

# City of Wilsonville

City Council Meeting

July 2, 2018



**AGENDA**

**WILSONVILLE CITY COUNCIL MEETING  
JULY 2, 2018  
7:00 P.M.**

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

Mayor Tim Knapp

Council President Scott Starr  
Councilor Susie Stevens

Councilor Kristin Akervall  
Councilor Charlotte Lehan

**CITY COUNCIL MISSION STATEMENT**

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

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

**5:00 P.M. EXECUTIVE SESSION** [25 min.]  
A. Pursuant to: ORS 192.660 (2)(e) Real Property Transactions  
ORS 192.660(2)(h) Litigation

**5:25 P.M. REVIEW OF AGENDA** [5 min.]

**5:30 P.M. COUNCILORS’ CONCERNS** [5 min.]

**5:35 P.M. PRE-COUNCIL WORK SESSION**  
A. ADU Code Updates (Guile-Hinman/Pauly) [20 min.] Page 5  
B. Transit Master Plan Resolution (Brashear) [20 min.]

**6:15 P.M. ADJOURN**

**CITY COUNCIL MEETING**

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held, Monday, July 2, 2018 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on June 26, 2018. Remonstrances and other documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered there with except where a time limit for filing has been fixed.

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

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

**7:05 P.M. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS**

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

**7:10 P.M. MAYOR'S BUSINESS**

- A. Upcoming Meetings Page 50

**7:15 P.M. COUNCILOR COMMENTS**

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

**7:25 P.M. CONSENT AGENDA**

- E. Minutes of the May 7, 2018; May 21, 2018 and June 4, 2018 Council Meetings. Page 51

**7:30 P.M. PUBLIC HEARING**

- A. **Ordinance No. 818** - 2<sup>nd</sup> Reading (*Legislative Public Hearing Script*) Page 77  
An Ordinance Of The City Of Wilsonville Amending Chapter 8 –Environment Of The Wilsonville Code To Revise WC 8.500 Through 8.536 And To Make Other Revisions And To Repeal Ordinance No. 482. (Guile-Hinman / Rappold)

*Staff is requesting the public hearing be continued to August 6, 2018.*

**7:40 P.M. NEW BUSINESS**

- A. **Resolution No. 2700** Page 83  
A Resolution Of The City Of Wilsonville Clarifying Appendix B – Route Priorities Of The 2017 Transit Master Plan.

**7:50 P.M. CONTINUING BUSINESS**

- A. **Ordinance No. 821** - 2<sup>nd</sup> Reading Page 91  
An Ordinance Of The City Of Wilsonville Annexing Approximately 20 Acres On The North Side Of Boeckman Road Just East Of Boeckman Creek Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lots 2400, 2600, And 2700, And Portions Of Tax Lot 2300 And Boeckman Road Right-Of-Way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. James H. Wolfston, Jr., West Linn-Wilsonville School District, And City Of Wilsonville, Petitioners. (Rybold)

B. **Ordinance No. 822** - 2<sup>nd</sup> Reading

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An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5 (RRFF5) Zone To The Residential Neighborhood (Rn) Zone On Approximately 20 Acres On The North Side Of Boeckman Road Just East Of Boeckman Creek Into The City Limits Of The City Of Wilsonville, Oregon; The Land Is More Particularly Described As Tax Lots 2400, 2600, And 2700, And Portions Of Tax Lot 2300 And Boeckman Road Right-Of-Way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Jim Wolfston, Owner / Applicant. (Rybold)

**8:00 P.M. CITY MANAGER'S BUSINESS**

**8:05 P.M. LEGAL BUSINESS**

**8:10 P.M. ADJOURN**

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



## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b> July 2, 2018	<b>Subject:</b> Accessory Dwelling Unit (ADU) Development Code Amendments  <b>Staff Member:</b> Daniel Pauly, Senior Planner; Amanda Guile-Hinman, Assistant City Attorney  <b>Department:</b> Community Development, Planning, Legal	
<b>Action Required</b>	<b>Advisory Board/Commission Recommendation</b>	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable  <b>Comments:</b> The Council's feedback and discussion will inform the design guidelines and code changes coming before the board next month. During a June 13 Work Session the Planning Commission was generally supportive with direction to staff to look closer at definitions of "attached" and "detached" dwellings and carefully consider the allowance of additional lot coverage for ADUs.	
<b>Staff Recommendation:</b> Staff recommends the Council provide the requested feedback to inform the project.		
<b>Recommended Language for Motion:</b> NA		
<b>Project / Issue Relates To:</b>		
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

### ISSUE BEFORE COUNCIL:

Staff is seeking Council direction on Accessory Dwelling Unit Code amendments.

## **EXECUTIVE SUMMARY:**

On August 15, 2017 Senate Bill (SB) 1051 (2017) became Oregon law. The new statutes adopted become effective July 1, 2018. The purpose of SB 1051 is to create more housing in Oregon by removing barriers to development. Among the new statutes adopted as part of SB 1051 is ORS 197.312, which requires at least one accessory dwelling unit (ADU) be allowed per detached single-family dwelling. City legal and planning staff, as well as consultants provided by Metro, reviewed Wilsonville's Development Code to identify any areas needing adjustments to comply with new state law. The effort identified a number of necessary code amendments. The effort further identified additional barriers to ADU construction in Wilsonville. In addition, as is common with this type of project, staff identified a number of related minor amendments and definitions to help increase functionality and clarity of the code. Staff requests the Council provide feedback on the code amendments drafted by staff.

City legal and planning staff reviewed the Development Code for conformance with SB 1051 as it relates to ADUs. In addition, a consultant provided by Metro performed an audit of the Code. The review identified a few necessary amendments including allowing ADUs for detached dwelling units even if they are not on their own lot, removing subjective "substantially similar architecture" language, and removing any numerical limits to the number of ADUs in the City or an individual neighborhood.

The review also took a broader look at potential barriers to ADU development. A very common reason not allowing an ADU or other accessory structure is lot coverage requirements provided in the Development Code. Staff recommends amending the Code to allow additional lot coverage to provide enough space to permit the possibility for ADUs. Another common barrier is private covenants and restrictions. While not addressing current private restrictions, staff does recommend code language preventing future subdivisions from having private restrictions on ADUs beyond those commensurate with homes and other accessory structures. Lastly, staff identified a number of related minor amendments and definitions necessary to help increase functionality and clarity of the Code. Among these are clarifying regulations on short-term rentals, clarifying square footage limitations and parking requirements for ADUs, and clarifying definitions of different types of dwelling units.

## **EXPECTED RESULTS:**

Guidance for staff as they move forward with the project.

## **TIMELINE:**

Drafts of the code amendments will be brought back to the Planning Commission on July 11, 2018 for a public hearing and recommendation to City Council. The City Council is scheduled for a 1st reading and public hearing on August 6, 2018.

SB 1051 has an effective date of July 1, 2018. Typically, the City would be need to be compliant with the new statutes by the effective date. However, City staff received information from the Oregon Department of Land Conservation and Development (DLCD) that, as long as cities scheduled a public hearing for adoption of compliant regulations prior to July 1, the public hearing and adoption could occur after July 1. The timeline is reflective of staff's efforts to bring proposed compliant regulations to Council in a prompt manner.

**CURRENT YEAR BUDGET IMPACTS:**

The project uses capacity of current City staff and personnel and other non-financial resources provided by Metro and the State of Oregon.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: SCole      Date: 6/27/2018

**LEGAL REVIEW / COMMENT:**

Reviewed by: ARGH      Date: 6/27/2018

**COMMUNITY INVOLVEMENT PROCESS:**

The City sent broad notice of the public hearing to all residential properties as well as other typical public hearing notice procedures.

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

The adoption of the Code amendments will provide clarity and certainty for property owners in Wilsonville desiring to add an ADU on their property, potentially increasing ADU construction, and thus providing needed housing in the community consistent with state law.

**ALTERNATIVES:**

A number of alternatives exist for the Code amendments. The staff will provide their recommendations and reasoning. Feedback on other alternatives from the Council and public are welcome.

**ATTACHMENTS:**

- Attachment 1: Code Amendment Category List
- Attachment 2: Draft Code Amendments to Chapter 4 Wilsonville Code
- Attachment 3: Draft Amendments to Old Town Single-Family Design Standards Book
- Attachment 4: Table of Current and Proposed Lot Coverage Standards

## Attachment 1

**ADU Code Amendment Categories**

Referenced in Code Amendment Document

**A. Ensure Compliance:**

<b>A1</b>	SB 1051 requires the allowance of at least one ADU per single-family dwelling. Add ADU allowance for each detached dwellings in a scenario with multiple detached dwellings on a single lot. Currently the City allows an ADU for each single-family lot rather than per single-family dwelling.
<b>A2</b>	The State requires clear and objective standards. Remove subjective “match the architecture” standards beyond those applied to other structures in the applicable zone. ADUs will be subject to the same architectural standards as homes and other accessory structures in all zones.
<b>A3</b>	Remove numeric limits for Canyon Creek Estates included in the Development Code.

**B. Further the Intent:**

<b>B1</b>	Allow for additional lot coverage while maintaining existing setbacks for ADUs, as lot coverage is the most common barrier to adding additional structures on a property or expanding an existing structure.
<b>B2</b>	Prohibit further private restrictions on ADUs in new subdivisions, verified at the time of Final Plat review.

**C. Increase Code Function and Clarity:**

<b>C1</b>	Refine definitions related to ADUs and other dwelling unit types.
<b>C2</b>	Add definitions defining “Attached Dwelling Unit” and “Detached Dwelling Unit.”
<b>C3</b>	Remove duplicative definitions and code language.
<b>C4</b>	Clarify what accessory uses must be on the same lot as the primary use.
<b>C5</b>	Update definition of “Private Garage” to reflect ADU/garage multi-use structures.
<b>C6</b>	Define “Habitable Floor Area” to clarify what type of storage is part of an ADU and what type of storage isn’t, as this is a common question asked of Planning staff.
<b>C7</b>	Define “Short-Term Rental” and clarify allowance of short-term rental of ADUs and other residential structures and what type of approval is required.
<b>C8</b>	Clarify in a number of lists that “accessory buildings and structures” includes ADUs.
<b>C9</b>	Simplify and clarify language related to maximum floor area for ADUs.
<b>C10</b>	Simplify and remove unclear/uncertain language for ADU parking, make standard the same for all ADUs, put ADUs in parking table.
<b>C11</b>	Clarify ADUs do not count in density calculations.
<b>C12</b>	Remove language that could be read to require trash vehicle and emergency vehicle access beyond that required by relevant building and fire code and other standards.

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

#### **Section 4.001 Definitions.**

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

1. Abutting: See Adjoining.
2. Access, Vehicular: The designed location of ingress and egress, where vehicles enter or leave property.
3. Access, Pedestrian: The designed location of ingress and egress, where pedestrians enter or leave property.
4. Access Control Restriction: A type of access restriction that involves establishing a reserve area adjacent to and paralleling a half street improvement, or across the end of a street that is to be extended in the future, to ensure proper participation by adjoining properties in completion of the required street improvements. See Street, Half. [Amended by Ord. #719, 6/17/13]
5. Access Drive: A private travel lane primarily used as a means of approach for vehicles.
6. Accessory Building or Use: A subordinate building or use, the function of which is clearly incidental to that of the main building or use on the same lot. For non-residential uses, An an accessory use may be located on a lot adjoining that of the main use if approved for this purpose through the Administrative Review procedures of Section 4.030.<sup>[PD1]</sup>
7. Accessory Dwelling Unit: A dwelling unit of not more than 800 square feet of habitable floor area accessory incidental subordinate to another dwelling unit on the same lot. -on the same lot as a single family dwelling, and being of substantially the same exterior design as that single family dwelling, whether attached or detached. <sup>[PD2]</sup>[Amended by Ord. 677, 3/1/10]
8. Address Overlay Zone: Distinct areas within the Villebois Village Center where additional information is provided for the definition of architectural character and community elements. [Added by Ord. No. 595, 12/5/05.]
9. Adjacent: See adjoining.
10. Adjoining: Contiguous or abutting exclusive of street width. It shall include the terms adjacent, abutting or contiguous.
11. Agriculture: The use of land larger than one acre for the primary purpose of deriving income from growing plants on land including, but not limited to, land used principally for the production of crops, land used for orchards or production of fruit, but not including land used primarily for another use and incidentally for growing plants, crops, or fruit.
12. Alley: A public or private way which includes a roadway used to provide vehicular ingress and egress to the back or side of properties otherwise abutting on a street, private drive, or shared common area. An alley typically has a width of no more than twenty (20) feet.

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

22. Area of Shallow Flooding: Means a designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.
23. Area of Special Flood Hazard: Means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. This is the area subject to a base flood event. Designation on FIRM maps always includes the letters A or V.
24. Artificial Sky Glow. The brightening of the night sky attributable to human made sources of light. [Added by Ord. 649, 6/2/08]
- ~~25. Attached Family Dwelling Units: A building or structure designed to house two (2) or more families, whether related to each other or not.~~<sup>[PD3]</sup>
- ~~26-25. Attached Wireless Communication Facility: A wireless communication facility that is affixed to an existing structure, (e.g., an existing building wall or roof, mechanical equipment, or alternative tower structure. [Added by Ord. #479, 5/19/97]~~
- ~~27-26. Attachment: An antenna or other piece of related equipment affixed to a transmission tower. [Added by Ord. #479, 5/19/97]~~
- ~~28. Accessory Dwelling Unit: A dwelling unit of not more than 600 square feet on the same lot as a single family dwelling, and being of substantially the same exterior design as that single family dwelling, whether attached or detached.~~<sup>[PD4]</sup>
- ~~29-27. Base Flood: Means the flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood". Designation on FIRM maps always includes the letters A or V.~~
- ~~30-28. Basement: A portion of a building which has less than one-half (1/2) of its height measured from finished floor to finished ceiling above the average elevation of the adjoining grade. For areas located in a Special Flood Hazard Area, the definition of basement is any area of the building having its floor subgrade (below ground level) on all sides.~~
- ~~31-29. Bed and Breakfast Home or Boarding House: A building or premises used for the provision of lodging and meals, where not more than five (5) rooms are available for rent. Does not including short-term rentals.~~<sup>[PD5]</sup>
- ~~32-30. Bikeway: Bikeway is a general term used to describe any type of transportation facility that is designated for use by bicycles in conformance with City standards. Bikeways may or may not be within a public right-of-way and include the following:~~
- A. Bike Lane: A bike lane facility is a type of bikeway where a section of the roadway is designated for exclusive bicycle use.
  - B. Recreational Trail: A recreation trail is a type of pedestrian, bicycle, or equestrian facility that is entirely separate from roadways and has unimproved, gravel, or bark dust surface.
  - C. Shared Roadway: A shared roadway facility is a type of bikeway where motorists and cyclists occupy the same roadway area.

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

building is divided into units by means of masonry division walls, each unit shall be considered separately in calculation for height of building.

46. Candela. The unit of luminous intensity of a lighting source emitted in a given direction. [Added by Ord. 649, 6/2/08]
47. Canopy. A roof-like covering over an area, in or under which a lighting fixture is mounted. [Added by Ord. 649, 6/2/08]
48. Category of Use: Type of use. See Mixed Use.
49. Change of Use: Within the Willamette River Greenway means making a different use of the land or water than that which existed on December 6, 1975. It includes a change which requires construction, alterations of the land, water or other areas outside of the existing buildings or structures and which substantially alters or affects the land or water. It does not include a change of use of a building or other structure which does not substantially alter or affect the land or water upon which it is situated. The sale of property is not in itself considered to be a change of use. An existing open storage area shall be considered to be the same as a building. Landscaping, construction of driveways, modifications of existing structures, or the construction or placement of such subsidiary structures or facilities as are usual and necessary to the use and enjoyment of existing improvements shall not be considered a change of use for the purposes of Sections 4.500.
50. Civic: Relating to, or derived from, a city or citizen.
51. Civic Building or Place: A building or place that functions communally, such as religious, cultural, environmental or educational institutions.
52. Clear Vision Area: A standard for sight lines at intersections of streets, railways, and driveways. See section 4.125.09, Street Improvement Standards.
53. Cluster Housing: [A type of ~~Small lot~~ detached-~~single family dwellings~~dwelling unit development arranged in groups, with a courtyard\(s\) containing shared green space and a public access sidewalk easement.](#)<sup>[PD6]</sup>
54. Commercial: Development having to do with retail, service, commercial recreation, and/or office uses.
55. Common Residential Areas.
  - Areas shared in common by residents of buildings with three or more dwelling units, (i.e. common open space, play areas, trash receptacle areas, “common property” under a subdivision or partition declaration); and
  - Three or more open off-street stripped parking spaces, either abutting or within 10 feet of each other and not separated by a wall or other physical barrier between the two parking spaces, designated or set aside for use by the three or more dwelling units, regardless of whether the parking space is assigned for exclusive use of each dwelling unit or non-exclusively used by three or more dwelling units, and are either commonly owned or were developed for the purpose of serving the parking needs of “multiple dwellings” or multiple attached single-family dwellings, as defined in the Development Code. [Added by Ord. 649, 6/2/08]

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

85. Duplex: Two attached dwelling units on a single lot, neither of which meets the definition of an accessory dwelling unit. [PD7]
86. Dwelling: A building, mobile home, or manufactured home, designed for residential occupancy, but not a house trailer or recreational vehicle.
- ~~Dwelling Unit: A building or portion thereof providing complete housekeeping facilities for one family, including a kitchen and bathroom, but not a trailer house or other recreational vehicle. [PD8]~~
87. Dwelling Unit, Attached: A dwelling unit which (1) shares one or more common or abutting wall, floor, or ceiling with one or more dwelling units and/or (2) has a shared roof structure with or a roof without a spatial gap between one or more dwelling units. The common or abutting walls, floors, ceilings, and roofs includes those of attached garages, storage areas, or other accessory uses. When a dwelling unit is attached only to an accessory dwelling unit and the accessory dwelling unit is not attached to any other dwelling unit, the dwelling unit is not "Attached" under this definition while the accessory dwelling unit is "Attached" under this definition.
88. Dwelling Unit, Detached: A dwelling unit not meeting the definition of attached dwelling unit. [PD9]
- ~~86.—~~
- ~~87-89.~~ Dwelling Unit, Multiple-Family: Three or more ~~attached~~ dwelling units located on a single ~~tax~~ lot. ~~In the Village zone, such use also includes stacked flats or townhouses.~~ Multiple-family dwelling units may be detached or attached. [PD10]
- ~~88-90.~~ Dwelling Unit, Single-Family: A dwelling unit designed for occupancy by one family located on its own lot. A single-family dwelling unit may be detached or attached, ~~provided that each such unit is located on its own tax lot. A single-family dwelling may also include an accessory dwelling unit, if approved for that use as specified in this Code.~~ [PD11]
- ~~89-85.—~~ ~~Dwelling Unit: A building or portion thereof providing complete housekeeping facilities for one family, including a kitchen and bathroom, but not a trailer house or other recreational vehicle.~~
- ~~90-91.~~ Encroachment Area: See Section 4.139.00
- ~~91-92.~~ Equipment Enclosures: A small structure, shelter, cabinet or vault used to house and protect the electronic equipment necessary for processing wireless communication signals. Associated equipment may include air conditioning and emergency generators. [Added by Ord. #479, 5/19/97]
93. Essential Government Services. Services and facilities provided by a governmental unit, that are basis and inherent to the public health and welfare including, but not limited to, fire, police, water, sewer, transportation, emergency communication, and education, and governmental services and facilities in support thereof. [Added by Ord. 545, 8/19/02]
- ~~92.—~~
- ~~93-94.~~ Exempt tree or vegetation: As used in the solar access provisions of this Code, the terms "exempt tree or exempt vegetation" refer to the full height and breadth of vegetation that has been identified by the City as "solar friendly," and any vegetation

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

listed as exempt on a plat, a document recorded with the plat, or a solar access permit.

- ~~94-95.~~ Existing Manufactured Home Park or Subdivision: A manufactured home park subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations. [Added by Ord. # 647, 4/21/08]
- ~~95-96.~~ Exterior Display: The outdoor exhibit of merchandise by a retail merchant.
- ~~96-97.~~ Façade. The exterior wall or elevation of a building. [Added by Ord. 649, 6/2/08]
- ~~97-98.~~ Family: One or two persons with or without their direct descendants and adopted children (and including domestic employees thereof) together with not more than five  
(5) persons not so related, living together in a room or rooms comprising a single housekeeping unit. Every additional group of five (5) or fewer persons living in such housekeeping unit shall be considered a separate family. For housing developed to implement ORS 426.508 or under the Fair Housing Amendments Act of 1988, family shall mean all persons living in a dwelling unit, regardless of relationship.
113. Garage, private: An accessory building, or portion thereof, or portion of a main building used for the parking or temporary storage of vehicles ~~owned or used by occupants of the main building~~. [PD12]
114. Glare. Light that causes visual discomfort or disability, and the wattage and/or light distribution is excessive for the purposes for which the illumination is necessary. [Added by Ord. 649, 6/2/08]
115. Grocery Store: A retail business that sells food and household sundries.
116. Grocery Store, Specialty: A retail business that sells specialty food and specialty household sundries.
- ~~117.~~ Habitable floor: Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor".
- ~~117-118.~~ Habitable floor area: For the purpose of calculating the area of a dwelling unit, the area of a dwelling unit usable for living purposes, which includes areas for sleeping, eating, cooking, bathing, sanitation, recreation, and similar activities. Storage areas with floor-level interior access from other habitable areas are included in habitable floor area. Storage areas without interior floor-level access from other habitable areas are not included in habitable floor area. A garage is not considered a storage area for the purpose of this definition and is not considered part of the habitable floor area. [PD13]
- ~~118-119.~~ Habitat-Friendly Development: A method of developing property that protects our natural resources as we grow and focuses on land development and site design that mimic natural processes. Examples include clustering development to avoid habitat, minimizing tree removal and root disturbance, managing storm water on-site to help filter rainwater and recharge groundwater sources, and, where feasible, reducing the amount of impervious surface created by development. [Added by Ord. # 674 11/16/09]
- ~~119-120.~~ Hardscape Permanent improvements to a site, including but not limited to, parking lots, driveways, streets, plazas, sidewalks, walkways, bikeways, abutments,

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

stairs, ramps, and architectural features, such as fountains and sculptures. [Added by Ord. 649, 6/2/08]

~~120.~~121. Hearing Body: The City Council, the Development Review Board, or the Planning Commission having the authority to review an application assigned by Section 4.031, Section 4.032, and Section 4.033.

~~121.~~122. Heritage Tree: A tree that, due to age, size, species, quality or historic association, is considered of landmark importance to the community and has been designated as such by the City Council.

~~122.~~123. Home Business: A business operating from a dwelling unit that does not meet the definition of a "Home Occupation" listed below, ~~and for which a conditional use permit has been issued by the City.~~ Short-term rental of a dwelling unit or portion thereof where the operator does not live on the same lot is a home business. A home business requires a conditional use permit. [PD14]

~~123.~~124. Home Occupation: ~~"Home Occupation" means an~~ An occupation, profession, or craft, which is customarily incidental to or carried on in a dwelling place or premises and not one in which the use of the premises as a dwelling place is largely incidental to the business use. A home occupation is carried on by an immediate member of the family residing within the dwelling place. A home occupation shall require no structural alteration or changes to the exterior of the dwelling, and shall include no display of merchandise on the premises which can be seen from the exterior of the dwelling. Any instruction shall be limited to one pupil at a time. Noise, odor, smoke, gases, fallout, vibration, heat or glare resulting from the use shall not be of the intensity as to be detected outside of the containing structure. Traffic and parking are to be such as to give no outward appearance that a business is being conducted on the premises. Short-term rental of a dwelling unit or portion thereof where the operator of the short-term rental lives on the same lot is a home occupation. [PD15]

124. Hospital: A building or premises providing in-patient services that is used for human medical or surgical treatment.

125. Hospital, Animal: A building or premises for the medical or surgical treatment of domestic animals or pets, including dog, cat and veterinary hospitals.

126. Hotel, Motel, or Overnight Lodging Facility: A building which is designed or used to offer six (6) or more rooms for lodging, with or without meals, for compensation, ~~for six (6) or more people.~~ [PD16]

127. House Side Shield. For fully shielded luminaires only, an internal shield designed and installed by the luminaire manufacturer that significantly attenuates candlepower in the back photometric hemisphere at all angles greater than 30 degrees relative to nadir. [Added by Ord. 649, 6/2/08]

128. Human Occupancy: For purposes of Section 4.172(.02)(C).(4.), any structure usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof, is considered to be for human occupancy. A structure used only for storage purposes is not for "human occupancy." [Added by Ordinance No. 538, 2/21/02.]

129. IESNA. The Illuminating Engineering Society of North America (see [www.iesna.com](http://www.iesna.com)). [Added by Ord. 649, 6/2/08]

130. Impact Area: See Section 4.139.00

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131. Impervious Area: An area with minimal infiltration of surface water into the underlying soil and shall include pavement (including but not limited to concrete or asphaltic concrete surfaces), gravel roads, structures, roadways, and roofs.
132. Intensification of Use: Within the Willamette River Greenway means any additions which increase or expand the area or amount of an existing use, or the level of activity. Remodeling of the exterior of a structure not excluded below is an intensification when it will substantially alter the appearance of the structure. Maintenance and repair usual and necessary for the continuance of an existing use is not an intensification of use. Reasonable emergency procedures necessary for the safety or the protection of property are not an intensification of use. Residential use of land within the Greenway includes the practices and activities customarily related to the use and enjoyment of one's home. Landscaping, construction of driveways, modification of existing structures or construction or placement of such subsidiary structures or facilities, including accessory dwelling units, adjacent to the residence as are usual and necessary to such use and enjoyment shall not be considered an intensification for the purposes of this Code. [PD17] Seasonal increases in gravel operations shall not be considered an intensification of use.
133. Kenel: Any lot or premises on which four (4) or more dogs, more than four (4) months of age, are kept for boarding, breeding or sales.
134. Landscaping: The term "landscaping" includes trees, grass, shrubs, flowers, water features, and garden areas, and the arrangement of paths, walkways, fountains, patios, decks, fencing, street furniture and ornamental concrete or stonework areas, earth forms such as grading, mounding and contours. The use of pervious materials is

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273. Short-Term Rental: A dwelling unit or portion thereof subject to a lease term, rental agreement, or similar agreement, either directly or through a professional vacation rental-company or similar, less than monthly, generally daily or weekly. Involves rental to only one party at a time. A dwelling unit with rental of different rooms during the same period to different parties is not considered a short-term rental, but may meet the definition of a bed and breakfast home or boarding house or hotel, motel, or overnight lodging facility. [PD18]

273-274. Solar access permit: A document issued by the city that describes the maximum height that non-exempt vegetation is allowed to grow on lots to which a solar access permit applies.

274-275. Solar feature: A device or combination of devices or elements that does or will use direct sunlight as a source of energy for such purposes as heating or cooling of a structure, heating or pumping of water, and generating electricity. Examples of a solar feature include a window or windows that contain(s) at least 20 square feet of glazing oriented within 45 degrees east and west of true south, a solar greenhouse, or a solar hot water heater. A solar feature may be used for purposes in addition to collecting solar energy, including but not limited to serving as a structural member or part of a roof, wall, or window. A south-facing wall without windows and without other features that use solar energy is not a solar feature for purposes of this Section.

275-276. Solar gain line: A line parallel to the northern property line(s) of the lot(s) south of and adjoining a given lot, including lots separated only by a street, that intersects the solar feature on that lot (see Figure 8: Solar Gain Line in Section 4.137).

276-277. Source Separated Recyclables: Recyclable materials designated “principle recyclable materials” by the Oregon Environmental Quality Commission under ORS 495A.025 with the exception of yard debris, as well as other source-separated recyclables that may be designated by local ordinance or regulation. [Amended by Ord. #426– 4/1/94]

277-278. South or South facing: True south, or 20 degrees east of magnetic south.

278-279. Special Flood Hazard Area: Means an area having special flood, mudslide (i.e., mudflow), and/or flood-related erosion hazards, and shown on an FHBM or FIRM as zone A, AO, AE, AH, VE, or V. [Amended by Ord. # 647, 4/21/08; Ord. 686, 11/1/10]

279-280. Specific Area Plan (SAP): A plan with a series of detailed components covering one of the five distinct areas of the Villebois Village Master Plan. These plans provide a higher level of analysis and detail than the Villebois Village Master Plan.

280-281. Stacked Flats: Two or more single-level dwelling units, the second arranged above the first, etc.

281-282. Start of Construction: Includes substantial improvement, and means the date the building permit was issued provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling

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units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Added by Ord. # 647, 4/21/08; amended by Ord. 686, 11/1/10]

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

#### **(.11) Accessory Dwelling Units.**

A. ~~Accessory Dwelling Units, developed on the same lot as the detached or attached single family dwelling to which it is accessory, shall be permitted outright, subject to the standards and requirements of this Section.~~ are permitted subject to the standards and requirements of this Subsection.<sup>[PD19]</sup>

#### **B. Standards**

##### **1. Number Allowed**

a. For detached dwellings units and attached single-family dwelling units: One per dwelling unit.

b. For all other attached dwelling units: None.<sup>[PD20]</sup>

**2. Maximum Floor Area: per definition in Section 4.001, 800 square feet of habitable floor area. Per Subsection 4.138 (.04) C. 1., in the Old Town Overlay Zone the maximum is 600 square feet of habitable floor area. One Accessory Dwelling Unit per lot shall be no greater than 800 square feet with not more than two bedrooms, unless the size and density of ADUs are otherwise provided in an adopted Neighborhood Plan or Stage II Development Plans. Larger units shall be subject to standards applied to duplex housing.**<sup>[PD21]</sup>

~~1.3.~~ Accessory dwellings units shall be on the same lot as the dwelling unit to which they are subordinate.<sup>[PD22]</sup>

~~2.4.~~ Accessory Dwelling Units may be either attached or detached, but are subject to all zone standards for setbacks, height, and lot coverage, unless otherwise noted in the standards for specific zones or those requirements are specifically waived through the Planned Development waiver or Variance approval processes.<sup>[PD23]</sup>

~~3.~~ This Section applies to residential developments in PD R, R, RA-H, or Village zones.<sup>[PD24]</sup>

~~4.5.~~ Where an Accessory Dwelling Unit is proposed to be added to an existing residence and no discretionary land use approval is being sought (e.g., Planned Development approval, Conditional Use Permit approval, etc.) the application shall require the approval of a Class I Administrative Review permit. Application for duplex construction shall be subject to the density standards of the zone in which it is located, or as otherwise provided in a Neighborhood Plan or Stage II/Final Development Plan.

~~5.6.~~ Authorization to develop Accessory Dwelling Units does not waive Building Code requirements. Increased firewalls or

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building separation may be required as a means of assuring adequate fire separation from one unit to the next. Applicants are encouraged to contact, and work closely with, the Building Division of the City's Community Development Department to assure that Building Code requirements are adequately addressed.

~~6. The Accessory Dwelling Unit must be of substantially the same exterior design and architecture (i.e. siding, windows, doors and roofing materials) as the primary dwelling unit on the property.~~<sup>[PD25]</sup>

— Parking:

Each ~~Accessory~~ accessory Dwelling dwelling Unit unit shall have one standard sized parking space on the same lot.

Where an off-street parking space is not available to serve the ADU accessory dwelling unit, on-street parking ~~may be considered to satisfy~~ satisfies this requirement if all of the following are present:

- i. ~~On at least 45 feet of frontage along the lot is available for on-street parking and is not otherwise approved to meet minimum parking standards for another use. - street parking exists along the frontage of the lot, or within 100' of the front lot line of the lot.~~

~~No more than 25% of the lots in a block will have ADUs.~~<sup>[PD26]</sup>

~~9.7.~~ Each ~~Accessory~~ accessory Dwelling dwelling Unit unit shall provide complete, independent permanent facilities for living, sleeping, eating, cooking, bathing and sanitation purposes, and shall have its own separate secure entrance.

~~8. Each Accessory Dwelling Unit must be accessible by street or driveway to fire and emergency vehicles, and for trash pick-up.~~<sup>[PD27]</sup>

~~10.9.~~ ~~Accessory dwelling units may be short-term rentals, but the owner/local operator must maintain an active business license with the City of Wilsonville for a short-term rental business and pay all applicable lodging and other taxes.~~<sup>[PD28]</sup>

~~C. Neighborhood Density and Size Standards.~~

~~0. Canyon Creek Estates — up to 12 ADUs as per Resolution No. 95PC16.~~<sup>[PD29]</sup>

~~C. Prohibition on Additional Private Restrictions on Accessory Dwelling Units~~

~~1. Residential plats or subdivisions submitted for final plat approval after October 1, 2018 shall not restrict accessory dwelling units to a greater extent than the City's Development Code in place at the time of final plat submittal except that restrictions on building materials and finishes can be commensurate with requirements for other accessory structures. The allowance of~~

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accessory dwelling units shall be acknowledged in clear language on the plat or other document recorded with the plat to which the plat is subject (i.e. CC&R's).<sup>[PD30]</sup>

[Section 4.133(11) amended by Ord. 677, 3/1/10]

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

A. Examples

1. First example: the owner of one house is allowed to build to the sideyard property line, with no setback, provided that the owner of the neighboring property agrees and that the agreements of both owners are recorded with the deed records for those properties.

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**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.

