or create inconsistency with City plans.

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.

Response: Proposed development will comply with city Improvements along SW Boberg Rd. and SW Boones Ferry Rd.

10. Modify the proposed development in order to prevent congestion of streets and/or to facilitate transportation.

Proposed development has 4 points of access for flow through vehicular movement.

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.

Response: Owner will work with the contractor and city on coordination of landscape installation schedule relative to occupancy and obtain necessary bond as indicated if 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.

Response: Dedications along SW Boones Ferry Road and SW Boberg Road are required. SW Boones Ferry Road includes a 20' dedication (new landscaping, sidewalk and bike lane. SW Boberg Road include a 1.5" landscape dedication.

- (.04) The Planning Director and Development Review Board shall, in making their determination of compliance in attaching conditions, consider the effects of this action on availability and cost. The provisions of this section shall not be used in such a manner that additional conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of development. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the minimum requirements of the Comprehensive Plan and Code.

Response: Applicant is aware of standards for conditions of approval for development and will work with the City staff on applied conditions and timelines associated with each item.

- (.05) The Planning Director, Development Review Board, or on appeal, the City Council, may as a condition of approval for any development for which an application is submitted, require that portions of the tract or tracts under consideration be set aside, improved, conveyed or dedicated for the following uses:

- A. Recreational Facilities: The Director, Board, or Council, as the case may be, may require that suitable area for parks or playgrounds be set aside, improved or permanently reserved for the owners, residents, employees or patrons of the development consistent with adopted Park standards and Parks and Recreation Master Plan.

- B. Open Space Area: Whenever private and/or common open space area is provided, the City shall require that an association of owners or tenants be established which shall adopt such Articles of Incorporation, By-Laws or other appropriate agreement, and shall adopt and impose such Declaration of Covenants and Restrictions on such open space areas and/or common areas that are acceptable to the Development Review Board. Said association shall be formed and continued for the purpose of maintaining such open space area. Such an association, if required, may undertake other functions. It shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessments levied to maintain said open space area for the purposes intended. The period of existence of such association shall be not less than twenty (20) years and it shall continue thereafter and until a majority vote of the members shall terminate it, and the City Council formally votes to accept such termination.

- C. Easements: Easements necessary to the orderly extension of public utilities, and the protection of open space, may be required as a condition of approval. When required, such easements must meet the requirements of the City Attorney prior to recordation.

Response: The applicant understands that a utility easement for water connection is required through the property and will coordinate the easement with the city.

- (.06) Nothing in this Code shall prevent the owner of a site that is less than two (2) acres in size from filing an application to rezone and develop the site as a Planned Development. Smaller properties may or may not be suitable for such development, depending upon their particular sizes, shapes, locations, and the nature of the proposed development, but Planned Developments shall be encouraged at any appropriate location.

Response: Applicant is applying for a zone change from RA-H to PDI.

- (.07) Density Transfers. In order to protect significant open space or resource areas, the Development Review Board may authorize the transfer of development densities from one portion of a proposed development to another. Such transfers may go to adjoining properties, provided that those properties are considered to be part of the total development under consideration as a unit.

Response: Proposed development is not subject to code stated density and will not require or propose density transfer.

- (.08) Wetland Mitigation and other mitigation for lost or damaged resources. The Development Review Board may, after considering the testimony of experts in the field, allow for the replacement of resource areas with newly created or enhanced resource areas. The Board may specify the ratio of lost to created and/or enhanced areas after making findings based on information in the record. As much as possible, mitigation areas shall replicate the beneficial values of the lost or damaged resource areas.

Response: The developed property does not contain existing wetlands therefore mitigation requirements are not required.

- (.09) Habitat-Friendly Development Practices. To the extent practicable, development and construction activities of any lot shall consider the use of habitat-friendly development practices, which include:

- A. Minimizing grading, removal of native vegetation, disturbance and removal of native soils, and impervious area;
- B. Minimizing adverse hydrological impacts on water resources, such as using the practices described in Part (a) of Table NR-2 in Section 4.139.03, unless their use is prohibited by an applicable and required state or federal permit, such as a permit required under the federal Clean Water Act, 33 U.S.C. §§1251 et seq., or the federal Safe Drinking Water Act, 42 U.S.C. §§300f et seq., and including conditions or plans required by such permit;

- C. Minimizing impacts on wildlife corridors and fish passage, such as by using the practices described in Part (b) of Table NR-2 in Section 4.139.03; and
- D. Using the practices described in Part (c) of Table NR-2 in Section 4.139.03. [Section 4.118(.09) added by Ord. # 674 11/16/09]

Response: The proposed development is develop site to the above standards. Trees and vegetation removed will be mitigated with new vegetation and trees per code requirements. Development will have no impact on hydrological, water resources, wildlife corridors or fish passage.

Section 4.133.00. Wilsonville Road Interchange Area Management Plan (IAMP) Overlay Zone

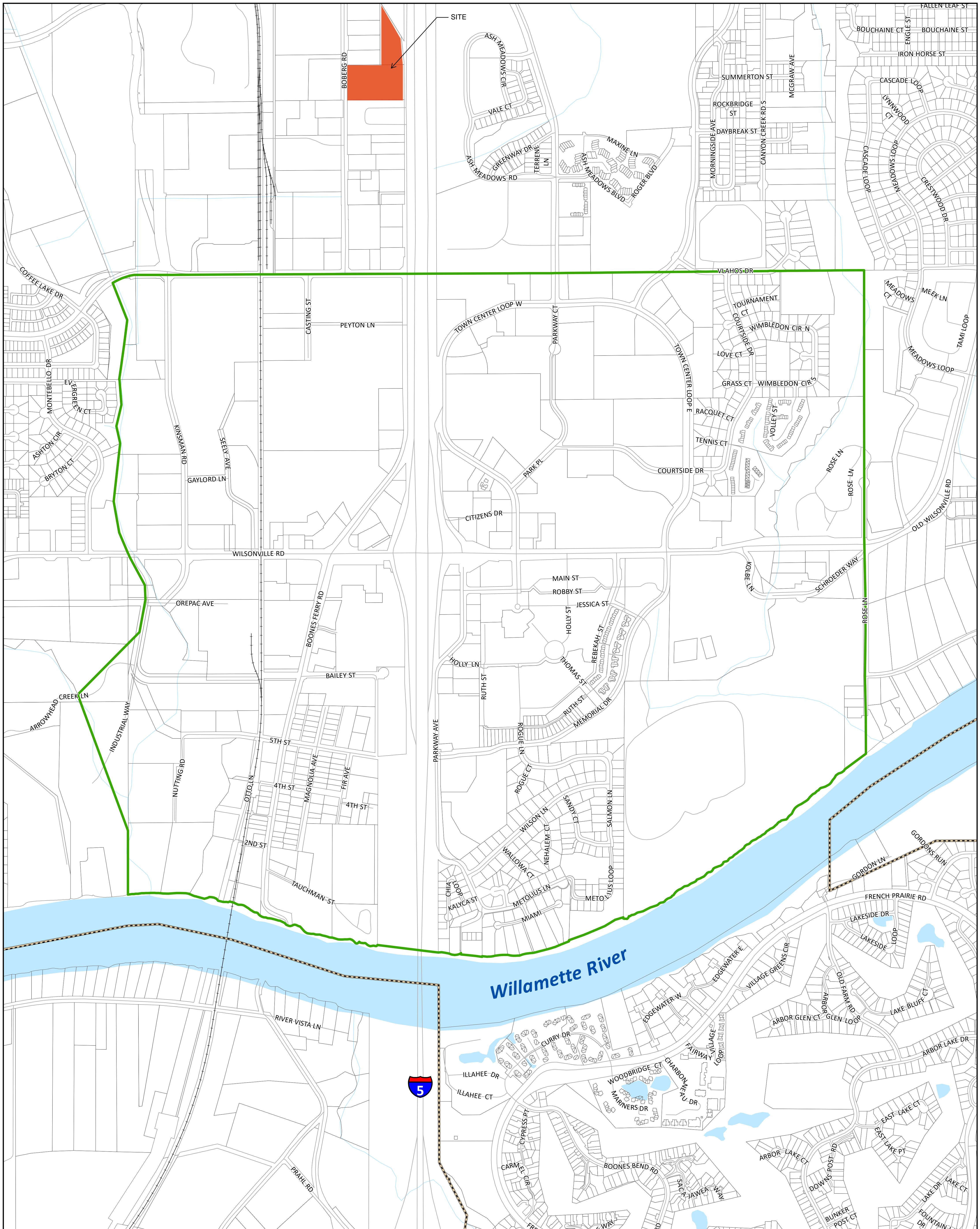
Section 4.133.01. Purpose

The purpose of the IAMP Overlay Zone is the long-range preservation of operational efficiency and safety of the Wilsonville Road Interchange, which provides access from and to Interstate 5 for residents and businesses in south Wilsonville. The Wilsonville Road Interchange is a vital transportation link for regional travel and freight movement and provides connectivity between the east and west side of the community. Preserving capacity and ensuring safety of this interchange and the transportation system in its vicinity is essential to existing businesses and residents in the southern parts of the city and to the continued economic and community growth and development in the vicinity of Wilsonville Road and the interchange.

Section 4.133.02. Where These Regulations Apply

The provisions of this Section shall apply to land use applications subject to Section 4.004, Development Permit Required, for parcels wholly or partially within the IAMP Overlay Zone, as shown on Figure I-1. Any conflict between the standards of the IAMP Overlay Zone and those contained within other chapters of the Development Code shall be resolved in favor of the Overlay Zone.





[Response: The proposed development is located outside the IAMP Overlay Zone. IAMP regulations to not apply to this site. See attached overlay zone map.](#)



Interchange Area Management Plan (IAMP) Overlay Zone



Map Legend

-  IMAP Overlay Zone Boundary
-  City Boundary
-  Urban Growth Boundary
-  Taxlots



This map is to be used in conjunction with written code provided in Section 4.133 of the Wilsonville Planning and Land Development Ordinance.

Disclaimer: The City of Wilsonville makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. Data errors and omissions may exist in map and report. This map is not suitable for legal, engineering, or surveying purposes. Please contact the City of Wilsonville Planning Division to verify report information is complete and accurate.



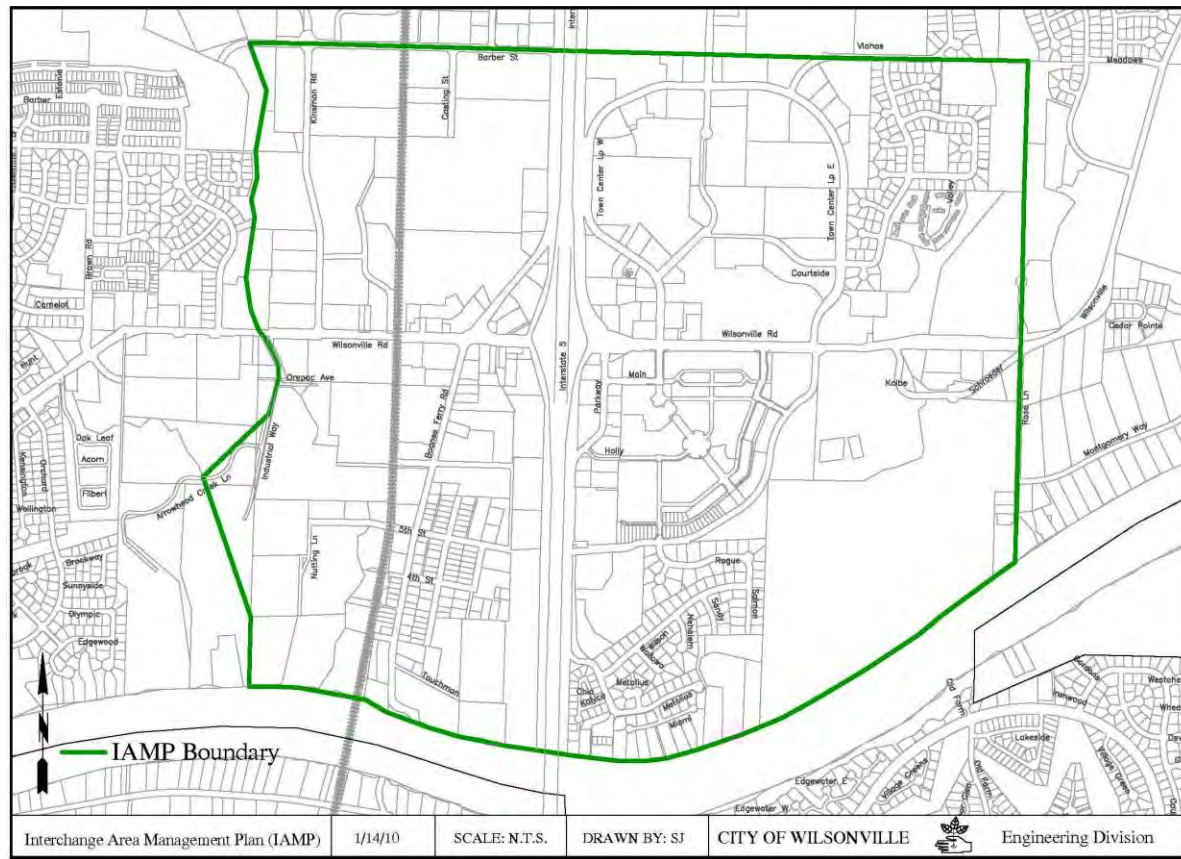


Figure I-1: Wilsonville Road Interchange Area Management Plan (IAMP) Overlay District Map

Section 4.133.03. Permitted Land Uses

Uses allowed in the underlying zoning districts are allowed subject to other applicable provisions in the Code and this Section.

Section 4.133.04. Access Management

In addition to the standards and requirements of Section 4.237 for land divisions and Street Improvement Standards in Section 4.177, parcels wholly or partially within the IAMP Overlay Zone are governed by the Access Management Plan in the Wilsonville Road Interchange Area Management Plan. The following applies to land use and development applications subject to Sections 4.133.02 Applicability. The provisions of Section 4.133.04 apply to:

- (.01) Development or redevelopment proposals for parcels two (2) acres or less that are subject to the requirements of Section 4.004 Development Permit.
- (.02) Planned Development applications, pursuant to Section 4.140, as part of Preliminary Approval (Stage One).
- (.03) Final Approval (Stage Two) Planned Development applications, pursuant to Section 4.140, to the extent that subsequent phases of development differ from the approved

preliminary development plan, or where one or more of the following elements are not identified for subsequent phases:

- A. Land uses.
- B. Building location.
- C. Building size.
- D. Internal circulation.

(.04) Access Approval.

- A. Access to public streets within the IAMP Overlay Zone shall be reviewed for consistency with the IAMP Access Management Plan.
- B. Approval of access to City streets within the IAMP Overlay Zone shall be granted only after joint review by the City and the Oregon Department of Transportation (ODOT). Coordination of this review will occur pursuant to Section 4.133.05(.02).
- C. Access approval is a Class II decision, pursuant to Section 4.030, and is based on the standards contained in this Section, the provisions in Section 4.177 and Section 4.237 of this Code, and the Access Management Plan in the Wilsonville Road Interchange Area Management Plan.
 - 1. Where the recommendations of the Access Management Plan conflict with other access and spacing requirements in Section 4.177 of this Code, the IAMP Access Management Plan shall govern.
 - 2. Where development proposals are inconsistent with the Access Management Plan, modifications to the Access Management Plan are required pursuant to (.03) in this Section.

(.05) Cross-access easements.

- A. Prior to approving access for tax lots that are identified in the Access Management Plan (see Table 3 and Figure 5 in the Wilsonville Road Interchange Area Management Plan), the City shall require that:
 - 1. The applicant demonstrate how cross access can be accomplished for sites contiguous to the subject property or properties, consistent with the circulation and planned local street network shown in the Interchange Area Management Plan;
 - 2. If access across an adjacent parcel or parcels is necessary for the development of the subject site, a signed cross-access agreement is submitted with the application; and,
 - 3. For applications reviewed as part of a subdivision approval process, necessary cross-access easements are shown and recorded on the final plat. Access widths shall consistent with City Public Works standards unless based on a Transportation Impact Analysis, developed pursuant to Section 4.133.05(.01) and approved by the City Engineer.

(.06) Access Management Plan Modifications.

- A. Recommended actions in the Access Management Plan are based on property configurations development application approvals and ownership existing at the time of the Wilsonville Road Interchange Area Management Plan's adoption. Lot consolidation and other land use actions may necessitate an amendment to the Access Management Plan. Modifications to the Access Management Plan:
1. May occur through agreement by the City of Wilsonville and ODOT and require an amendment to the Wilsonville Road Interchange Area Management Plan; and
 2. Will only be allowed if the proposed modifications meet, or move in the direction of meeting, the adopted access management spacing requirements in the Wilsonville Road Interchange Area Management Plan.

Section 4.133.05. Administration

Section 4.133.05 delineates the responsibilities of the City, in coordination with ODOT, to monitor and evaluate vehicle trip generation impacts on the Wilsonville Road Interchange from development approved under this Section.

(.01) Traffic Impact Analysis.

- A. Purpose. The purpose of this section of the code is to implement Section 660-012-0045 (2) (e) of the State Transportation Planning Rule that requires the City to adopt a process to apply conditions to development proposals in order to minimize adverse impacts to and protect transportation facilities. This section establishes the standards for when a proposal in the IAMP Overlay Zone must be reviewed for potential traffic impacts; when a Traffic Impact Analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a Traffic Impact Study; and who is qualified to prepare the Study.
- B. Typical Average Daily Trips. The latest edition of the Trip Generation Manual, published by the Institute of Transportation Engineers (ITE) shall be used as standards by which to gauge average daily vehicle trips, unless a specific trip generation study is approved by the City Engineer. A trip generation study could be used to determine trip generation for a specific land use which is not well represented in the ITE Trip Generation Manual and for which a similar facility is available to count.
- C. When required, a Traffic Impact Analysis shall be required to be submitted to the City with a land use application, when the following conditions apply:
1. The development application involves one or more of the following actions:
 - a. A change in zoning or a plan amendment designation; or
 - b. The development requires a Development Permit pursuant to Section 4.004; or

- c. The development may cause one or more of the following effects to access or circulation, which can be determined by site observation, traffic impact analysis or study, field measurements, and information and studies provided by the local reviewing jurisdiction and/or ODOT:
 - i. The location of the access driveway does not meet minimum intersection sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate, creating a safety hazard; or
 - ii. The location of the access driveway does not meet the access spacing standard of the roadway on which the driveway is located; or
 - iii. The location of the access driveway is inconsistent with the Wilsonville Road Interchange Area Management Plan Access Management Plan.
 - iv. A change in internal traffic patterns that may cause safety problems, such as back up onto the highway or traffic crashes in the approach area.
- D. Traffic Impact Analysis Requirements.
 - 1. Preparation. A Traffic Impact Analysis shall be prepared by a professional engineer under retainer to the city. The traffic analysis will be paid for by the applicant.
 - 2. Transportation Planning Rule Compliance. The traffic impact analysis shall be sufficient in detail to determine compliance with Oregon Administrative Rule (OAR) 660-012-0060.
 - 3. Traffic Impact Analysis Scoping. The applicant will coordinate with the Wilsonville City Engineer prior to submitting an application that requires a Traffic Impact Analysis. The City has the discretion to determine the required elements of the TIA and the level of analysis expected. Coordination with ODOT is advisable and is at the City's discretion.
- E. Approval Criteria.
 - 1. Criteria. When a Traffic Impact Analysis is required, approval of the development proposal requires satisfaction of the following criteria:
 - a. The Traffic Impact Analysis was prepared by a professional engineer selected by the City; and
 - b. If the proposed development meets the criteria in Section C, above, or other traffic hazard or negative impact to a transportation facility, the Traffic Impact Analysis shall include mitigation measures that meet the City's performance standards (i.e. Level-of-Service and/or Volume/Capacity ratio) and are satisfactory to the City Engineer and ODOT; and
 - c. The proposed site design and traffic and circulation design and facilities, for all transportation modes, including any mitigation measures, are designed to:

- i. Have the least negative impact on all applicable transportation facilities; and
 - ii. Accommodate and encourage non-motor vehicular modes of transportation to the extent practicable; and
 - iii. Make the most efficient use of land and public facilities as practicable; and
 - iv. Provide the most direct, safe and convenient routes practicable between on-site destinations, and between on-site and off-site destinations; and
 - v. Otherwise comply with applicable requirements of the City of Wilsonville's Development Code.
- F. Conditions of Approval. The City may deny, approve, or approve a development proposal with appropriate conditions.
1. Where the existing transportation system will be impacted by the proposed development, dedication of land for streets, transit facilities, sidewalks, bikeways, paths, or access ways may be required to ensure that the transportation system is adequate to handle the additional burden caused by the proposed use.
 2. Where the existing transportation system is shown to be burdened by the proposed use, improvements such as paving, curbing, installation or contribution to traffic signals, construction of sidewalks, bikeways, access ways, paths, or streets that serve the proposed use may be required.
 3. Where planned local street connectivity is required to improve local circulation for the betterment of interchange function, local street system improvements will be required.

