PLANNING COMMISSION WEDNESDAY, AUGUST 14, 2019 6:00 P.M.

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

Minutes reviewed and approved with page 4 amendments per the 9/11/19 PC Meeting

Minutes

I. CALL TO ORDER - ROLL CALL

Chair Jerry Greenfield called the meeting to order at 6:00 p.m. Those present:

Planning Commission: Jerry Greenfield, Eric Postma, Peter Hurley, Simon Springall and Kamran Mesbah. Phyllis

Millan and Ron Heberlein were absent.

City Staff: Miranda Bateschell, Daniel Pauly, Kimberly Veliz, Beth Wolf, Bill Evans, and Amanda

Guile-Hinman

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CITIZENS INPUT - This is an opportunity for visitors to address the Planning Commission on items not on the agenda.

Garret Prior, Wilsonville resident, explained his experience with education inequality had driven him toward his career from a teacher to an urban planner and community organizer, and his plans to write about racial divides nationally through the scope of Wilsonville's schools, urbanism, housing, and work force. He believed the Equitable Housing Task Force was an excellent name and title, and he hoped that his writing, the Planning Commission, City Council and the Task Force together could achieve and live up to the title of equity. He had sent comments to the Commission that recapped the first Task Force meeting and he believed they were off to a great start. He urged the Commissioners to ask big questions at the upcoming work session in September, because a lot of work around equity was in name-only and addressed the margins of things very incrementally. What big things could the City and its planning do to implement those plans? He had seen some of the Town Center Plan and believed it was an excellent way to establish a good, dense urban core of mixed use, but the City should push to ensure mixed-use was also mixed income and affordable housing around where the infrastructure, jobs, and other greatest resources were in the community.

• Regarding the open space standards presented in tonight's meeting packet, he understood how private yards could be calculated originally, but in practice, private yard open space would be difficult to enforce overtime as property owners added a patio, for example, that would use up the open space. The quality of open space was also a difficult issue. In the past, he preferred when standards were used around contiguous land, or land that was not delegated for wetlands or small pieces of land that had been discarded and counted as open space. [Part 1 5:33] He believed the draft language was moving toward that. Open space was a difficult item that many communities were working on, but he believed the Code language was moving in a good direction. [Part 1 5:46]

ADMINISTRATIVE MATTERS

A. Consideration of the July 10, 2019 Planning Commission minutes.

Chair Greenfield requested the following amendments to the July 10, 2019 Planning Commission minutes:

• On page 4, in the second paragraph prior to the Informational agenda item, "Chair Greenfield noted one could not reliably count easily guess the number of residences in Charbonneau..."

On page 4, under the Informational agenda item, "Chair Greenfield added the follow-up session was
very interesting and a bit too factual alarming, noting it would take 15 minutes for the valves to close..."

Commissioner Postma moved to adopt the July 10, 2019 Planning Commission minutes as amended.

Commissioner Mesbah seconded the motion, which passed 4 to 0 to 1 with Commissioner Springall abstaining.

II. WORK SESSION

A. Online Engagement Tool (Evans/Wolf).

Miranda Bateschell, Senior Planner, said she was excited to discuss the online engagement tool with the Commission, because the City had continuously tried to improve community engagement to ensure transparency and provide opportunities for a high level of engagement with the community. The online engagement tool was had already been implemented in house and was about to launch online for the community.

Ms. Bateschell, Senior Systems Analyst Beth Wolf and Communications and Marketing Manager Bill Evans presented the Let's Talk Wilsonville! Community Engagement Tool via PowerPoint and reviewed the layout and key features of www.LetsTalkWilsonville.com, which would also be formatted for use on mobile devices.

Discussion and feedback from the Planning Commission was as follows with responses by Staff to Commissioner questions as noted.