(.02) Uses Permitted Outright:

- A. One single-family dwelling, with not more than one accessory dwelling unit per lot. Where the Comprehensive Plan calls for future non-residential zoning of the site, the building permit for any proposed residential development shall not be granted until a statement has been recorded applying to the title of the subject property, notifying any potential buyer that future development in the area is expected to be non-residential.
- B. Except for existing lots of record of less than two acres, recorded prior to the effective date of this Code, partitioning or subdivision of properties designated for development shall only be considered in conjunction with or following a zone change in conformance with the Comprehensive Plan. Said zoning shall confirm the adequate provision of public facilities and the protection of future urban development potentials.
- C. If the proposed development is for a less intensive interim density consisting of large lots, a pre-plat and Site Plan review shall be required that provides for future development of the property in accordance with the uses and densities shown in the Comprehensive Plan. Said plat shall be filed on the City's Lien Docket as an obligation toward the property, together with an agreement of non-remonstrance towards the formation of any local improvement district which may serve the subject site.
- D. For properties designated in the City's Comprehensive Plan for nonresidential use, the intensity of use shall be restricted to activities which do not require construction of a permanent structure and which will not tend to restrict, obstruct, or adversely affect the future development of the property for its designated use. Except, however, that the development of a single-family dwelling shall be permitted as specified in subsection (.02), above.
- E. Temporary structures or uses, subject to the procedures for temporary uses set forth in Section 4.163.
- F. Agriculture, horticulture, greenhouses, nurseries (provided that any commercial sales of products shall require the approval of a conditional use permit), timber growing, grazing, and the small scale raising of livestock and animals.
- G. Public parks, playgrounds, recreational and community buildings and grounds, public golf courses, tennis courts, and similar recreational uses, all of a non-

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commercial nature. Any principal building or public swimming pool shall be located not less than forty-five (45) feet from any other lot in a residential or RA-H district.

H. Accessory Uses Permitted:

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

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

- A. Private parks, municipal and government buildings, public utilities, public information centers, semi-public buildings of a non-commercial nature, churches, attached family dwelling units limited to two (2) family maximum, public, private, and parochial schools as provided in Section 4.184 when approved by the Development Review Board at a Public Hearing as provided in Section 4.013.
- B. Roadside stands when located on the same property as the principal uses, selling only those products that are produced on the same property on which the stand is located, or on adjacent property.

(.04) Dimensional Standards:

- A. Minimum Lot Size: 30,000 square feet.
- B. Minimum Front and Rear Yard Setbacks: Thirty (30) feet. Minimum Side Yard Setback: Ten (10) feet.
  1. Legal, non-conforming RA-H lots in the Old Town Overlay Zone shall have the following setbacks:
    - a. Front: Ten (10) feet for single family dwellings, for all other uses: none;
    - b. Rear: Fifteen (15) feet;
    - c. Side: Five (5) feet.
  2. Minimum setback for residential garage or carport: At least five (5) feet behind the front of the nearest residential unit on the property. In no case shall the front of a garage or carport be located less than twenty (20) feet behind a sidewalk or a public right-of-way providing access to that garage or carport. Except, however, in the case of an alley where garages or carports are located within five (5) feet of the property line adjoining the alley. [Amended by Ord. 682, 9/9/10]
- C. Minimum Street Frontage: Seventy-five (75) feet. A reduced street frontage may be approved, based on a finding that the proposed lot frontage will not hinder the future development of the site to densities proposed in the Comprehensive Plan.

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**Section 4.122. Residential Zone.**

- (.01) Purpose: The purpose of this zone is to provide for standards and a simplified review process for small-scale urban low and medium density residential development. Developments in the 'R' zone are not intended to be Planned Developments.
- (.02) Residential Densities: Residential densities shall be governed by the density range designated by the City of Wilsonville Comprehensive Plan.
- (.03) Lot Size Qualifications:
- A. The owner or the owner's authorized agent shall not hold or cause to be held any interest in any adjacent property with the intent to avoid PDR regulations.
  - B. The lot or any part thereof shall not be an identified area of special concern as defined in the Comprehensive Plan.
  - C. The development area must be two (2) acres or less in size. Development of larger properties shall be reviewed through planned development procedures.
  - D. Not more than thirty percent (30%) of the lot shall be covered by buildings.
- (.04) Principal Uses Permitted:
- A. Single-Family Dwelling Units.
  - B. ~~Attached Family Dwelling Units. Duplexes.~~
  - C. ~~Apartments~~Multiple-Family Dwelling Units.<sup>[PD31]</sup>
  - D. Public parks, playgrounds, recreational and community buildings and grounds, tennis courts, and similar recreational uses, all of a non-commercial nature. Any principal building or public swimming pool shall be located not less than forty- five (45) feet from any other lot in a residential or RA-H zone.
  - E. Manufactured homes. [Note: Section 4.115 Standards Applying to Manufactured Housing in All Zones Where Manufactured Housing is Permitted deleted per by Ord. 538, 2/21/02.]
- (.05) Accessory Uses Permitted to Single Family and Detached Dwelling Units:<sup>[PD32]</sup>
- A. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal permitted uses, including accessory dwelling units subject to the standards of Subsection 4.113 (.11),<sup>[PD33]</sup> located on the same lot therewith.
  - B. Home occupations.
  - C. A private garage or parking area.
  - D. Temporary real estate signs, small announcement or professional signs, and subdivision signs, as provided in Sections 4.156.05, 4.156.07, 4.156.09, and 4.156.10. [Amended by Ord. No. 704, 6/18/12]
  - E. Temporary buildings for uses incidental to construction work, which buildings shall be removed immediately upon completion or abandonment of the

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construction work. In no case shall such buildings remain on the premises longer than ten (10) days after the receipt of a Certificate of Occupancy or the expiration of construction permits.

- F. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses are detached and located behind the rear most line of the main buildings, at least one-half (1/2) of the side yard setback. In no case shall a setback less than three (3) feet be permitted unless a Reduced Setback Agreement has been approved and properly recorded, as provided in Section 4.113.
- G. Livestock and farm animals shall be permitted subject to the provisions of Section 4.162.

(.06) Accessory Uses Permitted for Attached Family Dwelling Units and Apartments Duplexes and Attached Multiple-Family Dwelling Units. [PD34]

- A. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal permitted uses, located on the same lot therewith.
- B. Home occupations.
- C. A private garage or parking area.
- D. Temporary buildings for uses incidental to construction work, which buildings shall be removed immediately upon completion or abandonment of the construction work. In no case shall such buildings remain on the premises longer than ten (10) days after the receipt of a Certificate of Occupancy or the expiration of construction permits.
- E. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses are detached and located behind the rear most line of the main building, at least one-half (1/2) of the side yard setback is required.
- F. Livestock and farm animals shall be permitted, subject to the provisions of Section 4.162.

(.07) Other Standards:

- A. Minimum lot width at building line: Sixty (60) feet.
- B. Minimum street frontage of lot: Thirty (30) feet; however, no street frontage is required when the lot fronts on an approved, platted private drive.
- C. Minimum lot size: 5000 square feet.
- D. Minimum lot depth: Seventy (70) feet.
- E. Maximum building or structure height: Thirty-five (35) feet.
- F. Maximum lot coverage: Twenty percent (20%) for all residential primary dwelling units; thirty percent (30%) for all buildings except accessory dwelling units; up to an additional 800 square feet per accessory dwelling unit up to forty-five percent (45%) total lot coverage for lots less than 7,000 square feet and up to forty percent (40%) total lot coverage for lots 7,000 square feet and greater. [PD35]
- G. Block and access standards:

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

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

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

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

A. Open Space.

B. Single-Family Dwelling Units.

C. Duplexes.

~~C.D.~~ Multiple-Family Dwelling Units, subject to the density standards of the zone. [PD36]

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

~~E.F.~~ Manufactured homes, subject to the standards of Section 4.115 (Manufactured Housing).

(.02) Permitted accessory uses to single family dwelling and detached dwelling units: [PD37]

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

B. Living quarters without kitchen facilities for persons employed on the premises or for guests. Such facilities shall not be rented or otherwise used as a separate dwelling unless approved as an accessory dwelling unit or duplex.

C. Accessory Dwelling Dwelling Units, subject to the standards of Section 4.113 (.11). [PD38]

D. Home occupations.

E. A private garage or parking area.

F. Keeping of not more than two (2) roomers or boarders by a resident family. [PD39]

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

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

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

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

(.03) Permitted accessory uses for duplexes and attached multiple-family dwelling units: [PD40]

A. Accessory uses, buildings, and structures customarily incidental to any of the

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aforesaid principal permitted uses, located on the same lot therewith.

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- B. Home occupations.
- C. A private garage or parking area.
- D. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
- E. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses do not exceed 120 square feet or ten (10) feet in height, and they are detached and located behind the rear-most line of the main buildings, the side and rear yard setbacks may be reduced to three (3) feet.
- F. Livestock and farm animals, subject to the provisions of Section 4.162.

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

- A. Public and semi-public buildings and/or structures essential to the physical and economic welfare of an area, such as fire stations, sub-stations and pump stations.
- B. Public or private clubs, lodges or meeting halls. Public or private parks, playground, golf courses, driving ranges, tennis clubs, community centers and similar recreational uses.
- C. Churches, public, private and parochial schools, public libraries and public museums.
- D. Neighborhood Commercial Centers limited to the provisions of goods and services primarily for the convenience of and supported by local residents, and not requiring a zone change to a commercial designation:
  - 1. The site of a Neighborhood Commercial Center was proposed at the time of the original application.
  - 2. Such centers are of a scale compatible with the surrounding residential structures.
  - 3. Such centers shall be compatible with the surrounding residential uses.
  - 4. The site of a Neighborhood Commercial Center shall be at least one-quarter (1/4) mile from any other sites zoned for commercial uses.
  - 5. The site of a Neighborhood Commercial Center shall not exceed five percent (5%) of the total area or one (1) acre, whichever is less.
  - 6. The site of a Neighborhood Commercial Center shall have direct access to a street of a collector classification and shall have direct pedestrian access to the residential areas.
  - 7. The site of a Neighborhood Commercial Center shall not include more than one quadrant of an intersection and shall not result in traffic of a nature which causes a substantial adverse impact on the residential character of the planned development.

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E. Commercial Recreation which is compatible with the surrounding residential uses and promotes the creation of an attractive, healthful, efficient and stable environment for living, shopping or working. All such uses except golf courses and tennis courts shall conform to the requirements of subsection “D” (Neighborhood Commercial Centers), above.

E-F. Home businesses [PD41]

(.05) Appropriate PDR zone based on Comprehensive Plan Density:

Comprehensive Plan Density*	Zoning District
0-1 u/acre	PDR-1
2-3 u/acre	PDR-2
4-5 u/acre	PDR-3
6-7 u/acre	PDR-4
10-12 u/acre	PDR-5
16-20 u/acre	PDR-6
20 + u/acre	PDR-7

**Table 1: PDR Zone based on Comprehensive Plan Density**

\*All dwelling unit types, except accessory dwelling units, are included for calculating density. [PD42]

[Section 4.124(.05) amended by Ordinance No. 538, 2/21/02.]

(.06) Block and access standards:

1. Maximum block perimeter in new land divisions: 1,800 feet.
2. Maximum spacing between streets or private drives for local access: 530 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions meeting this standard. [Amended by Ord. 682, 9/9/10]
3. Maximum block length without pedestrian and bicycle crossing: 330 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions meeting this standard.

[Section 4.124(.06) amended by Ordinance No. 538, 2/21/02.]

(.07) Signs. Per the requirements of Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]

(.08) Parking. Per the requirements of Section 4.155.

(.09) Corner Vision Clearance. Per the requirements of Section 4.177.

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**Section 4.124.1. PDR-1:**

The following standards shall apply in PDR-1 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

- (.01) Average lot size: 30,000 square feet.
- (.02) Minimum lot size: 25,000 square feet.
- (.03) Minimum density at build out: One unit per 37,500 square feet.
- (.04) Other standards:
  - A. Minimum lot width at building line: Eighty (80) feet.
  - B. Minimum street frontage of lot: Eighty (80) feet.
  - C. Minimum lot depth: One hundred (100) feet.
  - D. Setbacks: per Section 4.113(.03)
  - E. Maximum building or structure height: Thirty-five (35) feet.
  - F. Maximum lot coverage: Twenty percent (20%) for all ~~residential-primary~~ dwelling units; twenty-five percent (25%) for all buildings except accessory dwelling units; up to an additional 800 square feet per accessory dwelling unit up to thirty percent (30%) total lot coverage.<sup>[PD43]</sup>
- (.05) Examples of development that is typically permitted (hypothetical 10-acre site):
  - A. Ten single-family dwellings (with or without accessory dwelling units) on individual lots, or
  - B. Fourteen dwelling units (any combination of multiple family or single family units with or without accessory dwelling units).

**Section 4.124.2. PDR-2:**

The following standards shall apply in PDR-2 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

- (.01) Average lot size: 16,000 square feet.
- (.02) Minimum lot size: 12,000 square feet.
- (.03) Minimum density at build out: One unit per 20,000 square feet.
- (.04) Other Standards:
  - A. Minimum lot width at building line: Sixty (60) feet.
  - B. Minimum street frontage of lot: Thirty (30) feet; however, no street frontage is required when the lot fronts on an approved, platted private drive. [Amended by Ord. 682, 9/9/10]
  - C. Minimum lot depth: Seventy (70) feet.
  - D. Setbacks: per Section 4.113(.03).
  - E. Maximum building or structure height: Thirty-five (35) feet.
  - F. Maximum lot coverage: Twenty-five percent (25%) for all ~~residential-primary~~

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dwelling units; thirty percent (30%) for all buildings except accessory dwelling units; up to an additional 800 square feet per accessory dwelling unit up to thirty-five percent (35%) total lot coverage.<sup>[PD44]</sup>

(.05) Examples of development that is typically permitted (hypothetical 10-acresite):

Twenty single-family dwellings (with or without accessory dwelling units) on individual lots, or

- A. Twenty-nine dwelling units (any combination of multiple family or single family units with or without accessory dwelling units).

#### **Section 4.124.3. PDR-3:**

The following standards shall apply in PDR-3 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

(.01) Average lot size: 7,000 square feet.

(.02) Minimum lot size: 5,000 square feet.

(.03) Minimum density at build out: One unit per 8,000 square feet.

(.04) Other standards:

A. Minimum lot width at building line: Forty (40) feet.

B. Minimum street frontage of lot: Forty (40) feet; however, street frontage may be reduced to twenty-four (24) feet when the lot fronts a cul-de-sac. No street frontage is required when the lot fronts on an approved, platted private drive. [Amended by Ord. 682, 9/9/10]

C. Minimum lot depth: Sixty (60) feet.

D. Setbacks: per Section 4.113(.03).

E. Maximum building or structure height: Thirty-five (35) feet.

F. Maximum lot coverage: Fifty percent (50%) for lots containing less than 7000 square feet with an additional 800 square feet allowed per accessory dwelling unit up to sixty-five percent (65%) total lot coverage. Forty-five percent (45%) for lots between 7000 and 8000 square feet with an additional 800 square feet allowed per accessory dwelling unit up to fifty-five percent (55%) total lot coverage. Forty percent (40%) for lots exceeding 8000 square feet with an additional 800 square feet allowed per accessory dwelling unit up to fifty percent (50%) lot coverage.<sup>[PD45]</sup>

(.05) Examples of development that is typically permitted (hypothetical 10-acresite):

A. Fifty-four single-family dwellings (with or without accessory dwelling units)<sup>[PD46]</sup> on individual lots, or

B. Sixty-two dwelling units (any combination of multiple-family or single-family units with or without accessory dwelling units).<sup>[PD47]</sup>

#### **Section 4.124.4. PDR-4:**

The following standards shall apply in PDR-4 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

- (.01) Average lot size: 5,000 square feet.
- (.02) Minimum lot size: 4,000 square feet.
- (.03) Minimum density at build out: One unit per 6,000 square feet.
- (.04) Other standards: Minimum lot width at building line: Thirty-five (35) feet.
  - A. Minimum street frontage of lot: Thirty-five (35) feet; however, street frontage may be reduced to twenty-four (24) feet when the lot fronts a cul-de-sac. No street frontage is required when the lot fronts on an approved, platted private drive. [Amended by Ord. 682, 9/9/10]
  - B. Minimum lot depth: Sixty (60) feet.
  - C. Setbacks: per Section 4.113(.03).
  - D. Maximum building height: Thirty-five (35) feet.
  - E. Maximum lot coverage: Seventy-five percent (75%) for all buildings.
- (.05) Examples of development that is typically permitted (hypothetical 10-acresite):
  - A. Seventy-two single-family dwellings (with or without accessory dwelling units) on individual lots, or
  - B. Eighty-seven dwelling units (any combination of multiple family or single family units with or without accessory dwelling units).

**Section 4.124.5. PDR-5:**

The following standards shall apply in PDR-5 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

- (.01) Average lot area per unit: 3,000 square feet.
- (.02) Minimum lot size: 2,500 square feet.
- (.03) Minimum density at build out: One unit per 4,000 square feet.
- (.04) Other Standards:
  - A. Minimum lot width at building line: Thirty (30) feet.
  - B. Minimum street frontage of lot: Thirty (30) feet.
  - C. Minimum Lot Depth: Sixty (60) feet.
  - D. Setbacks: per Section 4.113(.03).
  - E. Maximum height: Thirty-five (35) feet.
  - F. Maximum lot coverage: Seventy-five percent (75%) for all buildings.
- (.05) Examples of development that is typically permitted (hypothetical 10-acresite):
  - A. 108 town-house units on individual lots, or
  - B. 145 dwelling units (any combination of multiple-family or single-family units).

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

**Section 4.124.6. PDR-6:**

The following standards shall apply in PDR-6 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

- (.01) Average lot area per unit: 2,000 to 2,500 square feet.
- (.02) Minimum lot size: None.
- (.03) Minimum density at build out: One unit per 2,500 square feet.
- (.04) Other standards:
  - A. Minimum lot width at building line: Thirty (30) feet.
  - B. Minimum street frontage of lot: Thirty (30) feet.
  - C. Minimum lot depth: Sixty (60) feet.
  - D. Setbacks: per Section 4.113(.03).
  - E. Maximum height: Thirty-five (35) feet.
  - F. Maximum lot coverage: Seventy-five percent (75%) for all buildings.
- (.05) Examples of development that is typically permitted (hypothetical 10-acresite):
  - A. 174 condominium units, or
  - B. 217 multiple family-units.

**Section 4.124.7. PDR-7:**

The following standards shall apply in PDR-7 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

- (.01) Average lot area per unit: 2,000 square feet.
- (.02) Minimum lot size: 1,500 square feet.
- (.03) Minimum density at build out: One unit per 2,400 square feet.
- (.04) Other standards:
  - A. Minimum lot width at building line: Thirty (30) feet.
  - B. Minimum street frontage of lot: Thirty (30) feet.
  - C. Minimum lot depth: Sixty (60) feet.
  - D. Setbacks: per Section 4.113(.03).
  - E. Maximum building height: Thirty-five (35) feet.
  - F. Maximum lot coverage: Seventy-five percent (75%) for all buildings.
- (.05) Examples of development that is typically permitted (hypothetical 10-acresite):
  - A. 174 condominium units, or
  - B. 217 multiple-family units.

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

Section 4.125. V – Village Zone

(.01) Purpose.

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

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

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

- A. Single Family Dwellings
- B. Accessory Dwelling Units, subject to the standards of Section 4.113 (.11)
- C. Duplexes
- D. Row Houses
- E. Multi-Family Dwellings
- F. Cluster Housing
- G. Residential Facilities, Residential Homes, and Community Housing developed to implement ORS 426.508
- H. Non-commercial parks, plazas, playgrounds, recreational facilities, community buildings and grounds, tennis courts, and other similar recreational and community uses owned and operated either publicly or by an owners association.
- I. Commercial uses within the Village Center, subject to the standards of (.06) Standards Applying to Commercial Uses and similar to the following:
  1. Sales and servicing of consumer goods:
    - Bicycle shop
    - Bookstore
    - Clothing store
    - Electronics and appliances store
    - Florist

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

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

Notes: NR No Requirement

NA Not Allowed

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

2 Small lots: 75%, Medium Lots: 65%, Standard and Large Lots: 55%, Estate Lots: 45% Maximum Lot Coverage [On lots where On Medium and Estate Lots, for attached or detached accessory dwelling units or other detached accessory buildings are built, maximum lot coverage may be increased by 10%. On Standard and Large Lots, maximum lot coverage may be increased by 10% for non-accessory dwelling unit detached accessory buildings. In addition, on Standard and Large Lots maximum lot coverage may be increased by 800 square feet for attached or detached accessory dwelling units up to 75% lot coverage for Standard Lots less than 4,575 square feet, and up to 70% for Large Lots and Standard Lots greater than 4,575 square feet.](#) [PD48]

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

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

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

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

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

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

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

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

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

12 See Definitions, 4.125.01, for measurement of Minimum Frontage Width.

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

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

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

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

17 Dwellings on lots without alley access shall be at least 36 feet wide.

18 Duplexes with front-loaded garages are limited to one shared standard-sized driveway/porch.

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

**4.127 Residential Neighborhood (RN) Zone**

(.01) Purpose.

The Residential Neighborhood (RN) zone applies to lands within Residential Neighborhood Comprehensive Plan Map designation. The RN zone is a Planned Development zone, subject to applicable Planned Development regulations, except as superseded by this section or in legislative master plans. The purposes of the RN Zone are to:

- A. Implement the Residential Neighborhood policies and implementation measures of the Comprehensive Plan.
- B. Implement legislative master plans for areas within the Residential Neighborhood Comprehensive Plan Map designation.
- C. Create attractive and connected neighborhoods in Wilsonville.
- D. Regulate and coordinate development to result in cohesive neighborhoods that include: walkable and active streets; a variety of housing appropriate to each neighborhood; connected paths and open spaces; parks and other non-residential uses that are focal points for the community; and, connections to and integration with the larger Wilsonville community.
- E. Encourage and require quality architectural and community design as defined by the Comprehensive Plan and applicable legislative master plans.
- F. Provide transportation choices, including active transportation options.
- G. Preserve and enhance natural resources so that they are an asset to the neighborhoods, and there is visual and physical access to nature.

(.02) Permitted uses:

- A. Open Space.
- B. Single-Family Dwelling Unit.
- C. Attached Single-Family Dwelling Unit. In the Frog Pond West Neighborhood, a maximum of 2 dwelling units, not including ADU's, may be attached.
- D. Duplex.
- E. Multiple-Family Dwelling Units, except when not permitted in a legislative master plan, subject to the density standards of the zone. Multi-family dwelling units are not permitted within the Frog Pond West Master Plan area.
- F. Cohousing.
- G. Cluster Housing.

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

- H. Public or private parks, playgrounds, recreational and community buildings and grounds, tennis courts, and similar recreational uses, all of a non-commercial nature, provided that any principal building or public swimming pool shall be located not less than forty-five (45) feet from any other lot.
- I. Manufactured homes.

(.03) Permitted accessory uses to single family dwellings:

- A. Accessory uses, buildings and structures customarily incidental to any of the principal permitted uses listed above, and located on the same lot.
- B. Living quarters without kitchen facilities for persons employed on the premises or for guests. Such facilities shall not be rented or otherwise used as a separate dwelling unless approved as an accessory dwelling unit or duplex.
- C. Accessory Dwelling Units, subject to the standards of Section 4.113 (.11).
- D. Home occupations.
- E. A private garage or parking area.
- F. Keeping of not more than two (2) roomers or boarders by a resident family.
- G. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
- H. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses do not exceed 120 square feet or ten (10) feet in height, and they are detached and located behind the rear-most line of the main buildings, the side and rear yard setbacks may be reduced to three (3) feet.
- I. Livestock and farm animals, subject to the provisions of Section 4.162.

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

- A. Public and semi-public buildings and/or structures essential to the physical and economic welfare of an area, such as fire stations, sub-stations and pump stations.
- B. Commercial Recreation, including public or private clubs, lodges or meeting halls, golf courses, driving ranges, tennis clubs, community centers and similar commercial recreational uses. Commercial Recreation will be permitted upon a finding that it is compatible with the surrounding residential uses and promotes the creation of an attractive, healthful, efficient and stable environment for living, shopping or working. All such uses except golf courses and tennis courts

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

shall conform to the requirements of Section 4.124(.04)(D) (Neighborhood Commercial Centers).

- C. Churches; public, private and parochial schools; public libraries and public museums.
- D. Neighborhood Commercial Centers limited to the provisions of goods and services primarily for the convenience of and supported by local residents. Neighborhood Commercial Centers are only permitted where designated on an approved legislative master plan.

(.05) Residential Neighborhood Zone Sub-districts:

A. RN Zone sub-districts may be established to provide area-specific regulations that implement legislative master plans.

- 1. For the Frog Pond West Neighborhood, the sub-districts are listed in Table 1 of this code and mapped on Figure 6 of the Frog Pond West Master Plan. The Frog Pond West Master Plan Sub-District Map serves as the official sub-district map for the Frog Pond West Neighborhood.

(.06) Minimum and Maximum Residential Units:

A. The minimum and maximum number of residential units approved shall be consistent with this code and applicable provisions of an approved legislative master plan.

- 1. For the Frog Pond West Neighborhood, Table 1 in this code and Frog Pond West Master Plan Table 1 establish the minimum and maximum number of residential units for the sub-districts. [The minimum and maximum number does not include accessory dwelling units.](#)<sup>[PD49]</sup>
- 2. For parcels or areas that are a portion of a sub-district, the minimum and maximum number of residential units are established by determining the proportional gross acreage and applying that proportion to the minimums and maximums listed in Table 1. The maximum density on a parcel may be increased, up to a maximum of 10% of what would otherwise be permitted, based on an adjustment to an SROZ boundary that is consistent with 4.139.06.

B. The City may allow a reduction in the minimum density for a sub-district when it is demonstrated that the reduction is necessary due to topography, protection of trees, wetlands and other natural resources, constraints posed by existing development, infrastructure needs, provision of non-residential uses and similar physical conditions.

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

Table 1. Minimum and Maximum Dwelling Units by Sub-District in the Frog Pond West Neighborhood

Area Plan Designation	Frog Pond West Sub-district	Minimum Dwelling Units in Sub-district	Maximum Dwelling Units in Sub-district
R-10 Large Lot Single Family	3	26	32
	7	24	30
	8	43	53
R-7 Medium Lot Single Family	2	20	25
	4	86	107
	5	27	33
	9	10	13
	11	46	58
R-5 Small Lot Single Family	1	66	82
	6	74	93
	10	30	38
Civic	12	0	7 <sup>a</sup>
Public Facilities (PF)	13	0	0

*<sup>a</sup> These metrics apply to infill housing within the Community of Hope Church property, should they choose to develop housing on the site. Housing in the Civic sub-district is subject to the R-7 Medium Lot Single Family regulations.*

(.07) Development Standards Generally

- A. Unless otherwise specified by this the regulations in this Residential Development Zone chapter, all development must comply with Section 4.113, Standards Applying to Residential Development in Any Zone.

(.08) Lot Development Standards:

- A. Lot development shall be consistent with this code and applicable provisions of an approved legislative master plan.
- B. Lot Standards Generally. For the Frog Pond West Neighborhood, Table 2 establishes the lot development standards unless superseded or supplemented by other provisions of the Development Code.
- C. Lot Standards for Small Lot Sub-districts. The purpose of these standards is to ensure that development in the Small Lot Sub-districts includes varied design that avoids homogenous street frontages, creates active pedestrian street frontages and has open space that is integrated into the development pattern.

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

Standards. Planned developments in the Small Lot Sub-districts shall include one or more of the following elements on each block:

1. Alleys.
2. Residential main entries grouped around a common green or entry courtyard (e.g. cluster housing).
3. Four or more residential main entries facing a pedestrian connection allowed by an applicable legislative master plan.
4. Garages recessed at least 4 feet from the front façade or 6 feet from the front of a front porch.

Table 2: Neighborhood Zone Lot Development Standards

Neighborhood Zone Sub-District	Min. Lot Size (sq.ft.)	Min. Lot Depth (ft.)	Max. Lot Coverage [PD50] (%)	Min. Lot Width <sup>G, H, J</sup> (ft.)	Max. Bldg. Height <sup>F</sup> (ft.)	Setbacks <sup>H</sup>				
						Front Min. (ft.)	Rear Min. (ft.)	Side Min. (note)	Garage Min Setback from Alley (ft.)	Garage Min Setback from Street <sup>K</sup> (ft.)
R-10 Large Lot Single Family	8,000 <sup>A</sup>	60'	40% <sup>B</sup>	40	35	20 <sup>C</sup>	20	I	18 <sup>D</sup>	20
R-7 Medium Lot Single Family	6,000 <sup>A</sup>	60'	45% <sup>B</sup>	35	35	15 <sup>C</sup>	15	I	18 <sup>D</sup>	20
R-5 Small Lot Single Family	4,000 <sup>A</sup>	60'	60% <sup>B</sup>	35	35	12 <sup>C</sup>	15	I	18 <sup>D</sup>	20

Notes: A May be reduced to 80% of minimum lot size where necessary to preserve natural resources (e.g. trees, wetlands) and/or provide active open space. Cluster housing may be reduced to 80% of minimum lot size. Duplexes in the R-5 Sub-District have a 6,000 SF minimum lot size.

B On lots where detached accessory buildings are built, maximum lot coverage may be increased by 10%.

C Front porches may extend 5 feet into the front setback.

D The garage setback from alley shall be minimum of 18 feet to a garage door facing the alley in order to provide a parking apron. Otherwise, the rear or side setback requirements apply.

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

G May be reduced to 24' when the lot fronts a cul-de-sac. No street frontage is required when the lot fronts on an approved, platted private drive or a public pedestrian access in a cluster housing development.

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

I On lots greater than 10,000 SF with frontage 70 ft. or wider, the minimum combined side yard setbacks shall total 20 ft. with a minimum of 10 ft. On other lots, minimum side setback shall be 5 ft. On a corner lot, minimum side setbacks are 10 feet.

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

K Duplexes with front-loaded garages are limited to one shared standard-sized driveway/apron.

KL An additional 800 square feet is allowed per accessory dwelling unit up to a total lot coverage of 50% for R-10, 55% for R-7, and 75% for R-5. PD51

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

#### 4.138 Old Town Overlay Zone

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

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

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

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

A. The standards of this subsection shall take precedence over setback, lot coverage, height, and accessory dwelling unit standards otherwise established in the Development Code. All other standards of the base zone and/or approved planned developments shall apply. For PDR Zones, the setback and lot coverage standards are subject to the waiver provisions of Section 4.118.

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

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

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

2. Accessory structures less than 120 square feet and 10 feet in height are not subject to the Old Town Single-Family Design Standards but rather the standards of the underlying zone.
- C. The following standards shall apply to Accessory Dwelling Units (ADU's) within the "O" Overlay Zone to ensure smaller bulk of residential buildings and minimal use of on-street parking consistent with the historic character of the neighborhood. Where these standards differ from those of Subsection 4.113 (.11), including size design and parking, these standards take precedence. All other standards of Subsection 4.113 (.11), including but not limited to number of ADU's and review process, continue to apply.
  1. Size: ADU's shall not exceed 600 square feet of living space.
  2. Design: ADU's shall be substantially the same exterior design and architecture (i.e. siding, windows, color, roof pitch, doors and roofing materials) as the primary dwelling unit on the property. ADU's shall be either:
    - a. Detached single-story structures; or
    - b. Over a detached garage meeting the following requirements:
      - i. The garage/ADU structure is a maximum 1.5 stories tall, not exceeding a height of 20 feet; and
      - ii. The primary dwelling unit on the property is 1.5 or 2 stories tall.

