

## **AGENDA**

### **WILSONVILLE CITY COUNCIL MEETING**

**OCTOBER 21, 2013**

**7:00 P.M.**

### **CITY HALL**

**29799 SW TOWN CENTER LOOP**

**WILSONVILLE, OREGON**

Mayor Tim Knapp

Council President Scott Starr  
Councilor Susie Stevens

Councilor Richard Goddard  
Councilor Julie Fitzgerald

### **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.

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

**5:00 P.M. EXECUTIVE SESSION [15 min.]**

- A. Pursuant to ORS 192.660(2)(i) Performance Evaluations of Public Officers and Employees [City Attorney]

**5:15 P.M. COUNCILORS' CONCERNS [5 min.]**

**5:20 P.M. PRE-COUNCIL WORK SESSION**

- |    |  |           |
|----|--|-----------|
| A. | Covered Trash Enclosure Update (Kraushaar)                 | [5 min.]  |
| B. | TGM Grant for a Light Industrial Form Based Code (Neamtzu) | [20 min.] |
| C. | Recreation and Aquatic Center Task Force (Sherer)          | [20 min.] |
| D. | Basalt Creek Planning Project Update (Mangle)              | [10 min.] |
| E. | Frog Pond / Advance Planning Project Grant IGA (Mangle)    | [10 min.] |

**6:50 P.M. ADJOURN**

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### **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, October 21, 2013 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on October 8, 2013. 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 therewith except where a time limit for filing has been fixed.

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

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

**7:05 P.M. MAYOR'S BUSINESS**

- A. City Attorney Employment Contract Renewal (staff – Villagrana)
- B. Upcoming Meetings

**7:20 P.M. COMMUNICATIONS**

- A. HEAL Update (staff – Brescia)

**7:30 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.

**7:40 P.M. COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS**

- A. Council President Starr – Park & Recreation Advisory Board, Chamber/City Leadership.
- B. Councilor Goddard – Library Board, Chamber Board, and Clackamas County Business Alliance
- C. Councilor Fitzgerald – Planning Commission; Committee for Citizen Involvement; and Library Board
- D. Councilor Stevens – Development Review Panels A and B; Wilsonville Seniors

**7:50 P.M. CONSENT AGENDA**

- A. **Resolution No.2440**  
A Resolution Of The City Council Approving A Minor Amendment To The Year 2000 Plan, An Urban Renewal Plan Of The City Of Wilsonville, Related To Urban Renewal District Boundaries. (staff – Retherford)
- B. **Resolution No. 2441**  
A Resolution Of The City Council Concurring With The Revenue Sharing Formula In The Wilsonville TIF Zones. (staff – Retherford)

**8:00 P.M. PUBLIC HEARING**

- A. **Ordinance No. 725** – First Reading  
An Ordinance Making Certain Determinations And Findings Relating To And Approving A Single-Property Urban Renewal Plan Known As The **26755 SW 95<sup>th</sup> Avenue** TIF Zone. (staff – Retherford)
- B. **Ordinance No. 726** – First Reading  
An Ordinance Making Certain Determinations And Findings Relating To And Approving A Single-Property Urban Renewal Plan Known As The **9805 SW Boeckman Road** TIF Zone. (staff – Retherford)
- C. **Ordinance No. 727** – First Reading  
An Ordinance Making Certain Determinations And Findings Relating To And Approving A Single-Property Urban Renewal Plan Known As The **25600 SW Parkway Center Drive** TIF Zone. (staff – Retherford)
- D. **Ordinance No. 728** – First Reading  
An Ordinance Making Certain Determinations And Findings Relating To And Approving A Single-Property Urban Renewal Plan Known As The **27255 SW 95<sup>th</sup> Avenue** TIF Zone. (staff – Retherford)
- E. **Ordinance No. 729** – First Reading  
An Ordinance Making Certain Determinations And Findings Relating To And Approving A Single-Property Urban Renewal Plan Known As The **29899 SW Boones Ferry Road** TIF Zone. (staff – Retherford)
- F. **Ordinance No. 730** – First Reading  
An Ordinance Making Certain Determinations And Findings Relating To And Approving A Single-Property Urban Renewal Plan Known As The **Bldg. 83- 26440 SW Parkway Avenue** TIF Zone. (staff – Retherford)

**8:45 P.M. CONTINUING BUSINESS**

- A. **Ordinance No. 724** – second reading  
An Ordinance Of The City Of Wilsonville Amending The Villebois Village Master Plan For The “Future Study Area” Establishing The General Land Use Framework, Open Spaces, Circulation And Utilities. (staff – Pauly)

**9:00 P.M. CITY MANAGER’S BUSINESS**

**9:10 P.M. LEGAL BUSINESS**

**9:15 P.M. ADJOURN**

Time frames for agenda items are not time certain (i.e. Agenda items may be considered earlier than indicated. The Mayor will call for a majority vote of the Council before allotting more time than indicated for an agenda item.) 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 [king@ci.wilsonville.or.us](mailto:king@ci.wilsonville.or.us)

# Trash Enclosures

{ City Council Work Session October 21, 2013

10/21/13 C.C. work session

## Goal:

Minimize or prevent the discharge of floating materials and pollutants into storm water runoff from trash and garbage collection areas. Protect public health and maintain aesthetics.

# Background

- Council received citizen testimony regarding the standard
- Staff met with Council in work session
- Staff conducted a tour of city businesses
- Staff met with Republic Services to discuss their operations
- Staff researched other communities' approaches to the problem
- Staff met to discuss possible alternatives to the approach
- Staff prepared recommendations for Council consideration

# Preferable



SMART



Sonic

McMenamins

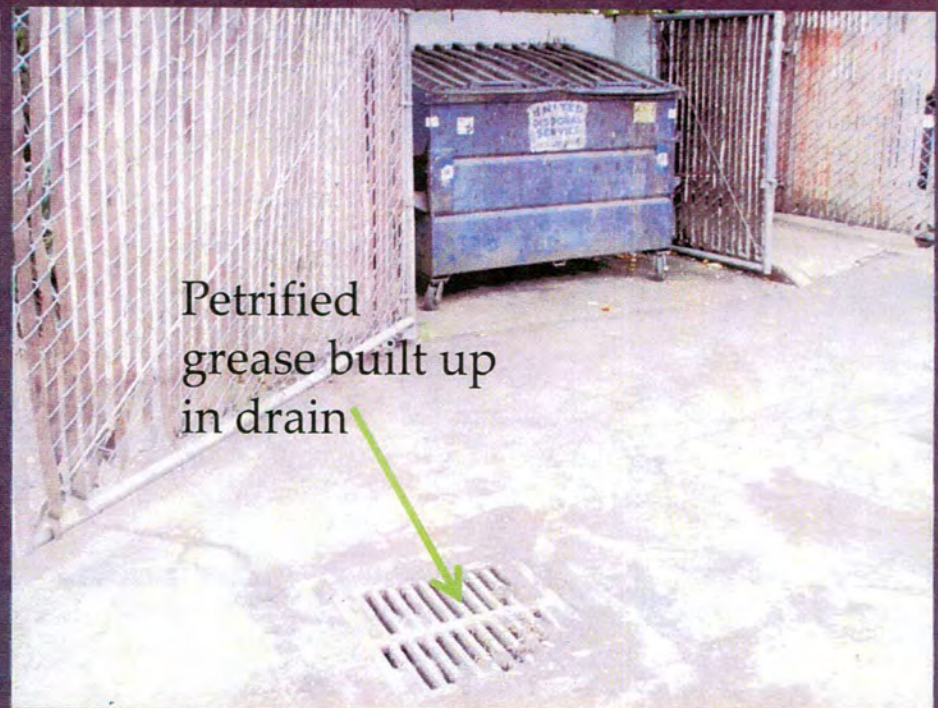
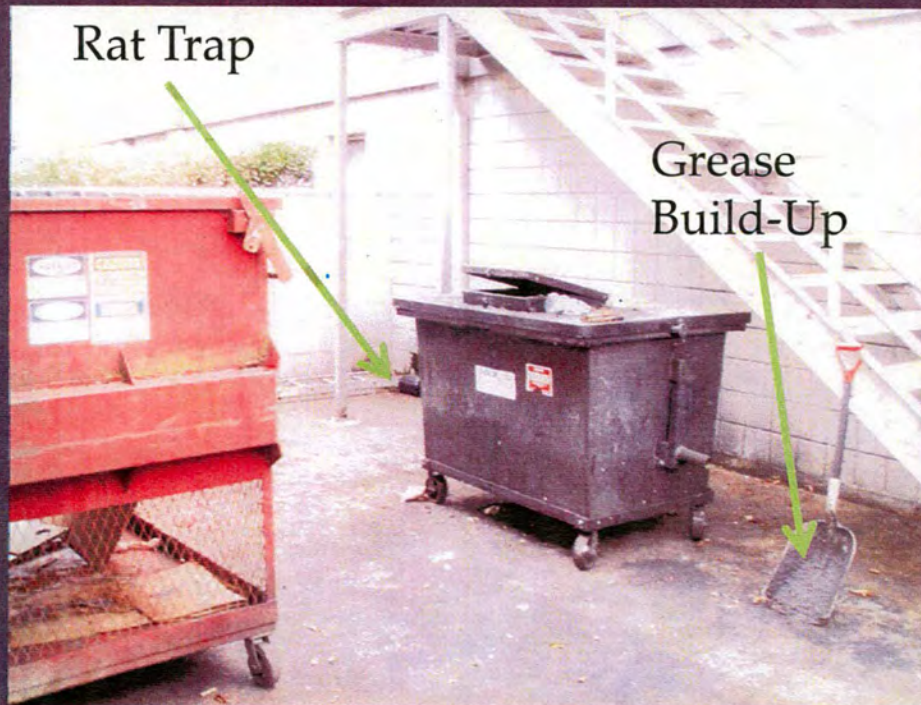


# Community Center

McDonald's



# Undesirable



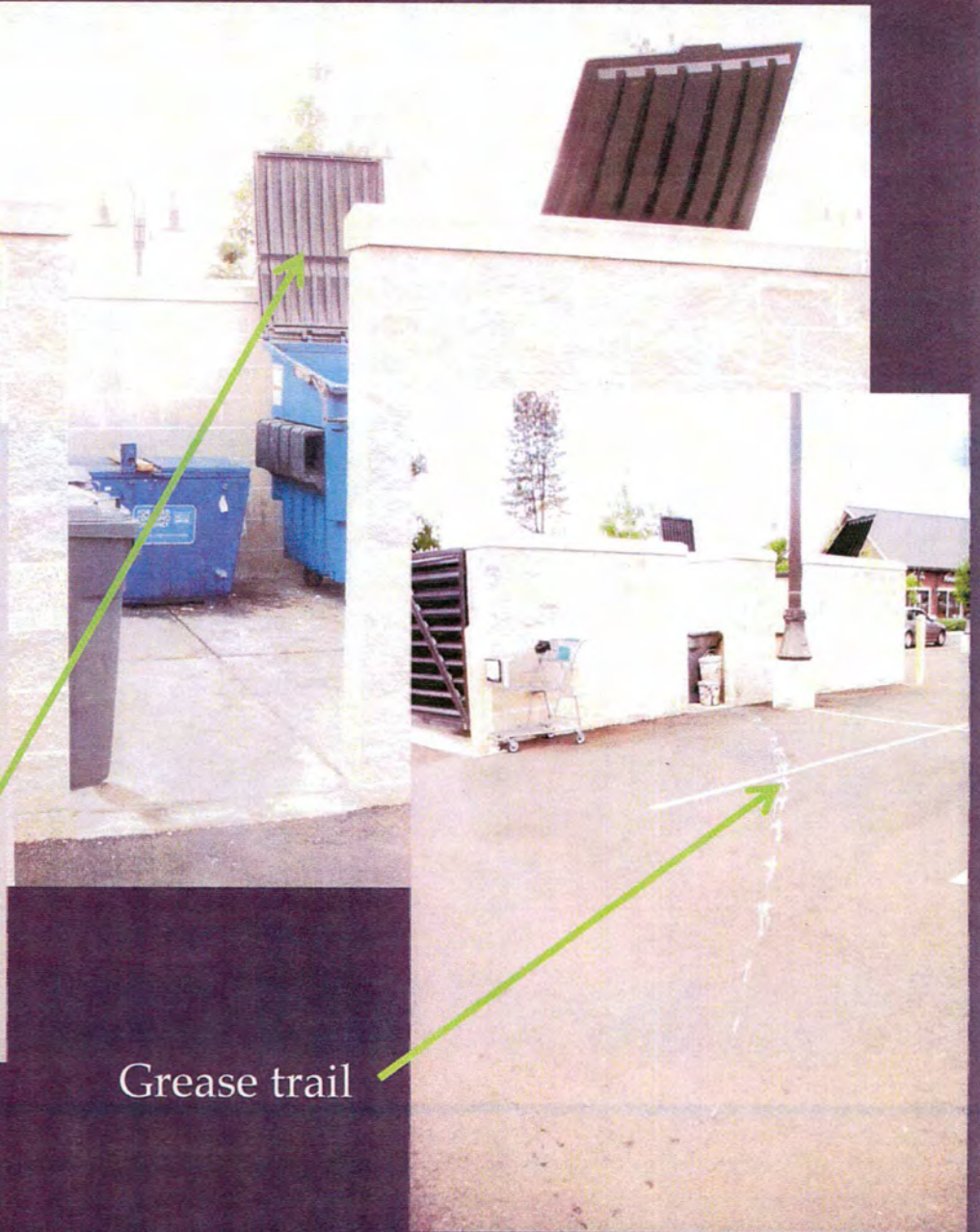


Grease Recycling Receptacle





Lids left open



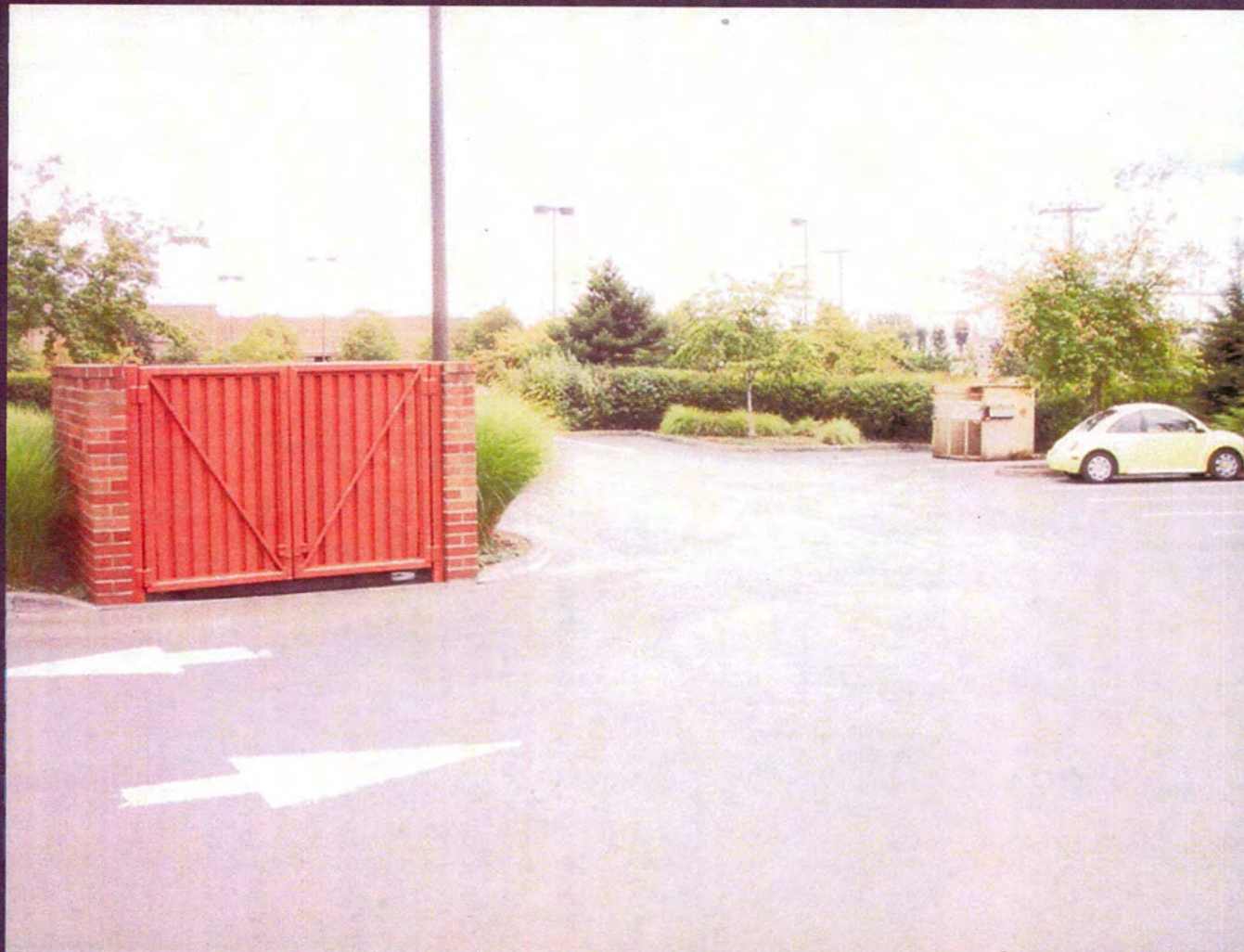
Grease trail

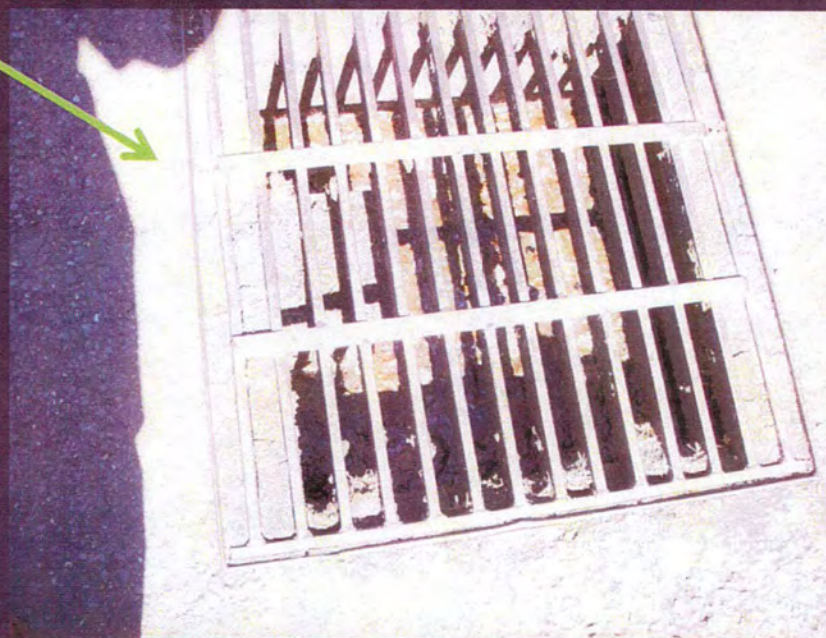
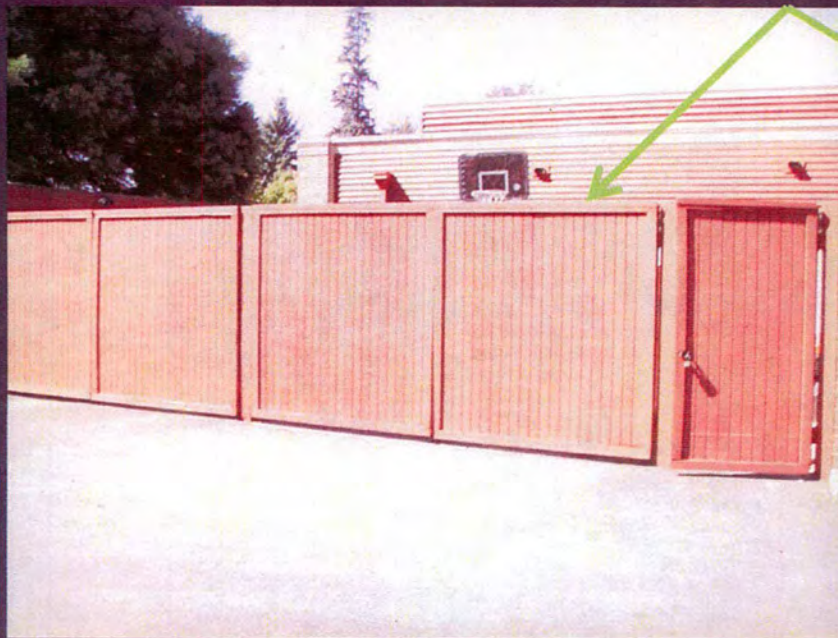


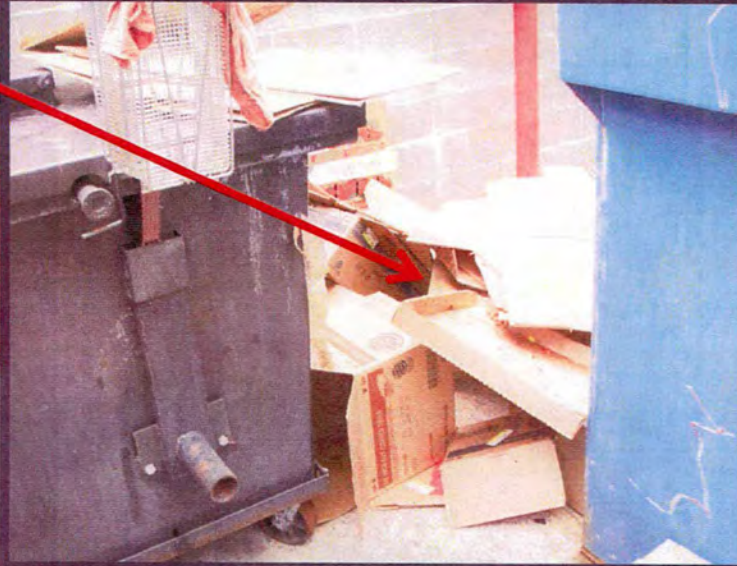
# No enclosures

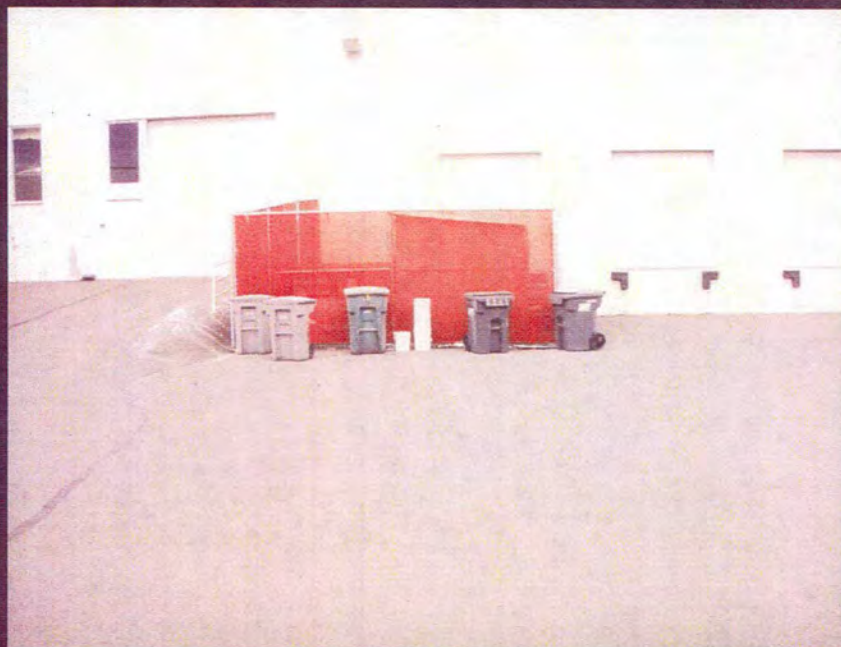


# Room For Improvement









# Staff Recommendation

- Staff recommends at a minimum, change city code to remove the requirement for covered trash enclosures and develop a Trash Area Management Program for food establishments.
- A written Trash Area Management Plan (TAMP) for the business that relates to operation and maintenance of trash enclosure areas would be required.

# Staff Recommendation

- Review solid waste and recycling standards in the Development Code.
- Consider sizing, spacing, and location criteria.
- Enhanced partnering and communication with Republic.
- Next Step: Interim policy to not require covered trash enclosures while code and TAMP specifics are developed.

# **Recreation and Aquatic Economic Feasibility Study Task Force Members**



*DRAFT LIST - October 5, 2013*

**TASK FORCE CHAIR: City Councilor Scott Starr**

Marie Alaniz	Latino Educational and Recreation Network	503.201.7210
Eric Bohard	Wilsonville Parks and Recreation Board	503.723.4814
Joyce Campbell	Arts and Cultural Council	503.803.6483
Craig Faiman	Former Aquatic Center Task Force	503.685.9430
Darren Harmon	Family Fun Center	503.605.5000 x 102
Laurie Hieb	Wilsonville Youth Sports	503.969.6693
Steve Hurst	Former Councilor and Park Board Member	503.296.9766
Laura LaJoie	HEAL	503.570.8594
Wesley Morris	Wilsonville Senior Board President	503.682.2292
Pat Rehberg	Swimming, Biking and Senior Services Advocate	503.582.9104
Steve Schramm	Wilsonville Youth Sports	503.701.9722
Elaine Marie Swyt	Parks and Recreation Advisory Board	503.694.6649
Donna Talus	Retired PE Teacher and Former Aquatic Task Force Member	503.682.1404
Mike Tatlock	Grace Chapel/Community Outreach	503.570.2988
Michelle Tonkin	For The Love Of Schools 10K/5K Race Organizer	503.320.6100
Tim Woodley	Wilsonville-West Linn School District	503.673.7995


**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b> October 21, 2013		<b>Subject:</b> State Transportation and Growth Management (TGM) Grant for creation of a Light Industrial Form Based Code (FBC) and Pattern Book  <b>Staff Member:</b> Chris Neamtzu, AICP <b>Department:</b> Community Development	
<b>Action Required</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		<b>Advisory Board/Commission Recommendation</b> <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b> NA	
<b>Staff Recommendation:</b> Provide staff with direction regarding receipt of TGM grant funds to develop a light industrial form based code and pattern book.			
<b>Recommended Language for Motion:</b> NA			
<b>PROJECT / ISSUE RELATES TO:</b>			
<input checked="" type="checkbox"/> Council Goals/Priorities <ul style="list-style-type: none"> <li>• Clear vision and community design</li> <li>• Thoughtful land use</li> <li>• Safe, healthy and aesthetically pleasing community</li> <li>• Economic Development</li> </ul>	<input checked="" type="checkbox"/> Adopted Master Plan Coffee Creek Industrial Area Master Plan (2007)	<input type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:**

The City's Community Development Department has been offered \$63,570 from the State's Transportation and Growth Management (TGM) Code Assistance Program to create a Light

Industrial Form Based Code (FBC) and Pattern Book to apply to the Coffee Creek Industrial Area (the "Project"). The purpose of the worksession is to introduce the Project to the Council and obtain general consensus that the Project is still a priority.

### **EXECUTIVE SUMMARY:**

The Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD) jointly manage the TGM Program. One of the key TGM program areas is Code Assistance of which the primary purpose is to fund local government projects that integrate transportation and land use and develop new ways to manage growth. The City previously received a Technical Assistance grant from TGM to create the infrastructure analysis for Coffee Creek. Creation of a Form Based Code is a logical next step to support desired industrial development and job creation.

Over a year ago, Staff applied to the TGM program for a grant (Attachment B). The purpose of the grant is to create innovative tools that would streamline the development review process and increase predictability while ensuring high quality design consistent with community expectations. Due to changes in staffing at the State, the Project was delayed for many months. Staff is now in receipt of an Intergovernmental Agreement (IGA) with TGM to accept the funds and initiate the Project. The Project is scheduled to kick off by the end of the month and would use pre-selected TGM consultants with specific expertise in architecture and planning. The Project would include a targeted public involvement component engaging property owners, brokerage and development community members, the Chamber of Commerce and other interested citizens. The Planning Commission would oversee the Project and advise the Council on the Project outcomes.

FBC's are comprised of regulations and standards which must be:

- presented in both words and clearly drawn diagrams and other visuals; and
- keyed to a regulating plan that designates the appropriate form and scale of development, rather than only distinctions in land-use types.

The FBC must also address:

- the relationship between building facades and the public realm;
- the form and mass of buildings in relation to one another; and
- the scale and types of streets and blocks.

FBC's have typically been generated for downtown and main street areas. Wilsonville's proposal to create a version of this tool that addresses the specific needs of office/ industrial areas is innovative. It has created excitement within the TGM program, and hope that this Project may result in a tool that can be applied throughout the State.

This is an exciting new tool that has not been used before for non-downtown areas in Oregon and ties in well with work on economic development and implementation of the Coffee Creek Industrial Area Master Plan.

### **EXPECTED RESULTS:**

Staff's intent is for the Light Industrial Form Based Code and Pattern Book to be an alternative, optional process for reviewing development in the Coffee Creek Industrial area and possibly other industrial areas as well. The desired outcomes include a streamlined land use review

process and increased predictability in decision making.

**TIMELINE:** The Project would kick off in November, 2013 and would run through late spring of 2014.

**CURRENT YEAR BUDGET IMPACTS:** The budgetary impact is a substantial amount of staff time to manage and execute the Project. No cash match from the Community Development Department is required as part of grant award. No fees would be collected on the Project.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: \_\_\_\_\_ JEO \_\_\_\_\_ Date: \_\_\_\_\_ 10/10/13 \_\_\_\_\_

There is no budgetary impact beyond the staff time to manage and execute the project, which is already included in the approved 2013-14 budget.

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK \_\_\_\_\_ Date: 10/9/2013 \_\_\_\_\_

N/A – informational report.

**COMMUNITY INVOLVEMENT PROCESS:**

The community involvement process is outlined in the Project Statement of Work which begins on page 11 of the IGA (Attachment A). The Planning Commission will oversee and manage the community involvement process.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY** (businesses, neighborhoods, protected and other groups): The development community and the businesses it represents would benefit from potentially reduced timelines for review and approval of new development projects and increased certainty, both of which are important for improved customer service. The tools created could assist to implement the Coffee Creek Industrial Area.

**ALTERNATIVES:**

Do nothing, reject the grant award.

**CITY MANAGER COMMENT:**

This project represents another arrow in the city's economic development quiver by streamlining and providing predictability for industrial developers. The idea of a form-based code has been a discussion item between the city and Wilsonville Chamber of Commerce for the past few years. This grant will move the city one-step closer toward implementation.

**ATTACHMENTS**

- A. Intergovernmental Agreement and Statement of Work
- B. Request for TGM Code Assistance Funding

## **INTERGOVERNMENTAL AGREEMENT**

Code Assistance, Light Industrial Form-based Zoning Code Standards Project  
City of Wilsonville Code Update

THIS INTERGOVERNMENTAL AGREEMENT ("Agreement") is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation ("ODOT" or "Agency"), and City of Wilsonville ("City").

### **RECITALS**

1. The Transportation and Growth Management ("TGM") Program is a joint program of ODOT and the Oregon Department of Land Conservation and Development.
2. The TGM Program includes a program of community assistance for local governments to assist with better integration of transportation and land use planning and development of new ways to manage growth in order to achieve compact pedestrian, bicycle, and transit friendly urban development.
3. This TGM Project (as defined below) is financed with federal Moving Ahead for Progress in the 21<sup>st</sup> Century ("MAP-21") funds. State funds that are paid under this Agreement to the Consultant (as defined below) are used as match for MAP-21 funds.
4. By authority granted in ORS 190.110, state agencies may enter into agreements with units of local government or other state agencies to perform any functions and activities that the parties to the agreement or their officers or agents have the duty or authority to perform.
5. ODOT intends to enter into a PSK (as defined below) with a Consultant (as defined below) for the Project that benefits the City, and as a condition to entering into this PSK and making the Consultant's Amount available, ODOT requires the City to execute and agree to the terms of this Agreement
6. The parties desire to enter into this Agreement for their mutual benefit.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

### **SECTION 1. DEFINITIONS**

Unless the context requires otherwise, the following terms, when used in this Agreement, shall have the meanings assigned to them below:

A. "City's Project Manager" means the individual designated by City as its project manager for the Project.

B. "Consultant" means the personal services contractor(s) hired by ODOT to do the tasks indicated in Exhibit A as being the responsibility of such contractor(s).

C. "Consultant's Amount" means the Amount payable by ODOT to the Consultant for the deliverables described in Exhibit A for which the Consultant is responsible.

D. "Direct Project Costs" means those costs which are directly associated with the Project. These may include the salaries and benefits of personnel assigned to the Project and the cost of supplies, postage, travel, and printing. General administrative costs, capital costs, and overhead are not Direct Project Costs. Any jurisdiction or metropolitan planning organization that has federally approved indirect cost plans may treat such indirect costs as Direct Project Costs.

E. "Federally Eligible Costs" means those costs which are Direct Project Costs of the type listed in Exhibit D incurred by Consultant during the term of this Agreement.

F. "ODOT's Contract Administrator" means the individual designated by ODOT to be its contract administrator for this Agreement.

G. "PSK" means the personal services contract(s) executed between ODOT and the Consultant related to the portion of the Project that is the responsibility of the Consultant.

H. "Project" means the project described in Exhibit A.

I. "Termination Date" has the meaning set forth in Section 2.A below.

J. "Work Product" has the meaning set forth in Section 4.I below.

## **SECTION 2. TERMS OF AGREEMENT**

A. Term. This Agreement becomes effective on the date on which all parties have signed this Agreement and all approvals (if any) required to be obtained by ODOT have been received. This Agreement terminates on July 31, 2014 ("Termination Date").

B. Consultant's Amount. The Consultant's Amount shall not exceed \$63,570 and is disbursed as provided under the PSK.

### **SECTION 3. CITY'S REPRESENTATIONS, WARRANTIES, AND CERTIFICATION**

A. City represents and warrants to ODOT as follows:

1. It is a municipality duly organized and existing under the laws of the State of Oregon.

2. It has full legal right and authority to execute and deliver this Agreement and to observe and perform its duties, obligations, covenants and agreements hereunder and to undertake and complete the Project.

3. All official action required to be taken to authorize this Agreement has been taken, adopted and authorized in accordance with applicable state law and the organizational documents of City.

4. This Agreement has been executed and delivered by an authorized officer(s) of City and constitutes the legal, valid and binding obligation of City enforceable against it in accordance with its terms.

5. The authorization, execution and delivery of this Agreement by City, the observation and performance of its duties, obligations, covenants and agreements hereunder, and the undertaking and completion of the Project do not and will not contravene any existing law, rule or regulation or any existing order, injunction, judgment, or decree of any court or governmental or administrative agency, authority or person having jurisdiction over it or its property or violate or breach any provision of any agreement, instrument or indenture by which City or its property is bound.

6. The statement of work attached to this Agreement as Exhibit A has been reviewed and approved by the necessary official(s) of City.

B. As federal funds are involved in this Project, City, by execution of this Agreement, makes the certifications set forth in Exhibits B and C.

### **SECTION 4. GENERAL COVENANTS OF CITY**

A. City shall complete the Project; provided, however, that City shall not be liable for the quality or completion of that part of the Project which Exhibit A describes as the responsibility of the Consultant.

B. City shall, in a good and workmanlike manner, perform the work, and provide the deliverables, for which City is identified in Exhibit A as being responsible.

C. City shall perform such work identified in Exhibit A as City's responsibility as an independent contractor and shall be exclusively responsible for all costs and expenses related to its employment of individuals to perform such work. City shall also be responsible for providing for employment-related benefits and deductions that are required by law, including, but not limited to, federal and state income tax withholdings, unemployment taxes, workers' compensation coverage, and contributions to any retirement system.

D. All employers, including City, that employ subject workers who work under this Agreement in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage unless such employers are exempt under ORS 656.126. Employers Liability insurance with coverage limits of not less than \$500,000 must be included. City shall ensure that each of its contractors complies with these requirements.

E. City shall not enter into any subcontracts to accomplish any of the work described in Exhibit A, unless it first obtains written approval from ODOT.

F. City agrees to cooperate with ODOT's Contract Administrator. At the request of ODOT's Contract Administrator, City agrees to:

- (1) Meet with the ODOT's Contract Administrator; and
- (2) Form a project steering committee (which shall include ODOT's Contract Administrator) to oversee the Project.

G. City shall comply with all federal, state and local laws, regulations, executive orders and ordinances applicable to the work under this Agreement, including, without limitation, applicable provisions of the Oregon Public Contracting Code. Without limiting the generality of the foregoing, City expressly agrees to comply with: (1) Title VI of Civil Rights Act of 1964; (2) Title V and Section 504 of the Rehabilitation Act of 1973; (3) the Americans with Disabilities Act of 1990 and ORS 659A.142; (4) all regulations and administrative rules established pursuant to the foregoing laws; and (5) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.

H. City shall maintain all fiscal records relating to this Agreement in accordance with generally accepted accounting principles. In addition, City shall maintain any other records pertinent to this Agreement in such a manner as to clearly

document City's performance. City acknowledges and agrees that ODOT, the Oregon Secretary of State's Office and the federal government and their duly authorized representatives shall have access to such fiscal records and other books, documents, papers, plans, and writings of City that are pertinent to this Agreement to perform examinations and audits and make copies, excerpts and transcripts.

City shall retain and keep accessible all such fiscal records, books, documents, papers, plans, and writings for a minimum of six (6) years, or such longer period as may be required by applicable law, following final payment and termination of this Agreement, or until the conclusion of any audit, controversy or litigation arising out of or related to this Agreement, whichever date is later.

I. To the extent it has any rights in the Work Product granted to it pursuant to the PSK, ODOT hereby grants to City a royalty free, non-exclusive license to reproduce any Work Product for distribution upon request to members of the public.

## **SECTION 5. CONSULTANT**

ODOT shall enter into a PSK with the Consultant to accomplish the work described in Exhibit A as being the responsibility of the Consultant.

- A. Selection of the Consultant will be conducted by ODOT in accordance with ODOT procedures with the participation;
- B. ODOT will review and approve Consultant's work, billings and progress reports;
- C. City will appoint a Project Manager to be City's principal contact person for ODOT's Contract Administrator and the Consultant on all matters dealing with the Project.

## **SECTION 6. ODOT'S REPRESENTATIONS AND COVENANTS**

A. ODOT certifies that, at the time this Agreement is executed, sufficient funds are authorized and available for expenditure to finance ODOT's portion of this Agreement within the appropriation or limitation of its current biennial budget.

B. The statement of work attached to this Agreement as Exhibit A has been reviewed and approved by the necessary official(s) of ODOT.

C. ODOT will assign a Contract Administrator for this Agreement who will be ODOT's principal contact person regarding administration of this Agreement, the monitoring of the Consultant's work, and the review and approval of the Consultant's work, billings and progress reports.

D. ODOT shall enter into a PSK with the Consultant to perform the work described in Exhibit A designated as being the responsibility of the Consultant, and in such a case ODOT agrees to pay the Consultant in accordance with the terms of the PSK up to the Consultant's Amount.

## **SECTION 7. TERMINATION**

This Agreement may be terminated by mutual written consent of all parties. ODOT may terminate this Agreement effective upon delivery of written notice to City, or at such later date as may be established by ODOT under, but not limited to, any of the following conditions:

A. City fails to complete work specified in Exhibit A within the time specified in Exhibit A, or fails to perform any of the provisions of this Agreement and does not correct any such failure within 10 days of receipt of written notice or the date specified by ODOT in such written notice.

B. Consultant fails to complete work specified in Exhibit A within the time specified in this Agreement or the PSK, including any extensions thereof, and does not correct any such failure within 10 days of receipt of written notice or the date specified by ODOT in such written notice.

C. If federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement or the PSK is prohibited or ODOT is prohibited from paying for such work from the planned funding source.

D. If ODOT fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow ODOT, in the exercise of its reasonable administrative discretion, to continue to make payments for performance of this Agreement or the PSK.

In the case of termination pursuant to A, B, C or D above, ODOT shall have any remedy at law or in equity. Any termination of this Agreement shall not prejudice any right or obligations accrued to the parties prior to termination.

## SECTION 8. GENERAL PROVISIONS

A. Time is of the essence of this Agreement.

B. Except as otherwise expressly provided in this Agreement, any notices to be given hereunder shall be given in writing by personal delivery, facsimile, or mailing the same, postage prepaid, to ODOT or City at the address or number set forth on the signature page of this Agreement, or to such other addresses or numbers as either party may hereafter indicate pursuant to this Section. Any communication or notice so addressed and mailed is in effect five (5) days after the date postmarked. Any communication or notice delivered by facsimile shall be deemed to be given when receipt of the transmission is generated by the transmitting machine. To be effective against ODOT, such facsimile transmission must be confirmed by telephone notice to ODOT's Contract Administrator. Any communication or notice by personal delivery shall be deemed to be given when actually delivered.

C. ODOT and City are the only parties to this Agreement and are the only parties entitled to enforce the terms of this Agreement. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right not held by or made generally available to the public, whether directly, indirectly or otherwise, to third persons (including but not limited to any Consultant) unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement.

D. Sections 4(H), 4(I), and 8 of this Agreement and any other provision which by its terms is intended to survive termination of this Agreement shall survive.

E. The parties agree as follows:

(a) Contribution.

If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against ODOT or Grantee ("Notified Party") with respect to which the other party ("Other Party") may have liability, the Notified Party must promptly notify the Other Party in writing of the Third Party Claim and deliver to the Other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Each party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by the Other Party of the notice and copies required in this paragraph and meaningful opportunity for the Other Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to the Other Party's liability with respect to the Third Party Claim.

With respect to a Third Party Claim for which ODOT is jointly liable with the Grantee (or would be if joined in the Third Party Claim ), ODOT shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the Grantee in such proportion as is appropriate to reflect the relative fault of ODOT on the one hand and of the Grantee on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of ODOT on the one hand and of the Grantee on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The ODOT's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including but not limited to the Oregon Tort Claims Act, ORS 30.260 to 30.300, if ODOT had sole liability in the proceeding.

With respect to a Third Party Claim for which the Grantee is jointly liable with ODOT (or would be if joined in the Third Party Claim), the Grantee shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by ODOT in such proportion as is appropriate to reflect the relative fault of the Grantee on the one hand and of ODOT on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the Grantee on the one hand and of ODOT on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The Grantee's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including but not limited to the Oregon Tort Claims Act, ORS 30.260 to 30.300, if it had sole liability in the proceeding.

(b) Choice of Law; Designation of Forum; Federal Forum.

(1) The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Agreement, including, without limitation, its validity, interpretation, construction, performance, and enforcement.

(2) Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for Marion County (unless Oregon law requires that it be brought and conducted in another county). Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum.

(3) c) Notwithstanding Section 8.E (b)(2), if a claim must be brought in a federal forum, then it must be brought and adjudicated solely and exclusively within the United States District Court for the District of Oregon. This Section 8.E(b)(3c) applies to a claim brought against the State of Oregon only to the extent Congress has appropriately abrogated the State of Oregon's sovereign immunity and is not consent by the State of

Oregon to be sued in federal court. This Section 8.E(b)(3c) is also not a waiver by the State of Oregon of any form of defense or immunity, including but not limited to sovereign immunity and immunity based on the Eleventh Amendment to the Constitution of the United States.

(c) Alternative Dispute Resolution.

The parties shall attempt in good faith to resolve any dispute arising out of this Agreement. This may be done at any management level, including at a level higher than persons directly responsible for administration of the Agreement. In addition, the parties may agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation.

F. This Agreement and attached Exhibits (which are by this reference incorporated herein) constitute the entire agreement between the parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No modification or change of terms of this Agreement shall bind either party unless in writing and signed by all parties and all necessary approvals have been obtained. Budget modifications and adjustments from the work described in Exhibit A must be processed as an amendment(s) to this Agreement and the PSK. No waiver or consent shall be effective unless in writing and signed by the party against whom such waiver or consent is asserted. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of ODOT to enforce any provision of this Agreement shall not constitute a waiver by ODOT of that or any other provision.

G. This Agreement may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.

On December 1, 2010 the Director of the Oregon Department of Transportation approved DIR-06, in which authority is delegated from the Director of the Oregon Department of Transportation to the Operations Deputy Director and Transportation Development Division Administrator, to approve agreements with local governments, other state agencies, federal governments, state governments, other countries, and tribes as described in ORS 190 developed in consultation with the Chief Procurement Officer.

**City**

*City of Wilsonville*

By: \_\_\_\_\_  
(Official's Signature)

\_\_\_\_\_  
(Printed Name and Title of Official)

Date: \_\_\_\_\_

**ODOT**

STATE OF OREGON, by and through  
its Department of Transportation

By: \_\_\_\_\_  
Jerri Bohard, Division Administrator  
Transportation Development Division

Date: \_\_\_\_\_

**Contact Names:**

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Laura Buhl, Contract Administrator  
Transportation and Growth Management Program  
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## STATEMENT OF WORK

**Oregon Transportation and Growth Management Program ("TGM")  
Light Industrial Form-based Zoning Code Standards Project  
City of Wilsonville Code Update**

### A. PROJECT MANAGEMENT TEAM ("PMT")

**"Consultant" – Urbsworks**

Marcy McInelly  
3845 SW Condor Avenue  
Portland, OR 97239

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503-827-4155

**"City" – City of Wilsonville**

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**"Agency" – TGM Code Assistance Program**

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**Oregon Department of Transportation ("ODOT")  
Regional Planner**

Gail Curtis  
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**Department of Land Conservation and Development  
("DLCD") Regional Representative**

Jennifer Donnelly  
Oregon Department of Land Conservation & Development –  
Portland Metro Regional Solutions  
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jennifer.donnelly@state.or.us  
503-725-2183

## **B. PROJECT BACKGROUND AND OBJECTIVES**

### **Background**

Wilsonville has about 20,500 residents and consists of a mix of residential, industrial, and commercial development. It is the southernmost community in the Metro urban growth boundary, is bisected by Interstate 5, and serves as a job center for the southern metro area. Much of the local employment base comprises technology companies, warehouse, and distribution centers.

The City of Wilsonville ("City") seeks to increase Wilsonville's light industrial and office employment, while at the same time ensuring high quality urban design that enables multimodal transportation. The City currently uses a discretionary development review process to achieve its design goals, but it seeks to streamline the process through the development of a form-based code for light industrial areas. This new form-based code would result in a faster and more predictable review process for light industrial development, which will make Wilsonville more attractive to companies that might locate there. At the same time the form-based code will address the appearance of buildings, as well as how site design accommodates freight, automobile, pedestrian, bicycle, and bus traffic, so that industrial traffic, employees, and others will be able to comfortably use the transportation mode that meets their needs.

The form-based code is anticipated to be applied to the Coffee Creek Industrial Area, an area immediately outside Wilsonville's northwest boundary in unincorporated Washington and Clackamas Counties, but within Metro's urban growth boundary. Once developed, application to other areas of Wilsonville will be evaluated. In 2007, the City adopted a master plan for the Coffee Creek Industrial Area (partially funded by a grant from the TGM program) and expects to annex the area in the future. The form-based code would help implement that master plan.

### **Project Objectives and Major Deliverables**

The objectives of the project are to create code standards that will streamline light industrial development while ensuring high quality design and a multi-modal transportation network that accommodates pedestrians, bicycles, transit, automobiles, and freight.

In order to achieve these objectives Consultant shall:

1. develop a Light Industrial Form-based Code for the Coffee Creek Industrial Area that includes a public hearing and administrative review process;
2. prepare a Pattern Book of light industrial zone building typologies; and
3. present the Light Industrial Form-based Code and Pattern Book ("FBC") to the City Planning Commission and City Council for review and approval.

The FBC (developed in Tasks 3, 4, and 5) must meet certain standards. The FBC is regulatory, not advisory; and it must conform to the definition and description of form-based codes developed by the Form-based Codes Institute, in *italics* below.

The FBC's regulations and standards must be:

- *presented in both words and clearly drawn diagrams and other visuals; and*
- *keyed to a regulating plan that designates the appropriate form and scale (and therefore, character) of development, rather than only distinctions in land-use types.*

The FBC must address:

- *the relationship between building facades and the public realm;*
- *the form and mass of buildings in relation to one another; and*
- *the scale and types of streets and blocks.*

The FBC must include the following elements:

- *Regulating Plan. A plan or map of the regulated area designating the locations where different building form standards apply, based on clear community intentions regarding the physical character of the area being coded.*
- *Public Space Standards. Specifications for the elements within the public realm (e.g., sidewalks, travel lanes, on-street parking, street trees, street furniture, etc.).*
- *Building Form Standards. Regulations controlling the configuration, features, and functions of buildings that define and shape the public realm.*
- *Administration. A clearly defined application and project review process.*
- *Definitions. A glossary to ensure the precise use of technical terms.*
- *Architectural Standards. Regulations controlling external architectural materials and quality.*
- *Landscaping Standards. Regulations controlling landscape design and plant materials on private property as they impact public spaces (e.g., regulations about parking lot screening and shading, maintaining sight lines, ensuring unobstructed pedestrian movement, etc.).*
- *Annotation. Text and illustrations explaining the intentions of specific code provisions.*

## **Purpose of Contract - Transportation Relationships and Benefits**

The TGM Program is a joint effort of ODOT and DLCD. The purposes of TGM are to strengthen the capability of local governments to effectively manage growth and comply with

the Transportation Planning Rule, to integrate transportation and land use planning, and to encourage transportation-efficient land uses that support modal choice and the efficient performance of transportation facilities and services. Specifically, TGM supports efficient use of land and resources; human-scaled, walkable communities; good connections between local destinations; and pedestrian, bicycle, and transit-oriented development.

This project will advance these objectives by creating a light industrial form-based code that will lead to more human-scaled building and site design, while promoting modal choice by requiring site and transportation network design that accommodates pedestrians, bicycles, and transit.

## **C. GENERAL PROVISIONS**

### **Project Management**

Project management tasks are integrated into each of the tasks in this work order contract ("WOC"), but are described here to establish a framework for managing the project. A PMT, comprising a City Project Manager, Agency Project Manager, and Consultant, shall provide overall guidance for the project. PMT shall meet as specified by the statement of work ("SOW") to coordinate logistics of the project and to give feedback to Consultant. PMT shall meet by telephone conference or in person; the duration of each meeting is not anticipated to exceed two hours.

City shall lead Planning Commission and City Council Work Sessions and Public Hearings as described in this SOW. City shall also provide all staff reports, necessary public notices and notifications.

#### *Deliverables: Due Dates, PMT Review, and Consultant Edits*

Consultant shall provide all deliverables to PMT for review and comment. Deliverables that will be distributed for public (including committees, planning commission, and city council) review shall be submitted to PMT at least ten working days prior to the scheduled distribution of the deliverables, unless otherwise stipulated in this SOW or unless Agency Project Manager agrees to a different length of time. Consultant shall provide meeting materials to City Project Manager for photocopying and distribution, and to Agency Project Manager, at least five working days prior to the relevant meeting date unless agreed to differently by PMT. Based on PMT comments received, Consultant shall revise all meeting summary notes before they are finalized and shall make required edits to all deliverables and meeting materials prior to distribution or use.

## **Project Cooperation**

The SOW for this WOC describes the responsibilities of all entities involved in this cooperative project. Consultant shall only be responsible for those responsibilities and deliverables identified as being assigned to Consultant in this WOC and its SOW. All work assigned to other entities is not subject to this WOC. References to work to be performed or responsibilities of any other entities in this SOW other than references to Consultant are merely for informational purposes and are in no way binding. Neither are these other entities parties to this WOC. Any tasks or deliverables assigned to a sub-contractor shall be construed as being the responsibility of Consultant.

Any Consultant tasks or deliverables which are contingent upon receiving information, resources, assistance, or cooperation in any way from another entity as described in the SOW shall be subject to the following guidelines:

1. At the first indication of non-cooperation, Consultant shall provide written notice (email acceptable) to Agency Project Manager of the specific acts or inaction indicating non-cooperation, and of any deliverables that may be delayed due to such lack of cooperation by other entities referenced in the SOW.
2. Agency Project Manager shall contact the non-cooperative entity/ies to discuss the matter and attempt to correct the problem and expedite items determined to be delaying Consultant.
3. If Consultant has followed the notification process described in item 1, and delinquency or delay of any deliverable is found to be a result of the failure of other referenced entities to provide information, resources, assistance, or cooperation, as described in the SOW, Consultant shall not be found in breach or default of contract; nor shall Consultant be assessed or liable for any damages. Neither shall Agency be responsible or liable for any damages to Consultant as the result of such non-cooperation by other entities. Agency Project Manager shall negotiate with Consultant in the best interest of the State, and may amend the delivery schedule to allow for delinquencies beyond the control of Consultant.

Consultant shall ensure that any work products produced pursuant to this WOC include the following statement:

*This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by federal Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), local government, and the State of Oregon funds.*

*The contents of this document do not necessarily reflect views or policies of the State of Oregon.*

## **Key Personnel**

Consultant acknowledges and agrees that Agency selected Consultant, and is entering into this WOC, because of the special qualifications of Consultant's key people. In particular, Agency, through this WOC, is engaging the expertise, experience, judgment, and personal attention of Marcy McInelly ("Key Personnel"). Consultant's Key Personnel shall not delegate performance of the management powers and responsibilities that Key Personnel is required to provide under this WOC to another (other) Consultant employee(s) without first obtaining the written consent of Agency.

Further, Consultant shall not re-assign or transfer Key Personnel to other duties or positions such that Key Personnel is no longer available to provide Agency with Key Personnel's expertise, experience, judgment, and personal attentions, without first obtaining Agency's prior written consent to such re-assignment or transfer. In the event Consultant requests that Agency approve a re-assignment or transfer of Key Personnel, Agency shall have the right to interview, review the qualifications of, and approve or disapprove the proposed replacement(s) for Key Personnel. Any approved substitute or replacement for Key Personnel shall be deemed Key Personnel under this WOC.

## **Public Involvement Approach**

Public involvement must allow residents and business owners an opportunity to provide input into the planning process. Consultant and City shall consider environmental justice issues, which is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Fair treatment means that no group of people, including a racial, ethnic, or a socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies. Meaningful involvement means that: (1) potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health; (2) the public's contribution can influence the regulatory agency's decision; (3) the concerns of all participants involved will be considered in the decision making process; and (4) the decision makers seek out and facilitate the involvement of those potentially affected.

The public involvement program must include specific steps to provide opportunities for participation by federal Title VI communities. City shall utilize the ODOT Title VI (1964 Civil

Rights Act) Plan guidance to identify Title VI populations, formulate public involvement strategies, and report outreach efforts to and participation by Title VI communities.

## **D. WORK TASKS AND DELIVERABLES**

### **Task 1: Project Kick-Off**

The purpose of this task is for Consultant to become familiar with community conditions City and with City's planning documents, to confirm the objectives of the project, and to refine the project schedule.

- 1.1. Consultant shall review City's Comprehensive Plan, sections 4.134 through 4.135.5 (Day Road Design Overlay District and Planned Development Industrial Zone) of the Wilsonville Planning and Land Development Ordinance, the meeting minutes from the Day Road Design Overlay public hearings, the Coffee Creek Master Plan, and the Coffee Creek Infrastructure Plan and Industrial Site Readiness Project. Consultant shall prepare a Discussion Memorandum identifying the top issues or questions resulting from the review for discussion with PMT.
- 1.2. Consultant shall conduct Site Visit and Community Tour in Wilsonville to become familiar with existing conditions on the ground. City shall arrange to accompany Consultant on site visit and community tour to assist Consultant and provide context.
- 1.3. Consultant shall conduct PMT Meeting #1 in Wilsonville to review objectives and scheduling of the project, confirm City's expectations, and discuss issues and options for general course of action. The City attorney and relevant City staff shall also attend the meeting. Consultant shall prepare Summary Notes of PMT Meeting #1, including a project schedule identifying major milestones.
- 1.4. Consultant shall review best practices for light industrial areas nationwide in order to identify those that have achieved high design standards and multimodality while accomplishing a more efficient public review process. Consultant shall use information gleaned during the site visit and community tour, as well as PMT Meeting #1 to select four case studies that are relevant to the community. Consultant shall write up the Four Case Studies and provide to City.

### *Task 1 Consultant Deliverables:*

- 1.1 Discussion Memorandum
- 1.2 Site Visit and Community Tour
- 1.3 PMT Meeting #1 and Summary Notes
- 1.4 Four Case Studies

*Task 1 City Deliverables:*

- 1.2 Site Visit and Community Tour
- 1.4 PMT Meeting #1

**Task 2: Evaluation of Existing Regulations**

The purpose of this task is to illustrate what type of development the current Wilsonville Planning and Land Development Ordinance would produce and seek feedback from City to inform the creation of a FBC.

- 2.1 Consultant shall create no fewer than six Sketches of what industrial development done under the existing Planned Development Industrial (PDI) Zone and the Day Road Design Overlay District (Day Road DOD) would look like. Consultant shall write a brief 3-5 page Evaluation Memorandum on the existing PDI zone and Day Road DOD (to accompany the sketches). The Evaluation Memorandum must review the existing zoning in the context of the project objectives, which are to create code standards that will streamline light industrial development while ensuring high quality design and a multi-modal transportation network that accommodates bicycles, pedestrians, and transit, as well as automobiles and freight.
- 2.2 Consultant shall conduct PMT Meeting #2 in Wilsonville to discuss the deliverables from Task 2.1, the relationship of the new FBC to the existing PDI and Day Road DOD, and what should be included in the new code and Pattern Book. Consultant shall prepare Summary Notes of PMT Meeting #2.

*Task 2 Consultant Deliverables:*

- 2.1 Sketches and Evaluation Memorandum
- 2.2 PMT Meeting #2 and Summary Notes

*Task 2 City Deliverables:*

- 2.2 PMT Meeting #2

**Task 3: First Draft**

In this task Consultant shall prepare the first draft of the FBC and Pattern Book and recommend how these codes will relate to City's existing Planning and Land Development Ordinance.

- 3.1 Consultant shall prepare Light Industrial Form-based Code Draft #1 and Pattern Book Draft #1 ("Draft #1"), which conforms to the requirements listed under "Project Objectives and Major Deliverables" in Part B of this SOW. City and Agency shall review Draft #1 and provide Comments to Consultant at least five working days prior to PMT Meeting #3.

- 3.2 Based on previous feedback, including that received at PMT Meeting #2, Consultant shall write a Regulation Memorandum recommending how the FBC will integrate with City's existing Planning and Land Development Ordinance. The Regulation Memorandum must include general recommendations for any necessary changes to the existing regulations in order to integrate the new FBC.
- 3.3 Consultant shall conduct PMT Meeting #3 in Wilsonville (or by conference call) to discuss City and Agency comments on Draft #1. Consultant shall make minor edits to Draft #1 prior to submitting the draft to the Planning Commission and prepare Summary Notes of the PMT Meeting #3.
- 3.4 City shall convene a Planning Commission Work Session in which Consultant shall make a 20-minute slide presentation on Draft #1 prior to gathering input from the Planning Commission. Consultant shall provide a copy of Draft #1 to City Project Manager at least one week prior to Planning Commission Work Session. Consultant shall prepare Summary Notes of the Planning Commission Work Session.
- 3.5 City shall organize three Stakeholder Meetings: 1) the Chamber of Commerce Economic Vitality Committee and any similar group City identifies; 2) City code administrators; and 3) area property owners, developers, and any similar group or person City identifies as important to include. At the meetings, Consultant shall present Draft #1 and solicit feedback in order to understand the desires of citizens, property owners, and professionals in industrial development. City shall ensure that all stakeholder meeting invitees receive a copy of Draft #1 at least one week prior to the Stakeholder Meetings. Consultant shall prepare and distribute Stakeholder Feedback Memorandum, summarizing the feedback from Stakeholder Meetings, to meeting participants and the PMT at least five days prior to PMT Meeting #2.

*Task 3 Consultant Deliverables:*

- 3.1 Light Industrial Form-based Code Draft #1 and Pattern Book Draft #1
- 3.2 Regulation Memorandum
- 3.3 PMT Meeting #3, Summary Notes, and minor edits to Draft #1
- 3.4 Planning Commission Work Session and Summary Notes
- 3.5 Stakeholder Meetings and Stakeholder Feedback Memorandum

*Task 3 City Deliverables:*

- 3.1 Comments on Draft #1
- 3.3 PMT Meeting #3
- 3.4 Planning Commission Work Session
- 3.5 Stakeholder Meetings

**Task 4: Second Draft**

In this task Consultant shall prepare a second draft of the FBC and Pattern Book based on feedback received in Task 3.

- 4.1 Consultant shall prepare Light Industrial Form-based Code Draft #2 and Pattern Book Draft #2 ("Draft #2") by incorporating the comments received from PMT, Planning Commission, and Stakeholder Meetings. City and Agency shall review Draft #2 and provide comments to Consultant. If necessary, Consultant shall make edits prior to releasing Draft #2 for public review.
- 4.2 City shall create a page (or pages) on its website to engage the public by providing information about the FBC (including a copy of Draft #2) and by soliciting public input on the project. Consultant shall assist City with creating and designing content for the web pages as follows:
  - a) City shall create a draft webpage and request needed text, images, and documents from the Consultant in writing.
  - b) Consultant shall provide requested materials and written feedback on the webpage draft to City.
  - c) Additional collaboration may take place via telephone.
  - d) City shall promote the project web pages widely, and compile the results of the public input and provide them to PMT.
- 4.3 City shall convene Planning Commission and City Council Work Sessions (or a joint work session) in which Consultant shall present Draft #2 and gather input and comments from the Planning Commission and City Council. Consultant shall prepare Summary Notes of the Planning Commission and City Council Work Session(s).
- 4.4 City shall convene PMT Meeting #4 in Wilsonville (or by conference call). The purpose of this meeting is to discuss the results of the first Planning Commission Work Session (Task 3.4), the stakeholder meetings (Task 3.5), the online public engagement (Task 4.2), and the Planning Commission and City Council Work Session(s) (Task 4.3); and then agree on necessary changes to Draft #2 based on the work sessions, meetings, and public engagement, and PMT feedback. Consultant shall prepare Summary Notes of PMT Meeting #4. City and Agency shall review and comment on Summary Notes before they are finalized by Consultant.

*Task 4 Consultant Deliverables:*

- 4.1 Light Industrial Form-based Code Draft #2 and Pattern Book Draft #2
- 4.2 Internet public engagement: content and written feedback
- 4.3 Planning Commission and City Council Work Sessions (or joint work session) and Summary Notes
- 4.4 PMT Meeting #4 and Summary Notes

*Task 4 City Deliverables:*

- 4.2 Internet public engagement: publication, promotion, and results
- 4.3 Planning Commission and City Council Work Sessions (or joint work session)
- 4.4 PMT Meeting #4

**Task 5: Final Draft and Adoption**

The purpose of this task is for Consultant to prepare a final Light Industrial Form-based Code

and Pattern Book, based on input from PMT, public involvement, the Planning Commission, and City Council.

- 5.1 Consultant shall prepare Final Light Industrial Form-based Code and Pattern Book ("Final Draft") by incorporating the comments received from PMT, the public and stakeholders, Planning Commission, and City Council. City and Agency shall review the Final Draft and provide comments to Consultant at least five days prior to PMT Meeting #5.
- 5.2 City shall convene PMT Meeting #5 in Wilsonville (or by conference call) to discuss the Final Draft. Consultant shall provide Final Draft to PMT at least two weeks before PMT Meeting #5. Consultant shall prepare Summary Notes of PMT Meeting #5 and make any edits to the Final Draft.
- 5.3 Consultant shall present Final Draft to the Planning Commission and City Council, in either one joint meeting or two separate meetings. If desired, City Council shall indicate support for the Light Industrial Form-based Code by means of a resolution. City shall identify a Timeline for code implementation.

*Task 3 Consultant Deliverables:*

- 5.1 Final Light Industrial Form-based Code and Pattern Book
- 5.2 PMT Meeting #5, Summary Notes, and edits to Light Industrial Form-based Code and Pattern Book
- 5.3 Presentation to Planning Commission and City Council

*Task 3 City Deliverables:*

- 5.2 PMT Meeting #5
- 5.3 Planning Commission and City Council meeting(s), Timeline

**Task 6: Contingent Tasks**

The purpose of this task is to provide for additional meetings or document amendments as may be necessary for Consultant to conduct or attend during the course of the project. **Work may not proceed on this task or any subtask under this task without written authorization from Agency Project Manager.**

- 6.1 Contingent Meeting #1: Consultant shall appear at an additional meeting, work session, or hearing of the Planning Commission, City Council, or joint meeting of the Planning Commission and City Council. Consultant shall present information as required using material from previous meetings and products developed over the course of the project. Consultant shall prepare Summary Notes of Contingent Meeting #1. City and Agency shall review and comment on Summary Notes before they are finalized by Consultant.
- 6.2 Contingent Meeting #2: Consultant shall appear at an additional meeting, work session,

or hearing of the Planning Commission, City Council, or joint meeting of the Planning Commission and City Council. Consultant shall present information as required using material from previous meetings and products developed over the course of the project. Consultant shall prepare summary notes of Contingent Meeting #2. City and Agency shall review and comment on Summary Notes before they are finalized by Consultant.

- 6.3 Contingent Amendments to the Light Industrial Form-based Code and Pattern Book per Planning Commission or City Council direction.
- 6.4 Contingent PMT Meeting: Consultant and City shall attend an additional PMT Meeting by conference call. Consultant shall prepare Summary Notes of Contingent PMT Meeting. City and Agency shall review and comment on Summary Notes before they are finalized by Consultant.

*Task 6 Consultant Deliverables:*

- 6.1 Contingent Meeting #1 and Summary Notes
- 6.2 Contingent Meeting #2 and Summary Notes
- 6.3 Contingent Amendments to the Light Industrial Form-based Code and Pattern Book
- 6.4 Contingent PMT Meeting and Summary Notes

*Task 6 City Deliverables:*

- 6.1 Contingent Meeting #1
- 6.2 Contingent Meeting #2
- 6.4 Contingent PMT Meeting

**E. LUMP SUM PER DELIVERABLE AND PROJECT SCHEDULE**

<b>Task</b>	<b>Consultant Deliverables</b>	<b>Lump Sum Per Deliverable Amount</b>
<b>Task 1: Project Kick-Off</b>		
1.1	Discussion Memorandum	\$1,530
1.2	Site Visit and Community Tour	\$820
1.3	PMT Meeting #1 and Summary Notes	\$810
1.4	Four Case Studies	\$5,080
<b>Task 2: Evaluation of Existing Regulations</b>		
2.1	Sketches and Evaluation Memorandum	\$5,230
2.2	PMT Meeting #2 and Summary Notes	\$810

<b>Task</b>	<b>Consultant Deliverables</b>	<b>Lump Sum Per Deliverable Amount</b>
<b>Task 3: First Draft</b>		
3.1	Light Industrial Form-based Code Draft #1 and Pattern Book Draft #1	\$16,590
3.2	Regulation Memorandum	\$780
3.3	PMT Meeting #3, Summary Notes, and minor edits to Draft #1	\$1,020
3.4	Planning Commission Work Session and Summary Notes	\$1,070
3.5	Stakeholder Meetings and Stakeholder Feedback Memorandum	\$1,930
<b>Task 4: Second Draft</b>		
4.1	Light Industrial Form-based Code Draft #2 and Pattern Book Draft #2	\$7,840
4.2	Internet public engagement: content and written feedback	\$660
4.3	Planning Commission and City Council Work Sessions (or joint work session) and Summary Notes	\$1,940
4.4	PMT Meeting #4 and Summary Notes	\$810
<b>Task 5: Final Draft and Adoption</b>		
5.1	Final Light Industrial Form-based Code and Pattern Book	\$5,340
5.2	PMT Meeting #5, Summary Notes, and edits to Light Industrial Form-based Code and Pattern Book	\$810
5.3	Presentation to Planning Commission and City Council	\$1,680
<b>Task 6: Contingent Tasks</b>		
6.1	Contingent Meeting #1 and Summary Notes	\$940
6.2	Contingent Meeting #2 and Summary Notes	\$940
6.3	Contingent Amendments to the Light Industrial Form-based Code and Pattern Book	\$6,130
6.4	Contingent PMT Meeting and Summary Notes	\$810
<b>Project Total</b>		<b>\$63,570</b>

## **SCHEDULE**

<b>Task</b>	<b>Consultant Deliverables</b>	<b>Completion</b>
<b>Task 1: Project Kick-Off</b>		
1.1	Discussion Memorandum	October 2013
1.2	Site Visit and Community Tour	October 2013

<b>Task</b>	<b>Consultant Deliverables</b>	<b>Completion</b>
1.3	PMT Meeting #1 and Summary Notes	October 2013
1.4	Four Case Studies on best practices for light industrial areas	November 2013
<b>Task 2: Evaluation of Existing Regulations</b>		
2.1	Sketches and Evaluation Memorandum	November 2013
2.2	PMT Meeting #2 and Summary Notes	November 2013
<b>Task 3: First Draft</b>		
3.1	Light Industrial Form-based Code Draft #1 and Pattern Book Draft #1	January 2014
3.2	Regulation Memorandum	January 2014
3.3	PMT Meeting #3, Summary Notes, and minor edits to Draft #1	January 2014
3.4	Planning Commission Work Session and Summary Notes	February 2014
3.5	Stakeholder Meetings and Stakeholder Feedback Memorandum	February 2014
<b>Task 4: Second Draft</b>		
4.1	Light Industrial Form-based Code Draft #2 and Pattern Book Draft #2	February 2014
4.2	Internet public engagement: content and written feedback	March 2014
4.3	Planning Commission and City Council Work Sessions (or joint work session) and Summary Notes	March 2014
4.4	PMT Meeting #4 and Summary Notes	March 2014
<b>Task 5: Final Draft and Adoption</b>		
5.1	Final Light Industrial Form-based Code and Pattern Book	April 2014
5.2	PMT Meeting #5, Summary Notes, and edits to Light Industrial Form-based Code and Pattern Book	April 2014
5.3	Presentation to Planning Commission and City Council	April 2014
<b>Task 6: Contingent Tasks</b>		
6.1	Contingent Meeting #1 and Summary Notes	May 2014
6.2	Contingent Meeting #2 and Summary Notes	May 2014
6.3	Contingent Amendments to the Light Industrial Form-based Code and Pattern Book	May 2014
6.4	Contingent PMT Meeting and Summary Notes	May 2014

**EXHIBIT B (Local Agency or State Agency)**

**CONTRACTOR CERTIFICATION**

Contractor certifies by signing this contract that Contractor has not:

- (a) Employed or retained for a commission, percentage, brokerage, contingency fee or other consideration, any firm or person (other than a bona fide employee working solely for me or the above consultant) to solicit or secure this contract,
- (b) agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the contract, or
- (c) paid or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above consultant), any fee, contribution, donation or consideration of any kind for or in connection with, procuring or carrying out the contract, except as here expressly stated (if any):

Contractor further acknowledges that this certificate is to be furnished to the Federal Highway Administration, and is subject to applicable State and Federal laws, both criminal and civil.

**AGENCY OFFICIAL CERTIFICATION (ODOT)**

Department official likewise certifies by signing this contract that Contractor or his/her representative has not been required directly or indirectly as an expression of implied condition in connection with obtaining or carrying out this contract to:

- (a) Employ, retain or agree to employ or retain, any firm or person or
- (b) pay or agree to pay, to any firm, person or organization, any fee, contribution, donation or consideration of any kind except as here expressly stated (if any):

Department official further acknowledges this certificate is to be furnished to the Federal Highway Administration, and is subject to applicable State and Federal laws, both criminal and civil.

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**EXHIBIT C**

Federal Provisions  
Oregon Department of Transportation

**I. CERTIFICATION OF NONINVOLVEMENT IN ANY DEBARMENT AND SUSPENSION**

Contractor certifies by signing this contract that to the best of its knowledge and belief, it and its principals:

- 1. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
- 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery falsification or destruction of records, making false statements or receiving stolen property;
- 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

4. Have not within a three-year period preceding this application/proposal had one or more public transactions (federal, state or local) terminated for cause or default.

Where the Contractor is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

List exceptions. For each exception noted, indicate to whom the exception applies, initiating agency, and dates of action. If additional space is required, attach another page with the following heading: Certification Exceptions continued, Contract Insert.

#### EXCEPTIONS:

Exceptions will not necessarily result in denial of award, but will be considered in determining Contractor responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

The Contractor is advised that by signing this contract, the Contractor is deemed to have signed this certification.

#### II. INSTRUCTIONS FOR CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS-PRIMARY COVERED TRANSACTIONS

1. By signing this contract, the Contractor is providing the certification set out below.
2. The inability to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The Contractor shall explain why he or she cannot provide the certification set out below. This explanation will be considered in connection with the Oregon Department of Transportation determination to enter into this transaction. Failure to furnish an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the Department determined to enter into this transaction. If it is later determined that the Contractor knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government or the Department may terminate this transaction for cause or default.
4. The Contractor shall provide immediate written notice to the Department to whom this proposal is submitted if at any time the Contractor learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction", "debarred", "suspended", "ineligible", "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", and "voluntarily excluded", as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the Department's Program Section (Tel. (503) 986-3400) to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The Contractor agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transactions with a person who is debarred, suspended, declared ineligible or voluntarily excluded from participation in this covered transaction, unless authorized by the Department or agency entering into this transaction.
7. The Contractor further agrees by submitting this proposal that it will include the Addendum to Form FHWA-1273 titled, "Appendix B--Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions", provided by the Department entering into this covered transaction without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List published by the U. S. General Services Administration.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of

records to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government or the Department, the Department may terminate this transaction for cause or default.

### III. ADDENDUM TO FORM FHWA-1273, REQUIRED CONTRACT PROVISIONS

This certification applies to subcontractors, material suppliers, vendors, and other lower tier participants.

- Appendix B of 49 CFR Part 29 -

#### **Appendix B--Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion--Lower Tier Covered Transactions**

##### Instructions for Certification

1. By signing and submitting this contract, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this contract is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction", "debarred", "suspended", "ineligible", "lower tier covered

transaction", "participant", "person", "primary covered transaction", "principal", "proposal", and "voluntarily excluded", as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this contract that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this contract that it will include this clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction", without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the nonprocurement list.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible or voluntarily excluded from participation in this transaction, in addition to other remedies available to the

Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion--Lower Tier Covered Transactions**

- a. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal department or agency.
- b. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**IV. EMPLOYMENT**

1. Contractor warrants that he has not employed or retained any company or person, other than a bona fide employee working solely for Contractor, to solicit or secure this contract and that he has not paid or agreed to pay any company or person, other than a bona fide employee working solely for Contractors, any fee, commission, percentage, brokerage fee, gifts or any other consideration contingent upon or resulting from the award or making of this contract. For breach or violation of this warranting, Department shall have the right to annul this contract without liability or in its discretion to deduct from the contract price or consideration or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.
2. Contractor shall not engage, on a full or part-time basis or other basis, during the period of the contract, any professional or technical personnel who are or have been at any time during the period of this contract, in the employ of Department, except regularly retired employees, without written consent of the public employer of such person.
3. Contractor agrees to perform consulting services with that standard of care, skill and diligence normally provided by a professional in the

performance of such consulting services on work similar to that hereunder. Department shall be entitled to rely on the accuracy, competence, and completeness of Contractor's services.

**V. NONDISCRIMINATION**

During the performance of this contract, Contractor, for himself, his assignees and successors in interest, hereinafter referred to as Contractor, agrees as follows:

1. Compliance with Regulations. Contractor agrees to comply with Title VI of the Civil Rights Act of 1964, and Section 162(a) of the Federal-Aid Highway Act of 1973 and the Civil Rights Restoration Act of 1987. Contractor shall comply with the regulations of the Department of Transportation relative to nondiscrimination in Federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are incorporated by reference and made a part of this contract. Contractor, with regard to the work performed after award and prior to completion of the contract work, shall not discriminate on grounds of race, creed, color, sex or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. Contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the contract covers a program set forth in Appendix B of the Regulations.
2. Solicitation for Subcontractors, including Procurement of Materials and Equipment. In all solicitations, either by competitive bidding or negotiations made by Contractor for work to be performed under a subcontract, including procurement of materials and equipment, each potential subcontractor or supplier shall be notified by Contractor of Contractor's obligations under this contract and regulations relative to nondiscrimination on the grounds of race, creed, color, sex or national origin.
3. Nondiscrimination in Employment (Title VII of the 1964 Civil Rights Act). During the performance of this contract, Contractor agrees as follows:

- a. Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex or national origin. Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, sex or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notice setting forth the provisions of this nondiscrimination clause.
  - b. Contractor will, in all solicitations or advertisements for employees placed by or on behalf of Contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex or national origin.
4. Information and Reports. Contractor will provide all information and reports required by the Regulations or orders and instructions issued pursuant thereto, and will permit access to his books, records, accounts, other sources of information, and his facilities as may be determined by Department or FHWA as appropriate, and shall set forth what efforts he has made to obtain the information.
  5. Sanctions for Noncompliance. In the event of Contractor's noncompliance with the nondiscrimination provisions of the contract, Department shall impose such agreement sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
    - a. Withholding of payments to Contractor under the agreement until Contractor complies; and/or
    - b. Cancellation, termination or suspension of the agreement in whole or in part.
  6. Incorporation of Provisions. Contractor will include the provisions of paragraphs 1 through 6 of this section in every subcontract, including procurement of materials and leases of

equipment, unless exempt from Regulations, orders or instructions issued pursuant thereto. Contractor shall take such action with respect to any subcontractor or procurement as Department or FHWA may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided, however, that in the event Contractor becomes involved in or is threatened with litigation with a subcontractor or supplier as a result of such direction, Department may, at its option, enter into such litigation to protect the interests of Department, and, in addition, Contractor may request Department to enter into such litigation to protect the interests of the State of Oregon.

#### VI. DISADVANTAGED BUSINESS ENTERPRISE (DBE) POLICY

In accordance with Title 49, Code of Federal Regulations, Part 26, Contractor shall agree to abide by and take all necessary and reasonable steps to comply with the following statement:

#### DBE POLICY STATEMENT

**DBE Policy.** It is the policy of the United States Department of Transportation (USDOT) to practice nondiscrimination on the basis of race, color, sex and/or national origin in the award and administration of USDOT assist contracts. Consequently, the DBE requirements of 49 CFR 26 apply to this contract.

**Required Statement For USDOT Financial Assistance Agreement.** If as a condition of assistance the Agency has submitted and the US Department of Transportation has approved a Disadvantaged Business Enterprise Affirmative Action Program which the Agency agrees to carry out, this affirmative action program is incorporated into the financial assistance agreement by reference.

