

**AGENDA**

**WILSONVILLE CITY COUNCIL MEETING**

**JUNE 18, 2012**

**7:00 P.M.**

**CITY HALL**

**29799 SW TOWN CENTER LOOP**

**WILSONVILLE, OREGON**

Mayor Tim Knapp

Council President Celia Núñez

Councilor Richard Goddard

Councilor Scott Starr

**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 [30 min.]**  
A. Pursuant to ORS 192.660(2)(e) Real Property Transactions  
ORS 192.660(2)(h) Litigation and ORS 192.660(2)(g) Trade Negotiation
- 5:35 P.M. COUNCILORS' CONCERNS [5 min.]**
- 5:45 P.M. PRE-COUNCIL WORK SESSION**  
A. Economic Development Update (Ottenad/Lashbrook) [20 min]  
B. City Manager Recap [2 min.]
- 6:55P.M. ADJOURN**
- 

**CITY COUNCIL MEETING**

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held Monday, June 18, 2012 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on June 12, 2012. 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. Upcoming Meetings

**7:10 P.M. COMMUNICATIONS**

- A. Korean War Memorial Foundation Presentation (Ottenad)  
B. Veolia Vice President – Operations Excellence Award (Kerber)  
C. Grace Chapel Rummage Sale Proceeds Presented to Random Kindness & Community Sharing (Jake Schwein, Grace Chapel)  
D. Overview of Summer 2012 Community Events (Knoll/Ottenad)  
E. Quarterly WWTP Progress Report (Mende)

**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.

**7:35 P.M. COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS**

- A. Council President Núñez – Chamber Leadership and Library Board liaison  
B. Councilor Goddard – Library, Chamber Board, and Clackamas County Business Alliance liaison  
C. Councilor Starr –Development Review Boards and Wilsonville Community Seniors Inc. liaison

**7:45 P.M. CONSENT AGENDA**

- A. **Resolution No. 2372**  
A Resolution Of The City Of Wilsonville Approving An Agreement With Tualatin Valley Workshops Inc. For The Project Known As Janitorial Services. (Peoples)
- B. **Resolution No. 2373**  
A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute An Intergovernmental Agreement Between The City Of Wilsonville And The Clackamas County Department Of Health, Housing And Human Resources For The Expansion And Renovation Of The Wilsonville Community Center Kitchen Project. (Brown)
- C. Minutes of the May 21, 2012 Council Meeting Minutes (King)

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

- A. **Ordinance No. 704 – second reading**  
An Ordinance Of The City Of Wilsonville Amending The Planning And Land Development Ordinance (Wilsonville's Development Code) Sections 4.001, 4.030-4.031 And 4.156 And Dividing Section 4.156 Into Sections 4.156.01 Through 4.156.11 To

Update The City's Sign Regulations And The Purpose And Objectives Of Such Regulations. (staff – Pauly)

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

A. **Resolution No. 2370**

A Resolution Of The City Of Wilsonville Declaring City-Owned Real Property Located At 11650 SW Tooze Road As Surplus Property And Authorizing Staff To Dispose Of The Property Through Sale. (Staff – Retherford)

B. **Resolution No. 2371**

A Resolution Of The City Of Wilsonville Declaring City-Owned Real Property Located At 7840 SW Boeckman Road As Surplus Property And Authorizing Staff To Dispose Of The Property Through Sale. (Staff – Retherford)

**8:20 P.M. CITY MANAGER'S BUSINESS**

A. Meeting Recap

**8:25 P.M. LEGAL BUSINESS**

**8:30 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)

**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b>  6/18/2012	<b>Subject: Economic Development Strategy Update</b> <b>Staff Members: Economic Development Team: Stephan Lashbrook, Mark Ottenad and Kristin Retherford</b> <b>Departments: Transit/Administration/Community Dev.</b>	
<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>	
<b>Staff Recommendation: NA</b>		
<b>Recommended Language for Motion: NA</b>		
<b>PROJECT / ISSUE RELATES TO:</b>		
<input checked="" type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:**

This report provides an update on the Economic Development Strategy that is underway and a review of May 31, 2012 Economic Development Summit.

**EXECUTIVE SUMMARY:**

Since March 2012, City Economic Development Team members have worked with Terry Moore and Beth Goodman of the economics-consulting firm ECONorthwest on the City's proposed Economic Development Strategy. By June 18, the Economic Development Advisory Committee will have met four times to review issues for discussion and make recommendations. This report provides, through attachments, a re-cap of issues discussed so far, with particular emphasis on materials presented at or coming out of the May 31 Economic Development Summit.

**EXPECTED RESULTS:**

Staff will briefly present information for Council consideration and discussion. Staff will have additional information to share from the June 14 meeting of the Economic Development Advisory Committee.

**TIMELINE:**

The Economic Development Advisory Committee will meet on two occasions in June:

- Thursday, June 14, 6–8 p.m., Wilsonville City Hall: Review and discuss reports and results of the Economic Development Summit; offer suggestions to ECONorthwest.
- Thursday, June 28, 6–8 p.m., Wilsonville City Hall: Last meeting of the committee to review a recommended Economic Development Strategy by ECONorthwest.

**CURRENT YEAR BUDGET IMPACTS:**

The Economic Development Strategy may suggest policies or activities with budgetary implications.

**FINANCIAL REVIEW / COMMENTS:**

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

**LEGAL REVIEW / COMMENT:**

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

**COMMUNITY INVOLVEMENT PROCESS:**

Extensive community involvement process with Economic Development Advisory Committee, 42 participants in focus groups meetings, and approximately 60 participants in the May 31 Economic Development Summit. Additionally, Summit materials and a Web survey were posted online for additional public comment opportunities.

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

The community benefits by developing a well-defined set of policies and activities for economic development.

**ALTERNATIVES:**

**CITY MANAGER COMMENT:**

This work product represents fulfillment of a Council Goal to develop, adopt and begin implementation of a comprehensive economic development strategy.

**ATTACHMENTS**

Materials from the May 31 Economic Development Summit:

1. Wilsonville Economic Opportunity Analysis (EOA) Draft Summary Presentation
2. Wilsonville Economic Development Summit Overview Presentation
3. Report on Break-out Groups Discussions at the Economic Development Summit
4. Economic Development Survey

Other materials:

5. Summary from Economic Development Focus Groups, April 2012
6. Economic Development Advisory Committee Members, Listed Alphabetically by Last Name

# City of Wilsonville *Economic Opportunities Analysis: preliminary findings*

May 31, 2012



## Contents

- Summary
- “Big Picture” Development Trends
- Why Strategic Economic Growth is Important
- Local Employment Land Needs
- Local Buildable Land Supply
- Local Land Use Policy Considerations



# Summary

- Recovery Now Underway
- Wilsonville is faring better than other locations
- Local land supply OK in short-term (1-3 years)
- In 4-5 years land demand may exceed supply
- Need Coffee Creek Phase 1 on line
- Need locations for Class A Office
- Plan for mix of uses at Basalt Creek



## Wilsonville Development Overview

- Old Town Square (245k SF with room for 400+ retail jobs)
- Rockwell Collins (now 490 employees up from 230 a few years ago)
- Coca-Cola Bottling (regional consolidation with 170 employees)
- SAM Medical Products (newly located with 18 employees)
- XZERES Wind Corp. (newly located with 34 employees)
- Georgia-Pacific (leased 275k former Joes Warehouse)
- Oregon Institute of Tech. (campus underway)
- Mentor Graphics (new North American data center headquarters)
- Pacific Natural Foods (303,000 SF; largest lease in region)

*Wilsonville added about 5,500 people and 2,000 households since 2001*  
Source: Census

*Current employment has dropped to 2005 levels, but is increasing* (Source: OED and FCS)

*Wilsonville set record permitting activity in 2011 with \$128 M in building valuations approved*  
Source: City of Wilsonville.

# Wilsonville Market Stats

## Industrial Market

*Approx. 700,000 SF of vacant industrial space as of May 2012 (about 7.5% vacancy rate)*

*Significant absorption during 2012*

*Rents are now increasing*

*New Wilsonville Business Center and Mentor Graphics data center under construction*

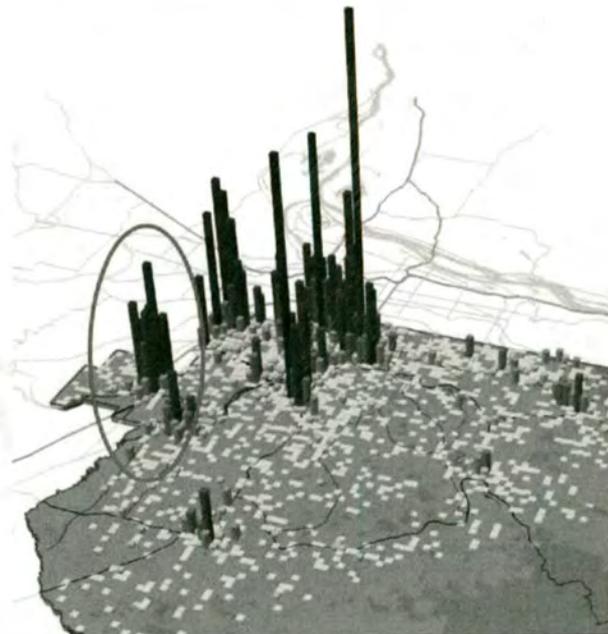
## Office Market

Over 220,000 SF of vacant office space in Wilsonville (19%)

Absorption trends showing improvement (still 5 years+ until stable)

Avg. rents now exceed \$20 psf. (*approaching what is needed to support structured parking*)

# Why Strategic Economic Development is Important



Relative Job Density in Clackamas County

# Economic Development Helps to...

- **Retain and Attract Direct Jobs**, Wages and Investment
- **Leverage Indirect impact** (supply chain) and Induced (re-spending of income) impact on jobs, wages and investment
- **Bring in trade (GDP) from outside the state & nation**
- **Create Local and State Tax Revenues** (property taxes, payroll tax for transit, franchise fees, fuel taxes, etc.)
- **Reduce tax burden on residential sector**
- A well-defined Economic Strategy can **boost credit ratings**

## Traded Share of Job Clusters, Clackamas County, 2010

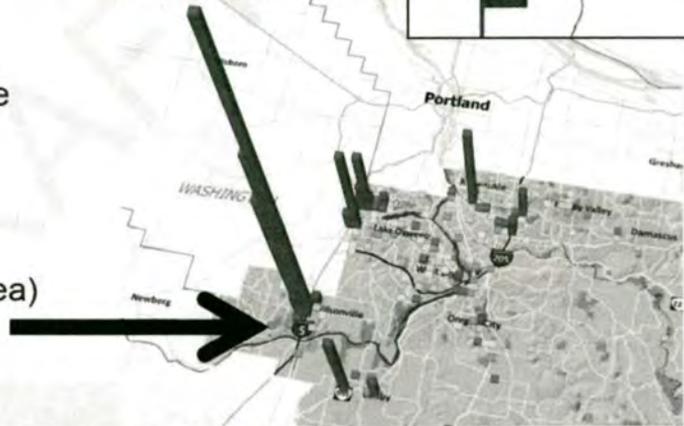
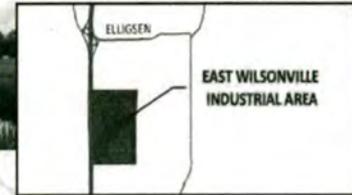
All Job Clusters bring in some non-local dollars into the economy

Cluster Name	Export Share (Trade Outside PMSA)	Traded Share Value (GDP Impact) (Millions)	Rank in Traded Value (GDP)
Wholesale Trade	45%	\$735	1
High Tech	74%	\$697	2
Advanced Mfg. - Metals	77%	\$448	3
Prof. Business Services	8%	\$347	4
Nurseries & Greenhouses	83%	\$98	5
Transportation & Dist.	35%	\$96	6
Food & Bev. Proc.	35%	\$49	7
Ag. & Food Systems	45%	\$45	8
Wood Mfg.	56%	\$26	9

Source: IMPLAN model for Clackamas County 2010; adjusted to 2011 dollars.

# East Wilsonville Industrial Area

- Still developing
- Light industrial, high tech mfg, R&D, computer systems design “campus setting”
- 240 developed acres
- \$189 M in assessed value
- \$3.3 M in annual prop. Tax revenue
- Includes \$400,000 to City Gen. Fund
- 14+ businesses
- 3,540 “covered jobs”
- \$93,455 payroll per job (highest area)
- \$1.2B in direct annual output
- \$500 M in annual GDP

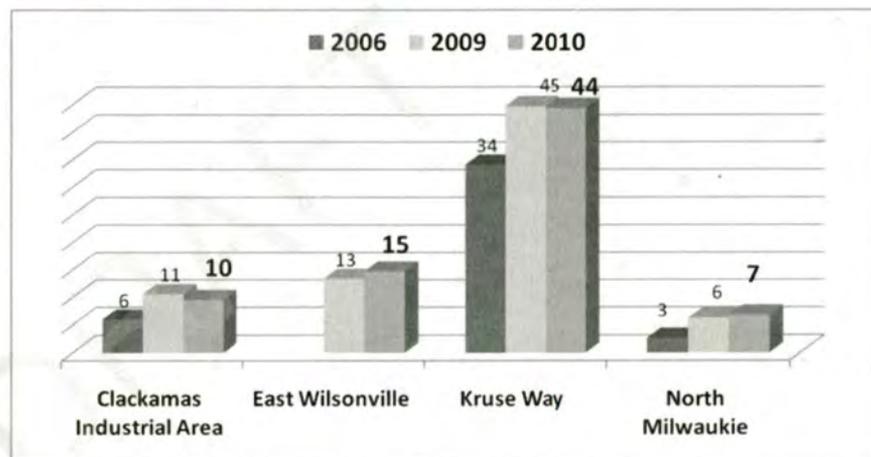


Annual Economic Output  
Per Sq. Mile



## Employment Area Comparison: Jobs Per Acre

- East Wilsonville Area has 15 jobs per acre, compared to Kruse Way @44

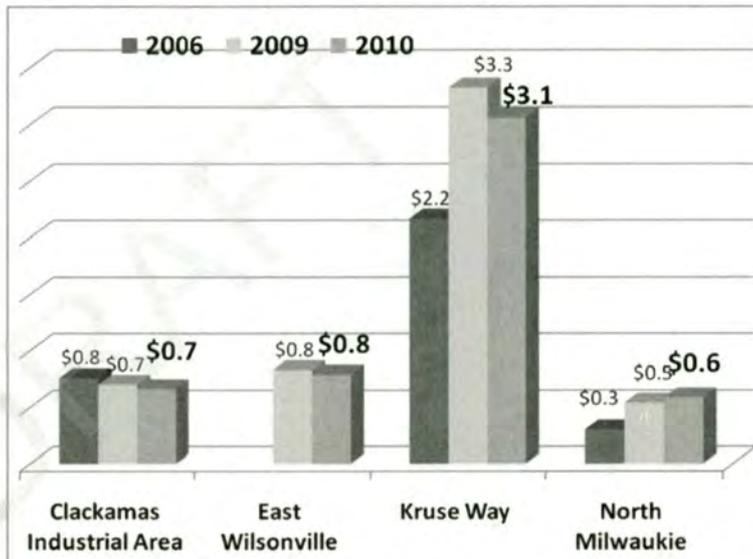


Source: FCS GROUP based on data from the Oregon Employment Department data.



# Employment Area Comparison: Assessed Value Per “Developed” Acre

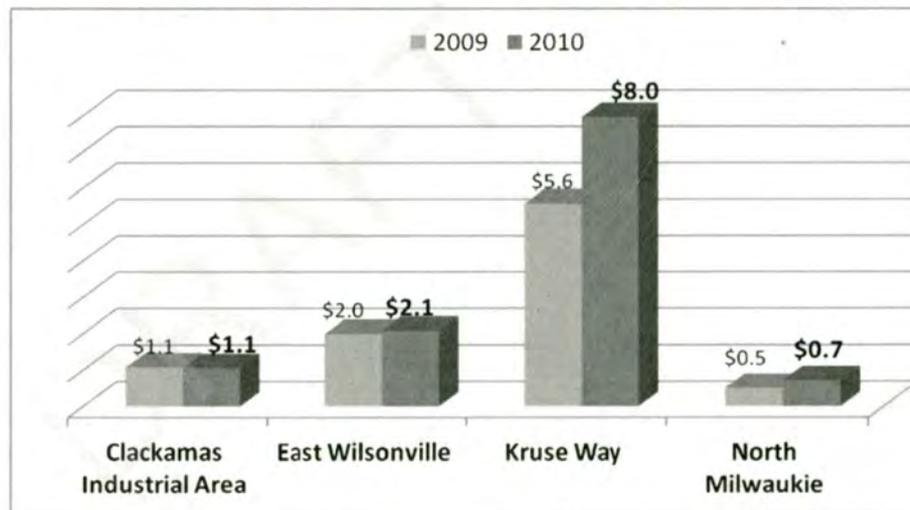
- Assessed Value per acre highest in Kruse Way at \$3.1M per acre, East Wilsonville now at about \$800,000 per acre.



Source: FCS GROUP based on data from the Oregon Employment Department and IMPLAN; adjusted to 2011 dollars.

# Employment Area Comparison: Gross Domestic Product Per Acre

- East Wilsonville generated \$2.1M per Acre in GDP, vs. \$8M/acre in Kruse Way
- Gross Domestic Product per acre increased in all areas between 2009 and 2010.



Source: FCS GROUP based on data from the Oregon Employment Department and IMPLAN; adjusted to 2011 dollars. Note, a significant increase occurred in Kruse Way as vacant office space was absorbed.

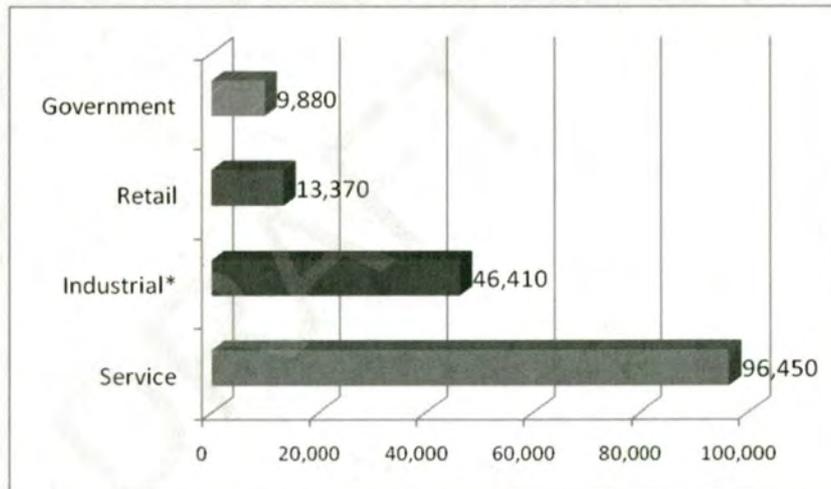
# Wilsonville Employment Land Need

DRAFT



## Projected Job Growth in Tri-County Region (2010 to 2020 forecast)

Oregon Employment Dept. expects tri-county region to add 166,110 jobs over next 10 years.



\* Includes: manufacturing, construction, wholesale trade, warehousing, utilities, information, and natural resource sectors. Source: Oregon Emp. Dept.

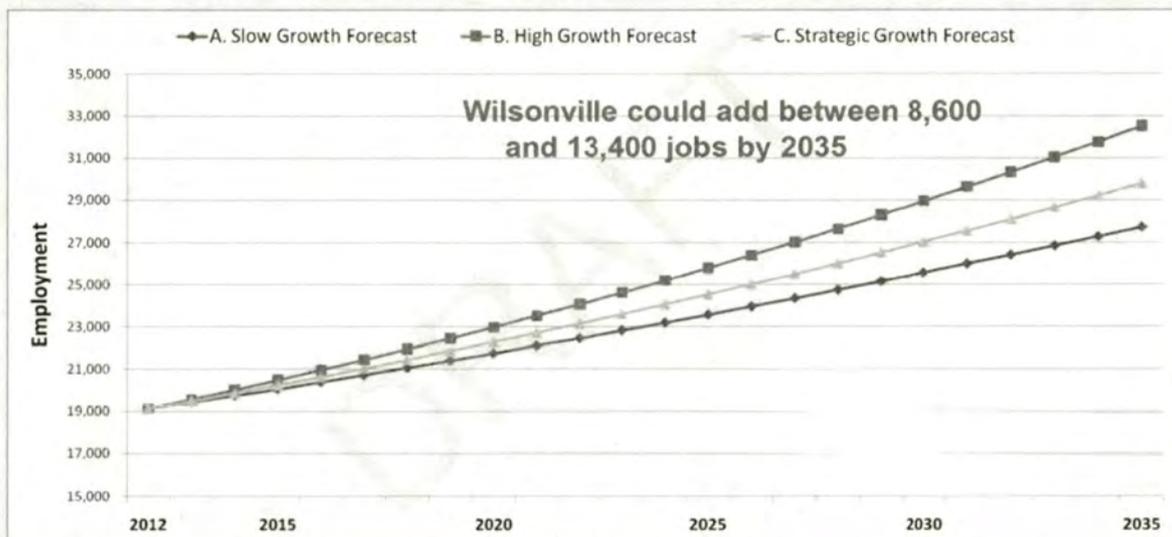


# Wilsonville Job Forecast Preliminary Growth Scenarios 2012 to 2035

General Job Classification	Low	Medium	High
<b>Retail</b> (2,705 existing jobs)	554	958	958
<b>Service</b> (6,187 existing jobs)	3,038	4,688	4,688
<b>Industrial</b> (9,055 existing jobs)	4,446	4,446	6,861
<b>Government/Education</b> (1,176 existing)	577	577	891
<b>Total</b>	<b>8,614</b>	<b>10,669</b>	<b>13,398</b>



## Wilsonville EOA Job Growth Scenarios 2012 to 2035 Projection



# Wilsonville Employment Land Need Attachment 1

: 2012 - 2035

- Assumes 3.1 to 4.8 million SF of building floor area in new construction on vacant land by 2035 (+/-65% of total demand)
- Plus about 1.6 to 2.6 MSF of building floor area refill & redevelopment by 2035 (+/-35% of total demand)

General Land Use Classification	Low	Medium	High
Commercial/Retail	28	44	45
Office /Services	21	33	34
Industrial/Other *	159	167	246
Government*	26	26	40
<b>Total Demand (buildable acres)</b>	<b>234</b>	<b>271</b>	<b>364</b>

\* Excludes new school sites, special uses and unique land needs that require large lots over 10 acres in size.

## Existing Vacant Buildable Land Inventory In City

- Reflects 194.7 acres of vacant buildable land area with 53 tax lots
- This includes 24.2 acres of part-vacant land area
- All is land in city is considered “development ready” but half of industrial sites are being “land banked” including the 30+ acre Elligsen parcel (leaves only 8 lots with 5-9 acres as “market ready”)

Land Use Class (zone)	.5 to 1 ac.		1 to 2 ac.		2 to 5 ac.		5 to 10 ac.		10 + ac.		Buildable Acres (less 25% slopes)	
	tax lots	acres	tax lots	acres	tax lots	acres	tax lots	acres	tax lots	acres	tax lots	acres
Commercial (V, PDCTC, PDC)	5	3.4	6	7.6	4	11.6	1	6.7			16	29.3
Industrial (PDI, RAHI)	5	3.5	13	16.7	8	24.9	9	59.5	2	60.8	37	165.4
<b>Total</b>	<b>10</b>	<b>7.7</b>	<b>19</b>	<b>24.3</b>	<b>12</b>	<b>36.5</b>	<b>10</b>	<b>66.2</b>	<b>2</b>	<b>60.8</b>	<b>53</b>	<b>194.7</b>

# Adjacent Vacant Lands

- Reflects 536 acres of vacant buildable land area
- This includes 52 acres of short-term industrial land at Coffee Creek

Special Planning Areas	Buildable Acres
<b>Coffee Creek Plan Area, Industrial</b>	
Short-term land supply (1-3 years)	52
Long-term land supply	135
<b>Basalt Creek Plan Area, Employment &amp; Housing</b>	
Short-term land supply (1-3 years)	0
Long-term land supply	349+/-
<b>Total Acres</b>	<b>536 +/-</b>

## Office/Retail Policy Considerations

- Only 29 acres of vacant buildable land area in City
- OK in Short-term but need more commercial-zoned land in long term
- Consider redevelopment and future office/retail center at Basalt Creek

	Short-term (1-4 yrs)	Additional Long-term (5-23 yrs)	Total
<b>Land Demand</b>			
Commercial (primarily retail)	5 to 8	23 to 37	28 to 45
Office (primarily services)	4 to 6	18 to 28	21 to 34
<b>Subtotal Demand</b>	<b>9 to 14</b>	<b>41 to 65</b>	<b>49 to 79</b>
<b>Land Supply</b>			
Existing City Limits	29	small lots only	29
Coffee Creek MP Area	--	--	--
Basalt Creek MP Area	--	41 to 65	41 to 65
<b>Subtotal Supply</b>	<b>29</b>	<b>41 to 65</b>	<b>71 to 94</b>
<b>Prelim. Net Annexation Requirement</b>	none	<b>41 to 65</b>	<b>41 to 65</b>

\* primary locations for office include vacant parcels and redevelopment areas within Town Center as well portions of the 349-acre Basalt Creek Plan Area.

# Industrial Policy Considerations

- 135 acres of vacant buildable land area in City
- OK in very short-term; need to get Coffee Creek phase 1 online
- Long-term demand could be met by Coffee Creek
- May consider additional large lot industrial in Basalt Creek

	Short-term (1-4 yrs)	Additional Long-term (5-23 yrs)	Total
<b>Land Demand</b>			
Industrial/Other	28 to 43	131 to 203	159 to 246
Government	5 to 7	22 to 33	26 to 40
<b>Subtotal Demand</b>	<b>33 to 50</b>	<b>153 to 236</b>	<b>185 to 286</b>
<b>Land Supply</b>			
Existing City Limits	135	--	135
Coffee Creek MP Area	52	135	187
Basalt Creek MP Area	--	tbd	tbd
<b>Subtotal Supply</b>	<b>187</b>	<b>135</b>	<b>322</b>
<b>Prelim. Net Annexation Requirement</b>	<b>52</b>	<b>135</b>	<b>187</b>

## Potential Strategies for Discussion

- ***If desire is to create Class A Office market...***
  - Available vacant land supply in City (only 29 acres mostly small lots)
    - Could consider Basalt Creek Area for at least half of the need
    - May also consider allowing higher building densities in Town Center
    - Possible rezoning of Industrial to Commercial for “special siting”
- ***If desire is to promote industrial expansion and attraction...***
  - Available vacant land (165 acres) in city plus (187 acres) in Coffee Creek
  - This seems to satisfy long-term demand unless high growth scenario
  - Current Regional need for unconstrained sites over 10 acres
  - Could Consider area west of Coffee Creek for large-lot industrial



# Potential Strategies for Discussion

- ***If desire is to help encourage small business...***
  - Marketable space currently exists for Class B office and industrial/flex
  - City could consider partnership with OIT and Chamber to create business accelerator or incubator
  - City and Chamber may also consider local supply chain “enrichment”
- ***If desire is to promote retail expansion...***
  - Current retail inflow averages 50% of sales (people outside city)
  - Retail demand increases as households and spending rises
  - May want to create smaller neighborhood shopping centers in future
  - If you try to create new regional serving retail site(s) on industrial zoned land, City will need to identify other land for future industrial area; and face challenges from various regional and statewide agencies. Also need to consider infrastructure and fiscal ROI



# Wilsonville Economic Summit:

## Overview

31 May, 2012

Terry Moore

**ECONorthwest**  
ECONOMICS • FINANCE • PLANNING

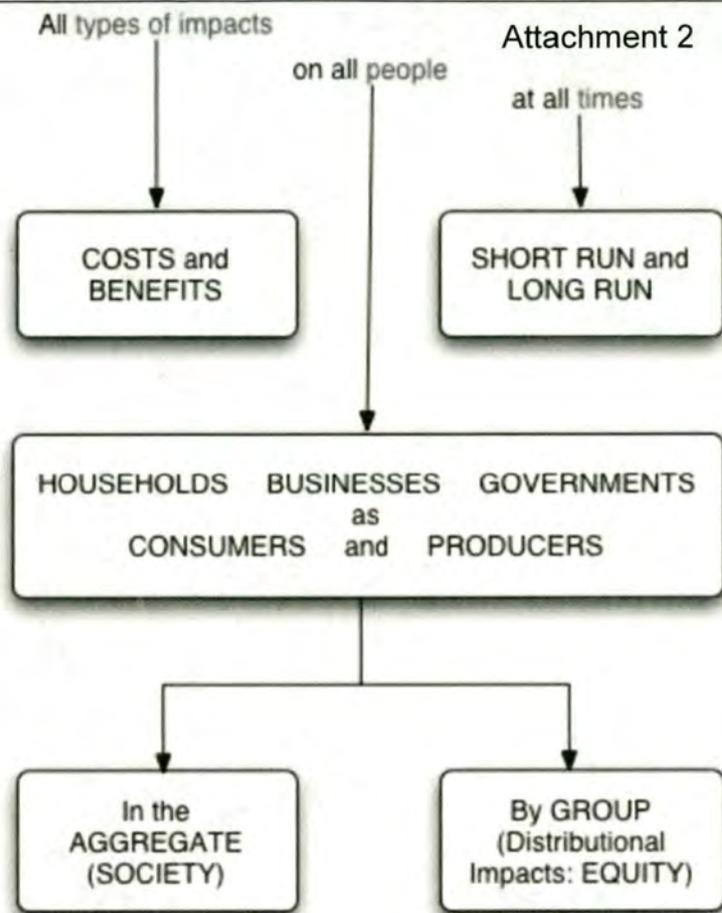
# Local Economic Development

The big picture  
The big choices

# Evaluating collective decisions is complicated

In concept, trying to evaluate:

- All impacts
- Of alternative courses of action
- On classes of people
- Now and in the future



# The big goal, and where economic development fits

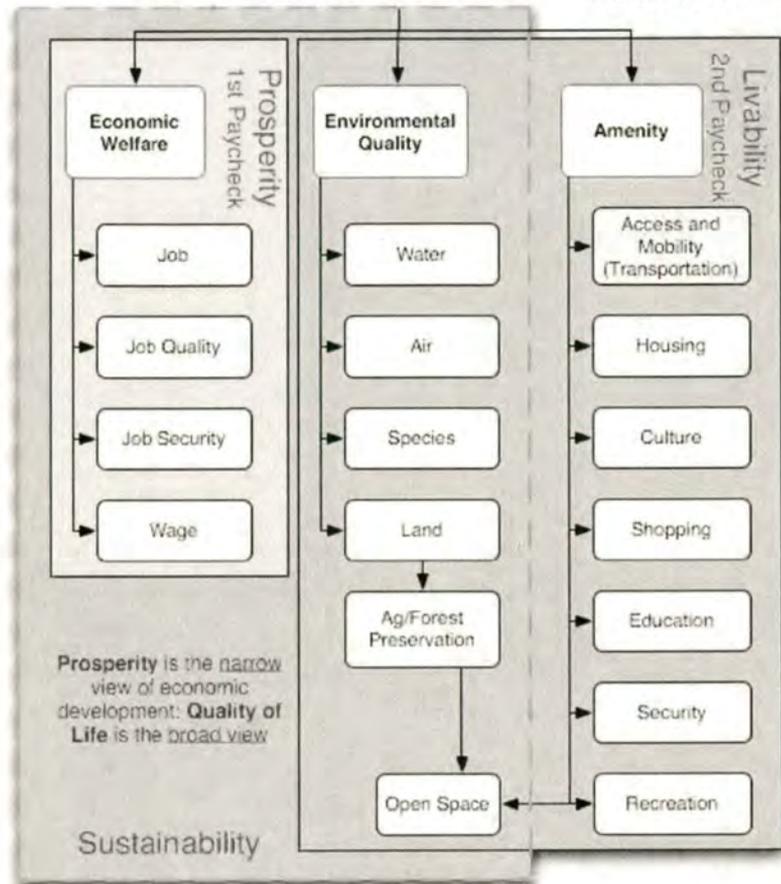


# In more detail

Lots of objectives, conflicts, and tradeoffs

People value different aspects of Quality of Life differently

Broad and narrow views of economic development



## Economic development: The traditional view

Jobs and income

- Retention and creation of jobs that pay high wages
- Offer meaningful and secure labor, with opportunity for advancement

## **Economic development: The emerging view**

The process of improving a community's well-being through:

- Job creation, business growth, and income growth
- Improvements to the wider social and natural environment that strengthen the economy

The broader goals also affect the traditional goal of job creation

## **But jobs are still the key and measurable objective**

Businesses create jobs

Not all jobs have equal impact

- Traded sector
- Clusters with comparative advantage

If economic development = jobs,  
and firms are the main job generators,  
then EcDev policy should focus on:

What matters to firms

## Factors that Matter to Firms

### Direct inputs

- Resources / supplies; *land* / buildings; labor (cost and quality)

### Factors directly affecting the cost of inputs and the revenues from outputs

- Location relative to supplies and markets; *infrastructure / utilities* (cost and quality); business clusters

### Factors indirectly affecting the cost of inputs

- *Amenity and other quality of life factors; government policies*

## Tough choices. Focus City resources on....?

### Economic development vs. other services

#### Within economic development

- Spend on what?
  - Planning; Land; Infrastructure; Promotion, Marketing, Recruitment; Incentives
  - Direct vs. indirect (e.g., quality of life)
  - Efficiency (specialization) vs. Resilience (diversification)
- Spend when? Long-run investment vs. short-term budget issues
- What's fair? Distribution of benefits and costs

# Starting to make the tough choices:

## The Wilsonville Economic Development Strategy

What it might look like  
How it might work

## Content of the Strategy

- Vision
- Categories of Actions:
  - Agreement on amount, type, location, and pattern of development
  - Land and buildings
  - Transportation and other infrastructure.
  - Workforce development
  - Quality of life and public services
  - Business communication and services
- For each Action: What, How, Who When, How Much?

## Developing the Strategy

Work before this Summit (Feb – May)

- EOA, EDAC, focus groups, interviews

Results of the Summit: your concerns and solutions (tonight)

Surveys: on-line; statistical sample (May – June)

Draft document and EDAC Review (June)

Presentation to City Council (July)

Adoption and Implementation of the Action Plan

## Tonight

Discussions at tables, by topic

- Vision statement
- Desired type of development
- Land and buildings
- Transportation and other infrastructure.
- Workforce development
- Quality of life and public services
- Business services, process, communication
- Potential incentives for business development

Report back to the whole group

Questions from the floor

Exit survey

# ECONorthwest

ECONOMICS • FINANCE • PLANNING

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 222 SW Columbia  
 Portland, Oregon 97201-6616

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 Seattle • (206) 622-2403

June 1, 2012

Project #:

**TO: Stephan Lashbrook**  
**FROM: Beth Goodman and Terry Moore**  
**SUBJECT: NOTES: WILSONVILLE ECONOMIC DEVELOPMENT SUMMIT**

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This memorandum presents brief notes from the Wilsonville Economic Development Strategy (EDS) Summit group discussions. The notes are based on the facilitators' reports back to the full group of the group discussions and supplementary notes from the facilitators. The purpose of these notes is to capture the high-level ideas discussed at the summit. These notes are not meant to present a transcript or detailed minutes of the discussions at the summit.

This memorandum presents notes for each of the eight group discussions from the summit.

## VISION STATEMENT

The vision break-out group had limited participation, with a handful of participants dropping by to leave comments, and two individuals participating in the discussion for the entire time period. The following is the feedback received during this discussion:

The following comments were made by multiple participants:

- The vision statement is too long, wordy, and vague. It does not help with decision making.
- The vision statement is not inspiring, it needs to be written in a style inspiring, motivating, and exciting to businesses of all types, the City, and residents. The current statement reads more like a value or mission statement than a vision.
- The statement should focus what Wilsonville can uniquely offer for economic development including transportation amenities including highways, the Aurora Airport, and bike and pedestrian facilities. It should identify Wilsonville as a welcoming community and supportive of diversity.

The following comments were made by individual participants:

- The last sentence is easy to read and liked by the participant.
- The language all points back to quality of life.

- The vision statement should discuss Wilsonville being a “leading” or “recognized” community.
- The statement needs to be inclusive of a variety of businesses. It does not need to differentiate between existing and new businesses.
- The statement should discuss the need for job opportunities for people of all skill levels, recognizing that only 1/3 of adults in region have college education.
- The statement should be broader than attracting businesses and jobs, it should address the multiple facets of sustainability and address cultural values.
- The statement should call out the importance of cultural amenities.

The following are suggestions for language in the vision statement, written by participants:

- Wilsonville has a thriving business environment that supports entrepreneurship, innovation and shares the community’s values.
- Wilsonville supports a healthy business climate that promotes economic development and creates diverse employment opportunities that sustain our community values and enhance our quality of life.
- Wilsonville’s thriving business-friendly climate is fostered by a spirit of innovation and collaboration where economic development decisions implement community values and strategically contribute to our high quality of living.
- Our well planned land is supported by high quality well maintained infrastructure and is efficiently utilized to deliver desired economic benefits to our community and the metro region.

## **DESIRED TYPE OF DEVELOPMENT**

Some of the discussion focused on issues related to land and Wilsonville’s land base.

- Participants discussed the types of land available to support businesses in Wilsonville. The discussion covered where land is located around Wilsonville and what types of land was needed in commercial and industrial categories. Discussion considered the fact that Wilsonville has an adequate land supply for the short term (<3 years) but there is a need for new areas in the longer term (Coffee Creek and Basalt Creek), as well as considering shovel ready land in the city and in the region.
- Participants discussed the different categories of land development – commercial, industrial, office, high-tech and retail. Participants said that campus style development adds to a community, in part, through its beauty. Businesses that use campus-style development are often high-tech firms that recruit new employees and that most of that recruitment comes from outside Oregon.

- Participants discussed the sale of the city's SMART building to another dentist, which resulted in the loss of good local grown company (Country Grains) because of that decision.
- There should be an inventory of vacant built space so that the City and development community know the amount and characteristics of the existing vacant built space in Wilsonville. The inventory should help people understand why the space is vacant (e.g., low ceiling height in industrial spaces). What can be done to address these issues? How can the City partner with other organizations to better use the vacant built space?
- Familiarization tours can help the major brokerage community and site consultants to understand the City's inventory of land and built space.

The group discussed issues related to the regional urban growth boundary.

- There was discussion about the Oregon Veteran's Center proposal and the UGB process. It was stated that there are too many layers of difficult regulation at the state, regional and local levels.
- It was also stated that the fact that UGB decisions are not made locally is a problem.

The group discussed types and characteristics of businesses that may be appropriate for Wilsonville.

- There was a suggestion that manufacturing and industrial uses should be priorities.
- Participants commented that Wilsonville has been successful with economic development in the past. Given that success and Wilsonville's location, Wilsonville should be picky about the businesses it attracts and that it should preserve the prime sites for only the best companies.
- Participants discussed the importance of recruiting living wage and higher wage jobs because not all jobs are created equal. It was also stated that higher paying jobs are important but there should be diversity in jobs and pay ranges.
- Participants discussed how to do a better job supporting supply-chain businesses for existing clusters.
- There is the desire to see the community have more synergy among existing businesses.
- Wilsonville's new identity needs to be more than that it is a strip of warehouses. There is not a perception that there is a progressive business nucleus.
- Fiber optic cabling is an important amenity for old and new sites. Investments in fiber are key.

- Rail system should be better used. There were comments about food supply, food safety and food processors. For example, there were inquiries from Japan around Fukushima about food supply issues.

Participants discussed what Wilsonville could do and the potential role of the City.

- Views of the role of government varied, including: let the market take care of itself, government should stay out of the way of things; the process will take care of itself; to Wilsonville should stick with its long-standing model of managing/providing quality infrastructure to stay within capacity and meet the needs of growth.
- A participant pointed out that development has always been led by private investments and business and that the City provides the framework through infrastructure and the market follows. The system is market driven.
- The City should leverage the assets in Wilsonville, including quality of life, the school system, and the opportunities resulting from OIT.
- Community support services are important for meeting the needs of the community.
- City should show flexibility, being careful not to disregard the intent of the City's regulations.
- The City should have a clear strategy and vision for economic development.

Participants discussed Wilsonville's imbalance of jobs and housing.

- On jobs-housing balance, understand whether people who make more money live in Wilsonville. Is there a higher percentage of people in this category who live here and can the numbers be analyzed?
- Participants are concerned that the jobs and housing imbalance is contributing to the decline in Town Center area with new retail on west side.

Participants discussed quality of life issues.

- Balance is the key. Participants advised keeping the balance of high quality of life and economic development in mind when making decisions. The people who live in Wilsonville are key.
- Supporting the schools is important.
- OIT may provide benefits in the future, including spurring the start up of companies.
- City layout could create more challenges or conflicts in the future, but today it works very well.

When asked about final advice to the City, participants gave the following advice:

- Desire for locally owned healthy restaurants and businesses, as opposed to chains.
- Identify the type of development that the city wants and focus on that.
- Focus on the vacant buildings, particularly office space.
- Need for better hotels to enhance tourism.
- Concerns about leadership. Need leaders who affect growth.
- City should stick to what it does best - infrastructure.
- Protect planned land uses, do not convert from one to another.
- Balance - pay close attention to the transportation policies.
- Look outside to see what is going on around the west coast, there is a lot to be learned.

## LAND AND BUILDINGS

Stakeholder participants provided ideas on how to make land area efficient for accommodating future development.

- The City should conduct public surveys to ascertain local support for major land use changes, such as proposed zoning amendments or proposed annexations that may result in significant levels of development activity.
- Consider land use policies and public investment strategies to encourage office development within the Town Center, such as allowing increased building heights/densities for office buildings in conjunction with creation of a parking district that provides on- and off-street public parking facilities (including a public parking structure). Development of parking structures in the Town Center may entail creation of a public/private investment strategy that results in mixed use parking/commercial developments (such as in downtown Lake Oswego or at Bridgeport Village).
- Within the context of public/private development strategies, stakeholders cautioned the City not to get too far ahead of current market forces with regard to achievable private lease rates and absorption forecasts.
- Consider land use policies, such as a zoning overlay district, that would allow office development to occur within industrial areas at key transit station areas.
- City (and/or Washington County) may consider using urban renewal district to assemble land within Coffee Creek or Basalt Creek plan areas, prior to annexing land into the City.
- After Coffee Creek and Basalt Creek master plan areas near build-out, long-term industrial land need could consider urbanization of land around the Aurora

Airport if adequate public facilities (roads, water, sewer, etc.) can be provided with a positive public and private return on investment. Note, this may require policy actions and investment at local, regional and state levels.

- One stakeholder participant also recommended changes in state and Metro land use policies that would result in expedited local urbanization of land adjacent to the City for development of employment uses (i.e., Basalt Creek Plan Area).

## TRANSPORTATION AND OTHER INFRASTRUCTURE

Participants discussed transportation infrastructure issues at length. Many comments came from individual participants without discussion or debate from others in attendance.

- The Aurora Airport is an asset and magnet for businesses, but it is not well known. Further promotion of the transportation opportunities provided by the airport could help in efforts to recruit or retain businesses in Wilsonville.
- Off-road bike paths add to the local quality of life and quality of life causes some businesses to want to locate here.
- SMART is well-done. It is a business magnet that provides good connections to other transit systems and other communities. It would be even better if it could be expanded in terms of hours of operation.
- Rail lines in Wilsonville connect to other areas in the Metro Region. They provide untapped opportunities for commuter rail with connections via WES, SMART, TriMet. Given that the rails already exist through Wilsonville to the north, with east-west lines through Lake Oswego and Milwaukie and on Portland, there are opportunities for more and better commuter rail service.
- The City needs a better way of dealing with parking. This could include improved transit or parking structures built through public/private partnerships. The Parking structure in downtown Lake Oswego was mentioned as an example of a public/private partnership.
- The City needs better north-south arterials. Traffic congestion is a problem, with too much out-of-direction travel. The somewhat disconnected arterial system on the west side of I-5 was noted, where travelers have to make frequent stops to connect from Boones Ferry Road to 95<sup>th</sup> Avenue and back to Boones Ferry when traveling north or south. Further to the west, Grahams Ferry Road does not serve as a continuous truck route. This was emphasized as an important issue in the City's Transportation Systems Plan update which is now under way.
- Boone Bridge (I-5) capacity is a concern. Construction of an Arndt Road bypass to Canby (and possibly beyond) is seen as a possible way to alleviate some I-5 traffic problems.

Participants discussed issues related to infrastructure funding:

- Infrastructure funding is an issue. What will be done in the future? We continue to see diminishing Federal funds.
- The City has a good history of leveraging outside funding, especially from developers, ODOT and Federal sources.
- The City has a good history of preparing infrastructure master plans (Transportation System Plan, Stormwater Master Plan and Water Master Plan were mentioned), but there needs to be an overall long-term strategy for funding improvements, with or without State or Federal funds.
- There has been a practice (by ODOT and the Fed's) of not funding major transportation improvements until systems are broken.

Other issues discussed by participants include:

- Wilsonville feels something like a campus. The relatively low density feeling is part of the Community's quality of life that can be attractive to businesses.
- Move forward with Coffee Creek's development. Use Urban Renewal or find another funding source. The area also needs land assembly, which could benefit from having an Urban Renewal District. Annex Coffee Creek into the City soon, following a master plan for the area. Do not wait until the entire area is ready to be annexed.
- Phasing of Basalt Creek transportation improvements needs to happen in a way that protects the capacity of the North Wilsonville interchange. Washington County is moving forward with plans for major transportation improvements in that area and the City of Wilsonville needs to make sure the N. Wilsonville interchange remains functional for freight and commuter use.
- Wilsonville needs better broad-band infrastructure capacity because new businesses will expect it.

## **WORKFORCE DEVELOPMENT**

The City can do the following things to assist with workforce development:

- Make it easy for students to get to Oregon Tech. This includes ensuring that Wilsonville continues to have sufficient capacity on I-5. But more immediately, the City can provide bus service to Oregon Tech during the hours when bus service is needed but lacking: (e.g., weekdays at 9 PM or on Saturdays).
- Include Oregon Tech in planning for economic development. This can be accomplished through including Oregon Tech in meetings about economic

development. The City should understand better how Oregon Tech can support Wilsonville's economic development goal.

- The City can help Oregon Tech understand the workforce training needs of existing and new businesses.
- The City could try to attract businesses that need workers in the industries that Oregon Tech provides training for.

## **QUALITY OF LIFE AND PUBLIC SERVICES**

- Participants want the City to keep the diversity of Wilsonville, as the City develops in the future. Give people residential choices and consider including commercial in residential areas (e.g., corner store) in order to reduce amount of vehicle trips.
- Participants disagreed about the impact of density, about whether it leads to deterioration of the overall city or whether it creates a more walkable community feel.
- Some participants were concerned about having more than 50% of housing in multifamily housing.
- Participants suggested balancing the current quality of life with density.
- Infrastructure concurrency standards are part of the reason that Wilsonville has such a high quality of life. The City does not allow businesses to develop if there is not sufficient infrastructure to support the business.
- Traffic related to new businesses, especially at the I-5 interchange at Wilsonville Road, is critical and should improve over time.
- The City should work hard to make sure the physical barriers of the Interstate and River do not divide the city in a negative way. Participants want the City to provide good connections across physical barriers.
- Some transportation improvements have helped people to get around Wilsonville better and should continue to work on improvements.
- Participants want existing businesses supported more.
- Participants think that supporting the school system and keeping high quality schools in Wilsonville is important.
- Participants suggest encouraging working and living in Wilsonville.
- Participants recommended doing more to accommodate conferences and conventions. There is not sufficient space in Wilsonville for these types of uses.

## BUSINESS SERVICES, PROCESS, AND COMMUNICATION

- One business noted that in 1995, when it did major improvements, the process was slow, cumbersome and costly, requiring company to hire an attorney. However, both two years ago and this year, the business found the permitting and development process went faster and was more streamlined.
- The City has been providing assistance to businesses with city, state, and federal issues that have helped with regulatory issues and business-development efforts.
- One corporate business manager said the he had been assigned over time to sites in eight different cities across the US. Wilsonville was the first city that proactively contacted him to see how City could help and to offer business-development information.
- Improvements in business processes by the City included changes in sign code, greater active engagement with the business community, expedited permitting process for tenant improvements. The City sells itself.
- Continue improving City permitting and development processes:
  - For example, the City's tree-planting requirements tend to result in signs being obscured from view with the trees as they mature; a suggestion was made that City have trees placed to the sides of a business sign, rather than in front of the sign. Trees were recognized, however, as improving the quality of life and helping to create a welcoming business environment.
  - City could consider a mitigation "tree-fund," where a business might pay into a fund for trees to be planted in locations more appropriate than right in front of the business' sign or entrance.
  - Consider use of a form-based code, or a model or template, for new development or improvements.
- Keep the building standards high. May cost more up-front, but retains greater long-term value of the private real-estate investments in Wilsonville.
- City communications and messaging to businesses has improved markedly over the past few years – and the City should do even more:
  - Consider producing a periodic (quarterly) e-mail newsletter with a range of business-related information and topics, such as City's expedited tenant improvements permitting program, federal/state business grants, export-development opportunities, and new businesses coming to Wilsonville.
  - E-mail newsletter would have links to City website and other resources.
  - Keep the e-mail business newsletter concise with a good subject line.
- Understand Wilsonville's competitive advantages and disadvantages relative to neighboring communities. How do we compare?

- The City should blow its horn more in a concerted effort and promote the City's successes with businesses and development. City can be more pro-active in marketing - call it 'economic development.' City should use positive testimonials, as are being said here today. Communicate this information to other businesses and especially commercial/industrial real-estate brokers.

## POTENTIAL BUSINESS INCENTIVES

- The group discussed the tension between a targeted approach to economic development that attracts and incents specific types of businesses (either by industry type or by the income associated with jobs) and a "platform" approach, that focuses on ensuring that the fundamentals that support ANY business are in place. While opinions of individuals ranged across this spectrum, in general the group agreed that:
  - The economic development strategy should first get the foundation right, so that all businesses that are here currently and that might come in the future are poised for success. This means:
    - Ensuring the available employment land is appropriately served with infrastructure, even before a potential tenant is identified
    - Ensuring that the transportation system is functional to move people to and from their jobs and goods to and from market
    - Effectively promoting the benefits of Wilsonville to potential residents and businesses
    - Ensuring that permitting procedures are smooth and efficient, and don't create barriers to redevelopment
  - At the same time, the group recognized that some targeted incentives could be beneficial for the City. The group generally agreed that establishing a set of criteria by which incentives might be distributed in advance of developing and implementing incentive programs would ensure that the incentives are provided to the right kinds of businesses. While the group did not dive deeply into discussion of those criteria due to time constraints, their initial discussion emphasized that the criteria should not "pick winners and losers" based on job classification or income, but rather should focus on evaluating the degree to which potential incentive recipients participate in community-building activities. Will the business be a good civic partner? What is its track record of community contributions?
  - Several group members expressed opposition to the use of urban renewal as a funding mechanism for incentives.
  - Advice to the City from the group: Be clear on what you will and won't do in the criteria for incentives. Also, staff should smile more.

**Economic Development Strategy for Wilsonville**  
Public Summit – May 31<sup>st</sup>, 2012

The City would like your opinions. If you are willing, please take **five minutes** to complete this survey. On this page: a few questions about who you are and about the information presented tonight. The back page is for your written comments (optional). See a member of the City staff you have questions.

**a) Please indicate the category that best fits you:**

- Member/representative of organization interested in economic development issues
  - Public  Private/nonprofit
 Organization: \_\_\_\_\_
- Wilsonville resident
- Employee at a business in Wilsonville
- Owner or manager of Wilsonville business
- Other: \_\_\_\_\_

**b) How long have you lived or worked in Wilsonville?**

- 0-5 years       6-10 years
- 11-20 years     21+ years

**c) Your home zip code:** \_\_\_\_\_

Following are five statements about material from tonight's presentation. Please indicate the extent to which you agree or disagree. **Circle one number.** If you want to give an explanation, write it on the back page.

**1. The City should support growth of jobs and economic activity in Wilsonville.**

- 1 - Agree
- 2 - Agree (with qualifications)
- 3 - Undecided/so-so
- 4 - Somewhat Disagree
- 5 - Strongly Disagree

**2. The City should take a more active role in promoting economic development in Wilsonville.**

- 1 - Agree
- 2 - Agree (with qualifications)
- 3 - Undecided/so-so
- 4 - Somewhat Disagree
- 5 - Strongly Disagree

**3. Economic development policies should balance the potential impacts of economic growth with those on the quality of life in Wilsonville.**

- 1 - Agree
- 2 - Agree (with qualifications)
- 3 - Undecided/so-so
- 4 - Somewhat Disagree
- 5 - Strongly Disagree

**4. The Wilsonville Economic Development Advisory Committee identified some actions as potentially appropriate for inclusion in Wilsonville's economic development strategy. The table below includes a selection of key actions identified by the Committee. Please indicate your level of agreement for including the following actions.**

The City should....	Agree	Agree (with quals)	Undecided/so-so	Somewhat Disagree	Strongly Disagree
Provide public facilities and services (including those that maintain and enhance quality of life), but otherwise should spend little to attract new businesses	<input type="checkbox"/>				
Coordinate planning for land use and capital improvement (e.g., transportation) with economic development strategies	<input type="checkbox"/>				
Increase coordination regarding economic development policies and activities among the City, Chamber of Commerce, other business organizations, and other agencies	<input type="checkbox"/>				
Promote reuse of vacant industrial buildings	<input type="checkbox"/>				
Identify the types of businesses that Wilsonville should try to attract and develop policies to attract those types	<input type="checkbox"/>				

**5. Based on my knowledge and experience, the approaches to economic development discussed tonight seem reasonable to me.**

- 1 - Agree
- 2 - Agree (with qualifications)
- 3 - Undecided/so-so
- 4 - Somewhat Disagree
- 5 - Strongly Disagree

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*OPTIONAL If you would like additional information...*

*Contact....*

Stephan Lashbrook  
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*Or provide us with your email or mailing address for future notices....*

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**April 16, 2012**

**TO: Wilsonville Economic Development Strategy Advisory Committee**  
**CC: Stephan Lashbrook, Kristin Retherford, and Mark Ottenad**  
**FROM: Beth Goodman**  
**SUBJECT: SUMMARY FROM ECONOMIC DEVELOPMENT FOCUS GROUPS**

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The City of Wilsonville is developing an economic development strategy. On April 12<sup>th</sup>, the City hosted four focus group discussions about economic development, with 42 participants. Terry Moore from ECONorthwest facilitated the focus group discussions. The discussions focused on the following broad questions:

1. Given that the City wants to attract and retain businesses while maintaining a high quality of life...What are the opportunities and obstacles for economic development in Wilsonville?
2. Given the opportunities and obstacles discussed...What actions should be taken to capitalize on the opportunities and to mitigate the obstacles?

Prior to beginning the discussions, participants in each focus group were invited to write down their opinions of Wilsonville's advantages and disadvantages for economic development and potential options for capitalizing on advantages and addressing disadvantages.

This memorandum summarizes the key themes from the focus group discussions and written ideas. Appendix A lists focus group participants.

## **FOCUS GROUP SUMMARY**

The following section summarizes the themes from the four focus group discussions.

### **CITY STAFF AND LEADERSHIP**

- **Helpful city staff.** Participants said that City staff help businesses navigate the development process, using the regulatory tools available to them. Staff have an important role to play in successfully retaining, expanding, and recruiting new businesses. Several participants noted that key City staff have been leaving the City, which may decrease staff's ability to assist businesses.

- **Change in City leadership.** Participants in each group discussed the effect of changes in the City's elected leadership. Some participants said that these changes are helpful to businesses because new leaders are more sensitive to business needs. Other participants said that the new leaders have a different approach to economic development that may reduce the high quality of life in Wilsonville and is inconsistent with the existing policy framework.
- **Relationship between City and Chamber leadership.** Participants discussed the historical and current relationship of leadership at the City and Chamber of Commerce. Coordination between the City and Chamber is important because both organizations are working on similar economic development issues and there should be more connection between the two efforts. One participant observed that the Chamber has become "a political organization, not an economic development organization." In the recent past few years, communication and the relationship between City leaders and Chamber leaders was poor, resulting in a lack of coordination between the City and Chamber. Some participants noted that this relationship has started to improve recently.
- **Anti-business reputation.** Wilsonville has a reputation as a place where development is difficult and expensive due to high development standards, costly fees and exactions, and dealing with code enforcement. The perception of the development sector is that Wilsonville is a place to avoid for new and relocating businesses in the Portland region. Changing this reputation will take time and will require the support of the business community to recommend Wilsonville as a place to do business to their peers.

## REGULATION

- **Sign code and design standards.** Participants from all four groups said that complying with the sign code and design standards (e.g., painting the exterior of a business) is time consuming, costly, and complex. Complying with these regulations can take several months and has required some businesses to hire consultants to meet the City's requirements.
- **Higher development cost.** The costs of development, such as systems development charges, are perceived as higher in Wilsonville relative to other communities in the region. For example, the higher costs make it difficult for developers in Wilsonville to build office space at a competitive price comparable to space in other communities in the regional Portland market. Participants said that this makes Wilsonville less competitive in the Portland region. However, several participants noted that the consistently high development standards maintained the value of real-estate investments and that capacity improvements accompanied development fees.
- **Greater flexibility in development review.** Participants said that businesses and the City needed greater flexibility in the development review process, both to

speed up the review process and make complying with regulations less expensive.

## **BALANCING GROWTH WITH MAINTAINING HIGH QUALITY OF LIFE**

- **Deliberate economic growth.** Participants in all four groups agreed that Wilsonville's high quality of life and livability is one of the City's biggest assets for economic development. Participants were generally supportive of a pro-development attitude but were concerned that the quality of life in Wilsonville should not be decreased or sacrificed for economic growth. Several people suggested that the City should focus on "high quality growth" or "smart growth," rather than trying to attract all kinds of growth. Some participants suggested that the City should decide what types of businesses the City wants to attract very carefully, considering the positive and negative impacts of different types of businesses.
- **Infrastructure capacity.** Several participants recognized that a key part of the City's high quality of life is the existing infrastructure capacity. They suggested that economic growth should not outpace growth in infrastructure capacity nor compromise quality.
- **Define an identity.** Participants from each group talked about the City needing to define an identity for economic development. Some participants expressed concerns about looking at the high quality of life in Wilsonville in the absence of a clearly defined vision for Wilsonville's economic identity. Wilsonville has many economic opportunities, unlike most communities, and can choose from a range of economic development identities. Their comments can be summed up by the questions:
  - What sort of community does Wilsonville want to grow to be?
  - What should the City's priorities be for economic development?
  - Who will the City's policies serve - such as residents, businesses, employees, or other groups?
- **Jobs and housing balance.** Wilsonville has historically had more workers than residents. Most residents commute out of the City for work and most employees commute into the City for work. Participants discussed the need to decrease commuting and maintain a better balance of jobs and housing. Some participants suggested that the City needs more affordable workforce housing so that more people can work and live in Wilsonville. Other participants felt that the issue would resolve itself as gas prices increased, raising the costs of commuting. A few participants thought there would always be some amount of commuting because not all people may choose to live and work in the same city.

## TRANSPORTATION

- **I-5 access.** Participants in all groups agreed that Wilsonville's primary comparative advantage is the City's location along I-5 (between Portland and Salem) and near I-205. Participants noted the importance of access to I-5 for moving freight.
- **Transit.** Participants noted the importance of transit for moving workers, especially as an alternative for automotive commuting. They said that increasing transit capacity is important for maintaining capacity for moving freight on I-5. Several participants said that local transit does not operate frequently enough throughout the day, serves too few hours on weekdays, and does not operate enough on weekends; limited transit service makes reliance on transit as a primary transportation mode more difficult.
- **Local transportation connections.** Local street connections are limited by I-5, the Willamette River, and other waterways. There are few local streets that connect the different parts of Wilsonville across these barriers, resulting in traffic congestion within the City.
- **French Prairie Bridge.** Several participants expressed strong support for studying the feasibility of building the proposed bike-ped-emergency bridge and the potential economic benefits of the bridge, especially for increasing tourism opportunities for bicyclists.

## WORKFORCE

- **Local educational assets.** All groups discussed the high-quality of Wilsonville's local educational assets and the importance of these assets for producing a high-quality workforce. These assets include: the K-12 public education system, Clackamas Community College, Pioneer Pacific College, and the Oregon Institute of Technology (OIT). Participants generally agreed that the high quality of the local educational system is an important advantage for Wilsonville, both for attracting businesses and for producing skilled workers.
- **Lack of available trained workforce.** Several participants noted the difficulty in finding trained workers in Wilsonville, which results in expansions of their business in places with a skilled workforce (e.g., Salem or Vancouver). Difficulty in finding trained workers may vary depending on the type of business; construction firms may look to other communities for trained workforce and some specialized high-tech firms may locate/expand in other communities.
- **Opportunities from Oregon Institute of Technology (OIT).** Participants in all groups discussed how OIT may change workforce development in Wilsonville by providing a range of high-tech educational opportunities. Several participants described OIT's coming to Wilsonville as "a game-changer." One participant said that having this training opportunity a few minutes away from businesses in

Wilsonville, rather than 20 or 30 minutes away, is a significant advantage because it removes a key barrier to training workers. Participants generally thought that having OIT in Wilsonville would help the City attract or grow new high-tech businesses.