2. ~~Parking: Each ADU shall have one dedicated standard sized parking space on the same lot.~~<sup>[PD52]</sup>

(.05). Standards for Development Subject to Site Design Review

- A. Building Setbacks - Buildings fronting Boones Ferry Road shall abut the public sidewalk except where public plazas, courtyards, approved landscaping, or other public pedestrian amenities are approved. Except, however, that residential garages or carports shall be set back a minimum of twenty (20) feet from any sidewalk or traveled portion of a street across which access to the garage or carport is taken. The Development Review Board may approve other setbacks to accommodate sidewalks, landscaping, or other streetscape features located between the street right-of-way and the building.
- B. Landscaping - Not less than fifteen (15) percent of the development site shall be landscaped. In the event that a building is set back from a street side property line, along Boones Ferry Road, Bailey Street, or 5<sup>th</sup> Street, the intervening area shall be landscaped. In reviewing proposals for parking lots in locations between buildings and streets, the Development Review Board may require special landscaping treatments or designs to screen the view of the parking lot from the public right-of-way.
- C. Building height - As specified in the underlying base zone.
- D. Street access to Boones Ferry Road. Ingress and egress points along Boones Ferry Road shall be designed and constructed such that access points on one side of the

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

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

- E. Owners of two (2) or more uses, structures, or parcels of land may utilize jointly the same parking area when the peak hours of operation do not overlap, provided satisfactory legal evidence is presented in the form of deeds, leases, or contracts securing full and permanent access to such parking areas for all the parties jointly using them. [Amended by Ord. # 674 11/16/09]
- F. Off-street parking spaces existing prior to the effective date of this Code may be included in the amount necessary to meet the requirements in case of subsequent enlargement of the building or use to which such spaces are necessary.
- G. Off-Site Parking. Except for single-family dwellings, the vehicle parking spaces required by this Chapter may be located on another parcel of land, provided the parcel is within 500 feet of the use it serves and the DRB has approved the off-site parking through the Land Use Review. The distance from the parking area to the use shall be measured from the nearest parking space to the main building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced in the form of recorded deeds, easements, leases, or contracts securing full and permanent access to such parking areas for all the parties jointly using them. [Amended by Ord. # 674 11/16/09]
- H. The conducting of any business activity shall not be permitted on the required parking spaces, unless a temporary use permit is approved pursuant to Section 4.163.
- I. Where the boundary of a parking lot adjoins or is within a residential district, such parking lot shall be screened by a sight-obscuring fence or planting. The screening shall be continuous along that boundary and shall be at least six (6) feet in height.
- J. Parking spaces along the boundaries of a parking lot shall be provided with a sturdy bumper guard or curb at least six (6) inches high and located far enough within the boundary to prevent any portion of a car within the lot from extending over the property line or interfering with required screening or sidewalks.
- K. All areas used for parking and maneuvering of cars shall be surfaced with asphalt, concrete, or other surface, such as pervious materials (i. e. pavers, concrete, asphalt) that is found by the City's authorized representative to be suitable for the purpose. In all cases, suitable drainage, meeting standards set by the City's authorized representative, shall be provided. [Amended by Ord. # 674 11/16/09]
- L. Artificial lighting which may be provided shall be so limited or deflected as not to shine into adjoining structures or into the eyes of passers-by.
- M. Off-street parking requirements for types of uses and structures not specifically listed in this Code shall be determined by the Development Review Board if an application is pending before the Board. Otherwise, the requirements shall be specified by the Planning Director, based upon consideration of comparable uses.
- N. Up to forty percent (40%) of the off-street spaces may be compact car spaces as identified in Section 4.001 - "Definitions," and shall be appropriately identified.

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

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

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

<b>TABLE 5: PARKING STANDARDS</b>			
<b>USE</b>	<b>PARKING MINIMUMS</b>	<b>PARKING MAXIMUMS</b>	<b>BICYCLE MINIMUMS</b>
<b>a. Residential</b>			
1. <del>Single and attached units and any apartments</del> Single-family dwelling units, duplexes, multiple-family dwelling units of nine (9) or fewer units}	1 per D.U.,—except accessory dwelling units, which have no minimum.	No Limit	<del>Apartments-Multiple Family Dwelling Units –</del> Min. of 2 <sup>[PD53]</sup>
2. Accessory dwelling units	<u>Per Subsection 4.113 (.11)</u>	No Limit	Non required <sup>[PD54]</sup>
23. <del>Apartment-Multiple-family dwelling units</del> of ten (10) or more units	1 per D.U. (less than 500 sq. ft.) 1.25 per D.U. (1 bdrm) 1.5 per D.U. (2 bdrm) 1.75 per D.U. (3 bdrm)	No Limit	1 per D.U. <sup>[PD55]</sup>
34. Manufactured or mobile home park	2 spaces/unit	No Limit	1 per D.U.
4. <del>Manufactured or mobile home subdivision</del>	1 per D.U.	No Limit	1 per D.U. <sup>[PD56]</sup>
<b>b. Commercial Residential</b>			
1. Hotel	1 per 1000 sq. ft.	No Limit	1 per 5 units Min. of 2

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

C. The Community Development Director shall not sign any plat which does not indicate the marking with monuments of the intersections of all streets and the centerlines of all streets at every point of curvature and point of tangent. It shall be the responsibility of the applicant to provide such Monumentation within the land division prior to the issuance of any Building permit for construction within the subject property.

(.04) Action on Final Plat: Within thirty (30) days of receipt of a complete final plat submittal, the Planning Director shall approve, deny, or, when further information is required, postpone a decision on the application. Written notice of such action shall be mailed to the applicant by the Planning Director. If the Planning Director determines that full conformity with all applicable ordinances has not been made, the Director shall advise the applicant of the changes or additions that must be made and shall afford the applicant an opportunity to make the necessary changes or additions.

A. A final plat shall be approved only if affirmative findings can be made that:

1. The Plat is in substantial conformance with the provisions of the Preliminary Plat, as approved;
2. The proposal is consistent with the provisions, intents and purposes of the Comprehensive Plan, Zoning Regulations and the requirements of other relevant sections of this Code.
3. Streets, roads and alleys for public use are dedicated without any reservation or restriction other than reversionary rights upon vacation of any such street or road and easements for public utilities;
4. The plat contains a donation to the public of all common improvements, including, but not limited to, streets, roads, parks, sewage disposal and water supply systems, the donation of which is required by Ordinance or was made a condition of the approval of the tentative plat for the development.
5. Explanations of all common improvements to remain in private ownership have been accounted for and referenced on the plat;
6. Private drives indicated on the tentative plat have been approved by the City; and [Amended by Ord. 682, 9/9/10]
7. Demonstration that residential plats or subdivisions submitted for final plat approval after October 1, 2018 do not restrict accessory dwelling units to a greater extent than the City's Development Code in place at the time of final plat submittal except that restrictions on building materials and finishes can be commensurate with requirements for other accessory structures. The allowance of accessory dwelling units is acknowledged in clear language on the plat or other document recorded with the plat to which the plat is subject (i.e. CC&R's).<sup>[PD57]</sup>

~~6.~~

~~7-8.~~ All conditions of approval for the development have been met, or adequate assurances for their completion have been provided, to the satisfaction of the Community Development Director.

B. If affirmative findings cannot be made with regard to all of the above criteria, the Planning Director shall not approve the final plat.

C. If approved, such approval shall be evidenced by the signature on the plat of the

Comments (A2, C4, etc.) Indicate Code Amendment Category in Attachment 1

Planning Director together with the date of approval. In the event of denial, the Planning Director shall cause written notice and the reasons for denial to be furnished to the applicant.

### accessory buildings, adus, and garages

#### DESIGN

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

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

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

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

All other standards of Subsection 4.113 (.11) related to ADU's apply. See Subsection 4.138 (.04) C. Wilsonville Code.

**Deleted:** <#>Parking. Each ADU shall have one dedicated standard size parking space on the same lot.

**Deleted:** <#>¶

#### STYLE GUIDELINES

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

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

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



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© E. Allen Fine Designs, San Jose, CA

## Attachment 4 Comparison of Current and Proposed Lot Coverage by Zoning and Lot Type

Zoning and Lot Type	Current Lot Coverage	Proposed Lot Coverage	Min Lot Size	% Min Lot Size 800 sf	% Lot Coverage: Max Lot Coverage Plus 800 SF ADU at Min Lot Size
<b>Residential Agriculture-Holding (RA-H)</b>					
All lots	No Lot Coverage Max	no change	30000	NA	NA
<b>Residential (R)</b>					
Lots less than 7000 sf	20% DUs, 30% all buildings	20% primary DUs, 30% all non-ADU buildings, add 800 sf per ADU up to 45%	5000	16.0%	46%
Lots 7000-8000 sf	20% DUs, 30% all buildings	20% primary DUs, 30% all non-ADU buildings, add 800 sf per ADU up to 40%	7000	11.4%	41%
Lots 8000 or more sf	20% DUs, 30% all buildings	20% primary DUs, 30% all non-ADU buildings, add 800 sf per ADU up to 40%	8000	10.0%	40%
<b>Planned Development Residential (PDR)</b>					
<b>PDR-1</b>					
All lots	20% DUs, 25% all buildings	20% primary DUs, 25% all non-ADU buildings, add 800 sf per ADU up to 30%	25000	3.2%	28%
<b>PDR-2</b>					
All lots	25% DUs, 30% all buildings	25% primary DUs, 30% all non-ADU buildings, add 800 sf per ADU up to 35%	12000	6.7%	37%
<b>PDR-3</b>					
Lots less than 7000 sf	50% all building	50% all non-ADU buildings, add 800 sf per ADU up to 65%	5000	16.0%	66%
Lots 7000-8000 sf	45% all buildings	45% all non-ADU buildings, add 800 sf per ADU up to 55%	7000	11.4%	56%
Lots more than 8000 sf	40% all buildings	40% all non-ADU buildings, add 800 sf per ADU up to 50%	8000	10.0%	50%
<b>PDR-4, PDR-5, PDR-6, PDR-7</b>					
All lots	75% all buildings	no change	1500-4000	20.0%-53.3%	95%-128%
<b>Village (Villebois)</b>					
Small/ Small Cottage	75% plus 10% for detached accessory buildings	75% all buildings	2250	35.6%	111%
Medium	65% plus 10% for detached accessory buildings	65% plus 10% for attached/detached ADU's or other detached accessory buildings	2900	27.6%	93%
Standard	55% plus 10% for detached accessory buildings	55% plus 10% for non-ADU detached accessory buildings, plus 800 sf per ADU up to 75% if lot less than 4575 sf, or 70% if 4575 sf or greater	4500	17.8%	73%
Large	55% plus 10% for detached accessory buildings	55% plus 10% for non-ADU detached accessory buildings, plus 800 sf per ADU up to 70%	5400	14.8%	70%
Estate	45% plus 10% for detached accessory buildings	45% plus 10% for attached/detached ADU's or other detached accessory buildings	8000	10.0%	55%
<b>Residential Neighborhood (RN) (Frog Pond)</b>					
R-10 Large Lot	40% all buildings	40% all non-ADU buildings, add 800 sf per ADU up to 50%	8000	10.0%	50%
R-7 Medium Lot	45% all buildings	45% all non-ADU buildings, add 800 sf per ADU up to 55%	6000	13.3%	58%
R-5 Small Lot	60% all buildings	60% all non-ADU buildings, add 800 sf per ADU up to 75%	4000	20.0%	80%
<b>Old Town Overlay Zone</b>					
All lots	40% all buildings but small (120 sf or less) detached buildings	no change	NA	NA	NA

# **CITY COUNCIL ROLLING SCHEDULE**

## **Board and Commission Meetings 2018**

**Items known as of 06/27/18**

### **July**

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

### **Community Events:**

- 7/4** City Offices Closed in Observance of Independence Day
- 7/11** Walk at Lunch, noon - 1:00 p.m., at Allstate Insurance - Scott Nichols
- 7/13** Movies in the Park, lawn opens at 8:15 p.m. at Memorial Park
- 7/14** Wilsonville Wellness Fair, 9 a.m. - 1 p.m. at Town Center Park
- 7/18** Walk at Lunch, noon - 1:00 p.m., at BenchMark Physical Therapy
- 7/25** Walk at Lunch, noon - 1:00 p.m., at Orangetheory Fitness
- 7/27** Movies in the Park, lawn opens at 8:15 p.m. at Memorial Park
- 7/30** Teen Summer Reading Program Annual Party in the Park, 4:00 p.m., - 6:00 p.m., at Murase Plaza
- 7/31** History Pub, 6:30 p.m. - 8:00 p.m. at Wilsonville McMenamins' Old Church
- 8/4** Fun in the Park, 10:00 a.m. - 4 p.m. at Town Center Park
- 8/10** Movies in the Park, lawn opens at 8:15 p.m. at Memorial Park
- 8/22** Community Block Party, 5 p.m. - 8 p.m. at Town Center Park
- 8/24** Movies in the Park, lawn opens at 8:15 p.m. at Memorial Park
- 8/28** History Pub, 6:30 p.m. - 8:00 p.m. at Wilsonville McMenamins' Old Church

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

**CITY OF WILSONVILLE**  
**CITY COUNCIL MEETING MINUTES**

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A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, May 7, 2018. Mayor Knapp called the meeting to order at 7:13 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

- Mayor Knapp - Excused
- Council President Starr
- Councilor Stevens
- Councilor Lehan
- Councilor Akervall

Staff present included:

- Bryan Cosgrove, City Manager
- Jeanna Troha, Assistant City Manager
- Barbara Jacobson, City Attorney
- Kimberly Veliz, City Recorder
- Nancy Kraushaar, Community Development Director
- Delora Kerber, Public Works Director
- Susan Cole, Finance Director
- Angela Handran, Assistant to the City Manager
- Amanda Guile-Hinman, Assistant City Attorney
- Bill Evans, Communications & Marketing Manager
- Chris Neamtzu, Planning Director
- Zach Weigel, Capital Projects Engineering Manager
- Jordan Vance, Economic Development Manager

Motion to approve the order of the agenda.

**Motion:** Councilor Stevens moved to approve the order of the agenda. Councilor Lehan seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Excused
Council President Starr	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS**

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

**CITY OF WILSONVILLE  
CITY COUNCIL MEETING MINUTES**

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Michael Healey of Wilsonville, had a few questions for Council regarding the Boeckman Bridge. The following questions were posed to Council:

1. What is the need for this bridge?
2. What are other alternatives that being considered?
3. Was there a study done to consider the costs of widening the road?
4. What would be the cost for leaving the road as is and improving the areas for bicyclist and pedestrians?
5. What would be the cost to add warning signs to the road?
6. Can the 14 million dollars be spent in alternative ways?
7. Was a pedestrian bike bridge considered, with improvements to the road?
8. Is the Boeckman Bridge going to be in the school zone?

Council president Starr supplied the speaker and audience with questions he intends to ask about the potential Boeckman Bridge.

1. How do we do this for less than 14 million?
2. Are we being mandated to do this?
3. How do we avoid putting this on the back of the current residence?
4. How does the future resident help pay for the majority of this?

Jason Jordan, General Manager for Republic Services wished to address a few of the questions he heard during the Work Session regarding the Solid Waste Franchise Agreement. He shared that Republic Services has the resources and is able to communicate the different changes as proposed. The company is able to insert communications both in the billing and other media as needed.

It was mentioned that annually Republic Services with Clackamas County go through a rate review and operational review of all of the different hauling companies in the County. Republic Services will return to the May 21, 2018 Council meeting and provide more in depth financials.

Mr. Jordan said that Republic Services continues to monitor the recycling market. Furthermore, Republic Services staff and processors continue to have open dialogue to ensure they are doing everything in their power to provide beneficial use for the current materials being recycled. Additionally, it was stated that May 4, 2018, China announced that importing of all mixed paper was halted.

In closing, Mr. Jordan appreciated City staff for being a pleasure to work with. Moreover, requested that if Council had any questions in anticipation of the May 21, 2018 Council meeting to reach out.

**MAYOR'S BUSINESS**

A. Public Works Week Proclamation

Public Works Director Delora Kerber shared a slide show video exhibiting the work of the City's Public Works crew's performance throughout the year.

**CITY OF WILSONVILLE**  
**CITY COUNCIL MEETING MINUTES**

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Council President Starr read the proclamation declaring the week of May 20 to 26, 2018 as “National Public Works Week: The Power of Public Works” into the record.

B. Upcoming Meetings

Council President Starr informed the audience that Mayor Knapp was unavailable for the meeting as he was in Washington DC lobbying for funding for future City projects.

**COUNCILOR COMMENTS**

A. Council President Starr

Announced that he will not be running for another Council term, and that forms are available for those interested in running for Council.

B. Councilor Stevens

Mentioned the below community events:

- Saturday, May 12, 2018 Annual W.E.R.K. Day starts at 9:00 a.m. with the traditional pancake breakfast served prior at 8:00 a.m.
- Bulky Waste Day will run from 9 a.m. to 1 p.m. May 19, 2018 at the Republic Services facility on Ridder Rd. in Wilsonville.

C. Councilor Lehan

Announced the following:

- Saturday, May 12, 2018 volunteers needed for the Pleasant View Cemetery cleanup.

D. Councilor Akervall

Announced attendance at the below:

- Wilsonville Community Enhancement Committee meeting
- Willamette Intake Facility Committee meeting
- Clackamas County Coordinating Committee (C4) meeting

**CONSENT AGENDA**

Ms. Jacobson read the titles of the Consent Agenda items into the record.

A. **Resolution No. 2680**

The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement Contract Amendment With Ch2m Hill Engineers Inc. For Phase 3 Construction Engineering Support Services For The Wastewater Treatment Plant Outfall Replacement Project (Capital Improvement Project #2095).

B. **Resolution No. 2685**

A Resolution Of The City Of Wilsonville Authorizing The Planning Division To Submit An Application To Metro For An Urban Growth Boundary Expansion For The Frog Pond East And South Neighborhoods.

C. Minutes of the April 2, 2018 and April 16, 2018 Council Meetings.

**CITY OF WILSONVILLE  
CITY COUNCIL MEETING MINUTES**

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**Motion:** Councilor Lehan moved to approve the Consent Agenda. Councilor Akervall seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Excused
Council President Starr	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

**NEW BUSINESS**

- A. **Resolution No. 2686**  
A Resolution To Concur With Two Provisions Of The 11<sup>th</sup> Amendment To The Wilsonville Year 2000 Urban Renewal Area.

Ms. Jacobson read the title of Resolution No. 2686 into the record.

Staff presented a PowerPoint in conjunction with Resolution No. 2686 and Ordinance No. 817. Staff included Economic Development Manager Jordan Vance, Community Development Director Nancy Kraushaar, Urban Renewal Consultant Elaine Howard along with assistance from Finance Director Susan Cole. Following the presentation staff answered the questions supplied by Council.

**Motion:** Councilor Akervall moved to approve Resolution No. 2686. Councilor Stevens seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Excused
Council President Starr	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

**PUBLIC HEARING**

- A. **Ordinance No. 817** – 1<sup>st</sup> Reading  
An Ordinance Making Certain Determinations And Findings Relating To And Approving The Year 2000 Urban Renewal Plan 11<sup>th</sup> Amendment And Directing That Notice Of Approval Be Published. (Kraushaar/Vance)

**CITY OF WILSONVILLE  
CITY COUNCIL MEETING MINUTES**

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Staff clarified that Resolution No. 2686 was an action by Council concurring with the maximum indebtedness extension and revenue sharing provisions of the proposed Year 2000 Urban Renewal Plan 11<sup>th</sup> Amendment. Furthermore, it was stated that Ordinance No. 817 is for Council consideration in adopting the amendment to the plan.

Ms. Jacobson read the title of Ordinance No. 817 into the record on first reading.

Council President Starr provided the public hearing format and opened the public hearing at 8:23 p.m. and invited public testimony.

Mike Healey of Wilsonville, voiced his concern of the lack of bridge alternatives discussed.

Shannon Vroman of Wilsonville, raised questions about process, cost, alternatives and historical data.

Council President Starr closed the public hearing at 8:38 p.m.

**Motion:** Councilor Lehan moved to approve Ordinance No. 817 on first reading. Councilor Akervall seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Excused
Council President Starr	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

B. **Ordinance No. 814** – 1<sup>st</sup> Reading  
An Ordinance Of The City Of Wilsonville Creating A Franchise Agreement For Solid Waste Management And Collection Within The City And Repealing Ordinance Nos. 204, 281, 424, And 443 And Resolutions Nos. 1077 And 2566. (Ottenad/Guile-Hinman)

Ms. Jacobson read the title of Ordinance No. 814 into the record on first reading.

Council President Starr provided the public hearing format and opened the public hearing at 8:40 p.m. and invited public testimony.

Assistant City Attorney Amanda Guile-Hinman presented the staff report for Ordinance No. 814. It was noted that a red line of Ordinance No. 814, provided at the Work Session prior to the Council meeting, incorporates some minor changes to article eight of the ordinance. Furthermore, staff provided a red line of the administrative rules incorporating changes to section 10, which reflect the conversations and discussions that were had at the Work Session regarding information to new and current customers regarding service rates.

**CITY OF WILSONVILLE  
CITY COUNCIL MEETING MINUTES**

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Jason Jordan, General Manager for Republic Services requested that his earlier comments provided under Citizen Input be included into the record.

Council President Starr closed the public hearing at 8:53 p.m. and kept the record open until the next Council meeting.

**Motion:** Councilor Stevens moved to approve Ordinance No. 814 on first reading including the amendments that were read into the record. Councilor Akervall seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Excused
Council President Starr	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

**CONTINUING BUSINESS**

- A. **Ordinance No. 815** – 2<sup>nd</sup> Reading  
An Ordinance Of The City Of Wilsonville Adopting The 2017 Water Treatment Plant Master Plan Update As A Sub-Element Of The City’s Comprehensive Plan And The Capital Improvement Project List For The Water Treatment Plant.

Ms. Jacobson read the title of Ordinance No. 815 into the record for second reading.

It was asked and stated by staff that there has not be any additional information received for the record.

**Motion:** Councilor Lehan moved to adopt Ordinance No. 815 on second reading. Councilor Akervall seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Excused
Council President Starr	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

**CITY OF WILSONVILLE  
CITY COUNCIL MEETING MINUTES**

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**CITY MANAGER'S BUSINESS**

Informed that Clackamas County Health Housing and Human Services has a proposal to implement a county-wide tobacco retail license. Staff has requested the agency provide a presentation at a future Council meeting.

**LEGAL BUSINESS**

No Report.

**ADJOURN**

Council President Starr adjourned the meeting at 8:56 p.m.

Respectfully submitted,

---

Kimberly Veliz, City Recorder

ATTEST:

---

Tim Knapp, Mayor

**CITY OF WILSONVILLE  
CITY COUNCIL MEETING MINUTES**

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A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, May 21, 2018. Mayor Knapp called the meeting to order at 7:05 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

- Mayor Knapp
- Council President Starr - Excused
- Councilor Stevens
- Councilor Lehan
- Councilor Akervall

Staff present included:

- Bryan Cosgrove, City Manager
- Jeanna Troha, Assistant City Manager
- Barbara Jacobson, City Attorney
- Kimberly Veliz, City Recorder
- Nancy Kraushaar, Community Development Director
- Delora Kerber, Public Works Director
- Mark Ottenad, Public/Government Affairs Director
- Angela Handran, Assistant to the City Manager
- Dwight Brashear, SMART Director
- Pat Duke, Library Director
- Bill Evans, Communications & Marketing Manager
- Zach Weigel, Capital Projects Engineering Manager
- Manny Ghiselline, Roads Maintenance Specialists
- Sean Byrne, Roads Maintenance Specialists

Motion to approve the order of the agenda.

**Motion:** Councilor Lehan moved to approve the order of the agenda. Councilor Akervall seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Starr	Excused
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

**COMMUNICATIONS**

- A. Republic Services Annual Report on Solid Waste/Recycling Collection and Disposal in Wilsonville

**CITY OF WILSONVILLE**  
**CITY COUNCIL MEETING MINUTES**

---

Therese McLain and Jason Jordan of Republic Services provided an annual report on Republic Services solid waste franchise services in Wilsonville. Republic Services mentioned that more than 21 tons or 42 million pounds of municipal solid waste was collected in Wilsonville during 2017.

**B. Oregon Librarian of the Year Award**

Leah Griffith, Chair of Oregon Library Association's Honors and Awards Committee informed that Library Director Pat Duke was named the Oregon Library Association's 2018 Librarian of the Year.

**C. Recognition of Roads Scholar Certification**

Public Works Director Delora Kerber recognized and appreciated Roads Maintenance Specialists Sean Byrne and Manny Ghiselline for receiving their Oregon Road Scholar Level 1 Certification.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS**

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

None.

**MAYOR'S BUSINESS**

**A. Announcement**

The filing period for Mayor and Council positions will open May 30, 2018. Two of five City Council positions are nearing the end of their four year-terms that expire on December 31, 2018. These positions are to be filled based on the results of the fall general election being held on Tuesday, Nov. 6, 2018. Candidate filing forms and instructions are available from the City Recorder and are posted on the City website.

**B. Upcoming Meetings**

Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.

**COUNCILOR COMMENTS**

**A. Council President Starr - Excused**

**B. Councilor Stevens**

Appreciated Republic Services and the Public Works Department for their collaboration in the Annual Bulky Waste Day event.

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C. Councilor Lehan

Reminded that City Hall will be closed on Monday, May 28, 2018 in observance of Memorial Day.

D. Councilor Akervall

Announced that the Tualatin Valley Fire and Rescue Department Fill-the-Boot event will take place on Tuesday, May 22, 2018. Donations collected are utilized for supporting those with muscular dystrophy.

**CONTINUING BUSINESS**

A. **Ordinance No. 814** – 2<sup>nd</sup> Reading

An Ordinance Of The City Of Wilsonville Creating A Franchise Agreement For Solid Waste Management And Collection Within The City And Repealing Ordinance Nos. 204, 281, 424, And 443 And Resolutions Nos. 1077 And 2566.

Ms. Jacobson read the title of Ordinance No. 814 into the record for second reading.

Mayor Knapp informed that the record was held open from the first reading on May 7, 2018.

Staff informed that they have been in communication with Republic Services but have not received any other communications for citizens. Additionally, staff shared that there was a typo on the price increase in attachment 2, it stated \$.12 cents but it should have read \$1.12.

Discussion ensued between Council and staff about questions of policy and clarification.

Mayor Knapp closed the record on Ordinance No. 814 at 8:13 p.m.

**Motion:** Councilor Lehan moved to adopt Ordinance No. 814 as amended on second reading. Councilor Akervall seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Starr	Excused
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

B. **Ordinance No. 817** – 2<sup>nd</sup> Reading

An Ordinance Making Certain Determinations And Findings Relating To And Approving The Year 2000 Urban Renewal Plan 11th Amendment And Directing That Notice Of Approval Be Published.

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Ms. Jacobson read the title of Ordinance No. 817 into the record for second reading.

**Motion:** Councilor Stevens moved to approve Ordinance No. 817 on second reading. Councilor Lehan seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Starr	Excused
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

**CITY MANAGER'S BUSINESS**

No Report.

**LEGAL BUSINESS**

Informed Council that Oregon's U.S. Attorney will be focusing on the black market trafficking of marijuana rather than enforcement at local retail establishments.

**ADJOURN**

Mayor Knapp adjourned the meeting at 8:17 p.m.

Respectfully submitted,

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Kimberly Veliz, City Recorder

ATTEST:

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Tim Knapp, Mayor

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A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, June 4, 2018. Mayor Knapp called the meeting to order at 7:09 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

- Mayor Knapp
- Council President Starr - Excused
- Councilor Stevens
- Councilor Lehan
- Councilor Akervall

Staff present included:

- Bryan Cosgrove, City Manager
- Jeanna Troha, Assistant City Manager
- Barbara Jacobson, City Attorney
- Sandy King, City Recorder
- Daniel Pauly, Senior Planner, Planning
- Nancy Kraushaar, Community Development Director
- Delora Kerber, Public Works Director
- Susan Cole, Finance Director
- Mark Ottenad, Public/Government Affairs Director
- Angela Handran, Assistant to the City Manager
- Todd Blankenship
- Mike McCarty, Parks and Recreation Director
- Chris Neamtzu, Planning Director
- Bill Evans, Communications & Marketing Manager

Motion to approve the order of the agenda.

**Motion:** Councilor Lehan moved to approve the order of the agenda. Councilor Akervall seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Starr	Excused
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS**

This is an opportunity for visitors to address the City Council on items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before

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tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

Mayor Knapp listed the items scheduled for public hearing and noted Ordinance No. 818 would be continued to a date certain of July 2, 2018 Council meeting.

Wood Middle School Students 8<sup>th</sup> grade students Halle Schweigert, Camryn Lau and Evelyne Knight spoke about their experience competing in the "We The People" competition and receiving the Unit Award. The students were able to attend the competition due to a grant award from the City's Park and Recreation. The students presented a We The People poster to the Council.

Mayor Knapp introduced the Non Toxic Wilsonville group who spoke against using pesticides on public fields and parks by the school district and the city.

Katie Hamm asked Council to work with city and school leaders towards banning toxic pesticide use due to their harmful effect.

Krystal Fisher encouraged an organics first policy for the use of pesticides.

Karen McGeehan introduced a video which explained how children absorb pesticides during gestation and through playing in parks.

Ms. McGeehan spoke about vaccine contamination through glyphosate contamination and the results, as well as the prevalence of glyphosate in the environment.

Scott Frost a farmer talked about his experiences farming without the use of pesticides.

Simon Springall commented the City was awarded Bee City status recently and he felt the use of roundup is contradictory to that status. The use of organics first along with a pest management plan should be considered.

Mary Closson provided a recap of the previous testimony and requested an organics first policy.

Jannel Beals supported the Non-Toxic Wilsonville movement.

Ellen McDaniel expressed support of a non-toxic Wilsonville.

Mayor Knapp entered into the record written comments from Cathy Schwab and Carol Burns. He pointed out the School District, Home Owner Associations, and the City each made their own decisions on the maintenance of their properties. The City is working on a pest management plan which will be completed mid- to late August. He asked for clarification on the what "organics first" meant.

Mr. Cosgrove assured Council the city uses bear minimum of pesticides. Additional information about organics first and the pest management plan will be brought to Council.

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Councilor Lehan shared she has been investigating glyphosate and it is now found in all human urine. She explained children are more vulnerable because their bodies metabolize faster than adults. Organics first thing means using organics and least toxic first, we can do more to get to this level and to be more proactive.

Mr. Cosgrove will look at additional cities pest management programs and bring that information forward as well.

**MAYOR'S BUSINESS**

- A. Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.

**COUNCILOR COMMENTS**

- A. Council President Starr - Excused
- B. Councilor Stevens – reminded people the next Boones Ferry Park Master Plan meeting will be held Tuesday June 5, 2018 and it is an opportunity to provide public input on the new plans for the area.
- C. Councilor Lehan – asked for an update on the water issue of last Friday.

Mr. Cosgrove said the City learned on May 31, 2018 water had tested positive for the same molecule that affected the Salem water supply. The level was very low .034 but staff had to make a quick decision on providing notice to the community. Additional samples were sent for testing which returned as negative or "non-detect"; additional water samples are being tested. There was no confirmation the condition was a result of the situation in Salem.

Councilors felt the event had been handled well. Moving forward there needed to be a strategy and a protocol in place to address such events.

Ms. Kerber explained the ozonation process used in the City's water treatment plant which is effective in removing the organism.

- D. Councilor Akervall – announced Tuesday is the Town Center Task Force meeting.

**PUBLIC HEARING**

- A. **Resolution No. 2688**  
A Resolution Of The City Of Wilsonville To Select The Preferred Bridge Location For The French Prairie Bicycle-Pedestrian-Emergency Access Bridge: Boones Ferry Road To Butteville Road (CIP #9137).

Ms. Jacobson read the title of Resolution No. 2688 into the record.

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Mayor Knapp provided the public hearing format and opened the public hearing at 8:04 p.m.

Zach Weigel provided the staff report which is included here to provide background.

In 2009, the City was awarded Regional Flexible funds through Metro for planning and project development of the French Prairie Bridge, a multi-modal (pedestrian, bike, and emergency vehicle) bridge crossing the Willamette River. The project development work aims to address three key questions:

- Where are the preferred landing points for the bridge?
- What is the preferred bridge type?
- What is the estimated cost of the preferred bridge and how might its construction be funded?

Beginning in September 2016, the Project Management Team (PMT), comprised of OBEC Consulting Engineers, City of Wilsonville, Clackamas County, and the Oregon Department of Transportation, identified three potential bridge locations within the project study area. The consultant team performed technical investigations documenting the potential opportunities and constraints associated with each bridge location.

The decision-making approach included formation of a Technical Advisory Committee (TAC) and Task Force. The TAC, whose members represent public agencies and organizations having expertise and implementation authority, provides recommendations on regulatory and technical issues related to bridge siting and design. Stakeholders with a wide range of values and interests represented the Task Force with members from affected neighborhoods and businesses, walking and cycling enthusiasts, local parks and trails interests, tourism associations, and emergency services personnel. The Task Force provides recommendations to the decision makers at key milestones in the bridge planning and design process.

Out of the public feedback, technical documents, and meetings with the TAC, Task Force, Clackamas Board of County Commissioners, and Wilsonville City Council, the PMT drafted bridge location evaluation criteria to help select a bridge location that best met stakeholder priorities, interests, and concerns. The TAC and Task Force evaluated and finalized the bridge location evaluation criteria with the Task Force assigning weighting to each criterion at their second meeting in May 2017. The process to determine the evaluation criteria is summarized in Attachment G and outcome as follows:

Criterion A – Connectivity and Safety	20%
Criterion B – Emergency Access	20%
Criterion C – Environmental Impacts	11.5%
Criterion D – Compatibility with Recreational Goals	20%
Criterion E – Compatibility with the Existing Built Environment	17%
Criterion F – Cost and Economic Impact	11.5%

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At their third meeting on February 28, 2018, the TAC provided scoring for each of the three potential bridge locations from a technical perspective. The TAC made a unanimous decision to recommend alignment W1 as the preferred bridge location for the Task Force consideration. The Task Force, on April 12, 2018, evaluated the bridge locations, adjusted the scoring, and unanimously recommended to City Council alignment W1 as the preferred bridge location.

**EXPECTED RESULTS:**

Upon selection of the preferred French Prairie Bridge location, the project team will begin work to determine the preferred bridge type. Determination of the preferred bridge location and type are necessary steps to begin the environmental assessment work and produce estimated bridge design and construction costs. Eliminating project risks and understanding project costs is a key milestone in the project to be considered “construction ready”, placing the project in a more favorable position to receive additional federal funding to complete design and construction.

**TIMELINE:**

The project team is planning a public open house to kick off the preferred bridge type selection process in September 2018. Selection of the preferred bridge type is anticipated by the end of 2018.

While the bridge type selection work is underway, the project team will be coordinating with ODOT to identify the work needed to perform the environmental assessment of the preferred bridge location. This work is anticipated to begin in October 2018 and completed by spring 2019.

