



Planning Division
Development Permit Application

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

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.

Applicant:

Name: Scott Miller
Company: Samm-Miller, LLC
Mailing Address: 1327 Jay Ct.
City, State, Zip: West Linn, OR 97068
Phone: (503) 819-3610 Fax:
E-mail: smiller@marquiscompanies.com

Authorized Representative:

Name: Steve Miller
Company: Emerio Design, LLC
Mailing Address: 6445 SW Fallbrook Pl. #100
City, State, Zip: Beaverton, OR 97008
Phone: (541) 318-7487 Fax:
E-mail: stevem@emeriodesign.com

Property Owner:

Name: William Z. Spring
Company: N/A
Mailing Address: 28700 SW Canyon Cr. Rd. S
City, State, Zip: Wilsonville, OR 97070
Phone: Fax:
E-mail:

Property Owner's Signature:

Signature: William Z. Spring
Printed Name: William Z. Spring Date: 8/28/2020

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

Signature: Scott Miller
Printed Name: Scott Miller Date: 8-27-20

Site Location and Description:

Project Address if Available: 28700 SW Canyon Creek Rd. S Suite/Unit
Project Location:
Tax Map #(s): 31W13BD Tax Lot #(s): 6400 County: Washington Clackamas

Request:

8 Lot Residential Subdivision

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





**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: STEVE MILLER
Company: EMERIS DESIGN, LLC
Mailing Address: 6445 SW FAULBROOK PL #100
City, State, Zip: BEAVERTON, OR 97008
Phone: 503 515 5528 Fax: _____
E-mail: stevem@emerisdesign.com

Authorized Representative:

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

Property Owner:

Name: N. FERNANDO
Company: FAULBROOK LLC
Mailing Address: 6445 SW FAULBROOK
LDNE #100
City, State, Zip: BEAVERTON 97008
Phone: 503 515 5528 Fax: _____
E-mail: neil@emerisdesign.com

Property Owner's Signature:

N. Fernando
Printed Name: N. FERNANDO Date: 4/5/21

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

Steve Miller / Steve Miller
Printed Name: Steve Miller Date: 4/5/21

Site Location and Description:

Project Address if Available: N/A Suite/Unit _____
Project Location: Tract A - Canyon Cr. Rd. S.
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):

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

EMERIO *Design*

CIVIL ENGINEERS, SURVEYORS & PLANNERS

DATE: September 4, 2020

REQUEST: The applicant requests approval for a zone change and comprehensive map amendment to PDR-3, along with Stage I and II Site Development Review and Planned Development approval for an eight (8) lot single-dwelling residential subdivision.

APPLICANT: SAMM-Miller, LLC
10211 SW Barber St.
Wilsonville, OR 97070

Contact: Scott Miller
Ph. (503) 819-3610
Email: smiller@marquiscompanies.com

OWNERS: William Z. Spring
28700 SW Canyon Creek Rd. S
Wilsonville, OR 97070

**ENGINEER/
PLANNER:** Emerio Design, LLC
6445 SW Fallbrook Pl., Suite 100
Beaverton, OR 97008

Contact: Steve Miller
(541) 318-7487
stevem@emeriodesign.com

LOCATION: The subject property is located at 28700 SW Canyon Creek Road S.

LEGAL DESCRIPTION: 31W13BD; Tax Lot 6400 and Tract A

Background Information: The applicant requests approval for a zone change and comprehensive map amendment to PDR-3, along with Stage I and II Site Development Review and Planned Development approval for an eight (8) lot single-dwelling residential subdivision. In addition, the applicant is also requesting a waiver for a 5-foot side yard setback. The subject site area is made up of one (1) tax lot with an existing house and detached garage and Tract A, which was recently created by partitioning the adjacent property to the west (City Case File # AR20-0032). The existing house and detached garage will be removed from the property as part of this project.

The primary access for all lots will take place from the Canyon Creek Rod S. cul-de-sac bulb, as well as from a new public street off SW Canyon Creek Road South. This street will be located along the northern property boundary and extend approximately 250-feet into the site. At that point the street will terminate at northern-most edge of the site and dead-end as a stub street, as required by the City of Wilsonville code for connectivity with future northern development. All the lots will have driveway access off of the new public street, with the exception of Lots 2 and 3, which will take access off of a short easement.

Sewer, water and storm are available from existing lines in SW Canyon Creek Road South. These lines will be extended through the new public street, with individual services provided to each lot. Storm water will be detained in LIDA planters and discharged to the existing storm sewer line located south of the site between tax lots 1100 and 100 in the neighboring subdivision.

The site contains SROZ area on the eastern portion of the property. This area will not be disturbed or developed in any way. The site does not contain any flood plain, wetlands or fish and wildlife habitat. Care has been taken to retain all the trees in the SROZ area.

WILSONVILLE CODE (Code)
CHAPTER 4 - PLANNING AND LAND DEVELOPMENT

Section 4.008 Application Procedures – In General

RESPONSE: This application represents a request for a Stage I and Stage II Site Development Permit, Quasi-judicial zone change, Quasi-judicial change to the map of the Comprehensive Plan and an eight (8) lot subdivision developed as a Planned Development. The subject site's area is 2.43 acres in size, which is more than 2 acres in size, and as such the requested zone is PDR- 3. The required usable and non-usable (i.e.

SROZ Tract) open space is shown on Sheet 5 of the submitted plans. A traffic study was completed by DKS Associates on November 4, 2019.

Section 4.009 *Who May Initiate Applications*

RESPONSE: The subject site consists of one (1) tax lot, addressed as 28700 SW Canyon Creek Road S. and owned by William Z. Spring, and one Tract (i.e. Tract A), which is owned by the Applicant. The current property owner has signed the application.

Section 4.010 *How To Apply*

RESPONSE: A pre-application conference was held on March 28, 2019. The applicable application has been completed, signed by the current property owners and submitted with the required documents and exhibits.

Section 4.011 *How Applications are Processed*

RESPONSE: The required filing fee is \$13,518 and it has been submitted with the application. Staff will review the application for completeness as outlined in the Code.

Section 4.012 *Public Hearing Notices*

Response: Pursuant to Section 4.0102, City Staff will publish and mail the required notices and perform any required property postings.

Section 4.013 *Hearing Procedures*

RESPONSE: The applicant acknowledges that public hearings are necessary for this application and that the hearing body shall approve, conditionally approve or deny the application. The applicant further acknowledges that a final decision shall be made within 120 days of the application being deemed completed.

Section 4.014 *Burden of Proof*

RESPONSE: The applicant acknowledges that the burden of proving that the necessary findings of fact can be made for approval of this application rests with the applicant. The applicant feels that the materials that have been submitted as attachments to the application, along with all items addressed in this narrative, provide enough information that the City can make the appropriate findings to approve this application.

Section 4.015 *Findings and Conclusions*

RESPONSE: The applicant acknowledges that the Findings and Conclusions may or may not contain conditions of approval and that any graphic or written information submitted or presented shall automatically be included as requirements of any approval.

Section 4.113. Standards Applying To Residential Developments In Any Zone.

(.01) Open space

- A. Purpose.** *The purposes of the following standards for open space are to provide adequate light, air, open space and usable recreational facilities to occupants of each residential development.*
- B. Area Required.** *The minimum open space area required in a development is an area equal to 25% of the size of the Gross Development Area.*
- C. Required Open Space Characteristics:**
 - 1. Size of Individual Open Spaces.** *For developments with 10 or more units (excluding ADU's) an open space area must be at least 2,000 square feet to be counted towards the 25% open space requirement. For developments with less than 10 units (excluding ADU's) an open space area must be at least 1,000 square feet to be counted towards the 25% open space requirement.*

RESPONSE: The Applicant is proposing an eight (8) lot residential subdivision. The subject site area is 2.43 acres or 105,725 square feet in size. After subtracting out the SROZ area (i.e. 44,198 square feet), the Gross Development Area of the site is 1.41 acres or 61,527 square feet. 25% of the Gross Development Area is 15,381 square feet. Per subsection 3 below, half of the minimum open space area, an area equal to 12.5% of the size of the Gross Development Area, shall be located outside the SROZ and be usable open space. 12.5% of the sites GDA is 7,690 square feet. To meet this requirement the Applicant has proposed Tract A to be the usable open space located outside of the SROZ. Tract A is 7,691 square feet; therefore, the Applicant's proposal satisfies the open space requirements.

- 2. Types of Open Space and Ownership.** *The following types of areas count towards the minimum open space requirement if they are or will be owned by the City, a homeowners' association or similar joint ownership entity, or the property owner for Multi-family Development.*
 - a. Preserved wetlands and their buffers, natural and/or treed areas, including those within the SROZ**
 - b. New natural/wildlife habitat areas**

- c. *Non-fenced vegetated stormwater features*
- d. *Play areas and play structures*
- e. *Open grass area for recreational play*
- f. *Swimming and wading areas*
- g. *Other areas similar to a. through f. that are publically accessible*
- h. *Walking paths besides required sidewalks in the public right-of-way or along a private drive.*

RESPONSE: The Applicant's proposed open space will be owned by an HOA. The proposed open space area will consist of a non-fenced vegetated stormwater feature, pedestrian pathway along the eastern boundary of the open space, open grass area for play, community garden, and a sitting area for neighbors to visit and relax. The Applicant's proposal satisfies the above criterion.

- 3. ***Usable open space requirements. Half of the minimum open space area, an area equal to 12.5% of the size of the Gross Development Area, shall be located outside the SROZ and be usable open space programmed for active recreational use. Any open space considered usable open space programmed for active recreation use shall meet the following requirements.***
 - a. *Be designed by a registered professional landscape architect with experience designing residential park areas. An affidavit of such professional's credentials shall be included in the development application material.*
 - b. *Be designed and programmed for a variety of age groups or other user groups.*

RESPONSE: As noted above, the proposed usable open space area, Tract A, is 7,691 square feet is size. The Gross Development Area of the site is 1.41 acres or 61,527 square feet. 25% of the Gross Development Area is 15,381 square feet and 12.5% of the sites GDA is 7,690 square feet. As proposed, the Applicant's proposed usable opens space area exceeds the 12.5% usable open space requirement.

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

A. *For lots over 10,000 square feet:*

RESPONSE: Except for the 44,198 square feet SROZ tract, which is unbuildable, no other lots in the proposed 8 lot subdivision are over 10,000 square feet in size. Therefore, this section does not apply to the Applicant's proposal.

B. For lots not exceeding 10,000 square feet:

- 1. Minimum front yard setback: Fifteen (15) feet, with open porches allowed to extend to within ten (10) feet of the property line.**

RESPONSE: The front setbacks will meet the minimum Code requirements. The fronts of the proposed houses will be a minimum of 15-feet from the front property line. Open front porches will be a minimum of 10-feet from the front property line. The minimum required setbacks are reflected on the preliminary plan and will be reviewed for compliance during the building permit process.

- 2. Minimum side yard setback: One story: five (5) feet; Two or more stories: seven (7) feet. In the case of a corner lot, abutting more than one street or tract with a private drive, the side yard on the street side of such lot shall be not less than ten (10) feet.**

RESPONSE: As per the requirements of the Code, one-story houses will meet the minimum of 5-feet from the side property lines. However, for houses of two or more stories, the Applicant is requesting a waiver of the minimum required side yard setback of 7-feet to 5-feet as part of this development proposal. The applicable waiver criteria in Section 4.1118(.03) and 4.140(.01) are addressed in detail below.

In order to construct homes that are comparable in size and scale to the existing homes in the surrounding neighborhood, the Applicant is requesting a waiver to the PDR-3 side yard setback for two-story homes. Specifically, the Applicant is requesting 5-foot side yard setbacks for Lots 2 and 4 – 7 as these lots are all internal to the proposed subdivision and do not have side yards abutting existing residential lots. For Lots 1, 3, and 8, the Applicant is requesting a 7-foot side yard setback for the northern side yard of Lot 1, the southern side yard of Lot 3, and the western side yard of Lot 8. As for the internal side yards for these lots, the Applicant is requesting a 5-foot side yard setback. By increasing the external side yard setbacks to 7-feet for lots 1 and 3, as required by Section 4.113, it will minimize any potential impacts on the existing neighboring lots to the north and south by providing additional buffering space that can be landscaped to help screen the home. Even though Lot 8 is technically a corner lot, the Applicant has been working with the City on the layout of the proposed subdivision for almost a year now. Through that effort one option that was explored by the Applicant, and supported by the City Staff, was to vacate the existing right-of-way that extends south of the Canyon Creek Rd. S cul-de-sac bulb. City Staff supported the vacation of this small stretch of right-of-way because it terminates at the northern boundary of the

Sundial Apartments property and Canyon Creek Rd. S is not expected to be extended beyond the terminus of the current cul-de-sac bulb. As such, Lot 8 will not function as a "typical" corner lot since no one will be driving on the unimproved right-of-way. For this reason, the Applicant is requesting 7-foot side yard setback for the western side property boundary of Lot 8, as opposed to 10-feet, for a standard corner lot.

By allowing the requested waivers to the side yard setbacks, it will allow for homes to be constructed on the proposed lots that will be between 36 to 38 feet wide, which is compatible with the existing homes in the surrounding neighborhood. By maintaining building footprints on these lots that can accommodate homes that are compatible with the existing homes in the surrounding neighborhood, it will enhance the overall neighborhood and maintain property values, which is a concern of the neighbors.

Continued compliance with the required setbacks will be verified through the building permit application process.

3. *In the case of a key lot, ...*

RESPONSE: This project does not propose any key lots.

4. *No structure shall be erected within the required setback for any future street...*

RESPONSE: This project does not propose any structures within any required setbacks for any future street areas.

5. *Minimum setback to garage door or carport entry: Twenty (20) feet. Wall above the garage door may project to within fifteen (15) of property line, provided that clearance to garage door is maintained.*

RESPONSE: All garage door and/or carport entries will be a minimum of 20 feet from the front property line. Walls above the garage door will possibly project over the garage to within 15 feet of the property line, and clearance to the garage door will be maintained. The minimum setbacks are reflected on the preliminary plan and will be verified through the building permit review process.

6. *Minimum rear yard setback: One story: fifteen (15) feet. Two or more stories: Twenty (20) feet. Accessory buildings on corner lots must observe the same rear setbacks as the required side yard of the abutting lot.*

RESPONSE: Single-story dwellings will be at least 15 feet from the rear property line. Dwellings more than two stories will be at least 20 feet from the rear property line. No accessory buildings are proposed as part of this application. The minimum setbacks are

reflected on the preliminary plan and will be verified for compliance through the building permit review process.

All minimum required and proposed setbacks are reflected on the preliminary plan and continued compliance with the required setbacks for the project will be verified through the building permit application process.

(.03) Height Guidelines: The Development Review Board may 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 buildings more than two (2) stories in height 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 from greater encroachments than would occur if developed conventionally.**

RESPONSE: The subject site does not have any scenic vistas of Mt. Hood or the Willamette River. The proposal is for a single-family residential subdivision. Multi-family dwellings are not proposed and will not be part of the development. This is not a building permit application and specific building plans have yet to be determined, but it's anticipated that the houses will be either one-story or two-story dwellings, not exceeding 35 feet in height.

(.04) *Residential uses for treatment or training*

RESPONSE: This project does not propose any Residential Homes or Residential Facilities. This section is not applicable.

(.05) *Off Street Parking*

RESPONSE: The Code requires one (1) off-street parking space per single-residential dwelling unit. The required space will be provided via an on-site driveway on each lot which will be a minimum of 20 feet long by 12 feet wide. It is anticipated that each house will have at least a one-car garage, which will provide an additional parking space, for a total of two (2) off-street parking spaces.

(.06) *Signs*

RESPONSE: No signage is proposed as part of this application or development.

(.07) Fences

RESPONSE: Except for the small split rail fence for the community garden internal to the open space tract and a four-foot tall steel tube open fence that will be constructed between Parcel 2 and the opens space tract (see landscape plan for more detail), no other fencing is being proposed for the new lots at this time as part of this application.

After construction of individual houses, lot owners may choose to erect good neighbor fencing along lot lines in accordance with the rules contained in this subsection.

(.08) Corner Vision

RESPONSE: Proposed fencing and landscaping will meet vision clearance requirements as specified in Section 4.177.

(.09) Prohibited Uses

RESPONSE: This application is not for anything other than single-dwelling residential lots in a subdivision. Detached single-family dwellings are proposed, and they are allowed in the requested zone. The proposal does not include any trailers, travel trailers or mobile coaches as residences. The development does not propose any outdoor advertising displays, advertising signs or advertising structures.

(.10) Accessory Dwelling Units

RESPONSE: This application is not for accessory dwelling units. None are being proposed at this time.

(.11) Reduced Setback Agreements

RESPONSE: Reduced setback agreements are not being proposed as part of this application. Instead, the applicant is requesting a waiver of the required 7-foot side yard setback for 2-story homes. With the waiver request, the Applicant is requesting a 5-foot side yard setback for all two-story homes.

(.12) Bed and Breakfasts

RESPONSE: This application does not include any proposals for any bed and breakfasts.

(.01) Height Guidelines: In "S" overlay zones, the solar access provisions...

RESPONSE: The subject property is not located in an "S" overlay zone, therefore, these standards are not applicable to this application.

(.02) Underground Utilities shall be governed by Sections 4.300 to...

RESPONSE: Sections 4.300 to 4.320 are addressed later in this narrative.

(.03) Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:

A. Waive the following typical development standards:

- 1. minimum lot area;*
- 2. lot width and frontage;*
- 3. height and yard requirements;*
- 4. lot coverage;*
- 5. lot depth;*
- 6. street widths;*
- 7. sidewalk requirements;*
- 8. height of buildings other than signs;*
- 9. parking space configuration and drive aisle design;*
- 10. minimum number of parking or loading spaces;*
- 11. shade tree islands in parking lots, provided that alternative shading is provided;*
- 12. fence height;*

13. architectural design standards;

14. transit facilities; and

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

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

RESPONSE: As part of the proposed subdivision, the Applicant is requesting a waiver to the yard requirements for the side yard setback for two-story homes.

As noted above, in order to construct homes that are comparable in size and scale to the existing homes in the surrounding neighborhood, the Applicant is requesting a waiver to the PDR-3 side yard setback for two-story homes. Specifically, the Applicant is requesting 5-foot side yard setbacks for Lots 2 and 4 – 7 as these lots are all internal to the proposed subdivision and do not have side yards abutting existing residential lots. For Lots 1, 3, and 8, the Applicant is requesting a 7-foot side yard setback for the northern side yard of Lot 1, the southern side yard of Lot 3, and the western side yard of Lot 8. As for the internal side yards for these lots, the Applicant is requesting a 5-foot side yard setback. By increasing the external side yard setbacks to 7-feet for lots 1 and 3, as required by Section 4.113, it will minimize any potential impacts on the existing neighboring lots to the north and south by providing additional buffering space that can be landscaped to help screen the home. Even though Lot 8 is technically a corner lot, the Applicant has been working with the City on the layout of the proposed subdivision for almost a year now. Through that effort one option that was explored by the Applicant, and supported by the City Staff, was to vacate the existing right-of-way that extends south of the Canyon Creek Rd. S cul-de-sac bulb. City Staff supported the vacation of this small stretch of right-of-way because it terminates at the northern boundary of the Sundial Apartments property and Canyon Creek Rd. S is not expected to be extended beyond the terminus of the current cul-de-sac bulb. As such, Lot 8 will not function as a “typical” corner lot since no one will be driving on the unimproved right-of-way. For this reason, the Applicant is requesting 7-foot side yard setback for the western side property boundary of Lot 8, as opposed to 10-feet, for a standard corner lot.

By allowing the requested waivers to the side yard setbacks, it will allow for homes to be constructed on the proposed lots that will be between 36 to 38 feet wide, which is compatible with the existing homes in the surrounding neighborhood. By maintaining building footprints on these lots that can accommodate homes that are compatible with the existing homes in the surrounding neighborhood, it will enhance the overall neighborhood and maintain property values, which is a concern of the neighbors.

B. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways:

- 1. Open space requirements in residential areas;**
- 2. Minimum density standards of residential zones;**
- 3. Minimum landscape, buffering and screening standards;**

RESPONSE: The open space requirement is being met and exceeded with approximately 7,691 square feet of usable park area located on Tract A, which is located adjacent to the proposed subdivision. The minimum density standards of the PDR-3 zone are being met and have been addressed in detail later in this document under Section 4.124. The Applicant is agreeable to having the minimum landscape standards being made a condition of final approval and that a certified landscaping plan be submitted to the City prior to final plat approval.

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:...

RESPONSE: None of these items are being requested as waivers.

(.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: The applicant acknowledges the Planning Director and Development Review Board will not attach conditions that will unnecessarily increase the cost of the development, and further acknowledges that conditions that are attached are done so to meet the minimum requirements of the Comprehensive Plan and Code.

(.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*
- C. *Easements*

RESPONSE: The proposed development does not include any public recreational facilities. All amenities associated with the proposed open space areas will owned and maintained by the HOA. The main street providing access will be a public street, dedicated to the City and under the City’s jurisdiction.

(.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: The subject property is more than two (2) acres in size. This subsection is not applicable to the application.

(.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 a part of the total development under consideration as a unit.

RESPONSE: Because the site does contain SROZ area, a significant portion of the site is non-developable and non-buildable. This application utilizes the density transfer available pursuant to this subsection. The calculations are noted in detail later in this document under Section 4.124(.05).

(.08) Wetland Mitigation and other mitigation for lost or damaged resources.

RESPONSE: The subject property does not contain any wetlands. This section of the Code is therefore not applicable to this application.

(.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.*

RESPONSE: The subject property does not contain any wildlife corridors or fish passages. The site does contain SROZ area which has been deemed as non-developable and non-buildable on the submitted plan set. No vegetation will be removed from the SROZ area. Grading on the non-SROZ portion of the site will be limited to only that necessary to install the required site improvements and construct houses. There will not be any grading in the SROZ area. Water, sewer and storm water are available and will be designed and constructed in accordance with the Code to minimize adverse impacts on the site, surrounding properties and environment.

Section 4.120 Zones. RA-H Residential Agricultural – Holding Zone

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

RESPONSE: The subject property, Tax Lot 6400, is currently zoned RA-H. The purpose of this zone is to preserve the future urban level development potential of the property. The City’s Code states the following: **“It is the purpose of this zone to serve as a holding zone to preserve the future urban level development potential as undeveloped property designated for more intensive development. This zone has been applied to all urbanizable properties within the City which are planned for development and which have not previously received development approval in accordance with the Comprehensive Plan.”**

It is because of the stated purpose of the RA-H zone, as stated by the City, that this application is proceeding. Part of this application requests a zone change for Tax Lot 6400 to PDR-3 to allow development of the site as a single-dwelling residential planned development and allow it to realize its full development potential, pursuant to Section 4.120 of the Code. The subject property is part of the original Bridle Trail Ranchetts. A review of the tax map shows that all the original Ranchetts lots on the west side of Canyon Creek South have been developed with the PDR-3 zone, and the Ranchetts lots on the east side of Canyon Creek South that have been developed as Crosscreek have also been developed with the PDR-3 zone. This application is not breaking new ground, setting any precedents or seeking high density zoning. In fact, this application is seeking the same zoning that has been given to the surrounding subdivisions to the west and north, namely Renaissance and Crosscreek. This application is also a continuation of the previously-approved Aspen Meadows subdivision that was approved in 2016. Additionally, the subdivision adjacent to the east of the subject parcel is, in fact, a higher density zone of PDR-4. However, the applicant did not want a higher density zone for this application feeling that it would not be in keeping with the character of the surroundings – even though there is precedent to the east.

Section 4.124 Standards Applying To All Planned Development Residential Zones

(.01) Examples of principal uses that are typically permitted:

RESPONSE: This proposal is for an eight (8) lot residential subdivision that will contain detached single-family dwelling units and an open space tract. Both these uses are listed as examples of principal uses that are typically permitted in a planned development. The project meets this standard.

(.02) Permitted accessory uses to single family dwellings and detached units:

RESPONSE: This application is only for single-family dwellings. Accessory uses or structures are not part of this application.

(.03) Permitted accessory uses for duplexes and attached multi-family dwelling units:

RESPONSE: This standard is not applicable to this application as the project will not contain any multiple-family dwelling units.

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

RESPONSE: This application does not include any conditional use permit requests.

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

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

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

*All dwelling unit types, except accessory dwelling units, are included for calculating density

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

- A. **Maximum Unit Count.** Maximum unit count at build out of Stage I Master Plan area: is calculated by taking the Gross Development Area multiplied by Maximum Density per Acre stated in Table 1 of this Code section, plus any density transferred from SROZ areas pursuant to Subsection 4.139.11 (.02). For example, any number greater than 4 and less than 5 shall be rounded down to 4.
- B. **Minimum Unit Count.** Minimum unit count at build out of Stage I Master Plan area: 80% of maximum unit count described in A. above.
- C. **If the Stage I Master Plan area is subject to more than one Comprehensive Plan Map Density Range District and Zoning Designation, calculations for areas of differing densities shall be done separately and then summed Updated June 2020 together, and the final summed number rounded down to the nearest whole number**

RESPONSE: This application includes a request for a zone change for Tax Lot 6400 to PDR-3 and a comprehensive plan density of 4-5 units per acre as per Table 1 in this subsection of the Code. The minimum and maximum densities for this project are as follows:

Total Gross Acreage: 2.43 acres
 Total SROZ: 1.01 acres
 Total Usable Acreage: 1.41 acres (gross – SROZ)

SROZ acres 1.01 x 4 du/ac = 4.04 x .50 (50% SROZ transfer credit) = 2.02 or **2**
 SROZ acres 1.01 x 5 du/ac = 5.05 x .50 (50% SROZ transfer credit) = 2.5 or **3**

Usable acres 1.41 x 4 du/ac = 5.64 or **6 minimum lots**
 Usable acres 1.41 x 5 du/ac = 7.05 or **7 maximum lots**

2 transfer credit lots + 6 = 8 minimum lots
 3 transfer credit lots + 7 = 10 maximum lots

The project proposes eight (8) lots, which equals to the minimum lots allowed, thus meeting the standard.

(.07) Lot Standards

Table 2: Lot Standards for All PDR Zoned Lots

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

- A. *A building must be completely detached from the largest building to be considered a separate building for the purpose of lot coverage calculations*
- B. *Lot frontage may be on a public street or approved, platted private drive.*
- C. *Lot frontage may be reduced to 24 feet when the lot fronts a cul-de-sac.*

RESPONSE: All proposed lots are a minimum of 4,500 square feet in size, 40-feet in minimum lot width at the building line/minimum street frontage of lot, and have a minimum lot depth of 60-feet. No dwellings are being proposed at this time. All setbacks and building heights for the future dwellings will be reviewed for compliance during the building permit review.

(.09) Block and access standards:

RESPONSE: No new blocks will be created as part of the proposed subdivision. The existing block lengths in the neighborhood will not be compromised with the proposed development and not additional blocks will be created as part of the proposed subdivision. As such, these criteria do not apply to the Applicant's proposal.

(.10) Signs

RESPONSE: This project is not proposing any signs.

(.11) Parking

RESPONSE: The requirements of Section 4.155 will be addressed in detail later in this narrative.

(.12) Corner Vision Clearance

RESPONSE: The landscaping and fencing that is proposed as part of this application will meet all requirements of Section 4.177.

Section 4.139 Significant Resource Overlay Zone (SROZ) Ordinance

RESPONSE: The subject site has an identified SROZ area. The SROZ area is on the eastern portion of the subject property and is clearly demarcated on the submitted site plans with cross-hatching. The SROZ area consists of 44,198 square feet. The required 25-foot buffer area has also been shown on the submitted plans in a hatched area. There are three (3) lots that have SROZ and SROZ-buffer area on their eastern rear portion. This entire area on each of the three (3) lots has been designated as a non-usable, non-buildable residential conservation easement. The developer will construct a four-foot tall open fence on these lots along the SROZ boundary line. The SROZ area will not have

any development. None of the existing trees in the SROZ area are being removed. Since no development can or will take place in the SROZ area, the density transfer allowed pursuant to Section 4.139.11 is included as part of this project. The calculations are given earlier in this narrative under Section 4.124(.05).

Section 4.140 **Planned Development Regulations**

- (.01) **Purpose**
- (.02) **Lot Qualification**
- (.03) **Ownership**
- (.04) **Professional Design**
- (.05) **Planned Development Permit Process**
- (.06) **Staff Report**
- (.07) **Preliminary Approval (Stage One)**

RESPONSE: The subject property is more than two (2) acres in size and is being zoned to PDR-3 which meets the lot qualification requirements for a Planned Development. The property owners are listed on the application and have signed the application as the property owners. Appropriate professionals consisting of a professional land-use planner (Steve Miller), a registered engineer (Eric Evans) and a licensed land surveyor (King Phelps) are representing this project.

The applicant acknowledges that, prior to issuance of any building permit, the approvals must be obtained for the PDR-3 zone, the planned development permit and Development Review Board/City Council approval. The applicant has had a pre-application conference, as noted earlier in this narrative. This application represents the preliminary review of the planned development. It also represents the zone change and zone boundary amendment to PDR-3 which must be approved by City Council. City staff will review this submittal for completeness and the applicant will re-submit any revised or missing materials.

The submitted application, obtained from the City Planning Department, has been signed by the property owners. The professional design team has been noted above, with the registered engineer being the designated coordinator for the project. The development will not include any mixed uses; rather, it will be solely single-family dwellings.

The submitted Existing Conditions Map (Sheet 2) shows the boundary and topography of the property and has been stamped and signed by King Phelps, a licensed land surveyor.

The intention is to proceed to commence construction of the project within two (2) years after approval of the development plan. Phasing is not proposed at this time.

The applicant acknowledges that a public hearing will be scheduled for this approval and that the Board may approve or disapprove the application or require changes or impose conditions of approval necessary to ensure conformity to the criteria and regulations of the Code.

Section 4.154 **On-site Pedestrian Access and Circulation**

RESPONSE: The subject site is only 2.43 acres in size and results in a single phase 8-lot subdivision that is fully connected via the one public street and proposed private street tract that will provide a connection to surrounding neighborhoods and pedestrian amenities. A public sidewalk will be provided along south side of the proposed ½ street and along the SW Canyon Creek Road South frontage (i.e. cul-de-sac bulb). A sidewalk will also be provided on the east side of the private street tract and connect with the sidewalk on the proposed ½ street. This sidewalk will be located on the front of the adjacent lots in sidewalk easement. All the proposed sidewalks will provide safe pedestrian interconnectivity for all the lots and residents throughout the development. All lots immediately front public sidewalks.

In addition, there is an existing pedestrian easement located immediately west of the site, which provides a pedestrian connection between Canyon Creek Road S and SW Morningside Ave. With the proposed sidewalk improvements to the existing cul-de-sac bulb, the applicant will be able to provide a seamless pedestrian connection with the existing pedestrian easement on the west side of the Canyon Creek S cul-de-sac bulb.

With the addition of the proposed sidewalks, on-site pedestrian access and circulation will safely and effectively take place.

Section 4.155 **General Regulations – Parking, Loading and Bicycle Parking**

RESPONSE: This project is for a detached single-family dwelling residential subdivision. On-street parking is not required and will not be provided because the applicant is only able to make a half street improvement. Once the property to the north re-develops and constructs the other half of the street, then there will be space available to allow on-street vehicle parking. Parking structures or parking lots are not required for this type of development. All required off-street parking for the future detached single-family will be provided on each lot via the driveways, which will be a minimum of 20 feet long by 12 feet wide. This will provide a minimum of one off-street parking space per dwelling units which meets the Code requirement of one space per dwelling unit. Additionally,

proposed houses will have at least a single-car garage which provides yet another parking space. For single-dwelling residential use, there are no parking maximums and no bicycle parking requirements.

Section 4.167 **General Regulations – Access, Ingress and Egress**

RESPONSE: This project is for a planned development. It does not contain any building permit requests at this time, nor have house designs been chosen. At the time of requesting building permits for each lot, an individual site plan will be prepared showing the location of the house and the location and dimensions of the driveway for that specific lot. The proposed driveway locations will meet all Code requirements for ingress and egress and will be reviewed for compliance during the building permit process.

Section 4.171 **General Regulations – Protection of Natural Features and Other Resources**

RESPONSE: The site does not contain any hillside areas, flood plains or other significant landforms. There is a Significant Natural Resource Overlay zone on the eastern portion of the site which has been deemed as non-usable area in a separate tract. This area will not be disturbed at all. Topography is shown on the Existing Conditions Map, and a Preliminary Grading Plan has been included in the plan set submittal. All grading, filling and excavating for the development shall be done in accordance with the Code. The development has been designed to limit the extent of disturbance of soils. The site does not include any erosion areas, lakes, rivers, streams or fish habitats. Any wildlife habitat or wetlands are contained in the SROZ which is non-developable and non-usable. Vegetation in the SROZ will remain undisturbed.

The subject property does not have any slopes greater than 25%.

A Tree Preservation and Removal Plan has been included with the plan sheets showing the size, condition, location and action of all existing trees on the site as certified by an arborist. Every effort has been made to retain all trees except those that are in the way of the required frontage improvements, the new public street, the proposed private road or future dwellings. The site currently has a total of 96 existing trees. The arborist has determined that 26 of those 96 existing trees are non-viable, dead, diseased, dying, or they will impede construction of infrastructure, street improvements, driveways and future building sites and, as such, should be removed. Those 26 identified non-viable trees are, therefore, shown as trees being removed on the Tree Preservation and Removal Plan. All the remaining 70 viable trees are being retained.

The subject property does not have any high voltage powerline easements or rights-of-way or any petroleum pipeline easements.

The site does not have any earth movement hazard areas, soil hazard areas or flood plain areas.

Section 4.175 **Public Safety and Crime Prevention**

RESPONSE: While this application is only a Stage I/II application, the applicant acknowledges that all addressing for future home sites and directional signage shall be done in accordance with the Code. The project does not have any parking or loading areas to trigger the need for surveillance or exterior parking lot lighting.

Section 4.176 **Landscaping, Screening, and Buffering**

Response: This project is a residential subdivision and does not contain any parking lots, therefore there aren't any requirements for parking lot landscaping or parking lot landscaped planter islands. The site will not contain any commercially-used waste or recycling bins, loading areas or exterior mechanical and utility equipment that will require screening from public view.

The existing SROZ area is remaining undisturbed. All existing trees and vegetation will remain to aid in conserving and protecting natural resources and any wildlife habitat that may be residing in the SROZ area.

Additionally, the Preliminary Storm Water and Utilities Plan depicts the proposed location of all proposed street trees. The purpose of this depiction is to illustrate the placement of the proposed street trees in relation to proposed and existing utilities and to show the proposed placement complies with the placing requirements of the Public Works Standards. The Preliminary Plat also notes that all street tree placement shall meet the standards of Public Works Standards. Installation, maintenance, irrigation, root barriers and tree planting details will be shown on the civil plans, with a Street Tree Planting Detail. The Street Tree Planting Detail will note the placement standards required by Public Works.

Section 4.177 **Street Improvement Standards**

RESPONSE: There will be two internal streets – one a public street accessing off of SW Canyon Creek Road South and extending to the site's northern property line and ending in a stub to provide connectivity for future development to the north; and the second, a private street Tract C. Lots 9 and 10 will access off of the private street. Lot 8 may access off of either the private street or the public street depending upon house layout. In no event shall more than three (3) lots access off of the proposed private

street tract. A sidewalk will be constructed on the south side of the proposed public street and along the east side of the private street. No on-street parking will be available on the public street since the applicant is only able to construct a half-street improvement. Sidewalk will be installed along the site's SW Canyon Creek Road South frontage as well (i.e. cul-de-sac bulb). The full length of the proposed public street exceeds the 200-foot maximum for a dead-end street. However, the project does contain an existing cul-de-sac bulb, so the fire truck can travel 150-feet down the new public street and then back out using the cul-de-sac bulb. The future homes on Lots 1-3 will be equipped with fire sprinklers.

A public street is being provided, so a multiuse pathway is not being provided. Transit improvements are not required as the site is not adjacent to a major transit street. On-street bicycle facilities shall be provided as per the requirements of the Code. The proposed residential private access drive (easement) provides vehicular access to no more than three (3) lots (Lots 2 - 3). The easement will be constructed to meet all Code requirements. All future access driveway and driveway approaches shall be designed to meet all the Code requirements and shall be reviewed for compliance during the building permit process.

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:***

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*

RESPONSE: This application represents a request for a Site Development Permit Review, Quasi-judicial zone change, Quasi-judicial change to the map of the Comprehensive Plan and an eight (8) lot subdivision developed as a Planned Development, with one waiver request. The subject property is 2.43 acres in size, so it's over 2 acres in size and as such the requested zone is PDR- 3. The required usable and non-usable open space is shown on the site plan. A traffic study was completed by DKS Associates on November 4, 2019.

2. *The amendment substantially complies with all applicable goals, policies and objectives set forth in the Comprehensive Plan; and*

RESPONSE: The narrative addresses how this proposed project meets all the requirements of the Code. The Code is developed as a method of achieving the goals and policies in the Comprehensive Plan; therefore, compliance with the Code equals substantial compliance with the Comprehensive Plan.

3. *The amendment does not materially conflict with, nor endanger, other provisions of the text of the Code; and*

RESPONSE: This project only proposes a map amendment to the subject property. The project does not propose changes to any of the text of the Comprehensive Plan, nor does it propose changes to any portions of the Comprehensive Plan Map other than its own designation.

4. *If applicable, the amendment is in compliance with Statewide Land Use Planning Goals and related administrative rules; and*

RESPONSE: As per Oregon Revised Statute 197.013 implementation and enforcement of acknowledged comprehensive plans and land use regulations are matters of statewide concern. Oregon Revised Statute 197.005 states that cities are responsible for the development of local comprehensive plans. The City of Wilsonville has an adopted comprehensive plan which complies with Oregon Planning and Goals and Guidelines. As outlined throughout this narrative, this project has been shown to be compliant with Wilsonville's Comprehensive Plan when developed. Therefore, when developed, the project will also be compliant with the Statewide Planning and Goals and Guidelines.

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: As per Oregon Revised Statute 197.013 implementation and enforcement of acknowledged comprehensive plans and land use regulations are matters of statewide concern. Oregon Revised Statute 197.005 states that cities are responsible for the development of local comprehensive plans. The City of Wilsonville has an adopted comprehensive plan which is compliant with Oregon Planning and Goals and Guidelines. As outlined throughout this narrative, this project has been shown to be compliant with Wilsonville's Comprehensive Plan when developed. Therefore, when developed, the project will also be compliant with the Statewide Planning and Goals and Guidelines.

(.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

RESPONSE: As has been previously stated in this narrative, the application was submitted in accordance with the procedures set forth in Section 4.140. The portion of the narrative under Section 4.140 addresses the application submittal in detail.

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: The narrative addresses how this proposed project meets all the requirements of the Code. The Code is developed as a method of achieving the goals and policies in the Comprehensive Plan; therefore, compliance with the Code equals substantial compliance with the Comprehensive Plan.

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

RESPONSE: Implementation Measure 4.1.4.b refers to providing a variety of housing types and that adequate public facilities and services must be available to build and maintain a decent, safe, and healthful living environment. The City of Wilsonville is a growing area and this development will provide eight (8) detached single-family dwellings for those families and individuals seeking detached, individual housing units rather than apartments or condominiums. Sewer, water and storm are currently available in SW Canyon Creek Road South and will be extended by the developer through the new public street. The submitted Traffic Impact Analysis has indicated no adverse impacts to traffic and that the current transportation system can adequately handle the additional trips generated through this development.

Implementation Measure 4.1.4.d encourages construction and development of diverse housing types while maintaining a balance between housing types. The City of Wilsonville has an overabundance of apartment buildings and multi-family dwellings. This project will provide detached single-family dwellings that will help equalize the current housing situation. Additionally, the range of lot sizes from 4,672 square feet to 6,905 square feet provides options for those individuals seeking a larger single-family detached dwelling with some yard or little to no yard. The smaller lots provide the "little to no yard" option.

Implementing Measure 4.1.4.e discusses targets being set to meet the City’s Goals for housing and assure compliance with State and regional standards. The project will be providing an additional eight (8) single-family detached dwellings to the City to assist in meeting its housing requirements for its citizens. A portion of the Comprehensive Plan states the “prevailing vacancy rates for all types of housing as of January 1987, within the City were extremely low” and that this “indicates that the demand for housing in Wilsonville exceeded the supply.” The applicant provides the following statistics obtained from the best available real estate websites for the City of Wilsonville:

PSU Certified Population Estimate July 1, 2017	24,315
Available single-family homes (Zillow – 2/26/2018)	85

Breakdown of Types of Housing Units in Wilsonville:

Single-family homes	4,420
Apartment units	4,967
Condo units	563

Based on the best available information for the current housing inventory in the City of Wilsonville, less than half are single-family homes. This evidence indicates that the current housing situation has not improved much since 1987 and would seemingly indicate that there is a substantial need for additional single-family homes in the City. Implementing Measures 4.1.4.q and 4.1.4.x refer to mobile homes, manufactured dwellings and apartments. This proposal is for single-family detached dwellings, so these portions of the comprehensive plan aren’t applicable to this project.

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: Storm, sewer and water lines currently exist in SW Canyon Creek Road South, which is the western boundary of the subject property. Extensions will take place from the main lines in SW Canyon Creek Road South through the new public street. Individual services will then be provided to each lot from the new public street. Sidewalks will be constructed along the portion of SW Canyon Creek Road South that fronts the subject site. A new public street and a new private street tract will be constructed as part of the development, with installation of sidewalks on one side of the new public and private street.

- 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: The subject site does not contain any identified natural hazard or geologic hazard. The site does contain, however, a Significant Resource Overlay Zone area which has been delineated on all the submitted plan sheets. This area has been deemed as non-usable and non-buildable and will be preserved for open space area. The proposed lots that back up to the SROZ area will have a four-foot tall open fence constructed along the SROZ boundary line to prevent use of or construction in this area. Additionally, a no-build/non-usable conservation easement will be placed over the entire SROZ area.

- 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: The applicant intends to proceed with the development process well within two (2) years of the initial approval of the zone change.

- 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: This narrative describes how the proposed development complies with all the standards of the Code, acknowledging compliance with any attached conditions of approval to ensure the development proceeds in a manner consistent with the City's standards and regulations. The applicant is requesting some waivers from required standards, but the applicant has added additional features to mitigate for those waivers, which are addressed in detail under the subsection of this document pertaining to waiver.

- 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 pursued pursuant to the requirements in Section 4.133.05.(01).**

RESPONSE: The proposed development will take access from an existing local street, SW Canyon Creek Road South. From this road, a new public street will be constructed. A Traffic Impact Analysis was performed by Scott Mansur of DKS on November 4, 2019. The original analysis has been included as part of the package submittal. The summary of the analysis concludes that the previously proposed ten (10) lot subdivision is expected to generate only 10 new p.m. peak hour trips (6 in/4 out). The TIA further notes in the Summary as "key finding" that the proposed site plan provides adequate site access to each proposed lot and that the existing pedestrian walkway that connects Canyon Creek Rd. S cul-de-sac to Morningside Ave. will not be impacted by the proposed subdivision.

Given that the proposal is now an eight (8) lot subdivision, it's reasonable to conclude that the impacts are less than those anticipated for the previously proposed ten (10) lot subdivision and that the current plan provides still provides adequate site access to each proposed lot and that the existing pedestrian walkway that connects Canyon Creek Rd. S cul-de-sac to Morningside Ave. will not be impacted by the proposed subdivision.