(.02) Land Use Review Coordination.

- A. The City shall not deem the land use application complete unless it includes a Traffic Impact Analysis prepared in accordance with the requirements of this Section.
- B. The City shall provide written notification to ODOT when the application within ten (10) calendar days of receiving a complete Class II Permit application.
- C. ODOT shall have at least 20 calendar days, measured from the date completion notice was mailed, to provide written comments to the City. If ODOT does not provide written comments during this 20-day period, the City staff report will be issued without consideration of ODOT comments.

Section 4.133.06. Comprehensive Plan and Zoning Map Amendments

This Section applies to all Comprehensive Plan Map and Zoning Map amendments to parcels wholly or partially within the IAMP Overlay Zone.

- (.01) IAMP Amendment. If the proposed land use is inconsistent with the current Comprehensive Plan Map or Zoning Map land use designation the applicant will be

required to undertake a legislative process to amend and update the Wilsonville Road Interchange Area Management Plan in order to demonstrate that the proposed amendment will be consistent with the planned improvements in the Overlay Zone.

(.02) Transportation Planning Rule Requirements.

- A. Review of Applications for Effect on Transportation Facilities. A proposed comprehensive plan amendment, zone change or land use regulation change pertaining development within the IAMP Overlay Zone, whether initiated by the City or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – “TPR”). “Significant” means the proposal would:
1. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 2. Change standards implementing a functional classification system; or
 3. As measured at the end of the planning period identified in the adopted transportation system plan:
 - a. Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - b. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or
 - c. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.
- B. Amendments That Affect Transportation Facilities. Amendments to the comprehensive plan and land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP. This shall be accomplished by one or a combination of the following:
1. Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
 2. Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of Section -0060 of the TPR.
 3. Altering land use designations, densities, or design requirements to reduce demand for vehicle travel and meet travel needs through other modes of transportation.
 4. Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.

- C. Traffic Impact Analysis. A Traffic Impact Analysis shall be submitted with a plan amendment or zone change application. [See Section 4.133.05(.01) Traffic Impact Analysis]. [Section 4.133.00 – 4.133.06 added by Ord. 672, 11/16/09]

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.

Response: The development is proposed as a speculative flex building that would permit headquarters, office-technology, manufacturing and warehouse uses. These uses are consistent with the current land use designations and comprehensive plan.

- 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.

(.02) Lot Qualification.

- A. Planned Development may be established on lots which are suitable for and of a size to be planned and developed in a manner consistent with the purposes and objectives of Section 4.140.

Response: The developed property is a suitable established lot for the proposed use.

- B. Any site designated for development in the Comprehensive Plan may be developed as a Planned Development, provided that it is zoned "PD." All sites which are greater than two (2) acres in size, and designated in the Comprehensive Plan for commercial, residential, or industrial use shall be developed as Planned Developments, unless approved for other uses permitted by the Development Code. Smaller sites may also be developed through the City's PD procedures, provided that the location, size, lot configuration, topography, open space and natural vegetation of the site warrant such development.

Response: The site is over (2) acres and is developed as a Planned Development.

(.03) Ownership.

- A. The tract or tracts of land included in a proposed Planned Development must be in one (1) ownership or control or the subject of a joint application by the owners of all the property included. The holder of a written option to purchase, with written authorization by the owner to make applications, shall be deemed the owner of such land for the purposes of Section 4.140.

Response: The property is under one ownership.

- B. Unless otherwise provided as a condition for approval of a Planned Development permit, the permittee may divide and transfer units or parcels of any development. The transferee shall use and maintain each such unit or parcel in strict conformance with the approval permit and development plan.

Response: Division and transfer of units is not proposed with this development.

(.04) Professional Design.

- A. The applicant for all proposed Planned Developments shall certify that the professional services of the appropriate professionals have been utilized in the planning process for development.

Response: The owner has engaged appropriate professionals in the planning and design of the proposed addition including survey, geotechnical engineering, civil and landscape, architectural and structural design team members along with their commercial general contractor.

B. Appropriate professionals shall include, but not be limited to the following to provide the elements of the planning process set out in Section 4.139:

1. An architect licensed by the State of Oregon;

Principal Architect is Tara Lund with CIDA Inc., license ARI-4212

2. A landscape architect registered by the State of Oregon;

Response: Landscape Architect is Teresa Long with AAI, license LA0552

3. An urban planner holding full membership in the American Institute of Certified Planners, or a professional planner with prior experience representing clients before the Development Review Board, Planning Commission, or City Council; or

Response: Project planning services are being provided by CIDA Architects & Engineers and AAI Engineering, both with vast experience working with jurisdictions include the City of Wilsonville.

4. A registered engineer or a land surveyor licensed by the State of Oregon.

Civil Engineer is Craig Harris with AAI, license 58412PE

B. One of the professional consultants chosen by the applicant from either 1, 2, or 3, above, shall be designated to be responsible for conferring with the planning staff with respect to the concept and details of the plan.

Response: The project architects are designated as the primary point of contact for jurisdictional correspondence and coordination.

C. The selection of the professional coordinator of the design team will not limit the owner or the developer in consulting with the planning staff.

Response: The owner, Dave Nicoli, has directed correspondence and coordination with the City of Wilsonville.

(.05) Planned Development Permit Process.

A. All parcels of land exceeding two (2) acres in size that are to be used for residential, commercial or industrial development, shall, prior to the issuance of any building permit:

1. Be zoned for planned development;

2. Obtain a planned development permit; and

3. Obtain Development Review Board, or, on appeal, City Council approval.

Response: The subject parcel is greater than (2) acres and will go through/obtain the above approvals prior to issuance of the building permit.

B. Zone change and amendment to the zoning map are governed by the applicable provisions of the Zoning Sections, inclusive of Section 4.197

Response: The development proposes a zone change from RA-H to PDI.

D. Development Review Board approval is governed by Sections 4.400 to 4.450

Response: See response to Sections 4.400 – 4.450 below.

D. All planned developments require a planned development permit. The planned development permit review and approval process consists of the following multiple stages, the last two or three of which can be combined at the request of the applicant:

1. Pre-application conference with Planning Department;

Response: Pre-application conference was held on August 16th, 2018

2. Preliminary (Stage I) review by the Development Review Board. When a zone change is necessary, application for such change shall be made simultaneously with an application for preliminary approval to the Board; and

Response: Application for Stage 1 will be submitted prior to Stage 2. The intent is to start the process for zone change while finishing documents for Stage 2.

3. Final (Stage II) review by the Development Review Board

Response: Stage 2 will be submitted in April 2019.

4. In the case of a zone change and zone boundary amendment, City Council approval is required to authorize a Stage I preliminary plan.

Response: The development proposes a zone change from RA-H to PDI.

(.06) Staff Report:

A. The planning staff shall prepare a report of its findings and conclusions as to whether the use contemplated is consistent with the land use designated on the Comprehensive Plan. If there is a disagreement as to whether the use contemplated is consistent, the applicant, by request, or the staff, may take the preliminary information provided to the Development Review Board for a use interpretation.

B. The applicant may proceed to apply for Stage I - Preliminary Approval - upon determination by either staff or the Development Review Board that the use contemplated is consistent with the Comprehensive Plan.

(.07) Preliminary Approval (Stage One):

A. Applications for preliminary approval for planned developments shall:

1. Be made by the owner of all affected property or the owner's authorized agent; and

2. Be filed on a form prescribed by the City Planning Department and filed with said Department.

3. Set forth the professional coordinator and professional design team as provided in subsection (.04), above.

4. State whether the development will include mixed land uses, and if so, what uses and in what proportions and locations.

Response: The application is made by the owner on the approved form as provided following our pre-application conference and designates the professional design team and coordinator. The stage 1 masterplan indicates development on both lot 500 and 300. The development includes three speculative industrial/flex buildings. Each building will accommodate office-technology, manufacturing and warehouse. These building will be constructed in three separate phases.

- B. The application shall include conceptual and quantitatively accurate representations of the entire development sufficient to judge the scope, size, and impact of the development on the community; and, in addition to the requirements set forth in Section 4.035, shall be accompanied by the following information:
1. A boundary survey or a certified boundary description by a registered engineer or licensed surveyor.
 2. Topographic information as set forth in Section 4.035
 3. A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre.
 4. A stage development schedule demonstrating that the developer intends receive Stage II approval within two (2) years of receiving Stage I approval, and to commence construction within two (2) years after the approval of the final development plan, and will proceed diligently to completion; unless a phased development schedule has been approved; in which case adherence to that schedule shall be considered to constitute diligent pursuit of project completion.
 5. A commitment by the applicant to provide in the Final Approval (Stage II) a performance bond or other acceptable security for the capital improvements required by the project.
 6. If it is proposed that the final development plan will be executed in stages, a schedule thereof shall be provided.
 7. Statement of anticipated waivers from any of the applicable site development standards.

Response: The application package contains sufficient information for the stage 1 review.

- C. An application for a Stage I approval shall be considered by the Development Review Board as follows:
1. A public hearing as provided in Section 4.013.
 2. After such hearing, the Board shall determine whether the proposal conforms to the permit criteria set forth in this Code, and may approve or

disapprove the application and the accompanying preliminary development plan or require such changes therein or impose such conditions of approval as are in its judgment, necessary to ensure conformity to said criteria and regulations. In so doing, the Board may, in its discretion, authorize submission of the final development plan in stages, corresponding to different units or elements of the development. It shall do so only upon evidence assuring completion of the entire development in accordance with the preliminary development plan and stage development schedule.

3. A final decision on a complete application and preliminary plan shall be rendered within one hundred and twenty (120) days after the application is deemed complete unless a continuance is agreed upon by the applicant and the appropriate City decision-making body.
4. The determination of the Development Review Board shall become final at the end of the appeal period for the decision, unless appealed to the City Council in accordance with Section 4.022 of this Code.

Response: By way of this application we have prepared materials for the Design Review Board hearing.

(.09) Final Approval (Stage Two):

[Note: Outline Number is incorrect.]

- A. Unless an extension has been granted by the Development Review Board, within two (2) years after the approval or modified approval of a preliminary development plan (Stage I), the applicant shall file with the City Planning Department a final plan for the entire development or when submission in stages has been authorized pursuant to Section 4.035 for the first unit of the development, a public hearing shall be held on each such application as provided in Section 4.013.

Response: The application is for Stage Two will be submitted approximately 4 weeks later. This section of the code will be responded to accordingly.

- B. After such hearing, the Development Review Board shall determine whether the proposal conforms to the permit criteria set forth in this Code, and shall approve, conditionally approve, or disapprove the application.
- C. The final plan shall conform in all major respects with the approved preliminary development plan, and shall include all information included in the preliminary plan plus the following:
 1. The location of water, sewerage and drainage facilities;
 2. Preliminary building and landscaping plans and elevations, sufficient to indicate the general character of the development;
 3. The general type and location of signs;
 4. Topographic information as set forth in Section 4.035;
 5. A map indicating the types and locations of all proposed uses; and

6. A grading plan.
- C. The final plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the development or phase of development. However, Site Design Review is a separate and more detailed review of proposed design features, subject to the standards of Section 4.400.
- E. Copies of legal documents required by the Development Review Board for dedication or reservation of public facilities, or for the creation of a non-profit homeowner's association, shall also be submitted.
- E. Within thirty (30) days after the filing of the final development plan, the Planning staff shall forward such development plan and the original application to the Tualatin Valley Fire and Rescue District, if applicable, and other agencies involved for review of public improvements, including streets, sewers and drainage. The Development Review Board shall not act on a final development plan until it has first received a report from the agencies or until more than thirty (30) days have elapsed since the plan and application were sent to the agencies, whichever is the shorter period.
- G. Upon receipt of the final development plan, the Development Review Board shall conduct a public hearing and examine such plan and determine:
 1. Whether it conforms to all applicable criteria and standards; and
 2. Whether it conforms in all substantial respects to the preliminary approval; or
 3. Require such changes in the proposed development or impose such conditions of approval as are in its judgment necessary to insure conformity to the applicable criteria and standards.
- H. If the Development Review Board permits the applicant to revise the plan, it shall be resubmitted as a final development plan within sixty (60) days. If the Board approves, disapproves or grants such permission to resubmit, the decision of the Board shall become final at the end of the appeal period for the decision, unless appealed to the City Council, in accordance with Sections 4.022 of this Code.
- I. All Stage II Site Development plan approvals shall expire two years after their 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 (1) 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, and (2) payment of any and all Supplemental Street SDCs applicable to the development. Upon such payment, the development shall have vested traffic

generation rights under 4.140 (.10), provided however, that if the Stage II approval should expire, the vested right to use trips is terminated upon City repayment, without interest, of Supplemental Street SDCs. For purposes of this Ordinance, “substantial development” is deemed to have occurred if the required building permits or public works permits have been issued for the development, and the development has been diligently pursued, including the completion of all conditions of approval established for the permit. [Amended by Ord 561, adopted 12/15/03.]

- J. A planned development permit may be granted by the Development Review Board only if it is found that the development conforms to all the following criteria, as well as to the Planned Development Regulations in Section 4.140:
1. The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.
 2. That the location, design, size and uses are such that traffic generated by the development at the most probable used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D, as defined in the Highway Capacity Manual published by the National Highway Research Board, on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets. Immediately planned arterial and collector streets are those listed in the City’s adopted Capital Improvement Program, for which funding has been approved or committed, and that are scheduled for completion within two years of occupancy of the development or four year if they are an associated crossing, interchange, or approach street improvement to Interstate 5.
 - a. In determining levels of Service D, the City shall hire a traffic engineer at the applicant’s expense who shall prepare a written report containing the following minimum information for consideration by the Development Review Board:
 - i. An estimate of the amount of traffic generated by the proposed development, the likely routes of travel of the estimated generated traffic, and the source(s) of information of the estimate of the traffic generated and the likely routes of travel; [Added by Ord. 561, adopted 12/15/03.]
 - ii. What impact the estimate generated traffic will have on existing level of service including traffic generated by (1) the development itself, (2) all existing developments, (3) Stage II developments approved but not yet built, and (4) all developments that have vested traffic generation rights under section 4.140(.10), through the most probable used intersection(s), including state and county intersections, at the time of peak level of traffic. This analysis shall be conducted for each

- direction of travel if backup from other intersections will interfere with intersection operations. [Amended by Ord 561, adopted 12/15/03.]
- b. The following are exempt from meeting the Level of Service D criteria standard:
 - i. A planned development or expansion thereof which generates three (3) new p.m. peak hour traffic trips or less;
 - ii. A planned development or expansion thereof which provides an essential governmental service.
 - c. Traffic generated by development exempted under this subsection on or after Ordinance No. 463 was enacted shall not be counted in determining levels of service for any future applicant. [Added by Ord 561, adopted 12/15/03.]
 - d. Exemptions under 'b' of this subsection shall not exempt the development or expansion from payment of system development charges or other applicable regulations. [Added by Ord 561, adopted 12/15/03.]
 - e. In no case will development be permitted that creates an aggregate level of traffic at LOS "F". ([Added by Ord 561, adopted 12/15/03.]
3. That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.
- K. Mapping: Whenever a Planned Development permit has been granted, and so long as the permit is in effect, the boundary of the Planned Development shall be indicated on the Zoning Map of the City of Wilsonville as the appropriate "PD" Zone.
 - L. Adherence to Approved Plan and Modification Thereof: The applicant shall agree in writing to be bound, for her/himself and her/his successors in interest, by the conditions prescribed for approval of a development. 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.
 - M. 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.

- (.10) 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.]

Section 4.197. Zone Changes and Amendments To This Code – Procedures.

(.01) The following procedure shall be followed in applying for an amendment to the text of this Chapter:

- A. The Planning Commission shall conduct a public hearing on the proposed amendment at its earliest practicable meeting after it is proposed and shall, within forty (40) days after concluding the hearing, provide a report and recommendation to the City Council regarding the proposed amendment. The findings and recommendations of the Commission shall be adopted by resolution and shall be signed by the Chair-of the Commission.

[Response: Noted. Tax lot 300 and 500, Section 14A TS3 R1W are currently zoned RA-H and are proposed to be rezoned PDI.](#)

- B. In recommending approval of a proposed text amendment, the Planning Commission shall, at a minimum, adopt findings relative to the following:

1. That the application was submitted in compliance with the procedures set forth in Section 4.008; and
2. The amendment substantially complies with all applicable goals, policies and objectives set forth in the Comprehensive Plan; and
3. The amendment does not materially conflict with, nor endanger, other provisions of the - text of the Code; and
4. If applicable, the amendment is in compliance with Statewide Land Use Planning Goals and related administrative rules; and
5. If applicable, the amendment is necessary to ensure that the City's Land Use and Development Ordinance complies with mandated requirements of State or Federal laws and/or statutes.

[Response: No text amendment proposed.](#)

(.02) In recommending approval or denial of a proposed zone map amendment, the Planning Commission or Development Review Board shall at a minimum, adopt findings addressing the following criteria:

- A. That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125 (.18)(B)(2) or, in the case of a Planned Development, Section 4.140; and [Amended by Ord 557, adopted 9/5/03]

[Response: Application for zone change shall be submitted in accordance with all procedures.](#)

- B. That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text; and

Response: Tax lot 300 and 500, Section 14A TS3 R1W are currently located in the industrial zone indicated on the City of Wilsonville Comprehensive Plan. The site is proposed to be rezoned PDI, which is consistent with the industrial designation on the Comprehensive Plan map and complies with all applicable guidelines.

- C. In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measures 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text; and [Amended by Ordinance No. 538, 2/21/02.]

Response: Not applicable, these lots are not designated residential on the City of Wilsonville Comprehensive Plan.