**DBE Obligations.** The Oregon Department of Transportation (ODOT) and its contractor agree to ensure that Disadvantaged Business Enterprises as defined in 49 CFR 26 have the opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds. In this regard, Contractor shall take all necessary and reasonable steps in accordance with 49 CFR 26 to ensure that Disadvantaged Business Enterprises have the opportunity to compete for and perform contracts. Neither ODOT nor its contractors shall discriminate on the basis of race, color, national origin or sex in the award and

performance of federally-assisted contracts. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of such contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as ODOT deems appropriate.

The DBE Policy Statement and Obligations shall be included in all subcontracts entered into under this contract.

**Records and Reports.** Contractor shall provide monthly documentation to Department that it is subcontracting with or purchasing materials from the DBEs identified to meet contract goals. Contractor shall notify Department and obtain its written approval before replacing a DBE or making any change in the DBE participation listed. If a DBE is unable to fulfill the original obligation to the contract, Contractor must demonstrate to Department the Affirmative Action steps taken to replace the DBE with another DBE. Failure to do so will result in withholding payment on those items. The monthly documentation will not be required after the DBE goal commitment is satisfactory to Department.

Any DBE participation attained after the DBE goal has been satisfied should be reported to the Departments.

**DBE Definition.** Only firms DBE certified by the State of Oregon, Department of Consumer & Business Services, Office of Minority, Women & Emerging Small Business, may be utilized to satisfy this obligation.

#### CONTRACTOR'S DBE CONTRACT GOAL

DBE GOAL 0 %

By signing this contract, Contractor assures that good faith efforts have been made to meet the goal for the DBE participation specified in the Request for Proposal/Qualification for this project as required by ORS 200.045, and 49 CFR 26.53 and 49 CFR, Part 26, Appendix A.

#### VII. LOBBYING

The Contractor certifies, by signing this agreement to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Contractor also agrees by signing this agreement that he or she shall require that the language of this certification be included in all lower tier subagreements, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

FOR INQUIRY CONCERNING  
ODOT'S DBE PROGRAM  
REQUIREMENT CONTACT OFFICE  
OF CIVIL RIGHTS AT (503)986-4354.



29799 SW Town Center Loop E  
Wilsonville, Oregon 97070  
(503) 682-1011  
(503) 682-1015 Fax Administration  
(503) 682-7025 Fax Community Development

August 7, 2012

Rachel Ferdaszewski  
Program Manager  
Department of Land Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, OR 97301-2540

Re: TGM Code Assistance Grant – Form-Based Code for Industrial Development

Dear Ms. Ferdaszewski:

Thank you for your consideration of this request from the City of Wilsonville for a Type II Code Assistance grant. The City is interested in preparing a Form-Based Zoning Code to be applied in light industrial areas. This is an innovative project; most form-based code projects have been focused on new or redeveloping mixed-use areas.

Wilsonville is focused on both aggressively expanding its employment base through office park and light industrial development, while insisting that new development meets high urban design standards and creates a multimodal environment. The City believes that new policy tools are needed to achieve this balance of encouraging new development in industrial areas – by streamlining review procedures and providing flexible land use provisions – while still requiring that new buildings contribute positively to the community.

The intent of this project is to create a set of code standards that would be implemented in the Coffee Creek Industrial area in Wilsonville, and serve as a model to be replicated elsewhere in Oregon. The outcome of the project would be:

- a set of form-based zoning code standards, including a Pattern Book for industrial zone building typologies;
- a process for administratively reviewing new development that complies with the form-based code standards;
- adoption of these standards into the Wilsonville Planning and Land Development Ordinance, to apply to all or part of the Coffee Creek regionally significant industrial area.

The proposed project meets the eligibility criteria for code assistance projects as follows:



"Serving The Community With Pride"

1. **Transportation** – In order to be effective, form-based codes must address not only the appearance of buildings, but the public and semi-public realms (between building and right-of-way). This project will address all of those things in defining the needed design characteristics of new industrial development. Emerging new industrial areas must be thoroughly multimodal, allowing for access by trucks, personal vehicles, pedestrians, bicyclists and transit. Freight access is often considered to be primary on industrial sites. However, building and site design must still serve to encourage employees to bike, walk, and take transit to the sites. Additionally, industrial sites often front key arterials in the community; therefore the design of these sites must integrate with the overall transportation network.
2. **TGM Principles** – Wilsonville has a history of developing industrial areas with excellent transportation infrastructure and carefully negotiated urban design. Such achievements have included development that addresses the street with windows and not parking, provision of bicycle, pedestrian and transit access, as well as access by freight and personal vehicles. Unfortunately, the development review that allowed the City to exert this type of influence on past developments has also been lengthy. The long and discretionary process has discouraged some who would otherwise be developing industrial sites in Wilsonville. By incorporating many of the best features of past developments, with a streamlined review process, the City hopes to encourage industrial development without diminishing its high multimodal urban design standards.
3. **Local jurisdiction involvement** – The City will commit staff time to this project to ensure project success. The financial assistance of the TGM program will help to cover the costs of hiring an urban design expert with skills not present among City staff. All of the other costs of preparing staff reports, conducting public outreach, and implementing the project will be borne by the City.
4. **Elected official support** – A letter of support from Mayor Knapp, on behalf of the Wilsonville City Council, is attached.

The TGM Code Assistance selection factors apply to this project as follows:

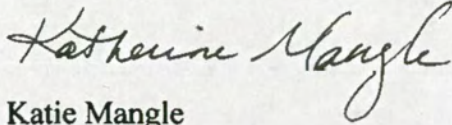
- **Need** – As noted above, the City has planning staff to successfully lead the project, and Planning Commission and City Council support to see it through to implementation. However, Wilsonville lacks the specific expertise on-staff to complete this project. Funding to retain an urban design consultant has not been included in the current or projected year budget.
- **High growth area** – Wilsonville has been among the fastest growing areas of the State over the last 25 years. Even during the recessionary period of the last few years, Wilsonville has been among the few growth areas of Oregon –

demonstrated by over \$128,000,000 in new private construction valuation in 2011.

- **Example** – Many communities throughout Oregon are actively pursuing economic development initiatives and pursuing expansion of industrial development. Many of these same communities share Wilsonville's commitment to encouraging multimodal employment site access. The outcome of this project – form-based development regulations that speed up the development review process while resulting in attractive, multimodal facilities – could be applied in other communities that are seeking better tools for integrating industrial areas.
- **State system** – This factor does not directly apply to this project.
- **Opportunity for success** – Use of a form-based code in industrial areas already has a good deal of community support on City Council and in the Wilsonville business community and is expected to be fully implemented. Development of the area to be targeted by this project, the Coffee Creek industrial area, is high priority for Wilsonville, so the likelihood of the new regulations influencing new development is high. The City is moving towards streamlining the development review process where possible, so this project supports that goal.
- **Innovations** – I am not aware of any other locality that has used form-based codes to regulate industrial development, but feel that there is tremendous potential for their use as cities strive for both economic development and quality design. This would definitely be innovative.
- **Cost-effective** – The project will benefit the TGM program and also the State's efforts to stimulate job growth and traded-sector development.
- **Implementation of previous planning** – The City intends to first apply form-based code standards in the Coffee Creek industrial area, immediately west of the City limits. The Coffee Creek area was added to the UGB in 2002, to support industrial development around the Coffee Creek Correctional Facility. This area has benefited from past Technical Assistance Grant funding, which led to the preparation of an infrastructure plan for future development of the entire 200-plus acres. Having a form-based code in place for the area is regarded as a logical next step to support desired development and job creation.
- **Outreach** – The preparation and implementation of a form-based code for industrial development will involve public outreach, with the opportunity for many people to learn about TGM principles. The outreach process will include meetings with property owners in the Coffee Creek area, meetings with the Wilsonville Chamber of Commerce and industrial developers, and outreach to the general public – including public hearings before both the Wilsonville Planning Commission and City Council.

- **Regional balance** – It should be noted that this project is expected to result in code provisions that could be applicable in almost all parts of Oregon.

Sincerely,

A handwritten signature in cursive script, appearing to read "Katie Mangle".

Katie Mangle  
Long Range Planning Manager

Copies:      Wilsonville City Council  
                 Jennifer Donnelly, DLCD Field Representative  
                 Bryan Cosgrove, City Manager  
                 Chris Neamtzu, Planning Director  
                 Chad Freeman, Business Oregon



## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b> October 21, 2013		<b>Subject:</b> Frog Pond / Advance Road Planning Project	
		<b>Staff Member:</b> Katie Mangle <b>Department:</b> Community Development	
<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 type="checkbox"/> Information or Direction <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b>	
<b>Staff Recommendation:</b> N/A			
<b>Recommended Language for Motion:</b> N/A			
<b>PROJECT / ISSUE RELATES TO:</b>			
<input checked="" type="checkbox"/> Council Goals/Priorities Thoughtful Land Use	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable	

### ISSUE BEFORE COUNCIL:

The City is ready to embark on a multi-year project to plan for the Frog Pond and Advance Road areas east of Wilsonville. In November 2013, Council will be asked to authorize approval of an intergovernmental agreement with Metro to accept the grant award.

### EXECUTIVE SUMMARY:

In August, Metro awarded the City of Wilsonville a \$341,000 grant for planning future urbanization of the Advance Road and Frog Pond urban-development areas. Concept planning for the combined 497-acre area near the intersection of Stafford and Advance Roads will resolve land-use and infrastructure issues for future development.

The 181-acre Frog Pond area was added to the City's urban growth boundary in 2002; the 216-acre Advance Road area was added to the City's urban reserves in 2010. Both are presumed to be

developed as primarily residential neighborhoods. Currently, all of this area is located within Clackamas County's jurisdiction. A Concept Plan is needed for both areas to define expectations for the types of buildings, land uses, transportation, parks, and utilities that will be developed over time.

The Frog Pond/ Advance Road Planning Project will involve two phases, each taking about a year:

1. **Create a Concept Plan for the whole area.** This broad plan will define: the mix of land uses; location of schools, parks, and natural areas; water quality and ecosystem protection; multimodal transportation; public facilities location; and the financial feasibility. This step is required to set the stage for more detailed planning of Frog Pond, and is needed before the Advance Road Urban Reserve area may be considered to be added to the regional Urban Growth Boundary. Planning for both areas together will not only allow everyone to think about the "big picture", but plan for the most cost-effective provision of sewer and other services.
2. **Create a Master Plan for just the Frog Pond area.** This detailed planning of Frog Pond will result in the adoption of Comprehensive Plan land use designations, adoption of a Master Plan, and drafting of zoning to be applied at the time of development. The intent of this phase is to set the stage for annexation, rezoning, and permitting for development. The plan will also include a financing plan for providing needed sewer, water, and stormwater infrastructure.

#### **EXPECTED RESULTS:**

The project will focus on achieving three primary outcomes:

1. Developing a concept plan for Frog Pond to comply with Title 11 (the City's compliance deadline is December 31, 2015).
2. Developing a concept plan for the Advance Road Urban Reserve as required by Title 11 before this area may be considered to be added to the Metro UGB.
3. Preparing a master plan for the Frog Pond area that resolves questions of land use, design, feasibility, and infrastructure to prepare that area for development implementation to meet Wilsonville's housing needs.

#### **TIMELINE:**

- November 2013: City and Metro approve IGA and issues Request for Proposals to hire a team of planning and engineering consultants
- January 2014: City approves consultant contract

#### **CURRENT YEAR BUDGET IMPACTS:**

The City will provide an \$80,000 cash match and commit significant staff resources to the project. Half of the match is included in the current fiscal year budget.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: \_\_\_\_\_JEO\_\_\_\_\_ Date: \_\_\_\_\_10/10/13\_\_\_\_\_

The project is funded by a \$341,000 grant from Metro and \$80,000 in matching contributions from the city. Half of the match is included in the current year budget and the remaining match will be budgeted next fiscal year.

**LEGAL REVIEW / COMMENT:**

Reviewed by: \_\_\_\_\_MEK\_\_\_\_\_ Date: \_\_\_\_\_10/9/13\_\_\_\_\_

N/A

**COMMUNITY INVOLVEMENT PROCESS:**

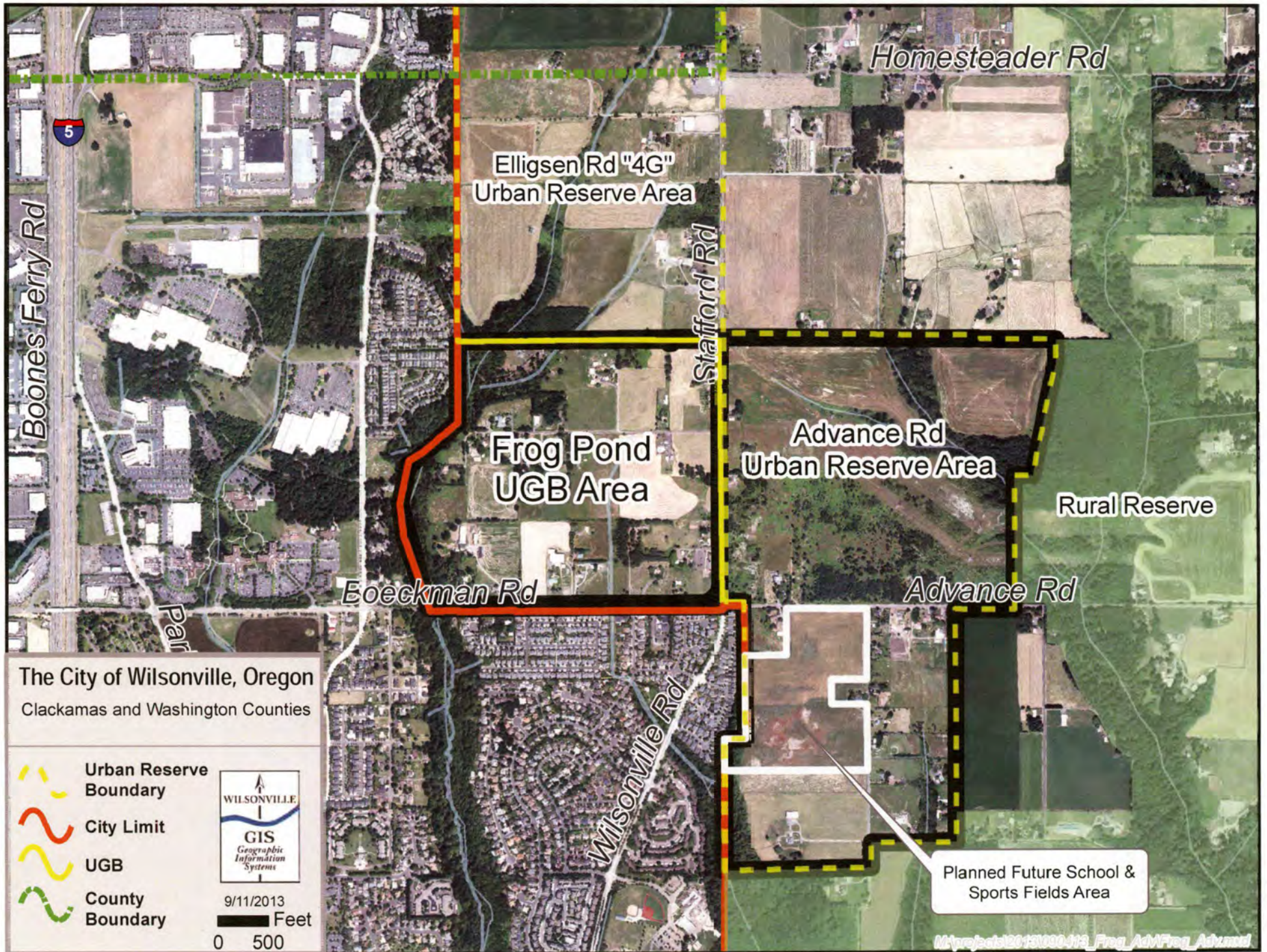
Staff has contacted all property owners in the study area regarding the grant award, and how they can participate in the project. Property owners and others in the community will be invited to participate in the planning process; preparing the specific public involvement plan will be one of the first project tasks.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY**

By leading the planning effort, the City will balance public interests with feasibility of implementation. Planning for both areas together is the best way to ensure cost-effective provision of infrastructure. Additionally, the project will resolve questions related to design, infrastructure, and land uses that will make it more likely that the Frog Pond area will be ready to construct when the market is ready to support it.

**CITY MANAGER COMMENT:****ATTACHMENTS**

A. Map of Study Area



## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b>  October 21, 2013	<b>Subject:</b> Basalt Creek / West Railroad Concept Planning Update  <b>Staff Member:</b> Katie Mangle <b>Department:</b> Community Development
<b>Action Required</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 type="checkbox"/> Information or Direction <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<b>Advisory Board/Commission Recommendation</b> <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input checked="" type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b>  
<b>Staff Recommendation:</b> N/A	
<b>Recommended Language for Motion:</b> N/A	
<b>PROJECT / ISSUE RELATES TO:</b>	
<input checked="" type="checkbox"/> Council Goals/Priorities Basalt Creek Concept Plan	<input type="checkbox"/> Adopted Master Plan(s)
<input type="checkbox"/> Not Applicable	

### ISSUE BEFORE COUNCIL:

This is background information for the upcoming joint work session with the Tualatin City Council, which is scheduled for Tuesday, October 29, 2013. The purpose of the work session is to discuss the Basalt Creek/West Railroad Concept Planning project.

### EXECUTIVE SUMMARY:

In 2004, Metro brought the Basalt Creek and West Railroad Planning areas into the Urban Growth Boundary (see attached map). These areas are intended to urbanize under the governance of the cities of Tualatin and Wilsonville, pending completion of concept planning in conformance with Metro's requirements and the subsequent transfer of planning authority for these areas.

The area is part of the “southwest employment area”, which already provides a significant employment base for the Portland region. Jurisdiction of the area will ultimately be divided between the two cities, both of which envision it including parks, green spaces, a small amount of retail, as well as employment and residential uses. Wilsonville sees its portion of the Basalt Creek / West Railroad area as being primarily used for employment. However, Tualatin, which has little land remaining for housing, sees its portion primarily for residential use. Both cities see the area contributing, along with Wilsonville’s Coffee Creek and Tualatin’s Southwest Concept Plan areas, to a major economic workshed that is expected to grow substantially in the future without sacrificing the unique character and community identity residents of both cities currently enjoy.

Staff from both cities recently selected a consultant team led by Fregonese Associates to prepare the concept plan. The task of the consultant team will be to discover a mutually agreeable outcome, helping the cities work collaboratively to plan for future development and visioning of the area based on community input and values. Members of the consultant team will be present at the upcoming joint work session.

#### **EXPECTED RESULTS:**

Essential project outcomes for the Basalt Creek / West Railroad Concept Planning process include:

- Public Involvement Plan
- Concept Plan that complies with Metro Title 11 Urban Planning conditions, addressing:
  - Land use designations
  - Multi-modal transportation network, both internally and connecting to the existing and planned transportation system
  - Public infrastructure (water, sanitary sewer, storm water) supply, capacity and cost estimates
  - Community features and amenities (parks, trails, greenways)
- Jurisdictional and Utility Service Boundaries between the Cities
- Development Phasing Schedule
- Implementation Strategies and Tools

#### **TIMELINE:**

The project is expected to take 18 months to two years to complete.

#### **CURRENT YEAR BUDGET IMPACTS:**

None. The City of Tualatin received approximately \$350K from Metro’s Construction Excise Tax (CET) grant program to perform concept planning. The City of Wilsonville has, and will continue to, invest staff time into the process.

#### **FINANCIAL REVIEW / COMMENTS:**

Reviewed by: \_\_\_\_\_ JEO \_\_\_\_\_ Date: \_\_\_\_\_ 10/10/13 \_\_\_\_\_

There is no budgetary or financial impact from this project.

**LEGAL REVIEW / COMMENT:**

Reviewed by: \_MEK\_\_\_\_\_ Date: 10/9/2013\_\_\_\_\_

N/A – informational report.

**COMMUNITY INVOLVEMENT PROCESS:**

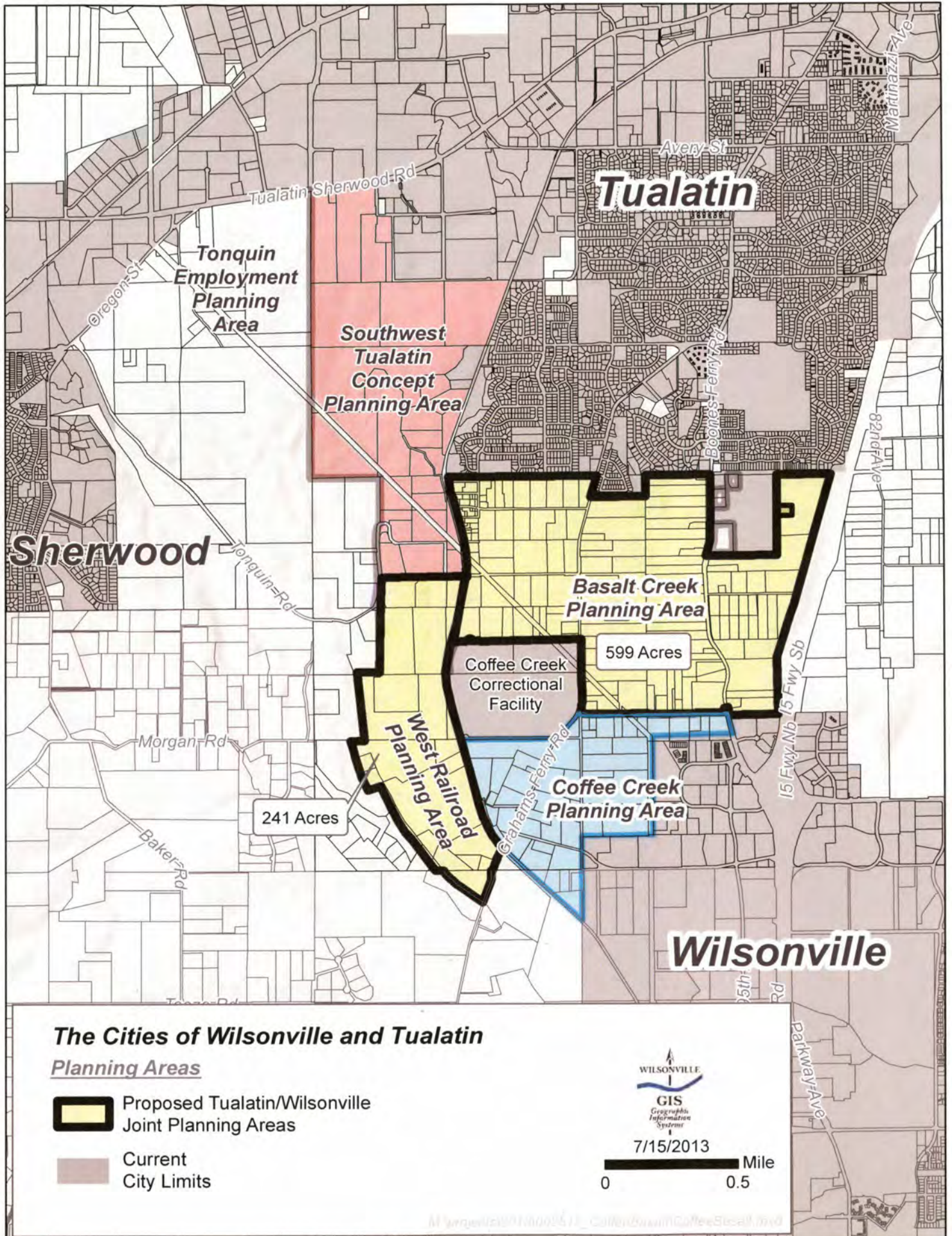
The project will incorporate participation from affected residents, businesses, and property owners. Developing a public involvement plan will be one of the first tasks of the consultant team.

**CITY MANAGER COMMENT:**

This project is tied to city council goals related to economic development and community design. Basalt Creek and Coffee Creek combined represent roughly one-third of the region's future vacant industrial lands.

**ATTACHMENTS**

- A. Map of the Basalt Creek and West Railroad planning study areas



**CITY OF WILSONVILLE  
EMPLOYMENT AGREEMENT  
2012-13**

This Employment Agreement ("Agreement") is made and entered into on the 1st day of **October, 2012**, by and between the City of Wilsonville of Oregon, a municipal corporation ("City") and Michael Kohlhoff ("Employee"), both of whom understand and agree as follows:

**WITNESSETH:**

WHEREAS, City desires to continue the employment of Michael Kohlhoff as City Attorney of the City of Wilsonville; and

WHEREAS, it is the desire of the Governing Body, hereinafter called "Council," to establish certain conditions of employment, to establish certain benefits, and to set working conditions of said Employee; and

WHEREAS, Employee desires to continue employment as City Attorney of the City of Wilsonville;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

**Section 1. Duties and Work Hours**

City hereby agrees to employ Employee as City Attorney of the City of Wilsonville. Employee agrees to devote his full-time efforts to performing the functions and duties of City Attorney, as set for in the job description on file with the Human Resources Department, and to perform other legally permissible and proper duties and functions as the Wilsonville City Council ("Council") assigns to him.

**Section 2. Hours of Work – Administrative Time Adjustment**

It is recognized that Employee must devote a great deal of time outside the normal office hours to business of the City and, to that end, Employee will be allowed to make reasonable adjustments as he shall deem appropriate during said normal office hours. Any extended reasonable adjustments shall be subject to consultation with the Mayor. Employee shall not receive monetary compensation for work in excess of normal office hours.

**Section 3. Employment Date and Status**

Employment is at all times AT WILL, meaning Employee can resign and City can terminate Employee's employment at any time, with or without cause, subject to the severance benefits described below. Employee has been employed as City Attorney since August 1981;

however, Employee was employed as an employee as of October 1, 1990, and October 1 should be referred to as employee's employment anniversary date.

#### **Section 4. Compensation and Car Allowance**

Employee will receive annual base compensation of \$126,060 ("Salary"), effective October 1, 2011. Thereafter, Salary will be reviewed by Council annually as a part of Employee's annual performance review, as described in Section 8. In addition to Salary, because Employee is required to use his personal vehicle to travel to attend to City business, Employee will receive a Four Hundred Dollar (\$400) per month (\$4,800 annually) car allowance. In addition to the foregoing, Employee will receive the standard benefits offered to City employees, as outlined in Section 5 below.

#### **Section 5. Other Benefits**

City will provide Employee with a standard benefit package, as is offered all other administrative full-time City employees, including health, dental and life insurance, PERS benefits, and sick leave. In addition, Employee will earn twenty (20) days of vacation annually. This vacation will be credited to Employee's accrual bank immediately. In addition to the standard City benefits, management employees, including the City Attorney, are also enrolled in a 401(a) retirement plan after six (6) months of employment, into which City contributes four percent (4%) of the employee's base Salary. This plan vests over a six (6) year period. Details on all benefits are available through the Human Resources Department. Employee is vested in this plan.

#### **Section 6. Dues and Subscriptions**

City agrees to budget and to pay for the professional dues and subscriptions of Employee necessary for his continuation and full participation in the Oregon State Bar, governmental law section of the Oregon State Bar, land use section of the Oregon State Bar and other relevant county bar associations, the Oregon City Attorney's Association, and the National Institute of Municipal Legal Officers, which are necessary and desirable for his continued professional participation, growth, and advancement, and for the good of the City.

#### **Section 7. Professional Development**

City hereby agrees to, in accordance with City travel and expense guidelines and policies, budget and to pay for the travel expenses of Employee for: professional and official travel; meetings and occasions adequate to continue the professional development of Employee; and meetings and occasions adequate to pursue necessary official and other functions for the City. These shall include the Oregon State Bar and sections of government law and land use, the City Attorney's Association, and the International Municipal Law Officer's Association, and other national, regional, state, and local governmental groups and committees thereof on which Employee may serve as a member and/or have been approved by the City.

City also agrees to budget and to pay for the necessary continued legal educational expenses of Employee for short courses, institutes, and seminars that are necessary for his continued licensing as a member of the Oregon State Bar.

City agrees to maintain the necessary legal library as agreed upon by Employee and Employer.

### **Section 8. Performance Evaluations**

Council shall review and evaluate the performance of Employee annually, at or about the employment anniversary date, or more frequently than annually if performance issues exist. Said review and evaluation shall be in accordance with the specific criteria developed jointly by City and Employee for City Attorney review. Said criteria may be added to or deleted from as Council may from time to time determine. In conjunction with such review, Council and Employee shall define such goals and performance objectives which they determine necessary for the proper operation of City and attainment of Council's policy objectives. Council and Employee shall work together to establish priorities among those various goals and objectives. Once determined and agreed upon by Employee and Council, the goals and objectives will be reduced to writing and will be used to evaluate Employee's performance throughout that goal year. The goals will be set to generally be attainable within the time limitations specified and within the annual operating and capital budgets and appropriations provided for.

### **Section 9. Termination and Severance Pay**

In the event Employee is terminated by Council, and at such time of termination Employee remains willing and able to perform his duties under this Agreement, then if such termination is not "For Cause," City agrees to pay Employee a severance payment equal to six (6) months' Salary plus reimbursement for health benefits in place at the time of termination ("Severance"). Payment of the Severance is conditioned upon Employee signing a Settlement and Release of Claims Agreement in consideration of such payment. Council may elect to pay the dollars portion of the Severance Payment in a lump sum or in six (6) equal monthly installments. To the extent allowed by law, COBRA medical coverage premiums will be reimbursed after payment by Employee monthly for six (6) months. Severance will not apply if Employee either does not sign the Settlement and Release of Claims Agreement or if Employee is terminated "For Cause." As used herein, "For Cause" shall mean that Employee is terminated because of malfeasance, gross negligence, insubordination, theft, deception (by material untrue statement or material intentional omission), fraud, or a criminal felony conviction.

In the event Employee is unable to work because of disability, the Severance amount set forth in Section 10 shall apply in lieu of the above Severance.

If Employee finds other employment within the six (6) month Severance period, then Severance will cease to be paid as soon as Employee begins such other work, and if it has been paid in advance, it shall be proportionately repaid to City. Similarly, if Employee becomes eligible for other medical coverage associated with other employment within the six (6) month

period, he shall notify City and medical coverage reimbursement will cease beginning with the first day of the month during which he begins receiving medical coverage.

In the event Employee voluntarily resigns his position with City, Employee agrees to use good faith efforts to give City three (3) months' notice in advance, unless the parties otherwise agree. Employee shall not be entitled to Severance if Employee voluntarily resigns, regardless of how and when notice is given.

#### **Section 10. Disability**

If Employee is permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity, or health for a period that exceeds exhaustion of allowed state and federal family medical leaves, City shall have the option to terminate this Agreement and, in that case, Severance will be equal to three (3) months of wages and health benefits, but will cease to be paid as soon as disability insurance proceeds begin to be received, if such payments occur sooner than the expiration of the three (3) month Severance period.

#### **Section 11. Suspension in Lieu of Termination or Immediate Termination**

City may suspend Employee with full pay and benefits at any time during the term of this Agreement, but only if a majority of Council vote to suspend Employee pending an investigation into allegations of malfeasance, gross negligence, insubordination, theft, deception, fraud, or a criminal felony charge. Suspension discussion shall occur in executive session, to the extent permitted under Oregon public meetings laws. The action to suspend will be taken in a public meeting, to the extent required by Oregon law. Employee shall be given written notice setting forth any allegations that could lead to suspension at least five (5) days prior to such executive session and shall be given the opportunity to present defenses or provide a statement during executive session, but Employee shall not be allowed to be present during Council deliberations that follow. During that five (5) day or more interim period before the matter can be heard by Council, City may temporarily suspend Employee with pay. Nothing contained herein shall be construed to require a suspension before termination.

#### **Section 12. Indemnification**

City shall defend, save harmless, and indemnify Employee against any tort, professional liability claim or demand, or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties as City Attorney. City may compromise and settle any such claim or suit and shall pay the amount of any settlement or judgment rendered thereon. No indemnification shall apply to acts done outside the course and scope of employment.

#### **Section 13. Other Terms and Conditions of Employment**

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provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the City Charter, or any other law.

#### **Section 14. General Provisions**

This Agreement shall constitute the entire agreement between the parties.

This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Employee.

If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and affect.

This Agreement may only be amended in writing, signed by both City and Employee.

Waiver of any provision of this Agreement, either by City or Employee, shall not constitute a future waiver of that or any other provision of this Agreement.

This Agreement shall be construed and interpreted in accordance with the laws of the State of Oregon, and venue for any dispute shall be in Clackamas County.

This Agreement, along with City's employment policies (as they may be amended and expanded from time to time) which have been or will be provided to and signed by Employee, sets forth the entire Agreement between the parties with respect to the subject matter contained herein and supersedes all prior agreements, negotiations, promises, or communications that are not contained herein.

IN WITNESS WHEREOF, the City of Wilsonville has caused this Agreement to be signed and executed in its behalf by its Mayor and duly attested by its City Recorder. Employee

has signed and executed this Agreement. This Agreement may be signed in counterpart and with duplicate originals so that City and Employee will both have an original copy of this Agreement.

DATED: \_\_\_\_\_

CITY OF WILSONVILLE

By: \_\_\_\_\_

Tim Knapp  
As Its: Mayor

EMPLOYEE

\_\_\_\_\_  
Michael Kohlhoff

ATTEST:

\_\_\_\_\_  
Sandra C. King, MMC, City Recorder

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has signed and executed this Agreement. This Agreement may be signed in counterpart and with duplicate originals so that City and Employee will both have an original copy of this Agreement.

DATED: \_\_\_\_\_

CITY OF WILSONVILLE

By: \_\_\_\_\_

Tim Knapp  
As Its: Mayor

EMPLOYEE

\_\_\_\_\_  
Michael Kohlhoff

ATTEST:

\_\_\_\_\_  
Sandra C. King, MMC, City Recorder

### 1. Please rate the City Attorney's performance in the following areas:

	Always	Often	Sometimes	Rarely	N/A	Rating Average	Rating Count
Effectively represents the City's interests in litigation, administrative hearings, negotiations and similar proceedings.	60.0% (3)	40.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	3.60	5
Effectively provides legal analysis which help guide and facilitate sound policy/program implementation.	60.0% (3)	40.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	3.60	5
Effectively evaluates results of actions from a legal perspective, including risk analysis.	40.0% (2)	40.0% (2)	20.0% (1)	0.0% (0)	0.0% (0)	3.20	5
Legal advice provided is competent and presented in a constructive, results-oriented, and usable manner.	60.0% (3)	40.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	3.60	5
Effectively keeps City Council and staff apprised of court rulings and administrative decisions affecting the legal interests of the City.	60.0% (3)	20.0% (1)	20.0% (1)	0.0% (0)	0.0% (0)	3.40	5
Legal documents prepared (ordinances, resolutions, contracts, etc.) clearly reflect and implement the purposes for which they are prepared.	80.0% (4)	20.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	3.80	5
Oral communications are concise and understandable, in plain language without too much legalese.	40.0% (2)	40.0% (2)	20.0% (1)	0.0% (0)	0.0% (0)	3.20	5
Shows loyalty and respect for Council and their opinions individually and as a group.	60.0% (3)	40.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	3.60	5
Knows when to follow the lead of Council and when to take the point	40.0% (2)	60.0% (3)	0.0% (0)	0.0% (0)	0.0% (0)	3.40	5

on an issue.

Review

Comments	0
answered question	5
skipped question	0

## 2. Please rate the Assistant City Attorney in the following areas:

	Always	Often	Sometimes	Rarely	N/A	Rating Average	Rating Count
Effectively represents the City's interests in litigation, administrative hearings, negotiations and similar proceedings.	40.0% (2)	60.0% (3)	0.0% (0)	0.0% (0)	0.0% (0)	3.40	5
Effectively provides legal analysis which help guide and facilitate sound policy/program implementation.	40.0% (2)	60.0% (3)	0.0% (0)	0.0% (0)	0.0% (0)	3.40	5
Effectively evaluates results of actions from a legal perspective.	80.0% (4)	20.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	3.80	5
Legal advice provided is competent and presented in a constructive, results-oriented, and usable manner.	80.0% (4)	0.0% (0)	20.0% (1)	0.0% (0)	0.0% (0)	3.60	5
Effectively keeps Planning Commission, Design Review Board, and staff apprised of court rulings and administrative decisions affecting the legal interests of the City.	40.0% (2)	20.0% (1)	20.0% (1)	0.0% (0)	20.0% (1)	3.25	5
Legal documents prepared (ordinances, resolutions, contracts, etc.) clearly reflect and implement the purposes for which they are prepared.	40.0% (2)	40.0% (2)	0.0% (0)	0.0% (0)	20.0% (1)	3.50	5
Oral communications are concise and understandable, in plain language without too much legalese.	60.0% (3)	40.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	3.60	5

Comments

1

answered question

5

skipped question

0

### 3. LEADERSHIP

Very  
Effective

Effective

Not  
Effective

N/A

Rating  
Average

Rating  
Count

How effective has the City Attorney been in communicating the organizational values, philosophy and vision so employees throughout the department are energized and motivated?

60.0% (3)

20.0% (1)

0.0% (0)

20.0% (1)

2.75

5

Comments

0

answered question

5

skipped question

0

## 4. COMMUNICATION

	Very Effective	Effective	Not Effective	N/A	Rating Average	Rating Count
Effectively communicates Council policy to various constituencies (the media, the public, City Council, City Manager, employees).	40.0% (2)	60.0% (3)	0.0% (0)	0.0% (0)	2.40	5
Effectively informs an educates citizens and constituencies affected by issues being addressed by the Council	20.0% (1)	60.0% (3)	0.0% (0)	20.0% (1)	2.25	5
Verbal communications are open, responsive, courteous, yet protective of the City's legal position	40.0% (2)	60.0% (3)	0.0% (0)	0.0% (0)	2.40	5
Written communications understandable, succinct and appropriate for the audience and purpose intended.	60.0% (3)	40.0% (2)	0.0% (0)	0.0% (0)	2.60	5
					Comments	0
					answered question	5
					skipped question	0

## 5. STAFF DEVELOPMENT

	Very Effective	Effective	Not Effective	N/A	Rating Average	Rating Count
Effectively selects, leads, and develops the professional and support staff within his office.	40.0% (2)	40.0% (2)	20.0% (1)	0.0% (0)	2.20	5
Effectively and appropriately in delegates authority and responsibility to subordinates.	40.0% (2)	60.0% (3)	0.0% (0)	0.0% (0)	2.40	5
Takes effective actions to assure a highly motivated, quality professional and support staff, capable of providing excellent customer and client services.	40.0% (2)	60.0% (3)	0.0% (0)	0.0% (0)	2.40	5
					Comments	1
					answered question	5
					skipped question	0

## 6. ORGANIZATIONAL/MANAGERIAL EFFECTIVENESS

	Very Effective	Effective	Not Effective	N/A	Rating Average	Rating Count
Effectively fosters cooperation and coordination within his office and between the department and other City departments.	100.0% (5)	0.0% (0)	0.0% (0)	0.0% (0)	3.00	5
Creates an effective organizational structure and environment that maximizes the effective provision of legal services.	80.0% (4)	20.0% (1)	0.0% (0)	0.0% (0)	2.80	5
Anticipates future departmental needs and Citywide legal needs and positions the department so that it is ready to meet those needs.	80.0% (4)	20.0% (1)	0.0% (0)	0.0% (0)	2.80	5
Visualizes implications of various approaches in solving problems and seeing opportunities.	60.0% (3)	40.0% (2)	0.0% (0)	0.0% (0)	2.60	5
Is decisive in reaching timely decisions and initiating action.	40.0% (2)	60.0% (3)	0.0% (0)	0.0% (0)	2.40	5
Is flexible, enthusiastic and cooperative in approaching issues and individuals within and outside the organization.	60.0% (3)	40.0% (2)	0.0% (0)	0.0% (0)	2.60	5
Demonstrates openness to alternative approaches and generate enthusiasm for attaining challenges/goals through cooperation.	60.0% (3)	40.0% (2)	0.0% (0)	0.0% (0)	2.60	5
Works cooperatively with Council, City Manager and staff to achieve results in the best interest of the City.	20.0% (1)	80.0% (4)	0.0% (0)	0.0% (0)	2.20	5
Effectively displays the courage of his convictions in a constructive manner.	80.0% (4)	20.0% (1)	0.0% (0)	0.0% (0)	2.80	5
Comments						1

answered question 5

skipped question 0

### 7. Please rate the overall quality of legal services provided by the Legal Department

	Extremely Satisfied	Satisfied	Dissatisfied	N/A	Rating Average	Rating Count
Quality	100.0% (5)	0.0% (0)	0.0% (0)	0.0% (0)	3.00	5
Timeliness	60.0% (3)	40.0% (2)	0.0% (0)	0.0% (0)	2.60	5
Grasp of Legal Issues	100.0% (5)	0.0% (0)	0.0% (0)	0.0% (0)	3.00	5
Knowledge of Board/Commission Culture	100.0% (5)	0.0% (0)	0.0% (0)	0.0% (0)	3.00	5
Knowledge of Department Culture	100.0% (5)	0.0% (0)	0.0% (0)	0.0% (0)	3.00	5
Knowledge of City Council Culture	100.0% (5)	0.0% (0)	0.0% (0)	0.0% (0)	3.00	5
Comments						1

answered question 5

skipped question 0

### 8. Goals/objectives for next review period:

Response Count

3

answered question 3

skipped question 2

## 9. Comments on questionnaire items:

	Response Count
	0
answered question	0
skipped question	5

## 10. Suggestions to improve quality of legal services:

	Response Count
	2
answered question	2
skipped question	3

**Page 1, Q2. Please rate the Assistant City Attorney in the following areas:**

- |   |  |                      |
|---|--|----------------------|
| 1 | Asst. City Attorney still does not have frequent or extended interaction with Council, which makes our evaluation difficult. | Sep 30, 2013 9:30 PM |
|---|--|----------------------|

**Page 2, Q5. STAFF DEVELOPMENT**

- |   |  |                      |
|---|--|----------------------|
| 1 | Staff development needs are becoming more critical as Mike begins to plan for retirement. Assistant attorney will need to be immerced in all aspects of City legal work, and to take the lead position in ways that encourage her engagement and confidence. | Sep 30, 2013 9:45 PM |
|---|--|----------------------|

**Page 2, Q6. ORGANIZATIONAL/MANAGERIAL EFFECTIVENESS**

- |   |   |                      |
|---|---|----------------------|
| 1 | Mike has been an important, knowledgable, cohesive influence in City operations for many years. His legal skills have kept WV on a strong, secure and positive path during his entire tenure. | Sep 30, 2013 9:45 PM |
|---|---|----------------------|

**Page 3, Q7. Please rate the overall quality of legal services provided by the Legal Department**

- |   |  |                      |
|---|--|----------------------|
| 1 | Consistently high quality, reliable, knowledgable. | Sep 30, 2013 9:47 PM |
|---|--|----------------------|

**Page 4, Q8. Goals/objectives for next review period:**

- |   |  |                       |
|---|--|-----------------------|
| 1 | Help planning department and/or planning e better advise applicants in order to avoid the kind of public confusion about process related to the LEC.   | Oct 20, 2013 11:05 AM |
| 2 | Continue providing excellent legal counsel, guidance, and complete information to Council.   | Oct 4, 2013 9:10 AM   |
| 3 | Help Assist. City Attorney into progressively greater visibility, interactions, responsibilities. Plan and execute a cohesive strategy for transition as you formalize a retirement timetable. | Sep 30, 2013 9:51 PM  |

**Page 5, Q10. Suggestions to improve quality of legal services:**

- |   |  |                       |
|---|--|-----------------------|
| 1 | I appreciate the wholistic view that the legal department takes- considering how to resolve situations effectively while avoiding undue strife from either side or for the public. It is very helpful overall. Yet, are times where it seems legal is a bit too present or too vocal, and a city manager and city council discussion could suffice. This is not common, but it is something to consider. | Oct 20, 2013 11:12 AM |
| 2 | Help Council to understand the past, present & future policy context to upcoming legal issues or concerns.   | Sep 30, 2013 9:54 PM  |



## Quality of Services - Legal Department



### 1. Please rate the City Attorney's performance in the following areas:

	Always	Often	Sometimes	Rarely	N/A	Rating Average	Rating Count
Effectively represents the City's interests in litigation, administrative hearings, negotiations and similar proceedings.	37.5% (3)	0.0% (0)	0.0% (0)	0.0% (0)	<b>62.5% (5)</b>	4.00	8
Effectively provides legal analysis which help guide and facilitate sound policy/program implementation.	37.5% (3)	12.5% (1)	0.0% (0)	0.0% (0)	<b>50.0% (4)</b>	3.75	8
Effectively evaluates results of actions from a legal perspective, including risk analysis.	25.0% (2)	12.5% (1)	0.0% (0)	0.0% (0)	<b>62.5% (5)</b>	3.67	8
Legal advice provided is competent and presented in a constructive, results-oriented, and usable manner.	25.0% (2)	12.5% (1)	0.0% (0)	0.0% (0)	<b>62.5% (5)</b>	3.67	8
Effectively keeps City Council and staff apprised of court rulings and administrative decisions affecting the legal interests of the City.	12.5% (1)	12.5% (1)	0.0% (0)	0.0% (0)	<b>75.0% (6)</b>	3.50	8
Legal documents prepared (ordinances, resolutions, contracts, etc.) clearly reflect and implement the purposes for which they are prepared.	25.0% (2)	12.5% (1)	0.0% (0)	0.0% (0)	<b>62.5% (5)</b>	3.67	8
Oral communications are concise and understandable, in plain language without too much legalese.	25.0% (2)	12.5% (1)	0.0% (0)	0.0% (0)	<b>62.5% (5)</b>	3.67	8
Shows loyalty and respect for Council and their opinions individually and as a group.	37.5% (3)	0.0% (0)	0.0% (0)	0.0% (0)	<b>62.5% (5)</b>	4.00	8
Knows when to follow the lead of Council and when to take the point	25.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	<b>75.0% (6)</b>	4.00	8

on an issue.

3/9

Comments

2

answered question

8

skipped question

0

## 2. Please rate the Assistant City Attorney in the following areas:

	Always	Often	Sometimes	Rarely	N/A	Rating Average	Rating Count
Effectively represents the City's interests in litigation, administrative hearings, negotiations and similar proceedings.	62.5% (5)	25.0% (2)	0.0% (0)	0.0% (0)	12.5% (1)	3.71	8
Effectively provides legal analysis which help guide and facilitate sound policy/program implementation.	75.0% (6)	25.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	3.75	8
Effectively evaluates results of actions from a legal perspective.	75.0% (6)	25.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	3.75	8
Legal advice provided is competent and presented in a constructive, results-oriented, and usable manner.	75.0% (6)	25.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	3.75	8
Effectively keeps Planning Commission, Design Review Board, and staff apprised of court rulings and administrative decisions affecting the legal interests of the City.	62.5% (5)	12.5% (1)	12.5% (1)	12.5% (1)	0.0% (0)	3.25	8
Legal documents prepared (ordinances, resolutions, contracts, etc.) clearly reflect and implement the purposes for which they are prepared.	50.0% (4)	25.0% (2)	0.0% (0)	0.0% (0)	25.0% (2)	3.67	8
Oral communications are concise and understandable, in plain language without too much legalese.	75.0% (6)	25.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	3.75	8

Comments

1

answered question

8

skipped question

0

### 3. LEADERSHIP

Very  
Effective

Effective

Not  
Effective

N/A

Rating  
Average

Rating  
Count

How effective has the City Attorney been in communicating the organizational values, philosophy and vision so employees throughout the department are energized and motivated?

12.5% (1)

12.5% (1)

0.0% (0)

75.0% (6)

2.50

8

Comments

0

answered question

8

skipped question

0

#### 4. COMMUNICATION

	Very Effective	Effective	Not Effective	N/A	Rating Average	Rating Count
Effectively communicates Council policy to various constituencies (the media, the public, City Council, City Manager, employees).	25.0% (2)	0.0% (0)	0.0% (0)	75.0% (6)	3.00	8
Effectively informs and educates citizens and constituencies affected by issues being addressed by the Council	37.5% (3)	25.0% (2)	0.0% (0)	37.5% (3)	2.60	8
Verbal communications are open, responsive, courteous, yet protective of the City's legal position	37.5% (3)	25.0% (2)	0.0% (0)	37.5% (3)	2.60	8
Written communications understandable, succinct and appropriate for the audience and purpose intended.	25.0% (2)	25.0% (2)	0.0% (0)	50.0% (4)	2.50	8
				Comments		0
				answered question		8
				skipped question		0

## 5. STAFF DEVELOPMENT

	Very Effective	Effective	Not Effective	N/A	Rating Average	Rating Count
Effectively selects, leads, and develops the professional and support staff within his office.	12.5% (1)	12.5% (1)	0.0% (0)	75.0% (6)	2.50	8
Effectively and appropriately in delegates authority and responsibility to subordinates.	12.5% (1)	12.5% (1)	0.0% (0)	75.0% (6)	2.50	8
Takes effective actions to assure a highly motivated, quality professional and support staff, capable of providing excellent customer and client services.	25.0% (2)	0.0% (0)	0.0% (0)	75.0% (6)	3.00	8
Comments						0
answered question						8
skipped question						0

## 6. ORGANIZATIONAL/MANAGERIAL EFFECTIVENESS

	Very Effective	Effective	Not Effective	N/A	Rating Average	Rating Count
Effectively fosters cooperation and coordination within his office and between the department and other City departments.	25.0% (2)	0.0% (0)	0.0% (0)	75.0% (6)	3.00	8
Creates an effective organizational structure and environment that maximizes the effective provision of legal services.	12.5% (1)	25.0% (2)	0.0% (0)	62.5% (5)	2.33	8
Anticipates future departmental needs and Citywide legal needs and positions the department so that it is ready to meet those needs.	12.5% (1)	12.5% (1)	0.0% (0)	75.0% (6)	2.50	8
Visualizes implications of various approaches in solving problems and seeing opportunities.	12.5% (1)	25.0% (2)	0.0% (0)	62.5% (5)	2.33	8
Is decisive in reaching timely decisions and initiating action.	12.5% (1)	25.0% (2)	0.0% (0)	62.5% (5)	2.33	8
Is flexible, enthusiastic and cooperative in approaching issues and individuals within and outside the organization.	25.0% (2)	25.0% (2)	0.0% (0)	50.0% (4)	2.50	8
Demonstrates openness to alternative approaches and generate enthusiasm for attaining challenges/goals through cooperation.	25.0% (2)	25.0% (2)	0.0% (0)	50.0% (4)	2.50	8
Works cooperatively with Council, City Manager and staff to achieve results in the best interest of the City.	12.5% (1)	25.0% (2)	0.0% (0)	62.5% (5)	2.33	8
Effectively displays the courage of his convictions in a constructive manner.	12.5% (1)	25.0% (2)	0.0% (0)	62.5% (5)	2.33	8
					Comments	0
					answered question	8

skipped question

0

## 7. Please rate the overall quality of legal services provided by the Legal Department

	Extremely Satisfied	Satisfied	Dissatisfied	N/A	Rating Average	Rating Count
Quality	50.0% (4)	50.0% (4)	0.0% (0)	0.0% (0)	2.50	8
Timeliness	50.0% (4)	50.0% (4)	0.0% (0)	0.0% (0)	2.50	8
Grasp of Legal Issues	62.5% (5)	37.5% (3)	0.0% (0)	0.0% (0)	2.63	8
Knowledge of Board/Commission Culture	62.5% (5)	37.5% (3)	0.0% (0)	0.0% (0)	2.63	8
Knowledge of Department Culture	25.0% (2)	37.5% (3)	0.0% (0)	37.5% (3)	2.40	8
Knowledge of City Council Culture	37.5% (3)	37.5% (3)	0.0% (0)	25.0% (2)	2.50	8

Comments

0

answered question

8

skipped question

0

## 8. Comments on questionnaire items:

Response  
Count

0

answered question

0

skipped question

8

## 9. Suggestions to improve quality of legal services:

	Response Count
	0
answered question	0
skipped question	8

**Page 1, Q1. Please rate the City Attorney's performance in the following areas:**

- |   |  |                      |
|---|--|----------------------|
| 1 | I don't feel comfortable responding to most of the questions because I don't have any interaction with the city attorney...I have met him once a DRB, usually deal with the assistant attorney. Wish I could be of better assistance! Cheryl | Oct 9, 2013 4:46 PM  |
| 2 | Have not interacted with City Attorney.  | Sep 27, 2013 7:41 PM |

**Page 1, Q2. Please rate the Assistant City Attorney in the following areas:**

- |   |  |                      |
|---|--|----------------------|
| 1 | I would like to see a brief legal update be part of the monthly Planning Commission meeting and/or added as a handout with oral brief. | Sep 27, 2013 7:27 AM |
|---|--|----------------------|

# Management

## Quality of Services - Legal Department



### 1. Please rate the City Attorney's performance in the following areas:

	Always	Often	Sometimes	Rarely	N/A	Rating Average	Rating Count
Effectively represents the City's interests in litigation, administrative hearings, negotiations and similar proceedings.	90.0% (18)	10.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	3.90	20
Effectively provides legal analysis which help guide and facilitate sound policy/program implementation.	80.0% (16)	20.0% (4)	0.0% (0)	0.0% (0)	0.0% (0)	3.80	20
Effectively evaluates results of actions from a legal perspective, including risk analysis.	85.0% (17)	15.0% (3)	0.0% (0)	0.0% (0)	0.0% (0)	3.85	20
Legal advice provided is competent and presented in a constructive, results-oriented, and usable manner.	90.0% (18)	10.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	3.90	20
Effectively keeps City Council and staff apprised of court rulings and administrative decisions affecting the legal interests of the City.	60.0% (12)	30.0% (6)	5.0% (1)	0.0% (0)	5.0% (1)	3.58	20
Legal documents prepared (ordinances, resolutions, contracts, etc.) clearly reflect and implement the purposes for which they are prepared.	85.0% (17)	10.0% (2)	0.0% (0)	0.0% (0)	5.0% (1)	3.89	20
Oral communications are concise and understandable, in plain language without too much legalese.	50.0% (10)	45.0% (9)	5.0% (1)	0.0% (0)	0.0% (0)	3.45	20
Shows loaylty and respect for Council and their opinions individually and as a group.	78.9% (15)	0.0% (0)	0.0% (0)	0.0% (0)	21.1% (4)	4.00	19
Knows when to follow the lead of Council and when to take the point	78.9% (15)	0.0% (0)	0.0% (0)	0.0% (0)	21.1% (4)	4.00	19

*transparency*

Comments

4

answered question

20

skipped question

0

## 2. Please rate the Assistant City Attorney in the following areas:

	Always	Often	Sometimes	Rarely	N/A	Rating Average	Rating Count
Effectively represents the City's interests in litigation, administrative hearings, negotiations and similar proceedings.	<b>75.0% (15)</b>	25.0% (5)	0.0% (0)	0.0% (0)	0.0% (0)	3.75	20
Effectively provides legal analysis which help guide and facilitate sound policy/program implementation.	<b>63.2% (12)</b>	26.3% (5)	10.5% (2)	0.0% (0)	0.0% (0)	3.53	19
Effectively evaluates results of actions from a legal perspective.	<b>66.7% (12)</b>	22.2% (4)	5.6% (1)	0.0% (0)	5.6% (1)	3.65	18
Legal advice provided is competent and presented in a constructive, results-oriented, and usable manner.	<b>60.0% (12)</b>	30.0% (6)	5.0% (1)	5.0% (1)	0.0% (0)	3.45	20
Effectively keeps Planning Commission, Design Review Board, and staff apprised of court rulings and administrative decisions affecting the legal interests of the City.	<b>50.0% (10)</b>	20.0% (4)	10.0% (2)	0.0% (0)	20.0% (4)	3.50	20
Legal documents prepared (ordinances, resolutions, contracts, etc.) clearly reflect and implement the purposes for which they are prepared.	<b>65.0% (13)</b>	15.0% (3)	10.0% (2)	5.0% (1)	5.0% (1)	3.47	20
Oral communications are concise and understandable, in plain language without too much legalese.	<b>60.0% (12)</b>	30.0% (6)	10.0% (2)	0.0% (0)	0.0% (0)	3.50	20

Comments

1

answered question

20

skipped question

0

### 3. LEADERSHIP

Very  
Effective

Effective

Not  
Effective

N/A

Rating  
Average

Rating  
Count

How effective has the City Attorney been in communicating the organizational values, philosophy and vision so employees throughout the department are energized and motivated?

77.8% (14)

16.7% (3)

0.0% (0)

5.6% (1)

2.82

18

Comments

3

answered question

18

skipped question

2

#### 4. COMMUNICATION

	Very Effective	Effective	Not Effective	N/A	Rating Average	Rating Count
Effectively communicates Council policy to various constituencies (the media, the public, City Council, City Manager, employees).	55.6% (10)	44.4% (8)	0.0% (0)	0.0% (0)	2.56	18
Effectively informs an educates citizens and constituencies affected by issues being addressed by the Council	50.0% (9)	44.4% (8)	0.0% (0)	5.6% (1)	2.53	18
Verbal communications are open, responsive, courteous, yet protective of the City's legal position	77.8% (14)	22.2% (4)	0.0% (0)	0.0% (0)	2.78	18
Written communications understandable, succinct and appropriate for the audience and purpose intended.	47.1% (8)	47.1% (8)	0.0% (0)	5.9% (1)	2.50	17
					Comments	1
					answered question	18
					skipped question	2

## 5. STAFF DEVELOPMENT

	Very Effective	Effective	Not Effective	N/A	Rating Average	Rating Count
Effectively selects, leads, and develops the professional and support staff within his office.	55.6% (10)	27.8% (5)	5.6% (1)	11.1% (2)	2.56	18
Effectively and appropriately in delegates authority and responsibility to subordinates.	50.0% (9)	27.8% (5)	5.6% (1)	16.7% (3)	2.53	18
Takes effective actions to assure a highly motivated, quality professional and support staff, capable of providing excellent customer and client services.	52.9% (9)	29.4% (5)	5.9% (1)	11.8% (2)	2.53	17
Comments						2
answered question						18
skipped question						2

## 6. ORGANIZATIONAL/MANAGERIAL EFFECTIVENESS

	Very Effective	Effective	Not Effective	N/A	Rating Average	Rating Count
Effectively fosters cooperation and coordination within his office and between the department and other City departments.	61.1% (11)	38.9% (7)	0.0% (0)	0.0% (0)	2.61	18
Creates an effective organizational structure and environment that maximizes the effective provision of legal services.	52.9% (9)	35.3% (6)	5.9% (1)	5.9% (1)	2.50	17
Anticipates future departmental needs and Citywide legal needs and positions the department so that it is ready to meet those needs.	55.6% (10)	38.9% (7)	0.0% (0)	5.6% (1)	2.59	18
Visualizes implications of various approaches in solving problems and seeing opportunities.	72.2% (13)	27.8% (5)	0.0% (0)	0.0% (0)	2.72	18
Is decisive in reaching timely decisions and initiating action.	55.6% (10)	44.4% (8)	0.0% (0)	0.0% (0)	2.56	18
Is flexible, enthusiastic and cooperative in approaching issues and individuals within and outside the organization.	66.7% (12)	33.3% (6)	0.0% (0)	0.0% (0)	2.67	18
Demonstrates openness to alternative approaches and generate enthusiasm for attaining challenges/goals through cooperation.	72.2% (13)	27.8% (5)	0.0% (0)	0.0% (0)	2.72	18
Works cooperatively with Council, City Manager and staff to achieve results in the best interest of the City.	88.2% (15)	11.8% (2)	0.0% (0)	0.0% (0)	2.88	17
Effectively displays the courage of his convictions in a constructive manner.	77.8% (14)	22.2% (4)	0.0% (0)	0.0% (0)	2.78	18

Comments

1

answered question 18

skipped question 2

## 7. Please rate the overall quality of legal services provided by the Legal Department

	Extremely Satisfied	Satisfied	Dissatisfied	N/A	Rating Average	Rating Count
Quality	83.3% (15)	16.7% (3)	0.0% (0)	0.0% (0)	2.83	18
Timeliness	66.7% (12)	27.8% (5)	5.6% (1)	0.0% (0)	2.61	18
Grasp of Legal Issues	82.4% (14)	17.6% (3)	0.0% (0)	0.0% (0)	2.82	17
Knowledge of Board/Commission Culture	70.6% (12)	23.5% (4)	0.0% (0)	5.9% (1)	2.75	17
Knowledge of Department Culture	64.7% (11)	17.6% (3)	11.8% (2)	5.9% (1)	2.56	17
Knowledge of City Council Culture	76.5% (13)	17.6% (3)	0.0% (0)	5.9% (1)	2.81	17
Comments						3

answered question 18

skipped question 2

## 8. Comments on questionnaire items:

Response Count

1

answered question 1

skipped question 19

9. Suggestions to improve quality of legal services:

	Response Count
	0
answered question	0
skipped question	20

**Page 1, Q1. Please rate the City Attorney's performance in the following areas:**

- |   |  |                      |
|---|--|----------------------|
| 1 | Excellent navigating abilities around thorny policy issues.  | Oct 1, 2013 12:25 PM |
| 2 | The City Attorney is a tremendous asset to the organization. No matter the size of the challenge, the input is always helpful and constructive. The city is extremely fortunate to have such a dedicated, hard working, creative and dynamic leader as Mr. Kohlhoff. | Sep 30, 2013 9:45 AM |
| 3 | Mike is a valuable asset to the City.  | Sep 27, 2013 9:06 AM |
| 4 | The legal department always has the broader vision and goals in mind when making decisions and/or offering advice.   | Sep 27, 2013 8:18 AM |

**Page 1, Q2. Please rate the Assistant City Attorney in the following areas:**

- |   |   |                     |
|---|---|---------------------|
| 1 | It seems that often the ACA will jump to a very conservative stance that "must" be used to protect the City from liability without fully understanding the situation. The time required for the ACA to become aware that the stance is untenable and to explain that the decision had always been a "business decision" significantly reduces the amount of work which can be accomplished. | Oct 4, 2013 3:36 PM |
|---|---|---------------------|

**Page 2, Q3. LEADERSHIP**

- |   |  |                      |
|---|--|----------------------|
| 1 | I can't say enough good things about Mike. He is a very intelligent person with a passion for serving the public. He is very politically astute and looks out for the best interests of the community. He has unique way of seeing the big picture and navigating the path to get there. This is a very uncommon quality in a City Attorney and it has served the City well all these years. | Oct 3, 2013 3:56 PM  |
| 2 | The CA excels in this area, it is one of his many strengths.   | Sep 30, 2013 9:53 AM |
| 3 | I don't work for the department.   | Sep 27, 2013 8:23 AM |

**Page 2, Q4. COMMUNICATION**

- |   |   |                      |
|---|---|----------------------|
| 1 | The CA tracks all major city issues, which is no small task. He is a clear and succinct communicator. | Sep 30, 2013 9:53 AM |
|---|---|----------------------|

**Page 2, Q5. STAFF DEVELOPMENT**

- |   |   |                     |
|---|---|---------------------|
| 1 | The City Attorney's apparent approach to concerns regarding the performance of subordinates is one of non-interference.   | Oct 4, 2013 3:40 PM |
| 2 | Mike is very supportive of staff and has mentored many legal interns throughout his career. He believes strongly in teamwork and collaboration within the organization. | Oct 3, 2013 3:56 PM |

**Page 2, Q6. ORGANIZATIONAL/MANAGERIAL EFFECTIVENESS**

- |   |  |                      |
|---|--|----------------------|
| 1 | The CA is an excellent manager with tremendous vision and foresight. He adds value to many of the challenges that are brought forward. His in depth knowledge of city policy, history and organizational structure are second to none. | Sep 30, 2013 9:53 AM |
|---|--|----------------------|

**Page 3, Q7. Please rate the overall quality of legal services provided by the Legal Department**

- |   |  |                      |
|---|--|----------------------|
| 1 | The city is very fortunate to have this high quality legal team.   | Sep 30, 2013 9:54 AM |
| 2 | The legal department provides excellent service and I am concerned that sometimes the workload given to them is greater than the staff's availability. During peaks times it could be beneficial to be able to use outside services. | Sep 27, 2013 4:17 PM |
| 3 | I think very highly of our legal team.   | Sep 27, 2013 9:07 AM |

**Page 4, Q8. Comments on questionnaire items:**

- |   |   |                      |
|---|---|----------------------|
| 1 | Mike has an unmatched breadth of institutional knowledge that is incredibly valuable. He is quick to offer his department's assistance, yet realistic regarding timelines. Departments can rely on the legal staff to provide quality, thorough advice in any given situation. He is an exceptional asset to the organization, as is the team he leads. | Oct 14, 2013 1:25 PM |
|---|---|----------------------|

# CITY COUNCIL ROLLING SCHEDULE

## Board and Commission Meetings 2013

### OCTOBER

DATE	DAY	TIME	MEETING	LOCATION
10/21	Monday	7 p.m.	City Council Meeting	Council Chambers
10/28	Monday	6:30 p.m.	DRB Panel B	Council Chambers
10/29	Tuesday	6 p.m.	Joint meeting of the City Council and City of Tualatin Council	Willamette River Room

### NOVEMBER

DATE	DAY	TIME	MEETING	LOCATION
11/4	Monday	7 p.m.	City Council Meeting	Council Chambers
11/11	Monday	Veterans Day – City Offices Closed		
11/13	Wednesday	6 p.m.	Planning Commission	Council Chambers
11/14	Thursday	6 p.m.	Urban Renewal Strategic Plan Task Force	Willamette River Room
11/18	Monday	7 p.m.	City Council Meeting	Council Chambers
11/21	Thursday	6 p.m.	Budget Workshop	Council Chambers
11/25	Monday	6:30 p.m.	DRB Panel B	Council Chambers
11/28-29	Thursday & Friday	Thanksgiving Holiday – City Offices Closed		

### COMMUNITY EVENTS

#### TOURISM STRATEGY COMMUNITY WORKSHOP

Wed, Oct 16, 6 pm – Community Workshop  
City Hall, Willamette River Room, 2nd floor

Wed, Oct 23, 6 pm – Community Workshop  
City Hall, Willamette River Room, 2nd floor

Thur, Oct 24, 1:30 pm – Task Force Meeting #1  
City Hall, Council Chambers, 1st floor

Tue, Nov 12, 1:30 pm – Task Force meeting #2  
City Hall, Willamette River Room, 2nd floor



#### URBAN RENEWAL STRATEGIC PLANNING TASK FORCE AND OPEN HOUSE

October 17, 2013 – City Hall  
Task Force – 6 p.m. to 7 p.m.  
Public Open House – 7 p.m. to 9:30 p.m.

**HARVEST FESTIVAL**

October 19, 2013 – 9:30 a.m. – 11:30 a.m.  
Stein-Boozier Barn at Murase Plaza

**FALL LEAF DROP-OF DAY**

November 16, 2013 – 9 a.m. – 2 p.m.  
City Hall, 29799 SW Town Center Loop  
Leaves only – no yard debris. Please bring a donation  
of new toiletries and personal hygiene items or canned  
goods for donation to Wilsonville Community Sharing

**BUDGET COMMITTEE MEETINGS:**

- November 21, 2013 Budget Committee Workshop 6-8 p.m.
- April 28, 2014 6-8 p.m.
- May 1, 2014 6-8 p.m.
- May 8, 2014 6-8 p.m.

City of

**WILSONVILLE**

in OREGON



## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b>  October 21, 2013		<b>Subject: HEAL Wilsonville Update</b>  <b>Staff Member:</b> Patty Brescia <b>Department:</b> Parks and Recreation	
<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 type="checkbox"/> Information or Direction <input checked="" 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>	
<b>Staff Recommendation:</b>			
<b>Recommended Language for Motion:</b> This item is for information only.			
<b>PROJECT / ISSUE RELATES TO:</b> <i>[Identify which goal(s), master plans(s) issue relates to.]</i>			
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:** This is an informational update regarding Wilsonville's status as a "HEAL or Healthy Eating, Active Living" City by HEAL Cities NW, which is a collaboration of the Oregon Public Health Institute, the League of Oregon Cities and Kaiser Permanente.

**EXECUTIVE SUMMARY:** On March 18, 2013 Mayor Tim Knapp read a proclamation recognizing Wilsonville's designation by HEAL Cities NW as an 'Active' HEAL City. The City committed to reporting the status of Wilsonville's progress toward adopting additional HEAL policies six months after the date the proclamation was read.

Wilsonville was awarded Oregon's first 'Active' HEAL City Designation on March 18, 2013 due to the partnerships and policy changes facilitated by the ACHIEVE Wilsonville Citizen Coalition.

Wilsonville's tobacco free parks policy (Ordinance 712) , and the Citizen's Coalition's work with local restaurants, grocers and schools to increase the access of children to fresh fruits and vegetables qualified the City for the designation of 'Active' HEAL City.

**EXPECTED RESULTS:** Since March 18 the City has moved forward with additional policies that increase the opportunity of Wilsonville citizens to make healthy eating or active living choices. The Wilsonville City Council adopted Ordinance No. 718, updating the Transportation System Plan (TSP) and associated Comprehensive Plan amendments on June 17, 2013. On that same date, it adopted Ordinance No. 718 adopting Development Code amendments to implement the updated TSP.

Two of the goals the Transportation System Plan includes are:

- **Connected and Accessible**  
Provide all users with access to integrated facilities and services that connect Wilsonville's neighborhoods, parks, schools, employment centers, and retail areas to each other and to the surrounding region.
- **Promotes Livability**  
Design and construct transportation facilities in a manner that enhances the livability of Wilsonville and health of its residents.

The results of integrating these goals into the City planning documents are evident in the new street standards adopted in the TSP. Additionally; two of the standards adopted by the City in the TSP recognize healthy living options as priorities for future city development. The following standards illustrate Wilsonville's commitment to 'Complete Streets' in facilitating new development.

- **Bicycle Routes**  
Connect neighborhoods, schools, parks, community centers, business districts, and natural resource areas to support bicycle travel by residents of varying physical capabilities, ages, and skill levels.
- **Connectivity and Facility Spacing Standards**  
Ensure that direct routes and travel options are available for all transportation users.

The HEAL Wilsonville Citizen Coalition believes that Wilsonville's adoption of the Transportation System Plan, along with ongoing implementation of other healthy living policies, will make Wilsonville eligible to receive the third HEAL City NW designation, which is "Fit City."

**TIMELINE:** There is no formal follow up reporting for the City required by HEAL Cities NW. The organization will continue to provide technical assistance to the HEAL Wilsonville team, as well as recognition on the HEAL Cities NW website and in the League of Oregon Cities newsletter.

**CURRENT YEAR BUDGET IMPACTS:** There are no impacts to the City Budget. The park signs installed with the implementation of Tobacco Free Parks by the Wilsonville City Council were purchased with ACHIEVE Healthy Communities grant funding. Other programs initiated by the Citizen Coalition such as the Temporary Fruit and Vegetable Tasting Coordinator at

Wilsonville Schools, and the Healthy Checkout Aisle sign at a local grocery store were also funded by the grant.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

**LEGAL REVIEW / COMMENT:**

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

**COMMUNITY INVOLVEMENT PROCESS:** Prior to the City's initial designation as an 'Active' HEAL City on March 18, 2013, the Citizen Coalition participated in a community input process, which involved polling citizens regarding their attitudes toward tobacco use in City parks.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY** (businesses, neighborhoods, protected and other groups): The designation of City owned Wilsonville parks as tobacco free zones, and the increase of availability of fresh fruits and vegetable options to children in Wilsonville increases the opportunity for Wilsonville citizens to make healthy lifestyle choices.

**ALTERNATIVES:** N/A

**CITY MANAGER COMMENT:**

**ATTACHMENTS:** N/A


**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b>  October 21, 2013	<b>Subject: Resolution No. 2440</b> A City Council resolution approving a Minor Amendment to the Year 2000 Plan to reduce district size and add the Canyon Creek Road South alignment  <b>Staff Member:</b> Kristin Retherford, Economic Development Manager  <b>Department:</b> Community Development	
<b>Action Required</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 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	<b>Advisory Board/Commission Recommendation</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b> This Minor Amendment would remove one parcel from The Year 2000 Plan area that does not create tax increment revenue and add a missing segment of the Canyon Creek Road South alignment, which is described in The Year 2000 Plan.	
<b>Staff Recommendation:</b> Staff recommends that the City Council approve Resolution No. 2440		
<b>Recommended Language for Motion:</b> I move to approve Resolution No. 2440		
<b>PROJECT / ISSUE RELATES TO:</b>		
<input checked="" type="checkbox"/> Council Goal: "D. Develop, Adopt and Begin Implementation of a Comprehensive Economic Development Strategy."		<input type="checkbox"/>

**ISSUE BEFORE THE CITY COUNCIL:**

Should the City Council reduce the boundary acreage of the Year 2000 Plan in order to free up acreage for the creation of six proposed TIF Zones? This resolution also adds a segment of the Canyon Creek Road South alignment missing from the Plan boundary as a scrivener's error, but fully-described in the text of the Plan.

**EXECUTIVE SUMMARY:**

ORS 457 mandates that no more than 25 percent of a City's acreage be included in urban renewal areas. With adoption of the proposed TIF Zones, the City will be close to the maximum acreage allowed by statute. By removing the Wilsonville High School parcel, which is publicly owned and produces no tax increment, the City can reduce sufficient acreage to allow the creation of the proposed TIF Zone urban renewal areas.

The proposed boundary reduction will remove tax lot 31W13 00100, which is 60.5 +/- acres and is the site of Wilsonville High School. The proposed boundary change will also add approximately 1.72 acres corresponding to the Canyon Creek Road South alignment. This project is described in Section 601(A)(2) as extending from Boeckman Road to Vlahos and the intersection with Town Center Loop, however the original legal description for the Plan boundary failed to include a small portion of the project area. As this project is budgeted in the City's adopted 2013/2014 budget as Project 4184 and design will commence this fiscal year, the attached resolution seeks to remedy a scrivener's error to the original Plan legal description by adding this segment to the Plan boundary in order to allow Project 4184 to proceed as planned.

**EXPECTED RESULTS:**

City Council's amendment of The Year 2000 Plan district boundary by reducing and adding acreage as referenced above will facilitate the City's compliance with ORS 457 while allowing creation of six proposed TIF Zones and capital Project 4184 to move forward this fiscal year.

**TIMELINE:**

This amendment will be effective immediately upon adoption of this resolution.

**CURRENT YEAR BUDGET IMPACTS:**

None.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: \_\_\_\_\_JEO\_\_\_\_\_ Date: \_\_\_\_\_10/3/13\_\_\_\_\_

There are no financial or budgetary impacts.

**LEGAL REVIEW / COMMENT:**

Reviewed by: \_\_\_\_\_MEK\_\_\_\_\_ Date: 10/9/2013 \_\_\_\_\_

The report accurately represents the legal acreage percentage requirements and the process for removal of acreage from the district.

**COMMUNITY INVOLVEMENT PROCESS:** N/A.

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

Approval of this resolution will allow the community to create six proposed TIF Zones while staying in compliance with ORS 457 and complete Project 4184.

**ALTERNATIVES:** N/A

**CITY MANAGER COMMENT:**

This reduction in acreage will make possible the creation of six tax increment finance zones, which are an important economic development tool for the city and will help facilitate the re-use of currently vacant buildings.

**ATTACHMENTS**

Attachment: Resolution No. 2440

## **RESOLUTION NO. 2440**

### **A RESOLUTION OF THE CITY COUNCIL APPROVING A MINOR AMENDMENT TO THE YEAR 2000 PLAN, AN URBAN RENEWAL PLAN OF THE CITY OF WILSONVILLE, RELATED TO URBAN RENEWAL DISTRICT BOUNDARIES.**

WHEREAS, The Year 2000 Plan, an Urban Renewal Plan and Program of the City of Wilsonville (hereinafter "Plan") Section 1200 "Procedures for Changes or Amendments in the Approved Urban Renewal Plan" states that,

"The Plan will be reviewed and analyzed periodically and will continue to evolve during the course of project execution and on-going planning. It is anticipated that this Plan will be changed or modified from time to time; or amended as development potential and conditions warrant, as planning studies are completed, as financing becomes available, or as local needs dictate."; and

WHEREAS, Sections 1201 and 1202 of the Plan provide that the Agency and the City Council can approve Minor Amendments to the Plan by resolution; and

WHEREAS, the removal of acreage from the Plan boundary that does not significantly alter the Goals and Objectives of the Plan is considered a Minor Amendment under Section 1202 of the Plan; and

WHEREAS, Section 1204 of the Plan considers additions of land "not more than one percent (1%) of the existing area of the Urban Renewal Area" to be a Minor Amendment rather than a Substantial Amendment; and

WHEREAS, ORS 457.220(3) states that "No land equal to more than 20 percent of the total land area of the original plan shall be added to the urban renewal areas of a plan by amendments"; and.

WHEREAS, there have been numerous changes in the residential, industrial and commercial development of the community and the Plan area since adoption of the Plan by Ordinance No. 373 in 1990; and

WHEREAS, Minor Amendments approved under URA Resolutions 32 and 59 have added a total of 11.22 acres to the Plan area, which equals 1.3% of the original Plan area; , and

WHEREAS, Minor Amendments approved under URA Resolutions 99, 102, 118 and 176 have removed acreage from the Plan area, resulting in current acreage of 629 acres; and

WHEREAS, the Agency found, determined and recommended to the Council that it is in the best interest of the public to further reduce the size of the Plan area to reduce acreage to remain under the City-wide 25% urban renewal acreage cap required under ORS 457; and

WHEREAS, tax lot 31W13 00100 is 60.5 +/- acres and is the site of Wilsonville High School; and

WHEREAS, this tax lot is publicly owned and produces no tax increment; and

WHEREAS, Section 601(A)(2) of the Plan describes the Canyon Creek South road project from "Boeckman Road, south to Wilsonville Road. Includes intersection with Town Center Loop East, modifications to Vlahos Drive and storm drain; and

WHEREAS, this section was amended by URA Resolution No. 117 on August 30, 2004 to include "Necessary activities required to carry out the Plan may occur immediately outside of the Urban Renewal Area"; and

WHEREAS, the legal description for the Plan does not include that section of the road alignment between Canyon Creek Road South at its current southern terminus at the south end of the Renaissance Homes development to the east and Vlahos Drive; and

WHEREAS, it has been established that this area was never included in the original legal description and map for the Plan; and

WHEREAS, due to the specific text reference in the Plan, the absence of this area from the Plan's original legal description and map is determined to be a scrivener's error; and

WHEREAS, the Canyon Creek Road South project to Vlahos Drive and Town Center Loop will be designed in Fiscal Year 2013/14 and is included in the City of Wilsonville 2013/14 adopted budget as Project 4184; and

WHEREAS, the Agency found, determined and recommended to the Council that it is in the best interest of the public to further amend the Plan area to correct this scrivener's error and include the area needed for the Canyon Creek South project as described in Section 601(A)(2) of the Plan; and

WHEREAS, this addition to the area contains 1.72 acres +/- which is .27% of the existing Plan area making the addition of this area to the Plan a Minor Amendment; and

WHEREAS, the addition of these 1.72 acres in conjunction with the 11.22 acres added to the Plan under URA Resolutions 32 and 59 total 12.94 acres or 1.5% of the original Plan area;

WHEREAS, these adjustments to the Plan area as described in Exhibit A and shown in Exhibit B, attached hereto and incorporated by will reduce the district's acreage from 629 acres to 570 acres; and

WHEREAS, the proposed acreage reduction from Plan boundary will not adversely affect Agency debt service and will not impair the Agency's ability to carry out Plan projects; and

WHEREAS, on October 7, 2013 the Urban Renewal Agency of the City of Wilsonville approved URA Resolution 235, attached hereto and incorporated herein as Exhibit C, recommending this Minor Amendment.