**CURRENT YEAR BUDGET IMPACTS:**

Project #9137 is funded through a combination of Parks System Development Charges (SDC) and Federal funding. The FY2017/18 budget includes \$227,112.00 in Parks SDCs to cover the City’s required 10.27% match of the Federal grant and City overhead, of which approximately \$55,000 has been expended. The project is anticipated in the City’s five-year capital improvement plan and will carry into the next fiscal year.

**COMMUNITY INVOLVEMENT PROCESS:**

Public involvement is a focus of the project work to help ensure the bridge location selection thoughtfully considers project stakeholder priorities, interests, and concerns. The project team created a project website updated regularly with project information and upcoming events and included a sign-up form to be added to the project stakeholder list. These stakeholders were notified of upcoming meetings and provided regular project updates at key milestones in the project.

Project information was shared via mailers and door hangers to residents and businesses located within the project area, as well as articles published in the Boones Ferry Messenger and Wilsonville Spokesman. All correspondence included links to the project website and information on how to be added to the stakeholder list, review project materials and submit comment cards.

Input on the three bridge locations were solicited from the public through 19 individual stakeholder interviews, an in-person and online public open house, online comment forms, and presentations to interested stakeholder groups.

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The project team convened a Task Force, with members representing a wide range of stakeholder values and interests, including affected neighborhoods and businesses, walking and cycling enthusiasts, local parks and trails interests, tourism associations, and emergency services personnel, to provide recommendations to the Wilsonville City Council at key milestones in the bridge planning and design process. The Task Force meetings were open to interested community members and time provided for public comment.

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

There are no impacts to the community by selecting the preferred location for the French Prairie Bridge. The project development work currently underway will help the community to decide whether to pursue final design and construction of the bridge project. Selection of the preferred bridge location is a key piece of information to help make this decision and does not commit the City to design or build the French Prairie Bridge.

End of Staff Report.

The Mayor invited public testimony.

Steve Benson, 8525 SW Wilson Lane, Wilsonville Or. Mr. Benson has pushed to match up Boones Ferry Park Master Plan with the alignment of the proposed bridge. The task force 100% approved the W1 alignment. He pointed out at this point in the process the landing point in the Park is not known since the Bridge has not been designed yet; however completing both the Park Master Plan and the selection of the Bridge location enhances goals of connectivity.

Steve Chinn deferred his time.

John Ludlow did not see the Bridge being used during an emergency since first responders are able to get south to Charbonneau quickly via I-5. Mr. Ludlow was also skeptical about funding.

Mayor Knapp noted a letter and petition had been received from residents of Old Town stating their concerns and the difficulties they envision will occur in their neighborhood from the W1 alignment.

Mayor Knapp invited additional speakers, seeing none he closed the public hearing at 8:28 p.m.

Mr. Weigel confirmed both the TAC and Task Force unanimously selected Alignment W1. Regarding the letter submitted he thought many of the concerns would be reflected with any of the alignments.

Mayor Knapp recalled former Councilor Ripple chaired a task force to consider a location of for the pedestrian/bike bridge and 6 alternatives were considered. This task force recommended placing the bridge in a very similar location to the W1 alignment. Given the level of consensus there is no evidence of significant dissention from any of the groups.

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Councilor Stevens recalled the lengthy history of discussion for a bike/ped bridge, and this was an idea from the 2006 task force. Funding will need to be determined, but moving forward with the alignment selected is a positive step.

Councilor Lehan asked Mr. Weigel to speak to the alignment of the bridge in Memorial Park due to the challenging terrain configuration.

Mr. Weigel agreed the connection from Memorial Park to Charbonneau was very challenging due to the steepness of the river bank and the changes in elevation.

Councilor Akervall referred to the concerns raised in the letter from the Old Town neighborhood now and suggested looking into steps now to address those concerns.

Mr. Cosgrove stated he will share the letter with the Police Chief with the possibility of increased patrols. Staff will be working with the Old Town residents to insure their concerns are included in the design process

**Motion:** Councilor Stevens moved to approve Resolution No. 2688. Councilor Lehan seconded the motion.

Councilor Stevens noted the same task force will work on the design phase of the bridge.

Councilor Lehan spoke to the issue of emergency access and first responders use of the bridge. She pointed out the ability for the second responders to get the highway open again is where the emergency access will be most helpful for reopening the I-5.

Mayor Knapp this plan has been in process a long time, and it has a fair amount of support throughout the region. The bridge will bring both tangible and intangible benefits to the community.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Starr	Excused
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

**B. Resolution No. 2690**

A Resolution Of The City Of Wilsonville Recommending Adoption Of The I-5 Wilsonville Facility Plan To The Oregon Transportation Commission.

Ms. Jacobson read the title of Resolution No. 2690 into the record.

Mayor Knapp provided the public hearing format and opened the public hearing at 8:47 p.m.

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The staff report was presented by Nancy Kraushaar, Community Development Director, and Talia Jacobson of ODOT via Power Point presentation.

The staff report is included here to provide background:

The Oregon Department of Transportation (“ODOT”) has prepared the I-5 Wilsonville Facility Plan (“Plan”) Public Review Draft. The Plan is based upon results of the Southbound I-5 Boone Bridge Congestion Study, completed jointly by the City of Wilsonville and ODOT. ODOT conducted the technical analysis and the City of Wilsonville conducted the public involvement for the project.

The study was initiated to address a bottleneck that has emerged on I-5 in Wilsonville, slowing speeds and reducing travel reliability for people traveling southbound by car, by transit, or moving goods by truck. The study results are important because this I-5 segment serves as:

- The gateway between the Portland region and the rest of the state;
- A key segment on the primary west coast route for regional, interstate, and international goods movement by truck
- A key component of the state’s critical seismic lifeline route, and the Boone Bridge (which is part of the study area) will require upgrades to withstand a major Cascadia Subduction Zone earthquake.

The study evaluated operational problems on I-5 southbound from the Wilsonville on-ramp (Exit 283) to the Canby-Hubbard off-ramp (Exit 282A) and the benefits of adding a ramp-to-ramp lane to address the bottleneck that has emerged in this area. Technical analyses show that ignoring this bottleneck will lead to slower travel, more costly goods movement, reduced livability, and higher safety risks for those who use I-5 and the surrounding local transportation network.

Data analyses found that 60 percent of all traffic getting on I-5 at Wilsonville Road exits at either the Charbonneau or Canby/Hubbard exits. This condition lends itself well to a ramp-to-ramp solution that is intended to primarily serve short freeway trips. Ramp-to-ramp lanes improve safety and operation at closely-spaced interchanges, like those in the study area. According to ODOT, similar projects in the Portland region have reduced crashes by 30 to 50 percent.

The study analyzed three solutions (Options A, B, and C) for ramp-to-ramp configurations to address the bottleneck. The Plan recommends Option C, a congestion-mitigation solution that adds a ramp-to-ramp lane extending southbound on I-5 from the Wilsonville Road on-ramp across the Willamette River Boone Bridge past Charbonneau/Miley Road exit to the Canby/Hubbard Highway 551 off-ramp.

The Technical Advisory Committee (TAC) for the study included staff from ODOT, the City, Clackamas County, and Washington County and DKS Associates and Angelo Planning Group. (Marion County chose not to participate in the TAC but received updates at project milestones). After reviewing the technical analysis results, the TAC unanimously recommended Option C as the preferred solution.

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**TIMELINE:**

- ODOT shared the draft facility plan for a 45-day public comment period beginning in April with links to public review materials available on the City's website.
- The Plan will be presented to the Oregon Transportation Commission in July when they will consider its adoption as an amendment to the Oregon Highway Plan.
- If adopted, ODOT intends to propose the ramp-to-ramp configuration in the adopted plan as a project for the 2018 update of the Metro Regional Transportation Plan (to be completed in December 2018).
- Due to a large backlog of transportation projects and limited funds, ODOT anticipates available funding for this project in the 2028-2040 timeframe. The state would seek to combine the ramp-to-ramp lane project with a seismic upgrade of the Boone Bridge.

**COMMUNITY INVOLVEMENT PROCESS:**

A primary goal established by ODOT Region 1 and the City of Wilsonville for the project was to promote public involvement and participation by local governments. The project team focused outreach efforts on gathering feedback about traveler experiences with the operational problems on I-5, presenting the ramp-to-ramp options, and asking for input on the recommendation that Option C should be constructed as part of a seismic retrofit project in the future.

Public and stakeholder involvement activities began in December of 2017, with Wilsonville area outreach efforts led by city staff and consultants and regional outreach efforts coordinated by ODOT. The City created a website for the congestion study, shared regular monthly articles in The Boones Ferry Messenger, sent media releases to The Spokesman Newspaper, and provided information via email.

An Open House was held on March 14, 2018 at Wilsonville City Hall. It drew 30 to 40 attendees, who discussed the results of the technical analysis with project team staff, received a presentation of major findings, and participated in a question and answer session. The same materials were shared in an Online Open House and survey hosted by the City during the second half of March. See below for additional information on results from the on-line survey.

The project team met with the following stakeholder groups in March and April to share congestion study findings, answer questions, and gather input:

- Wilsonville Chamber of Commerce
- Wilsonville Rotary Club
- Charbonneau Homeowners' Association
- Washington County Coordinating Committee – Transportation Advisory Committee  
Oregon Freight Advisory Committee
- ODOT Region 1 Mobility Advisory Committee
- The French Prairie Forum
- Clackamas County Coordinating Committee – C4 Metro Subcommittee
- Metro's Technical Advisory Committee and Transportation Policy Alternatives Committee

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Based on meetings with the Chamber, Rotary Club, Charbonneau Homeowner's Association, the French Prairie Forum, and the Planning Commission, the team put together a Questions and Answers document that describes common questions and answers.

As noted above, the March 14 Open House was complemented by an "On-line Open House" survey. The survey ran from March 14 to March 31. It included key information that was available at the physical Open House, with questions posed regarding traveler experiences, the working recommendations, and participant demographics. The following is a brief summary of feedback received.

- There were about 280 respondents (not all participants answered all questions).
- Most survey respondents used I-5 to cross the Boone Bridge going south at least several times per week (41% at least once per day; 22% several times per week). Nearly 80% said they were likely to use the Wilsonville Road on-ramp on a typical trip, and over half said they were likely to use the Charbonneau District off-ramp. 43% said they were likely to use the Canby-Hubbard off-ramp. (All of which is to say – this survey appears to have reached those that use/would be affected by the proposal).
- Respondents generally experienced unpredictable travel times, frequent congestion, and spillback. A lower percentage (though still the majority) experienced dangerous weaving behavior.
- Given the information presented, 75% of respondents chose Option C as their preferred build. Option B was the second most preferred, with about 10% of respondents choosing it.
- About 7% of respondents checked "Other" regarding their preferred option – see the Comments for explanation of those ideas.
- Almost all respondents said that ODOT should invest in operational improvements in this part of I-5.
- The average level of support for the recommended alternative is 92/100.
- Asked to list primary reasons, people provided many separate comments. Congestion, safety and commuting times were among the most common issues.

The Wilsonville Planning Commission received five presentations from the project team between November 2017 and April 2018, including hosting the Open House followed by a work session in March and the public hearing on the draft facility plan in April. After the public hearing, the Planning Commission adopted Resolution No. LP18-0004 recommending approval of the I-5 Wilsonville Facility Plan to the City Council, for which a summary is provided in Attachment C - Planning Commission Record for Resolution LP18-0004.

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

A southbound ramp-to-ramp lane on I-5 at this location has the potential to improve freeway operations by reducing merge conflicts and relieve the traffic bottleneck between the Wilsonville Road and Canby/Hubbard interchanges. Expected outcomes include improved safety and reliability in the Portland metropolitan area's South Metro I-5 corridor and reduced impacts of I-5 congestion on the City of Wilsonville. The I-5 Wilsonville Facility plan does not add general travel

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lanes to I-5 and is not intended to support conversion of rural reserves to urban reserves south of the Metro urban growth boundary.

Mayor Knapp noted one of the "Whereas" clauses on the second page of the resolution states the project is not addressing the I-5 traffic corridor , rather "the "ramp-to-ramp" land is intended only to improve freeway operations and traffic safety in the Portland metropolitan area's Sough Metro I-5 corridor and to reduce impacts of I-5 congestion on the City of Wilsonville."

The Mayor referenced the letter from Metro and asked whether those considerations were included in the proposed Resolution. Ms. Kraushaar stated Metro staff reviewed the Resolution and felt it addressed their concerns.

Ms. Kraushaar was not intended to change how Hwy 551 operates, and that the council was feeling the south metro corridor study should be completed. Metro staff person reviewed the resolution and felt it was good.

The Mayor invited public testimony, seeing none he closed the public hearing at 9:11 p.m.

**Motion:** Councilor Lehan moved to approve Resolution No. 2690. Councilor Akervall seconded the motion.

Councilor Akervall noted one data point in the packet addressed the delays of freight travel in terms of dollars. What was not quantified were the impacts to family commitments and responsibilities the delays cause.

Mayor Knapp expressed his support for the resolution and offered to testify before OTC should the need arise.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Starr	Excused
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

**C. Ordinance No. 818**

An Ordinance Of The City Of Wilsonville Amending Chapter 8 –Environment Of The Wilsonville Code To Revise WC 8.500 Through 8.536 And To Make Other Revisions And To Repeal Ordinance No. 482.

Ms. Jacobson read the title of Ordinance No. 818 into the record. Staff is requesting a continuation of the Ordinance to date certain of the July 2, 2018 meeting.

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**Motion:** Councilor Stevens moved to continue Ordinance No. 818 to date certain of July 2, 2018 for first reading, Councilor Lehan seconded the motion.

**Vote:** Motion Carried 4-0

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Starr	Excused
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

Mayor Knapp declared a recess at 9:17 p.m. and reconvened the meeting at 9:23 p.m.

**D. Ordinance No. 819**

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

Ms. Jacobson read the titles of Ordinance No. 819 and Ordinance No. 820 into the record. The public hearing on the two ordinances was held concurrently; however the vote would be taken separately for each ordinance.

Mayor Knapp provided the public hearing format and opened the public hearing at 9:25 p.m.

The staff report for both Ordinances was provided by Daniel Pauly, Senior Planner.

The proposed 16-acre annexation is the first area proposed for annexation and subsequent development consistent with the Frog Pond West Master Plan. The subdivision will be the first of many developments blended together into one high quality neighborhood. Concurrent with the adoption of the Frog Pond West Master Plan, a new zoning district, Residential Neighborhood (RN) intended for application to the Master Plan area. The requested zone map amendment proposes applying the Residential Neighborhood Zone to the entire subject property.

As required by law, the annexation of territory is based on the consent of all the land owners and a majority of electors within the territory. This consent has been received in writing and enables the Council to approve or reject the annexation without having to submit the question to the voters.

The Development Review Board Panel A unanimously recommended approval of the Annexation and the Zone Map Amendment for the subject property.

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Councilor Stevens asked who will maintain the wall fronting Boeckman Road. Mr. Pauly stated the home owners association(HOA) will own and maintain the wall. He understood each development will have its own HOA.

Mayor Knapp asked for clarification on the “two sub-districts”. Mr. Pauly explained the sub-districts refer to lot sizes and are identified as Medium (6,000 to 8,000 SF) or Large Lot (8,000-12,000SF).

Mayor Knapp asked if the proposal is completely in alignment with the Master Plan. The Mayor felt connectivity was important. Mr. Pauly assured the Council the plan is in conformance to the Master Plan.

Mayor Knapp invited public input.

Mr. Michael Robinson, 1211 SW 5<sup>th</sup> Avenue Suite 1900, Portland, OR, represented the applicants. representing the applicant Mr. Robinson confirmed that the plan fulfills the connectivity required in the Master Plan, with no deviations. The wall along Boeckman Road will be maintained by the HOA, noting each development will have their own HOA. He asked that the two ordinances be adopted on first reading.

Mr. Steve Dixon, of OTAK, 808 SW 3<sup>rd</sup> Ave, Suite 300, Portland, OR stated the wall and landscaping will be coordinated with neighboring developments and the finished product will be seamless along the road.

Doris Wehler, 6855 SW Boeckman Road, Wilsonville OR, expressed her support for adoption of the two ordinances. She pointed out residents of the Meadows subdivision were concerned with the possible use of Willow Creek Drive as a short cut to avoid the traffic signal.

Mayor Knapp invited additional speakers, seeing none he closed the public hearing at 9:42 p.m.

**Motion:** Councilor Lehan moved to approve Ordinance No. 819 on first reading. Councilor Akervall seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Starr	Excused
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

**E. Ordinance No. 820**

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5 (Rrff5) Zone To The Residential Neighborhood (Rn) Zone On Approximately 16 Acres On The North Side Of Boeckman

**CITY OF WILSONVILLE  
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Road Just West Of Stafford Road; The Land Is More Particularly Described As Tax Lots 2001, 2100, 2201, 2202 Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. West Hills Land Development LLC, Applicant.

**Motion:** Councilor Akervall moved to approve Ordinance No. 820 on first reading. Councilor Lehan seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Starr	Excused
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

**NEW BUSINESS**

A. **Resolution No. 2689**

A Resolution of the Wilsonville City Council Adopting the Wilsonville-Metro Community Enhancement Committee’s 2018-19 Funding Recommendations.

Ms. Jacobson read the title of Resolution No. 2689 into the record.

Ms. Angela Handran provided the staff report and the background on the Wilsonville-Metro Community Enhancement program. After reviewing the applications, the Wilsonville-Metro Community Enhancement Committee recommended funding for three projects:

- \$40,000 for the Willamette Way West Sidewalk,
- \$12,360 to the Historical Society for preservation of historical documents, and
- \$12,644 to the Backyard Habitat Certification Program.

**Motion:** Councilor Lehan moved to approve Resolution No. 2689. Councilor Akervall seconded the motion.

**Vote:** Motion carried 4-0.

**SUMMARY OF VOTES**

Mayor Knapp	Yes
Council President Starr	Excused
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Yes

**CITY OF WILSONVILLE  
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**CITY MANAGER'S BUSINESS**

No Report.

**LEGAL BUSINESS**

No Report.

**ADJOURN**

Mayor Knapp adjourned the meeting at 9:52 p.m.

Respectfully submitted,

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Kimberly Veliz, City Recorder

ATTEST:

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Tim Knapp, Mayor



## CITY COUNCIL MEETING STAFF REPORT

<p><b>Meeting Date:</b> July 2, 2018</p>	<p><b>Subject: Ordinance No. 818</b> Code Updates Regarding Enforcement of Stormwater Regulations.</p> <p><b>Staff Member:</b> Kerry Rappold, Natural Resources Manager; and Amanda Guile-Hinman, Assistant City Attorney</p> <p><b>Department:</b> Natural Resources/Legal</p>
<p><b>Action Required</b></p>	<p><b>Advisory Board/Commission Recommendation</b></p>
<p><input checked="" type="checkbox"/> Motion</p> <p><input checked="" type="checkbox"/> Public Hearing Date: June 4, 2018</p> <p><input checked="" type="checkbox"/> Ordinance 1<sup>st</sup> Reading Date: June 4, 2018</p> <p><input checked="" type="checkbox"/> Ordinance 2<sup>nd</sup> Reading Date: August 6, 2018</p> <p><input type="checkbox"/> Resolution</p> <p><input type="checkbox"/> Information or Direction</p> <p><input type="checkbox"/> Information Only</p> <p><input type="checkbox"/> Council Direction</p> <p><input type="checkbox"/> Consent Agenda</p>	<p><input type="checkbox"/> Approval</p> <p><input type="checkbox"/> Denial</p> <p><input type="checkbox"/> None Forwarded</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <p><b>Comments:</b> Adoption of revisions to Wilsonville Code Chapter 8 - Environment.</p>
<p><b>Staff Recommendation:</b> Staff recommends that Council continue the public hearing for Ordinance No. 818 to a date certain of August 6, 2018</p>	
<p><b>Recommended Language for Motion:</b> I move to continue the public hearing for Ordinance No. 818 to August 6, 2018.</p>	
<p><b>Project / Issue Relates To:</b></p>	
<p><input type="checkbox"/> Council Goals/Priorities</p>	<p><input type="checkbox"/> Adopted Master Plan(s)</p>
<p><input checked="" type="checkbox"/> Not Applicable</p>	

**ISSUE BEFORE COUNCIL:**

Council to consider adoption of revisions to Wilsonville Code (WC) Chapter 8 – Environment to address issues regarding enforcement of stormwater provisions. Currently, there is no clear process for enforcing violations of stormwater management. Moreover, Chapter 8 does not delineate between enforcement of stormwater as opposed to enforcement of industrial wastewater and sanitary sewer regulations. Because of the specific federal and state laws and regulations for each and the particular permitting needed for each, enforcement should be handled in different, but complementary, manners.

The revisions also handle some “housekeeping” within Chapter 8 and remove the provisions related to solid waste and recycling, as those matters are addressed in the recently adopted Ordinance No. 814.

**EXECUTIVE SUMMARY:**

This Staff Report explains staff’s proposal for restructuring Chapter 8, as well as some of the issues concerning erosion prevention and sediment control (ESC) regulation found in WC 8.534. This Staff Report further outlines the changes staff made to Chapter 8 since the Council held a work session on May 21, 2018.

**1. Chapter 8 “Housekeeping”**

City staff worked to reorganize Chapter 8 to match enforcement provisions with the regulations they enforce. The table below explains the “housekeeping” performed by staff:

<b>Code Section/ Ordinance</b>	<b>Action Taken by Staff</b>	<b>Reason for Action</b>
General Provisions – WC 8.000-8.008	Update 8.006 (definitions)	Added some definitions necessary for clarifying erosion prevention and sediment control and for enforcement of stormwater regulations.
Water Conservation – WC 8.101-8.150	Update	Housekeeping; minor updates to reflect defined terms. Included language in 8.136 to address notifications via the internet regarding use of water during an emergency.
Public Sanitary Sewer Use – WC 8.200-8.214	Update	Housekeeping; minor updates to correct citations to Code provisions and grammatical errors.
Industrial Wastewater Regulations – WC 8.300-8.320	Update	Housekeeping; minor updates to correct citations to Code provisions and grammatical errors.
Solid Waste Disposal – WC 8.400-8.404	Repeal	Housekeeping; incorporated in Ordinance No. 814.
Stormwater – WC 8.500-8.534	Update	8.534 updated to provide clearer requirements for erosion prevention and sediment control and updated 8.536 to enforce stormwater regulations.
Enforcement – WC 8.602-8.606	Update and Replace 8.400-8.404	Minor changes to reflect that the enforcement measures only apply to the regulations in 8.200-8.320. Moved to follow 8.300-8.320 so it logically follows the provisions it seeks to enforce.

Business Recycling Requirements – WC 8.700-8.750	Repeal	Housekeeping, incorporated in Ordinance No. 814.
Code Section/ Ordinance	Action Taken by Staff	Reason for Action
Industrial Pretreatment Program Enforcement Response Plan	Update	Housekeeping; minor updates to correct citations to Code provisions and grammatical errors.
Ordinance 482	Repeal	Requires and regulates ESC permits, which will be incorporated into WC 8.534, so the Ordinance is no longer necessary. Ordinance is outdated.

## 2. Comprehensive Redrafting of Erosion Prevention and Sediment Control Regulation

One of the initial reasons that City staff began reexamining WC Chapter 8 was the need to revise WC 8.534 – Erosion Prevention and Sediment Control. Previously, the Erosion Prevention and Sediment Control code referred to the Stormwater Management Coordinator. However, to create a more efficient inspection process, these duties have been reassigned to the Engineering Technicians. Additionally, ESC was previously regulated under Ordinance No. 482. New requirements within the Oregon Department of Environmental Quality (DEQ) Municipal Separate Storm Sewer System (MS4) Permit require the City to issue a permit for any land disturbing activities between 500 square feet and five acres in area, which makes Ordinance No. 482 obsolete.

City staff examined city codes from other jurisdictions and determined that WC 8.534 needed to be expanded to outline the ESC permit requirement, the ESC Plan that a developer must submit to the City, inspection requirements, and revisions necessary to such ESC Plans if erosion is occurring.

## 3. Enforcement of Stormwater Regulations

The second reason that City staff reexamined WC Chapter 8 was the lack of clarity and usefulness of the enforcement provision found in WC 8.536 to enforce the stormwater regulations found in 8.500 through 8.534. In particular, the current WC 8.536 does not allow for more substantial fines when the violation is significant and is not clear with respect to assessing fines per day when a stormwater violation is ongoing. For example, if a business is found to be discharging contaminated water into the City's stormwater system, they are currently subject to a \$500 fine. An enforcement action last year involved a site where trash seepage and related materials were discharged into the City's stormwater system for over 25 days. The Stormwater Management Coordinator initially worked with the business, but eventually had to contact the City Attorney and the police department. After 25 days and two visits by a police officer, the discharge was finally stopped. A more efficient enforcement procedure implemented by City staff would provide the City a clearer mechanism to stop the flow of contaminated stormwater into the City's stormwater system.

The proposed draft of WC 8.536 provides a process for City staff to enforce the stormwater regulations in WC 8.500 through 8.534 and to impose fines that are applicable to the particular violation. In other words, if a minor violation occurs by an individual who may not be well-educated in ESC requirements, a smaller fine may be appropriate versus a sophisticated developer that chooses to disregard ESC standards.

City staff recommend a multi-factor approach to establishing the appropriate fine that can range from \$50 to \$5,000 per offense or, in the case of a continuing offense, up to \$1,000 for each day of the offense. This process is modeled after the City of Corvallis. The factors include:

- (a) The person’s past history in taking all feasible steps or procedures necessary or appropriate to correct the violation;
- (b) Any prior violations of statutes, rules, orders and permits;
- (c) The gravity and magnitude of the violation;
- (d) Whether the cause of the violation was an unavoidable accident, negligence, or an intentional act;
- (e) Cost to City;
- (f) The violator’s cooperativeness and efforts to correct the violation; and
- (g) Any relevant regulation under the City Code.

#### 4. Changes from May 21, 2018 Council Work Session

At the May 21, 2018 Council work session, Council raised questions regarding the terms used throughout Chapter 8 to better identify responsible party(ies) in each section. Staff noted that terms used in certain sections coincide with the terms used under applicable state or federal laws, regulations, and permits, particularly the distinct terms used under the Federal NPDES Waste Discharge Permit and the NPDES Municipal Separate Storm Sewer System (MS4) Permit. Below is a summary of some key terms and how staff have attempted to clarify their meaning in the Chapter.

<b>Term</b>	<b>Definition</b>	<b>Basis for Definition</b>	<b>WC Section Location</b>
<b>User or Industrial User</b>	Any Person who contributes, causes, or allows the contribution of Sewage or Industrial Wastewater into the POTW, including Persons who contribute such wastes from mobile sources.	Tied to NPDES Wastewater Discharge Permit requirements from the US Environmental Protection Agency	<u>Public Sanitary Sewer Use:</u> WC 8.200  <u>Industrial Wastewater Regulations:</u> WC 8.300  <u>Enforcement:</u> WC 8.400
<b>Applicant</b>	The Owner of a property and/or his or her agents, contractors, or developers who applies for a City permit.	General definition applied to sanitary sewer construction	<u>Private Sewage Disposal:</u> WC 8.204  <u>Buildings Sanitary Sewers and Connections:</u> WC 8.206  <u>Public Sanitary Sewers—Construction:</u> WC 8.210

<b>Term</b>	<b>Definition</b>	<b>Basis for Definition</b>	<b>WC Section Location</b>
<b>ESC Applicant</b>	The Owner of a property and/or his or her agent, contractors, or developers who applies for an Erosion Prevention and Sediment Control Permit pursuant to this Chapter 8.	Specific definition tied to erosion prevention and sediment control in WC 8.534.	<u>Stormwater System Construction</u> : WC 8.502  <u>Erosion Prevention and Sediment Control</u> : WC 8.534  <u>Stormwater—Violation</u> : WC 8.536
<b>Responsible Party</b>	The Person who causes a violation of the Stormwater regulations contained in WC 8.500 through WC 8.534 or who has the authority to direct and control the Person causing the violation.	Related to stormwater violations; tied to NPDES MS4 Permit (stormwater permit)	<u>Requirement to Monitor and Analyze</u> : WC 8.532  <u>Stormwater—Violation</u> : WC 8.536
<b>Owner</b>	Shall mean the Person(s) who holds title to the property.	A Person(s) who may be the Responsible Party	<u>Pubic Sanitary Sewer Use</u> : WC 8.200  <u>Industrial Wastewater Regulations</u> : WC 8.300  <u>Stormwater</u> : WC 8.500
<b>Lessee</b>	A Person other than the Owner having a legal right to possess or control the property.	A Person(s) who may be the Responsible Party	<u>Pubic Sanitary Sewer Use</u> : WC 8.200  <u>Industrial Wastewater Regulations</u> : WC 8.300  <u>Stormwater</u> : WC 8.500

**EXPECTED RESULTS:**

Developers will have a better understanding of the City's ESC requirements and City staff will have more clarity in the enforcement of City stormwater regulations.

**TIMELINE:**

The WC Chapter 8 revisions are scheduled for a first reading and public hearing on July 2, 2018; however, staff will request a continuance of the public hearing to a date certain of August 6, 2018.

**CURRENT YEAR BUDGET IMPACTS:**

City staff do not anticipate any significant budget impacts. Refinement of WC Chapter 8 should not, and is not intended to, cause substantial increases in fines, but rather help encourage compliance before a fine becomes necessary.

**FINANCIAL REVIEW / COMMENT:**

Reviewed by: SCole Date: 5/29/2018

**LEGAL REVIEW / COMMENT:**

Reviewed by: ARGH Date: 5/25/2018

**COMMUNITY INVOLVEMENT PROCESS:**

N/A

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

Revision of WC Chapter 8 should benefit the community by encouraging compliance with the City's stormwater requirements.

**ALTERNATIVES:**

Retain WC Chapter 8 as is.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

None.



## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b> July 2, 2018		<b>Subject: Resolution No. 2700</b> Transit Master Plan Resolution	
		<b>Staff Member:</b> Dwight Brashear, Transit Director	
		<b>Department:</b> Transit	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		<b>Comments:</b> Adoption of revised chart contained within the previously adopted 2017 Transit Master Plan (“TMP”) to clarify transit priority list costs.	
<b>Staff Recommendation:</b> Staff recommends that Council adopt Resolution No. 2700.			
<b>Recommended Language for Motion:</b> I move to approve Resolution number 2700.			
<b>Project / Issue Relates To:</b>			
<input type="checkbox"/> Council Goals/Priorities	<input checked="" type="checkbox"/> Adopted Master Plan(s) Transit Master Plan	<input type="checkbox"/> Not Applicable	

### ISSUE BEFORE COUNCIL:

Whether to amend the Transit Master Plan.

### EXECUTIVE SUMMARY:

The passage of House Bill 2017, known as “Keep Oregon Moving,” provides a new state revenue source for additional funding to public transportation providers across the state, including South Metro Area Regional Transit (SMART). To receive funds, local transit master plans must meet the

requirements listed in Section 122 of Keep Oregon Moving (House Bill 2017) and further requirements set by the Oregon Department of Transportation.

The Statewide Transportation Improvement Fund (STIF), a new state funding source established with the passage of Oregon House Bill 2017, provides an opportunity for SMART to enhance transit services in Wilsonville and neighboring communities. To be eligible for funding, a local transit master plan must be submitted to the state and approved by the Oregon Transportation Commission. Opportunity to submit plans occurs on a biennial basis.

The SMART Transit Master Plan (TMP) adopted June 19, 2017 satisfies the requirements set forth in the state plan submittal process to be eligible to receive funding; however, as a sub-recipient of the funds, SMART must additionally meet the Qualified Entity (TriMet's) project cost-planning target of at least 115% of the projected revenues to be received. In other words, the TMP must contain a priority list of transit projects or services that meet certain requirements and reflect a cost estimate of at least 115% of what SMART is projected to receive in STIF funds.

The TMP already has a priority list that meets the requirements, except for the cost estimate of at least 115% of projected STIF funds. In order to meet this 115% project cost-planning target, SMART must adjust the cost estimates listed in Appendix B of the TMP. The cost adjustments are based on improving current existing services while maintaining the prioritization of each project as originally identified. The proposed new cost estimates are provided in Exhibit A attached to Resolution No. 2700.

#### **EXPECTED RESULTS:**

The adoption of the proposed TMP resolution will allow SMART to be eligible to receive formula funds through the STIF and implement the projects identified in Appendix B of the current Transit Master Plan.

These projects include enhanced connections to TriMet via the 2X-Tualatin/Tigard, additional Saturday hours of service on current Saturday routes (2X and 4), late-morning or mid-day service on the 1X-Salem, and an express route to Woodburn.

#### **TIMELINE:**

<b>July 24</b>	Clackamas County HB2017 Committee approves local plan
<b>August</b>	Approved local plan goes to TriMet (Qualified Entity) for inclusion in main STIF plan
<b>September-October</b>	HB 2017 Executive Committee and TriMet Board Approval
<b>November 1</b>	TriMet STIF Plan due to ODOT for review
<b>January</b>	Oregon Transportation Commission approval
<b>April 2019</b>	Anticipated revenues to Qualified Entity

**CURRENT YEAR BUDGET IMPACTS:**

The current year's budget will not be impacted by this resolution. SMART anticipates additional funding beginning spring of 2019 and each year thereafter. Staff has been working with the Finance department to establish separate accounting as required by the legislation.