- D. That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized; and

Response: Roadways and sidewalk improvements will be completed along the sites frontages as part of this development. A water line will be constructed within an easement to provide a looped fire flow. Existing public storm and sewer infrastructure is available to server the proposed development. All facilities will be adequately sized for this new development. Civil documents will be submitted in Stage (2).

- E. That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/or geologic hazard are located on or abut the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone and

Response: There are no Significant Resource Overlay Zone areas, natural hazards or geological hazards on this site or abutting this site.

- F. That the applicant is committed to a development schedule demonstrating that development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change; and

Response: Property development is expected to commence within (2) years. This site development is proposed in phases.

Phase (1): Construction estimated to begin August 2019

Phase (2): Construction to begin in 2024

Phase (3): Construction to begin in 2029

- G. That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached that insure that the project development substantially conforms to the applicable development standards.

Response: The proposed development will comply and conform to all applicable development standards. All proposed uses are allowed in PDI zones.

- H. Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property. The applicant shall demonstrate compliance with the Transportation Planning Rule, specifically by addressing whether the proposed amendment has a significant effect on the transportation system pursuant to OAR 660-012-0060. A Traffic Impact Analysis (TIA) shall be prepared pursuant to the requirements in Section 4.133.05.(01).

Response: A Transportation Impact Analysis was completed January 25, 2019. The proposed development demonstrates compliance with transportation standards. The recommended improvements to SW Boones Ferry Road will be coordinated with the City of Wilsonville. Report will be submitted in stage (2).

- (.03) If affirmative findings cannot be made for all applicable criteria listed above the Planning Commission or Development Review Board shall recommend that the proposed text or map amendment, as the case may be, be denied.

Response: Noted.

- (.04) City Council action approving a change in zoning shall be in the form of a Zoning Order.

Response: Noted.

- (.05) In cases where a property owner or other applicant has requested a change in zoning and the City Council has approved the change subject to conditions, the owner or applicant shall sign a statement accepting, and agreeing to complete the conditions of approval before the zoning shall be changed.

Response: Noted.

In the Matter of the Application of)
)
) ZONING ORDER NO.
 for a rezoning of land and amendment)
 of the City of Wilsonville Zoning Map)
 as incorporated in Section 4.102)
 of the Wilsonville Code)

The above-entitled matter is before the Council to consider the application of for a zone change and an order amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code, and

It appearing to the Council that the property which is the subject of this application is described as follows:

(Legal Description)

and such property has heretofore appeared on the official Zoning Map zoned as follows:

and the Council having heard and considered all matters relevant to the application, including the Planning Commission and/or Development Review Board resolution and minutes, finds that the application should be (approved/denied), and it is therefore,

(Incorporated Conditions)

ORDERED that the property above-described is hereby rezoned as follows:

and such rezoning be and the same 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.

The property subject to this Zoning Order is also subject to the Order of the City Council in respect thereto made.

DATED: This __ day of _____, 19__.

- Mayor

Approved as to form:

ATTEST:

City Recorder

City of Wilsonville, Oregon

by:

City Recorder

ALTA/NSPS LAND TITLE SURVEY

NICOLI PACIFIC, LLC
 IN LOTS 4 AND 5, "BOBERG"
 N.E. 1/4 OF SECTION 14
 T. 3 S., 1 W., W. M.
 CITY OF WILSONVILLE
 CLACKAMAS COUNTY, OREGON

OWNER: LEE H. AND MARION B. THOMPSON FOUNDATION

REQUESTED BY: TARA LUND
 CIDA, INC.
 FOR NICOLI PACIFIC, LLC

LEGAL DESCRIPTION

(PER TICOR TITLE COMPANY OF OREGON PRELIMINARY TITLE REPORT ORDER NO. 36261803916) EFFECTIVE DATE: JULY 16, 2018

PARCEL I

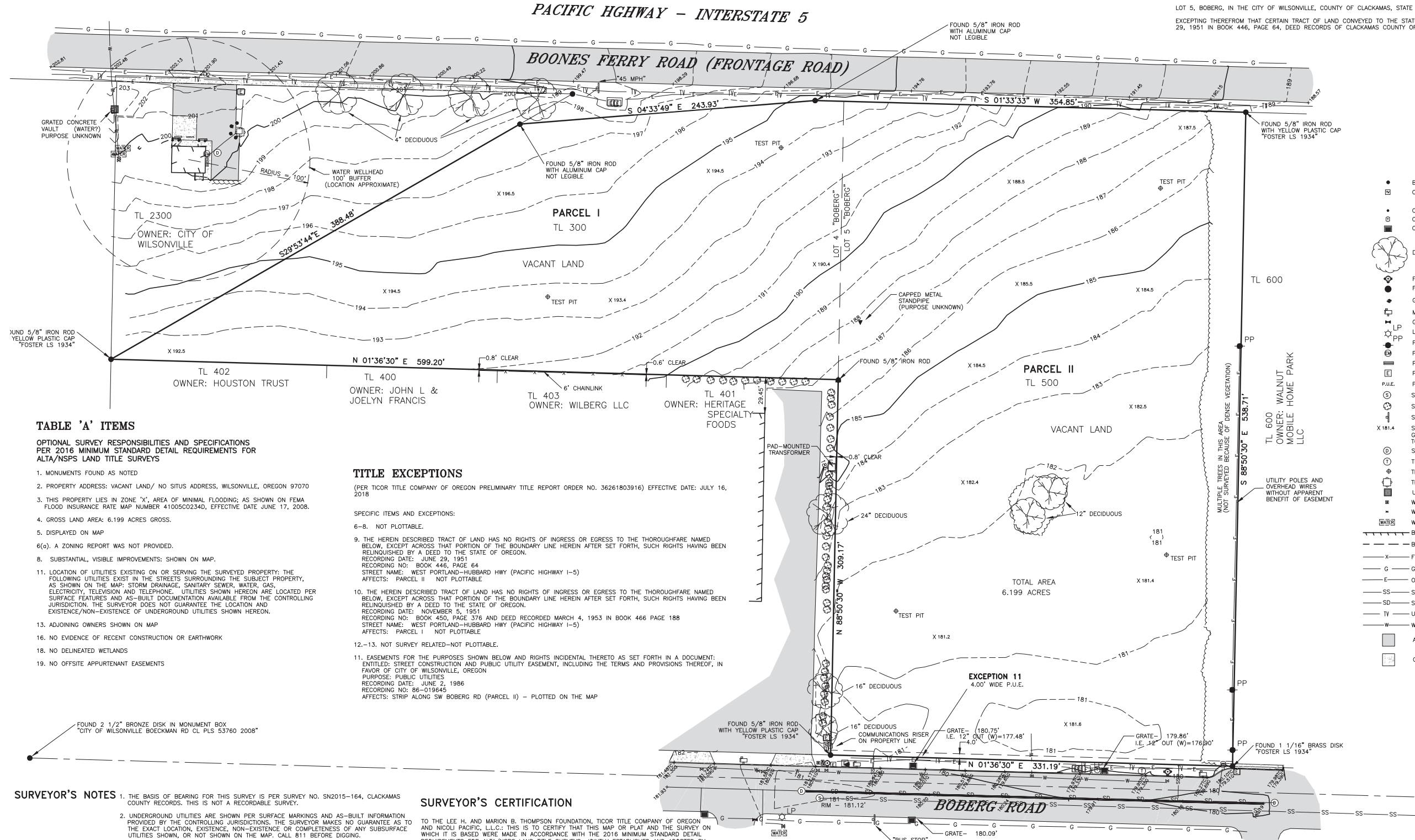
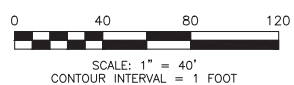
LOT 4, BOBERG, IN THE CITY OF WILSONVILLE, COUNTY OF CLACKAMAS, STATE OF OREGON

EXCEPTING THEREFROM THAT PORTION CONVEYED TO CLACKAMAS COUNTY FOR ROAD PURPOSES BY DEED RECORDED MARCH 12, 1914, IN BOOK 134, PAGE 423, DEED RECORDS; AND EXCEPTING THEREFROM THOSE PORTIONS CONVEYED TO THE STATE OF OREGON FOR HIGHWAY PURPOSES BY DEEDS RECORDED NOVEMBER 5TH, 1951, IN BOOK 450, PAGE 376, DEED RECORDS, AND MARCH 4, 1953 IN BOOK 466, PAGE 188, DEED RECORDS, CLACKAMAS COUNTY, OREGON

PARCEL II

LOT 5, BOBERG, IN THE CITY OF WILSONVILLE, COUNTY OF CLACKAMAS, STATE OF OREGON

EXCEPTING THEREFROM THAT CERTAIN TRACT OF LAND CONVEYED TO THE STATE OF OREGON BY DEED RECORDED JUNE 29, 1951 IN BOOK 446, PAGE 64, DEED RECORDS OF CLACKAMAS COUNTY OREGON



LEGEND

- BOLLARD
- ⊠ CABLE TELEVISION VAULT
- COLUMN COMMUNICATIONS RISER
- ⊞ CURB INLET
- ⊙ DECIDUOUS TREE
- ⊕ FIRE HYDRANT
- ⊙ FOUND MONUMENT AS NOTED
- ⊙ GPS OCCUPATION
- ⊞ MAILBOX
- ⊞ GAS VALVE
- ⊞ LIGHT POLE
- ⊞ POWER POLE
- ⊞ POWER METER
- ⊞ POWER PANEL
- ⊞ POWER VAULT
- ⊞ P.U.E. PUBLIC UTILITY EASEMENT
- ⊞ SANITARY SEWER MANHOLE
- ⊞ SHRUB
- ⊞ SIGN AS INDICATED
- ⊞ SPOT ELEVATION
- ⊞ TC TOP OF CURB
- ⊞ STORM SEWER MANHOLE
- ⊞ TELEPHONE MANHOLE
- ⊞ TEST PIT
- ⊞ TRANSFORMER
- ⊞ UTILITY VAULT
- ⊞ WATER METER
- ⊞ WATER VALVE
- ⊞ WATER VAULT
- ⊞ WATER
- ▬ BUILDING
- ▬ BUILDING OVERHANG
- ⊞ FENCE
- ⊞ GAS LINE
- ⊞ OVERHEAD POWER
- ⊞ SS SANITARY SEWER
- ⊞ SD STORM SEWER
- ⊞ TV UNDERGROUND TELEVISION
- ⊞ W WATER LINE
- ASPHALT
- CONCRETE

TABLE 'A' ITEMS

OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS PER 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS

1. MONUMENTS FOUND AS NOTED
2. PROPERTY ADDRESS: VACANT LAND/ NO SITUS ADDRESS, WILSONVILLE, OREGON 97070
3. THIS PROPERTY LIES IN ZONE 'X', AREA OF MINIMAL FLOODING; AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP NUMBER 41005C0234D, EFFECTIVE DATE JUNE 17, 2008.
4. GROSS LAND AREA: 6.199 ACRES GROSS.
5. DISPLAYED ON MAP
- 6(a). A ZONING REPORT WAS NOT PROVIDED.
8. SUBSTANTIAL, VISIBLE IMPROVEMENTS: SHOWN ON MAP.
11. LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY; THE FOLLOWING UTILITIES EXIST IN THE STREETS SURROUNDING THE SUBJECT PROPERTY, AS SHOWN ON THE MAP: STORM DRAINAGE, SANITARY SEWER, WATER, GAS, ELECTRICITY, TELEVISION AND TELEPHONE. UTILITIES SHOWN HEREON ARE LOCATED PER SURFACE FEATURES AND AS-BUILT DOCUMENTATION AVAILABLE FROM THE CONTROLLING JURISDICTION. THE SURVEYOR DOES NOT GUARANTEE THE LOCATION AND EXISTENCE/NON-EXISTENCE OF UNDERGROUND UTILITIES SHOWN HEREON.
13. ADJOINING OWNERS SHOWN ON MAP
16. NO EVIDENCE OF RECENT CONSTRUCTION OR EARTHWORK
18. NO DELINEATED WETLANDS
19. NO OFFSITE APPURTENANT EASEMENTS

TITLE EXCEPTIONS

(PER TICOR TITLE COMPANY OF OREGON PRELIMINARY TITLE REPORT ORDER NO. 36261803916) EFFECTIVE DATE: JULY 16, 2018

- SPECIFIC ITEMS AND EXCEPTIONS:
- 6-8. NOT PLOTTABLE.
 9. THE HEREIN DESCRIBED TRACT OF LAND HAS NO RIGHTS OF INGRESS OR EGRESS TO THE THOROUGHFARE NAMED BELOW, EXCEPT ACROSS THAT PORTION OF THE BOUNDARY LINE HEREIN AFTER SET FORTH, SUCH RIGHTS HAVING BEEN RELINQUISHED BY A DEED TO THE STATE OF OREGON.
 RECORDING DATE: JUNE 29, 1951
 RECORDING NO: BOOK 446, PAGE 64
 STREET NAME: WEST PORTLAND-HUBBARD HWY (PACIFIC HIGHWAY I-5)
 AFFECTS: PARCEL II NOT PLOTTABLE
 10. THE HEREIN DESCRIBED TRACT OF LAND HAS NO RIGHTS OF INGRESS OR EGRESS TO THE THOROUGHFARE NAMED BELOW, EXCEPT ACROSS THAT PORTION OF THE BOUNDARY LINE HEREIN AFTER SET FORTH, SUCH RIGHTS HAVING BEEN RELINQUISHED BY A DEED TO THE STATE OF OREGON.
 RECORDING DATE: NOVEMBER 5, 1951
 BOOK 450, PAGE 376 AND DEED RECORDED MARCH 4, 1953 IN BOOK 466 PAGE 188
 STREET NAME: WEST PORTLAND-HUBBARD HWY (PACIFIC HIGHWAY I-5)
 AFFECTS: PARCEL I NOT PLOTTABLE
 - 12.-13. NOT SURVEY RELATED-NOT PLOTTABLE.
 11. EASEMENTS FOR THE PURPOSES SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:
 ENTITLED: STREET CONSTRUCTION AND PUBLIC UTILITY EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN FAVOR OF CITY OF WILSONVILLE, OREGON
 PURPOSE: PUBLIC UTILITIES
 RECORDING DATE: JUNE 2, 1986
 RECORDING NO: 86-019645
 AFFECTS: STRIP ALONG SW BOBERG RD (PARCEL II) - PLOTTED ON THE MAP

SURVEYOR'S NOTES

1. THE BASIS OF BEARING FOR THIS SURVEY IS PER SURVEY NO. SN2015-164, CLACKAMAS COUNTY RECORDS. THIS IS NOT A RECORDABLE SURVEY.
2. UNDERGROUND UTILITIES ARE SHOWN PER SURFACE MARKINGS AND AS-BUILT INFORMATION PROVIDED BY THE CONTROLLING JURISDICTIONS. THE SURVEYOR MAKES NO GUARANTEE AS TO THE EXACT LOCATION, EXISTENCE, NON-EXISTENCE OR COMPLETENESS OF ANY SUBSURFACE UTILITIES SHOWN, OR NOT SHOWN ON THE MAP. CALL 811 BEFORE DIGGING.

BENCHMARK

THE BENCHMARK USED FOR THIS SURVEY IS AN OPUS GPS DERIVED ELEVATION ON A NAIL NEAR THE NW PROPERTY CORNER
 ELEVATION: 181.11' (NAVD 88)

SURVEYOR'S CERTIFICATION

TO THE LEE H. AND MARION B. THOMPSON FOUNDATION, TICOR TITLE COMPANY OF OREGON AND NICOLI PACIFIC, L.L.C.: THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-5, 6(a), 8, 11, 13, 16, 18 & 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 21, 2018.

SURVEYOR: ANTHONY B. RYAN, LS 58833
 DATE: SEPTEMBER 21, 2018

- STORM DRAIN MANHOLE
 RIM ELEV.: 181.45'
 I.E. 24" CMP IN (N)=176.18"
 I.E. 24" CMP OUT (S)=176.08"
- SANITARY SEWER MANHOLE
 RIM ELEV.: 181.12'
 I.E. 8" CONC. IN (N)=173.72"
 I.E. 8" CONC. OUT (S)=173.68"
- STORM DRAIN MANHOLE
 RIM ELEV.: 180.20'
 I.E. 24" CMP IN (N)=173.60"
 I.E. 24" CMP OUT (S)=173.37"
- SANITARY SEWER MANHOLE
 RIM ELEV.: 177.63'
 I.E. 8" CONC. IN (N)=169.46"
 I.E. 8" CONC. OUT (SE)=169.38"

REGISTERED PROFESSIONAL LAND SURVEYOR
 ANTHONY B. RYAN
 58833
 RENEWS: DECEMBER 31, 2018

WEDDLE SURVEYING INC.
 Excellence is our benchmark.
 6950 SW HAMPTON ST., STE. 170, TIGARD, OR 97223
 PH: (503) 941-9585 FAX: (503) 941-9640
 www.weddlesurveying.net

PROJECT INFO

SITE AREA:	TAX LOT 500: 171,206 SF TAX LOT 300: 88,794 SF TOTAL: 260,200 SF
BUILDING AREA:	96,000 SF
LANDSCAPING AREA:	
LANDSCAPING AREA REQUIREMENTS:	39,030 = 15%
LANDSCAPING AREA PROVIDED:	41,013 = 15.8%
PARKING COUNTS:	
PARKING SPACES REQUIRED:	175.2
PARKING SPACES PROVIDED:	242 TOTAL SPACES

**PRELIMINARY
PLAN
ONLY-NOT
FOR
CONSTRUCTION**

ISSUED DATE
1

CIDA
ARCHITECTURE
ENGINEERING
PLANNING
INTERIORS

15895 SW 72ND AVE SUITE 200
PORTLAND, OREGON 97224
TEL: 503.226.1285
FAX: 503.226.1670
WWW.CIDA1INC.COM

(NEW CONSTRUCTION)
INDUSTRIAL FOCUS
28000 BLK BOBURG RD
WILSONVILLE, OR 97070

MASTER PLAN

JOB NO. 180146.01
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1 MASTER PLAN
AO.1
1" = 50'-0"

E:\projects\180146.01 Industrial Focus\Current\AO.1 Master Plan.dwg Mar 22, 2018 - 8:20am