NOW, THEREFORE, THE WILSONVILLE CITY COUNCIL RESOLVES AS FOLLOWS:

1. The City Council adopts and incorporates by reference herein the above Recitals as findings and determinations of the Council.

2. The Year 2000 Urban Renewal Plan legal description (Exhibit 1 to The Year 2000 Urban Renewal Plan) as previously amended by Urban Renewal Agency Resolution Nos. 32, 59, 99, 102, 115, 118 and 176 shall be amended as described in Exhibit A of this Resolution, attached hereto and incorporated herein by this reference and shall be titled "Exhibit 1" of The Year 2000 Plan and made part of The Year 2000 Plan. The Plan Area is reduced in accordance with Exhibit A.

3. The existing Year 2000 Urban Renewal Plan Exhibit 2, "Urban Renewal Boundary Map," previously amended by Urban Renewal Agency Resolution Nos. 32, 59, 99, 102, 115, 118, and 176 shall be amended and replaced by the map which is Exhibit B of this Resolution entitled "East Side Urban Renewal Boundary Revised per URA Resolution Nos. 32, 59, 99, 102, 115, 118, and 176. Exhibit B is attached hereto and incorporated herein by this reference and is made a part of The Year 2000 Plan. The map boundaries conform to the legal description in Exhibit A.

4. The existing Plan area includes a total land area of 629 acres. The area removed and added by this proposed Minor Amendment to the Plan area leaves a total of 570 acres in Plan Area. The Council finds and determines that this reduction and addition of land to the Plan area by a Minor Amendment to the Plan is not a substantial amendment to the Plan as the term "substantial amendment" is defined in ORS 457.085 (2) (1) and is approved by the City Council.

5. The effective date of this Resolution is October 21, 2013.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 21st day of October 2013, and filed with the Wilsonville City Recorder this date.

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TIM KNAPP, MAYOR

ATTEST:

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Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp

Councilor Goddard

Councilor Starr

Councilor Fitzgerald

Councilor Stevens

Attachments:

Exhibit A - Amended Legal Description of the Wilsonville Year 2000 Plan Urban Renewal Area

Exhibit B - Amended Year 2000 Plan Urban Renewal Area Boundary Map

Exhibit C – URA Resolution 235

EXHIBIT 1

**LEGAL DESCRIPTION  
WILSONVILLE URBAN RENEWAL AREA  
WILSONVILLE, OREGON**

**Revisions: U.R.A. Resolution No. 32, No. 59, No. 99, No. 102, No. 115,  
and No. 118 And City of Wilsonville Resolution No. 1847, No. 1903, No.  
2055, No. 2072, No. 2154 & Ordinance No. 639**

09/17/13

Lots and maps are taken from Assessor's tax maps from July, 2013 and attached hereto. The Area is described as that land containing all lots or parcels of property situated in the City of Wilsonville, County of Clackamas, and the State of Oregon, bounded as follows:

**Commencing** at a point which bears South 88°47' 08" East, 989.69 feet from the corner common to sections 1 and 2, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon and sections 11 and 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, said point being the point of intersection of the North line of the Northwest quarter of said Section 12 with the Northerly projection of the West line Partition Plat No. 1991-159, records of said county;

1. Thence East along the North line of said Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, 1671.76 feet, to the North ¼ corner of said Section 12, Assessor's Plat 3 1W 12;
2. Thence South along the North-South centerline of said Section 12 1,255 feet, more or less, to the North right of way line of Wiedemann Road, Assessor's Plat 3 1W 12BD;
3. Thence West along said North right of way line 835 feet, more or less, to the point of intersection of said North right of way line with the East right of way line of Canyon Creek Road North;
4. Thence Southerly along said East right of way line 1,150 feet, more or less, to the point of intersection of said East right of way line and the North line of Tax Lot 100, also being a point on the South right of way line of Roanoke Drive (South), of said Plat No. 3 1W 12BD;
5. Thence Easterly along said South right of way line 490 feet, more or less, to the southerly extension of the East right of way line of McLeod Street;
6. Thence North along the Southerly extension of said East right of way line and said East right of way line 430 feet, more or less, to the Northwest Corner of Tax Lot 6400;
7. Thence Northeasterly and Southeasterly along the North lines of said Tax Lot 6400 and Tax Lot 8000 to the point of intersection of said north line and the Southwesterly projection of the Southeasterly right of way line of Colvin Lane;

8. Thence Northeasterly along said Southwesterly projection of said Colvin Lane and the Southeasterly right of way line of Colvin Lane to the Northeast corner of Tax Lot 2800;
9. Thence along the East lines of Tax Lot 2800, Tax Lot 2700, Tax Lot 2600 and the East and South lines of Tax Lot 2500 a distance of 215 feet, more or less, to the point of intersection of the South line of Tax Lot 2500 and the Easterly right of way line of Roanoke Drive (North), of said Plat No. 3 1W 12BD;
10. Thence Southeasterly along said Easterly right of way line 15 feet to the Northwest corner of Tax Lot 2400;
11. Thence along the North and East lines of Tax Lot 2400 and the East lines of Tax Lot 2300, Tax Lot 2200 and Tax Lot 2100 to said North-South centerline of said Section 12;
12. Thence South along said north-south centerline to a point 649 feet, more or less, South of the center of section corner thereof, said point being the Northerly Southeast corner of Canyon Creek Meadows Plat No. 3314, Assessor's Plat 2 1W 12CA;
13. Thence Southwesterly 196 feet, more or less, to the Southerly Southeast corner of said Plat, said point being at the Western terminus of Frogpond Lane and the Northeast corner of Tax Lot No. 604, Assessor's Plat 3 1W 12D;
14. Thence continuing Southwesterly 38 feet, more or less, to the Southeast corner of said Tax Lot No. 604, said point being 25 feet from when measured perpendicular to the South line of said Plat No. 3314;
15. Thence West parallel with and 25 feet from said South line, 740 feet, more or less to the point of intersection of the South line of said Tax Lot No. 604 with the East right of way line of Canyon Creek Road North;
16. Thence South along said East right of way line 1,800 feet, more or less, to the point of intersection of said East right of way line with the North right of way line of Boeckman Road (County Road No. 80 or Roberts), Assessor's Plat 3 1W 12D;
17. Thence East along said North right of way line to the point of intersection of said North right of way line with the East right of way line of S.W. 65<sup>th</sup> Avenue (Market Road No. 12 or Stafford Road);
18. Thence Southwesterly to the Northeast corner of Section 13, T3S, R1W, WM, Assessor's Plat 3 1W 13AA;
19. Thence South along the East line of the Northeast  $\frac{1}{4}$  of said Section 13, 1,300 feet, more or less, to the Northerly Southeast corner of the plat of Landover, Plat No. 3246;
20. Thence West across said Plat No. 3246 to the West line thereof;
21. Thence North along said West line to the point of intersection of said West line with the East right of way line of Wilsonville Road (Market Road No. 12);
22. Thence South and West along said right of way line to the Northwest corner of tax lot 3600 (Recording No. 87-53932), Assessor's Plat 3 1W 24A;
23. Thence counter clockwise around said tax lot 3600 to the North corner of tax lot 3700 (Recording No. 86-6963), said Assessor's Plat;
24. Thence Southerly along the West line of said tax lot 3700 to the point of intersection with the North right of way line of Kolbe Lane;
25. Thence East along said North right of way line to the point of intersection of said North right of way line with a line measured perpendicular from said North right of way line to the West corner of Tax Lot 3800 (Recording No. 72-32388), said Assessor's Plat;

26. Thence Southerly along said perpendicular line to the West corner of said Tax Lot 3800, said point being on the South right of way line of said Kolbe Lane (Schroeder Way);
27. Thence West along said South right of way line to the point of intersection of said South right of way line with the East line of Tax Lot No. 600 (recording No. 93-68993), Assessor's Plat No. 3 1W 24;
28. Thence clockwise around said Tax Lot No. 600 to the Southwest corner thereof;
29. Thence Westerly along the projection of the South line of said Tax Lot No. 600 to the point of intersection of said projected line with the Easterly right of way line of Memorial Drive;
30. Thence along said Easterly right of way line Southerly and Westerly to the point of intersection of the Westerly projection of the South right of way line of said Memorial Drive with the West right of way line of Parkway Avenue (Frontage Road), said point being on the East right of way line of Interstate five (I-5), Assessor's Plat No. 3 1W 24CB;
31. Thence Westerly across said Interstate five (I-5) to the point of intersection of the West right of way line of said Interstate five with the Eastern terminus of the South right of way line of 5<sup>th</sup> Street, Assessor's Plat 3 1W 23AC;
32. Thence continuing Southerly along said West right of way line to the North bank of the Willamette River, Assessor's Plat 3 1W 23DB;
33. Thence Westerly along the North bank of the Willamette River to the East right of way line of the Oregon Electric Railroad, Assessor's Plat 3 1W 23CA;
34. Thence Northerly along said East right of way to the point of intersection of said East right of way line with the North right of way line of 2nd Street of said Wilsonville Plat;
35. Thence East along said North right of way line to the point of intersection of said North right of way line with the West right of way line of Boones Ferry Road (Market Road No. 27 or Main Street);
36. Thence Northerly along said West right of way line to the point of intersection of said West right of way line with the South right of way line of 5<sup>th</sup> Street, Assessor's Plat 3 1W 23 BD;
37. Thence West along said South right of way line to the point of intersection of said South right of way line with the West right of way line of the Oregon Electric Railroad;
38. Thence North along said West right of way line to the point of intersection of said West right of way line with the North right of way line of said 5<sup>th</sup> Street;
39. Thence East along said North right of way line to the point of intersection of said North right of way line with the West right of way line of said Boones Ferry Road (Market Rd. No. 27 or Main Street);
40. Thence Northerly along said West right of way line to the point of intersection of said West right of way line with the South right of way line of Bailey Street, Assessor's Plat 3 1W 23AB;
41. Thence East along the easterly projection of said South right of way line to the point of intersection of said easterly projection and the East right of way line of said Boones Ferry Road (Market Rd. No. 27 or Main Street);
42. Thence Southerly along said East right of way line to the North line of the Plat of Wilsonville, Assessor's Plat 3 1W 23AC;
43. Thence East along said North line and the easterly projection thereof, 824 feet, more or less, to the West line of Tax Lot 101, also being a point on the East line of the Thomas Bailey D.L.C.;

44. Thence South along the West line of said Tax Lot 101 and the West line of Tax Lot 100 to the Southwest Corner of said Tax Lot 100, also being an angle point in the West right of way line of Interstate five (I-5) at the Eastern Terminus of 5<sup>th</sup> Street, Plat of Wilsonville;
45. Thence East along the South line of said Tax Lot 100, 272 feet, more or less, to the Southeast corner thereof, also being an angle point in said West right of way line;
46. Thence Easterly across said Interstate five to the point of intersection of the Westerly projection of the North right of way line of Memorial Drive with the West right of way line of Parkway Avenue (Frontage Road), said point being on the East right of way line of said Interstate five, Assessor's Plat No. 3 1W 24CB;
47. Thence along said East right of way line, Northerly to the Northwest corner of Tax Lot No. 200 (recording No. 2001-043681), Assessor's Plat No. 3 1W 23AA;
48. Thence Westerly across I-5 to an angle point on the West right of way line of said Interstate five (I-5), also being an angle point on the East line of Tax Lot No. 100 (recording No. 93-63557), Assessor's Plat No. 3 1W 23AB;
49. Thence Northwesterly along said West right of way line to the point of intersection of said West right of way line with the South right of way line of Wilsonville Road (Market Road No. 6), also being the Northeast corner of Tax Lot No. 101 (recording No. 98-030367);
50. Thence West along said South right of way line to the point of intersection of said South right of way line with the East right of way line of Boones Ferry Road (Market Road No. 27), also being the Northwest corner of Tax Lot No. 700 (recording No. 2006-011467);
51. Thence South along said East right of way line to the point of intersection of said East right of way line with the Easterly projection of the North right of way line of Bailey Street;
52. Thence West along said Easterly projection to the point of intersection of said North right of way line with the West right of way line of said Boones Ferry Road;
53. Thence North along said West right of way line to the point of intersection of said West right of way line with the South right of way line of said Wilsonville Road (Market Road No. 6);
54. Thence West along said South right of way line to the point of intersection of said South right of way line with the East right of way line of Brown Road (County Road No. 355), Assessor's Plat 3 1W 22A;
55. Thence Northerly across Wilsonville Road to the point of intersection of the North right of way line of said Wilsonville Road with the East right of way line of said Brown Road;
56. Thence North along said East right of way line, 408 feet, more or less, to the Northwest corner of tax lot 801 (Recording No. 72-27330), Assessor's Plat 3 1W 14C;
57. Thence East along the North line of said Tax Lot 801, 204 feet, more or less, to the Northeast corner thereof;
58. Thence South along the East line of said Tax Lot 801 and its Southerly projection to the point of intersection of said projected line with the North right of way line of said Wilsonville Road;
59. Thence Easterly along said North right of way line to the Southwest corner of Tax Lot 1301, Assessor's Plat 3 1W 14D;
60. Thence clockwise around said tax lot 1301 to the Northwest corner of tax lot 1300 (Recording No. 212-470), said Assessor's Plat;

61. Thence clockwise around said tax lot 1300 to the Southeast corner thereof, said point being on the North right of way line of said Wilsonville Road;
62. Thence East along said North right of way line to the West right of way line of Boone's Ferry Road;
63. Thence North along said West right of way line to an angle point on the East line of Parcel 2 of P.P. 2003-82, said Assessor's Plat;
64. Thence perpendicular from said West right of way line, Southeasterly 60 feet to a point in said Boone's Ferry Road;
65. Thence Northeasterly parallel with and 60 feet from said West right of way line 250 feet, more or less, to an angle point in the East right of way line of said Boone's Ferry Road;
66. Thence Southeasterly along said East right of way line to the point of intersection of said East right of way line with the North right of way line of said Wilsonville Road;
67. Thence Easterly along said North right of way line to the Southwest corner of Tax Lot 2100, said Assessor's Plat, (recorded in Book 454, Page 152);
68. Thence Northeast, 250 feet, more or less to an angle point in said Tax Lot 2100;
69. Thence along the North line of said Tax Lot 2100, East 28 feet, more or less, to the point of intersection of said North line with the West right of way line (access control line) of the I-5 (Interstate Five) Freeway;
70. Thence Northerly along said West right of way line 70 feet, more or less, to a point being 240 feet from when measured perpendicular to the centerline of said Wilsonville Road;
71. Thence East, parallel with and 240 feet from said centerline, 577 feet, more or less, to the East right of way line of Frontage Road, said Assessor's Plat;
72. Thence Southerly along said East right of way line, 536 feet, more or less, to the point of intersection of said East right of way line with the North right of way line of said Wilsonville Road;
73. Thence East along the North right of way line of said Wilsonville Road to the point of intersection of said North right of way line with the West right of way line of Town Center Loop West;
74. Thence Northerly along said West right of way line to the point of intersection of said West right of way line with the South line of Parcel 3 of PP 1991-202;
75. Thence West along said South line and its West projection across Frontage Road to the point of intersection of said projected line with the East right of way line of said Interstate Five (I-5) Freeway;
76. Thence North along said East right of way line to the Southwest corner of Parcel 1 of PP 2002-6, Assessor's Plat 3 1W 14A;
77. Thence East along the South line of said Parcel 1, 1,084 feet, more or less, to the point of intersection of said South line with the West right of way line of Parkway Avenue (Market Road No. 27);
78. Thence Northerly along said West right of way line to the point of intersection of said West right of way line with the South right of way line of Boeckman Road;
79. Thence West along said South right of way line to the point of intersection of said South right of way line with the East right of way line of Interstate Five (I-5) Freeway;
80. Thence South along said East right of way line to the point of intersection of said East right of way line with the East projection of the North line of Lot 5 of the Plat of Boberg, said Assessor's Plat;

81. Thence West along said East projected line, across Interstate Five (I-5) Freeway and Boones Ferry Road (Frontage Road) to the Northeast corner of said Lot 5, said point being on the West right of way line of said Boones Ferry Road;
82. Thence Northerly along said West right of way line, 244 feet, more or less, to an angle point on the East line of Tax Lot 300, said Assessor's Plat;
83. Thence Northwesterly along the Northeasterly line of said Tax Lot 300, 388 feet, more or less, to the North corner thereof, said point being on the South right of way line of Boeckman Road, said Assessor's Plat;
84. Thence Northerly to an angle point in the South line of Parcel 7 of PP 2003-64, said point being the point of intersection of the West right of way line of Boone's Ferry Road with the North Right of way line of Boeckman Road, Assessor's Plat 3 1W 11D;
85. Thence Northeasterly along the West right of way line of said Boone's Ferry Road, 398 feet, more or less, to an angle point in the East line of said Parcel 7, said Assessor's Plat;
86. Thence East across Boone's Ferry Road and Interstate Five (I-5) Freeway to the Northwest corner of tax lot 702, Assessor's Plat 3 1W 11, said point being on the East right of way line of said Interstate Five (I-5) Freeway, 362 feet, more or less, North of the point of intersection of said East right of way line with the South line of the Southeast  $\frac{1}{4}$  of Section 11, T3S, R1W, WM, Assessor's Plat 3 1W 11;
87. Thence South along said East right of way line to the point of intersection of said East right of way line with the North right of way line of Boeckman Road;
88. Thence East along said North right of way line to the point of intersection of said North right of way line with the West right of way line of Parkway Avenue;
89. Thence North along said West right of way line, 380 feet, more or less, to the point of intersection of said West right of way line with the West projection of the South line of Tax Lot 500, said Assessor's Plat;
90. Thence East along said West projection across Parkway Avenue to the Southwest corner of said tax lot 500, said point being on the East right of way line of said Parkway Avenue;
91. Thence Southeasterly along said East right of way line to the point of intersection of said East right of way line with the North right of way line of Boeckman Road;
92. Thence East along said North right of way line to the point of intersection of said North right of way line with the West right of way line of Canyon Creek Road;
93. Thence North along said West right of way line 1,136 feet, more or less, to the Southeast corner of Tax Lot 500, said Assessor's Plat;
94. Thence continuing along a portion of said West right of way line and along the East line of said Tax Lot 500 to the Northeast corner thereof, said point being a point on the South right of way line of Wiedmann County Road and 1,689 feet, more or less, East of the point of intersection of said South right of way line with the West line of the Northwest  $\frac{1}{4}$  of Section 12, T3S, R1W, WM;
95. Thence West along said South right of way line to the point of intersection of said South right of way line with the East right of way line of Parkway Avenue, Assessor's Plat 3 1W 11;
96. Thence South along said East right of way line to the Northwest corner of Parcel 3 of P.P. 2002-47, Assessor's Plat 3 1W 11D;
97. Thence Southeasterly along the North line of said P.P. 2002-47 to the East corner thereof, said point being an angle point on the North line Parcel 2 of PP 2000-89, Assessor's Plat 3 1W 12;
98. Thence Southwesterly along said North line to a Northwest corner thereof;

99. Thence South and West along the West line of said P.P. 2000-89 to the Southerly Southwest corner of Tax Lot 507 (9.93 acre parcel adjacent to said Parcel 2), said Assessor's Plat;
100. Thence North and West along the West line of said Tax Lot 507 to the Northerly Southwest corner thereof, said point being on the East right of way line of Parkway Avenue (County Road No. 1233);
101. Thence West along the projection of the South line of said Tax Lot 507 to the point of intersection of said projected line with the West right of way line of said Parkway Avenue;
102. Thence Northerly along said West right of way line to a point 150 feet North of the South right of way line of Wiedmann County Road, Assessor's Plat 3 1W 11;
103. Thence Easterly along a line perpendicular to the centerline of said Parkway Avenue to a point on the East right of way line of said Parkway Avenue;
104. Thence South along said East right of way line to the point of intersection of said East right of way line with the North right of way line of said Wiedmann County Road;
105. Thence East along said North right of way line to the Southwest corner of Parcel 1 of Partition Plat No. 1993-133;
106. Thence North along the West line of said Parcel 1 and along the West line of Parcel 1 of Partition Plat No. 1991-159 to the **Point of Commencement**.

Excepting:

**Commencing** at a point of intersection of the South right of way line of Boeckman Road (County Road No. 80 or Robert Road) with the East right of way line of Canyon Creek Road (Jensen Road), Section 13, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon;

1. Thence East along the South right of way line of Boeckman Road to the Northwest corner of Lot 86 of the plat of Landover No. 2, Plat No. 3248, Assessor's Plat 3 1W 13AA;
2. Thence South along the West line of said plat, 27.85 feet to an angle point in said West line, said point being on the West right of way line of the old alignment of Wilsonville Road;
3. Thence continuing South along a portion of the West line of said plat and along the West line of the old Wilsonville Road right of way alignment to the point of intersection of said old West right of way line with the current West right of way line of Wilsonville Road;
4. Thence South and West along said current West right of way line to the point of intersection of said right of way line with the centerline of Boeckman Creek;
5. Thence Northeasterly along the centerline of Boeckman Creek to the Northeast corner of Tax Lot 2600, Assessor's Plat 3 1W 13CD;
6. Thence West along the north line of said Tax Lot 2600 to the Northwest corner thereof;
7. Thence counter-clockwise around the westerly lines of said Tax Lot 2600 and Tax Lot 2700 to the Northeast corner of Tax Lot 2707;
8. Thence West along the North lines of said Tax Lot 2707 and Tax Lot 3000 to the most easterly Southwest corner of Lot 2, Block 1, Courtside Estates;
9. Thence Northwesterly along the South line of said Lot 2 144 feet, more or less to the East right of way line of Town Center Loop East;
10. Thence Northerly along said East right of way line to the Southwest corner of Parcel 3 P.P. 1991-166, Assessor's Plat 3 1W 13CB;

11. Thence counter-clockwise around said P.P. 1991-166 to the Southwest corner of Parcel 2 of P. P. 1990-114, of said Assessor's Plat;
12. Thence counter-clockwise around said Partition Plat No. 1990-114 to the point of intersection with the South right of way line of Vlahos Drive;
13. Thence North and perpendicular to said South right of way line of Vlahos Drive to the North right of way line of Vlahos Drive;
14. Thence West along said North right of way, 167 feet, more or less, to the East right of way line of Canyon Creek Road South Extension;
15. Thence North along said East right of way line to the Northwest Corner of Lot 21, Sundial Subdivision, Plat No. 2910, Assessor's Plat 3 1W 13BD;
16. Thence East along the North line of said Plat, 657 feet, more or less, to the Southeast corner of Canyon Creek Road South at the terminus of said road;
17. Thence North along the East right of way line of said Canyon Creek Road South to the point of intersection of said East right of way line with the South right of way line of Boeckman Road, said point being the **Point of Commencement**.

Excepting:

**Commencing** at a point of intersection of the East right of way line of Parkway Avenue (Market Road No. 27) with the North right of way line of said Town Center Loop East, Assessor's Plat No. 3 1W 13CB, Section 13, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon;

1. Thence North along said East right of way line to the Northwest corner of the plat of Ash Meadows, Plat No. 2583, Assessor's Plat 3 1W 13BC;
2. Thence Easterly along the North line of said Plat No. 2583 to the most Easterly corner thereof, said point being on the West line of Tax Lot 2601, Assessor's Plat 3 1W 13B;
3. Thence clockwise around said Tax Lot 2601 to the Northwest Corner of Lot 21, Sundial Subdivision, Plat No. 2910, Assessor's Plat 3 1W 13BD, said point being the Northeast corner of Canyon Creek Road South Extension;
4. Thence N 88° W, 73 feet, more or less, along the North line of said Canyon Creek Road South Extension
5. Thence S 02° W, 256 feet, more or less, along the West right of way line of said Canyon Creek Road South Extension to the point of curvature with a 609 foot radius curve;
6. Thence along said curve to the right, an arc length of 478 feet, more or less, to a point of tangency;
7. Thence S 55° W, 17 feet, more or less, to the point of intersection of said West right of way line with the North right of way line of Vlahos Drive;
8. Thence West and Southwesterly along said North right of way to the Northerly right of way line of Town Center Loop East;
9. Thence Westerly along said Northerly right of way line to the **Point of Commencement**.

Excepting:

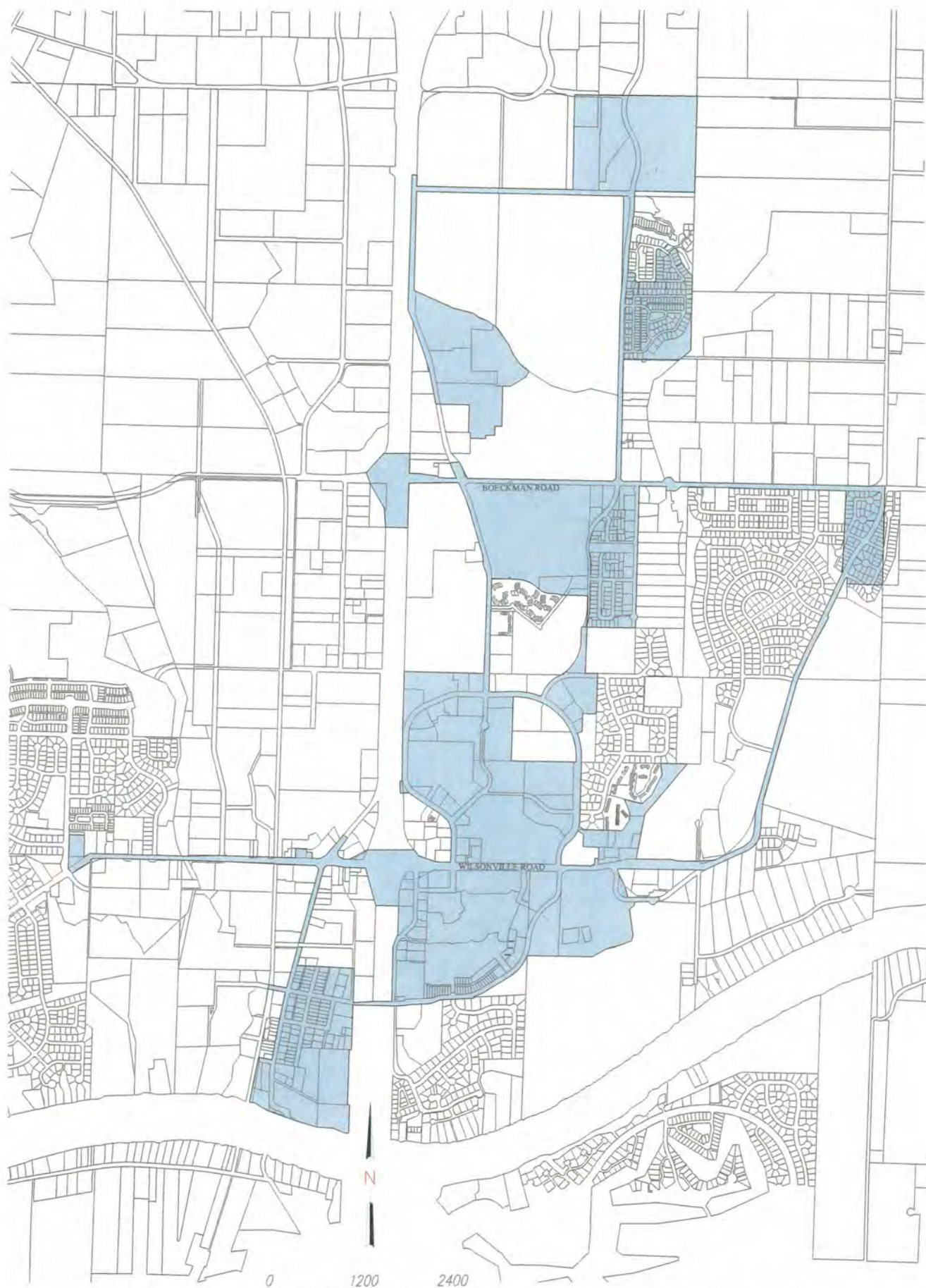
**Commencing** at a point of intersection of the West right of way line of Town Center Loop East with the South line of Tax Lot No. 417 (recording No. 88 52872), Assessor's Plat No. 3 1W 13, Section 13, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon;

1. Thence clockwise around said Tax Lot No. 417 to the Southwest corner of Tax Lot No. 406 (recording No. 91 12373), of said plat;
2. Thence North along the West line of Tax Lot No. 406 to the point of intersection of said West line with the South right of way line of said Town Center Loop East;
3. Thence along said right of way line Easterly and Southerly to the **Point of Commencement**.

Excepting:

Tax Lot 2702 per Assessor's Plat 3 1W 13CD, Section 13, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.

The described property, located entirely within the City of Wilsonville, County of Clackamas and the State of Oregon, contains **five-hundred seventy (570)** acres, more or less.



Urban Renewal Area  
Urban Renewal Boundary

## East Side Urban Renewal Boundary

Revised Per: U.R.A. Resolution No. 32, No. 59, No. 99, No. 102, No. 115 & No. 118 And City of Wilsonville Resolution No. 1847, No. 1903, No. 2055, No. 2072, No. 2154 and Ordinance No. 639.

**URA RESOLUTION NO. 235**

**A RESOLUTION OF THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE RECOMMENDING THAT THE CITY COUNCIL AMEND THE YEAR 2000 PLAN URBAN RENEWAL DISTRICT BOUNDARIES TO REDUCE ACREAGE.**

WHEREAS, The Year 2000 Plan, an Urban Renewal Plan and Program of the City of Wilsonville (hereinafter "Plan") Section 1200 "Procedures for Changes or Amendments in the Approved Urban Renewal Plan" states that,

"The Plan will be reviewed and analyzed periodically and will continue to evolve during the course of project execution and on-going planning. It is anticipated that this Plan will be changed or modified from time to time; or amended as development potential and conditions warrant, as planning studies are completed, as financing becomes available, or as local needs dictate."; and

WHEREAS, Section 1202 of the Plan requires that the City Council approve by resolution any change to the Plan that alters the Goals and Objectives of the Plan; and

WHEREAS, there have been numerous changes in the residential, industrial and commercial development of the community and the Plan Area since adoption of the Plan by Ordinance No. 373 in 1990; and

WHEREAS, the Agency finds it is in the best interest of the public to further reduce the size of the Year 2000 Plan Area to reduce acreage to remain under the City-wide 25% urban renewal acreage cap required under ORS 457; and

WHEREAS, tax lot 31W13 00100 is 61.5 +/- acres and is the site of Wilsonville High School and tax lot 31W24 00600 is 21.5 +/- acres and is the site of Murase Plaza at Memorial Park; and

WHEREAS, both of these tax lots are publicly owned and produce no tax increment; and

WHEREAS, removal of these tax lots from The Year 2000 Plan district boundary will reduce the district's acreage by 83 acres from 629 acres to 546 acres; and

WHEREAS, the proposed area geographic reductions from The Year 2000 Plan district boundary will not adversely affect Agency debt service and will not impair the Agency's ability to carry out Plan projects; and

NOW, THEREFORE, THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The Year 2000 Urban Renewal Plan legal description (Exhibit 1 to The Year 2000 Urban Renewal Plan) as previously amended by Urban Renewal Agency Resolution Nos. 32, 59, 99, 102, 115, and 118, and City of Wilsonville Resolution No. 1847, 1903, 2055, 2072, 2154 and City of Wilsonville Ordinance No. 639 shall be amended as described in Exhibit A of this Resolution, attached hereto and incorporated herein by this reference and shall be titled "Exhibit 1" of The Year 2000 Plan and made part of The Year 2000 Plan. The Plan Area is reduced in accordance with Exhibit A.

2. The existing Year 2000 Urban Renewal Plan Exhibit 2, "Urban Renewal Boundary Map," previously amended by Urban Renewal Agency Resolution Nos. 32, 59, 99, 102, 115, and 118 and City of Wilsonville Resolution No. 1847, 1903, 2055, 2072, 2154 and City of Wilsonville Ordinance No. 639 shall be amended and replaced by the map which is Exhibit B of this Resolution entitled "East Side Urban Renewal Boundary Revised per URA Resolution Nos. 32, 59, 99, 102, 115, and 118 and City of Wilsonville Resolution No. 1847, 1903, 2055, 2072, 2154 and City of Wilsonville Ordinance No. 639". Exhibit B is attached hereto and incorporated herein by this reference and is made a part of The Year 2000 Plan. The map boundaries conform to the legal description in Exhibit A.

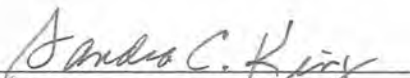
3. The existing Year 2000 Plan Area includes a total land area of 629 acres. The area removed by this proposed Council-approved amendment to the Plan Area is a total land reduction of eighty-three (83) acres, leaving 546 acres in The Year 2000 Plan Area. The Agency finds and determines that this reduction of land to the Plan Area by a Council-approved amendment to the Plan is not a substantial amendment to the Plan as the term "substantial amendment" is defined in ORS 457.085 (2) (1) and recommends this finding and determination be adopted and approved by City Council.

4. The effective date of this Resolution is October 7, 2013.

ADOPTED by the Wilsonville Urban Renewal Agency at a regular meeting thereof this 7th day of October 2013, and filed with the Wilsonville City Recorder this date.

  
TIM KNAPP, BOARD CHAIR

ATTEST:

  
Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Chair Knapp	Yes
Member Goddard	Yes
Member Starr	Yes
Member Fitzgerald	Yes
Member Stevens	Yes

Attachments:

Exhibit A - Amended Legal Description of the Wilsonville Year 2000 Plan Urban Renewal Area  
Exhibit B - Amended Year 2000 Plan Urban Renewal Area Boundary Map

EXHIBIT 1

**LEGAL DESCRIPTION  
WILSONVILLE URBAN RENEWAL AREA  
WILSONVILLE, OREGON**

**Revisions: U.R.A. Resolution No. 32, No. 59, No. 99, No. 102, No. 115, and No. 118 And City of Wilsonville Resolution No. 1847, No. 1903, No. 2055, No. 2072, No. 2154 & Ordinance No. 639**

08/19/13

The approximate boundaries of the Area are shown by the Urban Renewal Plan Area Map (Exhibit 2).

Lots and maps are taken from Assessor's tax maps from July, 2013 and attached hereto. The Area is described as that land containing all lots or parcels of property situated in the City of Wilsonville, County of Clackamas, and the State of Oregon, bounded as follows:

**Commencing** at a point which bears South 88°47' 08" East, 989.69 feet from the corner common to sections 1 and 2, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon and sections 11 and 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, said point being the point of intersection of the North line of the Northwest quarter of said Section 12 with the Northerly projection of the West line Partition Plat No. 1991-159, records of said county;

1. Thence East along the North line of said Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, 1671.76 feet, to the North ¼ corner of said Section 12, Assessor's Plat 3 1W 12;
2. Thence South along the North-South centerline of said Section 12 1,255 feet, more or less, to the North right of way line of Wiedemann Road, Assessor's Plat 3 1W 12BD;
3. Thence West along said North right of way line 835 feet, more or less, to the point of intersection of said North right of way line with the East right of way line of Canyon Creek Road North;
4. Thence Southerly along said East right of way line 1,150 feet, more or less, to the point of intersection of said East right of way line and the North line of Tax Lot 100, also being a point on the South right of way line of Roanoke Drive (South), of said Plat No. 3 1W 12BD;
5. Thence Easterly along said South right of way line 490 feet, more or less, to the southerly extension of the East right of way line of McLeod Street;
6. Thence North along the Southerly extension of said East right of way line and said East right of way line 430 feet, more or less, to the Northwest Corner of Tax Lot 6400;

7. Thence Northeasterly and Southeasterly along the North lines of said Tax Lot 6400 and Tax Lot 8000 to the point of intersection of said north line and the Southwesterly projection of the Southeasterly right of way line of Colvin Lane;
8. Thence Northeasterly along said Southwesterly projection of said Colvin Lane and the Southeasterly right of way line of Colvin Lane to the Northeast corner of Tax Lot 2800;
9. Thence along the East lines of Tax Lot 2800, Tax Lot 2700, Tax Lot 2600 and the East and South lines of Tax Lot 2500 a distance of 215 feet, more or less, to the point of intersection of the South line of Tax Lot 2500 and the Easterly right of way line of Roanoke Drive (North), of said Plat No. 3 1W 12BD;
10. Thence Southeasterly along said Easterly right of way line 15 feet to the Northwest corner of Tax Lot 2400;
11. Thence along the North and East lines of Tax Lot 2400 and the East lines of Tax Lot 2300, Tax Lot 2200 and Tax Lot 2100 to said North-South centerline of said Section 12;
12. Thence South along said north-south centerline to a point 649 feet, more or less, South of the center of section corner thereof, said point being the Northerly Southeast corner of Canyon Creek Meadows Plat No. 3314, Assessor's Plat 2 1W 12CA;
13. Thence Southwesterly 196 feet, more or less, to the Southerly Southeast corner of said Plat, said point being at the Western terminus of Frogpond Lane and the Northeast corner of Tax Lot No. 604, Assessor's Plat 3 1W 12D;
14. Thence continuing Southwesterly 38 feet, more or less, to the Southeast corner of said Tax Lot No. 604, said point being 25 feet from when measured perpendicular to the South line of said Plat No. 3314;
15. Thence West parallel with and 25 feet from said South line, 740 feet, more or less to the point of intersection of the South line of said Tax Lot No. 604 with the East right of way line of Canyon Creek Road North;
16. Thence South along said East right of way line 1,800 feet, more or less, to the point of intersection of said East right of way line with the North right of way line of Boeckman Road (County Road No. 80 or Roberts), Assessor's Plat 3 1W 12D;
17. Thence East along said North right of way line to the point of intersection of said North right of way line with the East right of way line of S.W. 65<sup>th</sup> Avenue (Market Road No. 12 or Stafford Road);
18. Thence Southwesterly to the Northeast corner of Section 13, T3S, R1W, WM, Assessor's Plat 3 1W 13AA;
19. Thence South along the East line of the Northeast  $\frac{1}{4}$  of said Section 13, 1,300 feet, more or less, to the Northerly Southeast corner of the plat of Landover, Plat No. 3246;
20. Thence West across said Plat No. 3246 to the West line thereof;
21. Thence North along said West line to the point of intersection of said West line with the East right of way line of Wilsonville Road (Market Road No. 12);
22. Thence South and West along said right of way line to the Northwest corner of tax lot 3600 (Recording No. 87-53932), Assessor's Plat 3 1W 24A;
23. Thence counter clockwise around said tax lot 3600 to the North corner of tax lot 3700 (Recording No. 86-6963), said Assessor's Plat;
24. Thence Southerly along the West line of said tax lot 3700 to the point of intersection with the North right of way line of Kolbe Lane;
25. Thence East along said North right of way line to the point of intersection of said North right of way line with a line measured perpendicular from said North right of

- way line to the West corner of Tax Lot 3800 (Recording No. 72-32388), said Assessor's Plat;
26. Thence Southerly along said perpendicular line to the West corner of said Tax Lot 3800, said point being on the South right of way line of said Kolbe Lane (Schroeder Way);
  27. Thence West and North along said right of way line to the point of intersection of said right of way line and the South right of way line of Wilsonville Road (Market Road No. 12);
  28. Thence West along said South right of way line to the point of intersection of said South right of way line and the Easterly right of way line of Memorial Drive;
  29. Thence along said Easterly right of way line Southerly and Westerly to the point of intersection of the Westerly projection of the South right of way line of said Memorial Drive with the West right of way line of Parkway Avenue (Frontage Road), said point being on the East right of way line of Interstate five (I-5), Assessor's Plat No. 3 1W 24CB;
  30. Thence Westerly across said Interstate five (I-5) to the point of intersection of the West right of way line of said Interstate five with the Eastern terminus of the South right of way line of 5<sup>th</sup> Street, Assessor's Plat 3 1W 23AC;
  31. Thence continuing Southerly along said West right of way line to the North bank of the Willamette River, Assessor's Plat 3 1W 23DB;
  32. Thence Westerly along the North bank of the Willamette River to the East right of way line of the Oregon Electric Railroad, Assessor's Plat 3 1W 23CA;
  33. Thence Northerly along said East right of way to the point of intersection of said East right of way line with the North right of way line of 2nd Street of said Wilsonville Plat;
  34. Thence East along said North right of way line to the point of intersection of said North right of way line with the West right of way line of Boones Ferry Road (Market Road No. 27 or Main Street);
  35. Thence Northerly along said West right of way line to the point of intersection of said West right of way line with the South right of way line of 5<sup>th</sup> Street, Assessor's Plat 3 1W 23 BD;
  36. Thence West along said South right of way line to the point of intersection of said South right of way line with the West right of way line of the Oregon Electric Railroad;
  37. Thence North along said West right of way line to the point of intersection of said West right of way line with the North right of way line of said 5<sup>th</sup> Street;
  38. Thence East along said North right of way line to the point of intersection of said North right of way line with the West right of way line of said Boones Ferry Road (Market Rd. No. 27 or Main Street);
  39. Thence Northerly along said West right of way line to the point of intersection of said West right of way line with the South right of way line of Bailey Street, Assessor's Plat 3 1W 23AB;
  40. Thence East along the easterly projection of said South right of way line to the point of intersection of said easterly projection and the East right of way line of said Boones Ferry Road (Market Rd. No. 27 or Main Street);
  41. Thence Southerly along said East right of way line to the North line of the Plat of Wilsonville, Assessor's Plat 3 1W 23AC;
  42. Thence East along said North line and the easterly projection thereof, 824 feet, more or less, to the West line of Tax Lot 101, also being a point on the East line of the Thomas Bailey D.L.C.;

43. Thence South along the West line of said Tax Lot 101 and the West line of Tax Lot 100 to the Southwest Corner of said Tax Lot 100, also being an angle point in the West right of way line of Interstate five (I-5) at the Eastern Terminus of 5<sup>th</sup> Street, Plat of Wilsonville;
44. Thence East along the South line of said Tax Lot 100, 272 feet, more or less, to the Southeast corner thereof, also being an angle point in said West right of way line;
45. Thence Easterly across said Interstate five to the point of intersection of the Westerly projection of the North right of way line of Memorial Drive with the West right of way line of Parkway Avenue (Frontage Road), said point being on the East right of way line of said Interstate five, Assessor's Plat No. 3 1W 24CB;
46. Thence along said East right of way line, Northerly to the Northwest corner of Tax Lot No. 200 (recording No. 2001-043681), Assessor's Plat No. 3 1W 23AA;
47. Thence Westerly across I-5 to an angle point on the West right of way line of said Interstate five (I-5), also being an angle point on the East line of Tax Lot No. 100 (recording No. 93-63557), Assessor's Plat No. 3 1W 23AB;
48. Thence Northwesterly along said West right of way line to the point of intersection of said West right of way line with the South right of way line of Wilsonville Road (Market Road No. 6), also being the Northeast corner of Tax Lot No. 101 (recording No. 98-030367);
49. Thence West along said South right of way line to the point of intersection of said South right of way line with the East right of way line of Boones Ferry Road (Market Road No. 27), also being the Northwest corner of Tax Lot No. 700 (recording No. 2006-011467);
50. Thence South along said East right of way line to the point of intersection of said East right of way line with the Easterly projection of the North right of way line of Bailey Street;
51. Thence West along said Easterly projection to the point of intersection of said North right of way line with the West right of way line of said Boones Ferry Road;
52. Thence North along said West right of way line to the point of intersection of said West right of way line with the South right of way line of said Wilsonville Road (Market Road No. 6);
53. Thence West along said South right of way line to the point of intersection of said South right of way line with the East right of way line of Brown Road (County Road No. 355), Assessor's Plat 3 1W 22A;
54. Thence Northerly across Wilsonville Road to the point of intersection of the North right of way line of said Wilsonville Road with the East right of way line of said Brown Road;
55. Thence North along said East right of way line, 408 feet, more or less, to the Northwest corner of tax lot 801 (Recording No. 72-27330), Assessor's Plat 3 1W 14C;
56. Thence East along the North line of said Tax Lot 801, 204 feet, more or less, to the Northeast corner thereof;
57. Thence South along the East line of said Tax Lot 801 and its Southerly projection to the point of intersection of said projected line with the North right of way line of said Wilsonville Road;
58. Thence Easterly along said North right of way line to the Southwest corner of Tax Lot 1301, Assessor's Plat 3 1W 14D;
59. Thence clockwise around said tax lot 1301 to the Northwest corner of tax lot 1300 (Recording No. 212-470), said Assessor's Plat;

60. Thence clockwise around said tax lot 1300 to the Southeast corner thereof, said point being on the North right of way line of said Wilsonville Road;
61. Thence East along said North right of way line to the West right of way line of Boone's Ferry Road;
62. Thence North along said West right of way line to an angle point on the East line of Parcel 2 of P.P. 2003-82, said Assessor's Plat;
63. Thence perpendicular from said West right of way line, Southeasterly 60 feet to a point in said Boone's Ferry Road;
64. Thence Northeasterly parallel with and 60 feet from said West right of way line 250 feet, more or less, to an angle point in the East right of way line of said Boone's Ferry Road;
65. Thence Southeasterly along said East right of way line to the point of intersection of said East right of way line with the North right of way line of said Wilsonville Road;
66. Thence Easterly along said North right of way line to the Southwest corner of Tax Lot 2100, said Assessor's Plat, (recorded in Book 454, Page 152);
67. Thence Northeast, 250 feet, more or less to an angle point in said Tax Lot 2100;
68. Thence along the North line of said Tax Lot 2100, East 28 feet, more or less, to the point of intersection of said North line with the West right of way line (access control line) of the I-5 (Interstate Five) Freeway;
69. Thence Northerly along said West right of way line 70 feet, more or less, to a point being 240 feet from when measured perpendicular to the centerline of said Wilsonville Road;
70. Thence East, parallel with and 240 feet from said centerline, 577 feet, more or less, to the East right of way line of Frontage Road, said Assessor's Plat;
71. Thence Southerly along said East right of way line, 536 feet, more or less, to the point of intersection of said East right of way line with the North right of way line of said Wilsonville Road;
72. Thence East along the North right of way line of said Wilsonville Road to the point of intersection of said North right of way line with the West right of way line of Town Center Loop West;
73. Thence Northerly along said West right of way line to the point of intersection of said West right of way line with the South line of Parcel 3 of PP 1991-202;
74. Thence West along said South line and its West projection across Frontage Road to the point of intersection of said projected line with the East right of way line of said Interstate Five (I-5) Freeway;
75. Thence North along said East right of way line to the Southwest corner of Parcel 1 of PP 2002-6, Assessor's Plat 3 1W 14A;
76. Thence East along the South line of said Parcel 1, 1,084 feet, more or less, to the point of intersection of said South line with the West right of way line of Parkway Avenue (Market Road No. 27);
77. Thence Northerly along said West right of way line to the point of intersection of said West right of way line with the South right of way line of Boeckman Road;
78. Thence West along said South right of way line to the point of intersection of said South right of way line with the East right of way line of Interstate Five (I-5) Freeway;
79. Thence South along said East right of way line to the point of intersection of said East right of way line with the East projection of the North line of Lot 5 of the Plat of Boberg, said Assessor's Plat;

80. Thence West along said East projected line, across Interstate Five (I-5) Freeway and Boones Ferry Road (Frontage Road) to the Northeast corner of said Lot 5, said point being on the West right of way line of said Boones Ferry Road;
81. Thence Northerly along said West right of way line, 244 feet, more or less, to an angle point on the East line of Tax Lot 300, said Assessor's Plat;
82. Thence Northwesterly along the Northeasterly line of said Tax Lot 300, 388 feet, more or less, to the North corner thereof, said point being on the South right of way line of Boeckman Road, said Assessor's Plat;
83. Thence Northerly to an angle point in the South line of Parcel 7 of PP 2003-64, said point being the point of intersection of the West right of way line of Boone's Ferry Road with the North Right of way line of Boeckman Road, Assessor's Plat 3 1W 11D;
84. Thence Northeasterly along the West right of way line of said Boone's Ferry Road, 398 feet, more or less, to an angle point in the East line of said Parcel 7, said Assessor's Plat;
85. Thence East across Boone's Ferry Road and Interstate Five (I-5) Freeway to the Northwest corner of tax lot 702, Assessor's Plat 3 1W 11, said point being on the East right of way line of said Interstate Five (I-5) Freeway, 362 feet, more or less, North of the point of intersection of said East right of way line with the South line of the Southeast  $\frac{1}{4}$  of Section 11, T3S, R1W, WM, Assessor's Plat 3 1W 11;
86. Thence South along said East right of way line to the point of intersection of said East right of way line with the North right of way line of Boeckman Road;
87. Thence East along said North right of way line to the point of intersection of said North right of way line with the West right of way line of Parkway Avenue;
88. Thence North along said West right of way line, 380 feet, more or less, to the point of intersection of said West right of way line with the West projection of the South line of Tax Lot 500, said Assessor's Plat;
89. Thence East along said West projection across Parkway Avenue to the Southwest corner of said tax lot 500, said point being on the East right of way line of said Parkway Avenue;
90. Thence Southeasterly along said East right of way line to the point of intersection of said East right of way line with the North right of way line of Boeckman Road;
91. Thence East along said North right of way line to the point of intersection of said North right of way line with the West right of way line of Canyon Creek Road;
92. Thence North along said West right of way line 1,136 feet, more or less, to the Southeast corner of Tax Lot 500, said Assessor's Plat;
93. Thence continuing along a portion of said West right of way line and along the East line of said Tax Lot 500 to the Northeast corner thereof, said point being a point on the South right of way line of Wiedmann County Road and 1,689 feet, more or less, East of the point of intersection of said South right of way line with the West line of the Northwest  $\frac{1}{4}$  of Section 12, T3S, R1W, WM;
94. Thence West along said South right of way line to the point of intersection of said South right of way line with the East right of way line of Parkway Avenue, Assessor's Plat 3 1W 11;
95. Thence South along said East right of way line to the Northwest corner of Parcel 3 of P.P. 2002-47, Assessor's Plat 3 1W 11D;
96. Thence Southeasterly along the North line of said P.P. 2002-47 to the East corner thereof, said point being an angle point on the North line Parcel 2 of PP 2000-89, Assessor's Plat 3 1W 12;
97. Thence Southwesterly along said North line to a Northwest corner thereof;

98. Thence South and West along the West line of said P.P. 2000-89 to the Southerly Southwest corner of Tax Lot 507 (9.93 acre parcel adjacent to said Parcel 2), said Assessor's Plat;
99. Thence North and West along the West line of said Tax Lot 507 to the Northerly Southwest corner thereof, said point being on the East right of way line of Parkway Avenue (County Road No. 1233);
100. Thence West along the projection of the South line of said Tax Lot 507 to the point of intersection of said projected line with the West right of way line of said Parkway Avenue;
101. Thence Northerly along said West right of way line to a point 150 feet North of the South right of way line of Wiedmann County Road, Assessor's Plat 3 1W 11;
102. Thence Easterly along a line perpendicular to the centerline of said Parkway Avenue to a point on the East right of way line of said Parkway Avenue;
103. Thence South along said East right of way line to the point of intersection of said East right of way line with the North right of way line of said Wiedmann County Road;
104. Thence East along said North right of way line to the Southwest corner of Parcel 1 of Partition Plat No. 1993-133;
105. Thence North along the West line of said Parcel 1 and along the West line of Parcel 1 of Partition Plat No. 1991-159 to the **Point of Commencement**.

Excepting:

**Commencing** at a point of intersection of the South right of way line of Boeckman Road (County Road No. 80 or Robert Road) with the East right of way line of Canyon Creek Road (Jensen Road), Section 13, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon;

1. Thence East along the South right of way line of Boeckman Road to the Northwest corner of Lot 86 of the plat of Landover No. 2, Plat No. 3248, Assessor's Plat 3 1W 13AA;
2. Thence South along the West line of said plat, 27.85 feet to an angle point in said West line, said point being on the West right of way line of the old alignment of Wilsonville Road;
3. Thence continuing South along a portion of the West line of said plat and along the West line of the old Wilsonville Road right of way alignment to the point of intersection of said old West right of way line with the current West right of way line of Wilsonville Road;
4. Thence South and West along said current West right of way line to the point of intersection of said right of way line with the centerline of Boeckman Creek;
5. Thence Northeasterly along the centerline of Boeckman Creek to the Northeast corner of Tax Lot 2600, Assessor's Plat 3 1W 13CD;
6. Thence West along the north line of said Tax Lot 2600 to the Northwest corner thereof;
7. Thence counter-clockwise around the westerly lines of said Tax Lot 2600 and Tax Lot 2700 to the Northeast corner of Tax Lot 2707;
8. Thence West along the North lines of said Tax Lot 2707 and Tax Lot 3000 to the most easterly Southwest corner of Lot 2, Block 1, Courtside Estates;
9. Thence Northwesterly along the South line of said Lot 2 144 feet, more or less to the East right of way line of Town Center Loop East;
10. Thence Northerly along said East right of way line to the Southwest corner of Parcel 3 P.P. 1991-166, Assessor's Plat 3 1W 13;

11. Thence counter-clockwise around said P.P. 1991-166 to the Southwest corner of Parcel 2 of P. P. 1990-114, of said Assessor's Plat;
12. Thence counter-clockwise around said Partition Plat No. 1990-114 to the point of intersection with the South right of way line of Vlahos Drive;
13. Thence North and perpendicular to said South right of way line of Vlahos Drive to the North right of way line of Vlahos Drive;
14. Thence West and Southwesterly along said North right of way to the Northerly right of way line of Town Center Loop East;
15. Thence Westerly along said Northerly right of way line to the East right of way line of Parkway Avenue (Market Road No. 27);
16. Thence North along said East right of way line to the Northwest corner of the plat of Ash Meadows, Plat No. 2583, Assessor's Plat 3 1W 13BC;
17. Thence Easterly along the North line of said Plat No. 2583 to the most Easterly corner thereof, said point being on the West line of Tax Lot 2601, Assessor's Plat 3 1W 13B;
18. Thence clockwise around said Tax Lot 2601 to the Southwest corner of the Plat of Bridle Trail Ranchetts;
19. Thence East along the South line of said Plat, 657 feet, more or less, to the Southeast corner of Canyon Creek Road South at the terminus of said road;
20. Thence North along the East right of way line of said Canyon Creek Road South to the point of intersection of said East right of way line with the South right of way line of Boeckman Road, said point being the **Point of Commencement**.

Excepting:

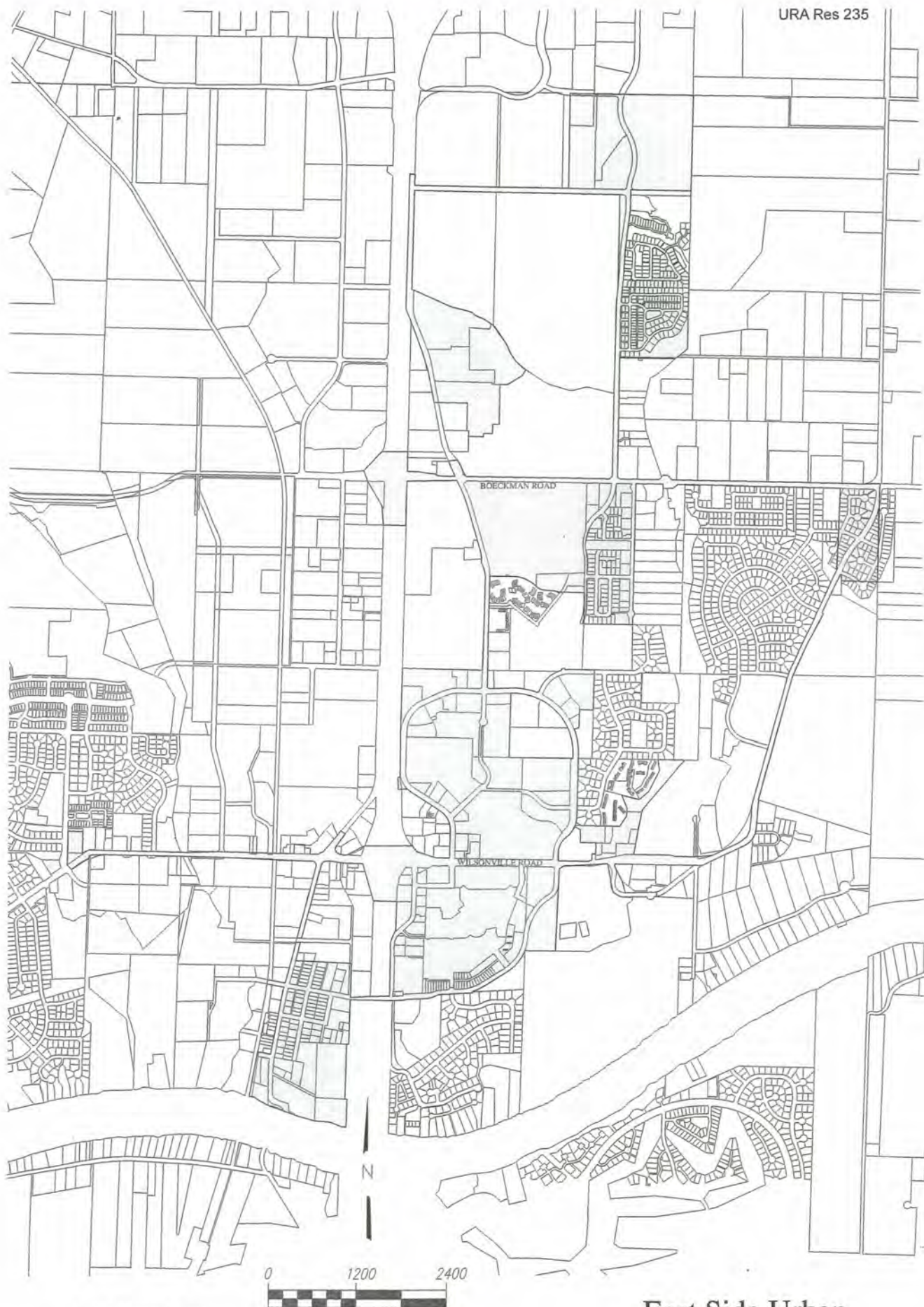
**Commencing** at a point of intersection of the West right of way line of Town Center Loop East with the South line of Tax Lot No. 417 (recording No. 88 52872), Assessor's Plat No. 3 1W 13, Section 13, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon;

1. Thence clockwise around said Tax Lot No. 417 to the Southwest corner of Tax Lot No. 406 (recording No. 91 12373), of said plat;
2. Thence North along the West line of Tax Lot No. 406 to the point of intersection of said West line with the South right of way line of said Town Center Loop East;
3. Thence along said right of way line Easterly and Southerly to the **Point of Commencement**.

Excepting:

Tax Lot 2702 per Assessor's Plat 3 1W 13CD, Section 13, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.

The described property, located entirely within the City of Wilsonville, County of Clackamas and the State of Oregon, contains five-hundred forty-six (546) acres, more or less.



Urban Renewal Area  
 — Urban Renewal Boundary

## East Side Urban Renewal Boundary

Revised Per: U.R.A. Resolution No. 32, No. 59, No. 99, No. 102, No. 115 & No. 118 And City of Wilsonville Resolution No. 1847, No. 1903, No. 2055, No. 2072, No. 2154 and Ordinance No. 639.

## PLEASE NOTE:

Due to their size the attachments to Resolution No. 2441 (Exhibits A-F) are not included in the packet. Councilors have received each of the individual property TIF Zone Plans and Reports in previous packets.

The Plans and Reports are available in the office of the City Recorder.

## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b>  October 21, 2013	<b>Subject: Resolution No. 2441</b> A City Council resolution accepting the revenue sharing model proposed by the TIF Zones.  <b>Staff Member:</b> Kristin Retherford, Economic Development Manager  <b>Department:</b> Community Development	
<b>Action Required</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	<b>Advisory Board/Commission Recommendation</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b> The revenue sharing model proposed by the TIF Zones exceeds the statutory requirement, and requires acceptance.	
<b>Staff Recommendation:</b> Staff recommends that the City Council approve Resolution No.2441.		
<b>Recommended Language for Motion:</b> I move to approve Resolution No. 2441.		
<b>PROJECT / ISSUE RELATES TO:</b>		
<input checked="" type="checkbox"/> Council Goal: "D. Develop, Adopt and Begin Implementation of a Comprehensive Economic Development Strategy."		<input type="checkbox"/>

### ISSUE BEFORE THE CITY COUNCIL:

Written concurrence from other taxing districts is needed to accept the revenue sharing model proposed by the TIF Zones. The proposed 25 percent sharing model exceeds that required by statute. However, because it deviates from statute, concurrence is needed.

**EXECUTIVE SUMMARY:**

The TIF Zone Plans and Reports provide for a 25 percent revenue sharing of the property tax increment with overlapping taxing districts. This is tax revenue which would otherwise be distributed to the Wilsonville Urban Renewal Agency ("Agency") under ORS 457.440 et.seq. ("TIF Zones Revenue Sharing"). Even though the TIF Zone Revenue Sharing will exceed in total amount the revenue that would be received by the overlapping taxing districts under ORS 457.440(4), concurrence of the other taxing districts is necessary because the TIF Zones will use a different formula to calculate distributions than what is included in statute.

Taxing district approval of the proposed revenue sharing model will allow the TIF Zones to share 25percent of the increment with the taxing districts, rather than the lesser amount required by statute. The statutory amount is based on a percentage of maximum indebtedness and would result in approximately 22 percent less revenue to the taxing districts under the proposed maximum indebtedness than would be shared under the TIF Zone model.

**EXPECTED RESULTS:**

City Council's acceptance of this revenue sharing model will help achieve the 75 percent approval criteria identified in Oregon Revised Statutes.

**TIMELINE:** N/A

**CURRENT YEAR BUDGET IMPACTS:** N/A

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: \_\_\_\_\_JEO\_\_\_\_\_ Date: \_\_\_\_\_10/10/13\_\_\_\_\_

There are no current year budget impacts. This revenue sharing model would provide more revenue to the city from the TIF Zone than the allocation based on state statute.

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK\_\_\_\_\_ Date: !0/9/2013\_\_\_\_\_

The Resolution is approved as to form.

**COMMUNITY INVOLVEMENT PROCESS:** N/A.

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

This City will receive approximately 22 percent more tax-increment revenue by accepting the proposed TIF Zone sharing model.

**ALTERNATIVES:** N/A

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

Attachment: Resolution No. 2441

## **RESOLUTION NO. 2441**

### **A RESOLUTION OF THE CITY COUNCIL CONCURRING WITH THE REVENUE SHARING FORMULA IN THE WILSONVILLE TIF ZONES**

WHEREAS, the Urban Renewal Agency of the City of Wilsonville is considering the approval of up to six urban renewal plans including the:

26755 SW 95<sup>th</sup> Avenue Urban Renewal Plan

9805 SW Boeckman Road Urban Renewal Plan

25600 SW Parkway Center Drive Urban Renewal Plan

27255 SW 95<sup>th</sup> Avenue Urban Renewal Plan

29899 SW Boones Ferry Road Urban Renewal Plan

Building 83 - 26440 SW Parkway Avenue Urban Renewal Plan

hereinafter collectively referred to as TIF Zones Plans; and

WHEREAS, five of the TIF Zones are in Clackamas County and one is in Washington County; and

WHEREAS, the TIF Zones Plans and the Reports accompanying the TIF Zones Plans provide for sharing with the taxing districts overlapping the TIF Zones the tax revenue which would otherwise be distributed to the Wilsonville Urban Renewal Agency ("Agency") under ORS 457.440 et.seq. ("TIF Zones Revenue Sharing"); and

WHEREAS, the TIF Zones Revenue Sharing would begin in the first year that the Agency receives tax increment revenue; and

WHEREAS, the TIF Zones Revenue Sharing will use a different formula to calculate distributions to the overlapping taxing districts, but will exceed in total amount the revenue that would be received by the overlapping taxing districts under ORS 457.440(4); and

WHEREAS, ORS 457.440(7) states that the revenue limitations in ORS 457.440(4) do not apply to the extent that the municipality approving a plan obtains the written concurrence of taxing districts imposing at least 75 percent of the total amount of taxes imposed under permanent rates in the urban renewal area; and

WHEREAS, the City of Wilsonville imposes property taxes under a permanent rate in the TIF Zones and wishes to indicate its acceptance of the TIF Zones Revenue Sharing formula and the resulting proposed increase in revenues to be distributed to the County as described in the TIF Zones Plans and in the Reports accompanying the TIF Zones Plans,

NOW, THEREFORE, THE WILSONVILLE CITY COUNCIL RESOLVES AS FOLLOWS:

1. The Wilsonville City Council hereby concurs with the TIF Zones Revenue Sharing formula and agrees that the revenue limitations otherwise applicable under ORS 457.440(4) will not apply.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 21st day of October 2013, and filed with the Wilsonville City Recorder this date.

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TIM KNAPP, MAYOR

ATTEST:

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Sandra C. King, MMC, City Recorder

**SUMMARY OF VOTES:**

Mayor Knapp

Councilor Goddard

Councilor Starr

Councilor Fitzgerald

Councilor Stevens

**Attachments:**

Exhibit A	26755 SW 95 <sup>th</sup> Avenue TIF Zone Plan and Report
Exhibit B	9805 SW Boeckman Road TIF Zone Plan and Report
Exhibit C	25600 SW Parkway Center Drive TIF Zone Plan and Report
Exhibit D	27255 SW 95 <sup>th</sup> Avenue TIF Zone Plan and Report
Exhibit E	29899 SW Boones Ferry Road TIF Zone Plan and Report
Exhibit F	Building 83 – 26440 SW Parkway Avenue TIF Zone Plan and Report

**PLEASE NOTE:**

Due to their size the attachments to Resolution No. 2441 (Exhibits A-F) are not included in the packet. Councilors have received each of the individual property TIF Zone Plans and Reports in previous packets. The Plans and Reports are available in the office of the City Recorder.


**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b>  October 21, 2013	<b>Subject: Ordinance Nos. 725, 726, 727, 728, 729 and 730</b> Adopting six ordinances creating six Tax Increment Finance Zones.  <b>Staff Member:</b> Kristin Retherford, Economic Development Manager  <b>Department:</b> Community Development	
<b>Action Required</b> <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input checked="" type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<b>Advisory Board/Commission Recommendation</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b> Ordinance Nos. 725, 726, 727, 728, 729 and 730 will each create a single property urban renewal district called a Tax Increment Finance Zone to provide economic development incentives through partial property tax rebates.	
<b>Staff Recommendation:</b> Staff recommends that the City Council adopt Ordinance Nos. 725, 726, 727, 728, 729 and 730		
<b>Recommended Language for Motion:</b> I move upon first reading to adopt Ordinance Nos. 725, 726, 727, 728, 729 and 730		
<b>PROJECT / ISSUE RELATES TO:</b>		
<input checked="" type="checkbox"/> Council Goal: "D. Develop, Adopt and Begin Implementation of a Comprehensive Economic Development Strategy."		<input type="checkbox"/>

**ISSUE BEFORE THE CITY COUNCIL:**

If adopted, the six subject ordinances will create six new single-property urban renewal districts called Tax Increment Finance Zones (TIF Zones) as to provide economic development incentives through partial property tax rebates.

## **EXECUTIVE SUMMARY:**

On March 12, 2013 the citizens of Wilsonville voted in favor of creating up to six TIF Zones to incentivize capital investment and job creation by manufacturers. The election resulted from nearly a year of public process. An Economic Development Advisory Committee began their work in the spring of 2012. The City Council adopted an Economic Development Strategy in August. An Economic Development Task Force convened in November to further examine the issues of business incentives and attributes. The Task Force concluded their work on March 20, 2012 with a report containing their recommendations to City Council.

The purpose of the TIF Zones is to provide economic development incentives via property-tax rebates to encourage private-sector investment in vacant or underutilized industrial buildings. The TIF Zone program would provide manufacturing businesses with a financial incentive to make the substantial capital investment needed to upgrade large industrial properties into higher value manufacturing facilities that provide a larger number of higher-wage jobs and increased assessed valuation. The program would place the City of Wilsonville in a more competitive position in the greater Portland region, State of Oregon and global economy to 'win' a greater share of private-sector business investment.

Following a qualifying investment, which must be made within the first five years of the life of a given Zone, the Zone could have up to a ten-year term or lifespan at which time the Zone would be closed. Each Zone would share 25 percent of increased tax increment with other taxing districts such as schools and the fire district and rebate the balance of incrementally paid-taxes back to the company. That is, the company is rewarded for making the capital investment in Wilsonville by receiving back a portion of the increase in property taxes paid that result from the company's investment. The greater the investment, the greater the rebate reward. Thus, the rebate is based on the company's performance and proportional to the level of capital investment and job creation.

The proposed Zones would rebate up to 75 percent of increased property tax increment for three years for each minimum qualifying investment and job creation for companies that:

1. Invest at least \$25 million in capital improvements and/or qualified equipment, and
2. Create 75 or more new full-time jobs paying at least 125 percent of the average Clackamas County wage.

Two additional years (5 total) would be available if the new jobs pay 150 percent of average wage paid in Clackamas County. Each Zone would terminate ten years after the first qualifying rebate. Non-performance during the term of the Zone would require repayment of rebates. If no qualifying investment occurs within five years of creating the Zone, the Zone would terminate.

A new three or five-year rebate period could begin with any additional round of new qualifying capital investment and job creation meeting the above minimum criteria, providing a maximum of 10 years of rebates period. Again, however, qualified investment needs to be made within 5 years of program adoption. This limits the potential life of the program to 15 years.

To create the TIF Zones, staff must follow the process outlined in statute for creating urban renewal districts. This process includes creation of a Plan and a Report for each proposed urban renewal area or TIF Zone.

Six draft urban renewal plans and reports ("Plans" and "Reports") to create the TIF Zone urban renewal areas ("Areas") have been prepared and are attached to the applicable ordinances as follows:

Ordinance No. 725: 26755 SW 95<sup>th</sup> Avenue TIF Zone Plan and Report  
Ordinance No. 726: 9805 SW Boeckman Road TIF Zone Plan and Report  
Ordinance No. 727: 25600 SW Parkway Center Drive TIF Zone Plan and Report  
Ordinance No. 728: 27255 SW 95<sup>th</sup> Avenue TIF Zone Plan and Report  
Ordinance No. 729: 29899 SW Boones Ferry Road TIF Zone Plan and Report  
Ordinance No. 730: Bldg. 83 – 26440 SW Parkway Avenue Plan and Report

The Plans address goals and objectives, identify activities and projects (in this case the rebate program), address property acquisition, disposition and relocation, tax increment financing of the Plan and the proposed maximum indebtedness, protocol for amending the Plan, and findings related to blight and conformance with the City's comprehensive plan. The Plans also include a legal description of the proposed urban renewal area.

The required Report for each Plan includes much of the same information, but is more technical in nature. The Reports examine the physical, social and economic conditions of the proposed urban renewal area and impact on municipal services. They contain a financial analysis that examines the cost of the program and financing, completion dates, estimated amounts of tax increment revenues to be used to reach the maximum indebtedness, and impacts to other taxing districts. They also document compliance with statutory limits on assessed value and acreage included in the City's urban renewal areas.

Upon adoption of each Plan and Report by ordinance, the City of Wilsonville will still meet the parameters of the ORS 457 restriction that no more than 25 percent of the City's assessed value and 25 percent of the City's acreage is included in urban renewal areas.

The maximum indebtedness for each plan is \$12,000,000 and the maximum life span for each plan is 15 years.

## **URBAN RENEWAL DISTRICT CREATION PROCESS**

State law includes a number of limitations and restrictions on the use of urban renewal.

- No more than 25 percent of a city's land or 25 percent of its assessed valuation can be in urban renewal areas at any given time.  
*Note: Upon creation of the proposed TIF Zones, the City will be in compliance with this requirement and under both limits.*
- There is a requirement to notify and confer with the other taxing jurisdictions to assure that their interests have been communicated and considered.

*Note: The City has mailed copies of the Plans and Reports to and conferred with the other taxing districts.*

- A termination date must be established for the Urban Renewal District. Any substantial amendment to extend the date or the maximum indebtedness must receive approval of 75 percent of the other taxing jurisdictions.

*Note: The TIF Zones will terminate in fifteen years.*

The steps followed to establish the proposed TIF zones and adopt the proposed urban renewal plans (in compliance with State law) is presented below.

- A. Urban renewal plan preparation including opportunity for citizen involvement:
  - The TIF Zones are the result of a year and a half of public process.
  - Voters approved the creation of the TIF Zone by 79 percent in an advisory vote conducted in March of 2013.
  - The City of Wilsonville sponsored a public open house at City Hall on October 17, 2013.
  - At their September 11, 2013 regular meeting, the Planning Commission held a public hearing to receive testimony on the TIF Zones.
  - There will be a public hearing held before the City Council on October 21, 2013.
- B. Planning Commission review and recommendation:
  - At the September 11, 2013 public hearing, the Planning Commission voted that the TIF Zones conform to the Comprehensive Plan and recommended them to City Council for adoption.
- C. Notice to all citizens of Wilsonville of a hearing before the City Council:
  - Notice was provided by inclusion on the front page of the October 2013 Boones Ferry Messenger, which was mailed to all mailing addresses within the 97070 ZIP code and all postal patrons within the municipality
- D. Forward a copy of the proposed Plan and the Report to the governing body of each taxing district:
  - The taxing districts letters, along with copies of the Plans and the Reports, were sent out on September 9 and 23, 2013. Because the revenue sharing model proposed in the TIF Zones exceeds that required by statute, approval must be received by 75 percent of the taxing districts.
  - Staff conferred with the Chair of the Clackamas County Board of Commissioners and the County Administrator on September 23, 2013. The proposed TIF Zones are scheduled for an October 15, 2013 Board work session and will be placed on their October 17, 2013 consent agenda.
  - Staff conferred with the Washington County Board of Commissioners at a work session on September 24, 2013. The TIF Zones will be presented to their Board for approval on October 15, 2013.
  - Tualatin Valley Fire and Rescue passed resolution 2013-09 concurring with the TIF Zones revenue sharing model on September 24, 2013.
  - Staff conferred with the West Linn/Wilsonville School District, and their Board approved the TIF zones and the revenue sharing formula by resolution at their October 7, 2013 meeting.

- The Port of Portland has provided a letter approving the TIF Zones dated \_\_\_\_.
  - The Wilsonville City Council will consider approving the revenue sharing formula by resolution at their October 21, 2013 meeting.
  - When complete, together, these approvals represent over 75 percent of the taxing districts.
- E. Urban Renewal Agency review of the proposed Plan and accompanying Report and recommendation to City Council for adoption:
- At their September 5 and October, 2013 meetings, the Agency adopted URA Resolutions No. 234 and 235 recommending creation of the six TIF Zones and then forwarded copies of the Plans and Reports to the City.
- F. Hearing by City Council and adoption of the proposed Plan and accompanying Report by a non-emergency ordinance.
- The City Council public hearing with the first reading of the adoption is scheduled for October 21, 2013.
  - The date set for the second reading and final vote on the ordinances is November 4, 2013.
  - The ordinance must be a non-emergency ordinance, which means that the ordinance does not take effect until 30 days after its approval and during that period of time may be referred to Wilsonville voters if a sufficient number of signatures are obtained on a referral petition.

#### **ORDINANCE ADOPTING THE PLAN**

The ordinance adopting each Plan requires the City Council to make certain findings. These findings are based on various documents and events and consist of the following:

1. The process for the adoption of the proposed Plan, has been conducted in accordance with the provisions of Chapter 457 of the Oregon Revised Statutes. A copy of the Plan for each TIF zone is attached to each adopting Ordinance as Exhibit "A";
2. The area designated in each Plan as the Area is blighted, as defined by ORS 457.010(1), and is eligible for inclusion within the Plan because of conditions described in Section II of the Report accompanying each Plan, including underdevelopment and underutilization of property within the Area;

*Note: This finding provides the basic justification for the Plan and the Council's finding is meant to make that justification explicit.*

3. The rehabilitation and redevelopment described in the Plan to be undertaken by the Agency is necessary to protect the public health, safety and welfare of the City because absent the completion of the urban renewal projects, the Area will fail to contribute its fair share of property tax revenues to support City services and will fail to develop and/or redevelop according the goals of the City's Comprehensive Plan;

*Note: This finding states the public purpose of each Plan which is for the property in the Area to develop and redevelop according to the Comprehensive Plan. Property which is not developed or not fully developed and occupied does not contribute as much property taxes as fully developed property. The improvement of property in the Area will add to the tax base in the Area and further support additional economic activity in the Area.*

4. The Plan conforms to the Wilsonville Comprehensive Plan as a whole, and provides an outline for accomplishing the projects described in the Plan, as more fully described in Chapter XI of the Plan;

*Note: This finding is supported by Chapter XI of each Plan and the Planning Commission's adoption of a resolution that the Plan conforms to the City's Comprehensive Plan.*

5. The Plan conforms to the Wilsonville Economic Development Strategy as a whole, as described in Chapter XI of the Plan.

6. No acquisition of real property is provided for in the Plan. Therefore, no residential displacement will occur.

*Note: This finding clarifies that the Plans do not contemplate acquisition of property that would displace residents or businesses. Should the Plan be amended to include such acquisition, the Agency would be obligated to provide relocation assistance.*

7. Adoption and carrying out the Plan is economically sound and feasible in that funds are available to complete the Plan projects using urban renewal tax increment revenues derived from a division of taxes pursuant to section 1c, Article IX of the Oregon Constitution and ORS 457.440, and other available funding as shown in Sections V, VI, VII, VIII and IX of the Report;

*Note: Each Report contains information on the projected revenues and projected expenditures under the Plan and supports a finding that the Plan is economically sound and feasible.*

8. The City of Wilsonville shall assume and complete activities prescribed to it by the Plan;

*Note: This finding is intended to affirm that the City will complete any plan activities. However, these Plans do not specifically prescribe any activities to the City of Wilsonville.*

9. The Agency consulted and conferred with affected overlapping taxing districts prior to the Plan being forwarded to the City Council.

*Note: This finding affirms that the Agency, through city staff, sent a copy of the Plan and the Report to the affected overlapping taxing districts on September 9 and 23, 2013. The letter requested comments in writing on the Plan and Report. The finding also documents meetings to confer met with the Clackamas County Commission staff and the Washington county Commission.*

10. The ordinance also calls for publication of a notice that the Council has adopted the ordinance, for the recording of the Plan by the Clackamas County Clerk and the Washington County Clerk, as appropriate, and for transmitting the Plan to the Clackamas County Assessor and the Washington County Assessor, as appropriate.