- The City's current website had a link showing current projects occurring around the city and their status, but no
 way for citizens to provide feedback, ask questions, or note concerns. Including a similar link on Let's Talk
 Wilsonville! was suggested that also enabled two-way conversations with citizens. Being City moderated,
 factual, consistent information could be provided, rather than the misinformation often seen on social media.
 - While the new platform was project orientated, if the City planned to brand and promote the platform
 as a means of two-way engagement, Staff agreed the new website should include a space for a general
 Q&A tool where Staff could respond to questions posed by citizens, including those regarding current
 projects throughout the city. When looking at platforms used elsewhere, one site had a Myth Busters
 page, which could be useful as well.
 - Let's Talk Wilsonville! was an excellent first step towards a higher level of engagement for projects, as well as getting structural corrections for the City's tools. However, the Q and A section of the platform should not be described as a conversation, because it was not actual dialogue and could not replace actual face-to-face discussions, not only with staff, but also amongst citizens. The City would need to develop additional steps and activities, similar to that done with Town Center, to establish ongoing dialogue with the community and ensure the debunking of rumors and the sharing of facts.
- The letters U and P on the back of the business cards advertising Let's Talk Wilsonville! allowed users to quickly note their username and password for easy reference.
- The City currently used several different platforms for engagement and follow-up, and because registered user were attached to an email, Staff could track what activities users were engaged in, including which surveys they had participated in, and also create an interested parties list to strategically target active participants for future projects. The Let's Talk Wilsonville platform would provide the same feature.
 - Staff would ask whether the EngagementHQ software allowed registered individuals to opt-out of specific surveys or projects that did not interest them, while still keeping them in the greater system.
- Let's Talk Wilsonville was hosted by a company called Bang The Table, who provided the EngagementHQ software used on the website. The City of Tigard also used the same platform. The City paid an annual maintenance fee to Bang The Table for continued use and access to the EngagementHQ tool.
 - The City was not limited by bandwidth or the number of projects posted on the website.
- In terms of moderation, Bang The Table's software had the ability to scan for and flag inappropriate words that typically would not be allowed on a city website in order to maintain a certain level of decorum. If inappropriate language was flagged, the comment was reviewed if found to be inappropriate, it would not be posted publicly, and the user would be notified of the moderation violation. The violating user would be warned and resent the link to the moderation policies, and if they continued to violate policies, their account

would be placed on hold. As the administrators of the website, Staff would not allow comments that did not meet the moderation policy to be posted publicly.

- Concerns were expressed about an individual's right to free speech and ensuring all comments, whether
 dissenting or with offensive language, were included in the data. Because the City was soliciting input for
 government purposes maintaining open records was also important.
 - Staff hoped the moderation violation warning and resending of policies would drive users to repost their comments with appropriate language to ensure their voice was heard.
 - Staff would confirm with Bank The Table that a rejected post would still be logged in the system as input and included in the analytics.
- The new platform accumulated all the comments and feedback from all the public input tools used on a
 project and allowed Staff to create a report at the end with all the results in one document, making records
 preparation more efficient. Staff would ensure any inappropriate comments were also logged as a record
 with the City.
 - The website analytics from Let's Talk Wilsonville would only be available to the website's administrators in real time during the project to understand how people were engaging, which could be reported regularly to the Planning Commission or City Council. The report at the end of a project would become part of the record and used to present findings to the City Council, Planning Commission and users of the website. The engagement tool also tracked timelines and where engagements took place, allowing Staff to provide the analytics report as a link within the timeline so users who participated in that survey could see the report once the project was complete.
 - Staff could also create a mid-term report if needed and post it within the timeline to solicit more input from users.
 - The quick polls on the website would allow participants to view a tally of all votes in real time.
- Concerns associated with using a third-party host for the website was the security of the user's personal information and the potential of losing data should the third-party site close for any reason. The City would need to ensure that participants' information was safe, so people would participate and archive the data on a regular basis.
 - The registration process required users to answer all questions, but some questions requesting sensitive data, such as race or gender, had a "prefer not to answer" option.
- Having ready connections [cross-over] between the City of Wilsonville's website and Let's Talk Wilsonville
 was important. The Let's Talk Wilsonville logo linking to the engagement platform had already been added
 to the header of the main City website near the Facebook and YouTube icons, but it would take time for the
 logo to become recognizable to the general public. Staff also planned to add cross-over links on all City
 websites, including city project pages, and the link was already on www.ridesmart.com,
 www.wilsonvillelibrary.org.
 - A Google search for Wilsonville, Oregon would likely bring up the main City website, but including "let's talk" in the search would likely bring up the "About" site for Let's Talk Wilsonville.
- With regard to legibility, using colored text, and especially desaturated colored text against a white background, was discouraged because it could be difficult to read. This was particularly true for running text as well as the logo, which needed to be dark with a brightness contrast rather than gradation. In general, more saturation and moving to a darker color against a light background were important. Staff agreed to make any needed adjustments for better legibility.
- In terms of the moderation of content, true conversation and dialogue required authenticity and these types of tools often become tools of propaganda, because they become a newsletter for only positive news and spin. If a tool for conversation becomes known for only having positive spin, it would not be effective for dialogue. Staff was urged to keep this in mind as the website grew and the moderator began dealing with real problems, answers, and tough questions, because the more authentic the responses were the more credibility the website would have as a tool for honest conversation.