Estimated HB 2017 Revenues

	<b>FY2019</b>	<b>FY2020</b>	<b>FY2021</b>
<b>Clackamas County</b>	\$303,952	\$690,331	\$790,555
<b>Washington County</b>	\$93,349	\$211,623	\$239,481
<b>TOTAL</b>	\$397,301	\$901,954	\$1,030,036
<b><i>115% Planning Target</i></b>	<b>\$456,896</b>	<b>\$1,037,247</b>	<b>\$1,184,541</b>

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: SCole Date: 6/25/2018

The actual timeline for receiving revenues related to HB2017 is within a range of about six or seven months, anytime between April, 2019 and November, 2019. The timeline is contingent on when TriMet completes and submits the HB2017 Plan, of which SMART is a part. The table above reflects the report submitted in November of 2018 and revenues being received in April of each year, (April of 2019 falling within the fiscal year of 2018-19), while the City's Five-Year Forecast document, prepared concurrently with the City's FY 2018-19 Proposed Budget, assumes a later submission of the report and receipt of revenues after the month of July in each year, and therefore the Forecast shows the first receipt would be in FY 2019-20.

**LEGAL REVIEW / COMMENT:**

Reviewed by: BAJ Date: 6/25/2018

ODOT and TriMet have discovered they do not agree on TriMet's (hence Wilsonville's) deadline for submittal. Wilsonville staff has gone the extra mile to meet the earlier ODOT deadline but if TriMet continues to object to it and does not meet it, and ODOT does not extend it, then Wilsonville's funding could be delayed along with every other recipient dependent upon TriMet's compliance.

**COMMUNITY INVOLVEMENT PROCESS:**

SMART conducted an extensive two-year TMP public involvement process to develop the 2017 TMP. Businesses and community members identified needs and desires through workshops, interviews, public events, a TMP citizen task force, and several other public involvement formats. The values upheld with the TMP planning process follow the International Association for Public

Participation (IAP2) Core Values for Public Participation. Full participation efforts are detailed in the TMP Public Involvement chapter and Appendix F.

The proposed resolution does not change the projects or their prioritization vetted by residents, businesses, and other stakeholders.

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

The resolution will allow SMART to be eligible to receive new state funding. With these funds, SMART to respond to the identified needs the community and businesses highlighted in 2017 and as described in the TMP. SMART will be able to expand hours of current bus services and potentially create routes that provide access to new destinations.

**ALTERNATIVES:**

If SMART is unable to submit its local plan within the timeline given above and TriMet continues toward submitting the STIF plan by the November 1, 2018 then SMART must wait until the next plan submittal opportunity in 2020 to access the new funding.

**CITY MANAGER COMMENT:**

NA

**ATTACHMENTS:**

1. Current TMP Appendix B
2. Resolution No. 2700
  - a. Exhibit A - Proposed TMP Appendix B

## Appendix B – Route Priorities

The content below highlights SMART’s priority if funding levels change to either (1) more available revenue and increasing service or if (2) costs increase and reducing service levels.

**If SMART has more available revenue, the first service enhancements will be:**

Priority Level	Service Description	Estimated Cost
1	Add hours of service on the 2X to Tualatin and/or Tigard with better connections to TriMet.	\$60,489
2	Add more Saturday service and hours of service on Route 4.	\$114,650
3	Add mid-day or late-morning service on the 1X.	\$372,000
4	Expand service to Villebois. Hourly service all day from Villebois to connections at SMART Central	\$168,000
	Current Villebois Shopper Shuttle would be replaced by all day Route 7	\$118,480
	Cost after Route 7 replaces the Villebois Shopper Shuttle	\$49,520
5	Add service to Coffee Creek and Frog Pond growth areas.	\$184,967
6	Begin service to Downtown Portland.	\$194,513
7	Begin service to Woodburn.	\$35,981
8	Acquire battery-electric buses, especially for in-town use.	\$86,250
Total	Total cost of all projects if annual operating funding were available.	\$1,384,849

**RESOLUTION NO. 2700**

**A RESOLUTION OF THE CITY OF WILSONVILLE CLARIFYING APPENDIX B  
– ROUTE PRIORITIES OF THE 2017 TRANSIT MASTER PLAN.**

WHEREAS, the City Council for the City of Wilsonville adopted the 2017 Transit Master Plan (“Transit Master Plan”) on June 19, 2017; and

WHEREAS, the Transit Master Plan outlines future goals for the City of Wilsonville’s (“City”) transit system through South Metro Area Regional Transit (“SMART”) and supportive transportation options to meet the City’s mobility needs; and

WHEREAS, Appendix B – Route Priorities to the Transit Master Plan identifies a prioritized list of service enhancements that SMART intends to undertake should additional funding become available; and

WHEREAS, the Oregon State Legislature passed House Bill (HB) 2017 in 2017 that projects to provide additional transit funding to transit agencies throughout the State of Oregon; and

WHEREAS, the Oregon Administrative Rules that implement HB 2017 require transit agencies to submit an adopted plan that contains a prioritized list of projects that meet certain criteria in order to obtain the funding collected by the State through HB 2017; and

WHEREAS, for purposes of implementing HB 2017 and distributing funds to transit agencies, the State has designated SMART a subrecipient of TriMet, meaning that SMART must submit its required ‘local’ plan to TriMet for TriMet to then submit as part of the Statewide Transportation Improvement Fund (“STIF”) plan to the State for funding; and

WHEREAS, the State requires TriMet to submit its plan by November 1, 2018 resulting in the HB 2017 Clackamas County Committee to approve SMART’s ‘local’ plan by July 24, 2018; and

WHEREAS, Appendix B – Route Priorities in the Transit Master Plan meets the requirements of the plan identified in the Oregon Administrative Rules necessary to receive funding under HB 2017; and

WHEREAS, Appendix B – Route Priorities requires clarification of the pricing listed in the prioritized list to satisfy the 115% minimum cost-planning target set by TriMet.

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

1. The chart on page 97 of the Transit Master Plan, which is the first page of Appendix B – Route Priorities, is replaced with **Exhibit A** attached hereto and incorporated herein.
2. The findings presented in this Resolution supporting this clarification of the pricing on page 97 of the Transit Master Plan are hereby adopted.
3. This Resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 2<sup>nd</sup> day of July, 2018, and filed with the Wilsonville City Recorder this date.

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TIM KNAPP, MAYOR

ATTEST:

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Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Knapp  
Council President Starr  
Councilor Stevens  
Councilor Lehan  
Councilor Akervall

Attachments:

Exhibit A – Revised Page 97 of the Transit Master Plan (first page of Appendix B – Route Priorities)

## Appendix B - Route Priorities

The content below highlights SMART's priority if funding levels change to either (1) more available revenue and increasing service or if (2) costs increase and reducing service levels.

**If SMART has more available revenue, the first service enhancements will be:**

Priority Level	Service Description	Estimated Cost
1	Add hours of service on the 2X to Tualatin and/or Tigard with enhanced connections to TriMet	\$52,400
2	Add additional Saturday service and hours of service on Route 4	\$111,349
3	Add midday or late-morning service on the 1X	\$160,400
4	Expand service to Villebois. Hourly service all day from Villebois to connections at SMART Central	\$254,300
	Current Villebois Shopper Shuttle would be replaced by all day Route 7	\$190,300
	Cost of Route 7 replaces the Villebois Shuttle	\$64,000
5	Add service to Coffee Creek and Frog Pond growth areas	\$374,500 *
6	Service to Tualatin with a TriMet Line 96 connection to downtown Portland	\$251,700
7	Begin Service to Woodburn in partnership with Woodburn Transit System and Salem Area Mass Transit District	\$155,067
8	Acquire battery-electric buses, especially for in-town use	\$300,000
Total	Total cost of all projects	\$1,469,416

\* Beyond 2.5 years of plan



**CITY COUNCIL MEETING  
STAFF REPORT**

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

**ISSUE BEFORE COUNCIL:**

On June 18, 2018, City Council conducted the public hearing on Ordinance Nos. 821 and 822 to annex and rezone approximately 20 acres on the north side of Boeckman Road just east of Boeckman Creek within the Frog Pond West Master Plan area, enabling development of an 82-lot single-family subdivision. Following deliberation, the Council requested that the applicant consider options to create additional usable open space within the subdivision. The Council also heard public testimony from an adjacent property owner regarding a condition of approval to obtain consent from the property owner to remove trees for roadway improvements along the project’s northern boundary. To allow the applicant to respond to these concerns, the Council left the public hearing open until second reading. Additional information provided by the applicant is summarized below.

**EXECUTIVE SUMMARY:**

The applicant provided additional information to address these issues raised by Council and through public testimony (Exhibit D).

1. Usable Open Space: While the findings note that the application meets the minimum standards for usable open space in small-lot sub-districts, Council suggested that additional usable open space be provided in a centralized location, such as an expansion of Tract F into the present location of Lot 15. The applicant’s revised plans remove this lot, adding 3,085 square feet to Tract F for a total size of 11,083 square feet. The applicant applied a small remainder of the original Lot 15 to widening revised Lots 15-19.

2. Adjacent Property Owner Consent for Tree Removal: A condition of approval of the Type C Tree Plan request requires the applicant/owner to obtain written consent of the adjoining property owner prior to issuance of a tree removal permit for trees along or on the adjacent owner’s property. As noted during public testimony, if the applicant/owner cannot obtain this permission, he would have to redesign this portion of the site where Street G is proposed to avoid any impacts to these trees. Following the public hearing, the applicant indicated that attempts to obtain this consent have been unsuccessful, and approval of an alternative option for the construction of Street G to avoid these trees is desired. The southward shift of Street G forced adjustments to Lots 47-62 to maintain the minimum lot area of 4,000 square feet, resulting in a reduction of one lot in this block. The revised plat provides a total of eight attached single-family dwelling units, continuing to meet the 10 percent minimum requirement for duplex/attached single-family dwelling units in small lot sub-districts.

**EXPECTED RESULTS:**

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

**TIMELINE:**

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

**CURRENT YEAR BUDGET IMPACTS:**

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

**FINANCIAL REVIEW / COMMENT:**

Reviewed by: SCole Date: 6/11/2018

**LEGAL REVIEW / COMMENT:**

Reviewed by: BAJ Date: 6/13/2018

**COMMUNITY INVOLVEMENT PROCESS:**

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

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

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

**ALTERNATIVES:**

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

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

Exhibit A – Annexation Ordinance No. 821:

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

Attachment 2 – Petition for Annexation

Attachment 3 – Annexation Findings

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

Exhibit B – Zone Map Amendment Ordinance No. 822

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

Attachment 2 – Zone Map Amendment Findings

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

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

Exhibit D – Applicant’s Supplemental Testimony dated June 25, 2015

Attachment 1 – Revised Preliminary Plat

Attachment 2 – Supplemental Arborist Report

**ORDINANCE NO. 821**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

---

TIM KNAPP, Mayor

**SUMMARY OF VOTES:**

Mayor Knapp

Council President Starr

Councilor Stevens

Councilor Lehan

Councilor Akervall

**Attachments:**

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

Attachment 2 – Petition for Annexation

Attachment 3 – Annexation Findings

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

## Ordinance No. 821 Attachment 1

### SUBJECT PROPERTY BOUNDARY LEGAL DESCRIPTION

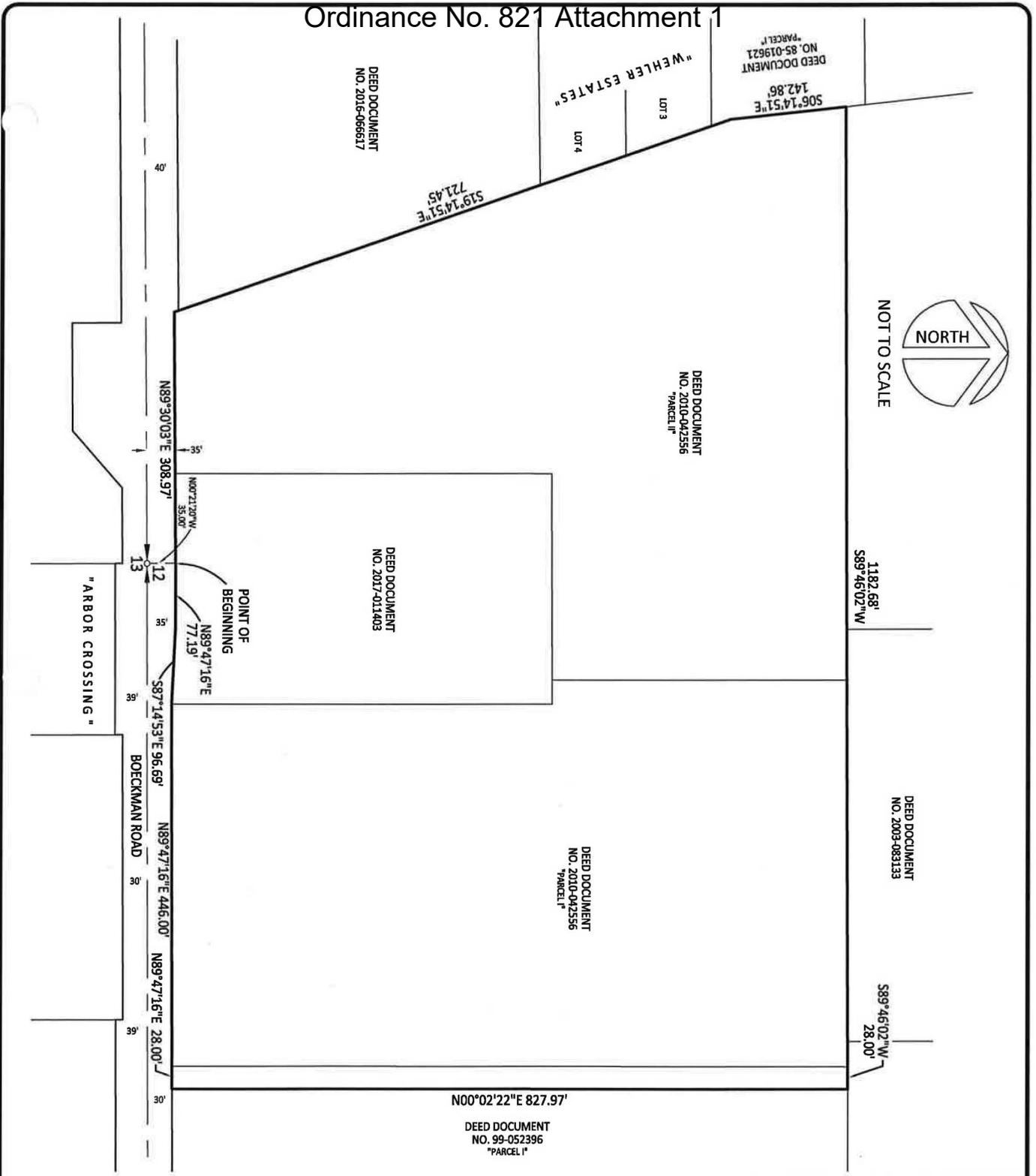
FROG POND

PDG PROJECT NO. 338-001

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

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

Ordinance No. 821 Attachment 1



PDG JOB NO.: <b>338-001</b>	DATE: <b>04/24/18</b>	SCALE: <b>NTS</b>	<b>EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION</b>
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**PIONEER DESIGN GROUP, INC.**  
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**ANNEXATION EXHIBIT**  
 LOCATED IN THE SOUTHEAST AND SOUTHWEST  
 QUARTERS OF SECTION 12, TOWNSHIP 3 SOUTH,  
 RANGE 1 WEST OF THE WILLAMETTE MERIDIAN,  
 CLACKAMAS COUNTY, OREGON

**ANNEXATION  
PETITION SIGNERS**

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

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

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

Ordinance No. 821 Attachment 2

**ANNEXATION  
PETITION SIGNERS**

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

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

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

\* PO =Property Owner  
RV =Registered Voter  
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Ordinance No. 821 Attachment 2

## Ordinance No. 821 Attachment 2

### SUBJECT PROPERTY BOUNDARY LEGAL DESCRIPTION

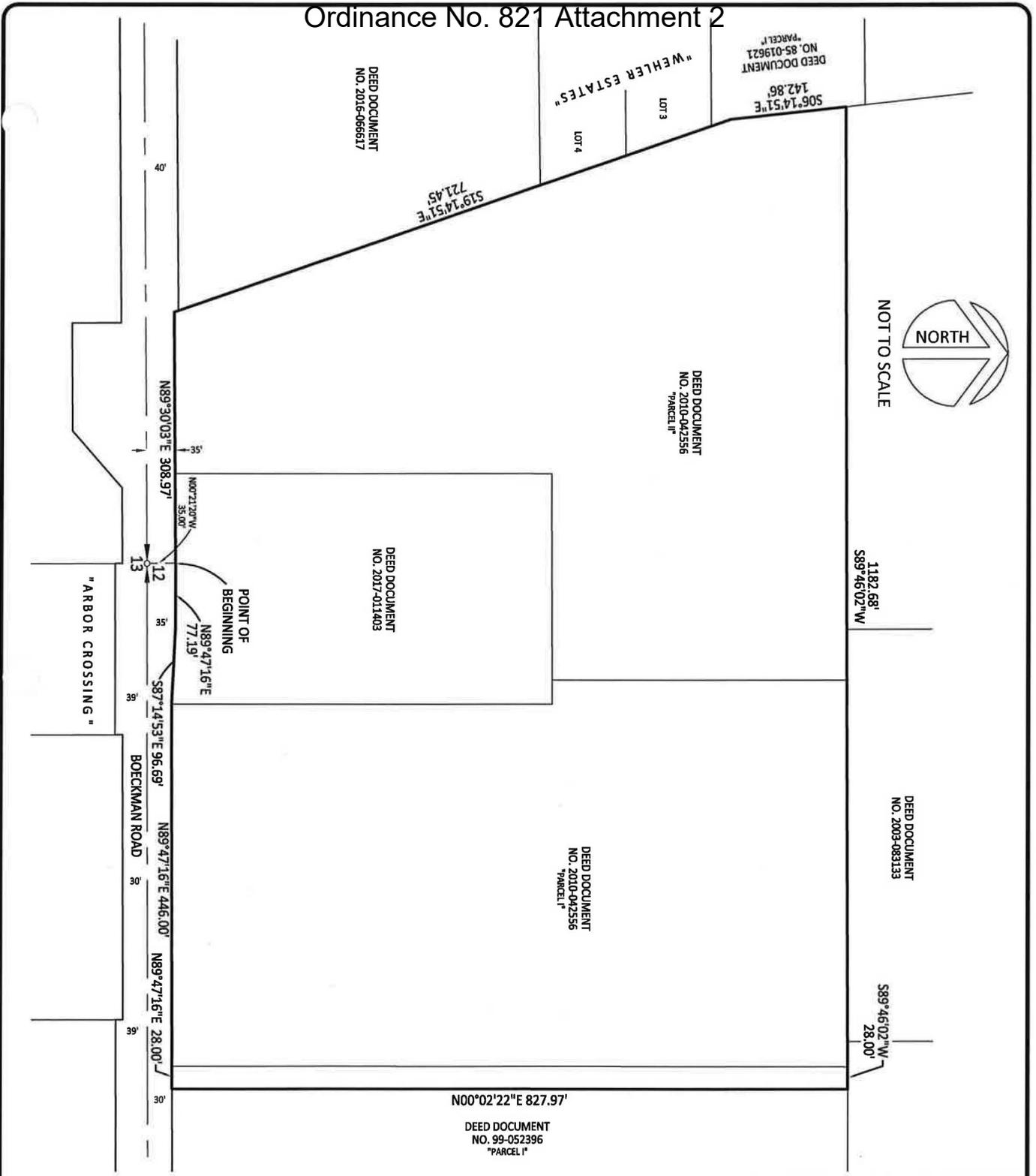
FROG POND

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Ordinance No. 821 Attachment 2



PDG JOB NO.: <b>338-001</b>	DATE: <b>04/24/18</b>	SCALE: <b>NTS</b>	<b>EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION</b>
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**ANNEXATION EXHIBIT**  
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QUARTERS OF SECTION 12, TOWNSHIP 3 SOUTH,  
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CLACKAMAS COUNTY, OREGON

# Ordinance No. 821 Attachment 2

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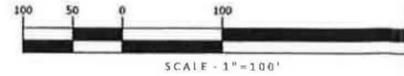
REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

OREGON  
 JULY 11, 2000  
 MICHAEL H. HARRIS  
 57863

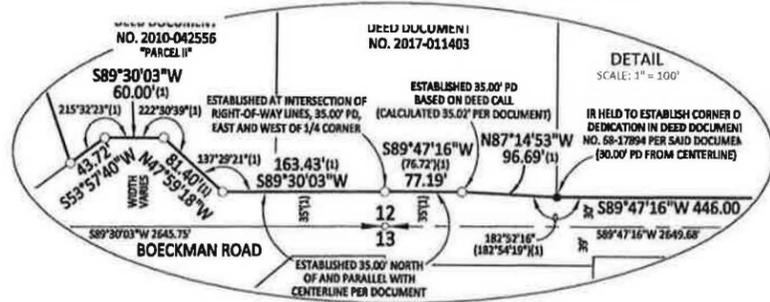
VALID UNTIL 6-30-19



**RECORD OF SURVEY**  
 LOCATED IN THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 12,  
 TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN,  
 CLACKAMAS COUNTY, OREGON  
 PREPARED AT THE REQUEST OF JIM WOLFSTON  
 DATE: NOVEMBER, 2017  
 PIONEER DESIGN GROUP JOB NO. 338-001  
 SHEET 1 OF 1



CLACKAMAS COUNTY SURVEYOR  
 DATE RECEIVED: \_\_\_\_\_  
 DATE ACCEPTED/FILED: \_\_\_\_\_  
 SURVEY NUMBER: \_\_\_\_\_



### NARRATIVE

THE PURPOSE OF THIS SURVEY IS LOCATE THE PERIMETER BOUNDARY OF THE LAND DESCRIBED IN DEED DOCUMENT NUMBERS 2010-042556 AND 2017-011403, CLACKAMAS COUNTY DEED RECORDS, TO ESTABLISH THE BOUNDARY OF A FUTURE SUBDIVISION PLAT, "MORGAN FARMS". THE BEARINGS NOTED ON THIS SURVEY ARE BASED ON THE LINE BETWEEN THE MONUMENTS MARKING THE SOUTHEAST AND SOUTH CORNERS OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST. THE BEARING ON THIS LINE WAS HELD AS SOUTH 89°47'16" WEST PER THE "ARBOR CROSSING" AND "ARBOR CROSSING NO. 2" SUBDIVISION PLATS.

THE NORTH LINE OF THE SUBJECT PROPERTY WAS ESTABLISHED USING A BEST FIT LINE THROUGH THE FOUND MONUMENTS SHOWN ALONG THIS LINE. UNLESS NOTED OTHERWISE, THESE MONUMENT ARE LOCATED WITHIN 0.08' OF THIS LINE AS SHOWN. THIS LINE WAS THEN EXTENDED WEST TO INTERSECT THE EAST LINE OF DEED DOCUMENT NO. 85-019621. THIS LINE IS DESCRIBED IN NUMEROUS RECORDS AS BEING 858 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SECTION 12.

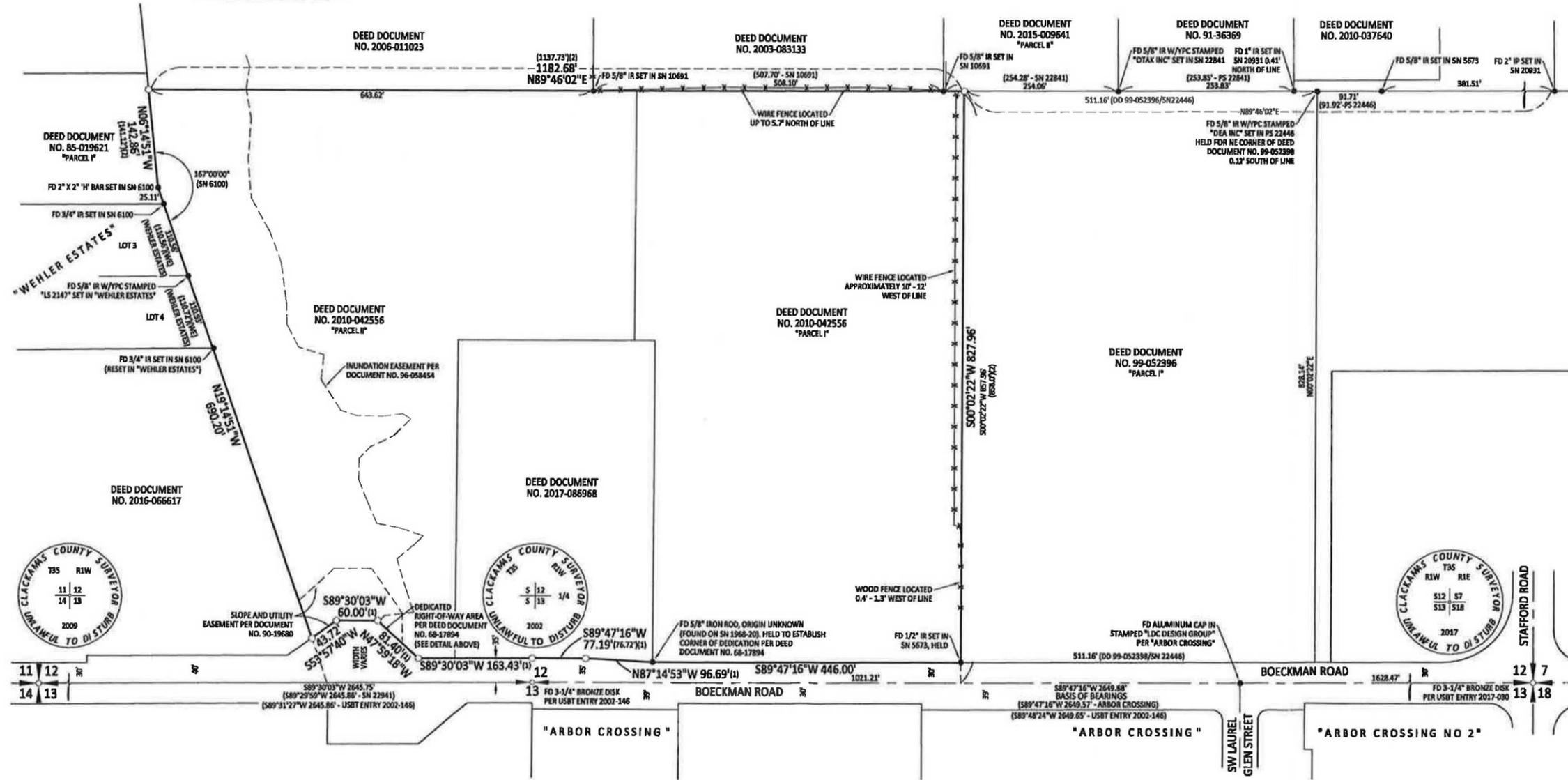
THE EAST LINE OF DEED DOCUMENT NO. 2010-042556 WAS ESTABLISHED PER THIS DEED, ALONG THE WEST LINE OF THE ADJOINING LAND TO THE EAST DESCRIBED IN DEED DOCUMENT NO. 99-052396. THE SOUTHWEST CORNER OF DEED DOCUMENT NO. 99-052396 WAS ESTABLISHED HOLDING THE 1/2" IRON ROD SET IN SN 5673 ON THE NORTH RIGHT-OF-WAY LINE OF BOECKMAN ROAD. THE NORTHWEST CORNER OF DOCUMENT NO. 99-052396 WAS ESTABLISHED 511.16 FEET, PER SAID DOCUMENT, WESTERLY OF THE DEED MONUMENT SET IN SN 22446 TO MARK THE NORTHEAST CORNER OF THIS PARCEL. THE 1/2" IRON ROD FOUND ON PREVIOUS SURVEYS MARKING THIS CORNER WAS SEARCHED FOR BUT NOT FOUND.

THE SOUTH LINE OF THE SUBJECT PROPERTY WAS ESTABLISHED ALONG THE NORTH RIGHT-OF-WAY LINE OF BOECKMAN ROAD. PER BOOK 691, PAGE 566, SAID RECORDS, THIS LINE WAS ESTABLISHED 30.00 FEET NORTHERLY OF THE SECTION LINE BETWEEN SECTIONS 12 AND 13 (T. 3S./R. 1W.). MONUMENTS MARKING THE SOUTHEAST, SOUTH AND SOUTHWEST CORNERS OF SAID SECTION 12 WERE SURVEYED TO ESTABLISH THIS SECTION LINE AND CENTERLINE. THE BOUNDARY OF THE LAND DEDICATED FOR RIGHT-OF-WAY PURPOSES IN DEED DOCUMENT NO. 68-17894 WAS ESTABLISHED RELATIVE TO THE CENTERLINE OF BOECKMAN ROAD HOLDING THE MONUMENT MARKING THE SOUTH QUARTER CORNER OF SECTION 12. THE DISTANCE OF 35.00 FEET FROM SAID CENTERLINE, AND RECORD DISTANCES FROM SAID DEED.

THE WEST LINE OF THE DEED DOCUMENT NO. 2010-042556 WAS ESTABLISHED HOLDING MONUMENTS SET IN SN 6100 AS SHOWN. THE PORTION OF THIS LINE NORTH OF THE ANGLE POINT, BEING MARKED BY THE 2" X 2" "H BEAM", WAS ESTABLISHED HOLDING THE RECORD ANGLE OF 149°06'59" PER SN 6100.

### LEGEND

- FOUND MONUMENT AS NOTED.
- SET 5/8" X 30" IRON ROD W/YPC STAMPED "PIONEER DESIGN"
- FD FOUND
- IR IRON ROD
- IP IRON PIPE
- PD PERPENDICULAR DISTANCE FROM THE CENTERLINE OF BOECKMAN ROAD
- W/YPC WITH YELLOW PLASTIC CAP
- FENCE AS NOTED
- WE WEHLER ESTATES
- (#/#/#) RECORD DATA PER SOURCE NOTED
- DD DEED DOCUMENT NUMBER, CLACKAMAS COUNTY RECORDS
- (1) RECORD DATA OR CALCULATED DATA PER DEED DOCUMENT NO. 68-17894
- (2) RECORD DATA PER DEED DOCUMENT NO. 2010-042556



Ordinance No. 821 Attachment 2

EXISTING TREE TABLE											
POINT #	DESC.-DBHI	POINT #	DESC.-DBHI	POINT #	DESC.-DBHI	POINT #	DESC.-DBHI	POINT #	DESC.-DBHI	POINT #	DESC.-DBHI
5128	DE-48	6262	DE-48	8063	DE-18	8114	EV-30	8164	EV-8	8216	DE-10
5129	EV-24	6264	DE-12	8064	DE-36	8115	DE-8	8165	DE-14	8217	DE-8
5130	DE-24	6265	DE-12	8065	EV-10	8116	DE-8	8166	DE-12	8218	DE-20
5133	DE-28	6266	DE-12	8066	DE-16	8117	DE-8	8167	DE-16	8219	EV-22
5134	DE-24	6267	DE-18	8067	DE-10	8118	DE-6	8168	DE-12	8220	EV-46
5135	DE-9x12	7572	DE-6	8068	DE-8	8119	EV-26	8169	DE-14	8221	EV-48
5136	DE-36	7573	DE-6	8069	DE-20	8120	EV-26	8170	DE-14	8222	EV-22
5137	EV-18	7574	DE-8	8070	DE-10	8121	DE-12	8171	DE-26	8223	DE-8
5138	EV-18	7575	DE-2x8	8071	DE-12	8122	DE-6	8172	EV-12	8224	DE-14
5139	EV-18	7576	DE-6	8072	EV-18	8123	DE-8	8173	EV-12	8225	DE-10
5140	DE-60	7577	DE-8	8073	EV-18	8124	EV-22	8174	EV-10	8226	DE-8
5205	DE-8	7578	DE-6	8074	EV-22	8125	EV-34	8175	EV-8	8227	DE-22
5206	DE-18	7579	EV-24	8075	EV-18	8126	DE-14	8176	EV-8	8228	DE-14
5207	DE-16	7580	DE-6	8076	EV-18	8127	DE-10	8177	EV-6	8229	DE-30
5234	EV-14	7581	EV-24	8077	EV-28	8128	EV-32	8178	EV-14	8230	DE-18
5235	EV-14	7582	EV-10	8078	EV-12	8129	DE-8	8179	EV-10	8231	DE-10
5236	EV-10	7583	DE-6	8079	EV-12	8130	DE-8	8180	EV-14	8232	DE-16
5237	EV-12	7584	DE-6	8080	EV-26	8131	DE-6	8181	EV-12	8233	EV-45
5362	DE-6	7585	EV-30	8081	EV-36	8132	EV-30	8182	EV-14	8234	EV-6
5363	EV-10	7586	DE-6	8082	EV-28	8133	EV-22	8183	EV-14	8235	DE-8
5480	DE-6	7587	DE-6	8083	EV-20	8134	DE-8	8184	EV-12	8236	DE-8
5481	DE-8	7588	DE-12	8084	EV-26	8135	DE-8	8185	EV-10	8237	DE-8
5482	DE-8	7589	DE-10	8085	EV-26	8136	DE-12	8186	DE-26	8238	DE-10
5483	DE-10	7590	EV-36	8086	EV-28	8137	DE-6	8189	DE-20	8239	DE-10
5484	DE-14	7630	EV-28	8087	EV-18	8138	DE-6	8190	DE-48 STUMP	8240	DE-8
5485	DE-8	7631	EV-26	8088	EV-18	8139	DE-8	8191	DE-8	8241	DE-26
5486	DE-8	7632	EV-12-18	8089	EV-22	8140	DE-8	8192	DE-26	8242	DE-10
5695	EV-24	7633	EV-16-18-10	8090	EV-30	8141	EV-12	8193	DE-24	8243	DE-14
5696	EV-36	7634	EV-16-8-12-12	8091	EV-30	8142	DE-18	8194	DE-8	8244	DE-10
5697	EV-26	7635	EV-14	8092	EV-28	8143	DE-20	8195	DE-18	8245	DE-18
5698	EV-36	7636	EV-14	8093	DE-14	8144	DE-16	8196	DE-38	8246	DE-20
5699	EV-18	7637	EV-12	8094	DE-6	8145	EV-14	8197	DE-10	8247	DE-12
5700	EV-24	7638	EV-10	8095	DE-6	8146	EV-6	8198	DE-8	8248	DE-8
5701	EV-24	7639	EV-10	8096	DE-8	8147	EV-18	8199	DE-6	8249	DE-8
5702	EV-48	7640	EV-8	8097	EV-6	8148	EV-15	8200	DE-10	8250	DE-20
5703	EV-48	7641	EV-6	8098	EV-16	8149	EV-8	8201	DE-12	8251	DE-20
5861	EV-24	7642	EV-8	8099	EV-8	8150	NEZ-19	8202	DE-24	8452	DE-40
5876	DE-18	7643	EV-8	8100	EV-14	8151	EV-16	8203	DE-10	8453	DE-8
5877	DE-16	7653	DE-34	8101	EV-8	8152	EV-6	8204	DE-32	8454	DE-8
5878	DE-24	8050	DE-24	8102	EV-34	8153	EV-8	8205	DE-16	8455	DE-20
5994	EV-48	8051	EV-26	8103	EV-32	8154	EV-18	8206	DE-14	8456	DE-20
6119	DE-36	8052	DE-8	8104	DE-8	8155	EV-6	8207	DE-8	20020	DE-14
6157	DE-24	8053	DE-8	8105	EV-14	8156	EV-12	8208	DE-6		
6158	DE-18	8054	DE-8	8106	EV-18	8157	EV-12	8209	DE-10		
6159	DE-8	8055	DE-8	8107	EV-18	8158	EV-14	8210	DE-26		
6160	DE-20	8056	DE-20	8109	EV-12	8159	EV-14	8211	EV-32		
6161	DE-20	8057	DE-28	8110	DE-10	8160	EV-10	8212	EV-16		
6162	DE-36	8058	DE-18	8111	EV-22	8161	EV-14	8213	DE-16		
6165	DE-30	8059	DE-22	8112	DE-10	8162	DE-24	8214	DE-18		
6166	DE-30	8062	DE-10	8113	DE-8	8163	DE-12	8215	DE-18		

8000 SW WASHINGTON SQUARE RD.  
SUITE 170  
PORTLAND, OREGON 97223  
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**PDG**  
PIONEER DESIGN GROUP, INC.