#### **EXPECTED RESULTS:**

City Council's adoption of Ordinances 725, 726, 727, 728, 729 and 730 will result in the creation of six new single property urban renewal districts.

**TIMELINE:**

The intent is to have the new urban renewal areas recorded with the counties by the end of December, 2013.

**CURRENT YEAR BUDGET IMPACTS:**

None.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: \_\_\_\_JEO\_\_\_\_ Date: \_\_\_\_10/10/13\_\_\_\_

There is no financial impact in the current year due to this ordinance. If a qualifying investment is made in one of the TIF zones described in this ordinance the increase in property tax revenues due from the improvements should easily pay for the costs of financially managing the TIF zone.

**LEGAL REVIEW / COMMENT:**

Reviewed by: \_\_\_\_ Date: \_\_\_\_

**COMMUNITY INVOLVEMENT PROCESS:** N/A.

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

Adoption of the ordinance will allow the community to create six proposed TIF Zones to attract new business investment and jobs.

**ALTERNATIVES:** Do not create the TIF Zones.

**CITY MANAGER COMMENT:****ATTACHMENTS**

Attachments:

Ordinance No. 725  
Ordinance No. 726  
Ordinance No. 727  
Ordinance No. 728  
Ordinance No. 729  
Ordinance No. 730



6605 SE Lake Road, Portland, OR 97222  
PO Box 22109, Portland, OR 97269-2109  
Phone: 503-684-0360 Fax: 503-620-3433  
E-mail: [legals@commnewspapers.com](mailto:legals@commnewspapers.com)

## AFFIDAVIT OF PUBLICATION

State of Oregon, County of Clackamas, SS  
I, Kathy Snyder, being the first duly sworn,  
depose and say that I am the Accounting  
Manager of the *Wilsonville Spokesman*, a  
newspaper of general circulation, published  
at Wilsonville, in the aforesaid county and  
state, as defined by ORS 193.010 and  
193.020, that

### City of Wilsonville – City Council Notice of Public Hearing WS134

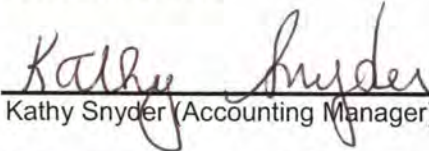
a copy of which is hereto annexed, was  
published in the entire issue of said  
newspaper for

2

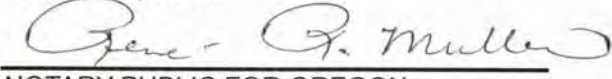
Successive and consecutive weeks in the  
following issues:

**October 9, 2013**

**October 16, 2013**

  
Kathy Snyder (Accounting Manager)

Subscribed and sworn to before me this  
October 16, 2013.

  
NOTARY PUBLIC FOR OREGON  
My commission expires *Sept. 11, 2016*



Acct # 6821011

Attn: Sandy C. King

City of Wilsonville  
29799 SW Town Center Loop  
Wilsonville, OR 97070

Size: 2 x 10.5"

Amount Due: \$363.30\*

\*Please remit to the address above.

## CITY OF WILSONVILLE CITY COUNCIL NOTICE OF PUBLIC HEARING

**Public notice is hereby given** that the Wilsonville City Council will conduct a public hearing on **October 21, 2013**, beginning at 7 p.m. at City Hall, 29799 SW Town Center Loop, Wilsonville, Oregon.

The purpose of this public hearing is to consider public testimony on creation of **Tax Increment Financing Zones** as follows:

On March 12, 2013 the citizens of Wilsonville voted in favor of creating Tax Increment Financing Zones to incentivize capital investment and job creation by manufacturers. To implement this vote, the Wilsonville City Council will hold a public hearing and consider ordinances for the adoption of the proposed Wilsonville Tax Increment Financing (TIF) Zones Urban Renewal Plans including

- 26755 SW 95<sup>th</sup> Avenue Urban Renewal Plan
- 9805 SW Boeckman Road Urban Renewal Plan
- 25600 SW Parkway Center Drive Urban Renewal Plan
- 27255 SW 95<sup>th</sup> Avenue Urban Renewal Plan
- 29899 SW Boones Ferry Road Urban Renewal Plan
- Building 83, 26440 SW Parkway Avenue Urban Renewal Plan

A copy of the ordinances, the proposed urban renewal plans and accompanying reports may be obtained by contacting: Kristin Retherford, Economic Development Manager, City of Wilsonville, 29799 SW Town Center Loop E, Wilsonville, OR 97070 503-570-1539 [retherford@ci.wilsonville](mailto:retherford@ci.wilsonville) at a cost of 25 cents per page or by calling the City Recorder at 503-570-1506 and requesting a copy to be mailed to you.

The proposed maximum indebtedness for each of the TIF Zones Urban Renewal Plans is \$12,000,000.

- 26755 SW 95<sup>th</sup> Avenue Urban Renewal Plan \$12,000,000 maximum indebtedness
- 9805 SW Boeckman Road Urban Renewal Plan \$12,000,000 maximum indebtedness
- 25600 SW Parkway Center Drive Urban Renewal Plan \$12,000,000 maximum indebtedness
- 27255 SW 95<sup>th</sup> Avenue Urban Renewal Plan \$12,000,000 maximum indebtedness
- 29899 SW Boones Ferry Road Urban Renewal Plan \$12,000,000 maximum indebtedness
- Building 83, 26440 SW Parkway Avenue Urban Renewal Plan \$12,000,000 maximum indebtedness

The ordinances, if approved, are subject to referendum. The adoption of the Plans may impact property tax rates for general obligation bonds approved by voters prior to October 6, 2001. However, in the case of these plans, there are no bonds in this category.

Specific suggestions or questions concerning the proposed ordinance may be directed to Kristin Retherford, Economic Development Manager, City of Wilsonville, 29799 SW Town Center Loop E, Wilsonville, OR 97070 503-570-1539 [retherford@ci.wilsonville](mailto:retherford@ci.wilsonville).

Public testimony, both oral and written will be accepted at the public hearing. Written statements are encouraged and may be submitted to Sandra C. King, MMC, City Recorder, 29799 SW Town Center Loop E, Wilsonville, OR 97070; or via email to [king@ci.wilsonville.or.us](mailto:king@ci.wilsonville.or.us).

Assistive listening devices are available for persons with impaired hearing and can be scheduled for this meeting. The City will endeavor to provide qualified sign language interpreters without cost if requested at least 48 hours prior to the meeting. To obtain such services call the office of the City Recorder at 682-1011.

Publish 10/09, 10/16/2013.

WS134

## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b>  October 21, 2013	<b>Subject:</b> Update to Staff Report for Ordinances 725, 726, 727, 728, 729 and 730.  <b>Staff Member:</b> Kristin Retherford, Economic Development Manager  <b>Department:</b> Community Development
<b>Action Required</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 type="checkbox"/> Information or Direction <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<b>Advisory Board/Commission Recommendation</b> <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable  <b>Comments:</b> N/A
<b>Staff Recommendation:</b> N/A	
<b>Recommended Language for Motion:</b> N/A	
<b>PROJECT / ISSUE RELATES TO:</b>	
<input checked="" type="checkbox"/> Council Goal: Economic Development	<input type="checkbox"/>

### ISSUE BEFORE THE CITY COUNCIL:

In response to verbal requests from some of the taxing districts with regard to the relationship between administrative fees and the revenue sharing model, the TIF Zone Reports have been revised to more clearly show that administrative fees will be taken from the portion of TIF to be rebated to business and not the portion to be shared with the taxing districts.

The following changes have been made to all TIF Zones Reports.

1. Table 1 revised to show reduced rebate due to taking administration out of developer's 75% share. (Page 10 in most reports)

<b>TIF Use</b>	<b>Amount</b>
URA Administration	\$141,367
Rebate	\$11,786,512
<b>Total</b>	<b>\$11,927,879</b>

2. Section VII. THE ESTIMATED AMOUNT OF TAX INCREMENT REVENUES REQUIRED AND THE ANTICIPATED YEAR IN WHICH INDEBTEDNESS WILL BE RETIRED.

(The tables vary in the 25600 SW Parkway Center Drive Report as it reflects Washington County.)

- Paragraph 1: changing amount developer will receive in rebates
- Paragraph 2: Inserting "The 25% to taxing jurisdictions is held constant, the administrative costs are deducted from the 75% share to the developer."
- Paragraph 3: changing numbers in the following sentence. "Table 2 shows the total projected rebate to the developer in this scenario would be \$11,786,512 dollars, while the amount received by taxing jurisdictions is estimated at \$8,282,830 dollars over the 15 year life of the Plan. This is actually 41% of the total tax increment revenue."
- Replace Table 3 to show new allocations, reflecting impact of changing the administrative payment.

	<b>URA Admin</b>	<b>Rebate</b>	<b>Shared</b>	<b>Total</b>
2013	-	-	-	-
2014	-	-	-	-
2015	-	-	-	-
2016	-	-	-	-
2017	\$28,883	\$1,165,514	\$398,133	\$1,592,530
2018	\$17,390	\$2,115,090	\$710,826	\$2,843,306
2019	\$17,912	\$2,865,034	\$960,981	\$3,843,927
2020	\$18,449	\$2,287,907	\$768,785	\$3,075,141
2021	\$19,002	\$1,826,030	\$615,010	\$2,460,042
2022	\$19,572	\$1,065,063	\$883,364	\$1,968,000
2023	\$20,159	\$461,872	\$1,080,797	\$1,562,828
2024	\$0	\$0	\$1,204,211	\$1,204,211
2025	\$0	\$0	\$859,716	\$859,716
2026	\$0	\$0	\$515,223	\$515,223
2027	\$0	\$0	\$228,592	\$228,592
2028	\$0	\$0	\$57,192	\$57,192
2029	\$0	\$0	\$0	\$0
2030	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$141,367</b>	<b>\$11,786,512</b>	<b>\$8,282,830</b>	<b>\$20,210,708</b>

3. Replace Tables 6a and 6b to reflect impact of changing the administrative payment.

Tables 6a and 6b.

FYE	Clackamas	Tualatin Valley	City of	Port of	COUNTY			COUNTY	VECTOR	Subtotal
	County	Fire & Rescue	Wilsonville	Portland	Metro	EXTENSION	COUNTY	SOIL	CONTROL	
						& LHM	LIBRARY	CONS		
2013	-	-	-	-	-	-	-	-	-	-
2014	-	-	-	-	-	-	-	-	-	-
2015	-	-	-	-	-	-	-	-	-	-
2016	-	-	-	-	-	-	-	-	-	-
2017	(222,328)	(141,043)	(233,092)	(6,482)	(8,933)	(4,624)	(36,750)	(4,624)	(601)	(658,477)
2018	(396,946)	(251,818)	(416,164)	(11,574)	(15,949)	(8,255)	(65,613)	(8,255)	(1,073)	(1,175,647)
2019	(536,639)	(340,438)	(562,621)	(15,647)	(21,562)	(11,160)	(88,703)	(11,160)	(1,451)	(1,589,381)
2020	(429,311)	(272,351)	(450,097)	(12,518)	(17,250)	(8,928)	(70,963)	(8,928)	(1,161)	(1,271,507)
2021	(343,439)	(217,874)	(360,067)	(10,014)	(13,799)	(7,142)	(56,768)	(7,142)	(929)	(1,017,174)
2022	(201,897)	(128,081)	(211,672)	(5,887)	(8,112)	(4,199)	(33,372)	(4,199)	(546)	(597,965)
2023	(89,727)	(56,922)	(94,071)	(2,616)	(3,605)	(1,866)	(14,831)	(1,866)	(243)	(265,747)
2024	-	-	-	-	-	-	-	-	-	-
2025	-	-	-	-	-	-	-	-	-	-
2026	-	-	-	-	-	-	-	-	-	-
2027	-	-	-	-	-	-	-	-	-	-
2028	-	-	-	-	-	-	-	-	-	-
2029	-	-	-	-	-	-	-	-	-	-
2030	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>(2,220,297)</b>	<b>(1,405,527)</b>	<b>(2,327,784)</b>	<b>(64,738)</b>	<b>(69,210)</b>	<b>(46,174)</b>	<b>(367,000)</b>	<b>(46,174)</b>	<b>(6,604)</b>	<b>(6,575,998)</b>

FYE	COM COLL	ESD CLACKAMAS	SCH W LINN/WILS (perm)	Subtotal		Total
	CLACK (perm)			Education	Gen Govt	
2013	-	-	-	-	-	-
2014	-	-	-	-	-	-
2015	-	-	-	-	-	-
2016	-	-	-	-	-	-
2017	(51,620)	(34,096)	(450,205)	(535,921)	(658,477)	(1,194,398)
2018	(92,162)	(60,874)	(803,797)	(956,833)	(1,175,647)	(2,132,480)
2019	(124,595)	(82,297)	(1,086,671)	(1,293,563)	(1,589,381)	(2,882,944)
2020	(99,676)	(65,838)	(869,337)	(1,034,851)	(1,271,507)	(2,306,358)
2021	(79,739)	(52,669)	(695,449)	(827,857)	(1,017,174)	(1,845,031)
2022	(46,876)	(30,962)	(408,832)	(486,670)	(597,965)	(1,084,635)
2023	(20,832)	(13,760)	(181,692)	(216,284)	(265,747)	(482,031)
2024	-	-	-	-	-	-
2025	-	-	-	-	-	-
2026	-	-	-	-	-	-
2027	-	-	-	-	-	-
2028	-	-	-	-	-	-
2029	-	-	-	-	-	-
2030	-	-	-	-	-	-
<b>Total</b>	<b>(515,500)</b>	<b>(340,496)</b>	<b>(4,495,983)</b>	<b>(5,351,979)</b>	<b>(6,575,898)</b>	<b>(11,927,877)</b>

King, Sandy

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**From:** Retherford, Kristin  
**Sent:** Monday, October 21, 2013 9:32 AM  
**To:** Cosgrove, Bryan; Kohlhoff, Mike; Kraushaar, Nancy; King, Sandy  
**Subject:** Revised TIF Zone Reports for tonights meeting  
**Attachments:** 9805 SW Boeckman Road Report 10\_20\_2013kr.pdf; 25600 SW Parkway Center Drive Report 10\_20\_2013kr.pdf; 26755 SW 95th Avenue Report 10\_20\_2013kr.pdf; 27255 SW 95th Ave Report 10\_20\_2013kr.pdf; 29899 SW Boones Ferry Road Report10\_20\_2013kr.pdf; Building 83 - 26440 SW Parkway Avenue Report 10\_20\_2013kr.pdf

In response to verbal requests from some of the taxing districts with regard to the relationship between administrative fees and the revenue sharing model, the TIF Zone Reports have been revised to more clearly show that administrative fees will be taken from the portion of TIF to be rebated to business and not the portion to be shared with the taxing districts.

The following changes have been made to all TIF Zones Reports.

1. Table 1 revised to show reduced rebate due to taking administration out of developer's 75% share.  
(Page 10 in most reports)

TIF Use	Amount
URA Administration	\$141,367
Rebate	\$11,786,512
Total	\$11,927,879

2. Section VII. THE ESTIMATED AMOUNT OF TAX INCREMENT REVENUES REQUIRED AND THE ANITICPATED YEAR IN WHICH INDEBTEDNESS WILL BE RETIRED.

(The tables vary in the 25600 SW Parkway Center Drive Report as it reflects Washington County.)

- a. Paragraph 1: changing amount developer will receive in rebates
- b. Paragraph 2: Inserting "The 25% to taxing jurisdictions is held constant, the administrative costs are deducted from the 75% share to the developer."
- c. Paragraph 3: changing numbers in the following sentence. "Table 2 shows the total projected rebate to the developer in this scenario would be \$11,786,512 dollars, while the amount received by taxing jurisdictions is estimated at \$8,282,830 dollars over the 15 year life of the Plan. This is actually 41% of the total tax increment revenue."
- d. Replace Table 3 to show new allocations, reflecting impact of changing the administrative payment.

	URA Admin	Rebate	Shared	Total
2013	-	-	-	-
2014	-	-	-	-
2015	-	-	-	-
2016	-	-	-	-
2017	\$28,883	\$1,165,514	\$398,133	\$1,592,530
2018	\$17,390	\$2,115,090	\$710,826	\$2,843,306
2019	\$17,912	\$2,865,034	\$960,981	\$3,843,927
2020	\$18,449	\$2,287,907	\$768,785	\$3,075,141
2021	\$19,002	\$1,826,030	\$615,010	\$2,460,042
2022	\$19,572	\$1,065,063	\$883,364	\$1,968,000
2023	\$20,159	\$461,872	\$1,080,797	\$1,562,828
2024	\$0	\$0	\$1,204,211	\$1,204,211
2025	\$0	\$0	\$859,716	\$859,716
2026	\$0	\$0	\$515,223	\$515,223
2027	\$0	\$0	\$228,592	\$228,592
2028	\$0	\$0	\$57,192	\$57,192
2029	\$0	\$0	\$0	\$0
2030	\$0	\$0	\$0	\$0
Total	\$141,367	\$11,786,512	\$8,282,830	\$20,210,708

3. Replace Tables 6a and 6b to reflect impact of changing the administrative payment.

Tables 6a and 6b.

FYE	Clackamas County	Tualatin Valley Fire & Rescue	City of Wilsonville	Port of Portland	Metra	COUNTY EXTENSION & H	COUNTY LIBRARY	COUNTY SOIL CONS	VECTOR CONTROL	Subtotal
2013	-	-	-	-	-	-	-	-	-	-
2014	-	-	-	-	-	-	-	-	-	-
2015	-	-	-	-	-	-	-	-	-	-
2016	-	-	-	-	-	-	-	-	-	-
2017	(222,328)	(141,043)	(233,092)	(6,482)	(8,933)	(4,624)	(36,750)	(4,624)	(601)	(658,477)
2018	(396,946)	(251,818)	(416,164)	(11,574)	(15,949)	(8,255)	(65,613)	(8,255)	(1,073)	(1,175,647)
2019	(536,639)	(340,438)	(562,621)	(15,647)	(21,562)	(11,160)	(88,703)	(11,160)	(1,451)	(1,589,381)
2020	(429,311)	(272,351)	(450,097)	(12,518)	(17,250)	(8,928)	(70,963)	(8,928)	(1,161)	(1,271,507)
2021	(343,439)	(217,874)	(360,067)	(10,014)	(13,799)	(7,142)	(56,768)	(7,142)	(929)	(1,017,174)
2022	(201,897)	(128,081)	(211,672)	(5,887)	(8,112)	(4,199)	(33,372)	(4,199)	(546)	(597,965)
2023	(89,727)	(56,922)	(94,071)	(2,616)	(3,605)	(1,866)	(14,831)	(1,866)	(243)	(265,747)
2024	-	-	-	-	-	-	-	-	-	-
2025	-	-	-	-	-	-	-	-	-	-
2026	-	-	-	-	-	-	-	-	-	-
2027	-	-	-	-	-	-	-	-	-	-
2028	-	-	-	-	-	-	-	-	-	-
2029	-	-	-	-	-	-	-	-	-	-
2030	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>(2,226,287)</b>	<b>(1,468,527)</b>	<b>(2,327,784)</b>	<b>(64,738)</b>	<b>(89,210)</b>	<b>(46,174)</b>	<b>(367,000)</b>	<b>(46,174)</b>	<b>(6,004)</b>	<b>(6,575,998)</b>

FYE	COM COLL CLACK (perm)	ESD CLACKAMAS	SCH WILINWILS (perm)	Subtotal Education	Subtotal Gen Govt	Total
2013	-	-	-	-	-	-
2014	-	-	-	-	-	-
2015	-	-	-	-	-	-
2016	-	-	-	-	-	-
2017	(51,620)	(34,096)	(450,205)	(535,921)	(658,477)	(1,194,398)
2018	(92,162)	(60,874)	(803,797)	(956,833)	(1,175,647)	(2,132,480)
2019	(124,595)	(82,297)	(1,086,671)	(1,293,563)	(1,589,381)	(2,882,944)
2020	(99,676)	(65,838)	(869,337)	(1,034,851)	(1,271,507)	(2,306,358)
2021	(79,739)	(52,669)	(695,449)	(827,857)	(1,017,174)	(1,845,031)
2022	(46,876)	(30,962)	(408,832)	(486,670)	(597,965)	(1,084,635)
2023	(20,832)	(13,760)	(181,692)	(216,284)	(265,747)	(482,031)
2024	-	-	-	-	-	-
2025	-	-	-	-	-	-
2026	-	-	-	-	-	-
2027	-	-	-	-	-	-
2028	-	-	-	-	-	-
2029	-	-	-	-	-	-
2030	-	-	-	-	-	-
<b>Total</b>	<b>(515,500)</b>	<b>(340,496)</b>	<b>(4,495,983)</b>	<b>(5,351,979)</b>	<b>(6,575,898)</b>	<b>(11,927,877)</b>

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# REPORT ACCOMPANYING 26755 SW 95<sup>TH</sup> AVENUE URBAN RENEWAL PLAN



Prepared for the City of Wilsonville

August 5, 2013

**REPORT ACCOMPANYING  
26755 SW 95<sup>TH</sup> AVENUE  
URBAN RENEWAL PLAN**

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## I. INTRODUCTION

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The Report on the 26755 SW 95<sup>th</sup> Avenue Urban Renewal Plan (Report) contains background information and project details that pertain to the 26755 SW 95<sup>th</sup> Avenue Urban Renewal Plan (Plan). The Report is not a legal part of the Plan, but is intended to provide public information and a basis for the findings made by the City Council as part of its approval of the Plan.

The Report provides information required by ORS 457.085(3). The format of the Report is based on this statute. The Report documents not only the proposed projects in the Plan, but also documents the existing conditions in the 26755 SW 95<sup>th</sup> Avenue Urban Renewal Area (Area).

The Report provides the analysis required to meet the standards of ORS 457.085(3), including financial feasibility.

**Figure 1 – 26755 SW 95th Avenue Urban Renewal Plan Area Boundary**



## II. EXISTING PHYSICAL, SOCIAL, AND ECONOMIC CONDITIONS AND IMPACTS ON MUNICIPAL SERVICES

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This section of the Report describes existing conditions within the 26755 SW 95<sup>th</sup> Avenue Urban Renewal Area and documents the occurrence of “blighted areas,” as defined by ORS 457.010(1).

### A. Physical Conditions

#### *Land Use*

According to data obtained from the City of Wilsonville and the Clackamas County Assessor’s office, the Area, shown in Figure 1 above, contains 1 industrial use parcel that has 165,810 square feet of building space on 9.76 acres.

#### *Zoning and Comprehensive Plan Designations*

In the City of Wilsonville, the Wilsonville Development Code and the Wilsonville Comprehensive Plan designations differ. The development code establishes districts to control land use throughout the city and regulates development standards within these established use districts. The comprehensive plan designation indicates the type of use allowed on a parcel.

The comprehensive plan designation of the parcel is Industrial, and the zoning is Planned Industrial Development (PDI).

Figure 2 – Area Zoning and Comprehensive Plan Designations



Source: City of Wilsonville

## B. Infrastructure: Existing Conditions

### *Infrastructure*

This section of the Report identifies the existing infrastructure in the Area. However, because this Area consists of only one parcel, this section will instead evaluate the infrastructure directly serving this parcel, along with an evaluation of the conditions of the infrastructure on the parcel itself. Information was obtained from documentation by City of Wilsonville staff.

#### 1. Streets/Sidewalks/Pathways/Bike Lanes

The street servicing the property, SW 95<sup>th</sup> Avenue, is a minor arterial that is in good condition and meets City standards. SW 95<sup>th</sup> Avenue has adequate streetscape, sidewalks, curbs, and bike lanes.

There are currently no planned projects for SW 95<sup>th</sup> Avenue in the Capital Improvement Plan (CIP) or other planning documents.

#### 2. Water

The water pipe serving the Area is a 2" domestic/2" irrigation that should be adequate for the current or future needs of the Area. There are no projects planned for the water infrastructure serving the Area in the CIP or other planning documents.

#### 3. Storm Drainage Master Plan

The storm drain service in the Area is adequate for current and future use, and there are no planned projects for storm drain infrastructure serving the Area in the CIP or other planning documents. However, a building expansion or the addition of impervious surface could trigger new on-site stormwater improvements.

#### 4. Sanitary Sewer

Sewer service to the Area is more than adequate for the current and future needs of the Area, and there are no planned projects for sewer infrastructure serving the Area in the CIP or other planning documents.

#### 5. Parks

There are no public parks in the Area. The 2007 Parks and Recreation Master Plan identifies project P12 Industrial Area Waysides in the northwest industrial area of Wilsonville, which is currently underserved by parks or recreation facilities. These projects are not in the City's short or mid-term Capital Improvement Program and have not been sited.

## 6. Public Parking

There is no public parking in the Area, but there is a bank of private head-in parking along the south, west, and north ends of the building that should provide parking for over 150 vehicles.

## 7. Wetlands

Approximately 92,315 SF along the Area's western boundary along the Basalt Creek tributary is identified as wetland and within the City's Significant Resource Overlay Zone.

## 8. Conditions of Buildings

The building has 165,810 square feet of space. It has been mostly vacant and is considered underutilized.

## C. Social Conditions

There is only one industrial parcel in the Area and there are no residents that reside within the Area.

## D. Economic Conditions

### *Taxable Value of Property Within the Area*

According to the Clackamas County Assessor's office, the estimated 2011/2012 total assessed value of the real property in the Area is \$6,800,000. The total assessed value including personal property is \$7,064,499. The building is underutilized, and if it was fully utilized and converted to a traded-sector use such as manufacturing, the values would increase.

The frozen base is estimated to be \$7,064,499.

## E. Impact on Municipal Services

The fiscal impact of tax increment financing on taxing districts that levy taxes within the Area (affected taxing districts) is described in Section IX (Impact of the Tax Increment Financing) of this Report. This subsection discusses the fiscal impacts resulting from potential increases in demand for municipal services.

The project being considered for future use of urban renewal is an economic development project. The use of urban renewal funding for this project allows the City to provide an attractive industrial development incentive program that will be competitive with neighboring communities' Enterprise Zone programs. It also allows

the city to tap a different funding source besides the City of Wilsonville's general funds to support this program.

All necessary infrastructure to serve the Area is in place and none of the systems are slated for improvements in the CIP. Converting the building structure in the Area to optimized use will take advantage of the existing infrastructure. Because the structure will incur a change in use from warehousing to manufacturing, or another traded-sector use that meets program criteria, there may be a need for additional police and fire services. However, since this structure already exists and has received these services before, these are not totally new service requirements. In addition, a vacant structure can sometimes be vulnerable to vandalism, criminal activity and fire risk. Bringing the structure back to full use will help prevent such risks.

The revenue sharing feature of this urban renewal plan allows for tax increment to be shared with taxing jurisdictions including the City of Wilsonville at the onset of receipt by the Agency of tax increment funds. These funds will help offset any increased services.

### **III. REASONS FOR SELECTION OF EACH URBAN RENEWAL AREA IN THE PLAN**

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The reason for selecting the Area is to cure blight by providing the ability to fund an economic incentive program to encourage private sector investment in an underutilized and/or vacant parcel of industrial zoned land.

### **IV. THE RELATIONSHIP BETWEEN URBAN RENEWAL PROJECTS AND THE EXISTING CONDITIONS IN THE URBAN RENEWAL AREA**

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The projects identified for the Area, including how they relate to the existing conditions in the Area, are described below:

#### **A. Property Tax Rebates**

This project offers an incentive to the private sector to convert underutilized industrial buildings into higher value traded-sector uses, such as manufacturing, in the Area. This project will provide tax rebates of a portion of incremental property tax increases to qualifying investments in the Area.

#### *Existing Conditions:*

*This parcel is currently vacant and/or underutilized. It has 165,810 square feet of building space on 9.76 acres.*

## B. Debt Service and Administration

This project will allow for the repayment of costs associated with the preparation (including the potential repayment of the initial planning costs for the development of the urban renewal plan) adoption, and implementation of the 26755 SW 95<sup>th</sup> Avenue Urban Renewal Plan. This project also includes ongoing administration and any financing costs associated with the Plan.

### *Existing Conditions:*

*As there is currently no urban renewal program for this Area, these activities do not exist.*

## V. THE ESTIMATED TOTAL COST OF EACH PROJECT AND THE SOURCES OF MONEYS TO PAY SUCH COSTS

The costs of the projects are shown in Table 1. The sources of funds are tax increment revenues. A three percent annual inflation factor is used. These funds will be allocated to the following projects:

- Repayment of a portion of the urban renewal planning costs will occur in the first year that tax increment funds are received (\$12,000 in FY 2013-14, adjusted annually for inflation increases).
- Approximately \$15,000 in FY 2013-14, adjusted for inflation, will be allocated for program administration annually.
- The project will rebate up to 75% of the net tax increment revenue for three years for each qualifying company if the average wage of the 75 or more new jobs pay a minimum of 125% of the average Clackamas County wage rate (not including benefits) in effect at the time the rebate is paid, which for 2012 is \$25.33/hour or \$52,693 annual wage rate. Two additional years (five total) of property tax rebates are available if the average wage of the 75 or more new jobs pay 150% of average wages paid in Clackamas County at the time the rebate is paid, which for 2012 equals \$30.40 per hour, or a \$63,230 annual wage.
- Any net tax increment revenues in excess of what is needed for administrative expenses or tax rebates will be distributed to the impacted taxing jurisdictions.

**Table 1 – Estimated Project Allocations**

TIF Use	Amount
URA Administration	\$141,367
Rebate	\$11,786,512
Total	\$11,927,879

Source: ECONorthwest, TIF: Tax Increment Funds

## VI. THE ANTICIPATED COMPLETION DATE FOR EACH PROJECT

The anticipated latest completion date of the projects in the 27655 SW 95<sup>th</sup> Avenue Urban Renewal Plan will be June 30 of the fiscal year ending 15 years after the approval of the Plan. If investments do not occur as outlined in the program guidelines, the Plan may be terminated earlier at the discretion of the Agency.

## VII. THE ESTIMATED AMOUNT OF TAX INCREMENT REVENUES REQUIRED AND THE ANTICIPATED YEAR IN WHICH INDEBTEDNESS WILL BE RETIRED

Table 2 shows a scenario for how this urban renewal plan may be implemented. This scenario relies on an investment by the developer of over \$407,000,000, in three successive years, receiving \$11,786,512 in tax rebates from tax increment funds received by the Agency. This results in approximately \$12 million in maximum indebtedness, and represents the maximum investment anticipated in the building. Lower investment levels will result in lower actual tax rebates and lower actual maximum indebtedness used. When a developer negotiates an agreement with the City, the projected rebate and revenue sharing numbers will be reevaluated, but may not exceed the \$12 million maximum indebtedness established in this Plan.

**Table 2. Investment Schedule**

Year	Investment Amount		
	Schedule 1	Schedule 2	Schedule 3
2013			
2014			
2015	137,000,000		
2016		135,000,000	
2017			135,000,000
2018			

Source: ECONorthwest

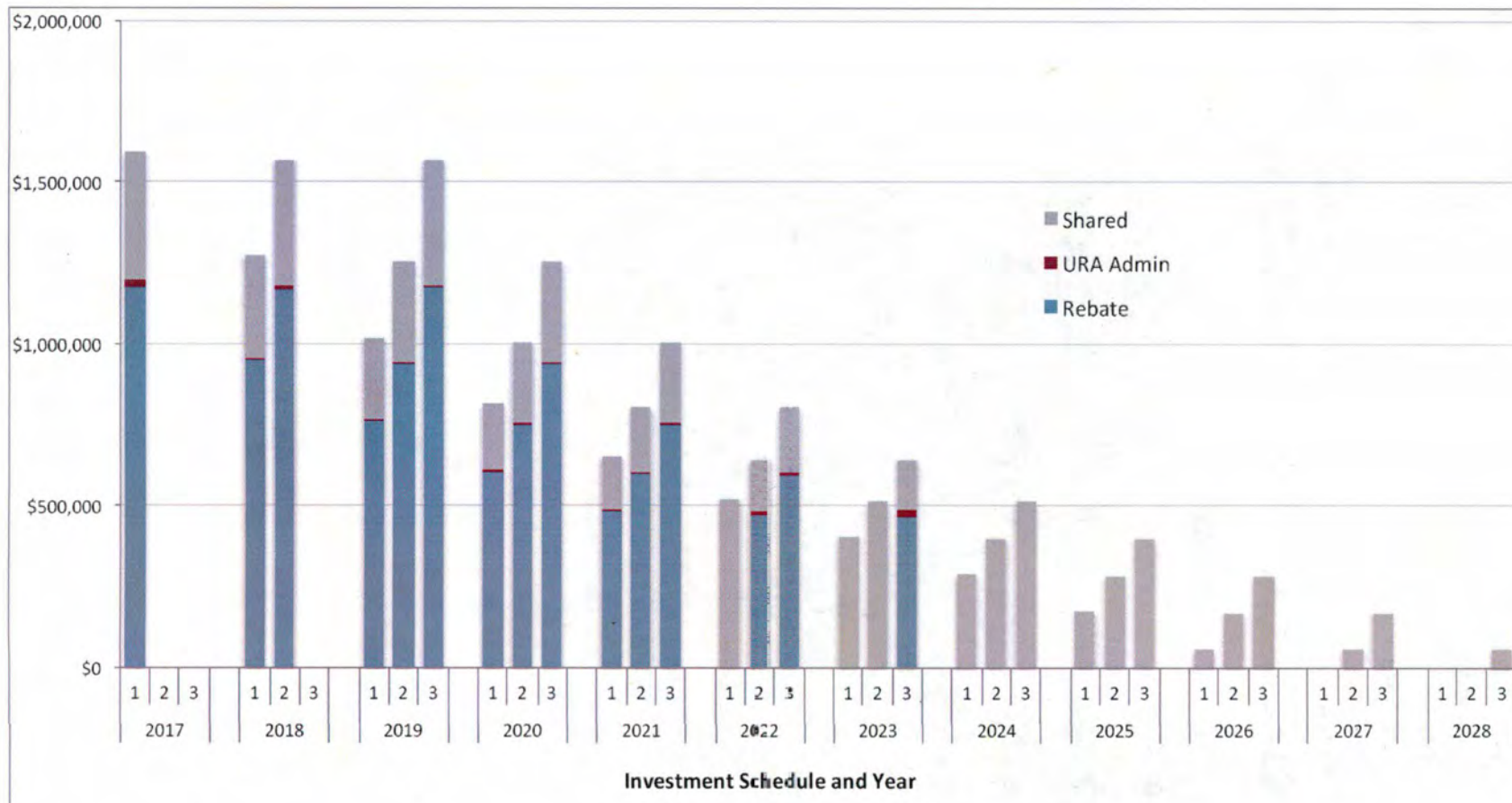
The tax increment revenues and their allocation to administrative costs, developer rebates, and the taxing jurisdictions' share of the increased property tax revenue are shown in Table 3. The 25% to taxing jurisdictions is held constant, the administrative costs are deducted from the 75% share to the developer. Since revenue sharing is anticipated at the onset of the Plan, and this revenue sharing exceeds the potential amount of distributions through revenue sharing required in ORS 457.470, the revenue sharing in ORS 457.470 has been waived by the taxing jurisdictions.

It is anticipated that all expenditures of tax increment funding will be completed within 15 years. The maximum indebtedness is \$12,000,000. In the scenario detailed in

Tables 2 and 3, the term of the rebate expires before all of the manufacturer's investment in equipment has depreciated. The result of this is the taxing jurisdictions begin to receive 100% of the TIF revenues in fiscal year 2023-24, and the total amount shared with taxing jurisdictions for the entire duration of the Area ends up being much higher than the net 25% share that is guaranteed during the time the developer is receiving rebates. Table 2 shows the total projected rebate to the developer in this scenario would be \$11,786,512 dollars, while the amount received by taxing jurisdictions is estimated at \$8,282,830 dollars over the 15 year life of the Plan. This is actually 41% of the total tax increment revenue.

Chart 1 depicts this scenario. Each individual investment provides rebates to the developer, and a portion of extra tax increment to taxing jurisdictions, for a five-year period, with any remaining increment shared with the taxing jurisdictions when that rebate period expires. The three investments are depicted in consecutive years, as shown by the 1,2,3 on the horizontal axis of the chart. As shown, once any one investment reaches the 6<sup>th</sup> year, all of the tax increment from that investment is shared with the taxing jurisdictions. This would be accomplished through an under levy.

**Chart 1. Investment, Amortization, and Rebate Schedule**



Source: ECONorthwest

There will be no loans or bonds issued. The amount of funding to service the maximum indebtedness will be raised through the payment of tax increment from the County Assessor's office. Because the project payments are predicated upon the annual tax increment on a formulaic basis allocating first to administrative costs, then a 75/25 split of increment between the developer and impacted taxing jurisdictions, the Plan will be financially feasible. No payments will be made without first receiving the increment from the assessor.

**Table 3 – Tax Increment Revenues and Allocations to Project Costs Sample Scenario**

FYE	URA Admin	Rebate	Shared	Total
2013	-	-	-	-
2014	-	-	-	-
2015	-	-	-	-
2016	-	-	-	-
2017	\$28,883	\$1,165,514	\$398,133	\$1,592,530
2018	\$17,390	\$2,115,090	\$710,826	\$2,843,306
2019	\$17,912	\$2,865,034	\$960,981	\$3,843,927
2020	\$18,449	\$2,287,907	\$768,785	\$3,075,141
2021	\$19,002	\$1,826,030	\$615,010	\$2,460,042
2022	\$19,572	\$1,065,063	\$883,364	\$1,968,000
2023	\$20,159	\$461,872	\$1,080,797	\$1,562,828
2024	\$0	\$0	\$1,204,211	\$1,204,211
2025	\$0	\$0	\$859,716	\$859,716
2026	\$0	\$0	\$515,223	\$515,223
2027	\$0	\$0	\$228,592	\$228,592
2028	\$0	\$0	\$57,192	\$57,192
2029	\$0	\$0	\$0	\$0
2030	\$0	\$0	\$0	\$0
Total	\$141,367	\$11,786,512	\$8,282,830	\$20,210,708

Source: ECONorthwest, FYE: Fiscal Year End, URA: Urban Renewal Area

## VIII. FINANCIAL ANALYSIS OF THE PLAN

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The estimated tax increment revenues in the sample scenario, as shown above, are based on projections of the assessed value of investment that could occur within the Area, depreciation of the investment and the total tax rate that will apply in the Area. The assumptions include assumptions of development, as identified in the TIF Zones concept by the City of Wilsonville. Although these assumptions are used as a basis for evaluating the Plan, the financial feasibility is predicated on the simple formula that increased revenues will be shared by the City for administration, by the developer and by the taxing jurisdictions. No payments will be made until tax increment is received from the County Assessor. These payments will be distributed on a formula that includes payments for administrative costs, then a 75/25 split between the developer and impacted taxing jurisdictions.

Table 4 shows the projected incremental assessed value, projected tax rates that would produce tax increment revenues, and the annual tax increment revenues (not adjusted for under-collection, penalties, and interest). These projections of increment are the basis for the projections in Table 3. These projections include shared revenue with impacted taxing jurisdictions.

Table 5 shows the investment and depreciation assumptions used in preparing the financial analysis. In this scenario, all investment is assumed to be equipment, and so it is depreciated. The depreciation schedule used in this scenario is a half-year convention over a 10-year recovery period that was published by the Internal Revenue Service in its annual report for how to depreciate property. Depreciation is an annual income tax deduction that allows you to recover the cost or other basis of certain property over the time you use the property. It is an allowance for the wear and tear, deterioration, or obsolescence of the property. In this case, all the investment in property is assumed to depreciate to zero after 10 years. Property can be depreciated at different times throughout the year, depending on the accounting method used. Under the half year convention, you treat all property placed in service or disposed of during a tax year as placed in service or disposed of at the midpoint of the year. This means that a one-half year of depreciation is allowed for the year the property is placed in service or disposed of.

However, as stated above, for purposes of financial feasibility, the fact that no payments will be made until tax increment is received establishes financial feasibility.

**Table 4 – Projected Incremental Assessed Value, Tax Rates, and Tax Increment Revenues**

FYE	Assessed Value	Frozen Base	Excess Value	Tax Rate	TIF
2013	\$7,064,499	\$7,064,499	\$0	13.0968	-
2014	\$7,064,499	\$7,064,499	\$0	13.0936	-
2015	\$7,064,499	\$7,064,499	\$0	13.0793	-
2016	\$7,064,499	\$7,064,499	\$0	12.9159	-
2017	\$130,364,499	\$7,064,499	\$123,300,000	12.9159	\$1,592,530
2018	\$227,204,499	\$7,064,499	\$220,140,000	12.9159	\$2,843,306
2019	\$304,676,499	\$7,064,499	\$297,612,000	12.9159	\$3,843,927
2020	\$245,154,099	\$7,064,499	\$238,089,600	12.9159	\$3,075,141
2021	\$197,530,699	\$7,064,499	\$190,466,200	12.9159	\$2,460,042
2022	\$159,434,799	\$7,064,499	\$152,370,300	12.9159	\$1,968,000
2023	\$128,064,799	\$7,064,499	\$121,000,300	12.9159	\$1,562,828
2024	\$100,299,299	\$7,064,499	\$93,234,800	12.9159	\$1,204,211
2025	\$73,627,099	\$7,064,499	\$66,562,600	12.9159	\$859,716
2026	\$46,955,099	\$7,064,499	\$39,890,600	12.9159	\$515,223
2027	\$24,762,999	\$7,064,499	\$17,698,500	12.9159	\$228,592
2028	\$11,492,499	\$7,064,499	\$4,428,000	12.9159	\$57,192
2029	\$7,064,499	\$7,064,499	\$0	12.9159	-
2030	\$7,064,499	\$7,064,499	\$0	12.9159	-
Total					\$20,210,708

Source: ECONorthwest, FYE: Fiscal Year End, TIF Revenue: Tax Increment Revenue

**Table 5 – Projected Investments and Depreciation Schedules**

Calendar Year	FYE	Investment Schedule 1			Investment Schedule 2			Investment Schedule 3			Total RMV
		Value	Depreciation	RMV	Value	Depr.	RMV	Value	Depr.	RMV	
2013	2015										
2014	2016										
2015	2017	\$137,000,000	10.00%	\$123,300,000							\$123,300,000
2016	2018		18.00%	\$98,640,000	\$135,000,000	10.00%	\$121,500,000				\$220,140,000
2017	2019		14.40%	\$78,912,000		18.00%	\$97,200,000	\$135,000,000	10.00%	\$121,500,000	\$297,612,000
2018	2020		11.52%	\$63,129,600		14.40%	\$77,760,000		18.00%	\$97,200,000	\$238,089,600
2019	2021		9.22%	\$50,498,200		11.52%	\$62,208,000		14.40%	\$77,760,000	\$190,466,200
2020	2022		7.37%	\$40,401,300		9.22%	\$49,761,000		11.52%	\$62,208,000	\$152,370,300
2021	2023		6.55%	\$31,427,800		7.37%	\$39,811,500		9.22%	\$49,761,000	\$121,000,300
2022	2024		6.55%	\$22,454,300		6.55%	\$30,969,000		7.37%	\$39,811,500	\$93,234,800
2023	2025		6.56%	\$13,467,100		6.55%	\$22,126,500		6.55%	\$30,969,000	\$66,562,600
2024	2026		6.55%	\$4,493,600		6.56%	\$13,270,500		6.55%	\$22,126,500	\$39,890,600
2025	2027		3.28%	-		6.55%	\$4,428,000		6.56%	\$13,270,500	\$17,698,500
2026	2028					3.28%	-		6.55%	\$4,428,000	\$4,428,000
2027	2029								3.28%	-	\$0
2028	2030										

FYE: Fiscal Year End RMV: Real Market Value Depr.: Depreciation  
Source: ECONorthwest

## IX. IMPACT OF THE TAX INCREMENT FINANCING

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This section describes the impact of tax increment financing of the new maximum indebtedness, both until and after the indebtedness is repaid, upon all entities levying taxes upon property in the urban renewal area.

The impact of tax increment financing on overlapping taxing districts consists primarily of the property tax revenues foregone on permanent rate levies as applied to the growth in assessed value in the Area. These projections are for impacts estimated for a 15-year period and are shown in Tables 6a and 6b. Table 6a shows the general government taxing jurisdictions and Table 6b shows the education taxing jurisdictions.

The concept for this plan, as defined by the City of Wilsonville, includes a 25% share of net tax increment proceeds with the affected taxing jurisdictions. This formula for revenue sharing is different than the formula described in Oregon Revised Statutes (ORS). Revenue sharing is part of the 2009 legislative changes to urban renewal and means that, at thresholds defined in ORS 457.470, the impacted taxing jurisdictions will receive a share of the incremental growth in the area. By statute, the share is a percentage basis dependent upon the tax rates of the taxing jurisdictions. The first threshold is 10% of the original maximum indebtedness. At the 10% threshold, the urban renewal agency will receive the full 10% of the initial maximum indebtedness plus 25% of the increment above the 10% threshold, and the taxing jurisdictions will receive 75% of the increment above the 10% threshold. The second threshold is set at 12.5% of the maximum indebtedness. Since revenue sharing is anticipated at the onset of the Plan, and this revenue sharing exceeds the potential amount of distributions through revenue sharing required in ORS 457.470, the revenue sharing in ORS 457.470 has been waived by the taxing jurisdictions.

The West Linn-Wilsonville School District and the Education Service District are not *directly* affected by the tax increment financing, but the amounts of their taxes divided for the urban renewal plan are shown in the following tables. Under current school funding law, property tax revenues are combined with State School Fund revenues to achieve per-student funding targets. Under this system, property taxes foregone, due to the use of tax increment financing, are substantially replaced with State School Fund revenues, as determined by a funding formula at the state level. The formula for funding schools, as changed in the 2013 legislative session, is \$6,852 per pupil for FY 2013-14 and \$7,081 per pupil for FY 2014-15, an increase over the 2012 levels. According to the State of Oregon Department of Education, there was approximately

\$1 billion dollars of increased revenues allocated to school financing in the 2013 legislative session.<sup>1</sup>

Tables 6a and 6b show the projected impacts to permanent rate levies of taxing districts as a result of this Plan. It assumes the growth as projected in the other tables in this Report. **It does not offset the foregone revenues with the expected new revenues. Although the taxing jurisdictions are shown to forego approximately \$12 million, as shown in Tables 6a and 6b, they will receive approximately \$8 million, as shown in Table 3. Over the life of the Plan, the taxing jurisdictions will receive over 40% of the total tax increment revenues produced by this sample scenario.**

There is always some discussion about the true impact of urban renewal on the taxing jurisdictions as there is one line of thought that some of the growth projected would not occur "but for" urban renewal. In this case, the building is underutilized either through vacancy or type of use, and expectations are that it will remain underutilized in the future without developer incentives. Given this, there would be no expectation that any increase of property taxes would come from this building without the use of urban renewal.

There is no anticipated change in revenue for affected taxing jurisdictions upon termination of the Plan, which is expected in 15 years. All projected investment is equipment, and equipment's assessed value depreciates over time. By the time the Area expires, all equipment will be fully depreciated, so there will be no additional assessed value to tax. However, the taxing jurisdictions are receiving 25% of the net increment during the time period the developer is receiving 75% of the net increment, and they are receiving 100% of the increment for the remaining time frame of the Area, as shown in Table 3. If there are any improvements to the building itself, or increases in value of the building itself, the taxing jurisdictions would realize the increased taxes from those investments.

<sup>1</sup> Phone interview with Jan McComb, State of Oregon Department of Education, July 11, 2013.

**Table 6a – Projected Impact on Taxing District Permanent Rate Levies (General Government)**

FYE	Clackamas County	Tualatin Valley Fire & Rescue	City of Wilsonville	Port of Portland	Metro	COUNTY EXTENSION & 4-H	COUNTY LIBRARY	COUNTY SOIL CONS	VECTOR CONTROL	Subtotal
2013	-	-	-	-	-	-	-	-	-	-
2014	-	-	-	-	-	-	-	-	-	-
2015	-	-	-	-	-	-	-	-	-	-
2016	-	-	-	-	-	-	-	-	-	-
2017	(222,328)	(141,043)	(233,092)	(6,482)	(8,933)	(4,624)	(36,750)	(4,624)	(601)	(658,477)
2018	(396,946)	(251,818)	(416,164)	(11,574)	(15,949)	(8,255)	(65,613)	(8,255)	(1,073)	(1,175,647)
2019	(536,639)	(340,438)	(562,621)	(15,647)	(21,562)	(11,160)	(88,703)	(11,160)	(1,451)	(1,589,381)
2020	(429,311)	(272,351)	(450,097)	(12,518)	(17,250)	(8,928)	(70,963)	(8,928)	(1,161)	(1,271,507)
2021	(343,439)	(217,874)	(360,067)	(10,014)	(13,799)	(7,142)	(56,768)	(7,142)	(929)	(1,017,174)
2022	(201,897)	(128,081)	(211,672)	(5,887)	(8,112)	(4,199)	(33,372)	(4,199)	(546)	(597,965)
2023	(89,727)	(56,922)	(94,071)	(2,616)	(3,605)	(1,866)	(14,831)	(1,866)	(243)	(265,747)
2024	-	-	-	-	-	-	-	-	-	-
2025	-	-	-	-	-	-	-	-	-	-
2026	-	-	-	-	-	-	-	-	-	-
2027	-	-	-	-	-	-	-	-	-	-
2028	-	-	-	-	-	-	-	-	-	-
2029	-	-	-	-	-	-	-	-	-	-
2030	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>(2,220,287)</b>	<b>(1,408,527)</b>	<b>(2,327,784)</b>	<b>(64,738)</b>	<b>(89,210)</b>	<b>(46,174)</b>	<b>(367,000)</b>	<b>(46,174)</b>	<b>(6,004)</b>	<b>(6,575,898)</b>

Source: ECONorthwest.

**Table 6b – Projected Impact on Taxing District Permanent Rate Levies (Education and Totals)**

FYE	COM COLL CLACK (perm)	ESD CLACKAMAS	SCH WLINN/WILS (perm)	Subtotal Education	Subtotal Gen Govt	Total
2013	-	-	-	-	-	-
2014	-	-	-	-	-	-
2015	-	-	-	-	-	-
2016	-	-	-	-	-	-
2017	(51,620)	(34,096)	(450,205)	(535,921)	(658,477)	(1,194,398)
2018	(92,162)	(60,874)	(803,797)	(956,833)	(1,175,647)	(2,132,480)
2019	(124,595)	(82,297)	(1,086,671)	(1,293,563)	(1,589,381)	(2,882,944)
2020	(99,676)	(65,838)	(869,337)	(1,034,851)	(1,271,507)	(2,306,358)
2021	(79,739)	(52,669)	(695,449)	(827,857)	(1,017,174)	(1,845,031)
2022	(46,876)	(30,962)	(408,832)	(486,670)	(597,965)	(1,084,635)
2023	(20,832)	(13,760)	(181,692)	(216,284)	(265,747)	(482,031)
2024	-	-	-	-	-	-
2025	-	-	-	-	-	-
2026	-	-	-	-	-	-
2027	-	-	-	-	-	-
2028	-	-	-	-	-	-
2029	-	-	-	-	-	-
2030	-	-	-	-	-	-
<b>Total</b>	<b>(515,500)</b>	<b>(340,496)</b>	<b>(4,495,983)</b>	<b>(5,351,979)</b>	<b>(6,575,898)</b>	<b>(11,927,877)</b>

Source: ECONorthwest. Please refer to the explanation of the schools funding in the preceding section.

## X. COMPLIANCE WITH STATUTORY LIMITS ON ASSESSED VALUE AND SIZE OF URBAN RENEWAL AREA

State law limits the percentage of both a municipality's total assessed value and the total land area that can be contained in an urban renewal area at the time of its establishment to 25% for municipalities under 50,000 in population. As noted below, the frozen base, including all real, personal, manufactured, and utility properties in the Urban Renewal Area, is projected to be \$7,064,499. The total assessed value of the City of Wilsonville is \$2,368,094,165. There are two existing urban renewal areas, as shown in Table 7. These two areas, plus the 27655 SW 95<sup>th</sup> Avenue Area, total 2.86% of the total assessed value of the City of Wilsonville, well below the 25% maximum. The 27655 SW 95<sup>th</sup> Avenue Area has 9.76 acres, including right-of-way, and the City of Wilsonville has 4,712 acres; the other two existing urban renewal areas total 1,023 acres. Therefore, 21.92% of the City's acreage is in an urban renewal area, below the 25% state limit.

**Table 7 – Urban Renewal Area Conformance with Assessed Value and Acreage Limits**

Urban Renewal Area	Assessed Value	Acres
26755 SW 95 <sup>th</sup> Avenue	\$7,064,499	9.76
Year 2000 Plan	\$44,087,806	567
West Side Plan	\$16,526,288	456
City of Wilsonville	\$2,368,094,165	4,712
Percent of Assessed Value in Urban Renewal	2.86%	
Percent of Acreage in Urban Renewal		21.92%

Source: City of Wilsonville, Clackamas County Assessor, U.S. Census Bureau

## XI. RELOCATION REPORT

There is no relocation report required for the Plan. No relocation activities are anticipated.

# REPORT ACCOMPANYING 9805 SW BOECKMAN ROAD URBAN RENEWAL PLAN



Prepared for the City of Wilsonville

August 5, 2013

**REPORT ACCOMPANYING  
9805 SW BOECKMAN ROAD  
URBAN RENEWAL PLAN**

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## I. INTRODUCTION

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The Report on the 9805 SW Boeckman Road Urban Renewal Plan (Report) contains background information and project details that pertain to the 9805 SW Boeckman Road Urban Renewal Plan (Plan). The Report is not a legal part of the Plan, but is intended to provide public information and a basis for the findings made by the City Council as part of its approval of the Plan.

The Report provides information required by ORS 457.085(3). The format of the Report is based on this statute. The Report documents not only the proposed projects in the Plan, but also documents the existing conditions in the 9805 SW Boeckman Road Urban Renewal Area (Area).

The Report provides the analysis required to meet the standards of ORS 457.085(3), including financial feasibility.

**Figure 1 – 9805 SW Boeckman Road Urban Renewal Plan Area Boundary**



Source: City of Wilsonville

## II. EXISTING PHYSICAL, SOCIAL, AND ECONOMIC CONDITIONS AND IMPACTS ON MUNICIPAL SERVICES

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This section of the Report describes existing conditions within the 9805 SW Boeckman Road Urban Renewal Area and documents the occurrence of “blighted areas,” as defined by ORS 457.010(1).

### A. Physical Conditions

#### *Land Use*

According to data obtained from the City of Wilsonville and the Clackamas County Assessor’s office, the Area, shown in Figure 1 above, contains 1 industrial use parcel that has 301,000 square feet of building space on 24.98 acres.

#### *Zoning and Comprehensive Plan Designations*

In the City of Wilsonville, the Wilsonville Development Code and the Wilsonville Comprehensive Plan designations differ. The development code establishes districts to control land use throughout the city and regulates development standards within these established use districts. The comprehensive plan designation indicates the type of use allowed on a parcel.

The comprehensive plan designation of the parcel is Industrial, and the zoning is Planned Industrial Development (PDI).

Figure 2 – Area Zoning and Comprehensive Plan Designations



Source: City of Wilsonville

## **B. Infrastructure: Existing Conditions**

### *Infrastructure*

This section of the Report identifies the existing infrastructure in the Area. However, because this Area consists of only one parcel, this section will instead evaluate the infrastructure directly serving this parcel, along with an evaluation of the conditions of the infrastructure on the parcel itself. Information was obtained from documentation by City of Wilsonville staff.

#### **1. Streets/Sidewalks/Pathways/Bike Lanes**

The street servicing the property, SW Boeckman Road, is a minor arterial that is in good condition and meets City standards. SW Boeckman Road has adequate streetscape, sidewalks, curbs, and bike lanes.

There are several planned projects for SW Boeckman Road in the Capital Improvement Plan (CIP), but none of them are in the immediate vicinity of the Area.

#### **2. Water**

The water pipe serving the Area is a 3" domestic / 1.5" irrigation that should be adequate for the current or future needs of the Area. There are no projects planned for the water infrastructure serving the Area in the CIP or other planning documents.

#### **3. Storm Drainage Master Plan**

The storm drain service in the Area is adequate for current and future use, and there are no planned projects for storm drain infrastructure serving the Area in the CIP or other planning documents. However, a building expansion or the addition of impervious surface could trigger new on-site stormwater improvements.

#### **4. Sanitary Sewer**

Sewer service to the Area is more than adequate for the current and future needs of the Area, and there are no planned projects for sewer infrastructure serving the Area in the CIP or other planning documents.

#### **5. Parks**

There are no public parks in the Area. The 2007 Parks and Recreation Master Plan identifies project P12 Industrial Area Waysides in the northwest industrial area of Wilsonville, which is currently underserved by parks or recreation facilities. These projects are not in the City's short or mid-term Capital Improvement Program and have not been sited.

## 6. Public Parking

There is no public parking in the Area, but there is a bank of private head-in parking along the south end of the building that should provide parking for over 150 vehicles.

## 7. Wetlands

Approximately 127,361 SF along the Area's western boundary is identified as the Coffee Creek wetland buffer and is within the City's Significant Resource Overlay Zone (SROZ).

## 8. Conditions of Buildings

The building has 301,000 square feet of space. It is currently vacant.

## C. Social Conditions

There is only one industrial parcel in the Area and there are no residents that reside within the Area.

## D. Economic Conditions

### *Taxable Value of Property Within the Area*

According to the Clackamas County Assessor's office, the estimated 2011/2012 total assessed value of the real property in the Area is \$10,879,601. The building is underutilized, and if it was fully utilized and converted to a traded-sector use such as manufacturing, the values would increase.

The frozen base is estimated to be \$10,879,601.

## E. Impact on Municipal Services

The fiscal impact of tax increment financing on taxing districts that levy taxes within the Area (affected taxing districts) is described in Section IX (Impact of the Tax Increment Financing) of this Report. This subsection discusses the fiscal impacts resulting from potential increases in demand for municipal services.

The project being considered for future use of urban renewal is an economic development project. The use of urban renewal funding for this project allows the City to provide an attractive industrial development incentive program that will be competitive with neighboring communities' Enterprise Zone programs. It also allows the city to tap a different funding source besides the City of Wilsonville's general funds to support this program.

All necessary infrastructure to serve the Area is in place and none of the systems are slated for improvements in the CIP. Converting the building structure in the Area to optimized use will take advantage of the existing infrastructure. Because the structure will incur a change in use from warehousing to manufacturing, or another traded-sector use that meets program criteria, there may be a need for additional police and fire services. However, since this structure already exists and has received these services before, these are not totally new service requirements. In addition, a vacant structure can sometimes be vulnerable to vandalism, criminal activity and fire risk. Bringing the structure back to full use will help prevent such risks.

The revenue sharing feature of this urban renewal plan allows for tax increment to be shared with taxing jurisdictions including the City of Wilsonville at the onset of receipt by the Agency of tax increment funds. These funds will help offset any increased services.

### **III. REASONS FOR SELECTION OF EACH URBAN RENEWAL AREA IN THE PLAN**

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The reason for selecting the Area is to cure blight by providing the ability to fund an economic incentive program to encourage private sector investment in an underutilized and/or vacant parcel of industrial zoned land.

### **IV. THE RELATIONSHIP BETWEEN URBAN RENEWAL PROJECTS AND THE EXISTING CONDITIONS IN THE URBAN RENEWAL AREA**

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The projects identified for the Area, including how they relate to the existing conditions in the Area, are described below:

#### **A. Property Tax Rebates**

This project offers an incentive to the private sector to convert underutilized industrial buildings into higher value traded-sector uses, such as manufacturing, in the Area. This project will provide tax rebates of a portion of incremental property tax increases to qualifying investments in the Area.

#### *Existing Conditions:*

*This parcel is currently vacant and/or underutilized. It has 301,000 square feet of building space on 24.98 acres.*

## B. Debt Service and Administration

This project will allow for the repayment of costs associated with the preparation (including the potential repayment of the initial planning costs for the development of the urban renewal plan) adoption, and implementation of the 9805 SW Boeckman Road Urban Renewal Plan. This project also includes ongoing administration and any financing costs associated with the Plan.

*Existing Conditions:*

*As there is currently no urban renewal program for this Area, these activities do not exist.*

## V. THE ESTIMATED TOTAL COST OF EACH PROJECT AND THE SOURCES OF MONEYS TO PAY SUCH COSTS

The costs of the projects are shown in Table 1. The sources of funds are tax increment revenues. A three percent annual inflation factor is used. These funds will be allocated to the following projects:

- Repayment of a portion of the urban renewal planning costs will occur in the first year that tax increment funds are received (\$12,000 in FY 2013-14, adjusted annually for inflation increases).
- Approximately \$15,000 in FY 2013-14, adjusted for inflation, will be allocated for program administration annually.
- The project will rebate up to 75% of the net tax increment revenue for three years for each qualifying company if the average wage of the 75 or more new jobs pay a minimum of 125% of the average Clackamas County wage rate (not including benefits) in effect at the time the rebate is paid, which for 2012 is \$25.33/hour or \$52,693 annual wage rate. Two additional years (five total) of property tax rebates are available if the average wage of the 75 or more new jobs pay 150% of average wages paid in Clackamas County at the time the rebate is paid, which for 2012 equals \$30.40 per hour, or a \$63,230 annual wage.
- Any net tax increment revenues in excess of what is needed for administrative expenses or tax rebates will be distributed to the impacted taxing jurisdictions.

**Table 1 – Estimated Project Allocations**

TIF Use	Amount
URA Administration	\$141,367
Rebate	\$11,786,512
Total	\$11,927,879

Source: ECONorthwest, TIF: Tax Increment Funds

## VI. THE ANTICIPATED COMPLETION DATE FOR EACH PROJECT

The anticipated latest completion date of the projects in the 9805 SW Boeckman Road Urban Renewal Plan will be June 30 of the fiscal year ending 15 years after the approval of the Plan. If investments do not occur as outlined in the program guidelines, the Plan may be terminated earlier at the discretion of the Agency.

## VII. THE ESTIMATED AMOUNT OF TAX INCREMENT REVENUES REQUIRED AND THE ANTICIPATED YEAR IN WHICH INDEBTEDNESS WILL BE RETIRED

Table 2 shows a scenario for how this urban renewal plan may be implemented. This scenario relies on an investment by the developer of over \$407,000,000, in three successive years, receiving \$11,786,512 in tax rebates from tax increment funds received by the Agency. This results in approximately \$12 million in maximum indebtedness, and represents the maximum investment anticipated in the building. Lower investment levels will result in lower actual tax rebates and lower actual maximum indebtedness used. When a developer negotiates an agreement with the City, the projected rebate and revenue sharing numbers will be reevaluated, but may not exceed the \$12 million maximum indebtedness established in this Plan.

**Table 2. Investment Schedule**

Year	Investment Amount		
	Schedule 1	Schedule 2	Schedule 3
2013			
2014			
2015	\$ 137,000,000		
2016		\$135,000,000	
2017			\$135,000,000
2018			

Source: ECONorthwest

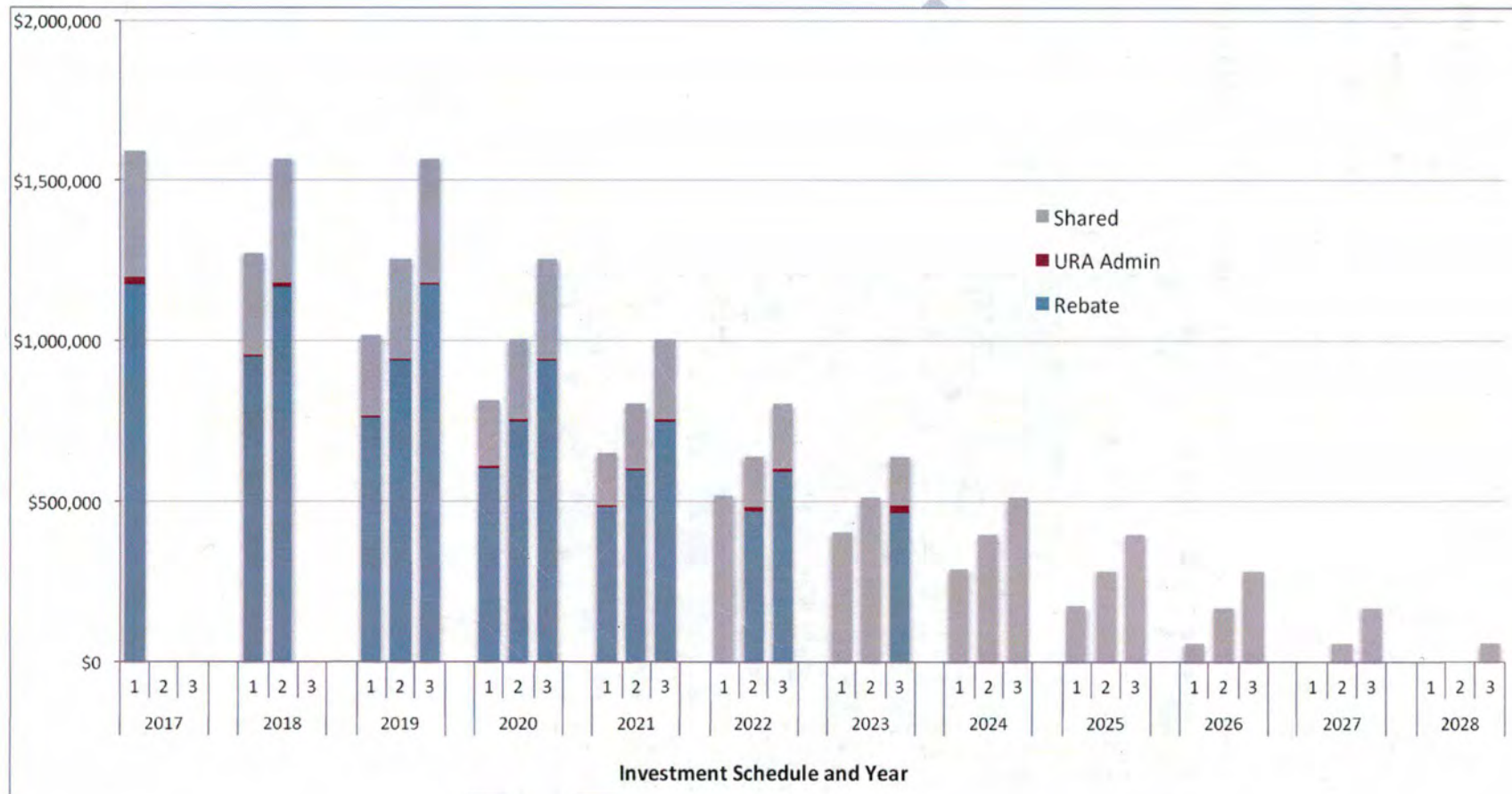
The tax increment revenues and their allocation to administrative costs, developer rebates, and the taxing jurisdictions' share of the increased property tax revenue are shown in Table 3. The 25% to taxing jurisdictions is held constant, the administrative costs are deducted from the 75% share to the developer. Since revenue sharing is anticipated at the onset of the Plan, and this revenue sharing exceeds the potential

amount of distributions through revenue sharing required in ORS 457.470, the revenue sharing in ORS 457.470 has been waived by the taxing jurisdictions.

It is anticipated that all expenditures of tax increment funding will be completed within 15 years. The maximum indebtedness is \$12,000,000. In the scenario detailed in Tables 2 and 3, the term of the rebate expires before all of the manufacturer's investment in equipment has depreciated. The result of this is the taxing jurisdictions begin to receive 100% of the TIF revenues in fiscal year 2023-24, and the total amount shared with taxing jurisdictions for the entire duration of the Area ends up being much higher than the net 25% share that is guaranteed during the time the developer is receiving rebates. Table 2 shows the total projected rebate to the developer in this scenario would be \$11,786,512 dollars, while the amount received by taxing jurisdictions is estimated at \$8,282,830 dollars over the 15 year life of the Plan. This is actually 41% of the total tax increment revenue.

Chart 1 depicts this scenario. Each individual investment provides rebates to the developer, and a portion of extra tax increment to taxing jurisdictions, for a five-year period, with any remaining increment shared with the taxing jurisdictions when that rebate period expires. The three investments are depicted in consecutive years, as shown by the 1,2,3 on the horizontal axis of the chart. As shown, once any one investment reaches the 6<sup>th</sup> year, all of the tax increment from that investment is shared with the taxing jurisdictions. This would be accomplished through an under levy.

**Chart 1. Investment, Amortization, and Rebate Schedule**



Source: ECONorthwest

There will be no loans or bonds issued. The amount of funding to service the maximum indebtedness will be raised through the payment of tax increment from the County Assessor's office. Because the project payments are predicated upon the annual tax increment on a formulaic basis allocating first to administrative costs, then a 75/25 split of increment between the developer and impacted taxing jurisdictions, the Plan will be financially feasible. No payments will be made without first receiving the increment from the assessor.

**Table 3 – Tax Increment Revenues and Allocations to Project Costs Sample Scenario**

	URA Admin	Rebate	Shared	Total
2013	-	-	-	-
2014	-	-	-	-
2015	-	-	-	-
2016	-	-	-	-
2017	\$28,883	\$1,165,514	\$398,133	\$1,592,530
2018	\$17,390	\$2,115,090	\$710,826	\$2,843,306
2019	\$17,912	\$2,865,034	\$960,981	\$3,843,927
2020	\$18,449	\$2,287,907	\$768,785	\$3,075,141
2021	\$19,002	\$1,826,030	\$615,010	\$2,460,042
2022	\$19,572	\$1,065,063	\$883,364	\$1,968,000
2023	\$20,159	\$461,872	\$1,080,797	\$1,562,828
2024	\$0	\$0	\$1,204,211	\$1,204,211
2025	\$0	\$0	\$859,716	\$859,716
2026	\$0	\$0	\$515,223	\$515,223
2027	\$0	\$0	\$228,592	\$228,592
2028	\$0	\$0	\$57,192	\$57,192
2029	\$0	\$0	\$0	\$0
2030	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$141,367</b>	<b>\$11,786,512</b>	<b>\$8,282,830</b>	<b>\$20,210,708</b>

Source: ECONorthwest, FYE: Fiscal Year End, URA: Urban Renewal Area

## VIII. FINANCIAL ANALYSIS OF THE PLAN

---

The estimated tax increment revenues in the sample scenario, as shown above, are based on projections of the assessed value of investment that could occur within the Area, depreciation of the investment and the total tax rate that will apply in the Area. The assumptions include assumptions of development, as identified in the TIF Zones concept by the City of Wilsonville. Although these assumptions are used as a basis for evaluating the Plan, the financial feasibility is predicated on the simple formula that increased revenues will be shared by the City for administration, by the developer and by the taxing jurisdictions. No payments will be made until tax increment is received from the County Assessor. These payments will be distributed on a formula that includes payments for administrative costs, then a 75/25 split between the developer and impacted taxing jurisdictions.

Table 4 shows the projected incremental assessed value, projected tax rates that would produce tax increment revenues, and the annual tax increment revenues (not adjusted for under-collection, penalties, and interest). These projections of increment are the basis for the projections in Table 3. These projections include shared revenue with impacted taxing jurisdictions.

Table 5 shows the investment and depreciation assumptions used in preparing the financial analysis. In this scenario, all investment is assumed to be equipment, and so it is depreciated. The depreciation schedule used in this scenario is a half-year convention over a 10-year recovery period that was published by the Internal Revenue Service in its annual report for how to depreciate property. Depreciation is an annual income tax deduction that allows you to recover the cost or other basis of certain property over the time you use the property. It is an allowance for the wear and tear, deterioration, or obsolescence of the property. In this case, all the investment in property is assumed to depreciate to zero after 10 years. Property can be depreciated at different times throughout the year, depending on the accounting method used. Under the half-year convention, you treat all property placed in service or disposed of during a tax year as placed in service or disposed of at the midpoint of the year. This means that a one-half year of depreciation is allowed for the year the property is placed in service or disposed of.

However, as stated above, for purposes of financial feasibility, the fact that no payments will be made until tax increment is received establishes financial feasibility.

**Table 4 – Projected Incremental Assessed Value, Tax Rates, and Tax Increment Revenues**

FYE	Assessed Value	Frozen Base	Excess Value	Tax Rate	TIF
2013	\$10,879,601	\$10,879,601	\$0	13.0968	-
2014	\$10,879,601	\$10,879,601	\$0	13.0936	-
2015	\$10,879,601	\$10,879,601	\$0	13.0793	-
2016	\$10,879,601	\$10,879,601	\$0	12.9159	-
2017	\$134,179,601	\$10,879,601	\$123,300,000	12.9159	\$1,592,530
2018	\$231,019,601	\$10,879,601	\$220,140,000	12.9159	\$2,843,306
2019	\$308,491,601	\$10,879,601	\$297,612,000	12.9159	\$3,843,927
2020	\$248,969,201	\$10,879,601	\$238,089,600	12.9159	\$3,075,141
2021	\$201,345,801	\$10,879,601	\$190,466,200	12.9159	\$2,460,042
2022	\$163,249,901	\$10,879,601	\$152,370,300	12.9159	\$1,968,000
2023	\$131,879,901	\$10,879,601	\$121,000,300	12.9159	\$1,562,828
2024	\$104,114,401	\$10,879,601	\$93,234,800	12.9159	\$1,204,211
2025	\$77,442,201	\$10,879,601	\$66,562,600	12.9159	\$859,716
2026	\$50,770,201	\$10,879,601	\$39,890,600	12.9159	\$515,223
2027	\$28,578,101	\$10,879,601	\$17,698,500	12.9159	\$228,592
2028	\$15,307,601	\$10,879,601	\$4,428,000	12.9159	\$57,192
2029	\$10,879,601	\$10,879,601	\$0	12.9159	-
2030	\$10,879,601	\$10,879,601	\$0	12.9159	-
Total					\$20,210,708

Source: ECONorthwest, FYE: Fiscal Year End, TIF: Tax Increment Funds

**Table 5 – Projected Investments and Depreciation Schedules**

Calendar Year	FYE	Investment Schedule 1			Investment Schedule 2			Investment Schedule 3			Total RMV
		Value	Depreciation	RMV	Value	Depr.	RMV	Value	Depr.	RMV	
2013	2015										
2014	2016										
2015	2017	\$137,000,000	10.00%	\$123,300,000							\$123,300,000
2016	2018		18.00%	\$98,640,000	\$135,000,000	10.00%	\$121,500,000				\$220,140,000
2017	2019		14.40%	\$78,912,000		18.00%	\$97,200,000	\$135,000,000	10.00%	\$121,500,000	\$297,612,000
2018	2020		11.52%	\$63,129,600		14.40%	\$77,760,000		18.00%	\$97,200,000	\$238,089,600
2019	2021		9.22%	\$50,498,200		11.52%	\$62,208,000		14.40%	\$77,760,000	\$190,466,200
2020	2022		7.37%	\$40,401,300		9.22%	\$49,761,000		11.52%	\$62,208,000	\$152,370,300
2021	2023		6.55%	\$31,427,800		7.37%	\$39,811,500		9.22%	\$49,761,000	\$121,000,300
2022	2024		6.55%	\$22,454,300		6.55%	\$30,969,000		7.37%	\$39,811,500	\$93,234,800
2023	2025		6.56%	\$13,467,100		6.55%	\$22,126,500		6.55%	\$30,969,000	\$66,562,600
2024	2026		6.55%	\$4,493,600		6.56%	\$13,270,500		6.55%	\$22,126,500	\$39,890,600
2025	2027		3.28%	-		6.55%	\$4,428,000		6.56%	\$13,270,500	\$17,698,500
2026	2028					3.28%	-		6.55%	\$4,428,000	\$4,428,000
2027	2029								3.28%	-	\$0
2028	2030										

FYE: Fiscal Year End RMV: Real Market Value Depr.: Depreciation

Source: ECONorthwest

## IX. IMPACT OF THE TAX INCREMENT FINANCING

This section describes the impact of tax increment financing of the new maximum indebtedness, both until and after the indebtedness is repaid, upon all entities levying taxes upon property in the urban renewal area.

The impact of tax increment financing on overlapping taxing districts consists primarily of the property tax revenues foregone on permanent rate levies as applied to the growth in assessed value in the Area. These projections are for impacts estimated for a 15-year period and are shown in Tables 6a and 6b. Table 6a shows the general government taxing jurisdictions and Table 6b shows the education taxing jurisdictions.

The concept for this plan, as defined by the City of Wilsonville, includes a 25% share of net tax increment proceeds with the affected taxing jurisdictions. This formula for revenue sharing is different than the formula described in Oregon Revised Statutes (ORS). Revenue sharing is part of the 2009 legislative changes to urban renewal and means that, at thresholds defined in ORS 457.470, the impacted taxing jurisdictions will receive a share of the incremental growth in the area. By statute, the share is a percentage basis dependent upon the tax rates of the taxing jurisdictions. The first threshold is 10% of the original maximum indebtedness. At the 10% threshold, the urban renewal agency will receive the full 10% of the initial maximum indebtedness plus 25% of the increment above the 10% threshold, and the taxing jurisdictions will receive 75% of the increment above the 10% threshold. The second threshold is set at 12.5% of the maximum indebtedness. Since revenue sharing is anticipated at the onset of the Plan, and this revenue sharing exceeds the potential amount of distributions through revenue sharing required in ORS 457.470, the revenue sharing in ORS 457.470 has been waived by the taxing jurisdictions.

The West Linn-Wilsonville School District and the Education Service District are not *directly* affected by the tax increment financing, but the amounts of their taxes divided for the urban renewal plan are shown in the following tables. Under current school funding law, property tax revenues are combined with State School Fund revenues to achieve per-student funding targets. Under this system, property taxes foregone, due to the use of tax increment financing, are substantially replaced with State School Fund revenues, as determined by a funding formula at the state level. The formula for funding schools, as changed in the 2013 legislative session, is \$6,852 per pupil for FY 2013-14 and \$7,081 per pupil for FY 2014-15, an increase over the 2012 levels. According to the State of Oregon Department of Education,

there was approximately \$1 billion dollars of increased revenues allocated to school financing in the 2013 legislative session.<sup>1</sup>

Tables 6a and 6b show the projected impacts to permanent rate levies of taxing districts as a result of this Plan. It assumes the growth as projected in the other tables in this Report. **It does not offset the foregone revenues with the expected new revenues. Although the taxing jurisdictions are shown to forego approximately \$12 million, as shown in Tables 6a and 6b, they will receive approximately \$8 million, as shown in Table 3. Over the life of the Plan, the taxing jurisdictions will receive over 40% of the total tax increment revenues produced by this sample scenario.**

There is always some discussion about the true impact of urban renewal on the taxing jurisdictions as there is one line of thought that some of the growth projected would not occur "but for" urban renewal. In this case, the building is underutilized either through vacancy or type of use, and expectations are that it will remain underutilized in the future without developer incentives. Given this, there would be no expectation that any increase of property taxes would come from this building without the use of urban renewal.