- **Resources available to businesses for workforce development.** Several participants said that there should be more discussion between the business community and the agencies involved with workforce training and development. One suggestion was that more businesses should become participants in the efforts of the Workforce Investment Board, which can assist businesses with workforce development and provide input on curriculum to the local colleges.

## **ECONOMIC OPPORTUNITIES**

- **Balance types of businesses.** Several focus group members spoke about the need for a balance of the types and characteristics of businesses in Wilsonville. For example, focus group members identified maintaining a balance of retail businesses to industrial businesses, small to large businesses, and the range of potential land needs of businesses (large lot or small, infill lots).
- **Role in the regional economy.** Wilsonville needs to understand its role in the regional economy and balance that role with the City's aspirations for economic development.
- **Types of businesses to attract.** Participants in all groups discussed the fact that the City has a wider range of economic opportunities than many cities (because of the City's comparative advantages). Does the City want to remain as a distribution hub, or does it want to expand to other economic sectors? Several participants advocated being deliberate about the types of businesses that the City tries to attract, such as businesses with higher paying jobs or businesses consistent with other local goals. Other participants cautioned about being too selective about the types of businesses the City tries to attract and that the City needs to remain flexible to accommodate changes in the market. Destination retail, such as Cabela's, was promoted by many participants as an example of the type of business the City might want to attract.
- **Disconnect between community and businesses.** Several participants observed that there was a disconnect or gap between the residents who live in Wilsonville and Wilsonville businesses and their commuting employees. Most Wilsonville residents who are employed work outside of Wilsonville; most employees who work in Wilsonville reside elsewhere.
- **Vacant buildings.** Several participants noted vacant buildings and storefronts, including large industrial buildings and at commercial shopping centers in the town center area. No specific suggestions were made on how to remedy the situation.

- **Increasing tourism.** Several participants identified opportunities for increasing tourism, such as attracting bicycle tours, which would require developing the French Prairie Bridge. One participant said that hotel vacancies are very low on weekdays (with business travelers) but very high on weekends because Wilsonville has few overnight weekend visitors.
- **Cabela's.** Several participants discussed Cabela's as a lost economic opportunity and suggested that the City should have taken the steps necessary to have Cabela's locate in Wilsonville. A destination-attraction like Cabela's may have provided an opportunity to increase tourism from shoppers willing to travel to the nationally renowned outdoor equipment retailer. No downsides towards siting a Cabela's in Wilsonville were noted.
- **Increase local shopping.** Several participants suggested that one way to increase economic activity is to encourage more local shopping. In this same vein of thought it was suggested that we need sufficient housing for a population base large enough to support our local shops.

## **BUSINESS RETENTION AND ATTRACTION**

- **Changing the City's reputation.** Participants generally agreed that the City should make a concerted effort to improve its reputation for working with businesses, by getting the word out that the City is open for business. They suggested working with regional agencies (e.g., the Portland Business Alliance, Greater Portland Inc.), and undertaking strategic marketing and branding efforts.
- **Help existing businesses.** Several participants said that retaining existing businesses is at least as important as attracting new businesses. They said that the City should be doing more to help existing businesses, such as understanding what is necessary to keep businesses in Wilsonville. Some participants thought that the City should focus on small businesses and some thought that the City should help all businesses, regardless of size. However, a few participants spoke against local government providing incentives to businesses.
- **Pro-active recruitment and retention.** Several participants said that the City is reactive to the economic opportunities that present themselves. The City should develop pro-active recruitment and retention policies. The City should have outreach activities to more effectively connect businesses with the community. These activities would take a different form for existing businesses than for businesses considering locating in Wilsonville.
- **Incentives to attract new businesses.** Participants discussed potential incentives to attract new businesses - ranging from reductions in system development charges, to property tax reductions, to providing infrastructure. Participants generally agreed that providing infrastructure to accommodate growth is an appropriate incentive. Additionally, they had a range of opinions about the use of incentives - ranging from support for using incentives broadly, to using

incentives to attract specific types of businesses, to not using incentives for business attraction. An existing business owner suggested that the way to make use of incentives for attracting new businesses fair to existing businesses was to give existing businesses a reduction in property taxes.

- **Connect incentives to goals.** Some participants suggested connecting incentives to economic development goals, which should clearly state the types of incentives the City will use to attract different businesses. The City should give opportunity for public feedback on the incentives.
- **Coordination in business and economic development.** Wilsonville has no one who fills the role of coordinating business and economic development among businesses, the Chamber, the City, workforce development agencies, and other stakeholders. In Salem, this role is filled by SEDCOR (Strategic Economic Development Corporation), which brings together private- and public-sector stakeholders in advocating for economic development and planned growth.

#### **AVAILABILITY OF SERVICED LAND AND BUILT SPACE**

- **Industrial land.** The City has some vacant industrial land (in the UGB) but it is unserviced. Some participants said that it was important to get the land serviced, so that it can be developed.
- **Public funding of infrastructure.** Participants generally agreed that one of Wilsonville's advantages is the high quality of its infrastructure. Several participants were concerned about the City's future ability to fund infrastructure improvements, especially given the backlash against urban renewal.
- **Fill vacant built spaces.** Participants discussed the need to fill vacant commercial and industrial buildings, such as vacancies in the Town Center or industrial vacancies such as the former Hollywood Video or Nike facilities. Participants did not propose specific solutions but seem to have implied potential support for using incentives to fill vacant spaces.

## **APPENDIX A. LIST OF FOCUS GROUP PARTICIPANTS**

### **GROUP 1**

**Dave Bernert**, CEO, Wilsonville Concrete Products

**Theresa Decker**, Administrator, Marquis Care at Wilsonville

**Anne Easterly**, Member, City of Wilsonville Budget Committee; Small Business Relationship Manager, KeyBank Business Banking; Board Director, Strategic Economic Development Corp. (SEDOR)

**Michelle Labrie-Ripple**, Principal, NW Automation & Control; Former Wilsonville City Councilor; Former Chair, City of Wilsonville Advisory Committee on Master Planning

**Bob Oleson**, Principal, Oleson Consulting

**Fred Osborn**, Education Director, Pioneer Pacific College

**Kim Parker**, Executive Director, Clackamas County Business Alliance; Executive Director, Workforce Investment Council of Clackamas County (WICCO)

**Adrian Polliack, PhD**, President, Sam Medical Products

**Teresa Portner**, Store Director, Albertsons

**Theresa Taaffe**, Economic Development Manager, PGE - Economic Development

**Boyd Westover**, Plant Manager, Eaton Corporation

### **GROUP 2**

**Gary Barth**, Deputy Director, Economic Development, Clackamas County Economic Development

**Chad Freeman**, Business Development Officer, Oregon Business Development Department

**Cindy Hagen**, Recruitment Specialist, Clackamas County Economic Development

**Tony Holt**, Member, City of Wilsonville Budget Committee

**Dale Hoogestraat**, Board Chair, West Linn-Wilsonville School District

**Andrew Karr**, Member, City of Wilsonville Development Review Board

**Al Levit**, Member, City of Wilsonville Planning Commission

**Shelly Parini**, Dean of College Advancement, Clackamas Community College Foundation

**John Schenk**, Member, City of Wilsonville Development Review Board

**Shelly Tracy**, Director, Wilsonville Training Center, Clackamas Community College

**Cindy Tyree**, Member, City of Wilsonville Parks & Recreation Advisory Board

### **GROUP 3**

**Donna Bane**, President, Wilsonville Kiwanis

**David Brandstaetter**, Director of Operations, Pioneer Pacific College

**Jeff Brown**, General Manager, Holiday Inn - South Portland/Wilsonville

**Danielle Cowan**, Executive Director, Clackamas County Tourism & Cultural Affairs (CCTCA)

**Mary Furrow**, President, Furrow Pump, Inc.; former Board Chair, West Linn-Wilsonville School District

**Ryan Gillett**, VP/Operations, SYSCO Food Services of Portland

**Peter Hurley**, Member, City of Wilsonville Planning Commission

**Dave Jachter**, GM/Owner, Wilsonville Toyota

**Melinda Merrill**, Director of Public Affairs, Fred Meyer Stores

**Susan Myers**, General Manager, Capital Realty Corp.

**Stacey Rungay**, Principal Broker, Wilsonville Realty

**Jonathan Schlueter**, Executive Director, Westside Economic Alliance

### **GROUP 4**

**Brad Hansen**, President, Wilsonville Rotary Club Foundation; Mortgage Consultant, Guild Mortgage Company

**Jennifer Johnson**, Tourism Director/Visitor Center Manager, Wilsonville Chamber of Commerce / Clackamas County Regional Visitor Center

**Monica Keenan**, Member, City of Wilsonville Development Review Board

**Lenka Keith**, Member, City of Wilsonville Development Review Board

**Laura LaJoie**, Principal, Joy of Life Chiropractic Clinic

**Ken Rice**, Member, City of Wilsonville Parks & Recreation Advisory Board

**Mick Scott**, Historian, Wilsonville-Boones Ferry Historical Society

**Carol White**, Past-Vice-President, Charbonneau Country Club

## Economic Development Advisory Committee Members



*Listed Alphabetically by Last Name*

March 22, 2012

**Ben Altman** is a Past-President of the Wilsonville Chamber of Commerce, which represents Wilsonville-area businesses. Ben serves on the Wilsonville Planning Commission as Chair and is a Planner with SFA Design Group, LLC, which periodically represents business clients before the City's Development Review Board. He formerly served as Planning Director for the City of Wilsonville. Ben serves as alternate to Ray Phelps, who represents the non-profit business association sector on the committee.

**Lita Colligan** is Associate Vice President of Strategic Partnerships for Oregon Institute of Technology (OIT), the state's leading applied-sciences university. OIT is consolidating four metro-area operations during 2012 to a new campus in Wilsonville, where the university also has existing partnerships with various technology companies. Lita represents Public Institutions of Higher Education on the committee.

**Patrick Croasdaile** is Marketing Specialist for Xzeres Wind Corp., a 34-employee business based in Wilsonville. Xzeres Wind designs, develops, manufactures and markets distributed generation, wind power systems for the "small wind" (2.5kW-100kW) market, with a majority of products destined for export to other countries. Patrick is the alternate to Nancy Sage, who represents Small Employers-Industrial sector on the committee.

**Brenner Daniels** is Investment Advisor for Holland Partner Group, a diversified multi-family residential housing developer based out of Vancouver, WA. Holland Partner Group is composed of four related companies that provide development, construction management, investments and management services for multi-family residential investment. Brenner serves as an alternate to Clyde Holland, who represents Developers on the committee.

**Amy Dvorak** is a Wilsonville resident who serves on the Planning Commission and Committee for Citizen Involvement. She works as Sustainability Manager for Lewis and Clark College, Portland. Amy is the alternate to Marta McGuire, who represents Wilsonville residents on the committee.

**Thomas Garnier** is President of SSI Shredding Systems, a 120-employee company based in Wilsonville. SSI designs and manufactures low-speed, high-torque industrial shredders and size-reduction systems for a variety of solid-waste recycling and scrap-shredding applications. Tom represents Medium Employers-Industrial sector on the committee.

**Lonnie Gieber** is a Wilsonville resident who serves on the Budget Committee. He has been in the financial services industry for over 25 years. Professionally, he is a Certified Financial Planner and one of the founders of the nonprofit community organization Random Kindness.

**Clyde Holland** is CEO of Holland Partner Group, a diversified multi-family residential housing developer based out of Vancouver, WA. Holland Partner Group is composed of four related companies that provide development, construction management, investments and management services for multi-family residential investment. Clyde represents Developers on the committee.

**Steve Hurst** serves as an elected City Councilor on the Wilsonville City Council, and previously served on the Planning Commission and Parks and Recreation Advisory Board. Steve is a business banker for Sterling Bank, a Washington state-chartered commercial bank that provides full-service banking, including FDIC-insured deposits and consumer and business banking. Steve represents the public sector and serves in an ex-officio capacity as co-chair of the committee.

**Gale Lasko** is General Manager of Lamb's Wilsonville Thriftway, a 75-employee outlet of the family-owned Lamb's Thriftway five-store grocery chain. Lamb's Wilsonville Thriftway is a full-service grocery store with service deli and scratch bakery. Gale represents Major Employers-Retail sector on the committee.

**Chris Maples, Ph.D.**, is President of Oregon Institute of Technology (OIT), the state's leading applied-sciences university. OIT is consolidating four metro-area operations during 2012 to a new campus in Wilsonville, where the university also has existing partnerships with various technology companies. Dr. Maples is the alternate to Lita Colligan, who represents Public Institutions of Higher Education on the committee.

**Marta McGuire** is a Wilsonville resident who serves on the Planning Commission and Committee for Citizen Involvement. Marta works as planner for Metro regional government. Marta represents Wilsonville residents on the committee.

**Tom Parsons** is COO for Holland Partner Group, a diversified multi-family residential housing developer based out of Vancouver, WA. Holland Partner Group is composed of four related companies that provide development, construction management, investments and management services for multi-family residential investment. Tom serves as an alternate to Clyde Holland, who represents Developers on the committee.

**Craig Olson** is Sr. Director and Wilsonville Site Manager for Rockwell Collins, a major aerospace industry manufacturer with nearly 500 employees in Wilsonville. He oversees Head-up Guidance, Air Transport and Commercial systems divisions. Craig represents Major Employers-Industrial sector on the committee.

**Ray Phelps** is a Past-President of the Wilsonville Chamber of Commerce, which represents Wilsonville-area businesses. Ray serves on the Wilsonville Planning Commission and is the Director of Regulatory Affairs for Allied/Republic Waste Services of Clackamas and Washington Counties, based in Wilsonville; he formerly served as Director of the Elections Division of the Oregon Secretary of State's Office and Director of Administration and Chief Financial Officer for Metro regional government. Ray represents the non-profit business association sector on the committee.

**Nancy Sage** is Vice President of Sales for Xzeres Wind Corp., a 34-employee business based in Wilsonville. Xzeres Wind designs, develops, manufactures and markets distributed generation, wind power systems for the "small wind" (2.5kW-100kW) market, with a majority of products destined for export to other countries. Nancy represents Small Employers-Industrial sector on the committee.

**Scott Starr** serves as an elected City Councilor on the Wilsonville City Council. Scott is Branch Manager for Guild Mortgage, a leading privately-held mortgage company in the Western United States, and is a past-president of the Wilsonville Chamber of Commerce. Scott represents the public sector and serves in an ex-officio capacity as co-chair of the committee.

###

**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b>  6/18/2012	<b>Subject: Communications</b> <b>Presentation by the Korean War Memorial</b> <b>Foundation of Oregon</b>  <b>Staff Member: Mark Ottenad</b> <b>Department: Administration</b>	
<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>   	
<b>Staff Recommendation: NA</b>		
<b>Recommended Language for Motion: NA</b>		
<b>PROJECT / ISSUE RELATES TO:</b>		
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:**

This report provides information on the newly formed Korean War Memorial Foundation of Oregon, representatives of which will make a presentation before the City Council on Monday, June 18, 2012. Members of the Foundation will present a check in the amount of \$5,000 to the Council in support of defraying the City's annual Public Works maintenance costs of the Oregon Korean War Memorial in Town Center Park.

**EXECUTIVE SUMMARY:**

In November 2011, the City Council unanimously adopted Resolution 2332, "Authorizing an Agreement between the City of Wilsonville and Oregon Trail Chapter Korean War Veterans Association regarding the transfer of full ownership of the Oregon Korean War Memorial to the City." The City Council found in the resolution that "the ever-aging and decreasing membership of KWW has made it difficult for the organization to continue its role in the operation of the Memorial."

During this time, City public-affairs consultant Greg Leo of The Leo Co. helped to set up a meeting among Korean War veterans, City officials and members of the Oregon Korean-

American community, who expressed an interest in working with the veterans and City to support maintenance of the memorial and related activities.

Subsequently, City Attorney Michael Kohlhoff arranged for pro-bono legal services to be provided by Michele Wasson of Stoel Rives LLP to help establish a charitable, non-profit organization. The Korean War Memorial Foundation of Oregon was formed in April 2012 as an Oregon non-profit corporation that is pending application for 501(c)(3) federal tax-exempt status.

The newly-formed organization's mission and activities include:

“The mission of the Korean War Memorial Foundation of Oregon is to commemorate and educate the public about the Korean War. The Foundation engages in activities in support of the mission that include:

- “• Participation in the maintenance and improvement of and any other activities related to the Oregon Korean War Memorial, located at Town Center Park in Wilsonville, Oregon;
- “• Developing social-welfare programs to assist and support Korean War veterans and their families;
- “• Organizing and hosting ceremonies to recognize the contributions of Americans and Koreans in defense of a free, democratic South Korea;
- “• Developing and promoting public educational outreach efforts about the Korean War for use in schools and other venues.”

Initial incorporators of the Foundation include:

- James Lee, Chair of the Oregon Korean American Day Commission, who will act as Chair of the Foundation;
- Grace Lymm, a volunteer with the Oregon Korean-American community and spouse of former state representative and senator John Lim of Gresham;
- Don Cohen, volunteer with the Korean War Veterans Association, Oregon Trail Chapter, and sponsor of the Oregon Korean War Memorial project;
- Jin Yong Park, general manager of The Reserve Vineyards & Golf Club in Hillsboro, who will act as President of the Foundation;
- Tom Hoyoung Eum, a volunteer with the Oregon Korean-American community

### **EXPECTED RESULTS:**

The City gains a new partner with the Korean War Memorial Foundation of Oregon in conjunction with the Korean War Veterans Association, Oregon Trail Chapter, to help with maintenance costs and other activities regarding the Oregon Korean War Memorial, located at Town Center Park.

### **TIMELINE:**

The Korean War Memorial Foundation of Oregon is incorporated as of April 2012, and contributions made to the organization may be tax-deductible as a prospective 501(c)(3) federal tax-exempt organization (City understands that tax-exempt status, once granted, will be retroactive to the date of incorporation).

**CURRENT YEAR BUDGET IMPACTS:**

City receives \$5,000 as contribution for FY 2012-13 Public Works maintenance budget of the Oregon Korean War Memorial in Town Center Park.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: Gary Wallis Date: June 6, 2012

Finance welcomes financial assistance towards maintenance of the Memorial.

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK Date: June 8, 2012

As this is an informational report, I would only add that I attended the first meeting with attorney Wasson and the incorporators and attended one subsequent meeting in Mark's place to provide some input on the City's meeting agenda for the present by the Foundation of their donation toward maintenance under the first purpose of their non- profit organizational documents. Attorney Wasson is a partner at Stoel, Rives, an expert in non- profit associations and corporations and graciously agreed to assist in the initial incorporation process.

**COMMUNITY INVOLVEMENT PROCESS:**

Members of the Korean War Veterans Association, Oregon Trail Chapter, were engaged in the formation of the Korean War Memorial Foundation of Oregon as, in effect, "successors in interest" to the maintenance and improvements of the Oregon Korean War Memorial.

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

The community benefits by increasing ties with Korean War veterans and members of the Oregon Korean-American community, and by receiving funds that contribute to the public maintenance of the Oregon Korean War Memorial in Town Center Park by the City of Wilsonville.

**ALTERNATIVES:**

The City has already taken on responsibility for maintenance of the Oregon Korean War Memorial in Town Center Park from the Korean War Veterans Association, Oregon Trail Chapter. The Korean War Memorial Foundation of Oregon will help the City with this responsibility.

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

None



## **CITY COUNCIL WORKSESSION INFORMATION ITEM**

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### **WWTP – DBO Owners Representative Contract Quarterly Report**

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Meeting Date: June 18, 2012  
Report Date: June 6, 2012 (revised June 8, 2012)  
Source of Item: Engineering

Contact: Eric Mende, Deputy City Engineer  
Contact Telephone Number: 503-570-1538  
Contact E-Mail: mende@ci.wilsonville.or.us

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***THERE IS NO RECOMMENDATION, THIS IS AN INFORMATION ITEM.***

### **BACKGROUND**

To assist the City in the development and implementation of the Design-Build-Operate (DBO) concept for the Wastewater Treatment Plant (WWTP) Upgrades, the City relied heavily on expert advice provided by the Consulting Team of R.W. Beck, Inc., and Brown and Caldwell. Four phases of Owner's Representative services were originally identified. These included:

- Phase A: Development of the DBO Project Management approach, key technical criteria, DBO procurement strategy, and development of a Request for Qualifications;
- Phase B: Development of a Request for Proposal document, draft DBO Agreement and technical appendices, and assistance with proposal evaluation and negotiations;
- Phase C: Monitoring of the contractual and technical compliance of the DBO Company with the DBO Agreement during the design and construction of the project, including acceptance testing; and
- Phase D: Ongoing support related to WWTP performance.

Phases A and B are complete. The Phase C Professional Services Agreement was approved by City Council in November 2011. One of the Tasks under Phase C is a Quarterly Report to City Council pertaining to the performance of the DBO Company – CH2M HILL. Tonight is the second of these quarterly reports.

R.W. Beck, Inc. subsequently merged/was purchased by SAIC Corporation. Representatives from SAIC and Brown and Caldwell, who have been with the project through Phases A, B, and C, will provide a briefing to City Council for March, April and May 2012, and answer any questions that arise.

### **SCHEDULE**

CH2M HILL is approximately two months behind their original baseline schedule dated September 16, 2011, but they are working hard to catch up. The delay is not affecting the critical path to the Scheduled Acceptance Date. An updated Design-Build Work schedule will be submitted by the Company in early June. The Owner's Representative will conduct a detailed review of the updated Design-Build Work schedule compared to the baseline schedule.

**BUDGET**

Table 1 summarizes the Design-Build Price and the Company's Pay Requests to date:

**Table 1  
Summary of Design-Build Price and Company's Pay Requests**

Original Design-Build Price	\$35,707,414.00
Change Order Amount	\$79,719.00 (0.22%)
Current Design-Build Price	\$35,787,133.00
Pay Requests as of May 25, 2012	\$8,510,425.15
Paid to Date	\$6,854,733.14

**CONTRACT ADMINISTRATION MEMORANDA (CAM), CHANGE ORDERS (CO), AND DBO AGREEMENT AMENDMENTS (DAA)**

Five Change Orders have been executed during this quarter as summarized on Table 2:

**Table 2  
Summary of Change Orders Executed this Quarter**

Description of Change Order	Cost
Appendix 4.1.1 Global Design Changes	\$0
Electrical Construction Materials	\$0
Sidewalk around Dewatering and Drying (D&D) Building for Fire Department Access (City Request)	\$53,605
Ventilation in D&D and Gallery Buildings (Change in Law)	\$29,810
Temporary Odor Control System	\$0
New City Water Meter (City Request)	\$4,304
<b>TOTAL</b>	<b>\$87,719<sup>1</sup></b>

<sup>1</sup> Total Change Orders for the quarter has a higher dollar value than the Change Order Amount in Table 2 because Change Order No. 5 (executed in the first quarter) was an \$8,000 credit to the City.

One CAM was executed this quarter by which the City granted approval for CST Covers Inc. who will provide Contract Services valued in excess of \$50,000. One DAA was executed this quarter related to the calculation of the Service Fee to use the average CPI and ECI Adjustment Factor values for the previous calendar year (rather than Contract Year).

**DESIGN**

The final design was submitted for City review at the end of March. CH2M HILL continues to refine the design through the process of procuring major equipment and systems.

**PERMITTING**

The Public Works Permit was issued to CH2M HILL on March 19, 2012. They provided

additional support documents by the end of March. Five additional permit applications were submitted for building, mechanical, and plumbing permits that will be needed later during construction.

### **CONSTRUCTION PROGRESS**

Mobilization has continued onsite during this quarter, including mobilization of the prime construction contractor, Wildish. The Company continues to install, implement, and modify their temporary sediment and erosion control measures on the site in accordance with their Construction Plan and City input. Tree removal was completed and locates for underground utilities were performed.

Initial construction activities have included grading, yard piping changes, electrical feed modifications, and demolition of the biofilter, the rotating biological contactor structure and the partial excavation of the new aeration basin. The Temporary Odor Control system has been operational for approximately three weeks, during which time no odor complaints have been filed.

The Company worked with Oregon Department of Transportation (ODOT) to establish an employee parking area on the ODOT property adjacent to the WWTP Site. Construction of a temporary access road to the ODOT property was completed.

Procurement for major equipment and yard piping has started. The Company has responded to and approved Requests for Information and early Submittals.

The Company, City and Owner's Representative continue to meet at the Monthly Construction Meetings to discuss the Company's progress and any outstanding issues. Weekly Construction Check-in Meetings with the City and the Company and the Owner's Representative are held as needed.

### **ANTICIPATED ACTIVITIES FOR NEXT QUARTER**

- HSSE Safety Training for anyone who plans to be on the WWTP site during construction
- Additional permitting activities
- Development of draft Acceptance Test Plan and Hydraulic Test Plan
- Further refinements to the Company's planned construction sequencing
- Long lead time procurement items to be ordered
- Completion of structural demolition, new yard piping, and slope stabilization
- Completion of major earthwork
- Monthly Construction Meetings

### **ONGOING PROJECT SUCCESS**

- Design completed on schedule and budget
- Minimal change orders through design
- Strong partnering relationships among team members
- No accidents or injuries

# CITY COUNCIL ROLLING SCHEDULE

## Board and Commission Meetings 2012

### JUNE

Date	Day	Time	Event	Place
6/18	Monday	7 p.m.	City Council Meeting	Council Chambers
6/25	Monday	6:30 p.m.	DRB Panel B	Council Chambers
6/27	Wednesday	6:30 p.m.	Library Board	Library
6/28	Thursday	6 p.m.	Economic Development Advisory Committee	Willamette River Rooms I, II

### JULY

Date	Day	Time	Event	Place
7/2	Monday	7 p.m.	City Council meeting	Council Chambers
7/4	Wednesday		4 <sup>th</sup> of July City offices closed	
7/9	Monday	6:30 p.m.	DRB Panel A	Council Chambers
7/11	Wednesday	6 p.m.	Planning Commission	Council Chambers
7/12	Thursday	6:20 p.m.	Parks and Recreation Advisory Board	Council Chambers
7/16	Monday	7 p.m.	City Council Meeting	Council Chambers
7/23	Monday	6:30 p.m.	DRB Panel B	Council Chambers
7/25	Wednesday	6:30 p.m.	Library Board	Library

## COMMUNITY EVENTS

### Water Parks Opening

Murase Plaza and Town Center Park water features open June 15, 2012

### Wilsonville Farmers Market

Sofia Park 28836 SW Costa Circle Villebois  
Every Thursday beginning June 28 – 4 p.m.



### Scenic Trolley Tours

Thursday, June 21 – 10:30 a.m.

Thursday July 19 - 10:30 a.m.

Thursday August 16 – 10:30 a.m.

Seating is limited; call 503-582-3727 for a reservation

### Bike Tour Exploring Boeckman Creek

Saturday, July 7, 10 am to 12 noon

Meet at Canyon Creek Park

**Day Dream Ranch Neighborhood**

Thursday July 12 – 5 p.m. Neighborhood BBQ



**Rotary Summer Concerts**

All will begin at 6:30 p.m. on Thursday evenings in Town Center Park  
Wilsonville, Oregon:

- **July 19: Johnny Limbo and the Lugnuts** — Classic rock ‘n’ roll from the 1950s and 1960s
- **July 26: The Lloyd Jones Struggle** — Rhythm and blues originals
- **August 2: Hit Machine** — Hits from the 1970s and 1980s
- **August 9: Big Night Out** — Rock, pop, funk and dance

**Movies in the Park**

Memorial Park - River Shelter

July 20 – Puss in Boots

July 27 – Dolphin Tale

August 3 – The Muppets

August 24 – The Lorax

All movies are FREE and will be shown on an inflatable BIG SCREEN at the River Shelter in Memorial Park. Be sure to bring a blanket to sit on. Popcorn, candy, drinks & other eats available for purchase. Lawn opens at 8:15 p.m. Movie starts at dusk. For more information contact Brian Stevenson at 503-570-1523.

**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b>  <b>June 18, 2012</b>	<b>Subject: Janitorial Services Agreement</b>  <b>Staff Member: Delora Kerber</b> <b>Department: Public Works</b>	
<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 checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" 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>Approve the contract with Tualatin Valley Workshop, Inc. to provide Janitorial Services for City of Wilsonville Public Facilities.</b>		
<b>Recommended Language for Motion:</b> <b>I move to approve Resolution No. 2372</b>		
<b>PROJECT / ISSUE RELATES TO:</b>		
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:** Council approval of the Janitorial Services Agreement is needed to continue providing cleaning services to City buildings.

**EXECUTIVE SUMMARY:** In 1977, the Oregon Legislature passed the “Products of Disabled Individuals” act which obliged local governments to purchase goods and services from Qualified Rehabilitation Facilities (QRF) when the product or service is listed on the Department of Administrative Services (DAS) Procurement List and meets the agency’s requirements.

The details of this act are contained in Oregon Revised Statute (ORS) Chapter 279.835 to 279.855 and Janitorial Services are one of the services identified on the DAS Procurement List.

The purpose of ORS 279.835 to 279.855, 279A.025 (4) and 279C.335 is to encourage and assist individuals with disabilities to achieve maximum personal independence through useful and productive gainful employment by assuring an expanded and constant market for sheltered workshop and activity center products and services, thereby enhancing their dignity and capacity for self-support and minimizing their dependence on welfare and need for costly institutionalization.

Tualatin Valley Workshop, Inc. meets the criteria of a Qualified Rehabilitation Facility and the requirements of ORS 279.845(2); 279.850(1), and OAR 125-055-0010

Price for goods and services provided by Qualified Rehabilitation Facilities is determined by the Department of Administrative Services (DAS) in accordance with OAR 125-055-003 and DAS has final approval of price determination.

**EXPECTED RESULTS:** With the execution of this Janitorial Agreement contract, the City will be in compliance with the Products of Disabled Individuals Act while providing cleaning services to City buildings.

**TIMELINE:** This contract for Janitorial Services is for a one (1) year period with an automated renewal another one (1) year period unless either party terminates the Agreement prior to the expiration of the initial term.

**CURRENT YEAR BUDGET IMPACTS:** Funding for the Janitorial Services in FY 2012/2013 budget was estimated at \$153,500.00 and this Janitorial Agreement is for \$160,867.19. Price determination is made by the Department of Administrative Services. The additional \$7367 of funding needed for this contract will be proportionally allocated from each of the program funds.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: GW Date: 6/8/12

As indicated our budget estimate for 2012-13 is slightly less than the contract award. Departments will absorb the small difference through cost reductions in other program areas.

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK Date: 6/8/2012

The award of this contract brings the City into conformance with the applicable laws as noted in the report above. The Resolution is approved as to form.

**COMMUNITY INVOLVEMENT PROCESS:**

No public outreach was implemented for this contract.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:** People who work in a Qualified Rehabilitation Facility (QRF) need help and by using services from a QRF business it puts disabled people to work.

**ALTERNATIVES:** There are five Qualified Rehabilitation Facilities that provide services in the Wilsonville area and the City could contract with any of those Facilities and meet the State

requirement. Based on staff's research, Tualatin Valley Workshop best fits the needs of the City.

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

- A. Resolution No. 2372
- B. Janitorial Services Agreement

**RESOLUTION NO. 2372**

**A RESOLUTION OF THE CITY OF WILSONVILLE APPROVING AN AGREEMENT WITH TUALATIN VALLEY WORKSHOPS INC. FOR THE PROJECT KNOWN AS JANITORIAL SERVICES**

WHEREAS, the City requires janitorial services for City facilities located throughout the City; and

WHEREAS, the City is obligated to comply with the "Products of Disabled Individuals Act" to purchase goods and services from a Qualified Rehabilitation Facility; and

WHEREAS, in accordance with OAR 125-055-003, the Department of Administrative Services determines the reasonable and adequate price for QRF products and services; and

WHEREAS, Contractor represents that Contractor is qualified to perform the services described herein on the basis of experience and technical knowledge; and

WHEREAS, Contractor is a Qualified Rehabilitation Facility pursuant to ORS 279.845(2); 279.850(1), and OAR 125-055-0010; and

WHEREAS, the proposed price has been submitted to the Department of Administrative Services and State Procurement Office for approval; and

WHEREAS, Contractor is prepared to provide such services, as the City does hereinafter require, under terms and conditions hereinafter described; and

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

1. The Wilsonville City Council hereby approves and authorizes the City Manager to execute on behalf of the City of Wilsonville the Contract Agreement with Tualatin Valley Workshops, Inc., a qualified Rehabilitation Facility, pursuant to ORS 279.845(2); 279.850(1), and OAR 125-055-0010 for the project known as Janitorial Services, a copy of which is attached as Exhibit 1 and by this reference included herein as if fully set forth.
2. Initial Term of the Contract Agreement is for the period between July 1, 2012 and June 30, 2013 for a total sum not to exceed \$ 160,867.19.

3. Contract Agreement will automatically renew for a second one (1) year term (“Renewal Term”) unless cancelled by either party prior to expiration of the Initial Term.
4. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 18<sup>th</sup> day of June 2012, 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 Nunez	_____
Councilor Starr	_____
Councilor Goddard	_____

Attachment: Janitorial Services Agreement

**CITY OF WILSONVILLE  
JANITORIAL SERVICES AGREEMENT**

This Janitorial Services Agreement ("Agreement") is made and entered into on this 2nd day of July, 2012 ("Effective Date") by and between the **City of Wilsonville**, a municipal corporation of the State of Oregon (hereinafter referred to as the "City"), and Tualatin Valley Workshop, Inc. (hereinafter referred to as "Contractor").

**RECITALS:**

WHEREAS, the City requires services which Contractor is capable of providing, under terms and conditions hereinafter described; and

WHEREAS, Contractor represents that Contractor is qualified to perform the services described herein on the basis of specialized experience and technical expertise and that Contractor is a Qualified Rehabilitation Facility pursuant to ORS 279.845(2); 279.850(1), and OAR 125-055-0010;

WHEREAS this Agreement is subject to the Products of Disabled Individuals Act ("PDIA"); and

WHEREAS, Contractor is prepared to provide such services, as the City does hereinafter require.

NOW, THEREFORE, in consideration of these mutual promises and the terms and conditions set forth herein, the parties agree as follows:

**AGREEMENT:**

**Section 1. Agreement**

Contractor shall diligently perform the Services according to the requirements and deliverable dates identified in the Scope of Work, which is attached hereto as **Exhibits A through A-2** and incorporated by reference herein. This Agreement also includes the General and Special Conditions, attached hereto as **Exhibit B**; the Cost Summary Sheet for Facilities, attached hereto as **Exhibit C**; the Tax Identification Information, attached as **Exhibit D**; and the Additional Services Request Order, attached hereto as **Exhibit E**. Should any provisions of the General and Special Conditions directly conflict with the provisions of this Agreement, the provision deemed by the City to be more beneficial to the City shall control. Contractor must notify the City of any potential conflicts noted by Contractor.

**Section 2. Term**

The term of this Agreement shall be from the Effective Date for a period of one year ("Initial Term"), unless otherwise earlier terminated as provided herein. This Agreement will automatically renew for a second one (1) year term ("Renewal Term") unless cancelled by either party prior to expiration of the Initial Term.

**Section 3. Contractor's Services & Supplies**

3.1. Contractor will perform the Scope of Work, more particularly described on **Exhibits A through A-2**, as such Scope of Work may be reasonably amended from time to time by the City, in accordance with the requirements of this Agreement. Contractor will furnish all

cleaning supplies and labor required thereby. The City will furnish all paper products used for the bathrooms, including toilet paper, paper towels, toilet seat covers, and tissues.

2.2 Contractor will provide the City with a listing of all cleaning agents and chemicals it intends to use on City property, and with Material Safety Data Sheets for all such products. The City shall have the right to reject the use of any chemical or product. The City strongly encourages the use of earth friendly and non-toxic or less toxic cleaning supplies.

2.3 Contractor must at all times comply with all security criteria set forth in the Scope of Work in the performance of the Work and in the selection of employees and supervisors assigned to perform the Work, as more particularly set forth in the Scope of Work.

#### **Section 4. Compensation**

4.1. The City agrees to pay Contractor a monthly sum of **Thirteen thousand four hundred five and 61/100 Dollars (\$ 13,405.61)** for performance of the Services ("Compensation Amount"), as more particularly set forth on **Exhibit C**.

4.2. During the course of this Agreement, if the City specifically requests Contractor to provide additional services that are beyond the Scope of Work described on **Exhibits A through A-2**, the City will provide Contractor with an Additional Services Request Order (attached as **Exhibit E**), which must be signed by both Contractor and the City to be effective.

4.3. Unless expressly set forth on Contractor's Rate Schedule as a reimbursable expense, Contractor shall only be entitled to the Compensation Amount specified in **Subsection 4.1**.

4.4. Contractor's Compensation Amount and Rate Schedule are all inclusive and include, but are not limited to, salaries or wages plus fringe benefits and contributions, including payroll taxes, workers' compensation insurance, liability insurance, profit, pension benefits, similar contributions and benefits and all cleaning supplies and equipment.

#### **Section 5. City's Representative**

The City's Representative is Floyd Peoples, Public Works Operations Manager. The City shall give Contractor prompt written notice of any redesignation of its Representative.

#### **Section 6. Contractor's Project Manager**

Contractor's Project Manager is Josh Bearman. In the event that Contractor's designated Project Manager is changed, Contractor shall give the City prompt written notification of such redesignation. Contractor's Project Manager shall not be changed without the written consent of the City, which consent shall not be unreasonably withheld. In the event the City receives any communication from Contractor that is not from Contractor's designated Project Manager, the City may request verification by Contractor's Project Manager, which verification must be promptly furnished.

#### **Section 7. Project Information**

Project information is set forth in the Scope of Work.

## **Section 8. Duty to Inform**

If, at any time during the performance of this Agreement or any future phase of this Agreement for which Contractor has been retained, Contractor becomes aware of actual or potential problems, faults, defects or inadvertently omitted items in the Scope of Work, or any portion thereof; or of any nonconformance with federal, state, or local laws, rules, or regulations; or if Contractor has any objection to any decision or order made by the City with respect to such laws, rules or regulations, Contractor shall give prompt written notice thereof to the City's Representative. Any delay or failure on the part of the City to provide a written response to Contractor shall neither constitute agreement with nor acquiescence to Contractor's statement or claim, nor constitute a waiver of any of the City's rights.

## **Section 9. Contractor Status and Certification**

9.1. Contractor is an independent contractor for all purposes and shall be entitled to no compensation other than the Compensation Amount provided for under **Section 4** of this Agreement. Contractor will be solely responsible for determining the manner and means of accomplishing the end result of Contractor's Services. The City does not have the right to control or interfere with the manner or method of accomplishing said Services. The City, however, will have the right to specify and control the results of Contractor's Services so such Services meet the requirements of the Project.

9.2. No subcontracting or assignment of this Agreement is allowed.

9.3. Contractor shall make prompt payment for any claims for labor, materials, or services furnished to Contractor by any person in connection with this Agreement, as such claims become due. Contractor shall not permit any liens or claims to be filed or prosecuted against the City on account of any labor or material furnished to or on behalf of Contractor. If Contractor fails, neglects, or refuses to make prompt payment of any such claim, the City may pay such claim to and offset the amount of the payment against funds due or to become due to Contractor under this Agreement. The City may also recover any such amounts directly from Contractor.

9.4. Contractor must comply with all wage and hour laws. Contractor shall make all required workers compensation and medical care payments on time. Contractor shall be fully responsible for payment of all employee withholdings required by law, including but not limited to taxes, including payroll, income, Social Security (FICA), and Medicaid. Contractor shall also be fully responsible for payment of salaries, benefits, taxes, Industrial Accident Fund contributions, and all other charges on account of any employees. Contractor shall pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167. All costs incident to the hiring of assistants or employees shall be Contractor's responsibility. Contractor shall defend, indemnify, and hold the City harmless from claims for payment of all such expenses. Unless otherwise expressly set forth on **Exhibit B** as a reimbursable expense item, specific costs associated with items set forth in this subsection shall be deemed as fully and conclusively included in the rate upon which Contractor's Compensation Amount is based.

9.5. No person shall be discriminated against by Contractor in the performance of this Agreement on the grounds of sex, gender, race, color, creed, marital status, age, disability, or national origin. Any violation of this provision shall be grounds for cancellation, termination, or suspension of the Agreement, in whole or in part, by the City.

9.6. Contractor certifies, in accordance with ORS 279.835(5)(a)-(c), that it (a) is a nonprofit rehabilitation facility that is organized under the laws of the State of Oregon that operates in the interest of individuals with disabilities, and the net income of which does not benefit shareholders or other individuals; (b) complies with all occupational health and safety standards; and (c) is in the manufacture of products or the provision of services during the fiscal year that employs individuals with disabilities for no less than 75% of the work hours of direct labor.

## **Section 10. Indemnity and Insurance**

10.1. Contractor acknowledges responsibility for liability arising out of the performance of this Agreement, and shall defend, indemnify, and hold the City harmless from any and all liability, settlements, loss, costs, and expenses in connection with any action, suit, or claim resulting or allegedly resulting from Contractor's negligent acts, omissions, errors, or willful or reckless misconduct provided pursuant to this Agreement, or from Contractor's failure to perform its responsibilities as set forth in this Agreement. The review, approval, or acceptance by the City, its Representative, or any City employee of documents or other work performed, prepared, or submitted by Contractor shall not be considered a negligent act, error, omission, or willful misconduct on the part of the City, and none of the foregoing shall relieve Contractor of its responsibility to perform in full conformity with the City's requirements, as set forth in this Agreement, and to indemnify the City as provided above and to reimburse the City for any and all costs and damages suffered by the City as a result of Contractor's failure to adhere to the standards of performance and care described in **Subsection 10.2**. Contractor shall defend the City (using legal counsel reasonably acceptable to the City) against any claim that alleges negligent acts, omissions, errors, or willful or reckless misconduct by Contractor.

### **10.2. Contractor's Standard of Care and Insurance Requirements.**

10.2.1. Standard of Care: In the performance of professional services, Contractor agrees to use at least that degree of care and skill exercised under similar circumstances by reputable members of Contractor's profession practicing in the Portland Metropolitan Area. Contractor will re-perform any services not meeting this standard without additional compensation. Contractor's re-performance of any services, even if done at the City's request, shall not be considered as a limitation or waiver by the City of any other remedies or claims it may have arising out of Contractor's failure to perform in accordance with the applicable standard of care of this Agreement and within the prescribed timeframe.

10.2.2. Insurance Requirements: Contractor shall maintain insurance acceptable to the City in full force and effect throughout the term of this Agreement. Such insurance shall cover all risks arising directly or indirectly out of Contractor's activities or work hereunder. Reference to Contractor herein is intended to include actions by all of Contractor's supervisors, employees, and anyone Contractor brings onto the City's properties.

The policy or policies of insurance maintained by Contractor shall provide at least the following limits and coverages:

10.2.2.1. *Commercial General Liability Insurance*. Contractor shall obtain, at Contractor's expense, and keep in effect during the term of this Agreement, Comprehensive General Liability Insurance covering Bodily Injury and

Property Damage on an “occurrence” form (1996 ISO or equivalent). This coverage shall include broad form Contractual Liability insurance for the indemnities provided under this Agreement. The following minimum insurance amounts will be carried:

<i>Coverage</i>	<i>Limit</i>
General Aggregate	\$2,000,000
Products-Completed Operations Aggregate	2,000,000
Each Occurrence	2,000,000
Fire Damage (any one fire)	50,000
Medical Expense (any one person)	25,000

10.2.2.2. *Professional Errors and Omissions Coverage.* Contractor agrees to carry Professional Errors and Omissions Liability insurance on a policy form appropriate to the professionals providing the Services hereunder with a limit of no less than \$2,000,000 per claim. Contractor shall maintain this insurance for damages alleged to be as a result of errors, omissions, or negligent acts of Contractor. Such policy shall have a retroactive date effective before the commencement of any work by Contractor on the Services covered by this Agreement.

10.2.2.3. *Business Automobile Liability Insurance.* If Contractor will be using a motor vehicle in the performance of the Services herein, Contractor shall provide the City a certificate indicating that Contractor has business automobile liability coverage for all owned, hired, and non-owned vehicles. The Combined Single Limit per occurrence shall not be less than \$1,000,000.

10.2.2.4. *Workers’ Compensation Insurance.* Contractor and all employers providing work, labor, or materials under this Agreement that are subject employers under the Oregon Workers’ Compensation Law shall comply with ORS 656.017, which requires them to provide workers’ compensation coverage that satisfies Oregon law for all their subject workers or employees that are exempt under ORS 656.126. Out-of-state employers must provide Oregon workers’ compensation coverage for their workers who work at a single location within Oregon for more than thirty (30) days in a calendar year. Contractors who perform work without the assistance or labor of any employee need not obtain such coverage. This shall include Employer’s Liability Insurance with coverage limits of not less than \$500,000 each accident.

10.2.2.5. *Insurance Carrier Rating.* Coverages provided by Contractor must be underwritten by an insurance company deemed acceptable by the City. The City reserves the right to reject all or any insurance carrier(s) with a financial rating that is unacceptable to the City.

10.2.2.6. *Certificates of Insurance.* As evidence of the insurance coverage required by this Agreement, Contractor shall furnish a Certificate of Insurance to the City. This Agreement shall not be effective until the required certificates and the Additional Insured Endorsements have been received and approved by the City. Contractor agrees that it will not terminate or change its coverage during the term of this Agreement without giving the City at least thirty (30) days' prior advance notice.

10.2.2.7. *Additional Insured Endorsements.* The City will be named as an additional insured with respect to Contractor's liabilities hereunder in insurance coverages. The following is included as additional insured: The City of Wilsonville, its elected and appointed officials, officers, agents, employees, and volunteers. Except professional liability and worker's compensation coverage, all policies shall provide an Additional Insured Endorsement.

10.2.3. The coverage provided by these policies shall be primary, and any other insurance carried by the City is excess. Contractor shall be responsible for any deductible amounts payable under all policies of insurance. In the event a dispute arises between the City and Contractor for which Contractor has obtained insurance, the maximum amount that may be withheld by the City for all such claims shall be no more than the amount of the applicable insurance deductible. If insurance policies are "Claims Made" policies, Contractor will be required to maintain such policies in full force and effect through any warranty period.

## **Section 11. Early Termination**

11.1. This Agreement may be terminated prior to the expiration of the agreed upon terms:

11.1.1. By mutual written consent of the parties;

11.1.2. By the City, for any reason, including but not limited to dissatisfaction with the quality of the work being performed, and within its sole discretion, effective upon delivery of written notice to Contractor by mail or in person; and

11.1.3. By Contractor, effective upon seven (7) days' prior written notice in the event of substantial failure by the City to perform in accordance with the terms through no fault of Contractor, where such default is not cured within the seven (7) day period by the City. Withholding of disputed payment is not a default by the City.

11.2. If the City terminates this Agreement, in whole or in part, due to default or failure of Contractor to perform Services in accordance with the Agreement, the City may procure, upon reasonable terms and in a reasonable manner, services similar to those so terminated. In addition to any other remedies the City may have at both law and equity for breach of contract, Contractor shall be liable for all costs and damages incurred by the City in procuring such similar service, and this Agreement shall be in full force to the extent not terminated.

11.3. If the City terminates this Agreement for its own convenience not due to any default by Contractor, payment of Contractor shall be prorated to and include the day of termination and shall be in full satisfaction of all claims by Contractor against the City under this Agreement.

## **Section 12. Suspension of Work**

The City may suspend, delay, or interrupt all or any part of the work for such time as the City deems appropriate for its own convenience by giving written notice thereof to Contractor. An adjustment in the time of performance or method of compensation shall be allowed as a result of such delay or suspension caused by the City.

### **Section 13. Subcontractors and Assignments**

Unless expressly authorized in **Exhibit A** or **Section 9** of this Agreement, Contractor shall neither subcontract with others for any of the work prescribed herein, nor assign any of Contractor's rights acquired hereunder without obtaining prior written approval from the City. Contractor shall at all times remain in compliance with the hiring and retention requirements of the Products of the PDIA.

### **Section 14. Access to Records**

The City shall have access, upon request, to such books, documents, receipts, papers, and records of Contractor as are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts for a period of four (4) years, unless within that time the City specifically requests an extension. This clause shall survive the expiration, completion, or termination of this Agreement.

### **Section 15. Law of Oregon**

This Agreement shall be governed by the laws of the State of Oregon. All contractual provisions required by ORS Chapter 279A and 279C to be included in public agreements are hereby incorporated by reference and shall become a part of this Agreement as if fully set forth herein.

### **Section 16. Adherence to Law**

Contractor shall adhere to all applicable federal and state laws, including but not limited to laws, rules, regulations, including but not limited to the PDIA, and policies concerning employer and employee relationships, workers' compensation, and minimum and prevailing wage requirements. Any certificates, licenses, or permits that Contractor is required by law to obtain or maintain in order to perform work described on **Exhibit A**, shall be obtained and maintained throughout the term of this Agreement.

### **Section 17. Modification to Agreement**

Any modification of the provisions of this Agreement shall not be enforceable unless reduced to writing and signed by both the City and Contractor. A modification is a written document, contemporaneously executed by the City and Contractor, which increases or decreases the cost to the City over the agreed Compensation Amount in **Section 4** of this Agreement, or changes or modifies the Scope of Work or the time for performance. No modification shall be binding or effective until executed, in writing, by both Contractor and the City. In the event Contractor receives any communication of whatsoever nature from the City, which communication Contractor contends gives rise to any modification of this Agreement, Contractor shall, within five (5) days after receipt, make a written request for modification to the City's Representative in the form of an Additional Services Request Order. Contractor's failure to submit such written request for modification in the form of an Additional Services Request Order shall be the basis for refusal by the City to treat said communication as a basis for modification or to allow such modification. In connection with any modification to this Agreement affecting any change in price, Contractor shall submit a complete breakdown of labor, material, equipment, and other costs. If Contractor incurs additional costs or devotes additional time on Project tasks, the City shall be responsible for payment of only those additional costs for which it has agreed to pay under a signed Additional Services Request Order. To be enforceable, the Additional Services Request Order must describe with particularity the nature of the change, any delay in time the Additional Services Request Order will cause, or any increase or decrease in the Compensation Amount. The Additional Services

Request Order must be signed and dated by both Contractor and the City before the Additional Services Request Order may be implemented.

### **Section 18. Notices**

Any notice required or permitted under this Agreement shall be in writing and shall be given when actually delivered in person or forty-eight (48) hours after having been deposited in the United States mail as certified or registered mail, addressed to the addresses set forth below, or to such other address as one party may indicate by written notice to the other party.

To City: Delora Kerber, Director of Public Works  
City of Wilsonville  
29799 SW Town Center Loop E.  
Wilsonville OR 97070

To Contractor: Dan Aberg, CEO  
Tualatin Valley Workshop, Inc.  
6615 SE Alexander  
Hillsboro, OR 97123

### **Section 19. Integration**

This Agreement, including all exhibits attached hereto, contains the entire and integrated agreement between the parties and supersedes all prior written or oral discussions, representations, or agreements. In case of conflict among these documents, the provisions of this Agreement shall control.

### **Section 20. Miscellaneous / General**

20.1. Time of the Essence. The parties agree that time is of the essence of this Agreement.

20.2. Attorney Fees. In the event any suit, action, arbitration, or other proceeding, of any nature whatsoever, is instituted to interpret or enforce any provision of this Agreement, or with respect to any dispute relating to this Agreement, including, without limitation, any action in which a declaration of rights is sought or an action for rescission, the prevailing party shall be entitled to recover from the losing party its reasonable attorneys, paralegals, accountants, and other experts fees and all other fees, costs and expenses actually incurred and reasonably necessary in connection therewith, as determined by the judge or arbitrator at trial or arbitration, as the case may be, or on any appeal or review, in addition to all other amounts provided by law. This provision shall also cover costs and attorney fees related to or with respect to proceedings in Federal Bankruptcy Courts, including those related to issues unique to bankruptcy law.

20.3. Nonwaiver. Any failure to enforce any provision of this Agreement will not be deemed a waiver of the right to enforce that provision or any other provision of this Agreement.

20.4. Severability. If any provision of this Agreement is found to be void or unenforceable, it is the intent of the parties that the rest of the Agreement shall remain in full force and effect, to the greatest extent allowed by law.

20.5. Entire Agreement. This Agreement, including all documents attached to this Agreement and all documents incorporated by reference herein, represents the entire agreement between the parties.

20.6. Authority. Each party signing on behalf of Contractor and the City hereby warrants actual authority to bind their respective party.

Contractor and the City hereby agree to all provisions of this Agreement.

IN WITNESS WHEREOF, the parties, by their signatures below, enter into this Agreement this \_\_\_\_ day of \_\_\_\_\_, 2012.

CONTRACTOR

CITY OF WILSONVILLE

Tualatin Valley Workshop, Inc.

(Name of Firm)

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

(Print Name) \_\_\_\_\_

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

(Print Name) \_\_\_\_\_

As Its: \_\_\_\_\_

As Its: \_\_\_\_\_

Employer I.D. No. \_\_\_\_\_

APPROVED AS TO FORM  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTESTED TO:

\_\_\_\_\_, City Attorney  
City of Wilsonville, Oregon

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

**EXHIBIT A**  
**SCOPE OF WORK**

**GENERAL**

Contractor shall perform all work and furnish all tools, materials, and equipment in order to provide all necessary janitorial services consistent with the accepted practices for other similar services, performed to the City's satisfaction, within the time period prescribed by the City, and pursuant to the direction of the City's Representative. Contractor assumes the risk of all conditions foreseen or unforeseen and agrees to continue to perform the work described in this contract without additional compensation. These corrections shall not give rise to a claim for additional compensation or allow substantial variance from the agreed schedule.

The facilities shall be maintained in a neat, clean, orderly, and first-class condition consistent with the Cleaning Performance Standards set forth in **Exhibit A-1**, attached hereto and incorporated by reference herein. Services outlined are to be considered 'minimum requirements' and in no instance are they to limit the level of cleanliness in any facility.

Contractor shall furnish all equipment, materials, and services necessary to perform the janitorial duties consistent with the frequencies specified in the Building Cleaning Task Schedule set forth in **Exhibit A-2**, attached hereto and incorporated by reference herein.

Cleaning shall occur after normal hours of operation, as listed below.

**NATURE AND EXTENT OF SERVICES**

There are eight (8) City facilities at various locations throughout the City of Wilsonville where janitorial services are required on a regularly scheduled basis to coincide with days of operation outlined in the facility descriptions below. City facilities operate five (5) to seven (7) days a week, twelve (12) to twenty-four (24) hours per day. With the exception of facilities that operate twenty-four (24) hours per day, janitorial services are to be accomplished during non-working hours at each location.

**FACILITY DESCRIPTIONS**

**NOTE: ALL SQUARE FOOTAGES ARE APPROXIMATE; CONTRACTOR SHALL VERIFY DIMENSIONS TO THEIR SATISFACTION PRIOR TO SUBMITTING PROPOSAL.**

1. **City Hall:** 29799 SW Town Center Loop East, Wilsonville - two-story building consisting of approximately 30,000 square feet of carpeted area and hard surface floors. Janitorial services shall be performed five (5) times per week. Normal hours of operation are Monday - Friday, 7:00 am - 11:00 pm.

2. **Community Center:** 7965 SW Wilsonville Road, Wilsonville - one-story building consisting of approximately 8,622 square feet of carpeted area and hard surface floors. Janitorial services shall be performed five (5) times per week. Normal hours of operation are Monday - Friday, 7:00 am - 11:00 pm.

3. **Library:** 8200 SW Wilsonville Road, Wilsonville – one-story building consisting of approximately 29,000 square feet of carpeted area and hard surface floors. Janitorial services shall be performed six (6) times per week. Normal hours of operation are Monday - Saturday, 9:00 am – 9:00 pm.

4. **Public Works / Police:** 30000 SW Town Center Loop East, Wilsonville – two-story building consisting of approximately 8,000 square feet of carpeted area and hard surface floors. Janitorial services shall be performed five (5) times per week. Normal hours of operation are Monday - Friday, 6:00 am - 6:00 pm.

5. **Smart/WES Operators Break Building:** 9699 SW Barber Street, Wilsonville - 880 square foot building with hard surface floors. Janitorial services shall be performed five (5) times per week. Normal hours of operation are Monday - Friday, 7:00 am - 7:00 pm.

6. **Tauchman House:** 31240 SW Boones Ferry Road, Wilsonville – 1,020 square feet of hardwood floor and laminate. Janitorial services shall be performed one (1) time per week. Normal hours of operation are Monday – Friday, 7:00 am to 7:00 pm.

7. **Three Bay Modular:** 7934 Memorial Drive, Wilsonville - 120 square foot locker room and shower. Janitorial services shall be performed one (1) time per week. Normal hours of operation are Monday – Friday, 7:00 am to 5:00 pm.

8. **Transit/Fleet:** 28879 Boberg Road, Wilsonville – one-story building consisting of approximately 3,735 square feet of carpeted area and hard surface floors. Janitorial services shall be performed five (5) times per week. Normal hours of operation are Monday – Friday, 7:00 am – 7:00 pm.

**CONTRACTOR SUPERVISION**

Contractor shall provide an onsite working supervisor for each cleaning crew. The onsite supervisor’s primary task is to ensure that the Cleaning Performance Standards are being attained and preserved in all buildings and that Contractor’s employees understand and carry out what is required to satisfy the requirements of this Scope of Work.

Incompetent, careless, or negligent employees or agents shall be promptly discharged or removed from performing work on the City’s project by Contractor upon written request by the City. Failure to comply with such request is sufficient grounds for termination of the contract.

**INSPECTION BY CITY REPRESENTATIVE**

All required services shall be subject to inspection at any time by a representative of the City. Contractor, or Contractor's representative, will accompany the City’s representative on said inspection. The City will coordinate the day, location, and time of the inspection.

If any such services are found to be unsatisfactory and/or not in accordance with the Cleaning Performance Standards or Cleaning Tasks & Schedule, the City shall notify Contractor, and Contractor shall take immediate steps for corrective action, at no additional cost to the City.

## **CONTRACTOR SUPPLIED ITEMS**

All labor, janitorial tools, equipment, machines, including but not limited to commercial grade carpet vacuum and accessories, and supplies, except those items identified under City supplied items, necessary for the performance of daily, weekly, monthly, and quarterly janitorial services shall be furnished by Contractor at no expense or further cost to the City.

The City of Wilsonville requires that current material safety data sheets (MSDS) be submitted to the City's Representative for all chemicals being used on-site in all City facilities. These sheets, and the products, shall be kept up-to-date and properly labeled in the area designated by the City. No product shall be used in facilities until MSDS information has been reviewed and approved by the City's Representative.

All cleaning products used by Contractor must be certified by either Green Seal or Eco Logo and are listed on their respective websites: [www.greenseal.org/findaproduct/cleaners](http://www.greenseal.org/findaproduct/cleaners) or [www.ecologo.org/en/certifiedgreenproducts](http://www.ecologo.org/en/certifiedgreenproducts).

## **CITY SUPPLIED ITEMS**

The City will supply all paper products including paper towels, toilet paper, toilet seat covers, tissues, etc.

## **PERSONNEL**

Contractor is expected to use prudent judgment in the selection of a work force. Proven judgment, integrity, work habits, and skill proficiency are essential employee requirements.

Contractor shall conduct a security clearance on all personnel. Contractor shall not assign to any facility an employee who has been convicted of any felonies, or misdemeanors that reflect negatively upon the honesty, reliability, general trustworthiness, or prudent judgment of the employee. There will be no exceptions and no substitutions of personnel without prior security clearance checks. The City reserves the right to conduct additional security clearance on any or all janitorial personnel that have access to City facilities.

Contractor shall have all employees working in City facilities fingerprinted within ten (10) days from the start of the contract. Each employee will also have passed a complete background check, a drug test, and must not have any felony convictions. The City must receive written verification of clearance for any employee with access and entry into the facilities PRIOR to the start of work.

Notwithstanding the foregoing, the City shall have the right at any time to refuse access to any City-owned facility, premises, or systems to any employee, subcontractor, or agent of Contractor where the City determines, in its sole discretion, such person or entity poses a risk to the City, or any person, system, or asset associated with the City.

Contractor will provide the City with immediate notification of terminated employees and is responsible to retrieve terminated employees' keys and electronic key cards.

Contractor agrees to abide by all federal, state, and local laws, rules, and regulations prohibiting discrimination in employment and controlling workplace safety. Any violations of applicable laws, rules, and regulation may result in termination of this Agreement.

Contractor's employees shall not be accompanied or assisted by non-employees during work shifts (including their own children).

Contractor shall provide a roster of employees for the City to review. It shall be an accurate, typed roster of all management and janitorial work force personnel who have any relationship with the work to be performed at any of the facilities. The roster shall be submitted each month before work commences, updated by Contractor to reflect any personnel changes. If there are no personnel changes from month to month, then written notification to the City's Representative will suffice.

In the interest of safety, Contractor's supervisors must be able to communicate in English, both orally and in writing.

### **IDENTIFICATION OF EMPLOYEES**

Contractor shall provide visible identification of its employees. Contractor-supplied picture ID badges and company uniforms shall be worn and displayed at all times Contractor's employees are in City facilities. Contractor's employees shall be clean and neat at all times when performing services to City facilities.