**EXISTING CONDITIONS AND  
DEMOLITION PLAN**

FROG POND  
CITY OF WILSONVILLE, OREGON

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

No. \_\_\_\_\_ Date \_\_\_\_\_

By \_\_\_\_\_

Revision \_\_\_\_\_

Project: FROG POND  
No. 138-001  
Type: PLANNING  
Sheet: **2A** of **XX**



Ordinance No. 821 Attachment 3  
Annexation Findings

Morgan Farm 82-Lot Single-Family Subdivision

City Council  
Quasi-Judicial Public Hearing

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

---

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

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

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

**Applicant:** James Wolfston

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

**Comprehensive Plan Designation:** Residential Neighborhood

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

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

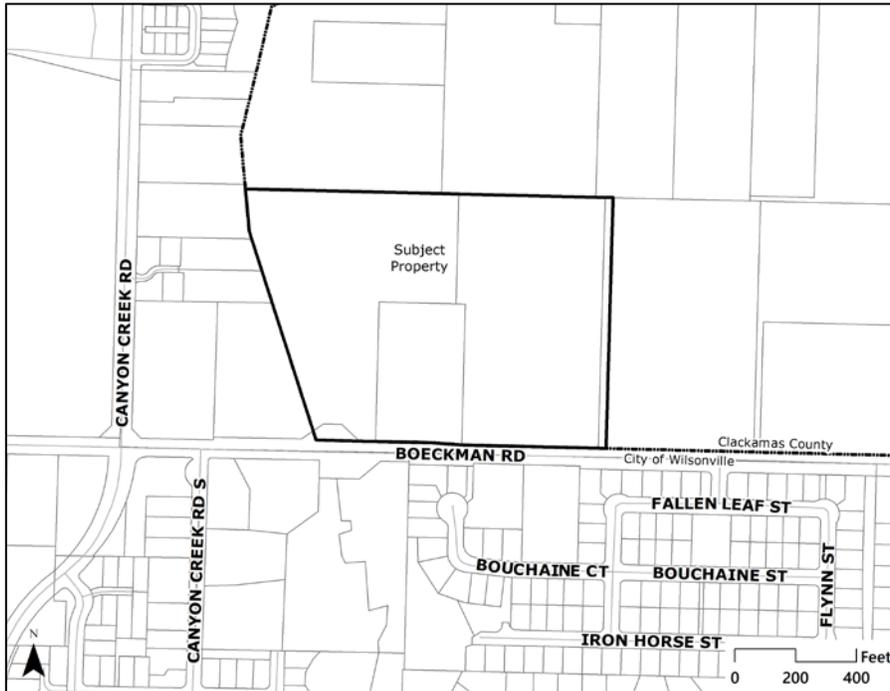
**Staff Reviewer:** Kimberly Rybold, AICP, Associate Planner

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

**Applicable Review Criteria:**

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

**Vicinity Map**



## **Background/Summary:**

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

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

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

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

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

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

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

## Findings:

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

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

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

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

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

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

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

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

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

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

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

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

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

Implementation Measure 2.2.1.e. 2.

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

## **Wilsonville Development Code-Annexation**

### Authority to Review Quasi-Judicial Annexation Requests

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

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

### Procedure for Review, Etc.

Subsections 4.700 (.01) and (.04)

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

### Adoption of Development Agreement with Annexation

Subsection 4.700 (.05)

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

## **Metro Code**

### Local Government Boundary Changes

Chapter 3.09

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

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

### Authority and Procedure for Annexation

ORS 222.111

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

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

#### Procedure Without Election by City Electors

ORS 222.120

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

#### Annexation by Consent Before Public Hearing

ORS 222.170

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

### **Oregon Statewide Planning Goals**

#### Statewide Planning Goals

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

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

## Ordinance No. 821 Attachment 4

### DEVELOPMENT REVIEW BOARD RESOLUTION NO. 352

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

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

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

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

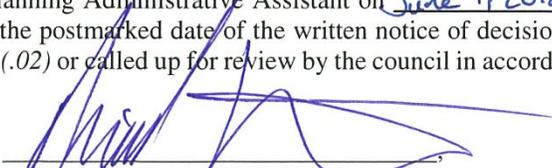
WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

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

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

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

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

  
Richard Martens, Chair, Panel B  
Wilsonville Development Review Board

Attest:

  
Shelley White, Planning Administrative Assistant

**ORDINANCE NO. 822**

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

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

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

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

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

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

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

**ORDINANCE NO. 822**

**Page 1 of 3**

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

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

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

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

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

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

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

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

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

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

**SUMMARY OF VOTES:**

Mayor Knapp

Council President Starr

Councilor Stevens

Councilor Lehan

Councilor Akervall

**Attachments:**

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

Attachment 2 – Zone Map Amendment Findings

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

# Ordinance No. 822 Attachment 1

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

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

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

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

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

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

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

---

TIM KNAPP, MAYOR

APPROVED AS TO FORM:

---

Barbara A. Jacobson, City Attorney

## Ordinance No. 822 Attachment 1

ATTEST:

---

Sandra C. King, CMC, City Recorder

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

## Ordinance No. 822 Attachment 1

### SUBJECT PROPERTY BOUNDARY LEGAL DESCRIPTION

FROG POND

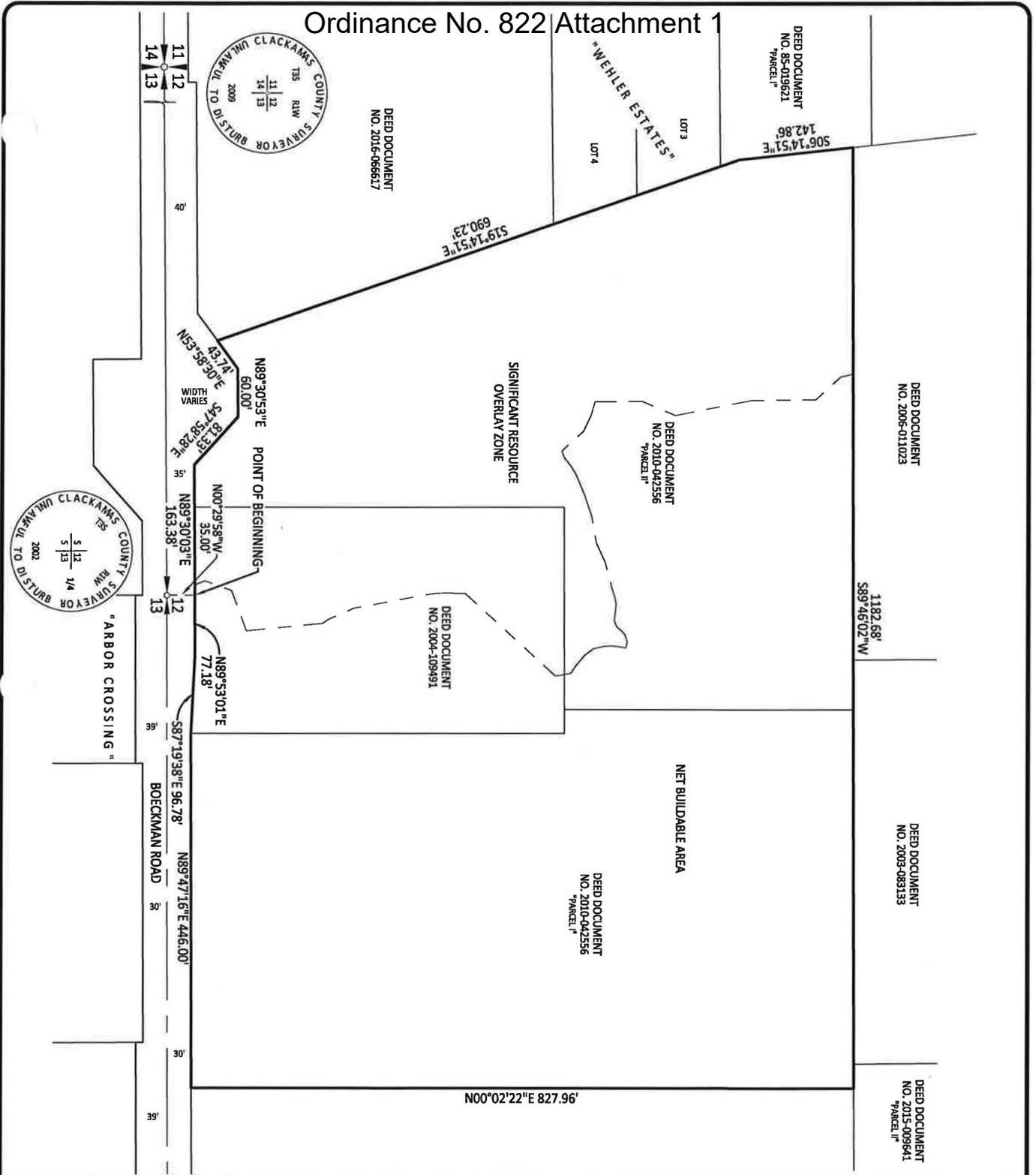
PDG PROJECT NO. 338-001

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

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

CONTAINING APPROXIMATELY 20.128 ACRES, MORE OR LESS.

# Ordinance No. 822 Attachment 1



PDG JOB NO.: 338-001  
 DATE: 02/13/18  
 SCALE: NTS

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

**PDG**  
 PIONEER DESIGN GROUP, INC.  
 9020 SW WASHINGTON SQUARE RD  
 SUITE 170  
 PORTLAND, OREGON 97223  
 p 503.841.8311  
 f 844.715.4743  
 www.pd-grp.com

**SUBJECT PROPERTY BOUNDARY**  
 LOCATED IN THE SOUTHEAST AND THE SOUTHWEST QUARTERS  
 OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF  
 THE WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON



Ordinance No. 822 Attachment 2  
 Zone Map Amendment Findings

Morgan Farm 82-Lot Single-Family Subdivision

City Council  
 Quasi-Judicial Public Hearing

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

---

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

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

**Owner/Applicant:** James Wolfston

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

**Comprehensive Plan Designation:** Residential Neighborhood

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

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

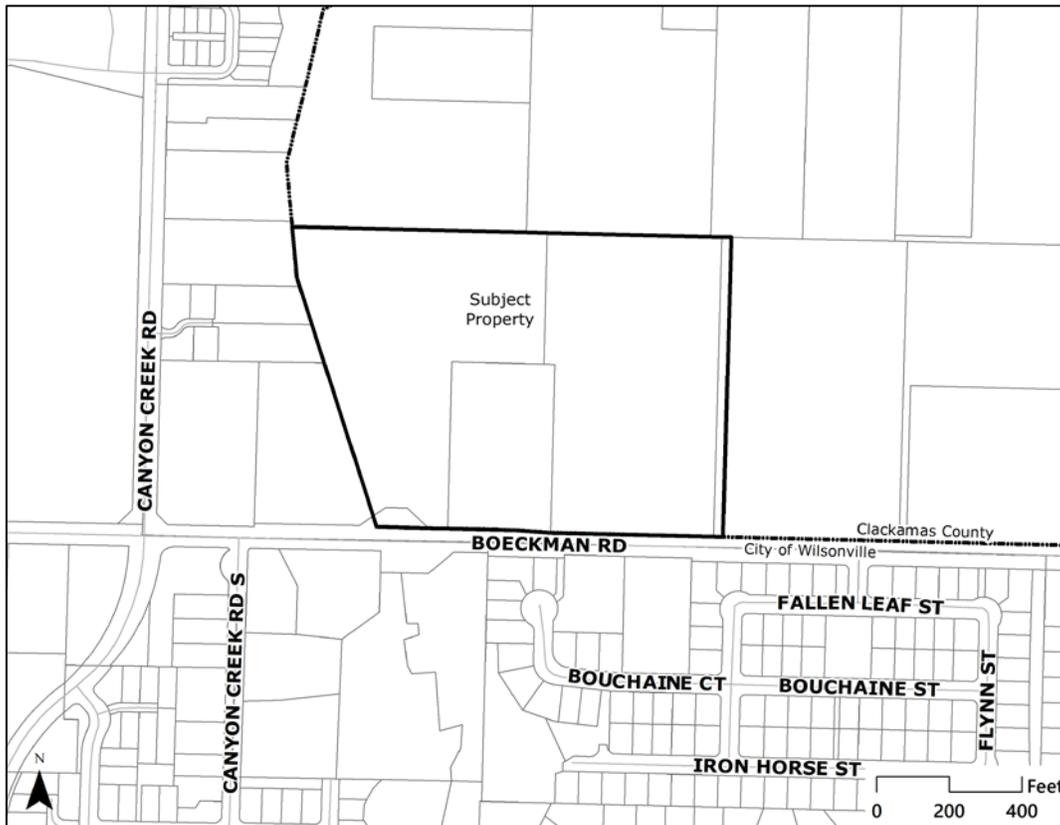
**Staff Reviewers:** Kimberly Rybold, AICP, Associate Planner

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

**Applicable Review Criteria:**

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

**Vicinity Map**



## Summary:

Zone Map Amendment (DB18-0016)

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

## Conclusion and Conditions of Approval:

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

Request: DB18-0016 Zone Map Amendment

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

## Findings:

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

### General Information

Application Procedures-In General  
Section 4.008

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

Initiating Application  
Section 4.009

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

## Request: DB18-0016 Zone Map Amendment

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

### Comprehensive Plan

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

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

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

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

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

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

Residential Density  
Implementation Measure 4.1.4.u.

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

Purpose of Residential Neighborhood Designation  
Implementation Measure 4.1.7.a.

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

## Development Code

### Zoning Consistent with Comprehensive Plan Section 4.029

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

### Base Zones Subsection 4.110 (.01)

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

## Residential Neighborhood (RN) Zone

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

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

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

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

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

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

**Ordinance No. 822 Attachment 3**

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 352**

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

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

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

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

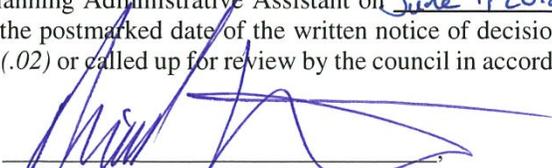
WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

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

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

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

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

  
Richard Martens, Chair, Panel B  
Wilsonville Development Review Board

Attest:

  
Shelley White, Planning Administrative Assistant



VIA: Certified Mail, Return Receipt Requested

June 4, 2018

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

Re: Morgan Farms Subdivision

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

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

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

Thank you.

Shelley White  
Planning Administrative Assistant

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

June 4, 2018

**DEVELOPMENT REVIEW BOARD PANEL B**

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

**Project Name:** Morgan Farms Subdivision

**Case Files:**

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

**Owner/Applicant:** Jim Wolfston

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

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

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

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

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

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

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

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

Written decision is attached

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

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

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 352**

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

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

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

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

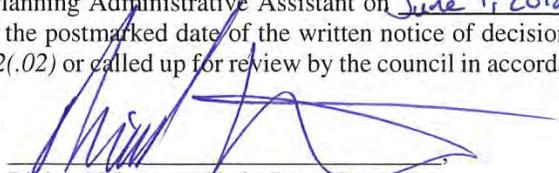
WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

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

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

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

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

  
Richard Martens, Chair, Panel B  
Wilsonville Development Review Board

Attest:  
  
Shelley White, Planning Administrative Assistant



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

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

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<b>Hearing Date:</b>	May 31, 2018
<b>Date of Report:</b>	May 24, 2018

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

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

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

**Owner/Applicant:** Jim Wolfston

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

**Comprehensive Plan Designation:** Residential Neighborhood

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

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

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

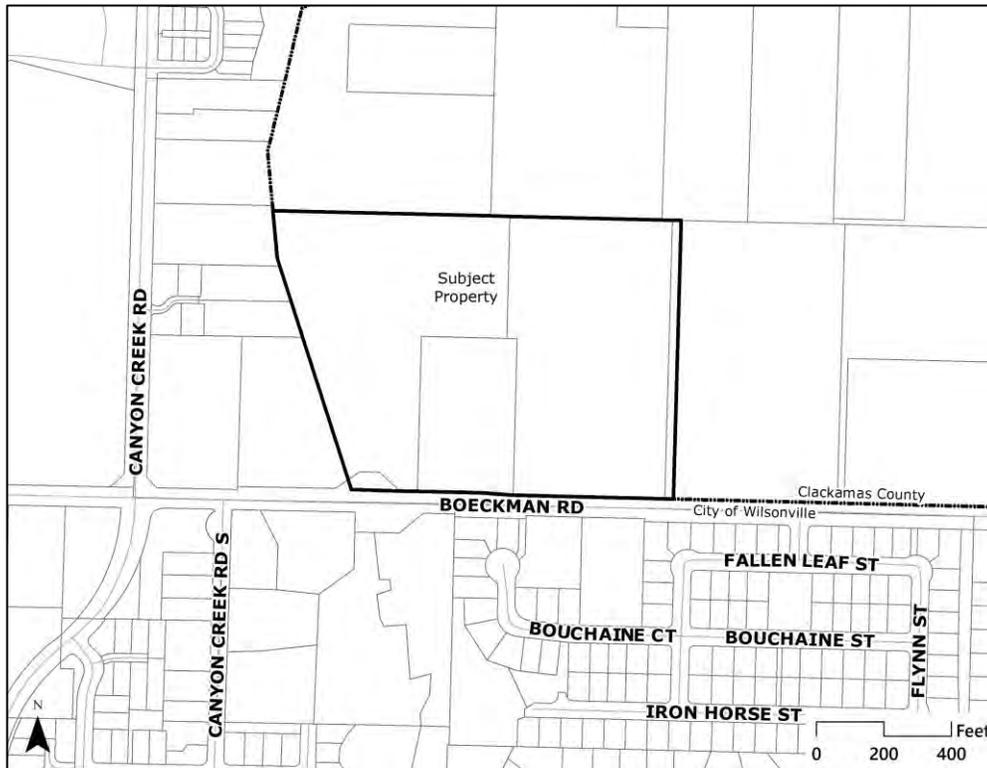
**Staff Recommendation:** **Recommend approval to the City Council** of the Annexation and Zone Map Amendment, **approve with conditions** the Stage I Master Plan, State II Final Plan, Site Design Review request, tentative subdivision plat, Type C Tree Plan, and SRIR Review, and SROZ Boundary Verification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

**Applicable Review Criteria:**

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

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

**Vicinity Map**



## Background:

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

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

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

## Summary:

### Annexation (DB18-0015)

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

### Zone Map Amendment (DB18-0016)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### SRIR Review (SI18-0003)

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

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

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

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

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

#### **Traffic Impacts:**

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

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

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

## **Discussion Points:**

### Balancing Uses in Planter Strips

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

### Boeckman Road Improvements

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

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

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

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

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

### Street Demonstration Plan Compliance

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

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

### Woonerf Street

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

### Boeckman Creek Trail and SROZ

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

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

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

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

#### Tract C Pedestrian Connection

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

#### Tree Removal

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

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

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

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

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

Exhibit A1

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

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

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

### Planning Division Conditions:

#### Request A: DB18-0015 Annexation

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

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

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

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

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

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

No conditions for this request

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Engineering Division Conditions:**

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

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

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

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

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

## Request F: DB18-0020 Tentative Subdivision Plan

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

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

### **Natural Resources Division Conditions:**

#### All Requests

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

### **Building Division Conditions:**

#### All Requests

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

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

### Planning Staff Materials

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

### Materials from Applicant

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

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

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

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

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

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

Development Review Team Correspondence

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

Other Correspondence

None Received

**Procedural Statements and Background Information:**

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

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

2. Surrounding land uses are as follows:

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

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

## Findings:

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

### General Information

#### Application Procedures-In General

Section 4.008

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

#### Initiating Application

Section 4.009

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

#### Pre-Application Conference

Subsection 4.010 (.02)

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

#### Lien Payment before Approval

Subsection 4.011 (.02) B.

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

#### General Submission Requirements

Subsection 4.035 (.04) A.

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

#### Zoning-Generally

Section 4.110

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

## Request A: DB18-0015 Annexation

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

### Comprehensive Plan-Annexation and Boundary Changes

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

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

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

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

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

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

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

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

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

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

## **Wilsonville Development Code-Annexation**

### Authority to Review Quasi-Judicial Annexation Requests

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

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

### Procedure for Review, Etc.

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

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

### Adoption of Development Agreement with Annexation

Subsection 4.700 (.05)

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

## **Metro Code**

### Local Government Boundary Changes

Chapter 3.09

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

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

### Authority and Procedure for Annexation

ORS 222.111

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

### Procedure Without Election by City Electors

ORS 222.120

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

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

Annexation by Consent Before Public Hearing  
ORS 222.170

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

**Oregon Statewide Planning Goals**

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

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

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

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

**Comprehensive Plan**

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

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

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

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

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

Implementation Measure 4.1.4.c.

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

### Residential Density

Implementation Measure 4.1.4.u.

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

### Purpose of Residential Neighborhood Designation

Implementation Measure 4.1.7.a.

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

## Development Code

### Zoning Consistent with Comprehensive Plan

Section 4.029

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

### Base Zones

Subsection 4.110 (.01)

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

## Residential Neighborhood (RN) Zone

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

Subsection 4.127 (.01)

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

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

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

Subsection 4.127 (.02)

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

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

Subsection 4.127 (.05) and (.06)

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

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

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

#### **Comprehensive Plan**

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

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

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

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

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

Encouraging Master Planning of Large Areas

Implementation Measure 2.1.1.b.2.

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

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

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

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

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

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

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

Consistency with Street Demonstration Plans May Be Required  
Implementation Measure 3.2.2

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

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

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

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

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

## Accommodating Housing Needs of Existing Residents

Implementation Measure 4.1.4.f.

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

## Residential Density

Implementation Measure 4.1.4.u.

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

## Planned Development Regulations

### Planned Development Lot Qualifications

Subsection 4.140 (.02)

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

### Ownership Requirements

Subsection 4.140 (.03)

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

### Professional Design Team

Subsection 4.140 (.04)

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

## Planned Development Application Requirements

Subsection 4.140 (.07)

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

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

## Standards for Residential Development in Any Zone

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

Subsections 4.113 (.01) and (.02)

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

## Residential Neighborhood Zone

### Permitted Uses

Subsection 4.127 (.02)

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

### Residential Neighborhood Sub-districts

Subsection 4.127 (.05)

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

### Minimum and Maximum Residential Units

Subsection 4.127 (.06)

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

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

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

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

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

**Planned Development Regulations**

Planned Developments Lot Qualifications  
Subsection 4.140 (.02)

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

Ownership Requirements  
Subsection 4.140 (.03)

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

Professional Design Team  
Subsection 4.140 (.04)

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

## Stage II Final Plan Submission Requirements and Process

### Consistency with Comprehensive Plan and Other Plans

Subsection 4.140 (.09) J. 1.

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

### Traffic Concurrency

Subsection 4.140 (.09) J. 2.

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

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

### Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

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

### Adherence to Approved Plans

Subsection 4.140 (.09) L.

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

**General Residential Development Standards**

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

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

**Underground Utilities Required**

Subsection 4.118 (.02) and Sections 4.300 to 4.320

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

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

Subsection 4.118 (.09)

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

**Residential Neighborhood (RN) Zone**

**General Lot Development Standards**

Subsections 4.127 (.08) Table 2.

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

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

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

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

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

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

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

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

### Open Space Requirements

Subsection 4.127 (.09)

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

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

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

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

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

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

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

Subsections 4.127 (.14-.17)

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

#### Street-Facing Garage Walls - Duplexes

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

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

#### Garage Orientation Towards Alley or Shared Driveway

Subsection 4.127(.15) B. a.

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

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

Subsection 4.127 (.16) F

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

## Fences

### Subsection 4.127 (.17)

**D19.** Where practicable, columns for the Boeckman Road brick wall are located at property corners. However, the design gives placement priority to equal and consistent spacing between columns to maintain a consistent look along this and other developments along Boeckman Road. The City will review other fences at the time of building permit review for individual homes to ensure height near the brick wall meets the standards of this subsection and height transitions occur at fence posts.

## Homes Adjacent to Schools, Parks and Open Space

### Subsection 4.127 (.18) and Boeckman Creek Frontages, pages 41-42 of Frog Pond West Master Plan

**D20.** Lots 1, 30, 31, 46, 54, and 55 are subject to this Development Code subsection. The side of Lots 1, 30, 31, 46, 54, and 55 face a future primary school to the east. The City will review the building permits for homes on these lots to ensure compliance with the standards of this subsection. No rear lot lines face schools or parks. The rear of Lots 76-82 face the SROZ and are not subject to the requirements of this Development Code subsection. The Frog Pond West Master Plan requires minimization of rear-yard orientation to the SROZ, and recommends transparent fencing and enhanced elevations adjacent to the SROZ. Three trailheads and other open space tracts along the SROZ boundary meet the intent of the Master Plan recommendations.

## **SROZ Regulations**

### Uses and Activities Exempt from These Regulations

#### Section 4.139.04

**D21.** The proposed Boeckman Creek Trail improvement is exempt from SROZ regulations of the SROZ Ordinance as it provides pedestrian and bicycle access to or across a sensitive area at the location shown in the Frog Pond West Master Plan, a sub-component of Wilsonville's Comprehensive Plan. Encroachments into the SROZ from the proposed stormwater piping and outfalls are also an exempt as service connection laterals and service utility extensions.

## **On-site Pedestrian Access and Circulation**

### Continuous Pathway System

#### Section 4.154 (.01) B. 1.

**D22.** The submitted plans show sidewalks along the frontages of all lots providing a continuous pathway system throughout the proposed subdivision. The proposal provides additional connections consistent with Figure 18 of the Frog Pond West Master Plan. The proposal enables connections to future adjacent development. To ensure full access and function of the planned pathway system for the public, Condition of Approval PDD 7 requires public access easements across all pathways within private tracts.

The City will construct additional sidewalks and bike paths along Boeckman Road with planned City-led improvements. Prior to the completion of these improvements, Condition of Approval PFD 8 requires the applicant/owner to construct an enhanced pedestrian crossing and install a temporary, minimum five-foot-wide hard surface pathway from the east edge of the Arbor Crossing development to Willow Creek Drive. This ensures the proposed development can access the City's existing network of sidewalks prior to completion of the Boeckman Road improvements.

#### Safe, Direct, and Convenient

Section 4.154 (.01) B. 2.

**D23.** The submitted plans show sidewalk and pathways providing safe, direct, and convenient consistent with Figure 18 of the Frog Pond West Master Plan.

#### Vehicle/Pathway Separation

Section 4.154 (.01) B. 3.

**D24.** The proposed design vertically and or horizontally separates all sidewalks and pathways from vehicle travel lanes except for driveways and crosswalks.

#### Crosswalks Delineation

Section 4.154 (.01) B. 4.

**D25.** Condition of Approval PDD 2 requires all crosswalks shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-colored concrete inlay between asphalt, or similar contrast).

#### Pathway Width and Surface

Section 4.154 (.01) B. 5.

**D26.** The applicant proposes all pathways to be concrete or asphalt, meeting or exceeding the 5-foot required width.

### **Parking Area Design Standards**

#### Minimum and Maximum Parking

Subsection 4.155 (.03) G.

**D27.** Each dwelling unit requires one parking space. Between garages and driveways, each home will have at least two parking spaces.

#### Other Parking Area Design Standards

Subsections 4.155 (.02) and (.03)

**D28.** The applicable standards are met as follows:

Standard	Met	Explanation
Subsection 4.155 (.02) General Standards		
B. All spaces accessible and usable for Parking	☒	Though final design of garages and driveways is not part of the current review they are anticipated to meet the minimum dimensional standards to be considered a parking space as well as fully accessible. Condition of Approval PDD 3 requires the dimensional standards to be met.
I. Surfaced with asphalt, concrete or other approved material.	☒	Garages and driveways will be surfaced with concrete.
Drainage meeting City standards	☒	Drainage is professionally designed and being reviewed to meet City standards
Subsection 4.155 (.03) General Standards		
A. Access and maneuvering areas adequate.	☒	The parking areas will be typical single-family design adequate to maneuver vehicles and serve the needs of the homes.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	☒	Pursuant to Section 4.154 pedestrian circulation is separate from vehicle circulation by vertical separation except at driveways and crosswalks.

### Other General Regulations

Access, Ingress and Egress  
Subsection 4.167 (.01)

**D29.** Planned access points are typical of local residential streets. The City will approve final access points for individual driveways at the time of issuance of building permits.

Double Frontage Lots  
Section 4.169

**D30.** The applicant proposes eight double-frontage lots, Lots 23-30. The lot size is adequate to meet the front yard setback on both Street B and Street D. The proposed Woonerf design of Street B will add additional landscaped buffering on the rear side of these lots.

### Protection of Natural Features and Other Resources

General Terrain Preparation  
Section 4.171 (.02)

**D31.** The major natural feature associated with this development is Boeckman Creek and its associated riparian canyon. This area is designated for protection as SROZ and is proposed to ultimately be dedicated to the City. Condition of Approval PDD 8 will ensure

channel restoration is completed within Tract A prior to dedication to the City. Prior to any site earth work a grading permit must be issued by the City's Building Division ensuring planned grading conforms with the Uniform Building Code. Contractors will also use erosion control measures, and stake and protect SROZ and preserved trees prior to commencement of site grading. The elevation drops by approximately 25 feet from east to west toward the Boeckman Creek Canyon. This slope necessitates a significant amount of grading to provide the infrastructure needed to serve the development, as well as to prepare lots for development with single-family homes. The extent of the necessary grading requires removal of the majority of trees on the site outside of the SROZ.

#### Hillsides

##### Section 4.171 (.03)

**D32.** The steeper slopes within this property are all related to the Boeckman Creek Canyon, within the SROZ. The applicant has provided a Geotechnical report addressing slope stability and providing setback recommendations from the slope break. All buildable areas of lots will be set back a minimum of 20 feet from the slope break. All lots adjacent to the SROZ have sufficient depth to avoid any structural impacts within 20 feet of the top the slope break.

#### Trees and Wooded Areas

##### Section 4.171 (.04)

**D33.** The major natural feature associated with this development is Boeckman Creek and its associated riparian canyon. Generally, the applicant proposes preserving all trees within the SROZ, except for specific hazard trees and trees conflicting with the trail system. Any identified hazard trees will be cut, but left on the ground as woody debris or left standing as snags. Outside of the SROZ, the applicant proposes removing most trees due to the required site grading. As noted in Request G, the applicant proposes retaining five trees outside of the SROZ.