Chair Greenfield called for a brief recess at 7:05 pm and reconvened the meeting at 7:10 pm.

B. Residential Code Revision Project (Pauly)

Miranda Bateschell, Senior Planner, explained the Residential Code Revision Project was introduced in this spring, and was intended to address inconsistencies and conflicts within the existing Development Code. She reminded that the project had been split into two parts. Last month, the Commission addressed the density inconsistencies and tonight, the Commission would work through some of the open space standards.

Daniel Pauly, Planning Manager, presented Topic Area 2, Open Space Requirements, of the Residential Code Revision Project via PowerPoint, highlighting the background, issues to address, and draft recommendations.

Discussion and feedback from the Commission on the Topic Areas were as follows with responses to Commissioner questions as noted:

- Topic 2.1: What to Count as Open Space
 - Staff's PowerPoint presentation (Slide 7) was different from the Staff report. Under "Backyards" on Page 2 of 4 of the Staff report, it stated, "...but require 10% open space for small lots (4,000-6,000 sq ft) half of which must be usable." Yet, in the presentation, Staff stated 10% of private yards for all lots less than 6,000 sq ft.
 - Mr. Pauly clarified he had mixed two concepts during his presentation. The first concept was if there were four that for lots 6,000 sq ft or larger, 10% would be counted toward the overall open space requirement, while areas of a subdivision with lots 6,000 sq ft or larger did not otherwise have a separate open space requirement. In areas with smaller lots, 10% of that block, for instance, [Part 2 12:18] would need to be open space. In terms of the second concept, there was an equalizer when calculating the 25% open space, because 10% of that residential area would count towards the 25% total open space requirement, regardless of lot size.
 - He clarified that usable open space was defined as open space programed by a professional with an eye on maximizing the ages and other demographics served by that space.
- An important function of open space, not parks, was habitat connectivity that allowed wildlife to get to the
 river corridor from places in the city. If the 10% was not linear, it would not do anything for such habitat
 connections. However, this was not a natural resource plan, but an open space plan that Staff was trying to
 create clear categories for.
 - Mr. Pauly noted the City did have the Significant Resource Overlay Zone (SROZ) and a Natural Resource Plan in areas designated for wildlife corridors throughout the city. Areas preserved for significant resources counted toward the overall open space requirement. Half of the space outside the SROZ could be in storm facilities or other wildlife habitat could be developed as non-park space that served habitat functions. In reviewing the requirements, Staff understood not all open spaces were green parks with picnic tables, but included SROZ and other areas served wildlife. It was important to have SROZs that provided a network of spaces for wildlife.
 - Commissioner Mesbah noted the SROZ areas he had seen were a very disconnected network due to
 isolation pockets that cause migratory issues for wildlife. He wanted to bring attention to the qualitative
 aspects of open space that dealt particularly with habitat contiguity and continuity. If trying to include
 SROZ areas a deeper discussion was needed about what was open space. If we are mixing SROZ areas
 with recreational open space areas in parks, than a deeper discussion is needed regarding the design
 functions of open spaces.
- Topic 2.3, Ensuring Usability of Open Space
- The term "experienced" (Slide 12) should be removed because it could not be clearly defined; credentialed landscape architects required a minimum amount of experience.
- Including more specific design parameters for the landscape architect to consider was suggested. The
 preservation of valuable habitats was standard language that created an aquarium type of habitat in
 isolation, while preserving and explaining the functions of a high-quality habitat created habitat that
 preserved connectivity.
 - Mr. Pauly explained that in the context of wildlife habitats and urban growth areas, these standards
 would apply to the high-quality habitats not already part of the SROZ. The primary functions
 Commissioner Mesbah sought were already in the SROZ regulations, which require the continuation

and preservation of riparian networks. Some connections had been cut-off over the years by agriculture or other development, and while there was no plan to reconnect them, it was important to preserve those connections, as well as maintain and improve the existing forested riparian networks. Natural Resources Program Manager Kerry Rappold worked with applicants to enhance existing habitat areas where possible.