Section 4.198 Comprehensive Plan Changes – Adoption by the City Council

(.01) *Proposals to amend the Comprehensive Plan, or to adopt new elements or sub-elements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan. Each such amendment shall include findings in support of the following:*

A. That the proposed amendment meets a public need that has been identified;

RESPONSE: The proposed project will provide eight (8) single-family detached houses meeting the public need for detaching housing. Each of the following exhibits provide evident relating to the need for housing.

As many news articles from around the State of Oregon have noted over the past several years, the State is experiencing a significant lack of all types of housing, whether affordable or market value housing, in Oregon overall. As such, the State has declared that all proposed housing in Oregon is "needed housing". The underlying theme in all of these articles is that the housing stock in Oregon has not kept up with demand and working families are struggling to meet their most basic needs for affordable housing.

A search on one real estate website identified only 85 homes are currently for sale in the City of Wilsonville at a median listing price of \$449,990. Some of these homes are considered "Hot Homes," meaning they're likely to sell quickly. Most homes for sale in Wilsonville stay on the market for 48 days and receive 1 offer. In the past month, 26

homes have been sold in Wilsonville. The median price per square foot in Wilsonville has increased by approximately 5.3% over the past year. In addition to detached single-family houses in Wilsonville, there were also 9 condos, 27 townhouses, and 1 multi-family unit for sale in Wilsonville as of January 2018. At the same time, inventory decreased marginally year-over-year by 6.2 percent, but a wide range of homes for sale stood on the market in this year with 60 listings for sale throughout this vicinity.

Of those 85, 24 are over \$500,000 in listing price. Of the remaining 60 listed on this site, 7 of the homes were townhomes, condos or attached houses. 1 of the listing items was for bare ground. Therefore, out of the 85 listings, there are 53 single-family detached houses available for sale at less than \$500,000 in listing price.

Average Home in Wilsonville:

PSU Certified Pop. Estimate 7/1/2017	24,315
Available single-family homes	85
Avg. Price	\$406,218
Avg. Bedrooms	2.5 beds
Avg. Bathrooms	2.49 baths

Based on the best available sales information for detached single-family dwellings units in the City, slightly more than half are detached single-family homes at less than \$500,000. This would seemingly indicate that there is still a need for additional single-family homes in the City.

B. That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;

RESPONSE: This application seeks a zone and comprehensive plan map amendment that would allow a minimum density of eight (8) lots and a maximum density of ten (10) lots on the subject property. Since the total new lots created by the proposed subdivision will be eight (8), which equals the low-range of the allowed densities, thus meeting the standard for the proposed zone.

Single-family detached houses will be built on each of the proposed eight (8) lots. The identified public need, as previously addressed, is for single-family detached housing. The requested amendment serves to satisfy this need better than requesting an amendment for a commercial or industrial designation – neither of which would address single-family housing. It is better than a high-density designation which would result in attached or multi-family housing, which would not meet the identified need of single-family detached houses. It is better than the lowest density designation as the lowest

density designation would provide fewer lots available for single-family detached housing, and thus not address the need as well as the requested designation.

C. That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate; and

RESPONSE: Goal 10 of Oregon’s Statewide Planning Goals is to provide for the housing needs of citizens of the State. This project addresses that goal.

D. That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.

RESPONSE: The City of Wilsonville is a growing city with the individuals seeking individual housing units rather than attached housing, apartments, condominiums or multi-family dwelling units. This project proposes to help meet the City’s housing needs for single-family dwellings at a higher density than would be allowed by the property’s current Plan Map designation of RA-H – which only allows for one house. The proposed change will not result in conflict with any portion of the Plan as both the Comprehensive Plan and the Zoning Map are being changed as part of this request.

Additionally, the City’s Comprehensive Plan asked that the following factors are addressed in the proposed amendment:

- Suitability of the various areas for land uses and improvements – The subject property is surrounded by properties that have either had plan map and zoning designation changes or are designated as RA-H and are therefore slated for future higher density development. The subject property, then, is very suitable for the proposed use given the surrounding uses and zones.
- The land uses and improvements in the area – Again, the subject property is surrounded by housing, some at lower density and some at higher density. The proposed use of eight (8) lots for single-family detached housing blends with the development to the east, west and north of the property and future development slated for the properties to the south given their current designation of RA-H.
- Trends in land development – As has been demonstrated previously in this document, there is a need for single-family detached housing units. This application addresses the trend in developing properties for use as detached houses rather than multi-family, attached townhomes or condo units.
- Density of development – As stated previously in this narrative, the proposed development meets the minimum, and does not exceed the maximum, density requirements with eight (8) lots. The intent is to provide a variety of lot sizes in the

development, while not overwhelming with site with too many of a small size or too many of a large size.

- Property values – Housing plans have not yet been chosen for the development, but it's assumed most of the houses will be two-story homes with attached one- or two-car garages. The design of the subdivision with the proposed amenities, along with the houses that will eventually be selected, is aimed at increasing the property values of the surrounding properties by providing a quality development.
- The needs of economic enterprises in the future development of the area – As commerce and industry grow in Wilsonville, the number of employed people will increase resulting in a need for more housing in Wilsonville. This project seeks to accommodate the anticipated economic growth by providing housing to individuals employed in Wilsonville and thus enable them to live, work and play in the same community – that community being Wilsonville.
- Transportation access – The proposed project will be installing a new public street off the existing SW Canyon Creek Road South. There will also be a private street tract. Sidewalks are being provided on both sides of the public street and the east side of the private street. A pedestrian pathway is available in the adjoining Aspen Meadows to the north, which is a sister development to the proposed project.
- Natural resources – Most of the eastern half of the entire property is SROZ area. All the SROZ area will remain undisturbed. The vegetation and existing trees in the SROZ area are remaining and will be protected during construction. Care has been taken to route the storm drain line around any existing trees.
- The public need for healthful, safe and aesthetic surroundings and conditions – The need for single-family detached houses has been addressed throughout this narrative. The proposed project provides sidewalks, pedestrian pathways and crosswalks. The SROZ area is remaining undisturbed and will have additional native vegetative plantings to enhance the existing vegetation. A usable ¼ acre park area has been provided in the development. The entire project, then, has been designed to provide opportunities for active recreating, while still maintaining the existing wooded, natural vegetation.

The City's Comprehensive Plan asks for certain factors to be adequately addressed in the proposed amendment. Each of these factors has been addressed above and throughout this document. Accordingly, since the applicable factors of the City's Comprehensive Plan have been adequately addressed, it stands to reason that the requested project does not conflict with any portion of the Comprehensive Plan – as applicable portions have been addressed.

Section 4.199 **Outdoor Lighting**

RESPONSE: This portion of the Code is applicable to lighting in public facilities, commercial, industrial and multi-family housing projects with common areas or to major additions or modifications to existing exterior lighting systems in public facilities, commercial, industrial and multi-family housing projects with common areas. The proposed project is not a public facility, a commercial project, an industrial project or a multi-family housing project; rather, the proposed development is for single-dwelling structures. Section 4.199 is, therefore, not applicable to this development.

LAND DIVISIONS

Section 4.210 Application Procedure

RESPONSE: As has been previously noted earlier in this narrative, a pre-application conference has been held for this project. A licensed land surveyor, King Phelps, has signed and stamped the Existing Conditions Map. A professional engineer, Eric Evans, has certified the Preliminary Plat and other plan sheets – except the tree plan prepared by a certified arborist.

The City provided the application form which has been completed and contains the signatures of the property owners. The application fee has been submitted with the application, along with the appropriate number of copies of the plans. The name of the subdivision is Aspen Meadows No. 3. Items 1 through 26 under Section 4.210(.01)B have been included as part of the submission package, are included on the plan sheets and/or have been addressed in the narrative.

Section 4.236 General Requirements - Streets

RESPONSE: The development proposes one public street and one private street, both of which meet the standards in Section 4.177 as addressed previously in this narrative. The public street is a 36-foot wide half-street right-of-way area with no parking. The private street (i.e. easement) is 20-feet wide, with a sidewalk on the east side of the private street. The public street extends to the east and then turns north, ending at the northern boundary line, to provide connectivity for future development on the adjacent northern property that is not part of this project. As per the Code, a turn-around has not been provided pursuant to Section 4.236(.07) which states “the resulting dead-end street may be approved without a turn-around.” A turnaround is not warranted for this project because a fire truck can drive 150-feet down the proposed public street and have access to all lots. The fire truck can then back out into the existing cul-de-sac bulb to turn around. The future homes on Lots 1-3 will be equipped with fire sprinklers. Neither the public nor the private street have yet been named; when names are chosen, they will not duplicate the names of existing streets.

(.06) **Reserve Strips:** *The Planning Director or Development Review Board may require the applicant to create a reserve strip controlling the access to a street. Said strip is to be placed under the jurisdiction of the City Council, when the - Director or Board determine that a strip is necessary:*

- A. *To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street; or*
- B. *To prevent access to the side of a street on the side where additional width is required to meet the right-of-way standards established by the City; or*
- C. *To prevent access to land abutting a street of the land division but not within the tract or parcel of land being divided; or*
- D. *To prevent access to land unsuitable for building development.*

RESPONSE: The above criteria are not applicable to the Applicant's proposal because no reserve strips are proposed or required for the proposed subdivision.

Section 4.237 General Requirements – Other

RESPONSE: Blocks – The proposed development is made up of a single block. Because the subject property is located at the end of a cul-de-sac street, there is no ability to extend the block beyond the current cul-de-sac termination of the street. With that being said, the proposed subdivision will have all of the pedestrian sidewalks connecting which will provide a seamless link to the existing pedestrian connection between SW Morningside Ave. and Canyon Creek Rd. S.

Easements - Proposed public utility easements are shown on the Preliminary Grading Plan and the Preliminary Storm Water and Utilities Plan. The site does not contain any water courses.

Pedestrian and bicycle pathways –The proposed project proposes a sidewalk along the south side of the private street to connect with a proposed sidewalk on around the bulb of the existing cul-de-sac. These sidewalks will connect with the existing sidewalk/pedestrian connection between SW Morningside Ave. and Canyon Creek Rd. S, which provide connectivity with the surrounding neighborhoods.

There are no existing bicycle lanes or pathways in the surrounding area to connect with, so bicycles will share the roadway with the cars.

Tree Planting – The trees to be planted as part of this development are shown on the submitted Street Tree Plan and tree mitigation plan.

Lot Size and Shape – The proposed lots meet the minimum lot width, depth and size standards, as well as the minimum street frontage.

Access – All proposed lots meet the minimum frontage requirement of 40 feet at the street.

Through Lots – The proposal does not have any through lots.

Lot side lines – All the side lot lines run at right angles to the street or private street tract.

Large lot land divisions – The subject property is being divided to its maximum. No re-division is possible due to the proposed lot sizes and the non-developable SROZ area.

Building line – All the minimum building setbacks are being met in the proposed development.

Build-to line – The applicant is unaware of, or proposing, any build-to lines. The applicant is proposing adherence to the Code.

Land for public purposes – The development proposes a public street to be dedicated to the public as shown on the submitted plans.

Corner lots – All the corner lots (i.e. Lot 4) in the proposed development have a corner radius of over ten feet as shown on the submitted preliminary plat.

UNDERGROUND UTILITIES

Section 4.300 General

RESPONSE: All utilities serving this development shall be installed underground. A note will be placed on all engineering and construction drawings and the final plat indicating installation of underground utilities shall take place in accordance with the Code requirements.

SITE DESIGN REVIEW

Section 4.421 Criteria and Application of Design Standards

Response: Preservation of Landscape – The subject site has a large SROZ area just under one acre in size (i.e. Tract D – 44,198 sq. ft.). This entire area is being preserved as non-usable, non-developable open space. A conservation easement is being placed on the rear of Lots 1-3 to preserve the non-usable area of those lots. The landscaping in the SROZ area will not be disturbed. The viable trees on the site that can remain, will be remaining.

Relation of Proposed Buildings to Environment – This application does not include proposals for any new structures. Future structures will be single-unit dwellings which will meet the standards set forth in the Code and the conditions of approval for this development. Adherence to these standards will be reviewed during the building permit process.

Drives, Parking and Circulation – This project does not propose any commercial uses, buildings or parking lots/structures. A public street is proposed which will dead-end at the south boundary to provide connectivity for future development. Individual driveways and driveway approaches for future houses will be reviewed for compliance with the Code during the building permit process. Off-street parking requirements have been met via driveways and garages. The City does not have any on-street parking requirements.

Surface Water Drainage – A preliminary storm water plan and calculations have been submitted as part of this application package. LIDA planters are proposed and are shown on the preliminary storm water plan.

Utility Service – As has been stated previously, required public utility easements are shown on the submitted plans. Additionally, utilities for the development will be installed underground and in compliance with this Code.

Advertising Features – The project does not include any advertising features.

Special Features – The project does not include any special features.

Section 4.440 **Procedure**

RESPONSE: The current application is for a planned development preliminary plat; zone change and comprehensive plan map amendment. House designs, elevations and floor plans are not part of the application and have not yet been chosen or determined. A preliminary plat has been submitted with this package. A Street Trees planting plan has been provided and shows the actual placement location of the proposed street trees, being a combination of seven (7) *Nyssa Syklvatica* Tupelo trees

and one (1) Acer Rubrum "October Glory" Red Maple tree. The project is not proposing any signage. Architectural drawings and a Color Board are not applicable as this application does not include any structures.

TREE PRESERVATION AND PROTECTION

Section 4.600.50 Application For Tree Removal Permit

RESPONSE: Section 4.600.50(.02) states that where a site is proposed for development necessitating plat review, application for a Tree Removal Permit shall be made as part of the site development application. Pursuant to this requirement, this application submittal includes the non-refundable application fee and the completed application for a Tree Removal Permit. The current application is for a planned development preliminary plat, waiver, street/ROW vacation, zone change and comprehensive plan map amendment. House designs, elevations and floor plans are not part of the application and have not yet been chosen or determined. A preliminary plat has been submitted with this package. The project is not proposing any signage. Architectural drawings and a Color Board are not applicable as this application does not include any structures.

Section 4.610.10 Standards For Tree Removal, Relocation Or Replacement

(.01) ***Except where an application is exempt, or where otherwise noted, the following standards shall govern the review of an application for a Type A, B, C or D Tree Removal Permit:***

A. Standard for the Significant Resource Overlay Zone.

RESPONSE: There aren't any existing trees being removed from the Significant Resource Overlay Zone (SROZ) area.

B. Preservation and Conservation.

RESPONSE: The proposed development limits tree removal to only those that are non-viable or are immediately in the way of street construction, street frontage improvements or house pad sites. All trees in the SROZ area are being retained.

C. Developmental Alternatives.

RESPONSE: The proposed development limits tree removal to only those that are non-viable or are immediately in the way of street construction, street frontage improvements or house pad site. All trees in the SROZ area are being retained.

D. Land Clearing.

RESPONSE: As shown on Sheet 3, the Tree Preservation and Removal Plan, the only trees being removed in relation to land clearing are those in area of street rights-of-way, proposed building sites and other site improvements. Additionally, those trees identified as non-viable trees are being removed.

E. Residential Development.

RESPONSE: This is an application for a residential subdivision. The remaining trees have been left to provide the applicable lots with shade and tree canopy coverage.

F. Compliance With Statutes and Ordinances.

RESPONSE: The applicant acknowledges that all activity pertaining to trees will comply with the applicable statutes and ordinances.

G. Relocation or Replacement.

RESPONSE: Tree replacement and protection of the remaining trees has been addressed in detail in comments for Section 4.620.00.

H. Limitation.

RESPONSE: A tree survey has been performed by a certified arborist and is part of Sheets 4 and 5, the Tree Preservation and Removal Plan. The applicant and arborist have limited tree removal to only those trees that have been identified as non-viable or those that are immediately in the way of site improvements or future building sites and, as such, will not survive grading.

I. Additional Standards for Type C Permits.

1. Tree survey.

RESPONSE: A tree survey has been provided on Sheet 3 of the submitted site plan drawings.

2. Platted Subdivisions.

RESPONSE: Sheet 4 of the submitted plan drawing set is the required Tree Removal and Preservation Plan which includes all required criteria for tree protection during construction.

3. Utilities.

RESPONSE: Only those trees that are non-viable or in the way of site improvements or future building sites are being removed. A tree survey has been performed by a certified arborist and is part of Sheet 3, the Tree Preservation and Removal Plan. The applicant and arborist have limited tree removal to only those trees that have been identified as non-viable or those that are immediately in the way of site improvements or future building sites and, as such, will not survive grading.

Section 4.610.40 Type C Permit

(.01) *Approval to remove any trees on property as part of a site development application may be granted in a Type C permit. A Type C permit application shall be reviewed by the standards of this subchapter and all applicable review criteria of Chapter 4. Application of the standards of this section shall not result in a reduction of square footage or loss of density, by may require an applicant to modify plans to allow for buildings of greater height. If an applicant proposes to remove trees and submits a landscaping plan as part of a site development application, an application for a Tree Removal Permit shall be included. The Tree Removal Permit application will be reviewed in the Stage II development review process, and any plan changes made that affect trees after Stage II review of a development application shall be subject to review by DRB. Where mitigation is required for tree removal, such mitigation may be considered as part of the landscaping requirements as set forth in this Chapter. Tree removal shall not commence until approval of the required Stage II application and the expiration of the appeal period following that decision. If a decision approving a Type C permit is appealed, no trees shall be removed until the appeal has been settled.*

RESPONSE: A Type C Tree Removal Permit has been included with this application. No trees shall be removed until after approval of this application.

- (.02) *The applicant must provide ten copies of a Tree Maintenance and Protection Plan completed by an arborist that contains the following information:*
- A. *A plan, including a topographical survey bearing the stamp and signature of a qualified, registered professional containing all the following information:*
 - 1. *Property Dimensions. The shape and dimensions of the property, and the location of any existing and proposed structure or improvement.*
 - 2. *Tree survey. The survey must include:...*
 - 3. *Tree Protection.*
 - 4. *Easements and Setbacks.*
 - 5. *Grade Changes.*
 - 6. *Cost of Replacement.*
 - 7. *Tree Identification.*

RESPONSE: Sheet 3 of the submitted plans is identified as the Tree Removal and Preservation Plan. Property shape and dimensions are included on the plan, as well as the site's topography, the tree survey, a statement regarding tree protection, easements and setbacks, contours and a statement regarding tree identification. There is an estimated cost of \$350 per tree for each tree to be planted.

Section 4.620.00 ***Tree Relocation, Mitigation, Or Replacement***

RESPONSE: Tree planting will take place within one year of tree removal. There is a total of 92 trees currently existing on the site. All trees identified by the arborist as non-viable, diseased or dying are being removed to preserve the health of the viable trees that will remain. Any viable trees that are proposed to be removed are being removed because their existing location impedes installation of new streets, house pad sites or street frontage improvements. A tree survey has been performed by a certified arborist and is part of Sheet 4, the Tree Preservation and Removal Plan. The applicant and arborist have limited tree removal to only those trees that have been identified as non-viable or those that are immediately in the way of site improvements or future building sites and, as such, will not survive grading.

As shown on the submitted plans, the applicant is proposing the removal of 26 trees, which will be mitigated with the planting and preservation of 26 trees in the SROZ area and open space area as shown on sheet 4 of the submitted plan set.

The Street Trees plan shows trees that are 2" or more in diameter being planted as street trees. All trees will be nursery stock meeting requirements of the American Association of Nurserymen American Standards for Nursery Stock for top grade.

Section 4.620.10 ***Tree Protection During Construction***

RESPONSE: Refer to Sheet 4 of the submitted site plans for notes contained therein stating that all trees being retained will be identified by numbered metal tags with the numbers identified in the site's tree survey and that they will be clearly identified on all construction documents. Remaining trees will be protected during construction through use of a six-foot high chain link fence secured to the ground with eight-foot metal posts driven into the ground.



**1ST AMENDED PROPERTY INFORMATION REPORT
ADD PARCELS II AND IIA**

Date: June 26, 2019

File No.: 19-310862

Property: 28705 SW Canyon Creek Road, Wilsonville, OR 97070

Attn:

Your Reference:

REPORT FEE:

The information contained in this report is furnished by WFG National Title Insurance Company (the "Company") as an information service based on the records and the indices maintained by the Company for the county identified below. This report does not constitute title insurance and is not to be construed or used as a commitment for title insurance. The Company assumes and shall have no liability whatsoever for any errors or inaccuracies in this report. In the event any such liability is ever asserted or enforced, such liability shall in no event exceed the paid herein. No examination has been made of the Company's records, other than as specifically set forth in this report.

The effective date of this report is June 21, 2019

REPORT FINDINGS

A. The land referred to in this report is located in the county of Clackamas State of Oregon, and is described as follows:

See Attached Exhibit "A"

B. As of the Effective Date and according to the last deed of record, we find the title to the land to be vested as follows:

Heidi L. Swickard as to Parcel I:

William Z. Spring, as to Parcel II

The heirs and the devisees of Shirley P. Spring, deceased, as to Parcel IIA

C. As of the Effective Date and according to the Public Records, the Land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:

1. 2019-2020 taxes, a lien not yet due and payable.

2. City liens, if any, of the City of Wilsonville.

3. Any unrecorded leases or rights of tenants in possession

4. Any adverse claim based upon the assertion that:
- a) Said land or portion thereof is now or at any time has been below the high water mark of Boeckman Creek.
 - b) Said land has been removed from or brought within the boundaries of the premises by the process of erosion or an avulsive movement of Boeckman Creek or has been formed by a process of accretion or reliction or has been created by artificial fill.
 - c) Rights of the public and governmental bodies in and to any portion of the premises herein described lying below the high water mark of Boeckman Creek, including any ownership rights which may be claimed by the State of Oregon below the high water mark.

Affects Parcels II and IIA

5. Easement as shown on the [plat](#):

For : Bridle trail
Affects : Parcel II

As amended by Agreement:

Recorded : July 2, 1971
Recording No(s) : [71-15298](#)

6. Easement, including the terms and provisions thereof:

For : Bridle trail
Granted to : Owners of lots in Bridle Trail Acres
Recorded : May 5, 1967
Recording No(s) : [\(book\) 689 \(page\) 646](#)
Affects : a portion of the premises herein

Affects Parcel II

7. Covenants, Conditions and Restrictions, including the terms and provisions thereof, but omitting any restrictions based on race, color, religion or national origin appearing of record:

Recorded : June 24, 1971
Recording No(s) : [71-014366](#)

Affects Parcel II

As amended by instrument:

Recorded : May 28, 1996
Recording No(s) : [96-038214](#)

8. Judgment in the State Circuit Court:

Debtor : William Z. Spring
Creditor : April Ann Loudon
Case No. : DR0304939
Entered : October 16, 2003
Amount : \$200.00 per month child support, plus interest, if any.

Affects Parcel II

9. Easement and Maintenance Agreement, including the terms and provisions thereof:

For : Storm and Sewer
Recorded : August 30, 2004
Recording No(s) : [2004-081122](#)

Affects Parcel I

10. Easement and Maintenance Agreement, including the terms and provisions thereof:
 For : Storm and Sewer
 Recorded : August 30, 2004
 Recording No(s) : [2004-081137](#)
 Affects Parcel I
11. Easement and Maintenance Agreement, including the terms and provisions thereof:
 For : Temporary Construction and Access
 Recorded : September 21, 2005
 Recording No(s) : [2005-092948](#)
 Affects Parcel I
12. Covenants, Conditions and Restrictions, including the terms and provisions thereof, as shown on the recorded plat.
13. Easement as shown on the plat:
 For : Public utilities
 Affects : Parcel I
14. Driveway Easement and Maintenance Agreement, and the terms and provisions thereof:
 Recorded : October 5, 2005
 Recording No(s) : [2005-098963](#)
 Affects Parcel I
15. Covenants, Conditions and Restrictions, including the terms and provisions thereof, but omitting any restrictions based on race, color, religion or national origin appearing of record:
 Recorded : October 5, 2005
 Recording No(s) : [2005-098964](#)
 Affects Parcel I
 As amended by instrument:
 Recorded : December 22, 2005
 Recording No(s) : [2005-127237](#)
 Assignment of Declarant Rights:
 Recorded : May 21, 2015
 Recording No(s) : [2015-030370](#)
16. Liens and Assessments, if any, of the Canyon Creek Homeowners Association.
 Affects Parcel I
17. Easement, including the terms and provisions thereof:
 For : Storm Pipeline
 Recorded : November 2, 2005
 Recording No(s) : [2005-109788](#)
 Affects Parcel I
18. Easement, including the terms and provisions thereof:
 For : Stormwater Maintenance and Access
 Recorded : November 2, 2005
 Recording No(s) : [2005-109791](#)
 Affects Parcel I

19. Statement of Association Information, including the terms and provisions thereof:
For : Renaissance at Canyon Creek South
Recorded : August 13, 2008
Recording No(s) : [2008-056861](#)

Affects Parcel I

20. The effect, if any, of Probate filed in the Circuit Court as to Parcel 2 of the real property herein described.
Case No. : P0909017
Filed : September 4, 2009
Parties : Shirley P. Spring (deceased); and William Z. Spring (Personal Representative)

NOTE: Parcel IIA does not appear to have been included in the Probate and was therefore not included in the Disbursement to William Z. Spring.

Affects Parcel IIA

21. The effect, if any, of Personal Representative's Deed:
Grantor : William Z. Spring as PR of the Estate of Shirley P. Spring
Grantee : William Z. Spring
Recorded : March 28, 2016
Recording No(s) : 2016-019785

NOTE: William Z. Spring was discharged of his powers as Personal Representative of the Estate of Shirley Spring on January 28, 2011.

Affects Parcel II

22. Proof should be furnished of the conveyance of interest or death of Robert L. Spring, former owner. WFG National Title Insurance Company reserves the right to make additional requirements after review of said documentation. Note: If applicable, a short form death certificate should be provided as the county recorder's office will reject any death certificate that contains information regarding cause of death.
Affects Parcels II and IIA

END OF EXCEPTIONS

NOTE: Please be advised that we have searched the records and do not find any open Deeds of Trust. If you should have knowledge of an outstanding obligation, please contact the Title Department for further review.

NOTE: [Taxes](#) paid in full for 2018 -2019
Levied Amount : \$7,429.00
Property ID No. : 05012386
Levy Code : 003-027
[Map](#)Tax Lot No.: 31W13BD03800

Affects Parcel I

NOTE: [Taxes](#) paid in full for 2018 -2019
Levied Amount : \$5,945.53
Property ID No. : 00806710
Levy Code : 003-023
Map Tax Lot No. : 31W13BD-06400

Affects Parcels II and IIA

NOTE: We find NO judgments or Federal Tax Liens against the name(s) of Heidi L Swickard and William Z. Spring.

NOTE: The following is incorporated herein for information purposes only and is not part of the exception from coverage (Schedule B-II of the prelim and Schedule B of the policy): The following instrument(s), affecting said property, is (are) the last instrument(s) conveying subject property filed for record within 24 months of the effective date of this preliminary title report:

None of Record

Note: Links for additional supporting documents:

[Vesting Deed](#) - Parcel I

[Adjoiners](#) - Parcel I

[Plat Map](#) - Parcel I

[Vesting Deed - Parcel II](#)

[Vesting Deed - Parcel IIA](#)

[Adjoiners - Parcel II and IIA](#)

END OF REPORT

Jeff Knox

WFG National Title Insurance Company

12909 SW 68th Pkwy., Suite 350

Portland, OR 97223

Phone: **(503) 431-8507**

Fax: **(503) 684-2978**

Email: **JKnox@wfgnationaltitle.com**

**EXHIBIT A
LEGAL DESCRIPTION**

Parcel I:

Lot 21, Renaissance Canyon Creek South, in the City of Wilsonville, County of Clackamas and State of Oregon.

Parcel II:

Lot 9, Bridle Trail Ranchetts, in the City of Wilsonville, County of Clackamas and State of Oregon.

Parcel IIA:

A tract of land situated in the Northwest one-quarter of Section 13, Township 3 South, Range 1 West of the Willamette Meridian; being all of Lot 9, Bridle Trail Ranchetts and a part of the Northwest one-quarter of said Section 13, Township 3 South, Range 1 West of the Willamette Meridian, in the City of Wilsonville, County of Clackamas and State of Oregon, being more particularly described as follows, to wit:

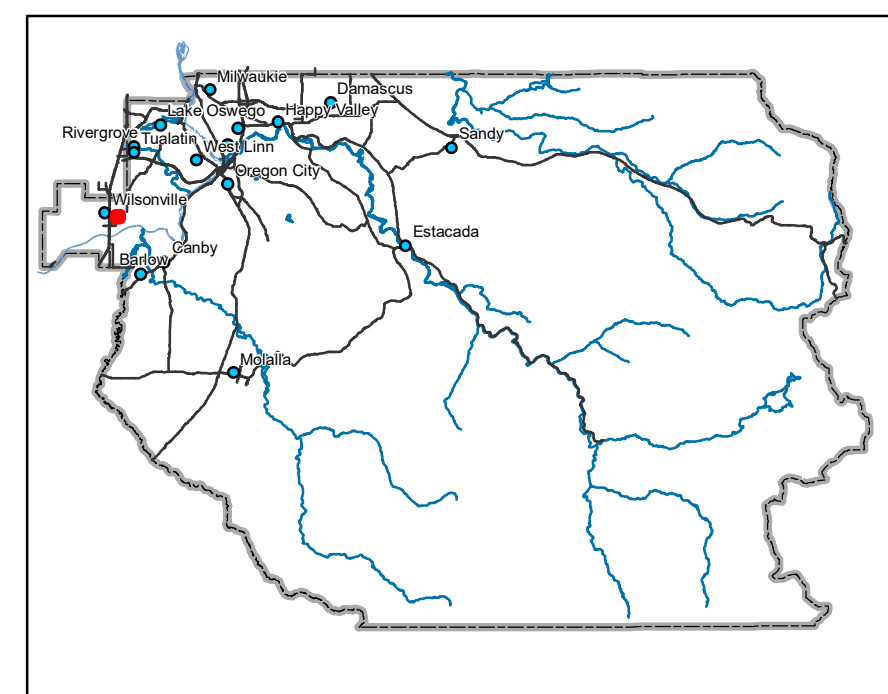
BEGINNING at the Northwest corner of said Lot 9, Bridle Trail Ranchetts; thence North 89°29' 30" East along the Northerly line of said Lot 9, a distance of 622.46 feet to the North-South centerline of said Section 13, Township 3 South, Range 1 West of the Willamette Meridian; thence South 0°40' West along said North-South centerline 149.75 feet; thence leaving said North-South centerline South 89°27' West along the Southerly line of said Lot 9, 646.17 feet to the Easterly right of way line of Jensen Road; thence North 0°10'30" East along said Easterly right of way line, 106.65 feet to a point in the perimeter of a 50.00 foot radius cul-de-sac; thence Northeasterly along said perimeter on a curve to the left having a radius of 50.00 feet through a central angle of 60°41' a distance of 52.96 feet to the place of beginning.

EXCEPTING THEREFROM Lot 9, Bridle Trail Ranchetts, in the City of Wilsonville, County of Clackamas and State of Oregon

Cancelled Taxlots



- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

TREE PROTECTION SPECIFICATIONS

1. **PRECONSTRUCTION CONFERENCE.** PRIOR TO THE START OF CONSTRUCTION ACTIVITY, THE CONTRACTOR SHALL COORDINATE WITH THE PROJECT ARBORIST IN A TIMELY MANNER TO REVIEW THE TREE PROTECTION PLAN, VERIFY THAT TREES TO BE RETAINED ARE IDENTIFIED WITH NUMBERED TAGS ON THE GROUND, AND TO INSPECT AND VERIFY THE INSTALLATION OF TREE PROTECTION MEASURES.
2. **FENCING.** TREES TO REMAIN ON SITE SHALL BE PROTECTED BY INSTALLATION OF TREE PROTECTION FENCING AS DEPICTED ON SITE PLANS IN ORDER TO PREVENT INJURY TO TREE TRUNKS OR ROOTS, OR SOIL COMPACTION WITHIN THE ROOT PROTECTION AREA. FENCES SHALL BE A MINIMUM 6-FOOT HIGH 2-INCH CHAIN LINK MESH SECURED TO METAL POSTS DRIVEN INTO THE GROUND. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH THE PROJECT ARBORIST PRIOR TO OPENING, ADJUSTING OR REMOVING TREE PROTECTION FENCING.
3. **TREE PROTECTION ZONE.** WITHOUT AUTHORIZATION FROM THE PROJECT ARBORIST, NONE OF THE FOLLOWING SHALL OCCUR BENEATH THE DRIPLINE OF ANY PROTECTED TREE:
 - a) GRADE CHANGE OR CUT AND FILL;
 - b) NEW IMPERVIOUS SURFACES;
 - c) UTILITY OR DRAINAGE FIELD PLACEMENT;
 - d) STAGING OR STORAGE OF MATERIALS AND EQUIPMENT; OR
 - e) VEHICLE MANEUVERING.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING THE PROJECT ARBORIST IN A TIMELY MANNER PRIOR TO WORKING BENEATH PROTECTED TREE DRIPLINES. ROOT PROTECTION ZONES MAY BE ENTERED FOR TASKS LIKE SURVEYING, MEASURING AND SAMPLING. FENCES MUST BE CLOSED UPON COMPLETION OF THESE TASKS.

4. **TREE AND STUMP REMOVAL.** TREES TO BE REMOVED SHALL BE CLEARLY IDENTIFIED WITH TREE-MARKING PAINT OR OTHER METHODS APPROVED IN ADVANCE BY THE PROJECT ARBORIST. PROTECTION FENCING MAY BE TEMPORARILY OPENED IN TRACT B FOR REMOVAL OF TREES #6654 AND #6655, IN THE REAR OF LOT 3 FOR REMOVAL OF TREE #6248 AND #6375, IN THE REAR OF LOT 9 FOR REMOVAL OF TREE #50316 AND IN THE REAR OF LOT 10 FOR REMOVAL OF TREES #50398 AND #50399. WITHIN TREE PROTECTION ZONES, TREE REMOVAL SHALL BE PERFORMED WITH HAND TOOLS ONLY AND TREES SHALL BE DIRECTIONALLY FELLED OR SURGICALLY REMOVED TO AVOID DAMAGE TO REMAINING NEARBY TREES. THE STUMPS OF THESE PARTICULAR TREES SHALL REMAIN IN THE GROUND, BE REMOVED APPROXIMATELY 6-INCHES BELOW THE GROUND SURFACE USING A STUMP GRINDER, OR ELSE EXTRACTED FROM THE GROUND UNDER ARBORIST SUPERVISION.
5. **PRUNING.** PRUNING MAY BE NEEDED TO PROVIDE OVERHEAD CLEARANCE AND TO REMOVE DEAD AND DEFECTIVE BRANCHES FOR SAFETY. THE PROJECT ARBORIST CAN HELP IDENTIFY WHERE PRUNING IS NECESSARY ONCE TREES RECOMMENDED FOR REMOVAL HAVE BEEN REMOVED AND THE SITE IS PREPARED FOR CONSTRUCTION. TREE REMOVAL AND PRUNING SHALL BE PERFORMED BY A QUALIFIED TREE SERVICE.
6. **EXCAVATION AND ROOT PRUNING.** EXCAVATION BENEATH PROTECTED TREE DRIPLINES SHALL BE AVOIDED IF ALTERNATIVES ARE AVAILABLE. IF EXCAVATION IS UNAVOIDABLE, THE PROJECT ARBORIST SHALL EVALUATE THE PROPOSED EXCAVATION TO DETERMINE METHODS TO MINIMIZE IMPACTS TO TREES. ROOT PRUNING SHALL BE DIRECTED AND DOCUMENTED BY THE PROJECT ARBORIST.
7. **LANDSCAPING.** FOLLOWING CONSTRUCTION AND WHERE LANDSCAPING IS DESIRED, APPLY APPROXIMATELY 3-INCHES OF MULCH BENEATH THE DRIPLINE OF PROTECTED TREES IN A MINIMUM 5-FOOT RADIUS AROUND TREE TRUNKS; DO NOT PILE MULCH DIRECTLY AGAINST TREE TRUNKS. SHRUBS AND GROUND COVER PLANTS MAY BE PLANTED WITHIN THE GRASS-FREE MULCH RINGS. IF IRRIGATION IS USED, USE DRIP IRRIGATION OR LOW FLOW EMITTERS INSTALLED AT NATIVE GRADE (NO TRENCHING) ONLY BENEATH THE DRIPLINES OF PROTECTED TREES. LANDSCAPING SHALL BE PERFORMED BY HAND AND WITH HAND TOOLS ONLY BENEATH PROTECTED TREE DRIPLINES; ADJUST THE LOCATION OF PLANTS TO AVOID TREE ROOT IMPACTS.
8. **QUALITY ASSURANCE.** A QUALIFIED ARBORIST SHOULD SUPERVISE PROPER EXECUTION OF THIS PLAN ON-CALL DURING CONSTRUCTION ACTIVITIES THAT COULD ENCROACH ON RETAINED TREES. TREE PROTECTION SITE INSPECTION MONITORING REPORTS SHOULD BE PROVIDED TO THE CLIENT AND CITY FOLLOWING EACH SITE VISIT PERFORMED DURING CONSTRUCTION.
9. **REASSESSMENT.** TREES THAT ARE RETAINED WITH SITE IMPROVEMENT WORK SHOULD BE REASSESSED IN TERMS OF FUTURE HOME PLANS; ADDITIONAL TREE REMOVAL OR ALTERNATIVE TREE PROTECTION MEASURES MAY BE NEEDED.



No.	Common Name	DBH ¹	C-Rad ²	Cond ³	Treatment
6088	spruce	7	6	F	Remove
6089	spruce	7	10	F	Remove
6179	Douglas-fir	15	14	G	Remove
6245	Douglas-fir	13	15	G	Remove
6246	Douglas-fir	14	15	G	Remove
6247	Douglas-fir	19	20	G	Remove
6248	Douglas-fir	16	18	G	Remove
6249	Douglas-fir	12	14	G	Retain
6250	Douglas-fir	22	22	G	Retain
6273	Atlas cedar	13,32	24	G	Retain
6375	Douglas-fir	15	16	F	Remove
6376	Douglas-fir	16	18	G	Remove
6377	Douglas-fir	19	22	G	Retain
6378	Douglas-fir	24	24	G	Retain
6379	Douglas-fir	18	18	G	Retain
6380	Douglas-fir	18	18	G	Retain
6381	Douglas-fir	18	20	G	Retain
6382	Douglas-fir	17	18	G	Remove

Morgan Holen & Associates, LLC

Consulting Arborists and Urban Forest Management
 3 Monroe Parkway, Suite P220, Lake Oswego, OR 97035
 morgan@mholen.com | 971.409.9354



No.	Common Name	DBH ¹	C-Rad ²	Cond ³	Treatment
6383	Douglas-fir	16	20	F	Retain
6513	Douglas-fir	49	40	G	Retain
6560	Douglas-fir	13	16	G	Retain
6561	Douglas-fir	13	16	F	Retain
6562	Douglas-fir	13	10	F	Retain
6563	ponderosa pine	20	24	F	Remove
6564	Douglas-fir	15	15	F	Remove
6565	Douglas-fir	20	18	G	Remove
6566	ponderosa pine	21	15	G	Remove
6567	Douglas-fir	16	20	G	Remove
6579	bingleaf maple	18	16	F	Remove
6580	English holly	6	8	F	Remove
6583	Douglas-fir	16	12	F	Remove
6653	Leyland cypress	10	12	G	Protect
6654	Leyland cypress	15	18	G	Remove
6655	Leyland cypress	14	18	G	Remove

Morgan Holen & Associates, LLC

Consulting Arborists and Urban Forest Management
 3 Monroe Parkway, Suite P220, Lake Oswego, OR 97035
 morgan@mholen.com | 971.409.9354



No.	Common Name	DBH ¹	C-Rad ²	Cond ³	Treatment
6656	Leyland cypress	14	18	G	Remove
6657	Leyland cypress	15	18	G	Remove
50313	Douglas-fir	11	18	G	Retain
50314					Unaffected

Morgan Holen & Associates, LLC

Consulting Arborists and Urban Forest Management
 3 Monroe Parkway, Suite P220, Lake Oswego, OR 97035
 morgan@mholen.com | 971.409.9354

Canyon Creek Road South 10-Lot Subdivision – Wilsonville, Oregon
Tree Maintenance and Protection Plan
March 29, 2020

MHA19058

Purpose

This Tree Maintenance and Protection Plan for the Canyon Creek Road South 10-lot subdivision project located in Wilsonville, Oregon, is provided pursuant to City of Wilsonville Development Code (WDC) Section 4.610.40. This arborist report describes the existing trees located on and directly adjacent to the project site, as well as recommendations for tree removal, retention, mitigation and protection. This report is based on observations made by International Society of Arboriculture (ISA) Board Certified Master Arborist (PN-6145B) and Qualified Tree Risk Assessor Morgan Holen during site visits conducted on October 8, 2019 and November 5, 2019, and subsequent coordination with Emerio Design.

Scope of Work and Limitations

Morgan Holen & Associates, LLC, was contracted by Scott Miller to visually assess existing trees measuring six inches in diameter and larger in terms of general condition and develop a tree maintenance and protection plan for the project in coordination with the design team at Emerio Design. A site plan was provided by Emerio Design illustrating the location of existing individual trees and survey point numbers.

Visual Tree Assessment (VTA¹) was performed on existing individual trees located on and directly adjacent to the project site except as otherwise described herein. Individual trees were evaluated in terms of species, diameter, crown radius, general condition and potential impacts. Following the tree inventory fieldwork, we coordinated with Emerio Design to discuss and finalize treatment recommendations for tree removal and protection based on the proposed site plan. Note that proposed tree removal and protection is based on the creation of the subdivision and not actual home building; the trees that remain following site improvements should be reassessed in terms of future house plans and additional tree removal or alternative tree protection measures may be needed.

The client may choose to accept or disregard the recommendations contained herein or seek additional advice. Neither this author nor Morgan Holen & Associates, LLC, have assumed any responsibility for liability associated with the trees on or adjacent to this site.

General Description

The Canyon Creek South project site is located at the south end of Canyon Creek Road South and includes tax lots 3800 and 6400. The project proposes to develop a 10-lot subdivision for single family residential housing and includes a new public street and open space tracts. One of two existing homes will be demolished while the other will remain on proposed lot 1. The eastern extent of the project site includes Significant Resource Overlay Zone (SROZ).

¹ Visual Tree Assessment (VTA): The standard process of visual tree inspection whereby the inspector visually assesses the tree from a distance and up close, looking for defect symptoms and evaluating overall condition and vitality.

In all, 73 existing trees were surveyed, some of which were tagged by the survey crew. In accordance with WDC Section 4.610.40(.02)(A)(2)(b), all trees being retained must be identified by numbered metal tags corresponding with the tree plan. Tree tags should be verified prior to construction when tree protection measures are being installed.

The enclosed tree data provides a complete description of 49 existing individual trees scattered across the site. The other 24 surveyed trees are listed in the inventory but are unaffected by the project and were therefore not assessed; they are located in the proposed open space tract D/SROZ area on the east end of the project, well within the protection area for trees closer to the proposed development.

The assessed trees range in size from 6- to 24-inches in diameter, except for one 49-inch diameter Douglas-fir (*Pseudotsuga menziesii*), tree #6513, located in the rear of proposed lot 8 and within the SROZ. Ten different species were identified, none of which are Oregon white oaks (*Quercus garryana*), native yews (*Taxus brevifolia*) or any species listed by either the state or federal government as rare or endangered. Densely planted rows of relatively young Douglas-firs account for approximately 50% of the total inventory. Most of the assessed trees appear to have been planted for landscaping purposes, except for trees in the eastern extent of the project within the relatively natural area that includes the SROZ. One of the assessed trees is located on the southern property boundary (#70003) and another (#6653) is located off-site just west of proposed tract B. The other 37 assessed trees are located on-site, including 10 trees within the mapped SROZ or SROZ Impact Area buffer. Table 1 provides a summary of the count of assessed trees by species and general location.