#### Earth Movement Hazard Area

##### Subsection 4.171 (.07)

**D34.** The applicant has provided a Geotechnical report (Exhibit B1) addressing slope stability and providing setback recommendations from the top of bank. All buildable areas of lots will be set back a minimum of 20 feet from top of bank. All lots adjacent to the SROZ have sufficient depth to avoid any structural impacts within 20 feet of the top of bank. Additionally, undocumented fill is present in one test site and may be present along the top of the nearby sloped area near Lot 76. The Geotechnical report recommends removal of this fill and backfill with engineered fill. Condition of Approval PDD 8 requires that the removal and backfill take place prior to the acceptance of ownership of Tract A by the City.

Historic Resources  
Subsection 4.171 (.09)

D35. The applicant nor the City have identified any historic, cultural, or archaeological items on the sites, nor does any available information on the history of the site compel further investigation.

**Public Safety and Crime Prevention**

Design for Public Safety, Addressing, Lighting to Discourage Crime  
Section 4.175

D36. The proposed street and pathway system is laid out to provide good surveillance of the neighborhood. The design of homes will allow eyes on the streets and pathways. The design of street and pathway lighting will be consistent with the criteria set forth in the Frog Pond West Master Plan.

**Landscaping Standards**

Intent and Required Materials  
Subsections 4.176 (.02) C. through I.

D37. The planting areas along the street and the open spaces within the subdivision are generally open and are not required to provide any specific screening, thus the design of the landscaping follows the general landscaping standards. The plantings include a mixture of ground cover, shrubs, trees, and stormwater swale plantings. The applicant proposes street trees consistent with the Frog Pond West Master Plan. The landscaping design meets the standard except on the frontages of Lots 13 and 14 facing the private drive, which do not have street trees. Condition of Approval PDD 9 requires at least one street tree for each lot along the private drive.

Types of Plant Material, Variety and Balance, Use of Natives When Practicable  
Subsection 4.176 (.03)

D38. The applicant proposes a professionally designed landscape using a variety of plant material. The design includes number of native plants, including Oregon grape, dwarf Oregon grape, serviceberry, Oregon white oak, and Oregon ash.

**Street Improvement Standards-Generally**

Conformance with Standards and Plan  
Subsection 4.177 (.01), Figures 19-27 Frog Pond West Master Plan

D39. The proposed streets appear to meet the City's public works standards and transportation systems plan. Further review of compliance with public works standards and transportation plan will occur with review and issuance of the Public Works construction

permit. The required street improvements are consistent with the cross sections shown in the Frog Pond West Master Plan.

#### Street Design Standards-Future Connections and Adjoining Properties

Subsection 4.177 (.02) A.

**D40.** The proposed design provides for continuation of streets, including Streets A, C, F, and G, consistent with the Frog Pond West Master Plan.

#### City Engineer Determination of Street Design and Width

Subsection 4.177 (.02) B.

**D41.** The City Engineering Division has preliminarily found the street designs and widths as consistent with the cross sections shown in the Frog Pond West Master Plan. The Engineering Division will check final conformance with the cross sections shown in the Frog Pond West Master Plan during review of the Public Works Permit.

#### Right-of-Way Dedication

Subsection 4.177 (.02) C. 1.

**D42.** The tentative subdivision plat shows right-of-way dedication. See Request F.

#### Waiver of Remonstrance Required

Subsection 4.177 (.02) C. 2.

**D43.** Condition of Approval PDD 4 requires a waiver of remonstrance against formation of a local improvement district be recorded in the County Recorder's Office as well as the City's Lien Docket as a part of the recordation of a final plat.

#### Dead-end Streets Limitations

Subsection 4.177 (.02) D.

**D44.** The applicant proposes only one dead-end street, Street B. The street is 150 feet long past its intersection with Street C, serving six homes, including two accessed via a private driveway. The length and number of homes access are both less than the maximum allowed for a dead-end street.

### Street Improvement Standards-Clearance

#### Corner Vision Clearance

Subsection 4.177 (.02) E.

**D45.** Street locations and subdivision design allow the meeting of vision clearance standards.

## Vertical Clearance

Subsection 4.177 (.02) F.

- D46.** Nothing in the proposed subdivision design would prevent the meeting of vertical clearance standards.

## Street Improvement Standards-Interim Improvements

### Interim Improvement Standards

Subsection 4.177 (.02) G.

- D47.** The City Engineer has or will review all interim improvements to meet applicable City standards.

## Street Improvement Standards-Sidewalks

### Sidewalks Requirements

Subsection 4.177 (.03)

- D48.** The applicant proposes sidewalks along all public street frontages abutting proposed lots, except along Boeckman Road, where the City will develop the sidewalks with planned street improvements. To provide safe pedestrian passage to existing City sidewalks, Condition of Approval PFD 8 requires construction of an enhanced pedestrian crossing on the west leg of the Boeckman Road/Street A intersection, along with a temporary pathway to fill a 190-foot gap in the sidewalk along the south side of Boeckman Road just west of Willow Creek Drive.

## Street Improvement Standards-Bicycle Facilities

### Bicycle Facility Requirements

Subsection 4.177 (.03)

- D49.** The design of local streets accommodates in-street bike travel. In addition, the Boeckman Creek Trail will serve as a multi-purpose pathway. The design provides bicycle-friendly connections between Streets B and E and the trailheads. Condition of Approval PDD 7 ensures public access to these connections. See Finding D22.

## Street Improvement Standards-Transit Improvements

### Transit Improvements Requirements

Subsection 4.177 (.06)

- D50.** The applicant does not propose any transit improvements within the proposed subdivision or the Boeckman Road frontage. There is not currently transit service along Boeckman Road; however, as the Frog Pond area develops, additional transit service may be added. Any transit improvements would be addressed at the time the need for additional transit service is identified.

## **Residential Private Access Drives**

### Access to No More Than 4 Dwelling Units

Subsection 4.177 (.07) A.

- D51.** The proposed private access drive provides access to two homes, less than the four home limit set by this subsection.

### Lifespan and Structure Similar to Public Local Street for Private Access Drives

Subsection 4.177 (.07) B.

- D52.** Condition of Approval PDD 5 ensures the design of the private access drives provides for a useful lifespan and structural maintenance schedule comparable to a public local residential street.

### Addresses for Private Access Drives

Subsection 4.177 (.07) C.

- D53.** The orientation of the homes fronting the private access drive and the short length of the drive enables addressing the homes off the nearby public street.

### Access Drive Development Standards

Subsection 4.177 (.07) D. and 4.177 (.08)

- D54.** Condition of Approval PDD 6 ensures the responsible parties keep the access drives clear and the access drives are capable of carrying a 23-ton load.

## **Street Improvement Standards-Intersection Spacing**

### Offset Intersections Not Allowed

Subsection 4.177 (.09) A.

- D55.** The applicant does not propose any offset intersections.

### Transportation System Plan Table 3-2

Subsection 4.177 (.09) B.

- D56.** The intersection for Street A is approximately 350 feet west of the SW Laurel Glen Street intersection, which serves Arbor Crossing on the south side of Boeckman Road. The City also expects the Laurel Glen alignment to provide bus only access to the future school site to the east. The alignment of Street A and Boeckman Road is consistent with the Frog Pond West Master Plan, and approved by the City Engineer. Streets within the subdivision are local streets, which are not subject to minimum spacing standards.

## Request E: DB18-0019 Site Design Review for Parks and Open Space

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

### Objectives of Site Design Review

Proper Functioning of the Site, High Quality Visual Environment Meets Objectives  
Subsections 4.400 (.02) A., 4.400 (.02) C.-J., and Subsection 4.421 (.03)

- E1. The proposed professionally designed landscaping provides stormwater, air quality, and other site functions while not interfering with utilities, sidewalks, or other site features while demonstrating consistency with the Frog Pond West Master Plan. The landscaping also adds to the high quality visual environment. By functioning properly and contributing to a high quality visual environment, the proposed design fulfills the objectives of site design review.

Encourage Originality, Flexibility, and Innovation  
Subsection 4.400 (.02) B. and Subsection 4.421 (.03)

- E2. The City code affords the applicant's design team flexibility to create an original design appropriate for the site while ensuring consistency with the Frog Pond West Master Plan, particularly for street trees and the plantings along Boeckman Road.

### Jurisdiction and Power of the DRB for Site Design Review

Development Review Board Jurisdiction  
Section 4.420

- E3. Condition of Approval PDE 1 ensures landscaping is carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. The City will issue no building permits prior to approval by the Development Review Board. The applicant has requested no variances from site development requirements.

### Design Standards

Preservation of Landscaping  
Subsection 4.421 (.01) A. and Section 4.171

- E4. The major natural feature associated with this development is Boeckman Creek and its associated riparian canyon. This area is designated for protection as a SROZ is proposed to ultimately be dedicated to the City. The elevation drops by approximately 25 feet from east to west toward the Boeckman Creek Canyon. This slope necessitates a significant amount of grading to provide the infrastructure needed to serve the development, as well as to prepare lots for development with single-family homes. The extent of the necessary grading requires removal of the majority of trees on the site outside of the SROZ.

### Surface Water Drainage

Subsection 4.421 (.01) D.

- E5. A professionally designed drainage system demonstrates proper attention.

### Above Ground Utility Installations

Subsection 4.421 (.01) E.

- E6. The applicant proposes no above ground utility installations. Existing overhead lines will be underground except for high voltage power lines not technically feasible to underground along Boeckman Road.

### Screening and Buffering of Special Features

Subsection 4.421 (.01) G.

- E7. No exposed storage areas, exposed machinery installations, surface areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures exist requiring screening.

### Applicability of Design Standards

Subsection 4.421 (.02)

- E8. This review applies the design standards to the proposed streetscape and open space areas, which are the portions of the proposed development subject to site design review.

### Conditions of Approval Ensuring Proper and Efficient Functioning of Development

Subsection 4.421 (.05)

- E9. Staff recommends no additional conditions of approval to ensure the proper and efficient functioning of the development.

## **Site Design Review Submission Requirements**

### Submission Requirements

Section 4.440

- E10. The applicant has provided a sufficiently detailed landscape plan and street tree plan to review the streetscape and open space areas subject to site design review. The applicant's design team has coordinated the design of the landscaping along the Boeckman Road frontage with the proposed Stafford Meadows development fronting Boeckman Road to the west.

## **Time Limit on Site Design Review Approvals**

Void after 2 Years  
Section 4.442

- E11.** The applicant has indicated that they will pursue development within two years. The approval will expire after two years if not vested, or an extension is not requested and granted, consistent with City Code.

## **Installation of Landscaping**

Landscape Installation or Bonding  
Subsection 4.450 (.01)

- E12.** Condition of Approval PDE 2 ensures all landscaping in common tracts shall be installed prior to issuance of a building permit for the 42<sup>nd</sup> lot, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant. Condition of Approval PDE 3 further requires all street trees and other right-of-way landscaping be installed in right-of-way fronting a lot prior to issuance of an occupancy permit for a home on the lot.

Approved Landscape Plan  
Subsection 4.450 (.02)

- E13.** Condition of Approval PDE 4 ensures the approved landscape plan is binding upon the applicant/owner. It prevents substitution of plant materials, irrigation systems, or other aspects of an approved landscape without official action of the Planning Director or Development Review Board, as specified in this Code.

Landscape Maintenance and Watering  
Subsection 4.450 (.03)

- E14.** Condition of Approval PDE 5 ensures continual maintenance of the landscape, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered with appropriate City approval.

Modifications of Landscaping  
Subsection 4.450 (.04)

E15. Condition of Approval PDE 5 provides ongoing assurance by preventing modification or removal without the appropriate City review.

**Natural Features and Other Resources**

Protection  
Section 4.171

E16. The proposed design of the site provides for protection of natural features and other resources consistent with the proposed Stage II Final Plan for the site as well as the purpose and objectives of site design review. See Findings D33 through D37 under Request D.

**Landscaping**

Landscape Standards Code Compliance  
Subsection 4.176 (.02) B.

E17. The applicant requests no waivers or variances to landscape standards. Thus all landscaping and screening must comply with standards of this section.

Intent and Required Materials  
Subsections 4.176 (.02) C. through I.

E18. The general landscape standard applies throughout different landscape areas of the site and the applicant proposes landscape materials to meet each standard in the different areas. Site Design Review is being reviewed concurrently with the Stage II Final Plan which includes an analysis of the functional application of the landscaping standards. See Finding D37 under Request D.

Quality and Size of Plant Material  
Subsection 4.176 (.06)

E19. A note on the landscape plans ensures the quality of the plant materials will meet American Association of Nurserymen (AAN) standards. Trees are specified at 2" caliper or greater than 6 foot for evergreen trees. Shrubs are all specified 2 gallon or greater in size. Ground cover is all specified as greater than 4". Turf or lawn is used for minimal amount of the proposed public landscape area. Condition of Approval PDE 6 ensures other requirements of this subsection are met including use of native topsoil, mulch, and non-use of plastic sheeting.

Landscape Installation and Maintenance  
Subsection 4.176 (.07)

E20. The installation and maintenance standards are or will be met by Condition of Approval PDE 8 as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival.
- Plants that die are required to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City.
- Irrigation Notes on the applicant's sheet L2 provides for irrigation during the establishment period.

Landscape Plans  
Subsection 4.176 (.09)

E21. The applicant's submitted landscape plans in Exhibit B2 provide the required information.

Completion of Landscaping  
Subsection 4.176 (.10)

E22. The applicant has not requested to defer installation of plant materials.

**Public Lighting Plan**

Lighting of Local Streets  
Local Street, page 78 and Figure 42 of Frog Pond West Master Plan

E23. Local streets use the dark sky friendly Phillips Hadco Westbrooke with a professionally designed layout to minimize negative effects on future homes, provide for safety, and use a consistent design established by the Frog Pond West Master Plan.

Lighting of Pathways  
Pedestrian Connections, Trailheads and Paths, page 80 and Figure 42 of Frog Pond West Master Plan

E24. The applicant's plans show no lighting along the Tract C pedestrian path. Condition of Approval PDE 9 requires the applicant to install pedestrian scale lighting along one side of the Interim Emergency Vehicle Secondary Access, allowing sufficient setback as to not interfere with an emergency vehicle. The City Engineer shall approve final design prior to installation. The plans show trailhead lighting at each of the three trailheads, mounted at ten feet as recommended in the Frog Pond West Master Plan. The applicant proposes no lighting along the Boeckman Creek Trail as it is located along the edge of the SROZ.

**Street Tree Plan**

Primary Streets Street Trees  
Primary Streets, page 81 and Figure 43 of Frog Pond West Master Plan

E25. Figure 43 of the Frog Pond West Master Plan identifies Street A and Street G as Primary Streets for the purpose of the street tree plan. The applicant proposes Green Vase Zelkova along the entire length of Street A and American Linden along the entire length of Street G, both trees listed for primary streets on page 81 of the Frog Pond West Master Plan.

## Neighborhood Streets Street Trees

Neighborhood Streets, page 82 and Figure 43 of Frog Pond West Master Plan

E26. Figure 43 of the Frog Pond West Master Plan identifies all other streets besides Street A and Street G as Neighborhood Streets for the purpose of the street tree plan. All the proposed street trees are on the list on page 82 of the Frog Pond West Master Plan and otherwise meet the Frog Pond Master Plan as follows:

- East-West Street B has Chinese Pistache along its entire length
- North South Street C has Katsura along its entire length
- East-West Street D has Red Sunset Maple along its entire length
- East-West Street E has Paperbark Maple along its entire length
- North-South Street F has Yellow Wood along its entire length

## Pedestrian Connections Street Trees

Neighborhood Streets, page 83 and Figure 43 of Frog Pond West Master Plan

E27. Tract C serves as a pedestrian connection and a temporary emergency vehicle access. Since the emergency vehicle access requires the entire width of Tract C, the design does not include street trees at this time. Condition of Approval PDE 9 requires the applicant/owner to prepare an engineer's estimate for the demolition and removal of ten feet of this interim connection, along with the cost to add landscaping and extending the irrigation system, ensuring the ultimate meeting of the cross section, lighting, and street tree provisions of the Frog Pond West Master Plan.

## Gateways, Monuments and Signage

Unifying Frog Pond Name, Gateway Signs, Prohibition on Individual Subdivision Signs  
Page 92 of the Frog Pond West Master Plan

E28. There are no neighborhood gateways planned within the area of Morgan Farm; therefore, no monument signs or other permanent subdivision identification signs are permitted.

Unifying Frog Pond Name, Sign Caps on Street Signs  
Page 92 of the Frog Pond West Master Plan

E29. As proposed by the applicant and required by Condition of Approval PDE 10, the applicant shall work with the applicant of the other current subdivision proposal to develop a design of a unifying sign cap for use throughout the entirety of the Frog Pond West Master Plan. Such design will be given to the City for production and developers will buy the signs from the City to ensure uniformity throughout the Frog Pond West neighborhood. The applicant shall submit the final design to the Planning Division and receive final approval from the Planning Division and City Engineer prior to issuance of any public works permits.

## Request F: DB18-0020 Tentative Subdivision Plan

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

### Land Division Authorization

Plat Review Authority  
Subsection 4.202 (.01) through (.03)

- F1. The Development Review Board is reviewing the tentative subdivision according to this subsection. The Planning Division will review the final plat under the authority of the Planning Director to ensure compliance with the DRB review of the tentative subdivision plat.

Undersized Lots Prohibited  
Subsection 4.202 (.04) B.

- F2. The proposed land division does not divide lots into smaller sizes than allowed by the RN zone for the respective sub-districts of the Frog Pond West Master Plan. See Finding D11 under Request D.

### Plat Application Procedure

Pre-Application Conference  
Subsection 4.210 (.01)

- F3. The applicant requested and attended a pre-application conference in accordance with this subsection.

Tentative Plat Preparation  
Subsection 4.210 (.01) A.

- F4. Following gathering information from Planning staff, the appropriate professionals from the applicant's design firm, Pioneer Design Group, prepared the tentative plat.

Tentative Plat Submission  
Subsection 4.210 (.01) B.

- F5. The applicant has submitted a tentative plat with all the required information.

Phases to Be Shown  
Subsection 4.210 (.01) D.

- F6. The applicant proposes development in a single phase with subsequent home development pursuant to the market and other factors.

Remainder Tracts  
Subsection 4.210 (.01) E.

F7. The tentative plat accounts for all land within the plat area as lots, tracts, or right-of-way.

### **Street Requirements for Land Divisions**

Master Plan or Map Conformance  
Subsection 4.236 (.01)

F8. As found in other findings in this report, the land division is in harmony with the Transportation Systems Plan, Frog Pond West Master Plan, and other applicable plans.

Adjoining Streets Relationship  
Subsection 4.236 (.02) A.

F9. The proposed plat enables the extension of streets consistent with the Frog Pond West Master Plan.

Streets Standards Conformance  
Subsection 4.236 (.03)

F10. As part of the Stage II Final Plan approval, the streets conform with Section 4.177 and block sizes established in the Frog Pond West Master Plan. See Request D.

Topography  
Subsection 4.236 (.05)

F11. No street alignment adjustments from the Frog Pond West Master Plan are necessary due to topographic conditions.

Reserve Strips  
Subsection 4.236 (.06)

F12. The City is not requiring any reserve strips for the reasons stated in this subsection.

Future Street Expansion  
Subsection 4.236 (.07)

F13. Where the Frog Pond West Master Plan shows street extensions the tentative plat extends the right-of-way to the edge of the plat. Condition of Approval PDF 3 requires signs stating “street to be extended in the future” or similar language approved by the City Engineer.

Additional Right-of-Way  
Subsection 4.236 (.08)

F14. Condition of Approval PFF 1 ensures dedication of sufficient right-of-way for planned improvements along Boeckman Road.

## Street Names

### Subsection 4.236 (.09)

**F15.** No street names are proposed with this application. The City Engineer will check all street names to not be duplicative of existing street names and otherwise conform to the City's street name system at the time of the Final Plat review.

## General Land Division Requirements-Blocks

### Blocks for Adequate Building Sites in Conformance with Zoning

#### Subsection 4.237 (.01)

**F16.** The proposed blocks substantially conform to Figure 18 of the Frog Pond West Master Plan. See Finding D14 under Request D. The proposed blocks allow for lots meeting the minimum size and other dimensional standards for the relevant sub-districts of the Frog Pond West Master Plan. See Finding D11 under Request D.

## General Land Division Requirements-Easements

### Utility Line Easements

#### Subsection 4.237 (.02) A.

**F17.** As will be further verified during the Public Works Permit review and Final Plat review, the applicant will install all utility lines in right-of-way or dedicated easements. Franchise utility providers will install their lines within public utility easements established on the plat.

### Water Courses

#### Subsection 4.237 (.02) B.

**F18.** The applicant proposes a dedicated tract for the drainage way and associated riparian area of the Boeckman Creek SROZ.

## General Land Division Requirements-Pedestrian and Bicycle Pathways

### Mid-block Pathways Requirement

#### Subsection 4.237 (.03)

**F19.** The applicant proposes pedestrian paths of ten feet or greater where required for consistency with the Frog Pond West Master Plan.

## General Land Division Requirements-Tree Planting

### Tree Planting Plan Review and Street Tree Easements

#### Subsection 4.237 (.03)

**F20.** The City is reviewing the tree planting plan concurrently with the tentative plat, see Requests D and E. Condition of Approval PDF 6 ensures that street tree easements will be provided for Lots 13 and 14, which are accessed via a private tract.

## **General Land Division Requirements-Lot Size and Shape**

### Lot Size and Shape Appropriate Subsection 4.237 (.05)

**F21.** The size, width, shape, and orientation of lots comply with the identified sub-districts in the Frog Pond West Master Plan. See Finding D11 in Request D.

## **General Land Division Requirements-Access**

### Minimum Street Frontage Subsection 4.237 (.06)

**F22.** The full width of the front lot line of each lot fronts a public street or private drive. Each lot meets or exceeds the minimum lot width at the front lot line. See Finding D11 in Request D.

## **General Land Division Requirements-Other**

### Through Lots Subsection 4.237 (.07)

**F23.** The proposed subdivision generally minimizes through lots, with Lots 23-30 being through lots. The through lot is not avoidable due to the overall orientation of the subdivision and the block configuration established by Figure 18 of the Frog Pond West Master Plan. The proposed Woonerf design of Street B will add additional landscaped buffering on the rear side of these lots.

### Lot Side Lines Subsection 4.237 (.08)

**F24.** Almost all side lot lines run at a 90-degree angle to the front line. Angles and curves of streets necessitate the exceptions, including Lots 76, 77, and 78.

### Corner Lots Subsection 4.237 (.13)

**F25.** All corner lots have radii exceeding the 10-foot minimum.

## **Lots of Record**

### Lots of Record Section 4.250

**F26.** The applicant provided documentation all subject lots are lots of record.

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

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

### Type C Tree Removal

#### Review Authority When Site Plan Review Involved

Subsection 4.610.00 (.03) B.

- G1.** The requested tree removal is connected to site plan review by the Development Review Board. Review is thus under the authority of the DRB.

#### Reasonable Timeframe for Removal

Subsection 4.610.00 (.06) B.

- G2.** It is understood the tree removal will be completed by the time the applicant completes construction of all homes and other improvements in the subdivision, which is a reasonable time frame for tree removal.

#### Security for Permit Compliance

Subsection 4.610.00 (.06) C.

- G3.** As allowed by Subsection 1 the City is waiving the bonding requirement as the application is required to comply with WC 4.264(1).

### General Standards for Tree Removal, Relocation or Replacement

#### Preservation and Conservation

Subsection 4.610.10 (.01)

- G4.** The design of the site avoids disturbance of the significant natural features on the site, particularly the Boeckman Creek Canyon. The site elevation drops by approximately 25 feet from east to west toward the Boeckman Creek Canyon. This slope necessitates a significant amount of grading to provide the infrastructure needed to serve the development, as well as to prepare lots for development with single-family homes. The extent of the necessary grading requires removal of the majority of trees on the site outside of the SROZ. The applicant proposes to preserve five trees, with two additional Douglas-fir trees left as snags near the SROZ. Three of the preserved trees (two Oregon white oak and one bigleaf maple) are located in between the Boeckman Creek Trail and Lots 77-79. A 38-inch d.b.h. Oregon white oak is located south of Lot 12, in between the decorative wall along Boeckman Road and the landscape buffer. Tract G preserves a 56-inch Oregon white oak in excellent condition.

## Development Alternatives

Subsection 4.610.10 (.01) C.

**G5.** The Frog Pond West Master Plan provides clear direction for street connections, residential densities, and preservation of the SROZ. Preservation and conservation of the majority of trees onsite, while addressing the requirements of the Frog Pond West Master Plan, is not feasible. To preserve a 56-inch Oregon white oak in excellent condition, the applicant proposes Tract G as an open space tract. Additionally, special care must be taken in designing the footings for the wall along Boeckman Road near the 38-inch Oregon white oak tree to be preserved so that the wall is at native grade with no excavation to avoid significant root impacts. If this approach is not feasible, it may be necessary to remove this tree. Condition of Approval PDG 7 ensures this criterion is met.

## Land Clearing Limited to Right-of-Way and Areas Necessary for Construction

Subsection 4.610.10 (.01) D.

**G6.** The proposed clearing is necessary for streets, alleys, homes, and related improvements.

## Residential Development to Blend into Natural Setting

Subsection 4.610.10 (.01) E.

**G7.** Preservation and enhancement of the SROZ area allows the development to blend with the significant natural elements of the property. The project area is otherwise relatively flat land without significant natural features with which to blend.

## Compliance with All Applicable Statutes and Ordinances

Subsection 4.610.10 (.01) F.

**G8.** This standard is broad and duplicative. As found elsewhere in this report, the City is applying the applicable standards.

## Tree Relocation and Replacement, Protection of Preserved Trees

Subsection 4.610.10 (.01) G.

**G9.** Reviews of tree removal, replacements, and protection is in accordance with the relevant sections related to replacement and protection.

## Tree Removal Limitations

Subsection 4.610.10 (.01) H.

**G10.** The proposed tree removal is due to health or necessary for construction.

## **Additional Standards for Type C Permits**

### Tree Survey and Tree Maintenance and Protection Plan to be Submitted

Subsection 4.610.10 (.01) I. 1.-2.

**G11.** The applicant submitted the required Tree Survey Maintenance and Protection Plan.

## Utilities Locations to Avoid Adverse Environmental Consequences

Subsection 4.610.10 (.01) I. 3.

**G12.** The Utility Plan shows a design to minimize the impact upon the environment to the extent feasible given existing conditions, particularly the Boeckman Creek SROZ. The City will further review utility placement in relation to the drainage area and preserved trees during review of construction drawings and utility easement placement on the final plat.

### **Type C Tree Plan Review**

#### Tree Removal Related to Site Development at Type C Permit

Subsection 4.610.40 (.01)

**G13.** The review of the proposed Type C Tree Plan is concurrent with other site development applications.

#### Standards and Criteria of Chapter 4 Applicable

Subsection 4.610.40 (.01)

**G14.** This standard is broad and duplicative. As found elsewhere in this report, this review applies applicable standards.

#### Application of Tree Removal Standards Can't Result in Loss of Development Density

Subsection 4.610.40 (.01)

**G15.** Review of the proposal allows residential unit counts consistent with the Frog Pond West Master Plan.

#### Development Landscape Plan and Type C Tree Plan to be Submitted Together

Subsection 4.610.40 (.01)

**G16.** The applicant submitted the Type C Tree Plan concurrently with the landscape plan for the proposed development.

#### Type C Tree Plan Review with Stage II Final Plan

Subsection 4.610.40 (.01)

**G17.** Review of the proposed Type C Tree Plan is concurrent with the Stage II Final Plan. See Request D.

#### Required Mitigation May Be Used to Meet Landscaping Requirements

Subsection 4.610.40 (.01)

**G18.** The applicant proposes counting the proposed street trees and other landscaping trees as the mitigation for removal.

#### No Tree Removal Before Decision Final

Subsection 4.610.40 (.01)

**G19.** Review of The proposed Type C Tree Plan is concurrent with other necessary land use approvals. The City will not issue any tree removal permit prior to final approval of concurrent land use requests and annexation into the City. While the land is currently under jurisdiction of Clackamas County, Condition of Approval PDG 2 binds the applicant to no tree removal on the properties, except for hazardous situations unrelated to development, prior to issuance of the post-annexation tree removal permit by the City.

Tree Maintenance and Protection Plan Submission Requirements  
Section 4.610.40 (.02)

**G20.** The applicant submitted the necessary copies of a Tree Maintenance and Protection Plan.

**Tree Relocation, Mitigation, or Replacement**

Tree Replacement Required  
Subsection 4.620.00 (.01)

**G21.** The tree mitigation requirements will be more than exceeded by the planned street trees and other landscape trees.

Replacement Requirement: 1 for 1, 2" Caliper  
Subsection 4.620.00 (.02)

**G22.** The applicant proposes tree mitigating removed trees on the basis of one tree for each tree removed. Staff does not recommend any inch per inch mitigation. The applicant proposes planting more trees than trees proposed for removal. The landscape plans show each tree, including street trees and trees in parks and linear greens, meets or exceeds the minimum diameter requirement.

Replacement Plan and Tree Stock Requirements  
Subsections 4.620.00 (.03) and (.04)

**G23.** Review of the tree replacement and mitigation plan is prior to planting and in accordance with the Tree Ordinance, as established by other findings in this request. The applicant's landscape plans show tree stock meeting the tree stock requirements.

Replacement Locations Requirements: On Site and Same General Area to Extent Feasible and Desirable  
Subsection 4.620.00 (.05)

**G24.** The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development.

## Protection of Preserved Trees

### Tree Protection During Construction Section 4.620.10

**G25.** Condition of Approval PDG 5 ensures tree protection measures, including fencing are in place consistent with Public Works Standards Detail Drawing RD-1240.

### Request H: SI 18-0003 SRIR Review

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

#### Findings of Fact:

1. Pursuant to Section 4.139.05 (Significant Resource Overlay Zone Map Verification), the map verification requirements shall be met at the time an applicant requests a land use decision. The applicant conducted a detailed site analysis consistent with code requirements, which the Natural Resources Manager reviewed and approved.
2. Boeckman Creek and its associated riparian corridor constitute the western third of the development site (Site ID Number 1.03U). Designated as Tract A (i.e., 300,782 SF), the riparian corridor includes two tributaries - T1 and T2. The delineated wetlands, identified as wetlands A-C, are located in the riparian corridor and southeast horse pasture. These wetlands were not included in the City's Natural Resources Inventory and do not qualify as locally significant due to their size (i.e., less than 0.5 acre). However, they may be jurisdictional and subject to regulation by the Oregon Department of State Lands and the U.S. Army Corps of Engineers.
3. The steeply sloped riparian corridor contains a mixed-deciduous forest. Typical native vegetation includes big-leaf maple, Douglas fir, red alder, western red cedar, Indian plum, vine maple, beaked hazelnut, western sword fern, and Pacific waterleaf. Non-native, invasive plant species, such as Himalayan blackberry, English ivy, and English holly are present in the forest. In addition to the native vegetation, snags and large woody debris provide beneficial wildlife habitat.
4. The Significant Resource Overlay Zone ordinance prescribes regulations for development within the SROZ and its associated 25-foot Impact Area. Setbacks from significant natural resources implement the requirements of Metro Title 3 Water Quality Resource Areas, Metro Title 13 Nature in Neighborhoods, and Statewide Planning Goal 5. All significant natural resources have an Impact Area. Development or other alteration activities may be permitted within the SROZ and its associated Impact Area through the review of a Significant Resource Impact Report (SRIR). The primary purpose of the Impact Area is to insure that development does not encroach into the SROZ.

5. Pursuant to the city's SROZ ordinance, development is only allowed within the Area of Limited Conflicting Use (ALCU). The ALCU is located between the riparian corridor boundary, riparian impact area or the Metro Title 3 Water Quality Resource Area boundary, whichever is furthest from the wetland or stream, and the outside edge of the SROZ, or an isolated significant wildlife habitat (upland forest) resource site.
6. The applicant's Significant Resource Impact Report delineated specific resource boundaries and analyzed the impacts of development within the SROZ. The applicant's SRIR contained the required information, including an analysis and development recommendations for mitigating impacts.

### **Exempt Uses in SROZ**

#### Use and Activities Exempt from These Regulations

##### Section 4.139.04

- H1.** Proposed exempt development in the SROZ and its associated 25-foot Impact Area comply with the following exemptions:

- (.08) "The construction of new roads, pedestrian or bike paths into the SROZ in order to provide access to the sensitive area or across the sensitive area, provided the location of the crossing is consistent with the intent of the Wilsonville Comprehensive Plan. Roads and paths shall be constructed so as to minimize and repair disturbance to existing vegetation and slope stability."

The proposed pedestrian trail is part of the future Boeckman Creek regional trail identified in the City's Bicycle and Pedestrian Master Plan. The trail has been designed to minimize impacts to existing vegetation and prevent slope instability.

- (.13) "Enhancement of the riparian corridor or wetlands for water quality or quantity benefits, fish, or wildlife habitat as approved by the City and appropriate regulatory agencies."

Due to the current degraded nature of the open space areas, the placement and operation of stormwater facilities will provide a water quality and habitat benefit through the planting of stormwater facility vegetation and the installation of soil media.