- The landscape architect should be able to recognize where habitat connectivity had been lost and if the habitat was sustainable, the connection could be restored in a new location, which would improve water quality in disconnected riparian areas. Additionally, these riparian areas were not SROZ, because they were changed through agricultural practices. Through urban development, and well done open space and environmental planning, those connections could be restored to benefit the habitat and water quality. If the design standards did not at least encourage such restoration, why would a developer do it?
 - Mr. Pauly suggested adding language to establish connections where possible, and networks would be provided during project planning to provide connectivity. He cited the greenway and pathway networks planned in Frog Pond and Town Center as examples providing that connectivity. In many cases, the ability to reestablish a network was limited due to a small site, although, clear and concise language could be explored to encourage designers to look for the opportunity to expand or enhance habitat connectivity. For example, if adjacent to an upland forest habitat, additional natural area or open space could be required; encouraging the non-usable portion to be a continuation of the natural space.
- The City had a policy that discouraged pipes where open drainage could be reestablished as part of the landscape. Extensions could be extensions of pathways. For example, the filbert orchard south of Wilsonville had a park on the south side, and open space on that property should connect to the park and extend up toward Wilsonville; that was one useable linearity that could be expanded. Commissioner Mesbah hoped to see some form of language or statement to let designers know the City was interested in making such connections. If designers were given parameters in which to work, they would design accordingly, but without any clear instructions, they would do whatever was easiest.
- Open space did not necessarily have to be green or have permeable pavement. Pathways not connected to sidewalks, but to recreational areas, counted as open space, as did plazas and basketball courts, for example. Hard surfaces could be counted as open space.
 - Permeability was important, because the City did not want all of its land paved over. Consequences
 associated with the new storm water standards had influenced developers to minimize impervious
 surfaces, because adding impervious surfaces in one location would take up land elsewhere to treat runoff.
- The 10% open space requirement for 6,000 sq ft lot raised concerns about equity as smaller, denser development areas had to allocate land for open space, while larger development areas were given a reduction. Clarification was requested on how the 10% requirement for 6,000 sq ft lots in Frog Pond was now being applied citywide. Discussion continued as follows:
 - Staff explained that when the Planning Commission discussed the Residential Neighborhood Zone for Frog Pond, there was a lot of discussion about moving away from a percentage for all lots, due to the neighborhood parks in place, as well as the Boeckman Creek Corridor. Using percentages for smaller lots with little yard space was also a concern, because there would not be adequate green or open space in those areas and there was a desire to ensure those residents had open space to enjoy, which lead to the requirement that half of the open space must be usable to ensure the spaces had amenities and were not just blank open lawn.
 - Chair Greenfield noted that giving credits for open space requirements to large lots penalized small lot owners, because they had proportionally less open space allocated to them. He agreed there was a question of equity.
 - Staff believed the open space requirement was limited to 10% in an attempt to balance the open space between large and small lots from a practicality standpoint, recognizing that some portion of the rear yard functioned for outdoor recreation purposes.