There is no anticipated change in revenue for affected taxing jurisdictions upon termination of the Plan, which is expected in 15 years. All projected investment is equipment, and equipment's assessed value depreciates over time. By the time the Area expires, all equipment will be fully depreciated, so there will be no additional assessed value to tax. However, the taxing jurisdictions are receiving 25% of the net increment during the time period the developer is receiving 75% of the net increment, and they are receiving 100% of the increment for the remaining time frame of the Area, as shown in Table 3. If there are any improvements to the building itself, or increases in value of the building itself, the taxing jurisdictions would realize the increased taxes from those investments.

<sup>1</sup> Phone interview with Jan McComb, State of Oregon Department of Education, July 11, 2013.

**Table 6a – Projected Impact on Taxing District Permanent Rate Levies (General Government)**

FYE	Clackamas County	Tualatin Valley Fire & Rescue	City of Wilsonville	Port of Portland	Metro	COUNTY EXTENSION & 4-H	COUNTY LIBRARY	COUNTY SOIL CONS	VECTOR CONTROL	Subtotal
2013	-	-	-	-	-	-	-	-	-	-
2014	-	-	-	-	-	-	-	-	-	-
2015	-	-	-	-	-	-	-	-	-	-
2016	-	-	-	-	-	-	-	-	-	-
2017	(222,328)	(141,043)	(233,092)	(6,482)	(8,933)	(4,624)	(36,750)	(4,624)	(601)	(658,477)
2018	(396,946)	(251,818)	(416,164)	(11,574)	(15,949)	(8,255)	(65,613)	(8,255)	(1,073)	(1,175,647)
2019	(536,639)	(340,438)	(562,621)	(15,647)	(21,562)	(11,160)	(88,703)	(11,160)	(1,451)	(1,589,381)
2020	(429,311)	(272,351)	(450,097)	(12,518)	(17,250)	(8,928)	(70,963)	(8,928)	(1,161)	(1,271,507)
2021	(343,439)	(217,874)	(360,067)	(10,014)	(13,799)	(7,142)	(56,768)	(7,142)	(929)	(1,017,174)
2022	(201,897)	(128,081)	(211,672)	(5,887)	(8,112)	(4,199)	(33,372)	(4,199)	(546)	(597,965)
2023	(89,727)	(56,922)	(94,071)	(2,616)	(3,605)	(1,866)	(14,831)	(1,866)	(243)	(265,747)
2024	-	-	-	-	-	-	-	-	-	-
2025	-	-	-	-	-	-	-	-	-	-
2026	-	-	-	-	-	-	-	-	-	-
2027	-	-	-	-	-	-	-	-	-	-
2028	-	-	-	-	-	-	-	-	-	-
2029	-	-	-	-	-	-	-	-	-	-
2030	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>(2,220,287)</b>	<b>(1,408,527)</b>	<b>(2,327,784)</b>	<b>(64,738)</b>	<b>(89,210)</b>	<b>(46,174)</b>	<b>(367,000)</b>	<b>(46,174)</b>	<b>(6,004)</b>	<b>(6,575,898)</b>

Source: ECONorthwest.

**Table 6b – Projected Impact on Taxing District Permanent Rate Levies (Education and Totals)**

FYE	COM COLL CLACK (perm)	ESD CLACKAMAS	SCH WLINN/WILS (perm)	Subtotal Education	Subtotal Gen Govt	Total
2013	-	-	-	-	-	-
2014	-	-	-	-	-	-
2015	-	-	-	-	-	-
2016	-	-	-	-	-	-
2017	(51,620)	(34,096)	(450,205)	(535,921)	(658,477)	(1,194,398)
2018	(92,162)	(60,874)	(803,797)	(956,833)	(1,175,647)	(2,132,480)
2019	(124,595)	(82,297)	(1,086,671)	(1,293,563)	(1,589,381)	(2,882,944)
2020	(99,676)	(65,838)	(869,337)	(1,034,851)	(1,271,507)	(2,306,358)
2021	(79,739)	(52,669)	(695,449)	(827,857)	(1,017,174)	(1,845,031)
2022	(46,876)	(30,962)	(408,832)	(486,670)	(597,965)	(1,084,635)
2023	(20,832)	(13,760)	(181,692)	(216,284)	(265,747)	(482,031)
2024	-	-	-	-	-	-
2025	-	-	-	-	-	-
2026	-	-	-	-	-	-
2027	-	-	-	-	-	-
2028	-	-	-	-	-	-
2029	-	-	-	-	-	-
2030	-	-	-	-	-	-
<b>Total</b>	<b>(515,500)</b>	<b>(340,496)</b>	<b>(4,495,983)</b>	<b>(5,351,979)</b>	<b>(6,575,898)</b>	<b>(11,927,877)</b>

Source: ECONorthwest. Please refer to the explanation of the schools funding in the preceding section.

## **X. COMPLIANCE WITH STATUTORY LIMITS ON ASSESSED VALUE AND SIZE OF URBAN RENEWAL AREA**

State law limits the percentage of both a municipality's total assessed value and the total land area that can be contained in an urban renewal area at the time of its establishment to 25% for municipalities under 50,000 in population. As noted below, the frozen base, including all real, personal, manufactured, and utility properties in the Urban Renewal Area, is projected to be \$10,879,601. The total assessed value of the City of Wilsonville is \$2,368,094,165. There are three existing urban renewal areas, as shown in Table 7. These three areas, plus the 9805 SW Boeckman Road Area, total 3.32% of the total assessed value of the City of Wilsonville, well below the 25% maximum. The 9805 SW Boeckman Road Area has 24.98 acres, including right-of-way, and the City of Wilsonville has 4,614.4 acres; the other three existing urban renewal areas total 1,032.76 acres. Therefore, 22.45% of the City's acreage is in an urban renewal area, below the 25% state limit.

**Table 7 – Urban Renewal Area Conformance with Assessed Value and Acreage Limits**

Urban Renewal Area	Assessed Value	Acres
9805 SW Boeckman Road	\$10,879,601	24.98
26755 SW 95 <sup>th</sup> Avenue	\$7,064,499	9.76
Year 2000 Plan	\$44,087,806	567
West Side Plan	\$16,526,288	456
City of Wilsonville	\$2,368,094,165	4,712
Percent of Assessed Value in Urban Renewal	3.32%	
Percent of Acreage in Urban Renewal		22.45%

Source: City of Wilsonville, Clackamas County Assessor, U.S. Census Bureau

## **XI. RELOCATION REPORT**

There is no relocation report required for the Plan. No relocation activities are anticipated.

# REPORT ACCOMPANYING 25600 SW PARKWAY CENTER DRIVE URBAN RENEWAL PLAN



Prepared for the City of Wilsonville

August 5, 2013

**REPORT ACCOMPANYING  
25600 SW PARKWAY CENTER DRIVE  
URBAN RENEWAL PLAN**

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## I. INTRODUCTION

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The Report on the 25600 SW Parkway Center Drive Urban Renewal Plan (Report) contains background information and project details that pertain to the 25600 SW Parkway Center Drive Urban Renewal Plan (Plan). The Report is not a legal part of the Plan, but is intended to provide public information and a basis for the findings made by the City Council as part of its approval of the Plan.

The Report provides information required by ORS 457.085(3). The format of the Report is based on this statute. The Report documents not only the proposed projects in the Plan, but also documents the existing conditions in the 25600 SW Parkway Center Drive Urban Renewal Area (Area).

The Report provides the analysis required to meet the standards of ORS 457.085(3), including financial feasibility.

**Figure 1 – 25600 SW Parkway Center Drive Urban Renewal Plan Area Boundary**



Source: City of Wilsonville

## II. EXISTING PHYSICAL, SOCIAL, AND ECONOMIC CONDITIONS AND IMPACTS ON MUNICIPAL SERVICES

---

This section of the Report describes existing conditions within the 25600 SW Parkway Center Drive Urban Renewal Area and documents the occurrence of “blighted areas,” as defined by ORS 457.010(1).

### A. Physical Conditions

#### *Land Use*

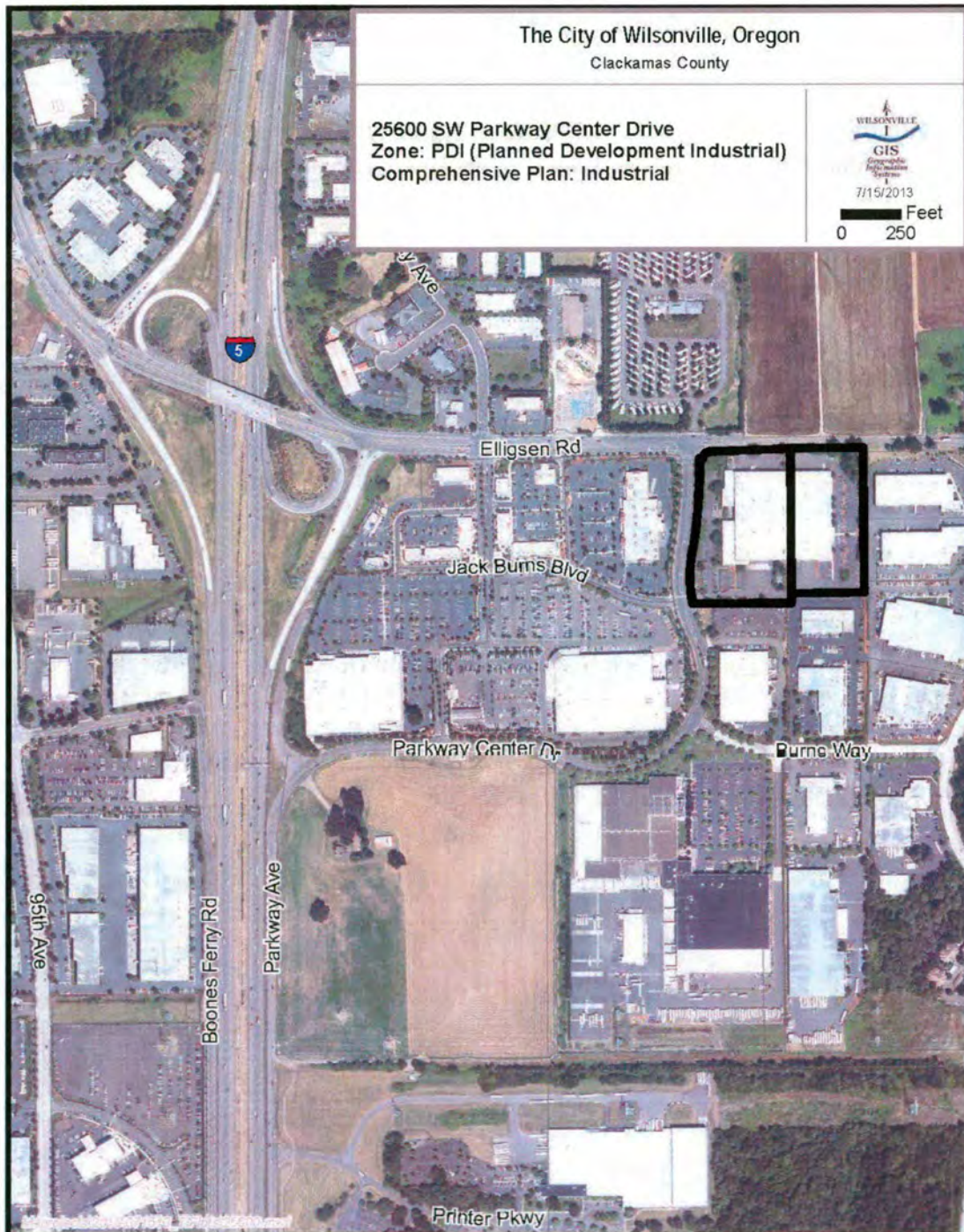
According to data obtained from the City of Wilsonville and the Clackamas County Assessor’s office, the Area, shown in Figure 1 above, contains 2 industrial use parcels that have a building with 177,288 square feet of building space on 10.35 acres.

#### *Zoning and Comprehensive Plan Designations*

In the City of Wilsonville, the Wilsonville Development Code and the Wilsonville Comprehensive Plan designations differ. The development code establishes districts to control land use throughout the city and regulates development standards within these established use districts. The comprehensive plan designation indicates the type of use allowed on a parcel.

The comprehensive plan designation of the parcels is Industrial, and the zoning is Planned Industrial Development (PDI).

Figure 2 – Area Zoning and Comprehensive Plan Designations



Source: City of Wilsonville

## **B. Infrastructure: Existing Conditions**

### *Infrastructure*

This section of the Report identifies the existing infrastructure in the Area. However, because this Area consists of only two parcels, this section will instead evaluate the infrastructure directly serving these parcels, along with an evaluation of the conditions of the infrastructure on the parcels themselves. Information was obtained from documentation by City of Wilsonville staff.

#### **1. Streets/Sidewalks/Pathways/Bike Lanes**

The street servicing the building, SW Parkway Center Drive, is a major arterial that is in good condition and meets City standards. SW Parkway Center Drive has adequate streetscape, sidewalks, curbs, and bike lanes.

There are currently two priority projects in the Capital Improvement Plan planned for SW Parkway Center Drive, an urban upgrade and a center trail connector.

#### **2. Water**

The water pipe serving the Area is a 2" domestic/2" irrigation that should be adequate for the current or future needs of the Area. There are no projects planned for the water infrastructure serving the Area in the CIP or other planning documents.

#### **3. Storm Drainage Master Plan**

The storm drain service in the Area is adequate for current and future use, and there are no planned projects for storm drain infrastructure serving the Area in the CIP or other planning documents. However, a building expansion or the addition of impervious surface could trigger new on-site stormwater improvements.

#### **4. Sanitary Sewer**

Sewer service to the Area is more than adequate for the current and future needs of the Area, and there are no planned projects for sewer infrastructure serving the Area in the CIP or other planning documents.

#### **5. Parks**

There are no public parks in the Area. The 2007 Parks and Recreation Master Plan identifies project P12 Industrial Area Waysides in the northwest industrial area of Wilsonville, which is currently underserved by parks or recreation facilities. These

projects are not in the City's short or mid-term Capital Improvement Program and have not been sited.

#### 6. Public Parking

There is no public parking in the Area, but there are banks of private head-in parking along the south, west, and east ends of the building that should provide parking for over 260 vehicles.

#### 7. Wetlands

There are no wetlands or Significant Resource Overlay Zoning in or immediately around the Area.

#### 8. Conditions of Buildings

The building has 177,288 square feet of space and is currently vacant.

### C. Social Conditions

There are only two industrial parcels in the Area and there are no residents that reside within the Area.

### D. Economic Conditions

#### *Taxable Value of Property Within the Area*

According to the Clackamas County Assessor's office, the estimated 2011/2012 total assessed value of the real property in the Area is \$7,476,210. The building is underutilized, and if it was fully utilized and converted to a traded-sector use such as manufacturing, the values would increase.

The frozen base is estimated to be \$7,476,210.

### E. Impact on Municipal Services

The fiscal impact of tax increment financing on taxing districts that levy taxes within the Area (affected taxing districts) is described in Section IX (Impact of the Tax Increment Financing) of this Report. This subsection discusses the fiscal impacts resulting from potential increases in demand for municipal services.

The project being considered for future use of urban renewal is an economic development project. The use of urban renewal funding for this project allows the City to provide an attractive industrial development incentive program that will be competitive with neighboring communities' Enterprise Zone programs. It also allows

the city to tap a different funding source besides the City of Wilsonville's general funds to support this program.

All necessary infrastructure to serve the Area is in place and none of the systems are slated for improvements in the CIP. Converting the building structure in the Area to optimized use will take advantage of the existing infrastructure. Because the structure will incur a change in use from warehousing to manufacturing, or another traded-sector use that meets program criteria, there may be a need for additional police and fire services. However, since this structure already exists and has received these services before, these are not totally new service requirements. In addition, a vacant structure can sometimes be vulnerable to vandalism, criminal activity and fire risk. Bringing the structure back to full use will help prevent such risks.

The revenue sharing feature of this urban renewal plan allows for tax increment to be shared with taxing jurisdictions including the City of Wilsonville at the onset of receipt by the Agency of tax increment funds. These funds will help offset any increased services.

### **III. REASONS FOR SELECTION OF EACH URBAN RENEWAL AREA IN THE PLAN**

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The reason for selecting the Area is to cure blight by providing the ability to fund an economic incentive program to encourage private sector investment in an underutilized and/or vacant parcel of industrial zoned land.

### **IV. THE RELATIONSHIP BETWEEN URBAN RENEWAL PROJECTS AND THE EXISTING CONDITIONS IN THE URBAN RENEWAL AREA**

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The projects identified for the Area, including how they relate to the existing conditions in the Area, are described below:

#### **A. Property Tax Rebates**

This project offers an incentive to the private sector to convert underutilized industrial buildings into higher value traded-sector uses, such as manufacturing, in the Area. This project will provide tax rebates of a portion of incremental property tax increases to qualifying investments in the Area.

#### *Existing Conditions:*

*This building is currently vacant and/or underutilized. It has 177,288 square feet of building space on 10.35 acres.*

## B. Debt Service and Administration

This project will allow for the repayment of costs associated with the preparation (including the potential repayment of the initial planning costs for the development of the urban renewal plan) adoption, and implementation of the 25600 SW Parkway Center Drive Urban Renewal Plan. This project also includes ongoing administration and any financing costs associated with the Plan.

*Existing Conditions:*

*As there is currently no urban renewal program for this Area, these activities do not exist.*

## V. THE ESTIMATED TOTAL COST OF EACH PROJECT AND THE SOURCES OF MONEYS TO PAY SUCH COSTS

The costs of the projects are shown in Table 1. The sources of funds are tax increment revenues. A three percent annual inflation factor is used. These funds will be allocated to the following projects:

- Repayment of a portion of the urban renewal planning costs will occur in the first year that tax increment funds are received (\$12,000 in FY 2013-14, adjusted annually for inflation increases).
- Approximately \$15,000 in FY 2013-14, adjusted for inflation, will be allocated for program administration annually.
- The project will rebate up to 75% of the net tax increment revenue for three years for each qualifying company if the average wage of the 75 or more new jobs pay a minimum of 125% of the average Clackamas County wage rate (not including benefits) in effect at the time the rebate is paid, which for 2012 is \$25.33/hour or \$52,693 annual wage rate. Two additional years (five total) of property tax rebates are available if the average wage of the 75 or more new jobs pay 150% of average wages paid in Clackamas County at the time the rebate is paid, which for 2012 equals \$30.40 per hour, or a \$63,230 annual wage.
- Any net tax increment revenues in excess of what is needed for administrative expenses or tax rebates will be distributed to the impacted taxing jurisdictions.

**Table 1 – Estimated Project Allocations**

TIF Use	Amount
URA Administration	\$141,367
Rebate	\$11,119,186
Total	\$11,260,553

Source: ECONorthwest, TIF: Tax Increment Funds

## VI. THE ANTICIPATED COMPLETION DATE FOR EACH PROJECT

The anticipated latest completion date of the projects in the 25600 SW Parkway Center Drive Urban Renewal Plan will be June 30 of the fiscal year ending 15 years after the approval of the Plan. If investments do not occur as outlined in the program guidelines, the Plan may be terminated earlier at the discretion of the Agency.

## VII. THE ESTIMATED AMOUNT OF TAX INCREMENT REVENUES REQUIRED AND THE ANTICIPATED YEAR IN WHICH INDEBTEDNESS WILL BE RETIRED

Table 2 shows a scenario for how this urban renewal plan may be implemented. This scenario relies on an investment by the developer of over \$407,000,000, in three successive years, receiving \$11,119,186 in tax rebates from tax increment funds received by the Agency. This results in approximately \$12 million in maximum indebtedness, and represents the maximum investment anticipated in the building. Lower investment levels will result in lower actual tax rebates and lower actual maximum indebtedness used. When a developer negotiates an agreement with the City, the projected rebate and revenue sharing numbers will be reevaluated, but may not exceed the \$12 million maximum indebtedness established in this Plan.

**Table 2. Investment Schedule**

Investment Amount			
Year	Schedule 1	Schedule 2	Schedule 3
2013			
2014			
2015	137,000,000		
2016		135,000,000	
2017			135,000,000
2018			

Source: ECONorthwest

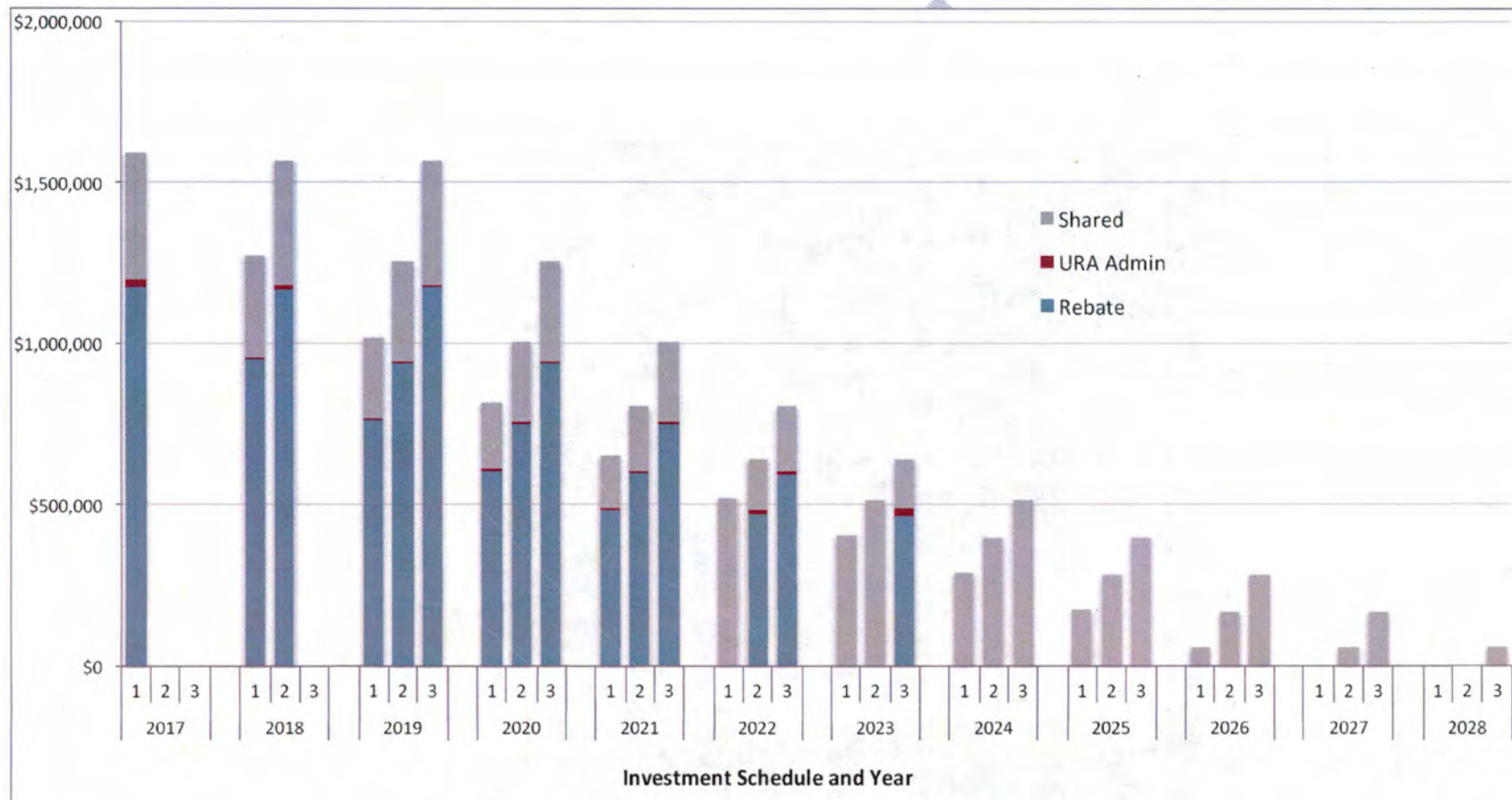
The tax increment revenues and their allocation to administrative costs, developer rebates, and the taxing jurisdictions' share of the increased property tax revenue are shown in Table 3. The 25% to taxing jurisdictions is held constant, the administrative costs are deducted from the 75% share to the developer. Since revenue sharing is anticipated at the onset of the Plan, and this revenue sharing exceeds the potential

amount of distributions through revenue sharing required in ORS 457.470, the revenue sharing in ORS 457.470 has been waived by the taxing jurisdictions.

It is anticipated that all expenditures of tax increment funding will be completed within 15 years. The maximum indebtedness is \$12,000,000. In the scenario detailed in Tables 2 and 3, the term of the rebate expires before all of the manufacturer's investment in equipment has depreciated. The result of this is the taxing jurisdictions begin to receive 100% of the TIF revenues in fiscal year 2023-24, and the total amount shared with taxing jurisdictions for the entire duration of the Area ends up being much higher than the net 25% share that is guaranteed during the time the developer is receiving rebates. Table 2 shows the total projected rebate to the developer in this scenario would be \$11,119,186 dollars, while the amount received by taxing jurisdictions is estimated at \$7,803,788 dollars over the 15 year life of the Plan. This is actually 40.8% of the total tax increment revenue.

Chart 1 depicts this scenario. Each individual investment provides rebates to the developer, and a portion of extra tax increment to taxing jurisdictions, for a five-year period, with any remaining increment shared with the taxing jurisdictions when that rebate period expires. The three investments are depicted in consecutive years, as shown by the 1,2,3 on the horizontal axis of the chart. As shown, once any one investment reaches the 6<sup>th</sup> year, all of the tax increment from that investment is shared with the taxing jurisdictions. This would be accomplished through an under levy.

**Chart 1. Investment, Amortization, and Rebate Schedule**



Source: ECONorthwest

There will be no loans or bonds issued. The amount of funding to service the maximum indebtedness will be raised through the payment of tax increment from the County Assessor's office. Because the project payments are predicated upon the annual tax increment on a formulaic basis allocating first to administrative costs, then a 75/25 split of increment between the developer and impacted taxing jurisdictions, the Plan will be financially feasible. No payments will be made without first receiving the increment from the assessor.

**Table 3 – Tax Increment Revenues and Allocations to Project Costs Sample Scenario**

FYE	URA Admin	Rebate	Shared	Total
2013				
2014				
2015				
2016				
2017	\$28,883	\$1,097,768	\$375,550	\$1,502,201
2018	\$17,390	\$1,996,308	\$668,334	\$2,682,032
2019	\$17,912	\$2,703,003	\$904,981	\$3,625,896
2020	\$18,449	\$2,158,626	\$723,642	\$2,900,717
2021	\$19,002	\$1,722,962	\$578,543	\$2,320,507
2022	\$19,572	\$1,005,988	\$830,813	\$1,856,373
2023	\$20,159	\$434,531	\$1,019,493	\$1,474,183
2024			\$1,135,908	\$1,135,908
2025			\$810,952	\$810,952
2026			\$485,999	\$485,999
2027			\$215,626	\$215,626
2028			\$53,948	\$53,948
2029				
2030				
Total	\$141,367	\$11,119,186	\$7,803,788	\$19,064,342

Source: ECONorthwest, FYE: Fiscal Year End, URA: Urban Renewal Area

## VIII. FINANCIAL ANALYSIS OF THE PLAN

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The estimated tax increment revenues in the sample scenario, as shown above, are based on projections of the assessed value of investment that could occur within the Area, depreciation of the investment and the total tax rate that will apply in the Area. The assumptions include assumptions of development, as identified in the TIF Zones concept by the City of Wilsonville. Although these assumptions are used as a basis for evaluating the Plan, the financial feasibility is predicated on the simple formula that increased revenues will be shared by the City for administration, by the developer and by the taxing jurisdictions. No payments will be made until tax increment is received from the County Assessor. These payments will be distributed on a formula that includes payments for administrative costs, then a 75/25 split between the developer and impacted taxing jurisdictions.

Table 4 shows the projected incremental assessed value, projected tax rates that would produce tax increment revenues, and the annual tax increment revenues (not adjusted for under-collection, penalties, and interest). These projections of increment are the basis for the projections in Table 3. These projections include shared revenue with impacted taxing jurisdictions.

Table 5 shows the investment and depreciation assumptions used in preparing the financial analysis. In this scenario, all investment is assumed to be equipment, and so it is depreciated. The depreciation schedule used in this scenario is a half-year convention over a 10-year recovery period that was published by the Internal Revenue Service in its annual report for how to depreciate property. Depreciation is an annual income tax deduction that allows you to recover the cost or other basis of certain property over the time you use the property. It is an allowance for the wear and tear, deterioration, or obsolescence of the property. In this case, all the investment in property is assumed to depreciate to zero after 10 years. Property can be depreciated at different times throughout the year, depending on the accounting method used. Under the half-year convention, you treat all property placed in service or disposed of during a tax year as placed in service or disposed of at the midpoint of the year. This means that a one-half year of depreciation is allowed for the year the property is placed in service or disposed of.

However, as stated above, for purposes of financial feasibility, the fact that no payments will be made until tax increment is received establishes financial feasibility.

**Table 4 – Projected Incremental Assessed Value, Tax Rates, and Tax Increment Revenues**

FYE	Assessed Value	Frozen Base	Excess Value	Tax Rate	TIF
2013	\$7,476,210	\$7,476,210	\$0	12.3549	-
2014	\$7,476,210	\$7,476,210	\$0	12.3522	-
2015	\$7,476,210	\$7,476,210	\$0	12.3467	-
2016	\$7,476,210	\$7,476,210	\$0	12.1833	-
2017	\$130,776,210	\$7,476,210	\$123,300,000	12.1833	\$1,502,201
2018	\$227,616,210	\$7,476,210	\$220,140,000	12.1833	\$2,682,032
2019	\$305,088,210	\$7,476,210	\$297,612,000	12.1833	\$3,625,896
2020	\$245,565,810	\$7,476,210	\$238,089,600	12.1833	\$2,900,717
2021	\$197,942,410	\$7,476,210	\$190,466,200	12.1833	\$2,320,507
2022	\$159,846,510	\$7,476,210	\$152,370,300	12.1833	\$1,856,373
2023	\$128,476,510	\$7,476,210	\$121,000,300	12.1833	\$1,474,183
2024	\$100,711,010	\$7,476,210	\$93,234,800	12.1833	\$1,135,908
2025	\$74,038,810	\$7,476,210	\$66,562,600	12.1833	\$810,952
2026	\$47,366,810	\$7,476,210	\$39,890,600	12.1833	\$485,999
2027	\$25,174,710	\$7,476,210	\$17,698,500	12.1833	\$215,626
2028	\$11,904,210	\$7,476,210	\$4,428,000	12.1833	\$53,948
2029	\$7,476,210	\$7,476,210	\$0	12.1833	-
2030	\$7,476,210	\$7,476,210	\$0	12.1833	-
Total					\$19,064,342

Source: ECONorthwest, FYE: Fiscal Year End, TIF Revenue: Tax Increment Revenue

**Table 5 – Projected Investments and Depreciation Schedules**

Calendar Year	FYE	Investment Schedule 1			Investment Schedule 2			Investment Schedule 3			Total RMV
		Value	Depreciation	RMV	Value	Depr.	RMV	Value	Depr.	RMV	
2013	2015										
2014	2016										
2015	2017	\$137,000,000	10.00%	\$123,300,000							\$123,300,000
2016	2018		18.00%	\$98,640,000	\$135,000,000	10.00%	\$121,500,000				\$220,140,000
2017	2019		14.40%	\$78,912,000		18.00%	\$97,200,000	\$135,000,000	10.00%	\$121,500,000	\$297,612,000
2018	2020		11.52%	\$63,129,600		14.40%	\$77,760,000		18.00%	\$97,200,000	\$238,089,600
2019	2021		9.22%	\$50,498,200		11.52%	\$62,208,000		14.40%	\$77,760,000	\$190,466,200
2020	2022		7.37%	\$40,401,300		9.22%	\$49,761,000		11.52%	\$62,208,000	\$152,370,300
2021	2023		6.55%	\$31,427,800		7.37%	\$39,811,500		9.22%	\$49,761,000	\$121,000,300
2022	2024		6.55%	\$22,454,300		6.55%	\$30,969,000		7.37%	\$39,811,500	\$93,234,800
2023	2025		6.56%	\$13,467,100		6.55%	\$22,126,500		6.55%	\$30,969,000	\$66,562,600
2024	2026		6.55%	\$4,493,600		6.56%	\$13,270,500		6.55%	\$22,126,500	\$39,890,600
2025	2027		3.28%	-		6.55%	\$4,428,000		6.56%	\$13,270,500	\$17,698,500
2026	2028					3.28%	-		6.55%	\$4,428,000	\$4,428,000
2027	2029								3.28%	-	\$0
2028	2030										

FYE: Fiscal Year End RMV: Real Market Value Depr.: Depreciation

Source: ECONorthwest

## IX. IMPACT OF THE TAX INCREMENT FINANCING

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This section describes the impact of tax increment financing of the new maximum indebtedness, both until and after the indebtedness is repaid, upon all entities levying taxes upon property in the urban renewal area.

The impact of tax increment financing on overlapping taxing districts consists primarily of the property tax revenues foregone on permanent rate levies as applied to the growth in assessed value in the Area. These projections are for impacts estimated for a 15-year period and are shown in Tables 6a and 6b. Table 6a shows the general government taxing jurisdictions and Table 6b shows the education taxing jurisdictions.

The concept for this plan, as defined by the City of Wilsonville, includes a 25% share of net tax increment proceeds with the affected taxing jurisdictions. This formula for revenue sharing is different than the formula described in Oregon Revised Statutes (ORS). Revenue sharing is part of the 2009 legislative changes to urban renewal and means that, at thresholds defined in ORS 457.470, the impacted taxing jurisdictions will receive a share of the incremental growth in the area. By statute, the share is a percentage basis dependent upon the tax rates of the taxing jurisdictions. The first threshold is 10% of the original maximum indebtedness. At the 10% threshold, the urban renewal agency will receive the full 10% of the initial maximum indebtedness plus 25% of the increment above the 10% threshold, and the taxing jurisdictions will receive 75% of the increment above the 10% threshold. The second threshold is set at 12.5% of the maximum indebtedness. Since revenue sharing is anticipated at the onset of the Plan, and this revenue sharing exceeds the potential amount of distributions through revenue sharing required in ORS 457.470, the revenue sharing in ORS 457.470 has been waived by the taxing jurisdictions.

The West Linn-Wilsonville School District and the Education Service District are not *directly* affected by the tax increment financing, but the amounts of their taxes divided for the urban renewal plan are shown in the following tables. Under current school funding law, property tax revenues are combined with State School Fund revenues to achieve per-student funding targets. Under this system, property taxes foregone, due to the use of tax increment financing, are substantially replaced with State School Fund revenues, as determined by a funding formula at the state level. The formula for funding schools, as changed in the 2013 legislative session, is \$6,852 per pupil for FY 2013-14 and \$7,081 per pupil for FY 2014-15, an increase over the 2012 levels. According to the State of Oregon Department of Education,

there was approximately \$1 billion dollars of increased revenues allocated to school financing in the 2013 legislative session.<sup>1</sup>

Tables 6a and 6b show the projected impacts to permanent rate levies of taxing districts as a result of this Plan. It assumes the growth as projected in the other tables in this Report. **It does not offset the foregone revenues with the expected new revenues. Although the taxing jurisdictions are shown to forego approximately \$12 million, as shown in Table 6a and 6b, they will receive approximately \$8 million, as shown in Table 3. Over the life of the Plan, the taxing jurisdictions will receive over 40% of the total tax increment revenues produced by this sample scenario.**

There is always some discussion about the true impact of urban renewal on the taxing jurisdictions as there is one line of thought that some of the growth projected would not occur "but for" urban renewal. In this case, the building is underutilized either through vacancy or type of use, and expectations are that it will remain underutilized in the future without developer incentives. Given this, there would be no expectation that any increase of property taxes would come from this building without the use of urban renewal.

There is no anticipated change in revenue for affected taxing jurisdictions upon termination of the Plan, which is expected in 15 years. All projected investment is equipment, and equipment's assessed value depreciates over time. By the time the Area expires, all equipment will be fully depreciated, so there will be no additional assessed value to tax. However, the taxing jurisdictions are receiving 25% of the net increment during the time period the developer is receiving 75% of the net increment, and they are receiving 100% of the increment for the remaining time frame of the Area, as shown in Table 3. If there are any improvements to the building itself, or increases in value of the building itself, the taxing jurisdictions would realize the increased taxes from those investments.

<sup>1</sup> Phone interview with Jan McComb, State of Oregon Department of Education, July 11, 2013.

**Table 6a – Projected Impact on Taxing District Permanent Rate Levies (General Government)**

FYE	Washington County	Tualatin Valley Fire & Rescue	City of Wilsonville	Port of Portland	Metro	Subtotal
2013	-	-	-	-	-	-
2014	-	-	-	-	-	-
2015	-	-	-	-	-	-
2016	-	-	-	-	-	-
2017	(207,921)	(141,043)	(233,093)	(6,482)	(8,933)	(597,472)
2018	(371,623)	(252,090)	(416,613)	(11,586)	(15,966)	(1,067,878)
2019	(502,139)	(340,625)	(562,929)	(15,656)	(21,574)	(1,442,923)
2020	(401,774)	(272,543)	(450,415)	(12,526)	(17,262)	(1,154,520)
2021	(321,475)	(218,073)	(360,395)	(10,023)	(13,812)	(923,778)
2022	(189,265)	(128,388)	(212,178)	(5,901)	(8,132)	(543,864)
2023	(83,912)	(56,922)	(94,071)	(2,616)	(3,605)	(241,126)
2024	-	-	-	-	-	-
<b>Total</b>	<b>(2,078,109)</b>	<b>(1,409,684)</b>	<b>(2,329,694)</b>	<b>(64,790)</b>	<b>(89,284)</b>	<b>(5,971,561)</b>

Source: ECONorthwest.

**Table 6b – Projected Impact on Taxing District Permanent Rate Levies (Education and Totals)**

FYE	Portland Community College (perm)	Clackamas County ESD	West Linn SD (perm)	Education Subtotal	Gen Subtotal	Total
2013	-	-	-	-	-	-
2014	-	-	-	-	-	-
2015	-	-	-	-	-	-
2016	-	-	-	-	-	-
2017	(26,152)	(34,096)	(450,205)	(529,179)	(597,472)	(1,126,651)
2018	(46,742)	(60,940)	(804,666)	(945,818)	(1,067,878)	(2,013,696)
2019	(63,158)	(82,342)	(1,087,267)	(1,277,992)	(1,442,923)	(2,720,915)
2020	(50,534)	(65,884)	(869,951)	(1,022,554)	(1,154,520)	(2,177,074)
2021	(40,435)	(52,717)	(696,082)	(818,187)	(923,778)	(1,741,965)
2022	(23,805)	(31,036)	(409,810)	(481,697)	(543,864)	(1,025,561)
2023	(10,554)	(13,760)	(181,692)	(213,563)	(241,126)	(454,689)
2024	-	-	-	-	-	-
<b>Total</b>	<b>(261,380)</b>	<b>(340,775)</b>	<b>(4,499,673)</b>	<b>(5,288,990)</b>	<b>(5,971,561)</b>	<b>(11,260,551)</b>

Source: ECONorthwest. Please refer to the explanation of the schools funding in the preceding section.

## X. COMPLIANCE WITH STATUTORY LIMITS ON ASSESSED VALUE AND SIZE OF URBAN RENEWAL AREA

State law limits the percentage of both a municipality's total assessed value and the total land area that can be contained in an urban renewal area at the time of its establishment to 25% for municipalities under 50,000 in population. As noted below, the frozen base, including all real, personal, manufactured, and utility properties in the Urban Renewal Area, is projected to be \$7,476,210. The total assessed value of the City of Wilsonville is \$2,368,094,165. There are four existing urban renewal areas, as shown in Table 7. These four areas, plus the 25600 SW Parkway Center Drive Area, total 3.63% of the total assessed value of the City of Wilsonville, well below the 25% maximum. The 25600 SW Parkway Center Drive Area has 10.35 acres, including right-of-way, and the City of Wilsonville has 4,712 acres; the other four existing urban renewal areas total 1,057.74 acres. Therefore, 22.67% of the City's acreage is in an urban renewal area, below the 25% state limit.

**Table 7 – Urban Renewal Area Conformance with Assessed Value and Acreage Limits**

Urban Renewal Area	Assessed Value	Acres
25600 SW Parkway Center Drive	\$7,476,210	10.35
9805 SW Boeckman Road	\$10,879,601	24.98
26755 SW 95 <sup>th</sup> Avenue	\$7,064,499	9.76
Year 2000 Plan	\$44,087,806	567
West Side Plan	\$16,526,288	456
City of Wilsonville	\$2,368,094,165	4,712
Percent of Assessed Value in Urban Renewal	3.63%	
Percent of Acreage in Urban Renewal		22.67%

Source: City of Wilsonville, Clackamas County Assessor, U.S. Census Bureau

## XI. RELOCATION REPORT

There is no relocation report required for the Plan. No relocation activities are anticipated.

# REPORT ACCOMPANYING 27255 SW 95<sup>TH</sup> AVENUE URBAN RENEWAL PLAN



Prepared for the City of Wilsonville

August 5, 2013

**REPORT ACCOMPANYING  
27255 SW 95<sup>TH</sup> AVENUE  
URBAN RENEWAL PLAN**

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## I. INTRODUCTION

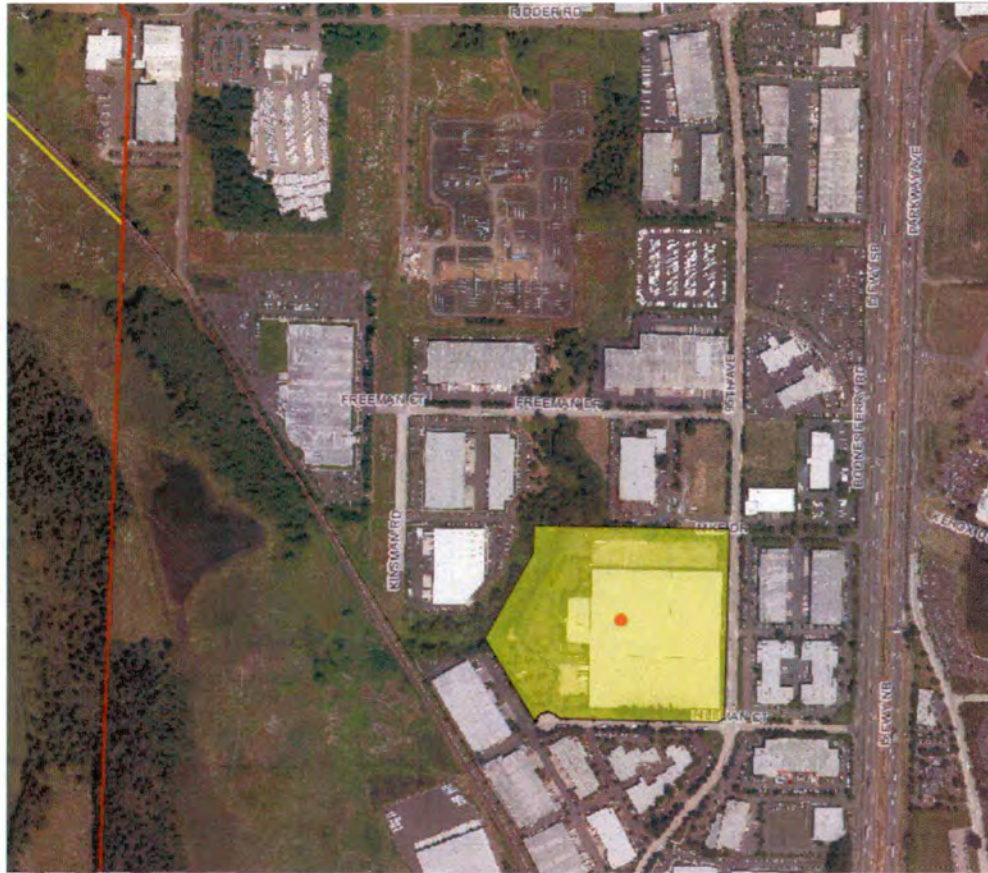
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The Report on the 27255 SW 95<sup>th</sup> Avenue Urban Renewal Plan (Report) contains background information and project details that pertain to the 27255 SW 95<sup>th</sup> Avenue Urban Renewal Plan (Plan). The Report is not a legal part of the Plan, but is intended to provide public information and a basis for the findings made by the City Council as part of its approval of the Plan.

The Report provides information required by ORS 457.085(3). The format of the Report is based on this statute. The Report documents not only the proposed projects in the Plan, but also documents the existing conditions in the 27255 SW 95<sup>th</sup> Avenue Urban Renewal Area (Area).

The Report provides the analysis required to meet the standards of ORS 457.085(3), including financial feasibility.

**Figure 1 – 27255 SW 95th Avenue Urban Renewal Plan Area Boundary**



Source: City of Wilsonville

## II. EXISTING PHYSICAL, SOCIAL, AND ECONOMIC CONDITIONS AND IMPACTS ON MUNICIPAL SERVICES

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This section of the Report describes existing conditions within the 27255 SW 95<sup>th</sup> Avenue Urban Renewal Area and documents the occurrence of “blighted areas,” as defined by ORS 457.010(1).

### A. Physical Conditions

#### *Land Use*

According to data obtained from the City of Wilsonville and the Clackamas County Assessor’s office, the Area, shown in Figure 1 above, contains 1 industrial use parcel that has 508,277 square feet of building space on 26.07 acres.

#### *Zoning and Comprehensive Plan Designations*

In the City of Wilsonville, the Wilsonville Development Code and the Wilsonville Comprehensive Plan designations differ. The development code establishes districts to control land use throughout the city and regulates development standards within these established use districts. The comprehensive plan designation indicates the type of use allowed on a parcel.

The comprehensive plan designation of the parcel is Industrial, and the zoning is Planned Industrial Development (PDI).

Figure 2 – Area Zoning and Comprehensive Plan Designations



Source: City of Wilsonville

## **B. Infrastructure: Existing Conditions**

### *Infrastructure*

This section of the Report identifies the existing infrastructure in the Area. However, because this Area consists of only one parcel, this section will instead evaluate the infrastructure directly serving this parcel, along with an evaluation of the conditions of the infrastructure on the parcel itself. Information was obtained from documentation by City of Wilsonville staff.

#### **1. Streets/Sidewalks/Pathways/Bike Lanes**

The street servicing the property, SW 95<sup>th</sup> Avenue, is a minor arterial that is in good condition and meets City standards. SW 95<sup>th</sup> Avenue has adequate streetscape, sidewalks, curbs, and bike lanes.

There are currently a number of priority projects planned for SW 95<sup>th</sup> Avenue in the Capital Improvement Plan, including sidewalk infill and transit stop improvements.

#### **2. Water**

The water pipe serving the Area is a 2" domestic that should be adequate for the current or future needs of the Area. There are no projects planned for the water infrastructure serving the Area in the CIP or other planning documents.

#### **3. Storm Drainage Master Plan**

The storm drain service in the Area is adequate for current and future use, and there are no planned projects for storm drain infrastructure serving the Area in the CIP or other planning documents. However, a building expansion or the addition of impervious surface could trigger new on-site stormwater improvements.

#### **4. Sanitary Sewer**

Sewer service to the Area is more than adequate for the current and future needs of the Area, and there are no planned projects for sewer infrastructure serving the Area in the CIP or other planning documents.

#### **5. Parks**

There are no public parks in the Area. The 2007 Parks and Recreation Master Plan identifies project P12 Industrial Area Waysides in the northwest industrial area of Wilsonville, which is currently underserved by parks or recreation facilities. These projects are not in the City's short or mid-term Capital Improvement Program and have not been sited.

## 6. Public Parking

There is no public parking in the Area, but there is parking along the south and west, ends of the building that should provide parking for over 250 vehicles.

## 7. Wetlands

Approximately 91,784 SF along the Area's western boundary borders the Basalt Creek wetlands and is within the City's Significant Resource Overlay Zone.

## 8. Conditions of Buildings

The building has 508,277 square feet of space. It is currently used for warehousing and is considered underutilized.

## C. Social Conditions

There is only one industrial parcel in the Area and there are no residents that reside within the Area.

## D. Economic Conditions

### *Taxable Value of Property Within the Area*

According to the Clackamas County Assessor's office, the estimated 2011/2012 total assessed value of the real property in the Area is \$15,982,441. The total assessed value including personal property is \$16,608,823. The building is underutilized, and if it was fully utilized and converted to a traded-sector use such as manufacturing, the values would increase.

The frozen base is estimated to be \$16,608,823.

## E. Impact on Municipal Services

The fiscal impact of tax increment financing on taxing districts that levy taxes within the Area (affected taxing districts) is described in Section IX (Impact of the Tax Increment Financing) of this Report. This subsection discusses the fiscal impacts resulting from potential increases in demand for municipal services.

The project being considered for future use of urban renewal is an economic development project. The use of urban renewal funding for this project allows the City to provide an attractive industrial development incentive program that will be competitive with neighboring communities' Enterprise Zone programs. It also allows the city to tap a different funding source besides the City of Wilsonville's general funds to support this program.

All necessary infrastructure to serve the Area is in place and none of the systems are slated for improvements in the CIP. Converting the building structure in the Area to optimized use will take advantage of the existing infrastructure. Because the structure will incur a change in use from warehousing to manufacturing, or another traded-sector use that meets program criteria, there may be a need for additional police and fire services. However, since this structure already exists and has received these services before, these are not totally new service requirements. In addition, a vacant structure can sometimes be vulnerable to vandalism, criminal activity and fire risk. Bringing the structure back to full use will help prevent such risks.

The revenue sharing feature of this urban renewal plan allows for tax increment to be shared with taxing jurisdictions including the City of Wilsonville at the onset of receipt by the Agency of tax increment funds. These funds will help offset any increased services.

### **III. REASONS FOR SELECTION OF EACH URBAN RENEWAL AREA IN THE PLAN**

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The reason for selecting the Area is to cure blight by providing the ability to fund an economic incentive program to encourage private sector investment in an underutilized and/or vacant parcel of industrial zoned land.

### **IV. THE RELATIONSHIP BETWEEN URBAN RENEWAL PROJECTS AND THE EXISTING CONDITIONS IN THE URBAN RENEWAL AREA**

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The projects identified for the Area, including how they relate to the existing conditions in the Area, are described below:

#### **A. Property Tax Rebates**

This project offers an incentive to the private sector to convert underutilized industrial buildings into higher value traded-sector uses, such as manufacturing, in the Area. This project will provide tax rebates of a portion of incremental property tax increases to qualifying investments in the Area.

#### *Existing Conditions:*

*This parcel is currently vacant and/or underutilized. It has 508,277 square feet of building space on 26.07 acres.*

## B. Debt Service and Administration

This project will allow for the repayment of costs associated with the preparation (including the potential repayment of the initial planning costs for the development of the urban renewal plan) adoption, and implementation of the 27255 SW 95<sup>th</sup> Avenue Urban Renewal Plan. This project also includes ongoing administration and any financing costs associated with the Plan.

*Existing Conditions:*

*As there is currently no urban renewal program for this Area, these activities do not exist.*

## V. THE ESTIMATED TOTAL COST OF EACH PROJECT AND THE SOURCES OF MONEYS TO PAY SUCH COSTS

The costs of the projects are shown in Table 1. The sources of funds are tax increment revenues. A three percent annual inflation factor is used. These funds will be allocated to the following projects:

- Repayment of a portion of the urban renewal planning costs will occur in the first year that tax increment funds are received (\$12,000 in FY 2013-14, adjusted annually for inflation increases).
- Approximately \$15,000 in FY 2013-14, adjusted for inflation, will be allocated for program administration annually.
- The project will rebate up to 75% of the net tax increment revenue for three years for each qualifying company if the average wage of the 75 or more new jobs pay a minimum of 125% of the average Clackamas County wage rate (not including benefits) in effect at the time the rebate is paid, which for 2012 is \$25.33/hour or \$52,693 annual wage rate. Two additional years (five total) of property tax rebates are available if the average wage of the 75 or more new jobs pay 150% of average wages paid in Clackamas County at the time the rebate is paid, which for 2012 equals \$30.40 per hour, or a \$63,230 annual wage.
- Any net tax increment revenues in excess of what is needed for administrative expenses or tax rebates will be distributed to the impacted taxing jurisdictions.

**Table 1 – Estimated Project Allocations**

TIF Use	Amount
URA Administration	\$141,367
Rebate	\$11,786,512
Total	\$11,927,879

Source: ECONorthwest, TIF: Tax Increment Funds

## VI. THE ANTICIPATED COMPLETION DATE FOR EACH PROJECT

The anticipated latest completion date of the projects in the 27255 SW 95<sup>th</sup> Avenue Urban Renewal Plan will be June 30 of the fiscal year ending 15 years after the approval of the Plan. If investments do not occur as outlined in the program guidelines, the Plan may be terminated earlier at the discretion of the Agency.

## VII. THE ESTIMATED AMOUNT OF TAX INCREMENT REVENUES REQUIRED AND THE ANTICIPATED YEAR IN WHICH INDEBTEDNESS WILL BE RETIRED

Table 2 shows a scenario for how this urban renewal plan may be implemented. This scenario relies on an investment by the developer of over \$407,000,000, in three successive years, receiving \$11,786,512 in tax rebates from tax increment funds received by the Agency. This results in approximately \$12 million in maximum indebtedness, and represents the maximum investment anticipated in the building. Lower investment levels will result in lower actual tax rebates and lower actual maximum indebtedness used. When a developer negotiates an agreement with the City, the projected rebate and revenue sharing numbers will be reevaluated, but may not exceed the \$12 million maximum indebtedness established in this Plan.

**Table 2. Investment Schedule**

Year	Investment Amount		
	Schedule 1	Schedule 2	Schedule 3
2013			
2014			
2015	137,000,000		
2016		135,000,000	
2017			135,000,000
2018			

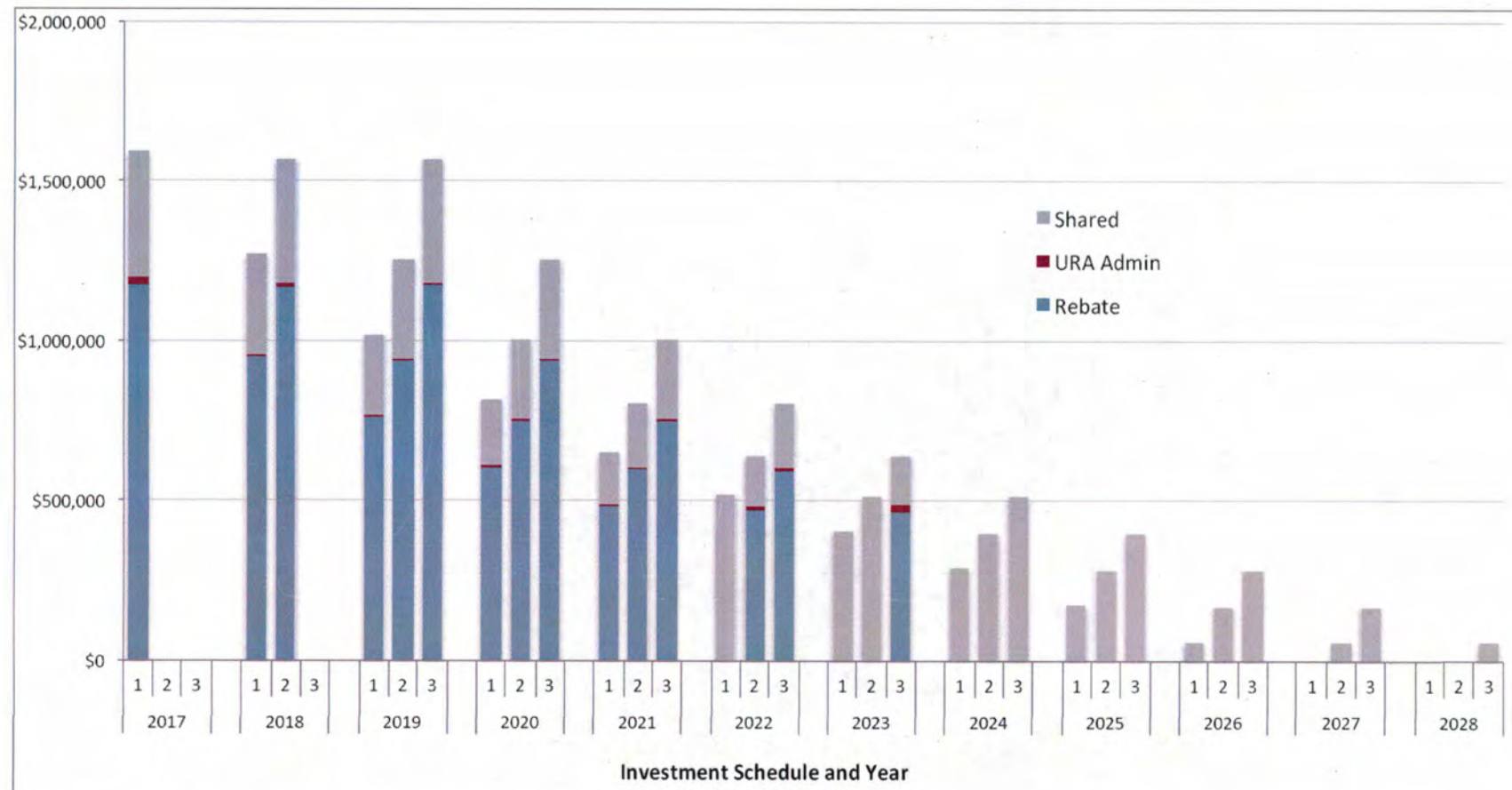
Source: ECONorthwest

The tax increment revenues and their allocation to administrative costs, developer rebates, and the taxing jurisdictions' share of the increased property tax revenue are shown in Table 3. The 25% to taxing jurisdictions is held constant, the administrative costs are deducted from the 75% share to the developer. Since revenue sharing is anticipated at the onset of the Plan, and this revenue sharing exceeds the potential amount of distributions through revenue sharing required in ORS 457.470, the revenue sharing in ORS 457.470 has been waived by the taxing jurisdictions.

It is anticipated that all expenditures of tax increment funding will be completed within 15 years. The maximum indebtedness is \$12,000,000. In the scenario detailed in Tables 2 and 2, the term of the rebate expires before all of the manufacturer's investment in equipment has depreciated. The result of this is the taxing jurisdictions begin to receive 100% of the TIF revenues in fiscal year 2023-24, and the total amount shared with taxing jurisdictions for the entire duration of the Area ends up being much higher than the net 25% share that is guaranteed during the time the developer is receiving rebates. Table 2 shows the total projected rebate to the developer in this scenario would be \$11,786,512 dollars, while the amount received by taxing jurisdictions is estimated at \$8,282,830 dollars over the 15 year life of the Plan. This is actually 41% of the total tax increment revenue.

Chart 1 depicts this scenario. Each individual investment provides rebates to the developer, and a portion of extra tax increment to taxing jurisdictions, for a five-year period, with any remaining increment shared with the taxing jurisdictions when that rebate period expires. The three investments are depicted in consecutive years, as shown by the 1,2,3 on the horizontal axis of the chart. As shown, once any one investment reaches the 6<sup>th</sup> year, all of the tax increment from that investment is shared with the taxing jurisdictions. This would be accomplished through an under levy.

**Chart 1. Investment, Amortization, and Rebate Schedule**



Source: ECONorthwest

There will be no loans or bonds issued. The amount of funding to service the maximum indebtedness will be raised through the payment of tax increment from the County Assessor's office. Because the project payments are predicated upon the annual tax increment on a formulaic basis allocating first to administrative costs, then a 75/25 split of increment between the developer and impacted taxing jurisdictions, the Plan will be financially feasible. No payments will be made without first receiving the increment from the assessor.

**Table 3 – Tax Increment Revenues and Allocations to Project Costs Sample Scenario**

	URA Admin	Rebate	Shared	Total
2013	-	-	-	-
2014	-	-	-	-
2015	-	-	-	-
2016	-	-	-	-
2017	\$28,883	\$1,165,514	\$398,133	\$1,592,530
2018	\$17,390	\$2,115,090	\$710,826	\$2,843,306
2019	\$17,912	\$2,865,034	\$960,981	\$3,843,927
2020	\$18,449	\$2,287,907	\$768,785	\$3,075,141
2021	\$19,002	\$1,826,030	\$615,010	\$2,460,042
2022	\$19,572	\$1,065,063	\$883,364	\$1,968,000
2023	\$20,159	\$461,872	\$1,080,797	\$1,562,828
2024	\$0	\$0	\$1,204,211	\$1,204,211
2025	\$0	\$0	\$859,716	\$859,716
2026	\$0	\$0	\$515,223	\$515,223
2027	\$0	\$0	\$228,592	\$228,592
2028	\$0	\$0	\$57,192	\$57,192
2029	\$0	\$0	\$0	\$0
2030	\$0	\$0	\$0	\$0
Total	\$141,367	\$11,786,512	\$8,282,830	\$20,210,708

Source: ECONorthwest, FYE: Fiscal Year End, URA: Urban Renewal Area

## VIII. FINANCIAL ANALYSIS OF THE PLAN

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The estimated tax increment revenues in the sample scenario, as shown above, are based on projections of the assessed value of investment that could occur within the Area, depreciation of the investment and the total tax rate that will apply in the Area. The assumptions include assumptions of development, as identified in the TIF Zones concept by the City of Wilsonville. Although these assumptions are used as a basis for evaluating the Plan, the financial feasibility is predicated on the simple formula that increased revenues will be shared by the City for administration, by the developer and by the taxing jurisdictions. No payments will be made until tax increment is received from the County Assessor. These payments will be distributed on a formula that includes payments for administrative costs, then a 75/25 split between the developer and impacted taxing jurisdictions.

Table 4 shows the projected incremental assessed value, projected tax rates that would produce tax increment revenues, and the annual tax increment revenues (not adjusted for under-collection, penalties, and interest). These projections of increment are the basis for the projections in Table 3. These projections include shared revenue with impacted taxing jurisdictions.

Table 5 shows the investment and depreciation assumptions used in preparing the financial analysis. In this scenario, all investment is assumed to be equipment, and so it is depreciated. The depreciation schedule used in this scenario is a half-year convention over a 10-year recovery period that was published by the Internal Revenue Service in its annual report for how to depreciate property. Depreciation is an annual income tax deduction that allows you to recover the cost or other basis of certain property over the time you use the property. It is an allowance for the wear and tear, deterioration, or obsolescence of the property. In this case, all the investment in property is assumed to depreciate to zero after 10 years. Property can be depreciated at different times throughout the year, depending on the accounting method used. Under the half-year convention, you treat all property placed in service or disposed of during a tax year as placed in service or disposed of at the midpoint of the year. This means that a one-half year of depreciation is allowed for the year the property is placed in service or disposed of.

However, as stated above, for purposes of financial feasibility, the fact that no payments will be made until tax increment is received establishes financial feasibility.

**Table 4 – Projected Incremental Assessed Value, Tax Rates, and Tax Increment Revenues**

FYE	Assessed Value	Frozen Base	Excess Value	Tax Rate	TIF
2013	\$16,608,823	\$16,608,823	\$0	13.0968	-
2014	\$16,608,823	\$16,608,823	\$0	13.0936	-
2015	\$16,608,823	\$16,608,823	\$0	13.0793	-
2016	\$16,608,823	\$16,608,823	\$0	12.9159	-
2017	\$139,908,823	\$16,608,823	\$123,300,000	12.9159	\$1,592,530
2018	\$236,748,823	\$16,608,823	\$220,140,000	12.9159	\$2,843,306
2019	\$314,220,823	\$16,608,823	\$297,612,000	12.9159	\$3,843,927
2020	\$254,698,423	\$16,608,823	\$238,089,600	12.9159	\$3,075,141
2021	\$207,075,023	\$16,608,823	\$190,466,200	12.9159	\$2,460,042
2022	\$168,979,123	\$16,608,823	\$152,370,300	12.9159	\$1,968,000
2023	\$137,609,123	\$16,608,823	\$121,000,300	12.9159	\$1,562,828
2024	\$109,843,623	\$16,608,823	\$93,234,800	12.9159	\$1,204,211
2025	\$83,171,423	\$16,608,823	\$66,562,600	12.9159	\$859,716
2026	\$56,499,423	\$16,608,823	\$39,890,600	12.9159	\$515,223
2027	\$34,307,323	\$16,608,823	\$17,698,500	12.9159	\$228,592
2028	\$21,036,823	\$16,608,823	\$4,428,000	12.9159	\$57,192
2029	\$16,608,823	\$16,608,823	\$0	12.9159	-
2030	\$16,608,823	\$16,608,823	\$0	12.9159	-
Total					\$20,210,708

Source: ECONorthwest, FYE: Fiscal Year End, TIF Revenue: Tax Increment Revenue

**Table 5 – Projected Investments and Depreciation Schedules**

Calendar Year	FYE	Investment Schedule 1			Investment Schedule 2			Investment Schedule 3			Total RMV
		Value	Depreciation	RMV	Value	Depr.	RMV	Value	Depr.	RMV	
2013	2015										
2014	2016										
2015	2017	\$137,000,000	10.00%	\$123,300,000							\$123,300,000
2016	2018		18.00%	\$98,640,000	\$135,000,000	10.00%	\$121,500,000				\$220,140,000
2017	2019		14.40%	\$78,912,000		18.00%	\$97,200,000	\$135,000,000	10.00%	\$121,500,000	\$297,612,000
2018	2020		11.52%	\$63,129,600		14.40%	\$77,760,000		18.00%	\$97,200,000	\$238,089,600
2019	2021		9.22%	\$50,498,200		11.52%	\$62,208,000		14.40%	\$77,760,000	\$190,466,200
2020	2022		7.37%	\$40,401,300		9.22%	\$49,761,000		11.52%	\$62,208,000	\$152,370,300
2021	2023		6.55%	\$31,427,800		7.37%	\$39,811,500		9.22%	\$49,761,000	\$121,000,300
2022	2024		6.55%	\$22,454,300		6.55%	\$30,969,000		7.37%	\$39,811,500	\$93,234,800
2023	2025		6.56%	\$13,467,100		6.55%	\$22,126,500		6.55%	\$30,969,000	\$66,562,600
2024	2026		6.55%	\$4,493,600		6.56%	\$13,270,500		6.55%	\$22,126,500	\$39,890,600
2025	2027		3.28%	-		6.55%	\$4,428,000		6.56%	\$13,270,500	\$17,698,500
2026	2028					3.28%	-		6.55%	\$4,428,000	\$4,428,000
2027	2029								3.28%	-	\$0
2028	2030										

FYE: Fiscal Year End RMV: Real Market Value Depr.: Depreciation  
Source: ECONorthwest

## IX. IMPACT OF THE TAX INCREMENT FINANCING

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This section describes the impact of tax increment financing of the new maximum indebtedness, both until and after the indebtedness is repaid, upon all entities levying taxes upon property in the urban renewal area.

The impact of tax increment financing on overlapping taxing districts consists primarily of the property tax revenues foregone on permanent rate levies as applied to the growth in assessed value in the Area. These projections are for impacts estimated for a 15-year period and are shown in Tables 6a and 6b. Table 6a shows the general government taxing jurisdictions and Table 6b shows the education taxing jurisdictions.

The concept for this plan, as defined by the City of Wilsonville, includes a 25% share of net tax increment proceeds with the affected taxing jurisdictions. This formula for revenue sharing is different than the formula described in Oregon Revised Statutes (ORS). Revenue sharing is part of the 2009 legislative changes to urban renewal and means that, at thresholds defined in ORS 457.470, the impacted taxing jurisdictions will receive a share of the incremental growth in the area. By statute, the share is a percentage basis dependent upon the tax rates of the taxing jurisdictions. The first threshold is 10% of the original maximum indebtedness. At the 10% threshold, the urban renewal agency will receive the full 10% of the initial maximum indebtedness plus 25% of the increment above the 10% threshold, and the taxing jurisdictions will receive 75% of the increment above the 10% threshold. The second threshold is set at 12.5% of the maximum indebtedness. Since revenue sharing is anticipated at the onset of the Plan, and this revenue sharing exceeds the potential amount of distributions through revenue sharing required in ORS 457.470, the revenue sharing in ORS 457.470 has been waived by the taxing jurisdictions.

The West Linn-Wilsonville School District and the Education Service District are not *directly* affected by the tax increment financing, but the amounts of their taxes divided for the urban renewal plan are shown in the following tables. Under current school funding law, property tax revenues are combined with State School Fund revenues to achieve per-student funding targets. Under this system, property taxes foregone, due to the use of tax increment financing, are substantially replaced with State School Fund revenues, as determined by a funding formula at the state level. The formula for funding schools, as changed in the 2013 legislative session, is \$6,852 per pupil for FY 2013-14 and \$7,081 per pupil for FY 2014-15, an increase over the 2012 levels. According to the State of Oregon Department of Education,

there was approximately \$1 billion dollars of increased revenues allocated to school financing in the 2013 legislative session.<sup>1</sup>

Tables 6a and 6b show the projected impacts to permanent rate levies of taxing districts as a result of this Plan. It assumes the growth as projected in the other tables in this Report. **It does not offset the foregone revenues with the expected new revenues. Although the taxing jurisdictions are shown to forego approximately \$12 million, as shown in Table 6a and 6b, they will receive approximately \$8 million, as shown in Table 3. Over the life of the Plan, the taxing jurisdictions will receive over 40% of the total tax increment revenues produced by this sample scenario.**

There is always some discussion about the true impact of urban renewal on the taxing jurisdictions as there is one line of thought that some of the growth projected would not occur "but for" urban renewal. In this case, the building is underutilized either through vacancy or type of use, and expectations are that it will remain underutilized in the future without developer incentives. Given this, there would be no expectation that any increase of property taxes would come from this building without the use of urban renewal.

There is no anticipated change in revenue for affected taxing jurisdictions upon termination of the Plan, which is expected in 15 years. All projected investment is equipment, and equipment's assessed value depreciates over time. By the time the Area expires, all equipment will be fully depreciated, so there will be no additional assessed value to tax. However, the taxing jurisdictions are receiving 25% of the net increment during the time period the developer is receiving 75% of the net increment, and they are receiving 100% of the increment for the remaining time frame of the Area, as shown in Table 3. If there are any improvements to the building itself, or increases in value of the building itself, the taxing jurisdictions would realize the increased taxes from those investments.

<sup>1</sup> Phone interview with Jan McComb, State of Oregon Department of Education, July 11, 2013.

**Table 6a – Projected Impact on Taxing District Permanent Rate Levies (General Government)**

FYE	Clackamas County	Tualatin Valley Fire & Rescue	City of Wilsonville	Port of Portland	Metro	COUNTY EXTENSION & 4-H	COUNTY LIBRARY	COUNTY SOIL CONS	VECTOR CONTROL	Subtotal
2013	-	-	-	-	-	-	-	-	-	-
2014	-	-	-	-	-	-	-	-	-	-
2015	-	-	-	-	-	-	-	-	-	-
2016	-	-	-	-	-	-	-	-	-	-
2017	(222,328)	(141,043)	(233,092)	(6,482)	(8,933)	(4,624)	(36,750)	(4,624)	(601)	(658,477)
2018	(396,946)	(251,818)	(416,164)	(11,574)	(15,949)	(8,255)	(65,613)	(8,255)	(1,073)	(1,175,647)
2019	(536,639)	(340,438)	(562,621)	(15,647)	(21,562)	(11,160)	(88,703)	(11,160)	(1,451)	(1,589,381)
2020	(429,311)	(272,351)	(450,097)	(12,518)	(17,250)	(8,928)	(70,963)	(8,928)	(1,161)	(1,271,507)
2021	(343,439)	(217,874)	(360,067)	(10,014)	(13,799)	(7,142)	(56,768)	(7,142)	(929)	(1,017,174)
2022	(201,897)	(128,081)	(211,672)	(5,887)	(8,112)	(4,199)	(33,372)	(4,199)	(546)	(597,965)
2023	(89,727)	(56,922)	(94,071)	(2,616)	(3,605)	(1,866)	(14,831)	(1,866)	(243)	(265,747)
2024	-	-	-	-	-	-	-	-	-	-
2025	-	-	-	-	-	-	-	-	-	-
2026	-	-	-	-	-	-	-	-	-	-
2027	-	-	-	-	-	-	-	-	-	-
2028	-	-	-	-	-	-	-	-	-	-
2029	-	-	-	-	-	-	-	-	-	-
2030	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>(2,220,287)</b>	<b>(1,408,527)</b>	<b>(2,327,784)</b>	<b>(64,738)</b>	<b>(89,210)</b>	<b>(46,174)</b>	<b>(367,000)</b>	<b>(46,174)</b>	<b>(6,004)</b>	<b>(6,575,898)</b>

Source: ECONorthwest.

**Table 6b – Projected Impact on Taxing District Permanent Rate Levies (Education and Totals)**

FYE	COM COLL CLACK (perm)	ESD CLACKAMAS	SCH WLINN/WILS (perm)	Subtotal Education	Subtotal Gen Govt	Total
2013	-	-	-	-	-	-
2014	-	-	-	-	-	-
2015	-	-	-	-	-	-
2016	-	-	-	-	-	-
2017	(51,620)	(34,096)	(450,205)	(535,921)	(658,477)	(1,194,398)
2018	(92,162)	(60,874)	(803,797)	(956,833)	(1,175,647)	(2,132,480)
2019	(124,595)	(82,297)	(1,086,671)	(1,293,563)	(1,589,381)	(2,882,944)
2020	(99,676)	(65,838)	(869,337)	(1,034,851)	(1,271,507)	(2,306,358)
2021	(79,739)	(52,669)	(695,449)	(827,857)	(1,017,174)	(1,845,031)
2022	(46,876)	(30,962)	(408,832)	(486,670)	(597,965)	(1,084,635)
2023	(20,832)	(13,760)	(181,692)	(216,284)	(265,747)	(482,031)
2024	-	-	-	-	-	-
2025	-	-	-	-	-	-
2026	-	-	-	-	-	-
2027	-	-	-	-	-	-
2028	-	-	-	-	-	-
2029	-	-	-	-	-	-
2030	-	-	-	-	-	-
<b>Total</b>	<b>(515,500)</b>	<b>(340,496)</b>	<b>(4,495,983)</b>	<b>(5,351,979)</b>	<b>(6,575,898)</b>	<b>(11,927,877)</b>

Source: ECONorthwest. Please refer to the explanation of the schools funding in the preceding section.

## X. COMPLIANCE WITH STATUTORY LIMITS ON ASSESSED VALUE AND SIZE OF URBAN RENEWAL AREA

State law limits the percentage of both a municipality's total assessed value and the total land area that can be contained in an urban renewal area at the time of its establishment to 25% for municipalities under 50,000 in population. As noted below, the frozen base, including all real, personal, manufactured, and utility properties in the Urban Renewal Area, is projected to be \$16,608,823. The total assessed value of the City of Wilsonville is \$2,368,094,165. There are five existing urban renewal areas, as shown in Table 7. These five areas, plus the 27255 SW 95<sup>th</sup> Avenue Area, total 4.33% of the total assessed value of the City of Wilsonville, well below the 25% maximum. The 27255 SW 95<sup>th</sup> Avenue Area has 26.07 acres, including right-of-way, and the City of Wilsonville has 4,712 acres; the other five existing urban renewal areas total 1,068.09 acres. Therefore, 23.22% of the City's acreage is in an urban renewal area, below the 25% state limit.

**Table 7 – Urban Renewal Area Conformance with Assessed Value and Acreage Limits**

Urban Renewal Area	Assessed Value	Acres
27255 SW 95 <sup>th</sup> Avenue	\$16,608,823	26.07
25600 SW Parkway Center Drive	\$7,476,210	10.35
9805 SW Boeckman Road	\$10,879,601	24.98
26755 SW 95 <sup>th</sup> Avenue	\$7,064,499	9.76
Year 2000 Plan	\$44,087,806	567
West Side Plan	\$16,526,288	456
City of Wilsonville	\$2,368,094,165	4,712
Percent of Assessed Value in Urban Renewal	4.33%	
Percent of Acreage in Urban Renewal		23.22%

Source: City of Wilsonville, Clackamas County Assessor, U.S. Census Bureau

## XI. RELOCATION REPORT

There is no relocation report required for the Plan. No relocation activities are anticipated.

# REPORT ACCOMPANYING 29899 SW BOONES FERRY ROAD URBAN RENEWAL PLAN



Prepared for the City of Wilsonville

August 5, 2013

**REPORT ACCOMPANYING  
29899 SW BOONES FERRY ROAD  
URBAN RENEWAL PLAN**

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## I. INTRODUCTION

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The Report on the 29899 SW Boones Ferry Road Urban Renewal Plan (Report) contains background information and project details that pertain to the 29899 SW Boones Ferry Road Urban Renewal Plan (Plan). The Report is not a legal part of the Plan, but is intended to provide public information and a basis for the findings made by the City Council as part of its approval of the Plan.

The Report provides information required by ORS 457.085(3). The format of the Report is based on this statute. The Report documents not only the proposed projects in the Plan, but also documents the existing conditions in the 29899 SW Boones Ferry Road Urban Renewal Area (Area).

The Report provides the analysis required to meet the standards of ORS 457.085(3), including financial feasibility.

Figure 1 – 29899 SW Boones Ferry Road Urban Renewal Plan Area Boundary



Source: City of Wilsonville

## II. EXISTING PHYSICAL, SOCIAL, AND ECONOMIC CONDITIONS AND IMPACTS ON MUNICIPAL SERVICES

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This section of the Report describes existing conditions within the 29899 SW Boones Ferry Road Urban Renewal Area and documents the occurrence of “blighted areas,” as defined by ORS 457.010(1).

### A. Physical Conditions

#### *Land Use*

According to data obtained from the City of Wilsonville and the Clackamas County Assessor’s office, the Area, shown in Figure 1 above, contains 1 industrial use parcel that has 250,650 square feet of building space on 15.40 acres.

#### *Zoning and Comprehensive Plan Designations*

In the City of Wilsonville, the Wilsonville Development Code and the Wilsonville Comprehensive Plan designations differ. The development code establishes districts to control land use throughout the city and regulates development standards within these established use districts. The comprehensive plan designation indicates the type of use allowed on a parcel.

The comprehensive plan designation of the parcel is Industrial, and the zoning is Planned Industrial Development (PDI).