### **CONTRACTOR CONTACT**

Contractor agrees to designate one (1) primary and one (1) back-up person who will be the responsible contact person for Contractor with respect to implementation of the Agreement and communication of information necessary for the performance of the Agreement. Contractor shall provide the City with an emergency phone number that shall be answered 365 days per year, 24 hours per day.

### **JANITORIAL LOG**

Contractor shall maintain a janitorial log at each facility and/or work site, as designated by the City, to be reviewed by janitorial personnel and supervisor daily. Janitorial personnel shall acknowledge, in writing, any entry made by City personnel. This log shall remain in the City's designated area at each facility.

## EXHIBIT A-1

### CLEANING PERFORMANCE STANDARDS

The City of Wilsonville has established the Cleaning Performance Standards that are outlined below. Contractor shall maintain these Cleaning Performance Standards for all facilities. The Cleaning Performance Standards represent a high level of cleanliness that defines the 'minimum' level of service. If portions of the Cleaning Performance Standards appear to reduce the service level required by another portion, Contractor shall use the higher standard.

**Exhibit A-2** ~ Cleaning Tasks & Schedule identifies routine tasks and their minimum required occurrence; if additional tasks or frequencies are necessary to meet these standards, they shall be performed by Contractor.

Interior finishes are to be cleaned and maintained per manufacturers' product specifications.

Equipment & Cleaning Products: The City expects Contractor to be familiar with, and have access to, all equipment necessary and appropriate to perform tasks. All equipment shall be maintained in good working condition and repair, and operate at the original manufacturer's specifications.

Floor Care: Carpeted areas shall be visibly free of loose dirt and debris. Report all spots and stains. This includes all portions of all carpeted areas.

All mats shall be visibly free of loose dirt and debris. Report all spots and stains.

Hard surface floors shall be visibly free of loose dirt, debris, spots, and stains and shall consistently have a clear and shiny appearance. Use of disinfectant products is further required on hard surface floors.

Waste Material: All waste receptacles shall be emptied, cleaned, and lined. Waste material shall be removed daily, and waste material will be placed in an area that has been designated by the City.

Recyclable Material: Recyclable material shall be emptied as needed, and recyclable material will be placed in an area that has been designated by the City.

Dusting: All interior surfaces seven (7) feet height and below, without exception, shall remain free of cobwebs, dirt, and/or accumulation of any kind of dust or debris.

Restrooms, Showers & Locker Rooms: All restrooms, showers, and locker rooms shall be disinfected, odor-free, and spotless. No stains, mineral deposits, soap scum around drains, or other build-ups are acceptable on any surface.

All furnishings and fixtures shall be clean, bright, and shiny.

Doors, Knobs, Jambs, Walls, Finished Molding, and Elevators below seven (7) feet: Surfaces shall be clean and polished, and free of dirt, smudges, or any other marks.

Furniture: All upholstered furniture and partitions shall be visibly free of loose dirt and debris. Report all spots and stains.

Tabletops shall be disinfected, clean, and spot-free.

Chair and table legs shall be clean and dust-free.

Special Considerations: Contractor to check and acknowledge entries in janitorial logs, daily.

Contractor shall advise the City Representative within twenty-four (24) hours of any irregularities noted during servicing (i.e., defective plumbing fixtures, burned-out lights, graffiti that cannot be removed, security issues, etc.).

Any special task, accomplished with non-routine frequency, is documented on a work order form. Contractor will complete the task and return the form to Contractor's supervisor, who forwards it to the City Representative.

All areas assigned to janitorial functions (i.e., janitorial closets, storage rooms, etc.) are to be maintained in a neat and orderly fashion, and Contractor shall adhere to regulatory codes at all times (i.e., areas in front of electrical distribution panels, fire risers, personal or emergency exits, hot water heaters, etc.) shall be clear of all obstructions.

## EXHIBIT A-2 BUILDING CLEANING TASKS & SCHEDULE

	DAILY	WEEKLY	MONTHLY	QUARTERLY
<b>GENERAL PRIVATE OFFICES, CONFERENCE ROOMS, LOBBY, PUBLIC CORRIDORS, STAIRWELLS, ELEVATORS, ETC.</b>				
Empty & damp wipe all waste receptacles, replace liners as needed	x			
Transport trash to designated area identified by City Representative	x			
Transport recycle material to designated area identified by City Representative	x			
Clean & sanitize drinking fountains	x			
Clean & disinfect all conference room furniture & public counters including copy/mail room	x			
Clean reception lobby glass including front doors & other interior relites	x			
Vacuum all carpeted areas	x			
Dust mop all hard surface floors including corners & hard to reach areas	x			
Spot clean all carpet spots & spills using extractor or spotting agent		x		
Damp wipe elevator floor tracks		x		
Dust all furniture including desks, chairs, base of chairs, tables, filing cabinets, bookcases & shelves		x		
Damp wipe entire desktop {if cleared}		x		
Empty & clean exterior ashtrays & trash receptacles in or near exterior doors ❶		x		
Damp wipe doors, lever handles, frames, light switches, kick plates & railings		x		
Damp wipe blackboards & whiteboards in conference rooms only		x		
Damp mop all hard surface floors		x		
Detail vacuum & edge all carpeted areas		x		
Dust & vacuum around & behind office equipment			x	
Vacuum ceiling & wall air grills			x	
Remove dust & cobwebs from ceiling areas			x	
Damp wipe venetian blinds			x	
Detail vacuum & spot clean all upholstered furniture including partitions			x	
Damp wipe all low reach window sills, baseboards, moldings & ledges			x	
Dust & remove debris & insects from all ceiling light fixtures				x
<b>RESTROOM/SHOWER</b>				
Clean, disinfect & polish countertops, cabinetry, lockers, partitions & fixtures including toilet bowls, toilet seats, urinals, sinks & all chrome fittings	x			
Clean & polish glass & mirrors	x			
Empty & damp wipe all containers & disposals, replace liners as needed ❶	x			
Remove spots, stains & splashes on walls adjacent to sinks, toilets & urinals	x			
Clean, polish & refill all dispensers: napkins, soap, towels, toilet seat liners, toilet paper, etc.	x			
Flush toilet bowls & urinals with chemicals ❷	x			
Detail mop with disinfectant cleaner all hard surface floors	x			
Damp wipe doors, frames, light switches, kick plates & railings		x		
Vacuum ceiling & wall air grills			x	

	DAILY	WEEKLY	MONTHLY	QUARTERLY
Buff & wax all hard surfaces floors to maintain high gloss finish			x	
Damp wipe low reach areas including baseboards, ledges & moldings			x	
<b>LUNCH ROOM</b>				
Clean & sanitize tables, counters, appliance exteriors & chairs	x			
Clean, polish & refill all dispensers:, soap, etc. ❶	x			
Empty & damp wipe all waste receptacles, replace liners as needed	x			
Detail mop with disinfectant cleaner all hard surface floors	x			
Clean, sanitize & polish all sinks	x			
Damp wipe doors, frames, light switches, kick plates, railings		x		
Damp wipe low reach areas including baseboards, ledges, moldings & pipes			x	
Buff & wax all hard surface floors to maintain high gloss finish			x	
<b>MISCELLANEOUS</b>				
Vacuum entrance mats & all other mats; clean floor under mats as noted in sections above	x			
Check logbook for instructions & cleaning problems	x			
Note in logbook any irregularities {defective lights, plumbing, etc.}	x			
Note in logbook any needed supplies	x			
Maintain neat & orderly janitorial supply closet	x			
Turn off lights & lock all doors & windows.	x			
Report any security problems	x			

- ❶ SUPPLIES FURNISHED BY JANITORIAL CONTRACTOR
- ❷ CHEMICALS MUST BE APPROVED BY CITY OF WILSONVILLE

**ADDITIONAL REQUIREMENTS**

- Do not operate or adjust the setting of any of the heating, ventilating, or air conditioning system(s)
- Learn and carefully operate building security systems according to instructions, if necessary
- Order needed supplies through City representative (allow three days for delivery)
- Use designated closets and areas for storage of equipment and supplies; areas shall be kept clean and orderly
- Do not permit visitors, including children, inside buildings at any time
- Repair/replace, at Contractor's cost, any furnishings or fixtures damaged by Contractor's employees
- Turn in lost and found articles to Operations Manager within twenty-four (24) hours
- Interior finishes are to be cleaned and maintained per manufacturers' specifications
- Scents for all restroom air fresheners will be Powder #401932 only

## EXHIBIT B

### GENERAL AND SPECIAL CONDITIONS

General and Special Conditions are additions to, or revisions of, the City's standard contract. In the event of a conflict between the contract documents and the General and Special Conditions, the more stringent requirements shall apply.

#### 1.0 General Requirements

##### 1.1 Conditions of Payment

For performance of those services described herein, payment shall be based upon the following terms:

Payment by the City to Contractor for performance of services under this Agreement includes all expenses incurred by Contractor, with the exception of expenses, if any, identified in this Agreement as separately reimbursable.

Payment will be made in installments based on Contractor's invoice, subject to the approval of the City's Representative, and not more frequently than monthly. Payment shall be made only for work actually completed as of the date of the invoice.

Payment by City shall release City from any further obligation for payment to Contractor for services performed or expenses incurred as of the date of the invoice. Payment shall not be considered acceptance or approval of any work or waiver of any defects herein.

Contractor shall make payments promptly, as due, to all persons supplying labor or materials for the performance of the work provided for in this Agreement.

Contractor must pay all contribution or amounts due from Contractor to the Industrial Accident Fund incurred in the performance of the work in this Agreement.

Contractor shall not permit any lien or claim to be filed or prosecuted against the City on account of any labor or material furnished.

Contractor shall pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167.

If Contractor fails, neglects, or refuses to make prompt payment of any claim for labor or services furnished to Contractor by any person as such claim becomes due, the City's Finance Director may pay such claim and charge the amount of the payment against funds due or to become due to Contractor. The payment of the claim in this manner shall not relieve Contractor of surety from obligation with respect to any unpaid claims.

Contractor shall promptly, as due, make payment to all persons, co-partnerships, associations, or corporations furnishing medical, surgical, and hospital care services, or other needed care and attention incident to sickness or injury, to the employees of Contractor of all sums that Contractor agrees to pay for the services and all moneys and sums that Contractor collected or deducted from the wages of employees under any law, contract, or agreement for the purpose of providing or paying for services.

Contractor shall pay employees at least time and a half for all overtime worked in excess of forty (40) hours in any one (1) week per ORS 279B.235, except for individuals under the contract who are excluded under ORS 653.010 to 653.261 or under 29 USC Sections 201 to 209 from receiving overtime.

Contractor will provide the City proof of workers' compensation and unemployment insurance for all employees.

Contractor is required to have a City of Wilsonville Business License or Metro Business License.

#### 1.2 Contract Pricing and Adjustments

Prices shall be firm through the first year of the contract. Price compensation may be allowed for an escalation in the rate of contract costs on a per hour basis, at the beginning of the second year and the beginning of the three year, if additional renewals of the contract are executed.

The compensation escalation for subsequent contracts will use the Annual Portland-Salem, OR-WA, Consumer Price Index-Urban (CPI-U) for all items not seasonally adjusted for the twelve (12) month period ending in June.

#### 1.3 Invoices

Each invoice shall include adequate detail to identify the services provided. Upon completion of each month's janitorial cycle, Contractor shall submit a statement to the City showing the following information: date of services, location of services, and cost of services per location.

Payment will be made monthly, upon approval and acceptance of the statement submitted by Contractor.

#### 1.4 Quantities

The facility square footages shown in Exhibit A are estimates and not exact.

#### 1.5 Errors

Contractor shall perform such additional work as may be necessary to correct errors in the work required under this Agreement without undue delay and without additional cost to the City.

## 1.6 Hours of Labor

For the labor performed under this Agreement, no person shall be employed for more than eight (8) hours in any one day, or forty (40) hours in any one week, except in the cases of necessity or emergency or where the public policy absolutely requires it, and in such cases, except cases of contracts for personal services as defined in ORS 279A.055, the labor shall be paid at least time and a half for all overtime in excess of eight (8) hours a day, and for all work performed on Saturday and on any legal holiday as specified in ORS 279B.020. In cases of contracts for personal services as defined in ORS 279A.005, any labor shall be paid at least time and a half for all hours worked in excess of forty (40) hours in any one week, except for those individuals excluded under ORS 653.010 to 653.260 or under USC SS 201-209.

## 1.7 Medical Care and Workers' Compensation

Contractor shall promptly, as due, make payment to any person, co-partnership, association, or corporation furnishing medical, surgical, and hospital care, or other needed care and attention incident to sickness or injury, to the employees of such Contractor of all sums which Contractor agrees to pay for such services and all moneys and sums which Contractor collected or deducted from the wages of the employees pursuant to any law, contract, or agreement for the purpose of providing or paying for such service.

## 1.8 Records

The City shall have access to such books, documents, papers, and records of Contractor as are directly pertinent to this Agreement for the purpose of making audits, examination, excerpts, and transcripts.

Contractor shall maintain records to assure conformance with the terms and conditions of this Agreement, and to assure adequate performance and accurate expenditures within the contract period. Contractor agrees to permit the City, the State of Oregon, the federal government, or their duly authorized representatives, to audit all records pertaining to this Agreement to assure the accurate expenditure of funds.

## 1.9 Contractor's Office

Contractor shall be required to maintain an office, which shall be provided with telephones and such personnel as may be necessary to take care of complaints, to receive orders for additional services or to receive any other instruction. Responsible management or supervisory persons shall be accessible at or through the office so as to assure the required performance under the Agreement. When the office is closed, a telephone answering service shall be in operation to receive messages.

#### 1.10 Contractor Contact

Contractor agrees to designate one (1) primary and one (1) backup person who will be the responsible contact person for Contractor with respect to implementation of the Agreement and communication of information necessary for the performance of the Agreement. Contractor shall provide the City Representative with an emergency phone number that shall be answered 365 days/year, 24 hours/day.

#### 1.11 Project Safety

Contractor agrees that in performing the work contained within the contract, that it will meet all regulations in safety as required by OSHA. Contractor further agrees that it will bring to the attention of the City Representative all conditions on the job site or contained within the specifications that appear to be in violation of the provisions of OSHA.

#### 1.12 Liability

Contractor shall take all precautions necessary for the safety and prevention of damage to property on or adjacent to the work areas; and for the safety of and prevention of injury to persons, including the City's employees, Contractor's employees, and third persons. All work shall be performed entirely at Contractor's risk.

In the event of lost keys or access cards, Contractor shall bear the cost to re-key all locks associated with that facility. The City will coordinate re-keying with the City's Representative and deduct said charges from the next monthly payment.

#### 1.13.1 Incidental Costs

Contractor shall be responsible all miscellaneous and incidental costs associated with janitorial services for the City of Wilsonville's facilities.

**EXHIBIT C**  
**COST SUMMARY SHEET FOR FACILITIES**

<u>FACILITY</u>	<u>CLEANING FREQUENCY</u>	<u>COST PER MONTH</u>	<u>COST PER YEAR</u>
<b>CITY HALL</b> 29799 SW TOWN CENTER LOOP EAST	5x/week1X	\$4112.11	\$49,345.28
<b>COMMUNITY CENTER</b> 7965 SW WILSONVILLE ROAD	5x/week1X	\$1560.98	\$18,731.71
<b>LIBRARY</b> 8200 SW WILSONVILLE ROAD	6x/week1X	\$4492.86	\$53,914.30
<b>PUBLIC WORKS / POLICE</b> 30000 SW TOWN CENTER LOOP EAST	5x/week1X	\$1437.69	\$17,252.34
<b>SMART/WES (OPERATORS BREAK BUILDING)</b> 9699 SW BARBER STREET	5x/week1X	\$423.44	\$5081.24
<b>TAUCHMAN HOUSE</b> 31240 SW BOONES FERRY ROAD	1x/week1X	\$229.63	\$2755.51
<b>THREE BAY MODULAR</b> 7932 SW MEMORIAL DRIVE	1x/week1X	\$164.44	\$1973.25
<b>FLEET/TRANSIT</b> 28879 SW BOBERG ROAD	5x/week1X	\$984.46	\$11,813.56
<b>TOTAL</b>		<b>\$13,405.61</b>	<b>\$ 160,867.19</b>

**EXHIBIT D**

City of Wilsonville  
29799 SW Town Center Loop E.  
Wilsonville, OR 97070  
Phone: (503) 682-1011

**TAX IDENTIFICATION NUMBER**

In order for you to receive payment from the City of Wilsonville, you must have either a Tax Identification Number or a Social Security Number. The Internal Revenue Service Code requires a Form 1099 for payments to every person or organization, other than a corporation, for services performed in the course of trade or business. Further, the law requires the City to withhold 20% on reportable amounts paid to unincorporated persons who have not supplied us with their correct Tax Identification Number or Social Security Number.

Please complete the following information request form and return it to the City of Wilsonville prior to or along with the submittal of the first billing invoice.

Please check the appropriate category:

- Corporation       Partnership       Limited Liability Company
- Individual       Government       Non-Profit Organization
- Other (explain) \_\_\_\_\_

TIN No.: \_\_\_\_\_

Social Security No.: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature (required)

**EXHIBIT E**

**ADDITIONAL SERVICES REQUEST ORDER**



**ADDITIONAL  
SERVICES  
REQUEST ORDER**

**CITY OF WILSONVILLE**

29799 SW TOWN CENTER LOOP E  
WILSONVILLE, OREGON 97070

DATE: \_\_\_\_\_

TO [Name]  
[Company Name]  
[Street Address]  
[City, ST Zip Code]  
[Phone]

JOB DESCRIPTION  
Janitorial Services  
Request

**SPECIAL SERVICE DESCRIPTION**

**SIGNATURE OF PUBLIC WORKS  
REPRESENTATIVE**


**CITY COUNCIL MEETING  
 STAFF REPORT**

<b>Meeting Date:</b>  <b>June 18, 2012</b>		<b>Subject: IGA with Clackamas County – CDBG grant for Community Center improvements</b>  <b>Staff Member: Martin Brown</b> <b>Department: Community Development</b>	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input type="checkbox"/> <b>Motion</b> <input type="checkbox"/> <b>Public Hearing Date:</b> <input type="checkbox"/> <b>Ordinance 1<sup>st</sup> Reading Date:</b> <input type="checkbox"/> <b>Ordinance 2<sup>nd</sup> Reading Date:</b> <input checked="" type="checkbox"/> <b>Resolution</b> <input type="checkbox"/> <b>Information or Direction</b> <input type="checkbox"/> <b>Information Only</b> <input type="checkbox"/> <b>Council Direction</b> <input type="checkbox"/> <b>Consent Agenda</b>		<input checked="" type="checkbox"/> <b>Approval</b> <input type="checkbox"/> <b>Denial</b> <input type="checkbox"/> <b>None Forwarded</b> <input type="checkbox"/> <b>Not Applicable</b> <b>Comments:</b>	
<b>Staff Recommendation:</b> <b>Approve the attached resolution which authorizes the City Manager to enter into an intergovernmental agreement with Clackamas County to accept grant funding to construct improvements to the Community Center kitchen.</b>			
<b>Recommended Language for Motion:</b> <b>I move to approve Resolution No. 2373.</b>			
<b>PROJECT / ISSUE RELATES TO:</b>			
<input type="checkbox"/> Council Goals/Priorities		<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:**

Staff recommends the City Council adopt a resolution authorizing the City Manager to sign an Intergovernmental Agreement between Clackamas County and the City of Wilsonville allowing the City to receive a Community Development Block Grant (CDBG) in the amount of \$235,000 for the Community Center Kitchen Expansion Project.

**EXECUTIVE SUMMARY:**

The City Council approved Resolution No. 2335 on November 21, 2011 authorizing city staff to apply for a Community Development Block Grant (CDBG) to be used for the expansion of the Wilsonville Community Center. In April of 2012, the Clackamas County Board of County Commissioners approved the CDBG funds in the amount of \$235,000 for the Community Center Kitchen Project. The grant will require a 20 percent match, which will be provided through project 8085 and 8092 in the FY 2012-13 Capital Improvement Budget along with an additional grant from the Friends of the Center in the amount of \$10,000. Through the IGA, the City will be responsible for the cost of the architectural design services which was in the FY 2011-12 budget as project 8085. Remaining funds in this project will be rolled over into FY 2012-13 and applied to the design services through completion.

The IGA will allow Clackamas County to provide project management responsibilities for the project including bid and contract administration until final completion. A copy of the IGA is marked "Exhibit A" as part of the resolution.

**EXPECTED RESULTS:**

This project will add pantry space and a walk-in cooler/freezer to the Community Center kitchen, thus adding needed capacity in the kitchen area to improve operational efficiency. The counterpart project will replace the aging grease trap in the kitchen and flooring in the sunroom.

**TIMELINE:**

The schedule for the project is proposed to bid in July and award the first part of August with completion in November 2012.

**CURRENT YEAR BUDGET IMPACTS:**

The project has \$70,000 budgeted for this fiscal year. Of this amount, \$15,000 will be spent this fiscal year on architectural services, with the remaining \$55,000 re-budgeted in FY 2012/13 for construction. An additional \$45,000 has been budgeted in FY 2012/13 for the grease trap and floor replacement components of this project, for a total of \$115,000 in city funds which meets our local match requirement.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: Gary Wallis Date: June 7, 2012  
Concur with the budget impact statement above.

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK Date: June 7, 2012  
Approved as to form.

**COMMUNITY INVOLVEMENT PROCESS:**

Friends of the Center donated \$10,000 towards this project.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY**

This project will add capacity to the meal program at the Community Center.

**ALTERNATIVES:**

N/A

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

- A. Resolution No. 2373
- B. Clackamas County IGA

**RESOLUTION NO. 2373**

**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENT AGREEMENT BETWEEN THE CITY OF WILSONVILLE AND THE CLACKAMAS COUNTY DEPARTMENT OF HEALTH, HOUSING AND HUMAN RESOURCES FOR THE EXPANSION AND RENOVATION OF THE WILSONVILLE COMMUNITY CENTER KITCHEN PROJECT.**

WHEREAS, on November 21, 2011, the City Council approved Resolution No. 2335 authorizing city staff to make application for a Community Development Block Grant for the expansion of the Wilsonville Community Center kitchen project; and

WHEREAS, in April of 2012 the Board of County Commissioners determined that the project is eligible for Community Development Block Grant (CDBG) funds in the amount of \$235,000; and

WHEREAS, the Friends of the Center have raised, through donations and fund-raising events and through the general fund, contributions equaling approximately \$45,000 which exceeds the required 20 percent match obligation of the block grant; and

WHEREAS, the City's budget for fiscal year 2012/2013 includes general fund funding in the amount of \$55,000 for project 8085 (Community Center kitchen expansion) and \$45,000 for project 8092 (grease trap replacement and flooring replacement) to fund the balance of these improvements; and

WHEREAS, the City Council authorizes the City Manager to enter into an intergovernmental agreement between Clackamas County and the City of Wilsonville for the acceptance of the community block grant funding.

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

1. That the City Council does hereby approve and authorize the City Manager to sign an intergovernmental agreement between Clackamas County and the City of Wilsonville, a copy of which is marked "Exhibit A" and attached hereto and incorporate herein, to provide funding for the Wilsonville Community Center Kitchen Project.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 18<sup>th</sup> day of June 2012, and filed with the Wilsonville City Recorder this date.

---

TIM KNAPP, Mayor

ATTEST:

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Sandra C. King, City Recorder, MMC

SUMMARY OF VOTES:

Mayor Knapp	_____
Councilor Nunez	_____
Councilor Goddard	_____
Councilor Starr	_____

List of Exhibits

Exhibit A – Clackamas County Intergovernmental Agreement

**INTERGOVERNMENTAL AGREEMENT**  
**BETWEEN**  
**CLACKAMAS COUNTY DEPARTMENT OF**  
**HEALTH, HOUSING AND HUMAN RESOURCES**  
**COMMUNITY DEVELOPMENT DIVISION**  
**AND**  
**THE CITY OF WILSONVILLE**

**I. Purpose**

- A. This Agreement is entered into between Clackamas County, acting by and through its Community Development Division (COUNTY) and the City of Wilsonville (CITY) for the cooperation of units of local government under the authority of ORS 190.010.
- B. This Agreement provides for the design and construction of expansion and renovations at the Wilsonville Senior Center Kitchen located at 7965 SW Wilsonville Road in Wilsonville. These improvements are herein referred to as the PROJECT.
- C. The COUNTY has determined that the PROJECT is eligible for Community Development Block Grant (CDBG) funds as a Low-Mod Limited Clientele Activity – Presumed Benefit.

**II. Scope of Responsibilities**

- A. Under this Agreement the responsibilities of the CITY shall be as follows:
  - 1. The CITY shall provide all necessary supervisory and administrative support to assist the COUNTY with the completion of the PROJECT.
  - 2. The CITY shall obtain any easements or approvals necessary to allow access onto private property. Acquisition of any easement shall be obtained pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).
  - 3. The CITY shall provide Architecting services for the design and construction oversight of the PROJECT. Such services shall be provided at no cost to the COUNTY. The CITY shall assume responsibility for ensuring the following:
    - a. The CITY shall hire a registered professional Architect (herein after referred to as Architect) to prepare all plans and specifications necessary to publicly bid the PROJECT for award to a construction contractor (herein after referred to as Contractor) and provide construction oversight.
    - b. The CITY shall require the Architect to maintain comprehensive general (including contractual liability) and automobile liability insurance in the amount of not less than \$500,000 combined single limit per occurrence/\$1,000,000 general annual aggregate for personal injury and property damage for the protection of the County, its officers, commissioners and employees against

INTERGOVERNMENTAL AGREEMENT between Clackamas County and the City of Wilsonville  
Senior Center Kitchen Renovation Project

liability for damages because of personal injury, bodily injury, death or damage to property, including loss of use thereof, in any way related to Architect's or any of Architect's subcontractor's performance of this Agreement.

- c. The CITY shall require the Architect to maintain professional liability insurance in an amount of not less than \$1,000,000 per claim. Such insurance shall include limited contractual liability coverage. The Architect shall endeavor to use good faith in order to maintain in force such coverage for not less than three (3) years following completion of the PROJECT. The COUNTY, at its option, may require a complete copy of the above policy and evidence of required coverage.
- d. The CITY shall require the Architect to include the County as an additional insured and refer to and support the Architect's obligation to hold harmless the County, its officers, commissioners and employees. Such insurance shall provide 30 days' written notice to the COUNTY in the event of cancellation, non-renewal, or material change and include a statement that no act on the part of the insured shall affect the coverage afforded to the County under this insurance. The insurance company will provide written notice to the COUNTY within thirty (30) days after any reduction on the general annual aggregate limit.
- e. The CITY agrees to require the Architect to furnish the COUNTY evidence of the insurance required in II.A.3 (b) and (c).
- f. The CITY shall ensure that the Architect's responsibilities include, but are not limited to, the following:
  - (1) During construction the Architect shall endeavor to guard the COUNTY against apparent defects and deficiencies in the permanent work constructed by the Contractor.
  - (2) All reports and recommendations concerning construction shall be submitted to the COUNTY for their approval. The COUNTY agrees that no decisions affecting construction shall be made without CITY approval.
  - (3) In the event modifications to the construction contract, which result in an increase in the contract amount, are made without the prior approval of the COUNTY, CITY shall be solely responsible for these modifications.
4. The CITY shall operate and maintain the improvements for public purposes for their useful life subject to the limitations on the expenditure of funds by the CITY as provided by Oregon Statute.
5. The CITY will bear the risk of loss from fire, extended coverage, and will purchase and maintain property insurance on all affected CITY property. The CITY will bear the risk of loss from accidents coverable by owner's liability insurance and may, at its option, maintain such insurance.
6. The CITY shall provide all necessary supervisory and administrative support to assist the COUNTY with the completion of the PROJECT. The CITY will submit to COUNTY for its approval all reports and recommendations concerning construction of PROJECT. The COUNTY will submit to CITY for its approval all of COUNTY's decisions affecting construction. Both parties agree that their approval may not be

INTERGOVERNMENTAL AGREEMENT between Clackamas County and the City of Wilsonville  
Senior Center Kitchen Renovation Project

unreasonably delayed withheld or conditioned and will be deemed given within 7 business days of receiving written request for approval from the other party or its agent, if such party has not given written disapproval and the specific basis for same within such 7 day period.

7. Upon completion of the PROJECT the CITY
    - a. agrees to accept the improvements
    - b. agrees to become the successor of the Construction Contract, and
    - c. agrees to continue operating the property as a Senior Community Center facility.
  8. The CITY agrees to report to the COUNTY information on the number of seniors participating in activities at the senior community center. The report shall cover the period between July 1 to June 30 for each year or partial year until completion of the PROJECT. The report format shall be provided by the COUNTY and shall be submitted to the COUNTY no later than the 31st day of August (ATTACHMENT A).
  9. The CITY agrees to maintain ownership of the property for the life of the PROJECT.
  10. The CITY agrees to inform the COUNTY in writing prior to making any change in the use of the property. Should the new use not meet HUD eligibility criteria, and/or the clients no longer meet the HUD income guidelines the CITY shall reimburse COUNTY as provided in 24 CFR Part 570.505. Said provision is attached as ATTACHMENT C and hereby made a part of this Agreement.
  11. Should the property be sold and converted to a non-qualifying use the CITY agrees to reimburse the COUNTY as provided in 24 CFR Part 570.505.
  12. The CITY shall complete and submit a Matching Funds Report following completion of the PROJECT. (ATTACHMENT B)
- B. Under this Agreement the responsibilities of the COUNTY will be as follows:
1. The COUNTY agrees to provide and administer available Federal Community Development Block Grant (CDBG) funds (CFDA 14.218) granted by the U.S. Department of Housing and Urban Development (HUD) to finance the PROJECT.
  2. The COUNTY will appropriately bid and contract for construction of the PROJECT. In this contract the COUNTY will act as the Owner and shall assume all of the Owners rights and responsibilities.
  3. The COUNTY with the advice of the CITY, will approve changes, modifications, or amendments as necessary to serve the public interest.
  4. The COUNTY shall provide reasonable and necessary staff for administration of the PROJECT. A Project Coordinator from the County's Community Development Division will assist with the project management, coordination and contract administration.
  5. The responsibilities of the Project Coordinator shall include:
    - a. Prepare a Bid Packet to be advertised in a local contractor's publication;
    - b. Conduct the Bid Opening on the date determined by all PARTIES;
    - c. Hire a General Contractor via the lowest responsible and responsive bidder;

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- d. Issue a Notice to Proceed after the Construction Contract is approved;
  - e. Conduct a Pre-Construction Conference with the General Contractor and CITY, and the Architect;
  - f. Coordinate with the Architect, CITY and General Contractor throughout General Contractor's performance of the Work;
  - g. Administration of federal and state prevailing wage requirements;
  - h. Closeout Paperwork and all federal reporting requirements;
  - i. With the Approval of the Architect and both PARTIES;
    - (1) Make payment to the General Contractor
    - (2) Release retainage funds to the General Contractor as appropriate;
  - j. Notify CITY of their responsibilities for all warranty related issues after the Release of Retainage.
6. The COUNTY shall conduct and provide necessary environmental review(s) described in 24 CFR 570.604 of the CDBG regulations for compliance with the CDBG program.
- C. The COUNTY and CITY agree to jointly review and approve all design, material selection, and contract documents for the PROJECT.

### **III. Budget & Financial**

- A. The COUNTY will apply CDBG funds in the amount of \$235,000 to the PROJECT. The obligations of the COUNTY are expressly subject to the COUNTY receiving funds from HUD for the PROJECT, and in no event shall the COUNTY'S financial contribution exceed the amount finally granted, released and approved by HUD for this project.
- B. The CITY agrees to contribute the greater of:
  - 1. Twenty percent (20%) of the total cost of the PROJECT, or
  - 2. All costs for design and construction which exceed available CDBG funds budgeted for the PROJECT.
- C. In the event the PROJECT can not be completed with available funds the COUNTY and CITY will jointly determine the priorities of the improvements to be made within funding limits.
- D. The CITY shall be credited towards the matching requirements stated in Part III. C. an amount equal to **10%** of the final construction cost for providing architectural services as detailed in Part II. A. 3.
- E. In no event shall CITY'S financial participation be less than twenty percent (20%) of the PROJECT costs. PROJECT Costs include final construction costs which is defined as original construction amount plus approved change orders, and the credit for architectural services.
- F. In the event that unforeseeable conditions arise which necessitate the execution of a change in the amount of the construction contract, the CITY and the COUNTY will jointly evaluate the circumstances surrounding the conditions. Upon approval by the

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CITY and the COUNTY, the COUNTY shall instruct the Contractor to execute a change order.

- G. In the event a contractor is entitled to payments for work completed after \$235,000 in CDBG funds have been expended, the COUNTY shall request a transfer of funds from the CITY for the amount necessary to make such payments.
- H. The CITY in payment of PROJECT costs shall remit requested funds to the Community Development Division within Twenty-One (21) working days of the invoice by the COUNTY. All checks shall be made payable to Clackamas County and mailed to the following address:

Attn: Toni Hessevick  
Public Services Building-Department of Finance  
2051 Kaen Road, 4th Floor  
Oregon City, OR 97045

#### **IV. Liaison Responsibility**

Martin Brown will act as liaison from the CITY for the PROJECT. Mark Sirois will act as liaison from the COUNTY.

#### **V. Special Requirements**

- A. Law and Regulations. The COUNTY and CITY agree to comply with all applicable local, state, and federal ordinances, statutes, laws and regulations.
- B. Public Contracting Requirements. To the extent applicable, the provisions of ORS 279B.220, 279B.225, 279B.230, and 279B.235 are incorporated by this reference as though fully set forth.
- C. Relationship of Parties. Each party is an independent contractor with regard to the other party. Neither party is an agent or employee of the other. No party or its employees is entitled to participate in a pension plan, insurance, bonus, or similar benefits provided by any other party.
- D. Indemnification. Subject to the limits of the Oregon Tort Claims Act, and Oregon Constitution each of the parties agrees to hold harmless and indemnify the others, and their elected and appointed officials, agents, and employees, from and against all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, arising on account of personal injuries, death or damage to property caused by or resulting from their own acts or omissions or those of their officials, agents and employees provided however, upon completion of the improvements, the CITY will assume all responsibility for claims made thereafter against the COUNTY or its officers, agents or employees pertaining to the design and construction of the Project, and will indemnify and defend them therefore. The COUNTY will assign its indemnity rights against the Contractor to the CITY upon completion of PROJECT and will include the right of assignment in the construction contract for the PROJECT between the Contractor and the COUNTY.

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- E. Notice. Each party shall give the other immediate written notice of any action or suit filed or any claim made against the party which may result in litigation in any way related to this Agreement.
- F. Record and Fiscal Control System. All payroll and financial records pertaining in whole or in part to this Agreement shall be clearly identified and readily accessible. Such records and documents shall be retained for a period of three (3) years after receipt of final payment under this Agreement; provided that any records and documents that are the subject of audit findings shall be retained for a longer time until such audit findings are resolved.
- G. Access to Records. The COUNTY, the State of Oregon and the Federal Government, and their duly authorized representatives shall have access to the books, documents, papers, and records of the CITY which are directly pertinent to the Agreement for the purpose of making audit, examination, excerpts, and transcripts.
- H. Debt Limitation. This Agreement is expressly subject to the debt limitation of Oregon counties set forth in Article XI, Section 10 of the Oregon Constitution, and is contingent upon funds being appropriated therefore. Any provisions herein which would conflict with law are deemed inoperative to that extent. Obligations of the COUNTY are also expressly subject to the COUNTY receiving funds from HUD for this project and in no event shall the COUNTY's financial contribution exceed the amount finally granted, released and approved by HUD for this project.
- I. Conflict of Interest. No officer, employee, or agent of the CITY or COUNTY who exercises any functions or responsibilities in connection with the planning and carrying out of the Block Grant Program, or any other person who exercises any functions or responsibilities in connection with the program, shall have any personal financial interest, direct or indirect, in the use of the funds provided pursuant to this Agreement, and the Parties shall take appropriate steps to assure compliance. The Parties will insure that no contractor, subcontractor, contractor's employee or subcontractor's employee has or acquires any interest, direct or indirect, which would conflict in any manner or degree with the performance of his services.
- J. Insurance. The CITY will bear the risk of loss from fire, extended coverage, and will purchase and maintain property insurance on all affected CITY property. The CITY will bear the risk of loss from accidents coverable by owner's liability insurance and may, at its option, maintain such insurance. If applicable, the CITY shall be required to maintain flood insurance. Each party agrees to maintain insurance, or self-insurance, in accordance with ORS 30.282, for the duration of this Agreement at levels necessary to protect against public body liability as specified in ORS 30.270.
- K. Nondiscrimination. The CITY and the COUNTY agree to comply with all Federal, State, and local laws prohibiting discrimination on the basis of age, sex, marital status, race, creed, color, national origin, familial status, or the presence of any mental or physical handicap. These requirements are specified in ORS chapter 659; Section 109 of the Housing and Community Development Act of 1974; Civil Rights Act of 1964, Title VII; Fair Housing Amendments Act of 1988; Executive Order 11063; Executive Order 11246;

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and Section 3 of the Housing and Urban Development Act of 1968; all as amended; and the regulations promulgated thereunder.

- L. **Handicapped Accessibility.** The CITY agrees that all improvements made under this Agreement shall comply with standards set for facility accessibility by handicapped persons required by the Architectural Barriers Act of 1968, as amended. Design standards for compliance are contained in 24 CFR 8.31-32 and the document entitled Uniform Federal Accessibility Standards published by HUD in April, 1988 as a joint effort with other Federal agencies.
- M. **Nonsubstituting for Local Funding.** The CDBG funding made available under this Agreement shall not be utilized by the CITY to reduce substantially the amount of local financial support for community development activities below the level of such support prior to the availability of funds under this Agreement.
- N. **Evaluation.** The CITY agrees to participate with the COUNTY in any evaluation project or performance report, as designed by the COUNTY or the appropriate Federal department, and to make available all information required by any such evaluation process.
- O. **Audits and Inspections.** The CITY will ensure that the COUNTY, the Secretary of HUD, the Comptroller General of the United States, or any of their duly authorized representatives shall have access to all books, accounts, records, reports, files, and other papers or property pertaining to the funds provided under this agreement for the purpose of making surveys, audits, examinations, excerpts, and transcripts.
- P. **Acquisition.** If completion of the project requires acquisition of any real property the parties agree to comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended.
- Q. **Change of Use.** The CITY agrees to comply with applicable change of use provisions contained in 24 CFR 570.505 (refer to Attachment C).
- R. **Reversion of Assets.** Upon expiration or termination of this Agreement, CITY shall transfer to County any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of CDBG funds. Also for any real property under DISTRICT'S control that was acquired or improved in whole or in part with CDBG funds (including CDBG funds provided to CITY in the form of a loan) in excess of \$25,000 shall ensure said real property is either:
  - 1. Used to meet one of the National Objectives in CFR 570.208 for the term of this Agreement; or
  - 2. Not used to meet on the National Objectives for the term of this Agreement, in which event, the CITY shall pay to COUNTY an amount equal to the current market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for the acquisition of, or improvement to, the property.

**VI. Amendment**

This Agreement may be amended at any time with the concurrence of both Parties. Amendments become a part of this Agreement only after the written amendment has been signed by both Parties.

**VII. Term of Agreement**

- A. This Agreement becomes effective when it is signed by both Parties.
- B. The term of this Agreement is a period beginning when it becomes effective and ending fifteen (15) years after completion of the PROJECT.
- C. This Agreement may be suspended or terminated prior to the expiration of its term by:
  - 1. Written notice provided to the COUNTY from the CITY before any materials or services for improvements are procured, or;
  - 2. Written notice provided by the COUNTY in accordance with 24 CFR 85.43, included as Attachment D, resulting from material failure by the CITY to comply with any term of this Agreement, or;
  - 3. Mutual agreement by the COUNTY and CITY in accordance with 24 CFR 85.44.
- D. Upon completion of improvements or upon termination of this Agreement, any unexpended balances of CDBG funds shall remain with the COUNTY.

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**THE CITY OF WILSONVILLE**

**CLACKAMAS COUNTY**

Chair: Charlotte Lehan  
Commissioner Jim Bernard  
Commissioner Jamie Damon  
Commissioner Ann Lininger  
Commissioner Paul Savas

Signing on Behalf of the Board.

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Cindy Becker, Director  
Health, Housing & Human Services

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

# ATTACHMENT A

## COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL MEASURES REPORT

FOR THE PERIOD: JULY 1, \_\_\_\_\_ TO JUNE 30, \_\_\_\_\_

### Project Name: Senior Center Kitchen Renovation Project – Wilsonville

The Senior Center Renovation Project is a Low-Mod Limited Clientele Activity – Presumed Benefit. The performance measure will be the number of seniors accessing the senior center for nutrition, services and activities.

Total Number Assisted (H or P)	Total of Columns C, D, and E	Income Categories			Female Headed Households
		Low/Mod (80% - 51%)	Very Low (50% - 30%)	Extremely Low (<30%)	
(A)	(B)	(C)	(D)	(E)	(F)

Choose all that apply:

# of persons \_\_\_\_\_ with new access this Public Facility or Infrastructure Improvement

# of persons \_\_\_\_\_ with improved access to Public Facility or Infrastructure Improvement

# of persons \_\_\_\_\_ with access to this type of Public Facility or Infrastructure Improvement

that is No Longer Substandard. Total Number of persons assisted: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Organization

**ATTACHMENT B**

**CDBG Project Matching Funds**

**For reporting to HUD at the end of the year, indicate the specific sources and amounts of matching funds for your ESG projects:**

2012-13 CDBG Funds	\$235,000
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SOURCES OF LOCAL MATCH: Other Federal (including pass-through funds, e.g. County CDBG, State FEMA, etc.)	
Capital Improvement Budget (8085)	\$ 70,000
Capital Improvement Budget (8092)	\$ 45,000
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

State/Local Governmental Funding (e.g. State Housing Trust Funds, Local Assessment, etc.)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

Private (including recipient) Funding	
Fund Raising/Cash	\$ 10,000
Loans	\$ _____
Building Value or Lease	\$ _____
Donated Goods	\$ _____
New Staff Salaries	\$ _____
Volunteers (\$5/hr)	\$ _____
Volunteer Medical/Legal	\$ _____
Other _____	\$ _____

Prepared By: (Print name)

Signature \_\_\_\_\_

Date \_\_\_\_\_

## ATTACHMENT C

### Change of Use

#### Excerpt from 24 CFR Part 570

#### **570.505 Use of real property.**

The standards described in this section apply to real property within the recipient's control which was acquired or improved in whole or in part using CDBG funds in excess of \$25,000. These standards shall apply from the date CDBG funds are first spent for the property until five years after closeout of an entitlement recipient's participation in the entitlement CDBG program or, with respect to other recipients, until five years after the closeout of the grant from which the assistance to the property was provided.

(a) A recipient may not change the use or planned use of any such property (including the beneficiaries of such use) from that for which the acquisition or improvement was made unless the recipient provides affected citizens with reasonable notice of, and opportunity to comment on, any proposed change, and either;

(1) The new use of such property qualifies as meeting one of the national objectives in **570.208 (formerly 570.901)** and is not a building for the general conduct of government; or

(2) The requirements and paragraph (b) of this section are met.

(b) If the recipient determines, after consultation with affected citizens, that it is appropriate to change the use of the property to a use which does not qualify under paragraph (a)(1) of this section, it may retain or dispose of the property for the changed use if the recipient's CDBG program is reimbursed in the amount of the current fair market value of the property, less any portion of the value attributable to expenditures of non-CDBG funds for acquisition of, and improvements to, the property.

(c) If the change of use occurs after closeout, the provisions governing income from the disposition of the real property in **570.504(b) (4) or (5)**, as applicable, shall apply to the use of funds reimbursed.

(d) Following the reimbursement of the CDBG program in accordance with paragraph (b) of this section, the property no longer will be subject to any CDBG requirements.

## ATTACHMENT D

### Excerpt from 24 CFR Part 85

#### §85.43 Enforcement.

(a) *Remedies for noncompliance.* If a grantee or subgrantee materially fails to comply with any term of an award, whether stated in a Federal statute or regulation, an assurance, in a State plan or application, a notice of award or elsewhere, the awarding agency may take one or more of the following actions, as appropriate in the circumstances:

- (1) Temporarily withhold cash payments pending correction of the deficiency by the grantee or subgrantee or more severe enforcement action by the awarding agency,
- (2) Disallow (that is, deny both use of funds and matching credit for) all or part of the cost of the activity or action not in compliance,
- (3) Wholly or partly suspend or terminate the current award for the grantee's or subgrantee's program,
- (4) Withhold further awards for the program, or
- (5) Take other remedies that may be legally available.

(b) *Hearings, appeals.* In taking an enforcement action, the awarding agency will provide the grantee or subgrantee an opportunity for such hearing, appeal, or other administrative proceeding to which the grantee or subgrantee is entitled under any statute or regulation applicable to the action involved.

(c) *Effects of suspension and termination.* Costs of grantee or subgrantee resulting from obligations incurred by the grantee or subgrantee during a suspension or after termination of an award are not allowable unless the awarding agency expressly authorizes them in the notice of suspension or termination or subsequently. Other grantee or subgrantee costs during suspension or after

termination which are necessary and not reasonably avoidable are allowable if:

- (1) The costs result from obligations which were properly incurred by the grantee or subgrantee before the effective date of suspension or termination, are not in anticipation of it, and, in the case of a termination, are noncancellable, and,
  - (2) The costs would be allowable if the award were not suspended or expired normally at the end of the funding period in which the termination takes effect.
- (d) *Relationship to Debarment and Suspension.* The enforcement remedies identified in this section, including suspension and termination, do not preclude grantee or subgrantee from being subject to "Debarment and Suspension" under E.O. 12549 (see §85.35).

#### §85.44 Termination for convenience.

Except as provided in §85.43 awards may be terminated in whole or in part only as follows:

- (a) By the awarding agency with the consent of the grantee or subgrantee in which case the two parties shall agree upon the termination conditions, including the effective date and in the case of partial termination, the portion to be terminated, or
- (b) By the grantee or subgrantee upon written notification to the awarding agency, setting forth the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. However, if, in the case of a partial termination, the awarding agency determines that the remaining portion of the award will not accomplish the purposes for which the award was made, the awarding agency may terminate the award in its entirety under either §85.43 or paragraph (a) of this section.

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

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A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7 p.m. on Monday, May 21, 2012. Mayor Knapp called the meeting to order at 7:05 p.m., followed by roll call and the Pledge of Allegiance.

The following City Council members were present:

Mayor Knapp  
Council President Núñez  
Councilor Hurst  
Councilor Goddard  
Councilor Starr

Staff present included:

Bryan Cosgrove, City Manager  
Jeanna Troha, Assistant City Manager  
Mike Kohlhoff, City Attorney  
Stephan Lashbrook, SMART Director  
Kerry Rappold, Natural Resources Manager  
Nick Watt, Chief of Police  
Floyd Peoples, Public Works Operations Manager  
Sandra King, City Recorder  
Mark Ottenad, Public Affairs Director  
Dan Knoll, Public Affairs Coordinator  
Steve Adams, Interim City Engineer

**Motion:** Council President Núñez moved to approve the order of the agenda. Councilor Hurst seconded the motion.

**Vote:** Motion carried 5-0.

**MAYOR'S BUSINESS**

A. Appointment to the Library Board.

Council President Nunez interviewed both candidates for the Library Board and recommended reappointing Mr. Steiger to a second full term, and to consider Mr. Case for another board or commission opening.

**Motion:** Councilor Hurst moved to reappoint Alan Steiger to the Library Board for a second term beginning July 1, 2012 and ending June 30, 2015. Councilor Goddard seconded the motion.

**Vote:** Motion carried 5-0.

The meetings scheduled for the upcoming weeks were announced. Mayor Knapp noted he had participated in a panel discussion at NAIOP with mayors of other cities, wherein the discussion

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

---

focused on how development occurs, as well as development and planning activities taking place in the different communities.

**COMMUNICATIONS**

- A. Presentation of Lifesaving Award to Deputy Josh Eagle and Deputy John Wildhaber, Wilsonville Police Officers by TVF&R

Tualatin Valley Fire & Rescue District Chief Brian Sherrard and Brian Barker, Public Affairs Officer presented a plaque and lifesaving coin to Wilsonville Police Officers Eagle and Wildhaber. The two officers were the first to arrive at the scene of an accident and by using their CPR skills and the AED equipment were able to save the life of a heart attack victim.

Police Chief Nick Watt explained all patrol vehicles are equipped with an AED and officers are trained in its use. He shared a video of the lifesaving event taken from the camera in Officer Eagle's patrol car.

Councilors expressed their gratitude to the officers.

- B. National Public Works week Proclamation

Floyd Peoples, Director of Operations, announced this would be the last Public Works Week he would be celebrating in Wilsonville since he plans to retire in December. Mr. Peoples said the Public Works Department crews are proud of the work they do for the city. A video demonstrating the varied work done by the Public Works crews during the day was shown.

Mayor Knapp read the proclamation into the record. Councilors thanked Mr. Peoples and the Public Works staff for all they do for the community.

- C. Student Art Council Final Update Beauty & the Bridge Project

Members of the Student Art Council talked about their involvement in the Beauty and the Bridge Project, what they learned through the experience, and thanked the Council for supporting the project. Councilors presented plaques to these members of the Student Art Council for their work on the Beauty and the Bridge Project:

- Emma Foster – Arts & Technology
- Chris Lundrigan – Wilsonville High School
- Corinne Luper – Wilsonville High School
- Jessica Johnson – Wood Middle School
- Adrian Hardt – Wood Middle School
- Sadie Crystal – Boeckman Creek Elementary
- Aliris Tang – Boeckman Creek Elementary
- Tomas Vaca – Boones Ferry Primary
- Nicole Johnson – Boones Ferry Primary

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

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The thousands of tiles will start to be installed on the walls of the I-5/Wilsonville Road underpass the week of May 21, 2012.

**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.

Ray Lister, 7925 SW Vlahos Drive, Apartment 308 and a member of IBEW Local 48, stated Council's selection for contractors on the SMART Transit facility and the Waste Water Treatment Plan shows attention to detail in choosing the best price and best value for public dollars. Studies show that every public dollar spent equals continued economic activity for the local economy. Mr. Lister submitted his written comments which have been made part of the record.

**COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS**

Council President Núñez – Chamber Leadership and Library Board liaison, had no report to share. She announced Wilsonville Festival of the Arts scheduled for June 2 and 3, 2012.

Councilor Hurst – Parks and Recreation Board and Planning Commission liaison, noted the Planning Commission is working on updating the City's Transportation Systems Plan and invited the public to attend the Transportation System Plan open house. The Councilor announced the Tonquin Trail open house set for Wednesday May 23, 2012, and encouraged the public to take part in the group bike ride June 3, 2012 to tour the public art installations in Wilsonville.

Councilor Goddard – Library, Chamber Board, and Clackamas County Business Alliance liaison, stated the Chamber of Commerce has been involved in the economic development strategy work and has been spreading the word about the Economic Summit. The Chamber also discussed the Transportation Systems Plan indicating they would like to see a smooth transition between the transportation planning efforts and the development of the Coffee Creek and Basalt Creek areas. The Councilor announced the Tonkin Nissan 5K walk/run event set for June 3, 2012.

Councilor Starr –Development Review Boards and Wilsonville Community Seniors Inc. liaison, reported DRB Panel A approved the master sign plan for Jorey Trail. The Wilsonville CSI budget which supports the many senior activities may need to be shored up since their local funding is down. He stated the Economic Development Committee will be holding an open house and economic summit. These activities are participatory events where public input and comment is encouraged and will be incorporated into the final economic plan.

**CONSENT AGENDA**

A. Minutes of the April 16, 2012 and May 7, 2012 Council Meetings.

Mr. Kohlhoff read the title of the Consent Agenda items into the record.

**CITY OF WILSONVILLE  
CITY COUNCIL MEETING MINUTES**

---

**Motion:** Councilor Hurst moved to approve the Consent Agenda. Councilor Starr seconded the motion.

**Vote:** Motion carried 5-0.

**NEW BUSINESS**

The title of Resolution No. 2362 was read into the record by the City Attorney.

A. **Resolution No. 2362**

A Resolution Of The City Of Wilsonville Acting As The Local Contract Review Board Approving The Bid Process; Accepting The Lowest Responsible Bid; Awarding A Construction Contract To JP Contractors, Inc., The Lowest Responsible Bidder; And Verifying Fund Availability For The Project Commonly Referred To As Engelman Park.

Kerry Rappold, Natural Resources Manager, presented the staff report. The City of Wilsonville's Parks and Recreation Master Plan (2007) identified the need for a park in the Montebello neighborhood as a top priority because this neighborhood is underserved with park space and recreation opportunities. In September 2006 the City acquired a .68 acre parcel that is contiguous to a City-owned .21 acre beautification area. The goal of this project is to redevelop the combined parcels into a neighborhood park.

In July 2011, the Oregon Parks and Recreation Commission granted the City \$200,000 for the development of a neighborhood park that includes trails, native plantings, natural play areas, benches, picnic shelter, interpretive signage, and lawn area. Additional funding from Metro's Local Share program totaling \$126,000 was approved by the City Council on March 19, 2012. Upon completion, the park will provide amenities and recreational opportunities for residents of the Montebello neighborhood as well as other members of the community. The park will be constructed in the summer of 2012.

**Motion:** Councilor Hurst moved to approve Resolution No. 2362. Council President Núñez seconded the motion.

**Vote:** Motion carried 5-0.

**CONTINUING BUSINESS**

A. **Resolution No. 2359**

A Resolution of the City of Wilsonville Adopting City Council Stipend Effective January 1, 2013.

Mr. Kohlhoff read the title of the resolution into the record.

Mayor Knapp stated two Councilors may need to make declarations regarding the resolution:

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

---

Councilor Goddard indicated he was going to make a motion rather than a declaration. He said he would be affected by the Resolution but in spite of that he moved this evening to table Resolution No. 2359.

**Motion:** Councilor Goddard stated he would be would be affected by the resolution and moved to table Resolution No. 2359.

Mayor Knapp asked the City Attorney if it was appropriate for a Councilor who would be affected by the adoption of the resolution to make a motion on the item.

Mr. Kohlhoff recommended it would be better for another Councilor to make that motion.

Mayor Knapp indicated there was no second to the motion at this point, and given the guidance of the City Attorney would Councilor Goddard want to withdraw his motion.

Mr. Kohlhoff stated there was no second at this point.

Councilor Hurst said he would second.

Mr. Kohlhoff suggested Councilor Hurst make the motion.

Mayor Knapp asked if there was a second to Councilor Goddard's motion. There was no second, therefore the motion dies.

**Motion:** Councilor Hurst moved to table Resolution No. 2359. Council President Nunez seconded the motion.

Mayor Knapp asked Mr. Kohlhoff for an explanation on tabling a resolution.

Mr. Kohlhoff responded tabling means an item is suspended until someone moves to take it off the table. The item may be tabled for an indefinite amount of time. If the motion to table the Resolution passed, the Council would not be voting on Resolution No. 2359.

Councilor Goddard asked if Council was ready for discussion.

Mr. Kohlhoff said two of the Councilors would benefit from the Resolution by their Council position. The best way to handle that would be to have those two councilors not vote on the Resolution.

Mayor Knapp asked if a recusal eliminated participation in discussion. Mr. Kohlhoff said that did not eliminate participation in discussion.

Mr. Cosgrove stated if the purpose of the discussion for the two Councilors who cannot vote is to make a public declaration about how they feel about the Resolution, then that would be appropriate.

**CITY OF WILSONVILLE**  
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Councilor Goddard publicly declared that by his position of Councilor he would benefit from adoption of Resolution No. 2359. He did not currently receive a stipend for his services on City council and he did not run for the office of City council with the expectation he would receive a stipend. Councilor Goddard was “more than happy” to continue his service to the community as a member of the City Council without receiving a stipend to do so.

Councilor Starr agreed with the statement of Councilor Goddard. He stated he did not know there was a stipend when he ran for Council, and he cannot vote on it since it would affect him. The Councilor’s personal belief was due to the economic times, and the fact that we have lowered the stipend and benefits for whoever is elected to the Mayoral position; from a consistency standpoint it was not a good idea for Councilors, at this time, to have an increase. Councilor Starr recommended that Council not adopt Resolution No. 2359; however he was not voting on the resolution.

Councilor Hurst supported Councilor Goddard and Starr’s comment in light of the action that was taken earlier on the mayoral compensation; it would be difficult to justify any other compensation going up. Councilor Starr and Councilor Goddard are truly interested in saving the City money, all five of us have expressed a desire to save money where ever possible, and this is one situation where we are doing that. Councilor Hurst thought it was a good idea to table the matter until the economy changes dramatically in the future.

**Vote:** Motion carried 3-0.

Councilors Godard and Starr recused themselves from the vote. The motion to table Resolution No. 2359 succeeds; therefore the Resolution is not adopted.

**CITY MANAGER’S BUSINESS**

Mr. Cosgrove noted information about the Economic Development Summit could be found on the City’s website. He said the recruitment process had narrowed the candidate field for the Finance Director, final selection for Community Development Director was close; and an offer was made to the top candidate for the Long Range Planner. The community survey was getting a good response, he hoped for a 30 percent return with the results back the first week of June.

**LEGAL BUSINESS**

Mr. Kohlhoff said the request by Councilor Starr during work session for a copy of a resolution involving the city’s annexing policy and tree cutting had been distributed to each of the Councilors tonight. Should Council have questions after they reviewed the resolution they should contact Mr. Kohlhoff.

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**ADJOURN**

**Motion:** Council President Núñez moved to adjourn. Councilor Hurst seconded the motion.

**Vote:** Motion carried 5-0.

The Council meeting adjourned at 8:45 p.m.

Respectfully submitted,

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Sandra C. King, MMC, City Recorder

ATTEST:

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TIM KNAPP, MAYOR

**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b>  <b>June 18, 2012</b>	<b>Subject: Sign Code Updates Public Hearing-2<sup>nd</sup> Reading</b>  <b>Staff Member: Daniel Pauly, AICP</b> <b>Department: Planning</b>
<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 checked="" 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	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments: Sign code updates unanimously recommended for approval by Planning Commission on April 11, 2012</b>
<b>Staff Recommendation: Adopt Ordinance on 2nd reading with the amendments previously noted.</b>	
<b>Recommended Language for Motion:</b> <b>I move to adopt Ordinance 704, on second reading, with amendments as noted.</b>	
<b>PROJECT / ISSUE RELATES TO:</b>	
<input checked="" type="checkbox"/> Council Goals/Priorities Ensure constituents receive high quality, timely, and efficient products, processes and services.	<input type="checkbox"/> Adopted Master Plan(s)
<input type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:**

The sign code updates before the Council reflect the collaboration of the Chamber of Commerce, City staff, and other stakeholders. Two additional minor amendments to address direction given to staff at the first reading regarding Class I review of minor lateral adjustments to building sign placement and placement of decorative banners. Further review and action beyond this will be required regarding decorative banners on private property.

**EXECUTIVE SUMMARY:**

**Minor Adjustments to Lateral Sign Placement:**

New language is recommended to address Council direction to allow for Class I review of certain lateral adjustments to sign placement on buildings. In addition, minor changes and rearrangements of the Minor Adjustment language has been made to accommodate the additional type of minor adjustment. The new and modified language is shown in Exhibit A and in Subsection 4.156.02 (.04) C. under item 6 on page 14 and 15 of 46 of the ordinance.

**Decorative Banners**

*Banners on Public Light Poles*

While staff understands these to be exempt under the current and proposed code, staff agrees it would hurt to add some additional clarification. The following a new subsection 6. is recommended to be added under Subsection 4.156.10 (.01) A. "Allowed Signs on City Property" to provide the clarification. The new language can be found in Exhibit A and under item 14 on page 45 of 46 of the ordinance.

*Projecting Decorative Banners and Flags on Private Property*

The process is in place under both the existing and proposed code language for projecting banners to be approved through a Master Sign Plan, and under the proposed code language a Class III Sign Permit. The process requires careful consideration by the Development Review Board looking at the overall design of a site.

As expressed during the first reading, staff recommends an additional discussion outside the adoption of Ordinance 704 about the extent to which these types of banners can be allowed through a lesser process, as their needs to be careful consideration of a number of issues including legal questions, and the number of types of banners allowed.

Staff will continue to look at the banner prior to the June 18<sup>th</sup> meeting and bring forward any additional changes that can be thoroughly vetted by that time.

**EXPECTED RESULTS:**

The amendments will provide additional clarity

**TIMELINE:** N/A

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

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: Gary Wallis                      Date: June 8, 2012

The proposed Ordinance does not have a direct financial impact upon the budget.

**LEGAL REVIEW / COMMENT:**

Reviewed by:       MEK       Date:       6/8/12      

The planning staff has conformed to code language, for purposes of adopting the Ordinance on second reading, the amendment Council adopted on first reading regarding Administrative-1 approval or minor changes to master plan signage when minor store front changes occur and has provided a minor amendment to the code language to allow for Administrative-1 approval for pole banner signage on public property to conform to the Council’s discussion and direction. Additionally, Staff has acknowledged it will be proceeding to follow the Planning Commission’s process to review additional regulatory changes to allow decorative banners on private property as it involves complexity as discussed and directed by Council.

A motion to approve the Ordinance on second reading should recognize the two minor language additions for Administrative Approval-1 for minor master plan changes for store front modifications and pole banners on public property.