- Vice Chair Postma expressed confusion about the equity argument, because he recalled the Commission was concerned there would be less usable space as lots got smaller. With larger lots, the yard would be usable as a place for kids to play outside. From an equity standpoint, he understood when the lots got smaller, they had to ensure there was usable space, meaning larger parks within the smaller lot subdivisions. The offset regarding the equity was to make sure smaller lots had usable space where they otherwise would not.
- Larger lots were presumed to have more yard space, but they also had bigger houses, and therefore,
 not more outdoor space. When builders planned smaller lots, they had to set aside space for open
 space; but not when planning larger lots. This appeared to make the smaller lots more expensive per
 acre due to the tax of required open space on the smaller lots.
 - Metro was driving smaller, denser, more expensive lots where people did not have backyards.
 Based on Wilsonville's Development Code, developers could not build a house on the entire lot without open space; a backyard was required.
- The City's Code pushed landowners' costs to provide that open space for smaller lots. [Part 2 40:35] Lowering the open space requirements would drive down the cost of smaller lots, but there was no solution because land was a zero-sum game; there was only so much land. Having a system to ensure usable space in small lot subdivisions was a trade-off for the fact that land was zero-sum. Additionally, they had to ensure that those buying small lot subdivisions had usable space even though the buyers could not pay more money for larger lots with yards that factored into usable space. Some yards in Frog Pond were pretty large and served as usable outdoor space.
- Open space was treated as a commodity, if one would afford to have a large lot, they would have open space, but people who could not afford large lots must pool resources together for a collective open space. However, the equity argument being discussed regarded building a mixed-use neighborhood, with the individuals who purchase large lots donating to the collective open space for people who have small lots to have a similar amenity.
 - System development charges (SDCs) already provided an equitable way to have a collective open space in subdivisions with smaller lots.
- Determining the funding mechanism for the costs associated with open space was up to private developers, not the Planning Commission. The Code was about open space and percentages, not funding. However, the Commission did not want to take actions and unknowingly create disparity.
 - Mr. Pauly noted the 10% was part of the overall 25% requirement, so 15% of the open space would still be shared regardless.

Mr. Pauly presented examples showing how different open space Code requirements over the years would have impacted the Arbor Crossing, Renaissance, and Aspen Meadows Subdivisions as detailed in an Excel spreadsheet distributed to the Commission. He addressed clarifying questions from the Commission as follows:

- The average lot size in Arbor Crossing was 5,000 to 6,000 sq ft and 15 lots were larger, about 9,000 sq ft. Not many lots reached back to the SROZ; many were inside a cul de sac or on a corner. The lots on the west side were larger. There was a relatively sizable park near the entrance of the development.
- The difference between the current Code and what could be counted as rear yards in the proposed Code was not a large percentage of the overall open space. In the 2000 to 2005 Code, a substantial amount could be counted as open space, taking away from what was otherwise provided.
- He was able to determine specific useable open space areas in Renaissance, because the Staff report
 identified the programmed spaces, such as the pool area, play structures, etc. He was unable to determine
 what portion of the larger tracts were programmed spaces in Arbor Crossing.
- He reiterated that usable was being defined with a focus on the space being professionally designed with usability in mind.

Discussion and feedback from the Planning Commission was as follows with responses by Staff to Commissioner questions as noted.

• Mr. Pauly explained that [this other one 1:00:54] included non-usage open space, so a rainwater swale or something of that nature would be 0.13 acres. Due to its size, Aspen Meadows would only be required to

have about 2,800 sq ft of usable open space outside of the SROZ; a substantial reduction from 9,100 sq ft, which was intended to better balance land consuming requirements, such as streets.