Figure 2 – Area Zoning and Comprehensive Plan Designations



Source: City of Wilsonville

## **B. Infrastructure: Existing Conditions**

### *Infrastructure*

This section of the Report identifies the existing infrastructure in the Area. However, because this Area consists of only one parcel, this section will instead evaluate the infrastructure directly serving this parcel, along with an evaluation of the conditions of the infrastructure on the parcel itself. Information was obtained from documentation by City of Wilsonville staff.

#### **1. Streets/Sidewalks/Pathways/Bike Lanes**

The street servicing the property, SW Boones Ferry Road, is a collector that is in good condition and meets City standards. SW Boones Ferry Road has adequate streetscape, sidewalks, curbs, and bike lanes.

There are currently two priority projects for SW Boones Ferry Road in the Capital Improvement Plan, both relating to pedestrian and bikeway improvements.

#### **2. Water**

The water pipe serving the Area is a 1.5" domestic/1.5" irrigation that should be adequate for the current or future needs of the Area. There are no projects planned for the water infrastructure serving the Area in the CIP or other planning documents.

#### **3. Storm Drainage Master Plan**

The storm drain service in the Area is adequate for current and future use, and there are no planned projects for storm drain infrastructure serving the Area in the CIP or other planning documents. However, a building expansion or the addition of impervious surface could trigger new on-site stormwater improvements.

#### **4. Sanitary Sewer**

Sewer service to the Area is more than adequate for the current and future needs of the Area, and there are no planned projects for sewer infrastructure serving the Area in the CIP or other planning documents.

#### **5. Parks**

There are no public parks in the Area. The 2007 Parks and Recreation Master Plan identifies project P12 Industrial Area Waysides in the northwest industrial area of Wilsonville, which is currently underserved by parks or recreation facilities. These projects are not in the City's short or mid-term Capital Improvement Program and have not been sited.

#### 6. Public Parking

There is no public parking in the Area, but there are banks of private head-in parking along the south, west, and east ends of the building that should provide parking for over 100 vehicles.

#### 7. Wetlands

There are no wetlands or Significant Resource Overlay Zoning in or immediately around the Area.

#### 8. Conditions of Buildings

The building has 250,650 square feet of space. It is currently used for warehousing and is considered underutilized.

#### C. Social Conditions

There is only one industrial parcel in the Area and there are no residents that reside within the Area.

#### D. Economic Conditions

##### *Taxable Value of Property Within the Area*

According to the Clackamas County Assessor's office, the estimated 2011/2012 total assessed value of the real property in the Area is \$ 13,505,100. The total assessed value including personal property is \$14,458,913. The building is underutilized, and if it was fully utilized and converted to a traded-sector use such as manufacturing, the values would increase.

The frozen base is estimated to be \$14,458,913.

#### E. Impact on Municipal Services

The fiscal impact of tax increment financing on taxing districts that levy taxes within the Area (affected taxing districts) is described in Section IX (Impact of the Tax Increment Financing) of this Report. This subsection discusses the fiscal impacts resulting from potential increases in demand for municipal services.

The project being considered for future use of urban renewal is an economic development project. The use of urban renewal funding for this project allows the City to provide an attractive industrial development incentive program that will be competitive with neighboring communities' Enterprise Zone programs. It also allows

the city to tap a different funding source besides the City of Wilsonville's general funds to support this program.

All necessary infrastructure to serve the Area is in place and none of the systems are slated for improvements in the CIP. Converting the building structure in the Area to optimized use will take advantage of the existing infrastructure. Because the structure will incur a change in use from warehousing to manufacturing, or another traded-sector use that meets program criteria, there may be a need for additional police and fire services. However, since this structure already exists and has received these services before, these are not totally new service requirements. In addition, a vacant structure can sometimes be vulnerable to vandalism, criminal activity and fire risk. Bringing the structure back to full use will help prevent such risks.

The revenue sharing feature of this urban renewal plan allows for tax increment to be shared with taxing jurisdictions including the City of Wilsonville at the onset of receipt by the Agency of tax increment funds. These funds will help offset any increased services.

### **III. REASONS FOR SELECTION OF EACH URBAN RENEWAL AREA IN THE PLAN**

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The reason for selecting the Area is to cure blight by providing the ability to fund an economic incentive program to encourage private sector investment in an underutilized and/or vacant parcel of industrial zoned land.

### **IV. THE RELATIONSHIP BETWEEN URBAN RENEWAL PROJECTS AND THE EXISTING CONDITIONS IN THE URBAN RENEWAL AREA**

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The projects identified for the Area, including how they relate to the existing conditions in the Area, are described below:

#### **A. Property Tax Rebates**

This project offers an incentive to the private sector to convert underutilized industrial buildings into higher value traded-sector uses, such as manufacturing, in the Area. This project will provide tax rebates of a portion of incremental property tax increases to qualifying investments in the Area.

*Existing Conditions:*

*This parcel is currently vacant and/or underutilized. It has 250,650 square feet of building space on 15.40 acres.*

## B. Debt Service and Administration

This project will allow for the repayment of costs associated with the preparation (including the potential repayment of the initial planning costs for the development of the urban renewal plan) adoption, and implementation of the 29899 SW Boones Ferry Road Urban Renewal Plan. This project also includes ongoing administration and any financing costs associated with the Plan.

### *Existing Conditions:*

*As there is currently no urban renewal program for this Area, these activities do not exist.*

## V. THE ESTIMATED TOTAL COST OF EACH PROJECT AND THE SOURCES OF MONEYS TO PAY SUCH COSTS

The costs of the projects are shown in Table 1. The sources of funds are tax increment revenues. A three percent annual inflation factor is used. These funds will be allocated to the following projects:

- Repayment of a portion of the urban renewal planning costs will occur in the first year that tax increment funds are received (\$12,000 in FY 2013-14, adjusted annually for inflation increases).
- Approximately \$15,000 in FY 2013-14, adjusted for inflation, will be allocated for program administration annually.
- The project will rebate up to 75% of the net tax increment revenue for three years for each qualifying company if the average wage of the 75 or more new jobs pay a minimum of 125% of the average Clackamas County wage rate (not including benefits) in effect at the time the rebate is paid, which for 2012 is \$25.33/hour or \$52,693 annual wage rate. Two additional years (five total) of property tax rebates are available if the average wage of the 75 or more new jobs pay 150% of average wages paid in Clackamas County at the time the rebate is paid, which for 2012 equals \$30.40 per hour, or a \$63,230 annual wage.
- Any net tax increment revenues in excess of what is needed for administrative expenses or tax rebates will be distributed to the impacted taxing jurisdictions.

**Table 1 – Estimated Project Allocations**

TIF Use	Amount
URA Administration	\$141,367
Rebate	\$11,786,512
Total	\$11,927,879

Source: ECONorthwest, TIF: Tax Increment Funds

## VI. THE ANTICIPATED COMPLETION DATE FOR EACH PROJECT

The anticipated latest completion date of the projects in the 29899 SW Boones Ferry Road Urban Renewal Plan will be June 30 of the fiscal year ending 15 years after the approval of the Plan. If investments do not occur as outlined in the program guidelines, the Plan may be terminated earlier at the discretion of the Agency.

## VII. THE ESTIMATED AMOUNT OF TAX INCREMENT REVENUES REQUIRED AND THE ANTICIPATED YEAR IN WHICH INDEBTEDNESS WILL BE RETIRED

Table 2 shows a scenario for how this urban renewal plan may be implemented. This scenario relies on an investment by the developer of over \$407,000,000, in three successive years, receiving \$11,786,512 in tax rebates from tax increment funds received by the Agency. This results in approximately \$12 million in maximum indebtedness, and represents the maximum investment anticipated in the building. Lower investment levels will result in lower actual tax rebates and lower actual maximum indebtedness used. When a developer negotiates an agreement with the City, the projected rebate and revenue sharing numbers will be reevaluated, but may not exceed the \$12 million maximum indebtedness established in this Plan.

**Table 2. Investment Schedule**

Year	Investment Amount		
	Schedule 1	Schedule 2	Schedule 3
2013			
2014			
2015	137,000,000		
2016		135,000,000	
2017			135,000,000
2018			

Source: ECONorthwest

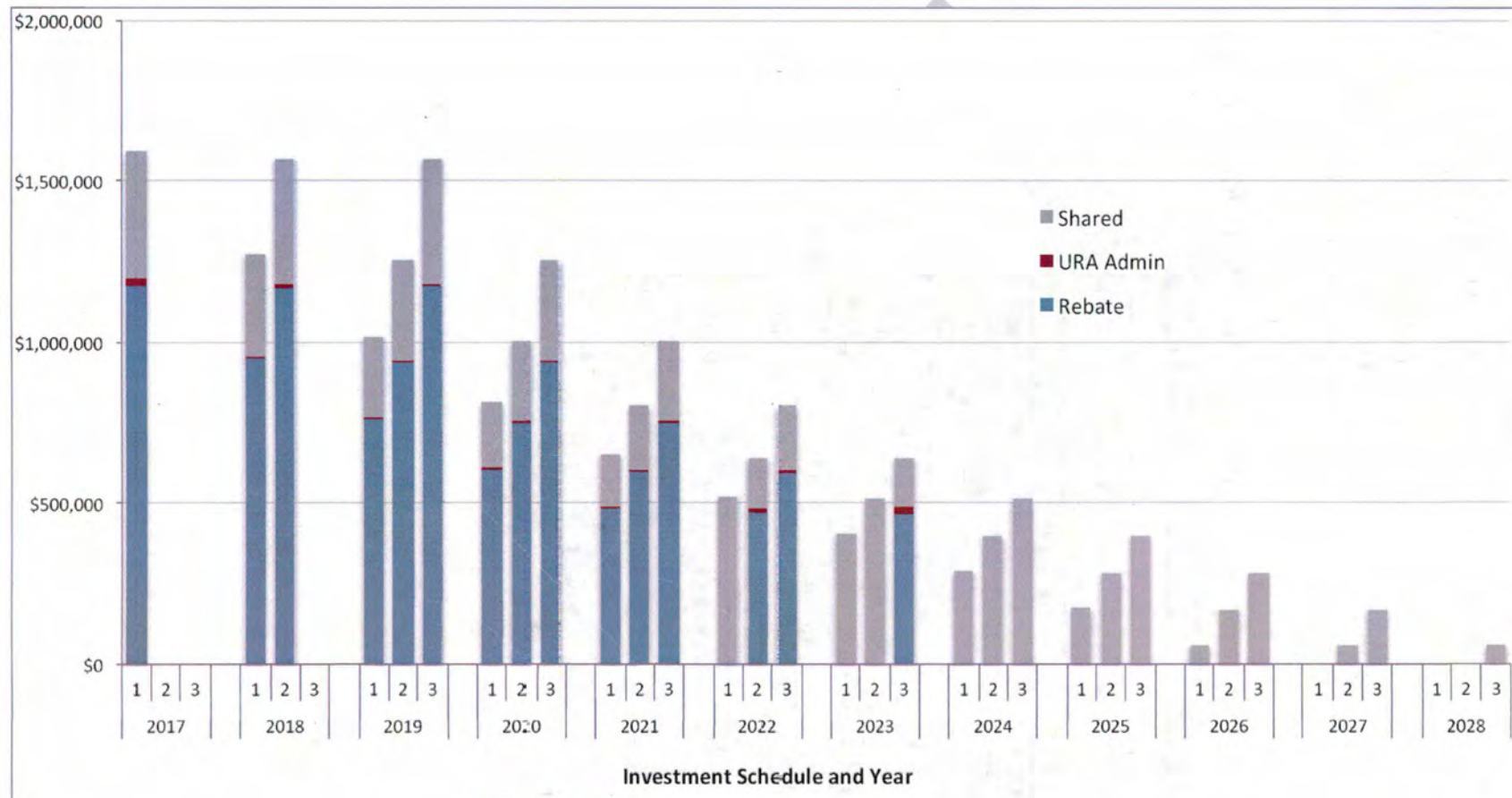
The tax increment revenues and their allocation to administrative costs, developer rebates, and the taxing jurisdictions' share of the increased property tax revenue are shown in Table 3. The 25% to taxing jurisdictions is held constant, the administrative costs are deducted from the 75% share to the developer. Since revenue sharing is anticipated at the onset of the Plan, and this revenue sharing exceeds the potential

amount of distributions through revenue sharing required in ORS 457.470, the revenue sharing in ORS 457.470 has been waived by the taxing jurisdictions.

It is anticipated that all expenditures of tax increment funding will be completed within 15 years. The maximum indebtedness is \$12,000,000. In the scenario detailed in Tables 2 and 3, the term of the rebate expires before all of the manufacturer's investment in equipment has depreciated. The result of this is the taxing jurisdictions begin to receive 100% of the TIF revenues in fiscal year 2023-24, and the total amount shared with taxing jurisdictions for the entire duration of the Area ends up being much higher than the net 25% share that is guaranteed during the time the developer is receiving rebates. Table 2 shows the total projected rebate to the developer in this scenario would be \$11,786,512 dollars, while the amount received by taxing jurisdictions is estimated at \$8,282,830 dollars over the 15 year life of the Plan. This is actually 41% of the total tax increment revenue..

Chart 1 depicts this scenario. Each individual investment provides rebates to the developer, and a portion of extra tax increment to taxing jurisdictions, for a five-year period, with any remaining increment shared with the taxing jurisdictions when that rebate period expires. The three investments are depicted in consecutive years, as shown by the 1,2,3 on the horizontal axis of the chart. As shown, once any one investment reaches the 6<sup>th</sup> year, all of the tax increment from that investment is shared with the taxing jurisdictions. This would be accomplished through an under levy.

**Chart 1. Investment, Amortization, and Rebate Schedule**



Source: ECONorthwest

There will be no loans or bonds issued. The amount of funding to service the maximum indebtedness will be raised through the payment of tax increment from the County Assessor's office. Because the project payments are predicated upon the annual tax increment on a formulaic basis allocating first to administrative costs, then a 75/25 split of increment between the developer and impacted taxing jurisdictions, the Plan will be financially feasible. No payments will be made without first receiving the increment from the assessor.

**Table 3 – Tax Increment Revenues and Allocations to Project Costs Sample Scenario**

	URA Admin	Rebate	Shared	Total
2013	-	-	-	-
2014	-	-	-	-
2015	-	-	-	-
2016	-	-	-	-
2017	\$28,883	\$1,165,514	\$398,133	\$1,592,530
2018	\$17,390	\$2,115,090	\$710,826	\$2,843,306
2019	\$17,912	\$2,865,034	\$960,981	\$3,843,927
2020	\$18,449	\$2,287,907	\$768,785	\$3,075,141
2021	\$19,002	\$1,826,030	\$615,010	\$2,460,042
2022	\$19,572	\$1,065,063	\$883,364	\$1,968,000
2023	\$20,159	\$461,872	\$1,080,797	\$1,562,828
2024	\$0	\$0	\$1,204,211	\$1,204,211
2025	\$0	\$0	\$859,716	\$859,716
2026	\$0	\$0	\$515,223	\$515,223
2027	\$0	\$0	\$228,592	\$228,592
2028	\$0	\$0	\$57,192	\$57,192
2029	\$0	\$0	\$0	\$0
2030	\$0	\$0	\$0	\$0
Total	\$141,367	\$11,786,512	\$8,282,830	\$20,210,708

Source: ECONorthwest, FYE: Fiscal Year End, URA: Urban Renewal Area

## VIII. FINANCIAL ANALYSIS OF THE PLAN

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The estimated tax increment revenues in the sample scenario, as shown above, are based on projections of the assessed value of investment that could occur within the Area, depreciation of the investment and the total tax rate that will apply in the Area. The assumptions include assumptions of development, as identified in the TIF Zones concept by the City of Wilsonville. Although these assumptions are used as a basis for evaluating the Plan, the financial feasibility is predicated on the simple formula that increased revenues will be shared by the City for administration, by the developer and by the taxing jurisdictions. No payments will be made until tax increment is received from the County Assessor. These payments will be distributed on a formula that includes payments for administrative costs, then a 75/25 split between the developer and impacted taxing jurisdictions.

Table 4 shows the projected incremental assessed value, projected tax rates that would produce tax increment revenues, and the annual tax increment revenues (not adjusted for under-collection, penalties, and interest). These projections of increment are the basis for the projections in Table 3. These projections include shared revenue with impacted taxing jurisdictions.

Table 5 shows the investment and depreciation assumptions used in preparing the financial analysis. In this scenario, all investment is assumed to be equipment, and so it is depreciated. The depreciation schedule used in this scenario is a half-year convention over a 10-year recovery period that was published by the Internal Revenue Service in its annual report for how to depreciate property. Depreciation is an annual income tax deduction that allows you to recover the cost or other basis of certain property over the time you use the property. It is an allowance for the wear and tear, deterioration, or obsolescence of the property. In this case, all the investment in property is assumed to depreciate to zero after 10 years. Property can be depreciated at different times throughout the year, depending on the accounting method used. Under the half-year convention, you treat all property placed in service or disposed of during a tax year as placed in service or disposed of at the midpoint of the year. This means that a one-half year of depreciation is allowed for the year the property is placed in service or disposed of.

However, as stated above, for purposes of financial feasibility, the fact that no payments will be made until tax increment is received establishes financial feasibility.

**Table 4 – Projected Incremental Assessed Value, Tax Rates, and Tax Increment Revenues**

FYE	Assessed Value	Frozen Base	Excess Value	Tax Rate	TIF
2013	\$14,458,913	\$14,458,913	\$0	13.0968	-
2014	\$14,458,913	\$14,458,913	\$0	13.0936	-
2015	\$14,458,913	\$14,458,913	\$0	13.0793	-
2016	\$14,458,913	\$14,458,913	\$0	12.9159	-
2017	\$137,758,913	\$14,458,913	\$123,300,000	12.9159	\$1,592,530
2018	\$234,598,913	\$14,458,913	\$220,140,000	12.9159	\$2,843,306
2019	\$312,070,913	\$14,458,913	\$297,612,000	12.9159	\$3,843,927
2020	\$252,548,513	\$14,458,913	\$238,089,600	12.9159	\$3,075,141
2021	\$204,925,113	\$14,458,913	\$190,466,200	12.9159	\$2,460,042
2022	\$166,829,213	\$14,458,913	\$152,370,300	12.9159	\$1,968,000
2023	\$135,459,213	\$14,458,913	\$121,000,300	12.9159	\$1,562,828
2024	\$107,693,713	\$14,458,913	\$93,234,800	12.9159	\$1,204,211
2025	\$81,021,513	\$14,458,913	\$66,562,600	12.9159	\$859,716
2026	\$54,349,513	\$14,458,913	\$39,890,600	12.9159	\$515,223
2027	\$32,157,413	\$14,458,913	\$17,698,500	12.9159	\$228,592
2028	\$18,886,913	\$14,458,913	\$4,428,000	12.9159	\$57,192
2029	\$14,458,913	\$14,458,913	\$0	12.9159	-
2030	\$14,458,913	\$14,458,913	\$0	12.9159	-
Total					\$20,210,708

Source: ECONorthwest, FYE: Fiscal Year End, TIF: Tax Increment Funds

**Table 5 – Projected Investments and Depreciation Schedules**

Calendar Year	FYE	Investment Schedule 1			Investment Schedule 2			Investment Schedule 3			Total RMV
		Value	Depreciation	RMV	Value	Depr.	RMV	Value	Depr.	RMV	
2013	2015										
2014	2016										
2015	2017	\$137,000,000	10.00%	\$123,300,000							\$123,300,000
2016	2018		18.00%	\$98,640,000	\$135,000,000	10.00%	\$121,500,000				\$220,140,000
2017	2019		14.40%	\$78,912,000		18.00%	\$97,200,000	\$135,000,000	10.00%	\$121,500,000	\$297,612,000
2018	2020		11.52%	\$63,129,600		14.40%	\$77,760,000		18.00%	\$97,200,000	\$238,089,600
2019	2021		9.22%	\$50,498,200		11.52%	\$62,208,000		14.40%	\$77,760,000	\$190,466,200
2020	2022		7.37%	\$40,401,300		9.22%	\$49,761,000		11.52%	\$62,208,000	\$152,370,300
2021	2023		6.55%	\$31,427,800		7.37%	\$39,811,500		9.22%	\$49,761,000	\$121,000,300
2022	2024		6.55%	\$22,454,300		6.55%	\$30,969,000		7.37%	\$39,811,500	\$93,234,800
2023	2025		6.56%	\$13,467,100		6.55%	\$22,126,500		6.55%	\$30,969,000	\$66,562,600
2024	2026		6.55%	\$4,493,600		6.56%	\$13,270,500		6.55%	\$22,126,500	\$39,890,600
2025	2027		3.28%	-		6.55%	\$4,428,000		6.56%	\$13,270,500	\$17,698,500
2026	2028					3.28%	-		6.55%	\$4,428,000	\$4,428,000
2027	2029								3.28%	-	\$0
2028	2030										

FYE: Fiscal Year End RMV: Real Market Value Depr.: Depreciation  
Source: ECONorthwest

## IX. IMPACT OF THE TAX INCREMENT FINANCING

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This section describes the impact of tax increment financing of the new maximum indebtedness, both until and after the indebtedness is repaid, upon all entities levying taxes upon property in the urban renewal area.

The impact of tax increment financing on overlapping taxing districts consists primarily of the property tax revenues foregone on permanent rate levies as applied to the growth in assessed value in the Area. These projections are for impacts estimated for a 15-year period and are shown in Tables 6a and 6b. Table 6a shows the general government taxing jurisdictions and Table 6b shows the education taxing jurisdictions.

The concept for this plan, as defined by the City of Wilsonville, includes a 25% share of net tax increment proceeds with the affected taxing jurisdictions. This formula for revenue sharing is different than the formula described in Oregon Revised Statutes (ORS). Revenue sharing is part of the 2009 legislative changes to urban renewal and means that, at thresholds defined in ORS 457.470, the impacted taxing jurisdictions will receive a share of the incremental growth in the area. By statute, the share is a percentage basis dependent upon the tax rates of the taxing jurisdictions. The first threshold is 10% of the original maximum indebtedness. At the 10% threshold, the urban renewal agency will receive the full 10% of the initial maximum indebtedness plus 25% of the increment above the 10% threshold, and the taxing jurisdictions will receive 75% of the increment above the 10% threshold. The second threshold is set at 12.5% of the maximum indebtedness. Since revenue sharing is anticipated at the onset of the Plan, and this revenue sharing exceeds the potential amount of distributions through revenue sharing required in ORS 457.470, the revenue sharing in ORS 457.470 has been waived by the taxing jurisdictions.

The West Linn-Wilsonville School District and the Education Service District are not *directly* affected by the tax increment financing, but the amounts of their taxes divided for the urban renewal plan are shown in the following tables. Under current school funding law, property tax revenues are combined with State School Fund revenues to achieve per-student funding targets. Under this system, property taxes foregone, due to the use of tax increment financing, are substantially replaced with State School Fund revenues, as determined by a funding formula at the state level. The formula for funding schools, as changed in the 2013 legislative session, is \$6,852 per pupil for FY 2013-14 and \$7,081 per pupil for FY 2014-15, an increase over the 2012 levels. According to the State of Oregon Department of Education,

there was approximately \$1 billion dollars of increased revenues allocated to school financing in the 2013 legislative session.<sup>1</sup>

Tables 6a and 6b show the projected impacts to permanent rate levies of taxing districts as a result of this Plan. It assumes the growth as projected in the other tables in this Report. **It does not offset the foregone revenues with the expected new revenues. Although the taxing jurisdictions are shown to forego approximately \$12 million, as shown in Tables 6a and 6b, they will receive approximately \$8 million, as shown in Table 3. Over the life of the Plan, the taxing jurisdictions will receive over 40% of the total tax increment revenues produced by this sample scenario.**

There is always some discussion about the true impact of urban renewal on the taxing jurisdictions as there is one line of thought that some of the growth projected would not occur "but for" urban renewal. In this case, the building is underutilized either through vacancy or type of use, and expectations are that it will remain underutilized in the future without developer incentives. Given this, there would be no expectation that any increase of property taxes would come from this building without the use of urban renewal.

There is no anticipated change in revenue for affected taxing jurisdictions upon termination of the Plan, which is expected in 15 years. All projected investment is equipment, and equipment's assessed value depreciates over time. By the time the Area expires, all equipment will be fully depreciated, so there will be no additional assessed value to tax. However, the taxing jurisdictions are receiving 25% of the net increment during the time period the developer is receiving 75% of the net increment, and they are receiving 100% of the increment for the remaining time frame of the Area, as shown in Table 3. If there are any improvements to the building itself, or increases in value of the building itself, the taxing jurisdictions would realize the increased taxes from those investments.

<sup>1</sup> Phone interview with Jan McComb, State of Oregon Department of Education, July 11, 2013.

**Table 6a – Projected Impact on Taxing District Permanent Rate Levies (General Government)**

FYE	Clackamas County	Tualatin Valley Fire & Rescue	City of Wilsonville	Port of Portland	Metro	COUNTY EXTENSION & 4-H	COUNTY LIBRARY	COUNTY SOIL CONS	VECTOR CONTROL	Subtotal
2013	-	-	-	-	-	-	-	-	-	-
2014	-	-	-	-	-	-	-	-	-	-
2015	-	-	-	-	-	-	-	-	-	-
2016	-	-	-	-	-	-	-	-	-	-
2017	(222,328)	(141,043)	(233,092)	(6,482)	(8,933)	(4,624)	(36,750)	(4,624)	(601)	(658,477)
2018	(396,946)	(251,818)	(416,164)	(11,574)	(15,949)	(8,255)	(65,613)	(8,255)	(1,073)	(1,175,647)
2019	(536,639)	(340,438)	(562,621)	(15,647)	(21,562)	(11,160)	(88,703)	(11,160)	(1,451)	(1,589,381)
2020	(429,311)	(272,351)	(450,097)	(12,518)	(17,250)	(8,928)	(70,963)	(8,928)	(1,161)	(1,271,507)
2021	(343,439)	(217,874)	(360,067)	(10,014)	(13,799)	(7,142)	(56,768)	(7,142)	(929)	(1,017,174)
2022	(201,897)	(128,081)	(211,672)	(5,887)	(8,112)	(4,199)	(33,372)	(4,199)	(546)	(597,965)
2023	(89,727)	(56,922)	(94,071)	(2,616)	(3,605)	(1,866)	(14,831)	(1,866)	(243)	(265,747)
2024	-	-	-	-	-	-	-	-	-	-
2025	-	-	-	-	-	-	-	-	-	-
2026	-	-	-	-	-	-	-	-	-	-
2027	-	-	-	-	-	-	-	-	-	-
2028	-	-	-	-	-	-	-	-	-	-
2029	-	-	-	-	-	-	-	-	-	-
2030	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>(2,220,287)</b>	<b>(1,408,527)</b>	<b>(2,327,784)</b>	<b>(64,738)</b>	<b>(89,210)</b>	<b>(46,174)</b>	<b>(367,000)</b>	<b>(46,174)</b>	<b>(6,004)</b>	<b>(6,575,898)</b>

Source: ECONorthwest.

**Table 6b – Projected Impact on Taxing District Permanent Rate Levies (Education and Totals)**

FYE	COM COLL CLACK (perm)	ESD CLACKAMAS	SCH WLINN/WILS (perm)	Subtotal Education	Subtotal Gen Govt	Total
2013	-	-	-	-	-	-
2014	-	-	-	-	-	-
2015	-	-	-	-	-	-
2016	-	-	-	-	-	-
2017	(51,620)	(34,096)	(450,205)	(535,921)	(658,477)	(1,194,398)
2018	(92,162)	(60,874)	(803,797)	(956,833)	(1,175,647)	(2,132,480)
2019	(124,595)	(82,297)	(1,086,671)	(1,293,563)	(1,589,381)	(2,882,944)
2020	(99,676)	(65,838)	(869,337)	(1,034,851)	(1,271,507)	(2,306,358)
2021	(79,739)	(52,669)	(695,449)	(827,857)	(1,017,174)	(1,845,031)
2022	(46,876)	(30,962)	(408,832)	(486,670)	(597,965)	(1,084,635)
2023	(20,832)	(13,760)	(181,692)	(216,284)	(265,747)	(482,031)
2024	-	-	-	-	-	-
2025	-	-	-	-	-	-
2026	-	-	-	-	-	-
2027	-	-	-	-	-	-
2028	-	-	-	-	-	-
2029	-	-	-	-	-	-
2030	-	-	-	-	-	-
<b>Total</b>	<b>(515,500)</b>	<b>(340,496)</b>	<b>(4,495,983)</b>	<b>(5,351,979)</b>	<b>(6,575,898)</b>	<b>(11,927,877)</b>

Source: ECONorthwest. Please refer to the explanation of the schools funding in the preceding section.

## X. COMPLIANCE WITH STATUTORY LIMITS ON ASSESSED VALUE AND SIZE OF URBAN RENEWAL AREA

State law limits the percentage of both a municipality's total assessed value and the total land area that can be contained in an urban renewal area at the time of its establishment to 25% for municipalities under 50,000 in population. As noted below, the frozen base, including all real, personal, manufactured, and utility properties in the Urban Renewal Area, is projected to be \$14,458,913. The total assessed value of the City of Wilsonville is \$2,368,094,165. There are six existing urban renewal areas, as shown in Table 7. These six areas, plus the 29899 SW Boones Ferry Road Area, total 4.94% of the total assessed value of the City of Wilsonville, well below the 25% maximum. The 29899 SW Boones Ferry Road Area has 15.40 acres, including right-of-way, and the City of Wilsonville has 4,712 acres; the other six existing urban renewal areas total 1,094.16 acres. Therefore, 23.55% of the City's acreage is in an urban renewal area, below the 25% state limit.

**Table 7 – Urban Renewal Area Conformance with Assessed Value and Acreage Limits**

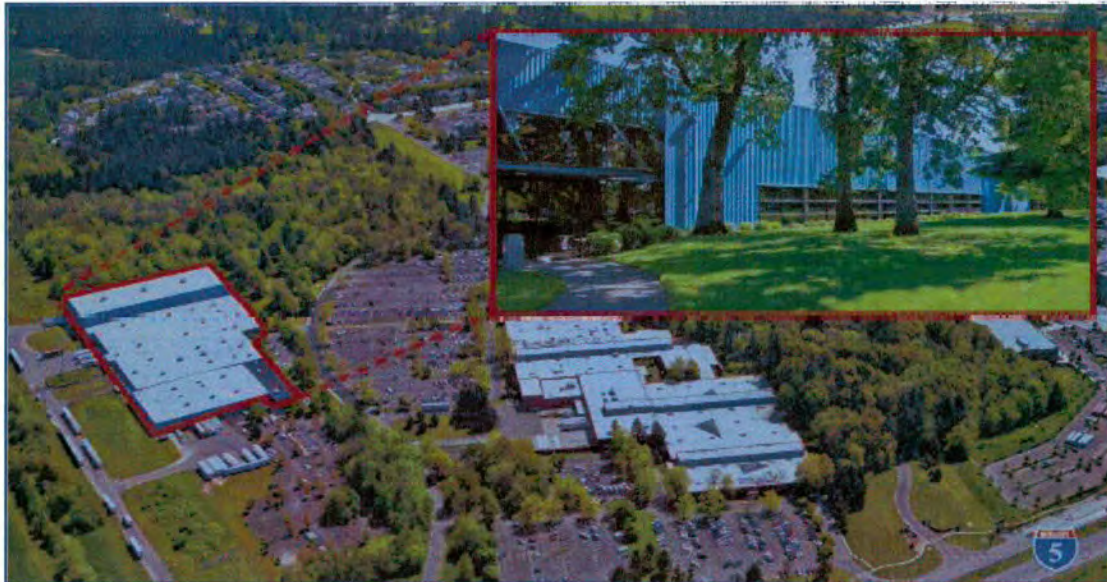
Urban Renewal Area	Assessed Value	Acres
29899 SW Boones Ferry Road	\$14,458,913	15.40
27255 SW 95 <sup>th</sup> Avenue	\$16,608,823	26.07
25600 SW Parkway Center Drive	\$7,476,210	10.35
9805 SW Boeckman Road	\$10,879,601	24.98
26755 SW 95 <sup>th</sup> Avenue	\$7,064,499	9.76
Year 2000 Plan	\$44,087,806	567
West Side Plan	\$16,526,288	456
City of Wilsonville	\$2,368,094,165	4,712
Percent of Assessed Value in Urban Renewal	4.94%	
Percent of Acreage in Urban Renewal		23.55%

Source: City of Wilsonville, Clackamas County Assessor, U.S. Census Bureau

## XI. RELOCATION REPORT

There is no relocation report required for the Plan. No relocation activities are anticipated.

# REPORT ACCOMPANYING BUILDING 83 - 26440 SW PARKWAY AVENUE URBAN RENEWAL PLAN



Prepared for the City of Wilsonville

September 11, 2013

**REPORT ACCOMPANYING  
BUILDING 83 - 26440 SW PARKWAY AVENUE  
URBAN RENEWAL PLAN**

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## I. INTRODUCTION

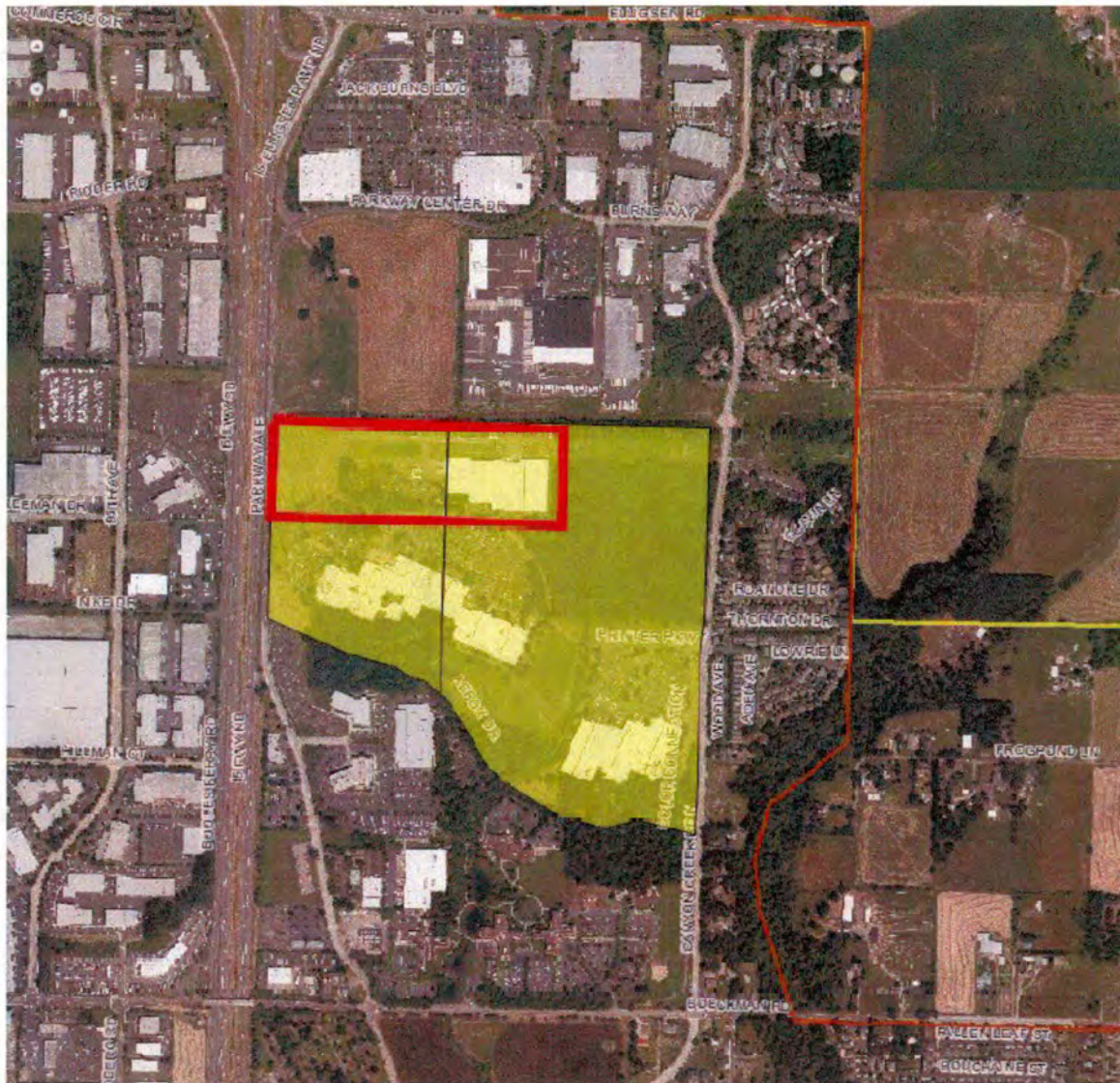
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The Report on the Building 83 - 26440 SW Parkway Avenue Urban Renewal Plan (Report) contains background information and project details that pertain to the Building 83 - 26440 SW Parkway Avenue Urban Renewal Plan (Plan). The Report is not a legal part of the Plan, but is intended to provide public information and a basis for the findings made by the City Council as part of its approval of the Plan.

The Report provides information required by ORS 457.085(3). The format of the Report is based on this statute. The Report documents not only the proposed projects in the Plan, but also documents the existing conditions in the Building 83 - 26440 SW Parkway Avenue Urban Renewal Area (Area).

The Report provides the analysis required to meet the standards of ORS 457.085(3), including financial feasibility.

**Figure 1 – Building 83 - 26440 SW Parkway Avenue Urban Renewal Plan Area Boundary**



Source: City of Wilsonville

## II. EXISTING PHYSICAL, SOCIAL, AND ECONOMIC CONDITIONS AND IMPACTS ON MUNICIPAL SERVICES

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This section of the Report describes existing conditions within the Building 83 - 26440 SW Parkway Avenue Urban Renewal Area and documents the occurrence of “blighted areas,” as defined by ORS 457.010(1).

### A. Physical Conditions

#### *Land Use*

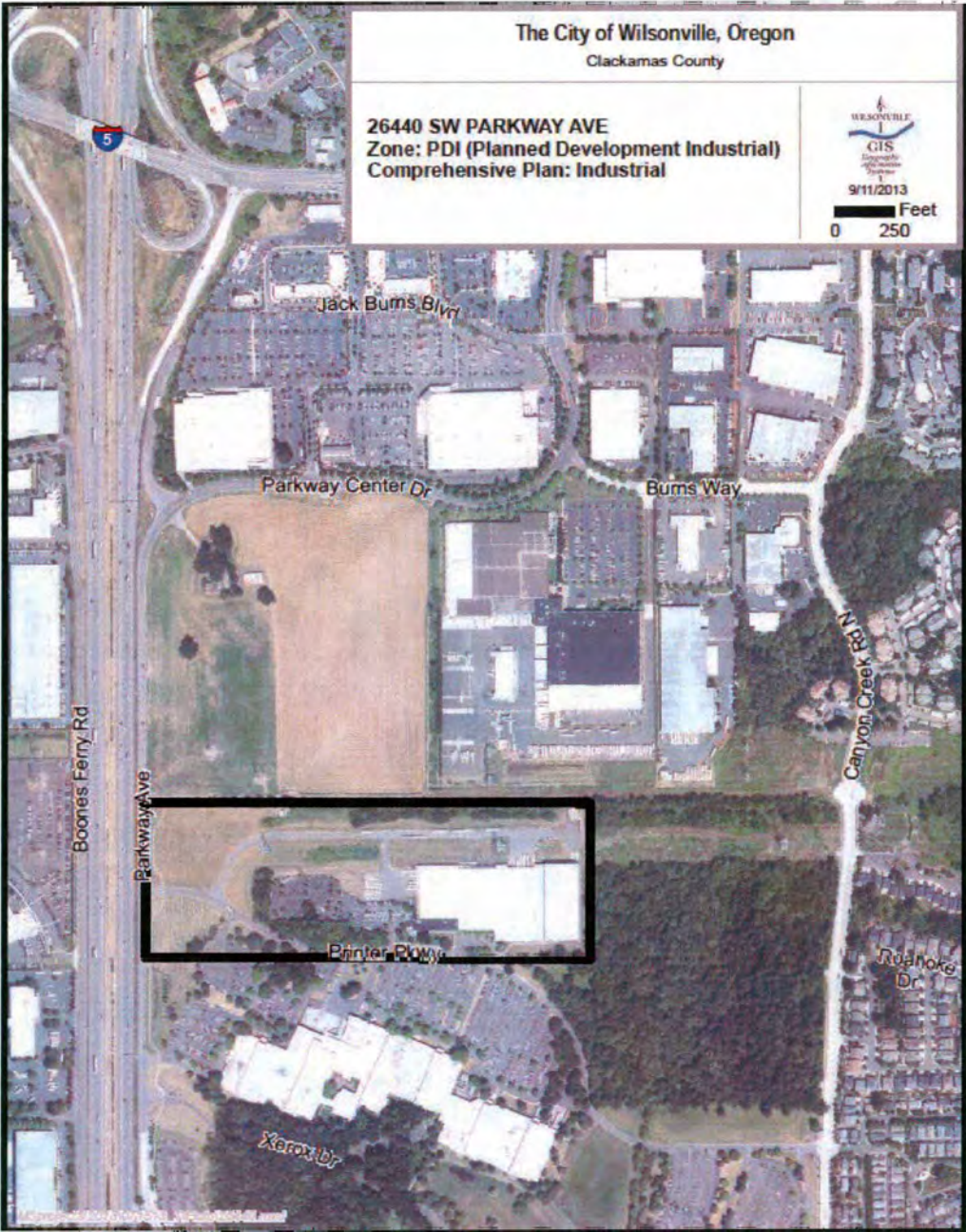
According to data obtained from the City of Wilsonville and the Clackamas County Assessor’s office, the Area, shown in Figure 1 above, sits on 2 industrial use parcels, but does not fully encompass either parcel, and has a building with 203,247 square feet (sf) of building space on 27 acres. The building space is broken out by warehouse: 69,176 sf, Production/manufacturing 102,970 sf, Office 33,576 sf.

#### *Zoning and Comprehensive Plan Designations*

In the City of Wilsonville, the Wilsonville Development Code and the Wilsonville Comprehensive Plan designations differ. The development code establishes districts to control land use throughout the city and regulates development standards within these established use districts. The comprehensive plan designation indicates the type of use allowed on a parcel.

The comprehensive plan designation of the parcels is Industrial, and the zoning is Planned Industrial Development (PDI).

Figure 2 – Area Zoning and Comprehensive Plan Designations



Source: City of Wilsonville

## **B. Infrastructure: Existing Conditions**

### *Infrastructure*

This section of the Report identifies the existing infrastructure in the Area. However, because this Area consists only of portions of two parcels, this section will instead evaluate the infrastructure directly serving these parcels, along with an evaluation of the conditions of the infrastructure on the parcels themselves. Information was obtained from documentation by City of Wilsonville staff.

#### **1. Streets/Sidewalks/Pathways/Bike Lanes**

The street servicing the building, SW Parkway Avenue, is a minor arterial that is in good condition and meets City standards.

There is currently one priority project in the Capital Improvement Plan planned for SW Parkway Avenue, an urban upgrade.

#### **2. Water**

The general Area is served by a private 8" distribution system for domestic, irrigation and fire service, which is adequate for current and future needs. The water pipe serving the building is a 2" domestic/with a separate 2" irrigation service that should be adequate for the current or future needs of the building. There are no projects planned for the water infrastructure serving the Area in the CIP or other planning documents.

#### **3. Storm Drainage Master Plan**

The storm drain service in the Area is adequate for current and future use, and there are no planned projects for storm drain infrastructure serving the Area in the CIP or other planning documents. However, a building expansion or the addition of impervious surface could trigger new on-site stormwater improvements.

#### **4. Sanitary Sewer**

Sewer service to the Area is 8" and 10" collectors which are more than adequate for the current and future needs of the Area, assuming there is no major conversion of the facilities to a high water/sewer usage facility, and there are no planned projects for sewer infrastructure serving the Area in the CIP or other planning documents.

## 5. Parks

There are no public parks in the Area. The 2007 Parks and Recreation Master Plan identifies project P12 Industrial Area Waysides in the northwest industrial area of Wilsonville, which is currently underserved by parks or recreation facilities. These projects are not in the City's short or mid-term Capital Improvement Program and have not been sited.

## 6. Public Parking

There is no public parking in the Area, but there are banks of private head-in parking along the south and west ends of the building that should provide parking for over 150 vehicles.

## 7. Wetlands

There are wetlands and Significant Resource Overlay Zoning along the east side of the facility.

## 8. Conditions of Buildings

The building has 203,247 square feet of space and is currently vacant.

### C. Social Conditions

There are only portions of two industrial parcels in the Area and there are no residents that reside within the Area.

### D. Economic Conditions

#### *Taxable Value of Property Within the Area*

According to the Clackamas County Assessor's office, the estimated 2011/2012 total assessed value of the real property in the Area is \$\_\_\_\_\_. The frozen base is estimated to be \$\_\_\_\_\_ which includes an estimate of the value of the land, which the county assessor will quantify once the plan is adopted. This is an estimate to allow for the preparation of this document. The property is now bundled with other XEROX properties and assessed as one. The Clackamas County Assessor will have to establish a separate building and land value for this urban renewal area.

The building is underutilized, and if it was fully utilized and converted to a traded-sector use such as manufacturing, the values would increase.

### **E. Impact on Municipal Services**

The fiscal impact of tax increment financing on taxing districts that levy taxes within the Area (affected taxing districts) is described in Section IX (Impact of the Tax Increment Financing) of this Report. This subsection discusses the fiscal impacts resulting from potential increases in demand for municipal services.

The project being considered for future use of urban renewal is an economic development project. The use of urban renewal funding for this project allows the City to provide an attractive industrial development incentive program that will be competitive with neighboring communities' Enterprise Zone programs. It also allows the city to tap a different funding source besides the City of Wilsonville's general funds to support this program.

All necessary infrastructure to serve the Area is in place and none of the systems are slated for improvements in the CIP. Converting the building structure in the Area to optimized use will take advantage of the existing infrastructure. Because the structure will incur a change in use from warehousing to manufacturing, or another traded-sector use that meets program criteria, there may be a need for additional police and fire services. However, since this structure already exists and has received these services before, these are not totally new service requirements. In addition, a vacant structure can sometimes be vulnerable to vandalism, criminal activity and fire risk. Bringing the structure back to full use will help prevent such risks.

The revenue sharing feature of this urban renewal plan allows for tax increment to be shared with taxing jurisdictions including the City of Wilsonville at the onset of receipt by the Agency of tax increment funds. These funds will help offset any increased services.

### **III. REASONS FOR SELECTION OF EACH URBAN RENEWAL AREA IN THE PLAN**

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The reason for selecting the Area is to cure blight by providing the ability to fund an economic incentive program to encourage private sector investment in an underutilized and/or vacant parcel of industrial zoned land.

#### **IV. THE RELATIONSHIP BETWEEN URBAN RENEWAL PROJECTS AND THE EXISTING CONDITIONS IN THE URBAN RENEWAL AREA**

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The projects identified for the Area, including how they relate to the existing conditions in the Area, are described below:

##### **A. Property Tax Rebates**

This project offers an incentive to the private sector to convert underutilized industrial buildings into higher value traded-sector uses, such as manufacturing, in the Area. This project will provide tax rebates of a portion of incremental property tax increases to qualifying investments in the Area.

*Existing Conditions:*

*This building is currently vacant and/or underutilized. It has 203,247 square feet of building space on 27 acres.*

##### **B. Debt Service and Administration**

This project will allow for the repayment of costs associated with the preparation (including the potential repayment of the initial planning costs for the development of the urban renewal plan) adoption, and implementation of the Building 83 - 26440 SW Parkway Avenue Urban Renewal Plan. This project also includes ongoing administration and any financing costs associated with the Plan.

*Existing Conditions:*

*As there is currently no urban renewal program for this Area, these activities do not exist.*

#### **V. THE ESTIMATED TOTAL COST OF EACH PROJECT AND THE SOURCES OF MONEYS TO PAY SUCH COSTS**

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The costs of the projects are shown in Table 1. The sources of funds are tax increment revenues. A three percent annual inflation factor is used. These funds will be allocated to the following projects:

- Repayment of a portion of the urban renewal planning costs will occur in the first year that tax increment funds are received (\$12,000 in FY 2013-14, adjusted annually for inflation increases).
- Approximately \$15,000 in FY 2013-14, adjusted for inflation, will be allocated for program administration annually.
- The project will rebate up to 75% of the net tax increment revenue for three years for each qualifying company if the average wage of the 75 or more new

jobs pay a minimum of 125% of the average Clackamas County wage rate (not including benefits) in effect at the time the rebate is paid, which for 2012 is \$25.33/hour or \$52,693 annual wage rate. Two additional years (five total) of property tax rebates are available if the average wage of the 75 or more new jobs pay 150% of average wages paid in Clackamas County at the time the rebate is paid, which for 2012 equals \$30.40 per hour, or a \$63,230 annual wage.

- Any net tax increment revenues in excess of what is needed for administrative expenses or tax rebates will be distributed to the impacted taxing jurisdictions.

**Table 1 – Estimated Project Allocations**

TIF Use	Amount
URA Administration	\$141,367
Rebate	\$11,786,512
Total	\$11,927,879

Source: ECONorthwest, TIF: Tax Increment Funds

## VI. THE ANTICIPATED COMPLETION DATE FOR EACH PROJECT

The anticipated latest completion date of the projects in the Building 83 - 26440 SW Parkway Avenue Urban Renewal Plan will be June 30 of the fiscal year ending 15 years after the approval of the Plan. If investments do not occur as outlined in the program guidelines, the Plan may be terminated earlier at the discretion of the Agency.

## VII. THE ESTIMATED AMOUNT OF TAX INCREMENT REVENUES REQUIRED AND THE ANTICIPATED YEAR IN WHICH INDEBTEDNESS WILL BE RETIRED

Table 2 shows a scenario for how this urban renewal plan may be implemented. This scenario relies on an investment by the developer of over \$407,000,000, in three successive years, receiving \$11,786,512 in tax rebates from tax increment funds received by the Agency. This results in approximately \$12 million in maximum indebtedness, and represents the maximum investment anticipated in the building. Lower investment levels will result in lower actual tax rebates and lower actual maximum indebtedness used. When a developer negotiates an agreement with the City, the projected rebate and revenue sharing numbers will be reevaluated, but may not exceed the \$12 million maximum indebtedness established in this Plan.

**Table 2. Investment Schedule**

Year	Investment Amount		
	Schedule 1	Schedule 2	Schedule 3
2013			
2014			
2015	137,000,000		
2016		135,000,000	
2017			135,000,000
2018			

Source: ECONorthwest

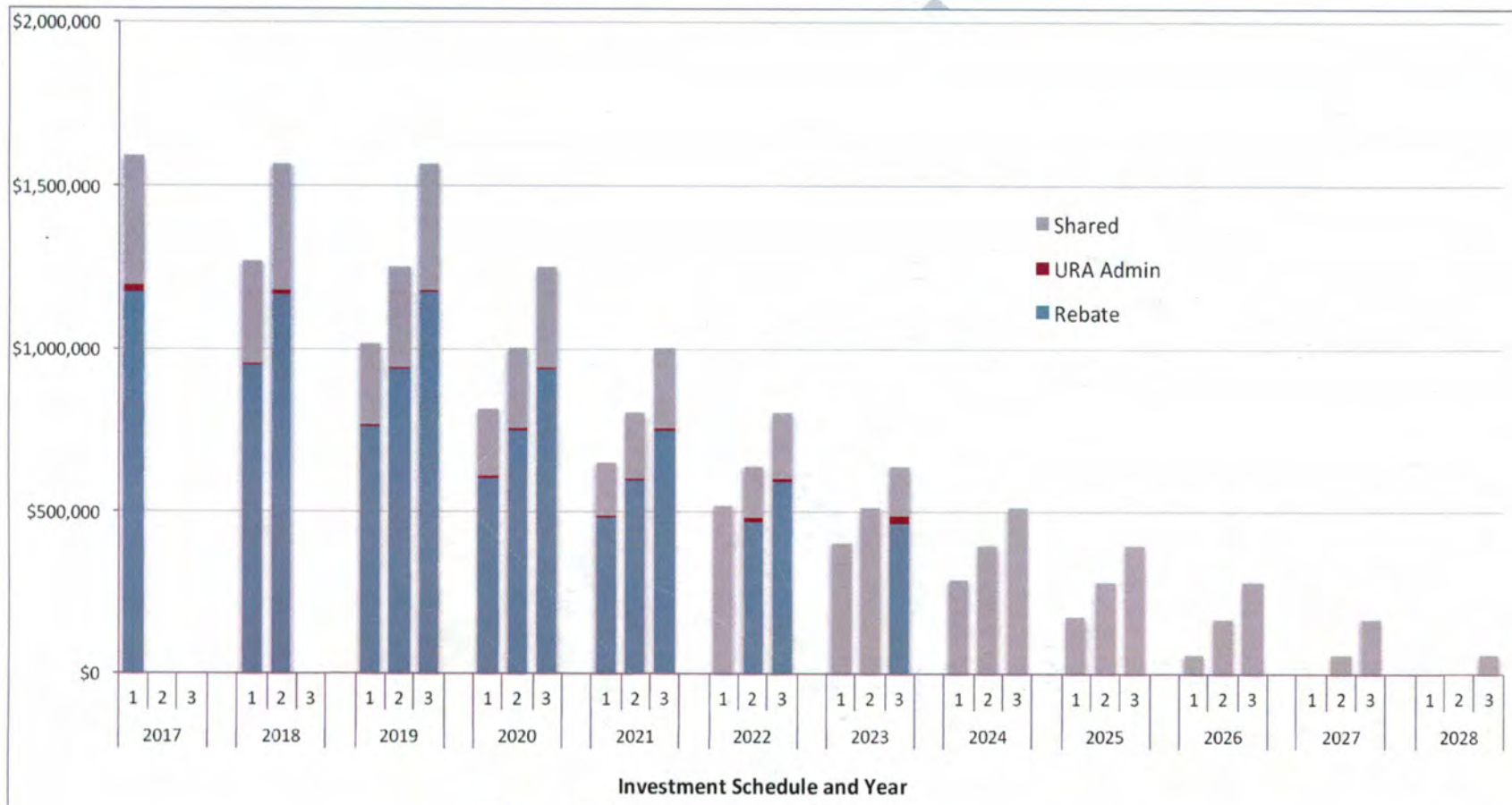
The tax increment revenues and their allocation to administrative costs, developer rebates, and the taxing jurisdictions' share of the increased property tax revenue are shown in Table 3. The 25% to taxing jurisdictions is held constant, the administrative costs are deducted from the 75% share to the developer. Since revenue sharing is anticipated at the onset of the Plan, and this revenue sharing exceeds the potential

amount of distributions through revenue sharing required in ORS 457.470, the revenue sharing in ORS 457.470 has been waived by the taxing jurisdictions.

It is anticipated that all expenditures of tax increment funding will be completed within 15 years. The maximum indebtedness is \$12,000,000. In the scenario detailed in Tables 2 and 3, the term of the rebate expires before all of the manufacturer's investment in equipment has depreciated. The result of this is the taxing jurisdictions begin to receive 100% of the TIF revenues in fiscal year 2023-24, and the total amount shared with taxing jurisdictions for the entire duration of the Area ends up being much higher than the net 25% share that is guaranteed during the time the developer is receiving rebates. Table 2 shows the total projected rebate to the developer in this scenario would be \$11,786,512 dollars, while the amount received by taxing jurisdictions is estimated at \$8,282,830 dollars over the 15 year life of the Plan. This is actually 41% of the total tax increment revenue.

Chart 1 depicts this scenario. Each individual investment provides rebates to the developer, and a portion of extra tax increment to taxing jurisdictions, for a five-year period, with any remaining increment shared with the taxing jurisdictions when that rebate period expires. The three investments are depicted in consecutive years, as shown by the 1,2,3 on the horizontal axis of the chart. As shown, once any one investment reaches the 6<sup>th</sup> year, all of the tax increment from that investment is shared with the taxing jurisdictions. This would be accomplished through an under levy.

**Chart 1. Investment, Amortization, and Rebate Schedule**



Source: ECONorthwest

There will be no loans or bonds issued. The amount of funding to service the maximum indebtedness will be raised through the payment of tax increment from the County Assessor's office. Because the project payments are predicated upon the annual tax increment on a formulaic basis allocating first to administrative costs, then a 75/25 split of increment between the developer and impacted taxing jurisdictions, the Plan will be financially feasible. No payments will be made without first receiving the increment from the assessor.

**Table 3 – Tax Increment Revenues and Allocations to Project Costs Sample Scenario**

FYE	URA Admin	Rebate	Shared	Total
2013	-	-	-	-
2014	-	-	-	-
2015	-	-	-	-
2016	-	-	-	-
2017	\$28,883	\$1,165,514	\$398,133	\$1,592,530
2018	\$17,390	\$2,115,090	\$710,826	\$2,843,306
2019	\$17,912	\$2,865,034	\$960,981	\$3,843,927
2020	\$18,449	\$2,287,907	\$768,785	\$3,075,141
2021	\$19,002	\$1,826,030	\$615,010	\$2,460,042
2022	\$19,572	\$1,065,063	\$883,364	\$1,968,000
2023	\$20,159	\$461,872	\$1,080,797	\$1,562,828
2024	\$0	\$0	\$1,204,211	\$1,204,211
2025	\$0	\$0	\$859,716	\$859,716
2026	\$0	\$0	\$515,223	\$515,223
2027	\$0	\$0	\$228,592	\$228,592
2028	\$0	\$0	\$57,192	\$57,192
2029	\$0	\$0	\$0	\$0
2030	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$141,367</b>	<b>\$11,786,512</b>	<b>\$8,282,830</b>	<b>\$20,210,708</b>

Source: ECONorthwest, FYE: Fiscal Year End, URA: Urban Renewal Area

## VIII. FINANCIAL ANALYSIS OF THE PLAN

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The estimated tax increment revenues in the sample scenario, as shown above, are based on projections of the assessed value of investment that could occur within the Area, depreciation of the investment and the total tax rate that will apply in the Area. The assumptions include assumptions of development, as identified in the TIF Zones concept by the City of Wilsonville. Although these assumptions are used as a basis for evaluating the Plan, the financial feasibility is predicated on the simple formula that increased revenues will be shared by the City for administration, by the developer and by the taxing jurisdictions. No payments will be made until tax increment is received from the County Assessor. These payments will be distributed on a formula that includes payments for administrative costs, then a 75/25 split between the developer and impacted taxing jurisdictions.

Table 4 shows the projected incremental assessed value, projected tax rates that would produce tax increment revenues, and the annual tax increment revenues (not adjusted for under-collection, penalties, and interest). These projections of increment are the basis for the projections in Table 3. These projections include shared revenue with impacted taxing jurisdictions.

Table 5 shows the investment and depreciation assumptions used in preparing the financial analysis. In this scenario, all investment is assumed to be equipment, and so it is depreciated. The depreciation schedule used in this scenario is a half-year convention over a 10-year recovery period that was published by the Internal Revenue Service in its annual report for how to depreciate property. Depreciation is an annual income tax deduction that allows you to recover the cost or other basis of certain property over the time you use the property. It is an allowance for the wear and tear, deterioration, or obsolescence of the property. In this case, all the investment in property is assumed to depreciate to zero after 10 years. Property can be depreciated at different times throughout the year, depending on the accounting method used. Under the half-year convention, you treat all property placed in service or disposed of during a tax year as placed in service or disposed of at the midpoint of the year. This means that a one-half year of depreciation is allowed for the year the property is placed in service or disposed of.

However, as stated above, for purposes of financial feasibility, the fact that no payments will be made until tax increment is received establishes financial feasibility.

**Table 4 – Projected Incremental Assessed Value, Tax Rates, and Tax Increment Revenues**

**This table will be prepared once the assessed values are determined. This does not impact the impacts on taxing jurisdictions.**

Source: ECONorthwest, FYE: Fiscal Year End, TIF Revenue: Tax Increment Revenue

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**Table 5 – Projected Investments and Depreciation Schedules**

Calendar Year	FYE	Investment Schedule 1			Investment Schedule 2			Investment Schedule 3			Total RMV
		Value	Depreciation	RMV	Value	Depr.	RMV	Value	Depr.	RMV	
2013	2015										
2014	2016										
2015	2017	\$137,000,000	10.00%	\$123,300,000							\$123,300,000
2016	2018		18.00%	\$98,640,000	\$135,000,000	10.00%	\$121,500,000				\$220,140,000
2017	2019		14.40%	\$78,912,000		18.00%	\$97,200,000	\$135,000,000	10.00%	\$121,500,000	\$297,612,000
2018	2020		11.52%	\$63,129,600		14.40%	\$77,760,000		18.00%	\$97,200,000	\$238,089,600
2019	2021		9.22%	\$50,498,200		11.52%	\$62,208,000		14.40%	\$77,760,000	\$190,466,200
2020	2022		7.37%	\$40,401,300		9.22%	\$49,761,000		11.52%	\$62,208,000	\$152,370,300
2021	2023		6.55%	\$31,427,800		7.37%	\$39,811,500		9.22%	\$49,761,000	\$121,000,300
2022	2024		6.55%	\$22,454,300		6.55%	\$30,969,000		7.37%	\$39,811,500	\$93,234,800
2023	2025		6.56%	\$13,467,100		6.55%	\$22,126,500		6.55%	\$30,969,000	\$66,562,600
2024	2026		6.55%	\$4,493,600		6.56%	\$13,270,500		6.55%	\$22,126,500	\$39,890,600
2025	2027		3.28%	-		6.55%	\$4,428,000		6.56%	\$13,270,500	\$17,698,500
2026	2028					3.28%	-		6.55%	\$4,428,000	\$4,428,000
2027	2029								3.28%	-	\$0
2028	2030										

FYE: Fiscal Year End RMV: Real Market Value Depr.: Depreciation

Source: ECONorthwest

## IX. IMPACT OF THE TAX INCREMENT FINANCING

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This section describes the impact of tax increment financing of the new maximum indebtedness, both until and after the indebtedness is repaid, upon all entities levying taxes upon property in the urban renewal area.

The impact of tax increment financing on overlapping taxing districts consists primarily of the property tax revenues foregone on permanent rate levies as applied to the growth in assessed value in the Area. These projections are for impacts estimated for a 15-year period and are shown in Tables 6a and 6b. Table 6a shows the general government taxing jurisdictions and Table 6b shows the education taxing jurisdictions.

The concept for this plan, as defined by the City of Wilsonville, includes a 25% share of net tax increment proceeds with the affected taxing jurisdictions. This formula for revenue sharing is different than the formula described in Oregon Revised Statutes (ORS). Revenue sharing is part of the 2009 legislative changes to urban renewal and means that, at thresholds defined in ORS 457.470, the impacted taxing jurisdictions will receive a share of the incremental growth in the area. By statute, the share is a percentage basis dependent upon the tax rates of the taxing jurisdictions. The first threshold is 10% of the original maximum indebtedness. At the 10% threshold, the urban renewal agency will receive the full 10% of the initial maximum indebtedness plus 25% of the increment above the 10% threshold, and the taxing jurisdictions will receive 75% of the increment above the 10% threshold. The second threshold is set at 12.5% of the maximum indebtedness. Since revenue sharing is anticipated at the onset of the Plan, and this revenue sharing exceeds the potential amount of distributions through revenue sharing required in ORS 457.470, the revenue sharing in ORS 457.470 has been waived by the taxing jurisdictions.

The West Linn-Wilsonville School District and the Education Service District are not *directly* affected by the tax increment financing, but the amounts of their taxes divided for the urban renewal plan are shown in the following tables. Under current school funding law, property tax revenues are combined with State School Fund revenues to achieve per-student funding targets. Under this system, property taxes foregone, due to the use of tax increment financing, are substantially replaced with State School Fund revenues, as determined by a funding formula at the state level. The formula for funding schools, as changed in the 2013 legislative session, is \$6,852 per pupil for FY 2013-14 and \$7,081 per pupil for FY 2014-15, an increase over the 2012 levels. According to the State of Oregon Department of Education,

there was approximately \$1 billion dollars of increased revenues allocated to school financing in the 2013 legislative session.<sup>1</sup>

Tables 6a and 6b show the projected impacts to permanent rate levies of taxing districts as a result of this Plan. It assumes the growth as projected in the other tables in this Report. **It does not offset the foregone revenues with the expected new revenues. Although the taxing jurisdictions are shown to forego approximately \$12 million, as shown in Table 6a and 6b, they will receive approximately \$8 million, as shown in Table 3. Over the life of the Plan, the taxing jurisdictions will receive over 40% of the total tax increment revenues produced by this sample scenario.**

There is always some discussion about the true impact of urban renewal on the taxing jurisdictions as there is one line of thought that some of the growth projected would not occur "but for" urban renewal. In this case, the building is underutilized either through vacancy or type of use, and expectations are that it will remain underutilized in the future without developer incentives. Given this, there would be no expectation that any increase of property taxes would come from this building without the use of urban renewal.

There is no anticipated change in revenue for affected taxing jurisdictions upon termination of the Plan, which is expected in 15 years. All projected investment is equipment, and equipment's assessed value depreciates over time. By the time the Area expires, all equipment will be fully depreciated, so there will be no additional assessed value to tax. However, the taxing jurisdictions are receiving 25% of the net increment during the time period the developer is receiving 75% of the net increment, and they are receiving 100% of the increment for the remaining time frame of the Area, as shown in Table 3. If there are any improvements to the building itself, or increases in value of the building itself, the taxing jurisdictions would realize the increased taxes from those investments.

<sup>1</sup> Phone interview with Jan McComb, State of Oregon Department of Education, July 11, 2013.

**Table 6a – Projected Impact on Taxing District Permanent Rate Levies (General Government)**

FYE	Clackamas County	Tualatin Valley Fire & Rescue	City of Wilsonville	Port of Portland	Metro	COUNTY EXTENSION & 4-H	COUNTY LIBRARY	COUNTY SOIL CONS	VECTOR CONTROL	Subtotal
2013	-	-	-	-	-	-	-	-	-	-
2014	-	-	-	-	-	-	-	-	-	-
2015	-	-	-	-	-	-	-	-	-	-
2016	-	-	-	-	-	-	-	-	-	-
2017	(222,328)	(141,043)	(233,092)	(6,482)	(8,933)	(4,624)	(36,750)	(4,624)	(601)	(658,477)
2018	(396,946)	(251,818)	(416,164)	(11,574)	(15,949)	(8,255)	(65,613)	(8,255)	(1,073)	(1,175,647)
2019	(536,639)	(340,438)	(562,621)	(15,647)	(21,562)	(11,160)	(88,703)	(11,160)	(1,451)	(1,589,381)
2020	(429,311)	(272,351)	(450,097)	(12,518)	(17,250)	(8,928)	(70,963)	(8,928)	(1,161)	(1,271,507)
2021	(343,439)	(217,874)	(360,067)	(10,014)	(13,799)	(7,142)	(56,768)	(7,142)	(929)	(1,017,174)
2022	(201,897)	(128,081)	(211,672)	(5,887)	(8,112)	(4,199)	(33,372)	(4,199)	(546)	(597,965)
2023	(89,727)	(56,922)	(94,071)	(2,616)	(3,605)	(1,866)	(14,831)	(1,866)	(243)	(265,747)
2024	-	-	-	-	-	-	-	-	-	-
2025	-	-	-	-	-	-	-	-	-	-
2026	-	-	-	-	-	-	-	-	-	-
2027	-	-	-	-	-	-	-	-	-	-
2028	-	-	-	-	-	-	-	-	-	-
2029	-	-	-	-	-	-	-	-	-	-
2030	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>(2,220,287)</b>	<b>(1,408,527)</b>	<b>(2,327,784)</b>	<b>(64,738)</b>	<b>(89,210)</b>	<b>(46,174)</b>	<b>(367,000)</b>	<b>(46,174)</b>	<b>(6,004)</b>	<b>(6,575,898)</b>

Source: ECONorthwest.

**Table 6b – Projected Impact on Taxing District Permanent Rate Levies (Education and Totals)**

FYE	COM COLL CLACK (perm)	ESD CLACKAMAS	SCH WLINN/WILS (perm)	Subtotal Education	Subtotal Gen Govt	Total
2013	-	-	-	-	-	-
2014	-	-	-	-	-	-
2015	-	-	-	-	-	-
2016	-	-	-	-	-	-
2017	(51,620)	(34,096)	(450,205)	(535,921)	(658,477)	(1,194,398)
2018	(92,162)	(60,874)	(803,797)	(956,833)	(1,175,647)	(2,132,480)
2019	(124,595)	(82,297)	(1,086,671)	(1,293,563)	(1,589,381)	(2,882,944)
2020	(99,676)	(65,838)	(869,337)	(1,034,851)	(1,271,507)	(2,306,358)
2021	(79,739)	(52,669)	(695,449)	(827,857)	(1,017,174)	(1,845,031)
2022	(46,876)	(30,962)	(408,832)	(486,670)	(597,965)	(1,084,635)
2023	(20,832)	(13,760)	(181,692)	(216,284)	(265,747)	(482,031)
2024	-	-	-	-	-	-
2025	-	-	-	-	-	-
2026	-	-	-	-	-	-
2027	-	-	-	-	-	-
2028	-	-	-	-	-	-
2029	-	-	-	-	-	-
2030	-	-	-	-	-	-
<b>Total</b>	<b>(515,500)</b>	<b>(340,496)</b>	<b>(4,495,983)</b>	<b>(5,351,979)</b>	<b>(6,575,898)</b>	<b>(11,927,877)</b>

Source: ECONorthwest. Please refer to the explanation of the schools funding in the preceding section.

## X. COMPLIANCE WITH STATUTORY LIMITS ON ASSESSED VALUE AND SIZE OF URBAN RENEWAL AREA

State law limits the percentage of both a municipality's total assessed value and the total land area that can be contained in an urban renewal area at the time of its establishment to 25% for municipalities under 50,000 in population. As noted below, the frozen base, including all real, personal, manufactured, and utility properties in the Urban Renewal Area, is projected to be \$\_\_\_\_\_. This is an estimate as the property is now bundled with other XEROX properties and assessed as one. The Clackamas County Assessor will have to establish a separate building and land value for this urban renewal area. The total assessed value of the City of Wilsonville is \$2,368,094,165. There are seven existing urban renewal areas, as shown in Table 7. These seven areas, plus the Building 83 - 26440 SW Parkway Avenue Area, total \_\_\_\_\_% of the total assessed value of the City of Wilsonville, well below the 25% maximum. (We know that the assessed value of this building will not cause the city of Wilsonville to exceed the 25% threshold) The Building 83 - 26440 SW Parkway Avenue Area has 27 acres, and the City of Wilsonville has 4,712 acres; the other seven existing urban renewal areas total 1,108.56 acres. Therefore, 24.12% of the City's acreage is in an urban renewal area, below the 25% state limit.

**Table 7 – Urban Renewal Area Conformance with Assessed Value and Acreage Limits**

Urban Renewal Area	Assessed Value	Acres
Building 83 - 26440 SW Parkway Avenue	xxxx	27.00
29899 SW Boones Ferry Road	\$14,458,913	15.40
27255 SW 95th Avenue	\$16,608,823	26.07
25600 SW Parkway Center Drive	\$7,476,210	10.35
9805 SW Boeckman Road	\$10,879,601	24.98
26755 SW 95th Avenue	\$7,064,499	9.76
Year 2000 Plan	\$44,087,806	567
West Side Plan	\$16,526,288	456
Total in Urban Renewal		1,135.56
City of Wilsonville	\$2,368,094,165	4,712
Percent of Assessed Value in Urban Renewal	_____%	
Percent of Acreage in Urban Renewal		24.12%

Source: City of Wilsonville, Clackamas County Assessor

## **XI. RELOCATION REPORT**

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There is no relocation report required for the Plan. No relocation activities are anticipated.

DRAFT

## **NOTICE OF DECISION**

### **PLANNING COMMISSION**

#### **RECOMMENDATION OF APPROVAL TO CITY COUNCIL**

**FILE NO.:** UR13-0001

**APPLICANT:** City of Wilsonville

**REQUEST:** The Wilsonville Planning Commission adopted Resolution No. UR13-0001, finding that the six proposed Tax Increment Finance Zone (TIF Zone) Urban Renewal Areas are in conformance with the City of Wilsonville's Comprehensive Plan and recommends that the Wilsonville City Council adopt an ordinance to create the six new Urban Renewal Areas to be known as TIF Zones.

After conducting a public hearing on September 11, 2013, the Planning Commission voted to recommend this action to the City Council by passing Resolution No. UR13-0001.

The City Council is scheduled to conduct a Public Hearing on this matter on October 7, 2013, at 7:00 p.m., at the Wilsonville City Hall, 29799 SW Town Center Loop East.

For further information, please contact the Kristin Retherford, Economic Development Manager, 29799 SW Town Center Loop East, or telephone (503) 682-4960.

**PLANNING COMMISSION  
RESOLUTION NO. UR13-0001**

**A WILSONVILLE PLANNING COMMISSION RESOLUTION FINDING THAT THE SIX PROPOSED TAX INCREMENT FINANCE ZONE (TIF ZONE) URBAN RENEWAL AREAS ARE IN CONFORMANCE WITH THE CITY OF WILSONVILLE'S COMPREHENSIVE PLAN AND RECOMMENDS THAT THE WILSONVILLE CITY COUNCIL ADOPT AN ORDINANCE TO CREATE THE SIX NEW URBAN RENEWAL AREAS TO BE KNOWN AS TIF ZONES.**

WHEREAS, on April 15, 2013, after more than a year of public process including input from an Economic Development Advisory Committee, the creation of an Economic Development Strategy, input from an Economic Development Incentive Task Force, and a March 2013 vote by the citizens of Wilsonville approving the creation of single-property urban renewal districts to incentivize business investment and job creation, the Wilsonville Urban Renewal Agency passed URA Resolution No. 230 recommending the creation of multiple single-property urban renewal districts to be called Tax Increment Finance Zones (TIF Zones) and authorizing staff to begin work necessary to create these TIF Zones; and

WHEREAS, City of Wilsonville staff and the consultant team of Elaine Howard Consulting, LLC and ECONorthwest have prepared draft urban renewal plans and reports (the "Plans and Reports") for these six TIF Zone urban renewal attached hereto and incorporated herein as Exhibits 1 through 6; and

WHEREAS, in creating a new urban renewal district, ORS 457 requires plan review and recommendation by the Planning Commission; and

WHEREAS, the Agency has submitted the Plans and Reports to the Planning Commission for review and recommendation in accordance with the procedures that are set forth in ORS Chapter 457; and

WHEREAS, the Planning Commission, after providing the required notice, held a Public Hearing September 11, 2013, to review the Plans and Reports and to gather additional testimony and evidence regarding the Plan; and

WHEREAS, the Planning Commission has afforded all interested parties an opportunity to be heard on this subject and has entered all available evidence and testimony into the public record of their proceeding; and

WHEREAS, the Planning Commission has duly considered the subject, including the staff recommendations and all the exhibits and testimony introduced and offered by all interested parties; and

WHEREAS, the Planning Commission finds the Plans are in conformance with the City's Comprehensive Plan; and

NOW, THEREFORE, BE IT RESOLVED that the Wilsonville Planning Commission does hereby adopt the Staff Report along with the findings and recommendations contained therein, together

with the findings of the Planning Commission recited above, and recommends that the Wilsonville Urban Renewal Agency and City Council approve and adopt the TIF Zone urban renewal districts described in Exhibits 1 through 6, considering those concerns and amendments the Commission has related in the record, by the proposed adopting Ordinance in the record herein.

This Resolution shall be effective upon adoption.

ADOPTED by the Planning Commission of the City of Wilsonville at the regular meeting thereof this eleventh day of September 2013, and filed with the Planning Administrative Assistant on September 12, 2013.

  
\_\_\_\_\_  
Wilsonville Planning Commission

Attest:

  
\_\_\_\_\_  
Linda Straessle, Administrative Assistant III

#### SUMMARY of Votes:

Chair Ben Altman:	<u>Aye</u>
Commissioner Eric Postma:	<u>Aye</u>
Commissioner Peter Hurley:	<u>Aye</u>
Commissioner Al Levit:	<u>Aye</u>
Commissioner Marta McGuire:	<u>Aye</u>
Commissioner Phyllis Millan:	<u>Aye</u>
Commissioner Ray Phelps:	<u>Aye</u>

#### ATTACHMENTS

Exhibit 1 - 26755 SW 95<sup>th</sup> Avenue Plan and Report  
Exhibit 2 - 9805 SW Boeckman Road Plan and Report  
Exhibit 3 - 25600 SW Parkway Center Drive Plan and Report  
Exhibit 4 - 27255 SW 95<sup>th</sup> Avenue Plan and Report  
Exhibit 5 - 29899 SW Boones Ferry Road Plan and Report  
Exhibit 6 - Building 83- 26440 SW Parkway Avenue Plan (Report not included)

10/21/13  
Council mtg.

## Tax Increment Financing Zones

## Site Selection & Incentives

### City's Traditional Economic Development Tools included:

- Location on I-5 and near I-205
- Public Infrastructure Investments:  
Roads, Transit, Water, Wastewater

Wilsonville doesn't have an Enterprise Zone and has historically never offered any sort of financial incentive. Instead, we've had a lot of past success by leveraging our soft incentives, such as our location on I-5 and near I-205, our public infrastructure and our livability.

## Industrial Vacancy

**2010-2011 Industrial Vacancy Rate =**

**45% or 2,500,000 SF**

▪ Nike Distribution Center	500,000 SF
▪ GI Joes Office & DC	300,000 SF
▪ Hollywood Video DC	178,000 SF
▪ InFocus Building	135,000 SF
▪ Hollywood Video Office	120,000 SF

- By the end of 2010, we were experiencing a 45% vacancy rate and had about 2.5 million square feet of vacant industrial space. A significant amount of this space was due to a handful of large distribution centers, the largest being the former Nike DC.

## Economic Development Strategy

### City Council Goals for 2011-12:

*“Develop, Adopt and Begin Implementation of a Comprehensive Economic Development Strategy.”*

This led to a new City Council goal to develop and implement an Economic Development Strategy.

## **Economic Development Strategy**

- **Economic Development Advisory Committee (EDAC) with 14 Members**
- **Focus Groups with 40+ Participants**
- **Economic Development Summit with 60+ participants**
- **Post-Summit Online Survey**

In the winter of 2012 we hired ECONorthwest to facilitate the process of developing a strategy and hired the FCS Group to update our Economic Opportunity Analysis with new data so that the strategy work would reflect the impacts of the recession.

In the spring of 2012 we established a 14 member Advisory Committee that included a broad representation of community interests.

The Advisory Committee developed the nuts and bolts of the economic development strategy.

Input was also received from focus groups, an economic development summit and a post-summit online survey, so that the final document had been vetted through a great deal of outreach and public input.