Table 1. Count of Assessed Trees by Species and Location – Canyon Creek Road South, Wilsonville, OR.

Common Name	Species Name	On-Site	On-Site, in SROZ/SROZ Impact Area	Property Boundary	Off-Site	Total	Percent*
Atlas cedar	<i>Cedrus atlantica</i>	1	-	-	-	1	2%
bigleaf maple	<i>Acer macrophyllum</i>	1	-	-	-	1	2%
Douglas-fir	<i>Pseudotsuga menziesii</i>	23	2	-	-	25	51%
English holly^	<i>Ilex aquifolium</i>	1	-	-	-	1	2%
Leyland cypress	<i>Cupressus × leylandii</i>	4	-	-	1	5	10%
ponderosa pine	<i>Pinus ponderosa</i>	2	1	-	-	3	6%
spruce	<i>Picea</i> spp.	3	-	-	-	3	6%
red alder	<i>Alnus rubra</i>	1	7	-	-	8	16%
English hawthorn^	<i>Crataegus monogyna</i>	1	-	-	-	1	2%
curly willow	<i>Salix matsudana</i>	-	-	1	-	1	2%
Totals		37	10	1	1	49	100%
Percent*		76%	20%	2%	2%		

*Percent total may not sum to 100 due to rounding; ^Identifies trees widely accepted as invasive in our region.

Tree Plan Recommendations

As described in the enclosed tree data, individual trees were assigned a general condition rating as follows:

- P:** Poor Condition
- F:** Fair Condition
- G:** Good Condition
- E:** Excellent Condition

Table 2 provides a summary of the count of trees by general condition rating and treatment.

Table 2. Count of Inventoried Trees by Treatment Recommendation and General Condition Rating.

Treatment	General Condition Rating				Total	Percent
	P	F	G	E		
Unaffected	-	1	-	-	1	2%
Retain	-	9	13	-	22	45%
Remove	1	10	15	-	26	53%
Total	1	20	28	-	49	100%
Percent	2%	41%	57%	-		

In addition to the 24 non-assessed trees that are unaffected by the project, one assessed tree is also unaffected. This is tree #50378, a 9-inch diameter red alder (*Alnus rubra*) located in the proposed open space tract D/SROZ area on the east end of the project, well within the protection area for trees closer to the proposed development.

None of the assessed trees rated excellent, however tree #6513 is relatively the best existing tree in terms of size, overall condition, and prominence in the neighborhood skyline and it is planned for protection, along with 21 other trees along the eastern and southern boundaries of proposed site development. Tree protection fencing is proposed at the dripline of these trees, except a minor encroachment into the dripline is planned at trees #6273 and #6513. At tree #6273, a minor reduction of the protection fencing is proposed east of the tree up to the allowable building envelop at adjacent lot 2; any grading that is necessary beneath the dripline area should be monitored and documented by the project arborist. At tree #6513, protection fencing is proposed at the limits of the allowable building envelope which coincides with the limits of grading in the rear of lot 8. The encroachment is so minimal that no critical root impacts are anticipated and no special protection measures are provided. Tree protection fencing should be installed as depicted on the tree plan and the tree protection specifications provided herein should be included on the plan.

The 22 trees planned for retention include protection for the off-site tree adjacent to tract B (#6653) and the boundary tree south of proposed lot 10 (#7003). Tree #6653 can be adequately protected, but the stumps of trees planned for removal within the protection zone of this trees should remain in the ground, be removed by stump grinding to approximately 6-inches below ground level, or else be extracted from the ground under supervision of the project arborist. The same recommendations apply to protection of trees in the rear of proposed lots 3, 9 and 10 where tree removal is also proposed within the tree protection zone.

Tree #7003 is a curly willow (*Salix matsudana*) in fair condition but with poor structure including a one-sided crown with lean southwest over the neighbor's chicken coop and yard. This tree was not located by the land surveyors and is shown in its approximate location on the tree plan. I have advised that this tree is not suitable for retention with removal of adjacent trees #6566 and #6567, which is necessary for site development; the willow will be exposed by the adjacent removals and have increased risk potential particularly because the species has brittle wood prone to breakage and already has poor structure. Removal of this tree would require coordination with the adjacent property owner. However, it is my understanding that the developer desires to protect this tree during creation of the subdivision and tree protection fencing has been specified by Emerio Design.

Twenty-six trees are planned for removal including 25 on-site trees for grading and other site improvements and one tree (#50316) because of poor condition. Tree #50316 is located in the SROZ Impact Area and is a red alder in poor condition with sloughing bark along the trunk, trunk decay and lean to the west.

Trees planned for retention in the rear of lots 3-6 should be re-evaluated in terms of future home plans. The protection zones proposed for creation of the subdivision encroach into a substantial portion of the allowable building envelopes and it may not be feasible to provide adequate protection for these trees with home building.

Mitigation Requirements

All 26 trees planned for removal are at least 6-inches in diameter and require mitigation per Section 4.620.00; removed trees shall be replaced on a basis of one tree planted for each tree removed. Therefore, 26 trees measuring at least 2-inches in diameter shall be planted as mitigation for tree removal.

In accordance with Section 4.620.00(.03), replacement trees shall have shade potential or other characteristics comparable to the removed trees, shall be appropriately chosen for the site from an approved tree species list supplied by the City, and shall be state Department of Agriculture Nursery Grade No. 1 or better. Replacement trees must be staked, fertilized and mulched, and shall be guaranteed by the permit grantee or the grantee's successors-in-interest for two years after the planting date. A "guaranteed" tree that dies or becomes diseased during that time shall be replaced. Diversity of tree species shall be encouraged where trees will be replaced, and diversity of species shall also be maintained where essential to preserving a wooded area or habitat. All trees to be planted shall consist of nursery stock that meets requirements of the American Association of Nurserymen (AAN) American Standards for Nursery Stock (ANSI Z60.1) for top grade. A mitigation or replacement tree plan is required prior to planting.

Where it is not feasible to replace trees on site or at another approved location in the City, the Tree Removal Permit grantee shall pay into the City Tree Fund an amount of money approximately equal to the value of the replacement trees that would otherwise be required.

Tree Protection Specifications

The following tree protection measures are provided in accordance with WDC Section 4.620.10 and arborist recommendations specific to this project, and should be copied onto construction documents.

1. **Preconstruction Conference.** Prior to the start of construction activity, the contractor shall coordinate with the project arborist in a timely manner to review the tree protection plan, verify that trees to be retained are identified with numbered tags on the ground, and to inspect and verify the installation of tree protection measures.
2. **Fencing.** Trees to remain on site shall be protected by installation of tree protection fencing as depicted on site plans in order to prevent injury to tree trunks or roots, or soil compaction within the root protection area. Fences shall be a minimum 6-foot high 2-inch chain link mesh secured to metal posts driven into the ground. The contractor is responsible for coordinating with the project arborist prior to opening, adjusting or removing tree protection fencing.
3. **Tree Protection Zone.** Without authorization from the Project Arborist, none of the following shall occur beneath the dripline of any protected tree:
 - a) Grade change or cut and fill;
 - b) New impervious surfaces;
 - c) Utility or drainage field placement;
 - d) Staging or storage of materials and equipment; or
 - e) Vehicle maneuvering.

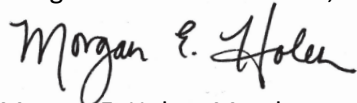
The contractor shall be responsible for contacting the project arborist in a timely manner prior to working beneath protected tree driplines. Root protection zones may be entered for tasks like surveying, measuring and sampling. Fences must be closed upon completion of these tasks.

4. **Tree and Stump Removal.** Trees to be removed shall be clearly identified with tree-marking paint or other methods approved in advance by the project arborist. Protection fencing may be temporarily opened in tract B for removal of trees #6654 and #6655, in the rear of lot 3 for removal of tree #6248 and #6375, in the rear of lot 9 for removal of tree #50316 and in the rear of lot 10 for removal of trees #50398 and #50399. Within tree protection zones, tree removal shall be performed with hand tools only and trees shall be directionally felled or surgically removed to avoid damage to remaining nearby trees. The stumps of these particular trees shall remain in the ground, be removed approximately 6-inches below the ground surface using a stump grinder, or else extracted from the ground under arborist supervision.
5. **Pruning.** Pruning may be needed to provide overhead clearance and to remove dead and defective branches for safety. The project arborist can help identify where pruning is necessary once trees recommended for removal have been removed and the site is prepared for construction. Tree removal and pruning shall be performed by a Qualified Tree Service.
6. **Excavation and Root Pruning.** Excavation beneath protected tree driplines shall be avoided if alternatives are available. If excavation is unavoidable, the project arborist shall evaluate the proposed excavation to determine methods to minimize impacts to trees. Root pruning shall be directed and documented by the project arborist.
7. **Landscaping.** Following construction and where landscaping is desired, apply approximately 3-inches of mulch beneath the dripline of protected trees in a minimum 5-foot radius around tree trunks; do not pile mulch directly against tree trunks. Shrubs and ground cover plants may be planted within the grass-free mulch rings. If irrigation is used, use drip irrigation or low flow emitters installed at native grade (no trenching) only beneath the driplines of protected trees. Landscaping shall be performed by hand and with hand tools only beneath protected tree driplines; adjust the location of plants to avoid tree root impacts.

8. **Quality Assurance.** A Qualified Arborist should supervise proper execution of this plan on-call during construction activities that could encroach on retained trees. Tree protection site inspection monitoring reports should be provided to the Client and City following each site visit performed during construction.
9. **Reassessment.** Trees that are retained with site improvement work should be reassessed in terms of future home plans; additional tree removal or alternative tree protection measures may be needed.

Thank you for choosing Morgan Holen & Associates, LLC, to provide consulting arborist services for the Canyon Creek South subdivision project in Wilsonville, Oregon. Please contact us if you have questions or need any additional information.

Thank you,
Morgan Holen & Associates, LLC



Morgan E. Holen, Member
ISA Board Certified Master Arborist, PN-6145B
ISA Tree Risk Assessment Qualified
Forest Biologist

Enclosures: MHA19058 Canyon Creek South – Tree Data 10-8-19 Rev. 03-29-2020



No.	Type	Common Name	Species Name	DBH ¹	C-Rad ²	Cond ³	Comments	Location	Treatment
6088	Con	spruce	<i>Picea</i> spp.	7	6	F	Multiple leaders, expansive surface roots	Lot 3	Remove
6089	Con	spruce	<i>Picea</i> spp.	7	10	F	Multiple leaders, expansive surface roots	Lot 3	Remove
6179	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	15	14	G	Long live crown	Lot 2	Remove
6245	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	13	15	G	Dense row	Lot 3	Remove
6246	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	14	15	G	Dense row, large surface roots extend to drainage ditch	Lot 3	Remove
6247	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	19	20	G	Dense row, large surface roots extend to drainage ditch	Lot 3	Remove
6248	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	16	18	G	Dense row	Lot 3	Remove
6249	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	12	14	G	Dense row	Lot 3	Retain
6250	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	22	22	G	Dense row	Lot 3	Retain
6273	Con	Atlas cedar	<i>Cedrus atlantica</i>	13,32	24	G	Multiple upright leaders	Tract B	Retain
6375	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	15	16	F	roots	Lot 3	Remove
6376	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	16	18	G	Expansive surface roots	Lot 3	Remove
6377	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	19	22	G	Expansive surface roots to 14' radius	Lots 3/4	Retain
6378	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	24	24	G	Dense row, surface roots	Lot 5	Retain
6379	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	18	18	G	Dense row, surface roots	Lot 5	Retain
6380	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	18	18	G	Dense row, surface roots, one 6" root pruned clean ~5' from trunk on N side	Lot 5	Retain
6381	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	18	20	G	Dense row, sweep in lower trunk, surface roots	Lot 6	Retain
6382	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	17	18	G	North edge of row, surface roots	Lot 6	Remove
6383	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	16	20	F	Dense row, poor lateral branch distribution, surface roots	Lot 6	Retain
6513	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	49	40	G	No major defects, fair vigor	Lot 8 - SROZ	Retain
6560	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	13	16	G	Dense row, surface roots	Lot 7	Retain
6561	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	13	16	F	Dense row, trunk wound on N face, crown asymmetry	Lot 7	Retain



No.	Type	Common Name	Species Name	DBH ¹	C-Rad ²	Cond ³	Comments	Location	Treatment
6562	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	13	10	F	Dense row, reduced vigor with small needles and heavy cone production	Lot 7	Retain
6563	Con	ponderosa pine	<i>Pinus ponderosa</i>	20	24	F	Forked leaders, western gall rust and sequoia pitch moth infections	Lot 7	Remove
6564	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	15	15	F	Old trunk wound, self-correcting crook, crown asymmetry, surface roots	Lot 10	Remove
6565	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	20	18	G	Self-correcting trunk crooks	Lot 10	Remove
6566	Con	ponderosa pine	<i>Pinus ponderosa</i>	21	15	G	Multiple leaders, dense crown	Lot 10	Remove
6567	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	16	20	G	Large surface roots expand ~10'	Lot 10	Remove
6579	Dec	bignone maple	<i>Acer macrophyllum</i>	18	16	F	Very poor structure	Lot 10	Remove
6580	Dec	English holly	<i>Ilex aquifolium</i>	6	8	F	Very poor structure, invasive species	Lot 10	Remove
6583	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	16	12	F	High live crown, limited assessment	Lot 10	Remove
6653	Con	Leyland cypress	<i>Cupressus × leylandii</i>	10	12	G	Dense row	Off-Site	Protect
6654	Con	Leyland cypress	<i>Cupressus × leylandii</i>	15	18	G	Dense row	Tract B	Remove
6655	Con	Leyland cypress	<i>Cupressus × leylandii</i>	14	18	G	Dense row	Tract B	Remove
6656	Con	Leyland cypress	<i>Cupressus × leylandii</i>	14	18	G	Dense row	Tract B	Remove
6657	Con	Leyland cypress	<i>Cupressus × leylandii</i>	15	18	G	Dense row	Tract B	Remove
50313	Dec	Douglas-fir	<i>Pseudotsuga menziesii</i>	11	18	G	One-sided crown to SW	Lot 8 - SROZ	Retain
50314	Dec						Not assessed	Lot 8 - SROZ	Unaffected
50315	Dec	red alder	<i>Alnus rubra</i>	13	16	F	Some trunk decay, dead and broken branches	Lot 9 - SROZ	Retain
50316	Dec	red alder	<i>Alnus rubra</i>	6,14	18	P	Sloughing bark along trunk, trunk decay, leans to proposed lot	Lot 10/11 - SROZ Buffer	Remove
50317	Dec						Not assessed	Tract D - SROZ	Unaffected
50340	Dec						Not assessed	Tract D - SROZ	Unaffected
50341	Dec						Not assessed	Tract D - SROZ	Unaffected
50342	Con						Not assessed	Tract D - SROZ	Unaffected
50343	Dec						Not assessed	Tract D - SROZ	Unaffected



No.	Type	Common Name	Species Name	DBH ¹	C-Rad ²	Cond ³	Comments	Location	Treatment
50344	Con						Not assessed	Tract D - SROZ	Unaffected
50345	Dec						Not assessed	Tract D - SROZ	Unaffected
50346	Dec						Not assessed	Tract D - SROZ	Unaffected
50347	Con						Not assessed	Tract D - SROZ	Unaffected
50348	Dec						Not assessed	Tract D - SROZ	Unaffected
50349	Dec						Not assessed	Tract D - SROZ	Unaffected
50375	Dec	red alder	<i>Alnus rubra</i>	14	18	F	Minor lower trunk damage	Lot 9 - SROZ	Retain
50376	Dec	red alder	<i>Alnus rubra</i>	9	10	F	leaders	Lot 9 - SROZ	Retain
50377	Dec	ponderosa pine	<i>Pinus ponderosa</i>	18	16	G	Trunk sweep	Lot 8 - SROZ	Retain
50378	Dec	red alder	<i>Alnus rubra</i>	9	14	F	Trunk sweep, trunk cavity with some decay	Tract D - SROZ	Unaffected
50379	Dec						Not assessed	Tract D - SROZ	Unaffected
50380	Dec						Not assessed	Tract D - SROZ	Unaffected
50381	Dec						Not assessed	Tract D - SROZ	Unaffected
50382	Dec						Not assessed	Tract D - SROZ	Unaffected
50383	Dec						Not assessed	Tract D - SROZ	Unaffected
50384	Dec						Not assessed	Tract D - SROZ	Unaffected
50395	Dec						Not assessed	Tract D - SROZ	Unaffected
50396	Dec						Not assessed	Tract D - SROZ	Unaffected
50397	Dec						Not assessed	Tract D - SROZ	Unaffected
50398	Dec	English hawthorn	<i>Crataegus monogyna</i>	7	10	F	Invasive species	Lot 10	Remove
50399	Dec	red alder	<i>Alnus rubra</i>	15	26	F	Poor structure, excessive lean to proposed lot	Lot 10/Tract D	Remove
50400	Dec	red alder	<i>Alnus rubra</i>	17	18	F	Crook in trunk at juncture of codominant leaders	Tract D	Retain
50401	Dec	red alder	<i>Alnus rubra</i>	15	12	F	Dead and broken branches	Tract D	Retain
50402	Dec						Not assessed	Tract D	Unaffected
50415	Dec						Not assessed	Tract D - SROZ	Unaffected



No.	Type	Common Name	Species Name	DBH ¹	C-Rad ²	Cond ³	Comments	Location	Treatment
50416	Dec						Not assessed	Tract D - SROZ	Unaffected
70002	Con	spruce	<i>Picea spp.</i>	9	12	G	Surface roots	Lot 3	Remove
70003	Dec	curly willow	<i>Salix matsudana</i>	10,14	14	F	Poor structure, one-sided to southwest, not suitable for preservation with removal of trees 6566 and 6567	Boundary	Protect

¹**DBH** is tree diameter measured at 4.5-feet above the ground level, in inches.

²**C-Rad** is the average crown radius measured in feet.

³**Cond** is an arborist assigned rating to generally describe the condition of individual trees as Dead, Poor, Fair, Good, or Excellent.

AFTER RECORDING, RETURN TO:
SAMM-MILLER, LLC
1327 Jay Ct.
West Linn, OR 97068

BYLAWS
OF
THE ASSOCIATION OF HOME OWNERS
OF CANYON CREEK SPRINGS SUBDIVISION

TABLE OF CONTENTS

		Page
ARTICLE 1	GENERAL PROVISIONS	1
1.1	Identity	1
1.2	Bylaws Subject to Other Documents	1
1.3	Applicability	1
ARTICLE 2	ORGANIZATION OF ASSOCIATION	1
ARTICLE 3	OWNERS' MEETINGS	1
3.1	Turnover Meeting	1
3.2	Annual Meetings	2
3.3	Special Meetings	2
3.4	Location of Meeting	2
3.5	Notice of Meeting	2
3.6	Quorum and Voting of Owners	2
3.7	Proxies	3
ARTICLE 4	BOARD	3
4.1	Election, Number, and Term Prior to the Turnover Meeting	3
4.2	Election, Number, and Term After the Turnover Meeting	4
4.3	Powers and Duties	4
4.4	Regular Meetings	5
4.5	Special Meetings	5
4.6	Notice of Special Meetings	5
4.7	Quorum of Directors	6
4.8	Manner of Directors Acting	6
4.9	Vacancies on Board	6
4.10	Presumption of Assent	6
4.11	Removal of Directors	6
4.12	Reimbursement of Directors	6
4.13	Attendance by Owners	6
ARTICLE 5	OFFICERS	6
5.1	Number	6
5.2	Election and Term of Office	7

TABLE OF CONTENTS
(continued)

	Page
5.3 Removal	7
5.4 Vacancies	7
5.5 President.....	7
5.6 Secretary	7
5.7 Treasurer	7
ARTICLE 6 FIDELITY BONDS	8
ARTICLE 7 FINANCIAL RECORDS	8
ARTICLE 8 CONTRACTS.....	8
ARTICLE 9 LOANS	9
ARTICLE 10 CHECKS, DRAFTS, AND VOUCHERS	9
ARTICLE 11 DEPOSITS	9
ARTICLE 12 TAX RETURNS	9
ARTICLE 13 RULES AND REGULATIONS	9
ARTICLE 14 BUDGET	10
ARTICLE 15 COMMON EXPENSES ASSESSMENTS	10
ARTICLE 16 MAINTENANCE PLAN.....	11
ARTICLE 17 RESERVE STUDY	11
ARTICLE 18 RESERVE ACCOUNT ASSESSMENTS.....	11
18.1 Reserve Account	11
18.2 Reserve Account Assessments.....	12
18.3 Reserve Items.....	12
18.4 General Operating Reserve	12
ARTICLE 19 INITIAL ASSESSMENT	13
19.1 Contribution to Working Capital	13
19.2 Payment of Common Expenses by Declarant or Owner	13
19.3 Temporary Reduction of Assessment Amount	13
ARTICLE 20 SPECIAL ASSESSMENTS	13
20.1 Majority of the Board.....	13
20.2 Owner's Consent	14
ARTICLE 21 COLLECTION AND PAYMENT OF ASSESSMENTS.....	14

TABLE OF CONTENTS
(continued)

	Page
21.1 Payment.....	14
21.2 Late Charges	14
21.3 Liens.....	14
21.4 Interest.....	15
ARTICLE 22 INSURANCE.....	15
22.1 Property Insurance	15
22.2 Liability Insurance	15
22.3 Additional Insureds.....	16
22.4 Additional Provisions.....	16
22.5 Annual Review.....	16
ARTICLE 23 INDEMNIFICATION OF DIRECTORS AND OFFICERS.....	16
ARTICLE 24 REPAIR AND MAINTENANCE	17
ARTICLE 25 COLLECTION FROM TENANTS	17
ARTICLE 26 COMPLIANCE.....	18
26.1 Subordination.....	18
26.2 Interpretation.....	18
ARTICLE 27 RESTRICTIONS ON USE.....	18
ARTICLE 28 LITIGATION AND PROCEEDINGS	19
ARTICLE 29 DISPUTE RESOLUTION.....	20
ARTICLE 30 AMENDMENTS	20

BYLAWS
OF
THE ASSOCIATION OF HOME OWNERS
OF CANYON CREEK SPRINGS SUBDIVISION

ARTICLE 1

GENERAL PROVISIONS

1.1 **Identity.** The Association of Home Owners of Canyon Creek Springs Subdivision (the "Association") has been organized for the purpose of administering the operation and management of the Canyon Creek Springs Subdivision, in accordance with the terms of these Bylaws. The Declaration of Home Owners for Canyon Creek Springs Subdivision (the "Declaration"), was made and executed by SAMM-MILLER, LLC, an Oregon limited liability company ("Declarant"), and is being recorded simultaneously herewith in the records of Clackamas County, Oregon. Except as otherwise provided herein, all capitalized terms herein shall have the meanings set forth in the Declaration.

1.2 **Bylaws Subject to Other Documents.** The provisions of these Bylaws apply to the Subdivision and are expressly subject to the terms, provisions, and conditions contained in the Articles of Incorporation and the Declaration.

1.3 **Applicability.** Declarant approves and adopts these Bylaws and annexes the same to the Declaration, which Bylaws and Declaration shall govern the operation and use of the Subdivision. These Bylaws shall run with the land and shall be binding on and for the benefit of Declarant and its successors and assigns, acting as the present Association, and its successors and assigns, and on all subsequent Owners and Mortgagees, tenants, occupants, employees, and others who use the Subdivision.

ARTICLE 2

ORGANIZATION OF ASSOCIATION

The initial meeting of the Owners shall be held within 30 days following the recording of these Bylaws. Declarant shall give at least 10 but not more than 50 days' written notice of the initial meeting to all persons who are Owners on the date of mailing of the notice.

ARTICLE 3

OWNERS' MEETINGS

3.1 **Turnover Meeting.** No later than 90 days after the Turnover, Declarant shall call a meeting of the Owners (the "Turnover Meeting"). Declarant shall give notice to each Owner at

least 10 but not more than 50 days prior to the meeting. The notice shall state the purpose of the meeting and the time and place at which the meeting is to be held. At the Turnover Meeting:

3.1.1 Declarant shall relinquish control of the administration of the Association and the Owners shall assume the control;

3.1.2 If a quorum of Owners is present, the Owners shall elect not fewer than the number of directors sufficient to constitute a quorum of the Board; and

3.1.3 Declarant shall deliver to the Association all relevant business records of the Association and any other information or property required to be delivered.

If Declarant fails to call the Turnover Meeting within the time specified above, the meeting may be called and notice given by any Owner or the holder of any first Mortgage.

3.2 **Annual Meetings.** The annual meeting of the Owners shall be held each year following the Turnover Meeting on the day and month the Turnover Meeting was held, or the next business day following such date. At each annual meeting, the Voting Owners shall, by ballot, elect one director and transact such other business as may come before the meeting. If an annual meeting of the Owners is not held on the date designated herein for any annual meeting, the Board shall cause the annual meeting to be held as soon thereafter as is convenient, but in no event more than 60 days after the designated date for such meeting, by proper notice to the Owners of the date of the annual meeting.

3.3 **Special Meetings.** Special meetings of the Owners for any purpose or purposes may be called by the President (defined in Section 5.1 below) or a majority of the directors and shall be called by the President at the written request of at least 50 percent of the Voting Owners.

3.4 **Location of Meeting.** The Board shall designate the location for all annual and special meetings of the Owners.

3.5 **Notice of Meeting.** Written or printed notice stating the place, date, and hour of the meeting and, in case of a special meeting, the purpose or purposes for which the meeting is called shall be delivered to each Owner not less than 10 nor more than 50 days before the date of the meeting, either personally or by mail, by or at the discretion of the President, the Secretary (defined in Section 5.1 below), or the officer or persons calling the meeting. If mailed, such notice shall be deemed to be delivered when it is deposited in the United States mail, addressed to the Owner at his or her last known address on the records of the Association, with postage thereon prepaid.

3.6 **Quorum and Voting of Owners.**

3.6.1 At any meeting of the Owners, a quorum shall be present if more than 50 percent of the Voting Owners are present (in person or by proxy); and the concurring vote of more than 50 percent of such Voting Owners present at a meeting at which a quorum is present (a "Majority of the Voting Owners") shall be

valid and binding upon the Association, except as otherwise provided by law, these Bylaws, or the Declaration. If less than 50 percent of the Voting Owners are present at a meeting, a majority of the Voting Owners present may adjourn a meeting and reconvene without further notice; provided, however, that a quorum shall not be necessary to proceed with and hold a binding Turnover Meeting; and provided further that the quorum for any meeting that replaces a meeting that was adjourned for lack of a quorum shall be 50 percent of the quorum amount that was required for the meeting that was adjourned for lack of a quorum. The Voting Owners present at a duly organized meeting may continue to transact business until adjournment, even if the Voting Owners then present do not otherwise constitute a quorum.

3.6.2 If any Voting Owner owns or represents more than one Home, he or she shall have the number of votes corresponding to the number of Homes that he or she owns or represents. In the event that a Voting Owner pledges his or her vote regarding a special matter to a Mortgagee under a duly recorded Mortgage and notice thereof has been given to the Secretary, only the vote of the Mortgagee will be recognized in regard to the special matter upon which the vote is so pledged.

3.6.3 An administrator, executor, guardian, or trustee may vote in person or by proxy at any meeting of the Owners with respect to any Home owned or held by him or her in such capacity, whether or not the same shall have been transferred to his or her name; provided that he or she shall satisfy the Secretary that he or she is the executor, administrator, guardian, or trustee holding such Home in such capacity.

3.6.4 Whenever any Home is owned by two or more persons jointly, according to the records of the Association, in the absence of protest by a co-owner or the delivery to the Association of a valid court order establishing the authority of a person to exercise the vote allocated to that Home, only one of the co-owners then present will be allowed to exercise the vote allocated to that Home. In the event of protest by a co-owner, the vote for the affected Home shall be divided by the number of co-owners, and each co-owner shall cast an substantially equal fractional vote. In the event a valid court order establishes the authority of a person to exercise the vote or a portion of the vote allocated to a Home, the vote for the affected Home shall be voted in accordance with the court order.

3.7 **Proxies.** At all meetings of the Owners, a Voting Owner may vote by proxy executed in writing by the Voting Owner or by his or her duly authorized attorney-in-fact. Such proxy shall be delivered to the Secretary before or at the time of the meeting, shall be dated, and shall provide that the proxy cannot be revoked without prior written notice to the Association. Such proxy shall expire on the date set forth in the writing, upon sale of a Home by its Owner, or one year after it is signed, whichever is earlier.

ARTICLE 4

BOARD

4.1 **Election, Number, and Term Prior to the Turnover Meeting.** Until the Turnover Meeting, the number of directors of the Association shall be three. Until the Turnover Meeting, the directors shall be elected by the Declarant, and the term of each director shall expire on the date that is one year after the director is elected, or on the date of the Turnover Meeting, whichever is earlier. Until the Turnover Meeting, the directors of the Association do not need to be Owners. Until the Turnover Meeting, the rights, duties, and functions of the Board shall be exercised by Declarant.

4.2 **Election, Number, and Term After the Turnover Meeting.** At and after the Turnover Meeting, the number of directors of the Association shall be three. On the date of the Turnover Meeting and continuing thereafter, each director shall be elected by a single ballot, with each Voting Owner permitted to vote for three nominees. On the date of the Turnover Meeting and continuing thereafter, the term of office of each director will be fixed, one for a term of three years, one for a term of two years, and one for a term of one year. The nominee receiving the highest number of votes shall be the three-year director, the nominee receiving the second highest number of votes shall be the two-year director, and the nominee receiving the third highest number of votes shall be the one-year director. At the expiration of the term of office of any director, a successor shall be elected to a term of three years by a Majority of the Voting Owners. Following the Turnover Meeting, each director must be a Owner.

4.3 **Powers and Duties.** The Board shall have all the powers and duties necessary for the administration of the affairs of the Association and Association property, except such powers which may not be delegated to the Board by the Owners pursuant to law or the terms of the Declaration or these Bylaws. The powers and duties to be exercised by the Board shall include, but shall not be limited to, the following:

4.3.1 Operation, care, upkeep, maintenance, repair, and replacement of the Common Property and Association property and payment for the expense thereof;

4.3.2 Preparation, adoption, and amendment of the Budget (defined in Article 14 below) and the Maintenance Plan (defined in Article 16 below);

4.3.3 Preparation, review, and update of the Reserve Study;

4.3.4 Assessment and collection of the General Assessments (defined in Section 21.1 below) and any special assessments, all in accordance with the provisions of these Bylaws;

4.3.5 Employment and dismissal of independent contractors as are necessary or convenient for the efficient maintenance, upkeep, and repair of the Common Property and Association property;

4.3.6 Employment of legal, accounting, or other personnel for reasonable compensation to perform such services as may be required for the proper administration of the Common Property Association Property, and the Association;

4.3.7 Opening of bank accounts on behalf of the Association and in the name of the Association and designating the signatories therefore;

4.3.8 Preparation and distribution of annual financial statements in accordance with these Bylaws and annual preparation and filing of all required income tax returns or forms for the Association;

4.3.9 Preparation, adoption, and enforcement of the Rules and Regulations (defined in Article 13 below);

4.3.10 Maintenance of a current mailing address for the Association;

4.3.11 Selling, leasing, mortgaging, voting the votes appurtenant to (other than for the election of directors), or otherwise dealing with Homes acquired by the Association or its designee;

4.3.12 Making additions and improvements to, or alterations of, the Common Property and payment of the same out of the Reserve Account, or specifically assessing the Homes for the expense thereof as a Common Expense;

4.3.13 Modifying, removing, or eliminating all or any portion of any landscaping portion of the Common Property;

4.3.14 Establishing one or more committees that shall report to the Board and may make recommendations to the Board, provided that at least one member of each committee is a director;

4.3.15 Enforcement by legal means of the provisions of the Declaration, these Bylaws, and the Rules and Regulation;

4.3.16 Imposition of reasonable fines on an Owner for violations of the Declaration, these Bylaws, or the Rules and Regulations, provided that the fine is based on a resolution adopted by the Board and a copy of such resolution is delivered to each Home, mailed to the mailing address of each Home, or mailed to the mailing address designated in writing by the Owner of each Home, prior to the imposition of such fine, and further provided that a written notice of the alleged violation and the fine to be imposed is delivered to the Owner and the Owner is given an opportunity to be heard as to the violation; and

4.4 **Regular Meetings.** A regular meeting of the Board shall be held without notice, other than this Section 4.4, immediately after and at the same place as the annual meeting of Owners. The Board may provide by resolution the time and place for the holding of additional regular meetings without notice other than such resolution. The initial organization meeting

shall be held immediately following the organization meeting of the Owners described in Article 2.

4.5 **Special Meetings.** Special meetings of the Board may be called by or at the request of the President or any one director. The person or persons authorized to call a special meeting of the Board may fix the place for holding any special meeting called by them.

4.6 **Notice of Special Meetings.** Notice of any special meeting shall be given at least 72 hours previous thereto by written notice delivered personally or mailed to each director at his or her residence or business address. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, so addressed, with postage thereon prepaid. Any director may waive notice of any meeting. The attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because a meeting was not lawfully called or convened. Neither the business to be transacted nor the purpose of any regular or special meeting of the Board need be specified in the notice or waiver of notice of such meeting. If at any time a majority of the Homes are occupied as principal residences, notice of meetings of the Board shall be posted at the Subdivision at least three days prior to the meeting.

4.7 **Quorum of Directors.** A majority of the directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than such majority is present at a meeting, a majority of the directors present may adjourn the meeting from time to time without further notice. Each director shall have one vote.

4.8 **Manner of Directors Acting.** The act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the Board.

4.9 **Vacancies on Board.** Any vacancy occurring on the Board may be filled by the affirmative vote of a majority of the remaining directors even if there exists less than a quorum of directors. A director elected to fill a vacancy shall be elected for the unexpired term of predecessor in office. Any directorship to be filled by reason of an increase in the number of directors or by reason of the removal of one or more directors shall be filled by election at an annual meeting or at a special meeting of the Owners called for that purpose.

4.10 **Presumption of Assent.** A director who is present at a meeting of the Board at which action on any matter is taken shall be presumed to have assented to the action taken unless his or her dissent is entered in the minutes of the meeting or unless he or she shall file a written dissent to such action with the person acting as the Secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the Secretary immediately after the adjournment of the meeting. Such right to dissent shall not apply to a director who voted in favor of such action.

4.11 **Removal of Directors.** Any director may be removed with or without cause at a meeting expressly called for that purpose by a vote of a Majority of the Voting Owners entitled to vote on such removal. After the Turnover Meeting, any director who ceases to be a Owner shall cease to be a director.

4.12 **Reimbursement of Directors.** The directors shall not receive compensation but shall be reimbursed for their reasonable expenses related to attendance at meetings of the Board.

4.13 **Attendance by Owners.** All meetings of the Board shall be open to Owners. ORS 94.635 requires that the bylaws include the procedures set forth in ORS 94.640(10), which provides:

In a planned community in which the majority of the lots are the principal residences of the occupants, meetings of the board of directors must comply with the following:

(a) For other than emergency meetings, notice of board of directors' meetings shall be posted at a place or places on the property at least three days prior to the meeting or notice shall be provided by a method otherwise reasonably calculated to inform lot owners of such meetings;

(b) Emergency meetings may be held without notice, if the reason for the emergency is stated in the minutes of the meeting; and

(c) Only emergency meetings of the board of directors may be conducted by telephonic communication or by the use of a means of communication that allows all members of the board of directors participating to hear each other simultaneously or otherwise to be able to communicate during the meeting. A member of the board of directors participating in a meeting by this means is deemed to be present in person at the meeting.

ARTICLE 5

OFFICERS

5.1 **Number.** The officers of the Association shall be a President (the "President"), a secretary (the "Secretary"), and a treasurer (the "Treasurer"), each of whom shall be elected by the Board. No more than two offices may be held by the same person. Officers shall not be required to be Owners.

5.2 **Election and Term of Office.** The officers shall be elected annually by the Board at the first meeting of the Board held after the annual meeting of the Owners. If the election of officers is not held at such meeting, the election shall be held as soon thereafter as is convenient. Each officer shall hold office until his or her successor has been duly elected and qualified, or until his or her death, or until he or she resigns or has been removed in the manner herein provided.

5.3 **Removal.** Any officer elected or agent designated by the Board may be removed by the Board whenever, in its judgment, the best interests of the Association will be served thereby; but such removal shall be without prejudice to the contract rights, if any, of the persons so removed.

5.4 **Vacancies.** A vacancy in any office because of death, resignation, removal, disqualification, or otherwise shall be filled by the Board for the unexpired portion of a term.

5.5 **President.** The President shall have all the powers and duties of a President. The President shall, when present, preside at all meetings of the Owners and the Board and shall perform all duties incident to such office and such other duties as may be prescribed by the

Board from time to time. He or she shall be the principal executive officer of the Association and shall be subject to the control of the Board. He or she shall, in general, supervise and control all the business and affairs of the Association and sign with the Secretary, or any other proper officer of the Association authorized by the Board, any deeds, mortgages, bonds, contracts, or other instruments that the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board or by these Bylaws to some other officer or agent of the Association, or shall be required by law to be otherwise signed or executed.

5.6 **Secretary.** The Secretary shall (i) keep the minutes of the meetings of Owners and the Board in one or more books provided for that purpose; (ii) see that all notices are duly given in accordance with the provisions of these Bylaws, or as required by law; (iii) be custodian of the Association records; and (iv) in general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him or her by the President or the Board.

5.7 **Treasurer.** The Treasurer shall (i) have charge and custody of and be responsible for all funds of the Association; (ii) receive and give receipts for moneys due and payable to the Association from any source whatsoever; (iii) deposit all moneys in the name of the Association in such banks, trust companies, or other depositories as shall be selected by the Board; (iv) approve payment vouchers; (v) prepare or cause to be prepared and filed any required income tax return or forms for the Association; and (vi) in general, perform all the duties incident to the office of the Treasurer and such other duties as from time to time may be assigned to him or her by the President or by the Board, including approving payment vouchers for maintenance and repair of the Common Property or the Association property.

ARTICLE 6

FIDELITY BONDS

The Association, through the Board, may require that all officers, directors, employees, and agents of the Association handling or responsible for its funds shall furnish adequate fidelity bonds. The premiums on any such bonds shall be Common Expenses.

ARTICLE 7

FINANCIAL RECORDS

The Association shall keep all records required by law to be maintained by the Association. Such records shall be located within the State of Oregon. Within 90 days after the end of each fiscal year, the Board shall cause to be prepared an annual financial statement consisting of a balance sheet and income and expenses statement for the preceding fiscal year, and shall distribute to each Owner a copy of the annual financial statement. Upon receipt of a written request made in good faith for a proper purpose, the Association shall make available to any Owner and any Mortgagee, for its inspection or duplication during normal business hours or under other reasonable circumstances, current copies together with any amendments thereto of the Declaration, these Bylaws, the recorded Plat, if feasible, the Rules and Regulations, and the books, records, and financial statements of the Association. The Association shall provide,

within 10 business days of receipt of a written request from an Owner, a written statement that provides (i) the amount of assessments due from the Owner and unpaid at the time the request was received, including General Assessments (defined in Section 21.1 below) and special assessments, fines, penalties, accrued interest, and other charges; (ii) the percentage rate at which interest accrues on assessments that are not paid when due; and (iii) the percentage rate used to calculate the charges for a late payment or the amount of a fixed charge for a late payment; provided, however, that the Association is not required to comply with the above provisions if the Association has commenced litigation by filing a complaint against the Owner and the litigation is pending when the statement would otherwise be due. Upon written request of a prospective purchaser, the Association shall make the information that is available to Owners, available for examination and duplication by the prospective purchaser during reasonable hours. The Association may charge a reasonable fee for furnishing any documents, information, or records described in this Article 7.

ARTICLE 8

CONTRACTS

The Board may authorize any officer, director, agent, or agents to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Association; and such authority may be general or confined to specific instances.

ARTICLE 9

LOANS

No loan shall be contracted on behalf of the Association, and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the Board and approved by the affirmative vote of 75 percent of the Voting Owners present at a duly noticed meeting of Owners in which at least a quorum is present. Such authority may be general or confined to specific instances.

ARTICLE 10

CHECKS, DRAFTS, AND VOUCHERS

All checks, drafts, vouchers, or other orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Association shall be signed by such officer, officers, agent, or agents of the Association and in such manner as shall from time to time be determined by the resolution of the Board.

ARTICLE 11

DEPOSITS

All funds of the Association not otherwise employed shall be deposited from time to time to the credit of the Association in such banks, savings and loan associations, or other depositories located within the State of Oregon as the Board may select. All assessments shall

be deposited in a bank account or bank accounts in the name of the Association. All expenses of the Association shall be paid from the Association's bank account or bank accounts.

ARTICLE 12

TAX RETURNS

The Board annually shall cause the necessary income tax returns to be filed for the Association.

ARTICLE 13

RULES AND REGULATIONS

Until the Turnover, Declarant may adopt, amend, or modify rules and regulations to govern the details of the operation and use of the Homes and Common Property, including any rules desirable to prevent unreasonable interference with the use of the Subdivision by the Owners (the "Rules and Regulations"). After the Turnover Meeting, the Board shall have the power to adopt, modify, or amend the Rules and Regulations as they deem desirable. The Rules and Regulations, shall be binding as though they were a part hereof.

ARTICLE 14

BUDGET

The Board at least annually shall prepare and adopt a budget for revenues, expenditures, and reserves for the Association (the "Budget"). A summary of the Budget shall be distributed to all Owners within 30 days following adoption. If the Board fails to adopt the Budget for any year, the last adopted Budget will continue in effect. The Budget shall be prepared based upon the Maintenance Plan and Reserve Study and shall include the sums required to be allocated to the Reserve Account pursuant to the Reserve Study.

ARTICLE 15

COMMON EXPENSES ASSESSMENTS

15.1 Beginning on the date the first Home is sold or otherwise transferred to someone other than Declarant (the "First Closing"), and except as otherwise provided in the Declaration or these Bylaws, each Owner shall be obligated to pay assessments imposed by the Association and each Owner shall pay its portion of the Common Expenses Assessment (defined in Section 15.5 below) in accordance with the provisions of Section 9.2 of the Declaration.

15.2 Prior to the date that any Home is owned by someone other than Declarant, Declarant shall pay all operating and maintenance expenses of the Subdivision.

15.3 Each Owner's portion of the Common Expenses Assessment for each calendar year shall be due on the fifth day of each month in twelve substantially equal installments with the first payment due on January 5 of each year.

15.4 The Board, in its sole discretion, or the Manager, at the direction of the Board, may round up the amount of each Owner's installment of its portion of the Common Expenses Assessment to the next whole-dollar amount.

15.5 The term "Common Expenses Assessment" means, for each calendar year, the Association's estimate of the total Common Expenses, determined in accordance with the Budget. The term "Common Expenses" means, for each calendar year:

15.5.1 Expenses of administration of the Subdivision;

15.5.2 Expenses of maintenance, repair, or replacement of the Common Property and Association property, if any;

15.5.3 Any amount by which the Common Expenses Assessment actually collected for the prior calendar year were insufficient to pay all of the Common Expenses for such calendar year;

15.5.4 The costs of utilities for the General Common Property and other utilities of the Subdivision that have a common meter or that are not separately billed to the Owners, such as water and sewer;

15.5.5 The cost of insurance or bonds obtained in accordance with these Bylaws;

15.5.6 Legal, accounting, and other professional fees of the Association;

15.5.7 The amount of any deductible owed under any insurance policy carried by the Association pursuant to Article 22.

15.5.8 The amount reallocated to the current Owners pursuant to Section 21.3, to the extent not previously accounted for pursuant to Section 15.5.3; and

15.5.9 Any other items that are properly chargeable as an expense of the Association.

ARTICLE 16

MAINTENANCE PLAN

Declarant will prepare a maintenance plan (the "Maintenance Plan") as required by Section 4.3.2 of these Bylaws. The Maintenance Plan shall describe and include a schedule for the maintenance, repair and replacement of all property for which the Association has maintenance, repair, or replacement responsibilities.