- (.17) "New Single-Family Dwelling. The construction of a new single-family dwelling is exempt unless the building encroaches into the Impact Area and/or the SROZ.

- B. If the proposed building encroaches into the SROZ, then a complete or abbreviated SRIR report is required."

The rear/side yards of lots 12-15 and 76-82 encroach into the Impact Area. In addition, within lots 12 and 14, a small portion of the building footprint encroaches into the Impact Area. These encroachments will not have an adverse impact to the SROZ.

- (.18) "Private or public service connection laterals and service utility extensions."

The stormwater pipes and outfalls are necessary for conveying treated and controlled runoff to Boeckman Creek and its associated tributaries.

- (.20) "The installation of public streets and utilities specifically mapped within a municipal utility master plan, the Transportation Systems Plan or a capital improvement plan."

Street E is necessary for the internal road network. The street is consistent with the intent of the City's planning documents.

#### **Section 4.139.06 (.03) SRIR Review Criteria:**

**In addition to the normal Site Development Permit Application requirements as stated in the Planning and Land Development Ordinance, the following standards shall apply to the issuance of permits requiring an SRIR. The SRIR must demonstrate how these standards are met in a manner that meets the purposes of this Section.**

Development permitted only within the Area of Limited Conflicting Use  
Subsection 4.139.06 (.03) A.

- H2.** The proposed exempt development is located within the SROZ. Only exempt development is allowed within a stream (riparian) corridor.

Development not permitted within Metro's Urban Growth Management Functional Plan Title 3 Water Quality Resource Areas boundary  
Subsection 4.139.06 (.03) B.

- H3.** The proposed exempt development is permitted within Metro's Title 3 Water Quality Resource Areas boundary.

No more than five (5) percent of the Area of Limited Conflicting Use may be impacted by a development proposal.  
Subsection 4.139.06 (.03) C.

- H4.** Only exempt development is proposed within the Area of Limited Conflicting Use.

Mitigation of the area to be impacted shall be consistent with SROZ Regulations  
Subsection 4.139.06 (.03) D.

**H5.** The proposed mitigation is consistent with the Development Code provisions. The mitigation will provide an enhancement to the removal of invasive plant species.

The impact on the Significant Resource is minimized by limiting the degree or magnitude of the action, by using appropriate technology or by taking affirmative steps to avoid, reduce or mitigate impacts

Subsection 4.139.06 (.03) E.

**H6.** The impact to the SROZ has been minimized through thoughtful planning and consultation with City staff.

#### On-Site Mitigation

Subsection 4.139.06 (.03) F.

**H7.** Impacts to the SROZ will be mitigated for onsite.

#### Material for non-structural fill

Subsection 4.139.06 (.03) G.

**H8.** Non-structural fill will consist of natural materials similar to the soil types found on the site.

#### Minimum Fill

Subsection 4.139.06 (.03) H.

**H9.** The amount of fill has been minimized to the extent practicable.

Minimize turbidity during construction, stream turbidity not be significantly increased by development

Subsection 4.139.06 (.03) I.

**H10.** All proposed grading activities onsite will be managed pursuant to guidelines established and identified in the applicant's approved erosion control plan and a 1200-C Erosion Control Permit issued by the Oregon Department of Environmental Quality. Stream turbidity is regulated under the City's Grading and Erosion Control Permit and the DEQ's 1200-C Erosion Control Permit.

#### Obtaining appropriate federal and state permits

Subsection 4.139.06 (.03) J.

**H11.** The applicant may need to submit a joint permit application for the filling of Wetland C, which will require permit approval from the Oregon Department of State Lands and the U.S. Army Corps of Engineers.

## Request I : SI 18-0004 SROZ Boundary Verification

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

### SROZ Map Verification

#### Requirements and Process

Section 4.139.05

- I1. Consistent with the requirements of this section, a verification of the SROZ boundary is required as the applicant requests a land use decision. The applicant conducted a detailed site analysis consistent with the requirements of this section, which the City's Natural Resources Manager reviewed verifying the SROZ boundary.

Sign off accepting Conditions of Approval

Project Name: Morgan Farms Subdivision

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

*The Conditions of Approval rendered in the above case files have been received and accepted by:*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title Date

*This decision is not effective unless this form is signed and returned to the planning office as required by WC Section 4.140(.09)(L).*

*Adherence to Approved Plan and Modification Thereof: The applicant shall agree in writing to be bound, for her/himself and her/his successors in interest, by the conditions prescribed for approval of a development.*

Please sign and return to:  
Shelley White  
Planning Administrative Assistant  
City of Wilsonville  
29799 SW Town Center Loop E  
Wilsonville OR 97070





CIVIL • PLANNING • SURVEY • LANDSCAPE  
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9020 SW Washington Square Rd Suite 170  
Portland, Oregon 97223

June 25, 2018

Mayor Knapp and City Council  
29799 SW Town Center Loop E.  
Wilsonville, OR 97070

**RE: Morgan Farm DB18-0015-DB18-0021, SI18-0003 and SI18-0004 80-Lot  
Subdivision**

Pioneer Project No.: 321-002

Mayor Knapp and Council:

At the June 18<sup>th</sup> Public Hearing for Morgan Farm two issues were raised, and the Hearing and Record were held open for supplemental testimony. The two issues included:

1. Adding additional open space, to Tract F for child play area; and
2. Obtaining property owner approval for removal of 6 Off-site Trees to allow construction of Street G, along the north boundary of the property.

**Response to Item 1:**

To provide additional Tot Lot area within Tract F, we have removed Lot 15. Section 4.127(.09)B.2.c. Open Space requires that any open space provided must be a minimum of 2,000 square feet.

If the requested Tot Lot were proposed as a stand-alone tract, it would need to be at least 2,000 square feet. The revised plan provides an additional 3,085 square feet added to Tract F, increasing it to 11,083 square feet.

The small remainder of the original Lot 15 has been applied to widening Revised Lots 15-19, to improve the quality of these lots.

**Response to Item 2:**

Mike Morse, Pahlisch Homes, met with the adjacent property owner and offered additional visual buffering in the form of a berm and trees. However, this proposal was rejected, and the owner has not granted approval to remove any trees on her property.

Consequently we have adjusted the alignment of Street G to shift a segment of the road south. This shift forced adjustments to the lots 47-62 to maintain the minimum lot area of 4,000 square feet. As a result there is a reduction of 1 lot in this block, which was one of the attached units.

This shift in the road alignment allows for a 5 foot offset from the Off-Site trees, as supported by the findings of the attached Revised Arborist's Report.

The combination of these two revisions reduces the total number of lots by 2, resulting in a Revised Preliminary Plat for 80 lots.

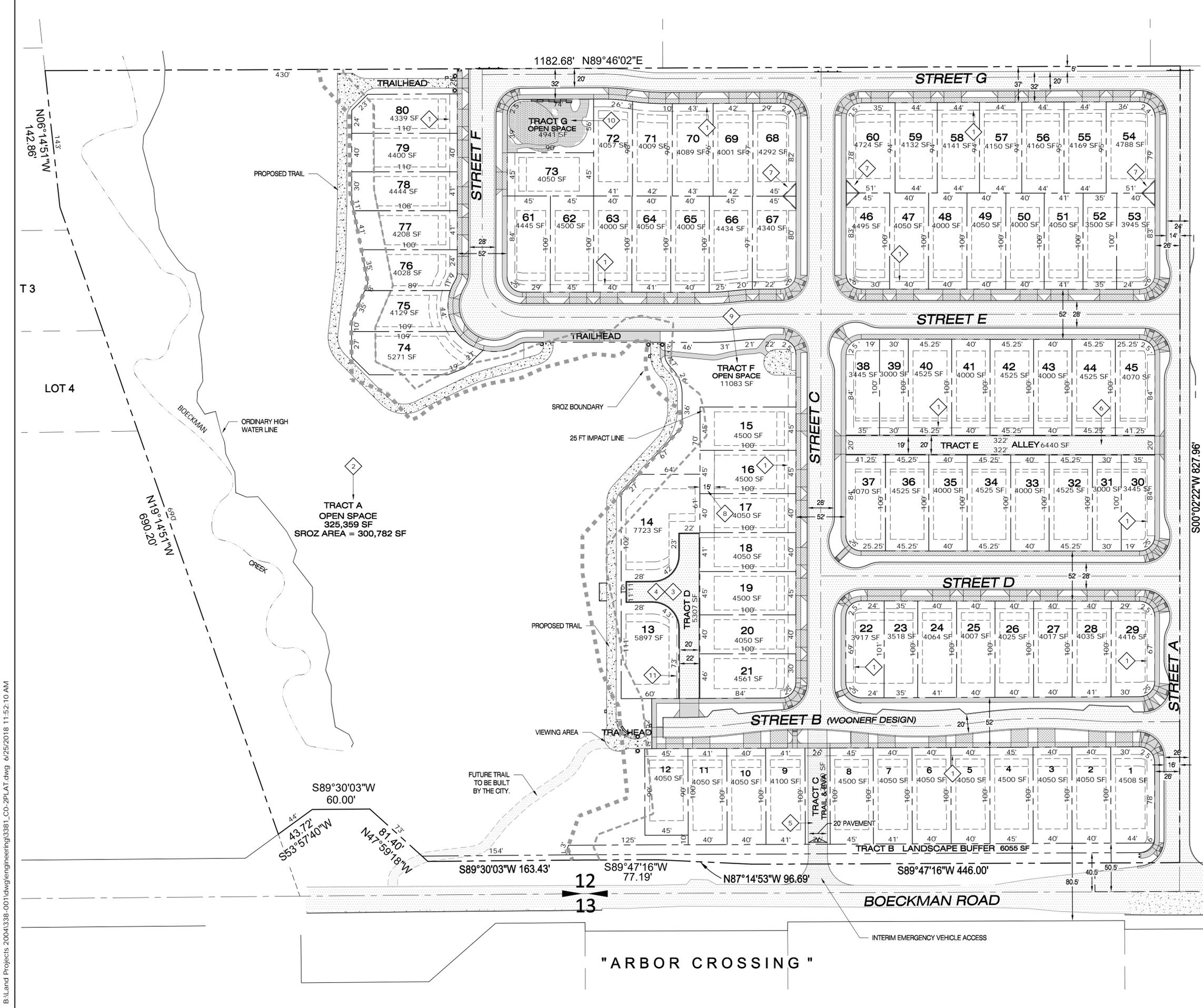
Sincerely,  
**Pioneer Design Group, Inc.**



Ben Altman  
Senior Planner/Project Manager

Attached: Revised Preliminary Plat  
Revised Arborist's Report

Cc: Mike Morse, Pahlisch Homes  
Jim Wolfston, Property Owner



**LEGEND**

- PROPOSED EASEMENT LINE
- PROPOSED CENTERLINE
- PROPOSED RIGHT-OF-WAY
- PROPOSED LOT LINE
- BOUNDARY LINE
- PROPOSED SETBACK LINE
- PROPOSED STANDARD CURB
- PROPOSED STANDARD CURB AND GUTTER
- PROPOSED WEDGE CURB
- SIGNIFICANT RESOURCE IMPACT AREA
- SIGNIFICANT RESOURCE OVERLAY ZONE
- PROPOSED CONCRETE SIDEWALK
- PROPOSED PAVEMENT
- PROPOSED DRIVEWAY

**EASEMENT NOTES**

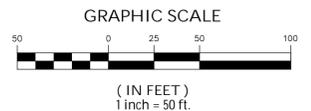
- 1 8 FT. PUBLIC UTILITY EASEMENT (TYP.)
- 2 PUBLIC ACCESS, STORMWATER, SANITARY SEWER AND WATER EASEMENT OVER THE ENTIRETY OF TRACT A.
- 3 STORMWATER, SANITARY SEWER AND WATER EASEMENT OVER THE ENTIRETY OF TRACT D.
- 4 ACCESS EASEMENT OVER THE ENTIRETY OF TRACT D BENEFITING LOTS 13 & 14.
- 5 26 FT. WIDE PEDESTRIAN, BICYCLE, EMERGENCY VEHICLE ACCESS, STORMWATER, SANITARY SEWER AND WATER EASEMENT OVER THE ENTIRETY OF TRACT C.
- 6 PUBLIC RECIPROCAL ACCESS EASEMENT OVER THE ENTIRETY OF TRACT E.
- 7 PUBLIC STORMWATER PLANTER EASEMENT TO THE CITY OF WILSONVILLE.
- 8 15' PUBLIC STORMWATER EASEMENT TO THE CITY OF WILSONVILLE.
- 9 PUBLIC ACCESS, STORMWATER, SANITARY SEWER AND WATER EASEMENT OVER THE ENTIRETY OF TRACT F.
- 10 PUBLIC ACCESS EASEMENT OVER THE ENTIRETY OF TRACT G.
- 11 2' PRIVATE WATER LINE EASEMENT FOR THE BENEFIT OF LOT 14.

**SETBACK REQUIREMENTS**

FRONT BUILDING:	12 FT.
FRONT GARAGE:	20 FT.
SIDE YARD:	5 FT.
STREET SIDE YARD:	10 FT.
REAR BUILDING:	15 FT.
REAR ALLEY/GARAGE:	18 FT.

**GENERAL NOTE**

PRIVATE STORMWATER FACILITY EASEMENTS WILL BE CREATED FOR THE LOTS THAT WILL HAVE FUTURE LIDA PLANTER FACILITIES WHEN THE FINAL LOCATIONS OF THE FACILITIES ARE DETERMINED.



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PIONEER DESIGN GROUP, INC.

PRELIMINARY PLAT

MORGAN FARM  
CITY OF WILSONVILLE

Designed by	TCC	Date	05/18
Drawn by	JIS	Date	05/18
Reviewed by	BF	Date	05/18
Project No.	321-002	REF.	
Horiz. Scale:	1"=50'		
Vert. Scale:	N/A		

Revision	Date	No.

Project: MORGAN FARM  
No.: 321-002  
Type: ENGINEERING  
Sheet: C0.2 of 65



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3 Monroe Parkway, Suite P 220  
Lake Oswego, Oregon 97035  
morgan.holen@comcast.net

## Morgan Farms – Wilsonville, Oregon Supplemental Arborist Report June 27, 2018

MHA16110

### Purpose

This arborist report supplements the March 22, 2018 Tree Maintenance and Protection Plan for the Morgan Farms subdivision project located in Wilsonville, Oregon. The original report recommended removal of nine boundary and off-site trees for the purposes of street construction along the northern boundary. Removal of boundary and off-site trees requires prior written consent of the adjacent property owner. That owner is unwilling to allow removal of these trees at this time. Therefore, Pahlisch Homes asked that I reassess these trees in terms of potential impacts and provide arborist recommendations to protect the trees during construction. This report documents the assessment, provides an updated summary of the proposed tree removal and required mitigation, and describes arborist recommendations for providing adequate protection for the boundary and off-site trees.

### General Description

Pioneer Design Group staked a line 10-feet south of the northern property boundary where the street was originally planned for construction. I visited the site on June 24, 2018, in order to re-assess the trees along the boundary in terms of potential impacts from proposed street construction. Visual assessment was limited to observations made on the south side of the trees from the project site and by dense unmanaged vegetation, including invasive English hawthorn (*Crataegus monogyna*) and poison oak (*Toxicodendron diversilobum*), obstructing tree trunks.

There are 12 inventoried trees located along the northern boundary in the northeast quadrant of the site, including four boundary trees, five off-site trees, and three on-site trees. Note that points 7583 and 7584, shown as being on-site on the survey, were never included in the tree inventory; I previously asked the engineer to omit these points from the survey because they were not located. It is possible that they are small diameter serviceberries (*Amelanchier alnifolia*) in the dense cluster of vegetation. Therefore, 12 of the 14 points shown on the survey are included in the inventory, which is enclosed and updated with revisions indicated in bold type. Of the twelve trees, no changes were made to 7574, 7575, and 7580, which are on-site trees that continue to be planned for removal for street construction. Revisions to the data were limited to the treatment column for boundary trees 7572, 7573, 7576, and 7585, and off-site trees 7577, 7578, 7579, 7581, 7582, to indicate protection rather than removal.

### Revised Tree Plan Recommendations

Of the 86 inventoried trees, 79 were originally planned for removal for the purposes of site development including the nine boundary and off-site trees. Based on the re-assessment and proposed modifications to the site plan to shift the street alignment 5-feet south of the property boundary, these nine boundary and off-site trees are planned for protection during site development. Therefore, the total number of trees planned for removal is now 70. Table 2 provides a revised 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*
	D	P	F	G	E	
Remove	1	7	38	24		70 (81%)
Protect off-site		1	6	2		9 (10%)
Retain			1	2	1	4 (5%)
Retain, remove boards				1		1 (1%)
Retain, create snag^		1	1			2 (2%)
<b>Total*</b>	<b>1</b> (1%)	<b>9</b> (10%)	<b>46</b> (53%)	<b>29</b> (34%)	<b>1</b> (1%)	<b>86</b> (100%)

\*Percent total may not sum to 100 due to rounding. ^Trees to be turned into snags require mitigation.

### Revised Mitigation Requirements

The original report required 81 mitigation trees. Now that nine boundary and off-site trees previously planned for removal will be protected, 72 trees measuring at least 2-inches in diameter shall be planted as mitigation for tree removal.

### Tree Protection Recommendations

The following recommendations should be implemented in order to provide adequate protection for the nine boundary and off-site trees during proposed street construction along the northern of the property boundary:

- **Modified Site Plan and Tree Protection Fencing.** The proposed half-street will need to be moved south a minimum of five feet from the property boundary. Tree protection fencing is recommended at the property boundary or 1-foot south of the property boundary where trees are located on the boundary. This will allow room for work and to taper the shoulder from the edge of the street to the property boundary.
- **Stump Removal.** Stumps of trees planned for removal that are located within 30-feet of protected trees should remain in the ground where feasible. Otherwise, stumps may be removed by stump grinding to just below the ground surface or extracted from the ground under project arborist supervision.
- **Modified Profile for Street Construction.** The road will need to be built up from native grade to avoid root zone excavation. The ground in this area is hard and compacted from pasture use. The uppermost weeds and grass may be removed by scraping the ground surface using an excavator with a flat blade bucket. Then, a layer of permeable geotextile fabric should be placed on the ground surface and topped with clean crushed rock to the desired depth and finished with asphalt surfacing. The edge of the street can be tapered to native grade with top soil or clean crush rock or river stone. This is consistent with tree protection measure #7 in the original report.
- **Drainage.** The engineer should evaluate drainage to ensure that water will not pond north of the road but drain freely away from trees. This may require perforated pipe or area drains to be installed with street construction. Underground utilities should be installed at least 10-feet from the property boundary, preferably on the south side of the street.

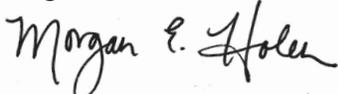
- **Pruning.** Pruning of trees and dense vegetation for clearance will likely be needed to avoid crown damage during construction and provide necessary clearance for use of the new street. Limbs of off-site trees and shrubs extending onto the project site may be removed, but only up to the property boundary without the adjacent landowners' consent<sup>1</sup>. The project arborist can help identify where pruning is necessary once the site is prepared for construction. Tree protection measure #5 in the original report is applicable.

These tree protection recommendations will provide adequate protection for the boundary and off-site trees because the proposed construction is limited to the southern quadrant of the critical root zone—a small percentage of the overall critical root zone for these trees—and no root zone excavation is required since the street will be built up from native grade which is already relatively hard and compacted soil. Shifting the alignment five feet south will allow for tree protection fencing to be installed while providing room for construction to occur and for a shoulder to be tapered from the edge of the street to the property boundary.

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.

Thank you for choosing Morgan Holen & Associates, LLC, to provide consulting arborist services for the Morgan Farms 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/Owner  
ISA Board Certified Master Arborist, PN-6145B  
ISA Tree Risk Assessment Qualified  
Forest Biologist

Enclosures: MHA16110 Morgan Farms – Tree Data 6-6-17 Rev. 6-27-18

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<sup>1</sup> Merullo, V.D., and M.J. Valentine. *Arboriculture & the Law*. Champaign, IL: International Society of Arboriculture, 1992. Print.



No.	Type	Common Name	Species Name	DBH <sup>1</sup>	C-Rad <sup>2</sup>	Cond <sup>3</sup>	Comments	Location <sup>4</sup>	Treatment
1001	Dec	ash	<i>Fraxinus</i> spp.	10,16	25	G	moderate structure, few dead branches	on-site	remove
1002	Dec	ash	<i>Fraxinus</i> spp.	16	22	P	progressive decline, dead branches, dieback	on-site	remove
1003	Dec	Oregon white oak	<i>Quercus garryana</i>	16,2x26	40	F	severe power line pruning, crown decay	ROW	remove
1004	Dec	deciduous	unknown	8	0	D	dead	on-site	remove
1005	Dec	English hawthorn	<i>Crataegus monogyna</i>	4x6	14	G	invasive species, poor structure	on-site	remove
1006	Con	deodar cedar	<i>Cedrus deodara</i>	32	22	F	crown asymmetry due to utility line pruning	on-site	remove
1007	Con	scots pine	<i>Pinus sylvestris</i>	16	16	F	poor structure, lower trunk wound on northwest face	on-site	remove
1008	Con	scots pine	<i>Pinus sylvestris</i>	20	16	F	poor structure, excessive lean, dense blackberries surrounding base	on-site	remove
5128	Dec	Oregon white oak	<i>Quercus garryana</i>	48	16	P	mostly dead	on-site	remove
5129	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	24	18	P	dead top, dead and broken branches	SROZ-IA	create snag
5130	Dec	bigleaf maple	<i>Acer macrophyllum</i>	24	24	G	moderate structure, trunk wound on east face	SROZ-IA	retain
5133	Dec	Oregon white oak	<i>Quercus garryana</i>	28	20	G	remove boards nailed to trunk on west face	SROZ-IA	retain, remove boards
5134	Dec	Oregon white oak	<i>Quercus garryana</i>	10,14	16	F	moderate structure, one-sided to west, suitable for retention along with 5133 only	SROZ-IA	retain
5135	Dec	black locust	<i>Robinia pseudoacacia</i>	9x12	16	F	invasive species, dense cluster	on-site	remove
5136	Dec	Oregon white oak	<i>Quercus garryana</i>	36	16	F	poor structure, one-sided crown with lean to northeast	on-site	remove
5137	Con	Port-Orford-cedar	<i>Chamaecyparis lawsoniana</i>	18	16	G	only assessed from south side	on-site	remove
5138	Con	Port-Orford-cedar	<i>Chamaecyparis lawsoniana</i>	18	16	G	only assessed from south side	on-site	remove
5139	Con	Port-Orford-cedar	<i>Chamaecyparis lawsoniana</i>	18	16	F	moderate structure, only assessed from south side	on-site	remove
5140	Dec	Oregon white oak	<i>Quercus garryana</i>	56	44	E	old buttress wounds	on-site	retain
5206	Dec	mimosa	<i>Albizia julibrissin</i>	20	16	P	poor structure, very poorly pruned, dieback	on-site	remove
5207	Dec	fruit	unknown	18	14	F	not maintained	on-site	remove
5234	Con	western redcedar	<i>Thuja plicata</i>	6,14	14	F	poor structure, topped	on-site	remove
5235	Con	western redcedar	<i>Thuja plicata</i>	8,14	14	F	poor structure, topped	on-site	remove
5237	Con	western redcedar	<i>Thuja plicata</i>	12	14	F	poor structure, topped	on-site	remove
5362	Dec	cherry	<i>Prunus</i> spp.	6	5	G	small weeping ornamental	on-site	remove
5363	Con	blue spruce	<i>Picea pungens</i>	10	10	G	multiple leaders	on-site	remove
5480	Dec	fruit	unknown	6,2x8	20	F	poor structure, not well maintained	on-site	remove
5484	Dec	fruit	unknown	2x8,14	20	F	poor structure, not well maintained	on-site	remove
5695	Con	giant sequoia	<i>Sequoiadendron giganteum</i>	26	14	F	dense row, suitable for retention as intact group (5695-5700 with or without 5701)	on-site	remove
5696	Con	giant sequoia	<i>Sequoiadendron giganteum</i>	36	14	F	dense row, suitable for retention as intact group (5695-5700 with or without 5701)	on-site	remove



No.	Type	Common Name	Species Name	DBH <sup>1</sup>	C-Rad <sup>2</sup>	Cond <sup>3</sup>	Comments	Location <sup>4</sup>	Treatment
5697	Con	giant sequoia	<i>Sequoiadendron giganteum</i>	24	14	F	dense row, suitable for retention as intact group (5695-5700 with or without 5701)	on-site	remove
5698	Con	giant sequoia	<i>Sequoiadendron giganteum</i>	34	14	F	dense row, suitable for retention as intact group (5695-5700 with or without 5701)	on-site	remove
5699	Con	spruce	<i>Picea spp.</i>	16	14	F	dense row, suitable for retention as intact group (5695-5700 with or without 5701)	on-site	remove
5700	Con	giant sequoia	<i>Sequoiadendron giganteum</i>	24	12	F	dense row, suitable for retention as intact group (5695-5700 with or without 5701)	on-site	remove
5701	Con	spruce	<i>Picea spp.</i>	18	12	F	broken leader, suitable for retention as intact group (5695-5700 with or without 5701)	on-site	remove
5702	Con	giant sequoia	<i>Sequoiadendron giganteum</i>	36	24	G	codominant crown class with 5703	on-site	remove
5703	Con	giant sequoia	<i>Sequoiadendron giganteum</i>	44	24	G	codominant crown class with 5702, self-correcting lean	on-site	remove
5860	Dec	red maple	<i>Acer rubrum</i>	24	30	F	poor structure, trunk and crown decay	on-site	remove
5861	Con	western redcedar	<i>Thuja plicata</i>	2x14	15	G	codominant leaders	on-site	remove
5876	Dec	black cottonwood	<i>Populus trichocarpa</i>	18	16	F	inherent species limitations, one-sided crown to southwest	on-site	remove
5877	Dec	black cottonwood	<i>Populus trichocarpa</i>	16	16	F	inherent species limitations, one-sided crown to northwest	on-site	remove
5878	Dec	black cottonwood	<i>Populus trichocarpa</i>	34	22	F	inherent species limitations, large diameter scaffold branches, large buttress root to garage	on-site	remove
5994	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	48	22	F	dead branches, dead top, progressive decline	SROZ-IA	create snag
6119	Dec	Oregon white oak	<i>Quercus garryana</i>	38	40	G	codominant leaders, severe power line pruning on south side, otherwise good structure	on-site	retain
6157	Dec	Oregon white oak	<i>Quercus garryana</i>	26	28	F	severe power line pruning, codominant crown class with 6158 (retain or remove together)	ROW	remove
6158	Dec	Oregon white oak	<i>Quercus garryana</i>	22	12	F	severe power line pruning, codominant crown class with 6157 (retain or remove together)	ROW	remove
6159	Dec	Oregon white oak	<i>Quercus garryana</i>	8	6	P	topped	ROW	remove
6160	Dec	Oregon white oak	<i>Quercus garryana</i>	22	30	F	severe power line pruning, entirely one-sided to the north	ROW	remove
6161	Dec	Oregon white oak	<i>Quercus garryana</i>	20	20	F	severe power line pruning	ROW	remove
6162	Dec	Oregon white oak	<i>Quercus garryana</i>	36	32	F	severe power line pruning, crown decay, mistletoe, basal wound on south face	ROW	remove
6166	Dec	Oregon white oak	<i>Quercus garryana</i>	30	40	F	severe power line pruning, but good vigor	ROW	remove



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6262	Dec	Oregon white oak	<i>Quercus garryana</i>	48	45	F	moderate structure, dead branches, crown decay, old wound on north face likely from old codominant stem failure	on-site	remove
6264	Dec	quaking aspen	<i>Populus tremuloides</i>	12	20	F	one-sided crown	on-site	remove
6265	Dec	deciduous	unknown	20	10	F	lower trunk decay with hollow	on-site	remove
6266	Dec	fruit	unknown	2x12,14	18	F	moderate structure, not well maintained	on-site	remove
6267	Dec	curly willow	<i>Salix matsudana</i>	18	16	P	crown dieback, diseased, trunk decay with fungal fruiting bodies	on-site	remove
7572	Dec	deciduous	unknown	6	10	F	visual assessment inhibited by fence and dense vegetation surrounding trunk	boundary	protect
7573	Dec	deciduous	unknown	6	10	F	visual assessment inhibited by fence and dense vegetation surrounding trunk	boundary	protect
7574	Dec	deciduous	unknown	8	10	F	visual assessment inhibited by fence and dense vegetation surrounding trunk	on-site	remove
7575	Dec	fruit	unknown	2x8	10	F	poor structure, not well maintained	on-site	remove
7576	Dec	serviceberry	<i>Amelanchier alnifolia</i>	6	10	F	moderate structure	boundary	protect
7577	Dec	serviceberry	<i>Amelanchier alnifolia</i>	8	10	F	poor structure	off-site	protect
7578	Dec	black hawthorn	<i>Crataegus douglasii</i>	6	4	P	suppressed	off-site	protect
7579	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	24	25	G	visual assessment inhibited by fence and dense vegetation surrounding trunk, ivy up trunk	off-site	protect
7580	Dec	Oregon white oak	<i>Quercus garryana</i>	6	6	G	visual assessment inhibited by fence and dense vegetation surrounding trunk	on-site	remove
7581	Dec	bigleaf maple	<i>Acer macrophyllum</i>	24	16	F	visual assessment inhibited by fence and dense vegetation surrounding trunk	off-site	protect
7582	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	10	14	F	visual assessment inhibited by fence and dense vegetation surrounding trunk	off-site	protect
7585	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	30	20	G	visual assessment inhibited by fence and dense vegetation surrounding trunk	boundary	protect
7586	Dec	Oregon white oak	<i>Quercus garryana</i>	8	10	G	visual assessment inhibited by fence and dense vegetation surrounding trunk	on-site	remove
7587	Dec	Oregon white oak	<i>Quercus garryana</i>	6	10	G	visual assessment inhibited by fence and dense vegetation surrounding trunk	on-site	remove
7630	Con	Leyland cypress	<i>Cupressus × leylandii</i>	28	25	G	moderate structure	on-site	remove
7631	Con	Leyland cypress	<i>Cupressus × leylandii</i>	28	25	G	moderate structure	on-site	remove
7632	Con	Leyland cypress	<i>Cupressus × leylandii</i>	12,18	25	G	moderate structure	on-site	remove
7633	Con	Leyland cypress	<i>Cupressus × leylandii</i>	10,16,18	25	G	moderate structure	on-site	remove



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7634	Con	Leyland cypress	<i>Cupressus × leylandii</i>	8,2x12,16	25	G	moderate structure	on-site	remove
7635	Con	scots pine	<i>Pinus sylvestris</i>	14	12	G	moderate structure, visual assessment inhibited by fence and dense vegetation surrounding trunk	on-site	remove
7636	Con	scots pine	<i>Pinus sylvestris</i>	14	16	P	topped, visual assessment inhibited by fence and dense vegetation surrounding trunk	on-site	remove
7637	Con	scots pine	<i>Pinus sylvestris</i>	12	10	F	forked leaders, visual assessment inhibited by fence and dense vegetation surrounding trunk	on-site	remove
7638	Con	Douglas-fir	<i>Pseudotsuga menziesii</i>	10	12	P	progressive decline	on-site	remove
7639	Con	pine	<i>Pinus spp.</i>	10	12	G	sequoia pitch moth, visual assessment inhibited by fence and dense vegetation surrounding trunk	on-site	remove
7640	Con	pine	<i>Pinus spp.</i>	8	10	G	visual assessment inhibited by fence and dense vegetation surrounding trunk	on-site	remove
7641	Con	pine	<i>Pinus spp.</i>	6	10	G	visual assessment inhibited by fence and dense vegetation surrounding trunk	on-site	remove
7642	Con	pine	<i>Pinus spp.</i>	8	10	G	moderate structure, visual assessment inhibited by fence and dense vegetation surrounding trunk	on-site	remove
7643	Con	pine	<i>Pinus spp.</i>	8	10	G	visual assessment inhibited by fence and dense vegetation surrounding trunk	on-site	remove
7653	Dec	Oregon white oak	<i>Quercus garryana</i>	34	34	G	leans to south, visual assessment inhibited by fence and dense vegetation surrounding trunk	on-site	remove
20020	Dec	plum	<i>Prunus spp.</i>	6,12	16	F	very poor structure, ivy, dead branches, large wound on south face at previous failure	on-site	remove

<sup>1</sup>DBH is tree diameter measured at 4.5-feet above the ground level in inches; multiple trunks splitting below DBH are measured separately and individual trunk measurements are separated by a comma, except multiple trunks of the same size are indicated with an asterisk (quantity x size); <sup>2</sup>C-Rad is the average crown radius measured in feet; <sup>3</sup>Cond is an arborist assigned rating to generally describe the condition of individual trees as follows- **D**ead; **P**oor; **F**air; **G**ood; or **E**xcellent Condition; and <sup>4</sup>Location describes whether the tree is location **on-site**, **off-site** on adjacent private property, **boundary** if located on the boundary between the project site and adjacent private property, **ROW** if any portion of the trunk is located within the public right-of-way, or **SROZ-IA** if located within the Significant Resource Overlay Zone Impact Area (trees located within the SROZ were not inventoried). **Bold type indicates changes made on 6-27-2018 to protect boundary and off-site trees; revisions were limited to the Treatment column only.**