## Economic Development Strategy

- **August 2012: City Council Adopts Strategy.**
- **November 2012: 23-Member Task Force Established to Address Business Attributes and Incentives**
  1. *What Kinds of Business Attributes Does Wilsonville Desire for Our Community?*
  2. *Does the Community Seek to Offer Incentives for Business Retention or Recruitment?*

City Council adopted the strategy in August of 2012. It identifies six areas of focus and specifies actions to be taken along with implementation timelines for each action. The highest priority actions are Action 1.1 and 6.2, which call for the creation of a Task Force to address business attributes and incentives.

A 23 member Task Force was convened in November of 2012 to look at what kinds of business attributes are desired, and whether the community should offer incentives for business retention or recruitment. Like the Advisory Committee, the Task Force was a diverse group representing the full range of community interests, and because urban renewal was likely to be considered as a funding mechanism for potential incentives, the Task Force also included representation from the County, the fire district, the school district, and higher-education.

Rather than focusing on clusters or types of businesses we'd like to attract, the Advisory Committee felt a better approach for the community was to focus instead on what specific business attributes would fit best with the community. The feeling was that Wilsonville should be selective in the use of incentives and that we should have strict criteria for businesses receiving incentives based on specific business attributes.

## **Task Force on Business Attributes and Incentives**

- **Task Force proposed Urban Renewal-Based “Tax Increment Financing (TIF) Zones”**
- **City Council Placed Measure Before Electorate as an Advisory Vote in March**
- **Ballot Measure approved by 79% of voters**

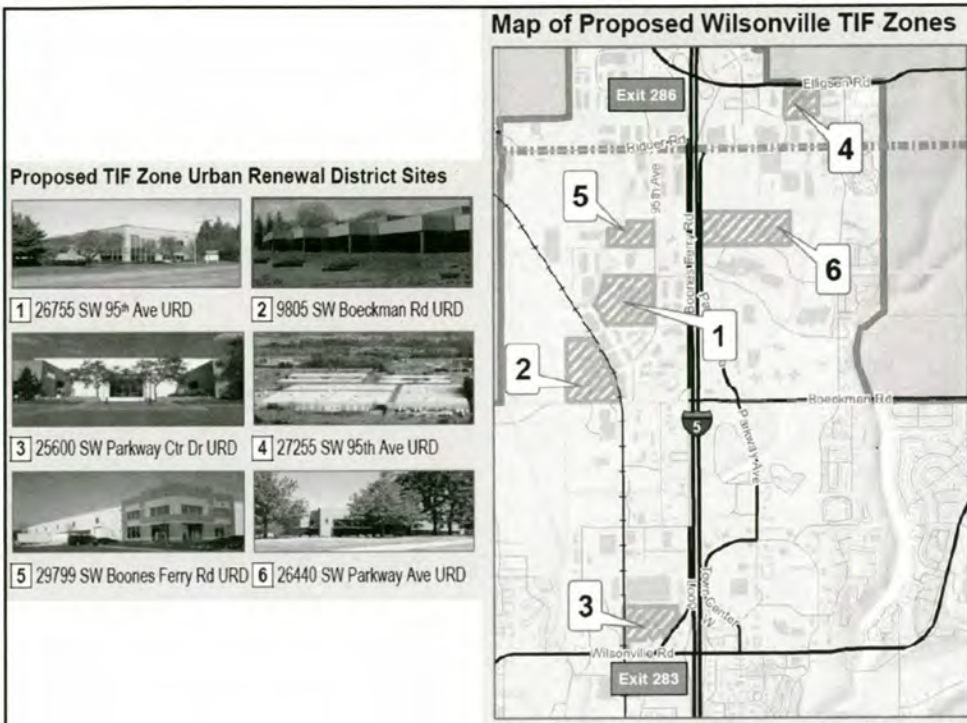
While the Task Force was charged with looking at the broad range of attributes and incentives, they first tackled the issue of incentives for large levels of capital investment to see if a program could be established that might help keep this company in Wilsonville. The Task Force felt that the limited use of urban renewal to provide partial property tax rebates, such as that proposed for SoloPower, was a concept that had merit.

This led to the idea of establishing urban renewal based Tax Increment Financing Zones and a Task Force recommendation that City Council conduct an advisory vote on the creation of up to six single property urban renewal districts. The ballot measure went before the voters in March, and was approved by 79% of voters.

## **Proposed Tax Increment Finance Zone (TIF Zone) Program**

- **Conversion of large, currently vacant or under-utilized buildings to manufacturing use**
- **Uses Urban Renewal to Rebate Up to 75% of the New Property-Tax Increment to Company for a 3- to 5-Year Period**

In a nutshell, the TIF Zone program is intended to provide an incentive to businesses to convert large, currently vacant or under-utilized buildings to manufacturing use. The minimum building size considered for the program is 100,000 SF and the incentive is a rebate of up to 75% of new property tax increment for a 3 to 5 year period.



## What is Urban Renewal?

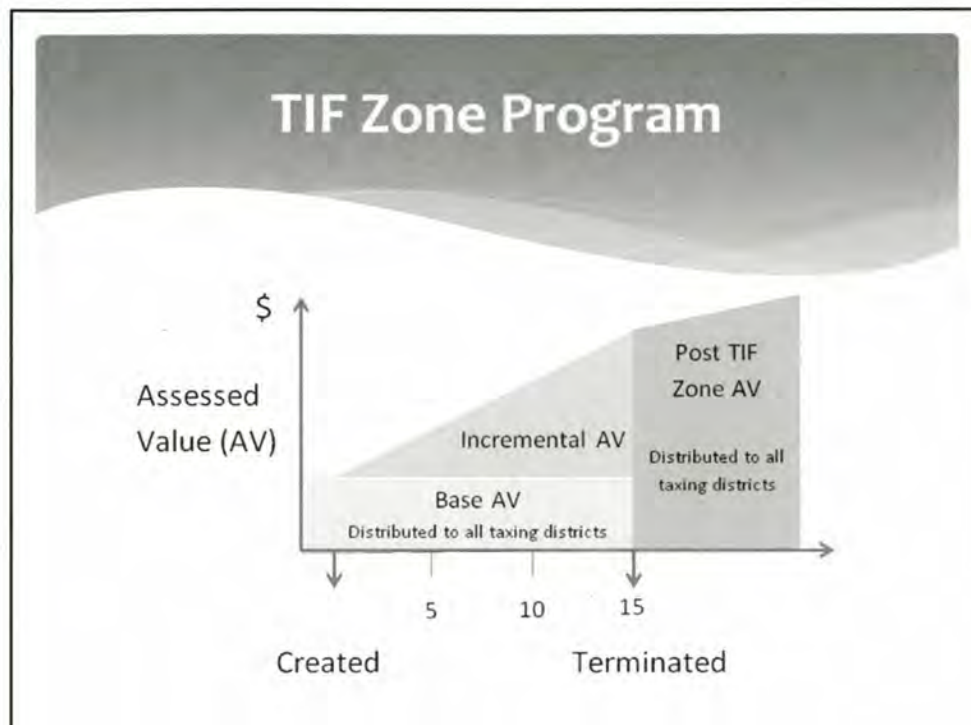
- \* Defined by the State Statute ORS 457
- \* Defined by Blight, generally covers:
  - \* Underdevelopment or underutilization of property
  - \* Poor condition of buildings including need for seismic upgrading
  - \* Inadequacy of infrastructure including pathways



Blighted sidewalks

## How Does Financing in Urban Renewal Work?

- \* An area is designated as an urban renewal area
- \* The tax assessed value of properties within the area is frozen
- \* Taxes from that “frozen base” go to all taxing jurisdictions
- \* Increases in taxes over the “frozen base” go to the urban renewal agency for use in the Area



These single-property urban renewal districts are scheduled to be created by the end of the year. The frozen base of each district will be established, and moving forward, the urban renewal agency will under levy or not collect the growth in tax increment so that it continues to be distributed to all the taxing agencies along with the frozen base.

At the time a business occupies one of these buildings or TIF Zones and qualifies for the rebate program, the under levy percentage will change, so that a minimum of 25% of the property tax increment will continue to go to the other taxing districts and up to 75% will be collected by the urban renewal agency and rebated back to the business. Upon closure of each TIF Zone, which will have a maximum lifespan of 15 years, all property tax revenue will be back on the books and accrue to the various taxing agencies.

## How do TIF Zones Work

- \* Will under levy until a qualifying investment is made
- \* Taxing jurisdictions will receive 25% of the tax increment..  
An amount ABOVE statutory regulations
  - requires concurrence from taxing jurisdictions 75% of total tax rate

## What is Maximum Indebtedness?

- \* Total amount of tax increment funds spent on projects and programs in an urban renewal area.
- \* Administration is included in this number
- \* \$12 Million
- \* In TIF Zones Plans these are estimates as we don't know real value of investments.

## Statutory Requirements

- **25% Acreage Limit**
- **25% Assessed Value Limit**

Urban Renewal Area	Assessed Value	Acres
Building 83 - 26440 SW Parkway Avenue		27.00
29899 SW Boones Ferry Road	\$14,458,913	15.40
27255 SW 95th Avenue	\$16,608,823	26.07
25600 SW Parkway Center Drive	\$7,476,210	10.35
9805 SW Boeckman Road	\$10,879,601	24.98
26755 SW 95th Avenue	\$7,064,499	9.76
Year 2000 Plan	\$44,087,806	567
West Side Plan	\$16,526,288	456
Total in Urban Renewal		1,135.56
City of Wilsonville	\$2,368,094,165	4,712
Percent of Assessed Value in Urban Renewal	Approx. 5%	
Percent of Acreage in Urban Renewal		24.12%

## Statutory Requirements

- **Agency resolution recommending creation and start of process**
- **Confer with and mail notices and copies of plans to other taxing districts**
  - Mailed by September 10, 2013 and Sept 23, 2013
- **Public notice through website, mailers, and the newspaper**
  - Open House held October 17, 2013
- **Planning Commission resolution finding conformance with Comprehensive Plan**
  - Public Hearing held on September 11, 2013. Planning Commission adopted resolution that confirmed conformance with Wilsonville Comprehensive Plan.
- **City-wide super notice**
  - In the October Boones Ferry Messenger
- **Public Hearing to adopt the new district**
  - October 21, 2013 and ordinance to be voted on November 4, 2013

## Potential Benefits

- Jobs
- Wages (Transit Tax)
- New Property Tax Revenue (25% to taxing districts)
- Conversion of underutilized warehouse space to a higher productive use such as manufacturing
- Water and sewer rate revenue

## TIF Zone Program

### To Qualify for a 3-year Rebate:

- Minimum \$25 million qualifying capital investment in building improvements or equipment
- Create at least 75 new, permanent, full-time jobs that pay at least 125% of average Clackamas County wage

To qualify for a 3 year rebate a business must make a minimum investment of \$25 million in building improvements or qualifying equipment and create at least 75 new permanent full-time jobs that pay at least 125% of the average Clackamas County Wage.

## **TIF Zone Program**

### **To Qualify for a 5-year Rebate:**

- **Minimum \$25 million qualifying capital investment in building improvements or equipment**
- **Create at least 75 new, permanent, full-time jobs that pay at least 150% of average Clackamas County wage**

To qualify for a 5 year rebate a business must meet the same criteria for investment and job creation, but the jobs have to pay 150% of the average Clackamas County Wage.

## TIF Zone Program

- TIF Zone closure if no qualifying investment in first five years
- A business can qualify more than once
- Maximum rebate period: 10 years from first rebate
- Maximum lifespan of TIF Zone is 15 years

It was important to the Task Force that any use of urban renewal include a defined termination date so that new assessed value returns to the tax rolls and distributed to other agencies. To that end, it was decided that if there is no qualifying investment made during the first five years of creating a TIF Zone, it will be closed.

It was also decided that a business could qualify more than once for the program through additional investment and additional job creation, but that there would be a maximum rebate period of ten years. If a business meets the criteria the first year a TIF Zone is created the clock starts ticking. They could meet the criteria again in future years, but at 10 years from their first rebate, the program ends. This means that each TIF Zone has a maximum lifespan of 15 years.

## **Revenue Sharing Concurrence**

- \* Concurrence received from:**
  - \* Wilsonville City Council**
  - \* Tualatin Valley Fire and Rescue**
  - \* West Linn-Wilsonville School District**
  - \* Clackamas Community College**
  - \* Washington County**

Taxing District	Rate	\$100,000	\$103,000	\$103,000.002
City of Wilsonville	2.5206	\$252.06	\$259.62	\$252.06
Clackamas County	2.4042	\$240.42	\$247.63	\$240.42
Tualatin Valley Fire & Rescue	1.5252	\$152.52	\$157.10	\$152.52
West Linn Wilsonville Schools	4.8684	\$486.84	\$501.45	\$486.84
Clackamas Comm College	0.5582	\$55.82	\$57.49	\$55.82
Clack Co Library	0.3974	\$39.74	\$40.93	\$39.74
Clack Co ESD	0.3687	\$36.87	\$37.98	\$36.87
Metro	0.0966	\$9.66	\$9.95	\$9.66
Port of Portland	0.0701	\$7.01	\$7.22	\$7.01
County Extension and 4-H	0.0500	\$5.00	\$5.15	\$5.00
County Soil and Conservation	0.0500	\$5.00	\$5.15	\$5.00
Vector Control	0.0065	\$0.65	\$0.67	\$0.65
Urban Renewal				\$38.75
Total	12.9159	\$1,291.59	\$1,330.34	\$1,330.34

## **ORDINANCE NO. 724**

### **AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING THE VILLEBOIS VILLAGE MASTER PLAN FOR THE "FUTURE STUDY AREA" ESTABLISHING THE GENERAL LAND USE FRAMEWORK, OPEN SPACES, CIRCULATION AND UTILITIES.**

WHEREAS, Polygon Northwest, on May 31, 2013 submitted an application and supporting materials to the City to amend the Villebois Village Master Plan consistent with the statement on page 10 of the Villebois Village Master Plan that, "the developer of the Future Study Area shall be responsible for obtaining any master plan or ordinance amendment(s) that may be necessitated by their proposal;" and

WHEREAS, the Wilsonville Planning Commission in Resolution LP10-0005, after a work session and a public hearing held over two meetings, recommend the City Council adopt the proposed amendment, and

WHEREAS, the Wilsonville Planning Director, taking into consideration input and suggested revisions provided by the Planning Commission members and the public, submitted the proposed Villebois Village Master Plan amendment to the Planning Commission in accordance with the public hearing and notice procedures that are set forth in Sections 4.008, 4.010, 4.011 and 4.012 of the Wilsonville Code (WC); and

WHEREAS, the City Council is approving the proposal for single-family lots within the medium-to-estate land use category identified in the Wilsonville Code Subsection 4.125 (.18) F. 1. a. iv. arranged in a similar pattern as other areas on the edges of Villebois as well as a general circulation, utility, parks and open space plan for the Future Study Area; and

WHEREAS, on September 5, 2013, the City Council, having not yet received a recommendation from the Planning Commission, voted unanimously to continue the duly noticed public hearing to a date certain of October 7, 2013; and

WHEREAS, on October 7, 2013, the City Council conducted a duly noticed public hearing on the draft Villebois Village Master Plan amendment considering the entire public record herein and finds that the proposed Villebois Village Master Plan amendment complies with the applicable review criteria and is in the best interest of the community by providing for a land use plan facilitating development a portion of Comprehensive Plan Area Concern B consistent with the Villebois Village Concept Plan; and

WHEREAS, the City Council has afforded all interested parties an opportunity to be heard on this subject and has entered all available evidence and testimony into the public record of their proceeding; and

WHEREAS, the City Council has considered the Planning Commission's recommendation, the staff reports on this matter, and testimony and evidence of interested parties, and has evaluated the draft Villebois Village Master Plan amendment against the applicable Statewide Planning Goals, state, county, and regional requirements, the Comprehensive Plan, and other applicable standards.

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

Section 1. Findings. The City Council hereby adopts as findings and conclusions the foregoing recitals and the conclusionary findings in this matter attached hereto as Exhibit 1 and adopted as if set forth fully herein.

Section 2. Order. The City Council hereby adopts the 2013 Villebois Village Master Plan amendment as explained in Exhibit 2 and attached as Exhibit 3, both as if set forth fully herein.

Section 3. Staff Directive. To reflect adoption of the Villebois Village Master Plan amendments, Staff is directed to make conforming changes to the Villebois Village Master Plan necessary to incorporate the amendments adopted herein.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 7<sup>th</sup> day of October, 2013, at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon, and scheduled for second reading on the 21<sup>st</sup> day of October, 2013, commencing at the hour of 7:00 p.m. at Wilsonville City Hall.

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SANDRA C. KING, MMC, City Recorder

ENACTED by the City Council on the \_\_\_\_ day of October 2013, by the following votes:

YEAS:

NAYS:

---

SANDRA C. KING, MMC, City Recorder

DATED and signed by the Mayor this \_\_\_\_\_ day of October 2013.

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

**SUMMARY OF VOTES:**

Mayor Knapp -  
Council President Starr -  
Councilor Goddard -  
Councilor Fitzgerald -  
Councilor Stevens -

**Exhibits:**

- Exhibit 1. Conclusionary findings dated September 18, 2013
- Exhibit 2. Summaries of what the amendment does with lists of proposed changes
- Exhibit 3. Villebois Village Master Plan showing changes

**Ordinance No. 724, Exhibit 1:**

**CONCLUSIONARY FINDINGS**

**September 18, 2013**

**In support of Approval of Application #LP13-0005  
Villebois Village Master Plan Amendment for "Future Study Area"**

The Villebois Village Master Plan was found to be consistent with the applicable criteria in City of Wilsonville Ordinances 556, 566, 594, 609, 681 (see also Planning Case Files 02PC07B, 04PC02, LP-2005-02-00006, LP-2008-12-00012, and LP10-0001). The findings below are related to the proposed legislative amendment to the Villebois Village Master Plan. Unless a specific change is discussed, it is assumed the Master Plan's conformity with a specific criteria has not changed.

<b>COMPREHENSIVE PLAN COMPLIANCE</b>
--------------------------------------

**Standards for Approval of Plan Amendments**

*In order to grant a Plan amendment, the City Council shall after considering the recommendation of the Development Review Board (quasi-judicial) or Planning Commission (legislative), find that:*

***a. Conformance with Other Portions of the Comprehensive Plan***

CP1. **Review Criteria:** "The proposed amendment is in conformance with those portions of the Plan that are not being considered for amendment."

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed amended Master Plan has been found to be in conformance with the Comprehensive Plan. See Findings CP2 through CP37 below.

***b. Amendment is in the Public Interest***

CP2. **Review Criterion:** "The granting of the amendment is in the public interest."

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Development Code Subsection 4.198 (.01) A. implements this standard. As stated in Finding PL7 below: ORS 426.508 requires that redevelopment of the Dammasch property be consistent with DATELUP. The Memorandum of Understanding between the State of Oregon and the City of Wilsonville regarding redevelopment identifies roles for the City and the Master Planner to master plan not only for the Dammasch property but also for the surrounding area subsequently identified in the Comprehensive Plan as Area of Special Concern B, including the subject property. These areas are designated Residential-Village on the Comprehensive Plan Map; the Villebois Village Master Plan applies to these areas (City Ordinance No. 556, August 18, 2003). DATELUP was a conceptual land use plan for Area of Special Concern B that was developed in 1996 to address "... the Wilsonville community's needs for housing a growing population." The Villebois Village Concept Plan replaced DATELUP and

called for the development of the Villebois Village Master Plan to serve as an implementation guide for the Villebois Village Concept Plan. The Villebois Village Master Plan furthers the Villebois Village Concept Plan and builds on its response to the ever-growing challenges of increased growth as discussed in detail in other sections of this document. The proposed amended Master Plan serves to facilitate development of a portion of Area of Concern B by incorporating a land use plan for the subject area.

*c. Public Interest and Timing of Amendment*

CP3. **Review Criterion:** “The public interest is best served by granting the amendment at this time.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The public interest stated in Finding CP2 above is best realized at the time a developer anticipating development of the Future Study area comes forward and makes a request as reflected in the Villebois Village Master Plan. Under the discussion of the Future Study Area on page 10 of the Master Plan it states, “the developer of the Future Study Area shall be responsible for obtaining any master plan or ordinance amendments that may be necessitated by their proposal.” The request had been brought forward by Polygon Northwest, who has an option to purchase the property and plans on pursuing the necessary development approvals to develop the property.

*d. Adequately Addressing Specific Factors*

CP4. **Review Criteria:** “The following factors have been adequately addressed in the proposed amendment: the suitability of the various areas for particular land uses and improvements; the land uses and improvements in the area; trends in land improvement; density of development; property values; the needs of economic enterprises in the future development of the area; transportation access; natural resources; and the public need for healthful, safe and aesthetic surroundings and conditions.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:**

*Suitability of the Various Areas for Particular Land Uses and Improvements* - The Comprehensive Plan designates the appropriate land use for this property to be Residential-Village. As stated in Finding VB2, the uses proposed for the Future Study area in the proposed amended Master Plan are consistent with the Villebois Village Master Plan and Villebois Concept Plan, and thus the Residential-Village Comprehensive Plan Map designation adequately addresses this factor.

*Land Uses and Improvements in the Area* - In proposed Figure 1, the majority of the development on the Future Study Area site is concentrated on the site of former institutional uses and structures. Public utility improvements are available to serve the area. The neighboring developed area has similar land uses as shown for the Future Study area in the proposed Figure 1.

*Trends in Land Improvement* - The amended Master Plan continues and expands the trends in land improvement reflected in the currently adopted Master Plan including

preservation of natural areas; providing bike, ped, and pedestrian connectivity; compact development, sustainability including rainwater management, etc. This factor has been adequately addressed.

*Density of Development* - The density for the Villebois Village continues to exceed the minimum requirement of 2300 planned units. The proposed Figure 1 shows larger lot single-family development on the edges of the Villebois Village consistent with the currently adopted Figure 1. This factor has been adequately addressed.

*Property Values* - As development of the Villebois Village has previously been found to increase property values in Area of Concern B, the continuation of Villebois Development as shown in the proposed Master Plan amendment is expected to support property values in the area. This factor has been adequately addressed.

*The Needs of Economic Enterprises in the Future Development of the Area* - The Villebois Village Center includes built and planned commercial space. Additional increase in housing units shown in proposed Figure 1 will help support enterprises that may choose to locate here, in addition to supporting economic enterprises elsewhere in Wilsonville, especially on the west side. This factor has been adequately addressed.

*Transportation Access* - The amended Master Plan continues to provide for multi-modal transportation access including bike and pedestrian facilities throughout the development including the Future Study Area. This factor has been adequately addressed.

*Natural Resources* The proposed amended Master Plan enables the preservation and enhancement of natural areas including mature upland forests and wetlands including Open Space 3. This factor has been adequately addressed.

*Public Need for Healthful, Safe and Aesthetic Surroundings and Conditions* The Villebois Village Master Plan helps to implement a vision of a healthful, safe, and aesthetically pleasing mixed-use development on and around the site of the former Dammasch State Hospital. The proposed amended Master Plan extends the tenets of the Master Plan to the Future Study Area to continue the healthful, safe, and aesthetic surroundings created in Villebois. This factor has been adequately addressed.

#### ***e. Conflict with Metro Requirements***

CP5. **Review Criteria:** "Proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements."

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Findings MT1 through MT3 analyzed the proposed changes for compliance with Metro regulations and demonstrate that conflicts do not exist.

## **Citizen Involvement**

***Goal 1.1: To encourage and provide means for interested parties to be involved in land use planning processes, on individual cases and City-wide programs and policies.***

### ***Policy 1.1.1: Wide Range of Public Involvement***

CP6. **Review Criterion:** “The City of Wilsonville shall provide opportunities for a wide range of public involvement in City planning programs and processes.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** An extensive public involvement process was held for the adoption of the original Villebois Concept Plan and Villebois Village Master Plan. The Planning Commission and City Council are holding public work sessions and public hearings to review the proposed amendments. In addition, the applicant has voluntarily held neighborhood meetings.

### ***Implementation Measure 1.1.1.a. Early Public Involvement***

CP7. **Review Criterion:** “Provide for early public involvement to address neighborhood or community concerns regarding Comprehensive Plan and Development Code changes. Whenever practical to do so, City staff will provide information for public review while it is still in “draft” form, thereby allowing for community involvement before decisions have been made.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The City staff and the applicant’s representative received feedback early in the planning process which was incorporated into the proposed amendments. The input came from the Planning Commission Work Session, various email correspondence, and neighborhood meetings.

***Goal 1.2: For Wilsonville to have an interested, informed, and involved citizenry.***

### ***Policy 1.2.1: User Friendly Information***

CP8. **Review Criterion:** “The City of Wilsonville shall provide user-friendly information to assist the public in participating in the City planning programs and processes.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The City has produced user-friendly notices for the project, as well as provided other information, including explaining the difference between this legislative process and subsequent quasi-judicial processes.

### ***Implementation Measures 1.2.1.a.-c. Clarification, Publicity, and Procedures for Public Involvement***

CP9. **Review Criteria:** These measures address the City’s responsibility to help clarify the public participation process, publicize ways to participate, and establish procedures to allow reasonable access to information.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The City has produced user-friendly notices for the project, as well as provided other information, provides additional explanation to clarify process including explaining the difference between this legislative process and subsequent quasi-judicial processes, and is following established procedures to allow access to information.

***Policy 1.3.1/ Implementation Measures 1.3.1.b. Clarification, Publicity, and Procedures for Public Involvement***

CP10. **Review Criteria:** “The City of Wilsonville shall coordinate with other agencies and organizations involved with Wilsonville's planning programs and policies.” “Where appropriate, the City shall continue to coordinate its planning activities with affected public agencies and private utilities. Draft documents will be distributed to such agencies and utilities and their comments shall be considered and kept on file by the City.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Metro, as a neighboring property owner, is being notified of the proposal. Other public agencies and utilities will be notified and given opportunity to comment as the project moves into the quasi-judicial review for land use entitlements which is the appropriate time given the lack of detail provided for in the master plan. The City of Wilsonville, as provider of sewer and water and the local road authority is aware of and reviewing the proposed Master Plan amendments.

**Urban Growth Management**

***Goal 2.1: To allow for urban growth while maintaining community livability, consistent with the economics of development, City administration, and the provision of public facilities and services.***

***Policy 2.1.1. Support Development of Land Consistent with Comprehensive Plan Designation***

CP11. **Review Criterion:** “The City of Wilsonville shall support the development of all land within the City, other than designated open space lands, consistent with the land use designation of the Comprehensive Plan.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** By processing this application, and working with the developer and neighbors, the City continues to support development of property within the City and the Villebois Village, except the open space areas, consistent with the land use designation of Residential-Village in the Comprehensive Plan.

***Implementation Measure 2.1.1.a. Allow Development Consistent with Zoning and Comprehensive Plan***

CP12. **Review Criterion:** “Allow development within the City where zoning has been approved and other requirements of the Comprehensive Plan have been met.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The only zoning designation available consistent with the Comprehensive Plan Map designation of Residential-Village is the Village Zone. Any property within the Villebois Village not currently zoned Village is expected to do so through a quasi-judicial process at the time of a development proposal. This report demonstrates compliance with requirements of the comprehensive plan.

***Implementation Measure 2.1.1.b. Accommodate Workers Employed Within the City***

CP13. **Review Criterion:** “Allow urbanization to occur to provide adequate housing to accommodate workers who are employed within the City.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The Villebois Village Master Plan was previously found to support this implementation measure. The provision of additional housing units as indicated in the proposed Figure 1 further supports the implementation measure.

***Policy 2.2.1. Plan for Urbanization***

CP14. **Review Criterion:** “The City of Wilsonville shall plan for the eventual urbanization of land within the local planning area, beginning with land within the Urban Growth Boundary.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The area covered by the Villebois Village Master Plan is within the Urban Growth boundary and adoption of the plan to provide necessary plan components for the entire area supports this policy.

***Implementation Measure 2.2.1.b. Fair Share to Increase Development Capacity***

CP15. **Review Criterion:** “The City of Wilsonville, to the best of its ability based on infrastructure provided at the local, regional, and state levels, shall do its fair share to increase the development capacity of land within the Metro UGB.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** By anticipating potential development throughout the Villebois Village and sizing utilities accordingly the City has helped enable development capacity of the land in the Villebois Village within the Metro UGB.

**Public Facilities and Services**

***Policy 3.1.2. Concurrency***

CP16. **Review Criterion:** “The City of Wilsonville shall provide, or coordinate the provision of, facilities and services concurrent with need (created by new development, redevelopment, or upgrades of aging infrastructure).”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** It is anticipated all facilities and services will be provided at the time of development consistent with the requirements of the City’s Development Code. A

final check of concurrency will be completed by the Development Review Board as part of the Preliminary Development Plan.

***Policy 3.1.3. Payment for and Benefits from Facilities and Services***

CP17. **Review Criterion:** “The City of Wilsonville shall take steps to assure that the parties causing a need for expanded facilities and services or those benefiting from such facilities and services, pay for them.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The City will continue its existing policies to ensure expanded facilities and services for by development.

***Implementation Measures 3.1.4.b.-c. Sanitary Sewer Capacity***

CP18. **Review Criteria:** “The City shall continue to manage growth consistent with the capacity of sanitary sewer facilities.” “Based on the service capacity and the permit monitoring program, the City shall plan and appropriately schedule future expansions of the wastewater treatment plant.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The currently adopted Villebois Village Master Plan sewer capacity calculations enables development of the entire Villebois Village. One change related to sewer capacity clarified in the amended Master Plan is clarification on the pump station requirements in the southwest portion of property for the area formerly labeled “Future Study Area.”

***Policy 3.1.5. Water Service Capacity***

CP19. **Review Criteria:** “The City shall continue to develop, operate and maintain a water system, including wells, pumps, reservoirs, transmission mains and a surface water treatment plant capable of serving all urban development within the incorporated City limits, in conformance with federal, state, and regional water quality standards.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The currently adopted Villebois Village Master Plan water capacity calculations enables development of the entire Villebois Village.

***Parks/Recreation/Open Space, Environmental Resources and Community Design***

***Policies 3.1.11., 4.1.5. and Implementation Measures 3.1.11.a. ,4.1.5.d.-g.,aa. . Conservation of Natural, Scenic, and Historic Areas***

CP20. **Review Criteria:** These policies and implementation measures require and encourage conservation of natural resources, as well as scenic and historic areas.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Master Plan amendment continues to show preservation of natural resource areas, including the newly identified Open Space 3. Subsequent Specific Area Plan review requires a Historic/Cultural Resource Inventory, Significant Resource

Impact Report, and Tree inventory be reviewed. These components of the Specific Area Plan process identify resources and enable conversation.

***Implementation Measure 3.1.11.b. Adequate Diversity and Quantity and Active and Passive Recreation***

CP21. **Review Criterion:** “Provide an adequate diversity and quantity of passive and active recreational opportunities that are conveniently located for the people of Wilsonville.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The Villebois Village Master Plan has previously been found to have adequate diversity and quantity. The addition of trails, play areas, preserved open space adding additional recreational opportunities, both passive and active, as shown in the proposed Figures 5, 5A, and 5B as well as the additional Park Capacity Drawings in Appendix F add to both the diversity and quantity.

***Implementation Measure 3.1.11.e. Small Neighborhood Parks and Ownership***

CP22. **Review Criterion:** “Require small neighborhood parks (public or private) in residential areas and encourage maintenance of these parks by homeowner associations.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Small neighborhood park areas maintained by the homeowners association are shown throughout residential areas in the proposed amended Master Plan. See Figure 5B.

***Implementation Measure 3.1.11.g. Development Contributing to Open Space***

CP23. **Review Criterion:** “Where appropriate, require developments to contribute to open space.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The policy of requiring developments to contribute to open space continues and is reflected in the additional open space, pocket park, and linear greens shown in the proposed amended Master Plan. See Figure 5B.

***Implementation Measure 3.1.11.i. and 4.1.5.k. Limited Access Natural Areas***

CP24. **Review Criterion:** “Develop limited access natural areas connected where possible by natural corridors for wildlife habitat and watershed and soil/terrain protection. Give priority to preservation of contiguous parts of that network which will serve as natural corridors throughout the City for the protection of watersheds and wildlife.” “Develop open, limited, or restricted access natural areas connected where possible by natural corridors, for wildlife habitat, watershed, soil and terrain protection. Preservation of contiguous natural corridors throughout the City for the protection of watersheds and wildlife will be given priority in land use decisions regarding open space.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Limited access natural areas continues to be a design consideration of the Villebois Village. The largest limited access natural area continues to be the Coffee Lake Natural Area.

***Implementation Measure 3.1.11.j, 4.1.5.l. Natural Area Access and Knowledge***

CP25. **Review Criterion:** “Identify areas of natural and scenic importance and where appropriate, extend public access to, and knowledge of such areas, to encourage public involvement in their preservation.” “Identify areas of natural and scenic importance and give them priority in selection of public open space. Where legal rights of access have been acquired, extend public access to, and knowledge of such areas, in order to encourage public involvement in their preservation.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Where, appropriate natural area access continues to be provided, especially in Open Space 2 and 3.

***Implementation Measure 3.1.11.p. New Developments and Usable Open Space***

CP26. **Review Criterion:** “New developments shall be responsible for providing specified amounts of usable on-site open space depending on the density characteristics and location of the development. Where possible, recreational areas should be coordinated with and complement Willamette River Greenway, and other open space areas identified as environmentally sensitive or hazardous areas for development.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The amended Master Plan figures continue to show open space beyond what is required by the Development Code.

***Implementation Measure 4.1.5.j. New Developments and Usable Open Space***

CP27. **Review Criterion:** “Ensure that open space conforms to the characteristics of the land, type of land use, adjacent land uses and City needs.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The amended Master Plan show open space beyond what is required by the Development Code. The open space conforms to the characteristics of the land by incorporating upland forests and wetlands that are desirable to preserve, including the newly labeled Open Space 3. See Figure 5B.

***Implementation Measure 4.1.5.gg. On-Site Drainage Design***

CP28. **Review Criterion:** “Where possible, on-site drainage should be designed to preserve natural drainage channels and to allow for ground water infiltration. Man-made structures should be designed to complement the natural system. It is not the intent of this Measure to encourage unsightly and unsafe open ditches. Rather, open drainage systems should be designed to accent natural creeks and drainage channels and provide an attractive natural area-like appearance.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The requirements in the Villebois Village for on-site drainage, preserving natural drainage channels, and innovate rainwater components remain a requirement and are incorporated throughout the Master Plan area. See Figure 6A and 6B.

***Implementation Measure 4.1.5.ii. Architectural and Community Design***

CP29. **Review Criterion:** “The design of developments within the community can be regarded from two viewpoints: the design of structures as they relate to site and function (architectural design) and, their relationship to the surrounding area (community design). Both aspects shall be considered to be of equal importance. Good architectural design is necessary to provide visual variety and allow for individual identity. At the same time, good community design provides a sense of unity with other development while eliminating conflicting appearances.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The architectural and community design standards contained in the Architectural Pattern Book and Community Elements Book as well as the Village Zone standards continue to be applied throughout Villebois to ensure quality architectural and community design.

**Transportation**

***Goal 3.2: To encourage and support the availability of a variety of transportation choices for moving people that balance vehicular use with other transportation modes, including walking, bicycling and transit in order to avoid principle reliance upon any one mode of transportation.***

***Policy 3.2.1. and Implementation Measures 3.2.1.a.- b. Safe, Well-connected, and Safe Transportation Network***

CP30. **Review Criterion:** “Provide a safe, well-connected, and efficient system of streets and supporting infrastructure for all travel modes.” “Plan and implement a well-connected network of streets and supporting improvements for all applicable travel modes.” “Provide safe and efficient multi-modal travel between the connecting roadways (and the surface street network, if applicable).”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Streets and trails are shown in the proposed Master Plan amendments supporting a variety of travel modes with multiple connections. Details of safety and capacity will be reviewed in more detail in subsequent quasi-judicial applications.

***Goal 3.3: To achieve adopted standards for increasing transportation choices and reducing reliance on the automobile by changing land use patterns and transportation systems so that walking, cycling and use of transit are highly convenient and so that, on balance, people need to and are likely to drive less than they do today.***

***Policy 3.3.1. and Implementation Measures 3.3.1.c. Increased Access to Alternative Modes***

CP31. **Review Criterion:** “The City shall provide facilities that allow people to reduce reliance on single occupant automobile use, particularly during peak periods.” “Plan for increased access to alternative modes of transportation, such as bicycling, transit and walking.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposed amended Master Plan continues to show trails, paths, bike facilities, block lengths, etc. to allow people to reduce reliance on single occupant automobiles. The proposed amended Master Plan shows additional trail and sidewalk connections to further access to alternative transportation modes.

**Land Use and Development: General Development**

**Goal 4.1** *To have an attractive, functional, economically vital community with a balance of different types of land uses.*

***Policy 4.1.1. Land Use and Planning Activities to Achieve Goal 4.1***

CP32. **Review Criteria:** “The City of Wilsonville shall make land use and planning decisions to achieve Goal 4.1.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:**

*Attractive:* The entirety of the Villebois Village will continue to be required to meet design standards, assuring an attractive area of the community. In addition to the European-inspired design of the houses, the incorporation of so many trees and open space into the Village adds to the aesthetic value.

*Functional:* Sewer and water capacity are available or planned for the entire Village, the entire Village is being planned with facilities to enable adequate pedestrian, bicycle, and vehicle circulation. Parks are being provided consistent with City standards. All other functional requirements of the City’s development standards will be applied to development on the site.

*Economically Vital:* The continued development of the Villebois Village will create construction jobs, help support future and current commercial enterprises, and add housing to support continued demand.

*Balance of Different Types of Land Uses:* As shown in the proposed Figure 1 and wide mix of land uses consistent with the mixed-use Village Zone continue to be provided.

**Land Use and Development: Residential Development**

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

***Implementation Measure 4.1.4.b., d., j., and o. Variety and Diversity of Housing Types***

CP33. **Review Criteria:** “Plan for and permit a variety of housing types consistent with the objectives and policies set forth under this section of the Comprehensive Plan, while maintaining a reasonable balance between the economics of building and the cost of supplying public services. It is the City's desire to provide a variety of housing types needed to meet a wide range of personal preferences and income levels. The City also recognizes the fact that adequate public facilities and services must be available in order to build and maintain a decent, safe, and healthful living environment.” “Encourage the construction and development of diverse housing types, but maintain a general balance according to housing type and geographic distribution, both presently and in the future. Such housing types may include, but shall not be limited to: Apartments, single-family detached, single-family common wall, manufactured homes, mobile homes, modular homes, and condominiums in various structural forms.” “The City shall have a diverse range of housing types available within its City limits.” “The City will encourage the development of housing of various types and densities. Guided by the urbanization, public facilities, and economic elements, the City will, however, manage residential growth to ensure adequate provision of public facilities and that proposed housing satisfies local need and desires, i.e., type, price and rent levels.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The currently adopted Master Plan provides for sufficient utilities to service the entirety of the Villebois Village. The Villebois Village provides a variety of housing types with, generally speaking, the denser housing types toward the center of the project, with less dense single-family development around the edges. The proposed mix of housing for the area currently designated as “Future Study Area” shown in the amended Figure 1, Land Use Plan, is similar to that in the adjacent area of SAP South, PDP 4 as well as other areas on the edges of Villebois with large and standard lots on the outer edge with a mix of medium, larger, and standard lots inside the initial edge. A variety of housing continues to be provided in Villebois Village.

***Implementation Measure 4.1.4.c. Safe, Convenient, Healthful, Attractive, Encouraging Planned Developments and Clusters***

CP34. **Review Criteria:** “Establish residential areas that are safe, convenient, healthful, and attractive places to live while encouraging variety through the use of planned developments and clusters.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Villebois Village Master Plan helps to implement a vision of a safe, convenient, healthful, and attractive mixed-use development on and around the site of the former Dammasch State Hospital. The amended Master Plan continues to enable the use of planned developments and cluster housing. If the Future Study Area was not included in the Master Plan it could be developed separately and not follow the same vision as the neighboring Villebois Village.

## **Residential-Village**

### ***Policy 4.1.6. Residential-Village to Create Livable, Sustainable Areas***

CP35. **Review Criteria:** “Require the development of property designated “Residential-Village” on the Comprehensive Plan Map to create livable, sustainable urban areas which provide a strong sense of place through integrated community design, while also making efficient use of land and urban services.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed amended Master Plan maintains and expands those components supporting Villebois as a livable, sustainable urban area. These components include preservation of significant natural areas and trees, accommodating multi-modal transportation, and using innovative rainwater management.

### ***Implementation Measure 4.1.6.a. Residential-Village Map Areas Guided by Villebois Village Concept Plan***

CP36. **Review Criteria:** “Development in the “Residential-Village” Map area shall be directed by the Villebois Village Concept Plan (depicting the general character of proposed land uses, transportation, natural resources, public facilities, and infrastructure strategies), and subject to relevant Policies and Implementation Measures in the Comprehensive Plan; and implemented in accordance with the Villebois Village Master Plan, the “Village” Zone District, and any other provisions of the Wilsonville Planning and Land Development Ordinance that may be applicable.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** By using a mix and pattern of uses similar to other area of the Villebois Village for the Future Study Area the proposed amended Master Plan generally follows the Village Concept Plan. The proposed amended Master Plan is being reviewed using the relevant policies and implementation measures of the Comprehensive Plan and the Villebois Village Master Plan. Subsequent quasi-judicial review of development within the Villebois Village will be further reviewed for compliance with the Comprehensive Plan, the Villebois Village Master Plan, the “Village Zone District, and other applicable provisions of the Planning and Land Development Ordinance.

### ***Implementation Measure 4.1.6.b. Villebois Village Master Plan Components***

CP37. **Review Criteria:** “The Villebois Village Master Plan shall contain the following elements:

1. An integrated plan addressing land use, transportation, utilities, open space and natural resources.
2. Direction for cohesive community design based on sustainable economic, social and environmental principles; pedestrian and transit friendly principles; mitigation of traffic impacts; and enhanced connectivity within proposed development as well as to the remaining Wilsonville environs.
3. Identification of opportunities for employment and services within a village core area to reduce vehicle trip lengths.

4. Incorporation of designs or an indication of where those designs shall be developed that will implement Villebois Village Concept Plan principles of innovative rainwater management, aesthetic vistas, nature corridors and pathways, active and passive parks, wildlife corridors, protection of trees, wetlands, and other sensitive natural resources.
5. Identification of how the properties will accommodate a mix of housing types and densities so that an ultimate buildout of over 2300 housing units is accommodated.
6. Direction for provision of community housing consistent with Oregon Revised Statute 426.508.
7. Identification of architectural patterns and types, creating neighborhoods that encourage bicycle and pedestrian travel, human interaction, and appreciation for natural features and systems.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed amended Master Plan continues to include all of these components.

<b>COMPLIANCE WITH ADOPTED VILLEBOIS VILLAGE MASTER PLAN</b>
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## ***2.2 Villebois Village Master Plan Implementation***

### **General- Land Use Plan**

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

### ***Policy 1 Complete Community, Range of Choices, Minimum Amount of Housing***

- VB1. **Review Criteria:** “The Villebois Village shall be a complete community with a wide range of living choices, transportation choices, and working and shopping choices. Housing shall be provided in a mix of types and densities resulting in a minimum of 2,300 dwelling units within the *Villebois Village Master Plan* area.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed amended Master Plan continues the provision of a mix of types and densities resulting in a minimum of 2,300 dwelling units within the Villebois area. The proposed amended plan also facilitates mode choice in transportation with facilities for bicycles and pedestrians in addition to vehicles. Commercial areas continue to be concentrated around the Village Center.

### ***Policy 2 Components of Development, Future Study Area Uses***

- VB2. **Review Criteria:** “Future development applications within the Villebois Village area shall provide land uses and other major components of the Plan such as roadways and parks and open space in general compliance with their configuration as illustrated on *Figure 1 – Land Use Plan* or as refined by Specific Area Plans. The proposed uses for the Future Study Area Specific Area Plan shall be those identified in the *Villebois Village*

*Concept Plan*, and the Specific Area Plan shall not be considered a neighborhood plan as defined in Section 2.1 of the *Villebois Village Master Plan*.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed legislative amendment provides the proposed uses for the area formerly labeled as “Future Study Area” in the amended Figure 1 – Land Use Plan. The Future Study Area is proposed to be added to SAP South as shown on the amended Figure 3 – Specific Area Plan Boundaries. The uses proposed within the Future Study Area are residential and include parks and open spaces, all of which are consistent with the types of uses shown in the Villebois Village Concept Plan and the Villebois Village Master Plan. The Future Study Area is not being considered as a neighborhood plan.

### ***Policy 3 Civic, Recreational, Educational and Open Space Opportunities***

VB3. **Review Criteria:** “The Villebois Village shall provide civic, recreational, educational and open space opportunities.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Civic and educational opportunities continue to be provided where designated in the currently adopted Master Plan. The proposed amended Master Plan adds additional recreational and open space opportunities. See Figure 5B.

### ***Policy 4 Requirement for Public Services***

VB4. **Review Criteria:** “The Villebois Village shall have full public services including: transportation; rainwater management; water; sanitary sewer; fire and police services; recreation, parks and open spaces; education; and transit.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed amended Master Plan continues to include all of the listed public services.

### ***Policy 5 and Implementation Measure 4 Finance Plan and Development Agreement***

VB5. **Review Criteria:** “Development of Villebois shall be guided by a Finance Plan and the City’s Capital Improvement Plan, ensuring that the availability of services and development occur in accordance with the City’s concurrency requirements (see Implementation Measure 4, below).” “The Master Planner shall coordinate with the City on the development of a Finance Plan for necessary urban services and public infrastructure. Each developer within Villebois Village will sign their own Development Agreement that will address the necessary urban services and public infrastructure as appropriate.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** All city requirements for concurrency and Development Agreements remain in effect and will be applied at the appropriate time in the subsequent development requests.

### ***Implementation Measure 5 Future Study Area Compliance***

- VB6. **Review Criteria:** “The Specific Area Plan (SAP) for the Future Study Area shall demonstrate compliance with the Villebois Village Master Plan, the City’s Comprehensive Plan and its sub-elements, the City’s Planning and Land Development Ordinance, and all other applicable regulatory requirements. The developer of the Future Study Area shall be responsible for obtaining any master plan or ordinance amendment(s) that may be necessitated by their proposal.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The applicant, who aims to develop the Future Study Area, has applied for the necessary Master Plan amendments. During legislative review of the amended Master Plan as well as during subsequent quasi-judicial reviews compliance with the Villebois Village Master Plan, the City’s Comprehensive Plan, the Planning and Land Development Ordinance, Metro Rules and Regulations, and State Goals, Statutes, and Administrative Rules.

### ***Residential Neighborhood Housing***

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

### ***Policy 1 Housing Options in Each Villebois Neighborhood***

- VB7. **Review Criteria:** “Each of the Villebois Village’s neighborhoods shall include a wide variety of housing options and shall provide home ownership options ranging from affordable housing to estate lots.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Each of Villebois’s neighborhoods continues to offer a variety of housing options as previously approved. The proposed mix of housing for the area formerly designated as “Future Study Area” shown in the amended Figure 1, Land Use Plan, is similar to that in the adjacent area of SAP South, PDP 4 as well as other areas on the edges of Villebois with large and standard lots on the outer edge with a mix of medium, larger, and standard lots inside the initial edge.

### ***Policy 2 Affordable Opportunities for Rental and Purchase of Homes***

- VB8. **Review Criteria:** “Affordable housing within Villebois shall include rental and home ownership opportunities.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Affordable rental and home ownership opportunities at the level shown in the adopted Master Plan remain. The proposed mix of housing for the area formerly designated as “Future Study Area” shown in the amended Figure 1, Land Use Plan, is similar to that in the adjacent area of SAP South, PDP 4 as well as other areas on

the edges of Villebois with large and standard lots on the outer edge with a mix of medium, larger, and standard lots inside the initial edge.

***Policy 3 Mix of Housing and Density***

VB9. **Review Criteria:** “The mix of housing shall be such that the Village development provides an overall average density of at least 10 dwelling units per net residential acre.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** With or without the proposed Master Plan amendment the average density of planned and constructed units for Villebois as a whole will continue to exceed this standard.

***Policy 4 Overall Number of Residential Units in Villebois***

VB10. **Review Criteria:** “The Villebois Village shall accommodate a total of at least 2,300 dwelling units within the boundary of the *Villebois Village Master Plan*.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** With or without the proposed Master Plan amendment the number of planned or constructed dwelling units for Villebois as a whole will continue to exceed the 2,300-unit minimum requirement.

***Policy 5 Mix of Housing: Each Neighborhood and Street***

VB11. **Review Criteria:** “The Villebois Village shall provide a mix of housing types within each neighborhood and on each street to the greatest extent practicable.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** A variety of housing types are enabled in the area where land uses are added with the proposed amended Master Plan. See Figure 1.

***Policy 7 Governor’s Quality Development Objectives and Livability Initiative***

VB12. **Review Criteria:** “The development standards and Specific Area Plans required by the Village zone shall be consistent with the Governor’s Quality Development Objectives and the Governor’s Livability Initiative.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Governor’s Quality Development Objectives (QDO’s), part of the Oregon Initiative adopted in 1997, have guided the design and development of Villebois. The Development Objectives promote the building of strong livable communities, economic growth and the efficient use of public resources, and are listed as follows:

- Promote compact development within urban growth boundaries.
- Give priority to a quality mix of development that addresses the economic and community goals of a community and region.
- Encourage mixed-use, energy efficient development.

- Support development that is compatible with community and regional environmental concerns and available natural resources.
- Support development for a balance of jobs and affordable housing within the community.
- Promote sustainable local and regional economies.

The Villebois Village Concept Plan, the Villebois Village Master Plan and the Village zone were developed, and have all been adopted, to guide the creation of a community that is consistent with these objectives. The proposed legislative amendment does not alter any of these circumstances. The amended Figure 1 – Land Use Plan continues to meet these objectives as demonstrated by the other findings in this report.

### ***Policy 8 Neighborhood Design to Increase Transportation Options***

VB13. **Review Criteria:** “Each neighborhood shall be designed to increase transportation options. Neighborhoods shall be bike and pedestrian friendly.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed amended Master Plan continues to show trails, paths, bike facilities, block lengths, etc. to be pedestrian friendly and increase transportation options. The proposed amended Master Plan shows additional trail and sidewalk connections to further access to alternative transportation modes.

### ***Policy 10 Natural Features Incorporated into Neighborhood Design***

VB14. **Review Criteria:** “Natural features shall be incorporated into the design of each neighborhood to maximize their aesthetic character while minimizing impacts to said natural features.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Wetlands and forested areas are incorporated into the design of the Villebois Village creating views and providing access including the addition of Open Space 3. See Figure 5B and Findings C20 and C25.

### ***Implementation Measures 1. and 2. Pattern Book***

VB15. **Review Criteria:** “Ensure, through the development standards and Pattern Book(s) required by the Village zone, that the design and scale of dwellings are compatible with the compact, pedestrian-oriented character of the concepts contained in the *Villebois Village Concept Plan* and the contents of this *Villebois Village Master Plan*.” “Create a set of design guidelines for the development of Pattern Books with the Village zone requirements. Pattern Books shall address, at a minimum, architectural styles and elements, scale and proportions, and land use patterns with lot diagrams.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Pattern Books will continue to be used throughout the Villebois Village in support of this implementation measure.

### **Chapter 3 Parks & Open Space/Off-Street Trails & Pathways**

***Goal*** The Parks system within Villebois Village shall create a range of experiences for its residents and visitors through an interconnected network of pathways, parks, trails, open space and other public spaces that protect and enhance the site's natural resources and connect Villebois to the larger regional park/open space system.

#### ***Policy 1 Preserving Existing Trees and Planting New Trees***

VB16. **Review Criteria:** "Parks and open space areas shall incorporate existing trees where feasible and large shade trees shall be planted in appropriate locations in parks and open spaces."

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Parks and open space continue to incorporate existing trees and the planting of new trees, including enabling preservation and planting of trees in the additional parks and open space shown in the amended Master Plan.

#### ***Policy 2 Interconnected Trail System***

VB17. **Review Criteria:** "An interconnected trail system shall be created linking the park and open spaces and key destination points within Villebois and to the surrounding neighborhoods. The trails system shall also provide loops of varying length to accommodate various activities such as walking, running and rollerblading."

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Interconnected trails continue to be provided throughout the Villebois Village. Additional trail connections to are shown in proposed Figures 5, 5A, and 7 in the Future Study Area.

#### ***Policy 3 and Implementation Measure 15 Variety of Age-Oriented Facilities***

VB18. **Review Criteria:** "Parks shall encourage the juxtaposition of various age-oriented facilities and activities, while maintaining adequate areas of calm." "Each child play area shall include uses suitable for a range of age groups."

**Finding:** These criteria are satisfied.

**Explanation of Finding:** A variety of play areas continue to be shown throughout the Villebois Village including in the Future Study Area. Proposed Pocket Park 16 includes both a play structure and creative play. Proposed Open Space 3 also includes a creative play structure. Trails are also provided throughout Open Space 3. These features are expected to provide for a variety of age-oriented facilities.

#### ***Policy 4 Wildlife Habitat***

VB19. **Review Criteria:** "Park designs shall encourage opportunities for wildlife habitat, such as plantings for wildlife foraging and/or habitat, bird and/or bat boxes and other like elements."

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Open Space 3 in the Future Study Area shown in the proposed Figure 5B enable the opportunities listed in this policy, which will be further reviewed during subsequent quasi-judicial development review process.

***Policy 5 Gathering Areas with Layers of Activity***

VB20. **Review Criteria:** “Gathering spaces in parks shall generate social interaction by adding layers of activity (Power of Ten).”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Pocket Park 16 proposed in the Future Study Area is stated to create a gathering spot for the surrounding residents, which will be further reviewed during subsequent quasi-judicial development review process.

***Policy 6 and Implementation Measure 13 Compliance with SROZ Regulations***

VB21. **Review Criteria:** “Build-out of the *Villebois Village Master Plan* shall comply with the City of Wilsonville SROZ regulations. Any encroachment into the SROZ will be reviewed for compliance or exemption as more detailed information is provided that will affect the SROZ areas. Adjustments in plan, street alignments, and intersections as well as rainwater facilities and pathways shall be made to comply with SROZ regulations.” “The *Villebois Master Plan* shall comply with the Significant Resource Overlay Zone (SROZ) regulations. Proposed encroachments into the SROZ for exempt or non-exempt development shall be reviewed for compliance with the requirements of Section 4.139 of the Wilsonville Code.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The amended Figure 5 – Parks and Open Space Plan and the amended Figure 5A – Recreational Experiences Plan show the SROZ boundaries, which will be reviewed and incorporated into the future parks and open space designs of the proposed land use plan for the Future Study Area. Compliance with this Policy will be further reviewed with subsequent applications for approval to develop the site.

***Policy 9 Flexibility and Adaptation of Parks***

VB22. **Review Criteria:** “Parks and recreation spaces shall provide for flexibility over time to allow for adaptation to the future community’s park, recreation and open space needs.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The park and recreation spaces shown in the amended Master Plan allow for appropriate flexibility in the final design of the parks not yet constructed, as well as changes over time.

***Policy 11 No On-Street Parking Adjacent to Parks and Open Space***

VB23. **Review Criterion:** “On-street parking will not be allowed along the frontages of parks and open spaces where views into and out of the park spaces should be protected. Parking will be allowed along parks and open spaces in circumstances where it is

necessary for the function of the park and will not obstruct the views into and out of the park area.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Figures 7 and 9B show the appropriate street types adjacent to parks and open space not allowing parking.

### ***Implementation Measure 3 Incorporating Native Vegetation, Landforms, and Hydrology***

VB24. **Review Criterion:** “Parks and open spaces shall be designed to incorporate native vegetation, landforms and hydrology to the fullest extent possible.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The open spaces shown as being preserved in the Future Study Area on the proposed amended Master Plan figures incorporates native forest areas and wetlands.

### ***Implementation Measure 5 Artwork Encouraged in Parks***

VB25. **Review Criterion:** “Artwork is encouraged to be incorporated into parks.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Artwork in parks is not precluded by the proposed amended Master Plan. Placement of any artwork will be reviewed during subsequent development review.

### ***Implementation Measure 6 Interface with Graham Oaks Nature Park***

VB26. **Review Criterion:** “The interface with the Graham Oaks Natural Areas should contain enhancements such as trail connections, landscaping, gateway features, seating and overlook opportunities.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposed amendment will add information to Figure 5 – Parks and Open Space Plan, Figure 5A – Recreational Experiences Plan, and Table 1: Parks Programming for the proposed plan on the Future Study Area. The subject area will provide trail connections to the Graham Oaks Natural Area on the east and south sides of the Future Study Areas. Trail connections and interface features with the Graham Oaks Natural Area will be designed and implemented in coordination with Metro.

### ***Implementation Measure 9 Retention of “Good” and “Important” Trees***

VB27. **Review Criterion:** “The design of Villebois shall retain the maximum number of existing trees practicable that are six inches or more DBH in the “Important” and “Good” tree rating categories, which are defined in the Community Elements Books. Trees rated “Moderate” shall be evaluated on an individual basis as regards retention. Native species of trees and trees with historical importance shall be given special consideration for retention.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Overall, location of open space in the Future Study Area shown in the proposed Master Plan figures show potential for preservation of a significant amount of native trees. Review of the retention of individual trees and groves will be reviewed during subsequent applications.

#### ***Implementation Measure 14 Park Lighting Plan***

VB28. **Review Criterion:** “A conceptual plan for the lighting of park spaces throughout Villebois is provided on the plan included in Appendix H. Future development applications shall comply with the lighting system proposed in Appendix H. Refinements may be approved in accordance with Village Zone Section 4.125(.18)(F).”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Appendix H shows lighting along the major pathways and at neighborhood commons and other major park amenities like the dog park and amphitheater. Playgrounds and minor pathways are not lit. The additional trails and park areas shown in the amended Master Plan do not necessitate lighting.

#### ***Implementation Measure 18 Park Completion***

VB29. **Review Criterion:** “The park spaces included within each phase of development will be completed prior to occupancy of 50% of the housing units in that particular phase unless weather or other special circumstances prohibit completion, in which case bonding for the improvements shall be permitted.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Subsequent development review will condition park completion prior to occupancy of the 50% of the housing units in particular phases.

### **Chapter 4 Utilities**

#### **Sanitary Sewer**

***Goal: The Villebois Village shall include adequate sanitary sewer service.***

#### ***Policy 1 and Implementation Measures 1.-4. Sanitary Sewer Service***

VB30. **Review Criterion:** This policy and the associated implementation measures require the sewer system for Villebois to meet City standards.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The currently adopted Villebois Village Master Plan sewer capacity calculations enables development of the entire Villebois Village as shown in the proposed amended Master Plan including the Future Study Area for which 300 multi-family units were assumed to ensure sewer capacity. One proposed change related to sewer capacity is clarification of the pump station requirements in the southwest portion of property for the area currently labeled “Future Study Area.”

## Water

*Goal: The Villebois Village shall include adequate water service.*

### *Policy 1 and Implementation Measures 1.-2. Water Service*

VB31. **Review Criterion:** This policy and the associated implementation measures require the water system for Villebois to meet City standards.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The currently adopted Villebois Village Master Plan water capacity calculations enables development of the entire Villebois Village as shown in the proposed amended Master Plan, including the Future Study Area for which 300 multi-family units were assumed to ensure water capacity.

## Storm Drainage

*Goal: The Villebois Village shall include adequate storm water systems to prevent unacceptable levels of flooding, protect receiving streams and water bodies from pollution and increased runoff rates due to development, and create a connection between people and the environment.*

### *Policy 1 Storm Water System Meeting City Standards*

VB32. **Review Criterion:** “The on-site storm water system for Villebois shall meet the necessary requirements of the City of Wilsonville Stormwater Master Plan and Public Works Standards.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The amended land use plan, Figure 1, and stormwater shows sufficient area accommodate on-site storm water system designed to City standards for future development.

### *Policies 2 and 3 Rainwater Management*

VB33. **Review Criterion:** “Villebois Village shall strive to minimize the development “footprint” on the hydrological cycle through the combination of stormwater management and rainwater management.” “Villebois Village shall integrate rainwater management systems into parks and open space areas.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The amended Onsite Rainwater Management, Figure 6B shows rainwater management systems integrated throughout the Villebois Village.

### *Implementation Measure 3 City Stormwater Master Plan Policies and Facilities*

VB34. **Review Criteria:** “Implement the following list of City Stormwater Master Plan policies and facilities:

- Policies: 9.1-9.6

- Projects: CLC-10

At a minimum CIP Project CLC-10 shall be complied with. Alternatives to CLC-10 shall be explored to additional restoration of historic flows. These alternatives, Options A and B, seek to restore historic flows to Arrowhead Creek thereby correcting the out of basin transfer that occurred with the construction of the Dammasch State Hospital. Analysis of these alternatives will be coordinated with the City, METRO, and affected property owners.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The analysis provided with the original Master Plan evaluated the units proposed within the Villebois plus an assumed 300 unit apartment complex on the Future Study Area site. The proposed land use plan for the Future Study Area proposes less impact than originally assumed. Thus, the proposed amendment will not compromise prior conclusions regarding adequate storm system capacity.

#### ***Implementation Measure 4 Rainwater Management Program***

VB35. **Review Criteria:** “Develop a Rainwater Management Program with the first Specific Area Plan that will provide opportunities for integrating water quality, detention, and infiltration into the site’s natural features and the proposed urban form, thus developing a green, natural, aesthetically pleasing rainwater management system. This program will provide the specific goal of reducing the increase in runoff from the 90<sup>th</sup> percentile of all rain events, mimicking pre-development hydrology and keeping Villebois Village true to its development goal of minimal negative impacts to the existing system. In addition to this standard, the program will provide guidelines and standards for the design of all stormwater systems challenging them to be creative and unique while meeting necessary requirements.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Rainwater Management Programs will continue to be required for all SAP’s or areas added to SAP’s to meet the stated goals.

#### **Chapter 5 Circulation**

***Goal: The Villebois Village shall provide for a circulation system that is designed to reflect the principles of smart growth.***

#### ***Policy 1 Encouraging Alternative Modes of Transportation***

VB36. **Review Criterion:** “The Villebois Village shall encourage alternatives to the automobile, while accommodating all travel modes, including passenger cars, trucks, buses, bicycles and pedestrians.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** As shown in the proposed amended Master Plan figures, including Figure 7, bicycle, pedestrian, automobiles and trucks, and other modes will continue to be accommodated throughout the Villebois Village.

### ***Implementation Measure 5 Curb Extensions***

VB37. **Review Criterion:** This implementation measure sets standards and approval process for curb extensions in Villebois.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The principles of curb extension remain constant throughout Villebois.

### ***Implementation Measure 6 Street and Pathway Alignment and SROZ***

VB38. **Review Criterion:** "Street and pathway alignments shall be demonstrated to be in compliance with Significant Resource Overlay Zone (SROZ) regulations with Specific Area Plans."

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The intent of the design of the Villebois Village Master Plan is to comply with the City's SROZ overlay zone, which protects resources that exist within the Villebois Master Plan area. Boundaries for the SROZ and floodplain are shown for illustrative purposes only in the Master Plan. Adjustments in plan, street alignments, and intersections as well as rainwater facilities and pathways will be made to comply with SROZ and floodplain regulations, which will be demonstrated for the Specific Area Plans.

## **COMPLIANCE WITH PLANNING AND LAND DEVELOPMENT ORDINANCE**

### ***Section 4.003 Consistency with Plans and Laws***

PL1. **Review Criterion:** "Actions initiated under this Code shall be consistent with the Comprehensive Plan and with applicable State and Federal laws and regulations as these plans, laws and regulations now or hereafter provide."

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Consistency with the Comprehensive Plan applicable state laws are being reviewed.

### ***Section 4.008 General Application Procedures***

PL2. **Review Criterion:** "The general application procedures listed in Section 4.008 through 4.024 apply to all land use and development applications governed by Chapter 4 of the Wilsonville Code. These include applications for all of the following types of land use or development approvals:

H. Changes to the text of the Comprehensive Plan, including adoption of new Plan elements or sub-elements, pursuant to Section 4.198;"

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Adoption of the amendment to the Villebois Village Master Plan is being reviewed pursuant to Section 4.198.

#### ***Subsection 4.009 (.02) Who Can Initiate Application***

- PL3. **Review Criterion:** “Applications involving large areas of the community or proposed amendments to the text of this Chapter or the Comprehensive Plan may be initiated by any property owner, business proprietor, or resident of the City, as well as the City Council, Planning Commission, or Development Review Board acting by motion.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The application has been signed by Bo Oswald a member and manager of Northwest Wilsonville Properties, LLC, the property owner.

#### ***Subsection 4.032 (.01) B. Authority of Planning Commission***

- PL4. **Review Criterion:** This Section states that the Planning Commission has authority to make recommendations to the City Council on “legislative changes to, or adoption of new elements or sub-elements of the Comprehensive Plan.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposed legislative change is being considered by the Planning Commission as a recommendation to the City Council. The issue before the Planning Commission is a legislative review of the amended Master Plan as a whole.

#### ***Subsection 4.033 (.01) B. Authority of City Council***

- PL5. **Review Criterion:** This Section states that the City Council has final decision-making authority on “applications for amendments to, or adoption of new elements or sub-elements to the maps or text of the Comprehensive Plan, as authorized in Section 4.198.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Final action will be taken by the City Council following a recommendation from the Planning Commission.

#### ***Subsection 4.125 (.01) Village Zone Purpose***

- PL6. **Review Criterion:** 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.

1. The Village zone provides for a range of intensive land uses and assures the most efficient use of land.
2. 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.
3. The Village zone, together with the Architectural Pattern Book and Community Elements Book, is intended to provide quantitative and objective review guidelines.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** All areas of the Villebois Village currently within the City limits have a Comprehensive Plan designation of Residential Village, including the area currently labeled Future Study Area. For properties not yet developed future applications are anticipated to rezone the property to Village consistent with its Comprehensive Plan Map designation. Future land use reviews will ensure any development will be consistent with this purpose statement.

***Subsection 4.198 (.01) A. Comprehensive Plan Changes: Public Need***

PL7. **Review Criterion:** “That the proposed amendment meets a public need that has been identified;”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** ORS 426.508 requires that redevelopment of the Dammasch property be consistent with DATELUP. The Memorandum of Understanding between the State of Oregon and the City of Wilsonville regarding redevelopment identifies roles for the City and the Master Planner to master plan not only for the Dammasch property but also for the surrounding area subsequently identified in the Comprehensive Plan as Area of Special Concern B, including the subject property. These areas are designated Residential-Village on the Comprehensive Plan Map; the Villebois Village Master Plan applies to these areas (City Ordinance No. 556, August 18, 2003). DATELUP was a conceptual land use plan for Area of Special Concern B that was developed in 1996 to address “. . . the Wilsonville community’s needs for housing a growing population.” The Villebois Village Concept Plan replaced DATELUP and called for the development of the Villebois Village Master Plan to serve as an implementation guide for the Villebois Village Concept Plan. The Villebois Village Master Plan furthers the Villebois Village Concept Plan and builds on its response to the ever-growing challenges of increased growth as discussed in detail in other sections of this document. The proposed amended Master Plan serves to facilitate development of a portion of Area of Concern B by incorporating a land use plan for the subject area.

***Subsection 4.198 (.01) B. Comprehensive Plan Changes: Meets Public Needs As Well As Other Options***

PL8. **Review Criterion:** “That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** A myriad of options conceptually exist for Master Plan components for the area currently labeled Future Study Area. The Villebois Village Master Plan states “the developer of the Future Study Area shall be responsible for obtaining any master plan or ordinance amendment(s) that may be necessitated by their proposal.” This is understood to mean that the City will consider the merits of a master plan amendment submitted by a developer rather than proactively plan the property prior to a development proposal. In this situation the City must consider if the amendment proposed by the developer satisfies the relevant review criteria, and if so approve the amendment. As shown by the other findings in this report the proposed amendment meets

to relevant review criteria and thus should be accepted by the City as meeting the public need at least as well as other potential amendments.

***Subsection 4.198 (.01) C. Comprehensive Plan Changes: Statewide Planning Goals***

PL9. **Review Criterion:** “That the proposed amendment supports applicable Statewide Planning Goals or a Goal exception has been found to be appropriate; and;”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Please see Compliance with Statewide Planning Goals section below.

***Subsection 4.198 (.01) D. Comprehensive Plan Changes: Conflict with Other Portions of the Comprehensive Plan***

PL10. **Review Criterion:** “That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** As shown in the Findings for the Comprehensive Plan above the proposed change to the Villebois Village Master plan will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.

<b>COMPLIANCE WITH METRO URBAN GROWTH FUNCTIONAL PLAN</b>
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***Title 1: Requirements for Housing and Employment Accommodation***

MT1. **Review Criteria:** The purpose of this title is to ensure that there is an adequate supply of land for housing and employment within the regional urban growth boundary (UGB) over a 20 year planning horizon. Metro has enacted provisions in Title 1 intended to maintain or increase the capacity for development of land within the UGB.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed amendments to the Villebois Village Master Plan add housing units in the Future Study Area to Wilsonville's planned capacity. This increase complies with the Title 1 requirement to maintain or increase housing capacity.

***Title 2: Regional Parking Policy***

MT2. **Review Criteria:** The State's Transportation Planning Rule calls for reductions in vehicle miles traveled per capita and restrictions on construction of new parking spaces as a means of responding to transportation and land use impacts of growth. This title also calls for more compact development as a means to encourage more efficient use of land, promote non-auto trips and protect air quality.

Cities and counties were required to establish specific performance standards to address the intent of Title 2. Section 4.155 of Wilsonville's Planning and Land Development Ordinance addresses parking, loading and bicycle parking.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Village Zone parking standard, which will be applied through the Villebois Village comply with the City of Wilsonville's parking requirements, which are consistent with Title 2. The proposed amended land use plan, Figure 1, continues to show compact pedestrian-oriented development throughout the Villebois Village.

### ***Title 3: Water Quality, Flood Management and Fish and Wildlife Conservation***

- MT3. **Review Criteria:** The intent of Title 3 is to protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities, protecting life and property from dangers associated with flooding and working toward a regional coordination program of protection for Fish and Wildlife Habitat Areas.

Title 3 developed water quality performance standards designed to protect and improve water quality to support the designated beneficial water uses as defined in Title 10 and to protect the functions and values of the Water Quality Resource Areas. These standards include: providing a vegetated corridor to separate protected water features from development; maintain natural stream corridors, minimize erosion, nutrient and pollutant loading; filtering, infiltration and natural water purification; and stabilizing slopes.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The City's SROZ regulations, as well as Villebois rainwater management, will be applied throughout the Villebois Village to ensure compliance with Title 3. The proposed amended Master Plan lays the foundation these policies to be applied in subsequent development applications for areas not yet developed.

## **COMPLIANCE WITH OREGON STATEWIDE PLANNING GOALS**

### ***Statewide Planning Goals***

#### ***Goal 1 Citizen Involvement***

- OR1. **Review Criterion:** "To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process."

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The adoption process for the proposed amendment includes duly noticed public hearings before the Planning Commission and the City Council, consistent with Goal 1. In addition, the developer held multiple neighborhood meetings with surrounding residents early in the process.

#### ***Goal 2 Part I Land Use Planning***

- OR2. **Review Criterion:** "To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions."

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The City is currently in compliance with Goal 2 because it has an acknowledged Comprehensive Plan and regulations implementing the plan. The Villebois Village Master Plan was adopted consistent with the planning policies in the Comprehensive Plan. The Villebois Village Master Plan was found to be consistent with Goal 2 because it creates a more specific plan for a portion of the City that provides additional guidance for future regulations. The proposed legislative amendment does not alter these circumstances.

#### ***Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces***

OR3. **Review Criterion:** “To protect natural resources and conserve scenic and historic areas and open spaces.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposed amendment complies with local and regional policies and requirements to implement this goal. A significant amount of natural area and open space is shown preserved in the Villebois Village, including Open Space 3 identified in the amended Master Plan. See Figure 5B.

#### ***Goal 6 Air, Water and Land Resource Quality***

OR4. **Review Criteria:** “To maintain and improve the quality of the air, water and land resources of the state.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed legislative amendment of the Villebois Village Master Plan remains consistent with the air, water and land resources policies of the Comprehensive Plan. The Villebois Village Master Plan continues to protect water and land resources by providing protection for natural resource areas and limiting development to areas that have less impact on natural resources. The Master Plan does not propose any residential structures within the 100-year floodplain. The Plan also calls for measures to use environmentally sensitive techniques for storm drainage. The Plan provides for a mixed-use, compact, interconnected Village that will provide transportation benefits by reducing the need for lengthy vehicle trips and increase the opportunity for bicycle and pedestrian transportation. The proposed legislative amendment does not alter these conditions.

#### ***Goal 7 Areas Prone to Natural Disasters and Hazards***

OR5. **Review Criteria:** “To protect life and property from natural disasters and hazards.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** No areas prone to floods, erosion, landslides, wildfire, etc. have been identified in the Future Study Area.

### ***Goal 8 Recreational Needs***

- OR6. **Review Criteria:** “To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Recreational amenities are shown in the amendment throughout the Villebois Village including the Future Study Area. The amenities include a variety of play areas, trails, and gathering spots. In addition, access is provided to the regional Graham Oaks Nature Park and the regional Ice Age Tonquin Trail.

### ***Goal 10 Housing***

- OR7. **Review Criteria:** “To provide for the housing needs of citizens of the state.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed amendments comply with local and regional policies and requirements to implement this goal. The housing density and number goals for Villebois have been met.

### ***Goal 11 Public Facilities and Services***

- OR8. **Review Criteria:** “To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The amended Master Plan is consistent with the applicable provisions of the City’s various utility plans (see Chapter 4 – Utilities of the Master Plan). It proposes to coordinate future development with the provision of the public facility infrastructure in the area (Figure 6 – Conceptual Composite Utilities Plan). Development in the Villebois Village Master Plan area will be done in coordination with the City’s Capital Improvement Program and the Finance Plan.

### ***Goal 12 Transportation***

- OR9. **Review Criteria:** “To provide and encourage a safe, convenient and economic transportation system.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Master Plan, as amended, provides plans (the amended Figure 7 – Street Plan and Figure 8 – Proposed Arterial/Collectors Street System (not amended by this request)) for a transportation system that is integrated with the transportation system existing and proposed for the City and surrounding areas of Clackamas County. Street sections (Figures 9A and 9B – Street and Trail Sections (not amended by this request)) are designed to slow traffic, encourage walking and bicycling, and create a pleasant environment. Street sections have not been altered by this request. By encouraging the use of multiple modes of transportation, the number of motor vehicle trips is expected to be reduced and replaced by bicycle and pedestrian trips.

### ***Goal 13 Energy Conservation***

OR10. **Review Criteria:** “Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Comprehensive Plan has been acknowledged to be consistent with Goal 13, and the proposed legislative amendment of the Villebois Village Master Plan is consistent with Comprehensive Plan energy conservation policies. The amended Master Plan continues to provide for a compact mixed-use development that will conserve energy by reducing the amount of and length of vehicle trips by making bicycle and pedestrian transportation viable alternatives for many trips. The amended Master Plan also continues to provide for a substantial number of energy-efficient smaller sized and attached residential units.

### ***Goal 14 Urbanization***

OR11. **Review Criteria:** “To provide for an orderly and efficient transition from rural to urban land use.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed legislative amendment of the Villebois Village Master Plan is intended to be consistent with Comprehensive Plan urbanization policies and the Residential – Village Land Use designation. The amended Master Plan continues to comply with and further the intent of Goal 14 by providing a coordinated plan for urbanization of the Master Plan area that coordinates development of the area with development of public facilities, including the transportation system, and protects natural resources. The amended Master Plan continues to provide more detailed plans for the urbanization of an area already determined to be within the City’s urban growth boundary.

### ***OAR 660-012-0060 Transportation Planning Rule for Plan and Land Use Regulation Amendment***

OR12. **Review Criteria:** Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. This shall be accomplished by either:

- (a) Limiting allowed land uses to be consistent with the planned function, capacity, and performance standards of the transportation facility;
- (b) Amending the TSP to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division;
- (c) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes; or
- (d) Amending the TSP to modify the planned function, capacity and performance

standards, as needed, to accept greater motor vehicle congestion to promote mixed use, pedestrian friendly development where multimodal travel choices are provided.

(2). A plan or land use regulation amendment significantly affects a transportation facility if it:

- (a) Changes the functional classification of an existing or planned transportation facility;
- (b) Changes standards implementing a functional classification system;
- (c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
- (d) Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Villebois Village Master Plan did not propose amendments to the TSP which would significantly affect transportation facilities identified in the City's Transportation Systems Plan (TSP) (See the discussion at OAR-660-012-0060(2) below). The proposed legislative amendment of the Villebois Village Master Plan does not propose any new amendments to the TSP. The amended Figure 7 – Street Plan illustrates a street system that is updated to reflect the land use plan for the Future Study Area and maintains connectivity consistent with the TSP as expressed in the DKS Memorandum, Attachment E. The recommendations in this memorandum are being incorporated into the amended Master Plan. The Villebois Village area, with the densities planned in DATELUP, was included in the City's TSP (see City Traffic Analysis Zones 400A, 400C, 400D and 388A on Figure 3.2 – City of Wilsonville Transportation Model, Metro and City Traffic Analysis Zones of the April 17, 2003 TSP). The City's TSP was approved by the City Council on May 19, 2003. An update to the TSP was adopted by Council June 17, 2013.

The circulation system proposed in the Villebois Village is designed to reflect the principles of smart growth encouraging alternatives to the automobile while accommodating all travel modes, including passenger cars, trucks, buses, bicycles and pedestrians. Accordingly, there is a hierarchical system of streets and trails that will connect users of the various modes to the major activities inside and outside the community. Figure 7 - Street Plan (as amended) of the Villebois Village Master Plan shows the planned transportation system for Villebois. Figure 8 – Proposed Arterial & Collector System (not amended by this request) of the Villebois Village Master Plan shows the planned arterial and collector street system, and Figures 9A & 9B – Street & Trail Sections show the cross-sections for the streets and trails.

The proposed legislative amendment to the Villebois Village Master Plan does not propose to change the functional classification of an existing facility or one planned in the TSP. Villebois Village includes a range of street sections that fall within the functional classifications of the City's TSP. Table 5 of the Villebois Village Master Plan lists and compares each relevant TSP street section with the correlating street sections proposed in Villebois. The Villebois Village Master Plan street sections are depicted on Figures 9A and 9B – Street & Trail Sections which includes notes to reference the

relevant TSP figure. The locations where the Villebois Village Master Plan street sections are planned to be used are illustrated on the amended Figure 7 – Street Plan, with the relevant TSP figure and functional classification notes. The location of the proposed Villebois street sections is integral to the overall design of the Villebois Village Plan.

The proposed legislative amendment to the Villebois Village Master Plan does not propose to change standards implementing a functional classification system (see also the discussion at OAR 660-012-0060(2)(a), above).