PROJECT INFO

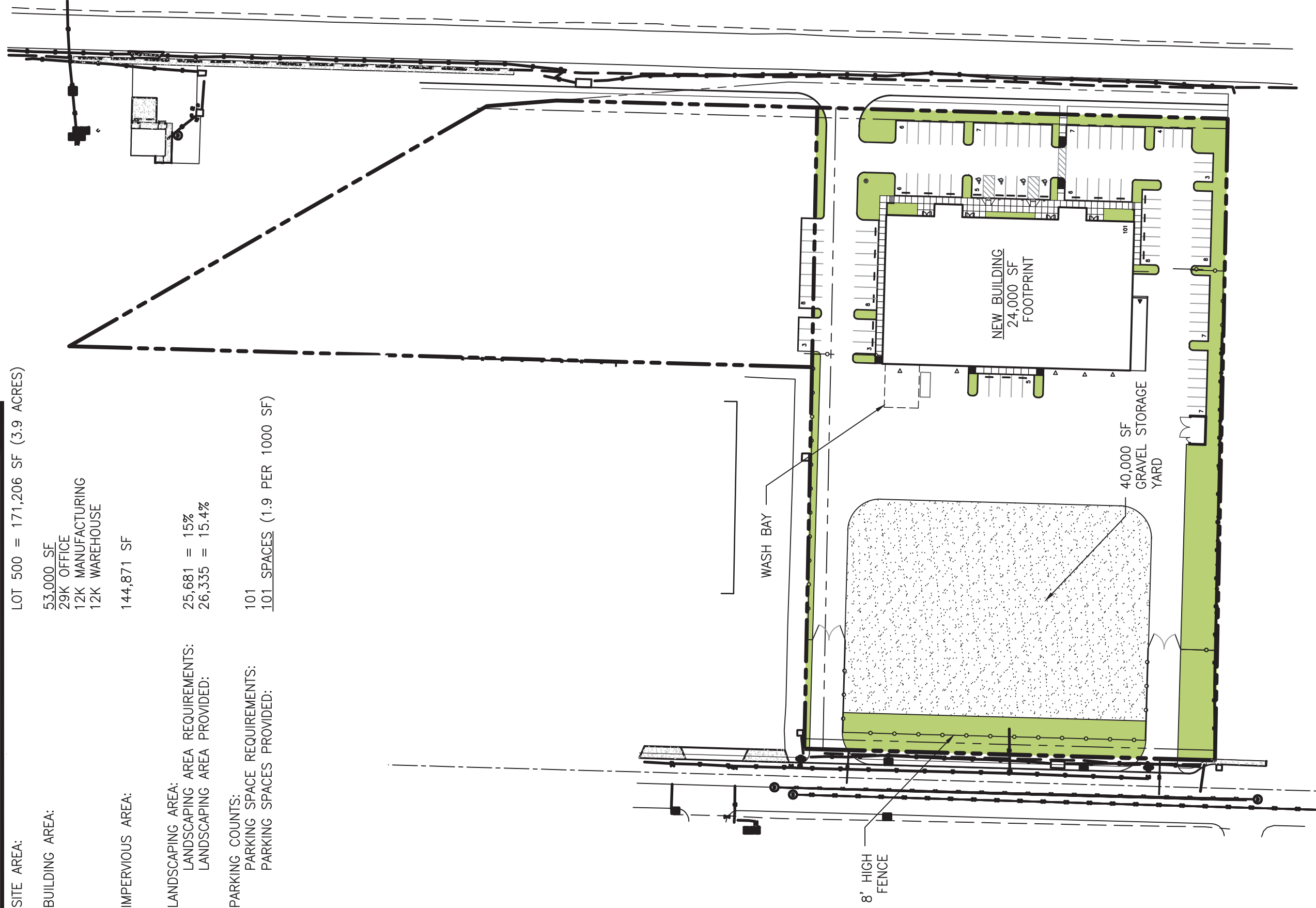
SITE AREA: LOT 500 = 171,206 SF (3.9 ACRES)

BUILDING AREA: 53,000 SF
 29K OFFICE
 12K MANUFACTURING
 12K WAREHOUSE

IMPERVIOUS AREA: 144,871 SF

LANDSCAPING AREA:
 LANDSCAPING AREA REQUIREMENTS: 25,681 = 15%
 LANDSCAPING AREA PROVIDED: 26,335 = 15.4%

PARKING COUNTS: 101
 PARKING SPACE REQUIREMENTS: 101 SPACES (1.9 PER 1000 SF)
 PARKING SPACES PROVIDED:



**INDUSTRIAL FOCUS
 WILSONVILLE, OREGON**

15895 SW 72ND AVE SUITE 200
 PORTLAND, OREGON 97224
 TEL: 503.226.1285
 FAX: 503.226.1670



EXHIBIT - SITE PLAN PHASE 1

SCALE: 1" = 80'-0"
 180146.01

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PROJECT INFO

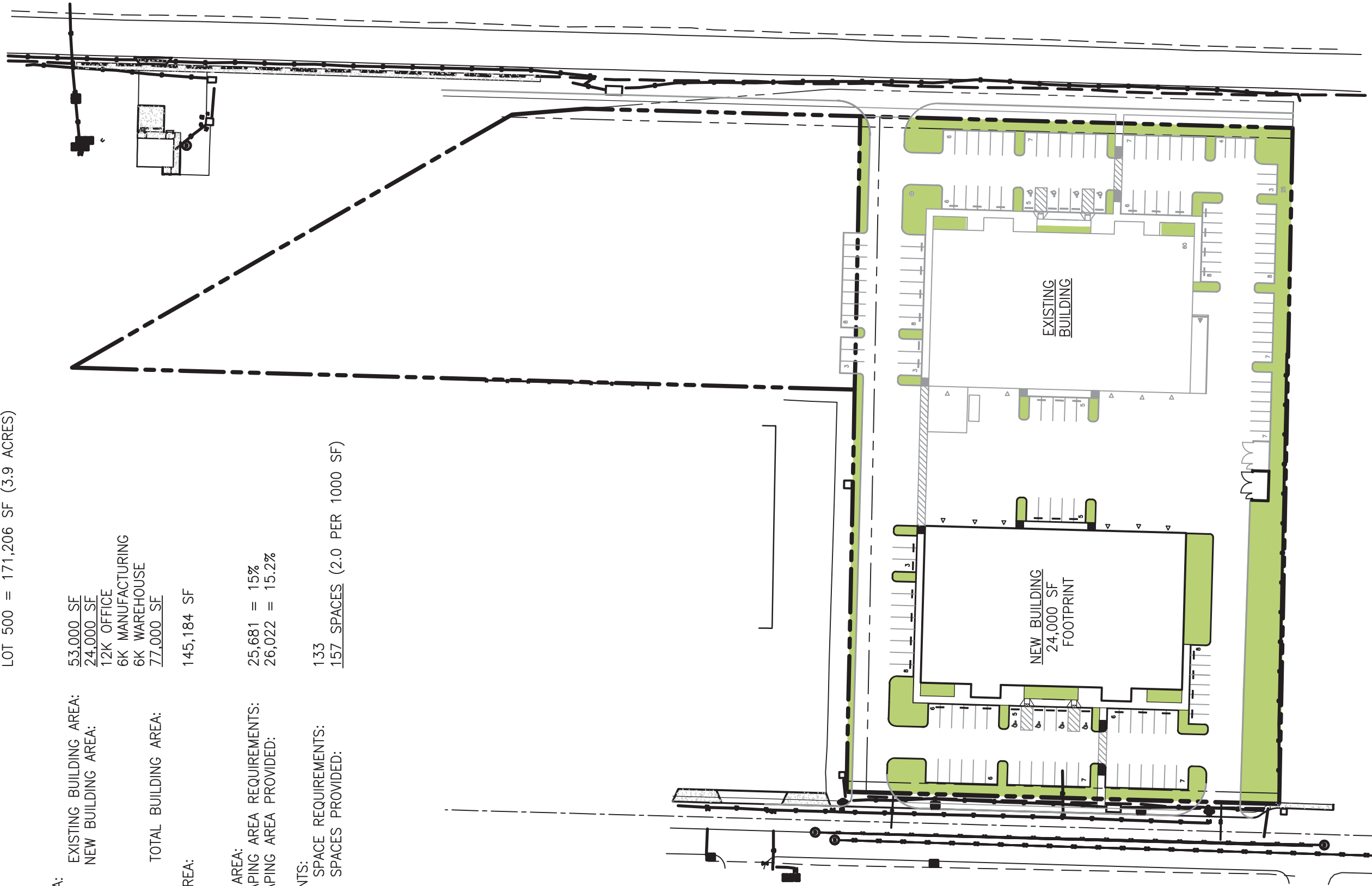
SITE AREA: LOT 500 = 171,206 SF (3.9 ACRES)

BUILDING AREA:
EXISTING BUILDING AREA: 53,000 SF
NEW BUILDING AREA: 24,000 SF
12K OFFICE
6K MANUFACTURING
6K WAREHOUSE
TOTAL BUILDING AREA: 77,000 SF

IMPERVIOUS AREA: 145,184 SF

LANDSCAPING AREA:
LANDSCAPING AREA REQUIREMENTS: 25,681 = 15%
LANDSCAPING AREA PROVIDED: 26,022 = 15.2%

PARKING COUNTS:
PARKING SPACE REQUIREMENTS: 133
PARKING SPACES PROVIDED: 157 SPACES (2.0 PER 1000 SF)



**INDUSTRIAL FOCUS
WILSONVILLE, OREGON**

15895 SW 72ND AVE SUITE 200
PORTLAND, OREGON 97224
TEL: 503.226.1285
FAX: 503.226.1670



EXHIBIT - SITE PLAN PHASE 2

SCALE: 1" = 80'-0"
180146.01

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PROJECT INFO

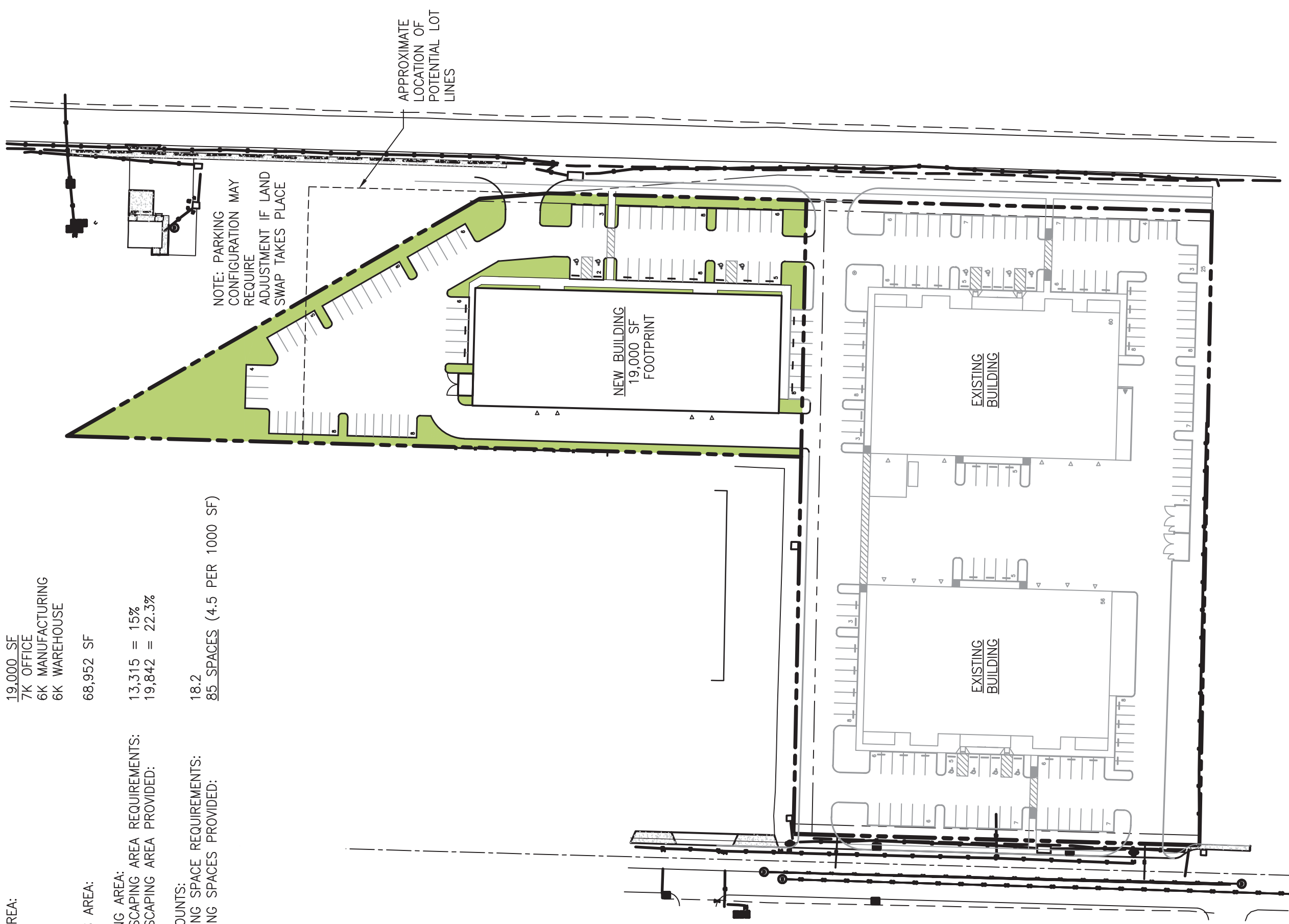
SITE AREA: LOT 300: 88,794 SF (2.0 ACRES)

BUILDING AREA: $\frac{19,000 \text{ SF}}{7\text{K OFFICE}}$
6K MANUFACTURING
6K WAREHOUSE

IMPERVIOUS AREA: 68,952 SF

LANDSCAPING AREA:
LANDSCAPING AREA REQUIREMENTS: 13,315 = 15%
LANDSCAPING AREA PROVIDED: 19,842 = 22.3%

PARKING COUNTS:
PARKING SPACE REQUIREMENTS: 18.2
PARKING SPACES PROVIDED: 85 SPACES (4.5 PER 1000 SF)



**INDUSTRIAL FOCUS
WILSONVILLE, OREGON**

15895 SW 72ND AVE SUITE 200
PORTLAND, OREGON 97224
TEL: 503.226.1285
FAX: 503.226.1670



EXHIBIT - SITE PLAN PHASE 3

SCALE: 1" = 80'-0"
180146.01

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**DEVELOPMENT REVIEW BOARD MEETING
MAY 13, 2019
6:30 PM**

VI. Public Hearing:

B. Resolution No. 363. Cherbourg Lane Street Vacation: Stacy Connery, AICP, Pacific Community Design, Inc. – Representative for Polygon at Villebois III LLC and Allen and Victor Chang – Petitioners. The applicant is requesting approval of a request for the City to vacate SW Cherbourg Lane right-of-way north of SW Berlin Avenue, Section 15AB, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Daniel Pauly

Case Files: DB19-0006 Street Vacation

The applicant has requested that this item be removed from the agenda to be heard at a future date.

**DEVELOPMENT REVIEW BOARD MEETING
MAY 13, 2019
6:30 PM**

VI. Public Hearing:

C. Resolution No. 364. Morgan Farm TUP: Margaret Lowe, Pahlisch Homes – Owner/Applicant. The applicant is requesting approval of a Five-Year Temporary Use Permit for a sales office, temporary parking lot and model home in the Morgan Farm Subdivision. The Subject Property Is Located At 7210 and 7218 SW Bay Lane on Tax Lots 100 and 200 Of Section 12DC, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Kimberly Rybold

Case File: DB19-0017 Five-Year Temporary Use Permit

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 364**

A RESOLUTION ADOPTING FINDINGS AND CONDITIONS APPROVING A FIVE-YEAR TEMPORARY USE PERMIT FOR A SALES OFFICE, TEMPORARY PARKING LOT AND MODEL HOME IN THE MORGAN FARM SUBDIVISION. THE SUBJECT PROPERTY IS LOCATED AT 7210 AND 7218 SW BAY LANE ON TAX LOTS 100 AND 200 OF SECTION 12DC, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. MARGARET LOWE, PAHLISCH HOMES – OWNER/APPLICANT.

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

WHEREAS, the Planning Staff has prepared a staff report on the above-captioned subject dated May 6, 2019, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on May 13, 2019, 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 6, 2019, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB19-0017 Five-year temporary use permit for sales office and model home and associated improvements on Lots 1 and 2 of the Morgan Farm subdivision.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 13th day of May, 2019 and filed with the Planning Administrative Assistant on _____. 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)*.

Joann Linville – Chair, Panel A
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant



Exhibit A1
Staff Report
Temporary Sales Office and Model Home-Morgan Farm

Development Review Board Panel 'A'
Quasi-Judicial Public Hearing

Hearing Date: May 13, 2019

Date of Report: May 6, 2019

Application Nos.: DB19-0017 5-Year Temporary Use Permit

Request/Summary: The applicant requests the Development Review Board review a 5-Year Temporary Use Permit for Sales Office and Model Home in the Morgan Farm subdivision.

Location: 7210 and 7218 SW Bay Lane. The property is specifically known as Tax Lots 100 and 200, Section 12DC, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon

Owner/Applicant: Margaret Lowe, Pahlisch Homes

Comprehensive Plan Designation: Residential Neighborhood

Zone Map Classification: RN (Residential Neighborhood)

Staff Reviewer: Kimberly Rybold, AICP, Associate Planner

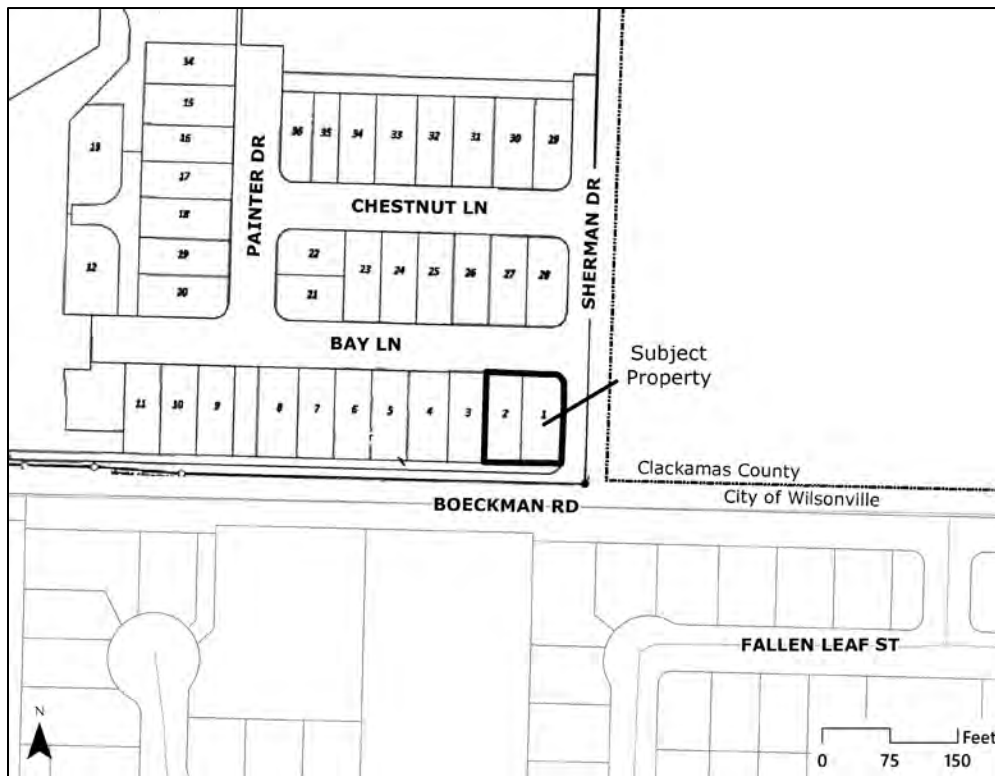
Staff Recommendation: Approve with conditions the requested 5-Year Temporary Use Permit.

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
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.113	Standards Applying to Residential Development in All Zones
Section 4.127	Residential Neighborhood (RN) Zone
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking

Sections 4.156.01 through 4.156.11	Signs
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Sections 4.400 through 4.440 as applicable	Site Design Review
<u>Comprehensive Plan and Sub-elements:</u>	
Frog Pond West Master Plan	

Vicinity Map



Background/Summary:

Pahlisch Homes seeks a 5-year temporary use permit for a sales office and model home to sell homes in the Morgan Farm subdivision. The sales office will be in the model home on Lot 1. The applicant proposes a five-space temporary parking lot on Lot 2 to serve this model home and sales office. The applicant will also install a temporary concrete walkway to connect the parking lot and sales office/model home. Pahlisch Homes expects that within five years or less all of the

homes in the subdivision will sell, at which point the sales office will be converted back into a garage and a home will be built on Lot 2.