**COMMUNITY INVOLVEMENT PROCESS:**

The amendments were carefully weighed against testimony and feedback received during the review of the overall sign code update including the desire to maintain a similar level of signs and provide for the appropriate level of staff or Development Review Board review. The draft amendment language has also been circulated to interested parties upon request.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY**

Businesses:

The sign placement amendment will add some additional flexibility for businesses.

Residents:

Staff does not expect the high quality visual requirement that contributes to property values and quality of life to be negatively impacted by the proposed amendments.

**ALTERNATIVES:**

- 1. Adopt the recommended amendments
- 2. Not adopt the amendments
- 3. Modify the amendments before adoption

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

- A. Redlined subsections showing changes to proposed language pursuant to direction given during 1<sup>st</sup> Reading

Added or moved to new location language shown in **Red Bold Underlined**, Deleted or moved from location language shown in ~~red strikethrough~~.

**Section 4.156.02 Sign Review Process and General Requirements.**

(.04) Class I Sign Permit: Sign permit requests shall be processed as a Class I Sign Permit when the requested sign or signs conform to a Master Sign Plan or other previous sign approval. In addition, a Minor Adjustment to a Master Sign Plan or other previous sign approval may be approved in connection with a Class I Sign Permit.

A. Class I Sign Permit Submission Requirements: Application for a Class I Sign Permit shall include two (2) copies of the following along with all required application fees:

1. Completed application form prescribed by the City and signed by the property owner or the property owner's representative,
2. Sign drawings showing all materials, the sign area and dimensions used to calculate sign areas, and other details sufficient to judge the full scale of the associated sign or signs and related improvements,
3. Information showing how the proposed sign or signs conform with all applicable code requirements, Master Sign Plans, or other previous sign approvals for the property, and
4. Information supporting any minor adjustment requests.

B. Class I Sign Permit Review Criteria: The sign or signs conform with the applicable master sign plan or other previous sign approvals, and applicable code requirements.

C. Minor Adjustments: Notwithstanding approved Master Sign Plans or other previous sign approvals, as part of a Class I Sign Permit minor adjustments **may be approved as described in 1. and 2. below.** ~~of not more than ten (10) percent from the sign height (not height from ground) and/or length may be approved for the reasons listed in 1. through 4. below, unless otherwise specifically prohibited in the Master Sign Plan. Minor adjustments shall not cause the sign to cross the edge of any fascia, architectural element or area of a building facade identified as a sign band. The area of the sign exceeding the height or length as part of a minor adjustment shall not count against the sign area indicated in a Master Sign Plan or other previous sign approval. Minor Adjustments are valid only for the Sign Permit with which they are associated and do not carry over to future sign permits or copy changes.~~

**1. Adjustment to Sign Height or Length: Adjustment of not more than ten (10) percent from the sign height (not height from ground) and/or length may be approved for the reasons listed in a. through d. below, unless otherwise specifically prohibited in the Master Sign Plan. Minor adjustments to sign height and length shall not cause the sign to cross the edge of any fascia, architectural element or area of a building facade identified as a sign band. The area of the sign exceeding the height or length as part of a minor adjustment shall not count against the sign area indicated in a Master Sign Plan or other previous sign approval.**

- a.** To accommodate the descender on the lower case letters "q, y, p g, or j", not otherwise accommodated by the measurement method used, where the letter

matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter;

- b.** To accommodate stylized fonts where bowls, shoulders, or serifs of the stylized letters extend beyond the cap height;
- c.** To accommodate an arching or other non-straight baseline; or
- d.** To accommodate a federally registered trademark logo where compliance with the defined maximum sign height would result in the cap height of the text in the logo being ninety (90) percent or less of the cap height for letters otherwise allowed. (i.e. if a Master Sign Plan allowed 24" letters and 24" total sign height, and a 24" logo would result in the cap height of the text within the logo being less than 21.6", the total height of the logo could be increased to 26.4")

**2. Lateral Adjustment of Building Sign Location: Lateral adjustment of a building sign location identified in drawings or plans for a Master Sign Plan or other sign approval when all of the following are met:**

- a. The lateral distance being moved does not exceed fifty (50) percent of the sign length or ten (10) feet, whichever is greater;**
- b. The exact location is not specifically supported or required by written findings or a condition of approval;**
- c. The sign remains within the same architectural feature and sign band, except if the location is on a pillar, column, or similar narrow architectural support feature, the sign may be moved to a sign band on the architecture feature which it supports if no other sign is already placed in that sign band for the tenant space; and**
- d. The placement maintains any spacing from the edge of an architectural feature, building, or tenant space specifically identified in the Master Sign plan or other sign approval or if no spacing is identified, maintains a definable space between the sign and the edge of architectural features, the tenant space, and building.**

**Section 4.156.10 Signs on City and ODOT Right-Of-Way**

(.01) **Signs On City Property.** For the purposes of this section, City property is defined as physical sites, City rights-of-way, and rights-of-way over which the City has jurisdiction. City property includes, but is not limited to, the following: City Hall, the Community Center, the Library, parks and open space, Transit and Fleet Building, SMART Central, and the City's reservoir, pump station, and treatment plant properties.

A. Allowed Signs. The following signs may be placed on City property and/or City rights-of-way and right-of-ways over which the City has jurisdiction under the following conditions:

- 1. Such signs as are necessary to locate and direct the public to City premises, or other governmental premises.

2. Such signs as are necessary for the public's health, safety and welfare authorized under law, regulation, ordinance, or order including but not limited to traffic signs. This shall include signs authorized to conform with the State's Tourism Information program and any similar local government program.
3. Signs and their placement as authorized in subsections 1 and 2, above, shall meet all other applicable standards and criteria under law, regulation, ordinance, or order.
4. Lawn signs may be placed, subject to the standards in subsection 4.156.10 (.01)A. 5., below, on City rights-of-way and rights-of-way over which the City has jurisdiction except 1) those rights-of-way adjoining City properties defined in subsection 4.156.10 (.01) above, and 2) in the following locations where the placement of signs could damage landscaping or interfere with the maintenance of the rights-of-way:
  - a. In any median or landscaped strip inside the City limits as identified below in Sections 4.156.10 (.01) A. 4. b. through p.
  - b. Either side of French Prairie Road.
  - c. Either side of Canyon Creek Road North, from Boeckman Road to Elligsen Road.
  - d. Either side of Wilsonville Road between Town Center Loop East and the Portland & Western (previously Burlington Northern) Railroad property.
  - e. Either side of Town Center Loop West and East.
  - f. Both sides of former S.W. Parkway frontage between Town Center Loop West and Wilsonville Road.
  - g. Wilsonville Road between Willamette Way West and Willamette Way East.
  - h. The north side of Wilsonville Road from Town Center Loop East to Boeckman Creek.
  - i. Either side of Wilsonville Road between Boeckman Road and the southern boundary of the Wilsonville High School property.
  - j. Either side of Parkway Center Avenue.
  - k. The south side of Elligsen Road from the eastern city limits to a point directly across from the west side of the Tualatin Valley Fire District fire station.
  - l. Either side of Boeckman Road and all islands, from the railroad tracks west to 110<sup>th</sup>.
  - m. Either side of 110<sup>th</sup> between Barber Street and Boeckman Road.
  - n. The eastern side of Grahams Ferry Road from Tooze Road to the City limits.
  - o. Either side of Barber Street between 110<sup>th</sup> and Brown Road, including islands and roundabouts.
  - p. Such other areas as the City may designate as requiring protection from landscape damage.
5. Lawn signs shall meet the following standards and conditions:
  - a. Allowed only between the hours of 6 a.m. Friday and 8 p.m. Sunday, and the hours of 9 a.m. and 4 p.m. Tuesdays;

- b. Not greater than thirty (30) inches in height. A-frame signs may be 24" by 36" provided that they are designed to meet vision clearance requirements (typically not over 30 inches in height when standing);
- b. Not placed on street surfaces, sidewalks, paths, median strips, or bicycle ways;
- c. Located within forty (40) feet of an intersection;
- d. No more than three (3) signs per person; and
- e. Placed no more than one every fifty (50) feet and at least ten (10) feet away from any other temporary sign.

**6. Banners on public light and other poles identified in a plan maintained or adopted by the City and installed by or under arrangement with the Public Works Department.**

**ORDINANCE NO. 704**

**AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING THE PLANNING AND LAND DEVELOPMENT ORDINANCE (WILSONVILLE'S DEVELOPMENT CODE) SECTIONS 4.001, 4.030-4.031, AND 4.156 AND DIVIDING SECTION 4.156 INTO SECTIONS 4.156.01 THROUGH 4.156.11 TO UPDATE THE CITY'S SIGN REGULATIONS AND THE PURPOSE AND OBJECTIVES OF SUCH REGULATIONS.**

WHEREAS, Wilsonville's current sign regulations have been in effect for 12 years, with changes surrounding the content neutrality of temporary sign regulations adopted in 2010; and

WHEREAS, a collaborative effort has been carried out to identify issues and recommendations to update the sign regulations involving stakeholders including the Wilsonville Area Chamber of Commerce, City staff, sign professionals, residents, former members of the City's Development Review Board, and developers; and

WHEREAS, the Planning Commission held a seven work sessions over period of July 2011 to March 2012 to review issues, recommendations, and Development Code amendments to implement the recommendations; and

WHEREAS, the recommendations aim to improve efficiency and consistency in administration and application of Wilsonville's sign regulations while maintaining a high quality visual environment, in which sign development plays a major role; and

WHEREAS, the updated sign regulations help foster an aesthetically pleasing, functional, and economically vital community, as well as promote public health, safety, and well-being by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4 of the Planning and Land Development Ordinance; and

WHEREAS, the Planning Commission conducted a public hearing on this matter on April 11, 2012 and upon consideration of testimony and evidence from the public and city staff, unanimously recommended that the City Council approve the proposed Development Code amendments; and

WHEREAS, the Council having conducted a public hearing on the proposal on June 4, 2012, and considering the entire record herein finds that the proposed Development Code amendment complies with applicable text amendment criteria and is in the best interest of the community by

providing for the needs of sign owners while ensuring a functional, aesthetically pleasing, economically vital, and safe community.

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

Section 1: Findings. The council adopts as findings and conclusions the foregoing recitals and the staff report in this matter attached hereto as Exhibit A and adopted as if set forth fully herein.

Section 2: Amendments.

1. That Wilsonville code section 4.001 Definitions, be amended to modify the definitions for “Sign”, “Addressing Signs”, “Changing image sign”, “Lawn Sign”, “Roof Sign”, “Sign Area”, add definitions for “Baseline”, “Bowl”, “Cap Height”, “Changeable copy sign”, “Descender”, “Blade Sign”, “Serif”, “Shoulder”, “Video Sign”, and “Wayfinding Sign”, delete the definition of “Building Graphics”, “District Sign”, “Electric Sign”, and “Street Graphics”, and move “Site Area, Net” from a sub definition of “Sign” to a stand-alone definition, as follows:

263. Sign: A device or display used or intended to be used for advertising purposes or used or intended to be used to inform or attract the attention of the public. “Sign” includes, where applicable, the structure, display surface, or other component parts of the device or display. Examples include, but are not limited to, advertising sign, banner, outdoor advertising sign, on-premises sign, temporary sign, window sign, message, light (other than a device used primarily to illuminate a building and/or premise), emblem, figure or, painting, mural, drawing, placard, or poster. The display of merchandise that is offered on the premises shall not be considered to be a sign unless it is attached to any exterior surface or structure of the building including; but not limited to, roofs, walls, marquees, monuments, or poles. The scope of the term “sign” does not depend on the content of the message or image conveyed. A sign does not include architectural or landscape features that may attract attention but do not convey a message or image considered speech, or trademark, protected under federal or state law.

A. Addressing Signs: Signs indicating, at a minimum, the numerical address of the building. ~~Such signs are provided in lieu of a street graphics sign.~~

B. Baseline: The invisible line on which text or other characters sit, the bottom extent of the cap height of a typeface.

C. Bowl: In a font or typeface, an open or closed circular line that creates an interior space, such as in the letters “d” and “c.”

~~Building Graphics: building mounted signs.~~

B-D. Cap Height: In a font or typeface, the distance from the baseline to the top of uppercase letters like “H” and “J.”

- E. Changing image sign. Any sign which, through the use of moving structural elements, flashing or sequential lights, lighting elements, prisms, or other ~~automated~~ method, results in movement, the appearance of movement, or change of sign image or text except changeable copy signs defined below.
- C.F. Changeable copy sign. Any sign, digital or manual, which is designed to have the copy changed routinely and where the frequency of copy change does not exceed once every fifteen (15) minutes, except in emergency situations as requested by the City Manager or designee.
- G. Descender: In a font or typeface, the part of a letter extending below the baseline including lower portion of the lowercase letters “g,” “j,” “p,” “q,” and “y.”
- D.H. Directional signs: Signs on private property that provide directions for the traveling public and are deemed necessary for the safe traverse of the public.
- E. District Sign: ~~a sign indicating the entrance to a Planned Development containing at least fifty (50) acres.~~
- F. Electric Sign: ~~any sign containing electric wiring, but not including signs illuminated by an exterior floodlight source.~~
- G.I. Flashing Sign: ~~any~~ Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity or color at all times when such sign is in use. For the purpose of this Code, any moving illuminated sign shall be considered a flashing sign.
- H.J. Freestanding Sign: A sign erected and maintained on a freestanding frame, mast, or pole not attached to any building, and not including ground-mounted signs.
- I.K. Ground-mounted Sign: A non-temporary sign which extends from the ground, or has support which places the bottom of the sign less than two (2) feet from the ground, including monument signs.
- J.L. Inflatable Sign: ~~any~~ Any device that depends on a differential between internal and external air pressure to maintain its size, form or shape regardless of whether it is tied, tethered, mounted or connected to a pole, building, or ground.
- K.M. Institutional Signs: ~~signs~~ Signs that identify public buildings, churches, public and private schools and other such structures used for public gathering or to serve the general public. The Planning Director shall determine the nature of such signs if there is a question. Institutional signage shall comply with all applicable provisions of this Code.
- L.N. Integral Sign: ~~a~~ A sign carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction indicating names of buildings, date of erection, monumental citations, commemorative tablets and the like when made an integral a part of the structures.
- M.O. Lawn Sign. ~~a~~ A temporary freestanding sign commonly made of corrugated plastic, greyboard, or similar type of material, constructed and maintained to prevent being moved or heavily damaged by typical exposure to natural elements. Lawn signs in the rights-of-way under W.C. 4.156(10).11 may be constructed to be ~~movable~~ portable.
- N.P. Marquee Sign: ~~a~~ A canopy or covering structure bearing a signboard or graphics projecting from, and attached to, a building.

- Q-Q. Permanent Sign: ~~any~~ **Any** sign that does not meet the definition of a temporary sign, below.
- R. Portable Sign: ~~a~~ **A** sign that is not permanently affixed to a building, structure, or the ground; a sign designed to be moved from place to place. These signs include, but are not limited to movable A-frame signs, sandwich board signs, signs on vehicles or trailers, and signs attached to wood or metal frames designed to be self-supporting and movable, including trailer reader boards.
- S. Projecting Sign: ~~a~~ **A** sign, other than a wall sign which projects from and is supported by a wall of a building or structure. Projecting Signs are differentiated from Wall Flat Signs as defined below.
- 1. Blade Sign: A sign hanging, perpendicular to a building façade, from a canopy, building projection, or mounting bracket intended to aid pedestrians in wayfinding.**
- P-T. Rigid Sign: ~~a~~ **A** temporary freestanding sign designed and constructed with materials of a grade and quality to withstand strong winds, rains, and harsh weather conditions, and maintained as a potentially year-long temporary sign to ensure that degradation or weathering does not present aesthetic and public safety concerns and the sign retains substantially the same quality throughout the year. Such signs may not be constructed of cardboard, poster board, or other similar lightweight paper products.
- U. Roof Sign: A sign located on or above the roof of any building, not including a false mansard roof, canopy or other fascia.
- Q-V. Selling slogans**Slogans**: ~~a~~ **A** brief striking phrase used in advertising or promotion. The hours of operation of a business shall be considered to be a selling slogan.
- W. Serif: In fonts and typefaces, the extra stroke at the end of a letter or character.**
- X. Shoulder: In fonts and typefaces, the curve at the beginning of a leg of a character such as the upper curved portion of the lowercase letters "m" and "n."**
- R-Y. Sign Area: ~~the~~ **The** display surface or face of the sign **calculated as prescribed in Section 4.156.04**, including all frames, backing face plates, non-structured trim or other component parts not otherwise used for support. ~~Where a sign is displayed on a surface that includes both signage and blank area, the Planning Director shall have the responsibility for calculating the sign area and shall include all of the surface generally bounding any lettering or other display.~~
- S-Z. Site Area, Net: ~~The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.~~
- ~~Street Graphics: signs that indicate the name and function of a business or institution and are located on private property but within fifteen (15) feet of the right-of-way of a public street.~~
- AA. Temporary Sign: ~~a~~ **A** sign not permanently affixed to a building, structure, or the ground, intended to be displayed for a limited period of time.
- BB. Video Sign: Moving visual messages projected on any surface.**

CC. Wall Flat Sign: ~~a~~A sign affixed directly to or painted on or otherwise inscribed on an exterior wall and confined within the limits of any building and which projects from that surface not more than twelve (12) inches at all points.

**DD. Wayfinding Sign: The term way finding sign has two different contextual meanings. First, it is used as a general description of one of the basic purposes or functions of signs, which is to assist in directing the general public to specific destinations within the community, so that they find their way. In this context almost all signs provide some degree of way finding information. Second, the term is used to describe a specific type of sign, such as local directional signs and district wayfinding signs, that provides specific identity and/or direction to particular businesses, facilities, or places of interest, such as parks, tourist attractions, public buildings, schools, special districts, or other locations to which the public commonly asks for directions.**

264. Site Area, Net: The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.

2. That Wilsonville code section 4.030 Jurisdiction and Powers of Planning Director and Community Development Director, subsection (.01), be amended as follows:

(.01) Authority of Planning Director. The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:

A. A Class I application shall be processed as a ministerial action without public hearing, shall not require public notice, and shall not be subject to appeal or call-up, except as noted below. Pursuant to Class I procedures set forth in Section 4.035, and upon finding that a proposal is consistent with the provisions of this Code and any applicable Conditions of Approval, shall approve the following, with or without conditions:

1. Minor site clearing and grading, prior to the approval of a Site Development Plan, provided that:
  - a. no clearing or grading occurs within the Significant Resource Overlay Zone. Clearing or grading in the Significant Resource Overlay Zone shall require, at a minimum, approval of a Class II permit through the procedures specified below;
  - b. no clearing or grading occurs within twenty-five (25) feet of an area that has been identified by the City as a wetland;
  - c. not more than three (3) trees are proposed to be removed;
  - d. no fill or removal is proposed;
  - e. adequate measures are utilized to control erosion and runoff from the site and that the applicant will submit a final Site Development application within seven (7) days of submitting the minor site grading application. All grading activities require compliance with the requirements of the applicable building code and City Public Works standards.

2. **Class I Signs-Sign Permits, and Temporary Sign Permits for thirty (30) days or less.** ~~authorized for administrative approval by the sign regulations and signs that are permitted outright by the sign regulations of this Code. This includes copy changes to an existing sign, provided that no other structural changes occur and provided that the change occurs to a sign that is otherwise legal.~~
3. Architectural, landscape, tree removal, grading and building plans that substantially conform to the plans approved by the Development Review Board and/or City Council. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.
4. Building permits for single family or two-family dwellings, and in the Village zone, row houses or apartments, meeting zoning requirements and located on lots that have been legally created. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.  
[Amended by Ord 557 adopted 9/5/03].
5. Lot line adjustments, where none of the lots increase in area by fifty percent (50%) or more, subject to the standards specified in Section 4.233.
6. A temporary use permit for not more than thirty (30) days, subject to the following standards:
  - a. the applicant has the written permission of the property owner to use the site;
  - b. the proposed use will not create an obstruction within a sight vision clearance area that would impair the vision of motorists entering onto or passing by the property;
  - c. adequate parking is provided;
  - d. signs shall meet the standards of Section 4.156.09. A maximum of two signs, not exceeding a combined total of 24 square feet, are allowed; and
  - e. the proposed use has the approval of the Fire Marshal.
7. Determination that an existing use or structure is a non-conforming use or non-conforming structure, as defined in this Code. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the history of the property, choose to process such determinations through the Class II procedures below.
8. Actions taken subject to Site Development Permits which have been approved by the appropriate decision-making body of the City.
9. Final plats for condominiums, subdivisions, or partitions that are substantially the same as tentative plats approved by the City and which are submitted for review and signature prior to recordation with the appropriate county.
10. Type A tree removal permits as provided in Section 4.600.
11. Determination, based upon consultation with the City Attorney, whether a given development application is quasi-judicial or legislative. Except,

however, that the Planning Director may, in cases where there is any uncertainty as to the nature of the application, choose to process such determinations through the Class II procedures below.

12. Expedited land divisions. Applications for expedited land divisions, as provided for in Section 4.232 of this Code and ORS Chapter 197 shall be processed without public hearing, and shall be subject to appeal through the special appeal procedures specified in Section 4.232.
  - a. Authority of Planning Director. The Planning Director shall have authority to review applications for expedited land divisions and to take action approving, approving with conditions, or denying such applications, based on findings of fact.
  - b. Tentative Plat Requirements for Expedited Land Divisions. Tentative plats and all other application requirements for expedited land divisions shall be the same as for other forms of land divisions, except as those requirements are specifically altered by the Oregon Revised Statutes.
  - c. Administrative Relief Not Available. In taking action on an application for an expedited land division, the Planning Director is not authorized to grant Variances or waivers from the requirements of the Code.
  - d. Residential Areas Only. As specified in ORS 197, expedited land divisions shall only be approved in areas zoned for residential use.
- B. A Class II application shall be processed as an administrative action, with or without a public hearing, shall require public notice, and shall be subject to appeal or call-up, as noted below. Pursuant to Class II procedures set forth in Section 4.035, the Director shall approve, approve with conditions, deny, or refer the application to the Development Review Board for a hearing:
  1. Minor alterations to existing buildings or site improvements of less than twenty-five percent (25%) of the previous floor area of a building, but not to exceed 1,250 square feet, or including the addition or removal of not more than ten (10) parking spaces. Minor modifications to approved Architectural and Site Development Plans may also be approved, subject to the same standards.
  2. Residential accessory buildings or structures with less than one hundred and twenty (120) square feet of floor area located within the Willamette River Greenway Boundary pursuant to Section 4.500 and subject to the flood plain development standards of Section 4.172. Approval of such accessory structures in the Greenway shall be based on all of the following findings of fact:
    - a. The building or structure is located so that the maximum amount of landscape area, open space and/or vegetation is provided between the river and the building;
    - b. Public access to the river is preserved or is provided in accordance with an approved and adopted plan; and

- c. That the change of use, intensification of use, or development will be directed away from the river to the greatest possible degree while allowing a reasonable use of the property.
- ~~3. A temporary Use Permit for more than thirty (30) and fewer than sixty one (61) days.~~
  43. Written interpretations of the text or maps of this Code, the Comprehensive Plan or sub-elements of the Comprehensive Plan, subject to appeal as provided in Section 4.022. The Planning Director may review and interpret the provisions and standards of Chapter 4 (Planning) of the Wilsonville Code upon receiving the required filing fee along with a specific written request. The Director shall publish and mail notice to affected parties and shall inform the Planning Commission and City Attorney prior to making a final written decision. The Director's letter and notice of decision shall be provided to the applicant, the Planning Commission, the City Council, and City Attorney and the notice shall clearly state that the decision may be appealed in accordance with Section 4.022 (Appeal Procedures). A log of such interpretations shall be kept in the office of the Planning Department for public review.
  54. A permit to locate an accessory use on a lot adjacent to the site of the principal use.
  65. Land partitions, other than expedited land divisions, pursuant to Section 4.210. Approval of land partitions shall be based on all of the following findings of fact:
    - a. The applicant has made a complete submittal of materials for the Director to review, as required in Section 4.210;
    - b. The proposed plan meets the requirements of the Code regarding minimum lot size and yard setbacks;
    - c. The approval will not impede or adversely affect the orderly development of any adjoining property or access thereto;
    - d. The public right-of-way bordering the lots or parcels will meet City standards;
    - e. Any required public dedications of land have been approved for acceptance by the City and will be recorded with the County prior to final plat approval;
    - f. Adequate easements are proposed where an existing utility line crosses or encroaches upon any other parcel to be created by the partition;
    - g. All public utilities and facilities are available or can be provided prior to the issuance of any development permit for any lot or parcel; and
    - h. Roads extended or created as a result of the land division will meet City standards.
  76. Decisions on the following:
    - a. Lot line adjustments, where any of the lots increase by more than fifty percent (50%) in area, subject to the provisions of Section 4.233.
    - b. Temporary use **and temporary sign** permits for periods exceeding thirty (30) days. Temporary use **and temporary sign** permits may allow

specific activities associated with the primary use or business located on the property for up to 120 days provided that:

- i. the property owners have given written permission;
- ii. no structure, sign or any other object shall exceed 20 feet in height;
- iii. adequate parking is provided in designated spaces;
- iv. signs are limited to a maximum of two and shall not exceed a total combined area of 24 square feet;
- v. electrical and building permits are obtained as required;
- vi. undue traffic congestion will not result and, if traffic congestion is expected, a traffic control plan is submitted along with the application that identifies the traffic control procedures that will be used;
- vii. the activity and/or use shall not unduly interfere with motorists driving on adjacent roads and streets, including I-5; and
- viii. public notice has been provided and the comments of interested parties have been considered in the action that has been taken.

8. Solar access permits, as specified in Section 4.137.3.

**9. Class II Sign Permits.**

- C. Other specific actions or duties delegated by Planning Commission or Development Review Board Resolution, or by order of the Council, setting forth the review procedure guided by clear and objective standards for administration.
- D. Administrative Relief: In issuing the permits in subsection "B," above, the Planning Director may grant limited relief in cases of hardship. The Director shall follow the Class II - Administrative Approval procedures to determine whether administrative relief shall be granted. If the Director receives a complete application, along with the required filing fee, and the request involves only the expansion or reduction by not more than 20 percent of one or more quantifiable provisions of yard, area, lot dimension, or parking requirements of the zone, the Director may approve the application, based upon findings of fact supported by evidence in the record. The Variance procedures and standards specified in Section 4.196 shall be used in determining whether administrative relief shall be granted.
- E. Emergency Situations: The Planning Director may review and approve any reasonable and necessary emergency measure, including the removal of trees and vegetation from the Willamette River Greenway, Significant Resource Overlay Zone and wetlands, necessary for the safety and/or protection of persons or property. The standard shall be that the least amount of activity or disruption is used to provide the necessary protection to the property or to avert damage to the property. The Director may require restoration of landscaping, vegetation or soil to repair any damage resulting from enacting emergency protection measures.

3. That Wilsonville code section 4.031 Authority of the Development Review Board, subsection (.01), be amended as follows:

- (.01) As specified in Chapter 2 of the Wilsonville Code and except as specified herein, the Board shall have authority to act on the following types of applications:
- A. Class II development applications referred to the Board by the Planning Director, as authorized in Section 4.030.
  - B. Call-ups or appeals of staff decisions or interpretations involving quasi-judicial applications or procedures, as authorized in Sections 4.022 and 4.172.
  - C. Review of tentative subdivision and condominium plats, as authorized in Section 4.210, other than those processed as expedited land divisions.
  - D. Conditional Use Permits, as authorized in Section 4.184.
  - E. Variances, as authorized in Section 4.196, other than those that are reviewed and acted upon by the Planning Director through Administrative Review processes.
  - F. Initial review of quasi-judicial applications for zone changes, as authorized in Section 4.197.
  - G. Initial review of quasi-judicial applications for amendments to one or maps in the Comprehensive Plan, as authorized in Section 4.198.
  - H. Site design review, as authorized in Section 4.400.
  - I. Review of Stage I and Stage II Planned Development applications.
  - J. Acceptance, rejection, or modification of traffic studies prepared for projects or developments. A traffic study prepared by the City's consultant shall not be rejected or modified by the Board unless substantial evidence exists in the record to justify such action. If the Board rejects a traffic study prepared by the City's consultant, the fee paid by the applicant for that study shall be refunded.
  - K. Initial review of requests for quasi-judicial annexations to the City of Wilsonville.
  - L. Street vacations, where a specific development application has been filed for the subject property. If no specific development application has been filed for the subject property, the vacation request shall be considered by the Planning Commission. Action of the Planning Commission or Board on a street vacation request shall be a recommendation to the City Council.

**M. Class III Sign Permits, Master Sign Plans, and all sign permits and approvals not specifically authorized for administrative review or exempt from permitting requirements.**

- 4. That the heading "Section 4.156 Sign Regulations" be deleted in its entirety.
- 5. That Wilsonville code section 4.156 Sign Regulations, subsection (.01) Purpose, be renumbered and retitled as section 4.156.01 Sign Regulations Purpose and Objectives, and amended as follows:

**Section 4.156.01 Sign Regulations Purpose and Objectives.**

(.01) Purpose. The general purpose of this ~~the~~ Section is sign regulations are to provide one of the principal means of implementing the Wilsonville Comprehensive Plan by fostering an aesthetically pleasing, functional, and economically vital community, as well as promoting public health, safety, and well-being. The sign regulations strive to accomplish the above general purpose by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4. This code regulates the design, variety, number, size, location, and type of signs, as well as the processes required to permit various types of signs. Sign regulations have one or more of the following specific objectives:

- A. Well-designed and aesthetically pleasing signs sufficiently visible and comprehensible from streets and rights-of-way that abut a site as to aid in wayfinding, identification and provide other needed information.
- B. Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.
- C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
- D. Consistent and equitable application and enforcement of sign regulations.
- E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- F. Sign regulations are content neutral.

~~promoting public safety, providing locational and directional information, ensuring continued aesthetic improvement of the City's environment, and providing adequate opportunity for signage to meet the needs of individuals, businesses, institutions, and public agencies. These provisions classify and regulate the variety, number, size, location, and type of signs for a site. They do not necessarily assure or provide for a property owner's desired level of sign visibility. Regulations for signs have one or more of the following specific objectives:~~

- ~~A. To ensure that signs are designed, constructed, installed and maintained so that public safety and traffic safety are not compromised;~~
- ~~B. To allow and promote positive conditions for meeting the needs of sign users while avoiding nuisances to nearby properties and the community overall;~~
- ~~C. To reflect and support the desired character and development patterns of the various zones;~~
- ~~D. To allow for variety in number and type of signs in appropriate locations, while preventing signs from dominating the visual appearance of the area;~~
- ~~E. To prevent the construction or use of signs that would otherwise detract from the design of adjacent buildings or properties;~~
- ~~F. To provide the public with adequate opportunity for needed information that can be supplied through signage;~~
- ~~G. To stabilize and improve property values and prevent the creation of blighted areas;~~

- H. ~~To provide for the clear identification of structures in order to enhance public safety; and~~
- I. ~~To ensure the protection of the constitutionally guaranteed right of free speech.~~

6. That Wilsonville code section 4.156 Sign Regulations, subsection (.02) Application For Sign Permits and subsection (.03) General Provisions Affecting Signs, be renumbered and retitled as sections 4.156.02 Sign Review Process and General Requirements, 4.156.03 Sign Measurement, and 4.156.04 Non-Conforming Signs, and amended as follows:

~~(.02) Application For Sign Permits.~~

~~A. Submittals. Every request for a sign approval shall be made on the application form, which shall be provided by the City Planning Department and shall be accompanied by additional information and such fees as may be required by the City.~~

~~B. Review Processes.~~

- ~~1. The Planning Director shall have authority over the administration, interpretation, and enforcement of the provisions of this Section, subject to appeal as provided in Section 4.022. Pursuant to a Class I Administrative Review procedure, the Planning Director may approve, approve with conditions, or deny applications for sign permits, except as provided in this Section. The Planning Director's authority to approve sign permits shall be limited to reviewing and acting upon temporary use sign permits, permits for replacement of existing signs, minor changes to approved sign permits, and signs that have already received preliminary approval as part of a master sign plan, or in the Village zone, as part of a master signage and Wayfinding plan. (Amended by Ord 557, adopted 9/5/03).~~
- ~~2. Any decision for approval of a sign proposal shall include written findings addressing the following criteria:
  - ~~a. The proposed signage complies with the specific objectives in subsection 4.156(.01) of this Code;~~
  - ~~b. The proposed signage is compatible with developments or uses permitted in the zone in terms of design, materials used, color schemes, proportionality, and location, so that it does not interfere with or detract from the visual appearance of adjacent development;~~
  - ~~c. The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of adjacent properties;~~
  - ~~d. If the proposed signage is to be temporary, the length of time for which it is permitted shall be reasonable in terms of the purpose and nature of the signs that are proposed, but not to exceed one (1) year from the date of approval;~~
  - ~~e. If the application involves a Variance, it shall be subject to the standards and criteria listed in Section 4.196; and~~~~

f. ~~All of the relevant application filing requirements of Chapter 4 have been met.~~

3. ~~As specified in this Code, the Development Review Board shall have authority to review applications for sign permits, and for waivers and variances from these standards, except in cases where such authority is granted to the Planning Director. The Development Review Board shall make written findings for its decisions, subject to the criteria in subsection 4.156(.01) and (.02) above, Section 4.196, and Sections 4.400 through 4.450, as applicable.~~

4. ~~In issuing a Sign Permit, the Planning Director may grant or deny a variance to relieve a hardship using Class I (Administrative Review) procedures. Such a variance shall only be approved where the variance does not exceed twenty percent (20%) of area, height, or setback requirements (e.g., a ten foot setback requirement could be decreased to eight feet, etc.). The Planning Director shall approve such a variance only upon finding that the application complies with all of the required variance criteria listed in Section 4.196.~~

5. ~~Variances to sign regulations. Additional to the authority of the Planning Director to issue administrative variances as noted in subsection 4, above, the Development Review Board may authorize variances from sign requirements of this Code, subject to the standards and criteria listed in Section 4.196.~~

~~(.03) General Provisions Affecting Signs. No person shall erect, install, construct, place, alter, change, relocate, suspend or attach any sign, except for routine maintenance of existing signs, without first obtaining a sign permit, paying the required fees, and otherwise complying with the provisions of this Code. The location of free standing or ground mounted signs located adjacent to or near the Public Right of Way shall be in compliance with the City's Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.~~

~~A. Approval of Permits. No permit shall be issued for signs within the City until reviewed and approved by the Development Review Board, the Planning Director, or the Director's designee as authorized in this Code. Applicants shall, whenever possible, incorporate all proposed signage as a part of the initial submittal on new development projects.~~

**Section 4.156.02 Sign Review Process and General Requirements.**

**(.01) Permit Required: Unless exempt under Section 4.156.05, no sign, permanent or temporary, shall be displayed or installed in the City without first obtaining a sign permit.**

**(.02) Sign Permits and Master Sign Plans: Many properties in the City have signs pre-approved through a Master Sign Plan. For the majority of applications where a Master Sign Plan has been approved the applicant need not consult the sign requirements for the zone, but rather the Master Sign Plan, copies of which are available from the Planning Division. Signs conforming to a Master Sign Plan**

require only a Class I Sign Permit.

**(.03) Classes of Sign Permits, Master Sign Plans, and Review Process: The City has three classes of sign permits for permanent signs: Class I, Class II, and Class III. In addition, non-residential developments with three or more tenants require a Master Sign Plan. Class I sign permits are reviewed through the Class I Administrative Review Process as outlined in Subsection 4.030 (.01) A., Class II sign permits are reviewed through the Class II Administrative Review Process as outlined in Subsection 4.030 (.01) B., Class III Sign Permits and Master Sign Plans are reviewed by the Development Review Board (DRB) as outlined in Section 4.031. Applicants shall, whenever possible, incorporate all proposed signage as a part of the initial submittal on new development projects.**

**(.04) Class I Sign Permit: Sign permit requests shall be processed as a Class I Sign Permit when the requested sign or signs conform to a Master Sign Plan or other previous sign approval. In addition, a Minor Adjustment to a Master Sign Plan or other previous sign approval may be approved in connection with a Class I Sign Permit.**

**A. Class I Sign Permit Submission Requirements: Application for a Class I Sign Permit shall include two (2) copies of the following along with all required application fees:**

- 1. Completed application form prescribed by the City and signed by the property owner or the property owner's representative,**
- 2. Sign drawings showing all materials, the sign area and dimensions used to calculate sign areas, and other details sufficient to judge the full scale of the associated sign or signs and related improvements,**
- 3. Information showing how the proposed sign or signs conform with all applicable code requirements, Master Sign Plans, or other previous sign approvals for the property, and**
- 4. Information supporting any minor adjustment requests.**

**B. Class I Sign Permit Review Criteria: The sign or signs conform with the applicable master sign plan or other previous sign approvals, and applicable code requirements.**

**C. Minor Adjustments: Notwithstanding approved Master Sign Plans or other previous sign approvals, as part of a Class I Sign Permit Minor Adjustments may be approved as described in 1. and 2. below. Minor Adjustments are valid only for the Sign Permit with which they are associated and do not carry over to future sign permits or copy changes.**

- 1. Adjustment to Sign Height or Length: Adjustment of not more than ten (10) percent from the sign height (not height from ground) and/or length may be approved for the reasons listed in a. through d. below, unless otherwise specifically prohibited in the Master Sign Plan. Minor adjustments to sign height and length shall not cause the sign to cross the edge of any fascia, architectural element or area of a building facade identified as a sign band. The area of the sign exceeding the height or length as part of a minor**

adjustment shall not count against the sign area indicated in a Master Sign Plan or other previous sign approval.

- a. To accommodate the descender on the lower case letters “q, y, p g, or j”, not otherwise accommodated by the measurement method used, where the letter matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter;
- b. To accommodate stylized fonts where bowls, shoulders, or serifs of the stylized letters extend beyond the cap height;
- c. To accommodate an arching or other non-straight baseline; or
- d. To accommodate a federally registered trademark logo where compliance with the defined maximum sign height would result in the cap height of the text in the logo being ninety (90) percent or less of the cap height for letters otherwise allowed. (i.e. if a Master Sign Plan allowed 24” letters and 24” total sign height, and a 24” logo would result in the cap height of the text within the logo being less than 21.6”, the total height of the logo could be increased to 26.4”)

2. Lateral Adjustment of Building Sign Location: Lateral adjustment of a building sign location identified in drawings or plans for a Master Sign Plan or other sign approval when all of the following are met:

- a. The lateral distance being moved does not exceed fifty (50) percent of the sign length or ten (10) feet, whichever is greater;
- b. The exact location is not specifically supported or required by written findings or a condition of approval;
- c. The sign remains within the same architectural feature and sign band, except if the location is on a pillar, column, or similar narrow architectural support feature, the sign may be moved to a sign band on the architecture feature which it supports if no other sign is already placed in that sign band for the tenant space; and
- d. The placement maintains any spacing from the edge of an architectural feature, building, or tenant space specifically identified in the Master Sign plan or other sign approval or if no spacing is identified, maintains a definable space between the sign and the edge of architectural features, the tenant space, and building.

(.05) Class II Sign Permit: Sign permit requests meeting one or more of the descriptions listed in A. through C. below shall be processed as a Class II Sign Permit when the request does not conform with a Master Sign Plan or other previous sign approval but meets the requirements of the applicable sign regulations, unless the request would modify a condition of approval specifically imposed by the DRB or City Council:

- A. Existing residential development;
- B. Existing non-residential development with less than three (3) tenants unless the request involves a freestanding or ground mounted sign greater than eight (8) feet in height in a new location;

**C. Major Adjustments to a Master Sign Plan when all of the following criteria are met:**

- 1. The request is compatible with the pattern of signage established in the sign plan in terms of locations, placement on buildings, proportionality to fascia and building facade, architectural design, and materials used;**
- 2. The request is due to special conditions or circumstances that make it difficult to comply with the established Master Sign Plan;**
- 3. The request involves signs for a single tenant, a single multi-tenant freestanding or ground mounted sign, or a series of similar related multi-tenant freestanding or ground mounted signs in the same development; and**
- 4. The request does not involve a freestanding or ground mounted sign greater than eight (8) feet in height at a new location.**

**D. Class II Sign Permit Submission Requirements: Application for a Class II Sign Permit shall include two (2) paper copies and one (1) electronic copy of the following in addition to all required fees:**

- 1. Completed application form prescribed by the City and signed by the property owner or their authorized representative;**
- 2. Sign drawings or descriptions of all materials, sign area and dimensions used to calculate areas, lighting methods, and other details sufficient to judge the full scale of the signs and related improvements;**
- 3. Documentation of the lengths of building or tenant space facades used in calculating maximum allowed sign area;**
- 4. Drawings of all building facades on which signs are proposed indicating the areas of the facades on which signs will be allowed;**
- 5. Narrative describing the scope of the project, including written findings addressing all applicable review criteria, along with any other information showing how the proposed signage conforms with requirements for the applicable zone;**

**E. Class II Sign Permit Review Criteria: Class II Sign Permits shall satisfy the sign regulations for the applicable zoning district and the Site Design Review Criteria in Sections 4.400 through 4.421, as well as the following criteria:**

- 1. The proposed signage is compatible with developments or uses permitted in the zone in terms of design, materials used, color schemes, proportionality, and location, so that it does not interfere with or detract from the visual appearance of surrounding development;**
- 2. The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of surrounding development; and**
- 3. Special attention is paid to the interface between signs and other site elements including building architecture and landscaping, including trees.**

**(.06) Class III Sign Permit: Sign permit requests shall be processed as a Class III Sign Permit when associated with new development, or redevelopment requiring DRB**

review, and not requiring a Master Sign Plan; when a sign permit request is associated with a waiver or non-administrative variance; or when the sign permit request involves one or more freestanding or ground mounted signs greater than eight (8) feet in height in a new location.

A. Class III Sign Permit Submission Requirements: Ten (10) paper and electronic copies of the submission requirements for Class II Sign Permits plus information on any requested waivers or variances in addition to all required fees.

B. Class III Sign Permit Review Criteria: The review criteria for Class II Sign Permits plus waiver or variance criteria when applicable.

(.07) Master Sign Plans: A Master Sign Plan is required for non-residential developments with three (3) or more tenants. In creating a Master Sign Plan thought should be given to needs of initial tenants as well as the potential needs of future tenants.

A. Master Sign Plan Submission Requirements: Applications for Master Sign Plans shall include ten (10) paper and electronic copies of all the submission requirements for Class II and III Sign Permits and the following in addition to all required fees:

1. A written explanation of the flexibility of the Master Sign Plan for different potential tenant space configurations over time;
2. A written explanation of the extent to which different sign designs, including those incorporating logos, stylized letters, multiple lines of text, non-straight baselines, or different materials and illumination will be allowed and if allowed how the flexibility of the master sign plan will allow these different sign designs over time;
3. A written explanation of how the sign plan provides for a consistent and compatible sign design throughout the subject development.

B. Master Sign Plan Review Criteria: In addition to the review criteria for Class II and Class III Sign Permits, Master Sign Plans shall meet the following criteria:

1. The Master Sign Plan provides for consistent and compatible design of signs throughout the development; and
2. The Master Sign Plan considers future needs, including potential different configurations of tenant spaces and different sign designs, if allowed.

C. Modifications of a Master Sign Plan: Modifications of a Master Sign Plan, other than Minor and Major Adjustments, shall be reviewed the same as a new Master Sign Plan.

(.08) Waivers and Variances: Waivers and variances are similar in that they allow deviation from requirements such as area, and height from ground. They differ in that waivers are granted by the DRB as part of a comprehensive review of the design and function of an entire site to bring about an improved design and variances are granted by either the Planning Director or DRB to relieve a specific hardship caused by the regulations.

A. Waivers: The DRB may grant waivers for sign area, sign height from ground (no waiver shall be granted to allow signs to exceed thirty-five (35) feet in height

from ground), number of signs, or use of electronic changeable copy signs in order to better implement the purpose and objectives of the sign regulations as determined by making findings that all of the following criteria are met:

1. The waiver will result in improved sign design, in regards to both aesthetics and functionality.
2. The waiver will result in a sign or signs more compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district than signs allowed without the waiver.
3. The waiver will result in a sign or signs that improve, or at least do not negatively impact, public safety, especially traffic safety.
4. Sign content is not being considered when determining whether or not to grant a waiver.

**B. Variances:**

1. Administrative Variance: In reviewing a Sign Permit the Planning Director may grant or deny a variance to relieve a hardship through the Class II Administrative Review process. Such a variance shall only be approved where the variance does not exceed twenty percent (20%) of area, height, or setback requirements. The Planning Director shall approve such a variance only upon finding that the application complies with all of the required variance criteria listed in Section 4.196.
2. Other Variances: In addition to the authority of the Planning Director to issue administrative variances as noted above, the Development Review Board may authorize variances from sign requirements of the Code, subject to the standards and criteria listed in Section 4.196.

**(.09) Temporary Sign Permits: Temporary sign permits shall be reviewed as follows:**

**A. 30 days and less- Class I Administrative Review**

**B. 31 days up to 120 days- Class II Administrative Review**

**C. Submission Requirements: Applications for a temporary sign permit shall include the following in addition to the required application fee:**

1. Completed application form prescribed by the City and signed by the property owner or their authorized representative,
2. Two copies of sign drawings showing all materials, and showing sign area and dimensions used to calculate areas, and other details sufficient to judge the full scale of the sign or signs,
3. Information showing the proposed sign or signs conform with all applicable code requirements.

**D. Review Criteria: Temporary Sign Regulations in Section 4.156.09.**

**E. When a temporary sign permit request is submitted as part of the broader temporary use permit request of the same duration, the sign request shall not require an additional fee.**

**(.10) Waiver of Documentation: The Planning Director may, in his or her discretion, waive an application document for Class I, Class II, and Temporary Sign Permits**

where the required information has already been made available to the City, or where the Planning Director determines the information contained in an otherwise required document is not necessary to review the application.

**Section 4.156.03 Sign Measurement**

~~B. Sign Measurement.~~

~~(.01). 1. Sign Area: Sign area shall be determined as follows:~~

~~A. a. Cabinet Signs and Similar: The area for signs enclosed by cabinet, frame, or other background (including lighted surface) not otherwise part of the architecture of a building or structure shall be~~ The area of sign faces enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet surrounding the sign face (see Figure 15: Sign Face Measurement). ~~the area of a shape drawn around the outer dimension of the cabinet, frame, or background.~~

~~1. If the cabinet, frame, or background is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. below.~~

~~2. Sign The sign area does not include:~~

~~a. foundations Foundations, supports, and other essential structures that are not designed to serve unless they are serving as a backdrop or border to the sign;~~

~~b. Architectural elements of a freestanding or ground mounted sign designed to match or complement the architectural design of buildings on the site not and otherwise meeting the definition of a sign;~~

~~c. A pole or other structural support, unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device.~~

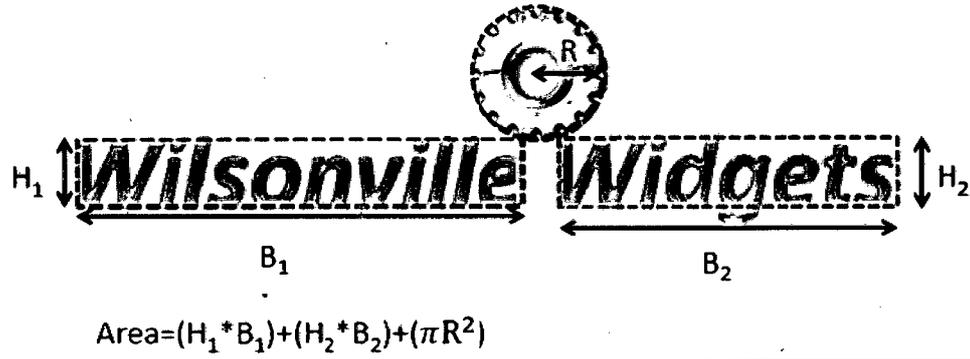


**Figure 1. Measurement of Cabinet or Similar Signs**

~~B. b. When sIndividual Element Signs: The area for signs are constructed of individual elements (letters, figures, etc.) pieces attached to a building wall or similar surface or structure, sign area is determined by a perimeter drawn around all of the pieces (see Figure 17: Individual Element Sign). shall be the summed area~~

of up to three squares, rectangles, circles, or triangles drawn around all sign elements.

1. The descender on the lower case letters “q, y, p g, or j.” shall not be included in sign area when the letter otherwise matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter.



**Figure 2. Measurement of Individual Element Signs**

A.C. e. For a Round or Three-Dimensional Signs: The area of a round or three-dimensional sign, shall be the maximum surface area visible from any one location on the ground is used to determine sign area measured the same as A. above (see Figure 20: Sign Face Area), except if the maximum surface area is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. above.

B.D. d. When sAwning or Marquee Signs: The area of signs are incorporated into awnings, walls, or marquees, shall be the area of the entire panel containing the sign is counted as the sign face measured the same as A. above unless it is clear that part of the panel contains no sign-related display or decoration, other than the background color of the awning.

E. e. Painted Wall Signs: The area of painted wall signs shall be determined as follows: For the purposes of sign area calculations, the surface area of wall murals and wall signs shall be calculated as part of the total sign area as indicated in this subsection.

1. If individual elements are painted without a background it shall be calculated in the manner indicated in B. above.

1.2.If a background is painted it shall be calculated in the manner indicated in A. above.

C.F. f. The Planning Director shall be responsible for determining the area of a sign, subject to appeal as specified in Section 4.022. Temporary Signs: The area of temporary signs including banners, lawn signs, and rigid signs shall be calculated in the manner indicated in A. above.

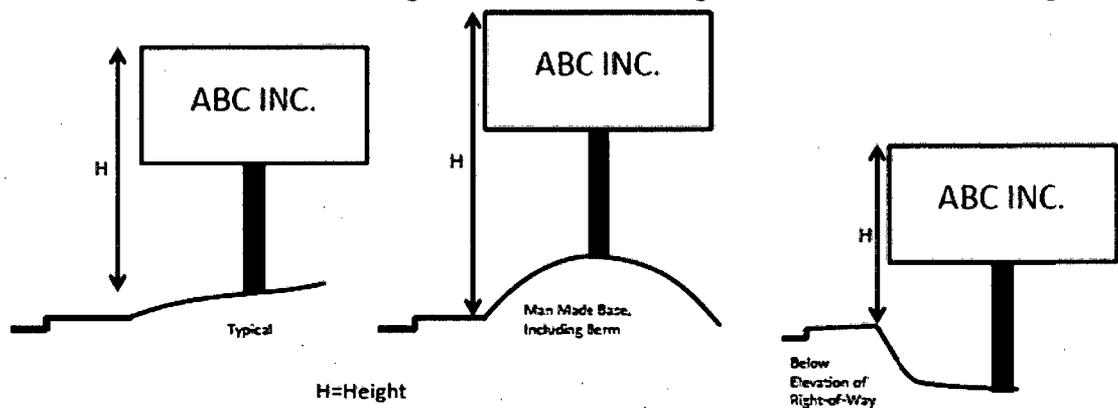
D.G. g. Unless otherwise specified, the sign area of a two-sided sign, with two matching sides, shall be considered to be the area of one side. For example, the sign area of a two-sided sign having thirty-two (32) square feet per sign face shall be considered to be thirty-two (32) square feet, unless this code specifies otherwise.

**(.02) 2. Sign Height above Ground:**

A. The overall height above ground of a freestanding or ground-mounted sign or sign structure is measured from the average grade directly below the sign to the highest point of the sign or sign structure except as follows:

1. A freestanding or ground mounted sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb to the highest point of the sign or sign structure. In all cases signs on a berm shall be allowed to be eight (8) feet in height from the top of the berm.
2. A freestanding or ground mounted sign placed below the elevation of the right-of-way it fronts shall be measured from the lowest point in the right-of-way along the frontage to the highest point of the sign. If there is a question regarding the height of a sign, the Planning Director shall make the determination, subject to appeal, as provided in this Code.

How to Measure Height of a Freestanding or Ground Mounted Sign



**(.03) Sign Height and Length:**

- A. Height of a sign is the vertical distance between the lowest and highest points of the sign.
- B. Length of a sign is the horizontal distance between the furthest left and right points of the sign.

**(.04) Final Determination of Sign Measurement:** The Planning Director shall be responsible for determining the area, height above ground and height and length of a sign, subject to appeal as specified in Section 4.022. Applicants for sign plans and permits shall provide the dimensions needed to calculate the area, height above ground, height, and length.

**Section 4.156.04 Non-Conforming Signs.**

**(.01) C.** ~~Non-conforming~~ **Conforming** Signs. Non-conforming signs, which may be non-conforming structures or non-conforming uses, are subject to the standards for non-conforming uses and non-conforming structures delineated in Sections 4.189 through 4.190. Except, however, that a non-conforming sign that is damaged beyond fifty percent (50%) of its value, as determined by the City Building Official, may only be reconstructed if the reconstructed sign meets all applicable zoning, structural, and electrical standards applicable at the time of reconstruction. Nothing in this Section is

intended to impair any previously approved sign permit that has been issued by the City of Wilsonville, subject to state or federal law, or to require the removal of any sign that was legally erected or installed prior to the effective date of these regulations. In the event that a previously erected or installed sign no longer meets applicable City zoning standards it may remain in place, subject to the standards for non-conforming uses or nonconforming structures noted above. **However, a sign that is required to be moved solely because of a public taking may be replaced on the site, and maintain its non-conforming status, subject to a Class II Sign Permit, provided the replacement sign is found to not increase in non-conformity to current code standards other than required setbacks.**

~~D. Master Sign Plans. A master sign plan is required for developments containing three (3) or more non-residential occupants, including but not limited to tenants, businesses, agencies, and entities. Additionally, the developer of any project may apply to have the development's signs reviewed through master sign plan procedures. A master sign plan shall be submitted at the time the development is reviewed by the Development Review Board. Master sign plans shall contain the method of illumination, the number, locations, and sizes of signs. The proposed master sign plan shall also show the estimated number of tenant signs and the total square footage of all signs within the development. Lettering styles and sizes for all occupants of the development shall be shown if known at the time of application.~~

- ~~1. In reviewing a master sign plan, the Development Review Board may regulate size, location, number and type of proposed signage in accordance with Sections 4.400 through 4.450 of this Code.~~
- ~~2. The Development Review Board may grant waivers from the requirements of this Section where the overall design of the master sign plan is found by the Board to assure attractive and functional signage. The Board shall give consideration to the size and scale of the proposed development, as well as the number of separate entrances, when acting on a master sign plan for a large development.~~
- ~~3. Any existing sign, whether or not it is to be retained, must be shown on the plan. It shall be the responsibility of the property owner or the owner's agent to administer and control any aspect of an approved master sign plan that is more restrictive than the City's sign regulations. Individual business signs that are part of a master sign plan are subject to the permit application process.~~
- ~~4. Applications for temporary signs on properties that are subject to master sign plans shall be reviewed by the Planning Director or Development Review Board through the Administrative Review process. Such temporary signs are not required to meet the strict standards of the approved master sign plan but shall be required to be designed, or limited in duration, to avoid conflicts with the master sign plan.~~

7. That Wilsonville code section 4.156 Sign Regulations, subsection (.04) Signs Exempt From Sign Permit Requirements, be renumbered as section 4.156.05, and amended as follows:

**Section 4.156.05(-04)-Signs Exempt From Sign Permit Requirements.**

(.01) A.—The following signs are exempt from the permit requirements of this ~~Section~~ code and do not require sign permits. Unless otherwise specified, the area of the exempted signs shall not be included in the calculations of sign area permitted on a given site:

- A. 1.—Traffic or other governmental or directional signs, as may be authorized by the City or other units of government having jurisdiction within the City.
- B. 2.—Signs installed by public utility companies indicating danger, or which serve as an aid to public safety, or which show the location of utilities or public facilities, including underground utilities.
- C. 3.—Flags displayed from permanently-located freestanding or wall-mounted flagpoles that are designed to allow raising and lowering of flags. One site may have up to two (2) exempt flags; no exempt flag may be more than thirty (30) feet in height.

(.02) B.—Other Signs. No sign permit is necessary before placing, constructing or erecting the following signs. However, in all other particulars such signs shall conform to the requirements of applicable Building and Electrical Codes, as well as this Code.

A. 1.—Signs inside a building **except for prohibited signs listed in Section 4.156.06** ~~containing strobe lights, other flashing lights, or changing image signs which are visible from a public right of way are prohibited, unless specifically approved in a sign permit. Other interior signs are allowed, unless determined to be a public nuisance.~~

B. 2.—Name Plates and Announcements.

- 1. a.—A sign identifying the name, street address, occupation and/or profession of the occupant of the premises in the aid of public health and safety. One name plate, not exceeding a total of three (3) square feet shall be allowed for each occupant. The name plate shall be affixed to the building.
- 2. b.—Announcements posted on a given property (e.g., no smoking, no parking, rules of conduct, etc.) and not intended to be read from off-site, are permitted to be located as needed. Such announcements shall not be considered to be part of the sign allotment for the property.

C. 3.—Directional Signs. Designed for non-changing messages, directional signs facilitate the safe movement of the traveling public. Such signs are subject to the following standards and conditions:

1. a.—The following ~~directional signs are exempt from sign permit requirements:~~

1. i.—Those having a e ~~maximum sign~~ **area of not more than does not exceed** three (3) square feet per sign face,

1.2. ~~The sign are not located~~ **location is not** within public rights-of-way and ~~which meet~~ **meets** City vision clearance requirements;

2.3. ii.—Those without lighting **No sign lighting;**

3.4. iii.—Those without a **No** logo or those having a logo that does not exceed one (1) square foot in size; and

4.5. iv.—Those where ~~not~~ **No** more than one (1) directional sign is located on the same tax lot.

2. b.—The following ~~directional signs require a sign permit:~~

a. i.—Those having a maximum sign face area of more than three (3) and not exceeding six (6) square feet.



- a. i.—A rigid sign not associated with an ongoing temporary event may be displayed for no more than ninety (90) days each calendar year.
- b. ii.—A rigid sign associated with an ongoing temporary event may be displayed for the duration of that temporary event. Note: Section 4.156(.05)(E.)~~(12.)~~**.06 (.01) Q.** of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
- c. iii.—A temporary event must have an end, marked by the occurrence of a specifically anticipated date or happening. A temporary event may not be a part of a broader, continuing event or of related, serial events. Temporary events shall not be defined by content, but may include isolated merchandise sales or discounts, or availability of real estate for sale or lease.