ARTICLE 17

RESERVE STUDY

The Board shall annually conduct a reserve study, or review and update an existing reserve study, of the Reserve Items (defined in Section 18.3 below) to determine the amount needed to fund the major maintenance, repair, and replacement of the Reserve Items (the "Reserve Study"). The Reserve Study shall include: (a) identification of all Reserve Items, (b) the estimated remaining useful life of each Reserve Item as of the date of the Reserve Study, (c) an estimated cost of maintenance and repair of each Reserve Item for the remainder of its useful life and the replacement cost of each Reserve Item at the end of its useful life, and (d) a 30-year plan describing the amount and timing of contributions required to be made to the Reserve Account (defined in Section 18.1 below) to fund the estimated maintenance, repair, and replacement schedule set forth in the Reserve Study, adjusted for estimated inflation and anticipated interest to be earned on the funds held in the Reserve Account.

ARTICLE 18

RESERVE ACCOUNT ASSESSMENTS

18.1 **Reserve Account.** Pursuant to the provisions of these Bylaws, Declarant has established a reserve account in the name of the Association (the "Reserve Account"). The Reserve Account shall be funded by the Owners through the payment of the Reserve Fund Assessments (defined in Section 18.2 below). Each Owner shall pay its portion of the Reserve Fund Assessments in accordance with the provisions of the Declaration. The Reserve Account shall be used only for the purpose of collecting the Reserve Fund Assessments and for payment of obligations for maintenance, repair, or replacement of Reserve Items. The funds in the Reserve Account shall be kept separate from other funds of the Association. In no event shall the funds in the Reserve Account be used for the payment of obligations that reasonably could be funded as part of the Common Expenses.

18.2 **Reserve Account Assessments.** Beginning on the date of the First Closing, and except as otherwise provided in the Declaration or these Bylaws, each Owner shall be obligated to pay his or her portion of the Reserve Fund Assessments (in accordance with the Declaration). However, after the date of the First Closing, with respect to any Home still owned by Declarant, the portion of the Reserve Fund Assessments attributable to such Home shall not be due until the earlier of the date such Home is sold or otherwise transferred to another, or the Turnover. Each Owner's portion of the Reserve Fund Assessments shall be due at the same time as that Owner's portion of the Common Expenses Assessment is due. The Board, in its sole discretion, may round up each Owner's portion of the amount of the Reserve Fund Assessments to the next whole-dollar amount or to the next quarter-dollar amount. The term "Reserve Fund Assessments" means the amount of money required to be collected in the current year, as estimated in the Reserve Study, to fund the estimated maintenance, repair, and replacement schedule set forth in the Reserve Study. However, each year hereafter, upon receipt of the Reserve Study, the Board shall determine whether the Reserve Account Assessments for the current and future years should be adjusted and whether it is appropriate to include additional items as "Reserve Items." In the event that the Board determines an adjustment to the amount of the Reserve Account Assessments is appropriate, the Reserve Fund Assessments may be

adjusted accordingly. A Owner's portion of the Reserve Fund Assessments may be increased as necessary, if such Owner benefits from an expenditure from the Reserve Account so that the Reserve Account can be maintained in an amount sufficient to meet the needs for which the account was established.

18.3 **Reserve Items.** The following shall constitute "Reserve Items":

18.3.1 Those items of the Common Property which all or part of will normally require major maintenance, repair, or replacement in more than one year and less than 30 years, including, without limitation, structural elements and mechanical equipment;

18.3.2 The painting of all exterior painted surfaces of the Common Property; and

18.3.3 Maintenance, repair, or replacement of other items as may be required under the Declaration or these Bylaws.

18.4 **General Operating Reserve.** The Board shall create and maintain a general operating reserve account (the "General Operating Reserve Account") by allocation and payment thereto from the amount collected by the Association as the Common Expenses Assessment of amounts determined by the Board to be needed for the General Operating Reserve Account. The General Operating Reserve Account shall be used to pay Common Expenses that exceed budgeted amounts. The Initial Working Capital Contribution (defined in Section 19.1) shall be deposited into the General Operating Reserve Account. However, in no event may the Association use any Initial Working Capital Contribution for any purpose, including, but not limited to the use to make up any Budget deficits, prior to Turnover. Additionally, in no event shall the Association use any Initial Working Capital Contribution to defray any of the expenses, reserve contributions, or construction costs of Declarant.

ARTICLE 19

INITIAL ASSESSMENT

19.1 **Payment of Common Expenses by Declarant or Owner.** If Declarant or any other Owner pays all or a portion of the Common Expenses, that person's portion of the Common Expenses Assessment shall be reduced by the amount paid by such person. However, in no event shall such person's portion of the Reserve Fund Assessments be reduced.

19.2 **Temporary Reduction of Assessment Amount.** Prior to the Turnover, if the Common Expenses are temporarily less than projected because some or most of the Homes are not yet sold or occupied, Declarant shall have the authority to reduce temporarily the amount of the Common Expenses Assessment to reflect the lower Common Expenses.

ARTICLE 20

SPECIAL ASSESSMENTS

20.1 **Majority of the Board.** By the vote of a majority of the directors, the Board shall have the power to levy special assessments against an Owner or all Owners for the following purposes:

20.1.1 To correct a deficit in the operating budget;

20.1.2 To collect amounts due to the Association from an Owner for breach of the Owner's obligations under the Declaration, these Bylaws, or the Rules and Regulations;

20.1.3 To make repairs or renovations to the Common Property if sufficient funds are not available from the General Operating Reserve Account or the Reserve Account; or

20.1.4 To make capital acquisitions, additions, or improvements to Common Property costing less than \$2,500.

20.2 **Owner's Consent.** The Board must obtain consent of at least 75 percent of the Voting Owners present at a meeting of the Owner's in which a quorum is present before the Board may levy special assessments against an Owner or all Owners for the purpose of making capital acquisitions, additions, or improvements to the Common Property costing \$2,500 or more.

ARTICLE 21

COLLECTION AND PAYMENT OF ASSESSMENTS

21.1 **Payment.** Each Owner's portion of the Common Expenses Assessment and the Reserve Fund Assessments (collectively, the "General Assessments") shall be paid in advance, without demand, and on the fifth calendar day of each month. The Treasurer of the Association shall collect the assessments and, upon request, each Owner shall be entitled to receive from the Treasurer at the time of payment of the assessments an itemized statement of the anticipated Common Expenses. The itemized statement of anticipated Common Expenses shall be prepared in the manner determined by the Board.

21.2 **Late Charges.** The Board may impose a late charge not to exceed 5 percent of the amount of any assessment that is not paid within 10 days after it is due. The imposition of a late charge shall be without prejudice to any other remedy available to the Association.

21.3 **Liens.** The Association shall have the authority and the duty to levy and enforce the collection of the General Assessments and any special assessments. Whenever the Association levies any assessment against a Home, the Association, upon complying with this Section 21.3, shall have a lien upon such Home and the undivided interest in the Common Property appertaining to such Home for: (i) the reasonable value of such Common Expenses

allocable to such Home; (ii) any unpaid assessments; (iii) interest (described in Section 21.4); (iv) late charges (described in Section 21.2); (v) costs or other amounts levied under the Declaration or these Bylaws; and (vi) attorney fees. The lien shall be prior to all other liens or encumbrances upon the Home, except for tax and public improvement assessment liens, and a first Mortgage. Recording of the Declaration constitutes record notice and perfection of the lien for assessments.

Each assessment shall be a separate and personal debt and obligation of the Owner of the Home at the time the assessment fell due and shall be collectible as such. Such personal obligation shall not pass to successors in title unless assumed by them or required by law. The Board may cause to be filed in the deed records of Clackamas County a notice of lien claim with respect to any assessment that has not been paid within 30 days after the date that the Association notified the Owner that an assessment was not paid when due, but must do so before instituting any suit to foreclose the lien. The Association shall be entitled to recover, in any suit to foreclose or action to recover a money judgment for unpaid assessments, interest on the delinquent assessments at the rate of 12 percent per annum and costs, including reasonable attorney fees in such suit or action, or any appeal therefrom. If the Association files a notice of lien claim in the deed records of Clackamas County, the Owner of the Home shall reimburse the Association for the cost of preparing and filing the notice.

A lien for assessments shall not be affected by any sale or transfer of a Home, except that a sale or transfer pursuant to a foreclosure of a first Mortgage, or a deed in lieu of foreclosure of a first Mortgage, provided that written notice has been given to the Association and the deed is recorded not later than 30 days after the date such notice is mailed. A lien for any delinquent assessments extinguished pursuant to this Section 21.3 shall be reallocated to the current Owners as a Common Expenses Assessment as provided in Section 15.5.10. Any such sale or transfer pursuant to a foreclosure shall not relieve the purchaser or transferee of a Home from liability for, nor the Home from the lien of, an assessment made thereafter.

In case of foreclosure, the Owner of the foreclosed Home shall be required to pay a reasonable rental for the Home; and the plaintiff in the foreclosure suit shall be entitled to the appointment of a receiver to collect the rental, without regard to the value of the security. An action to recover a money judgment, together with reasonable attorney fees for unpaid assessments, may be maintained without foreclosing or waiving the lien securing the claim for common proceeds.

21.4 **Interest.** All assessments that are not paid when due shall bear interest at the rate of 12 percent per annum, which interest shall commence on the due date for the payment of such assessment.

ARTICLE 22

INSURANCE

22.1 **Property Insurance.** The Association shall obtain and maintain at all times property insurance, including, but not limited to, fire, extended coverage, vandalism, and malicious mischief, and all other perils customarily covered for similar types of projects, insuring the Common Property, including fixtures, equipment, and other property that a holder of

a first Mortgage would ordinarily require to be insured. The insurance shall be in an amount equal to 100 percent of replacement cost of the property insured.

22.2 **Liability Insurance.** The Association shall obtain and maintain at all times liability insurance in the amount of at least \$1,000,000 for each occurrence covering the legal liability of the Association, the Owners individually, and the Manager, including, but not limited to, the Board, the public, and the Owners and their invitees or tenants, incident to ownership, supervision, control, or use of the Common Property. There may be excluded from the policy required under this Section 22.2, coverage of a Owner, other than coverage as a member of the Association or Board, for liability arising out of acts or omissions of that Owner and liability incident to the ownership or use of the part of the Subdivision as to which that Owner has the exclusive use or occupancy. Liability insurance required under this Section 22.2 shall be issued on a comprehensive liability basis and shall provide a cross-liability endorsement providing that the rights of a named insured under the policy shall not prejudice any action against another named insured.

22.3 **Additional Insureds.** The foregoing provisions and requirements relating to property or liability insurance notwithstanding, there may be named as an insured, on behalf of the Association, the Association's authorized representative, including any trustee with whom the Association may enter into any insurance trust agreement or any successor to such trustee (each of whom shall be referred to herein as the "Insurance Trustee"), who shall have exclusive authority to negotiate losses under any policy providing property or liability insurance. Each Owner appoints any Insurance Trustee or substitute Insurance Trustee designated by the Association as an attorney-in-fact for the purpose of purchasing and maintaining such insurance, including the collection and appropriate disposition of the proceeds thereof; the negotiation of losses and execution of releases of liability; the execution of all documents; and the performance of all other acts necessary to accomplish such purpose. The Association or any Insurance Trustee shall receive, hold, or otherwise properly dispose of any proceeds of insurance in trust for Owners and their first Mortgagee, as their interests may appear.

22.4 **Additional Provisions.** 94.685 Specification of insurance for individual lots.

- (1) Unless provided in the declaration, the bylaws shall specify:
 - (a) The insurance an owner must obtain, if any.
 - (b) The insurance, if any, an individual owner is precluded from obtaining;
 - (c) The responsibility for payment of the amount of the deductible in an association insurance policy; and
 - (d) Whether or not the insurance coverage obtained and maintained by the board of directors may be brought into contribution with insurance bought by owners or their mortgagees.
- (2) The declaration or bylaws may provide that the responsibility for payment of the amount of the deductible may be prescribed by resolution adopted by the board of directors. [1981 c.782 §54; 1999 c.677 §23; 2007 c.409 §16]. The Board shall make every effort to secure insurance policies that provide for the following:

22.4.1 A waiver of subrogation by the insurer as to any claims against the Board, the Manager, the Owners, and their respective servants, agents, and guests;

22.4.2 A provision that the policy cannot be canceled, invalidated, or suspended on account of the conduct of any one or more individual Owners;

22.4.3 A provision that the policy cannot be canceled, invalidated, or suspended on account of the conduct of any officer or employee of the Association or the Manager without prior demand in writing that the Board or Manager cure the defect; and

22.4.4 A provision that any "no other insurance" clause in the policy exclude individual Owners' policies and not otherwise prevent such individual policies from providing coverage for damage to Homes or Common Property. A policy may contain a deductible in the amount specified in the declaration or bylaws. The deductible amount shall be added to the face amount of the policy in determining whether the insurance equals at least the full replacement cost.

22.4.5 (4) Notwithstanding a provision in the declaration or bylaws that imposes a maximum deductible amount in an association insurance policy, if the board of directors determines that it is in the best interest of the association and owners as provided in subsection (5) of this section, the board may adopt a resolution authorizing the association to obtain and maintain an insurance policy with a deductible amount exceeding the specified maximum, but not in excess of the greater of:

(a) The maximum deductible acceptable to the Federal National Mortgage Association; or

(b) \$10,000.

(5) In making the determination under subsection (4) of this section, the board of directors shall consider such factors as the availability and cost of insurance and the loss experience of the association.

(6) Not later than 10 days after adoption of a resolution under subsection (4) of this section, the board of directors shall ensure that a copy of the resolution and a notice described in ORS 94.676 are:(a) Delivered to each owner; or

(b) Mailed to the mailing address of each owner or to the mailing address designated in writing by the owner.

22.5 Annual Review. At least annually, the Board shall review the adequacy of the insurance coverage of the Association.

ARTICLE 23

INDEMNIFICATION OF DIRECTORS AND OFFICERS

Subject to the provisions of this Article 23, each director and officer of the Association now or hereafter in office, and his or her heirs, executors, and administrators, shall be indemnified by the Association against all costs, expenses, amounts, or liability, including attorney fees, that are reasonably incurred by or imposed upon him or her in connection with or resulting from any action, suit, proceeding, or claim to which he or she may be made a party, or in which he or she may be or become involved by reason of his or her acts or omissions or alleged acts or omissions as a director or officer, or any settlement thereof, whether or not he or she continues to be a director or officer at the time of incurring such costs, expenses, or amounts. Such indemnification shall not apply, however, with respect to any matter as to which a director or officer is finally adjudged in an action, suit, or proceeding to have been individually guilty of willful misfeasance or malfeasance in the performance of his or her duties as a director or officer. Further, the indemnification provided herein shall, with respect to any settlement of any suit, action, proceeding, or claim, include reimbursement of any amounts paid and expenses reasonably incurred by a director or officer in settling such suit, action, proceeding, or claim when, in the judgment of the Board, a settlement or reimbursement appears to be in the best interest of the Association. The foregoing right of indemnification shall be in addition to and not exclusive of any and all other rights as to which any such director or officer may be entitled under any agreement, vote of Owners, or otherwise.

ARTICLE 24

REPAIR AND MAINTENANCE

24.1 Each Owner shall promptly perform all maintenance and repair work that is needed within his or her own Home to prevent any negative effect on the Common Property of the Subdivision or a part thereof belonging to other Owners, and every Owner shall be responsible for the damages and liabilities that his or her failure to maintain and repair may cause, including, but not limited to, damage caused by plugged toilets and bath drains, overloaded electrical outlets, and clothes washer and dishwasher overflow.

24.2 All repairs of internal installations of a Home, such as water, lights, gas, power, sewage, telephones, air-conditioners, heaters, sanitary installations, doors, windows, lamps, and all other accessories and appliances belonging to the Home area, shall be at the sole expense of the Owner of such Home.

24.3 An Owner shall reimburse the Association for any expenditures incurred in repairing or replacing any portion of the Common Property that was damaged through such Owner's fault, or the fault of Owner's tenants, guests, servants, invitees, or authorized occupants or visitors and that is not otherwise covered by insurance policies carried by the Owner or the Association for the Owner's or the Association's benefit. In such circumstances, the insurance obtained by the Owner shall be deemed to be the primary coverage.

ARTICLE 25

COLLECTION FROM TENANTS

All leases or rental agreements for Homes shall be in writing and specifically subject to the requirements of the Declaration, these Bylaws, and the Rules and Regulations. If the Owner shall at any time rent or lease his or her Home and shall default for a period of 30 days or more in the payment of any assessments against such Home, or any installment thereof, the Board may, at its option, so long as such default continues, demand and receive from any tenant occupying the Home, the rent due or becoming due from such tenant, up to an amount sufficient to pay all assessments due from the Owner, including interest, penalties and other costs allowed under the Declaration or these Bylaws, if any, and any such payment of such rent to the Association by the tenant shall, to the extent of the amount paid to the Association, discharge such tenant of its obligations due to the Owner under the lease. But any such demand or acceptance of rent by the Association from any tenant shall not be deemed to be a consent to or approval of any lease or a release or discharge of any of the obligations of the Owner under the Declaration or these Bylaws. In the event the Association makes demand upon the tenant as aforesaid, the tenant shall not have the right to question the right of the Association to make such demand, but shall be obligated to make said payments to the Association, with the effect as aforesaid; provided, however, the Association may not exercise this right if a receiver has been appointed to take charge of the Home pending a Mortgage foreclosure or if a Mortgagee is in possession pending a Mortgage foreclosure.

ARTICLE 26

COMPLIANCE

26.1 **Subordination.** These Bylaws are subordinate and subject to the provisions of the Declaration and all amendments thereto; and in case of any conflict, the Declaration shall control.

26.2 **Interpretation.** To the extent these Bylaws are inconsistent with the terms of ORS 94, or any successor to such statute, applicable to the Subdivision, ORS 94, or the successor to such statute, shall control over the terms of these Bylaws. Unless preempted by the terms of these Bylaws, the terms of ORS 94 applicable to the Subdivision shall also apply to the Subdivision. In the event any provision of these Bylaws is held to be invalid, such invalidity shall not render invalid any other provision hereof that can be given effect. Nothing in these Bylaws shall be deemed or construed to authorize the Association or the Board to conduct or engage in any act or business for profit on behalf of any or all of the Owners.

ARTICLE 27

RESTRICTIONS ON USE

The Owners shall require their employees, occupants, tenants, servants, invitees, and authorized visitors to comply with the following restrictions:

27.1 No part of a Home shall be used for other than residential purposes and related uses, provided that, subject to compliance with local ordinances and other restrictions of record, an Owner may use a Home as a "home office" so long as clients, customers, and employees do not regularly visit the "home office."

27.2 At no time shall use of the General Common Property be obstructed, nor shall anything be stored in the General Common Property, without the prior written consent of the Association.

27.3 Without the prior written consent of the Association, nothing shall be done or kept in any Home or in the Common Property that (a) will increase the rate of insurance described in Article 22, (b) change the terms on which the insurance described in Article 22 will be provided, (c) is in violation of any law or regulation of any governmental authority, or (d) unreasonably interferes with the use of any Home or the Common Property by any other Owner or occupants.

27.4 No waste shall be committed in, on, or about the Common Property.

27.5 Without the prior written consent of the Association, no Owner shall cause or permit anything (including, without limitation, a sign, awning, canopy, shutter, or radio or television antenna) to hang, be displayed, or otherwise be affixed to or placed on the outside walls or doors of the Homes.

27.6 No noxious or offensive activity shall be carried on in the Common Property, nor shall anything be done therein, either willfully or negligently, that may be or may become an annoyance or nuisance to the other Owners or occupants.

27.7 Nothing shall be done in, on, or to the Common Property that would impair the structural integrity of the Improvements or any part thereof or that would structurally change the Improvements or any part thereof except as is otherwise provided herein or in the Declaration.

27.8 Not violate any of the Rules or Regulations.

27.9 In no event may satellite television antennas or dishes, or window-mounted air conditioners be installed in, on, or about any Home without prior written approval by the Association, which approval may be withheld in the Association's sole discretion.

27.10 The Board shall approve the initial and any and all subsequent changes to a Home's exterior appearance through any of the following within 30 days of notice from Owner. If the Board does not provide direction or approval within 30 days of notice from Owner, than it shall be presumed approved by the Board:

- a. Exterior paint color
- b. Exterior roof color, material and style
- c. Any ancillary structure on a Home's property (e.g. shed, awning, etc.)

ARTICLE 28

LITIGATION AND PROCEEDINGS

To the extent required, the Board shall notify the Owners prior to instituting litigation or administrative proceedings. With regard to any pending litigation involving the Association, the Board shall periodically report to the Owners as to the status (including settlement offers), progress, and method of funding such litigation. Nothing in this paragraph shall be construed as requiring the Board to disclose any privileged communication between the Association and its counsel.

ARTICLE 29

DISPUTE RESOLUTION

In the event of any dispute regarding these Bylaws or the Subdivision, the dispute must be settled in accordance with the terms of the Declaration.

ARTICLE 30

AMENDMENTS

30.1 Declarant acting alone may amend these Bylaws to comply with the requirements of any applicable statute, ordinance, regulation, or guideline of the Federal Housing Administration, the U.S. Department of Veterans Affairs, Rural Development, or the Farm Service Agency of the United States Department of Agriculture, the Federal National Mortgage Association, the Government National Mortgage Association, the Federal Home Loan Mortgage Corporation, any department, bureau, board, commission, or agency of the United States or the State of Oregon, or any corporation wholly owned, directly or indirectly, by the United States or the State of Oregon that insures, guarantees or provides financing for Subdivisions; provided that if the need to amend these Bylaws arises after the Turnover Meeting has occurred, then the amendment must be approved by the Association as otherwise set forth herein or otherwise provided in the Declaration.

30.2 Amendments to these Bylaws may be proposed to the Owners by resolution of the Board or by an Owner. If proposed by the Board, any proposed amendment shall be delivered in writing, either personally or by mail, to each Owner not less than seven nor more than 50 days before the date of the meeting at which the proposed amendment will be voted upon. If mailed, such notice or request shall be deemed to be delivered when deposited in the United States mail addressed to the Owner at his or her last known address on the records of the Association, with postage thereon prepaid. If proposed by an Owner, any proposed amendment shall be attached to any request of the Owner for amendment submitted. No amendment of the Bylaws proposed in either of such ways shall be effective unless approved by at least 75 percent of the Voting Owners, either in writing or at a duly constituted meeting, and until a copy of the Bylaws, as amended, or the amendment thereto, has been certified by the President and Secretary, and recorded with the recording officer of Clackamas County, Oregon.

30.3 No amendment to these Bylaws may reduce or eliminate the right of any Mortgagee, without the prior written consent of each affected Mortgagee.

30.4 For so long as Declarant owns one or more Homes, these Bylaws, the Rules and Regulations, and the Declaration may not be modified, added to, amended, or repealed so as to eliminate, change, or impair any rights, privileges, easements, licenses, or exemptions granted therein or herein to Declarant or its designee, or otherwise in a way that adversely affects Declarant or such designee, unless Declarant or its designee has given its written approval in each such instance.

[Signature page follows]

The undersigned hereby adopts the foregoing on behalf of the Association as the Bylaws of the Association, this ____ day of _____, 20____.

DECLARANT:

_____, an Oregon limited liability company

By: _____

Name: _____

Its: _____

STATE OF OREGON)
) SS
COUNTY OF _____)

This instrument was acknowledged before me on _____, 20____,
by _____ as _____ of _____.

Notary Public for Oregon

My commission expires:

MEMORANDUM

DATE: November 4, 2019

TO: Khoi Le, P.E., City of Wilsonville

FROM: Scott Mansur, P.E., PTOE, DKS Associates *SM*
Jenna Hills, EIT, DKS Associates



117 Commercial Street NE
Suite 310
Salem, OR 97301
503.391.8773
www.dksassociates.com

SUBJECT: Wilsonville Canyon Creek III Trip Generation Memo

P18197-006

This memorandum documents trip generation estimates for the proposed development of the Canyon Creek III subdivision located near 28700 and 28705 Canyon Creek Road South in Wilsonville, Oregon. A total of eleven lots are proposed; however, two single-family homes currently exist on the subject properties.

The purpose of this memorandum is to determine how much additional traffic the proposed single-family houses on the site would generate through the City's transportation system. Also, an evaluation of site access, bicycle and pedestrian needs, parking, and a review of the site plan will be addressed. The following sections include the project trip generation, site plan review, and summary of findings.

Project Trip Generation

Trip generation is the method used to estimate the number of vehicles that are added to the roadway network by the proposed project during a specified period (i.e., p.m. peak hour). Table 1 documents the trip generation estimates for the total site during the p.m. peak period using the trip rates provided by the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition*¹. The fitted curve equation was used to estimate the amount of p.m. peak hour trips.

Table 1 on the following page shows the estimated number of p.m. peak hour trips for the eleven proposed homes. There are two existing houses on the proposed parcels, therefore those trips will be subtracted from the total p.m. peak hour trips to give the net new total number of trips added to the existing roadway network. As shown, a total of 10 trips (6 in, 4 out) are expected to be generated during the p.m. peak hour.

¹ *Trip Generation, 10th Edition*, Institute of Transportation Engineers, 2017.



Table 1: Trip Generation Summary

Land Use (ITE Code)	Size	Trip Rate ^b	P.M. Peak Hour Trips		
			In	Out	Total
<i>Proposed</i>					
Single-Family Detached Housing (210)	11 DU ^a	1.1 trips/DU	7	5	12
<i>Existing</i>					
Single-Family Detached Housing (210)	2 DU ^a	1.1 trips/DU	-1	-1	-2
Net New Total Trips			6	4	10

^aDU = 1 Dwelling Unit

^bTrip rates shown were back-calculated using the ITE fitted curve equation.

Project Trips through I-5 Interchange Area

The Canyon Creek III subdivision is expected to generate approximately 3 p.m. peak hour trips (2 inbound, 1 outbound) through the I-5/Elligsen Road interchange area and 1 p.m. peak hour trip (1 inbound, 0 outbound), through the I-5/Wilsonville Road interchange area. This project trip distribution was estimated using the City of Wilsonville travel demand model.²

Site Plan Review

The applicant’s preliminary site plan was provided by the project sponsor and is attached to the appendix. It was reviewed to evaluate site access and internal circulation, bicycle and pedestrian needs, and parking.

Site Access and Internal Circulation

The proposed site plan shows access to all the parcels via the cul-de-sac on Canyon Creek Road South. Due to the expected low vehicle speeds in the cul-de-sac, there are no concerns about sight distance for the proposed parcel accesses.

Bicycle and Pedestrian Facilities

The proposed site plan shows sidewalk on the Canyon Creek Road South cul-de-sac fronting the subject property. Canyon Creek Road South is a local street according to the City Transportation System Plan, which states that five-foot sidewalks on both sides of the roadway are required for local streets. The existing pedestrian walkway that connects the Canyon Creek Road South cul-de-sac to Morningside Avenue is unimpacted by the proposed site plan.

Bike lanes do not currently exist on Canyon Creek Road South, but according to the City’s cross section standards, bike lanes are not required for local streets.

Summary

Key findings for the proposed subdivision, totaling approximately 2.94 acres, and consisting of 11 lots, in Wilsonville, Oregon are as follows:

² Wilsonville Travel Forecast Model, select zone model run for TAZ 4034.



- The estimated number of net new p.m. peak hour trips from the proposed Canyon Creek subdivision is 10 trips (6 in, 4 out).
- It is expected that 3 p.m. peak hour trips will travel through the I-5/Elligsen Road interchange area and 1 p.m. peak hour trips will travel through the I-5/Wilsonville Road interchange area.
- The proposed site plan provides adequate site access to each parcel.
- The existing pedestrian walkway that connects the Canyon Creek Road South cul-de-sac to Morningside Avenue is unimpacted by the proposed site plan.

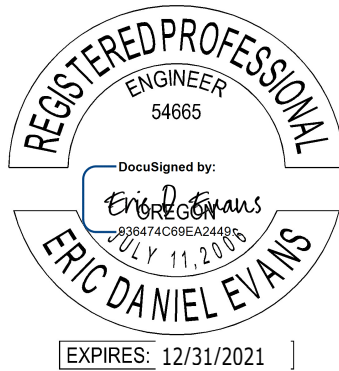
Please let us know if you have any questions.



Civil Engineering | Land Surveying | Construction Management | Land Use Planning | Structural Design | House Design

Preliminary Stormwater Management Plan
For Canyon Creek South Phase III
8-Lot Subdivision
Wilsonville, Oregon
(TL 3800 & 6400, Tax Map 31W13BD)

Emerio Project Number: 0463-005
City of Wilsonville BD Numbers: TBD
Date: 11/08/2019
Rev1: 03/16/2020
Rev2: 06/18/2020
Rev3: 09/1/2020



Prepared For:
SAMM Miller LLC
Scott Miller
10211 SW Barber St.
Wilsonville, OR 97070
smiller@marquiscompanies.com

Prepared By:
Eric Evans, PE
Emerio Design, LLC
6445 SW Fallbrook PL, Suite 100
Beaverton, Oregon 97008
(503) 746-8812
eric@emeriodesign.com

List of Appendices:

APPENDIX A – Site Information

- (1) Vicinity Map
- (2) On Site Soils Maps – “Soils Survey for Clackamas County”
- (3) Infiltration Test Data and Email

APPENDIX B – Storm Facility Sizing

- (1) Basin Tabulated Area Spreadsheet
- (2) WES BMP Sizing Report

APPENDIX C – Basin Maps

- (1) Pre-Developed Site Map
- (2) Post-Developed Basin Map
- (3) Proxy Treatment Map

Project Overview and Description:

Size and location of project site: The current site is located approximately 510 feet south of the intersection of Daybreak Street & Canyon Creek Road South on the east side of SW Canyon Creek Road South. The site will be developed into an 8-lot subdivision, which will include public and private street areas, and an open space tract. The site is located at 28705 Canyon Creek Road South in Wilsonville, Oregon (Appendix A(1)).

Zoning: The property is zoned PDR3.

Type of Development: The proposed residential development will consist of a public street, private street, tracts for open space, and new homes along with associated driveways and attached garages.

Existing vs. post-construction conditions: Currently the site is made up of two existing residential lots on opposite sides of Canyon Creek Road South. All onsite paved areas and buildings on tax lot 6400 are to be removed. In the post-developed condition, there will be 8 proposed onsite lots with new homes, one open space tract, a private street tract, and a public street along the northern border of the site.

Watershed Description: The site currently sheet flows toward the south and east toward Boeckman Creek. In the post-developed condition, the onsite and ROW impervious areas flows will infiltrate via proposed stormwater planters. Overflow pipes from these planters will route to an existing outfall into Boeckman Creek. Onsite pervious areas will sheet flow to the south and east towards Boeckman Creek in a similar flow pattern to the pre-developed site condition.

Soil Classification:

The NRCS soil survey of Clackamas County, Oregon classifies the onsite soils as Aloha Silt Loam, Woodburn Silt Loam, and Xerochrepts and Haploxerolls. The associated hydrologic groups for these soils are C/D, C, and B respectively. As all construction aside from stormwater conveyance structures will occur in the Aloha Silt Loam and Woodburn Silt Loam areas, hydraulic soil group C will be used in this analysis. See Appendix A(2) for a soil classification map.

Infiltration Testing:

Onsite infiltration testing was conducted by Hardman Geotechnical Services. The recommended infiltration rate from the test results was 0.3 in/hr as an average of the two tested onsite infiltration rates. A factor of safety of 2.0 was applied to this recommended infiltration rate in the design of the proposed stormwater facilities. See Appendix A(3) for infiltration test data and emailed recommendations from the Geotechnical Engineer.

Methodology:

Stormwater runoff will be addressed for this project by infiltration planters, which will provide treatment and detention for the whole development. The City of Wilsonville approves the use of the WES BMP Sizing Tool to size the stormwater management facilities. Proposed sidewalk and roadway areas will be treated by infiltration planters situated in the ROW. Two of these facilities will also manage runoff from lot impervious areas. Lot 8 will route to planter 1, while lots 6 and 7 will route to planter 2 (see Appendix C(2) for planter locations and designations). A large infiltration planter situated in tract A (planter 4) will manage runoff from Canyon Creek Road S and an existing pathway north of the site. Lots 3 & 4 will be managed by their own individual planters (planters 5 & 6). All treated homes will route runoff to their respective planters via laterals. Tabulated basin areas assume that

proposed lots will include 2,750 SF of impervious surface per City of Wilsonville standards, and that all basins are 100% impervious. See Appendix B(1) for a list of all tabulated basin areas. Lots 1, 2, & 5 and the private street on tract B will not be treated due to space or grading restrictions. Existing road and pathway areas will be proxy treated for these areas by planters 1, 2, and 4. In total, 9,795 SF of existing impervious surface will be treated for 9,212 SF of untreated new impervious surface. The proposed pathway on Tract A will be a soft surface path. The adjacent patio area on Tract A will be made of pervious pavers and will not require treatment in the proposed planters. See Appendix C(3) for a proxy treatment map.

Outlet pipes with flow control structures and overflow pipes will be provided for each public facility to route any stormwater that is not being infiltrated southeast to the outfall to Boeckman Creek.

See the following table for total combined basin areas going to each facility and the required and provided infiltration planter sizes.

Basin ID	Description	Basin Area (SF)	Facility Area Required (SF)	Facility Area Provided (SF)
A, B	Canyon Creek Rd S ROW, Lot 8	4,229	169.2	230.0
C, D, E	Canyon Creek Rd S & Public Street ROW, Lots 6 & 7	9,433	377.3	416.0
F	Public Street East ROW	7,310	292.4	374.0
G	Canyon Creek Rd S	8,600	344.0	344.0
H	Lot 2	2,750	110.0	113.0
I	Lot 3	2,750	110.0	116.0
Total		35,072	1,402.9	1,593

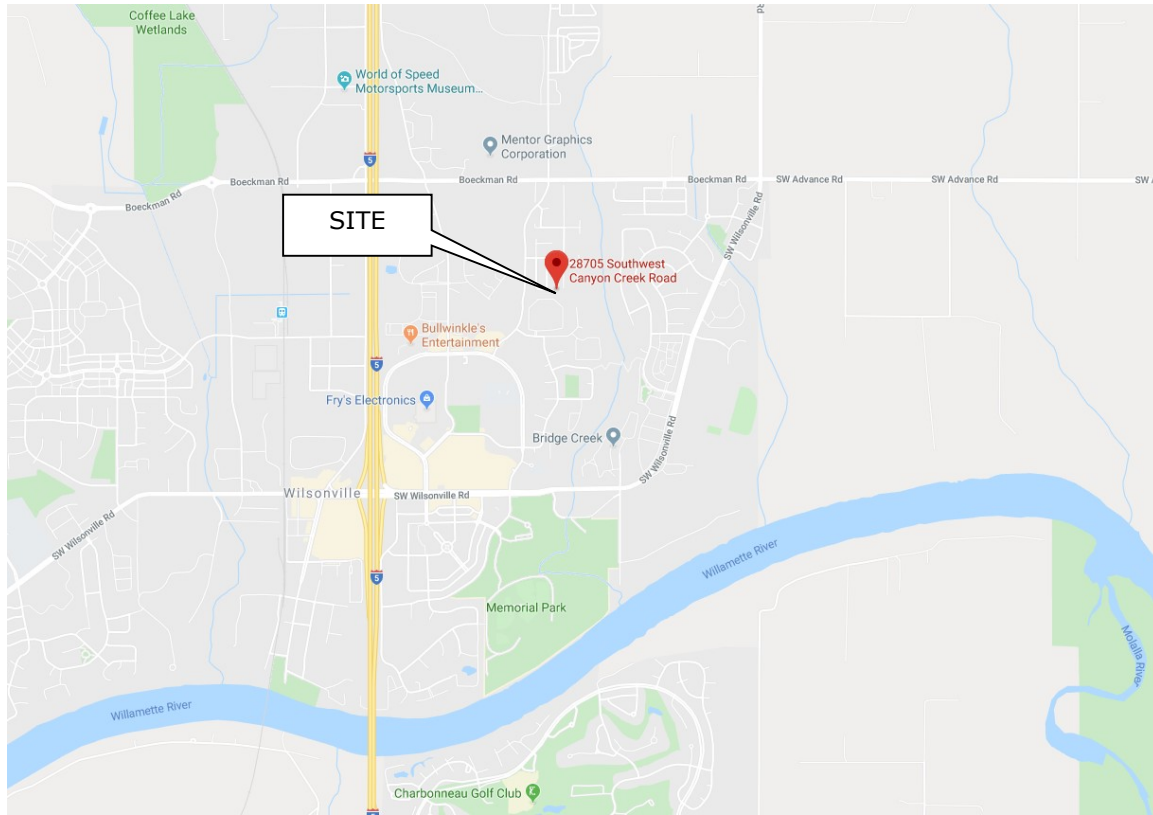
As shown in the table above, all proposed facilities were appropriately sized to meet water quality and detention standards. See Appendix C(2) for the basin delineation map and Appendix B(2) for the BMP sizing report.

Conclusion:

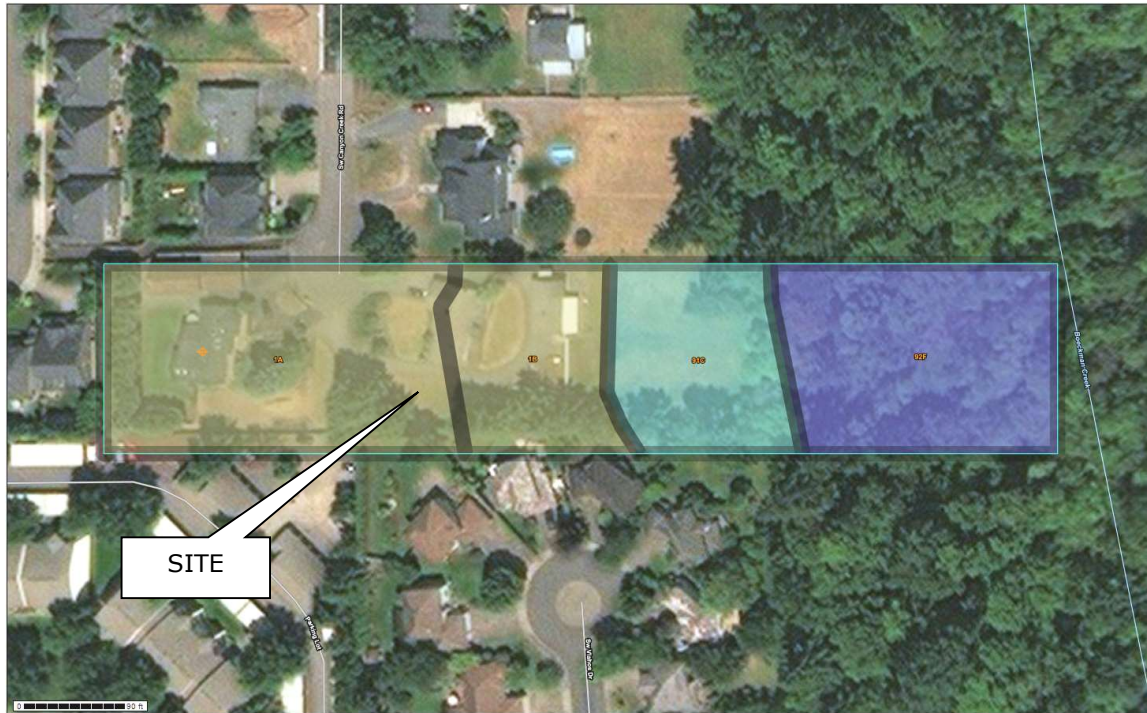
The design of the proposed site satisfies the stormwater design standards set by the City of Wilsonville.

Appendix A

Appendix A(1)
Vicinity Map



Appendix A(2)
Soil Classification Map



Tables — Hydrologic Soil Group — Summary By Map Unit

Summary by Map Unit — Clackamas County Area, Oregon (OR610)

Summary by Map Unit — Clackamas County Area, Oregon (OR610)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
1A	Aloha silt loam, 0 to 3 percent slopes	C/D	1.2	36.6%
1B	Aloha silt loam, 3 to 6 percent slopes	C/D	0.6	16.8%
91C	Woodburn silt loam, 8 to 15 percent slopes	C	0.6	18.0%
92F	Xerochrepts and Haploxerolls, very steep	B	1.0	28.7%
Totals for Area of Interest			3.3	100.0%

Eric,

We have the field work on this project completed.

In the mean time, here is a site plan and the infiltration test results if you need to finalize your stormwater design. We had 0.4 inch/hour in HA-1 and 0.24 in/hour in HA-2, we recommend using the average of 0.3 inch/hour for design of the LIDAs or pervious pavements.

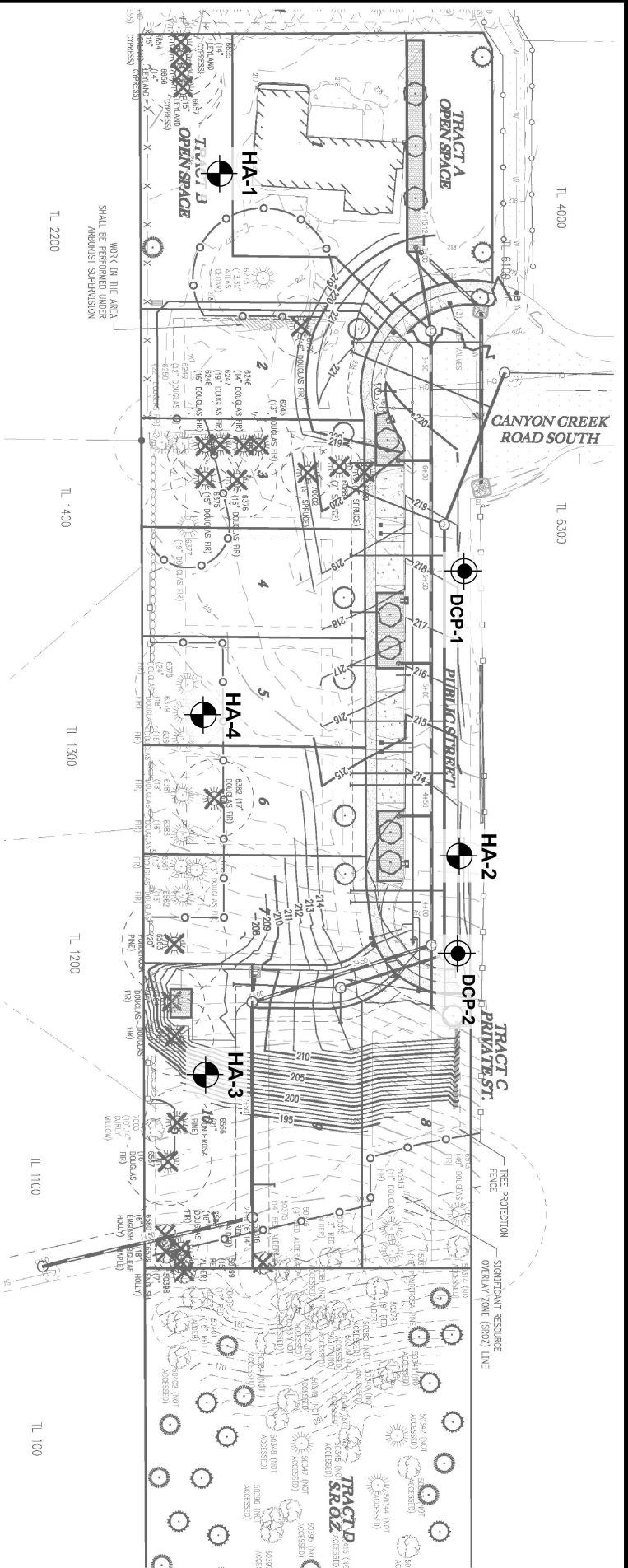
Report to follow soon.