Public Comments and Responses:

None Received

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 approve the proposed application (DB19-0017) with the following conditions:

Planning Division Conditions:

Request: DB19-0017 Five-Year Temporary Use Permit

PD 1.	All construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. The Planning Division may approve Minor alterations through the Class I Administrative Review process.
PD 2.	The access aisle for the required ADA parking shall be at least eight feet wide on the passenger side of the ADA space, consistent with the requirements of the Oregon Transportation Commission.
PD 3.	The applicant shall provide at least two bicycle parking spaces meeting the access, spacing, and other standards in Section 4.155.
PD 4.	The applicant shall obtain a sign permit pursuant to the standards of Section 4.156.09 for any proposed signs not exempted from sign permit requirements as noted in Section 4.156.05.
PD 5.	The applicant or their successors shall convert the sales office/model home to a for-sale single-family home within 5 years of the date of decision. The applicant or their successors shall remove the parking lot within 5 years of the date of decision.

Master Exhibit List:

The Development Review Board hereby enters the following Exhibits into the public record as confirmation of its consideration of the application, as submitted. The exhibit list includes exhibits for Planning Case File DB19-0017. The exhibit list below reflects the electronic record posted on the City’s website and retained as part of the City’s permanent electronic record. Any inconsistencies between printed or other electronic versions of the same exhibits are inadvertent and the version on the City’s website and retained as part of the City’s permanent electronic record shall be controlling for all purposes.

Planning Staff Materials

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

Materials from Applicant

- B1. Land Use Application Form
- B2. Applicant’s Narrative
- B3. Drawings and Plans

Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The applicant submitted a complete application on April 18, 2019. The City must render a final decision for the request, including any appeals, by August 16, 2019.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	RN	Residential (under construction)
East:	RRFF-5	School/Agriculture
South:	RA-H, PDR-4	Boeckman Road, Single-family residential
West:	RN	Residential (under construction)

3. Previous City Planning Approvals:

DB18-0015 et seq – Morgan Farm Annexation, Zone Map Amendment, Stage I Master Plan, Stage II Final Plan, Site Design Review, Tentative Subdivision Plat, Type C Tree Removal Plan, SRIR Review, SROZ Boundary Verification
 AR18-0031 – Class I Review of Modifications to Lots, Open Space Landscaping, Stormwater Management
 AR18-0047 – Morgan Farm Phase 1 Final Plat

4. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

Findings:

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

General Information

Application Procedures-In General Section 4.008

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

Initiating Application Section 4.009

The property owner, Pahlisch Homes, initiated the application.

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: DB19-0017 Five-Year Temporary Use Permit

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

Residential Neighborhood Zone

Permitted Uses

Subsection 4.127 (.02)

1. The Residential Neighborhood zone does not explicitly permit commercial development, such as sales offices. Section 4.163 allows for approval of temporary uses not otherwise allowed, which is the request of the applicant.

Accessory Uses

Subsection 4.127 (.03)

2. The temporary use for sales and display of new homes is accessory to the planned residential subdivision, subject to review pursuant to Section 4.163.

Lot Development Standards

Subsection 4.127 (.08)

3. The proposed sales office will be within the garage of a dwelling that is currently under construction, and which meets the setbacks of the Residential Neighborhood zone. Modifications to the structure necessary for its use as a sales office will be reviewed as a part of required building permits.

On-site Pedestrian Access and Circulation

Continuous Pathway System

Subsection 4.154 (.01) B. 1.

4. The planned walkway will provide a continuous path between the parking area and sales office/model home.

Safe, Direct, Convenient Pathways

Subsection 4.154 (.01) B. 2.

5. The planned walkway will provide a smooth and consistent surface and will be free from hazards, provide direct connections between the parking and sales office/model home, and is required to meet ADA access standards.

Vehicle/Pathway Separation

Subsection 4.154 (.01) B. 3.

6. The walkway is separated from vehicle circulation areas.

Crosswalks

Subsection 4.154 (.01) B. 4.

7. The applicant does not propose new crosswalks across private parking areas or driveways.

Pathway Width and Surface

Subsection 4.154 (.01) B. 5.

8. The planned walkway is five feet wide and will be constructed of concrete.

Parking

General Parking Provisions

Subsection 4.155 (.02)

9. The applicant has provided sufficient information demonstrating compliance with the applicable provisions in this subsection. Staff specifically notes the following:
 - In relation to provision A. the applicant has not requested any waivers to parking standards
 - In relation to provision B. all proposed parking is accessible by vehicles for parking.
 - In relation to provision D. parking is calculated summing the requirements of different uses and considering existing parking.
 - In relation to provision O. all planting areas that vehicles may overhang are 7 feet or greater in depth.

Functional Design of Parking Areas

Subsection 4.155 (.03) A.

10. The proposed parking area is accessible and have sufficient pavement area around them for maneuvering into the parking stalls. The applicant does not propose any loading/delivery areas. Vehicle parking and pedestrian areas are separated.

Parking Area Landscaping

Subsection 4.155 (.03) B. 1.-3.

11. The applicant proposes parking on a temporary compacted gravel driveway surface on Lot 2. Given the temporary nature of the parking lot and the narrow width of Lot 2, landscaping meeting the standards of this subsection is not required.

Safe and Convenient Access, ADA Requirement

Subsection 4.155 (.03) C.

12. The proposed design provides one ADA space with a five-foot access aisle surrounding the space. Condition of Approval PD 2 insures ADA accessibility requirements, including an eight-foot-wide access aisle on the passenger side of the space, are met at the time of building permit review for the sales office.

Connectivity to Adjacent Parking Areas and Efficient On-site Circulation
Subsection 4.155 (.03) D.

13. No need exists to connect with parking on adjacent sites as the parking lot site and adjacent properties will be developed as single-family homes. The on-site parking is of a typical design on a flat site that will allow efficient on-site circulation.

Parking Requirements
Subsection 4.155 (.03) G.

14. Per Table 5, office uses require 2.7 spaces per 1,000 sq. ft. of floor area. As such, the 462-square-foot sales office requires a total of two spaces. Section 4.155 does not specify a required parking ratio for model home uses. Staff's research shows a variety of approaches used for model homes. Many, but not all, have used the entire square footage of the model homes as commercial space. Based on experience at other model home complexes, this amount exceeds what is necessary to serve a model home temporary use. Other approvals consider model homes the same as single-family homes. Generally, garages meet single-family home parking requirements, but are blocked off in model homes. Applying this standard, one additional parking space is required for a total of three spaces. The applicant provides five parking spaces, including one ADA space.

Bicycle Parking Requirements
Subsection 4.155 (.04)

15. Table 5 establishes a minimum bicycle parking requirement of two spaces for office use. There is no minimum requirement for single-family homes. The applicant has not indicated bicycle parking. Condition of Approval PD 3 ensures provision of the required bicycle parking.

Signs

Exempt Signs
Subsection 4.156.05 (.03) G.

16. The applicant's site plan illustrates three proposed signs in front of the model home but the applicant has not provided additional detail on the type and size of these signs. Signs listed under Section 4.156.05 are exempt from sign permit requirements, including some lawn signs and rigid signs. Condition of Approval PD 4 ensures that a sign permit is obtained pursuant to the standards of Section 4.156.09 for any proposed signs not meeting the requirements of this section.

Temporary Structures and Uses

Temporary Use Permits-Temporary Use for Uses Not Otherwise Conforming Subsection 4.163 (.01)

17. While the Residential Neighborhood zone permits some commercial development subject to approval of a conditional use permit, it does so only in locations master planned for the use. The Frog Pond West Master Plan and land use approvals for the subject properties do not allow commercial uses. Thus, the applicant requests a temporary use to allow a temporary commercial use on residential land.

Temporary Use Permits-Temporary Use Does Not Involve Substantial Structures Subsection 4.163 (.01)

18. While the proposed temporary use will utilize a single-family home structure planned for the subject lots, the applicant does not propose any substantial structures not planned for eventual approved single-family use.

Temporary Use Permits-Revocable, Renewable Permit up to Five Years Subsection 4.163 (.01)

19. The applicant requests a five-year temporary use permit to allow for a flexible time frame as the time to sell all the lots and homes the use will be used to market is uncertain. The applicant understands the permit is revocable upon violations of the approval. The current request is the applicant's first request. The applicant does not anticipate needing to renew the application beyond the five-year timeframe.

Application Requirements, Restoration to Pre-TUP Conditions Subsection 4.163 (.02)

20. The applicant has submitted the required information including a clear description of the planned use, a statement the duration is up to five years (approximately two years), and a site plan (see Exhibit B3). Condition of Approval PD 5 will ensure restoration of the site to pre-TUP conditions or to conditions as a single-family home subject to the approval of the Morgan Farm subdivision.

Good Cause for Temporary Use, Factors and Considerations Subsections 4.163 (.01) and (.03)

21. **Availability of Appropriate Zoned Land:** While sufficient commercial land and tenant spaces exist in the City for real estate sales offices, it is typical to have an on-site sales office as part of a model home in a new large subdivision. Such uses have existed elsewhere in residential subdivisions.
Availability of and need of property for allowed used: Upon conclusion of the temporary use, the applicant will convert the subject lots to single-family homes for sale, which is the approved use.

Market Conditions, etc.: No market conditions are in play in terms of their being a lack of appropriately zoned land; the use is simply complementary to the allowed use during the sale of lots and homes in the adjacent subdivision.

Due diligence to relocate use: Not applicable. The use is only necessary during the sale of lots and homes in the adjacent subdivision.

Circumstances of applicant: The applicant owns the adjacent land on which they are developing single-family homes. They wish to increase their effectiveness of marketing and provide greater convenience for customers by providing an on-site sales office along with a model home.

Other: The proposed temporary use is a typical limited duration accessory use for new residential subdivisions.

Other Development Standards

Landscape Standards and Compliance

Section 4.176

22. The applicant will install landscaping in front of the model home. Given the temporary nature of the parking lot and the narrow width of Lot 2, landscaping meeting the standards of this subsection is not for the parking area.

Mixed Solid Waste and Recyclables Storage

Section 4.179

23. The temporary use will utilize residential containers and a typical residential pick-up schedule for solid waste and recyclables.

Outdoor Lighting

Sections 4.199.20

24. The applicant does not propose any additional outdoor lighting. Certain pathway lighting and entry way lighting is exempt. If the applicant wishes to add anything but exempt lighting, additional review by the City will be necessary.

Underground Utility Installation

Sections 4.300-4.320

25. The applicant must install all new utilities associated with the temporary use underground. The submitted materials do not indicate any overhead utilities.



Planning Division
Development Permit Application

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175

A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements

Pre-Application Meeting Date: _____

Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.

29799 SW Town Center Loop E, Wilsonville, OR 97070
Phone: 503.682.4960 Fax: 503.682.7025
Web: www.ci.wilsonville.or.us

Applicant:

Name: _____
Company: _____
Mailing Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____
E-mail: _____

Authorized Representative:

Name: Margaret Lowe
Company: Pahlisch Homes
Mailing Address: 210 SW Wilson Ave, Suite 100
City, State, Zip: Bend, OR 97702
Phone: 541.385.6762 X163 Fax: _____
E-mail: margaretl@pahlisch.com

Property Owner:

Name: _____
Company: _____
Mailing Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____
E-mail: _____

Property Owner's Signature:

[Handwritten Signature]
Printed Name: _____ Date: _____

Applicant's Signature: (if different from Property Owner)

[Handwritten Signature: Margaret Lowe]
Printed Name: Margaret Lowe Date: 04/12/19

Site Location and Description:

Project Address if Available: _____ Suite/Unit _____
Project Location: _____
Tax Map #(s): _____ Tax Lot #(s): _____ County: [] Washington [] Clackamas

Request:

Project Type: Class I [] Class II [] Class III []

[] Residential [] Commercial [] Industrial [] Other: _____

Application Type(s):

- [] Annexation [] Appeal [] Comp Plan Map Amend [] Parks Plan Review
[] Final Plat [] Major Partition [] Minor Partition [] Request to Modify
[] Plan Amendment [] Planned Development [] Preliminary Plat Conditions
[] Request for Special Meeting [] Request for Time Extension [] Signs [] Site Design Review
[] SROZ/SRIR Review [] Staff Interpretation [] Stage I Master Plan [] Stage II Final Plan
[] Type C Tree Removal Plan [] Tree Permit (B or C) [] Temporary Use [] Variance
[] Villebois SAP [] Villebois PDP [] Villebois FDP [] Other (describe)
[] Zone Map Amendment [] Waiver(s) [] Conditional Use

From: [Margaret Lowe](#)
To: [Rybold, Kim](#)
Cc: [Seth Waldron](#); [Mike Morse](#)
Subject: RE: Morgan Farm Lot 1 Addendum (Model Home)
Date: Friday, April 12, 2019 1:41:14 PM
Attachments: [image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image004.png](#)
[image005.png](#)
[Temp Sales Office Site Plan.pdf](#)
[Development Permit Application.pdf](#)
[1.pdf](#)
[3-Main Floor Plan \(Sales Office\).pdf](#)
Importance: High

Hello Kim,

We wanted to check with you before submitting this so we don't have to go in twice, unless we can just submit through email? We are okay if you have copy fees to be able to submit through email.

This will be everything that we need to submit. Please see attached and below with our responses.

Please let us know if we can move forward at your earliest convenience. This is our top priority right now.

Thank you so much!

Applications for Temporary Use Permits shall provide:

- A. A clear description of the proposed temporary structure/use and the reasons why a temporary structure/use is necessary at this location for the requested time period.
- B. A statement of the expected duration of the temporary use/structure, together with documentation supporting the proposed date for termination of the temporary use/structure
- C. A site plan showing the location of the proposed use/structure, access, associated parking, pedestrian connections to the greater site if appropriate, lighting, signage and landscaping.
- D. A plan for removal of the temporary use/structure and restoration of the site to pre-TUP conditions or development of the site for approved permanent structures/uses.

RESPONSES:

- A. **The temporary sales office is a nonstructural partition within the garage of the referenced home and will be used for sales agents to work out of as they assist prospective home buyers within the Morgan Farms community.**
- B. **The temporary sales office will be vacated on 5/1/2021 and converted to the original/approved garage.**
- C. **See attached site plan depicting all of the requested information.**
- D. **In addition to the permanent single family residence that is approved on this lot (which shows both the permanent structure as well as final site plan), please see notes on temp sales office site plan for removal of the temporary walkways, parking, landscaping & signage.**



MARGARET LOWE
CAD Permit Technician

o: 541.385.6762 x 163
a: 210 SW Wilson Ave. Suite 100, Bend, Oregon 97702



From: Rybold, Kim <rybold@ci.wilsonville.or.us>
Sent: Tuesday, April 09, 2019 10:24 AM
To: Margaret Lowe <MargaretL@pahlisch.com>
Subject: RE: Morgan Farm Lot 1 Addendum (Model Home)

To apply for a TUP for the model home with a sales office, you will need to provide a completed and submittal of the information noted in our regulations for [temporary structures and uses](#). As I suspect this use would continue for more than 120 days, the application would go before our Development Review Board for approval. The fee for this review is \$1,816, to be paid at the time of application. Once we have a completed application package, this typically takes about 60 days to process, including the DRB hearing.

Kimberly Rybold, AICP
Associate Planner
City of Wilsonville

503.570.1583
rybold@ci.wilsonville.or.us
www.ci.wilsonville.or.us



29799 SW Town Center Loop East, Wilsonville, OR 97070

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From: Margaret Lowe <MargaretL@pahlisch.com>
Sent: Monday, April 08, 2019 4:49 PM
To: Rybold, Kim <rybold@ci.wilsonville.or.us>
Subject: FW: Morgan Farm Lot 1 Addendum (Model Home)

Good afternoon Kim,

We do have the parking plot plan mapped out now, see attached. We will have the temp sales office for more than 120 days I found out. So what do I need to do to get this started for review?



MARGARET LOWE
CAD Permit Technician

o: 541.385.6762 x 163
a: 210 SW Wilson Ave. Suite 100, Bend, Oregon 97702

From: Zach Jacobe <zachj@pahlisch.com>
Sent: Monday, April 08, 2019 8:51 AM
To: Margaret Lowe <MargaretL@pahlisch.com>
Cc: Seth Waldron <sethw@pahlisch.com>
Subject: RE: Morgan Farm Lot 1 Addendum (Model Home)

Morning Margaret!

Please see attached for the Morgan Farm Model Home Parking Plot Plan! Let us know if there was anything else on this!

Thanks,



ZACH JACOBE
CAD Drafter

o: 541.385.6762 x 165
a: 210 SW Wilson Ave. Suite 100, Bend, Oregon 97702

From: Seth Waldron <sethw@pahlisch.com>
Sent: Friday, April 05, 2019 3:54 PM
To: Zach Jacobe <zachj@pahlisch.com>
Subject: FW: Morgan Farm Lot 1 Addendum (Model Home)



SETH WALDRON
CAD Manager

o: 541.385.6762 x 118
a: 210 SW Wilson Ave. Suite 100, Bend, Oregon 97702



From: Margaret Lowe <MargaretL@pahlisch.com>
Sent: Friday, April 05, 2019 1:34 PM
To: Seth Waldron <sethw@pahlisch.com>
Subject: FW: Morgan Farm Lot 1 Addendum (Model Home)

See her comment below regarding the parking.



MARGARET LOWE
CAD Permit Technician

o: 541.385.6762 x 163
a: 210 SW Wilson Ave. Suite 100, Bend, Oregon 97702



From: Rybold, Kim <rybold@ci.wilsonville.or.us>
Sent: Friday, April 05, 2019 1:31 PM
To: Margaret Lowe <MargaretL@pahlisch.com>
Subject: RE: Morgan Farm Lot 1 Addendum (Model Home)

Margaret,

My apologies, I misquoted the standard, as that particular one only applies to Villebois. We would apply the office standard here, which is 2.7 spaces per 1000 square feet. For a 464 SF office this comes to 1.25 spaces, which we would round to 2. Additionally, you need to provide one additional space to account for the model home portion of the site. The total would be 3 spaces, one of which must be ADA accessible. You can use both on-street parking and the driveway to accommodate this; however, only on street parking along the frontage of Lot 1 could count for this. You will need to verify if you have any such available on-street parking, otherwise you will need to provide these parking spaces on an adjacent lot.

Kimberly Rybold, AICP
Associate Planner
City of Wilsonville

503.570.1583
rybold@ci.wilsonville.or.us
www.ci.wilsonville.or.us



29799 SW Town Center Loop East, Wilsonville, OR 97070

Disclosure Notice: Messages to and from this e-mail address may be subject to the Oregon Public Records Law.

From: Margaret Lowe <MargaretL@pahlisch.com>
Sent: Friday, April 05, 2019 10:45 AM
To: Rybold, Kim <rybold@ci.wilsonville.or.us>
Subject: RE: Morgan Farm Lot 1 Addendum (Model Home)

Do you think something like this would work?