**K. Signs allowed in Subsections 6.150 (1) and (2) Wilsonville Code for special events.**

8. That Wilsonville code section 4.156 Sign Regulations, subsection (.05) Prohibited Signs, be renumbered as section 4.156.06, and amended as follows:

**Section 4.156.06 Prohibited Signs**

~~(.0501)~~—Prohibited Signs. The following signs are prohibited and shall not be placed within the City:

- A. Search lights, strobe lights, and signs containing strobe lights or other flashing lights, unless specifically approved in a sign permit.
- B. Obstructing signs, a sign or sign structure such that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit, hydrant, standpipe, or the exterior of any window; any sign projecting more than twelve (12) inches from a wall, except projecting signs that are specifically permitted through the provisions of this Code.
- C. Changing image signs, including those within windows, ~~unless specifically approved through the waiver process provided for architectural features in planned developments.~~

**D. Changeable copy signs that use lighting changed digitally, unless specifically approved through a waiver process connected with a Class III Sign Permit or Master Sign Plan. In granting a waiver for a digital changeable copy signs the DRB shall ensure the following criteria will be met:**

- 1. The sign shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with ambient light conditions and the sign owner shall ensure appropriate functioning of the dimming technology for the life of the sign.**
- 2. The luminance of the sign shall not exceed five thousand (5000) candelas per square meter between sunrise and sunset, and five hundred (500) candelas per square meter between sunset and sunrise.**

~~DE.~~—Roof-top signs - signs placed on the top of a building or attached to the building and projecting above the top of that building, unless specifically approved

through the temporary use ~~sign~~ permit or annual pre-approved sign procedures of this Code. **or the architectural design of a building makes the slope of the roof below the peak a practicable location of signs on a building and the general location of signs on the roof is approved by the DRB during Stage II Approval, as applicable, and Site Design Review.**

~~E. Other Prohibitions: Additional to the signs listed above, the following are prohibited:~~

- ~~4~~**F.** Signs obstructing vision clearance areas.
- ~~2~~**G.** Pennants, streamers, festoon lights, **balloons**, and other similar devices intended to be moved by the wind, unless specifically authorized in an approved sign permit.
- ~~3~~**H.** Signs attached to trees, **public sign posts**, or public utility poles, other than those placed by appropriate government agencies or public utilities.
- ~~4~~**I.** Signs using bare-bulb illumination or signs lighted so that the immediate source of illumination is visible, unless specifically authorized by the Development Review Board or City Council **such as Digital Changeable Copy Signs**. This is not intended to prohibit the use of neon **or LED's** as a source of illumination.
- ~~5~~**J.** Signs that use flame as a source of light or that emit smoke or odors.
- ~~6~~**K.** Any sign, including a window sign, which is an imitation of or resembles an official traffic sign or signal; and which may include display of words or graphics that are likely to cause confusion for the public, such as "STOP," "GO," "SLOW," "CAUTION," "DANGER," "WARNING," etc.
- ~~7~~**L.** Any sign, including a window sign, which by reason of its size, location, movements, content, coloring or manner of illumination may be confused with, or construed as, a traffic control device, or which hides from view any traffic sign, signal, or device.
- ~~8~~**M.** ~~\_\_\_\_\_~~ Portable signs, exceeding six (6) square feet of sign area per side, other than those on vehicles or trailers. The display of signs on a vehicle or trailer is prohibited where the vehicle or trailer is not fully operational for use on public roads or where the primary function of the vehicle or trailer is advertising. Examples where the primary function of the vehicle or trailer is advertising include mobile billboards such as those on which advertising space is rented, sold, or leased.
- ~~9~~**N.** Signs located on public property in violation of ~~subsection~~ **Section 4.156-(10) or (11), 10** below.
- ~~10~~**O.** Signs placed on private property without the property owner's permission.
- ~~11~~**P.** Signs erected or installed in violation of standards prescribed by the City of Wilsonville, State of Oregon or the U.S. government.
- ~~12~~**Q.** Signs associated with temporary events, after the temporary event is completed.
- R. Any private signs, including window signs, with a luminance greater than five thousand (5000) candelas per square meter between sunrise and sunset and five hundred (500) candelas per square meter between sunset and sunrise.**

**S. Video Signs**

~~(.06) Sign Area. The total square footage of signage per lot shall be regulated by Sign Table 6, Permanent Signs, except as otherwise specified in this Code. Additional signage may be authorized, provided that the sign proposal conforms to the provisions of this Section.~~

9. That Wilsonville code section 4.156 Sign Regulations, subsection (.06) Sign Area, be deleted in its entirety.

10. That Wilsonville code section 4.156 Sign Regulations, subsection (.07) Sign Permit Requirements In Residential Zones, be renumbered as retitled as section 4.156.07 Sign Regulations In Residential Zones, and amended as follows:

**Section 4.156.07 Sign Regulations In Residential Zones.**

~~(.07) Sign Permit Requirements In Residential Zones. Notwithstanding the provisions of Sign Table 6, the following signs may be allowed in PDR, R, and RA-1 zones:~~

~~A. Signs pertaining to individual residences or home occupations shall be subject to the following standards and conditions:~~

~~A. 1. Surface area shall not exceed three (3) square feet and sign shall not be artificially illuminated.~~

~~B. 2. The sign shall be located inside the dwelling or located flat against the dwelling.~~

~~C. 3. One such sign per dwelling unit is allowed.~~

~~B. Special event signs—signs advertising or pertaining to any special event taking place within the City. The Planning Director may issue a temporary use permit for special event signs to be located on-site, off-site, or within City rights-of-way, excluding those areas listed in subsection 4.156(.10)(A.)(4.) through the Administrative Review process of Sections 4.030 and 4.035. The Planning Director may attach conditions to such Permits to ensure compliance with the purposes and specifications of this Section.~~

~~1. Annual pre-approved special event signs. The Planning Director shall maintain a list of pre-approved special events for which separate temporary use sign permits are not required. The Planning Director shall utilize the Administrative Review process and criteria to establish the list, subject to appeal as specified in Section 4.022. The Planning Director may renew the list annually with or without changes. This list shall specify the total number of signs that are to be allowed for each listed event. In acting on requests for inclusion on the pre-approved list, the Planning Director may set conditions of approval and shall not be bound by the standards of this code applying to other signs. Because these special events occur annually, it is more efficient to process requests in a single package rather than require numerous temporary use permits. Additionally, traffic congestion is expected to be diminished during special events if adequate signage helps to direct people to appropriate locations.~~

~~2. Inflatable signs—Inflatable signs shall not be mounted or suspended from the roof, nor shall a ground-mounted inflatable sign exceed ten (10) feet in overall height in a residential zone. Inflatable signs shall be permitted for a maximum of fifteen (15) days of display use in any calendar year.~~

~~C. District or Planned Development signs—one (1) on-site monument sign, or one (1) off-site monument sign on an adjacent parcel identifying that Planned Development project may be permitted, subject to the following standards and conditions:~~

- ~~1. The sign may be a double-faced sign and shall not exceed sixteen (16) square feet per face.~~
- ~~2. The sign shall pertain only to the subject development which it is intended to identify.~~
- ~~3. Sign graphics may be changeable so as to indicate vacancies and occupancy changes.~~
- ~~4. The sign shall be reviewed by the Development Review Board in conjunction with the overall Planned Development.~~

~~D. Opening Banner for a new business or housing development. A banner corresponding with the opening of a new business or housing development may be permitted, subject to the Class I Administrative Review provisions of Section 4.030 and 4.035 and the following standards and conditions:~~

- ~~1. One such banner shall be allowed either from the date of issuance of Building Permits until four (4) weeks after issuance of Certificates of Occupancy, or if no Building Permit is issued, for four (4) weeks after occupancy of a new business.~~
- ~~2. Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.~~

**(.01) E. Monument Ground Mounted Signs for Residential Developments.** One monument **ground mounted** sign, not exceeding eighteen (18) square feet in area **and six (6) feet in height above ground**, shall be permitted for each residential subdivision having fifty (50) or more lots or for any other residential **multi-family** development with fifty (50) or more dwelling units.

**1. Additional ground mounted signs of eighteen (18) square feet or less shall be permitted for additional entrances to the subdivision or development located on a separate street frontage or on the same street frontage located at least two hundred (200) feet apart.**

**2. For one entrance on a street frontage, an additional ground mounted sign may be placed on opposite side of the street or private drive at the intersection.**

**(.02) Ground Mounted Signs for Outdoor Recreational Areas on Separate Lots: Public or private Parks or other similar outdoor recreational areas on separate lots than dwelling units are allowed one (1) ground mounted sign of eighteen (18) square feet or less in area and six (6) square feet or less in height above ground.**

**(.03) Non-Residential Uses: Uses, other than residential and outdoor recreation, shall be subject to the sign regulations for PDC, PDI, and Public Facility zones.**

11. That Wilsonville code section 4.156 Sign Regulations, subsection (.08) Sign Permit Requirements In PDC and PDI Zones, be renumbered and retitled as section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones, and amended as follows:

**Section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones.**

~~(.08) Sign Permit Requirements In PDC And PDI Zones. In implementing the permanent sign footage per lot allowed by the provisions of Sign Table 6, the following standards and conditions shall apply to all signs in PDC and PDI zones, other than the Town Center area:~~

**(.01) Freestanding and Ground Mounted Signs**

**A.** One freestanding **or ground mounted** sign is allowed for the first two-hundred (200) linear feet of site frontage. One additional freestanding **or ground mounted** sign may be added for through **and corner** lots having at least two-hundred (200) feet of frontage on one street **or right-of-way** and one-hundred (100) feet on the other street **or right-of-way**.

**B.** The **maximum allowed height above ground** of a freestanding **or ground mounted** sign shall be **twenty (20) feet except as noted in 1.-2. below**. If there is a building on the site, the maximum height shall be **twenty (20) feet above the average grade of the building footprint**.

**a.** **The maximum allowed height above ground for signs along the frontage of Interstate 5, and parallel contiguous portions of streets, as identified in Figure 4.156.08-1, associated with multiple tenants or businesses may be increased by three (3) feet for each tenant space of ten thousand (10,000) square feet or more of gross floor area up to a maximum of thirty-five (35) feet.**

**b.** **The allowed height above ground for signs in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone is eight (8) feet, except those signs along the frontage of Interstate 5 and parallel contiguous portions of streets noted in 1 above.**

**C.** **The maximum allowed area for each freestanding or ground-mounted sign is determined based on gross floor area and number of tenant spaces:**

**1. For frontages along streets other than those indicated in 2. below sign area allowed is calculated as follows:**

**a. The sign area allowed for signs pertaining to a single tenant:**

<b><u>Gross Floor Area in a Single Building</u></b>	<b><u>Maximum Allowed Sign Area</u></b>
<b><u>Less than 11,000 sf</u></b>	<b><u>32 sf</u></b>

<u>11,000-25,999 sf</u>	<u>32 sf + 2 sf per 1000 sf of floor area greater than 10,000 rounded down to the nearest 1,000 sf</u>
<u>26,000 sf or more</u>	<u>64 sf</u>

- i. For PF (Public Facility) zoned properties adjacent to residential zoned land the maximum allowed area is thirty-two (32) square feet.
- b. The maximum allowed sign area for signs pertaining to multiple tenants or businesses is thirty-two (32) square feet plus the following for each tenant space:

<u>Gross Floor Area of Tenant Space</u>	<u>Additional Allowed Sign Area for Tenant Space</u>
<u>Less than 1,000 sf</u>	<u>3 sf</u>
<u>1,000-10,999</u>	<u>3 sf + 3 sf per 1,000 sf of floor area rounded down to the nearest 1,000 sf</u>
<u>11,000 sf or more</u>	<u>32 sf</u>

- i. The total sign area shall not exceed two hundred (200) square feet, except in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone the total sign area shall not exceed eighty (80) square feet.
- ii. Though the maximum allowed sign area is calculated based on number of tenant spaces and their size, the content of the sign and area used for different content is at the discretion of the sign owner, except for required addressing.

2. Signs fronting Interstate 5 and parallel contiguous street sections, as identified in Figure 4.156.08-1 on pages to :

- a. For signs on properties or within developments with a single tenant or business the sign area allowed is sixty-four (64) square feet.
- b. For signs on properties or within developments with multiple tenants or businesses the maximum allowed area is sixty-four (64) square feet plus an additional thirty-two (32) square feet for each tenant space of 10,000 square feet or more of gross floor area up to a maximum total sign area of three hundred (300) square feet.
  - i. Though the sign area allowed is calculated based on number of large tenant spaces, the content of the sign and area used for different content is at the discretion of the sign owner, except for any required addressing.

C.D. 3. Pole or sign support placement shall be installed in a full vertical position (see Figure 16: Sign Position).

E. 4. Freestanding and ground mounted signs shall not extend into or above public rights-of-way, parking areas, or vehicle maneuvering areas.

F. The location of free standing or ground mounted signs located adjacent to or near the Public Right-of-Way shall be in compliance with the City's Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.

- G. Freestanding and ground mounted signs shall be designed to match or complement the architectural design of buildings on the site.**
- H. For freestanding and ground mounted signs greater than eight (8) feet in height, the width of the sign shall not exceed the height.**
- I. Along street frontages in the PDC-TC Zone and Old Town Overlay Zone monument style signs are required.**
- J. Freestanding and ground mounted signs shall be no further than fifteen (15) feet from the property line and no closer than two (2) feet from a sidewalk or other hard surface in the public right-of-way.**
- K. Except for those signs fronting Interstate 5, freestanding and ground mounted signs shall include the address number of associated buildings unless otherwise approved in writing by the City and the Fire District.**
- L. When a sign is designed based on the number of planned tenant spaces it shall remain a legal, conforming sign regardless of the change in the number of tenants or configuration of tenant spaces.**
  - 5. ~~Street side setbacks for freestanding signs may be reduced to ten (10) feet without requiring a waiver or variance.~~

**(.02) B. Signs on Buildings**

- A. Sign Eligible Facades: Building signs are allowed on a facade of a tenant space or single tenant building when one or more of the following criteria are met:**
  - 1. The facade has one or more entrances open to the general public;**
  - 2. The facade faces a lot line with frontage on a street or private drive with a cross section similar to a public street, and no other buildings on the same lot obstruct the view of the building facade from the street or private drive; or**
  - 3. The facade is adjacent to the primary parking area for the building or tenant.**

**B. Sign Area Allowed:**

- 1. The sign area allowed for all building signs on a sign eligible facade is shown in the table below:**

<b><u>Linear Length of Façade (feet)</u></b>	<b><u>Sign Area Allowed*</u></b>
<b><u>Less than 16</u></b>	<b><u>Area equal to linear length</u></b>
<b><u>16 to 24</u></b>	<b><u>24 sf</u></b>
<b><u>Greater than 24 to 32</u></b>	<b><u>32 sf</u></b>
<b><u>Greater than 32 to 36</u></b>	<b><u>Area equal to linear length</u></b>
<b><u>Greater than 36 to 72</u></b>	<b><u>36 sf</u></b>
<b><u>Greater than 72</u></b>	<b><u>36 sf plus 12 sf for each 24 linear feet or portion thereof greater than 72 up to a maximum of 200 sf</u></b>

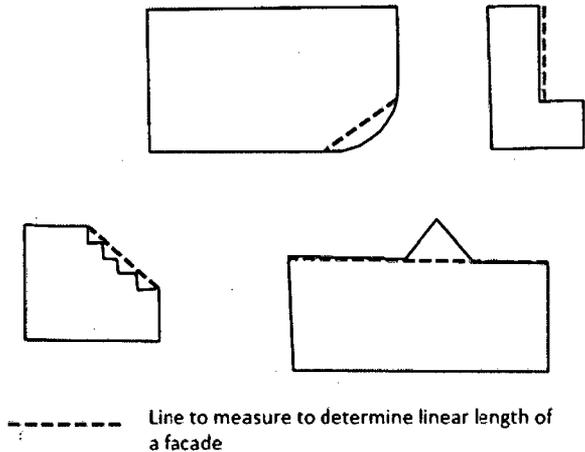
**\*Except as noted in 2. through 5. below**

- 2. The sign area allowed for facades with a primary public entrance or with a frontage along a public street dominated by windows or glazing may be increased by transferring to the façade up to one half (1/2) the sign area allowed for adjacent facades up to fifty (50) square feet. In no case shall the allowed sign area exceed an area equal to the linear length of the façade.**
- 3. The sign area allowed is increased as follows for signs at separate building entrances:**

  - a. For building entrances open to the general public located at least fifty (50) feet apart on the same facade, the sign area allowed is increased by fifty (50) percent up to fifty (50) square feet.**
  - b. For building entrances located less than fifty (50) feet apart on the same facades, the sign area allowed is increased by twenty (20) percent up to twenty (20) square feet.**
- 4. For businesses occupying multiple buildings in a campus setting, sign area shall be limited to that allowed for the largest building, which may then be distributed throughout the campus.**
- 5. If a façade otherwise not sign eligible faces a lot line with frontage on Interstate 5, the applicant can transfer sign area allowed from one (1) of the locations described in a. and b. below. In no case shall the allowed sign area exceed an area equal to the allowed sign area for a sign eligible façade of the same linear length.**

  - a. The freestanding sign along the Interstate 5 frontage. This generally involves placing building signs on the subject façade in lieu of installing a freestanding sign.**
  - b. Adjacent façade up to fifty (50) square feet, when a majority of the adjacent façade from which the sign area is being transferred is visible from Interstate 5.**
- 6. Calculating linear length of a façade for the purpose of determining maximum sign area allowed. For facades of a single tenant building the length the facade measured at the building line, except as noted in a. and b. below. For multi-tenant buildings the width of the façade of the tenant space shall be measured from the centerline of the party walls or the outer extent of the exterior wall at the building line, as applicable, except as noted in a. and b. below. Applicants shall provide the dimensions needed to calculate the length. Each tenant space or single occupant building shall not be considered to have more than five (5) total facades.**

  - a. If a façade is curvilinear, stepped, or otherwise not a straight line, the façade shall be measured by drawing a straight line between the edges of the façade as shown in the figure below.**
  - b. For an "L" shaped tenant space or single tenant building the longest leg of the interior of the "L" shall be basis for measuring the length of the L-shaped facade. Sign area allowed based on longest leg can be distributed between legs.**



a. ~~Square feet of all building signs shall not exceed the longest side of the largest building (i.e., one square foot of sign area for each linear foot of building) occupied by the use advertised, up to a maximum of two hundred (200) square feet, whichever amount is less, except as provided in "b" and "c" below. The length of building is to be measured at the building line.~~

1. —

a. ~~b. The two hundred (200) square foot maximum noted in "a," above, shall be increased by twenty (20) percent to allow for building signs at separate building entrances; or~~

**B. e. — The two hundred (200) square foot maximum noted in "a," above, shall be increased by fifty (50) percent to allow for building signs at separate entrances that are located at least fifty (50) feet apart or on different sides of the building. The length of individual tenant signs shall not exceed seventy-five (75) percent of the length of the facade of the tenant space.**

**C. The height of building signs shall be within a definable sign band, fascia, or architectural feature and allow a definable space between the sign and the top and bottom of the sign band, fascia, or architectural feature.**

**D. 2. — Types of signs permitted on buildings include wall flat, fascia, projecting, blade, marquee and awning signs. Roof-top signs are prohibited.**

D. —

**(.03) C. — Additional signs. Notwithstanding the sign footage allowed based on the site and building frontages as shown in Table 6 in (.01) and (.02) above, the following signs may be permitted, subject to standards and conditions in this Section Code:**

**A. 1. — Directional signs: In addition to exempt directional signs allowed under Subsection 4.156.05 (.02) C. freestanding or ground mounted directional signs six (6) square feet or less in area and four (4) feet or less in height:**

- 1. The signs shall be designed to match or complement the architectural design of buildings on the site;**
- 2. The signs shall only be placed at the intersection of internal circulation drives; and**
- 3. No more than one (1) sign shall be placed per intersection corner with no more than two (2) signs per intersection.**

2. ~~Special event signs—signs advertising or pertaining to any special event taking place within the City. The Planning Director may issue a temporary use permit for special event signs to be located on-site, off-site, or within City rights-of-way, excluding those areas listed in subsection 4.156(.10)(A.) (4.) through the Administrative Review process of Sections 4.030 and 4.035. The Planning Director may attach conditions to such Permits to ensure compliance with the purposes and specifications of this Section. Additionally, the Planning Director may authorize signs for pre-approved special events in PDC and PDI zones through the same procedures as for residential zones, listed in subsection 4.156(.07), above.~~
3. ~~Inflatable signs—Inflatable signs shall not be mounted or suspended from a roof unless specifically authorized through a temporary use permit or annual pre-approved event permit, nor shall a ground-mounted inflatable sign exceed ten (10) feet in overall height. If attached to a building in any manner, an inflatable sign must meet applicable building code requirements including consideration of wind loads. Inflatable signs are temporary advertising devices, subject to the standards for Administrative Review specified in Sections 4.030 and 4.035. Inflatable signs shall be permitted for a maximum of fifteen (15) days of display use in any calendar year.~~

~~A. 4. District or Planned Development signs — up to thirty (32) square feet of the allowed sign area for freestanding signs in a planned development may be used for a separate one (1) on-site monument sign, or one (1) off-site monument sign on an adjacent parcel identifying that the Planned Development project, may be permitted, subject to the following standards and conditions:~~

~~B. a. The sign may be double faced, shall not exceed thirty-two (32) square feet per face, and may be located within ten (10) feet of a street right-of-way without requiring a waiver or variance.~~

~~1. b. The sign shall pertain only to identification of its subject development.~~

~~2. c. Sign graphics may be changeable so as to indicate vacancies and occupancy changes.~~

~~C. d. The sign shall be reviewed by the Development Review Board in conjunction with the overall Planned Development. Blade Signs: To aid in pedestrian wayfinding, one (1) blade sign, not to exceed six (6) square feet, per facade eligible for building signs. Blade signs shall provide a minimum of eight (8) feet clearance from the ground.~~

~~C.D. — Fuel or Service Station Price Signs. Two (2) e In addition to the freestanding or ground mounted signs allowed, changeable copy signs shall be allowed for the purpose of advertising fuel prices, subject to the following standards and conditions:~~

~~1. a. The signs shall have a maximum of six eleven (611) square feet in area per face per type of fuel sold and shall be permanently affixed to the building or a freestanding sign.~~

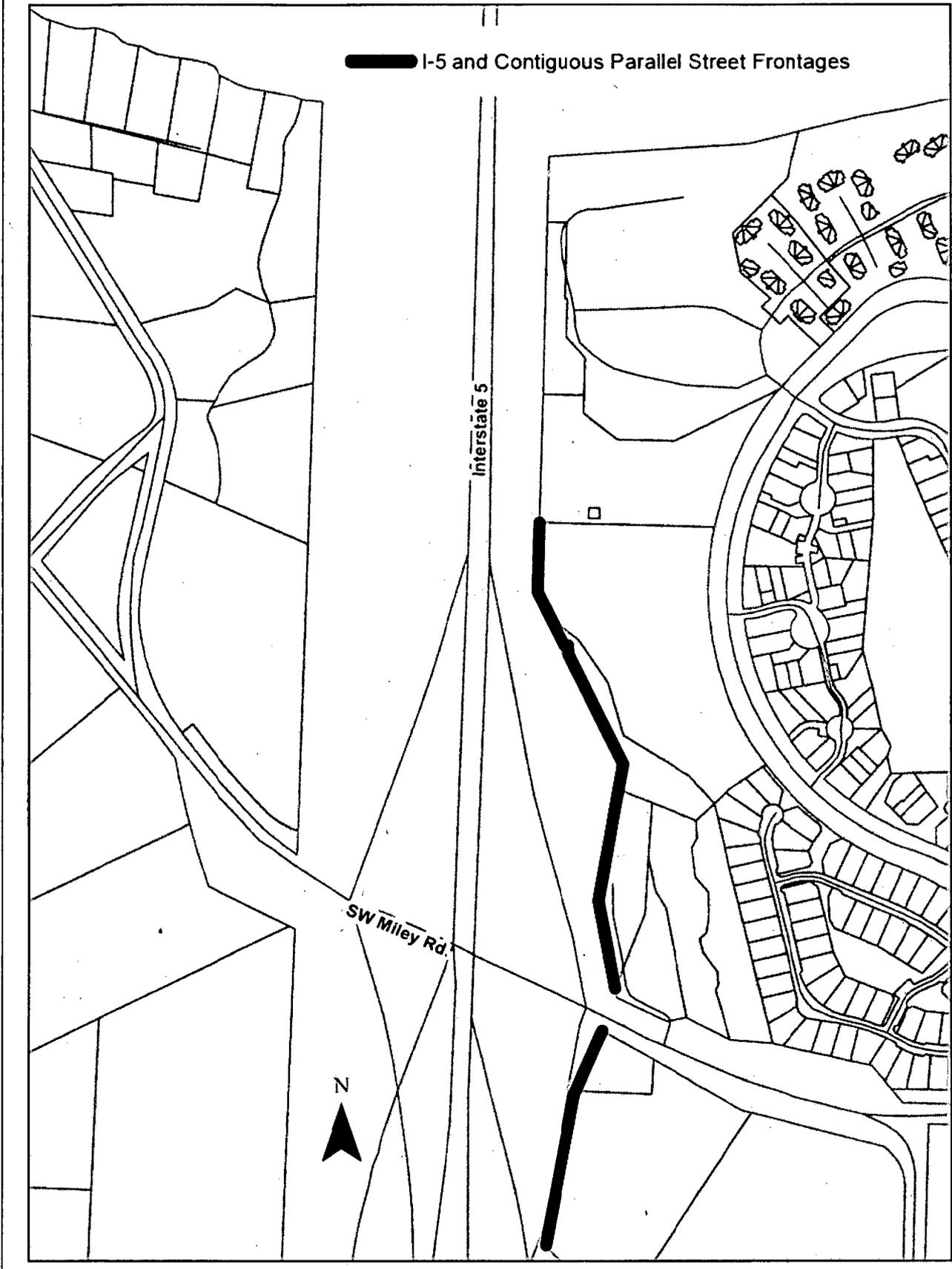
~~2. b. The signs shall not be considered in calculating the maximum sign area or number of signs permitted at the location allowed.~~

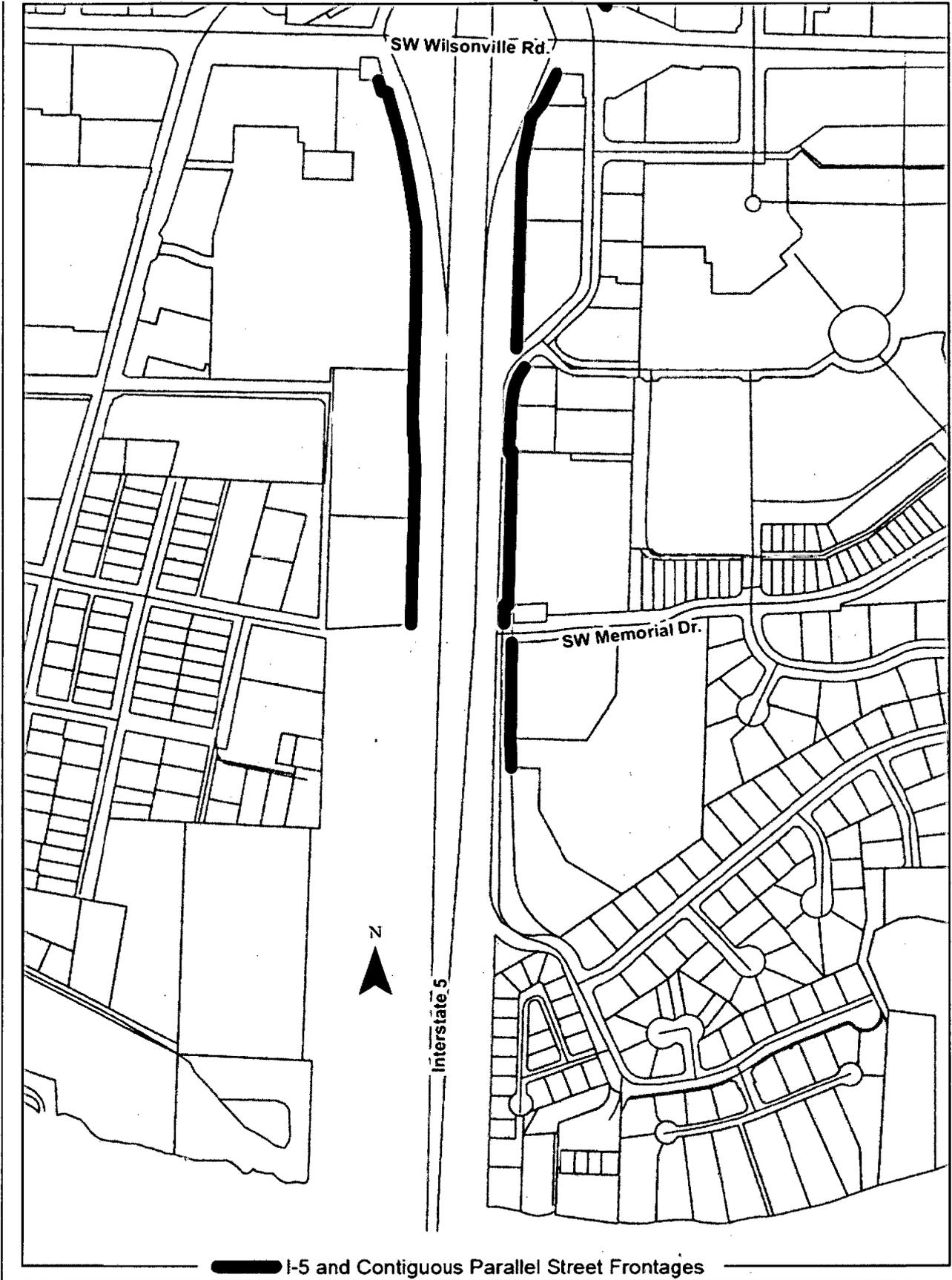
~~3. e. Signs on fuel pumps shall be permitted, providing that they do not project beyond the outer edge of the pump in any direction.~~

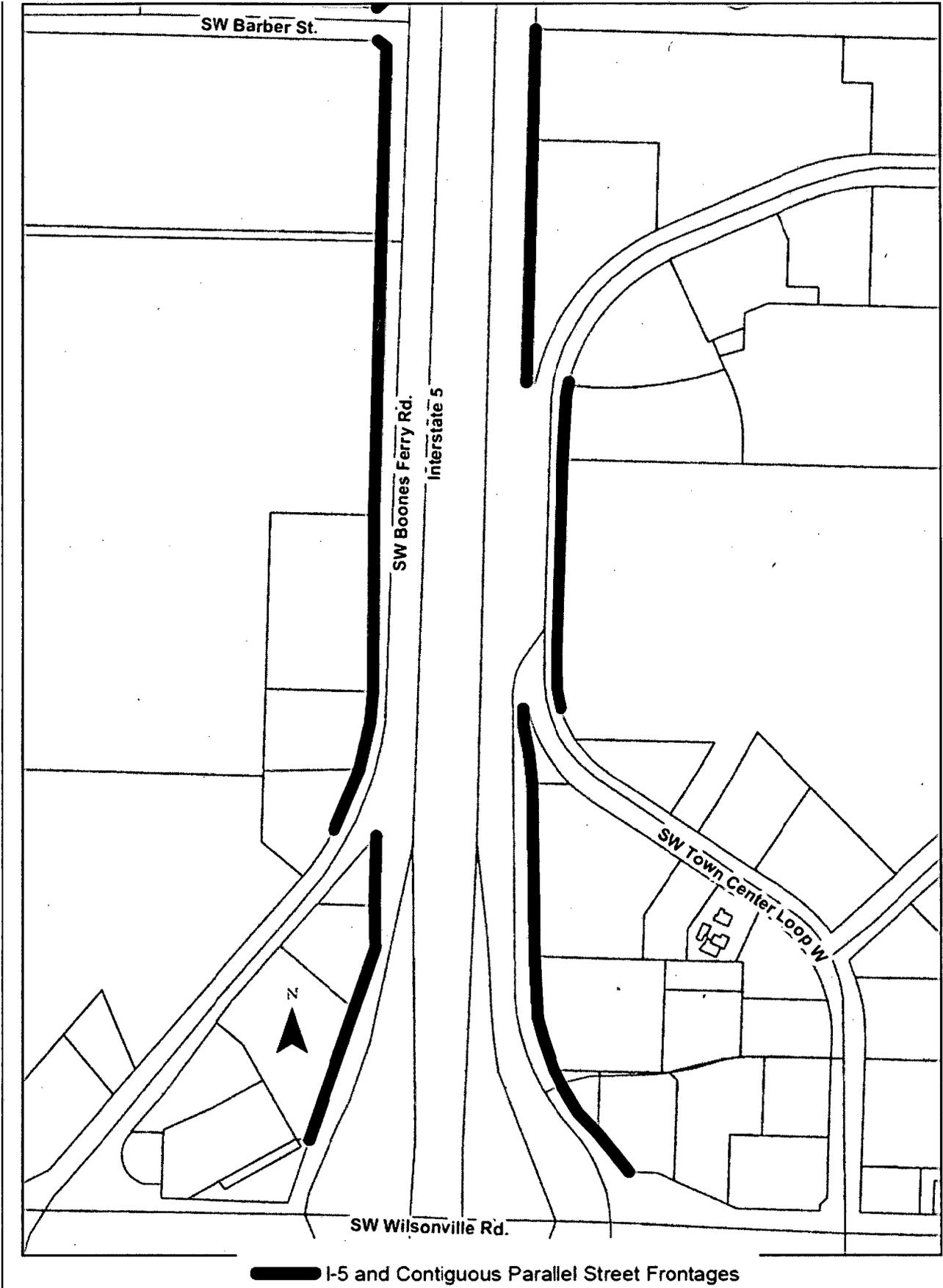
6. ~~Banner for new business, apartment complex, housing development, or special event. A banner corresponding to a special event or opening may be permitted, subject to the Administrative Review provisions of Section 4.030 and 4.035, and the following standards and conditions:~~
  - a. ~~One (1) such banner shall be allowed either from the date of issuance of Building Permits until four (4) weeks after issuance of Certificates of Occupancy, or if no Building Permit is issued, for four (4) weeks after occupancy of a new business.~~
  - b. ~~Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.~~

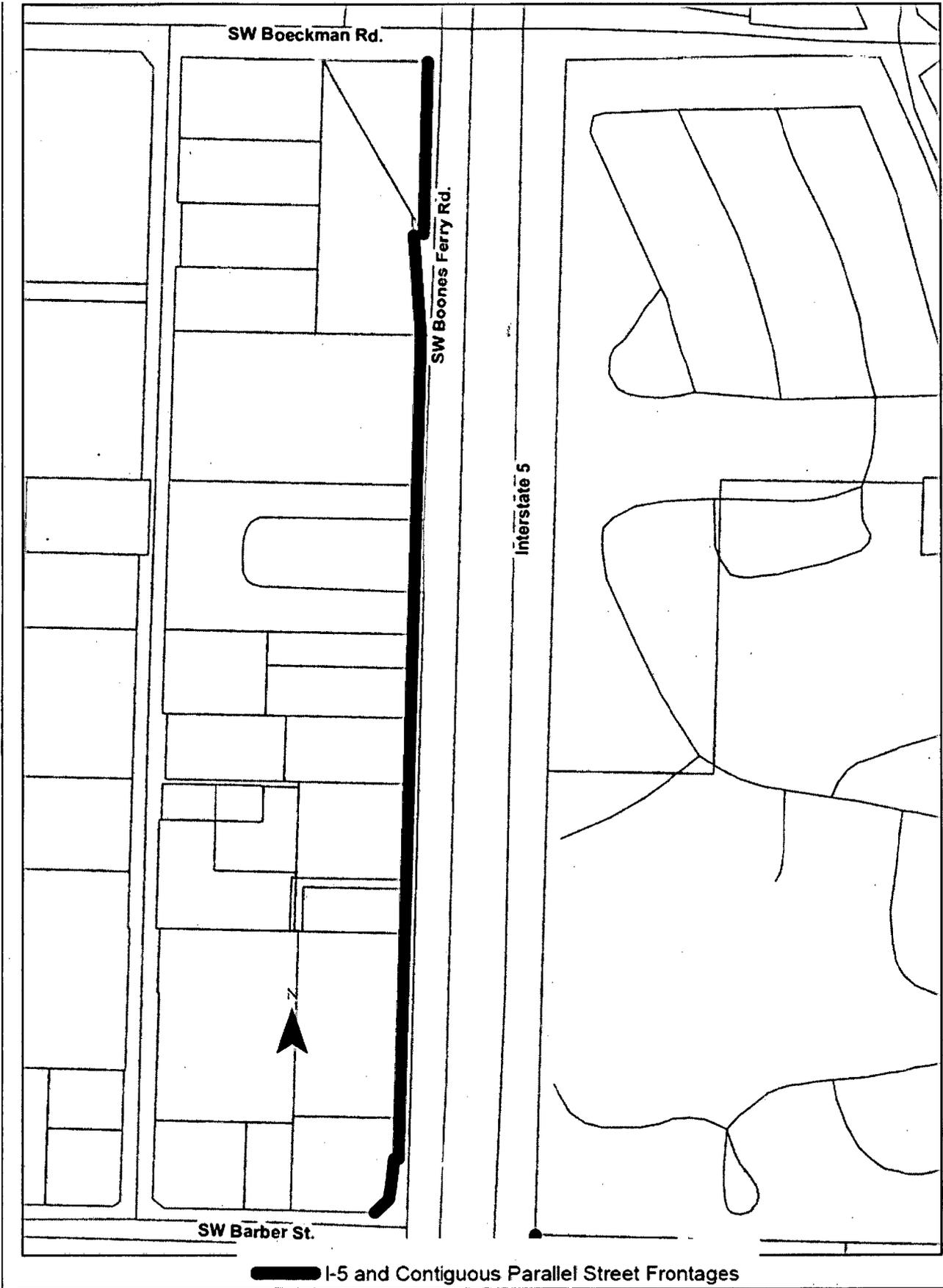
Figure 4.156.08-1

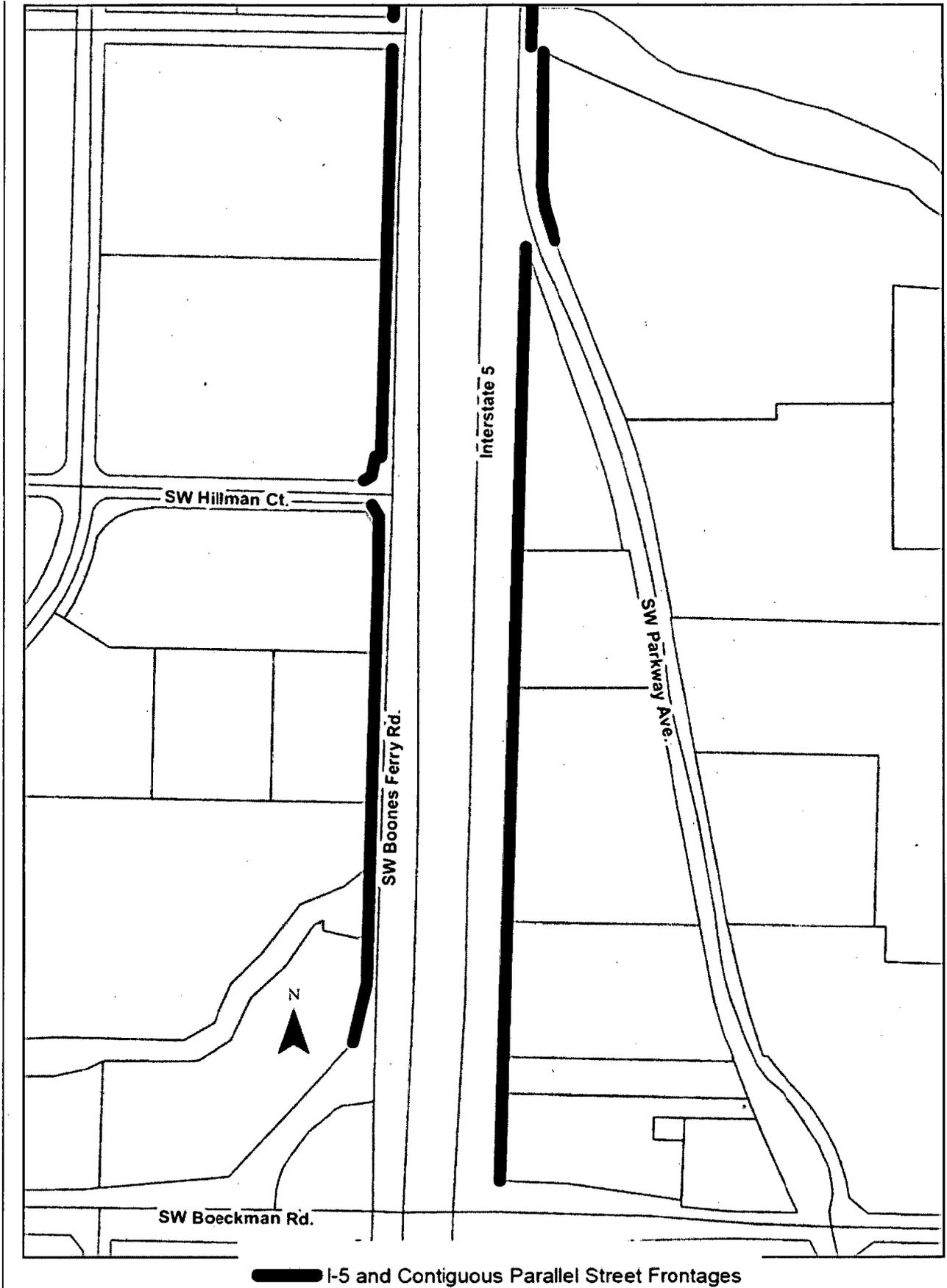
Interstate 5 and Contiguous Parallel Street Frontage



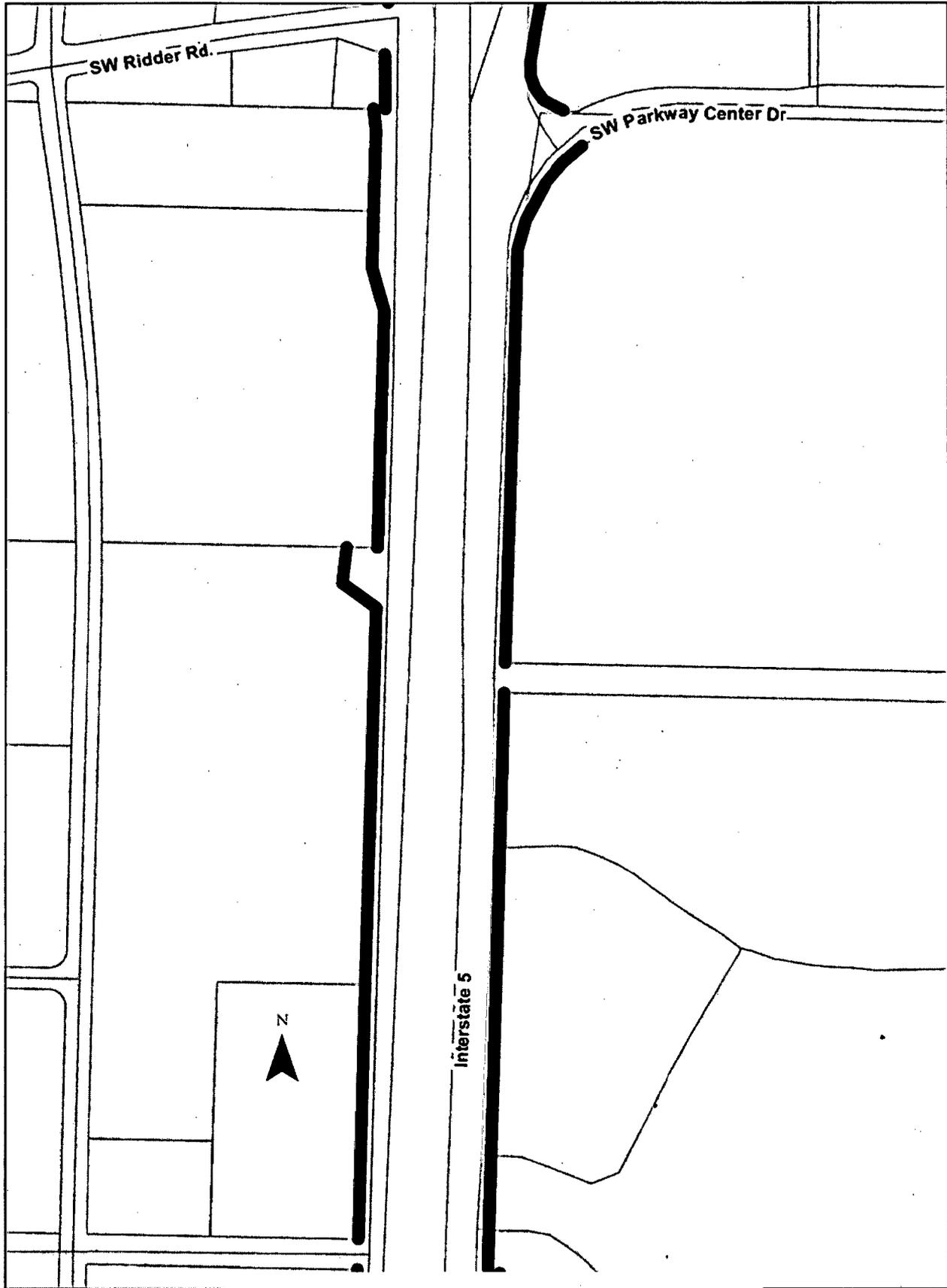




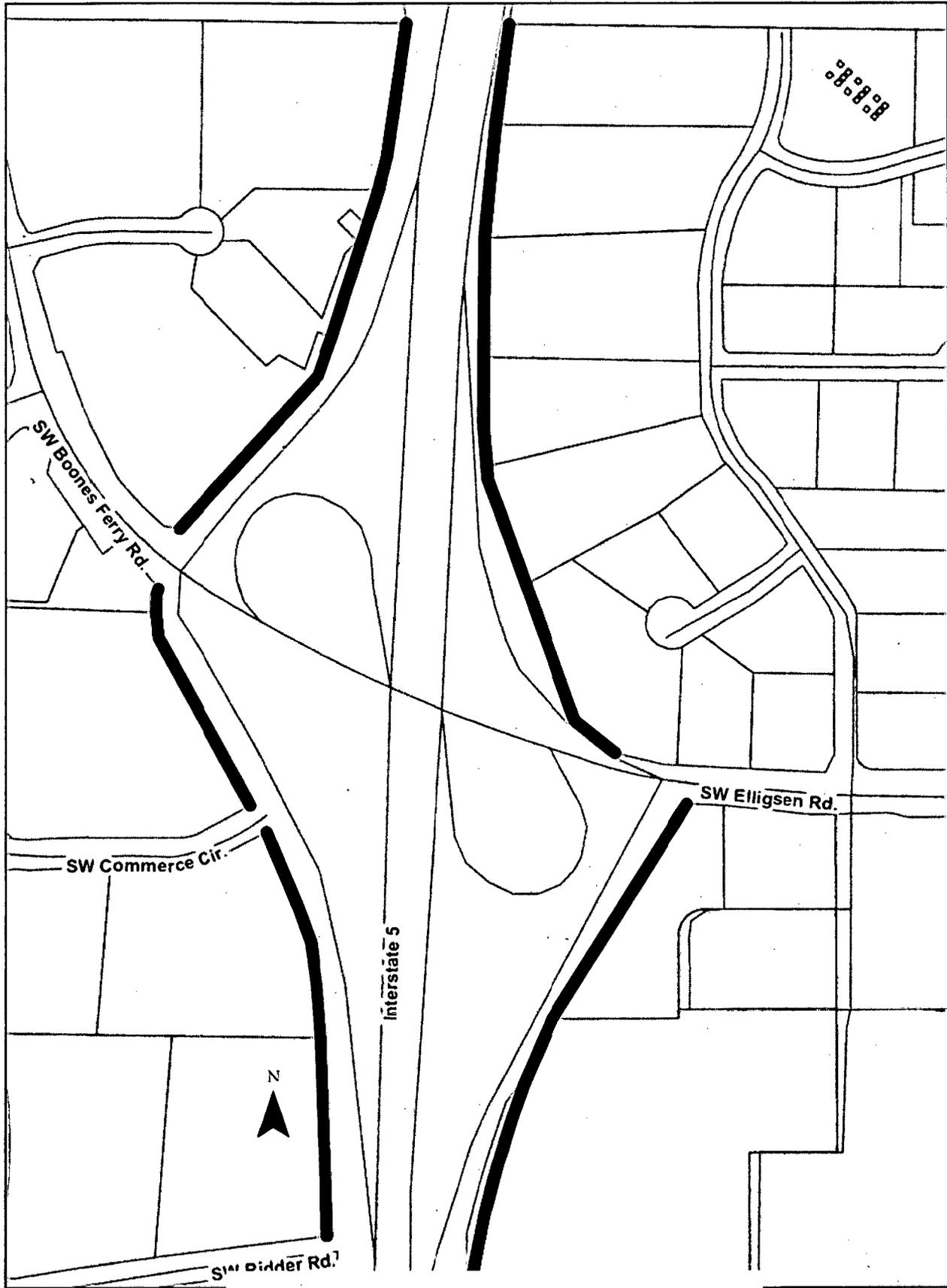




**— I-5 and Contiguous Parallel Street Frontages**



— I-5 and Contiguous Parallel Street Frontages



— I-5 and Contiguous Parallel Street Frontages

12. That Wilsonville code section 4.156 Sign Regulations, subsection (.09) Sign Permit Requirements In The Town Center Area Of The Planned Development Commercial Zone, be deleted in its entirety.
13. That a new section 4.156.09 Temporary Signs In All Zones, be added to the Wilsonville Code as follows consolidating and updating current temporary sign regulation language:

**Section 4.156.09 Temporary Signs In All Zones.**

**The following temporary signs may be permitted in addition to the permanent signs allowed in different zones and exempt temporary signs unless specifically prohibited in a master sign plan or other sign approval:**

- (.01) General Allowance: Except as noted in subsection (.02) below up to two (2) temporary signs not exceeding a combined total of twenty four (24) square feet may be permitted per lot or non-residential tenant. Such signs may be banners, rigid signs, lawn signs, portable signs, or other signs of similar construction.**
- (.02) Opening banner for a new business or housing development: A banner corresponding with the opening of a new business or housing development may be permitted, subject to the following standards and conditions:**
  - A. One such banner shall be allowed either from the date of issuance of Building Permits until four (4) weeks after issuance of Certificates of Occupancy, or if no Building Permit is issued, for four (4) weeks after occupancy of a new business.**
  - A-B. Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.**
  - C. Such signs shall not be permitted at the same time as general allowance signs in (.01) above.**
- (.03) Annual Event Signs: Up to ten (10) lawn signs may be permitted to be located in the public right-of-way for up to fourteen (14) days if all of the following are met:**
  - A. Signs will not be located in the areas listed in Subsection 4.156.10 (.01) A. 4.**
  - B. The applicant or event has not been issued a permit for and placed signs in the public right-of-way in the previous six (6) months;**
  - C. Not more than one (1) other permit has been issued for lawn signs in the right-of-way during the time period the applicant is requesting;**
  - D. The event to which the signs pertain is expected to attract two hundred fifty (250) or more people;**
  - E. The request is not in addition to exempt lawn signs for large special events allowed for in Section 6.150; and**
  - F. The applicant has indicated on a map the exact locations the signs will be placed and has submitted an application along with the required fee.**
- (.04) Inflatable Signs: Inflatable signs may be permitted for a maximum of fifteen (15) days of display use in any calendar year subject to the following standards and conditions:**
  - A. Does not exceed ten (10) feet in overall height; and**

**B. If attached to a building in any manner, it meets applicable building code requirements including consideration of wind loads.**

14. That Wilsonville code section 4.156 Sign Regulations, subsections (.10) Signs on City Property and (.11) Signs Within ODOT Right-Of-Way, be renumbered and retitled as section 4.156.10 Signs on City Property and ODOT Right-Of-Way, and amended as follows:

**Section 4.156.10 Signs on City and ODOT Right-Of-Way.**

~~(.10.01)~~ Signs On City Property. For the purposes of this subsection, City property is defined as physical sites, City rights-of-ways, and rights-of-way over which the City has jurisdiction. City property includes, but is not limited to, the following: City Hall, The Community Development Annex, the Community Center, the Library, Boones Ferry Park, the Burlington Northern park site, Town Center Park, Tranquil Park, Wilsonville Memorial Park, the Boozier property, the parks Montebello and open space on Wilsonville Road, Fox Chase Park, Transit and Fleet Building, SMART Central, and the City's reservoir, pump station, or treatment plant properties.

- A. Allowed Signs. The following signs may be placed on City property and/or City rights-of-way and right-of-ways over which the City has jurisdiction under the following conditions:
1. Such signs as are necessary to locate and direct the public to City premises, or other governmental premises.
  2. Such signs as are necessary for the public's health, safety and welfare authorized under law, regulation, ordinance, or order including but not limited to traffic signs. This shall include signs authorized to conform with the State's Tourism Information program and any similar local government program.
  3. Signs and their placement as authorized in subsections 1 and 2, above, shall meet all other applicable standards and criteria under law, regulation, ordinance, or order.
  4. Lawn signs may be placed, subject to the standards in subsection 4.156.10 ~~(.010)(A.)(5.)~~, below, on City rights-of-way and rights-of-way over which the City has jurisdiction except 1) those rights-of-way adjoining City properties defined in subsection 4.156.10 ~~(.010)~~ above, and 2) in the following locations where the placement of signs could damage City-landscaping or interfere with the City's maintenance of the rights-of-way:
    - a. In any median or landscaped strip inside the City limits as identified below in Sections 4.156.10 ~~(.010)(A.)(4.)(b.)~~ through ~~(ap.)~~.
    - b. Either side of French Prairie Road.
    - c. Either side of Canyon Creek Road North, from Boeckman Road to Elligsen Road.
    - d. Either side of Wilsonville Road between Town Center Loop East and the Portland & Western (previously Burlington Northern) Railroad property.
    - e. Either side of Town Center Loop West and East.

- f. Both sides of former S.W. Parkway frontage between Town Center Loop West and Wilsonville Road.
- g. Wilsonville Road between Willamette Way West and Willamette Way East.
- h. The north side of Wilsonville Road from Town Center Loop East to Boeckman Creek.
- i. Either side of Wilsonville Road between Boeckman Road and the southern boundary of the Wilsonville High School property.
- j. Either side of Parkway Center Avenue.
- k. The south side of Elligsen Road from the eastern city limits to a point directly across from the west side of the Tualatin Valley Fire District fire station.
- ~~l. The western side of Boones Ferry Road adjoining Boones Ferry Park.~~
- ~~m.~~ Either side of Boeckman Road and all islands, from the railroad tracks west to 110<sup>th</sup>.
- ~~nn.~~ Either side of 110<sup>th</sup> between Barber Street and Boeckman Road.
- ~~oo.~~ The eastern side of Grahams Ferry Road from Tooze Road to the City limits.
- ~~pp.~~ Either side of Barber Street between 110<sup>th</sup> and Brown Road, including islands and roundabouts.
- ~~qq.~~ Such other areas as the City may designate as requiring protection from landscape damage.

5. Lawn signs shall meet the following standards and conditions:
  - a. Allowed only between the hours of 6 a.m. Friday and 8 p.m. Sunday, and the hours of 9 a.m. and 4 p.m. Tuesdays;
  - b. Not greater than thirty (30) inches in height. A-frame signs may be 24" by 36" provided that they are designed to meet vision clearance requirements (typically not over 30 inches in height when standing);
  - b. Not placed on street surfaces, sidewalks, paths, median strips, or bicycle ways;
  - c. Located within forty (40) feet of an intersection;
  - d. No more than three (3) signs per person; and
  - e. Placed no more than one every fifty (50) feet and at least ten (10) feet away from any other temporary sign.

**6. Banners on public light and other poles identified in a plan maintained or adopted by the City and installed by or under arrangement with the Public Works Department.**

~~(.4402)~~ Signs Within ODOT Right-Of-Way. Consistent with the Laws and Administrative Rules of the State of Oregon, all signs of any kind are prohibited within right-of-way of the Oregon Department of Transportation (ODOT), except those signs that are specifically determined by ODOT to be necessary for the public's health, safety, or welfare. The City may assist the State in the removal of signs that are illegally placed within ODOT right-of-way, as provided above for signs in City right-of-way. City assistance is justified in view of the substantial public investment that has recently been made to improve and beautify both freeway interchange areas north of the Willamette River.

15. That Wilsonville code section 4.156 Sign Regulations, subsection (.12) Enforcement, be renumbered and retitled as section 4.156.11 Sign Enforcement.

Section 3. Directive. The City Council hereby authorizes and directs the City Recorder to make any conforming changes necessary or formatting to amend the Wilsonville Code (WC) in keeping with the adoption of these revisions.

Section 4. Severability. In the event any provisions of this Ordinance shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular scheduled meeting thereof on the 4<sup>th</sup> day of June, 2012, at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon, and scheduled for a second reading on the 18<sup>th</sup> day of June, 2012, commencing at 7:00 p.m. at the Wilsonville City Hall.

**MEMORANDUM**

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Additional Minor Clarifications and Edits for Ordinance 704, Second Reading

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Date: June 18, 2012

To: Honorable Mayor Knapp and City Council

From: Daniel Pauly AICP, Associate Planner

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***Clarification on Tables and Figures***

Having another look through the Ordinance I noticed it does not make clear which tables and figures are being kept and deleted, and where certain tables and figures should be included in the published version of the code. Below are a few clarifications. The tables and figures discussed are attached to this memo, except Figure 4.156.08-1 "I-5 and Contiguous Parallel Street Frontages" which can be found on pages 36-42 of the Ordinance.

Existing Table S-1 of Section 4.156 is not shown in the Ordinance, but is being kept. This table explains exempt temporary signs and will be included in the code after Section 4.156.11, with references updated to reflect new Section numbering.

New Figure 4.156.08-1 "I-5 and Contiguous Parallel Street Frontages" will be placed in the published code following Table S-1 rather than in the middle of the section as shown in the Ordinance.

Existing Table 6, which is connected to a deleted subsection, as well as existing Figures 15-20 are being deleted.

***Clarification on Semi-Static Digital Signs***

A letter from Terra Fisher of Daktronics, Inc., an industry leading digital sign manufacturer based in South Dakota, was sent to Council following the close of the public hearing for the Ordinance. The main discussion point in the letter regards the hold time requirement for digital signs. The proposal in Ordinance 704 is to simplify and clarify the allowance for semi-static digital copy signs, which are allowed via architectural waiver under the current code, rather than allowing a broader type of electronic changeable image signs. The intent is to provide a clean-looking, easier to use version of the typical plastic panel changeable copy signs found at fuel stations, schools, churches, movie theaters, etc. similar to what has been recently permitted for a number of fuel stations in town. After thorough discussion by the Planning Commission and input from stakeholders, 15 minutes was determined to be the appropriate hold time for this specific type of semi-static sign.

**Other Minor Edits**

✓ Subsections 4.156.08 (.01) B. a. and b. on page 29 of 46 are intended to be numbered 4.156.08 (.01) B. 1. and 2.. Also, the language “noted in 1 above” and the conclusion of subsection 2. should be replaced with “identified in Figure 4.156.08-1” to avoid confusing cross references.

**B.** The allowed height above ground of a freestanding or ground mounted sign is twenty (20) feet except as noted in 1.-2. below.

a. **1.** The maximum allowed height above ground for signs along the frontage of Interstate 5, and parallel contiguous portions of streets, as identified in Figure 4.156.08-1, associated with multiple tenants or businesses may be increased by three (3) feet for each tenant space of ten thousand (10,000) square feet or more of gross floor area up to a maximum of thirty-five (35) feet.

b. **2.** The allowed height above ground for signs in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone is eight (8) feet, except those signs along the frontage of Interstate 5 and parallel contiguous portions of streets ~~noted in 1 above~~ **identified in Figure 4.156.08-1.**

✓ Subsection 4.156.07 (.02) on page 28 of 46 should read six (6) feet rather than six (6) square feet when referring to height above ground.

(.02) Ground Mounted Sign for Outdoor Recreational Areas on Separate Lots: Public or private parks on or other similar outdoor recreational areas on separate lots than dwelling units are allowed one (1) ground mounted sign of eighteen (18) square feet or less in area and six (6) square feet or less in height above ground.

✓ Subsection 4.156.08 (.03) C. on page 34 of 46 requires blade signs to provide a minimum of eight (8) feet of clearance from the ground. This is based on building code requirements for walkway clearance. If a blade sign is over a landscape area or other non-pedestrian area, the eight (8) foot clearance requirement is not necessary. Language should be modified as follows to clarify this point:

C. **Blade Signs:** To aid in pedestrian wayfinding, one (1) blade sign, not to exceed six (6) square feet, per façade eligible for building signs. Blade signs **over pedestrian accessible areas** shall provide a minimum of eight (8) feet clearance from the ground.

**Table S-1 with Updated Code References (to be kept in the code):**

<u>Sign Location Description</u>		<u>Lawn Signs</u> [see WC 4.156 (.04)(B-)(9-).05 (.02) I.]	<u>Rigid Signs</u> [see WC 4.156 (.04)(B-)(10-).05 (.02) J.]	<u>Maximum Combined Lawn and Rigid Signs</u>
<b>Part 1. General Allowances for Lawn and Rigid Signs</b>				
Residential or Agriculture zoned lots. <sup>1</sup>	Area per sign face	6 sq. ft.	6 sq. ft.	
	Exempt at one time	3 signs per lot	1 sign per lot	3 signs per lot
Commercial, Industrial, or Public Facility zoned lots. <sup>2</sup>	Area per sign face	6 sq. ft.	32 sq. ft.	
	Exempt at one time	3 signs per lot	1 sign per lot, plus 1 additional sign if the lot is more than 3 acres in area or has multiple street frontages	3 signs per lot, plus 1 additional rigid sign if the lot is more than 3 acres in area or has multiple street frontages.
<b>Part 2. Additional Special Allowances for Rigid Signs<sup>3</sup></b>				
Lots with <i>active</i> commercial, industrial, public facility, or multi-family construction projects. <sup>4</sup>	Area per sign face		64 sq. ft.	
	Exempt at one time		1 sign per lot	
Residential or Agriculture tracts of land in excess of 5 acres or recorded residential subdivisions with more than 25% of the lots remaining unsold and undeveloped.	Area per sign face		32 sq. ft.	
	Exempt at one time		1 sign per qualifying tract or subdivision	

<sup>1</sup> Residential and Agriculture zones include all PDR (Planned Development Residential) zones, along with the R (Residential), RA-H (Residential Agriculture-Holding) zone, and any county-zoned land within Wilsonville City limits. In addition, lots not zoned Residential, but designated exclusively for residential use in an approved Master Plan, shall be considered residentially-zoned for the purposes of this table. This includes residential lots and in the Village Zone.

<sup>2</sup> Commercial, Industrial, Public Facility zones include all PDC (Planned Development Commercial), PDI (Planned Development Industrial), and PF (Public Facility) zones. In addition, lots zoned Village, but designated for commercial, mixed-use, or publically-owned use in an approved Master Plan, shall fall under this description category for the purposes of this table.

<sup>3</sup> Sign allowances in Part 2 are in addition to the allowances and maximums in Part 1.

<sup>4</sup> An active construction project means a construction project for which any required building permits have been obtained and for which the City Building Official has not approved building occupancy. When the Building Official issues a temporary Certificate of Occupancy, the construction project shall be considered active until a permanent Certificate of Occupancy is issued. Active construction projects involving churches, private schools, or other non-single-family uses are included in this description.