St. L. Hardman, P.E., G.E.

Hardman Geotechnical Services Inc.

575-5634 mobile

SITE PLAN AND
EXPLORATION LOCATIONS



Legend

HA-4 Hand Auger Designation and
Approximate Location

DCP-2 Dynamic Cone Penetrometer (DCP) Test,
Approximate Location

Base map provided by Emerio Design

Project: 28700 and 28705 Canyon Creek Road S
Wilsonville, Oregon

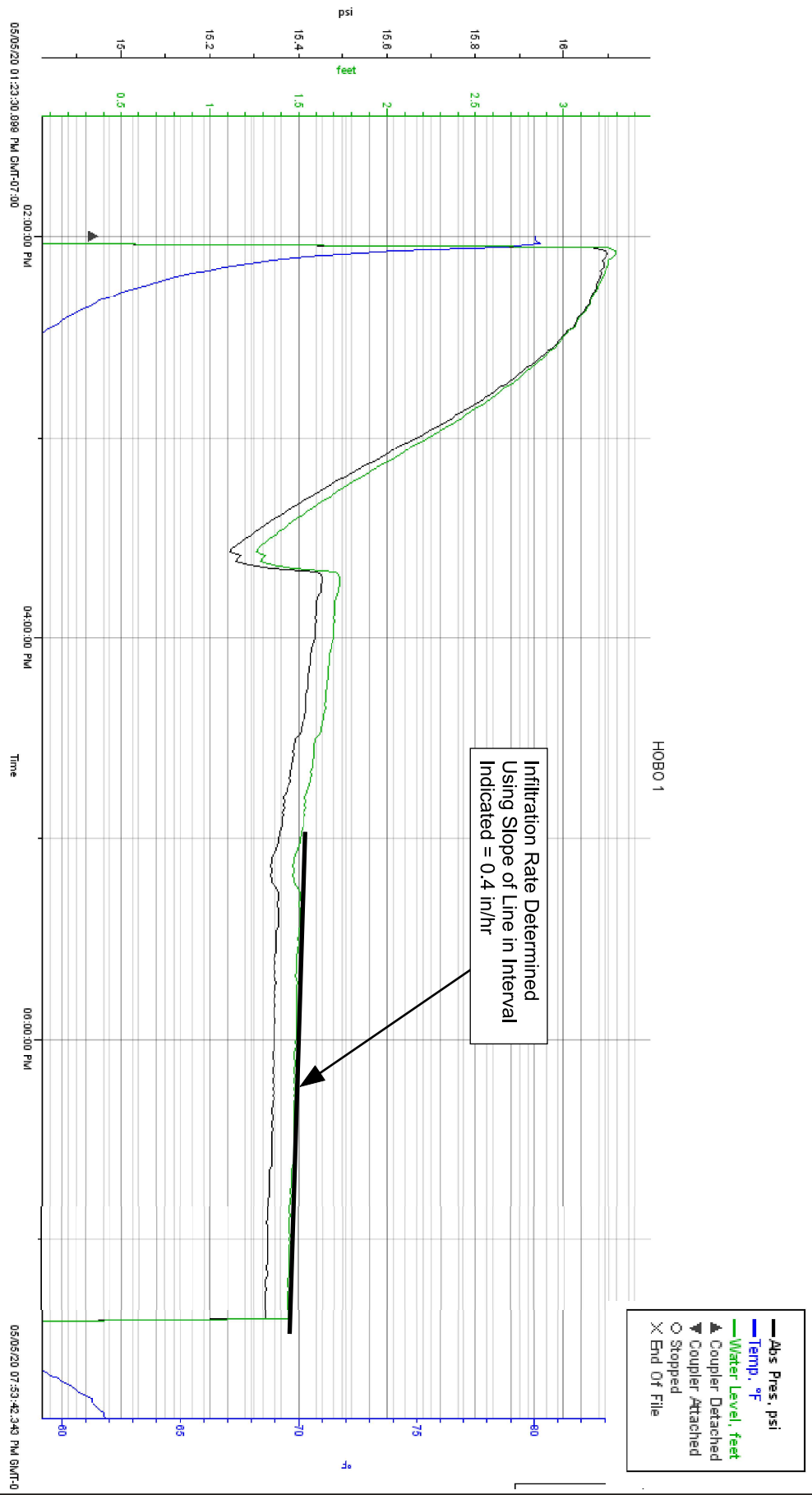
Project No. 20-2574

FIGURE 2



Practical, Cost-Effective Geotechnical Solutions

INFILTRATION TEST DATA

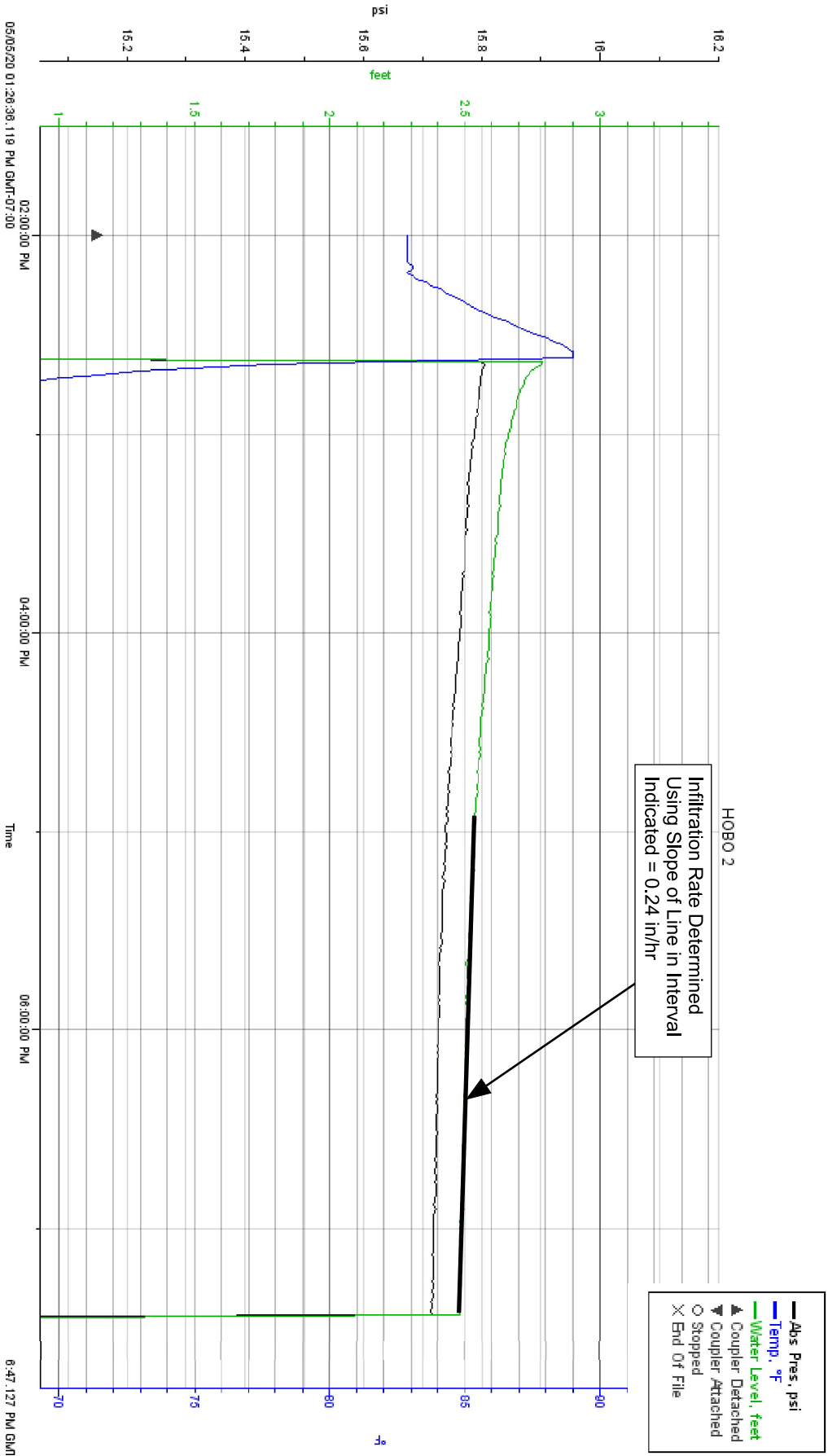


Project: 28700 and 28705 Canyon Creek Rd S
Wilsonville, Oregon

Date Tested: 5/5/20
Tested By: SLH
Project No: 20-2574

Boring: HA-1
Depth: 4 Feet

INFILTRATION TEST DATA



Project: 28700 and 28705 Canyon Creek Rd S
Wilsonville, Oregon

Date Tested: 5/5/20
Tested By: SLH
Project No: 20-2574

Boring: HA-2
Depth: 4 Feet

Appendix B

Basin Area Tabulated Data
Canyon Creek S Phase 3

Appendix B(1)

Basin ID	Name	Total Area SF	Total Area Acres	Lot Impervious SF	ROW/Tract Imp SF
A	Canyon Creek Rd S Proposed	1,479	0.03	0	1,479
B	Lot 8 Impervious	2,750	0.06	2,750	0
C	Canyon Creek Rd S and Public Street West	3,933	0.09	0	3,933
D	Lot 7 Impervious	2,750	0.06	2,750	0
E	Lot 6 Impervious	2,750	0.06	2,750	0
F	Public Street East	7,310	0.17	0	7,310
G	Canyon Creek S and Pathway	8,600	0.20	0	8,600
H	Lot 3 Impervious	2,750	0.06	2,750	0
I	Lot 4 Impervious	2,750	0.06	2,750	0

WES BMP Sizing Software Version 1.6.0.2, May 2018

WES BMP Sizing Report

Project Information

Project Name	Canyon Creek South Ph 3
Project Type	Subdivision
Location	28705 SW Canyon Creek Road South
Stormwater Management Area	39598
Project Applicant	Samm-Miller LLC
Jurisdiction	OutofDistrict

Drainage Management Area

Name	Area (sq-ft)	Pre-Project Cover	Post-Project Cover	DMA Soil Type	BMP
A	1,479	Grass	ConventionalConcrete	C	Planter 1
B	2,750	Grass	ConventionalConcrete	C	Planter 1
C	3,933	Grass	Roofs	C	Planter 2
D	2,750	Grass	Roofs	C	Planter 2
E	2,750	Grass	Roofs	C	Planter 2
F	7,310	Grass	Roofs	C	Planter 3
G	8,600	Grass	ConventionalConcrete	C	Planter 4
H	2,750	Grass	Roofs	C	Planter 5
I	2,750	Grass	Roofs	C	Planter 6

LID Facility Sizing Details

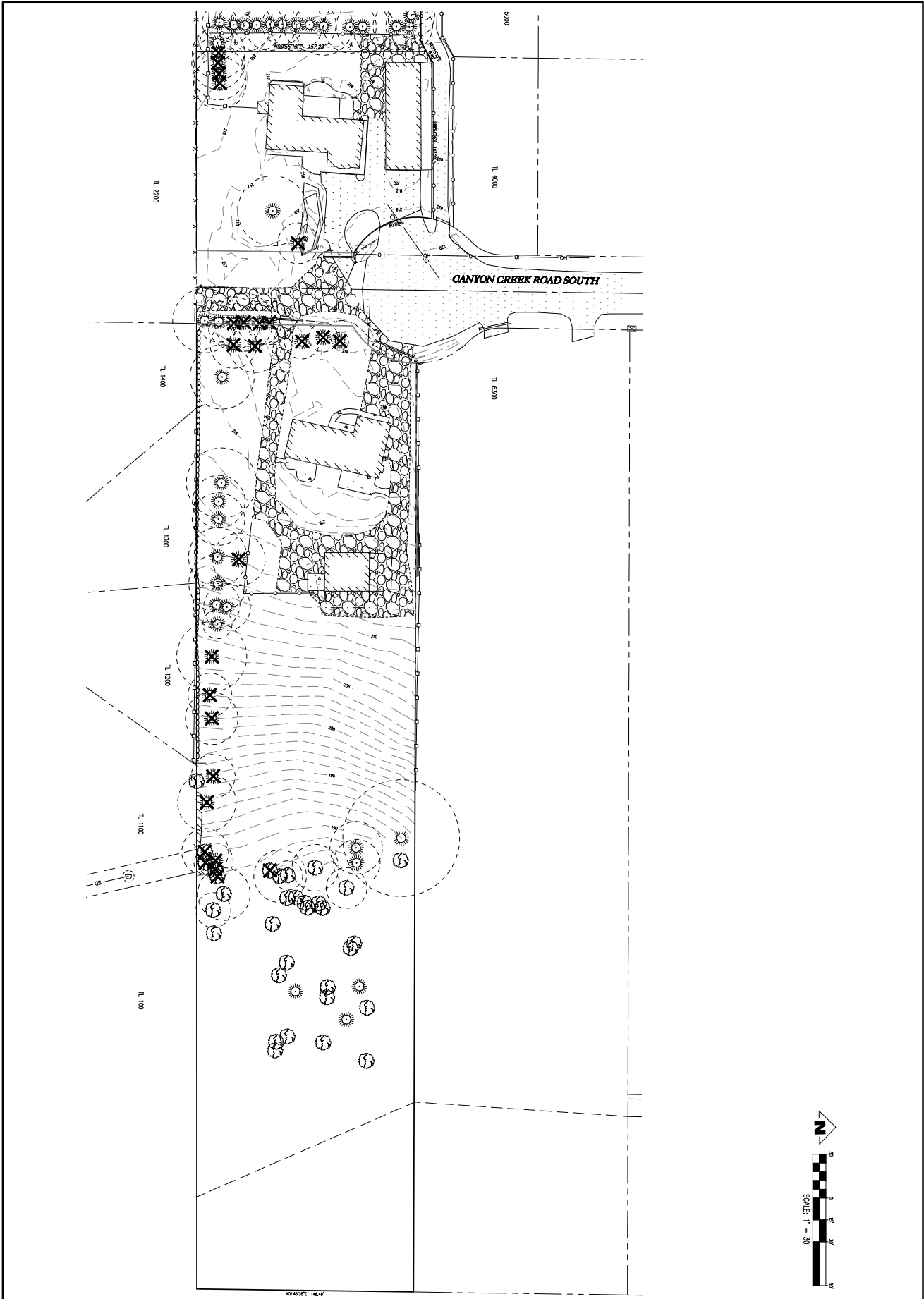
LID ID	Design Criteria	BMP Type	Facility Soil Type	Minimum Area (sq-ft)	Planned Areas (sq-ft)	Orifice Diameter (in)
Planter 4	FlowControlAndTreatment	Stormwater Planter - Filtration	C3	344.0	344.0	0.9
Planter 3	FlowControlAndTreatment	Stormwater Planter - Filtration	C3	292.4	374.0	0.8
Planter 2	FlowControlAndTreatment	Stormwater Planter - Filtration	C3	377.3	416.0	0.9

Planter 1	FlowControlAndTreatment	Stormwater Planter - Filtration	C3	169.2	230.0	0.6
Planter 5	FlowControlAndTreatment	Stormwater Planter - Filtration	C3	110.0	113.0	0.5
Planter 6	FlowControlAndTreatment	Stormwater Planter - Filtration	C3	110.0	116.0	0.5

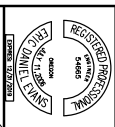
Pond Sizing Details

1. FCWQT = Flow control and water quality treatment, WQT = Water quality treatment only
2. Depth is measured from the bottom of the facility and includes the three feet of media (drain rock, separation layer and growing media).
3. Maximum volume of the facility. Includes the volume occupied by the media at the bottom of the facility.
4. Maximum water storage volume of the facility. Includes water storage in the three feet of soil media assuming a 40 percent porosity.

Appendix C



SHEET
01
OF
03

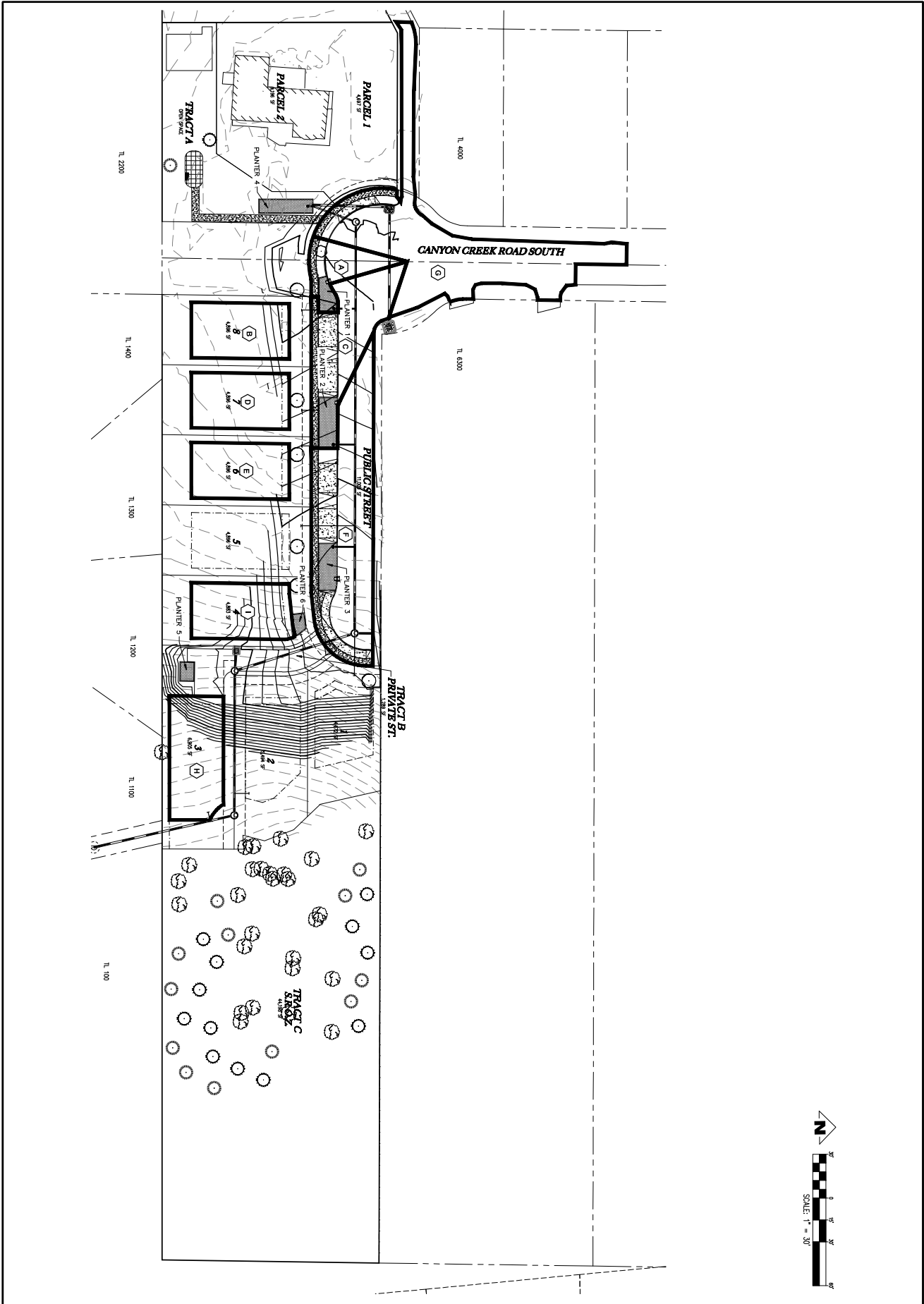


EMERIO
Design
6445 SW FALLBROOK PLACE, SUITE 100
BEAVERTON, OREGON 97008
TEL: (503) 746-8812
FAX: (503) 639-9592
www.emeriodesign.com

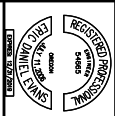
REVISIONS	
NO.	DATE
0	10/2019
	PLANNING 1ST SUBMITTAL

APPENDIX C(1)
PRE-DEVELOPED SITE MAP

28705 & 28700 CANYON CREEK RD S
TAX LOTS 3800 & 6400
TAX MAP 31W13BD
NW 1/4 OF SEC.13, T.3S R.1W W.M.
WILSONVILLE, OREGON



SHEET
02
OF
03

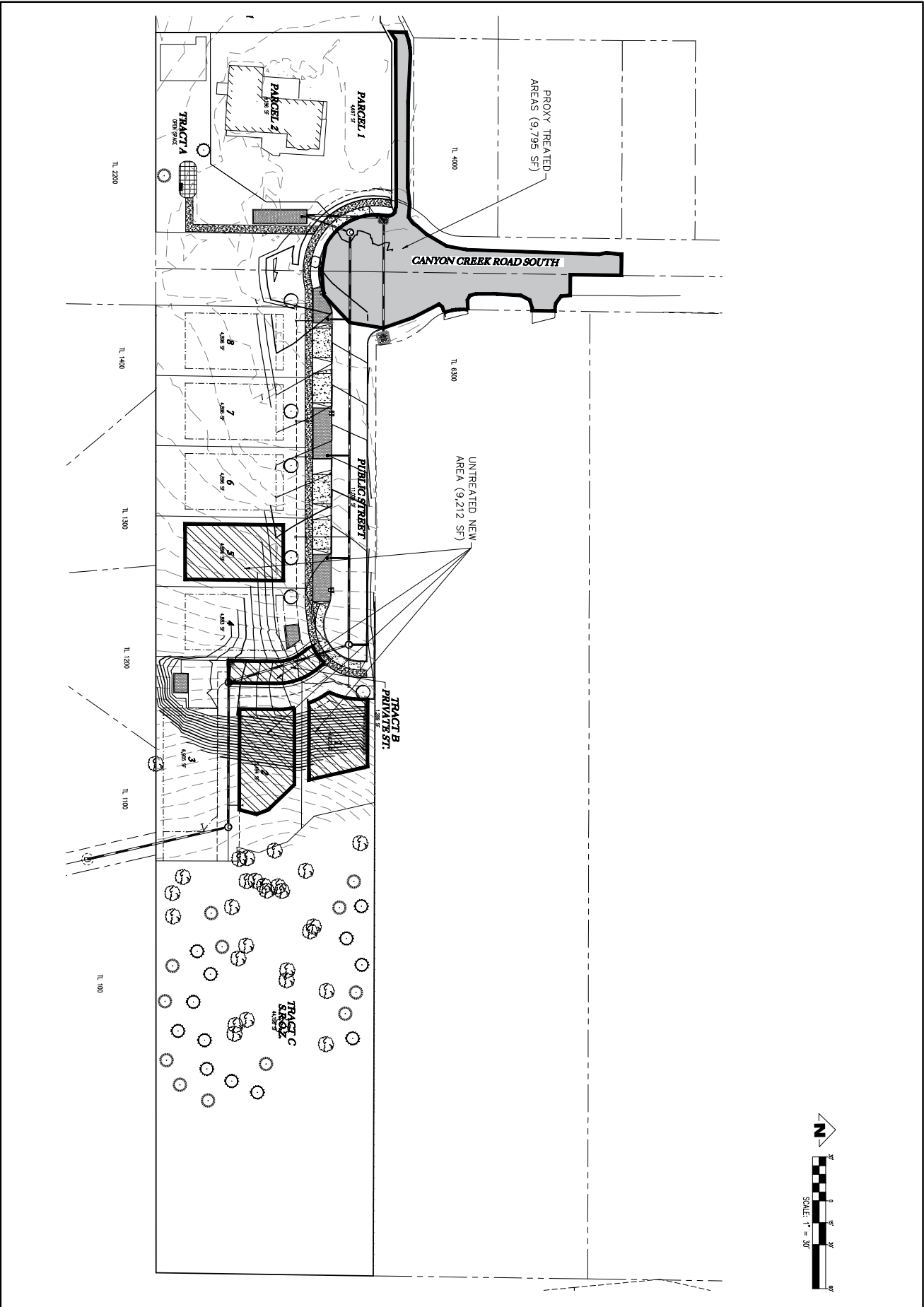


EMERIO
Design
6445 SW FALLBROOK PLACE, SUITE 100
BEAVERTON, OREGON 97008
TEL: (503) 746-8812
FAX: (503) 639-9592
www.emeriodesign.com

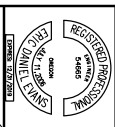
REVISIONS	
NO.	DATE
0	10/2019
	PLANNING 1ST SUBMITTAL

**APPENDIX C(2)
POST-DEVELOPED BASIN
MAP**

28705 & 28700 CANYON CREEK RD S
TAX LOTS 3800 & 6400
TAX MAP 31W13BD
NW 1/4 OF SEC.13, T.3S R.1W W.M.
WILSONVILLE, OREGON



SHEET
03
03



EMERIO
Design
6445 SW FALLBROOK PLACE, SUITE 100
BEAVERTON, OREGON 97008
TEL: (503) 746-8812
FAX: (503) 639-9592
www.emeriodesign.com

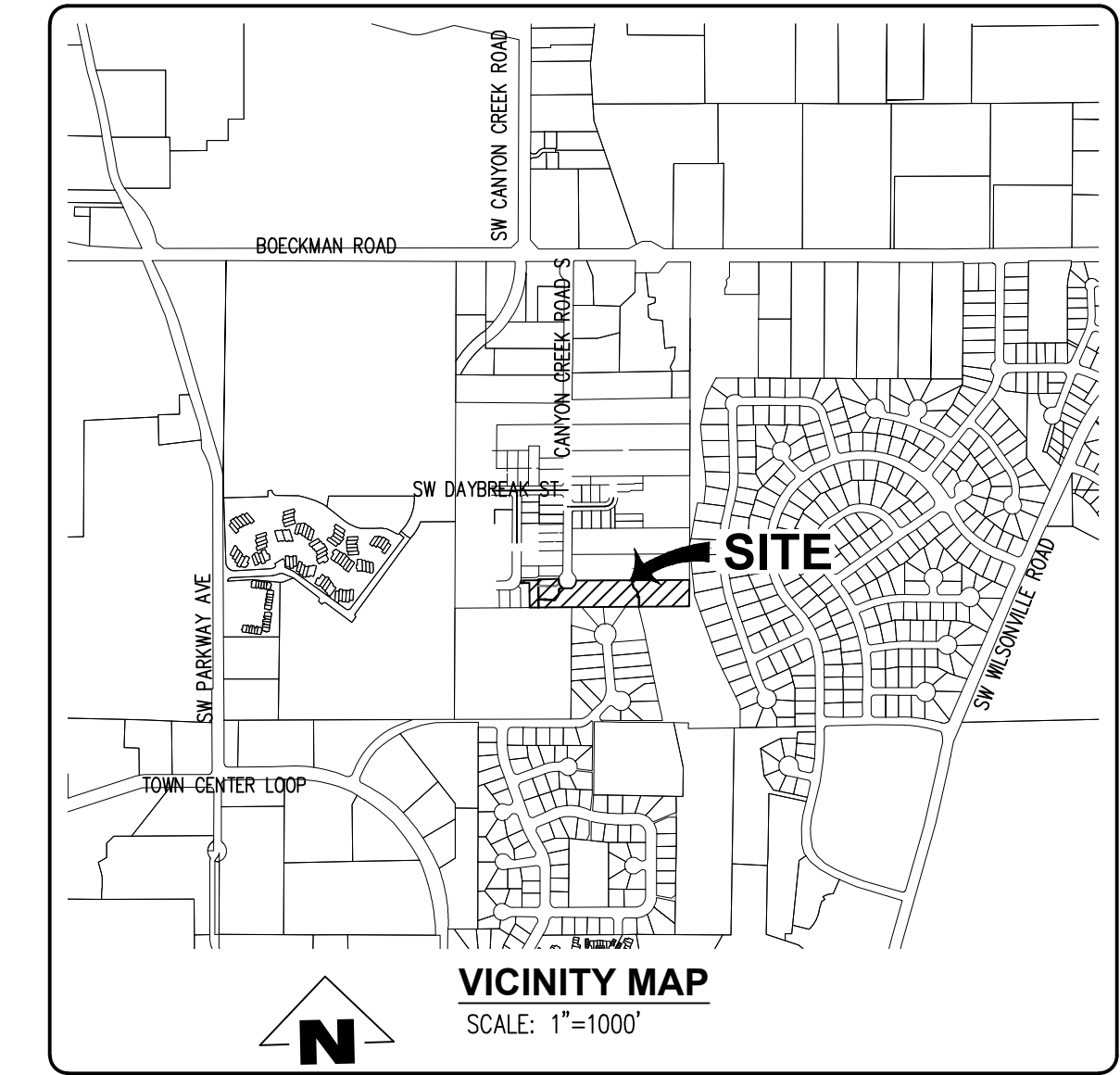
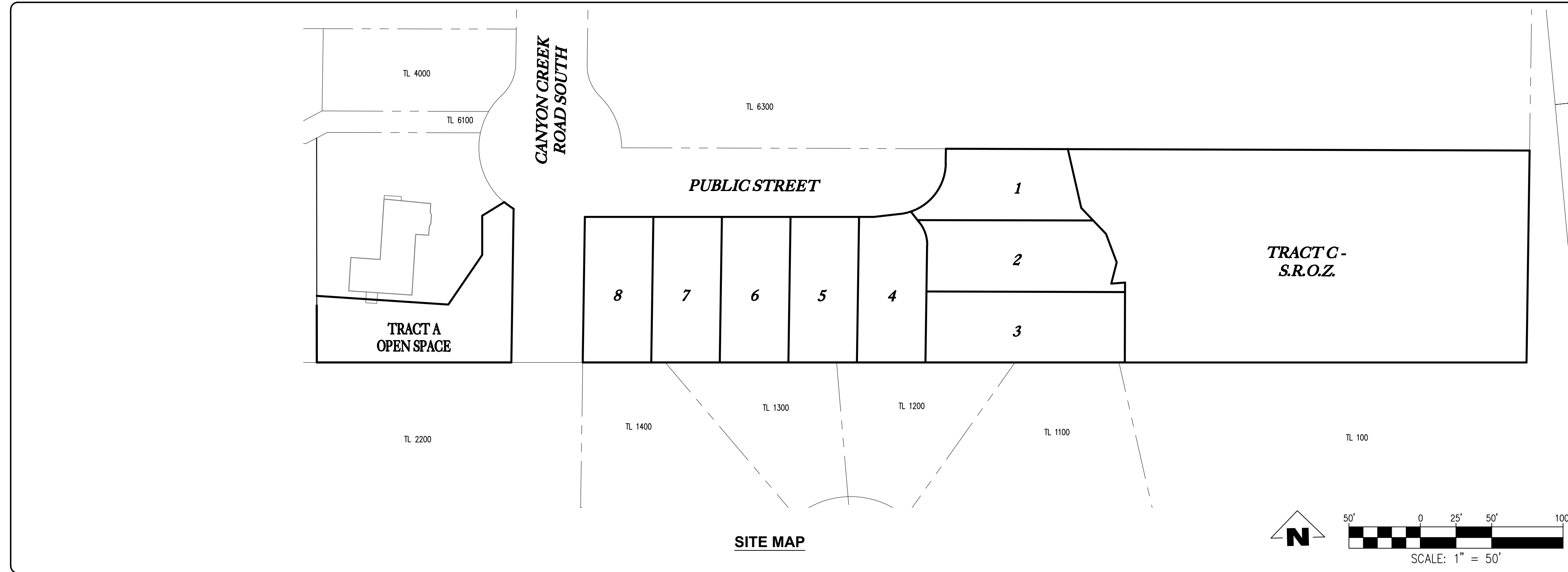
REVISIONS	
NO.	DATE
1	10/2019
	PLANNING 1ST SUBMITTAL

APPENDIX C(3)
PROXY TREATMENT AREA
MAP

28705 & 28700 CANYON CREEK RD S
TAX LOTS 3800 & 6400
TAX MAP 31W13BD
NW 1/4 OF SEC.13, T.3S R.1W W.M.
WILSONVILLE, OREGON

CANYON CREEK SOUTH PHASE 3

8 LOT SUBDIVISION NW 1/4 SECTION 13, T. 3S, R. 1W, W.M. CITY OF WILSONVILLE, OREGON



DRAWING INDEX

- 01 COVER SHEET
- 02 EXISTING CONDITIONS & DEMOLITION PLAN
- 03 TREE PRESERVATION & REMOVAL PLAN
- 04 TREE MITIGATION PLAN
- 05 PRELIMINARY PLAT
- 06 PRELIMINARY GRADING PLAN
- 07 PRELIMINARY SITE & UTILITY PLAN
- 08 PRELIMINARY PUBLIC STREET PLAN AND PROFILE
- 09 PRELIMINARY STORM PLAN AND PROFILE
- 10 PRELIMINARY LIGHTING PLAN
- 11 PRELIMINARY STREET TREE PLAN
- 12 LOTS 1 & 2 LOT FIT EXHIBIT
- 13 LOT 1 FLOOR PLAN
- 14 LOT 2 FLOOR PLAN
- L1 LANDSCAPE PLAN

LEGEND

---	BOUNDARY LINE	SS	EXISTING SANITARY SEWER LINE
---	EASEMENT	W	EXISTING WATER LINE
---104---	EXISTING 1' CONTOUR LINE	OH	EXISTING OVERHEAD POWER LINE
---105---	EXISTING 5' CONTOUR LINE	G	EXISTING GAS LINE
---	EXISTING CROWN (CENTER LINE OF ROAD)	---	EXISTING DITCH LINE
☀	EXISTING TREE	---	EXISTING WETLAND LINE
⊕	EXISTING STORM DRAIN MANHOLE	---	EXISTING HEDGE LINE
⊕	EXISTING SANITARY SEWER MANHOLE	---	EXISTING WOODEN FENCE
⊕	EXISTING CATCH BASIN	---	EXISTING RAIL FENCE
⊕	EXISTING CLEANOUT	---	EXISTING CHAIN LINK FENCE
⊕	EXISTING WATER METER	---	PROPOSED STORM LINE
⊕	EXISTING WATER VALVE	---	PROPOSED SANITARY LINE
⊕	EXISTING FIRE HYDRANT	---	PROPOSED WATERLINE
⊕	EXISTING MAIL BOX	---	PROPOSED STORM LATERAL
⊕	EXISTING UTILITY POLE	---	PROPOSED SANITARY LATERAL
⊕	EXISTING GUY WIRE	---	PROPOSED SINGLE WATER METER
⊕	EXISTING LIGHT	---	PROPOSED STORM MANHOLE
⊕	EXISTING COMMUNICATION PEDESTAL	---	PROPOSED CATCH BASIN/AREA DRAIN
⊕	EXISTING ELECTRICAL METER	---	PROPOSED SANITARY MANHOLE
⊕	EXISTING JUNCTION BOX	---	PROPOSED BLOWOFF
⊕	EXISTING BOLLARD	---	PROPOSED WATER VALVE
⊕	EXISTING DOWNSPOUT	---	PROPOSED 1' CONTOUR LINE
⊕	EXISTING WETLAND FLAG	---	PROPOSED 5' CONTOUR LINE
SD	EXISTING STORM LINE	---	PROPOSED SEDIMENT FENCE

ENGINEER'S NOTE TO CONTRACTOR

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS.

THE CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPT FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.

THIS DESIGN COMPLIES WITH ORS 92.044 (7) IN THAT NO UTILITY INFRASTRUCTURE IS DESIGNED TO BE WITHIN ONE (1) FOOT OF A SURVEY MONUMENT LOCATION SHOWN ON A SUBDIVISION OR PARTITION PLAT. NO DESIGN EXCEPTIONS NOT FINAL FIELD LOCATION CHANGES SHALL BE PERMITTED IF THAT CHANGE WOULD CAUSE ANY UTILITY INFRASTRUCTURE TO BE PLACED WITHIN THE PROHIBITED AREA.

BENCHMARK INFORMATION

VERTICAL BENCHMARK IS BASED ON NAVD (GEOID 2012A) BASED ON (RTK) CORRECTIONS FROM THE OREGON STATE REFERENCE NETWORK.
DATUM = NAVD 88

NOTICE TO EXCAVATORS:
ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503)-232-1987).

Dig Safely.
Call the Oregon One-Call Center
DIAL 811 or 1-800-332-2344

POTENTIAL UNDERGROUND FACILITY OWNERS
EMERGENCY TELEPHONE NUMBERS

NW NATURAL GAS	503-226-4211 Ext.4313
M-F 7am-6pm	503-226-4211
AFTER HOURS	
PGE	503-464-7777
CENTURY LINK	1-800-491-0118
FRONTIER	1-800-921-8101
COMCAST	1-800-934-6489
CITY OF WILSONVILLE	
M-F 7am-6pm	503-682-4092
AFTER HOURS	1-866-252-3614

PROJECT CONTACTS

APPLICANT:
SAMM-MILLER LLC
10211 SW BARBER ST.
WILSONVILLE, OR 97070
(503) 819-3610

OWNERS:
WILLIAM Z. SPRING
28700 SW CANYON CREEK RD S
WILSONVILLE, OR 97070

LAND USE, CIVIL ENGINEER AND SURVEYOR:
EMERIO DESIGN, LLC
6445 SW FALLBROOK PLACE, SUITE 100
BEAVERTON, OR 97008
PLANNING: STEVE MILLER
ENGINEERING: ERIC EVANS, PE
SURVEYOR: KING PHELPS, PLS
(503) 746-8812 (P)
(503) 639-9592 (F)

SITE DATA

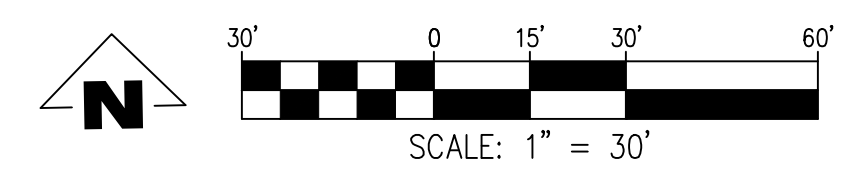
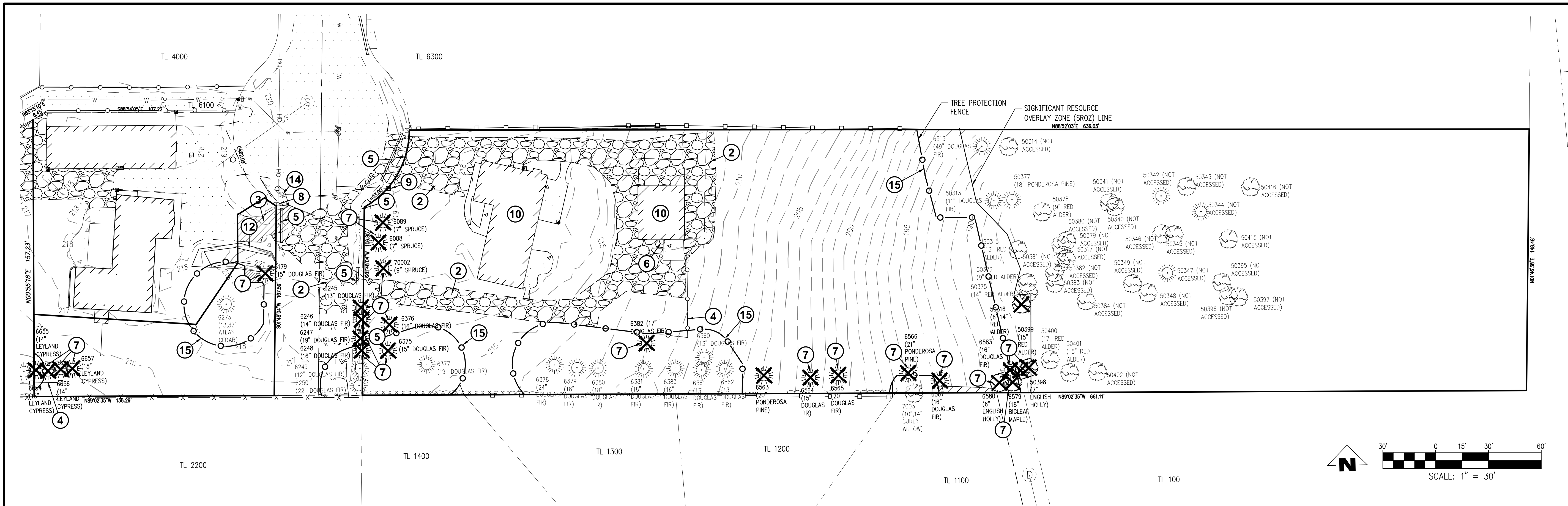
SITE AREA:	2.25 ACRES
PROPOSED ZONING:	PDR-3
TAX MAP:	31W13BD
TAX LOTS:	6400
NO OF LOTS:	8

28700 CANYON CREEK RD S
TAX LOT 6400
TAX MAP 31W13BD
NW 1/4 OF SEC.13, T.3S R.1W W.M.
WILSONVILLE, OREGON

COVER SHEET

NO.	DATE	DESCRIPTION
0	08/25/20	PLANNING 1ST SUBMITTAL
1	11/16/20	1ST REVISION

EMERIO Design
6445 SW FALLBROOK PLACE, SUITE 100
BEAVERTON, OR 97008
TEL: (503) 746-8812
FAX: (503) 639-9592
www.emeriodesign.com



LEGEND

	BOUNDARY LINE		EXISTING COMMUNICATION PEDESTAL
	EASEMENT		EXISTING ELECTRICAL METER
	EXISTING 1' CONTOUR LINE		EXISTING JUNCTION BOX
	EXISTING 5' CONTOUR LINE		EXISTING BOLLARD
	EXISTING CROWN (CENTER LINE OF ROAD)		EXISTING DOWNSPOUT
	EXISTING TREE		EXISTING WETLAND FLAG
	EXISTING STORM DRAIN MANHOLE		EXISTING STORM LINE
	EXISTING SANITARY SEWER MANHOLE		EXISTING SANITARY SEWER LINE
	EXISTING CATCH BASIN		EXISTING WATER LINE
	EXISTING CLEANOUT		EXISTING OVERHEAD POWER LINE
	EXISTING WATER METER		EXISTING GAS LINE
	EXISTING WATER VALVE		EXISTING DITCH LINE
	EXISTING FIRE HYDRANT		EXISTING WETLAND LINE
	EXISTING MAIL BOX		EXISTING HEDGE LINE
	EXISTING UTILITY POLE		EXISTING WOODEN FENCE
	EXISTING GUY WIRE		EXISTING RAIL FENCE
	EXISTING LIGHT		EXISTING CHAIN LINK FENCE

DEMOLITION KEY NOTES

- ① NOT USED
- ② EXISTING GRAVEL DRIVEWAY TO BE REMOVED
- ③ EXISTING AC DRIVEWAY TO BE REMOVED
- ④ EXISTING FENCE TO BE REMOVED
- ⑤ EXISTING CULVERT/DITCH TO BE REMOVED
- ⑥ EXISTING UTILITY STRUCTURE TO BE REMOVED. STUB AT MAIN LINE.
- ⑦ REMOVE EXISTING TREES. SEE SHEETS 03 FOR TREE PRESERVATION & REMOVAL PLAN
- ⑧ EXISTING UTILITY POLE & LINE TO BE RELOCATED OR REMOVED. COORDINATE WITH SERVICE PROVIDER PRIOR TO REMOVING OR RELOCATING.
- ⑨ EXISTING WATER METER TO BE REMOVED.
- ⑩ EXISTING BUILDING/STRUCTURE TO BE REMOVED
- ⑪ NOT USED
- ⑫ EXISTING WALL TO BE REMOVED
- ⑬ EXISTING MAILBOX TO BE RELOCATED OR REMOVED
- ⑭ EXISTING FIRE HYDRANT TO REMAIN AND BE PROTECTED. CONTRACTOR IS RESPONSIBLE FOR DAMAGE DURING CONSTRUCTION.
- ⑮ PROPOSED TREE PROTECTION FENCE

GENERAL NOTES:

A. SEE SHEET 03 FOR TREE PRESERVATION & REMOVAL PLAN. TREE PROTECTION TO BE INSTALLED BEFORE ANY SITE DEMOLITION, GRUBBING, OR CLEARING.