MARGARET LOWE
CAD Permit Technician

o: 541.385.6762 x 163
a: 210 SW Wilson Ave. Suite 100, Bend, Oregon 97702



From: Rybold, Kim <rybold@ci.wilsonville.or.us>
Sent: Wednesday, April 03, 2019 2:08 PM
To: Margaret Lowe <MargaretL@pahlisch.com>; Brown, Carl <cbrown@ci.wilsonville.or.us>
Subject: RE: Morgan Farm Lot 1 Addendum (Model Home)

Margaret,

The sales office component is considered as “all other commercial” in our Development Code and the applicable requirement is 2 spaces per 1,000 square feet. While there is no specified number for a model home in our Code, the standard used in recent model home TUP applications is one space per unit (as opposed to considering the whole of the model home space a commercial use) in addition to what is required by the sales office use. One of these spaces must be ADA accessible as well.

Kimberly Rybold, AICP
Associate Planner
City of Wilsonville

503.570.1583
rybold@ci.wilsonville.or.us
www.ci.wilsonville.or.us



29799 SW Town Center Loop East, Wilsonville, OR 97070

Disclosure Notice: Messages to and from this e-mail address may be subject to the Oregon Public Records Law.

From: Margaret Lowe <MargaretL@pahlisch.com>
Sent: Wednesday, April 03, 2019 11:16 AM
To: Brown, Carl <cbrown@ci.wilsonville.or.us>; Rybold, Kim <rybold@ci.wilsonville.or.us>
Subject: RE: Morgan Farm Lot 1 Addendum (Model Home)

Carl - Since we are separating the temporary sales office from the Addendum application and we will be submitting a TUP for that, can you tell me exactly what you are still needing us to clarify for just the revision excluding the sales office now?

Kim- Are there parking requirements that you can send me for the TUP? We are wondering for this type of sales home how many parking spots will we need? I know we need to get something mapped out but was hoping you could give us some more info.

Thanks!!



MARGARET LOWE
CAD Permit Technician

o: 541.385.6762 x 163
a: 210 SW Wilson Ave. Suite 100, Bend, Oregon 97702



From: Brown, Carl <cbrown@ci.wilsonville.or.us>
Sent: Wednesday, March 27, 2019 11:10 AM
To: Margaret Lowe <MargaretL@pahlisch.com>
Cc: Rybold, Kim <rybold@ci.wilsonville.or.us>
Subject: RE: Morgan Farm Lot 1 Addendum (Model Home)

Yes, this sounds good. You can still use my comments regarding the upper floor and once the applications are sorted out we can probably approve the main "model home" portion of the changes. This will allow construction to continue!

Best regards,

Carl Brown

Building Inspector/Plans Examiner
City of Wilsonville

Office: 503.570.1556
Mobile: 971.808.6037
cbrown@ci.wilsonville.or.us
www.ci.wilsonville.or.us



29799 SW Town Center Loop East, Wilsonville, OR 97070

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From: Margaret Lowe <MargaretL@pahlisch.com>
Sent: Wednesday, March 27, 2019 10:20 AM
To: Brown, Carl <cbrown@ci.wilsonville.or.us>
Cc: Rybold, Kim <rybold@ci.wilsonville.or.us>
Subject: RE: Morgan Farm Lot 1 Addendum (Model Home)

Carl,

I found out that we should probably have the revision approved first with the upper floor plan changes and then submit the temp sales office. Because the only thing different for the sales office will be the man doors on the garage. So hopefully that clears things up. I will need to wait to answer your additional questions but wanted to clear things up regarding the temp sales office. I left Kim a message as well.



MARGARET LOWE
CAD Permit Technician

o: 541.385.6762 x 163
a: 210 SW Wilson Ave. Suite 100, Bend, Oregon 97702



From: Brown, Carl <cbrown@ci.wilsonville.or.us>
Sent: Tuesday, March 26, 2019 1:33 PM
To: Margaret Lowe <MargaretL@pahlisch.com>
Subject: RE: Morgan Farm Lot 1 Addendum (Model Home)

Margaret,

Just to follow up on my email yesterday, I took another look at the plans and these should be my final comments.

I noticed on Truss A06 a dashed line which on the previous truss packet, denoted by an “additional note”, meant the member was to be removed after installation. In this new truss packet the note is missing and because truss A07 and A08 have the same location vaulted I would like to see this note return unless the dashed truss member is intended to stay in which case I would like to see it as a solid line.

Please confirm if the “optional bedroom design” will be used in this particular case, changing the total bedrooms from 3 to 4. Moving forward I will need to know if the “additional bedroom option” will or won’t be used on a lot by lot basis.

Verify – bathroom window in master bathroom is being added and not shifted.

Please provide a comment on page 3 that explains how the space will be temperature controlled and insulated for use as a habitable area. Please explain or show how the Temp Office (second room) will receive its required ventilation through a mechanical means. If the furnace is to be used as a whole house ventilation system please provide documentation that shows the system can provide outdoor air at a continuous rate of not less than 75 CFM, the code minimum for a 4 bedroom house.

Please contact Dan Pauly as soon as possible regarding the approval of the temp sales office and its corresponding parking area (that of which has not been provided in this submittal). There appears to be an issue regarding approval.

Best regards,

Carl Brown

Building Inspector/Plans Examiner
City of Wilsonville

Office: 503.570.1556

Mobile: 971.808.6037

cbrown@ci.wilsonville.or.us

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-



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From: Brown, Carl

Sent: Monday, March 25, 2019 4:03 PM

To: 'Margaret Lowe' <MargaretL@pahlisch.com>
Subject: Morgan Farm Lot 1 Addendum (Model Home)

Margaret.,

I took a look at the corrections today and there are 2 page 1's. one with doors instead of a garage and one with a typical garage. if you plan on submitting 2 versions of the plans please provide the non-sales office versions of the structural plans as well or submit the conversion back to a non-sales home at later date.

On page 3 the stair detail was removed, please provide a new stair detail. I would also prefer for changes to be "bubbled" on the plans so changes can be easily seen. The new engineers packet included in the revisions only includes changed areas, what in the original engineering is still relevant and what is now outdated? Please provide full engineering or slip sheet existing documents for complete and consistent construction documents.

I have not made a complete and total review and will let you know if anything else comes up. I believe these will be my main concerns.

Best regards,

Carl Brown
Building Inspector/Plans Examiner
City of Wilsonville

Office: 503.570.1556
Mobile: 971.808.6037
cbrown@ci.wilsonville.or.us
www.ci.wilsonville.or.us

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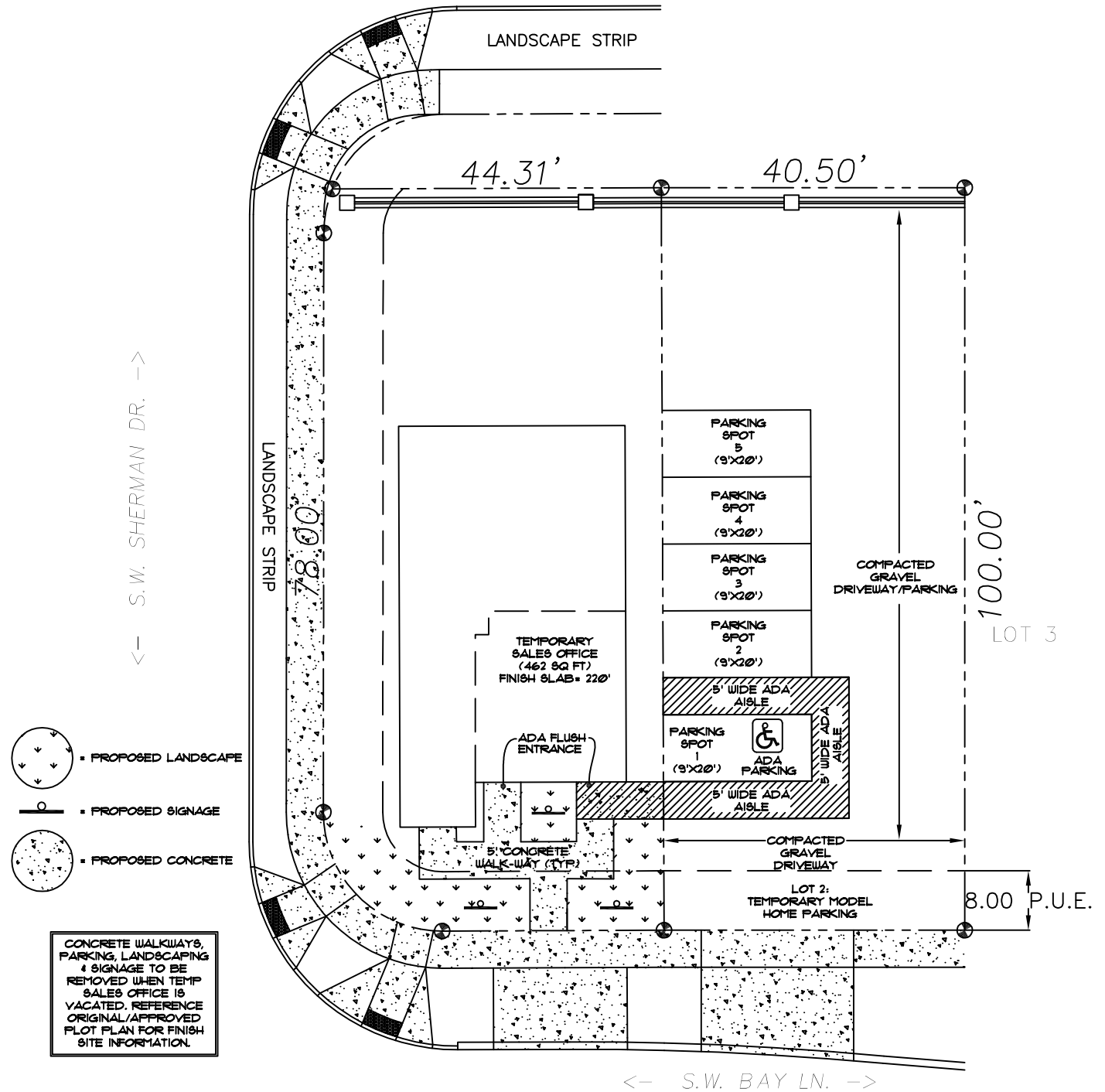
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- PROPOSED LANDSCAPE
- PROPOSED SIGNAGE
- PROPOSED CONCRETE

CONCRETE WALKWAYS, PARKING, LANDSCAPING & SIGNAGE TO BE REMOVED WHEN TEMP SALES OFFICE IS VACATED. REFERENCE ORIGINAL APPROVED PLOT PLAN FOR FINISH SITE INFORMATION.



210 SW 18TH STREET, SUITE 100
BEND, OREGON 97702
PH: (541) 385-6762 FAX: (541) 385-6742

Subdivision: Morgan Farm

Lot#: 1

Address: 7210 SW Bay Lane

Plan Name: Temp Sales Office

Date: 4/11/2019

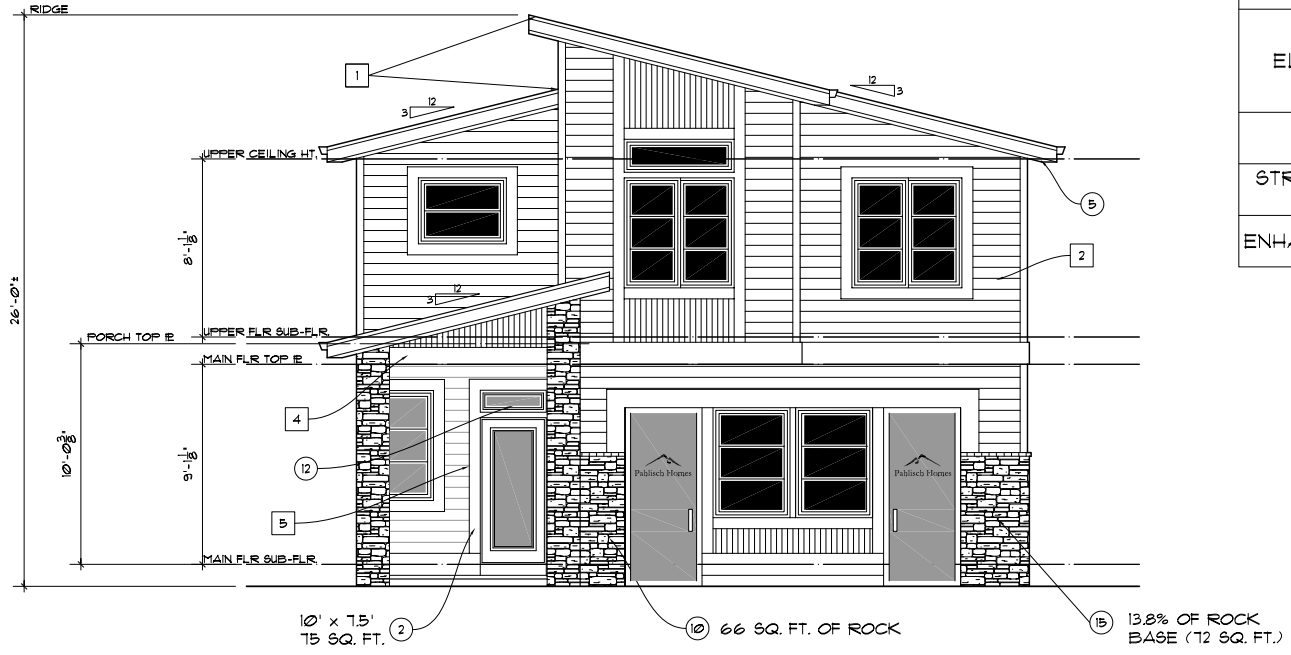


Scale: 1"=20'

* DRIVEWAY, WALK, AND PATIO LAYOUTS ARE FOR REFERENCE ONLY AND NOT INTENDED TO BE THE EXACT DEPICTION OF THE FINAL PRODUCT
* EXACT UTILITY CONNECTIONS AT RESIDENCE MAY VARY PER BUILDER'S DISCRETION

- RESIDENTIAL DESIGN ELEMENTS**
1. Dormers (min. 3' wide)
 2. Covered porch entry (min. 48 SF covered front porch, min. 6' deep and min. 6' deep cover) OR a covered front stoop with min. 24 SF area, 4' depth and hand rails
 3. Front porch railing around at least 2 sides of the porch
 4. Front facing second story balcony projecting from the building wall of the building a min. of 4' and enclosed by a railing or parapet wall
 5. Roof overhang of 16" or greater
 6. Columns, pillars or posts at least 4" wide and containing larger base materials
 7. Decorative gables - cross or diagonal bracing, shingles, trim, corbels, exposed rafter ends or brackets (does not include a garage gable if garage projects beyond dwelling unit portion of street facade)
 8. Decorative molding above windows and doors
 9. Decorative pilaster or chimneys
 10. Shakes, shingles, brick, stone or other similar decorative materials occupying at least 60 SF of the street facade
 11. Bay or bow window - extending min. 12' outward from the main wall of a building and forming a bay or alcove in a room within the building
 12. Stilelight and/or transom windows associated with the front door or windows in the front door
 13. Window grids on all facade windows (excluding any windows in the garage door or front door)
 14. For street-facing garages: Max. 3' wide garage door or a garage door designed to resemble 2 smaller garage doors and/or windows in the garage door
 15. Decorative base materials such as natural stone, cultured stone or brick extending at least 36" above adjacent finished grade occupying a min. of 10% of the overall primary street-facing facade
 16. Entry courtyard (min. depth 10' and min. width 80% of the non-garage/driveway building width) which are visible from, and connected directly to, the street

- RESIDENTIAL ARTICULATION**
1. Varying roofline
 2. Offset
 3. Balcony
 4. Projection (e.g., overhang porch or similar)
 5. Recessed or covered entrance
 6. Window reveals
 7. Other similar element.



FRONT ELEVATION 1/4" = 1'-0"

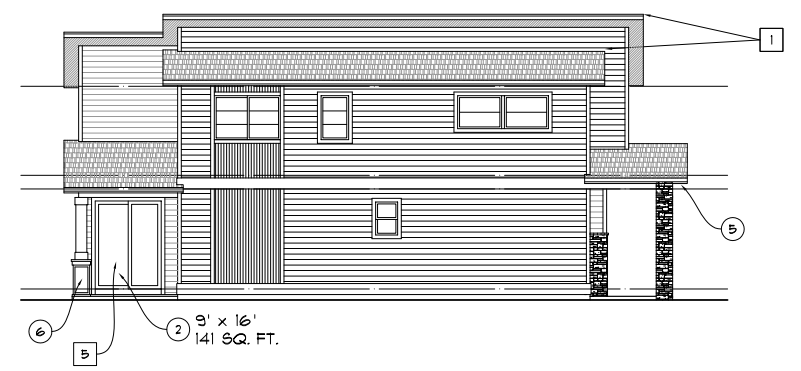
GLAZING STANDARDS

ELEVATIONS	WALL AREA	MIN REQUIRED %	MIN AREA OF GLAZING REQ.	ACTUAL AREA OF GLAZING	TOTAL %
FRONT	660	15.00%	99.00	112.80	17.09%
STREET FACING SIDE	730	5.00%	36.50	54.00	7.39%
ENHANCED REAR	660	15.00%	99.00	162.00	24.54%

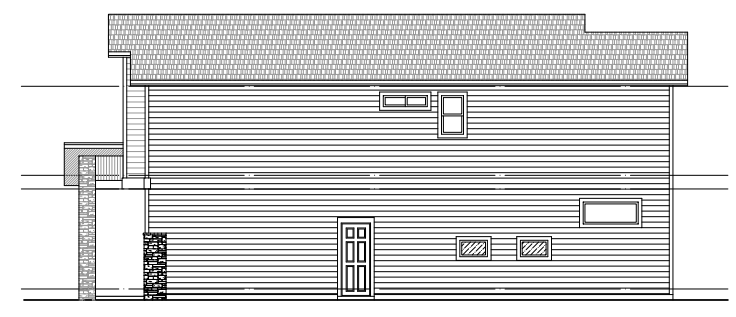
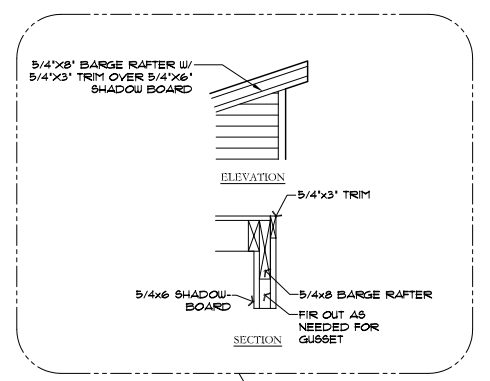
GARAGE % REQUIREMENTS

WIDTH OF FACADE	TOTAL WIDTH OF GARAGE DOORS	% OF GARAGE DOOR	MAX. % ALLOWED
30.5'	15'	49.18%	50.00%

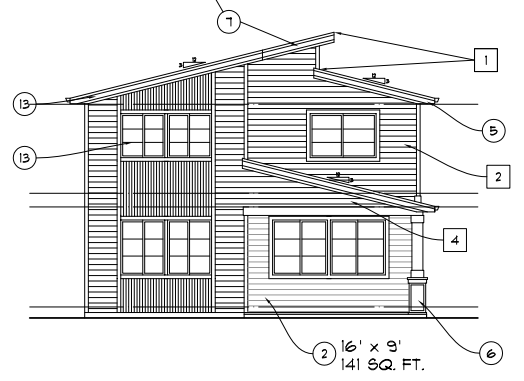
- ARTICULATION
- DESIGN ELEMENTS



STREET FACING LEFT ELEVATION 1/8" = 1'-0"



RIGHT ELEVATION 1/8" = 1'-0"

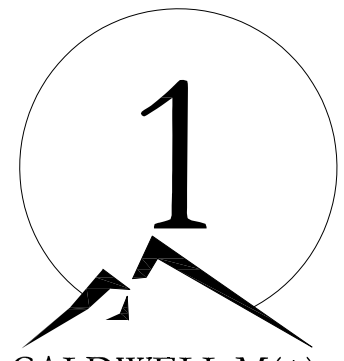


ENHANCED REAR ELEVATION 1/8" = 1'-0"

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CALDWELL M(+)

MAIN LEVEL	836 SQFT.
UPPER LEVEL	1206 SQFT.
TOTAL	2042 SQFT.
GARAGE	473 SQFT.
COVERED PORCH	15 SQFT.
COVERED PATIO	141 SQFT.