- The implication was that Aspen Meadows, which was approved in 2016, was not as developable as first believed.
- Mr. Pauly reviewed a site plan of Aspen Meadows on the City's website, noting that under the new standards, the open space would be smaller, but it would also be required to have more quality design and more specific requirements. The open space had some grass with a picnic table, trail, and bench. The current Code did not define useable, but the open space must be used for something.
 (https://www.ci.wilsonville.or.us/engineering/project/aspen-meadows-14-lot-single-family-subdivision)
- With regard to the clear and objective standards that apply to nearby park facilities, currently a waiver must be requested, and the purpose of the open space requirements being met with alternative means, such as a nearby park or facility, must be demonstrated. The proposed clear and objective Code standard stated the space must be within a quarter mile and not already claimed as open space for a development.
 - Mr. Pauly acknowledged the standard needed to be dialed in a bit more because half the development could be more than a quarter mile away, depending on where the alternative open space was located.
- The notion of shared credit for public parks needed to be parsed out further to see how it would work in the Code. For example, if a potential developable residential land was within a quarter mile, how would that be divided equally?
- Mr. Pauly explained Staff's approach to the open space requirements was to acknowledge the robust discussion on these topics with Frog Pond, and the merit of building upon that discussion.
 - Chair Greenfield concurred with the draft recommendations as written, noting the devil was in the details.
 - Reviewing the examples was always a good exercise that helped cover all angles of the Code, and showed how the draft recommendations could have improved Aspen Meadows, though the intent of the Code was right at the time.
- The proposed Code would mostly apply to three areas in the city. [1:09:50] The one including near Aspen
 Meadows had significant amounts of SROZ, but what about the land for Mentor Graphics and the old filbert
 orchard?
 - Mr. Pauly stated the old filbert orchard had SROZ on the south side along Arrowhead Creek and it
 would probably end up in a scenario similar to Arbor Crossing. As mentioned, when adding a
 forested or non-active area it made more sense to enhance the area along the existing creek for
 connectivity.
 - It was shocking to see how much the SROZ impacted the open space requirements. Aspen Meadows did not have a park area, but some people might want to live near significant habitat.
 - In Aspen Meadows, several lots facing or in the SROZ were ideal. High-density was usually placed where there was natural open space to create openness. However, residents that were in the SROZ would not be able to use that space for recreation, which was why a clear definition of usable open space was needed.
- The bigger question was, "What was the open space going to be used for?" Areas like Renaissance and Aspen Creek have open space that could not be used because of the SROZ. There were no design requirements that the open space could be used for recreational purposes, but that demographic might not want or need recreational space. The question was whether the City wanted to create private parks in lieu of city parks by requiring open space and use of a certified landscape architect, or just create more space for people to spread out.
 - Mr. Pauly believed all those components were involved.
 - There was a way of designing that would not allow a ball to be kicked around in SROZ open space, such as preventing fences to be built in backyards that were within a vegetative buffer to the SROZ; however, the usability of the backyard would remain intact. That open space was just as active for other usability purposes, including psychological, educational, and emotional well-being.
 - The market also came into play, because the home owner buys based on the opportunities available. However, the market was only partially a factor, because markets were made. If that option was never

available anywhere, it was just not available. The key was to have a variety of options in the broader community.

- Was it reasonable to require a small, quarter acre, shared open space in only a 1.5 acre, five-lot subdivision? Shared open spaces made sense in large subdivisions, but what about in smaller subdivisions.
 - Normally in small subdivisions, a neighborhood park that served several neighborhoods was more
 desirable, so perhaps a fee in lieu of was a better option so the City could capitalize on a public park
 located on the border of three or four acre developments.

Mr. Pauly asked if the Planning Commission believed Staff was on track with the Residential Code Revision Project, or if any specific changes were needed.

Commissioner Springall appreciated the SROZ Map from the City's website (https://www.ci.wilsonville.or.us/sites/default/files/fileattachments/planning/page/4921/sroz_map_20131206 1501197095.pdf) which spoke to Commissioner Mesbah's point about wildlife corridors and could be used to demonstrate where those corridors were as well as the gaps. He appreciated the discussion about the 10 percent, noting a more painful conversation occurred during Frog Pond and it was still a good compromise. He was happy with Staff's progress and the recommended draft changes.

Chair Greenfield stated he was already on record as having private reservations about clear and objective standards, which was great in principle, but problematic in practice because there must be human judgement in any process. He also liked what Staff had done.

III. INFORMATIONAL

A. City Council Action Minutes (July 1 & 15, 2019)

There were no comments regarding the minutes.

Vice Chair Postma asked who maintained the wetland along Wilsonville Rd in front of the high school, noting it appeared rather rough with a lot of trash and over growth.

- Mr. Pauly responded that he believed the wetland was owned by the school district.
 - B. 2019 Planning Commission Work Program.

Chair Greenfield noted December was completely free and there were no public hearings were scheduled in the near future.

Miranda Bateschell, Planning Director, reminded the Commission had a large volume of public hearings in 2018 and the lack of hearings now was rather common due to the two-year work program of goals from City Council, which was coming to an end. Council had started new work programs and projects in 2019, which would result in joint meetings and work sessions, and eventually, hearings would be scheduled.

IV. ADJOURNMENT

Chair Greenfield adjourned the regular meeting of the Wilsonville Planning Commission at 8:33 p m.

Respectfully submitted,

By Paula Pinyerd of ABC Transcription Services, Inc. for Tami Bergeron, Administrative Assistant-Planning