The City has adopted traffic concurrency standards which will be applied to development in the Future Study Area during subsequent development review to ensure levels of travel and access are not inconsistent with the functional classification of a transportation facility and maintain performance standards adopted in the TSP.

## Proposed Amendment

The following are brief summaries of the changes proposed as part of the proposed Villebois Village Master Plan amendment, followed by the specific changes to text, tables, and figures. The summaries can be found in bold in the boxes preceded by the words “What the Proposed Amendment Does.” Summaries are not provided for changes recommended by DKS Associates or the general editorial changes. The summaries are followed by a list of the specific changes divided into subcategories of changes to the “master plan text”, “master plan tables”, “master plan figures”, and “technical appendices”. Many of the listed changes related to the specifics of future development are subject to substantial refinement during the City required Development Review Board process.

### 1. Land Use:

**What the Proposed Amendment Does: Preliminarily identifies approximately 12.4 acres for development of single-family lots in the medium to estate aggregate land use category identified in Wilsonville Code Subsection 4.125 (.18) F. 1. a. iv. Number of lots and mix of lot sizes to be determined in future public processes before the Development Review Board.**

#### Specific Changes:

##### *Master Plan Text*

- Page 5 state “The 2013 Master Plan Amendment provides a land use plan for the Future Study Area.”
- Page 10 add language stating “The LEC campus is no longer in operation. A land use plan for the Future Study Area is provided with the 2013 Master Plan Amendment, consistent with the Residential-Village Comprehensive Plan designation. The residential land uses in the Future Study Area will be limited to single-family lots in the medium to estate land use category identified in Wilsonville Code Subsection 4.125 (.18) F. 1. a. iv. arranged in a similar pattern as other areas on the edges of Villebois.”
- Page 14 Land Use Policy 2 state uses in the Future Study Area “shall be those identified in Figure 1-Land Use Plan, which includes residential uses being limited to single-family lots in the medium to estate land use category identified in Wilsonville Code Subsection 4.125 (.18) F. 1. a. iv. arranged in a similar pattern as other areas on the edges of Villebois.”
- Page 80 under definition of “Future Study Area” add to the current definition of “The area of the former Living Enrichment Center” the sentence “Future Study Area label replaced by land use plan and additional plan information provided with the 2013 Master Plan Amendment.”

##### *Master Plan Figures*

- Figure 1-Land Use Plan
  - Updated Future Study Area on the map by replacing current violet indicating the future study area with colors indicating large, standard, and medium lots as well as indicating a street network consistent with the proposed Figure 7-Street Plan. The pattern of large, standard, and medium colors is consistent with other areas on the edges of Villebois.
  - Update legend/table to indicate additional 12.4 acres being developed as residential lots and alleys.

- Update legend/table to show change in total units through refinements and this proposal since adoption of last Master Plan amendment in 2010. The total units in the Villebois Village increase by 145 to 2645 units.

## **2. Streets, Circulation, Connectivity:**

**What the Proposed Amendment Does:** Preliminarily identifies approximately 7.2 acres for public rights-of-way including streets, sidewalks, and landscape strips and medians as well as alignment of the streets. The street alignment includes the previously planned and City required connection to Villebois Drive South. Exact street alignment will be identified in future public process before the Development Review Board. A full traffic impact and transportation analysis performed by the City's contract traffic engineering firm, DKS Associates, will be reviewed as part of future applications.

### Specific Changes:

#### *Master Plan Text*

None related to streets. See trails information below for additional information for trail connectivity.

#### *Master Plan Figures*

- Figure 1- Land Use Plan
  - Indicated 7.2 of the former 19.6 acres for the Future Study Area as additional public right-of-way
- Figure 7- Street Plan
  - Add preliminary street and trail network for the Future Study Area indicating planned cross sections.
  - Add new "Residential-Median" cross section to street types list.
- Figure 9-B- Street and Trail Sections – B
  - Add section for "Residential-Median" street type.

## **3. Parks, Trails, and Open Space:**

**What the Proposed Amendment Does:** Continue to show over half the site, approximately 23 of the 43 acres, as preserved open space. Preliminarily identifies additional area for parks and open space. The provision of additional park space, especially for neighborhood gathering, is encouraged through the SAP/PDP process. Preliminarily identifies programming for parks and open spaces including trails, play structures, and gathering spaces, consistent with the Master Plan requirements for parks and open space.

### Specific Changes:

#### *Master Plan Text*

- Page 25 add description of Pocket Park 16 as follows:
  - "PP-16 (.26 acres)

Pocket Park 16 provides a neighborhood focal point and gathering spot, and connections to the adjacent nature trail system. This pocket park provides nature paths, a picnic table, benches, and a play structure.”

- Page 26 add description of miscellaneous linear greens in the Future Study Area as follows:
  - “Miscellaneous Linear Green (Future Study Area) (Total 0.29 acres)  
These linear greens offer visual and physical linkages to open space areas and areas adjacent to existing landscaping. Some linear green spaces include lawn areas, benches, and existing trees where feasible.”
- Page 28 replace notation that OS-3 Future Study Area SROZ will be further defined by developer of Future Study Area with the following description:
  - “OS-3 Forested Wetland Preserve (Future Study Area) (23.05 acres)  
The site contains intact and functional wetlands within forested areas. While the plan does not include restoration or expansion of the wetlands in this site, any work or impacts within the forested wetland preserve shall comply with SROZ regulations as applicable. Smaller soft-surface nature trails will meander through the forest and link neighborhoods on either side. The forest ecosystem will act as a habitat patch, valuable to small mammals, invertebrates and birds. Benches will be located along nature trails in the forest areas, and will be distanced from residential areas and play areas. These areas will offer opportunity for wildlife viewing and quiet contemplation that complements the undeveloped nature of this open space. This open space will also include a creative child play area, benches, and picnic tables. Additionally, connections to trails in Graham Oaks Nature Park will be provided.”
- Page 29 update the length of trails with additional trails planned in the Future Study Area. Increase the reference of 0.71 miles of nature trails in Villebois to 1.85 miles. Update reference to 700 lineal feet in OS-3 through 6 to 5,998 lineal feet.

*Table 1: Park Programming Matrix:*

- Add column for PP-16
  - List total park area as 0.26 acres
  - Indicate the following amenities: creative child play, child play structure, seating: benches, seating: tables, and parking: on-street.
- Replace column heading of OS 3-Future Study Area SROZ with OS 3-Forested Wetland Preserve,
  - Update acreage from 23.2 acres to 23.05 acres
  - In addition to the current parking: on-street amenity add child play: creative, seating: benches, seating: tables.
- Increase the acreage of LG-Various from 4.81 to 5.1 acres.

*Master Plan Figures*

- Figure 5 – Parks and Open Space Plan.
  - Remove “Future Study Area” label
  - Add pocket park, linear greens, and trails to Future Study Area
  - Update approximate wetland delineation in Future Study Area on map
  - Increase listed Pocket Park acreage from 5.57 to 5.83 acres
  - Increase listed Linear Green with Pathways acreage from 4.81 to 5.1
  - Adjust Open Space total from 101.46 acres to 101.31 acres

- Adjust total amount of Parks and Open Space from 159.33 acres to 159.73 acres
- Increase Trails and Pathways from 47.51 miles to 50.38 miles
- Increase Nature Trails from 0.71 miles to 1.85 miles
- Increase sidewalks from 32.8 miles to 34.53 miles
- Figure 5A – Recreational Experiences Plan
  - Add symbols for Child Play, benches, tables, stormwater/rainwater feature in area of Future Study Area.
  - Add OS 3, PP 16, and LG labels in Future Study Area.
  - Add Nature Trails in Future Study Area.
- Figure 5B – Parks & Open Space Categories
  - Remove Future Study Area label and add coloring and labels for PP-16, and LG in Future Study Area.

*Technical Appendix F:*

- Villebois Parks Master Plan Recreational Opportunities & Experiences Sheet
  - Add same changes as Figure 5A
- Capacity Sheet Reference Sheet
  - Add reference to new Sheet 20 for Future Study Area
- New Capacity Sheet 20:
  - Drawings showing preliminary that the park amenities and features listed in the Master Plan for Open Space 3 and Pocket Park 16 can be conceptually accommodated in the space.

**4. Sewer Lift Station:**

**What the Proposed Amendment Does:** Identifies need to replace a current private sewer pump station with public sewer lift station built to City specifications. Sewer and water capacity have been planned for and are available for the site.

Specific Changes:

*Master Plan Text*

- On page 35 under 4.1.1 Sanitary Sewer Introduction/Proposal in the first paragraph before the sentence beginning “City Wastewater Master Plan Table 4.3” add a sentence reading, “The private pump station will be replaced with a public sanitary sewer lift station at the time of development.”
- On page 42 under Sanitary Sewer implementation measures add Implementation Measure 5 to read “At time of development of the Future Study Area, replace private pump station with Public Sanitary Sewer Lift Station built consistent with Technical Appendix I.”

*Master Plan Figures*

- Figure 6 – Conceptual Composite Utility Plan
  - Change label reading “Existing Pump Station for LEC” to “Existing Private Pump Station to be replaced with Public Sanitary Sewer Lift Station.”

*Technical Appendices*

- Add Technical Appendix I which contains design requirements for the future Public Sanitary Sewer Lift Station.

### **5. Specific Area Plan Boundary**

**What the Proposed Amendment Does:** Preliminarily identifies the Future Study Area as part of Specific Area Plan (SAP) South which will require development on the site to use the same architectural and community design guidelines as Arbor Villebois. Amendment of the SAP Boundary would be a future application before the Development Review Board.

#### **Specific Changes:**

##### *Master Plan Text*

- Page 10, in the paragraph beginning “A Specific Area Plan (SAP)
  - Add language to the beginning of the paragraph reading, “Figure 3 – Specific Area Plan Boundaries is amended to include the Future Study Area in Specific Area Plan – South.”
  - Replace phrase reading, “A Specific Area Plan (SAP) will be submitted for this property in the future and as part of this SAP approval” with a phrase reading, “An amendment to Specific Area Plan South will be submitted to include the Future Study Area as Plan Area 2 and as part of this SAP amendment”
- Policy 2 page 14
  - Replace the reference to “Future Study Area Specific Area Plan” and “Specific Area Plan” with “Future Study Area Specific Area Plan amendment to SAP – South” and “Specific Area Plan amendment to SAP South”
  - Add additional explanation why Future Study Area is not considered a neighborhood plan by revising the existing explanation as follows: “Due to its location outside the general trapezoidal shape of Villebois and distance from the Village Center and neighborhood commons as well as its relatively small size, the Future Study Area Specific Area Plan Amendment to SAP South shall not be considered a neighborhood plan as defined in Section 2.1 of the Villebois Village Master Plan.”
- Implementation Measure 5 page 15
  - Replace the reference to “The Specific Area Plan (SAP) the Future Study Area” with “The Specific Area Plan (SAP) amendment to SAP South for the Future Study Area”

##### *Master Plan Figures:*

- Figure 3 – Conceptual Specific Area Plan Boundaries
  - Remove Future Study Area label
  - Remove SAP boundary line between South and Future Study Area

### **6. Stormwater and Rainwater Facilities**

**What the Proposed Amendment Does:** Preliminarily identifies locations of onsite stormwater facilities and rainwater management. Exact location and design to be determined in future public processes before the Development Review Board.

Specific Changes:*Master Plan Figures:*

- Figure 6A – Onsite Stormwater Facilities
  - Add the blue color indicating onsite stormwater/water quality facilities/rainwater where anticipated in the Future Study Area.
- Figure 6B – Onsite Stormwater Management
  - Add water drop symbol throughout the Future Study Area indicating anticipated opportunities for rainwater management components.

*Additional Transportation Related Changes Recommended by DKS Associates*Specific Changes:*Master Plan Text:*

- Page 69 “Continuity of Streets and Trails Subsection”
  - Add a paragraph reading, “Provide local/residential street connections within Villebois every 300’ to 500’ to improve access between neighborhoods to encourage use of all modes of travel.”
  - Add a paragraph reading, “Provide nature trail connections between the Future Study Area property and SW San Remo Court, SW Grenoble Street, and Normandy Lane. Also provide east and south trail connections from the Future Study Area property to the Coyote Way Trail within Grahams Oak Nature Park.
- Page 63, Methodology Section
  - Add additional bullet point reading, “Provides adequate north/south through connectivity for local traffic with Villebois Drive and the Loop Road.”
- Page 70
  - Add additional section at the end of Compliance Analysis titled “North/South Neighborhood Connectivity” and reading, “Villebois Drive is a key roadway that provides neighborhood connectivity between southwest and northeast Villebois. This roadway should be operated and maintained in a manner to encourage north/south neighborhood travel. Any design modifications that would discourage north/south neighborhood connectivity should not be considered.
  - Add additional section at the end of Compliance Analysis titled “Enhanced Pedestrian and Bicycle Crossings” and reading “Provide enhanced pedestrian and bicycle crossings for high use pedestrian crossings (i.e. trails and pathway). Enhanced crossings can include but are not limited to medians, curb extensions, raised pedestrian crossings, signing and markings.

Implementation: Placement of enhanced pedestrian crossings shall be reviewed and approved by City staff through the Specific Area Plan (SAP) and Preliminary Development Plan (PDP) approval process. Enhanced crossing locations should follow ODOT and FHWA guidelines to maintain consistency with state and national and practices.”

- Page 73

- Add additional bullet point reading, "In order to protect visibility of open spaces, on-street parking should not be allowed on the side of public streets that are directly adjacent to SROZ areas. For example, parking would not be allowed on the south side of SW Normandy Lane since it is directly adjacent to Graham Oaks Nature Park."

*Master Plan Figures:*

- Figure 5A – Parks and Open Space Plan, Figure 7 – Street Plan
  - Add trail connection from Normandy Lane at Villebois Drive to nature trails in Future Study Area.

**General, Editorial, and Miscellaneous Changes**

Specific Changes:

*Master Plan Text:*

- Cover page: updated adoption date
- Table of Contents: updated ordinance reference title and adoption date
- All pages with footers: updated adoption date
- Page 5
  - Replace the phrase "The Villebois Village Master Plan also recognizes the Future Study Area" with "The original Villebois Village Master Plan also recognized the Future Study Area"
- Page 10
  - Replace the sentence "Representatives of LEC have provided testimony on the proposed future uses of the LEC campus." with "Representatives of LEC provided testimony during the original Master Plan adoption on proposed future uses of the LEC campus."
  - Add a statement that the LEC is no longer in operation.
  - Replace the statement "not included in this document (City File 02PC07B)." with "provided with the 2013 Master Plan Amendment."
- Page 83 List of Reference Documents
  - Remove the December 19, 2005 date after the words "Technical Appendix"
  - Add August 7, 2013 to the list of DKS Memorandum dates
  - Add Appendix H Parks Lighting Concept and Appendix I Sanitary Lift Station for Future Study Area Requirements to list of Technical Appendices. There are no changes to Appendix H, but it was not listed previously.

*Master Plan Figures:*

- All applicable figures
  - Remove Future Study Area label
  - Replace building footprints of former LEC buildings in the Future Study Area with the conceptual street network.

*Technical Appendices:*

- Update Title Page with updated adoption date.
- Table of Contents:
  - Add note Appendix B DKS Memorandums is being updated

- Add note Appendix F Parks Capacity Analysis is being updated
- Add to list of appendices Appendix I Future Study Area Sanitary Sewer Pump Station Requirements.
- Add the DKS Memorandum dated August 7, 2013 to the other DKS Memoranda in Technical Appendix B.



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**WILSONVILLE CITY COUNCIL  
NOTICE OF DECISION  
ORDINANCE NO. 724**

**FILE NO: ORDINANCE NO. 724**

**APPLICANT: POLYGON NORTHWEST**

After conducting a public hearing on October 7, 2013 and second reading on October 21, 2013 the City Council voted to adopt Ordinance No.724 as submitted and adopted findings and conclusions to support their action.

This decision has been finalized in written form as

**Ordinance No. 724.** An Ordinance Of The City Of Wilsonville Amending The Villebois Village Master Plan For The "Future Study Area" Establishing The General Land Use Framework In Terms Of Type Or Types Of Uses, Open Space Considerations, Circulation And Utilities.

And placed on file in the city records at the Wilsonville City Hall the 22nd day of October, 2013, and is available for public inspection. The date of filing is the date of decision. Any appeal(s) must be filed with the Land Use Board of Appeals (LUBA) in accordance with ORS Chapter 197, within twenty-one days from the date of decision. Copies of Ordinance No. 724 may be obtained from the City Recorder, 29799 SW Town Center Loop East, Wilsonville, OR 97070, (503) 570-1506, or via email at [king@ci.wilsonville.or.us](mailto:king@ci.wilsonville.or.us)

For further information, please contact the Wilsonville Planning Division, City Hall, 29799 SW Town Center Loop East, Wilsonville, OR 97070 or telephone (503) 682-4960.

**AFFIDAVIT OF MAILING  
NOTICE OF CITY COUNCIL DECISION  
OF THE CITY OF WILSONVILLE**

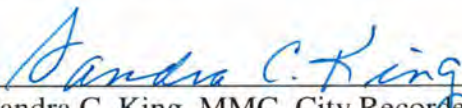
STATE OF OREGON                     )  
   )  
COUNTIES OF CLACKAMAS        )  
   )  
CITY OF WILSONVILLE            )

I, Sandra C. King, do hereby certify that I am City Recorder of the City of Wilsonville, Counties of Clackamas and Washington, State of Oregon, and that the attached copy of Notice of Decision regarding **Ordinance No. 724**, entitled:

An Ordinance Of The City Of Wilsonville Amending The Villebois Village Master Plan For The "Future Study Area" Establishing The General Land Use Framework In Terms Of Type Or Types Of Uses, Open Space Considerations, Circulation And Utilities.

is a true copy of the original notice; that on, October 24, 2013, I did cause to be mailed via email and U.S. Mail copies of such notice of decision in the exact form hereto the persons listed on the attached mailing list

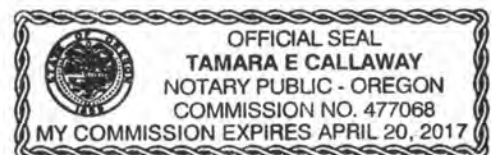
Witness my hand this 24<sup>th</sup> day of October 2013.

  
\_\_\_\_\_  
Sandra C. King, MMC, City Recorder

Subscribed and sworn to before me this 24<sup>th</sup> day of October, 2013

  
\_\_\_\_\_  
NOTARY PUBLIC, STATE OF OREGON

My commission expires: 4/20/17



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Andrew	Hagman		28757 SW Costa Circle	Wilsonville	OR	97070	<b>not given</b>
Sue and Jim	Borham		29582 SW Villebois Dr.	Wilsonville	OR	97070	not given
Jaimy	Beltran		29362 SW Villebois Dr.	Wilsonville	OR	97070	not given
	Sue & Jim						
	Burham						
	29532 SW Villebois Dr.						
	Wilsonville						
	OR						
	97070						

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**INTEROFFICE MEMORANDUM**

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**TO:** BRYAN COSGROVE, CITY MANAGER  
**FROM:** DELORA KERBER, PUBLIC WORKS DIRECTOR  
**SUBJECT:** STATUS OF PGE LED STREET LIGHTING PROPOSAL  
**DATE:** SEPTEMBER 6, 2013  
**CC:** JOANNE OSSANNA, FINANCE DIRECTOR  
NANCY KRAUSHAAR, COMMUNITY DEVELOPMENT DIRECTOR

The question has been asked about PGE's proposal to convert the City's high pressure sodium or mercury vapor lamps to light emitting diode (LED) technology. Here is a status update of the offer.

The City owns 2370 streetlights and 2214 streetlight poles and contracts with PGE to provide maintenance under the Streetlight Tariff Schedule 91, PGE Maintenance Plan- Option B (City owns and PGE maintains the lights and poles). PGE also has Maintenance Plan- Option A (PGE owns and maintains) and Option C (City owns and maintains). PGE provides energy to the streetlights under all options.

City staff met with PGE personnel to discuss the potential of converting the City streetlights to LED. PGE stated that the City currently has 810 Cobra-head streetlights under 300 watts and 683 associated poles that are eligible for conversion to LED. At this time, PGE is not supporting the conversion of decorative streetlights.

There are four conversion options for customer owned (Option B) streetlights.

- I) No Option B LED conversion at this time, City retains current Option B Schedule 91 pricing.
- II) City converts of all Option B fixtures (LED eligible and non-eligible) to Option C.
- III) PGE converts of eligible Option B fixtures to Option A, City sales Option B poles to PGE, and City retains non-eligible Option B fixtures (Proposal #1 below)
- IV) PGE converts of eligible Option B fixtures to Option A, City retains Option B poles and non-eligible fixtures until the end of life (Proposal #2 below)

Under PGE streetlight conversion Proposal #1, PGE would purchase the City of Wilsonville's B poles and would covert B lower wattage (<300 W) streetlights to LEDs. Per the proposal, PGE would purchase the city's 683 poles for \$693,724 and then rent the poles back to us under Schedule 95, PGE Maintenance Option A (PGE owns and maintains). The City's annual maintenance cost for the poles would increase from approximately \$2861 to \$83,842 per year. Concurrently, maintenance costs of 809 light fixtures would change from \$97,448 to \$79,916 per year. Assuming an estimated annual energy savings of \$42,698 then the annual net increase for maintenance of the lights and

poles combined would be \$63,417. There would be an offset of 8.3 years using the purchase price of the poles to offset additional maintenance cost of the poles only. If you ombine the costs and expenses of poles and lights the offset would cover 10.9 years of expenses. After the offset the City would pay the going rate for rent and maintenance of the streetlights.

With conversion Proposal #2, PGE would acquire the City's B fixtures and convert lower wattage B streetlights to LEDs immediately. Then as the B poles reached the end of their life, the B poles would be replaced with Option A poles. Initially, this option would change the annual maintenance costs of lights from \$97,448 to \$79,916 for a maintenance cost savings of \$17,563 for only the fixtures. There could potentially be an energy savings of \$42,698 per year. Pole maintenance cost would remain as is. Over time, Proposal #2 would become PGE Maintenance Plan A (PGE owns and maintains).

PGE suggested that when the City evaluates the proposal we should consider the cost of conversion and the on-going maintenance costs. Conversion costs include project management, design, fixture cost, installation, and communication outreach. On-going maintenance costs may cover fixture and pole replacement costs, storage, and customer service. To help with the evaluation, PGE provided the city with a spreadsheet to input costs and assumptions related to both conversion and maintenance costs for the four conversion options (I-IV).

It should be noted that, in June 2000, per Resolution 1645, the City purchased streetlight fixtures and poles from PGE for \$780,289 to enable the City to forgo monthly replacement charges thereby saving \$150,000 annually. At the time, the City replaced most of the wooden poles with aluminum poles or fiberglass material that have a longer life expectancy. Pursuing proposal #1 or #2 would reverse that prior decision.

In addition to the financial evaluation of the proposals provided by PGE, the pros and cons of using LED technology for streetlights should be weighed. Potential benefits of LED streetlights are sustainability, longer lifespan, less energy consumption, reduced maintenance costs, better light quality, and reduced carbon emissions. Potential drawbacks of LED streetlights are related to public acceptance of whiter, brighter more focused light and the potential for inappropriate lighting and/or glare into the buildings or yards of nearby properties.

City staff is continuing to collect information needed for the evaluation tool. Staff is also talking with other agencies that are planning to convert to LED about their decision making process, and any complaints they have received from residents. Staff will report back to Council once the entire evaluation process is complete.



City of Wilsonville

August/September  
2013

# Community Development

## FROM THE DIRECTOR'S OFFICE

In August and September, the Community Development Department was active on all fronts. Here are some highlights:

- Building completed dozens of inspections daily around town—especially out at Villebois—and worked on a multitude of residential and tenant improvement plan reviews.
- Engineering inspected construction in three new Villebois areas: Tonquin 4 and 5 and Retherford Meadows, wrapping up summer capital projects and gearing up for fall capital projects.
- Natural Resources worked on the annual report for our MS4 NPDES storm water permit and studied options for new design requirements.
- Economic Development kicked off the City-Wide Long Term Urban Renewal Strategy project and made great progress on establishing six new Tax Increment Finance (TIF) zones.
- Among other DRB applications, Current Planning processed the Villebois Master Plan Amendment for the Learning Enrichment Center area.
- Long Range Planning prepared for the Basalt Creek and Frog Pond/Advance Road concept plans and started updating Metro's Regional Transportation Plan (RTP).

What is the RTP? The federal government requires all metropolitan regions to adopt transportation plans to serve as long range (20+ years) guides for regional and local planning. Updates are required every four years. Metro has asked local agencies to work with them to update our RTP.

This fall, Metro will work with each city and county to update their project lists, finalize financial assumptions, and revise the existing conditions model. Transportation projects that have been completed since 2009 will be added to the system maps to reflect our "new" existing conditions. Next March, Metro will complete modeling to make sure our existing conditions and the project list conform to air quality requirements.

Between now and next July, we will also be reviewing policies, travel trends in the region, and coordinate other Metro initiatives with the RTP (such as Climate Smart Communities, the draft Active Transportation Plan, and Southwest and Powell/Division corridor planning efforts).

I would like to introduce Zach Weigel, our new Civil Engineer (and a Wilsonville resident). He will be involved in reviewing new development plans and managing capital projects. We have already filled his schedule! One of his first tasks is coordinating our Public Works Standards update.

I had the pleasure of participating in Charbonneau's Climate Change Forum September 26. What a great opportunity for me to get out in the community!



## Inside this issue:

Building	2
Engineering,	2-3
Engineering, Private Develop-	3-5
Planning, Current	5-7
Planning, Long Range	7-8
Economic Development	8

I was so impressed to see such a big turnout, interest level, and quality audience.

The early heavy rains in September have created significant challenges for fall construction. We are hoping for drier days ahead.

Nancy Kraushaar, PE

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## Building Division, Current Projects

### **Major Developments under construction:**

#### **Permits reviewed (2013):**

##### *Single Family:*

Villebois: 128

Other: 60

##### *Commercial/Industrial:*

Tenant improvements: 100

Includes Town Houses at Fox Center, Perceptive Pixel, World of Speed, and Southern Wine & Spirits.

#### **Permits Issued (2013):**

##### *Single Family:*

Villebois: 105

Other: 45

##### *Commercial/Industrial: 105*



Canyon Creek Custom Home

## Engineering Division, Capital Projects

**Boeckman Road Reconstruction (4177):** Kerr Construction began work in early August. Re-opening of the roadway is expected in mid-November.

**Rivergreen Storm Outfall (7012):** Elting Northwest began construction in late August. A rainy month of September has slowed down the work.

**Morey's Landing Storm Channel (7044):** Elting Northwest awarded the contract, and Federal and State permitting received. Construction began in late August. Rain in September has slowed the work.

**Kinsman Transmission Main Phase 3b (1055):** Kerr Contractors has installed 20% of the pipe, and is installing cathodic protection and the pressure-reducing vault at Boeckman Road in October.



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## Engineering, Capital Projects, cont'd



### **Realign Boeckman Creek at Wilsonville Road**

**(4182/7038):** Pacific Excavation has reached substantial completion of work which has been performing well with the wet weather. Final completion expected by October 20.

**Canyon Creek Road Extension (4184):** We have advertised for hiring a consultant to design the approximate 90-foot extension of Canyon Creek Road to connect to Vlahos Drive to connect to Town Center Loop. Consultant evaluations and selection to occur in October.

**Waste Water Treatment Plant DBO (2082):** Construction at approximately 80% complete. On schedule, on budget.

**Autumn Park Sewer (2091):** K & R Plumbing is 75% complete. Performing surface restoration including curbs, sidewalks, asphalt patching.

**Annual Street Maintenance (4014):** S-2 Contractors has completed work repaving Ridder and Town Center Loop West, as well as slurry seal of the Fox Chase and Meadows neighborhoods. Striping to be completed as weather allows.

## Engineering, Private Development

**Renaissance Boat Club:** Project plans approved for this 33-lot subdivision located adjacent to Memorial Park and the Day Dream Ranch subdivision. Logging operations began on September 3; site is presently graded and construction of underground utilities is underway.

**Brenchley:** Holland has installed the public infrastructure for Terrene Terrace, and expects to open Ash Meadows sections associated with that project to the public in October.



Continued on next page

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## Engineering, Private Development, cont'd

**Carl's Jr.** Located at 95th Avenue and Boones Ferry Road. Construction is progressing. Storm water and sewer pipes are in place, and the water line has been installed and is under testing.



**Villebois North PDP 1 Phase 2—Polygon Northwest:** Construction work is mostly completed. Barber Street east of Grahams Ferry Road is expected to open to traffic in late September. Grahams Ferry Road here was constructed with the newly authorized black cobra style street lights in response to the citizen concern raised last year with the aluminum cobra poles.

**Villebois Tonquin Meadow Sanitary Sewer—Polygon Northwest:** Construction is almost complete of a sanitary sewer main line to service proposed development in Villebois SAP Central PDP4 and SAP North PDP 2. Sewer is to be located in the open fields east of 110th Ave.

**Villebois North PDP 2 / Central PDP 4—Polygon Northwest:** Public Works permit has been issued for construction of the first phase of this 147-lot subdivision located on the north edge of Villebois Central. Grading work was completed in August and September.

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## Engineering, Private Development, cont'd

**Villebois East PDP 2—Lennar Homes:** Public Works permit has been issued; construction is underway.



## Planning Division, Current

The Development Review Board public hearings were cancelled in August.

On September 9<sup>th</sup> DRB Panel A approved a 24,463 square foot manufacturing, warehouse, office complex - technology and retail commercial building including related site improvements on SW Kinsman Road adjacent to the Fred Meyer service station. Owner; Mr. Chad Ward of Van Bilsen Investments, LLC. Staff: Blaise Edmonds



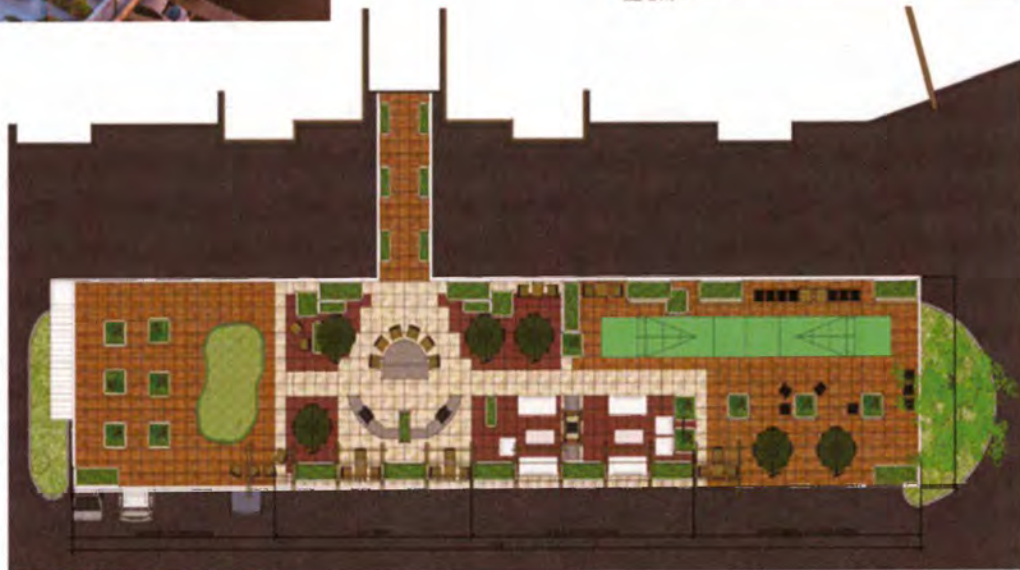
**3 WEST ELEVATION**  
A21 1/16" = 1'-0"

## Planning Division, Current, cont'd

On September 23rd DRB Panel B approved modifications to the Stage II Final Plan and Site Design Review Plan for the Active Adults at the Grove Apartments. Approved is a 6,000 sq. ft. recreational sky deck over the west parking lot next to the building's second level and 30 under-structure garages. Applicants: Holland Partner Group/Brenchley Estates Partners, L.P. and CRP & Holland Brenchley Estates II L.P. Staff: Amanda Hoffman.



2 TERRACE SCREEN CONCEPT  
SCALE: 1/8" = 1'-0"



1 TERRACE SECOND FLOOR PLAN  
SCALE: 1/8" = 1'-0"

DULT AT THE GROVE  
VILLE, OREGON



HOLLAND  
PARTNER  
GROUP  
1111 N. W. 11th St.  
Portland, OR 97209  
Phone: 503.222.1111



ARCHITECTS

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## Planning Division, Current, cont'd

The Planning Division received an application for a "Healthy Food" drive-thru restaurant proposed on the last vacant pad at Argyle Square located between the Burger King Restaurant and the America's Tire store. This application is under review and will be scheduled for a public hearing later this fall.



**Healthy Restaurant**

Exterior Aerial View 09.01.13

Argyle Square, Wilsonville OR

## Planning Division, Long Range

### **HOUSING NEEDS ASSESSMENT**

ECONorthwest, the City's consultants on this project, are preparing the draft Housing Needs Analysis report, which will include information on the City's housing inventory, vacant lands, demographics, and forecast for residential growth. The project has demonstrated that Wilsonville easily meets state Goal 10 rules with regard to mix of housing types and minimum density.

### **BASALT CREEK PLANNING**

Staff conducted consultant interviews on September 16th. Fregonese Associates, with CH2M Hill as the engineering sub, has been selected as the team to lead the project. The team will begin work immediately to define the detailed scope of work. A joint meeting between the Wilsonville and Tualatin City Councils is planned for October 29th.

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## Planning Division, Long Range, cont'd

### **FROG POND-ADVANCE ROAD**

Staff is working with Metro to prepare an Intergovernmental Agreement to accept the Community Planning and Development grant awarded to fund the Frog Pond-Advance Road Planning project. The City sent a letter to all property owners in the study area updating them on the project, and staff is in contact directly with many owners and developers who are eager to participate.

Staff is preparing a Request for Proposals to hire a team of consultants to support Community Development on this project over the next two years.

### **WEST LINN-WILSONVILLE SCHOOL DISTRICT PUBLIC HEARING ON A MAJOR AMENDMENT TO THE UGB**

The West Linn-Wilsonville School District has made application to Metro for a major amendment to the UGB to add the 40-acre Advance Road school/regional park site to the Urban Growth Boundary. A public hearing before a hearings officer was held on June 27th at Wilsonville City Hall. The hearings officer's recommendation to the Metro Council was for approval. The Metro Council conducted a worksession on the topic at their September 17th meeting. The Metro Council will conduct a public hearing and render a final decision on the request on October 10th.

### **PLANNING COMMISSION**

The October 9th Planning Commission meeting has been cancelled due to a lack of agenda items. The next Planning Commission meeting will be November 13th, 6:00 PM in the City Council Chambers.

## Economic Development Division

### **TIF ZONE CREATION**

A City Council public hearing is scheduled for October 21, 2013.

### **URBAN RENEWAL STRATEGIC PLAN**

The first Task Force meeting was held on September 25, 2013 from 6:00-8:00 PM with the Task Force Meeting 2 scheduled for Thursday, October 17, 2013.

### HEAL Wilsonville Update



The month of September has been a busy one for the HEAL Wilsonville Team. HEAL Cities Campaign Manager Beth Kaye and Patty Brescia presented on: "Positioning Parks and Recreation as Health and Wellness leaders in the Community" at the Oregon Recreation and Parks Conference in Welches, OR.



The group also offered information on becoming a "Healthy Eating, Active Living" city at Wilsonville's hospitality suite at the League of Oregon Cities.

Finally, Lamb's Thriftway installed a HEAL Wilsonville Healthy Checkout Aisle sign in aisle two, where they sell only healthy food and beverages, as well as toys that encourage physical activity. The aisle is the first of its kind in Oregon.

### Adult 55+, "Active Adult", Program Update

The two "Active Adult" classes introduced this session are going strong.

Zumba Gold, offered at 6:00 PM on Wednesday evenings, offers a nice alternative for participants who are employed or have other daytime commitments. The Center also offers a Monday and a Friday Zumba Gold option, as well as, a slightly slower paced Zumba Gold-Platinum on Wednesday mornings. There are a total of 40 participants currently enrolled in the Zumba Gold offerings.

Fitness for Golf, taught by Fitness Specialist, Brad Moore, targets golf enthusiasts who seek to improve their stamina, develop a more powerful swing or improve their flexibility. Brad has nine participants doing both standing and mat exercises to meet their fitness goals.

Additionally, two other fitness classes have reached maximum capacity with Tai Chi Studio at 37 and Stretch, Strength and Stamina at 35.



# Parks and Recreation Department

## Parks Maintenance Snapshot



Despite the unseasonably heavy rain and winds the park system has suffered no damage. One shelter reservation was rescheduled and the adult soccer group chose not to play on two weekends to prevent damage to the fields.

Routine maintenance activities continue including: completion of late summer/fall turf fertilizer application, control of blackberries and other undesirables thru out several parks, the beginning of pressure washing hard surface areas including bridges, picnic table pads, building entries, sport courts and other areas.

## Mini Hoopers Basketball

The 2013 Mini Hooper Basketball season, open to 1st and 2nd graders, had its registration period close at the end of September. Currently teams are being formed and game schedules created. The season runs from mid-October to mid-December with teams practicing once a week and games on Saturday mornings.

To help recover costs of the program, Mini Hoopers has a long standing sponsorship agreement with Land O' Frost lunchmeat. The Parks and Recreation Department receives \$1,200 per season as part of this agreement.

### Registration by the numbers:

1st Grade Boys: 45

2nd Grade Boys: 36

1st and 2nd Grade Girls: 36

## ORPA Involvement

The Center's Senior Programs Manager, Patty Brescia, was elected to an at-large position on the Oregon Recreation and Parks Association Board. This position serves a two year term and is Patty's second time serving on the Board.

Recreation Coordinator, Brian Stevenson, will be part of a team leading the statewide Summer Leadership Training for camp directors and leaders.

## Upcoming Event

\* Holiday Fun Fest: Thursday, December 19th from 4:00pm to 6:00pm at the Community Center. Santa will be in attendance with plenty of cookies and cocoa to go around. There is a \$5 fee for each "gingerbread house" built.

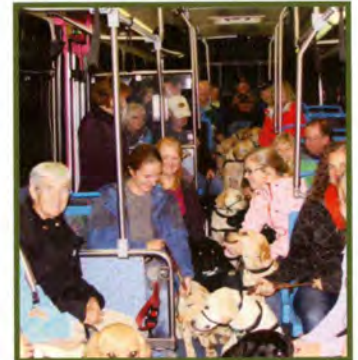
## From the Director

SMART now has an on-line open house on the Transit Integration Project (TIP) running on the City's website through October 25. It provides a wealth of background information (especially under the heading "What We've Learned") and it provides an opportunity for anyone who is interested to complete the survey and offer advice.

The information on the website provides an explanation of what the TIP is about, what services are provided by SMART, potential strategies that may be employed to increase efficiencies and what steps may be taken in the future. Even if someone is not interested in taking the survey, she or he will have the opportunity to learn quite a bit about SMART from the background information that is included.

On another note, SMART has begun providing late-night service to Downtown Portland. We anticipate a gradual increase in ridership as people become aware of the new 9X (express) service, offered only Monday through Thursday evenings after 10 p.m. This service is being primarily paid for through an agreement with Oregon Tech-Wilsonville.

**Stephan Lashbrook**  
Transit Director



Once a year, SMART opens the doors for a unique training opportunity for local

**"Guide Dogs for the Blind"**. These kind and intelligent pups are in training to become certified guide dogs and part of their training experience includes becoming familiar with traveling on buses and trains.

[www.guidedogs.com](http://www.guidedogs.com)



Walkers at Xerox — September 2013

## In This Issue

- Operations
- Fleet Training
- Options Programs
- New Service



All SMART buses are equipped to carry two or three bicycles

## Options Programs

- During the month of September, 112 people signed up for Walk Smart.
- There were 14 community volunteers who assisted with the annual bicycle and pedestrian counts (look forward to results next month).
- Staff are working on finalizing a Memorandum of Understanding with Metro that continues funding RTO related outreach/education commuter programs in Wilsonville.
- SMART, TriMet and Regional Travel Options partners will begin promoting "Be seen. Be safe." to encourage riders, pedestrians and bicyclists to wear brighter gear during upcoming darker commutes.

**Be seen.  
Be safe.**

The recommended outdoor "look" for walking and biking is...

• Reflective • Shiny • Flashy

## New 9X Service

- Began Monday, September 30, 2013 and operates Monday—Thursday only (no Friday or weekend service).
- 9X is similar to the 2X route within Wilsonville, but travels north as an express only stopping at Barbur Transit Center and Downtown Portland at 6th/Yamhill.
- The express return trip leaves 6th & Yamhill at 10:45pm and arrives at SMART/Boberg Rd. at 11:24pm. (No south-bound stop at Barbur TC)
- This new service is provided as a pilot project in partnership with Wilsonville's Oregon Tech and is open to the public.

### Fare information:

- \$1.50 to Barbur TC
- \$3.00 to/from Downtown Portland
- Discounted punch passes available at [ridesmart.com](http://ridesmart.com)

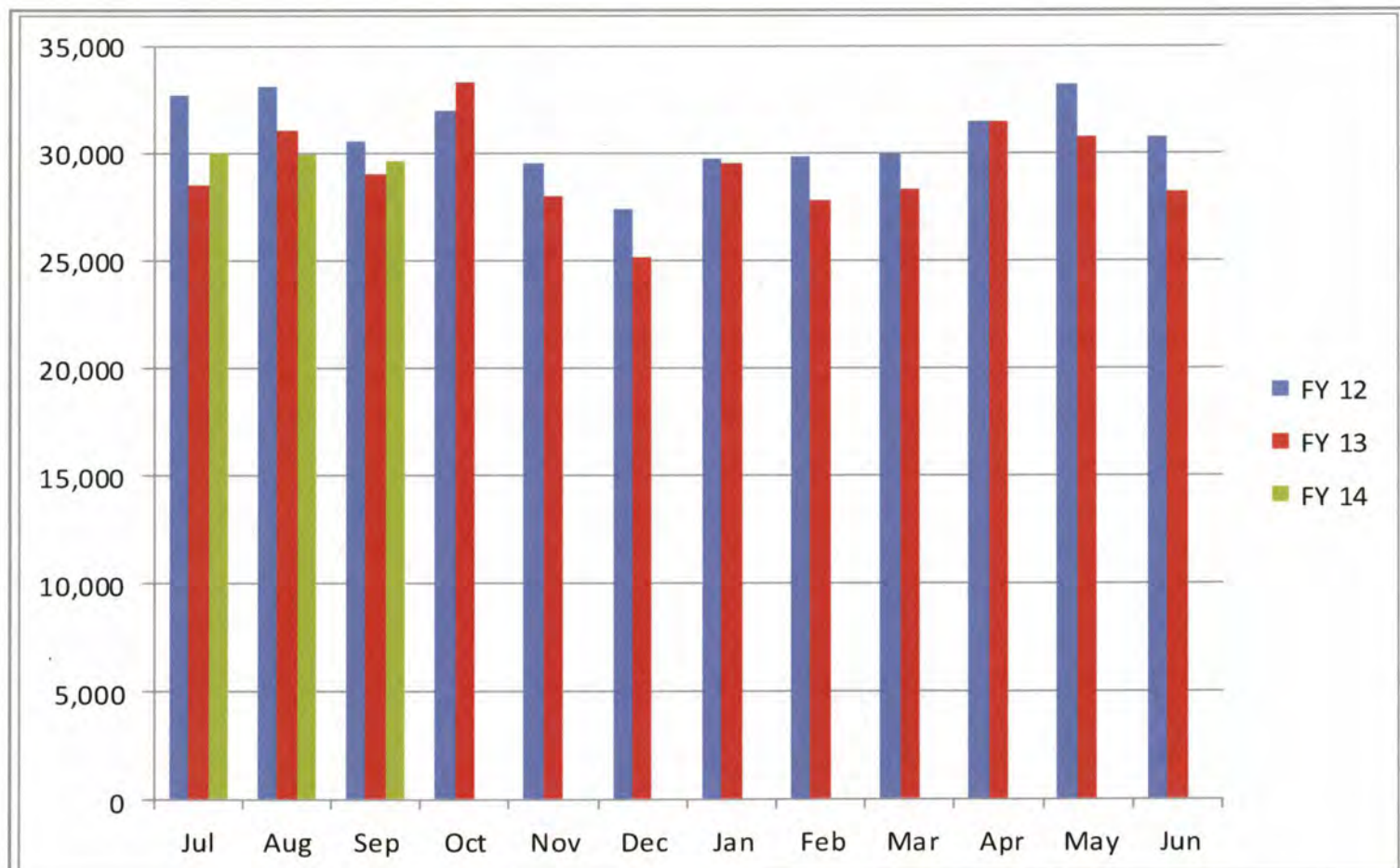
## Operations

September ridership realized a modest 2.1% increase over the same period of one year ago. Our concern over the past three months regarding a drop in ridership on the crosstown Route 4 seems to be over. With the startup of schools, ridership is back to healthy levels (over 11,000).

Route 2X ridership has increased by 1,200. However, ridership on the Salem 1X dropped a significant 1,500 riders for September. This could be due to the ebb and flow of the Capitol's political or State workers landscape. We will monitor this closely.

Stream Global's move from Beaverton to Wilsonville was completed over the Labor Day holiday. The ridership on SMART by their employees is less than anticipated, thus far. We were expecting daily ridership to be in the hundreds. We have realized an average of about 75. The new 8X which provides two direct express trips from Beaverton to Stream Global averaged 13 rides a day.

The reason for the low ridership appears to be twofold: First, WES ridership has increased by 400 – 500 per day. Secondly, many of the employees whom Stream expected to move with them, did not, but quit instead. This not only results in fewer employees than expected (and fewer riders), but also may have opened up more standard work hours for junior employees to move into, allowing them to use WES. We will monitor this closely as well.



## Fleet Update

The City's Fleet Department recently hosted a training session provided by Ford Motor Co., designed to train technicians in the use of Ford's "Integrated Diagnostic System", or IDS. IDS is a laptop based system which allows the technician to communicate with the vehicle's on board diagnostic system, and make repairs more accurately and efficiently.



In return for hosting the training, all four of the City's mechanics were able to attend the all-day session at no cost. There was a total of fourteen in attendance, including employees of other municipal shops from Benton County, and the City of Silverton.



October 21 – November 1, 2013

**SIGN UP AT**  
 [DriveLessConnect.com](http://DriveLessConnect.com)

## Contact Us

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**Wilsonville Planning Division  
2013 Third Quarter Report  
July through September**

<b>City Council Activities July through September 2013</b>			
<b>Permit Number</b>	<b>Permit Description</b>	<b>Applicant/Staff</b>	<b>Meeting Date(s) / Actions</b>
<b>DB13-0013</b>	<b>VILLEBOIS PDP 4 CENTRAL (TONQUIN WOODS #5 &amp; POLYGON NW AT VILLEBOIS #2)</b> Villebois PDP AND PDP Modification DB13-0014 - Villebois SAP and SAP Amendment DB13-0015 - Villebois SAP and SAP Amendment <b>DB13-0016 - Quasijudicial-Zone Map Amendment</b> DB13-0017 - Class 3 Tentative Plat Review DB13-0018 - Class 3 Tree Removal Plan DB13-0019 - Villebois Final Development Plan (FDP) Current Owner: Polygon at Villebois III LLC	POLYGON PAYMASTER, LLC	<b>DRB Recommendation</b> June 10  <b><u>CC Public Hearing</u></b> DB13-0016 June 17 July 15 <b>Ordinance No. 721 adopted</b>
<b>DB13-0020</b>	<b>VILLEBOIS PDP 2 NORTH (TONQUIN WOODS #4)</b> Villebois PDP AND PDP Modification DB13-0021 - Villebois SAP and SAP Amendment DB13-0022 - Villebois SAP and SAP Amendment <b>DB13-0023 - Quasijudicial-Zone Map Amendment</b> DB13-0024 - Class 3 Tentative Plat Review DB13-0025 - Class 3 Tree Removal Plan DB13-0026 - Villebois Final Development Plan (FDP) SI13-0001 - Significant Resource Impact Report Current Owner: Polygon at Villebois III LLC	POLYGON PAYMASTER, LLC	<b>DRB Recommendation</b> June 10  <b><u>CC Public Hearing</u></b> DB13-0023 June 17 July 15 <b>Ordinance No. 720 adopted</b>
<b>Joint Work Session</b>	<b>Joint work session with Planning Commission on the Housing Needs Analysis and Metro's Climate Smart Communities</b>		July 15
<b>DB13-0008</b>	<b>BRECHLEY ESTATES – SOUTH (ACTIVE ADULTS AT THE GROVE)</b> Class 3 Planned Development: Stage 1 Preliminary Plan to amend the Brechley Estates Master Plan DB13-0009 - Class 3 Waiver DB13-0010 - Stage 2 Final Development Plan DB13-0011 - Site Design Review for 112 apartments within one 4-story building on lot 3 DB13-0012 - Type C Tree Removal Plan for Lot 3 (See DB12-0012 et al for previous approval) 28035 SW PARKWAY AVE	BRECHLEY ESTATES PARTNERS, PHASE III	<b>DRB Recommendation</b> May 30 The DRB recommended that City Council modify Ord. No. 703 to allow for additional density  <b><u>CC Public Hearing</u></b> July 15 August 5 <b>Ord. No. 717 adopted</b>
<b>Res. No. 2435</b>	A Resolution Of The City Of Wilsonville Authorizing The First Addendum To The 2011 Intergovernmental Agreement Between Metro, Washington County, And The Cities Of Tualatin And Wilsonville Acknowledging The Basalt Creek Transportation Refinement Plan.	NEAMTZU	Resolution No. 2435 <b>Adopted</b>

**Wilsonville Planning Division  
2013 Third Quarter Report  
July through September**

<b>Planning Commission Activities July through September 2013</b>			
<b>Permit Number</b>	<b>Project Description</b>	<b>Applicant/Staff</b>	<b>Meeting Date(s) / Actions</b>
<b>Joint Work Session</b>	<b>Joint work session with Planning Commission on the Housing Needs Analysis and Metro's Climate Smart Communities</b>		July 15
<b>LP13-0005</b>	<b>VILLEBOIS LEGISLATIVE</b> Legislative: Master Plan Villebois Village Master Plan Amendment for future study area proposed development plan (Former LEC site)	POLYGON PAYMASTER, LLC	<u>Work Session</u> July 10 <u>Public Hearing</u> August 14 September 11 <b>Recommendation for adoption to City Council</b> CC Hearing: Oct. 7
<b>UR13-0001</b>	<b>TAX INCREMENT FINANCING (TIF) ZONES:</b> Multiple Single-Property Urban Renewal Districts To Be Called Tax Increment Finance Zones		<u>Work Session</u> August 14 <u>Public Hearing</u> September 11 <b>Recommendation for adoption to City Council</b> CC Hearing: Oct. 21
<b>Work Sessions</b>	<b>Statewide Goal 10 – Housing Needs Analysis</b>	Mangle	<u>Work Sessions</u> August 14 September 11

<b>Development Review Board Panel A Activities July through September 2013</b>			
<b>Permit Number</b>	<b>Permit Description</b>	<b>Applicant/Staff</b>	<b>Hearing Date(s) / Actions</b>
<b>DB13-0032</b>	<b>CHAD WARD - KINSMAN RD/WILSONVILLE BUSINESS PARK</b> An approximately 24,463 sq. ft. industrial, office complex-technology and commercial building. Class 3 Planned Development Stage 2 Final Plan <b>DB13-0033</b> - Class 3 Waiver <b>DB13-0034</b> - Class 3 Site Design Review 29900 SW KINSMAN RD	VAN BILSEN INVESTMENTS LLC	September 9 <b>Approved</b>

**Wilsonville Planning Division  
2013 Third Quarter Report  
July through September**

<b>Development Review Board Panel B Activities July through September 2013</b>			
<b>Permit Number</b>	<b>Permit Description</b>	<b>Applicant</b>	<b>Hearing Date(s) / Actions</b>
<b>DB13-0005</b>	<b>MILEY RD. OFFICE BUILDING</b> Class 3 Master Sign Plan 8995 SW MILEY RD	RUDNICK ELECTRIC	September 23 <b>Approved</b>
<b>DB13-0036</b>	<b>BRENCHLEY ESTATES - SOUTH</b> Active Adults at the Grove Multi-Family - Revisions Class 3 Planned Development - Revised Stage II Final Plan <b>DB13-0037</b> - Class 3 Site Design Review 28035 SW PARKWAY AVE	BRENCHLEY EST. PART. PHASE III	September 23 <b>Approved</b>

<b>Pending City Council Activities Planning Projects Scheduled for Hearings / Work Sessions during 2013 FOURTH QUARTER</b>			
<b>Permit Number</b>	<b>Permit Description</b>	<b>Applicant</b>	<b>Hearing Date(s) / Actions</b>
<b>LP13-0005</b>	<b>VILLEBOIS LEGISLATIVE</b> Legislative: Master Plan Villebois Village Master Plan Amendment for future study area proposed development plan (Former LEC site)	POLYGON PAYMASTER, LLC	<b>PC Recommendation</b> Sept. 11  <b>CC Public Hearing</b> Oct. 7
<b>UR13-0001</b>	<b>TAX INCREMENT FINANCING (TIF) ZONES:</b> Multiple Single-Property Urban Renewal Districts To Be Called Tax Increment Finance Zones		<b>PC Recommendation</b> September 11  <b>CC Public Hearing</b> Oct. 21

<b>Pending Planning Commission/CCI Activities Planning Projects Scheduled for Hearings/Work Sessions during 2013 FOURTH QUARTER</b>			
<b>Permit Number</b>	<b>Project Description</b>	<b>Staff</b>	<b>Work Sessions/ Public Hearings</b>
	<b>Statewide Planning Goal 10 –Housing Needs Analysis</b>	MANGLE	<u>Work Sessions</u>
	<b>Projects being actively worked on in preparation for future PC Work Sessions:</b> <ul style="list-style-type: none"> <li>• Basalt Creek Concept Planning</li> <li>• Density Inconsistency Code Amendments</li> <li>• Frog Pond/Advance Road Concept Plan</li> <li>• Industrial Form-Based Code</li> </ul>		

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<b>Pending Development Review Board Activities Planning Projects Scheduled for Hearings / Work Sessions after September 30, 2013</b>			
<b>Permit Number</b>	<b>Permit Description</b>	<b>Applicant</b>	<b>Hearing Date(s) / Actions</b>
<b>DB13-0038</b>	<b>ARGYLE SQUARE</b> Pad 1 for a healthy food restaurant Class 3 Site Design Review <b>DB13-0042</b> - Type C Tree Removal Plan 8699 SW ROBERT BURNS DR	AWJ ARCHITECTURE	Oct. 28
<b>DB13-0039</b>	<b>RENAISSANCE BOAT CLUB/WILLAMETTE LANDING/ABELE</b> Type C Tree Removal Plan Prior approval: DB07-0071 et seq 8455 SW METOLIUS LN	RENAISSANCE DEVELOPMENT CORPOR	Oct. 28
<b>DB13-0035</b>	<b>VILLEBOIS PDP 7 SOUTH</b> Villebois SAP and SAP Amendment SAP South Amendment to Add SAP South Plan Area 2 29500 SW GRAHAMS FERRY RD	POLYGON PAYMASTER, LLC	TBD
<b>DB13-0040</b>	<b>VILLEBOIS RETHERFORD MEADOWS</b> Class 3 Temporary Use Permit-DRB Review Temporary use for model homes, sales office and visitor parking	LENNAR NORTHWEST INC	TBD

<b>Scheduled Pre-Application Meetings July through September 2013</b>	
<b>Number</b>	<b>Description</b>
<b>PA13-0010</b>	Stand alone building with drive-thru for a healthy restaurant
<b>PA13-0011</b>	Building expansion and reduced setback
<b>PA13-0012</b>	Drive-thru coffee at Boones Ferry Pointe
<b>PA13-0013</b>	8 Lot PDR In-Fill Subdivision on Canyon Creek Rd. S
<b>PA13-0014</b>	Zone change and partition
<b>PA13-0015</b>	Addition of modular on church campus
<b>PA13-0016</b>	Temporary Auto Dealership
<b>PA13-0017</b>	Wilsonville Road-12 ROW homes

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<b>Administrative Reviews July through September 2013</b>			
<b>Permit Number</b>	<b>Permit Description</b>	<b>Applicant</b>	<b>Hearing Date(s) / Actions</b>
AR12-0026	<b>TONQUIN WOODS NO. 2/VILLEBOIS SAP 1 NORTH</b> Planning Class I Review Final Plat Review	POLYGON NORTHWEST/PAYMASTER	Plat Recorded
AR12-0053	<b>VILLEBOIS VILLAGE CENTER</b> Planning Class II Review Final Plat Piazza Partition	PACIFIC COMMUNITY DESIGN	Pending
AR12-0058	<b>BRENCHLEY ESTATES - NORTH</b> Final Subdivision Plat (Phase 1) Two (2) Lots only. Includes portion of Lot Line Adjustment approved in AR12-0031 28375 SW PARKWAY AVE	BRENCHLEY ESTATES PARTNERS LP	Pending
AR13-0023	<b>VILLEBOIS SAP NORTH PDP 1 Tonquin Woods at Villebois No. 3:</b> Planning Class I Review 60 Lots Final Plat Review	POLYGON PAYMASTER, LLC	Issued
AR13-0033	<b>CHAD WARD</b> Planning Class II Review Tentative Partition Plat 29900 SW KINSMAN RD	VAN BILSEN INVESTMENTS LLC	Issued
AR13-0034	<b>PIONEER PACIFIC COLLEGE</b> Planning Class II Review Change of use from warehouse to laboratory 27375 SW PARKWAY AVE	PACIFIC EDUCATION CORPORATION	Issued
AR13-0035	<b>PROJECT PIXEL</b> Planning Class II Review Site alterations 26755 SW 95TH AVE	OAC	Issued
AR13-0036	<b>BRENCHLEY ESTATES - NORTH</b> Planning Class I Review Changes to layout of private park approved in DB12- 0018	BRENCHLEY EST. PART. PHASE III	Issued
AR13-0037	<b>BOONES FERRY POINTE (CARL'S JR AND COMMERCIAL CENTER)</b> Planning Class I Review <ul style="list-style-type: none"> <li>• Adjust Location of Landscape Island in NE parking row</li> <li>• Add curb along drive-thru</li> <li>• Increase height of Chevron trash enclosure by 2 feet.</li> <li>• Add curb along edge of landscaping on north end (added 9/11/13)</li> </ul> 25300 SW 95TH AVE	WILSONVILLE DEVCO LLC	Issued
AR13-0038	<b>POLYGON NW</b> Planning Class I Review Review of revised grading plan for Construction Phase 1 of 2N/4C (stockpile east of future hilltop park)	POLYGON PAYMASTER, LLC	Issued
AR13-0039	<b>VILLEBOIS SAP CENTRAL, PDP 2, FDP CARVALHO, SEVILLE, TRAFALGAR FLATS</b> Planning Class I Review Final Plat Review Costa Circle West Rowhomes "Beausoleil"	POLYGON PAYMASTER, LLC	Pending

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Permit Number	Permit Description	Applicant	Hearing Date(s) / Actions
AR13-0040	<b>VILLEBOIS PDP 4 CENTRAL</b> Planning Class I Review Final Plat Tonquin Woods at Villebois No. 5	POLYGON PAYMASTER, LLC	Pending
AR13-0041	<b>VILLEBOIS PDP 2 NORTH</b> Planning Class I Review Final Plat Tonquin Woods No. 4 (Only lots and alleys for Construction Phase 1 are created, other construction phases indicated as tracts).	POLYGON PAYMASTER, LLC	Pending
AR13-0042	<b>VILLEBOIS PDP 1 CENTRAL/ TOULOUSE PETIT</b> Planning Class I Review Final Plat	POLYGON PAYMASTER, LLC	Pending
AR13-0043	<b>BRENCHLEY ESTATES/JORY TRAIL</b> Planning Class II Review Parking lot modification 28035 SW PARKWAY AVE	CRP/HOLLAND BRENCHLEY ESTATES	Pending
AR13-0044	<b>VILLEBOIS PDP 2 NORTH</b> Planning Class I Review Retaining Wall Design pursuant to Condition of Approval PDG 4 from DB13-0026.	POLYGON PAYMASTER, LLC	Issued
AR13-0045	Planning Class I Review Reduced Setback agreement 32547 SW RIVIERA LN	GERNHARDT JOHN P & DOROTHY A	Issued
AR13-0046	<b>VILLEBOIS PDP 3 EAST &amp; PDP 4 EAST</b> Planning Class II Review Phasing Amendment 29092 SW 110TH AVE	POLYGON PAYMASTER, LLC	Pending
AR13-0047	<b>VILLEBOIS PDP 2 E/RETFERFORD MEADOWS</b> Planning Class I Review FINAL PLAT REVIEW-	LENNAR NORTHWEST INC	Pending

**Sign Reviews  
July through September 2013**

Permit Number	Permit Description	Applicant	Hearing Date(s) / Actions
SR13-0009	<b>MENTOR GRAPHICS CORP</b> Class II Sign Permit Data Center Sign 8005 SW BOECKMAN RD	MENTOR GRAPHICS CORP	Issued
SR13-0027	<b>VETERINARY HOSPITAL</b> Class II Sign Permit Major Modification to Master Sign Plan 8313 SW MAIN ST	INTEGRITY SIGNS OREGON	Issued
SR13-0033	<b>STREAM</b> Planning Class I Sign Review Temporary Signs 9275 SW PEYTON LN	STREAM INTERNATIONAL INC.	Issued
SR13-0034	<b>PACIFIC FOODS</b> Class II Sign Permit 27255 SW 95TH AVE	RAMSAY SIGNS	Issued

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**Sign Reviews  
July through September 2013**

Permit Number	Permit Description	Applicant	Hearing Date(s) / Actions
SR13-0035	<b>CARL'S JR</b> Planning Class 1 Sign Review 25410 SW 95TH AVE	ADVANCED ELECTRIC SIGNS INC	Issued
SR13-0036	<b>COLUMBIA BANK</b> Planning Class 1 Sign Review Tenant Signs-DENIED-Does not meet Master Sign Plan 8229 SW WILSONVILLE RD	MEYER SIGN COMPANY OF OREGON	Issued
SR13-0037	<b>NORTHWEST MAN CAVE</b> Planning Class 1 Sign Review 30789 SW BOONES FERRY RD	PROFESSIONAL SIGN & GRAPHICS	Issued
SR13-0038	<b>BRENCHLEY ESTATES</b> Planning Class 1 Sign Review Temporary Banner for home sales 28629 SW TERRENE LN	POLYGON NORTHWEST	Issued
SR13-0039	<b>THE BEER STATION</b> Planning Class 1 Sign Review Temporary Banner For Grand Opening For 30 Days Until Oct 28th 8633 SW MAIN ST	THE BEER STATION	Issued
SR13-0040	<b>NW SPINE &amp; LASER SURGERY CENTER</b> Planning Class 1 Sign Review 8995 SW MILEY RD	RUDNICK ELECTRIC	Pending

**Tree Reviews  
July through September 2013**

Permit Number	Permit Description	Applicant	Hearing Date(s) / Actions
TR13-0035	<b>WILLAMETTE LANDING</b> Type C Tree Removal Permit 8455 SW METOLIUS LN	RENAISSANCE DEV CORP	Issued
TR13-0036	<b>VILLEBOIS: RETHERFORD MEADOWS</b> Type C or Type D Class 1 Tree Removal Permit	WESTLAKE CONSULTANTS INC	Issued
TR13-0037	Type A Class 1 Tree Removal Permit <ul style="list-style-type: none"> <li>• 2 Deador Cedar in rear yard. Declining Street tree (to be replaced)</li> <li>• 1 Ash street tree (declining, will be replaced with similar tree in same location)</li> </ul> 29826 SW CAMELOT ST	CITY WIDE TREE SERVICE PROPERTY OWNER: JAMES KLEINKE	Issued
TR13-0038	Type C or Type D Class 1 Tree Removal Permit Remove Tree due to construction impact per Blaise/Amanda site visit 8445 SW ELLIGSEN RD	TIMOTHY MCCULLAUGH	Issued
TR13-0039	Type A Class 1 Tree Removal Permit Two Weeping Birch Trees 29621 SW YOUNG WAY	ARSENAULT CORY	Issued
TR13-0040	Type A Class 1 Tree Removal Permit One non-ornamental prune tree with multiple trunks from one root ball 8900 SW CITIZENS DR	DOVENBERG CARY	Issued

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<b>Tree Reviews July through September 2013</b>			
<b>Permit Number</b>	<b>Permit Description</b>	<b>Applicant</b>	<b>Hearing Date(s) / Actions</b>
TR13-0041	Type B Class II Tree Removal Permit Six trees 29100 SW TOWN CENTER LOOP W	29100 TOWN CENTER LLC	Issued
TR13-0042	Type C or Type D Class 1 Tree Removal Permit Fox Center Townhomes 30625 SW WILLAMETTE WAY E	MILDREN DESIGN GROUP	Issued
TR13-0043	Type A Class 1 Tree Removal Permit Two Cottonwoods 10862 SW PARKWOOD AVE	PACE RONALD E & CONNIE J	Issued
TR13-0044	<b>TOWN CENTER MERCANTILE</b> Type B Class II Tree Removal Permit East of Plaid Pantry 29880 SW TOWN CENTER LOOP W	CRYSTAL GREENS LANDSCAPING INC	Issued
TR13-0045	Type A Class 1 Tree Removal Permit Three Fir Trees 31045 SW NEHALEM CT	LOWRIE KENNETH W & TRINA M	Issued
TR13-0046	Type A Class 1 Tree Removal Permit Two Ash Trees 29573 SW CAMELOT ST	TERRY KESTER	Issued
TR13-0047	Type A Class 1 Tree Removal Permit Three trees 28496 SW MEADOWS LOOP	JUDSON ROBERT & SHARON	Issued
TR13-0048	Type A Class 1 Tree Removal Permit Remove one (1) tree. 26680 SW COLVIN LN	COLIN JAMES	Issued
TR13-0049	Type A Class 1 Tree Removal Permit Two trees: one Cherry & one Sweet Gum 11209 SW CHAMPOEG CT	COLLINS JULIE M	Issued
TR13-0050	Type A Class 1 Tree Removal Permit One dead Maple tree	ASH MEADOWS HOMEOWNERS ASSN	Pending
TR13-0051	<b>POLYGON AT VILLEBOIS II LLC &amp; POLYGON AT VILLEBOIS III LLC</b> Type C or Type D Class 1 Tree Removal Permit Phase 1 of PDP 4 Central/PDP 2 North	POLYGON PAYMASTER, LLC	Issued
TR13-0052	Type A Class 1 Tree Removal Permit One dead tree 9275 SW BARBER ST	WILSONVILLE VETERINARY CLINIC	Issued
TR13-0053	Type A Class 1 Tree Removal Permit One Plum Tree 29800 SW BOONES FERRY RD	BOONES FERRY/ANGEL LLC	Issued
TR13-0054	Type A Class 1 Tree Removal Permit Three trees 10280 SW BRYTON CT	BEACH DAVID	Issued
TR13-0055	Type B Class II Tree Removal Permit Two Locust trees 28721 SW CRESTWOOD DR	GREEN OPTIONS TREE CARE	Issued
TR13-0056	Type A Class 1 Tree Removal Permit Remove one (1) Maple tree. 29715 SW JACKSON WAY	SHANE CRAWFORD	Issued

**Wilsonville Planning Division  
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<b>Tree Reviews July through September 2013</b>			
<b>Permit Number</b>	<b>Permit Description</b>	<b>Applicant</b>	<b>Hearing Date(s) / Actions</b>
TR13-0057	Type A Class 1 Tree Removal Permit Remove three (3) trees 28500 SW MEADOWS LOOP	MCKNIGHT SCOTT & ALYS	Issued
TR13-0059	Type B Class II Tree Removal Permit One Maple tree 30050 SW TOWN CENTER LOOP W	NW TREE SPECIALISTS	Issued
TR13-0060	Type B Class II Tree Removal Permit Three Maple trees 29697 SW ROSE LN	NW TREE SPECIALISTS	Issued
TR13-0061	Type A Class 1 Tree Removal Permit Three Ponderosa Pine trees 28445 SW HIGHLAND CIR	LANG KELLY E & JULIE D	Issued
TR13-0062	<b>PIONEER PACIFIC COLLEGE</b> Type B Class II Tree Removal Permit Three trees 27375 SW PARKWAY AVE	PACIFIC EDUCATION CORPORATION	Issued
TR13-0063	Type A Class 1 Tree Removal Permit Two trees-Douglas Fir and White Oak 7736 SW CARRIAGE OAKS LN	FLAIG JASON	Issued
TR13-0064	Type A Class 1 Tree Removal Permit Two Flowering Plum trees 7773 SW TOURNAMENT CT	LOWRIE WAYNE	Issued
TR13-0065	Type A Class 1 Tree Removal Permit Three trees 30526 SW RUTH ST	PAULY DANIEL E	Issued
TR13-0066	Type A Class 1 Tree Removal Permit Three Trees 7902 SW COURTSIDE WAY	JF NELSON LTC EA	Issued
TR13-0067	Type A Class 1 Tree Removal Permit Two backyard Spruce trees 29523 SW VILLEBOIS DR S	HAYES ROSS	Issued
TR13-0068	Type B Class II Tree Removal Permit Neighborhood Street Tree 10665 SW EDGEWOOD CT	NEIL OCHS	Issued
TR13-0069	Type B Class II Tree Removal Permit Neighborhood Street Tree 10680 SW EDGEWOOD CT	JESSICA L MERMIS	Issued
TR13-0070	Type B Class II Tree Removal Permit Neighborhood Street Tree 10754 SW PARKVIEW DR	SUSAN OR DAVID BLOHN	Issued
TR13-0071	Type B Class II Tree Removal Permit Neighborhood Street Tree 10668 SW EDGEWOOD CT	LESLEY R BERRY	Issued
TR13-0072	Type B Class II Tree Removal Permit Neighborhood Street Tree 10669 SW EDGEWOOD CT	SCOTT AND CONNIE HIX	Issued
TR13-0073	Type A Class 1 Tree Removal Permit Two Ash trees 28650 SW SANDALWOOD DR	BUZO MANUEL DAVID TRUSTEE	Issued

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<b>Tree Reviews July through September 2013</b>			
<b>Permit Number</b>	<b>Permit Description</b>	<b>Applicant</b>	<b>Hearing Date(s) / Actions</b>
TR13-0074	Type A Class 1 Tree Removal Permit Removal and replacement for two street trees 28640 SW CRESTWOOD DR	ALL OREGON LANDSCAPING INC	Issued
TR13-0075	<b>BRENCHLEY ESTATES – SOUTH/ACTIVE ADULTS AT THE GROVE</b> Type C or Type D Class 1 Tree Removal Permit Remove 38 trees for public street and building/parking lot construction 28855 SW PARKWAY AVE	BRENCHLEY EST. PART. PHASE III	Issued
TR13-0076	<b>BRENCHLEY ESTATES - SOUTH/ACTIVE ADULTS AT THE GROVE</b> Type B Class II Tree Removal Permit Seven Trees 28855 SW PARKWAY AVE	BRENCHLEY EST. PART. PHASE III	Issued
TR13-0077	Type A Class 1 Tree Removal Permit One (1) Sweetgum tree. 30850 SW SALMON LN	MARK PLEDGER	Issued
TR13-0078	Type A Class 1 Tree Removal Permit One Maple tree to be replaced with a Japanese Maple 28657 SW CRESTWOOD DR	MICHAEL SNYDER TRUST	Issued
TR13-0079	Type A Class 1 Tree Removal Permit One Cedar tree in poor health 8715 SW MIAMI	YOUNG VICTORIA L TRUSTEE	Issued
TR13-0080	Type A Class 1 Tree Removal Permit Two trees 31030 SW SANDY CT	PARRY JESSE N TRUSTEE	Issued
TR13-0081	Type B Class II Tree Removal Permit One Scotch Pine Tree 8699 SW ROBERT BURNS DR	LANDGRAPHICS INC	Issued
TR13-0082	<b>RON TONKIN GRAN TURISMO</b> Type C or Type D Class 1 Tree Removal Permit Remove four (4) trees damaged during construction. Case file is DB12-0060 et seq. 25300 SW PARKWAY AVE	JEFF STUMBAUGH	Issued
TR13-0083	Type B Class II Tree Removal Permit Neighborhood Street Tree 10753 SW PARKVIEW DR	DYKZEUL MICHAEL J & CARIN D	Issued
TR13-0084	Type B Class II Tree Removal Permit Neighborhood Street Tree 10616 SW EDGEWOOD CT	MCDONALD GEORGE DUNCAN & JANET	Issued
TR13-0085	Type B Class II Tree Removal Permit Neighborhood Street Tree 10635 SW EDGEWOOD CT	VANLOON MARTIN GLASTRA & ANGIE	Issued
TR13-0086	Type A Class 1 Tree Removal Permit For one hazard Maple tree 28444 SW MEADOWS LOOP	OTT MERLE E & MARY E	Issued
TR13-0088	Type A Class 1 Tree Removal Permit 2 Aspen Trees 29745 SW JACKSON WAY	VOGT RUBY I TRUSTEE	Issued
TR13-0089	Type B Class II Tree Removal Permit Neighborhood Street Tree Removal 31406 SW OLYMPIC DR	TAYLOR JEAN	Issued

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<b>Tree Reviews July through September 2013</b>			
<b>Permit Number</b>	<b>Permit Description</b>	<b>Applicant</b>	<b>Hearing Date(s) / Actions</b>
TR13-0090	Type B Class II Tree Removal Permit Canyon Creek Meadows Subdivision <i>Tree removal permits will be submitted seperately by property owners</i>	CREEK (27) OPERATING COMMUNITY MNGT INC CANYON	Pending
TR13-0091	Type B Class II Tree Removal Permit Neighborhood Street Tree Removal 10615 SW EDGEWOOD CT	MADDOX LEWIS J & MARLENE L	Issued
TR13-0092	Type A Class I Tree Removal Permit One Sweet Gum tree 28645 SW CRESTWOOD DR	COWAN CHAD D & JOLENE K	Issued
TR13-0093	Type A Class I Tree Removal Permit One Oak tree 7669 SW WIMBLEDON CIR N	ZURCHER TIMOTHY SCOTT & LISA	Issued
TR13-0094	Type A Class I Tree Removal Permit 3 Pine trees 29804 SW CAMELOT ST	WAHL TIMOTHY L & EVELYN J	Issued
TR13-0095	Type A Class I Tree Removal Permit Removal of diseased Douglas fir on Frontier property on Parkway Avenue 28800 SW PARKWAY AVE	RANDALL MIHALKO	Issued
TR13-0096	Type B Class II Tree Removal Permit 6 street trees 28299 SW BOBERG RD	LLC IOSCO WAREHOUSING & DISTRIBUTI	Pending
TR13-0097	Type A Class I Tree Removal Permit One Red Maple 30924 SW BOONES FERRY RD	COPPING RITA Y	Issued
TR13-0098	Type A Class I Tree Removal Permit Remove (1) Ash Tree along Cascade Loop severely damaged during 9/28/13 storm 28508 SW CASCADE LOOP	HEDBERG ALAN S	Issued
TR13-0099	Type A Class I Tree Removal Permit Remove one (1) spruce tree in rear yard 7692 SW THORNTON DR	EDMONDS BLAISE	Issued

<b>Code Enforcement July through September 2013</b>		
<b>Permit Number</b>	<b>Code Enforcement Description</b>	<b>Action</b>
CE13-0008	Daycare/Preschool operating without permits	Resolved
CE13-0009	Pre-school operating without a Conditional Use Permit	Resolved

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**Planning Staff Activities, Projects and Meetings  
July through September 2013**

**Recurring Activities**

Archiving/Purging of Planning Records	Parks Team Meetings
Counter – Customer Service	Posting of Public Notices on project sites
Conditions of Approval Tracking	Pre-Construction meetings
Development Coordination Meetings	Project Site Visits/Inspections
Eden Permit Tracking	Updating Planning's web pages
French Prairie Bicycle/Pedestrian/Emergency Bridge	Villebois Meetings
Metro Committee meetings	Washington County Planning Directors meetings



**Patrick Duke**  
**Library Director**

**LIBRARY**  
**BOARD**  
**Hilly Alexander**  
**Chair**

**La Rue Williams**

**Caroline Berry**

**Reggie Gaines**

**Alan Steiger**

## **Wilsonville Public Library** **Monthly Report to Council** **October 2013**

### **September Statistics**

- Physical item circulation: 40,594 items checked out or renewed. This is up 1% from last September.
- E-book and downloadable audiobook circulation: 1,310, up 75% from last September.
- Reference questions answered: 1,989
- The Library deleted 1,380 and added 1,453.

### **Administration**

- **Strategic Planning update**

The Library conducted the first of three Community Advisory Panel meetings on October 10<sup>th</sup>. Over a dozen residents, including former Councilor Celia Nunez attended and provided thoughts on a vision for the City, and the library's role. This was the first of three meetings in October and November. The Panel will next be selecting service priorities for the Library, with these selections informing the creation of the plan, which is due at the end of January.

### **Adult Services**

- September adult programming attendance was 96.

### **October Programming:**

- **Oregon History Program at Mc Menamins Old Church and Pub**  
**"Written in Stone: Stories of Wilsonville's Dearly Departed" with Charlotte Lehan,**  
**former Mayor of Wilsonville** Tuesday, October 29 6:30 PM - 8:00 PM.
- **Book Notes Concert: Linda Lee Michelet's Rendezvous. 2pm, October 12th.**
- **Nanowrimo Kickoff Party. 6pm October 29th.**
- **The Genealogy Club meets on October 21<sup>st</sup> at 1pm.**

See more events at [www.wilsonvillelibrary.org](http://www.wilsonvillelibrary.org)

### **Youth Services**

- September Youth Services programming attendance was 1,621.

### **September Programming**

- **Storytime and other preschool programming** starts on September 10<sup>th</sup>  
This year's schedule:

**Toddler Time**  
Tuesdays 10 am

**Babytime**  
Tuesdays 11 am

**Family Storytime**  
Tuesday 6:30 pm  
Wednesday 10:30 am,  
and 1:00 pm  
Thursday 10:30 am

**La Hora del Cuento**  
(Bilingual Storytime)  
Monday 6 pm

**School age programming**  
each month.

### **Affiliates**

- **Wilsonville Friends of the Library**  
The Friends had their annual meeting on October 1<sup>st</sup> and installed several new Board Members. .
- **Wilsonville Public Library Foundation**  
The Foundation will be having their annual dinner on October 19<sup>th</sup>.