GARAGE RIGHT

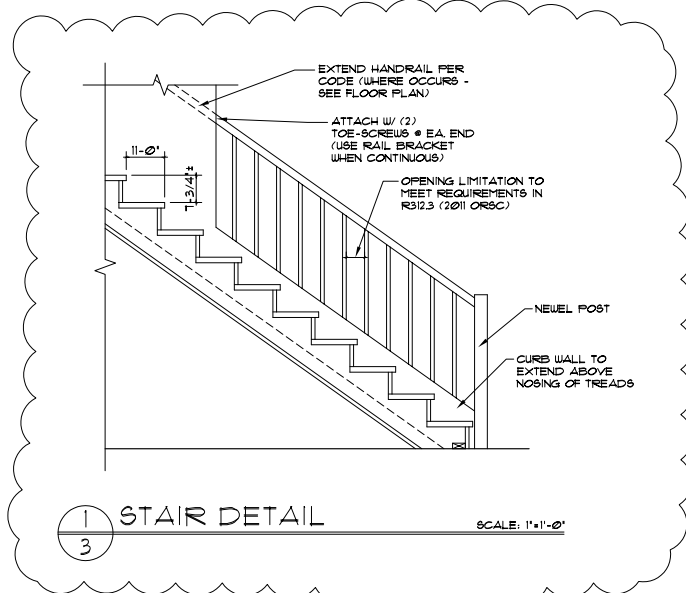
FLOOR PLAN NOTES:

- PROVIDE FULL BEARING, MINIMUM, AT BEAM SUPPORTS (UNLESS NOTED OTHERWISE).
- PROVIDE AT ALL EXTERIOR DOOR AND WINDOW HEADERS A MINIMUM 4x12 D.F.M (1ST FLOOR) OR 4x8 D.F.M (2ND FLOOR) W/DBL. 2x6 TOP PLATES AND BLOCKING AT BOTTOM (UNLESS NOTED OTHERWISE). INSTALL RIGID INSULATION IN CAVITY.
- PROVIDE 2x6 STUDS AT 16" O.C. WITH R-23 BATT INSULATION AT ALL EXTERIOR WALLS (EXCEPT AT GARAGE OR UNLESS NOTED OTHERWISE).
- PROVIDE 2x4 STUDS AT 16" O.C. AT ALL INTERIOR WALLS UNLESS NOTED OTHERWISE.
- ALL WINDOWS AND GLASS DOORS TO BE VINYL SASH CLASS 40 UNLESS NOTED OTHERWISE.

TWO STORY KEYNOTES

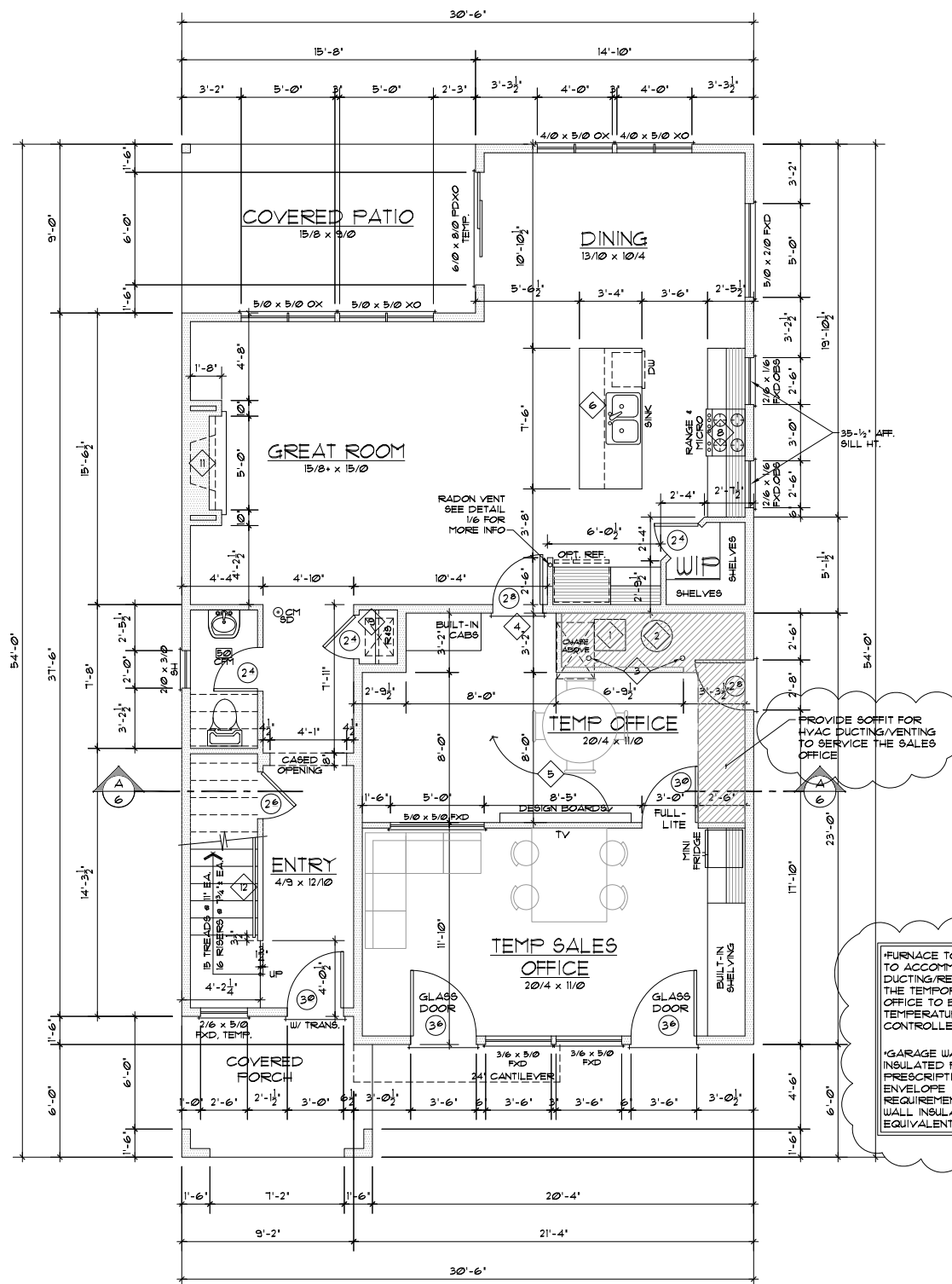
1. INSTALL MINIMUM 94% (AFUE) EFFICIENT GAS FURNACE WITH BACKDRAFT DAMPER. PREPARE SYSTEM FOR FUTURE AIR CONDITIONING. ELEVATE FLAME 18" ABOVE SLAB.
2. GAS WATER HEATER WITH BACKDRAFT DAMPER. ELEVATE FLAME 18" (MINIMUM) ABOVE SLAB. PROVIDE R-4 INSULATION AROUND WATER PIPES IN UNHEATED SPACES.
3. EMBED 3/4" LONG 3" DIAMETER STEEL PIPE, 18" INTO 12" DIAMETER x 24" CONCRETE FOOTINGS. FILL PIPE WITH CONCRETE.
4. 1-3/8" MIN. THICKNESS, SOLID CORE DOOR (MINIMUM 20 MINUTE FIRE RATED DOOR). MEET REQUIREMENTS PER ORSC TABLE N1001 (2) (MEASURE 5).
5. APPLY 1/2" GYPSUM BOARD TO ALL WALLS AND CEILING IN GARAGE. FINISH GARAGE WALLS AND CEILING. PROVIDE 1/2" TYPE "X" GYPSUM BOARD ON CEILINGS WITH HABITABLE SPACE ABOVE.
6. ATTACHED EATING BAR. BRING PLUMBING FOR ISLAND UP FROM FLOOR INTO BOTTOM OF CABINETS.
7. 2x4 HALF-WALL W/ EATING BAR - COUNTER HT. TO MATCH KITCHEN.
8. INSTALL HOOD OR MICROWAVE/HOOD COMBO OVER RANGE. VENT DUCTED TO OUTSIDE. MUST COMPLY WITH M1606 (ORSC).
9. PROVIDE MIN. 18"x24" CRAWL SPACE ACCESS.
10. PROVIDE 22"x34" ATTIC ACCESS W/ INSULATED "LID". PROVIDE INSULATION Baffle AROUND OPENING.
11. FIREPLACE. INSTALL 36" PRE-FABRICATED GAS DIRECT VENT (ZERO CLEARANCE), UL LISTED METAL FIREPLACE TO MANUF. SPECS.
12. 34" HIGH CONTINUOUS TRADITIONAL HANDRAIL MOUNTED ON WALL. RETURN ENDS TO WALL OR NEWEL POST.
13. INSTALL RECESSED WASHER/DRYER HOOKUP IF APPLICABLE. WASHER ALWAYS TO BE ON THE LEFT.
14. INSTALL STANDARD 36"x72" FIBERGLASS SOAKER TUB.
15. INSTALL TRANSLUCENT "FROSTED" FRAMELESS SLIDING TEMPERED GLASS DOOR AT 36"x60" FIBERGLASS SHOWER.
16. INSTALL STANDARD 32"x60" FIBERGLASS TUB WITH SHOWER.
17. INSTALL FRAMELESS TEMPERED GLASS DOOR AT STANDARD 36"x48" SHOWER.
18. INSTALL TRANSLUCENT "FROSTED" FRAMELESS SLIDING/SWINGING TEMPERED GLASS DOOR AT HUDSET TILE SHOWER. SEE SITE SUPERVISOR FOR MORE INFO.
19. INSTALL FREE-STANDING TUB PER SPECS. CONSULT SITE SUPERVISOR FOR SPECS ON TUB.

** NOTE: NOT ALL KEYNOTES WILL BE APPLICABLE ON THIS PLAN.**



1 STAIR DETAIL
3

1/4" = 1'-0"



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UPPER LEVEL	1206 SQFT.
TOTAL	2042 SQFT.
GARAGE	473 SQFT.
COVERED PORCH	75 SQFT.
COVERED PATIO	141 SQFT.

GARAGE RIGHT

DEVELOPMENT REVIEW BOARD MEETING
MAY 13, 2019
6:30 PM

- VII. Board Member Communications:
 - A. Results of the February 25, 2019 DRB Panel B meeting

City of Wilsonville

Development Review Board Panel B Meeting Meeting Results

DATE:	FEBRUARY 25, 2019	
LOCATION:	29799 SW TOWN CENTER LOOP EAST, WILSONVILLE, OR	
TIME START:	6:30 P.M.	TIME END: 7:09 P.M.

ATTENDANCE LOG

BOARD MEMBERS	STAFF
Samy Nada, Acting Chair	Daniel Pauly
Shawn O'Neil	Miranda Bateschell
Tracy Meyer	
Ellie Schroeder	

AGENDA RESULTS

AGENDA	ACTIONS
CITIZENS' INPUT	None.
ELECTION OF 2019 CHAIR AND VICE-CHAIR	
<ul style="list-style-type: none"> A. Chair B. Vice-Chair 	<ul style="list-style-type: none"> A. Richard Martens was unanimously re-elected as Chair. B. Samy Nada was unanimously re-elected as Vice-Chair.
CONSENT AGENDA	None.
<ul style="list-style-type: none"> A. Approval of minutes of November 26, 2018 DRB Panel B meeting 	<ul style="list-style-type: none"> A. Approved 3-0-1 with Ellie Schroeder abstaining
PUBLIC HEARING	
<ul style="list-style-type: none"> A. Resolution No. 361. FLIR Systems Flag Pole: Desmond Amper, LRS Architects – Applicant for FLIR Systems, Inc. – Owner. The applicant is requesting approval of a Class 3 Sign Permit and Waivers to allow a third thirty-five foot flag pole. The subject property is located at 27700 SW Parkway Avenue on Tax Lot 510 of Section 12, T3S, R1W, Clackamas County, Oregon. Staff: Daniel Pauly Case Files: DB19-0001 Class 3 Sign Permit and Waivers 	<ul style="list-style-type: none"> A. Approved 3-1, with Shawn O'Neil opposed
BOARD MEMBER COMMUNICATIONS	
<ul style="list-style-type: none"> A. Results of the February 11, 2019 DRB Panel A meeting B. Recent City Council Action Minutes 	<ul style="list-style-type: none"> A. Mr. Pauly shared that Panel A had recently approved another Frog Pond application, which would be in front of City Council on March 4.
STAFF COMMUNICATIONS	

A. Welcome Ellie Schroeder

-Daniel Pauly updated the Board on post-DRB developments with the Clermont application.
-Ellie Schroeder was welcomed to the Board.

**DEVELOPMENT REVIEW BOARD MEETING
MAY 13, 2019
6:30 PM**

- VII. Board Member Communications:
 - B. Recent City Council Action Minutes

City Council Meeting Action Minutes
February 4, 2019

City Council members present included:

Mayor Knapp
Council President Akervall
Councilor Stevens
Councilor Lehan
Councilor West - Arrived at 6:36 p.m.

Kerry Rappold, Natural Resources Manager
Chris Neamtzu, Community Develop. Director
Delora Kerber, Public Works Director
Cathy Rodocker, Finance Director
Mark Ottenad, Public/Government Affairs Director
Miranda Bateschell, Planning Manager
Bill Evans, Communications & Marketing Manager
Zach Weigel, Capital Projects Engineering Manager
Zoe Monahan, Assistant to the City Manager
Jordan Vance, Economic Development Manager
Patty Nelson, City Engineer

Staff present included:

Bryan Cosgrove, City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Jeanna Troha, Assistant City Manager

AGENDA ITEM	ACTIONS
WORK SESSION	
A. Resolution No. 2724 – Water SDCs Development Charges	Staff briefed Council on Resolution No. 2724, adopting the water System Development Charge (SDC) methodology report and establishing the charge rate and amending Resolution No. 1624.
B. Wilsonville Town Center Plan	Staff updated Council on the draft Wilsonville Town Center Plan.
C. Proposed Tobacco Retail Licensing Resolution	Council heard that Clackamas County is proposing Tobacco Retail Licensing (TRL).
D. Vertical Clackamas County Housing Development Zone (VHDZ) in Villebois	Staff and Council discussed a proposal that would create a Vertical Housing Development Zone in the Villebois neighborhood.
REGULAR MEETING	
<u>Mayor's Business</u>	
A. Upcoming Meetings	Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.
<u>Public Hearing</u>	
A. <u>Resolution No. 2724</u> A Resolution Of The City Of Wilsonville Adopting The Water System Development Charge Methodology Report And Establishing The Charge Rate And Amending Resolution No. 1624.	Council opened the public hearing on Resolution No. 2724 and moved to continue the hearing to a date certain of February 21, 2019. 5-0.
<u>City Manager's Business</u>	
	The City Manager provided Council with City's Ice and Snow Removal Plan. In addition, an invitation was extended to Council to attend the West Linn Wilsonville School District Bond Summit on February 23.
<u>Legal Business</u>	
	No report.
ADJOURN	
	8:10 p.m.

City Council Meeting Action Minutes
February 21, 2019

City Council members present included:

Mayor Knapp
Council President Akervall
Councilor Stevens - *Excused*
Councilor Lehan
Councilor West

Jeanna Troha, Assistant City Manager
Chris Neamtzu, Community Develop. Director
Delora Kerber, Public Works Director
Cathy Rodocker, Finance Director
Keith Katko, Assistant Finance Director
Kimberly Rybold, Associate Planner
Miranda Bateschell, Planning Director
Bill Evans, Communications & Marketing Manager
Zach Weigel, Capital Projects Engineering Manager
Zoe Monahan, Assistant to the City Manager
Patty Nelson, City Engineer

Staff present included:

Bryan Cosgrove, City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder

AGENDA ITEM	ACTIONS
WORK SESSION	
A. Establishment of Pro Tem Municipal Court Roster	Council was briefed that Resolution No. 2729, allows staff to establish a pool of eligible pro tem judges for occasions when the current Municipal Court Judge is unavailable.
B. Financial Services Advisor PSA	Staff recommended that Council adopt Resolution No. 2738, authorizing the City Manager to execute an agreement with PFM Financial Advisors, LLC for financial advisory services.
C. Basalt Creek Comprehensive Plan, TSP, and UPAA Amendments	Staff provided an update on amendments to the City's Comprehensive Plan and Transportation System Plan. In addition, staff presented the updated Urban Planning Area Agreement with Washington County.
D. Update to Water System Development Charges	Council heard additional information and a recap on Resolution No. 2724, followed by time for questions and answers from staff.
REGULAR MEETING	
<u>Mayor's Business</u>	
A. Upcoming Meetings	Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.
<u>Councilor's Comments</u>	
A. Motion introduced requesting that Council draft a resolution to recommend SB 608 stay in committee longer to allow for further debate.	Motion defeated 1-3.

<p><u>Consent Agenda</u></p> <p>A. <u>Resolution No. 2729</u> A Resolution Of The City Of Wilsonville Establishing A Pool Eligible Pro Tem Judges For The City's Municipal Court.</p> <p>B. <u>Resolution No. 2738</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With PFM Financial Advisors, LLC For Financial Advisor Services.</p> <p>C. Minutes of the October 15, 2018, November 5, 2018 and February 4, 2019 Council Meetings.</p>	<p>The Consent Agenda passed 4-0.</p>
<p><u>Continuing Business</u></p> <p>A. <u>Resolution No. 2724</u> A Resolution Of The City Of Wilsonville Adopting The Water System Development Charge Methodology Report And Establishing The Charge Rate And Amending Resolution No. 1624.</p>	<p>Resolution No. 2724 was adopted on second reading by a vote of 3-0-1.</p>
<p><u>City Manager's Business</u></p>	<p>The City Manager informed Council that he would represent the City at the Chamber of Commerce's February 28, 2019, ribbon cutting at Wong's Building Supply.</p>
<p><u>Legal Business</u></p>	<p>No Report.</p>
<p>ADJOURN</p>	<p>8:24 p.m.</p>

City Council Meeting Action Minutes

March 4, 2019

City Council members present included:

Mayor Knapp
 Council President Akervall
 Councilor Stevens - Excused
 Councilor Lehan - Excused
 Councilor West

Daniel Pauly, Senior Planner, Planning
 Chris Neamtzu, Community Develop. Director
 Cathy Rodocker, Finance Director
 Mark Ottenad, Public/Government Affairs Director
 Amanda Guile-Hinman, Assistant City Attorney
 Kimberly Rybold, Associate Planner
 Miranda Bateschell, Planning Director
 Zoe Monahan, Assistant to the City Manager
 Patty Nelson, City Engineer
 Andrea Villagrana, Human Resources Manager
 Dan Carlson, Building Official

Staff present included:

Bryan Cosgrove, City Manager
 Barbara Jacobson, City Attorney
 Kimberly Veliz, City Recorder
 Jeanna Troha, Assistant City Manager

AGENDA ITEM	ACTIONS
WORK SESSION	
A. Frog Pond Meadows	Staff briefed Council on Ordinance Nos. 832 and 833.
B. Citywide Signage & Wayfinding Plan	Council provided direction on project phasing and design materials.
C. Resolution No. 2726 - Amending the Wilsonville – Washington County Urban Planning Area Agreement (UPAA)	Staff presented on Resolution No. 2726, authorizing the Mayor to execute an UPAA with Washington County to acknowledge City of Wilsonville planning authority in the Basalt Creek Planning Area. The item is be voted on during the regular meeting under the consent agenda.
D. Basalt Creek Parkway Extension Alignment Study	Council heard preliminary details about a project to extend the Basalt Creek Parkway to Boones Ferry Road.
REGULAR MEETING	
<u>Communications</u>	
A. Metro Update	Metro Councilor Craig Dirksen shared details of the agency’s broad agenda.
<u>Citizen Input & Community Announcements</u>	
A. Resolution No. 2724 A Resolution Of The City Of Wilsonville Adopting The Water System Development Charge Methodology Report And Establishing The Charge Rate And Amending Resolution No. 1624.	Motion made and seconded to change the implementation date for Resolution No. 2724 to March 15, 2019. Motion passed 3-0.
<u>Mayor’s Business</u>	
A. Upcoming Meetings	Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.