**Table S-1: Exempt Lawn and Rigid Sign Allowances**

[Table added by Ord. No. 675, 3/1/10]

**Existing Table 6 to be deleted**

ZONE	TOTAL SQUARE FOOTAGE OF SIGNAGE PERMITTED PER LOT	TOTAL SQ. FT. SIGN AREA TO LENGTH OF BUILDING (SQ. FT. : LINEAR FT)
R, RA-1, PDR (0-3 u/ae.)	3	1:1
PDR (3-7 u/ae.)	3	1:1
PDR (7+ u/ae)	6/D.U., 80 for non-res.	1:1
PF, PDC (not Town Ctr)	200	1:1
PDC-Town Center *	*	1:1
PDI	200	1:1

**Table 6: Sign Size Standards by Zone (Permanent Signs)**

- \* See special sign standards for the Town Center area in Section 4.156(9).
- a. Monument signs are counted at 50% of their actual square footage, for purposes of this Table.
- b. Most restrictive standard applies. Signage not to exceed the most restrictive of applicable standards.
- e. River frontage shall be counted the same as street frontage.
- d. Where a building exists, total sign area per lot not to exceed 1 sq. ft. for each 1 linear foot of building, on the building's longest side, except as otherwise provided in this Code.
- e. Total sign area per lot may be increased by up to 50% per street frontage for corner and double frontage lots.
- f. Total sign area based on building length may be increased by up to 50% where the building footprint has not more than 10% of the area of the tax lot on which it is located.
- g. Residential densities are based on Wilsonville Comprehensive Plan.
- h. Non residential uses that are permitted in residential zones shall have sign standards determined through site development permit process.

Figures 15-20 to be deleted

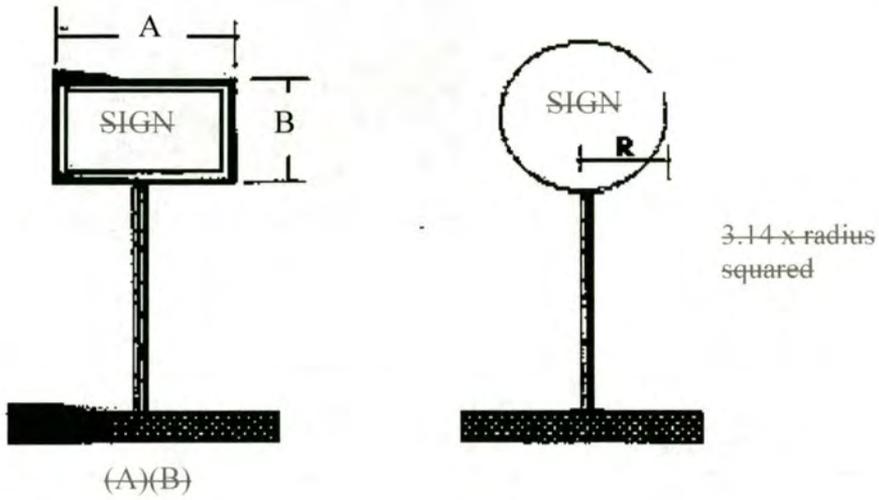


Figure 15: — Sign Face Measurement

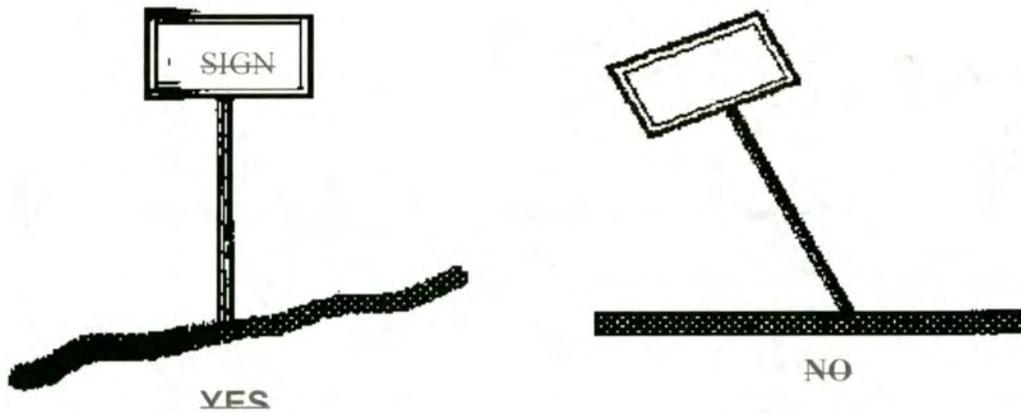
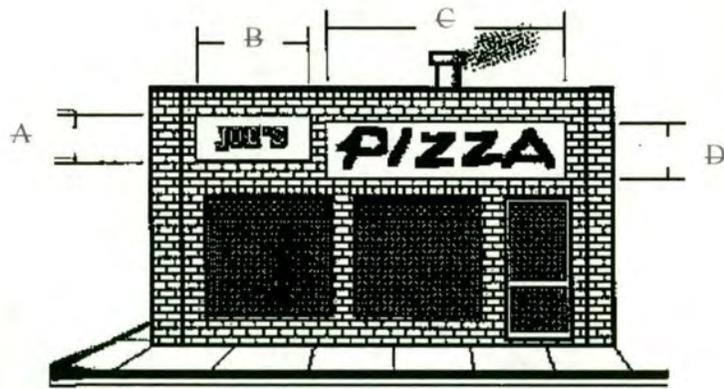


FIGURE 16: — Sign Position

Toy Shop

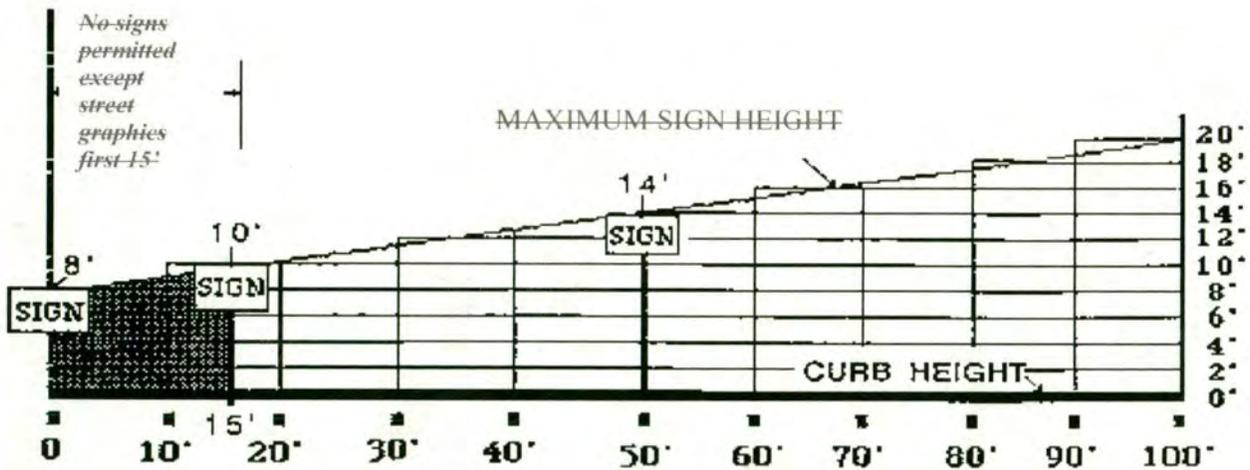
Sign Area is determined by calculating the perimeter drawn around all the sign elements



$$\text{TOTAL AREA} = (A)(B) + (C)(D)$$

FIGURE 17: INDIVIDUAL ELEMENT SIGN

PROPERTY LINE



The maximum height of a sign is measured from a point 8 feet above the curb at the property line, to a point 20 feet in height.

Figure 18: Maximum Sign Height Town Center

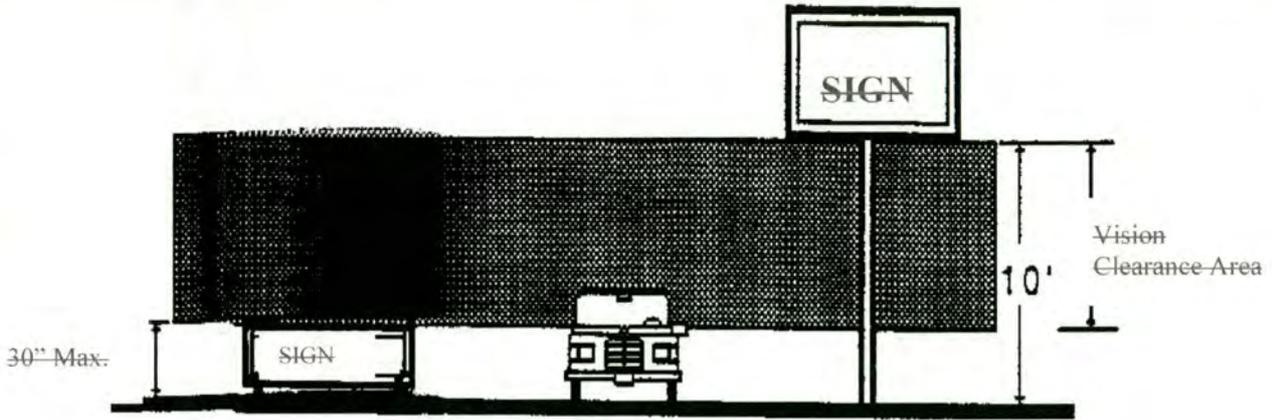


Figure 19: — Vertical Vision Clearance Area

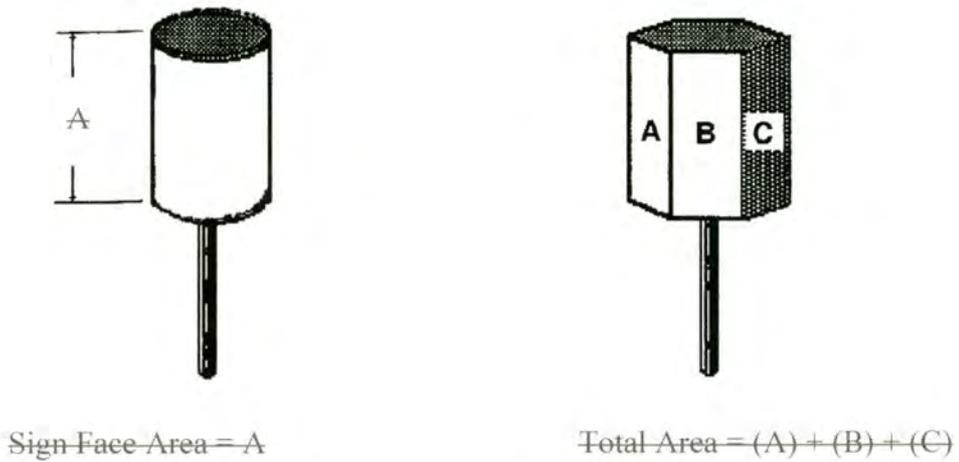


FIGURE 20: — Sign Face Area

King, Sandy

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**From:** Pauly, Daniel  
**Sent:** Wednesday, June 06, 2012 4:15 PM  
**To:** Kohlhoff, Mike; Cosgrove, Bryan; Neamtzu, Chris; Edmonds, Blaise  
**Subject:** For Your Review: Minor Adjustment to Sign Placement Draft Language  
**Attachments:** 04SR22.pdf

I have created some language for your review and feedback concerning minor adjustments for lateral sign placement per Mayor's Knapp amendment to the motion to approve the sign code updates. See below. Please review and let me know any feedback or questions, if possible by 2:00 tomorrow 6/7. I have also attached the specific sign request the Mayor mentioned during the hearing.

A bit of context and clarification:

As can be seen in the attached sign permit, the specific case that the mayor referenced dealt with moving a blade type sign from column to the right of the business entry to being centered on the gable above the door. The location requirement was not identified or referenced in the written findings or conditions, only shown on the drawings. This was a rather unique scenario, but talking to the mayor yesterday afternoon he did want the ability to move wall-flat signs, as well as signs that are not flat to the wall like blade signs.

Draft of Recommended new language under Class I Minor Adjustments:

2. **Lateral Adjustment of Building Sign Location: Lateral adjustment of a building sign location identified in drawings or plans for a Master Sign Plan or other sign approval when all of the following are met:**
  - a. **The lateral distance being moved does not exceed fifty (50) percent of the sign length or ten (10) feet, whichever is greater;**
  - b. **The exact location is not specifically supported or required by written findings or a condition of approval;**
  - c. **The sign remains within the same architectural feature and sign band, except if the location is on a pillar, column, or similar narrow architectural support feature, the sign may be moved to a sign band on the architecture feature which it supports if no other sign is already placed in that sign band for the tenant space; and**
  - d. **Except for blade signs, the placement maintains any buffer specifically identified in the Master Sign plan or other sign approval or if no buffer is identified, maintains a definable space between the sign and the edge of the tenant space or building.**

Explanation of Language:

2. **Lateral Adjustment of Building Sign Location: Lateral adjustment of a building sign location identified in drawings or plans for a Master Sign Plan or other sign approval when all of the following are met:**

Explanation: The main portion of the lateral adjustment language aims to clarify a number of points including:

- Movement is only allowed laterally as opposed to vertically
- Applies to only building signs, not freestanding signs
- Applies to signs whose location is shown on drawings for Master Sign Plans or other DRB sign approvals.

a. **The lateral distance being moved does not exceed fifty (50) percent of the sign length or ten (10) feet, whichever is greater;**

Explanation: This language reflects the numbers given by the mayor in this amendment to the motion

**b. The exact location is not specifically supported or required by written findings or a condition of approval;**

Explanation: This language clarifies, similar to the other type of minor adjustment, that an adjustment doesn't trump conditions of approval or specific written findings via Class I Review. The most common scenario where this would apply is requirements in some sign plans that signs be centered above the tenant entrance.

**c. The sign remains within the same architectural feature and sign band, except if the location is on a pillar, column, or similar narrow architectural support feature, the sign may be moved to a sign band on the architecture feature which it supports if no other sign is already placed in that sign band for the tenant space; and**

Explanation: One of my major concerns was a sign being moved onto an architectural feature not intended for signs or overlapping architectural features. This language addresses that. However, the case referred to by the mayor involves movement between a pillar and the gable it supports, the language beginning with "except" allows for this.

**d. Except for blade signs, the placement maintains any buffer specifically identified in the Master Sign plan or other sign approval or if no buffer is identified, maintains a definable space between the sign and the edge of the tenant space, building, or architectural feature.**

Explanation: Another major concern I had is not maintaining required buffers from the edge of tenant spaces and buildings especially for wall-flat signs. This language addresses that concern. Blade signs are commonly found right on the edge of buildings, so a qualifier has been added to address their placement. I would like to use a more numbers rather than "definable" but recognize the appropriate buffer varies widely.

I also made some minor changes and rearrangement of language to accommodate 2 types of minor adjustments rather than the current 1.



Daniel Pauly, AICP  
Associate Planner

City of Wilsonville Planning Division  
29799 SW Town Center Loop East  
Wilsonville OR 97070  
503-682-4960  
pauly@ci.wilsonville.or.us

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

Star #5889

Unique Serial Number: (assigned by dbase) Unique Serial Number

Department: Planning

Case No: 04SR22

File Creation Date: 4/9/04

Request: Install blade sign.

Action: Approved with conditions.

Project Expiration Date:

Property Description: TL: 103

SEC: 23BD

COUNTY: C

Location: Old Town Village

Street Address: 30625 SW Boones Ferry Road "B"

Project Name(s): Toney Baloney's

Applicant: Tim Knapp

Retention Schedule: Permanent

Location of Microfilm: City Hall Vault

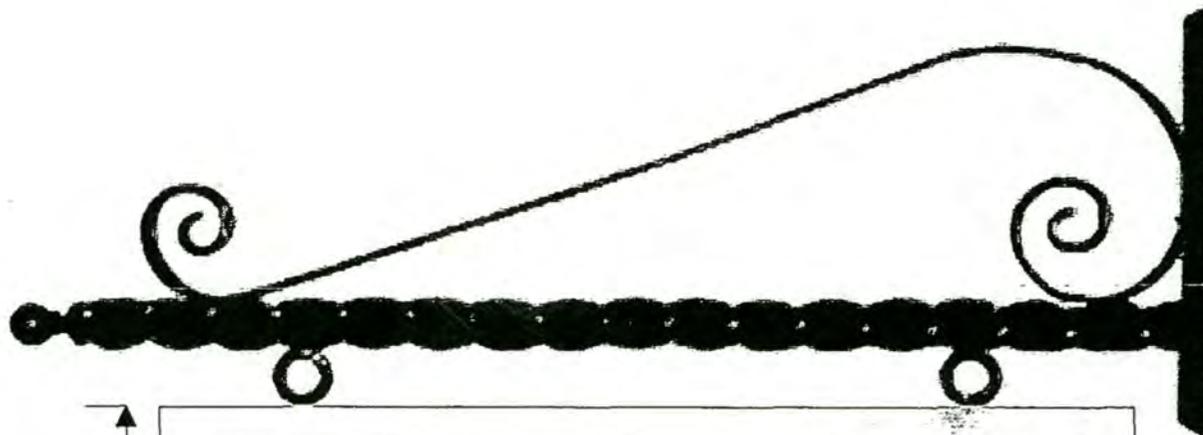
Hard Copies of drawings/plans available? No

Physical copy of file retained? No

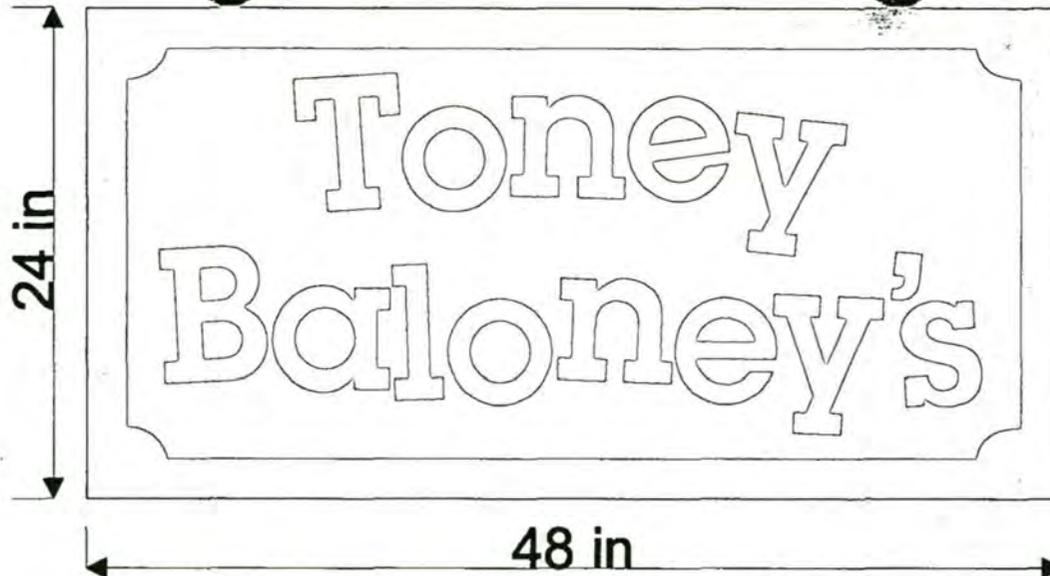
See also Case Files: 00SR15

Other name(s) on file:

JD - 6/12/08



APPROVED  
 PLANNING DIVISION  
 1284 5-5-04  
 CITY OF WILSONVILLE



8 ft<sup>2</sup>

Blade sign:

Double sided sand blasted cedar sign. Background will be painted yellow. Border, raised text, and sides will be painted red. Sign will be mounted on 53" Long Black Deluxe Scroll Bracket

This is a proof of your job. Please review this proof carefully for correct copy, layout, spelling, punctuation, font choice, font size, and color. An approval signature indicates your acceptance of responsibility for correctness of all copy and specifications.

<b>Professional Sign &amp; Graphics</b> 8593 SW Main Street Suite 400 Wilsonville, OR 97070 (503) 582-1006 Fax: (503) 582-9837	<b>PROJECT MANAGER:</b> Mark Pruitt	<input type="checkbox"/> <b>Approved</b> <input type="checkbox"/> <b>Not Approved</b> <small>(Please Note Changes)</small> <input type="checkbox"/> <b>Approved w/Changes</b> <small>(Please Note Changes)</small>
	<b>DATE:</b> 03/30/04 <b>TITLE:</b> Blade Sign <b>CUSTOMER:</b> Toney Baloney's	<b>Signature:</b> _____ <b>Name</b> <small>(Please Print)</small> _____ <b>Date:</b> _____

These plans are the exclusive property of Professional Sign & Graphics and are the result of the original work of its employees. They are submitted to your company for the sole purpose of your consideration of whether to purchase these plans or to purchase from Professional Sign & Graphics a sign manufactured according to these plans. Distribution or exhibition of these plans without the written permission of Professional Sign & Graphics, to anyone other than employees of your company, or use of these plans to construct a sign similar to the one embodied herein, is expressly forbidden. In the event that such exhibition occurs, Professional Sign & Graphics expects to be reimbursed for all time and effort to create these plans with a minimum charge of not less than \$500. Please remember this is a proof of your job. Please review this proof carefully for correct copy, layout, spelling, punctuation, font choice, font size, and color. An approval signature indicates your acceptance of responsibility for correctness of all copy and specifications.



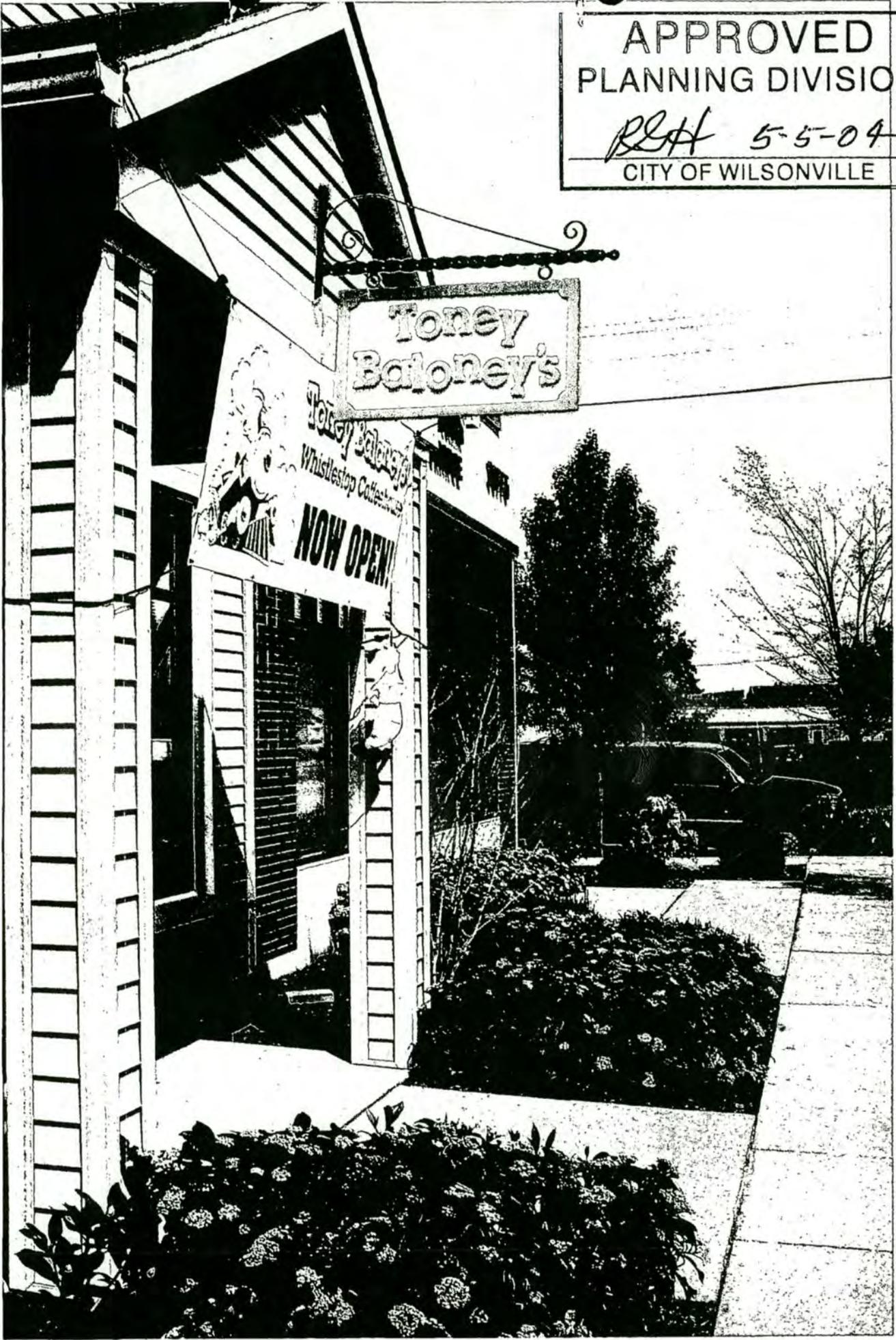
prox.  
12ft  
to bottom  
of sign

light not thrown as shown

APPROVED  
PLANNING DIVISION

*RLH* 5-5-04

CITY OF WILSONVILLE



*May 5 2004 RLH*

Toney  
Baloney's

POSITION  
PROJECTING/  
HANGING SIGN  
HERE, PER  
APPROVED MASTER  
SIGN PLAN 00SR15.

OK'd  
4-15-2004

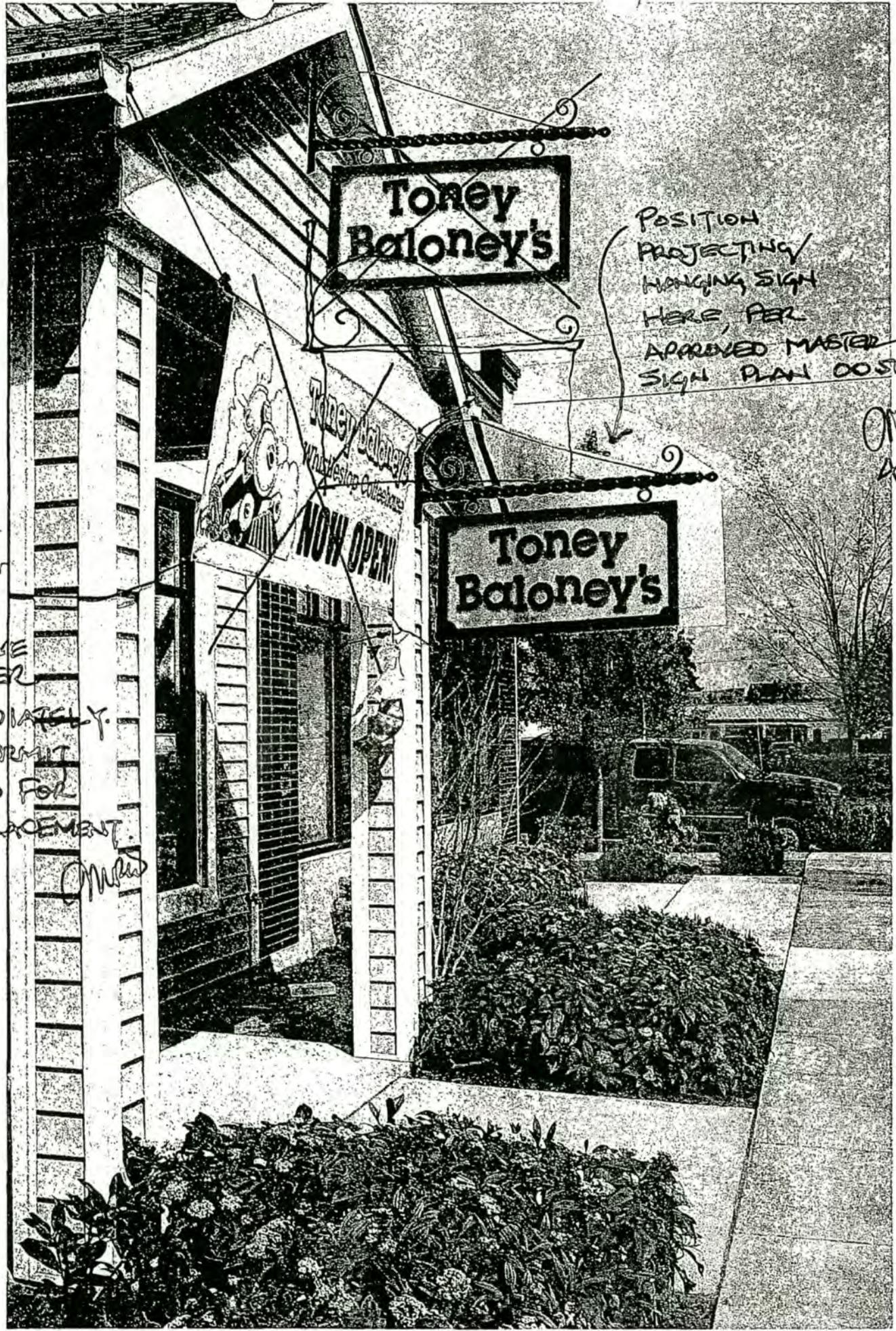
Toney Baloney's  
Wholesale Cakes  
NOW OPEN!

Toney  
Baloney's

max.  
12ft  
to bottom  
of sign

REMOVE  
BANNER  
IMMEDIATELY.  
NO PERMIT  
EXISTS FOR  
ITS PLACEMENT.

OK'd



**Conclusion-** The Master Sign Plan as proposed will provide a fair and complimentary form of business identification that is consistent with the period architecture, and encourages a blend of sign types key to motorists and pedestrians. The area is distributed equally among the tenants, and should result in an attractive business center.

**00 SR 15**

**Old Town Village Master Sign Plan**

**Amended and Adopted Conditions of Approval  
Panel B of the DRB**

- 1) This decision approves a maximum of 300 square feet of signage per building, per legal lot.
- 2) The applicant shall ensure that the signs are installed in substantial compliance with the approved Master Sign Plan.
- 3) Each new sign, with the exception of the ones included in this application, shall be reviewed and approved by the Planning Division for consistency with this action (00SR15) prior to installation. The applicant shall submit an application, all necessary information and appropriate fee for each new sign review.
- 4) Any temporary signage placed on display must either be exempt from sign permit requirements, as provided in the sign ordinance; or the applicant shall obtain the necessary permits from the City prior to installation.
- 5) The signage for the second building (300 SF) will not be permitted until such time as the building is constructed and the pending minor land partition for a new lot is recorded.
- 6) Each tenant is allowed one wall sign, and either one awning sign OR one hanging sign **facing the street**. Awning signs are limited to street side tenants and shall be located on the vertical face of the awning only. Internally illuminated signs are not permitted.
- 7) The sign face of the planned development monument sign shall not exceed 16 SF in area.
- 8) Sign lighting shall not negatively affect adjacent residential properties. Adjustments to lighting may be necessary after installation to prevent glare on adjacent properties and roadways.

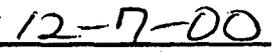
**Sign off accepting Conditions of Approval**

Case File #: 00SR15

Project: Old Town Village Master Sign Plan

**The Development Review Board's decision and Conditions of Approval have been received and accepted by:**

  
Signature

   
Title Date

***This decision is not effective unless this form is signed and returned to the planning office as required by Section 4.139(7) of the Wilsonville Code.***

***In the event of sale, transfer or lease of the property, a copy of these conditions will be forwarded to the successor(s) in interest.***

**Please sign and return to:**

**Sally Hartill  
Planning Division Secretary  
City of Wilsonville  
30000 SW Town Center Loop E  
Wilsonville OR 97070**

B. 00SR15 – Tim and Melodee Knapp. Applicant requests approval of a master sign plan for the Old Town Village project. The site is located at 30775 SW Boones Ferry Road on Tax Lot 103, Section 23BD, T3S-R1W, Clackamas County, Oregon. Staff: Chris Neamtzu

Chair Warren called the hearing to order at 7:35 p.m. The hearing format was read into the record. Robin Warren declared he has known the Knapps for many years but it would not affect his decision making. Bob Pearce declared he had visited the site but had formed conclusions based on the site visit. No board member participation was challenged.

Chris Neamtzu presented the staff report.

- Review criteria as printed in the staff report was read into the record.
- Code Section 4.151(3)(b) requires a master sign plan for developments that contain more than three non-residential tenants.
- Applicant is requesting approval of a master sign plan for the Old Town Village project on Boones Ferry Road; the project is a mixed use, light industrial project consisting of two buildings. Only the first building has been constructed.
- The subject property is in the process of being partitioned into two lots. The sign package was looked at as if each building were located on a separate legal lot of record.
- Old Town Village has been designed with the historic architecture of the original Boones Ferry District, the 1880 to 1930 time period, with varying roof lines, facades, building textures, colors and setbacks. Signage is a key element in complementing the architecture of the facility as well as complementing the neo traditional feel of the Old Town Village project.
- Three primary styles of signs for the tenants of the project are proposed, indirectly illuminated wall signs, awning signs and projecting or hanging style signs. Generally, tenants could install a wall-mounted sign as well as a hanging or awning sign, but not all three. There are some areas where the parking lot frontage and street facing frontage could be a single tenant; in that case, there may be a wall sign on the rear of the building with two of the three styles of signs facing the street. A condition of approval would clarify that point.
- Each tenant would be allowed a maximum of 44 sq. feet of sign area and the corner tenant would be granted 66 sq. feet.
- Also proposed is one planned development monument sign at 16 sq. ft in area and three ground mounted signs, two which will provide directional information, one per tax lot, located at the driveway entrances to the project, off of 4<sup>th</sup> Street and 5<sup>th</sup> Street.
- Also included is a directional sign for the State Farm Insurance Agent; three wall signs are proposed for State Farm Insurance and one hanging sign for John's Auto Service. Details are included in the applicant's submittal documents.
- The sign code allows for 50% bonus, which increases the maximum sign area per building to a total 300 sq. ft of signage per building per legal lot. Condition #1 limits the signage area to 300 sq. ft per lot.
- The conditions of approval were reviewed.
- Condition #6 needs to have the wording "facing the street" added to first sentence for clarification; a third sign could be added to the rear if a building has both parking lot frontage and street facing frontage.
- Staff recommends approval of the master sign plan with the modified conditions of approval. This is a unique project, the first of its kind in the Boones Ferry District and the master sign plan reflects a master sign package that is unique and which allows for flexibility for the various tenants and one which will benefit the motoring public as well as

pedestrians.

Bob Hoffman stated that under the new sign ordinance, once a master sign plan has been approved for a project, from that point forward, individual tenants simply bring in their proposals to the counter and they are approved over the counter as long as they are consistent with the approved master sign plan. This makes the process from here forward for the individual tenants much easier.

Applicant, Tim Knapp, 11615 SW Jamaica, Wilsonville

- He stated he appreciates Chris' efforts as he tried to figure out the new sign ordinance and how to apply it to a multi-tenant project when not knowing what tenants will be in the buildings and staying within the architectural concepts intended.
- He described the process they went through to arrive at their proposed master sign plan.
- He stated the process does seem complex but probably necessary if we are trying to control and guide the signage without having each specific sign come before the board. Overall, he stated it should work well for the development, complement the appearance and provide the direction that pedestrians and motorists need, and still be attractive to the neighborhood.

Merle Irvine referred to Condition #7, limiting the monument sign to 16 sq. feet, asking Mr. Knapp if he were in agreement with that condition. Mr. Knapp stated that he understands that the trim work around the sign would not count into the 16 sq. feet and at this point he does not know what font style he will be using or what his need will be. He stated he could work within the limitation.

Chair Warren closed the public hearing at 7:50 p.m. Consensus of the board was agreement with the proposal.

**Brian Griffin moved to approve 00SR15 for Old Town Village – Master Sign Plan with Condition #6 amended to include wording, "facing the street". Merle Irvine seconded the motion, which passed unanimously, 4-0.**

The appeal process was read into the record.

**IX. Board Member Concerns and Communication:**

A. Notes from Panel A and B Workshop on New Planning and Land Development Ordinance and Stephan Lashbrook's follow-up memo.

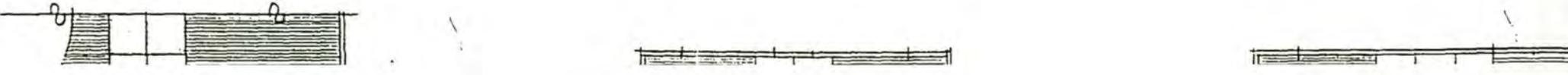
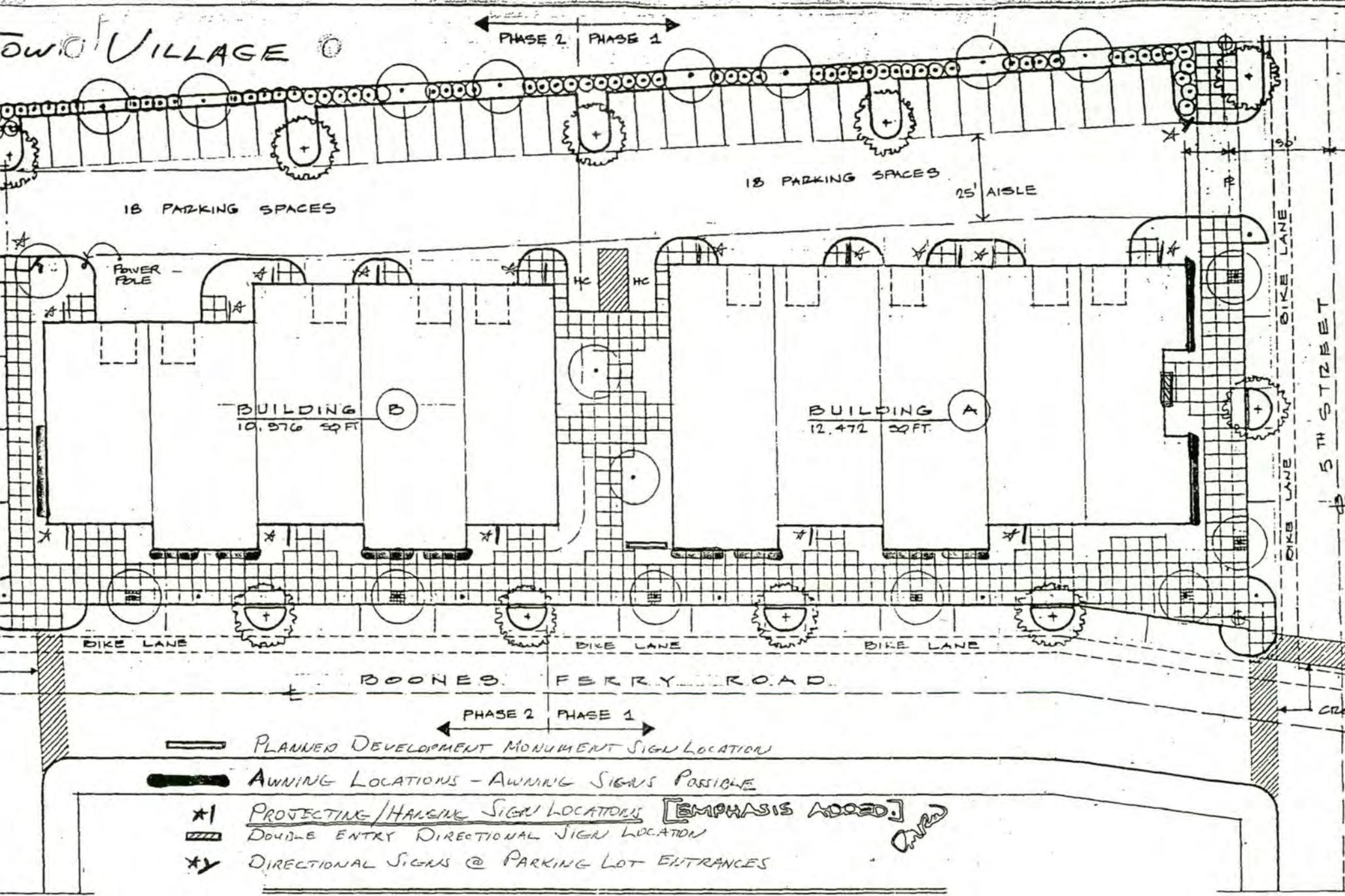
Brian Griffin stated that he has a concern. He drives from Salem each evening, reaching Wilsonville about 5:30. About 50% of the time, when coming off of I-5, he has to slow down to less than 45 mph on the interstate before he gets to the ramp, to exit the freeway. There are cars backing up on the exit way. He asked that the city talk to ODOT about extending the off ramp or getting the turn off earlier onto the side of the road. He stated it is a huge accident waiting to happen.

Robin Warren announced that this would be his last meeting. He is moving to Grants Pass. He will not be available for the water treatment plant meeting on the 8<sup>th</sup>. Consensus of those at the meeting was that Robin would be sorely missed; his leadership will be missed.

**X. Reports from staff:**

EMPHASIS  
ADDED.  
Original  
4-15-07

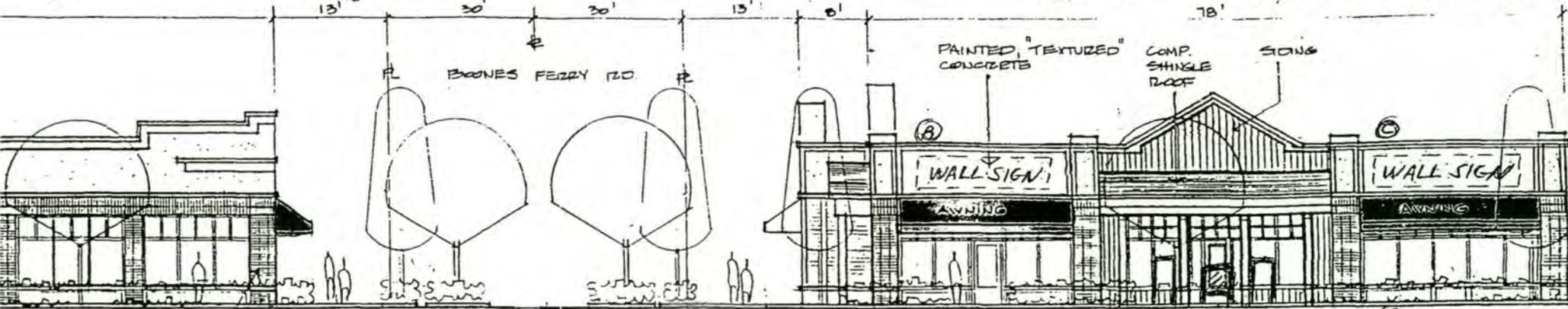
# OWO VILLAGE



WEST ELEVATION

60' x 70' ALUM STAIRFRONT

OLD TOWN VILLAGE

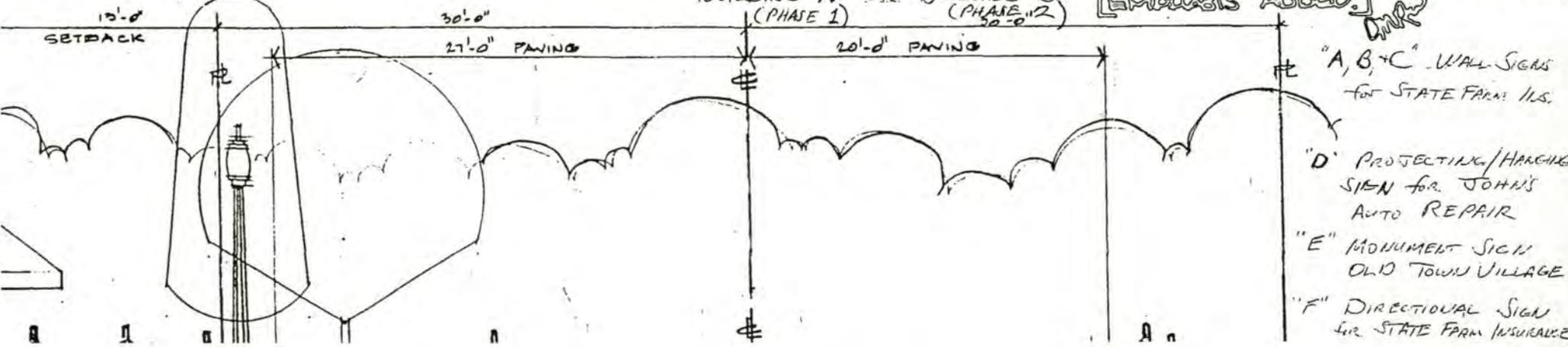


PASSAGEWAY  
BRICK VENEER

ELEVATION C 5<sup>TH</sup> STREET AT DRIVE DOOR  
BUILDING A



ELEVATION C BOONES FERRY ROAD  
BUILDING A OR BUILDING B (PHASE 1) (PHASE 2) [EMPHASIS ADDED]



- "A, B, C" WALL SIGNS FOR STATE FARM INS.
- "D" PROJECTING/HANGING SIGN FOR JOHN'S AUTO REPAIR
- "E" MONUMENT SIGN OLD TOWN VILLAGE
- "F" DIRECTIONAL SIGN FOR STATE FARM INSURANCE

EXAMPLE ONLY

[THIS IS WHAT  
WAS APPROVED  
FOR THIS TENANT  
ONLY.]

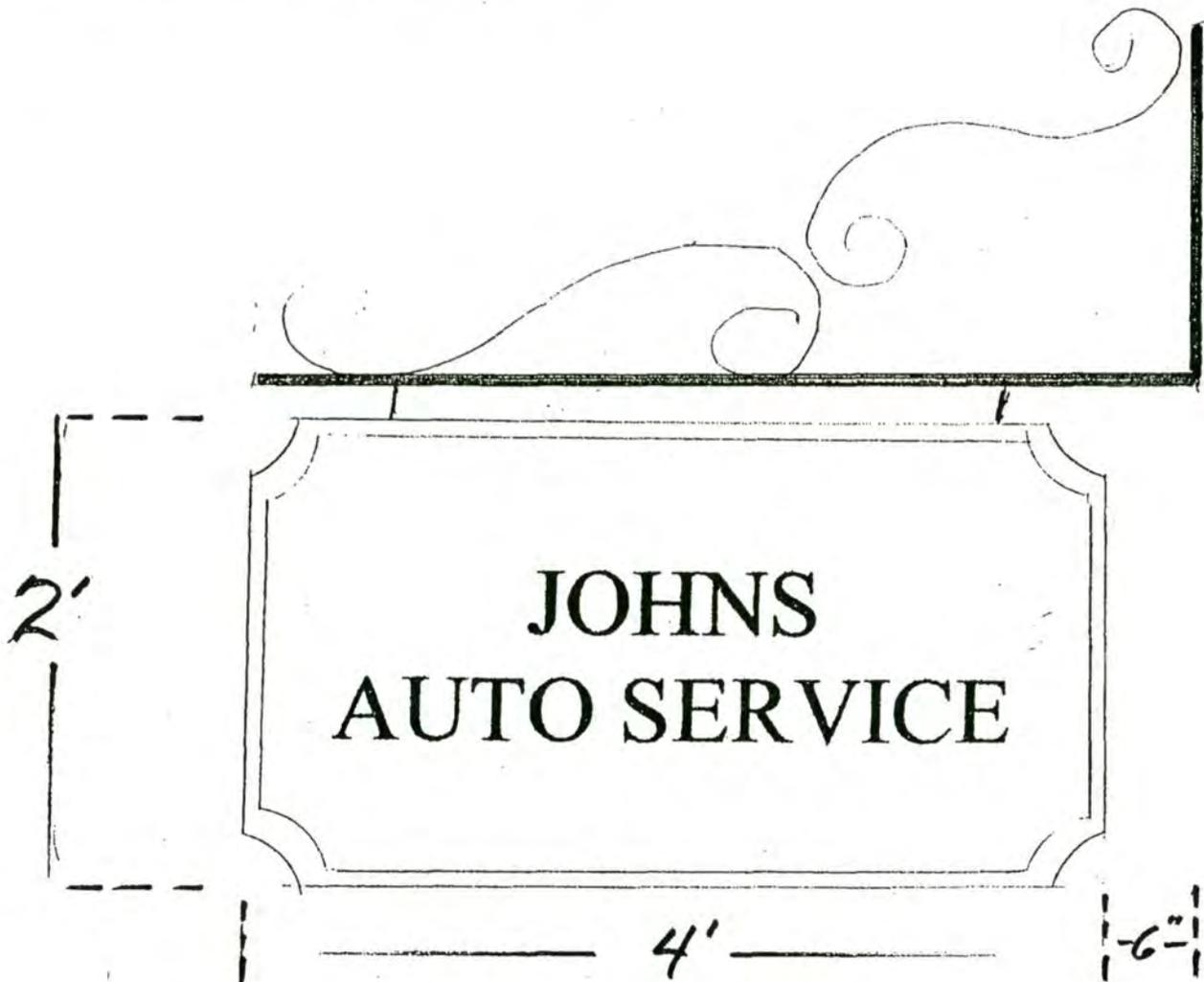
OMR  
4-15-04

SUITE D PROJECTING/HANGING SIGN  
"JOHN'S AUTO SERVICE"

- \*\*Acrylic plastic board
- \*\*Vinyl/plastic border and letters
- \*\*Plastics molded in colors: White Border  
White Letters  
Blue Background
- \*\*Sign 4' wide by 2' high, projects 4 1/2' from mount post
- \*\*Mounted to porch post below porch roof at front entrance
- \*\*Decorative wrought iron mount, painted black
- \*\*Two sided sign, both the same

EMPHASIS  
ADDED

OMR



g guidelines and limitations. This program will apply separately to each of the two buildings. The content is to be approximately as shown in the attached diagrams. The content is to have signs which appear harmonious with the period architecture used in the building design. All signs must have the building owner's approval of meeting the spirit and intent of this plan.

A) Street Front Entries: May have one Wall Sign and also may have either an Awning Sign (if frontage projects toward sidewalk) or a Projecting/hanging Sign (if frontage is recessed from sidewalk).

1) Wall Signs:

- a) May be free standing letters, or may be contained on a background board.
- b) Letters may be painted, plastic, vinyl decal, or metal. If metal, they must be painted, not natural finish.
- c) Maximum letter size 15" for single row sign, 10" for a double row sign.
  - Letters may not project more than 2" from their mounting surface.
- d) Background board, if used, may not project more than 3" from wall and needs to have a frame or border of suitable proportions.
- e) Must be rectangular in shape, though may have decorative corner shape.
- f) May be a maximum overall height of 3' and maximum overall width of 15', including any logo or graphic.
- g) Must be at least 2 1/2 times as wide horizontally as it is tall vertically.
- h) May be lighted from the front with appropriate "period" style lights, but may not be backlit. No neon signs may be used.
- i) May not be painted with florescent colors.

2) Awning Signs: shall be used only on frontages projecting toward street/sidewalk

- a) Shall be located on the vertical hanging face of a straight slanted fabric awning.
- b) May be a maximum size of 1' vertical and 15' horizontal.
- c) May be painted, vinyl or plastic letters applied to the fabric awning panel.
- d) May not be neon electric or be florescent colors.

3) Projecting/hanging Signs: shall be used only on frontages recessed away from street/sidewalk

- a) May be a maximum size of 2' vertical and 4' horizontal.
- b) Shall be rectangular, oval or round in shape. May have sculpted corners.
- c) Shall be mounted to hang from a decorative wrought iron bracket, mounted to the porch or building so as to swing freely and be clear of pedestrian or bicycle rider interference. Bracket may extend 4 1/2' from building at furthest point.
- c) May be made of any combination of:
  - i) wood: sandblasted, painted, carved
  - ii) plastic: painted, vinyl decal, raised letter, lazercut
  - iii) metal: painted, vinyl decal, raised letter, lazercut
- d) May be lighted from the front with appropriate "period" style lights, but may not be backlit. May not be neon electric.
- e) May not be painted with florescent colors.

B) Parking Lot Entries: May have one Projecting/hanging sign, and may also have one Wall Sign. Guidelines under (A) apply, with the following exceptions and additions:

- 1) Wall Signs: a) Maximum letter size shall be 8".
- b) Maximum vertical height of 10" and maximum horizontal width of 8".

APPLICANT'S NARRATIVE  
OF MASTER SIGN PLAN

EMPHASIS  
ADDED.

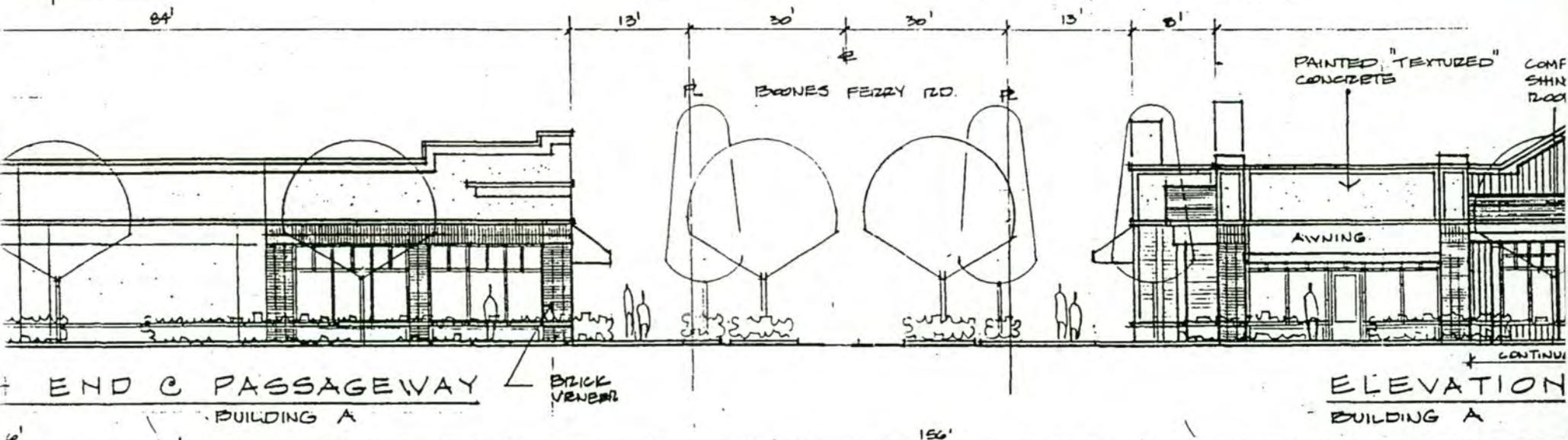
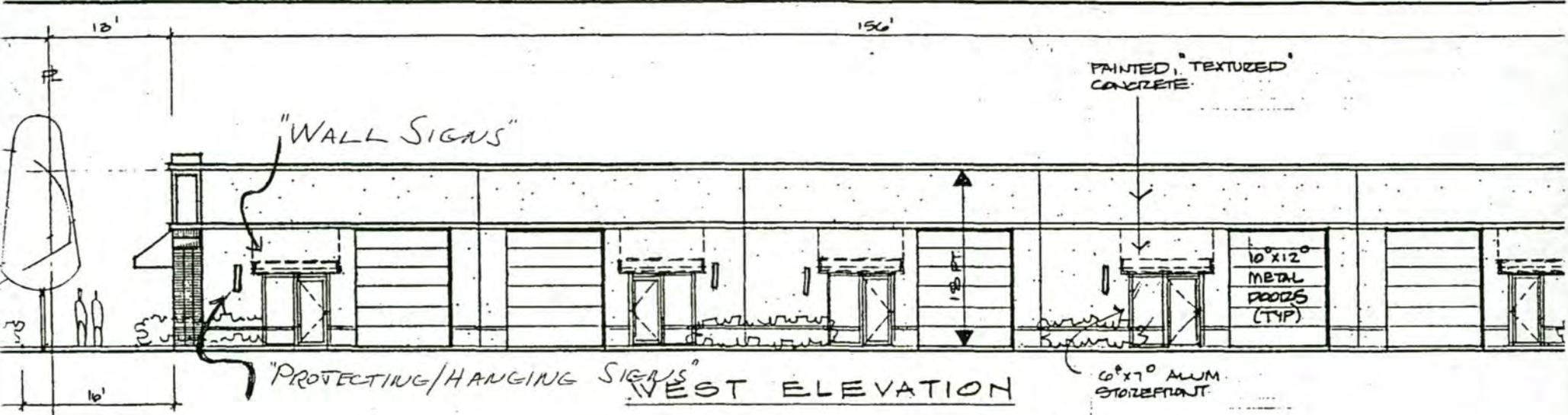
EMPHASIS  
ADDED.

4-15-04

with

# OLD TOWN

- ▮ "PROJECTING/HANGING SIGN" LOCATIONS (APPROX.)  
(ADJACENT ENTRY WINDOW UNIT - AWAY FROM OVERHEAD DOORS)
- ▭ "WALL SIGNS"  
(ON WALL BELOW ENTRY PORCH ROOF)



END C PASSAGEWAY  
BUILDING A

BRICK VENEER

ELEVATION  
BUILDING A

- c) Will be mounted to wall and centered above the door/window unit.
- d) Will be mounted to extend a maximum of 8'4" above the ground.

2) Projecting/hanging Signs:

- a) Must be mounted with 7' minimum clearance above ground, and may extend a maximum of 10' above ground, with mounting bracket extending to 12'.
- b) Must be mounted away from overhead doors to maximize truck clearance.

C) Double Door/Side Street Entries: Each suite may have one Wall Sign as outlined under (A-1) above, plus may have an Awning Sign as outlined under (A-2) above, plus may have one "Directional Sign" jointly used by both suites, located in the planter area between the two entry sidewalks. This will be a "Ground-Mounted Sign" which does count against the footage maximum.

- 1) Maximum size 4' vertical and 3 1/2' horizontal (14 sq. ft.), single sided sign.
- 2) Maximum installed height 5' above grade.
- 3) May be made of wood, plastic or metal in a decorative, period appropriate style.
- 4) Letters may be painted, vinyl decal, raised plastic, or painted metal.
- 5) Letters may be a maximum size of 6".
- 6) Wording and graphics are limited to those identifying the suite occupants with their contact phones/addresses and their company logos and/or slogan.
- 7) May be lighted from the front with appropriate "period" style lights or with discretely hidden ground lights in the planter. No backlighting or neon may be used.
- 8) May not be painted with florescent colors.

D) Planned Development Sign: One monument sign identifying the development and a contact phone/address. Per Sec. 4.151(8) (c-4) page 15, does not count against square footage limitation.

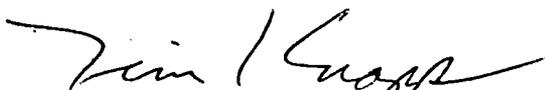
- 1) Maximum size 2' vertical and 12 1/2' horizontal, but not to exceed 16 sq. ft. total.
- 2) Single sided, facing Boones Ferry.
- 3) Masonry base.
- 4) Masonry, wood or plastic background.
- 5) Raised or recessed letters, 12" maximum size.
- 6) Located in the planting area of the courtyard between the two buildings.
- 7) Front lighted only, with discretely hidden lights in the planter.
- 8) No neon lighting, no florescent colors.

E) Directional Signs: One directional sign listing the business occupants, ground mounted. Counts against 300 sq. ft. building total.

- 1) Maximum size 4 1/2' vertical and 3' horizontal (14 sq. ft.), maximum height 5'.
- 2) Single side sign, facing direction of entry from side street.
- 3) Masonry, wood or plastic background.
- 4) Plastic or vinyl decal letters.
- 5) Located in planter area adjacent to parking lot driveway entry.
- 6) Front lighted only, with discretely hidden lights in planter.
- 7) No neon lighting, no florescent colors.
- 8) Words and graphics limited to Names and Suite Numbers of occupant businesses.

Attached are specific sign plans for Suite A, Suite F, and Suite D, as well as for the Planned Development Sign (D) and the Directional Sign (E). Also attached are diagrams of buildings showing example sign locations. Thank you for your assistance. Please advise promptly if any further specifics are needed to facilitate a positive staff recommendation, or to prepare for the hearing.

Tim Knapp, Old Town Village



(13 of 21)

Section 4.192. Non-Conforming Lots.

- (.04) Any application for a change of occupancy, as determined by the City's Building Official, or any application for discretionary review by the City shall justify conditions of approval that will bring the site into conformity with site improvement standards.
- (.05) A structure with non-conforming site conditions may be expanded or enlarged, provided that there is a proportional decrease in the non-conforming site conditions. For example, an application to expand the floor area of a building by 10%, on a site that has 20% shortage of required parking, will be permitted, provided that at least a 10% increase in parking is also provided.

Section 4.192. Non-Conforming Lots.

- (.01) A non-conforming lot may be used for any purpose allowed by zoning, provided that any structure built or located upon a non-conforming lot must meet all of the lot development standards of the zone, or be approved through the Variance procedures of Section 4.196. Except, however, if the non-conforming lot is contiguous to other property under legal control of the same owner or owners, no variance shall be granted for a structure or use that could be accommodated on that contiguous lot, or combination of lots, without a Variance.
- (.02) A lot line adjustment between nonconforming lots may be approved where either:
  - A. Both lots involved in the adjustment will be conforming to zoning standards as a result of the adjustment; or
  - B. The Planning Director or Development Review Board finds, based on information in the record, that each of the lots involved in the adjustment will be suitable for development as allowed in the zone, as a result of the adjustment.

Section 4.196. Variances.

- (.01) Where difficulties exist rendering compliance with Chapter 4 impractical and such compliance would create unnecessary hardship to the owner or user of land or buildings, the Development Review Board may grant a variance from the provisions of this Code after the prescribed public hearing as set forth in Section 4.013, and after an investigation; provided all of the following conditions exist:
  - A. The difficulty would apply to the particular land or building regardless of the owner.
  - B. The request for a variance is not the result of an illegal act on the part of the applicant or the applicant's agent.
  - C. The plight of the owner is due to unique circumstances, such as lot size or shape, topography, and size or shape of building, which are not typical of the general conditions of the surrounding area.
  - D. The practical difficulty or unnecessary hardship asserted as a ground for a variance must relate to the premises for which the variance is sought and not to other premises or personal conditions of the applicant.

Section 4.196. Variances.