28700 CANYON CREEK RD S
TAX LOT 6400
TAX MAP 31W13BD
NW 1/4 OF SEC.13, T.3S R.1W W.M.
WILSONVILLE, OREGON

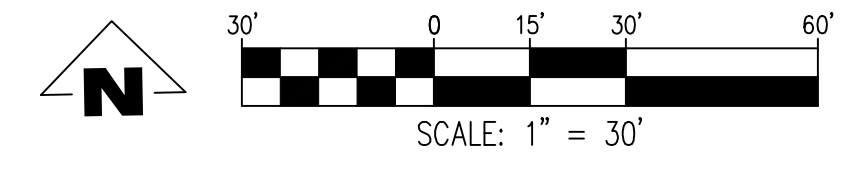
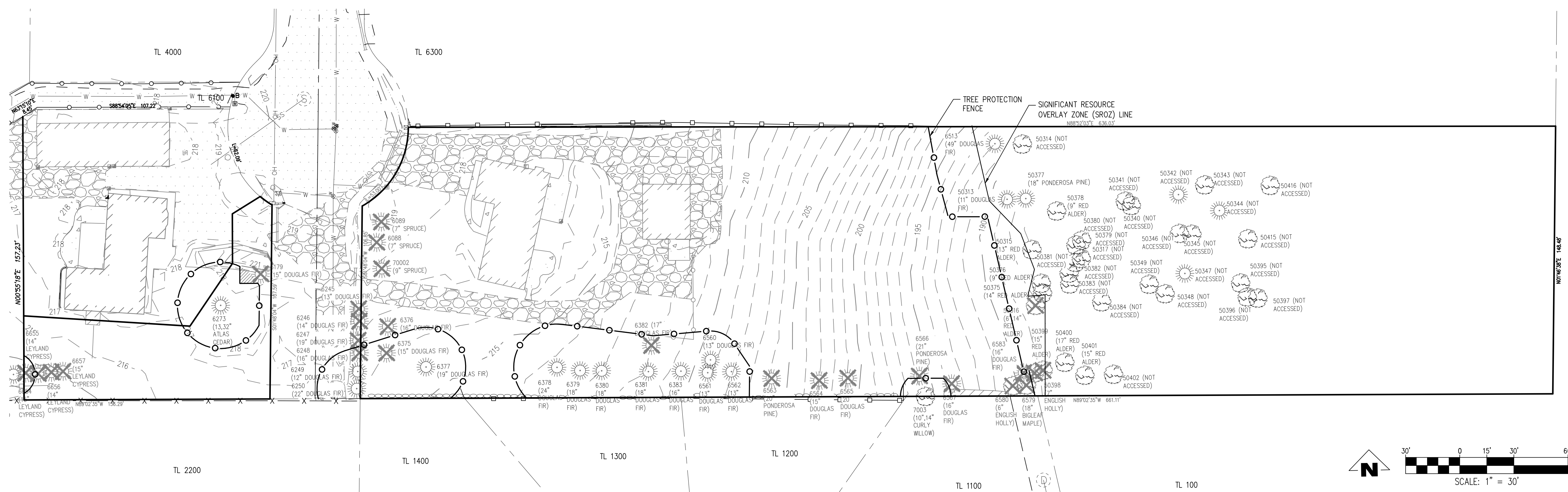
EXISTING CONDITIONS & DEMOLITION PLAN

REVISIONS	
NO.	DATE
0	08/25/20
1	11/16/20

EMERIO Design

6445 SW FALLBROOK PLACE, SUITE 100
BEAVERTON, OREGON 97008
TEL: (503) 746-8812
FAX: (503) 639-9592
www.emeriodesign.com

FILE: P:\0463-005 Canyon Creek So Phase 3\0463-005_02.dwg, Layout: 02 EXISTING CONDITIONS & DEMOLITION PLAN, Plot Date: 3/17/2021 8:30 AM, by: Kyung Han



No.	Type	Common Name	Species Name	DBH1	C-Rad2	Cond3	Comments	Location	Treatment
6088	Con	spruce	Picea spp.	7	6	F	Multiple leaders, expansive surface roots	Lot 3	Remove
6089	Con	spruce	Picea spp.	7	10	F	Multiple leaders, expansive surface roots	Lot 3	Remove
6179	Con	Douglas-fir	Pseudotsuga menziesii	15	14	G	Long live crown	Lot 2	Remove
6245	Con	Douglas-fir	Pseudotsuga menziesii	13	15	G	Dense row	Lot 3	Remove
6246	Con	Douglas-fir	Pseudotsuga menziesii	14	15	G	Dense row, large surface roots extend to drainage ditch	Lot 3	Remove
6247	Con	Douglas-fir	Pseudotsuga menziesii	19	20	G	Dense row, large surface roots extend to drainage ditch	Lot 3	Remove
6248	Con	Douglas-fir	Pseudotsuga menziesii	16	18	G	Dense row	Lot 3	Remove
6249	Con	Douglas-fir	Pseudotsuga menziesii	12	14	G	Dense row	Lot 3	Retain
6250	Con	Douglas-fir	Pseudotsuga menziesii	22	22	G	Dense row	Lot 3	Retain
6273	Con	Atlas cedar	Cedrus atlantica	13.32	24	G	Multiple upright leaders	Tract B	Retain
6375	Con	Douglas-fir	Pseudotsuga menziesii	15	16	F	Self-correcting lean, expansive surface roots	Lot 3	Remove
6376	Con	Douglas-fir	Pseudotsuga menziesii	16	18	G	Expansive surface roots	Lot 3	Remove
6377	Con	Douglas-fir	Pseudotsuga menziesii	19	22	G	Expansive surface roots to 14' radius	Lots 3/4	Retain
6378	Con	Douglas-fir	Pseudotsuga menziesii	24	24	G	Dense row, surface roots	Lot 5	Retain
6379	Con	Douglas-fir	Pseudotsuga menziesii	18	18	G	Dense row, surface roots	Lot 5	Retain
6380	Con	Douglas-fir	Pseudotsuga menziesii	18	18	G	Dense row, surface roots, one 6" root pruned clean ~5' from trunk on N side	Lot 5	Retain
6381	Con	Douglas-fir	Pseudotsuga menziesii	18	20	G	Dense row, sweep in lower trunk, surface roots	Lot 6	Retain
6382	Con	Douglas-fir	Pseudotsuga menziesii	17	18	G	North edge of row, surface roots	Lot 6	Remove
6383	Con	Douglas-fir	Pseudotsuga menziesii	16	20	F	Dense row, poor lateral branch distribution, surface roots	Lot 6	Retain
6513	Con	Douglas-fir	Pseudotsuga menziesii	49	40	G	No major defects, fair vigor	Lot 8 - SROZ	Retain
6560	Con	Douglas-fir	Pseudotsuga menziesii	13	16	G	Dense row, surface roots	Lot 7	Retain
6561	Con	Douglas-fir	Pseudotsuga menziesii	13	16	F	Dense row, trunk wound on N face, crown asymmetry	Lot 7	Retain
6562	Con	Douglas-fir	Pseudotsuga menziesii	13	10	F	Dense row, reduced vigor with small needles and heavy cone production	Lot 7	Retain
6563	Con	ponderosa pine	Pinus ponderosa	20	24	F	Forked leaders, western gall rust and sequoia pitch moth infections	Lot 7	Remove
6564	Con	Douglas-fir	Pseudotsuga menziesii	15	15	F	Old trunk wound, self-correcting crook, crown asymmetry, surface roots	Lot 10	Remove
6565	Con	Douglas-fir	Pseudotsuga menziesii	20	18	G	Self-correcting trunk crooks	Lot 10	Remove
6566	Con	ponderosa pine	Pinus ponderosa	21	15	G	Multiple leaders, dense crown	Lot 10	Remove
6567	Con	Douglas-fir	Pseudotsuga menziesii	16	20	G	Large surface roots expand ~10'	Lot 10	Remove
6579	Dec	bigleaf maple	Acer macrophyllum	18	16	F	Very poor structure	Lot 10	Remove
6580	Dec	English holly	Ilex aquifolium	6	8	F	Very poor structure, invasive species	Lot 10	Remove
6583	Con	Douglas-fir	Pseudotsuga menziesii	16	12	F	High live crown, limited assessment	Lot 10	Remove
6653	Con	Leyland cypress	Cupressus x leylandii	10	12	G	Dense row	Off-Site	Protect
6654	Con	Leyland cypress	Cupressus x leylandii	15	18	G	Dense row	Tract B	Remove
6655	Con	Leyland cypress	Cupressus x leylandii	14	18	G	Dense row	Tract B	Remove
6656	Con	Leyland cypress	Cupressus x leylandii	14	18	G	Dense row	Tract B	Remove
6657	Con	Leyland cypress	Cupressus x leylandii	15	18	G	Dense row	Tract B	Remove

50313	Dec	Douglas-fir	Pseudotsuga menziesii	11	18	G	One-sided crown to SW	Lot 8 - SROZ	Retain
50314	Dec						Not assessed	Lot 8 - SROZ	Unaffected
50315	Dec	red alder	Alnus rubra	13	16	F	Some trunk decay, dead and broken branches	Lot 9 - SROZ	Retain
50316	Dec	red alder	Alnus rubra	6,14	18	P	Sloughing bark along trunk, trunk decay, leans to proposed lot	Lot 10/11 - SROZ Buffer	Remove
50317	Dec						Not assessed	Tract D - SROZ	Unaffected
50340	Dec						Not assessed	Tract D - SROZ	Unaffected
50341	Dec						Not assessed	Tract D - SROZ	Unaffected
50342	Con						Not assessed	Tract D - SROZ	Unaffected
50343	Dec						Not assessed	Tract D - SROZ	Unaffected
50344	Con						Not assessed	Tract D - SROZ	Unaffected
50345	Dec						Not assessed	Tract D - SROZ	Unaffected
50346	Dec						Not assessed	Tract D - SROZ	Unaffected
50347	Con						Not assessed	Tract D - SROZ	Unaffected
50348	Dec						Not assessed	Tract D - SROZ	Unaffected
50349	Dec						Not assessed	Tract D - SROZ	Unaffected
50375	Dec	red alder	Alnus rubra	14	18	F	Minor lower trunk damage	Lot 9 - SROZ	Retain
50376	Dec	red alder	Alnus rubra	9	10	F	Some trunk decay, leans N, forked leaders	Lot 9 - SROZ	Retain
50377	Dec	ponderosa pine	Pinus ponderosa	18	16	G	Trunk sweep	Lot 8 - SROZ	Retain
50378	Dec	red alder	Alnus rubra	9	14	F	Trunk sweep, trunk cavity with some decay	Tract D - SROZ	Unaffected
50379	Dec						Not assessed	Tract D - SROZ	Unaffected
50380	Dec						Not assessed	Tract D - SROZ	Unaffected
50381	Dec						Not assessed	Tract D - SROZ	Unaffected
50382	Dec						Not assessed	Tract D - SROZ	Unaffected
50383	Dec						Not assessed	Tract D - SROZ	Unaffected
50384	Dec						Not assessed	Tract D - SROZ	Unaffected
50395	Dec						Not assessed	Tract D - SROZ	Unaffected
50396	Dec						Not assessed	Tract D - SROZ	Unaffected
50397	Dec						Not assessed	Tract D - SROZ	Unaffected
50398	Dec	English hawthorn	Crataegus monogyna	7	10	F	Invasive species	Lot 10	Remove
50399	Dec	red alder	Alnus rubra	15	26	F	Poor structure, excessive lean to proposed lot	Lot 10/Tract D	Remove
50400	Dec	red alder	Alnus rubra	17	18	F	Crook in trunk at juncture of codominant leaders	Tract D - SROZ	Retain
50401	Dec	red alder	Alnus rubra	15	12	F	Dead and broken branches	Tract D - SROZ	Retain
50402	Dec						Not assessed	Tract D	Unaffected
50415	Dec						Not assessed	Tract D - SROZ	Unaffected
50416	Dec						Not assessed	Tract D - SROZ	Unaffected
70002	Con	spruce	Picea spp.	9	12	G	Surface roots	Lot 3	Remove
70003	Dec	curly willow	Salix matsudana	10,14	14	F	Poor structure, one-sided to southwest, not suitable for preservation with removal of trees 6566 and 6567	Boundary	Protect

1DBH is tree diameter measured at 4.5-feet above the ground level, in inches.
 2C-Rad is the average crown radius measured in feet.
 3Cond is an arborist assigned rating to generally describe the condition of individual trees as Dead, Poor, Fair, Good, or Excellent.

TREE PROTECTION SPECIFICATIONS

- PRECONSTRUCTION CONFERENCE. PRIOR TO THE START OF CONSTRUCTION ACTIVITY, THE CONTRACTOR SHALL COORDINATE WITH THE PROJECT ARBORIST IN A TIMELY MANNER TO REVIEW THE TREE PROTECTION PLAN, VERIFY THAT TREES TO BE RETAINED ARE IDENTIFIED WITH NUMBERED TAGS ON THE GROUND, AND TO INSPECT AND VERIFY THE INSTALLATION OF TREE PROTECTION MEASURES.
- FENCING. TREES TO REMAIN ON SITE SHALL BE PROTECTED BY INSTALLATION OF TREE PROTECTION FENCING AS DEPICTED ON SITE PLANS IN ORDER TO PREVENT INJURY TO TREE TRUNKS OR ROOTS, OR SOIL COMPACTION WITHIN THE ROOT PROTECTION AREA. FENCES SHALL BE A MINIMUM 6-FOOT HIGH 2-INCH CHAIN LINK MESH SECURED TO METAL POSTS DRIVEN INTO THE GROUND. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH THE PROJECT ARBORIST PRIOR TO OPENING, ADJUSTING OR REMOVING TREE PROTECTION FENCING.
 - TREE PROTECTION ZONE. WITHOUT AUTHORIZATION FROM THE PROJECT ARBORIST, NONE OF THE FOLLOWING SHALL OCCUR BENEATH THE DRIPLINE OF ANY PROTECTED TREE:
 - GRADE CHANGE OR CUT AND FILL;
 - NEW IMPERVIOUS SURFACES;
 - UTILITY OR DRAINAGE FIELD PLACEMENT;
 - STAGING OR STORAGE OF MATERIALS AND EQUIPMENT; OR
 - VEHICLE MANEUVERING.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING THE PROJECT ARBORIST IN A TIMELY MANNER PRIOR TO WORKING BENEATH PROTECTED TREE DRIPLINES. ROOT PROTECTION ZONES MAY BE ENTERED FOR TASKS LIKE SURVEYING, MEASURING AND SAMPLING. FENCES MUST BE CLOSED UPON COMPLETION OF THESE TASKS.
- TREE AND STUMP REMOVAL. TREES TO BE REMOVED SHALL BE CLEARLY IDENTIFIED WITH TREE-MARKING PAINT OR OTHER METHODS APPROVED IN ADVANCE BY THE PROJECT ARBORIST. PROTECTION FENCING MAY BE TEMPORARILY OPENED IN TRACT B FOR REMOVAL OF TREES #654 AND #655, IN THE REAR OF LOT 3 FOR REMOVAL OF TREE #6248 AND #6375, IN THE REAR OF LOT 9 FOR REMOVAL OF TREE #50316 AND IN THE REAR OF LOT 10 FOR REMOVAL OF TREES #50398 AND #50399. WITHIN TREE PROTECTION ZONES, TREE REMOVAL SHALL BE PERFORMED WITH HAND TOOLS ONLY AND TREES SHALL BE DIRECTIONALLY FELLED OR SURGICALLY REMOVED TO AVOID DAMAGE TO REMAINING NEARBY TREES. THE STUMPS OF THESE PARTICULAR TREES SHALL REMAIN IN THE GROUND, BE REMOVED APPROXIMATELY 6-INCHES BELOW THE GROUND SURFACE USING A STUMP GRADER, OR ELSE EXTRACTED FROM THE GROUND UNDER ARBORIST SUPERVISION.
- PRUNING. PRUNING MAY BE NEEDED TO PROVIDE OVERHEAD CLEARANCE AND TO REMOVE DEAD AND DEFECTIVE BRANCHES FOR SAFETY. THE PROJECT ARBORIST CAN HELP IDENTIFY WHERE PRUNING IS NECESSARY ONCE TREES RECOMMENDED FOR REMOVAL HAVE BEEN REMOVED AND THE SITE IS PREPARED FOR CONSTRUCTION. TREE REMOVAL AND PRUNING SHALL BE PERFORMED BY A QUALIFIED TREE SERVICE.
- EXCAVATION AND ROOT PRUNING. EXCAVATION BENEATH PROTECTED TREE DRIPLINES SHALL BE AVOIDED IF ALTERNATIVES ARE AVAILABLE. IF EXCAVATION IS UNAVOIDABLE, THE PROJECT ARBORIST SHALL EVALUATE THE PROPOSED EXCAVATION TO DETERMINE METHODS TO MINIMIZE IMPACTS TO TREES. ROOT PRUNING SHALL BE DIRECTED AND DOCUMENTED BY THE PROJECT ARBORIST.
- LANDSCAPING. FOLLOWING CONSTRUCTION AND WHERE LANDSCAPING IS DESIRED, APPLY APPROXIMATELY 3-INCHES OF MULCH BENEATH THE DRIPLINE OF PROTECTED TREES IN A MINIMUM 5-FOOT RADIUS AROUND TREE TRUNKS. DO NOT FLESH MULCH DIRECTLY AGAINST TREE TRUNKS. SHRUBS AND GROUND COVER PLANTS MAY BE PLANTED WITHIN THE GRASS-FREE MULCH RINGS. IF IRRIGATION IS USED, USE DRIP IRRIGATION OR LOW FLOW EMITTERS INSTALLED AT NATIVE GRADE (NO TRENCHING) ONLY BENEATH THE DRIPLINES OF PROTECTED TREES. LANDSCAPING SHALL BE PERFORMED BY HAND AND WITH HAND TOOLS ONLY BENEATH PROTECTED TREE DRIPLINES; ADJUST THE LOCATION OF PLANTS TO AVOID TREE ROOT IMPACTS.
- QUALITY ASSURANCE. A QUALIFIED ARBORIST SHOULD SUPERVISE PROPER EXECUTION OF THIS PLAN ON-CALL DURING CONSTRUCTION ACTIVITIES THAT COULD ENDOANGER ON RETAINED TREES. TREE PROTECTION SITE INSPECTION MONITORING REPORTS SHOULD BE PROVIDED TO THE CLIENT AND CITY FOLLOWING EACH SITE VISIT PERFORMED DURING CONSTRUCTION.
- REASSESSMENT. TREES THAT ARE RETAINED WITH SITE IMPROVEMENT WORK SHOULD BE REASSESSED IN TERMS OF FUTURE HOME PLANS; ADDITIONAL TREE REMOVAL OR ALTERNATIVE TREE PROTECTION MEASURES MAY BE NEEDED.

**28700 CANYON CREEK RD S
TAX LOT 6400
TAX MAP 31W13BD
NW 1/4 OF SEC.13, T.3S R.1W W.M.
WILSONVILLE, OREGON**

TREE PRESERVATION & REMOVAL PLAN

REVISIONS	
NO.	DATE
0	08/25/20
1	11/16/20

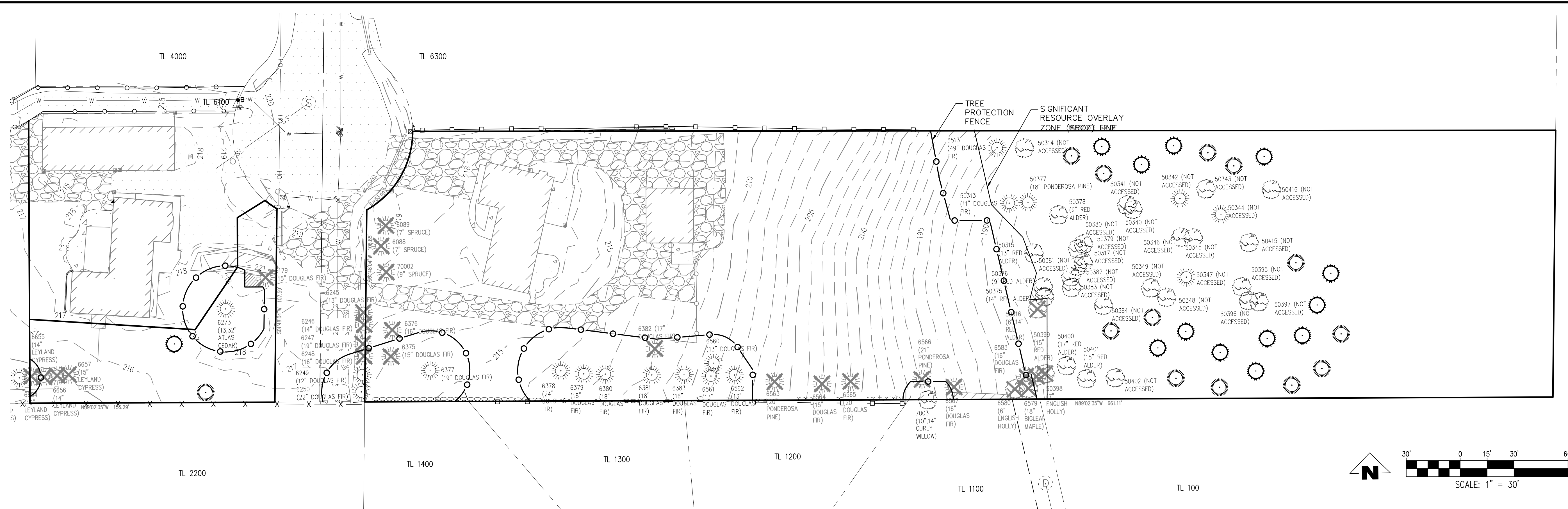
DESCRIPTION
PLANNING 1ST SUBMITTAL
1ST REVISION

EMERIO Design

6445 SW FALLBROOK PLACE, SUITE 100
WILSONVILLE, OREGON 97150
TEL: (503) 746-8811
FAX: (503) 639-9592
www.emeriodesign.com

SHEET **03** OF **14**

FILE-P:\0463-005_Canyon_Creek_So_Phase_1\Wg\Plan\0463-005_03treep_Layout - 03 TREE PRESERVATION & REMOVAL PLAN, Plot Date: 3/17/2021 8:31 AM, by: Kyang Han



PLANTING NOTES

Plant material: All plant material shall be nursery grown under climatic conditions similar to or harder than those at the site. All plants shall be of normal habit of growth, healthy, vigorous, and free of disease, insects, insect eggs and larvae.

Trees: All trees shall be healthy grown nursery stock, be a minimum of 1-1/2" caliper at 6 inches above ground level, and be at least 8-10 feet high conforming in size and grade with the standard for nursery stock ANSI Z60.1-1990 1990 ed. All trees shall have a single straight trunk, a well developed leader with tops and roots characteristic of the species, cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted. Bare root stock shall leave a root system sufficient to insure survival and healthy growth. Balled and burlap (B&B) stock shall leave a natural sound ball sufficient to insure survival and healthy growth. All trees which are grafted are to be grafted at a minimum height of 7 feet above ground level.

Topsoil: Backfill for planting holes to be 2/3 topsoil, 1/3 textural soil amendment. Shrub beds to have 6" of topsoil and 2" of textural soil amendment. Lawn areas to have minimum 4" topsoil. Any imported topsoil used is to be fertile, friable, and free of noxious weeds and debris. Textural soil amendments may be well rotted manure or commercial compost. Landscape architect shall field inspect prepared topsoil prior to any planting being done.

Fertilizer: 10-15-10 slow release on shrubs, trees, and groundcovers. All plants to receive applications of fertilizer according to manufacturer's recommendation.

Mulch: Minimum 2" medium grind, well-rotted bark mulch or commercial compost.

Planting: Stones, mortar, rubbish, and any material harmful to plant life are all to be removed from all planting areas.
 - All planting areas to be raked smooth prior to planting. Lawn areas to be raked smooth and rolled prior to planting.
 - All planting holes are to be twice the diameter of the plant root ball or system. Sides and bottom of holes are to be broken up.
 - All plants to be watered in when the planting holes have been half filled with soil. The irrigation system is not to be used to water plants in.
 - Apply fertilizer when the planting hole is 3/4 full.
 - Finished planting level of plants to be at or slightly above level grown in nursery.
 - Landscape Architect shall inspect all planting and give written approval before owner will accept the landscaping work (from the general contractor) as being complete.



Maintenance: Begin maintenance immediately after each tree is planted. Protect and maintain plantings for a period of 60 days after acceptance. Water, weed, cultivate, maintain mulch, and reset plants to proper grades and upright positions as required.

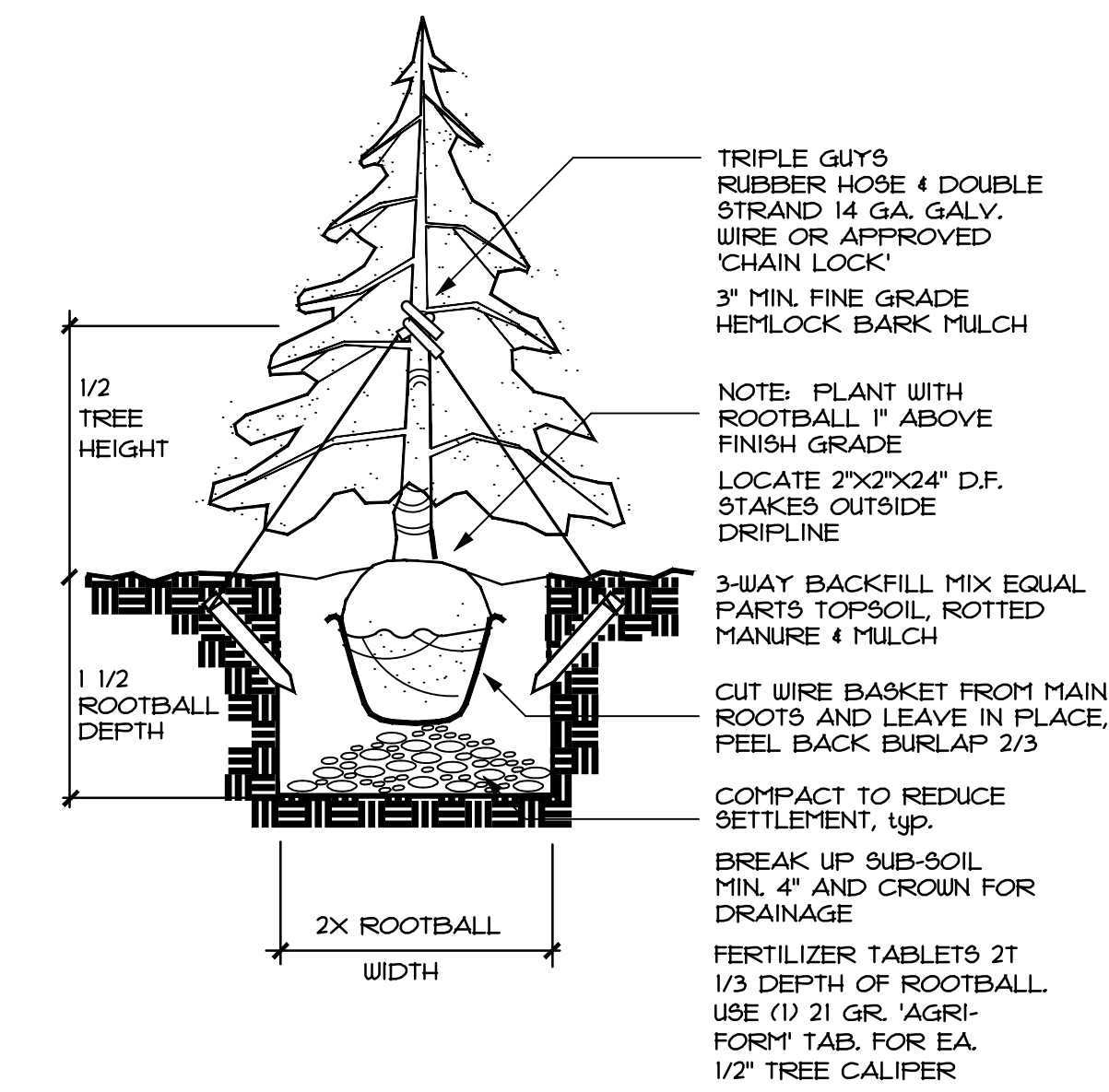
Guarantee: Guarantee all plant material after final acceptance for duration of two full growing seasons or for two years, whichever is longer. Replace plant materials not surviving or in poor conditions except only loss or damage due to freezing, vandalism, or acts and neglects on the part of others.

IRRIGATION NOTES

Irrigation to be by watering truck through the guarantee period.

MITIGATION PLANTING

Existing Trees		
SYMBOL	(QUANTITY) SIZE	SCIENTIFIC NAME COMMON NAME
TREES		
	(13) 8"	<i>Thuja plicata</i> Western Red Cedar
	(13) 2" Caliper	<i>Pseudotsuga menziesii</i> Douglas-fir
SEEDING		
Pro Time Companion in disturbed areas 7 lbs. per 1,000 sq. ft.		



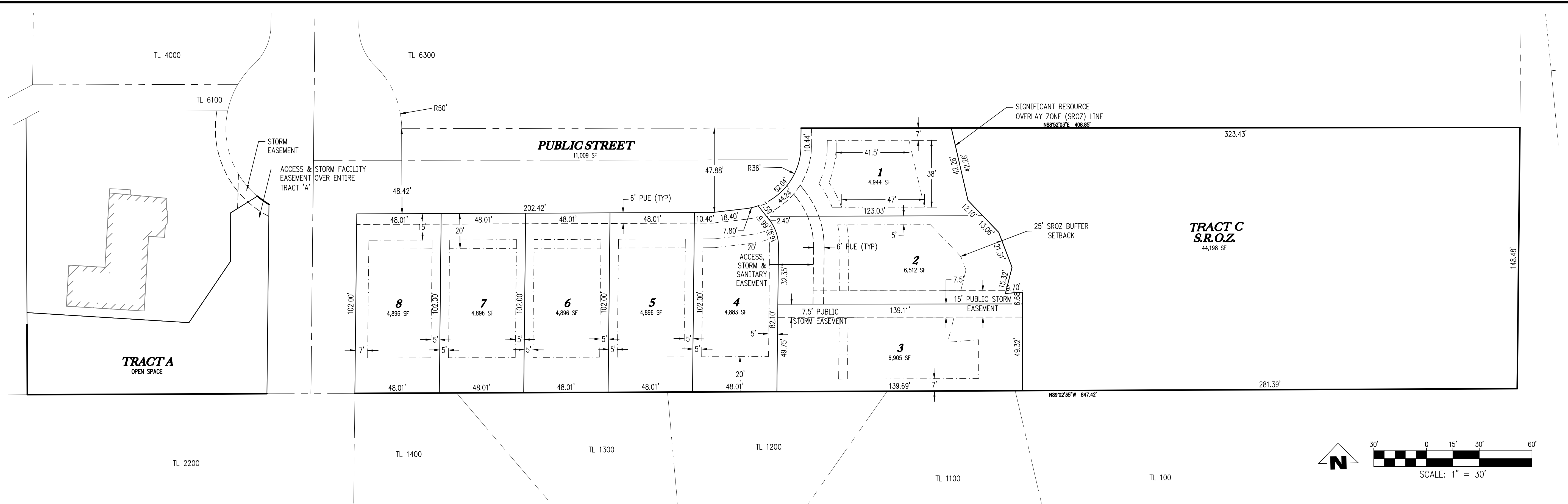
EVERGREEN TREE PLANTING DETAIL
SECTION 1 OF 2 N.T.S.

28700 CANYON CREEK RD S
TAX LOT 6400
TAX MAP 31W13BD
NW 1/4 OF SEC.13, T.3S R.1W W.M.
WILSONVILLE, OREGON

TREE MITIGATION PLAN

REVISIONS		
NO.	DATE	DESCRIPTION
0	08/25/20	PLANNING 1ST SUBMITTAL
1	11/16/20	1ST REVISION

EMERIO Design
 6445 SW FALLBROOK PLACE, SUITE 100
 BEASLEY, OREGON 97105
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com



PARCEL DATA

AREA:	2.25 AC
PROPOSED ZONING:	PDR-3
TAX MAP:	31W13BD
TAX LOTS:	6400
NO. OF LOTS:	8

SITE DATA

ZONE:	PDR-3
TOTAL SITE AREA:	2.43 ACRES (105,725 SQ. FT.)
NON-BUILDABLE AREA:	1.01 ACRES (44,198 SQ. FT.)
NET BUILDABLE AREA:	1.41 ACRES (61,527 SQ. FT.)
8 LOTS & 1 TRACT:	
MINIMUM LOT SIZE:	4,883 SQ. FT.
MAXIMUM LOT SIZE:	44,198 SQ. FT.
AVG. LOT SIZE:	10,893 SQ. FT.

TRACT 'A' DATA

USABLE OPEN SPACE AREA:	0.18 ACRES (7,691 SQ. FT.)
-------------------------	----------------------------

MINIMUM SETBACKS

FRONT:	20'
SIDE (REQUESTED):	5'
REAR:	20'
MAX HEIGHT:	35'
MAX LOT COVERAGE:	
• 50% FOR LOTS CONTAINING LESS THAN 7,000 SQ. FT.	
• 45% FOR LOTS BETWEEN 7,000-8,000 SQ. FT.	
• 40% FOR LOTS EXCEEDING 8,000 SQ. FT.	
MIN LOT WIDTH:	40'

LEGEND

- . - . - . - . - . - . - . - . - .	EXISTING SROZ LINE
—————	PROPERTY BOUNDARY
—————	PROPOSED LOT LINE
—————	PROPOSED RIGHT-OF-WAY LINE
—————	PROPOSED ROAD CENTERLINE
- - - - -	PROPOSED PUE

28700 CANYON CREEK RD S
 TAX LOT 6400
 TAX MAP 31W13BD
 NW 1/4 OF SEC.13, T.3S R.1W W.M.
 WILSONVILLE, OREGON

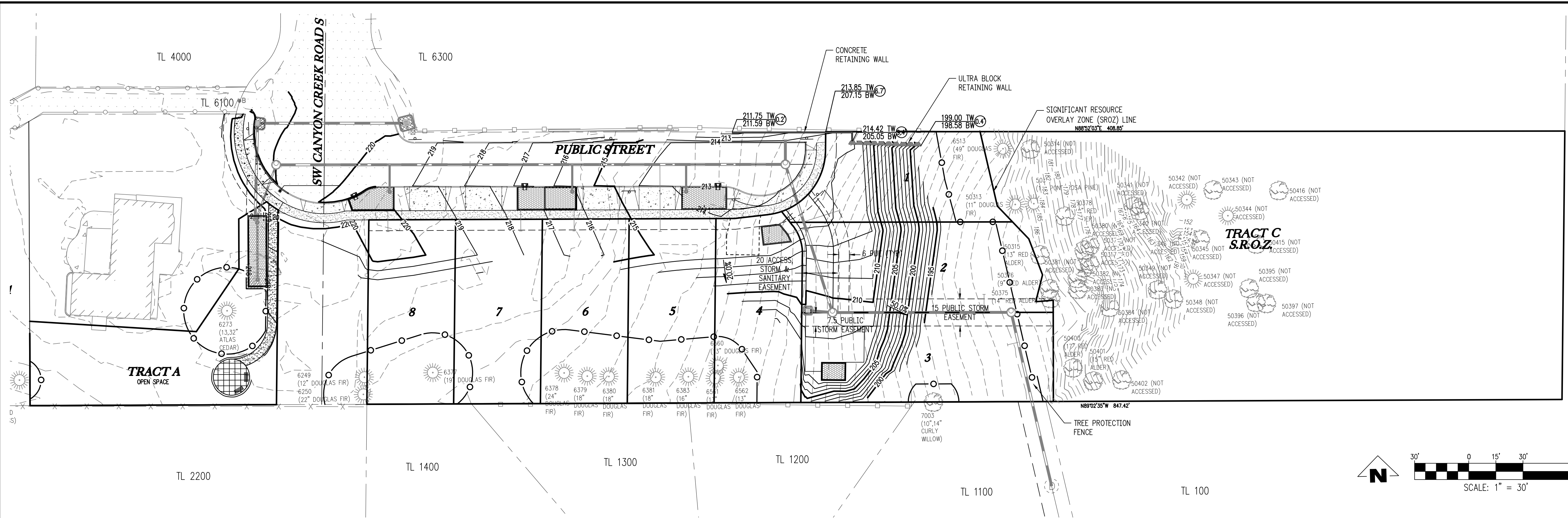
PRELIMINARY PLAT

REVISIONS

NO.	DATE	DESCRIPTION
0	08/25/20	PLANNING 1ST SUBMITTAL
1	11/16/20	1ST REVISION

EMERIO Design
 6445 SW FALLBROOK PLACE, SUITE 100
 BEASLEY, OREGON 97105
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com

FILE P:\0463-005 Canyon Creek So Phase 3\0463-005-05.ppt, Layout: 05 PRELIMINARY PLAT, Plot Date: 3/24/2021 9:51 AM, by: Bart Anderson



LEGEND:

- EXISTING 1' CONTOUR LINE
- EXISTING 5' CONTOUR LINE
- EXISTING WETLAND LINE
- PROPOSED STORM LINE
- PROPOSED STORM LATERAL
- PROPOSED STORM MANHOLE
- PROPOSED BIO-BAG AT CATCH BASIN/AREA DRAIN
- PROPOSED LIDA PLANTER
- PROPOSED 1' CONTOUR LINE
- PROPOSED 5' CONTOUR LINE
- PROPOSED SEDIMENT FENCE

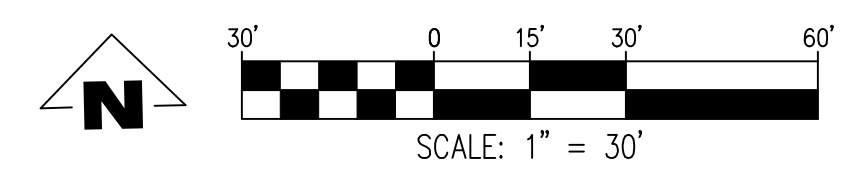
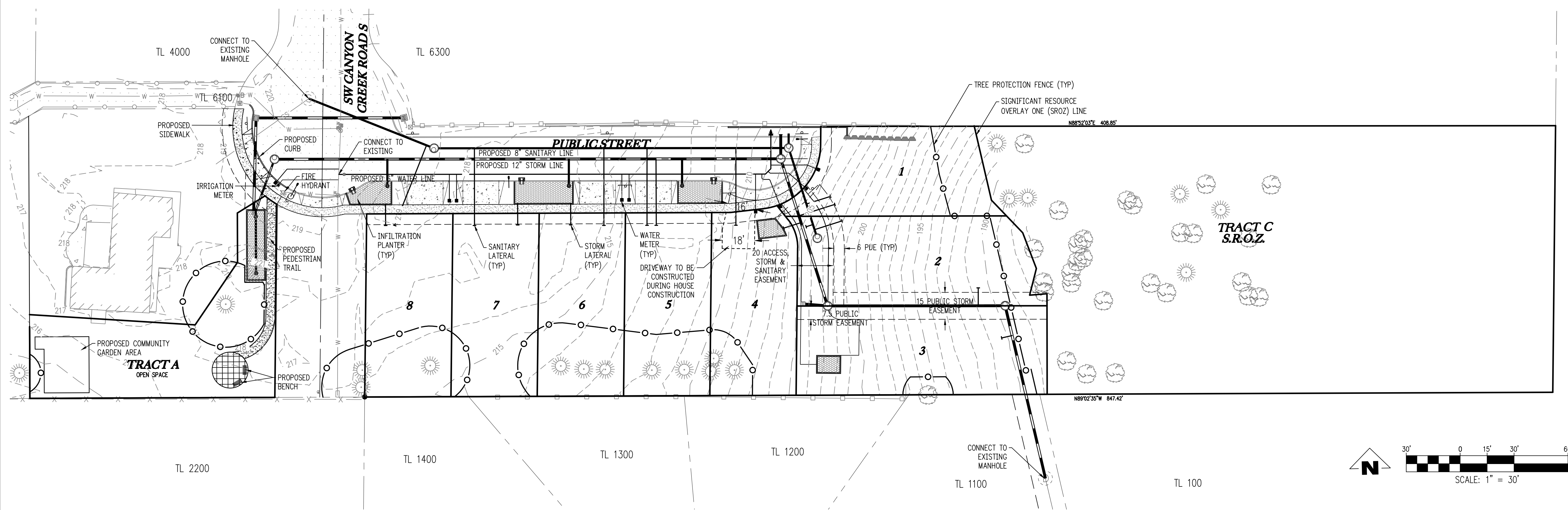
28700 CANYON CREEK RD S
 TAX LOT 6400
 TAX MAP 31W13BD
 NW 1/4 OF SEC.13, T.3S R.1W W.M.
 WILSONVILLE, OREGON

PRELIMINARY GRADING PLAN

REVISIONS	
NO.	DATE
0	08/25/20
1	11/16/20

EMERIO Design
 6445 SW FALLBROOK PLACE, SUITE 100
 BEASLEY, OREGON 97105
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com

FILE:P:\0463-005 Canyon Creek So Phase 3\0463-005_06pgrd Layout: 06 PRELIMINARY GRADING PLAN, Plot Date: 3/17/2021 8:32 AM, by: Kyung Han



LOT DRAINAGE NOTE:

1. EACH LOT SHALL HAVE AN ON SITE LIDA PLANTER TO TREAT ON SITE STORM DRAINAGE.

LEGEND:

- PROPOSED STORM LINE
- PROPOSED SANITARY LINE
- PROPOSED WATERLINE
- PROPOSED STORM LATERAL
- PROPOSED SANITARY LATERAL
- PROPOSED SINGLE WATER METER
- PROPOSED STORM MANHOLE
- PROPOSED CATCH BASIN/AREA DRAIN
- PROPOSED SANITARY MANHOLE
- PROPOSED BLOWOFF
- PROPOSED WATER VALVE
- PROPOSED LIDA PLANTER

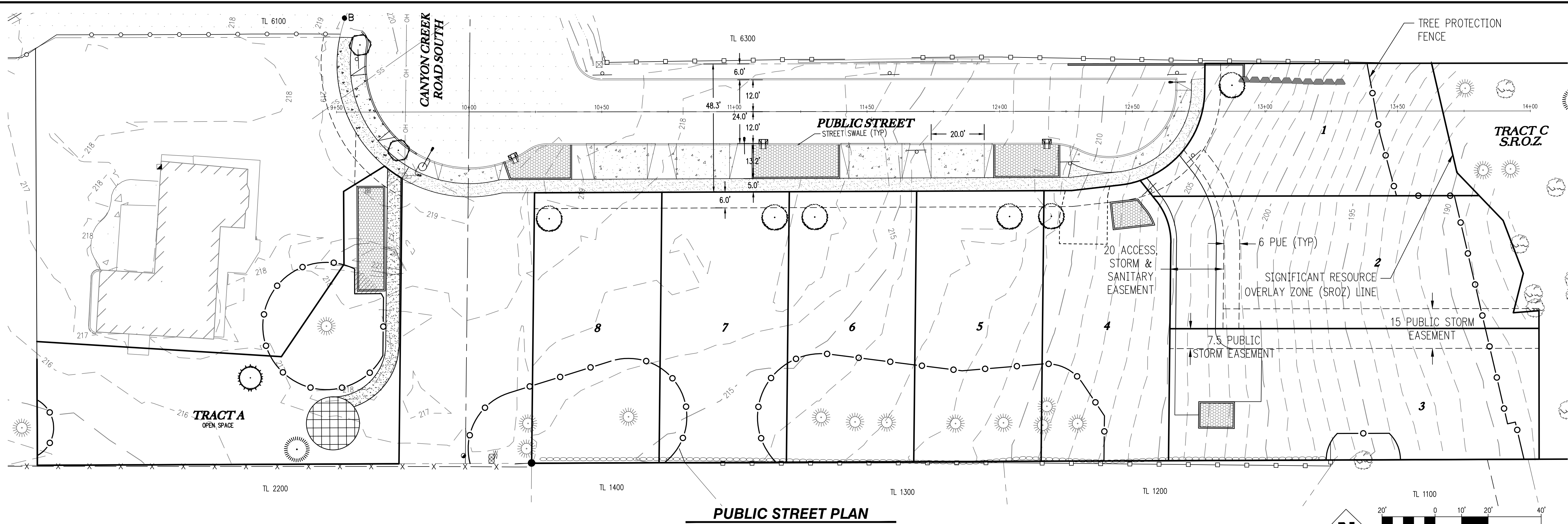
28700 CANYON CREEK RD S
 TAX LOT 6400
 TAX MAP 31W13BD
 NW 1/4 OF SEC.13, T.3S R.1W W.M.
 WILSONVILLE, OREGON

PRELIMINARY SITE & UTILITY PLAN

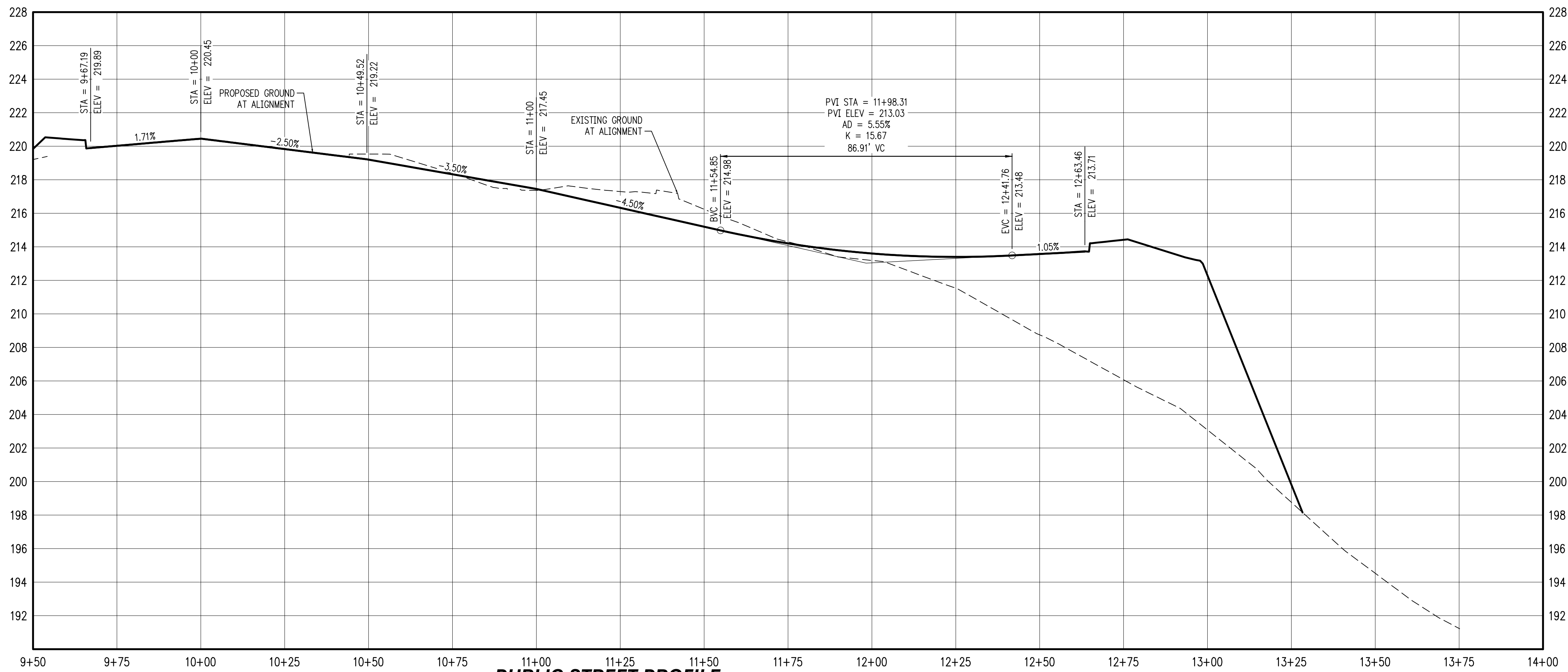
REVISIONS	
NO.	DATE
0	08/25/20
1	11/16/20

EMERIO Design
 6445 SW FALLBROOK PLACE, SUITE 100
 BEASLEY, OREGON 97105
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com

FILE:P:\0463-005 Canyon Creek So Phase 3\0463-005-07\util Layout: 07 PRELIMINARY SITE & UTILITY PLAN, Plot Date: 3/17/2021 8:33 AM, by: Kyung Han



PUBLIC STREET PLAN



PUBLIC STREET PROFILE

SCALE: 1"=20' HORZ. 1"=4' VERT.