<p>B. Tourism Promotion Committee Appointment</p>	<p><u>Tourism Promotion Committee</u> Appointment of Lizabeth Price to Tourism Promotion Committee, Position 7 for a term beginning 3/4/19 to 6/30/21. Appointment approved 3-0.</p>
<p><u>Consent Agenda</u></p> <p>A. <u>Resolution No. 2726</u> A Resolution Of The City Of Wilsonville Authorizing The Mayor To Execute A New Urban Planning Area Agreement With Washington County To Acknowledge City Of Wilsonville Planning Authority In The Basalt Creek Planning Area.</p>	<p>The Consent Agenda was approved 3-0.</p>
<p><u>Public Hearing</u></p> <p>A. <u>Ordinance No. 832</u> An Ordinance Of The City Of Wilsonville Annexing Approximately 24 Acres Of Property Located On The West Side Of Stafford Road Just North Of Boeckman Road Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lots 1800, 1902, 1903, 2000 And 2200 And A Portion Of Stafford Road Right-Of-Way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Kathleen E. Ludwig, Clifton Molatore, Brenda L. Melum, Lynette E. Eaton, Theodore W. Eaton, Robert Kessler, Bonnie Kessler, And Diane Hillier, Petitioners.</p> <p>B. <u>Ordinance No. 833</u> An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5 (RRFF5) Zone To The Residential Neighborhood (Rn) Zone On Approximately 15 Acres And To The Public Facility (Pf) Zone On Approximately 7 Acres On The North Side Of Boeckman Road Just East Of Boeckman Creek; The Land Is More Particularly Described As Tax Lots 1800, 1902, 1903, 2000 And 2200, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. West Hills Land Development LLC, Applicant.</p>	<p>After a public hearing was conducted, Ordinance No. 832 was approved on first reading by a vote of 3-0.</p> <p>After a public hearing was conducted, Ordinance No. 833 was approved on first reading by a vote of 3-0.</p>
<p><u>New Business</u></p> <p>A. <u>Resolution No. 2727</u> A Resolution Of The City Of Wilsonville Supporting A Clackamas County Tobacco Retail License.</p>	<p>Resolution No. 2727 was adopted 3-0.</p>
<p><u>City Manager's Business</u></p>	<p>The City Manager announced that he attended the Wong's Building Supply ribbon cutting.</p>
<p><u>Legal Business</u></p>	<p>No report.</p>
<p>ADJOURN</p>	<p>9:10 p.m.</p>

City Council Meeting Action Minutes
March 18, 2019

City Council members present included:

Mayor Knapp
Council President Akervall
Councilor Stevens
Councilor Lehan
Councilor West

Delora Kerber, Public Works Director
Cathy Rodocker, Finance Director
Mark Ottenad, Public/Government Affairs Director
Keith Katko, Assistant Finance Director
Dwight Brashear, SMART Director
Amanda Guile-Hinman, Assistant City Attorney
Steve Adams, Engineering Manager
Kimberly Rybold, Associate Planner
Miranda Bateschell, Planning Director
Bill Evans, Communications & Marketing Manager
Zach Weigel, Capital Projects Engineering Manager
Zoe Monahan, Assistant to the City Manager
Patty Nelson, City Engineer

Staff present included:

Bryan Cosgrove, City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Jeanna Troha, Assistant City Manager
Chris Neamtzu, Community Develop. Director

AGENDA ITEM	ACTIONS
WORK SESSION	
<p>A. Transfer of Road Authority Stafford Road with Frog Pond Meadows</p> <p>B. PGE Street Lights Pilot Project</p> <p>C. Revisions to Chapter 11 of the Wilsonville Code Regarding System Development Charges.</p>	<p>Council was briefed on Resolution No. 2739, which requests a transfer of roadway authority on a portion of Stafford Road from Clackamas County to the City of Wilsonville. This item is schedule for the regular meeting under the consent agenda.</p> <p>Staff provided an update on a pilot program with PGE to install LED street lights.</p> <p>Council heard proposed revisions to City Code regarding System Development Charges.</p>
REGULAR MEETING	
<p><u>Mayor's Business</u></p> <p>A. State of the City Address</p> <p>B. Wilsonville-Metro Community Enhancement Committee – Appointment</p>	<p>Mayor Knapp presented the 2019 State of the City Address.</p> <p><u>Wilsonville-Metro Community Enhancement Committee</u> Appointment of Olive Gallagher to the Wilsonville-Metro Community Enhancement Committee, Position 3 for a term beginning 3/18/19 to 6/30/21. Appointment passed 5-0.</p>

Consent Agenda

A. **Resolution No. 2732**

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Autumn Park Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.

B. **Resolution No. 2733**

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Charleston Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.

C. **Resolution No. 2734**

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Creekside Woods Lp, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.

D. **Resolution No. 2735**

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Rain Garden Limited Partnership, A Low-Income Apartment Development Owned And Operated By Caritas Community Housing Corporation.

E. **Resolution No. 2736**

A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Wiedemann Park, A Low-Income Apartment Development Owned And Operated By Accessible Living, Inc.

F. **Resolution No. 2739**

A Resolution Of The City Of Wilsonville Requesting Transfer Of Roadway Authority On A Portion Of Stafford Road From Clackamas County To The City Of Wilsonville.

G. Minutes of the January 24, 2019 and February 21, 2019 Council Meetings.

The Consent Agenda passed 5-0.

Public Hearing

A. **Resolution No. 2728**

A Wilsonville City Council Resolution Approving The Citywide Signage & Wayfinding Plan.

After a public hearing was conducted, Resolution No. 2728 was approved 5-0.

<p>B. <u>Resolution No. 2740</u> A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2018-19.</p>	<p>After a public hearing was conducted, Resolution No. 2740 was approved 5-0.</p>
<p><u>New Business</u></p> <p>A. <u>Resolution No. 2741</u> A Resolution Of The City Of Wilsonville, Oregon Authorizing Financing Of The Capital Project Described In The Coffee Creek Urban Renewal Plan.</p> <p>B. City Manager Pro Tem Appointment</p>	<p>Resolution No. 2741 was adopted 5-0.</p> <p>Appointment of Assistant City Manager as City Manager Pro Tem from the period April 1 through April 5, 2019, passed 5-0.</p>
<p><u>Continuing Business</u></p> <p>A. <u>Ordinance No. 832</u> An Ordinance Of The City Of Wilsonville Annexing Approximately 24 Acres Of Property Located On The West Side Of Stafford Road Just North Of Boeckman Road Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lots 1800, 1902, 1903, 2000 And 2200 And A Portion Of Stafford Road Right-Of-Way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Kathleen E. Ludwig, Clifton Molatore, Brenda L. Melum, Lynette E. Eaton, Theodore W. Eaton, Robert Kessler, Bonnie Kessler, And Diane Hillier, Petitioners.</p> <p>B. <u>Ordinance No. 833</u> An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5 (RRFF5) Zone To The Residential Neighborhood (RN) Zone On Approximately 15 Acres And To The Public Facility (Pf) Zone On Approximately 7 Acres On The North Side Of Boeckman Road Just East Of Boeckman Creek; The Land Is More Particularly Described As Tax Lots 1800, 1902, 1903, 2000 And 2200, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. West Hills Land Development LLC, Applicant.</p>	<p>Ordinance No. 832 was adopted on second reading by a vote of 5-0.</p> <p>Ordinance No. 833 was adopted on second reading by a vote of 5-0.</p>
<p><u>City Manager's Business</u></p>	<p>Wished Mayor Knapp a happy birthday and thanked Council for approving his absence from the April 1, 2019 Council meeting.</p>

<u>Legal Business</u>	Wished Mayor Knapp happy birthday.
URBAN RENEWAL AGENCY	
<u>Consent Agenda</u> A. Minutes of the January 24, 2019 URA Meeting.	The URA Consent Agenda was approved 5-0.
<u>New Business</u> A. <u>URA Resolution No. 295</u> A Resolution Authorizing The Creation Of The Coffee Creek Plan Capital Project Fund. B. <u>URA Resolution No. 296</u> A Resolution Of The Urban Renewal Agency Of The City Of Wilsonville, Oregon Authorizing Indebtedness For A Capital Project Described In The Urban Renewal Plan For The Coffee Creek Urban Renewal Area.	URA Resolution No. 295 was adopted 5-0. URA Resolution No. 296 was adopted 5-0.
<u>Public Hearing</u> A. <u>URA Resolution No. 297</u> A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2018-19.	After a public hearing was conducted, URA Resolution No. 297 was approved by a vote of 5-0.
ADJOURN	9:18 p.m.

City Council Meeting Action Minutes
April 1, 2019

City Council members present included:

Mayor Knapp
Council President Akervall
Councilor Stevens
Councilor Lehan
Councilor West

Kimberly Rybold, Associate Planner
Mike McCarty, Parks and Recreation Director
Miranda Bateschell, Planning Director
Bill Evans, Communications & Marketing Manager
Zach Weigel, Capital Projects Engineering Manager
Zoe Monahan, Assistant to the City Manager
Patty Nelson, City Engineer
Dan Carlson, Building Official
Rob Wurpes, Chief of Police
Charlie Tso, Assistant Planner
Andy Stone, IT Manager
Martin Montalvo, Public Works Operations Manager

Staff present included:

Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Jeanna Troha, Assistant City Manager
Kerry Rappold, Natural Resources Manager
Mark Ottenad, Public/Government Affairs Director

AGENDA ITEM	ACTIONS
WORK SESSION	
A. Garden Acres/WWSP IGA	Council was informed of Resolution No. 2743, which authorizes the City Manager to enter into an intergovernmental agreement (IGA) with Tualatin Valley Water District and the City of Hillsboro for the Willamette Water Supply Program (WWSP) to jointly design and construct the Garden Acres Road and PLM_1.2 Garden Acres to 124 th Pipeline projects.
B. Transfer of Ownership/Maintenance for Hathaway, Willow Creek and Landover Parks	Staff recommended that the City assume ownership and terminate homeowner's association (HOA) maintenance responsibility for Landover, Hathaway and Willow Creek Parks.
C. Canyon Creek Land Donation	Staff presented the proposal of a 31-acre parcel land donation of a forested area and BPA easement on the Parkway Woods Business Park from the ScanlanKemperBard (SKB) Companies.
D. Comprehensive Plan & TSP Amendments Related to Basalt Creek Concept Plan	Staff briefed Council on Ordinance No. 834, which is scheduled for a public hearing and first reading during the regular meeting.
E. Change Order with Paul Brothers, Inc. for the Memorial Park Dog Park and Community Garden Parking Lot Project	Council heard about Resolution No. 2742, which authorizes a change order with Paul Brothers, Inc. for the Memorial Park Dog Park and Community Garden parking lot project.

<p>F. Break to move downstairs into Council Chambers.</p> <p>G. Status and Update on the Villebois Fire</p>	<p>Council recessed and moved to Council Chambers to complete the rest of Work Session.</p> <p>Staff along with Tualatin Valley Fire and Rescue (TVF&R) gave an update on the fire that occurred in the Villebois neighborhood on March 31, 2019.</p>
REGULAR MEETING	
<u>Mayor's Business</u>	
<p>A. Volunteer Appreciation Proclamation</p> <p>B. 21st Consecutive Tree City USA Designation, Sterling Tree City USA Designation (10th Growth Award), and Arbor Day Proclamation</p> <p>C. Upcoming Meetings</p>	<p>The Mayor read a proclamation declaring the Month of April as Volunteer Appreciation Month.</p> <p>Staff informed that the City has been recognized for the 21st consecutive year as a Tree City USA and certified as a Sterling Tree City USA for receiving its 10th growth award as designated by the National Arbor Day Foundation. Mayor Knapp then read a proclamation declaring Arbor Day in the City of Wilsonville.</p> <p>Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.</p>
<u>Consent Agenda</u>	
<p>A. Resolution No. 2743 A Resolution Of The City Of Wilsonville Authorizing The City Manager To Enter Into An Intergovernmental Agreement With Tualatin Valley Water District And The City Of Hillsboro To Jointly Design And Construct The Garden Acres Road Project (CIP #4201) And Willamette Water Supply Plm_1.2 Garden Acres To 124th Pipeline Project.</p> <p>B. Minutes of the November 19, 2018 Council Meeting.</p>	<p>The Consent Agenda was approved 5-0.</p>
<u>Public Hearing</u>	
<p>A. Ordinance No. 834 An Ordinance Of The City Of Wilsonville Approving Comprehensive Plan Text And Map Amendments And Transportation System Plan Amendments Related To The Basalt Creek Concept Plan And Approving A Comprehensive Plan Map Amendment Related To The Coffee Creek Master Plan.</p>	<p>After a public hearing was conducted, Ordinance No. 834 was approved on first reading by a vote of 5-0.</p>

<p><u>New Business</u></p> <p>A. <u>Resolution No. 2730</u> A Resolution Of The City Of Wilsonville Authorizing The City Parks And Recreation Department To Assume Ownership Of And All Maintenance Responsibilities For The Following Neighborhood Parks: Hathaway Court, Landover And Willow Creek Park.</p> <p>B. <u>Resolution No. 2742</u> A Resolution Of The City Of Wilsonville Authorizing A Change Order With Paul Brothers, Inc. For The Memorial Park Dog Park And Community Garden Parking Lot Project (Capital Improvement Project #9132).</p>	<p>Resolution No. 2730 was adopted 5-0.</p> <p>Resolution No. 2742 was adopted 5-0.</p>
<p><u>City Manager's Business</u></p>	<p>Pro Tem City Manager thanked Council for their leadership, commitment and compassion while handling the aftermath of the Villebois fire. In addition, staff were appreciated for their help on these efforts.</p>
<p><u>Legal Business</u></p>	<p>No report.</p>
<p>ADJOURN</p>	<p>9:36 p.m.</p>

City Council Meeting Action Minutes
April 15, 2019

City Council members present included:

Mayor Knapp
Council President Akervall
Councilor Stevens
Councilor Lehan
Councilor West

Chris Neamtzu, Community Develop. Director
Delora Kerber, Public Works Director
Pat Duke, Library Director
Amanda Guile-Hinman, Assistant City Attorney
Miranda Bateschell, Planning Director
Bill Evans, Communications & Marketing Manager
Zach Weigel, Capital Projects Engineering Manager
Zoe Monahan, Assistant to the City Manager
Patty Nelson, City Engineer
Dan Carlson, Building Official
Michelle Marston, Program Coordinator
Sheilagh Griffin, Transit Demand Management Tech.
Elli Work Grants & Program Manager

Staff present included:

Bryan Cosgrove, City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Jeanna Troha, Assistant City Manager
Kerry Rappold, Natural Resources Manager

AGENDA ITEM	ACTIONS
WORK SESSION	
A. Public Works/Police Seismic Upgrade Update	Staff presented an update on the postponement of project to make seismic upgrades to the Public Works/Police building.
B. Charbonneau Emergency Outfall Repair Project Update	Staff provided a summary of a recent project to complete an emergency outfall repair in Charbonneau.
C. Town Center Plan Adoption	Staff briefed Council on Ordinance No. 835, which is scheduled for a public hearing and first reading during the regular meeting.
REGULAR MEETING	
<u>Communications</u>	
A. Wilsonville Boys Basketball Proclamation	The Mayor read a proclamation declaring April 15 -21, 2019 as Wilsonville Wildcats Week and presented a proclamation to the team.
B. TVF&R	Tualatin Valley Fire & Rescue (TVF&R) outgoing Chief, Mike Duyck, and incoming Chief, Deric Weiss, provided a report of the transition-taking place upon Duyck's retirement.
C. Dolly Parton's Imagination Library	
<u>Mayor's Business</u>	
A. Building Safety Month 2019 Proclamation	The Mayor read a proclamation declaring May 2019 as Building Proclamation Month and presented a proclamation to staff.

<p>B. Bike Month 2019 Proclamation</p> <p>C. Earth Day Proclamation</p> <p>D. Upcoming Meetings</p>	<p>The Mayor read a proclamation declaring the May 2019 as Bike month and presented a proclamation to staff.</p> <p>The Mayor read a proclamation declaring the day 22nd of April as Earth Day and presented a proclamation to staff.</p> <p>The Mayor chose not to present on upcoming meetings as many were already mentioned previously.</p>
<p><u>Consent Agenda</u></p> <p>A. <u>Resolution No. 2731</u> A Resolution Of The City Of Wilsonville To Accept A Land Donation Of Approximately 31 Forested Acres In The Parkway Woods Business Park.</p> <p>B. <u>Resolution No. 2737</u> A Resolution Of The City Of Wilsonville Adopting An Intergovernmental Agreement With Clackamas County To Support The Work Of The Willamette Falls Locks Commission.</p>	<p>The Consent Agenda was approved 5-0.</p>
<p><u>Public Hearing</u></p> <p>A. <u>Ordinance No. 835</u> An Ordinance Of The City Of Wilsonville Adopting The Wilsonville Town Center Plan As A Sub-Element Of The Comprehensive Plan And Amending The Text Of The Wilsonville Comprehensive Plan, Comprehensive Plan Map, Zoning Map, And Development Code.</p>	<p>After a public hearing was conducted, Ordinance No. 835 was approved on first reading by a vote of 5-0.</p>
<p><u>Continuing Business</u></p> <p>A. <u>Ordinance No. 834</u> An Ordinance Of The City Of Wilsonville Approving Comprehensive Plan Text And Map Amendments And Transportation System Plan Amendments Related To The Basalt Creek Concept Plan And Approving A Comprehensive Plan Map Amendment Related To The Coffee Creek Master Plan.</p>	<p>Ordinance No. 834 was adopted on second reading by a vote of 5-0.</p>
<p><u>City Manager's Business</u></p>	<p>Appreciated the Assistant City Manager and staff for all of their work on the recent Villebois fire.</p>
<p><u>Legal Business</u></p>	<p>No report.</p>
<p>ADJOURN</p>	<p>9:53 p.m.</p>