- E. The variance does not allow the property to be used for purposes not authorized within the zone involved.
- F. The variance is the minimum necessary to relieve the hardship.
- G. Where the variance is sought to allow development within a flood zone, the following additional standards shall apply:
  - 1. Generally, the only condition under which a variance from the flood hazard elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of one-half acre or less in size, contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items a-k in Section 4.172 have been fully considered. As the lot size increases, the technical justification required for issuing the variance increases.
  - 2. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in this subsection.
  - 3. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
  - 4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - 5. Variances shall only be issued upon:
    - a. a showing of good and sufficient cause;
    - b. a determination that failure to grant the variance would result in exceptional hardship to the applicant;
    - c. a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, or conflict with other existing local laws or ordinances.
  - 6. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations will rarely be granted.
  - 7. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of flood proofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, and complies with all other variance criteria except Section 4.172.
  - 8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be

Section 4.156. Sign Regulations.

for replacement of existing signs, minor changes to approved sign permits, and signs that have already received preliminary approval as part of a master sign plan, or in the Village zone, as part of a master signage and Wayfinding plan. (Amended by Ord 557, adopted 9/5/03).

2. Any decision for approval of a sign proposal shall include written findings addressing the following criteria:
    - a. The proposed signage complies with the specific objectives in subsection 4.151(1) of this Code;
    - b. The proposed signage is compatible with developments or uses permitted in the zone in terms of design, materials used, color schemes, proportionality, and location, so that it does not interfere with or detract from the visual appearance of adjacent development;
    - c. The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of adjacent properties;
    - d. If the proposed signage is to be temporary, the length of time for which it is permitted shall be reasonable in terms of the purpose and nature of the signs that are proposed, but not to exceed one (1) year from the date of approval;
    - e. If the application involves a Variance, it shall be subject to the standards and criteria listed in Section 4.196; and
    - f. All of the relevant application filing requirements of Chapter 4 have been met.
  3. As specified in this Code, the Development Review Board shall have authority to review applications for sign permits, and for waivers and variances from these standards, except in cases where such authority is granted to the Planning Director. The Development Review Board shall make written findings for its decisions, subject to the criteria in subsection 4.156(.01) and (.02) above, Section 4.196, and Sections 4.400 through 4.450, as applicable.
  4. In issuing a Sign Permit, the Planning Director may grant or deny a variance to relieve a hardship using Class I (Administrative Review) procedures. Such a variance shall only be approved where the variance does not exceed twenty percent (20%) of area, height, or setback requirements (e.g., a ten foot setback requirement could be decreased to eight feet, etc.). The Planning Director shall approve such a variance only upon finding that the application complies with all of the required variance criteria listed in Section 4.196.
  5. Variances to sign regulations. Additional to the authority of the Planning Director to issue administrative variances as noted in subsection 4, above, the Development Review Board may authorize variances from sign requirements of this Code, subject to the standards and criteria listed in Section 4.196.
- (.03) General Provisions Affecting Signs. No person shall erect, install, construct, place, alter, change, relocate, suspend or attach any sign, except for routine maintenance of existing signs, without first obtaining a sign permit, paying the required fees, and otherwise complying with the provisions of this Code.

Planning Division  
Site Address:  
8445 SW Elligsen Road

Mailing Address:  
30000 SW Town Center Loop E  
Wilsonville, OR 97070



# City of Wilsonville

Date: April 15, 2004

Number of pages including cover sheet: 12

Transmittal  Facsimile

**To:**

Tim Knapp, Manager  
Old Town Village  
Wilsonville, OR 97070

Phone: 503-682-1267

Fax phone: 503-682-1392

CC: M. Pruitt

**From:**

Michael R. Wheeler  
Associate Planner

Phone: 503-682-4960

Fax phone: 503-682-7025

Re: 04 SR 22 (Toney Baloney)

REMARKS:  Urgent  For your review  Reply ASAP  Please comment

ITEM	NUMBER OF PAGES	DATED	DOCUMENT DESCRIPTION
1	1	4/15/2004	Fax cover sheet
1	10	Various	Assembled, annotated materials re: Master Sign Plan for 00 SR 15 (Old Town Village)

Dear Tim,

Attached is the material I faxed to Mark Pruitt regarding his client's space. I will discuss this with Blaise Edmonds, Manager of Current Planning, and then call you tomorrow. If you have any further questions, please phone me, or send e-mail to me at [wheeler@ci.wilsonville.or.us](mailto:wheeler@ci.wilsonville.or.us).

Sincerely,  
Mike

Planning Division  
Site Address:  
8445 SW Elligsen Road

Mailing Address:  
30000 SW Town Center Loop E  
Wilsonville, OR 97070



# City of Wilsonville

Date: April 15, 2004

Number of pages including cover sheet: 11

Transmittal  Facsimile

**To:**

Mark Pruitt  
Professional Sign and  
Graphics  
8593 SW Main Street  
Suite 400  
Wilsonville, OR 97070

Phone: 503-582-1006

Fax phone: 503-582-9837

CC:

**From:**

Michael R. Wheeler  
Associate Planner

Phone: 503-682-4960

Fax phone: 503-682-7025

Re: 04 SR 22 (Toney Baloney)

**REMARKS:**  Urgent  For your review  Reply ASAP  Please comment

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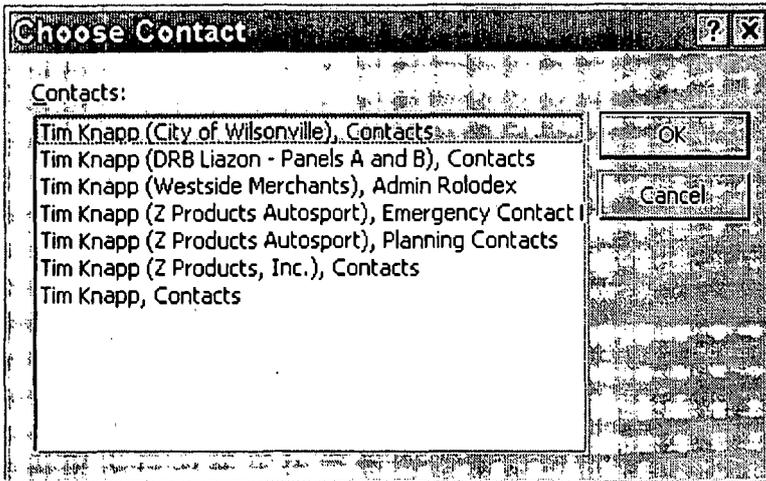
Dear Mark,

Attached is the relevant material I found regarding your client's space. I have examined the approval very carefully, and have determined that, while you must put the 'blade' sign on the post supporting the porch, it can project toward the street, rather than "face the street", as indicated in the approved condition. The result of this amended condition is that 'blade' signs are not allowed to face the parking lot.

Please call if you have further questions.

Sincerely,  
Mike

**Citywide Outlook Contacts for Tim Knapp**  
**Compiled 4/30/2004 9:43 AM**  
**MRW**



**Listing No. 1:**

<b>Full Name:</b>	Tim Knapp
<b>Last Name:</b>	Knapp
<b>First Name:</b>	Tim
<b>Job Title:</b>	Adjunct Transp. Planning Committee
<b>Company:</b>	City of Wilsonville
<b>Home Address:</b>	11615 SW Jamaica; Wilsonville OR 97070
<b>Home:</b>	(503) 682-7266

**Listing No. 2:**

<b>Full Name:</b>	Tim Knapp
<b>Last Name:</b>	Knapp
<b>First Name:</b>	Tim
<b>Job Title:</b>	City Councilor
<b>Department:</b>	Z Products Autosport
<b>Company:</b>	DRB Liazon - Panels A and B
<b>Business Address:</b>	11615 SW Jamaica Court; Wilsonville, OR 97070
<b>Business:</b>	(503) 682-1267
<b>Business Fax:</b>	(503) 682-1392
<b>E-mail:</b>	info@zproducts.com
<b>Categories:</b>	Citizens, Committee
<b>Committee:</b>	Adjunct Transportation Planning Committee; Former member of the West Side Planning Task Force

### Listing No. 3:

**Full Name:** Tim Knapp  
**Last Name:** Knapp  
**First Name:** Tim  
**Company:** Westside Merchants  
  
**Business Address:** 30625B SW Boones Ferry Rd.; Wilsonville, OR 97070  
  
**Home:** (503) 682-1267

### Listing No. 4:

**Full Name:** Tim Knapp  
**Last Name:** Knapp  
**First Name:** Tim  
**Company:** Z Products Autosport  
  
**Business Address:** Former City Councilor/W Side Planning  
11615 SW Jamaica  
Wilsonville OR 97070  
  
**Business:** (503) 682-1267  
**Business Fax:** (503) 682-1392  
  
**Categories:** Citizens, Committee  
**Committee:** Adjunct Transportation Planning Committee; Former member of the West Side Planning Task Force

### Listing No. 5:

**Full Name:** Tim Knapp  
**Last Name:** Knapp  
**First Name:** Tim  
**Company:** Z Products Autosport  
  
**Business Address:** 11615 SW Jamaica Court; Wilsonville, OR 97070  
  
**Business:** (503) 682-1267  
**Business Fax:** (503) 682-1392  
  
**E-mail:** tmk@zproducts.com  
  
**Categories:** Citizens, Committee  
**Committee:** Adjunct Transportation Planning Committee; Former member of the West Side Planning Task Force

## Listing No. 6:

<b>Full Name:</b>	Tim Knapp
<b>Last Name:</b>	Knapp
<b>First Name:</b>	Tim
<b>Company:</b>	Z Products, Inc.
<b>E-mail:</b>	info@zproducts.com

## Listing No. 7:

<b>Full Name:</b>	Tim Knapp
<b>Last Name:</b>	Knapp
<b>First Name:</b>	Tim
<b>Business:</b>	(503) 682-1267

Pre-App: \_\_\_\_\_  
Mo. Day Yr.

A preapplication conference normally is required prior to submittal of an application. Please contact the Planning Department at (503) 682-4960 for an appointment.

### APPLICANT - COMPLETE

Owner's Name OLD TOWN VILLAGE Authorized Representative TIM KNAPP

Address 30625 SW BOONES FERRY #B Address \_\_\_\_\_  
WILSONVILLE, OR 97070

Phone: 503-682-1267 Fax: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Owner's Signature: Old Town Village, by Tim Knapp, Mayor

Property Description: T 35 R 1W Map 2380 Tax Lot(s) 103

Request Install blade sign above door of TONEY BALONEY'S  
Suite B - 30775 SW BOONES FERRY (OLD TOWN)

Please attach a plot plan (scale 1" = 40') and any other documents to this application. Please review the Planning Department submittal requirements to ensure that your application is complete.

Received: 4-9-2004 DMPW

### OFFICE USE ONLY

Complete Application Accepted: \_\_\_\_\_ Public Hearing Date: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Class I                       Class II                       Class III

- PLAN AMENDMENT
- ZONE CHANGE
- PRELIMINARY PLAT
- FINAL PLAT
- PLANNED DEVELOPMENT
- MAJOR PARTITION
- MINOR PARTITION
- CONDITIONAL USE
- VARIANCE
- OTHER \_\_\_\_\_
- DESIGN REVIEW
- TEXT AMENDMENT
- SIGN REVIEW
- TEMPORARY USE

### SITE FINDINGS

- 1. Zoning: \_\_\_\_\_
- 2. Area of Lot: \_\_\_\_\_
- 3. Building or Sign Height: \_\_\_\_\_  
(Max) \_\_\_\_\_
- 4. Zone Code Minimum Setbacks:  
Front \_\_\_\_\_  
Side \_\_\_\_\_  
Rear \_\_\_\_\_
- 5. Building Area: \_\_\_\_\_
- 6. Access to Property: \_\_\_\_\_
- 7. Other: MASTER SIGN PLAN:  
OO SR 15

Approved                       Denied                       Approved with Conditions (see attached)

Conditions of Development Sign shall be built and installed in substantial compliance with the plans submitted in this application, except height above ground shall be as indicated on plots dated 5-5-04 and attached.

Approval of this development permit, as submitted, is based on information submitted by the applicant as outlined above. Any change of plans or incorrect information submitted may result in revocation of permit. This decision may be appealed in accordance with the provisions of the Wilsonville

**King, Sandy**

---

**From:** Pauly, Daniel  
**Sent:** Tuesday, June 05, 2012 5:02 PM  
**To:** King, Sandy  
**Cc:** Kohlhoff, Mike; Cosgrove, Bryan; Neamtzu, Chris  
**Subject:** Sign Code: June 18 Packet and Mayor's Amendments

First, I don't have anything sign code related for the June 18<sup>th</sup> packet yet. I am aiming to have language and recommendations related to the Mayor's amendments to the motion finalized by early next week, if not sooner.

I spoke with the Mayor today to clarify a couple of points regarding his amendments to the motion last night. I have drafted some language related to minor adjustments to sign placement and will share it with you tomorrow after I look at it with fresh eyes in the morning and write a brief explanation of some of the language.



Daniel Pauly, AICP  
Associate Planner

City of Wilsonville Planning Division  
29799 SW Town Center Loop East  
Wilsonville OR 97070  
503-682-4960  
[pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us)

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

June 14, 2012

Wilsonville City Council  
29799 SW Town Center Loop E  
Wilsonville, OR 97070

*Rec'd 6/14/12  
sek*

**Re: PROPOSED SIGN CODE AMENDMENTS**

To Whom This May Concern:

We are writing this letter in response to the proposed sign code. We are especially interested in the portion of the code pertaining to electronic changeable copy signs. Therefore, we will be limiting our comments to that specific sign type.

First, we would like to applaud the City Council for its consideration of positive sign code amendments. Additionally, we would like to thank the planners and Planning Commission for their work on the sign code to date. With that being stated, we simply have one point of contention we'd like to bring up with regard to the draft.

Since the Design Review Board is required to grant a waiver for electronic changeable copy signs in the first place, we see no reason to set a restrictive time limitation on how often such signs can change.

It is our understanding that the subject of hold time (how long a sign must remain displayed until it can be changed) was extensively discussed during Planning Commission work sessions, and as a result, it was reduced from one hour to 15 minutes. While we appreciate such consideration, we would like to emphasize that a 15-minute hold time is still more restrictive than necessary to adequately regulate such signage.

There is a common rule of thumb when it comes to sign regulations, and that can be paraphrased as such: regulations should be no more restrictive than necessary to adequately regulate what needs to be regulated. Hold times ranging from four to 10 seconds have been found to be appropriate by numerous municipalities throughout the state, the State of Oregon and even the Federal Highway Administration itself. Therefore, a hold time of 15 minutes, especially as it's accompanied with the requirement for a waiver from the Design Review Board, is unneeded and overly-restrictive.

At the very least we would urge the Council to consider a hold time that is more in-line with state regulations, which require that such signs display images that hold for eight seconds versus 15 minutes.

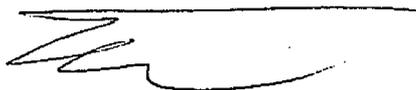
On a final note, when writing amendments regarding this valuable technology, local regulators should be aware that overly restricting electronic changeable copy signs can negatively affect business owners' well being, and ultimately inhibit the community's economic well being. The Small Business Administration estimates that businesses can raise their revenue anywhere from 15 to 150 percent with an electronic changeable copy sign. Such an increase in business not only positively impacts business

owners it also positively impacts their communities by increasing tax base. In a struggling economy, small and large businesses alike need a cost-effective advertising medium that has been proven to work.

Daktronics, Inc. is the world leader in the design and manufacture of electronic display systems. We offer a variety of products, including electronic changeable copy signs, and are dedicated to helping regulators implement regulations catering to both business owners and community tastes.

Please let me know if you have any questions or concerns.

Sincerely,  
DAKTRONICS, INC.



Terra Fisher  
Signage Legislation  
605-691-1285

**ORDINANCE NO. 704**

**AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING THE PLANNING AND LAND DEVELOPMENT ORDINANCE (WILSONVILLE'S DEVELOPMENT CODE) SECTIONS 4.001, 4.030-4.031, AND 4.156 AND DIVIDING SECTION 4.156 INTO SECTIONS 4.156.01 THROUGH 4.156.11 TO UPDATE THE CITY'S SIGN REGULATIONS AND THE PURPOSE AND OBJECTIVES OF SUCH REGULATIONS.**

WHEREAS, Wilsonville's current sign regulations have been in effect for 12 years, with changes surrounding the content neutrality of temporary sign regulations adopted in 2010; and

WHEREAS, a collaborative effort has been carried out to identify issues and recommendations to update the sign regulations involving stakeholders including the Wilsonville Area Chamber of Commerce, City staff, sign professionals, residents, former members of the City's Development Review Board, and developers; and

WHEREAS, the Planning Commission held a seven work sessions over period of July 2011 to March 2012 to review issues, recommendations, and Development Code amendments to implement the recommendations; and

WHEREAS, the recommendations aim to improve efficiency and consistency in administration and application of Wilsonville's sign regulations while maintaining a high quality visual environment, in which sign development plays a major role; and

WHEREAS, the updated sign regulations help foster an aesthetically pleasing, functional, and economically vital community, as well as promote public health, safety, and well-being by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4 of the Planning and Land Development Ordinance; and

WHEREAS, the Planning Commission conducted a public hearing on this matter on April 11, 2012 and upon consideration of testimony and evidence from the public and city staff, unanimously recommended that the City Council approve the proposed Development Code amendments; and

WHEREAS, the Council having conducted a public hearing on the proposal on June 4, 2012, and considering the entire record herein finds that the proposed Development Code amendment complies with applicable text amendment criteria and is in the best interest of the community by

providing for the needs of sign owners while ensuring a functional, aesthetically pleasing, economically vital, and safe community.

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

Section 1: Findings. The council adopts as findings and conclusions the foregoing recitals and the staff report in this matter attached hereto as Exhibit A and adopted as if set forth fully herein.

Section 2: Amendments.

1. That Wilsonville code section 4.001 Definitions, be amended to modify the definitions for “Sign”, “Addressing Signs”, “Changing image sign”, “Lawn Sign”, “Roof Sign”, “Sign Area”, add definitions for “Baseline”, “Bowl”, “Cap Height”, “Changeable copy sign”, “Descender”, “Blade Sign”, “Serif”, “Shoulder”, “Video Sign”, and “Wayfinding Sign”, delete the definition of “Building Graphics”, “District Sign”, “Electric Sign”, and “Street Graphics”, and move “Site Area, Net” from a sub definition of “Sign” to a stand-alone definition, as follows:

263. Sign: A device or display used or intended to be used for advertising purposes or used or intended to be used to inform or attract the attention of the public. “Sign” includes, where applicable, the structure, display surface, or other component parts of the device or display. Examples include, but are not limited to, advertising sign, banner, outdoor advertising sign, on-premises sign, temporary sign, window sign, message, light (other than a device used primarily to illuminate a building and/or premise), emblem, figure or, painting, mural, drawing, placard, or poster. The display of merchandise that is offered on the premises shall not be considered to be a sign unless it is attached to any exterior surface or structure of the building including, but not limited to, roofs, walls, marquees, monuments, or poles. The scope of the term “sign” does not depend on the content of the message or image conveyed. A sign does not include architectural or landscape features that may attract attention but do not convey a message or image considered speech, or trademark, protected under federal or state law.

A. Addressing Signs: Signs indicating, at a minimum, the numerical address of the building. ~~Such signs are provided in lieu of a street graphics sign.~~

**B. Baseline: The invisible line on which text or other characters sit, the bottom extent of the cap height of a typeface.**

**C. Bowl: In a font or typeface, an open or closed circular line that creates an interior space, such as in the letters “d” and “c.”**

~~Building Graphics: building mounted signs.~~

**B.D. Cap Height: In a font or typeface, the distance from the baseline to the top of uppercase letters like “H” and “J.”**

- E. Changing image sign. Any sign which, through the use of moving structural elements, flashing or sequential lights, lighting elements, prisms, or other ~~automated~~ method, results in movement, the appearance of movement, or change of sign image or text except changeable copy signs defined below.
- C.F. Changeable copy sign. Any sign, digital or manual, which is designed to have the copy changed routinely and where the frequency of copy change does not exceed once every fifteen (15) minutes, except in emergency situations as requested by the City Manager or designee.
- G. Descender: In a font or typeface, the part of a letter extending below the baseline including lower portion of the lowercase letters “g,” “j,” “p,” “q,” and “y.”
- D.H. Directional signs: Signs on private property that provide directions for the traveling public and are deemed necessary for the safe traverse of the public.
- ~~E. District Sign:~~ a sign indicating the entrance to a Planned Development containing at least fifty (50) acres.
- ~~F. Electric Sign:~~ any sign containing electric wiring, but not including signs illuminated by an exterior floodlight source.
- G.I. Flashing Sign: ~~any~~ Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity or color at all times when such sign is in use. For the purpose of this Code, any moving illuminated sign shall be considered a flashing sign.
- H.J. Freestanding Sign: A sign erected and maintained on a freestanding frame, mast, or pole not attached to any building, and not including ground-mounted signs.
- I.K. Ground-mounted Sign: A non-temporary sign which extends from the ground, or has support which places the bottom of the sign less than two (2) feet from the ground, including monument signs.
- J.L. Inflatable Sign: ~~any~~ Any device that depends on a differential between internal and external air pressure to maintain its size, form or shape regardless of whether it is tied, tethered, mounted or connected to a pole, building, or ground.
- K.M. Institutional Signs: ~~signs~~ Signs that identify public buildings, churches, public and private schools and other such structures used for public gathering or to serve the general public. The Planning Director shall determine the nature of such signs if there is a question. Institutional signage shall comply with all applicable provisions of this Code.
- L.N. Integral Sign: ~~a~~ A sign carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction indicating names of buildings, date of erection, monumental citations, commemorative tablets and the like when made an integral a part of the structures.
- M.O. Lawn Sign. ~~a~~ A temporary freestanding sign commonly made of corrugated plastic, greyboard, or similar type of material, constructed and maintained to prevent being moved or heavily damaged by typical exposure to natural elements. Lawn signs in the rights-of-way under W.C. 4.156(-10).11 may be constructed to be ~~movable~~ portable.
- N.P. Marquee Sign: ~~a~~ A canopy or covering structure bearing a signboard or graphics projecting from, and attached to, a building.

- ~~Q-Q.~~ Permanent Sign: ~~any~~ **Any** sign that does not meet the definition of a temporary sign, below.
- R. Portable Sign: a **A** sign that is not permanently affixed to a building, structure, or the ground; a sign designed to be moved from place to place. These signs include, but are not limited to movable A-frame signs, sandwich board signs, signs on vehicles or trailers, and signs attached to wood or metal frames designed to be self-supporting and movable, including trailer reader boards.
- S. Projecting Sign: a **A** sign, other than a wall sign which projects from and is supported by a wall of a building or structure. Projecting Signs are differentiated from Wall Flat Signs as defined below.
1. **Blade Sign: A sign hanging, perpendicular to a building façade, from a canopy, building projection, or mounting bracket intended to aid pedestrians in wayfinding.**
- P.T. Rigid Sign: a **A** temporary freestanding sign designed and constructed with materials of a grade and quality to withstand strong winds, rains, and harsh weather conditions, and maintained as a potentially year-long temporary sign to ensure that degradation or weathering does not present aesthetic and public safety concerns and the sign retains substantially the same quality throughout the year. Such signs may not be constructed of cardboard, poster board, or other similar lightweight paper products.
- U. Roof Sign: A sign located on or above the roof of any building, not including a false mansard roof, canopy or other fascia.
- ~~Q-V.~~ Selling slogans **Slogans**: a **A** brief striking phrase used in advertising or promotion. The hours of operation of a business shall be considered to be a selling slogan.
- W. Serif: In fonts and typefaces, the extra stroke at the end of a letter or character.**
- X. Shoulder: In fonts and typefaces, the curve at the beginning of a leg of a character such as the upper curved portion of the lowercase letters "m" and "n."**
- ~~R-Y.~~ Sign Area: ~~the~~ **The** display surface or face of the sign **calculated as prescribed in Section 4.156.04**, including all frames, backing face plates, non-structured trim or other component parts not otherwise used for support. ~~Where a sign is displayed on a surface that includes both signage and blank area, the Planning Director shall have the responsibility for calculating the sign area and shall include all of the surface generally bounding any lettering or other display.~~
- ~~S-Z.~~ Site Area, Net: ~~The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.~~
- ~~Street Graphics~~: ~~signs that indicate the name and function of a business or institution and are located on private property but within fifteen (15) feet of the right-of-way of a public street.~~
- AA. Temporary Sign: a **A** sign not permanently affixed to a building, structure, or the ground, intended to be displayed for a limited period of time.
- BB. Video Sign: Moving visual messages projected on any surface.**

CC. Wall Flat Sign: ~~a~~A sign affixed directly to or painted on or otherwise inscribed on an exterior wall and confined within the limits of any building and which projects from that surface not more than twelve (12) inches at all points.

**DD. Wayfinding Sign: The term way finding sign has two different contextual meanings. First, it is used as a general description of one of the basic purposes or functions of signs, which is to assist in directing the general public to specific destinations within the community, so that they find their way. In this context almost all signs provide some degree of way finding information. Second, the term is used to describe a specific type of sign, such as local directional signs and district wayfinding signs, that provides specific identity and/or direction to particular businesses, facilities, or places of interest, such as parks, tourist attractions, public buildings, schools, special districts, or other locations to which the public commonly asks for directions.**

264. Site Area, Net: The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.

2. That Wilsonville code section 4.030 Jurisdiction and Powers of Planning Director and Community Development Director, subsection (.01), be amended as follows:

(.01) Authority of Planning Director. The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:

A. A Class I application shall be processed as a ministerial action without public hearing, shall not require public notice, and shall not be subject to appeal or call-up, except as noted below. Pursuant to Class I procedures set forth in Section 4.035, and upon finding that a proposal is consistent with the provisions of this Code and any applicable Conditions of Approval, shall approve the following, with or without conditions:

1. Minor site clearing and grading, prior to the approval of a Site Development Plan, provided that:
  - a. no clearing or grading occurs within the Significant Resource Overlay Zone. Clearing or grading in the Significant Resource Overlay Zone shall require, at a minimum, approval of a Class II permit through the procedures specified below;
  - b. no clearing or grading occurs within twenty-five (25) feet of an area that has been identified by the City as a wetland;
  - c. not more than three (3) trees are proposed to be removed;
  - d. no fill or removal is proposed;
  - e. adequate measures are utilized to control erosion and runoff from the site and that the applicant will submit a final Site Development application within seven (7) days of submitting the minor site grading application. All grading activities require compliance with the requirements of the applicable building code and City Public Works standards.

2. Class I Signs Sign Permits, and Temporary Sign Permits for thirty (30) days or less. ~~authorized for administrative approval by the sign regulations and signs that are permitted outright by the sign regulations of this Code. This includes copy changes to an existing sign, provided that no other structural changes occur and provided that the change occurs to a sign that is otherwise legal.~~
3. Architectural, landscape, tree removal, grading and building plans that substantially conform to the plans approved by the Development Review Board and/or City Council. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.
4. Building permits for single family or two-family dwellings, and in the Village zone, row houses or apartments, meeting zoning requirements and located on lots that have been legally created. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.  
[Amended by Ord 557 adopted 9/5/03].
5. Lot line adjustments, where none of the lots increase in area by fifty percent (50%) or more, subject to the standards specified in Section 4.233.
6. A temporary use permit for not more than thirty (30) days, subject to the following standards:
  - a. the applicant has the written permission of the property owner to use the site;
  - b. the proposed use will not create an obstruction within a sight vision clearance area that would impair the vision of motorists entering onto or passing by the property;
  - c. adequate parking is provided;
  - d. signs shall meet the standards of Section 4.156.09. A maximum of two signs, not exceeding a combined total of 24 square feet, are allowed; and
  - e. the proposed use has the approval of the Fire Marshal.
7. Determination that an existing use or structure is a non-conforming use or non-conforming structure, as defined in this Code. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the history of the property, choose to process such determinations through the Class II procedures below.
8. Actions taken subject to Site Development Permits which have been approved by the appropriate decision-making body of the City.
9. Final plats for condominiums, subdivisions, or partitions that are substantially the same as tentative plats approved by the City and which are submitted for review and signature prior to recordation with the appropriate county.
10. Type A tree removal permits as provided in Section 4.600.
11. Determination, based upon consultation with the City Attorney, whether a given development application is quasi-judicial or legislative. Except,

however, that the Planning Director may, in cases where there is any uncertainty as to the nature of the application, choose to process such determinations through the Class II procedures below.

12. Expedited land divisions. Applications for expedited land divisions, as provided for in Section 4.232 of this Code and ORS Chapter 197 shall be processed without public hearing, and shall be subject to appeal through the special appeal procedures specified in Section 4.232.
  - a. Authority of Planning Director. The Planning Director shall have authority to review applications for expedited land divisions and to take action approving, approving with conditions, or denying such applications, based on findings of fact.
  - b. Tentative Plat Requirements for Expedited Land Divisions. Tentative plats and all other application requirements for expedited land divisions shall be the same as for other forms of land divisions, except as those requirements are specifically altered by the Oregon Revised Statutes.
  - c. Administrative Relief Not Available. In taking action on an application for an expedited land division, the Planning Director is not authorized to grant Variances or waivers from the requirements of the Code.
  - d. Residential Areas Only. As specified in ORS 197, expedited land divisions shall only be approved in areas zoned for residential use.
- B. A Class II application shall be processed as an administrative action, with or without a public hearing, shall require public notice, and shall be subject to appeal or call-up, as noted below. Pursuant to Class II procedures set forth in Section 4.035, the Director shall approve, approve with conditions, deny, or refer the application to the Development Review Board for a hearing:
  1. Minor alterations to existing buildings or site improvements of less than twenty-five percent (25%) of the previous floor area of a building, but not to exceed 1,250 square feet, or including the addition or removal of not more than ten (10) parking spaces. Minor modifications to approved Architectural and Site Development Plans may also be approved, subject to the same standards.
  2. Residential accessory buildings or structures with less than one hundred and twenty (120) square feet of floor area located within the Willamette River Greenway Boundary pursuant to Section 4.500 and subject to the flood plain development standards of Section 4.172. Approval of such accessory structures in the Greenway shall be based on all of the following findings of fact:
    - a. The building or structure is located so that the maximum amount of landscape area, open space and/or vegetation is provided between the river and the building;
    - b. Public access to the river is preserved or is provided in accordance with an approved and adopted plan; and

- c. That the change of use, intensification of use, or development will be directed away from the river to the greatest possible degree while allowing a reasonable use of the property.
- ~~3. A temporary Use Permit for more than thirty (30) and fewer than sixty one (61) days.~~
43. Written interpretations of the text or maps of this Code, the Comprehensive Plan or sub-elements of the Comprehensive Plan, subject to appeal as provided in Section 4.022. The Planning Director may review and interpret the provisions and standards of Chapter 4 (Planning) of the Wilsonville Code upon receiving the required filing fee along with a specific written request. The Director shall publish and mail notice to affected parties and shall inform the Planning Commission and City Attorney prior to making a final written decision. The Director's letter and notice of decision shall be provided to the applicant, the Planning Commission, the City Council, and City Attorney and the notice shall clearly state that the decision may be appealed in accordance with Section 4.022 (Appeal Procedures). A log of such interpretations shall be kept in the office of the Planning Department for public review.
54. A permit to locate an accessory use on a lot adjacent to the site of the principal use.
65. Land partitions, other than expedited land divisions, pursuant to Section 4.210. Approval of land partitions shall be based on all of the following findings of fact:
- a. The applicant has made a complete submittal of materials for the Director to review, as required in Section 4.210;
  - b. The proposed plan meets the requirements of the Code regarding minimum lot size and yard setbacks;
  - c. The approval will not impede or adversely affect the orderly development of any adjoining property or access thereto;
  - d. The public right-of-way bordering the lots or parcels will meet City standards;
  - e. Any required public dedications of land have been approved for acceptance by the City and will be recorded with the County prior to final plat approval;
  - f. Adequate easements are proposed where an existing utility line crosses or encroaches upon any other parcel to be created by the partition;
  - g. All public utilities and facilities are available or can be provided prior to the issuance of any development permit for any lot or parcel; and
  - h. Roads extended or created as a result of the land division will meet City standards.
76. Decisions on the following:
- a. Lot line adjustments, where any of the lots increase by more than fifty percent (50%) in area, subject to the provisions of Section 4.233.
  - b. Temporary use and temporary sign permits for periods exceeding thirty (30) days. Temporary use and temporary sign permits may allow

specific activities associated with the primary use or business located on the property for up to 120 days provided that:

- i. the property owners have given written permission;
- ii. no structure, sign or any other object shall exceed 20 feet in height;
- iii. adequate parking is provided in designated spaces;
- iv. signs are limited to a maximum of two and shall not exceed a total combined area of 24 square feet;
- v. electrical and building permits are obtained as required;
- vi. undue traffic congestion will not result and, if traffic congestion is expected, a traffic control plan is submitted along with the application that identifies the traffic control procedures that will be used;
- vii. the activity and/or use shall not unduly interfere with motorists driving on adjacent roads and streets, including I-5; and
- viii. public notice has been provided and the comments of interested parties have been considered in the action that has been taken.

8. Solar access permits, as specified in Section 4.137.3.

**9. Class II Sign Permits.**

- C. Other specific actions or duties delegated by Planning Commission or Development Review Board Resolution, or by order of the Council, setting forth the review procedure guided by clear and objective standards for administration.
- D. Administrative Relief: In issuing the permits in subsection "B," above, the Planning Director may grant limited relief in cases of hardship. The Director shall follow the Class II - Administrative Approval procedures to determine whether administrative relief shall be granted. If the Director receives a complete application, along with the required filing fee, and the request involves only the expansion or reduction by not more than 20 percent of one or more quantifiable provisions of yard, area, lot dimension, or parking requirements of the zone, the Director may approve the application, based upon findings of fact supported by evidence in the record. The Variance procedures and standards specified in Section 4.196 shall be used in determining whether administrative relief shall be granted.
- E. Emergency Situations: The Planning Director may review and approve any reasonable and necessary emergency measure, including the removal of trees and vegetation from the Willamette River Greenway, Significant Resource Overlay Zone and wetlands, necessary for the safety and/or protection of persons or property. The standard shall be that the least amount of activity or disruption is used to provide the necessary protection to the property or to avert damage to the property. The Director may require restoration of landscaping, vegetation or soil to repair any damage resulting from enacting emergency protection measures.

3. That Wilsonville code section 4.031 Authority of the Development Review Board, subsection (.01), be amended as follows:

- (.01) As specified in Chapter 2 of the Wilsonville Code and except as specified herein, the Board shall have authority to act on the following types of applications:
- A. Class II development applications referred to the Board by the Planning Director, as authorized in Section 4.030.
  - B. Call-ups or appeals of staff decisions or interpretations involving quasi-judicial applications or procedures, as authorized in Sections 4.022 and 4.172.
  - C. Review of tentative subdivision and condominium plats, as authorized in Section 4.210, other than those processed as expedited land divisions.
  - D. Conditional Use Permits, as authorized in Section 4.184.
  - E. Variances, as authorized in Section 4.196, other than those that are reviewed and acted upon by the Planning Director through Administrative Review processes.
  - F. Initial review of quasi-judicial applications for zone changes, as authorized in Section 4.197.
  - G. Initial review of quasi-judicial applications for amendments to one or maps in the Comprehensive Plan, as authorized in Section 4.198.
  - H. Site design review, as authorized in Section 4.400.
  - I. Review of Stage I and Stage II Planned Development applications.
  - J. Acceptance, rejection, or modification of traffic studies prepared for projects or developments. A traffic study prepared by the City's consultant shall not be rejected or modified by the Board unless substantial evidence exists in the record to justify such action. If the Board rejects a traffic study prepared by the City's consultant, the fee paid by the applicant for that study shall be refunded.
  - K. Initial review of requests for quasi-judicial annexations to the City of Wilsonville.
  - L. Street vacations, where a specific development application has been filed for the subject property. If no specific development application has been filed for the subject property, the vacation request shall be considered by the Planning Commission. Action of the Planning Commission or Board on a street vacation request shall be a recommendation to the City Council.
  - M. Class III Sign Permits, Master Sign Plans, and all sign permits and approvals not specifically authorized for administrative review or exempt from permitting requirements.**

- 4. That the heading "Section 4.156 Sign Regulations" be deleted in its entirety.
- 5. That Wilsonville code section 4.156 Sign Regulations, subsection (.01) Purpose, be renumbered and retitled as section 4.156.01 Sign Regulations Purpose and Objectives, and amended as follows:

**Section 4.156.01 Sign Regulations Purpose and Objectives.**

(.01) Purpose. The general purpose of this ~~the~~ Section is sign regulations are to provide one of the principal means of implementing the Wilsonville Comprehensive Plan by fostering an aesthetically pleasing, functional, and economically vital community, as well as promoting public health, safety, and well-being. The sign regulations strive to accomplish the above general purpose by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4. This code regulates the design, variety, number, size, location, and type of signs, as well as the processes required to permit various types of signs. Sign regulations have one or more of the following specific objectives:

- A. Well-designed and aesthetically pleasing signs sufficiently visible and comprehensible from streets and rights-of-way that abut a site as to aid in wayfinding, identification and provide other needed information.
- B. Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.
- C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
- D. Consistent and equitable application and enforcement of sign regulations.
- E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- F. Sign regulations are content neutral.

~~promoting public safety, providing locational and directional information, ensuring continued aesthetic improvement of the City's environment, and providing adequate opportunity for signage to meet the needs of individuals, businesses, institutions, and public agencies. These provisions classify and regulate the variety, number, size, location, and type of signs for a site. They do not necessarily assure or provide for a property owner's desired level of sign visibility. Regulations for signs have one or more of the following specific objectives:~~

- ~~A. To ensure that signs are designed, constructed, installed and maintained so that public safety and traffic safety are not compromised;~~
- ~~B. To allow and promote positive conditions for meeting the needs of sign users while avoiding nuisances to nearby properties and the community overall;~~
- ~~C. To reflect and support the desired character and development patterns of the various zones;~~
- ~~D. To allow for variety in number and type of signs in appropriate locations, while preventing signs from dominating the visual appearance of the area;~~
- ~~E. To prevent the construction or use of signs that would otherwise detract from the design of adjacent buildings or properties;~~
- ~~F. To provide the public with adequate opportunity for needed information that can be supplied through signage;~~
- ~~G. To stabilize and improve property values and prevent the creation of blighted areas;~~

H. ~~To provide for the clear identification of structures in order to enhance public safety; and~~

I. ~~To ensure the protection of the constitutionally guaranteed right of free speech.~~

6. That Wilsonville code section 4.156 Sign Regulations, subsection (.02) Application For Sign Permits and subsection (.03) General Provisions Affecting Signs, be renumbered and retitled as sections 4.156.02 Sign Review Process and General Requirements, 4.156.03 Sign Measurement, and 4.156.04 Non-Conforming Signs, and amended as follows:

~~(.02) Application For Sign Permits.~~

~~A. Submittals. Every request for a sign approval shall be made on the application form, which shall be provided by the City Planning Department and shall be accompanied by additional information and such fees as may be required by the City.~~

~~B. Review Processes.~~

- ~~1. The Planning Director shall have authority over the administration, interpretation, and enforcement of the provisions of this Section, subject to appeal as provided in Section 4.022. Pursuant to a Class I Administrative Review procedure, the Planning Director may approve, approve with conditions, or deny applications for sign permits, except as provided in this Section. The Planning Director's authority to approve sign permits shall be limited to reviewing and acting upon temporary use sign permits, permits for replacement of existing signs, minor changes to approved sign permits, and signs that have already received preliminary approval as part of a master sign plan, or in the Village zone, as part of a master signage and Wayfinding plan. (Amended by Ord 557, adopted 9/5/03).~~
- ~~2. Any decision for approval of a sign proposal shall include written findings addressing the following criteria:~~
  - ~~a. The proposed signage complies with the specific objectives in subsection 4.156(.01) of this Code;~~
  - ~~b. The proposed signage is compatible with developments or uses permitted in the zone in terms of design, materials used, color schemes, proportionality, and location, so that it does not interfere with or detract from the visual appearance of adjacent development;~~
  - ~~c. The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of adjacent properties;~~
  - ~~d. If the proposed signage is to be temporary, the length of time for which it is permitted shall be reasonable in terms of the purpose and nature of the signs that are proposed, but not to exceed one (1) year from the date of approval;~~
  - ~~e. If the application involves a Variance, it shall be subject to the standards and criteria listed in Section 4.196; and~~

~~f. All of the relevant application filing requirements of Chapter 4 have been met.~~

- ~~3. As specified in this Code, the Development Review Board shall have authority to review applications for sign permits, and for waivers and variances from these standards, except in cases where such authority is granted to the Planning Director. The Development Review Board shall make written findings for its decisions, subject to the criteria in subsection 4.156(.01) and (.02) above, Section 4.196, and Sections 4.400 through 4.450, as applicable.~~
- ~~4. In issuing a Sign Permit, the Planning Director may grant or deny a variance to relieve a hardship using Class I (Administrative Review) procedures. Such a variance shall only be approved where the variance does not exceed twenty percent (20%) of area, height, or setback requirements (e.g., a ten foot setback requirement could be decreased to eight feet, etc.). The Planning Director shall approve such a variance only upon finding that the application complies with all of the required variance criteria listed in Section 4.196.~~
- ~~5. Variances to sign regulations. Additional to the authority of the Planning Director to issue administrative variances as noted in subsection 4, above, the Development Review Board may authorize variances from sign requirements of this Code, subject to the standards and criteria listed in Section 4.196.~~

~~(.03) General Provisions Affecting Signs. No person shall erect, install, construct, place, alter, change, relocate, suspend or attach any sign, except for routine maintenance of existing signs, without first obtaining a sign permit, paying the required fees, and otherwise complying with the provisions of this Code. The location of free standing or ground mounted signs located adjacent to or near the Public Right of Way shall be in compliance with the City's Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.~~

~~A. Approval of Permits. No permit shall be issued for signs within the City until reviewed and approved by the Development Review Board, the Planning Director, or the Director's designee as authorized in this Code. Applicants shall, whenever possible, incorporate all proposed signage as a part of the initial submittal on new development projects.~~

**Section 4.156.02 Sign Review Process and General Requirements.**

**(.01) Permit Required: Unless exempt under Section 4.156.05, no sign, permanent or temporary, shall be displayed or installed in the City without first obtaining a sign permit.**

**(.02) Sign Permits and Master Sign Plans: Many properties in the City have signs pre-approved through a Master Sign Plan. For the majority of applications where a Master Sign Plan has been approved the applicant need not consult the sign requirements for the zone, but rather the Master Sign Plan, copies of which are available from the Planning Division. Signs conforming to a Master Sign Plan**

require only a Class I Sign Permit.

(.03) Classes of Sign Permits, Master Sign Plans, and Review Process: The City has three classes of sign permits for permanent signs: Class I, Class II, and Class III. In addition, non-residential developments with three or more tenants require a Master Sign Plan. Class I sign permits are reviewed through the Class I Administrative Review Process as outlined in Subsection 4.030 (.01) A., Class II sign permits are reviewed through the Class II Administrative Review Process as outlined in Subsection 4.030 (.01) B., Class III Sign Permits and Master Sign Plans are reviewed by the Development Review Board (DRB) as outlined in Section 4.031. Applicants shall, whenever possible, incorporate all proposed signage as a part of the initial submittal on new development projects.

(.04) Class I Sign Permit: Sign permit requests shall be processed as a Class I Sign Permit when the requested sign or signs conform to a Master Sign Plan or other previous sign approval. In addition, a Minor Adjustment to a Master Sign Plan or other previous sign approval may be approved in connection with a Class I Sign Permit.

A. Class I Sign Permit Submission Requirements: Application for a Class I Sign Permit shall include two (2) copies of the following along with all required application fees:

1. Completed application form prescribed by the City and signed by the property owner or the property owner's representative,
2. Sign drawings showing all materials, the sign area and dimensions used to calculate sign areas, and other details sufficient to judge the full scale of the associated sign or signs and related improvements,
3. Information showing how the proposed sign or signs conform with all applicable code requirements, Master Sign Plans, or other previous sign approvals for the property, and
4. Information supporting any minor adjustment requests.

B. Class I Sign Permit Review Criteria: The sign or signs conform with the applicable master sign plan or other previous sign approvals, and applicable code requirements.

C. Minor Adjustments: Notwithstanding approved Master Sign Plans or other previous sign approvals, as part of a Class I Sign Permit Minor Adjustments may be approved as described in 1. and 2. below. Minor Adjustments are valid only for the Sign Permit with which they are associated and do not carry over to future sign permits or copy changes.

1. Adjustment to Sign Height or Length: Adjustment of not more than ten (10) percent from the sign height (not height from ground) and/or length may be approved for the reasons listed in a. through d. below, unless otherwise specifically prohibited in the Master Sign Plan. Minor adjustments to sign height and length shall not cause the sign to cross the edge of any fascia, architectural element or area of a building facade identified as a sign band. The area of the sign exceeding the height or length as part of a minor

adjustment shall not count against the sign area indicated in a Master Sign Plan or other previous sign approval.

- a. To accommodate the descender on the lower case letters “q, y, p g, or j”, not otherwise accommodated by the measurement method used, where the letter matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter;
- b. To accommodate stylized fonts where bowls, shoulders, or serifs of the stylized letters extend beyond the cap height;
- c. To accommodate an arching or other non-straight baseline; or
- d. To accommodate a federally registered trademark logo where compliance with the defined maximum sign height would result in the cap height of the text in the logo being ninety (90) percent or less of the cap height for letters otherwise allowed. (i.e. if a Master Sign Plan allowed 24” letters and 24” total sign height, and a 24” logo would result in the cap height of the text within the logo being less than 21.6”, the total height of the logo could be increased to 26.4”)

2. Lateral Adjustment of Building Sign Location: Lateral adjustment of a building sign location identified in drawings or plans for a Master Sign Plan or other sign approval when all of the following are met:

- a. The lateral distance being moved does not exceed fifty (50) percent of the sign length or ten (10) feet, whichever is greater;
- b. The exact location is not specifically supported or required by written findings or a condition of approval;
- c. The sign remains within the same architectural feature and sign band, except if the location is on a pillar, column, or similar narrow architectural support feature, the sign may be moved to a sign band on the architecture feature which it supports if no other sign is already placed in that sign band for the tenant space; and
- d. The placement maintains any spacing from the edge of an architectural feature, building, or tenant space specifically identified in the Master Sign plan or other sign approval or if no spacing is identified, maintains a definable space between the sign and the edge of architectural features, the tenant space, and building.

(.05) Class II Sign Permit: Sign permit requests meeting one or more of the descriptions listed in A. through C. below shall be processed as a Class II Sign Permit when the request does not conform with a Master Sign Plan or other previous sign approval but meets the requirements of the applicable sign regulations, unless the request would modify a condition of approval specifically imposed by the DRB or City Council:

- A. Existing residential development;
- B. Existing non-residential development with less than three (3) tenants unless the request involves a freestanding or ground mounted sign greater than eight (8) feet in height in a new location;

**C. Major Adjustments to a Master Sign Plan when all of the following criteria are met:**

- 1. The request is compatible with the pattern of signage established in the sign plan in terms of locations, placement on buildings, proportionality to fascia and building facade, architectural design, and materials used;**
- 2. The request is due to special conditions or circumstances that make it difficult to comply with the established Master Sign Plan;**
- 3. The request involves signs for a single tenant, a single multi-tenant freestanding or ground mounted sign, or a series of similar related multi-tenant freestanding or ground mounted signs in the same development; and**
- 4. The request does not involve a freestanding or ground mounted sign greater than eight (8) feet in height at a new location.**

**D. Class II Sign Permit Submission Requirements: Application for a Class II Sign Permit shall include two (2) paper copies and one (1) electronic copy of the following in addition to all required fees:**

- 1. Completed application form prescribed by the City and signed by the property owner or their authorized representative;**
- 2. Sign drawings or descriptions of all materials, sign area and dimensions used to calculate areas, lighting methods, and other details sufficient to judge the full scale of the signs and related improvements;**
- 3. Documentation of the lengths of building or tenant space facades used in calculating maximum allowed sign area;**
- 4. Drawings of all building facades on which signs are proposed indicating the areas of the facades on which signs will be allowed;**
- 5. Narrative describing the scope of the project, including written findings addressing all applicable review criteria, along with any other information showing how the proposed signage conforms with requirements for the applicable zone;**

**E. Class II Sign Permit Review Criteria: Class II Sign Permits shall satisfy the sign regulations for the applicable zoning district and the Site Design Review Criteria in Sections 4.400 through 4.421, as well as the following criteria:**

- 1. The proposed signage is compatible with developments or uses permitted in the zone in terms of design, materials used, color schemes, proportionality, and location, so that it does not interfere with or detract from the visual appearance of surrounding development;**
- 2. The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of surrounding development; and**
- 3. Special attention is paid to the interface between signs and other site elements including building architecture and landscaping, including trees.**

**(.06) Class III Sign Permit: Sign permit requests shall be processed as a Class III Sign Permit when associated with new development, or redevelopment requiring DRB**

review, and not requiring a Master Sign Plan; when a sign permit request is associated with a waiver or non-administrative variance; or when the sign permit request involves one or more freestanding or ground mounted signs greater than eight (8) feet in height in a new location.

A. Class III Sign Permit Submission Requirements: Ten (10) paper and electronic copies of the submission requirements for Class II Sign Permits plus information on any requested waivers or variances in addition to all required fees.

B. Class III Sign Permit Review Criteria: The review criteria for Class II Sign Permits plus waiver or variance criteria when applicable.

(.07) Master Sign Plans: A Master Sign Plan is required for non-residential developments with three (3) or more tenants. In creating a Master Sign Plan thought should be given to needs of initial tenants as well as the potential needs of future tenants.

A. Master Sign Plan Submission Requirements: Applications for Master Sign Plans shall include ten (10) paper and electronic copies of all the submission requirements for Class II and III Sign Permits and the following in addition to all required fees:

1. A written explanation of the flexibility of the Master Sign Plan for different potential tenant space configurations over time;
2. A written explanation of the extent to which different sign designs, including those incorporating logos, stylized letters, multiple lines of text, non-straight baselines, or different materials and illumination will be allowed and if allowed how the flexibility of the master sign plan will allow these different sign designs over time;
3. A written explanation of how the sign plan provides for a consistent and compatible sign design throughout the subject development.

B. Master Sign Plan Review Criteria: In addition to the review criteria for Class II and Class III Sign Permits, Master Sign Plans shall meet the following criteria:

1. The Master Sign Plan provides for consistent and compatible design of signs throughout the development; and
2. The Master Sign Plan considers future needs, including potential different configurations of tenant spaces and different sign designs, if allowed.

C. Modifications of a Master Sign Plan: Modifications of a Master Sign Plan, other than Minor and Major Adjustments, shall be reviewed the same as a new Master Sign Plan.

(.08) Waivers and Variances: Waivers and variances are similar in that they allow deviation from requirements such as area, and height from ground. They differ in that waivers are granted by the DRB as part of a comprehensive review of the design and function of an entire site to bring about an improved design and variances are granted by either the Planning Director or DRB to relieve a specific hardship caused by the regulations.

A. Waivers: The DRB may grant waivers for sign area, sign height from ground (no waiver shall be granted to allow signs to exceed thirty-five (35) feet in height

from ground), number of signs, or use of electronic changeable copy signs in order to better implement the purpose and objectives of the sign regulations as determined by making findings that all of the following criteria are met:

1. The waiver will result in improved sign design, in regards to both aesthetics and functionality.
2. The waiver will result in a sign or signs more compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district than signs allowed without the waiver.
3. The waiver will result in a sign or signs that improve, or at least do not negatively impact, public safety, especially traffic safety.
4. Sign content is not being considered when determining whether or not to grant a waiver.

**B. Variances:**

1. Administrative Variance: In reviewing a Sign Permit the Planning Director may grant or deny a variance to relieve a hardship through the Class II Administrative Review process. Such a variance shall only be approved where the variance does not exceed twenty percent (20%) of area, height, or setback requirements. The Planning Director shall approve such a variance only upon finding that the application complies with all of the required variance criteria listed in Section 4.196.
2. Other Variances: In addition to the authority of the Planning Director to issue administrative variances as noted above, the Development Review Board may authorize variances from sign requirements of the Code, subject to the standards and criteria listed in Section 4.196.

**(.09) Temporary Sign Permits: Temporary sign permits shall be reviewed as follows:**

- A. 30 days and less- Class I Administrative Review
- B. 31 days up to 120 days- Class II Administrative Review
- C. Submission Requirements: Applications for a temporary sign permit shall include the following in addition to the required application fee:
  1. Completed application form prescribed by the City and signed by the property owner or their authorized representative,
  2. Two copies of sign drawings showing all materials, and showing sign area and dimensions used to calculate areas, and other details sufficient to judge the full scale of the sign or signs,
  3. Information showing the proposed sign or signs conform with all applicable code requirements.
- D. Review Criteria: Temporary Sign Regulations in Section 4.156.09.
- E. When a temporary sign permit request is submitted as part of the broader temporary use permit request of the same duration, the sign request shall not require an additional fee.

**(.10) Waiver of Documentation: The Planning Director may, in his or her discretion, waive an application document for Class I, Class II, and Temporary Sign Permits**

where the required information has already been made available to the City, or where the Planning Director determines the information contained in an otherwise required document is not necessary to review the application.

**Section 4.156.03 Sign Measurement**

~~B. Sign Measurement.~~

~~(.01). 1. Sign Area: Sign area shall be determined as follows:~~

~~A. a. Cabinet Signs and Similar: The area for signs enclosed by cabinet, frame, or other background (including lighted surface) not otherwise part of the architecture of a building or structure shall be The area of sign faces enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet surrounding the sign face (see Figure 15: Sign Face Measurement). the area of a shape drawn around the outer dimension of the cabinet, frame, or background.~~

~~1. If the cabinet, frame, or background is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. below.~~

~~2. Sign The sign area does not include:~~

~~a. foundations Foundations, supports, and other essential structures that are not designed to serve unless they are serving as a backdrop or border to the sign;~~

~~b. Architectural elements of a freestanding or ground mounted sign designed to match or complement the architectural design of buildings on the site not and otherwise meeting the definition of a sign;~~

~~c. A pole or other structural support, unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device.~~

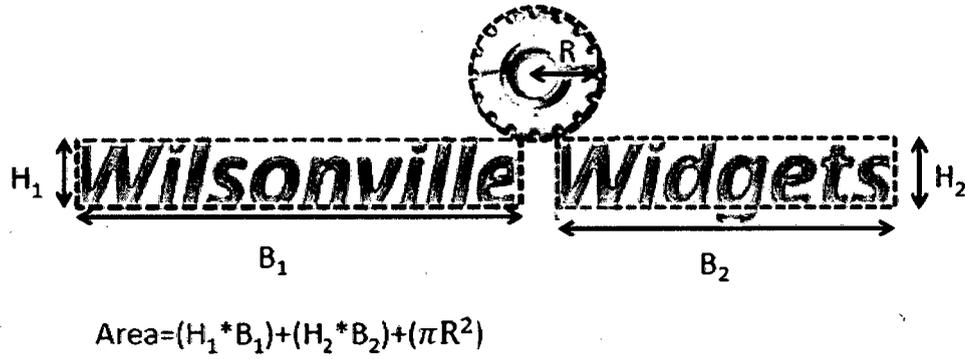


**Figure 1. Measurement of Cabinet or Similar Signs**

~~B. b. When s Individual Element Signs: The area for signs are constructed of individual elements (letters, figures, etc.) pieces attached to a building wall or similar surface or structure, sign area is determined by a perimeter drawn around all of the pieces (see Figure 17: Individual Element Sign). shall be the summed area~~

of up to three squares, rectangles, circles, or triangles drawn around all sign elements.

1. The descender on the lower case letters “q, y, p g, or i.” shall not be included in sign area when the letter otherwise matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter.



**Figure 2. Measurement of Individual Element Signs**

A.C. e. ~~For a~~Round or Three-Dimensional Signs: The area of a round or three-dimensional sign, shall be the maximum surface area visible from any one location on the ground is used to determine sign area measured the same as A. above (see Figure 20: Sign Face Area). except if the maximum surface area is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. above.

B.D. d. ~~When s~~Awning or Marquee Signs: The area of signs are incorporated into awnings, walls, or marquees, shall be the area of the entire panel containing the sign is counted as the sign face measured the same as A. above unless it is clear that part of the panel contains no sign-related display or decoration, other than the background color of the awning.

E. e. Painted Wall Signs: The area of painted wall signs shall be determined as follows: For the purposes of sign area calculations, the surface area of wall murals and wall signs shall be calculated as part of the total sign area as indicated in this subsection.

1. If individual elements are painted without a background it shall be calculated in the manner indicated in B. above.

1.2.If a background is painted it shall be calculated in the manner indicated in A. above.

C.F. f. The Planning Director shall be responsible for determining the area of a sign, subject to appeal as specified in Section 4.022. Temporary Signs: The area of temporary signs including banners, lawn signs, and rigid signs shall be calculated in the manner indicated in A. above.

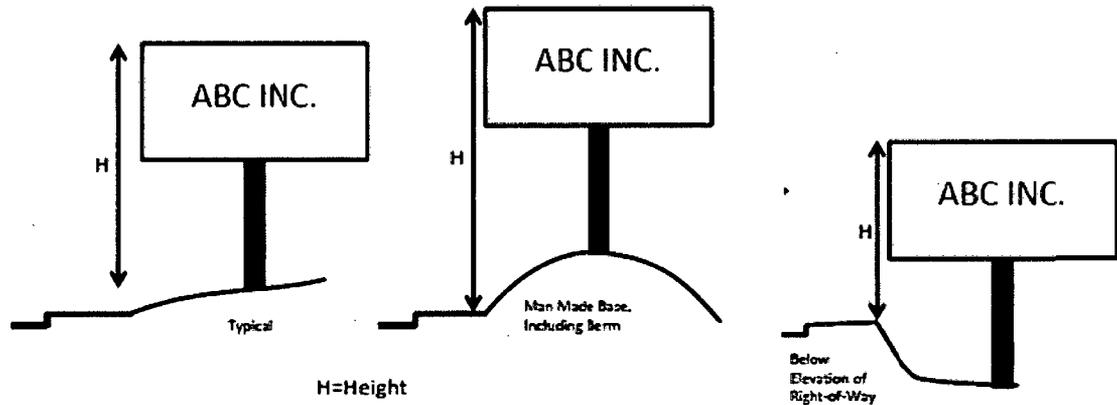
D.G. g. Unless otherwise specified, the sign area of a two-sided sign, with two matching sides, shall be considered to be the area of one side. For example, the sign area of a two-sided sign having thirty-two (32) square feet per sign face shall be considered to be thirty-two (32) square feet, unless this code specifies otherwise.

(.02) 2. Sign Height above Ground:

A. The overall height above ground of a freestanding or ground-mounted sign or sign structure is measured from the average grade directly below the sign to the highest point of the sign or sign structure except as follows:-

1. A freestanding or ground mounted sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb to the highest point of the sign or sign structure. In all cases signs on a berm shall be allowed to be eight (8) feet in height from the top of the berm.
2. A freestanding or ground mounted sign placed below the elevation of the right-of-way it fronts shall be measured from the lowest point in the right-of-way along the frontage to the highest point of the sign. If there is a question regarding the height of a sign, the Planning Director shall make the determination, subject to appeal, as provided in this Code.

How to Measure Height of a Freestanding or Ground Mounted Sign



**(.03) Sign Height and Length:**

- A. Height of a sign is the vertical distance between the lowest and highest points of the sign.
- B. Length of a sign is the horizontal distance between the furthest left and right points of the sign.

**(.04) Final Determination of Sign Measurement:** The Planning Director shall be responsible for determining the area, height above ground and height and length of a sign, subject to appeal as specified in Section 4.022. Applicants for sign plans and permits shall provide the dimensions needed to calculate the area, height above ground, height, and length.