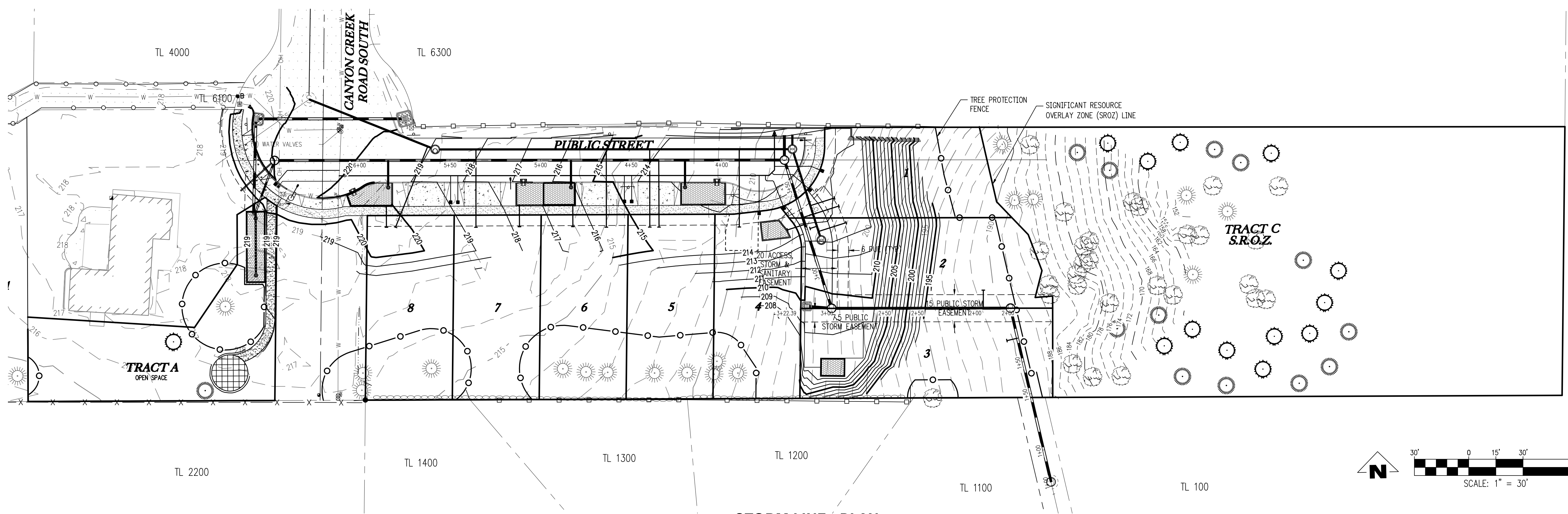
28700 CANYON CREEK RD S
TAX LOT 6400
TAX MAP 31W13BD
NW 1/4 OF SEC.13, T.3S R.1W W.M.
WILSONVILLE, OREGON

PRELIMINARY PUBLIC STREET PLAN AND PROFILE

REVISIONS	
NO.	DESCRIPTION
0	PLANNING 1ST SUBMITTAL
1	1ST REVISION

EMERIO Design
6445 SW FALLBROOK PLACE, SUITE 100
BEASLEY, OREGON 97158
TEL: (503) 746-8812
FAX: (503) 639-9592
www.emeriodesign.com

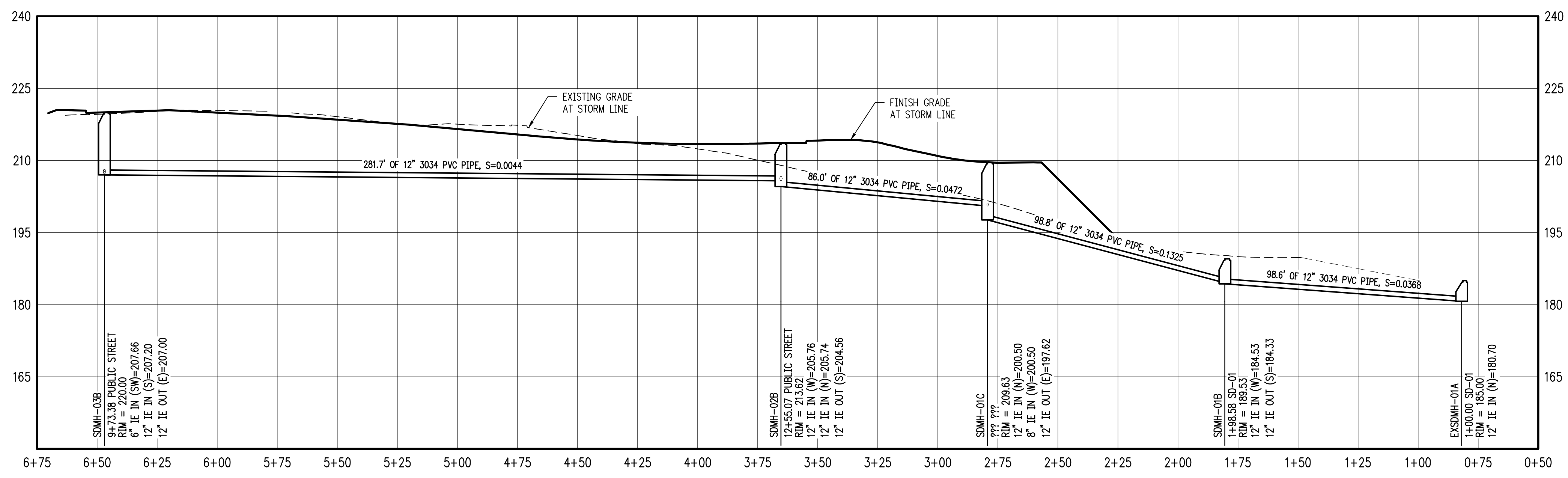
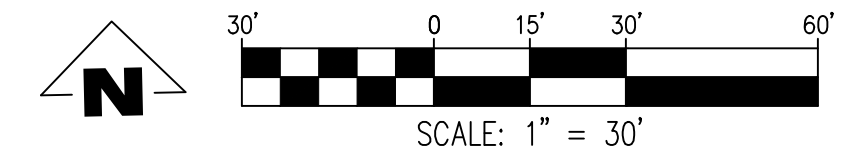
FILE: P:\0463-005 Canyon Creek So Phase 3\0463-005_08.pst; Layout: 08 PUBLIC STREET PLAN AND PROFILE; Plot Date: 3/17/2021 8:33 AM; by: Kyung Han



STORM LINE - PLAN

GENERAL NOTE: CONTRACTOR TO INSTALL 12" BUTT-FUSED HDPE STORM PIPE ON GROUND SURFACE. INSTALL VERTICAL BENDS AT GRADE BREAKS. CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR PIPE MATERIALS & INSTALLATION METHODS PRIOR TO CONSTRUCTION.

NOTE TO CONTRACTOR: THE SUBDIVISION 400' NORTH OF SITE INSTALLED A SIMILAR SYSTEM IN THE SUMMER OF 2016, SUBMIT SIMILAR MEANS & METHODS.



STORM LINE - PROFILE

SCALE: 1"=30' HORIZ. 1"=15' VERT.

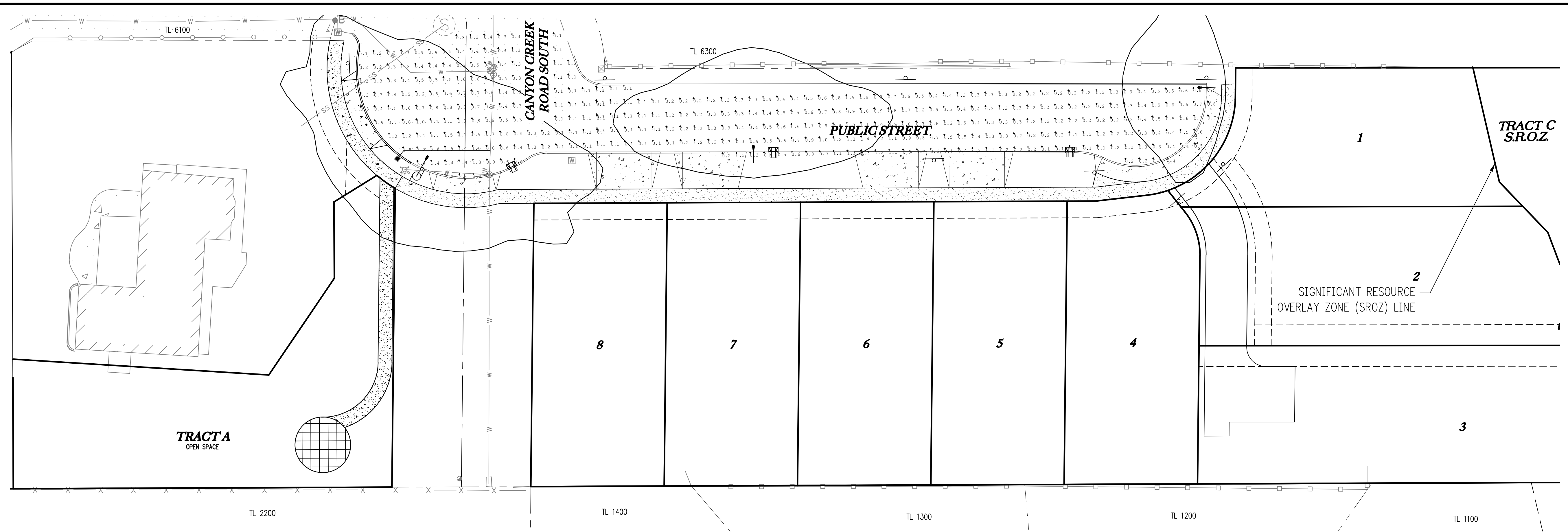
28700 CANYON CREEK RD S
TAX LOT 6400
TAX MAP 31W13BD
NW 1/4 OF SEC.13, T.3S R.1W W.M.
WILSONVILLE, OREGON

**PRELIMINARY STORM
PLAN AND PROFILE**

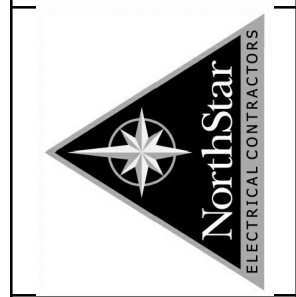
REVISIONS	
NO.	DESCRIPTION
0	08/25/20 PLANNING 1ST SUBMITTAL
1	11/16/20 1ST REVISION

EMERIO
Design
6445 SW FALLBROOK PLACE, SUITE 100
BEAVERTON, OREGON 97008
TEL: (503) 746-8812
FAX: (503) 639-9592
www.emeriodesign.com

FILE: P:\0463-005 Canyon Creek So Phase 3\Wg\plan\0463-005_09psdm Layout: 09 STORM PLAN AND PROFILE, Plot Date: 3/17/2021 8:34 AM, by: Kyung Han



NorthStar Electrical Contractors
 11055 S.W. Clay Street
 Sherwood, Oregon 97140
 Phone 503-612-0840
 Fax 503-612-0891
 Email adam.suminski@NorthStarElect.com



CANYON CREEK SOUTH 3
 WILSONVILLE, OR

28700 CANYON CREEK RD S
 TAX LOT 6400
 TAX MAP 31W13BD
 NW 1/4 OF SEC.13, T.3S R.1W W.M.
 WILSONVILLE, OREGON

PRELIMINARY LIGHTING PLAN

REVISIONS	
NO.	DATE
0	08/25/20
1	11/16/20

EMERIO Design
 6445 SW FALLBROOK PLACE, SUITE 100
 BEASLEY, OREGON 97105
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com

SHEET
10
 OF
14

CITY OF WILSONVILLE STREET LIGHTING NOTES:

- LIGHT POLE SHALL BE 30-FOOT DIRECT BURIED, 25-FOOT MOUNTING HEIGHT, TWO-PIECE BRONZE, FIBERGLASS LIGHT POLE.
 WILSONVILLE APPROVED LIGHT POLES ARE:
 SHAKESPEARE BHT3099S5BL9901
 CMT MDS30-F-100-S2-HS-PC-NP-1B-22
 WILSONVILLE APPROVED STUBS ARE:
 SHAKESPEARE BHS3099N3BL9901
 CMT 25-STUB-UP
- JUNCTION BOXES SHALL BE WILSONVILLE APPROVED SPLICE BOXES OR APPROVED EQUAL.
 WILSONVILLE APPROVED JUNCTION BOXES ARE:
 NEWBASE FCA132418T-00043
 QUAZITE A42132418A017
 OLDCASTLE/CARSON 13241617
 HIGHLINE CHA132418HE1
 ARMORCAST A6001946TAX18-PGE
 "ELECTRIC" OR "POWER" SHALL BE IN THE LID MARKING AREA.
- LUMINAIRES SHALL BE WILSONVILLE APPROVED 25/36 WATT LED, 240V, MAST-ARM MOUNTED, BRONZE COBRAHEAD LUMINAIRES WITH TWISTLOCK P.E. RECEPTACLE.
 WILSONVILLE APPROVED COBRAHEAD LUMINAIRES ARE:
 25W AMERICAN ELECTRIC ATBO-10BLEDE70-MVOLT-R2-3K-BZ-20-NL-UMR-XX-P7
 36W AMERICAN ELECTRIC ATBO-20BLEDE53-MVOLT-R2-3K-BZ-20-NL-UMR-XX-P7
- THE PHOTOELECTRIC CONTROL SHALL BE WILSONVILLE APPROVED EXTENDED LIFE TWISTLOCK, FAIL-ON, ELECTRONIC, 105-300 VAC, 60 HZ, PER ANSI 136.10, BRONZE HOUSING, 1.5 LUMEN TURN-ON, RATED 1000W TUNGSTEN (1800 VA BALLAST) 1.5:1 TURN-OFF/TURN-ON RATIO, SOLID BRASS PLUG BLADES, CONFORMALLY COATED CDS CELL, 160 JOULE MOV, 2-4 SEC. TURN-OFF DELAY. STREETLIGHT CIRCUIT CONTROLLED BY SINGLE PE CELL, SNORKEL MOUNTED TO STREETLIGHT CONTROL CABINET.
 WILSONVILLE APPROVED PHOTOELECTRIC CONTROLS ARE:
 RIPLEY RD8645
 DTL DLL 1271.5 J50
- ALL MATERIAL AND WORKMANSHIP SHALL CONFORM TO P.G.E. SCHEDULE "95" OPTION "B" SPECIFICATIONS. LIGHTING CONTRACTOR/INSTALLER IS SOLELY RESPONSIBLE FOR INSTALLATION OF CORRECT MATERIAL BASED ON CURRENT WILSONVILLE APPROVED MATERIAL LIST AND PGE SPECIFICATIONS AND STANDARDS. LIGHT POLE AND FIXTURE SUBMITTAL TO PROPER JURISDICTION IS RECOMMENDED.

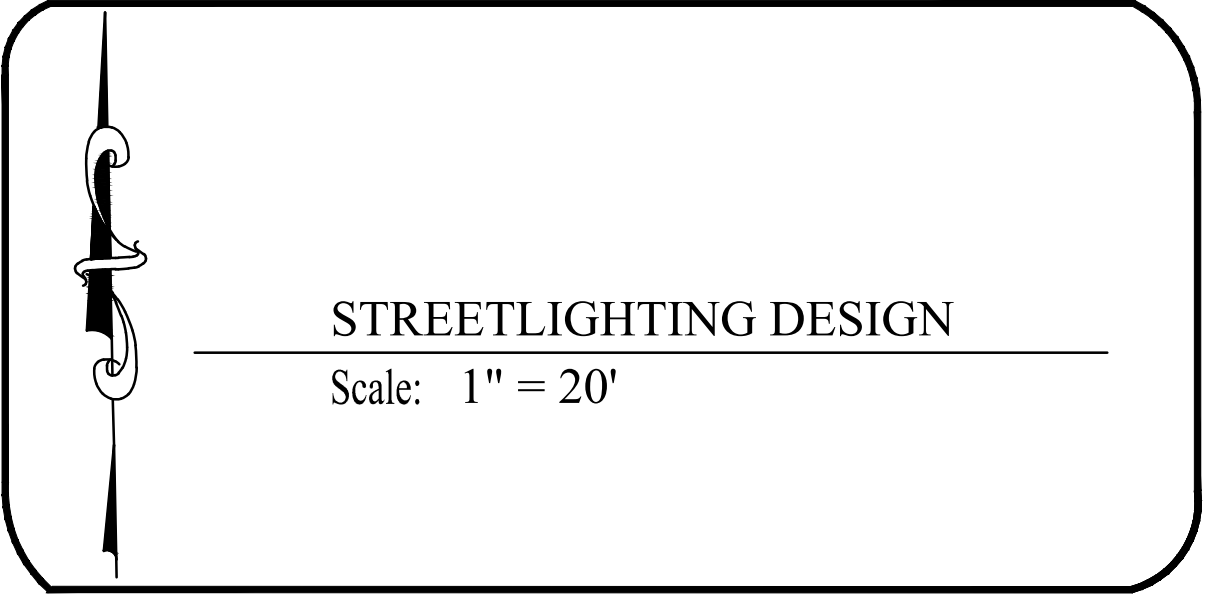
NUMERIC SUMMARY

PROJECT: CANYON CREEK 3

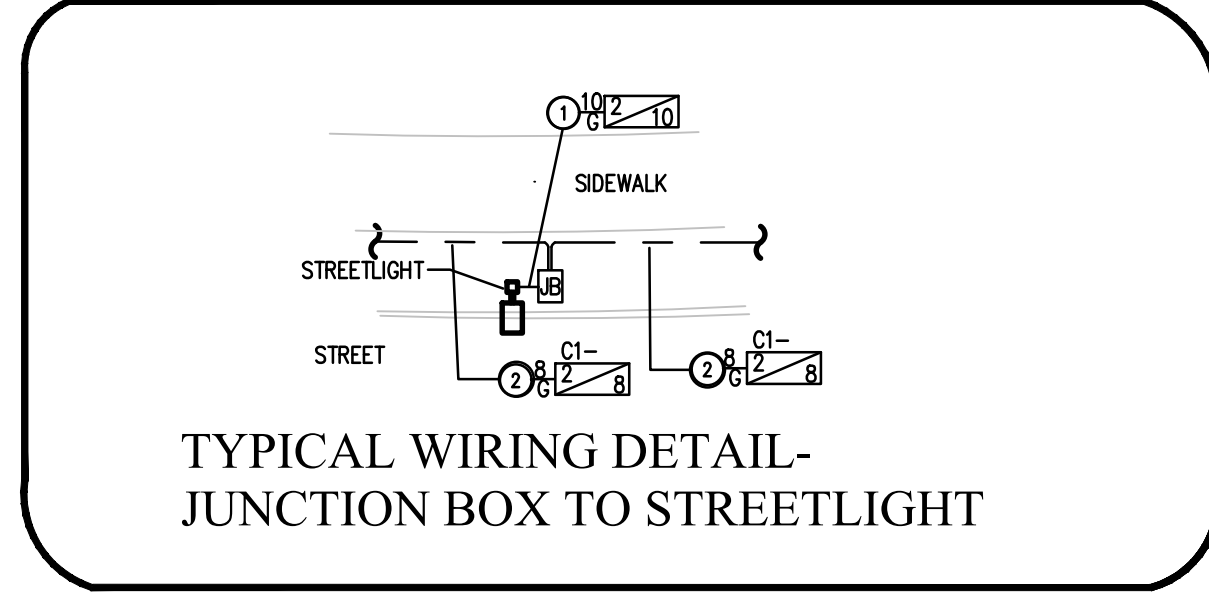
LABEL	CALC TYPE	UNITS	AVG	MAX	MIN	AVG/MIN
NEW STREET	ILLUMINANCE	FC	0.43	1.40	0.10	4.30
CANYON CREEK SOUTH ROAD	ILLUMINANCE	FC	0.59	3.70	0.10	5.90

LIGHT POLE LOCATION TABLE

POLE NUMBER	MH	ARM	WATTS	ARRANGEMENT	STREET	POLE TYPE	LLF
1	25 FT	0.67	25	SINGLE	NEW STREET	FIBERGLASS POLE	0.85
2	25 FT	0.67	36	SINGLE	NEW STREET	FIBERGLASS POLE	0.85

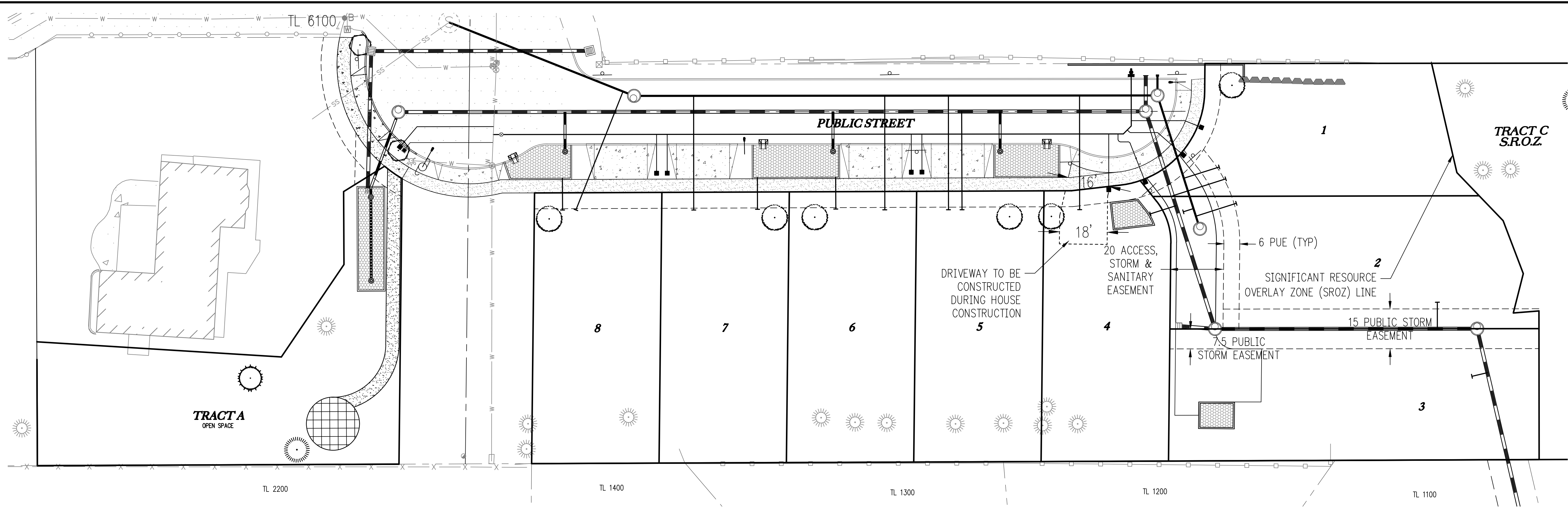


- (LPX) = INSTALL LUMINAIRE POLE #.
(X = POLE #).
- [] = INSTALL PGE "11 X 17" JB WITH LID MARKED "ELECTRIC" OR "POWER"
- (EX) = EXISTING LUMINAIRE AND POLE



Title: STREET LIGHTING
 Designed by: Adam Suminski
 Checked by: Jesse Culp
 Date: October 31, 2019

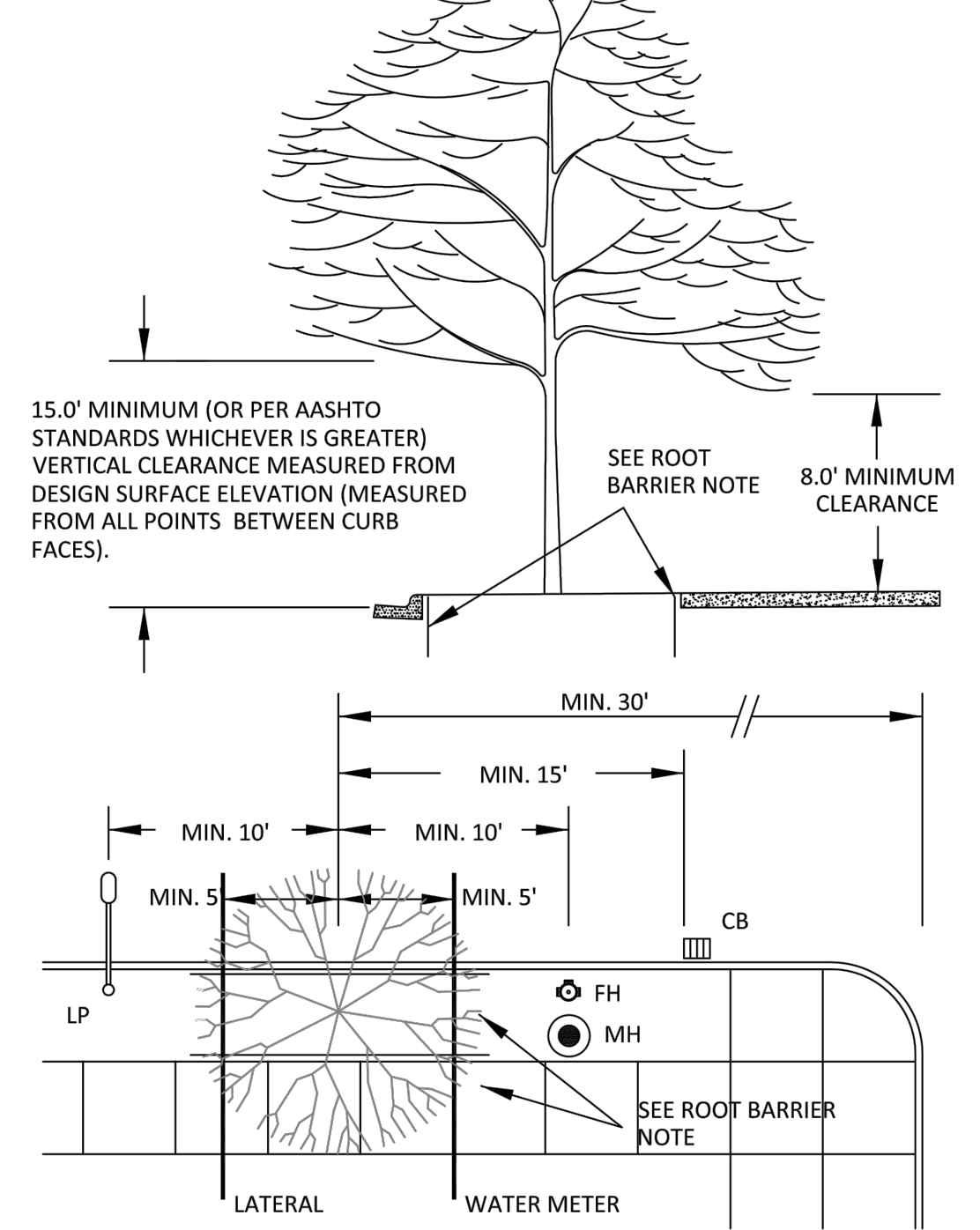
DWG. NO
EL1



28700 CANYON CREEK RD S
 TAX LOT 6400
 TAX MAP 31W13BD
 NW 1/4 OF SEC.13, T.3S R.1W W.M.
 WILSONVILLE, OREGON

**PRELIMINARY STREET
 TREE PLAN**

This Detail Drawing may not be altered or changed in any manner except by the City Engineer. It is the responsibility of the user to acquire the most current version.



- NOTES:
- 5' MINIMUM CLEARANCE FROM UNDERGROUND UTILITIES AND LATERALS. LANDSCAPE DESIGN OF TREES AND ENGINEERING DESIGN OF UNDERGROUND SERVICES SHALL BE COORDINATED.
 - TREES SHALL BE CENTERED BETWEEN CURB AND SIDEWALK.
 - CITY APPROVED ROOT BARRIER METHOD TO BE USED FOR ALL STREET TREES LOCATED WITHIN 8 FEET OF ALL CURBS AND SIDEWALKS. ROOT BARRIER SHALL EXTEND TO A DISTANCE OF 20' CENTERED WITH THE TREE BASE. BARRIER SHALL BE 2"-4" FROM CURB OR SIDEWALK AND EXTEND A MINIMUM OF 24" IN DEPTH.
 - WHEN TREES ARE WITHIN TREE WELLS, ROOT BARRIER SHALL BE PLACED ON ALL SIDES.
 - PARALLEL PARKING: LOCATE TREE BETWEEN ON-STREET PARKING SPACES. THIS LOCATION PRECLUDES DOORS OPENING ONTO TREES AND PASSENGERS EXITING IN CONFLICT WITH TREE PLACEMENT.
 - DIAGONAL PARKING: LOCATE TREE MINIMUM 3' AWAY FROM LEFT STALL LINE TOWARD THE CENTER OF THE PARKING SPACE. THIS LOCATION ATTEMPTS TO AVOID THE FRONT END OF THE PARKED CAR OVERHANGING THE CURB.

	(QUANTITY) SIZE	SCIENTIFIC NAME COMMON NAME
TREES		
	(1) 2" Caliper	<i>Acer rubrum</i> 'October Glory' 'O.G.' Red Maple
	(6) 2" Caliper	<i>Nyssa sylvatica</i> Tupelo
LIDA SWALE PLANTING		
	(687) 1 gallon	<i>Eleocharis ovata</i> Ovate Spike Rush
	(687) 1 gallon	<i>Juncus patens</i> Spreading Rush
	(688) 1 gallon	<i>Carex densa</i> Dense Sedge
	(72) 1 gallon	<i>Polystichum munitum</i> Sword Fern
	(53) 1" CALIPER	<i>Viburnum edule</i> Highbush Cranberry
NOTE: ALL STREET TREE PLACEMENT SHALL MEET THE STANDARDS OF PUBLIC WORKS STANDARDS.		

LEGEND:

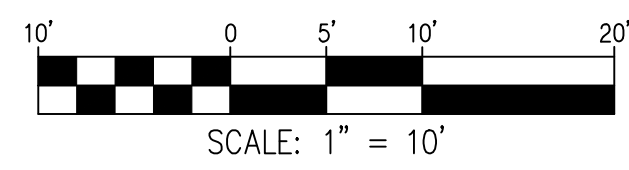
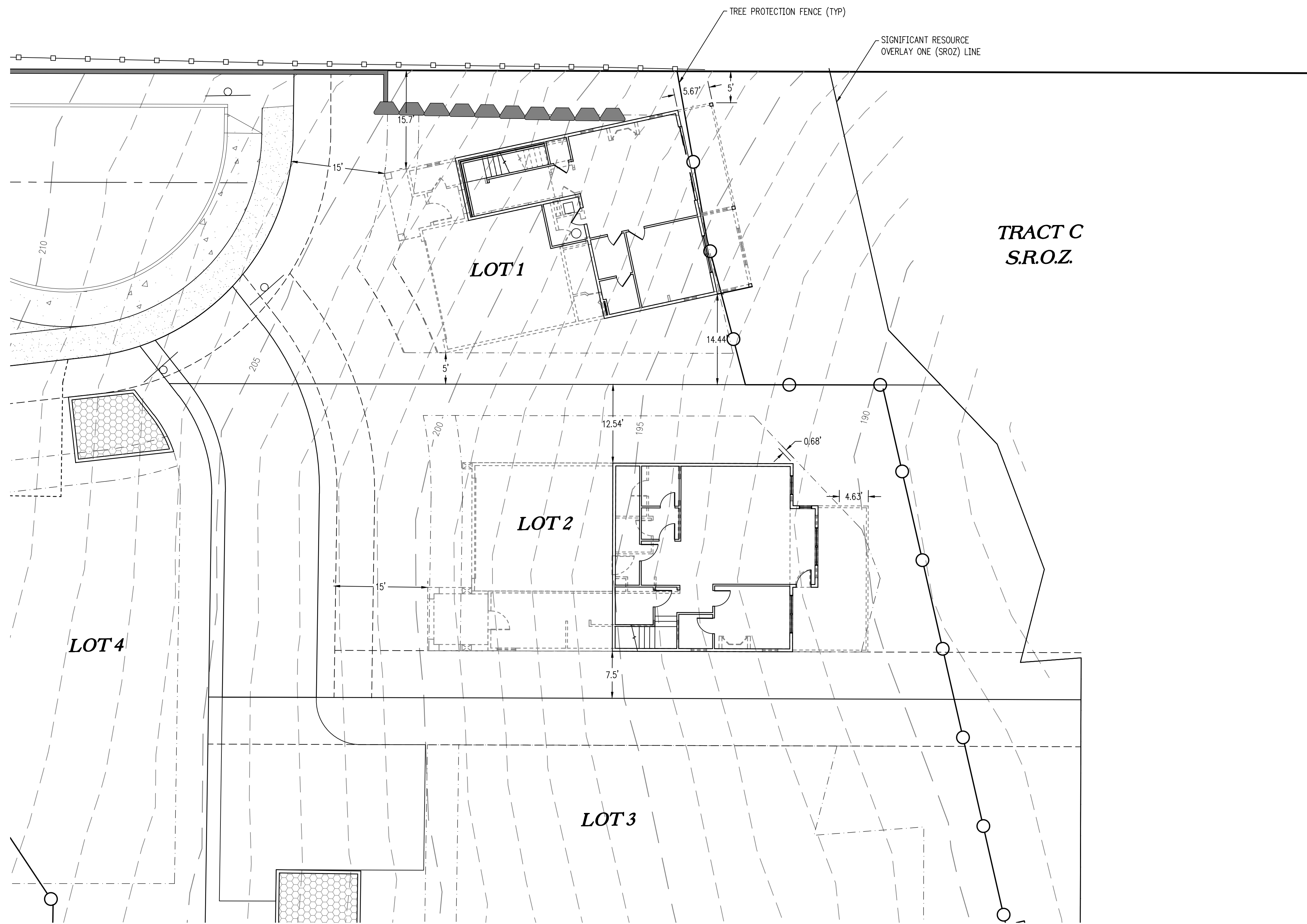
- PROPOSED STORM LINE
- PROPOSED SANITARY LINE
- PROPOSED WATERLINE
- PROPOSED STORM LATERAL
- PROPOSED SANITARY LATERAL
- PROPOSED SINGLE WATER METER
- PROPOSED STORM MANHOLE
- PROPOSED CATCH BASIN/AREA DRAIN
- PROPOSED SANITARY MANHOLE
- PROPOSED BLOWOFF
- PROPOSED WATER VALVE
- PROPOSED LIDA PLANTER

REVISIONS	
NO.	DATE
0	08/25/20
1	11/16/20

EMERIO
Design

6445 SW FALLBROOK PLACE, SUITE 100
 BEASLEY, OREGON 97105
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com

Street Tree Location and Clearances			CITY OF WILSONVILLE PUBLIC WORKS STANDARDS
DRAWING NUMBER: RD-1240	DRAWN BY: SR	SCALE: N.T.S.	
FILE NAME: RD-1240.DWG	APPROVED BY: NK	DATE: 12/31/14	



28700 CANYON CREEK RD S
 TAX LOT 6400
 TAX MAP 31W13BD
 NW 1/4 OF SEC.13, T.3S R.1W W.M.
 WILSONVILLE, OREGON

LOTS 1 & 2 LOT FIT EXHIBIT

REVISIONS	
NO.	DATE
0	08/25/20
1	11/16/20

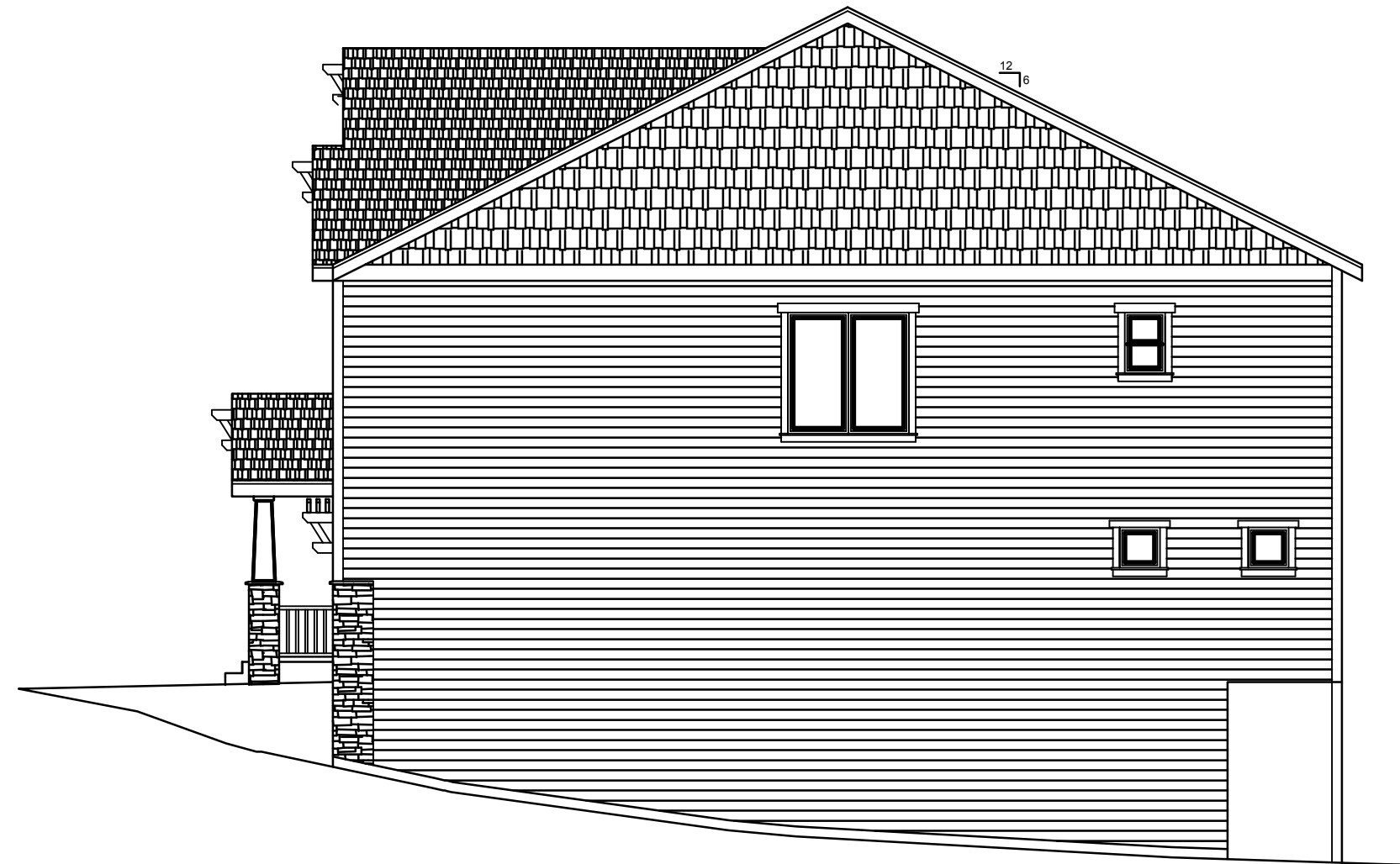
EMERIO
Design

6445 SW FALLBROOK PLACE, SUITE 100
 BEASLEY, OREGON 97105
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com

FILE:P:\0463-005 Canyon Creek So Phase 3\0463-005-12a\plan\0463-005-12a\plan_12 LOTS 1 & 2 LOT FIT EXHIBIT, Plot Date: 3/17/2021 8:36 AM, by: Kyung Han



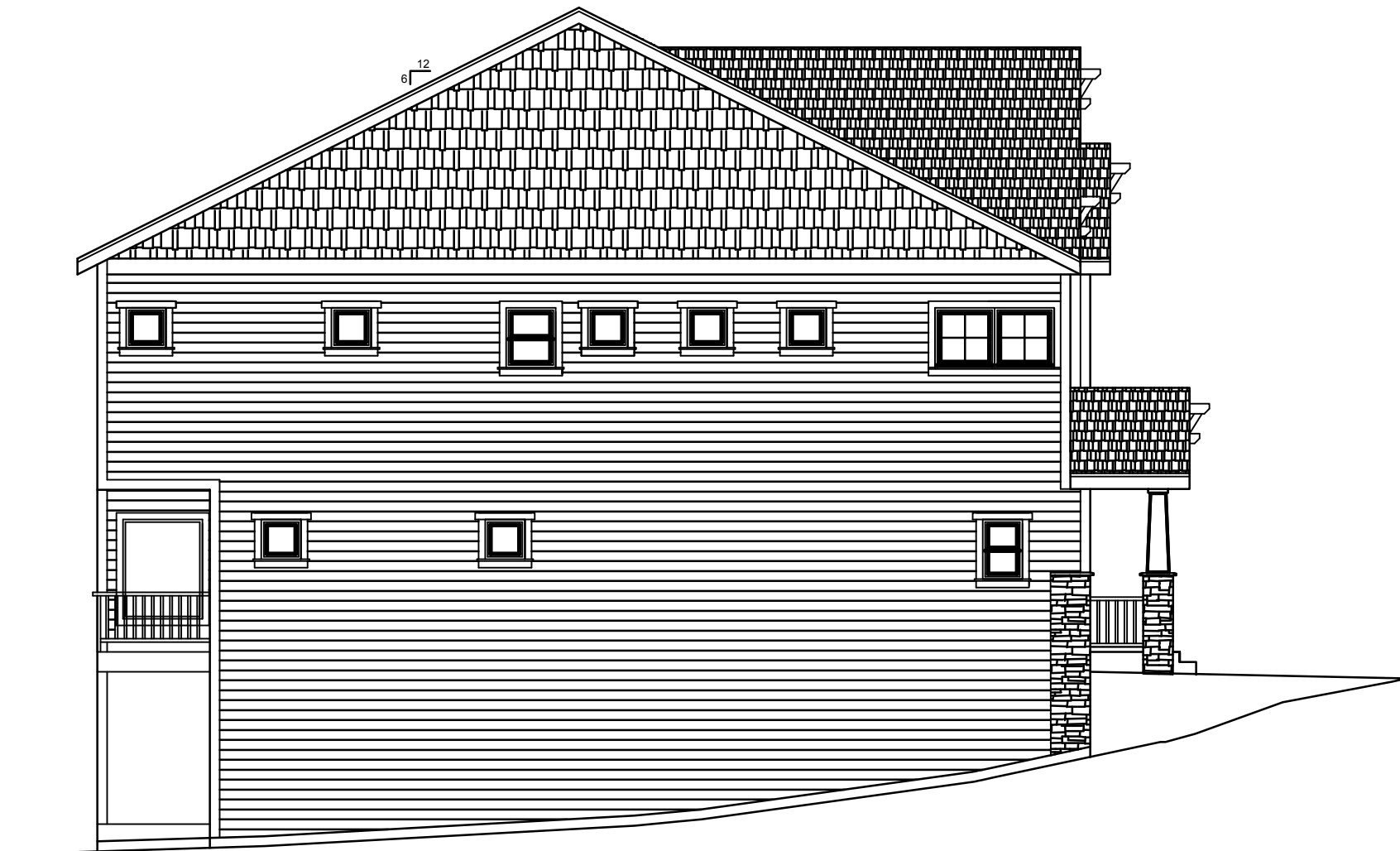
FRONT ELEVATION



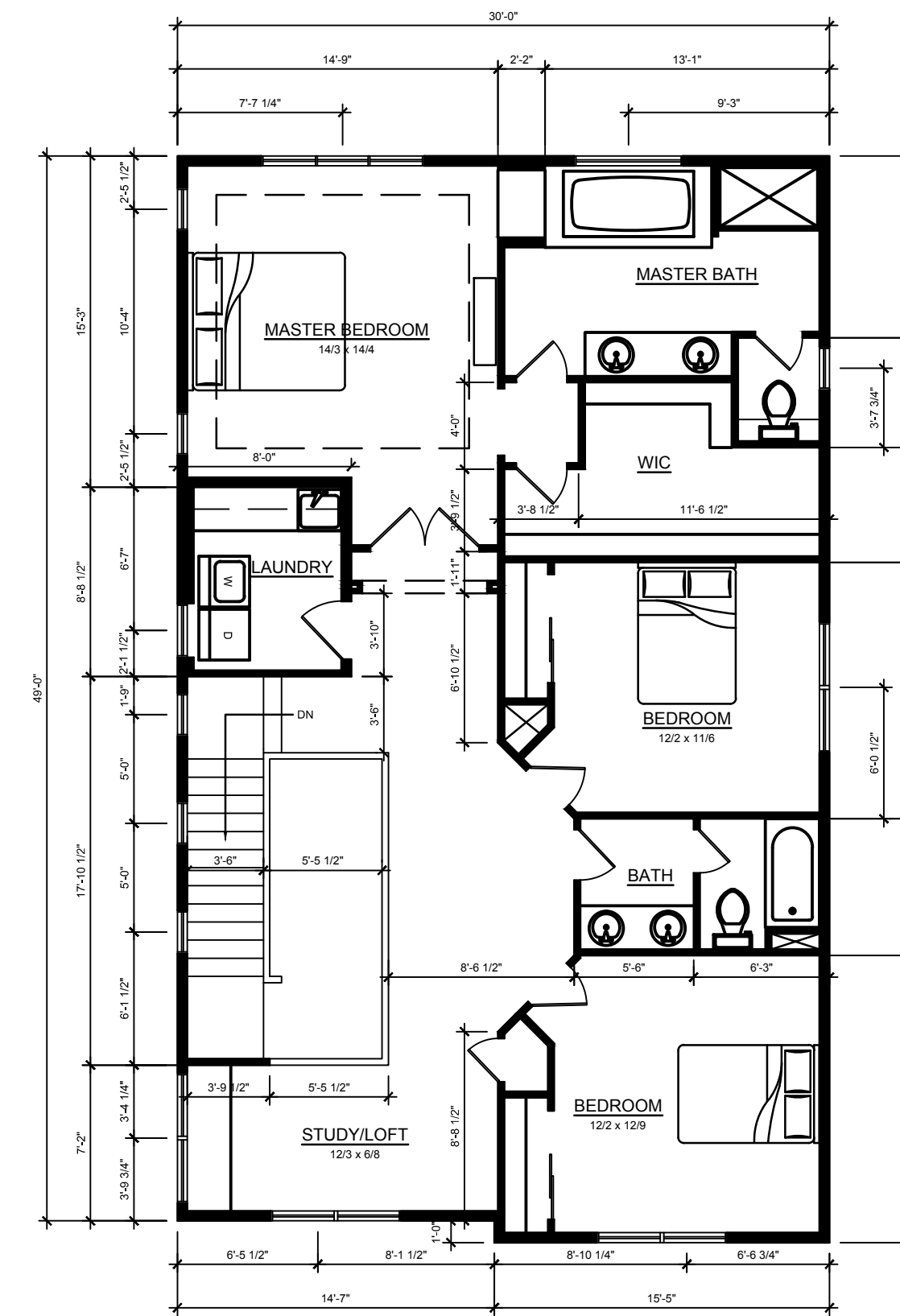
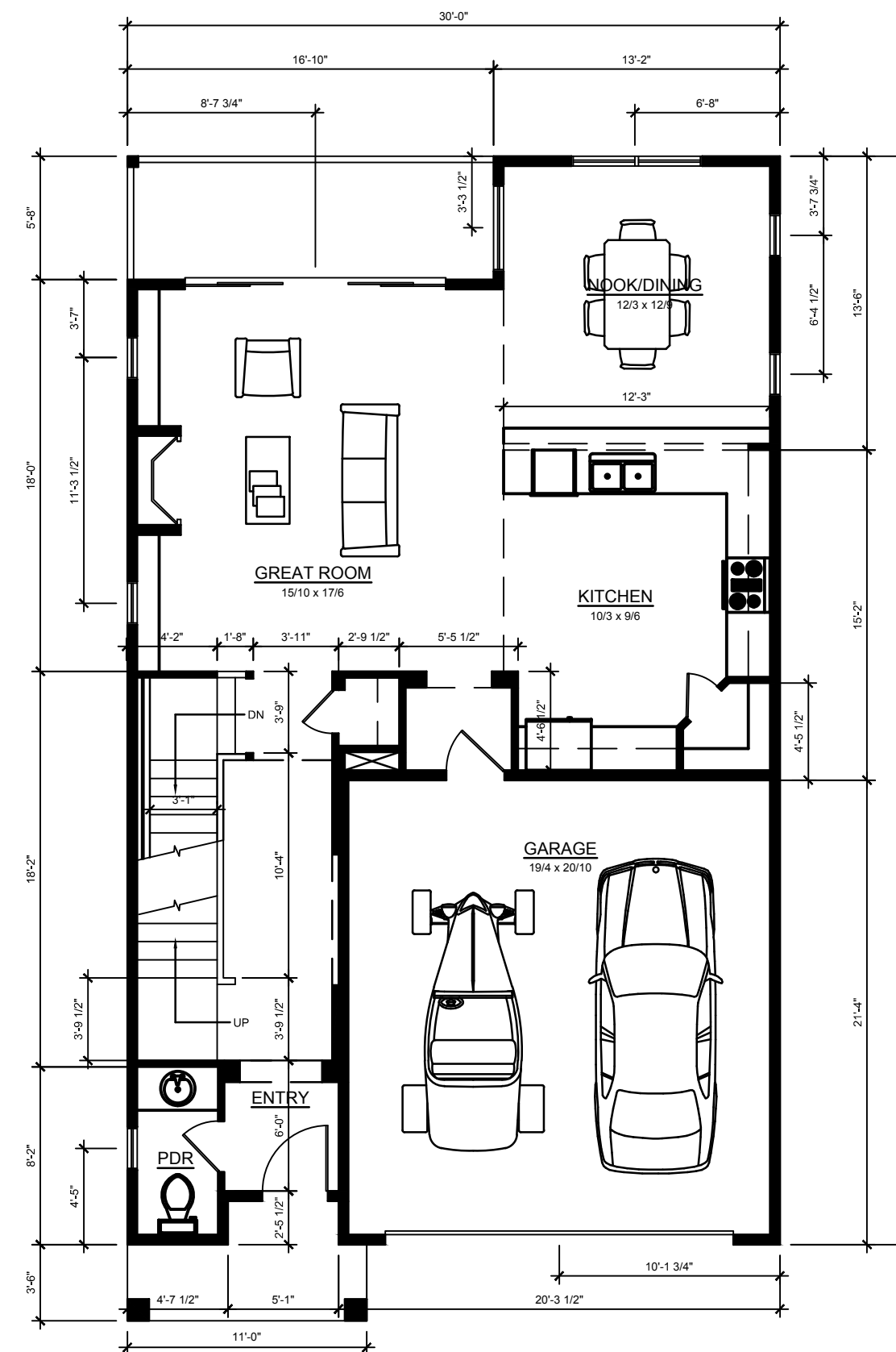
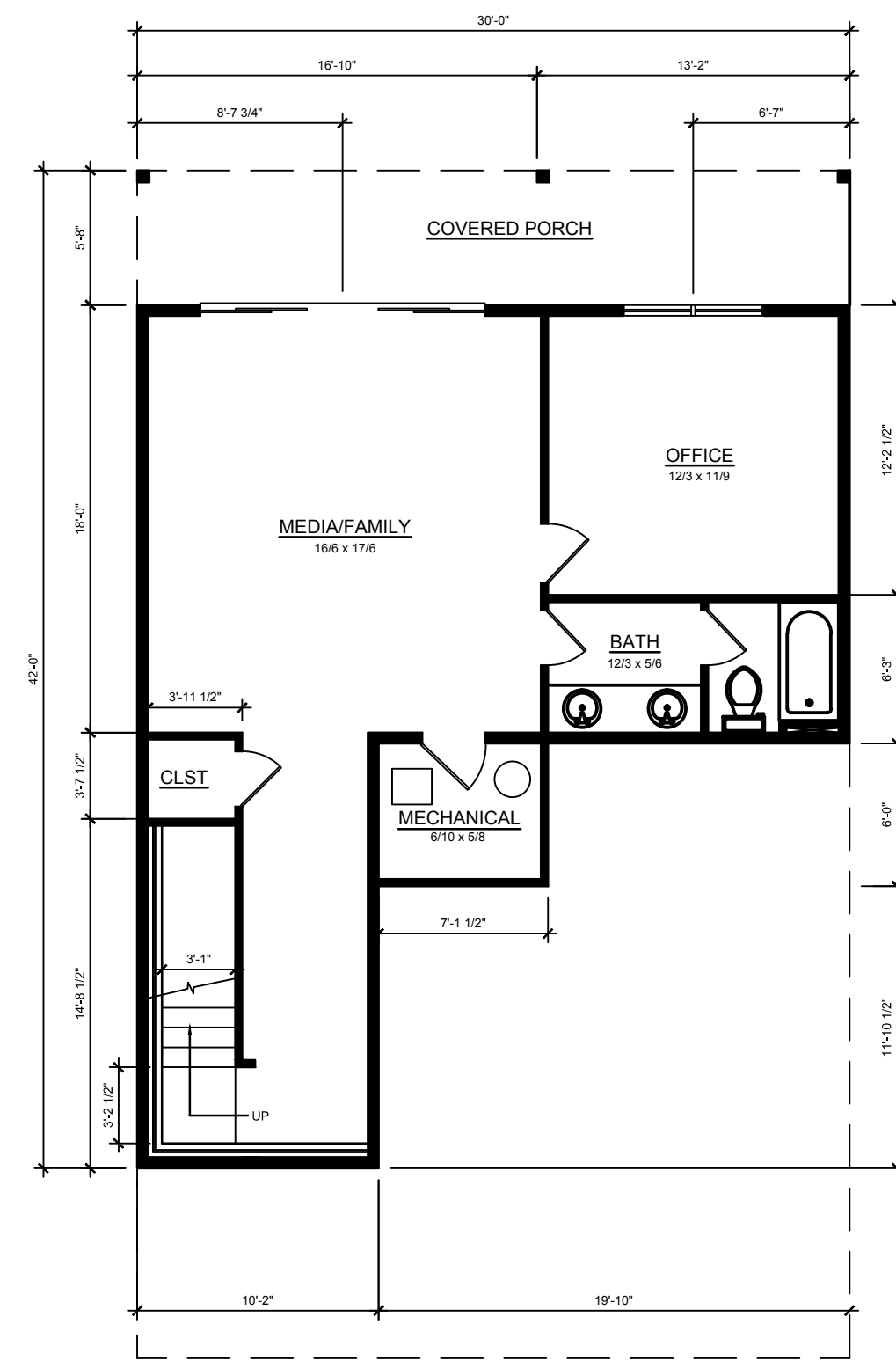
RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION



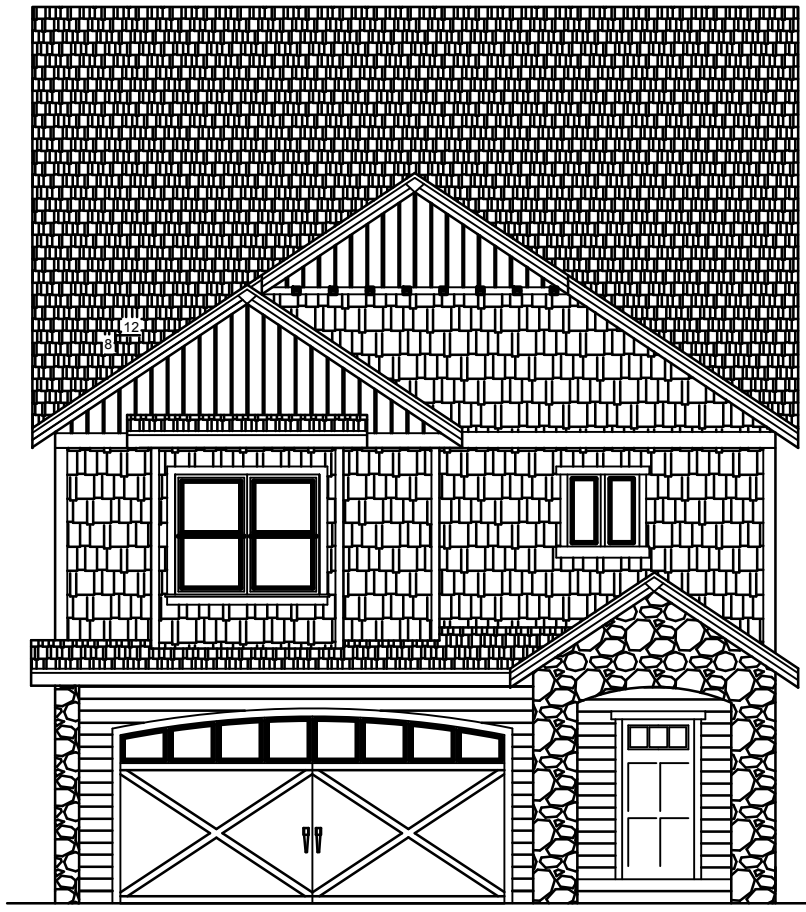
28700 CANYON CREEK RD S
TAX LOT 6400
TAX MAP 31W13BD
NW 1/4 OF SEC.13, T.3S R.1W W.M.
WILSONVILLE, OREGON

LOT 1 FLOOR PLAN

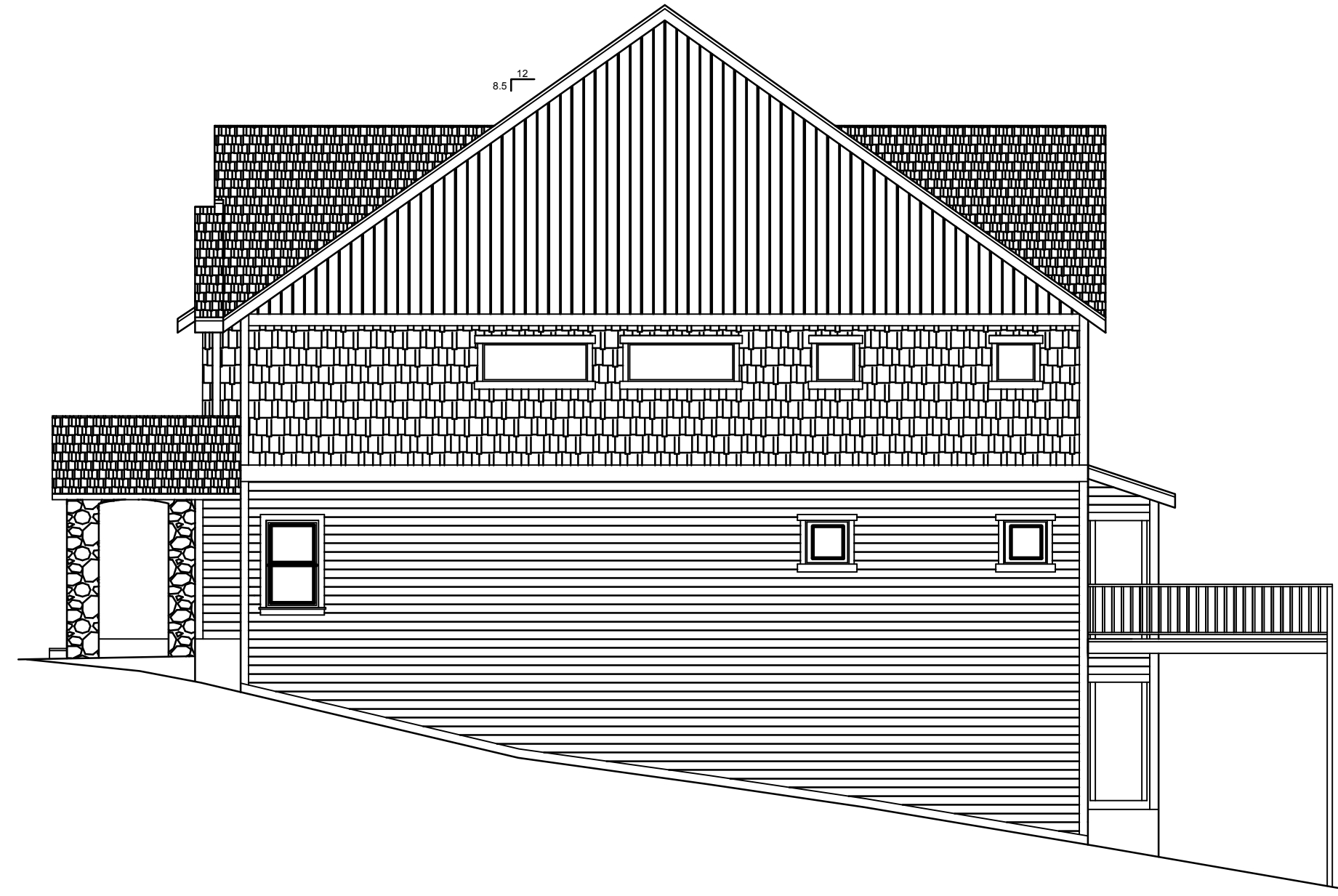
REVISIONS	
NO.	DATE
0	08/25/20
1	11/16/20

EMERIO
Design

6445 SW FALLBROOK PLACE, SUITE 100
BEAVERTON, OREGON 97008
TEL: (503) 746-8812
FAX: (503) 639-9592
www.emeriodesign.com



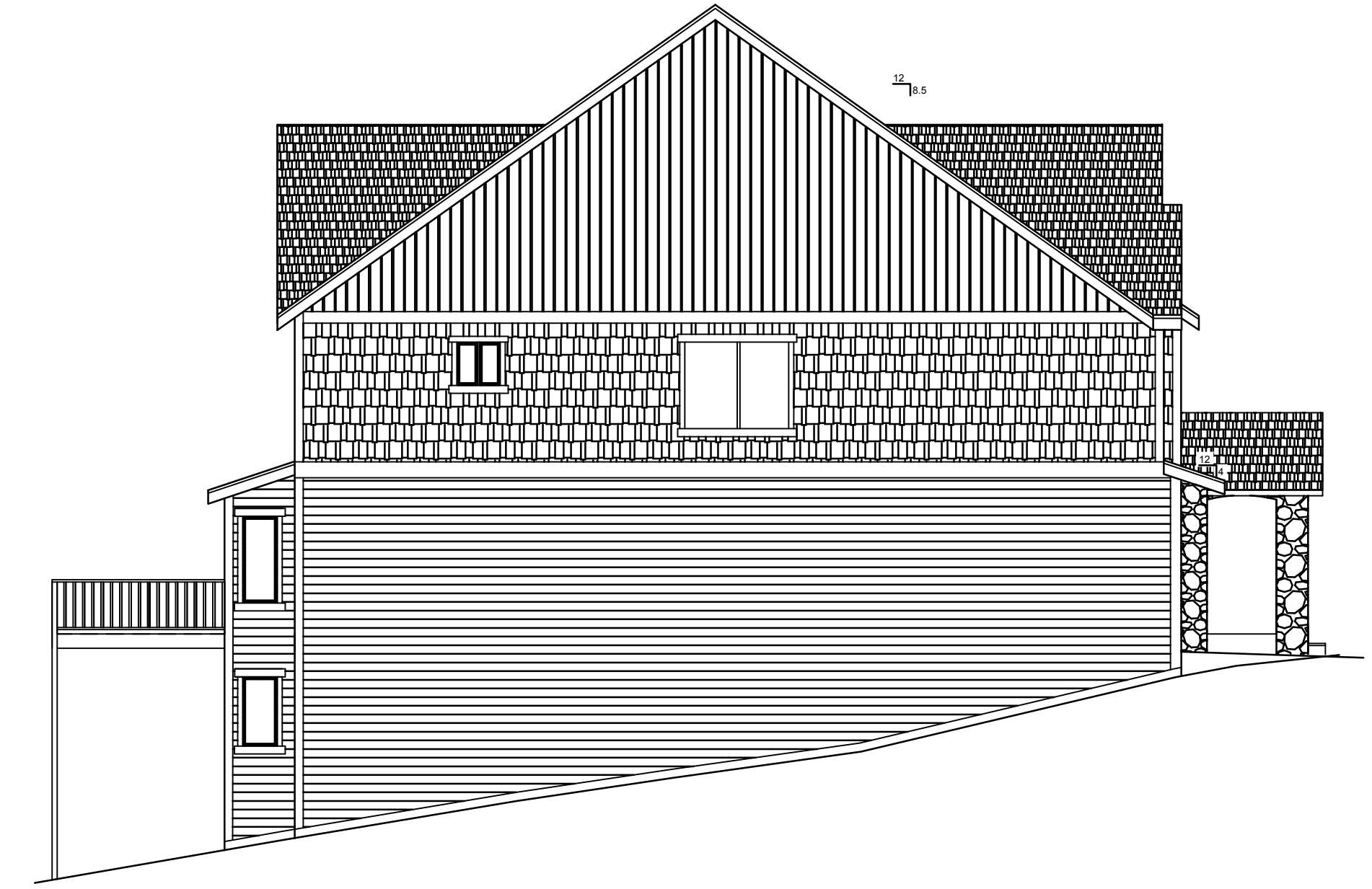
FRONT ELEVATION



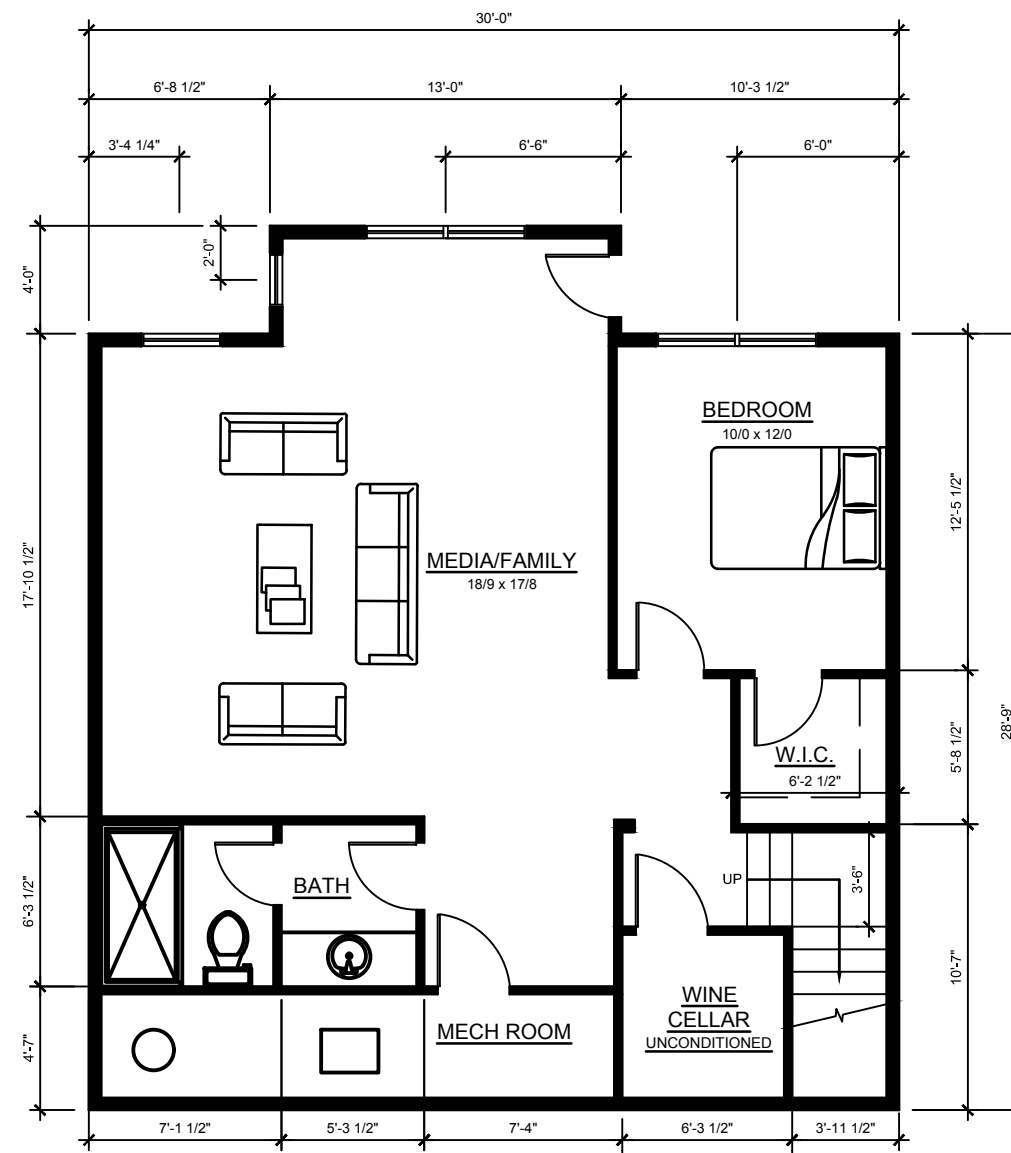
RIGHT ELEVATION



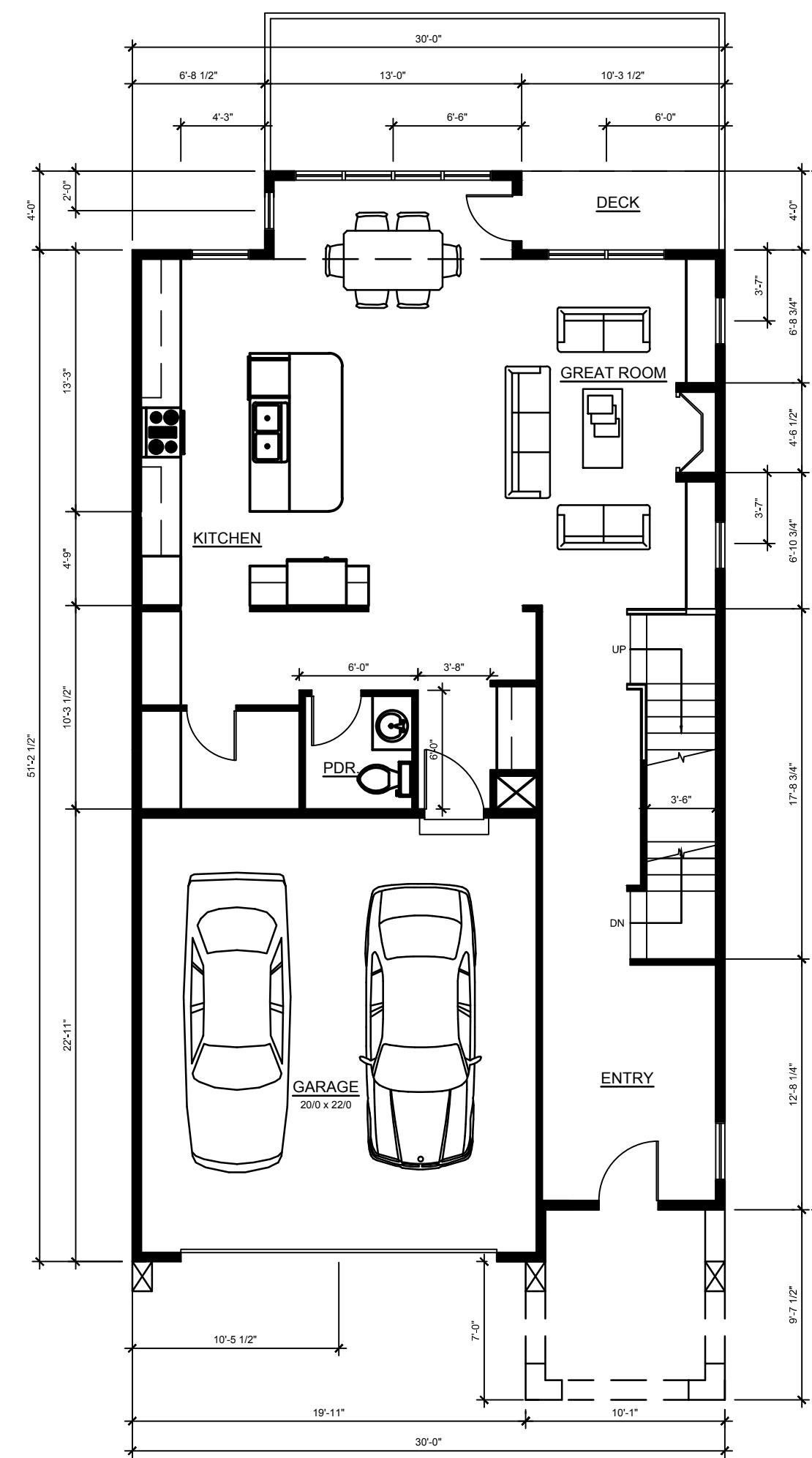
REAR ELEVATION



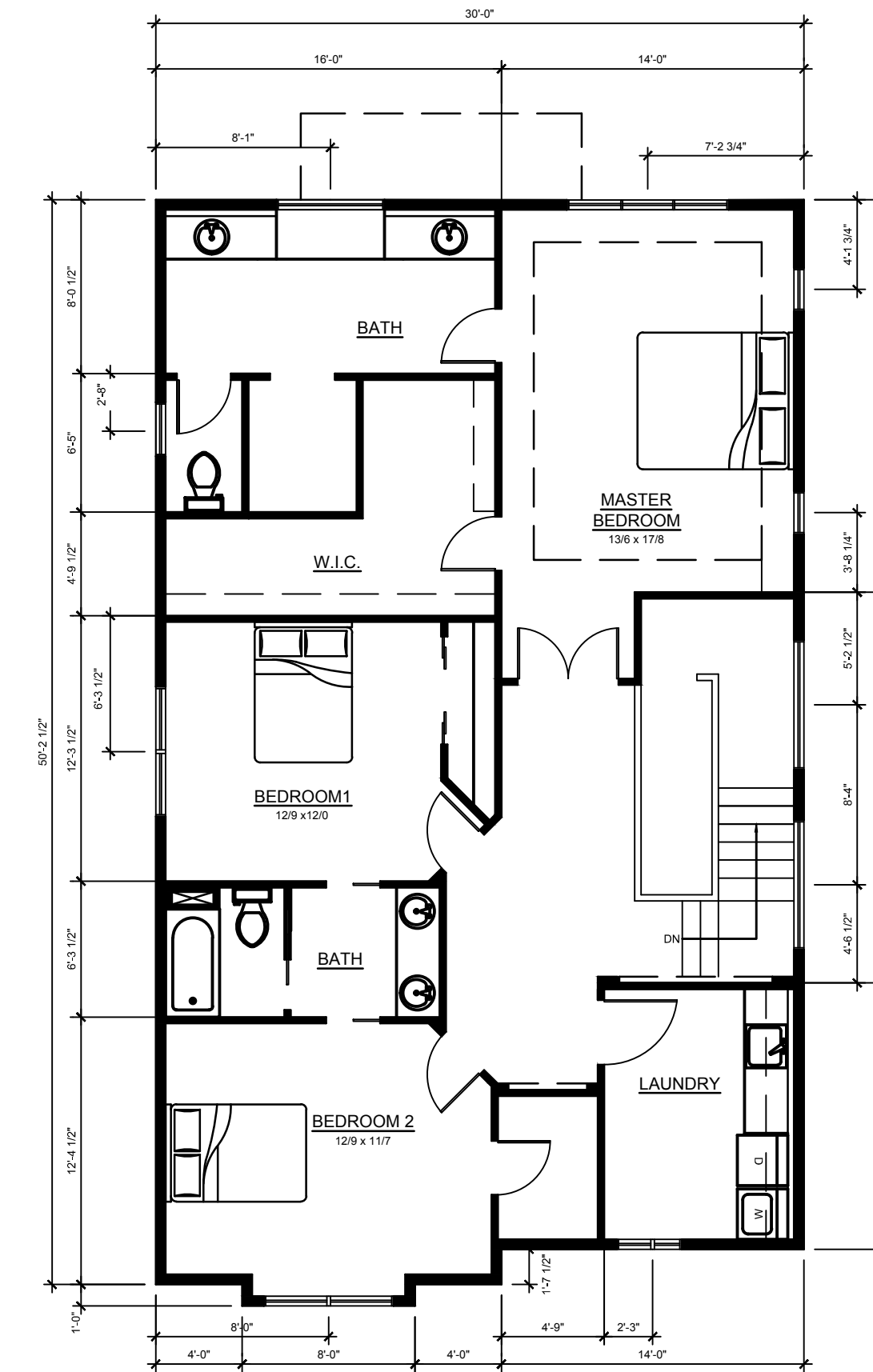
LEFT ELEVATION



UPPER FLOOR PLAN



UPPER FLOOR PLAN



UPPER FLOOR PLAN

LOT 2 FLOOR PLAN

28700 CANYON CREEK RD S
TAX LOT 6400
TAX MAP 31W13BD
NW 1/4 OF SEC.13, T.3S R.1W W.M.
WILSONVILLE, OREGON

REVISIONS	
NO.	DATE
0	08/25/20
1	11/16/20

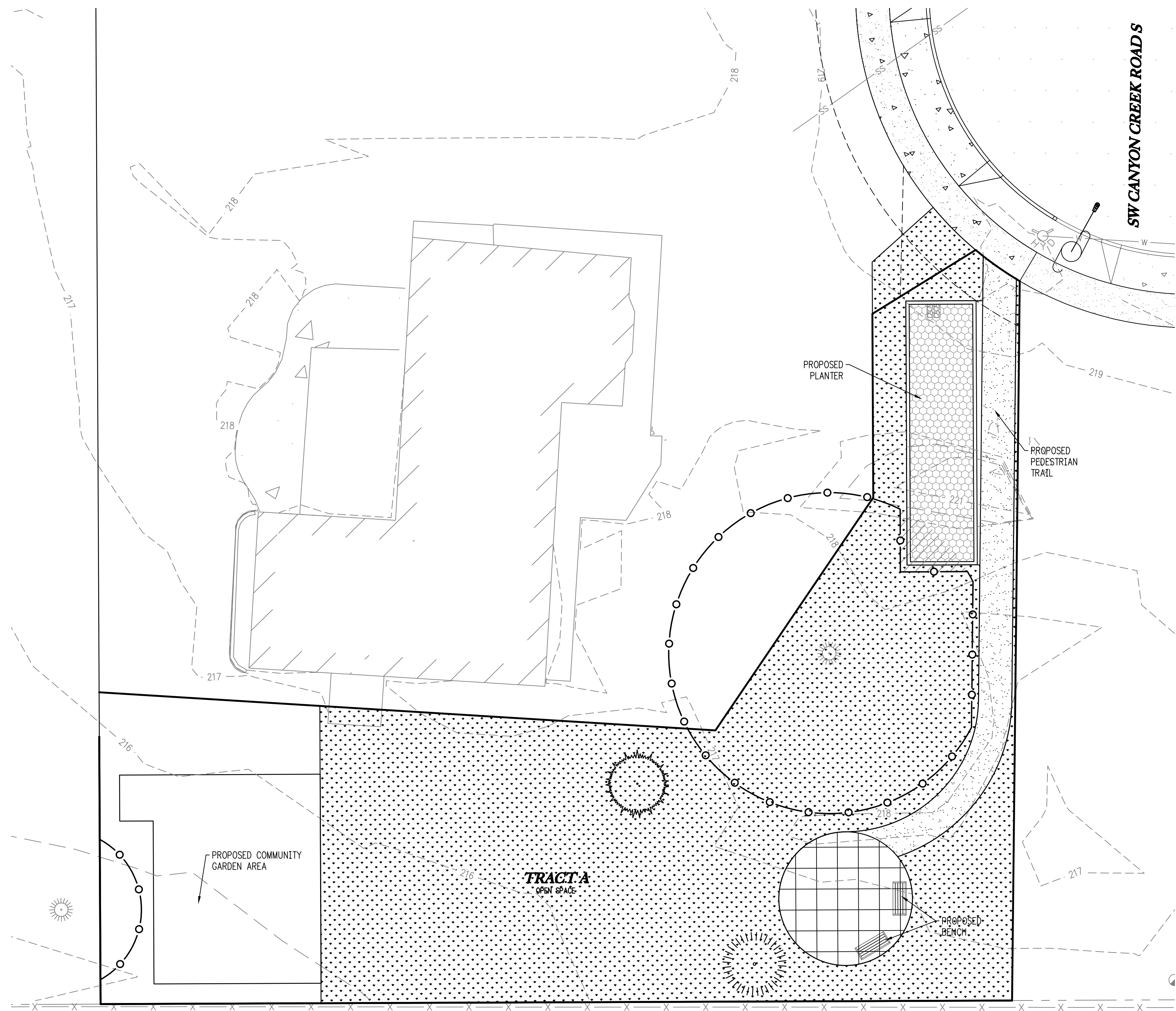
EMERIO
Design

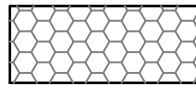




6445 SW FALLBROOK PLACE, SUITE 100
BEAVERTON, OR 97008
TEL: (503) 746-8812
FAX: (503) 639-9592
www.emeriodesign.com

SHEET
14

OF
14

TOTAL BUILDING AREA: 3,232 S.F.



	PLANTER AREA
	LANDSCAPE AREA (GRASS)
	EXISTING TREE
	PROPOSED TREE (WESTERN RED CEDAR)
	PROPOSED TREE (DOUGLAS FIR)

28700 CANYON CREEK RD S
 TAX LOT 6400
 TAX MAP 31W13BD
 NW 1/4 OF SEC.13, T.3S R.1W W.M.
 WILSONVILLE, OREGON

LANDSCAPE PLAN

REVISIONS	
NO.	DATE
0	08/25/20
1	11/16/20

EMERIO
Design

6445 SW FALLBROOK PLACE, SUITE 100
 BEASLEY, OREGON 97105
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com

FILE:P:\0463-005 Canyon Creek So Phase 3\dwg\plan\0463-005_15pind_Landscape Plan_Plot Date: 3/17/2021 8:37 AM, by: Kyung Han