**Section 4.156.04 Non-Conforming Signs.**

**(.01) C.**—Non-conforming **Conforming** Signs. Non-conforming signs, which may be non-conforming structures or non-conforming uses, are subject to the standards for non-conforming uses and non-conforming structures delineated in Sections 4.189 through 4.190. Except, however, that a non-conforming sign that is damaged beyond fifty percent (50%) of its value, as determined by the City Building Official, may only be reconstructed if the reconstructed sign meets all applicable zoning, structural, and electrical standards applicable at the time of reconstruction. Nothing in this Section is

intended to impair any previously approved sign permit that has been issued by the City of Wilsonville, subject to state or federal law, or to require the removal of any sign that was legally erected or installed prior to the effective date of these regulations. In the event that a previously erected or installed sign no longer meets applicable City zoning standards it may remain in place, subject to the standards for non-conforming uses or nonconforming structures noted above. **However, a sign that is required to be moved solely because of a public taking may be replaced on the site, and maintain its non-conforming status, subject to a Class II Sign Permit, provided the replacement sign is found to not increase in non-conformity to current code standards other than required setbacks.**

~~D. Master Sign Plans. A master sign plan is required for developments containing three (3) or more non-residential occupants, including but not limited to tenants, businesses, agencies, and entities. Additionally, the developer of any project may apply to have the development's signs reviewed through master sign plan procedures. A master sign plan shall be submitted at the time the development is reviewed by the Development Review Board. Master sign plans shall contain the method of illumination, the number, locations, and sizes of signs. The proposed master sign plan shall also show the estimated number of tenant signs and the total square footage of all signs within the development. Lettering styles and sizes for all occupants of the development shall be shown if known at the time of application.~~

- ~~1. In reviewing a master sign plan, the Development Review Board may regulate size, location, number and type of proposed signage in accordance with Sections 4.400 through 4.450 of this Code.~~
- ~~2. The Development Review Board may grant waivers from the requirements of this Section where the overall design of the master sign plan is found by the Board to assure attractive and functional signage. The Board shall give consideration to the size and scale of the proposed development, as well as the number of separate entrances, when acting on a master sign plan for a large development.~~
- ~~3. Any existing sign, whether or not it is to be retained, must be shown on the plan. It shall be the responsibility of the property owner or the owner's agent to administer and control any aspect of an approved master sign plan that is more restrictive than the City's sign regulations. Individual business signs that are part of a master sign plan are subject to the permit application process.~~
- ~~4. Applications for temporary signs on properties that are subject to master sign plans shall be reviewed by the Planning Director or Development Review Board through the Administrative Review process. Such temporary signs are not required to meet the strict standards of the approved master sign plan but shall be required to be designed, or limited in duration, to avoid conflicts with the master sign plan.~~

7. That Wilsonville code section 4.156 Sign Regulations, subsection (.04) Signs Exempt From Sign Permit Requirements, be renumbered as section 4.156.05, and amended as follows:

**Section 4.156.05(.04) Signs Exempt From Sign Permit Requirements.**

**(.01)** A.—The following signs are exempt from the permit requirements of this ~~Section~~ code and do not require sign permits. Unless otherwise specified, the area of the exempted signs shall not be included in the calculations of sign area permitted on a given site:

- A. 1.—Traffic or other governmental or directional signs, as may be authorized by the City or other units of government having jurisdiction within the City.
- B. 2.—Signs installed by public utility companies indicating danger, or which serve as an aid to public safety, or which show the location of utilities or public facilities, including underground utilities.
- C. 3.—Flags displayed from permanently-located freestanding or wall-mounted flagpoles that are designed to allow raising and lowering of flags. One site may have up to two (2) exempt flags; no exempt flag may be more than thirty (30) feet in height.

**(.02)** B.—Other Signs. No sign permit is necessary before placing, constructing or erecting the following signs. However, in all other particulars such signs shall conform to the requirements of applicable Building and Electrical Codes, as well as this Code.

A. 1.—Signs inside a building **except for prohibited signs listed in Section 4.156.06** ~~containing strobe lights, other flashing lights, or changing image signs which are visible from a public right-of-way are prohibited, unless specifically approved in a sign permit. Other interior signs are allowed, unless determined to be a public nuisance.~~

B. 2.—Name Plates and Announcements.

- 1. a.—A sign identifying the name, street address, occupation and/or profession of the occupant of the premises in the aid of public health and safety. One name plate, not exceeding a total of three (3) square feet shall be allowed for each occupant. The name plate shall be affixed to the building.
- 2. b.—Announcements posted on a given property (e.g., no smoking, no parking, rules of conduct, etc.) and not intended to be read from off-site, are permitted to be located as needed. Such announcements shall not be considered to be part of the sign allotment for the property.

C. 3.—Directional Signs. Designed for non-changing messages, directional signs facilitate the safe movement of the traveling public. Such signs are subject to the following standards and conditions:

1. a.—~~The following directional signs are exempt from sign permit requirements:~~

1. i.—~~Those having a e maximum sign area of not more than does not exceed three (3) square feet per sign face,~~

1.2. ~~The sign are not located~~ **location is not** within public rights-of-way and which ~~meet~~ **meets** City vision clearance requirements;

2.3. ii.—~~Those without lighting~~ **No sign lighting;**

3.4. iii.—~~Those without a~~ **No** logo or those having a logo that does not exceed one (1) square foot in size; and

4.5. iv.—~~Those where not~~ **No** more than one (1) directional sign is located on the same tax lot.

2. b.—~~The following directional signs require a sign permit:~~

a. i.—~~Those having a maximum sign face area of more than three (3) and not exceeding six (6) square feet.~~



- a. i.—A rigid sign not associated with an ongoing temporary event may be displayed for no more than ninety (90) days each calendar year.
- b. ii.—A rigid sign associated with an ongoing temporary event may be displayed for the duration of that temporary event. Note: Section 4.156(.05)(E.)~~(12.)~~**.06 (.01) Q.** of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
- c. iii.—A temporary event must have an end, marked by the occurrence of a specifically anticipated date or happening. A temporary event may not be a part of a broader, continuing event or of related, serial events. Temporary events shall not be defined by content, but may include isolated merchandise sales or discounts, or availability of real estate for sale or lease.

**K. Signs allowed in Subsections 6.150 (1) and (2) Wilsonville Code for special events.**

8. That Wilsonville code section 4.156 Sign Regulations, subsection (.05) Prohibited Signs, be renumbered as section 4.156.06, and amended as follows:

**Section 4.156.06 Prohibited Signs**

~~(.0501)~~—Prohibited Signs. The following signs are prohibited and shall not be placed within the City:

- A. Search lights, strobe lights, and signs containing strobe lights or other flashing lights, unless specifically approved in a sign permit.
- B. Obstructing signs, a sign or sign structure such that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit, hydrant, standpipe, or the exterior of any window; any sign projecting more than twelve (12) inches from a wall, except projecting signs that are specifically permitted through the provisions of this Code.
- C. Changing image signs, including those within windows, ~~unless specifically approved through the waiver process provided for architectural features in planned developments.~~
- D. Changeable copy signs that use lighting changed digitally, unless specifically approved through a waiver process connected with a Class III Sign Permit or Master Sign Plan. In granting a waiver for a digital changeable copy signs the DRB shall ensure the following criteria will be met:**
  - 1. The sign shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with ambient light conditions and the sign owner shall ensure appropriate functioning of the dimming technology for the life of the sign.**
  - 2. The luminance of the sign shall not exceed five thousand (5000) candelas per square meter between sunrise and sunset, and five hundred (500) candelas per square meter between sunset and sunrise.**

~~DE.~~—Roof-top signs - signs placed on the top of a building or attached to the building and projecting above the top of that building, unless specifically approved

through the temporary use ~~sign permit or annual pre-approved sign procedures of this Code.~~ **or the architectural design of a building makes the slope of the roof below the peak a practicable location of signs on a building and the general location of signs on the roof is approved by the DRB during Stage II Approval, as applicable, and Site Design Review.**

~~E. Other Prohibitions: Additional to the signs listed above, the following are prohibited:~~

- ~~1F.~~ Signs obstructing vision clearance areas.
- ~~2G.~~ Pennants, streamers, festoon lights, **balloons**, and other similar devices intended to be moved by the wind, unless specifically authorized in an approved sign permit.
- ~~3H.~~ Signs attached to trees, **public sign posts**, or public utility poles, other than those placed by appropriate government agencies or public utilities.
- ~~4I.~~ Signs using bare-bulb illumination or signs lighted so that the immediate source of illumination is visible, unless specifically authorized by the Development Review Board or City Council **such as Digital Changeable Copy Signs**. This is not intended to prohibit the use of neon **or LED's** as a source of illumination.
- ~~5J.~~ Signs that use flame as a source of light or that emit smoke or odors.
- ~~6K.~~ Any sign, including a window sign, which is an imitation of or resembles an official traffic sign or signal; and which may include display of words or graphics that are likely to cause confusion for the public, such as "STOP," "GO," "SLOW," "CAUTION," "DANGER," "WARNING," etc.
- ~~7L.~~ Any sign, including a window sign, which by reason of its size, location, movements, content, coloring or manner of illumination may be confused with, or construed as, a traffic control device, or which hides from view any traffic sign, signal, or device.
- ~~8M.~~ \_\_\_\_\_ Portable signs, exceeding six (6) square feet of sign area per side, other than those on vehicles or trailers. The display of signs on a vehicle or trailer is prohibited where the vehicle or trailer is not fully operational for use on public roads or where the primary function of the vehicle or trailer is advertising. Examples where the primary function of the vehicle or trailer is advertising include mobile billboards such as those on which advertising space is rented, sold, or leased.
- ~~9N.~~ Signs located on public property in violation of ~~subsection Section 4.156(-10) or (-11),~~ **10** below.
- ~~10O.~~ Signs placed on private property without the property owner's permission.
- ~~11P.~~ Signs erected or installed in violation of standards prescribed by the City of Wilsonville, State of Oregon or the U.S. government.
- ~~12Q.~~ Signs associated with temporary events, after the temporary event is completed.
- R. Any private signs, including window signs, with a luminance greater than five thousand (5000) candelas per square meter between sunrise and sunset and five hundred (500) candelas per square meter between sunset and sunrise.**

**S. Video Signs**

~~(.06) Sign Area. The total square footage of signage per lot shall be regulated by Sign Table 6, Permanent Signs, except as otherwise specified in this Code. Additional signage may be authorized, provided that the sign proposal conforms to the provisions of this Section.~~

9. That Wilsonville code section 4.156 Sign Regulations, subsection (.06) Sign Area, be deleted in its entirety.

10. That Wilsonville code section 4.156 Sign Regulations, subsection (.07) Sign Permit Requirements In Residential Zones, be renumbered as retitled as section 4.156.07 Sign Regulations In Residential Zones, and amended as follows:

**Section 4.156.07 Sign Regulations In Residential Zones.**

~~(.07) Sign Permit Requirements In Residential Zones. Notwithstanding the provisions of Sign Table 6, the following signs may be allowed in PDR, R, and RA-1 zones:~~

~~A. Signs pertaining to individual residences or home occupations shall be subject to the following standards and conditions:~~

~~A. 1. Surface area shall not exceed three (3) square feet and sign shall not be artificially illuminated.~~

~~B. 2. The sign shall be located inside the dwelling or located flat against the dwelling.~~

~~C. 3. One such sign per dwelling unit is allowed.~~

~~B. Special event signs—signs advertising or pertaining to any special event taking place within the City. The Planning Director may issue a temporary use permit for special event signs to be located on site, off site, or within City rights of way, excluding those areas listed in subsection 4.156(.10)(A.)(4.) through the Administrative Review process of Sections 4.030 and 4.035. The Planning Director may attach conditions to such Permits to ensure compliance with the purposes and specifications of this Section.~~

~~1. Annual pre-approved special event signs. The Planning Director shall maintain a list of pre-approved special events for which separate temporary use sign permits are not required. The Planning Director shall utilize the Administrative Review process and criteria to establish the list, subject to appeal as specified in Section 4.022. The Planning Director may renew the list annually with or without changes. This list shall specify the total number of signs that are to be allowed for each listed event. In acting on requests for inclusion on the pre-approved list, the Planning Director may set conditions of approval and shall not be bound by the standards of this code applying to other signs. Because these special events occur annually, it is more efficient to process requests in a single package rather than require numerous temporary use permits. Additionally, traffic congestion is expected to be diminished during special events if adequate signage helps to direct people to appropriate locations.~~

~~2. Inflatable signs—Inflatable signs shall not be mounted or suspended from the roof, nor shall a ground-mounted inflatable sign exceed ten (10) feet in overall height in a residential zone. Inflatable signs shall be permitted for a maximum of fifteen (15) days of display use in any calendar year.~~

~~C. District or Planned Development signs—one (1) on-site monument sign, or one (1) off-site monument sign on an adjacent parcel identifying that Planned Development project may be permitted, subject to the following standards and conditions:~~

- ~~1. The sign may be a double-faced sign and shall not exceed sixteen (16) square feet per face.~~
- ~~2. The sign shall pertain only to the subject development which it is intended to identify.~~
- ~~3. Sign graphics may be changeable so as to indicate vacancies and occupancy changes.~~
- ~~4. The sign shall be reviewed by the Development Review Board in conjunction with the overall Planned Development.~~

~~D. Opening Banner for a new business or housing development. A banner corresponding with the opening of a new business or housing development may be permitted, subject to the Class I Administrative Review provisions of Section 4.030 and 4.035 and the following standards and conditions:~~

- ~~1. One such banner shall be allowed either from the date of issuance of Building Permits until four (4) weeks after issuance of Certificates of Occupancy, or if no Building Permit is issued, for four (4) weeks after occupancy of a new business.~~
- ~~2. Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.~~

**(.01) E. Monument Ground Mounted Signs for Residential Developments.** One monument **ground mounted** sign, not exceeding eighteen (18) square feet in area **and six (6) feet in height above ground**, shall be permitted for each residential subdivision having fifty (50) or more lots or for any other residential **multi-family** development with fifty (50) or more dwelling units.

**1. Additional ground mounted signs of eighteen (18) square feet or less shall be permitted for additional entrances to the subdivision or development located on a separate street frontage or on the same street frontage located at least two hundred (200) feet apart.**

**2. For one entrance on a street frontage, an additional ground mounted sign may be placed on opposite side of the street or private drive at the intersection.**

**(.02) Ground Mounted Signs for Outdoor Recreational Areas on Separate Lots: Public or private Parks or other similar outdoor recreational areas on separate lots than dwelling units are allowed one (1) ground mounted sign of eighteen (18) square feet or less in area and six (6) square feet or less in height above ground.**

**(.03) Non-Residential Uses: Uses, other than residential and outdoor recreation, shall be subject to the sign regulations for PDC, PDI, and Public Facility zones.**

11. That Wilsonville code section 4.156 Sign Regulations, subsection (.08) Sign Permit Requirements In PDC and PDI Zones, be renumbered and retitled as section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones, and amended as follows:

**Section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones.**

~~(.08) Sign Permit Requirements In PDC And PDI Zones. In implementing the permanent sign footage per lot allowed by the provisions of Sign Table 6, the following standards and conditions shall apply to all signs in PDC and PDI zones, other than the Town Center area:~~

**(.01) Freestanding and Ground Mounted Signs**

**A.** One freestanding **or ground mounted** sign is allowed for the first two-hundred (200) linear feet of site frontage. One additional freestanding **or ground mounted** sign may be added for through **and corner** lots having at least two-hundred (200) feet of frontage on one street **or right-of-way** and one-hundred (100) feet on the other street **or right-of-way**.

**B.** The **maximum-allowed height above ground** of a freestanding **or ground mounted** sign shall be twenty (20) feet **except as noted in 1.-2. below**. If there is a building on the site, the maximum height shall be twenty (20) feet above the average grade of the building footprint.

**a.** **The maximum allowed height above ground for signs along the frontage of Interstate 5, and parallel contiguous portions of streets, as identified in Figure 4.156.08-1, associated with multiple tenants or businesses may be increased by three (3) feet for each tenant space of ten thousand (10,000) square feet or more of gross floor area up to a maximum of thirty-five (35) feet.**

**b.** **The allowed height above ground for signs in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone is eight (8) feet, except those signs along the frontage of Interstate 5 and parallel contiguous portions of streets noted in 1 above.**

**C.** **The maximum allowed area for each freestanding or ground-mounted sign is determined based on gross floor area and number of tenant spaces:**

**1.** **For frontages along streets other than those indicated in 2. below sign area allowed is calculated as follows:**

**a.** **The sign area allowed for signs pertaining to a single tenant:**

<b><u>Gross Floor Area in a Single Building</u></b>	<b><u>Maximum Allowed Sign Area</u></b>
<b><u>Less than 11,000 sf</u></b>	<b><u>32 sf</u></b>

<u>11,000-25,999 sf</u>	<u>32 sf + 2 sf per 1000 sf of floor area greater than 10,000 rounded down to the nearest 1,000 sf</u>
<u>26,000 sf or more</u>	<u>64 sf</u>

- i. For PF (Public Facility) zoned properties adjacent to residential zoned land the maximum allowed area is thirty-two (32) square feet.
- b. The maximum allowed sign area for signs pertaining to multiple tenants or businesses is thirty-two (32) square feet plus the following for each tenant space:

<u>Gross Floor Area of Tenant Space</u>	<u>Additional Allowed Sign Area for Tenant Space</u>
<u>Less than 1,000 sf</u>	<u>3 sf</u>
<u>1,000-10,999</u>	<u>3 sf + 3 sf per 1,000 sf of floor area rounded down to the nearest 1,000 sf</u>
<u>11,000 sf or more</u>	<u>32 sf</u>

- i. The total sign area shall not exceed two hundred (200) square feet, except in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone the total sign area shall not exceed eighty (80) square feet.
  - ii. Though the maximum allowed sign area is calculated based on number of tenant spaces and their size, the content of the sign and area used for different content is at the discretion of the sign owner, except for required addressing.
2. Signs fronting Interstate 5 and parallel contiguous street sections, as identified in Figure 4.156.08-1 on pages to :
- a. For signs on properties or within developments with a single tenant or business the sign area allowed is sixty-four (64) square feet.
  - b. For signs on properties or within developments with multiple tenants or businesses the maximum allowed area is sixty-four (64) square feet plus an additional thirty-two (32) square feet for each tenant space of 10,000 square feet or more of gross floor area up to a maximum total sign area of three hundred (300) square feet.
  - i. Though the sign area allowed is calculated based on number of large tenant spaces, the content of the sign and area used for different content is at the discretion of the sign owner, except for any required addressing.

C.D. 3. Pole or sign support placement shall be installed in a full vertical position (see Figure 16: Sign Position).

E. 4. Freestanding and ground mounted signs shall not extend into or above public rights-of-way, parking areas, or vehicle maneuvering areas.

F. The location of free standing or ground mounted signs located adjacent to or near the Public Right-of-Way shall be in compliance with the City's Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.

- G. Freestanding and ground mounted signs shall be designed to match or complement the architectural design of buildings on the site.**
- H. For freestanding and ground mounted signs greater than eight (8) feet in height, the width of the sign shall not exceed the height.**
- I. Along street frontages in the PDC-TC Zone and Old Town Overlay Zone monument style signs are required.**
- J. Freestanding and ground mounted signs shall be no further than fifteen (15) feet from the property line and no closer than two (2) feet from a sidewalk or other hard surface in the public right-of-way.**
- K. Except for those signs fronting Interstate 5, freestanding and ground mounted signs shall include the address number of associated buildings unless otherwise approved in writing by the City and the Fire District.**
- L. When a sign is designed based on the number of planned tenant spaces it shall remain a legal, conforming sign regardless of the change in the number of tenants or configuration of tenant spaces.**

5. ~~Street side setbacks for freestanding signs may be reduced to ten (10) feet without requiring a waiver or variance.~~

**(.02) B. Signs on Buildings**

- A. Sign Eligible Facades: Building signs are allowed on a facade of a tenant space or single tenant building when one or more of the following criteria are met:**
  - 1. The facade has one or more entrances open to the general public;**
  - 2. The facade faces a lot line with frontage on a street or private drive with a cross section similar to a public street, and no other buildings on the same lot obstruct the view of the building facade from the street or private drive; or**
  - 3. The facade is adjacent to the primary parking area for the building or tenant.**

**B. Sign Area Allowed:**

- 1. The sign area allowed for all building signs on a sign eligible facade is shown in the table below:**

<b><u>Linear Length of Façade (feet)</u></b>	<b><u>Sign Area Allowed*</u></b>
<b><u>Less than 16</u></b>	<b><u>Area equal to linear length</u></b>
<b><u>16 to 24</u></b>	<b><u>24 sf</u></b>
<b><u>Greater than 24 to 32</u></b>	<b><u>32 sf</u></b>
<b><u>Greater than 32 to 36</u></b>	<b><u>Area equal to linear length</u></b>
<b><u>Greater than 36 to 72</u></b>	<b><u>36 sf</u></b>
<b><u>Greater than 72</u></b>	<b><u>36 sf plus 12 sf for each 24 linear feet or portion thereof greater than 72 up to a maximum of 200 sf</u></b>

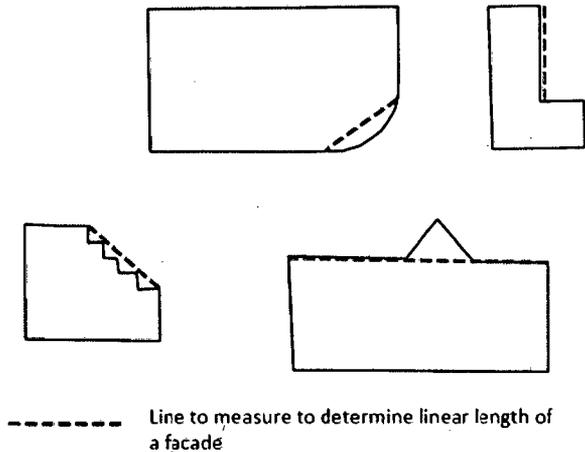
**\*Except as noted in 2. through 5. below**

2. The sign area allowed for facades with a primary public entrance or with a frontage along a public street dominated by windows or glazing may be increased by transferring to the façade up to one half (1/2) the sign area allowed for adjacent facades up to fifty (50) square feet. In no case shall the allowed sign area exceed an area equal to the linear length of the façade.
3. The sign area allowed is increased as follows for signs at separate building entrances:

  - a. For building entrances open to the general public located at least fifty (50) feet apart on the same facade, the sign area allowed is increased by fifty (50) percent up to fifty (50) square feet.
  - b. For building entrances located less than fifty (50) feet apart on the same facades, the sign area allowed is increased by twenty (20) percent up to twenty (20) square feet.
4. For businesses occupying multiple buildings in a campus setting, sign area shall be limited to that allowed for the largest building, which may then be distributed throughout the campus.
5. If a façade otherwise not sign eligible faces a lot line with frontage on Interstate 5, the applicant can transfer sign area allowed from one (1) of the locations described in a. and b. below. In no case shall the allowed sign area exceed an area equal to the allowed sign area for a sign eligible façade of the same linear length.

  - a. The freestanding sign along the Interstate 5 frontage. This generally involves placing building signs on the subject façade in lieu of installing a freestanding sign.
  - b. Adjacent façade up to fifty (50) square feet, when a majority of the adjacent façade from which the sign area is being transferred is visible from Interstate 5.
6. Calculating linear length of a façade for the purpose of determining maximum sign area allowed. For facades of a single tenant building the length the facade measured at the building line, except as noted in a. and b. below. For multi-tenant buildings the width of the façade of the tenant space shall be measured from the centerline of the party walls or the outer extent of the exterior wall at the building line, as applicable, except as noted in a. and b. below. Applicants shall provide the dimensions needed to calculate the length. Each tenant space or single occupant building shall not be considered to have more than five (5) total facades.

  - a. If a façade is curvilinear, stepped, or otherwise not a straight line, the façade shall be measured by drawing a straight line between the edges of the façade as shown in the figure below.
  - b. For an "L" shaped tenant space or single tenant building the longest leg of the interior of the "L" shall be basis for measuring the length of the L-shaped facade. Sign area allowed based on longest leg can be distributed between legs.



a. ~~Square feet of all building signs shall not exceed the longest side of the largest building (i.e., one square foot of sign area for each linear foot of building) occupied by the use advertised, up to a maximum of two hundred (200) square feet, whichever amount is less, except as provided in "b" and "c" below. The length of building is to be measured at the building line.~~

1.

a. ~~b. The two hundred (200) square foot maximum noted in "a," above, shall be increased by twenty (20) percent to allow for building signs at separate building entrances; or~~

**B. c. The two hundred (200) square foot maximum noted in "a," above, shall be increased by fifty (50) percent to allow for building signs at separate entrances that are located at least fifty (50) feet apart or on different sides of the building. The length of individual tenant signs shall not exceed seventy-five (75) percent of the length of the facade of the tenant space.**

**C. The height of building signs shall be within a definable sign band, fascia, or architectural feature and allow a definable space between the sign and the top and bottom of the sign band, fascia, or architectural feature.**

**D. 2.—Types of signs permitted on buildings include wall flat, fascia, projecting, blade, marquee and awning signs. Roof-top signs are prohibited.**

~~D.~~

**(.03) C.—Additional signs. Notwithstanding the sign footage allowed based on the site and building frontages as shown in Table 6 in (.01) and (.02) above, the following signs may be permitted, subject to standards and conditions in this Section Code:**

**A. 1.—Directional signs: In addition to exempt directional signs allowed under Subsection 4.156.05 (.02) C. freestanding or ground mounted directional signs six (6) square feet or less in area and four (4) feet or less in height:**

**1. The signs shall be designed to match or complement the architectural design of buildings on the site;**

**2. The signs shall only be placed at the intersection of internal circulation drives; and**

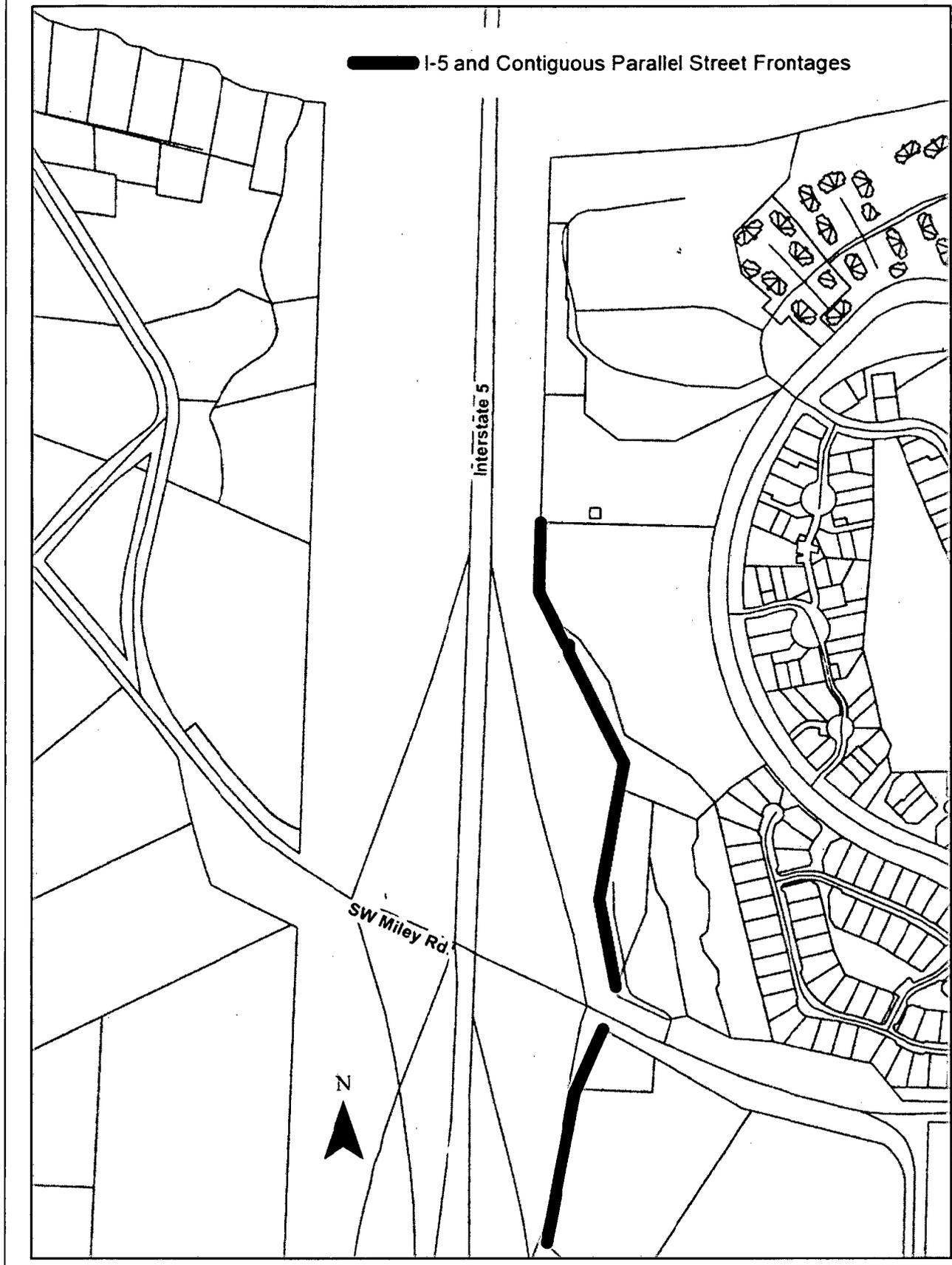
**3. No more than one (1) sign shall be placed per intersection corner with no more than two (2) signs per intersection.**

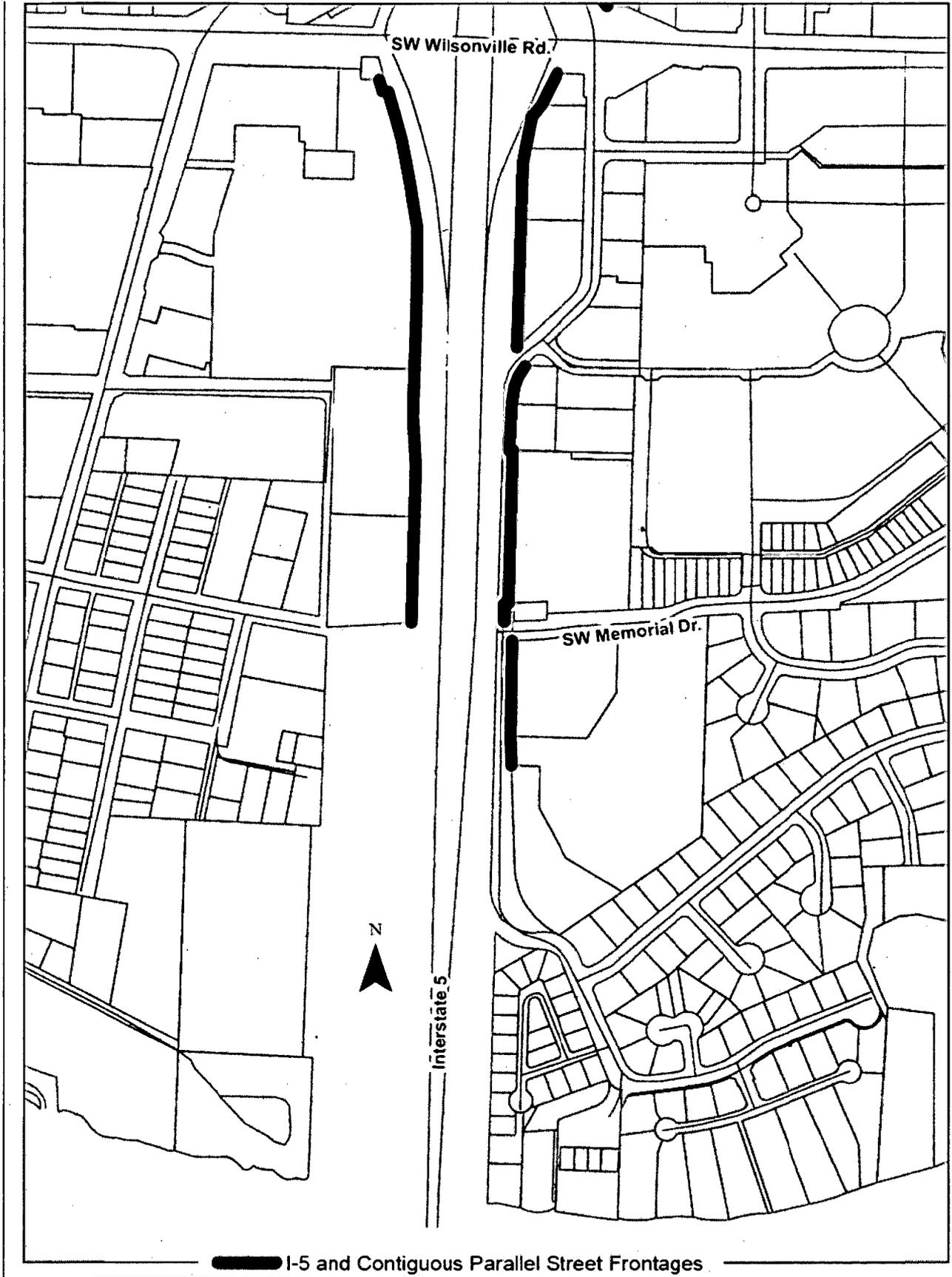
2. ~~Special event signs—signs advertising or pertaining to any special event taking place within the City. The Planning Director may issue a temporary use permit for special event signs to be located on-site, off-site, or within City rights of way, excluding those areas listed in subsection 4.156(.10)(A.) (4) through the Administrative Review process of Sections 4.030 and 4.035. The Planning Director may attach conditions to such Permits to ensure compliance with the purposes and specifications of this Section. Additionally, the Planning Director may authorize signs for pre-approved special events in PDC and PDI zones through the same procedures as for residential zones, listed in subsection 4.156(.07), above.~~
  3. ~~Inflatable signs—Inflatable signs shall not be mounted or suspended from a roof unless specifically authorized through a temporary use permit or annual pre-approved event permit, nor shall a ground-mounted inflatable sign exceed ten (10) feet in overall height. If attached to a building in any manner, an inflatable sign must meet applicable building code requirements including consideration of wind loads. Inflatable signs are temporary advertising devices, subject to the standards for Administrative Review specified in Sections 4.030 and 4.035. Inflatable signs shall be permitted for a maximum of fifteen (15) days of display use in any calendar year.~~
- ~~A. 4. District or Planned Development signs — **up to thirty (32) square feet of the allowed sign area for freestanding signs in a planned development may be used for a separate** one (1) on-site monument sign, or one (1) off-site monument sign on an adjacent parcel identifying ~~that the~~ Planned Development project, may be permitted, subject to the following standards and conditions:~~
- ~~B. a. The sign may be double-faced, shall not exceed thirty two (32) square feet per face, and may be located within ten (10) feet of a street right of way without requiring a waiver or variance.~~
    - ~~1. b. The sign shall pertain only to identification of its subject development.~~
    - ~~2. c. Sign graphics may be changeable so as to indicate vacancies and occupancy changes.~~
  - ~~C. d. The sign shall be reviewed by the Development Review Board in conjunction with the overall Planned Development. **Blade Signs: To aid in pedestrian wayfinding, one (1) blade sign, not to exceed six (6) square feet, per facade eligible for building signs. Blade signs shall provide a minimum of eight (8) feet clearance from the ground.**~~
  - ~~C.D. . — Fuel or Service Station Price Signs. Two (2) e **In addition to the freestanding or ground mounted signs allowed,** changeable copy signs shall be allowed for the purpose of advertising fuel prices, subject to the following standards and conditions:~~
    - ~~1. a. The signs shall have a maximum of **six-eleven (611)** square feet in area per face **per type of fuel sold** and shall be permanently affixed to the building or a freestanding sign.~~
    - ~~2. b. The signs shall not be considered in calculating the **maximum sign** area or number of signs permitted at the location **allowed**.~~
    - ~~3. e. Signs on fuel pumps shall be permitted, providing that they do not project beyond the outer edge of the pump in any direction.~~

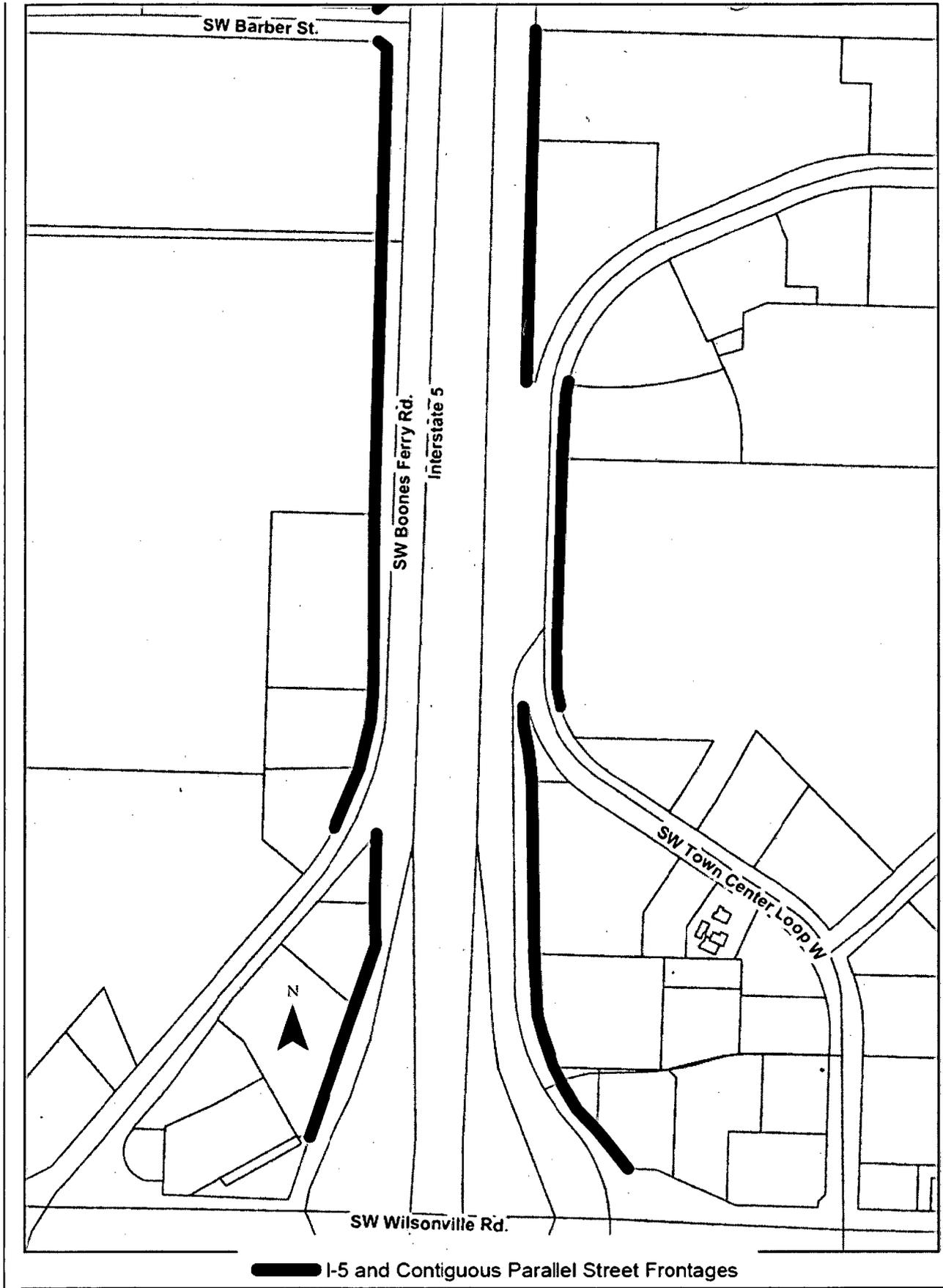
- ~~6. Banner for new business, apartment complex, housing development, or special event. A banner corresponding to a special event or opening may be permitted, subject to the Administrative Review provisions of Section 4.030 and 4.035, and the following standards and conditions:~~
- ~~a. One (1) such banner shall be allowed either from the date of issuance of Building Permits until four (4) weeks after issuance of Certificates of Occupancy, or if no Building Permit is issued, for four (4) weeks after occupancy of a new business.~~
  - ~~b. Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.~~

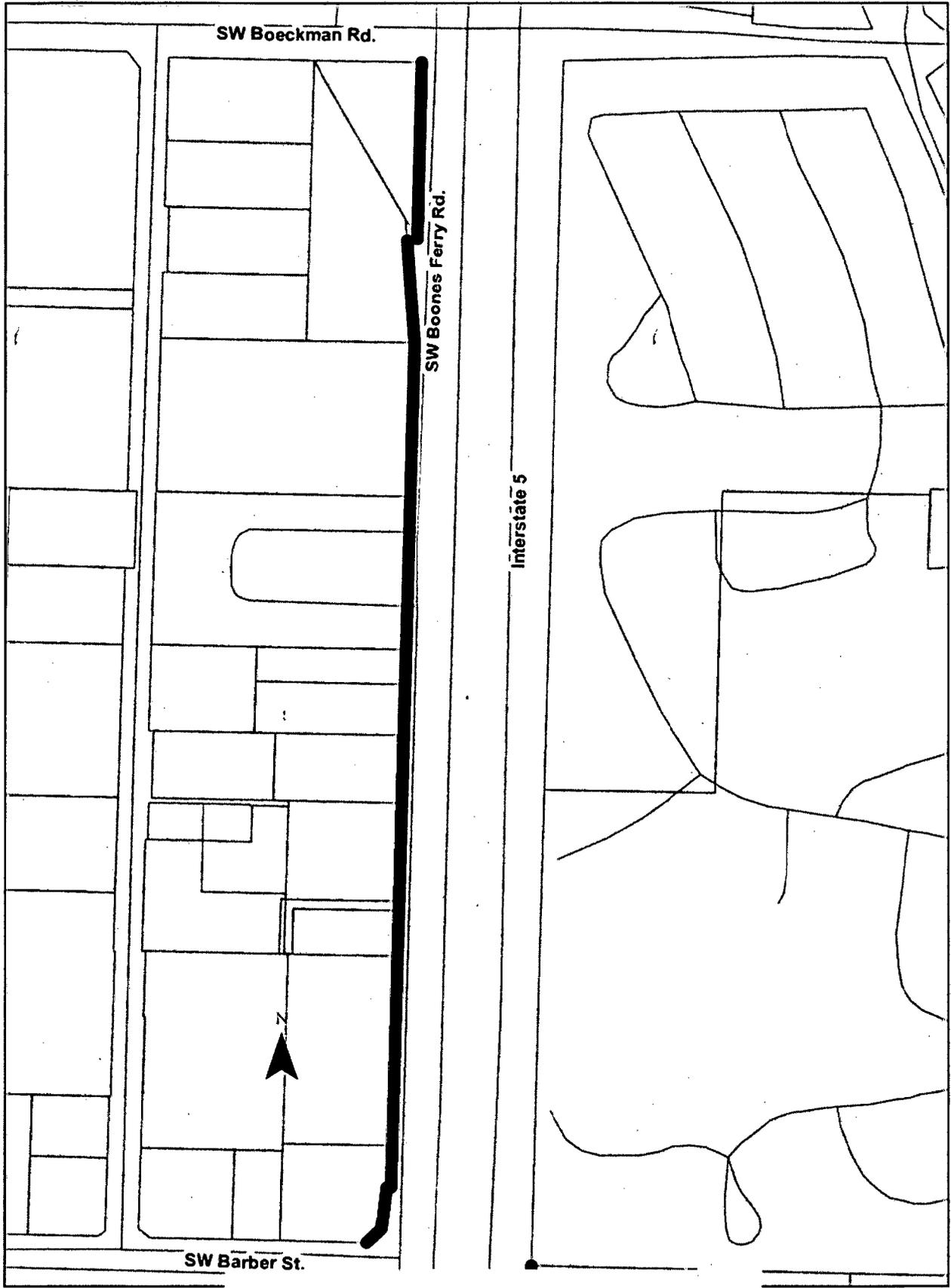
Figure 4.156.08-1

Interstate 5 and Contiguous Parallel Street Frontage

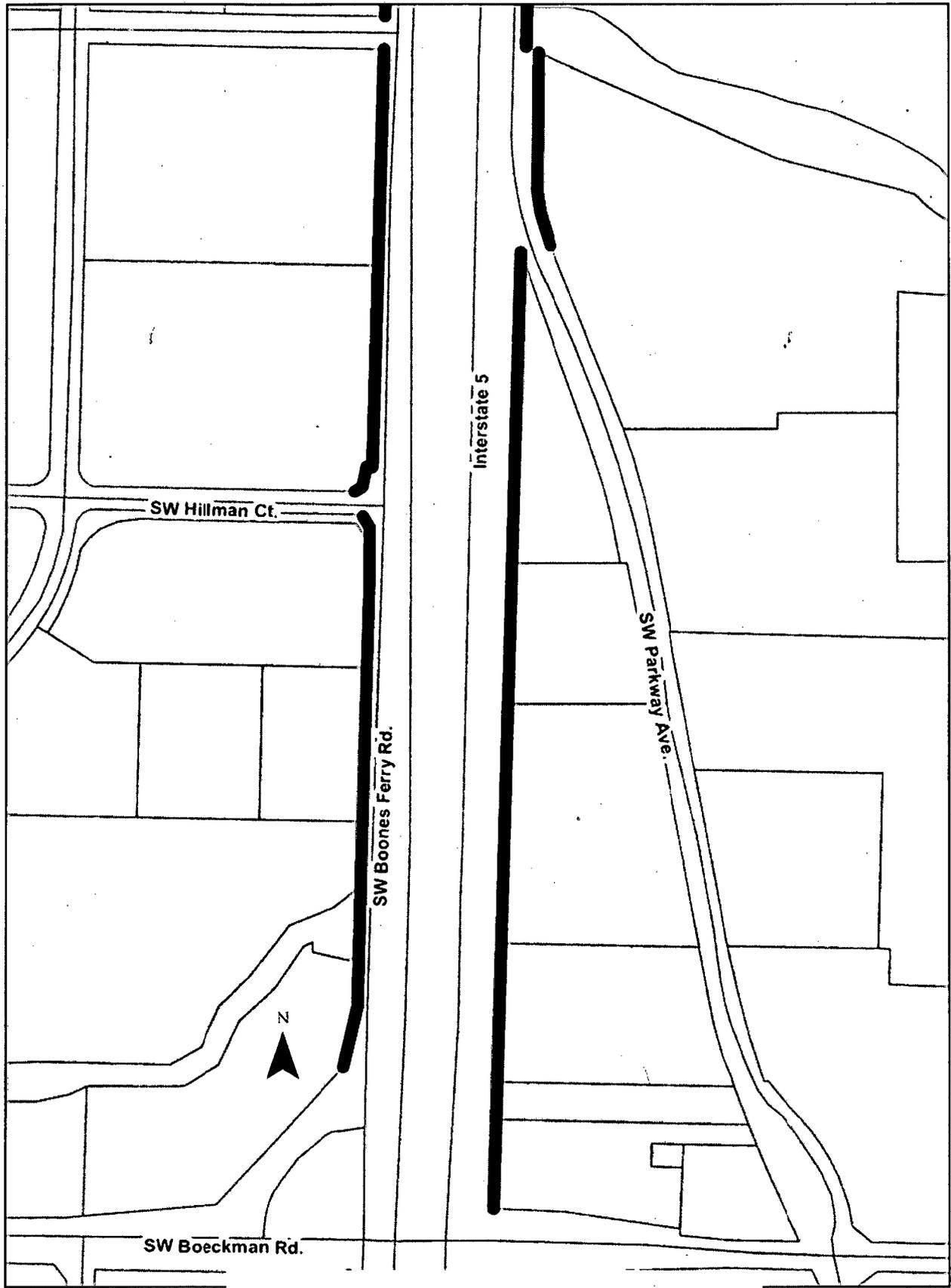




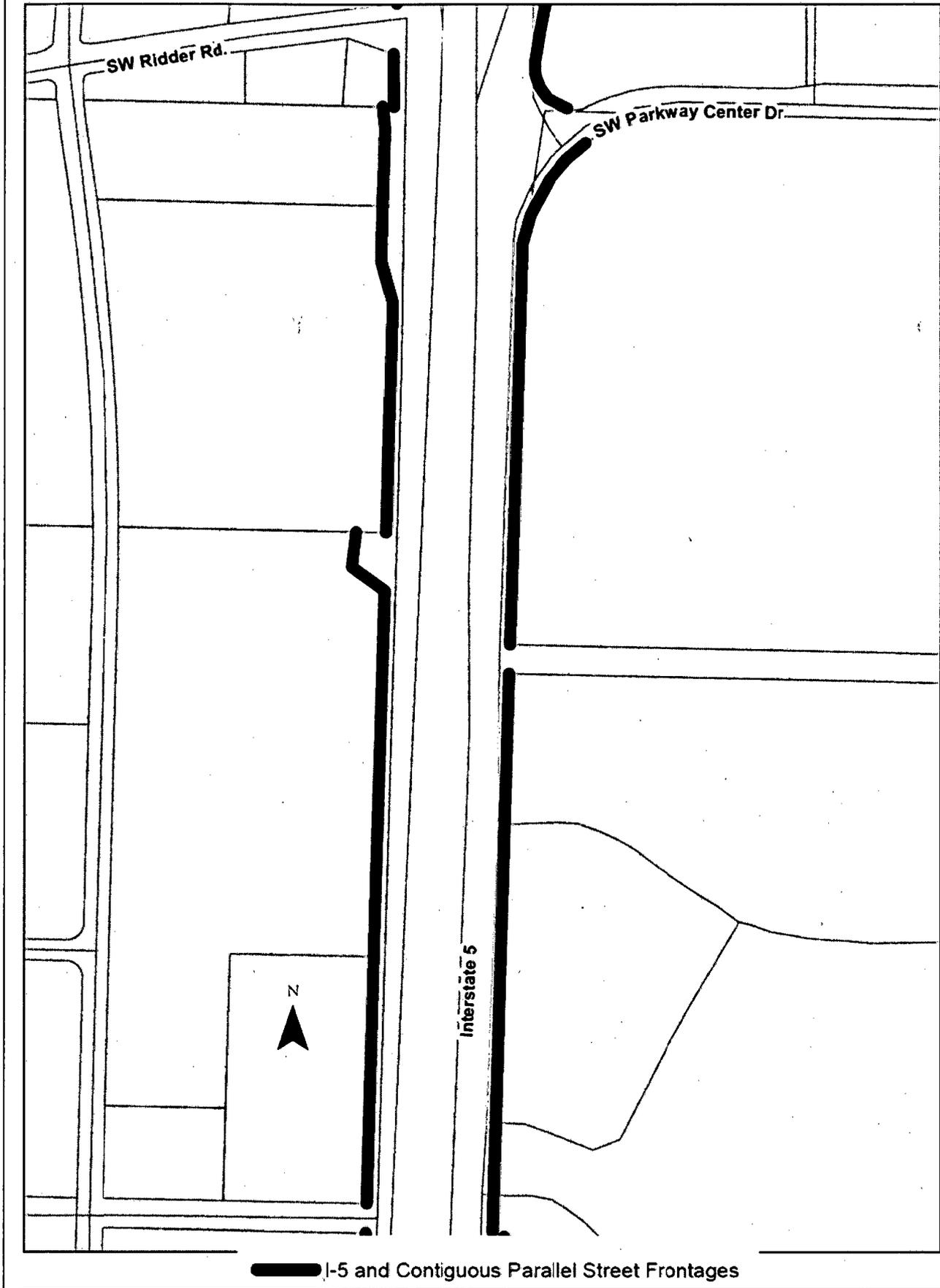


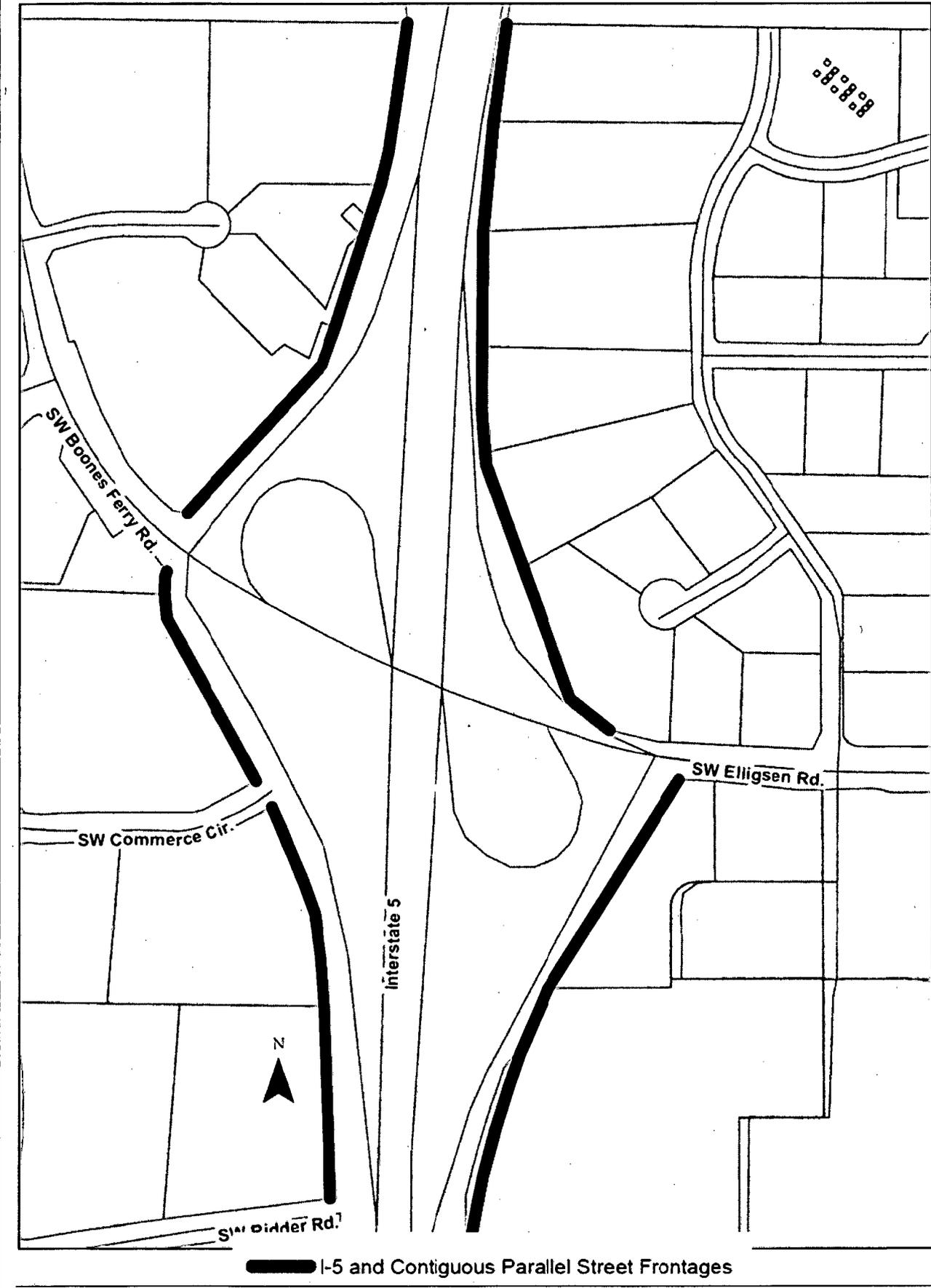


**— I-5 and Contiguous Parallel Street Frontages**



■ I-5 and Contiguous Parallel Street Frontages





12. That Wilsonville code section 4.156 Sign Regulations, subsection (.09) Sign Permit Requirements In The Town Center Area Of The Planned Development Commercial Zone, be deleted in its entirety.
13. That a new section 4.156.09 Temporary Signs In All Zones, be added to the Wilsonville Code as follows consolidating and updating current temporary sign regulation language:

**Section 4.156.09 Temporary Signs In All Zones.**

**The following temporary signs may be permitted in addition to the permanent signs allowed in different zones and exempt temporary signs unless specifically prohibited in a master sign plan or other sign approval:**

- (.01) General Allowance: Except as noted in subsection (.02) below up to two (2) temporary signs not exceeding a combined total of twenty four (24) square feet may be permitted per lot or non-residential tenant. Such signs may be banners, rigid signs, lawn signs, portable signs, or other signs of similar construction.**
- (.02) Opening banner for a new business or housing development: A banner corresponding with the opening of a new business or housing development may be permitted, subject to the following standards and conditions:**
  - A. One such banner shall be allowed either from the date of issuance of Building Permits until four (4) weeks after issuance of Certificates of Occupancy, or if no Building Permit is issued, for four (4) weeks after occupancy of a new business.**
  - A.B. Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.**
  - C. Such signs shall not be permitted at the same time as general allowance signs in (.01) above.**
- (.03) Annual Event Signs: Up to ten (10) lawn signs may be permitted to be located in the public right-of-way for up to fourteen (14) days if all of the following are met:**
  - A. Signs will not be located in the areas listed in Subsection 4.156.10 (.01) A. 4.**
  - B. The applicant or event has not been issued a permit for and placed signs in the public right-of-way in the previous six (6) months;**
  - C. Not more than one (1) other permit has been issued for lawn signs in the right-of-way during the time period the applicant is requesting;**
  - D. The event to which the signs pertain is expected to attract two hundred fifty (250) or more people;**
  - E. The request is not in addition to exempt lawn signs for large special events allowed for in Section 6.150; and**
  - F. The applicant has indicated on a map the exact locations the signs will be placed and has submitted an application along with the required fee.**
- (.04) Inflatable Signs: Inflatable signs may be permitted for a maximum of fifteen (15) days of display use in any calendar year subject to the following standards and conditions:**
  - A. Does not exceed ten (10) feet in overall height; and**

**B. If attached to a building in any manner, it meets applicable building code requirements including consideration of wind loads.**

14. That Wilsonville code section 4.156 Sign Regulations, subsections (.10) Signs on City Property and (.11) Signs Within ODOT Right-Of-Way, be renumbered and retitled as section 4.156.10 Signs on City Property and ODOT Right-Of-Way, and amended as follows:

**Section 4.156.10 Signs on City and ODOT Right-Of-Way.**

~~(.10.01)~~ Signs On City Property. For the purposes of this subsection, City property is defined as physical sites, City rights-of-ways, and rights-of-way over which the City has jurisdiction. City property includes, but is not limited to, the following: City Hall, The Community Development Annex, the Community Center, the Library, ~~Boones Ferry Park; the Burlington Northern park site, Town Center Park, Tranquil Park, Wilsonville Memorial Park, the Boozier property, the~~ parks Montebello and open space on Wilsonville Road, Fox Chase Park, **Transit and Fleet Building, SMART Central,** and the City's reservoir, pump station, or treatment plant properties.

- A. Allowed Signs. The following signs may be placed on City property and/or City rights-of-way and right-of-ways over which the City has jurisdiction under the following conditions:
1. Such signs as are necessary to locate and direct the public to City premises, or other governmental premises.
  2. Such signs as are necessary for the public's health, safety and welfare authorized under law, regulation, ordinance, or order including but not limited to traffic signs. This shall include signs authorized to conform with the State's Tourism Information program and any similar local government program.
  3. Signs and their placement as authorized in subsections 1 and 2, above, shall meet all other applicable standards and criteria under law, regulation, ordinance, or order.
  4. Lawn signs may be placed, subject to the standards in subsection 4.156.10 ~~(.010)(A.)(5.)~~, below, on City rights-of-way and rights-of-way over which the City has jurisdiction except 1) those rights-of-way adjoining City properties defined in subsection 4.156.10 ~~(.010)~~ above, and 2) in the following locations where the placement of signs could damage City landscaping or interfere with the City's maintenance of the rights-of-way:
    - a. In any median or landscaped strip inside the City limits as identified below in Sections 4.156.10 ~~(.010)(A.)(4.)(b.)~~ through ~~(ep.)~~.
    - b. Either side of French Prairie Road.
    - c. Either side of Canyon Creek Road North, from Boeckman Road to Elligsen Road.
    - d. Either side of Wilsonville Road between Town Center Loop East and the Portland & Western (previously Burlington Northern) Railroad property.
    - e. Either side of Town Center Loop West and East.

- f. Both sides of former S.W. Parkway frontage between Town Center Loop West and Wilsonville Road.
- g. Wilsonville Road between Willamette Way West and Willamette Way East.
- h. The north side of Wilsonville Road from Town Center Loop East to Boeckman Creek.
- i. Either side of Wilsonville Road between Boeckman Road and the southern boundary of the Wilsonville High School property.
- j. Either side of Parkway Center Avenue.
- k. The south side of Elligsen Road from the eastern city limits to a point directly across from the west side of the Tualatin Valley Fire District fire station.
- ~~l. The western side of Boones Ferry Road adjoining Boones Ferry Park.~~
- ~~m.~~ ml. Either side of Boeckman Road and all islands, from the railroad tracks west to 110<sup>th</sup>.
- ~~nn.~~ nm. Either side of 110<sup>th</sup> between Barber Street and Boeckman Road.
- ~~oo.~~ on. The eastern side of Grahams Ferry Road from Tooze Road to the City limits.
- ~~pp.~~ po. Either side of Barber Street between 110<sup>th</sup> and Brown Road, including islands and roundabouts.
- ~~qq.~~ qp. Such other areas as the City may designate as requiring protection from landscape damage.

5. Lawn signs shall meet the following standards and conditions:

- a. Allowed only between the hours of 6 a.m. Friday and 8 p.m. Sunday, and the hours of 9 a.m. and 4 p.m. Tuesdays;
- b. Not greater than thirty (30) inches in height. A-frame signs may be 24" by 36" provided that they are designed to meet vision clearance requirements (typically not over 30 inches in height when standing);
- b. Not placed on street surfaces, sidewalks, paths, median strips, or bicycle ways;
- c. Located within forty (40) feet of an intersection;
- d. No more than three (3) signs per person; and
- e. Placed no more than one every fifty (50) feet and at least ten (10) feet away from any other temporary sign.

**6. Banners on public light and other poles identified in a plan maintained or adopted by the City and installed by or under arrangement with the Public Works Department.**

**(.4402) Signs Within ODOT Right-Of-Way.** Consistent with the Laws and Administrative Rules of the State of Oregon, all signs of any kind are prohibited within right-of-way of the Oregon Department of Transportation (ODOT), except those signs that are specifically determined by ODOT to be necessary for the public's health, safety, or welfare. The City may assist the State in the removal of signs that are illegally placed within ODOT right-of-way, as provided above for signs in City right-of-way. City assistance is justified in view of the substantial public investment that has recently been made to improve and beautify both freeway interchange areas north of the Willamette River.

15. That Wilsonville code section 4.156 Sign Regulations, subsection (.12) Enforcement, be renumbered and retitled as section 4.156.11 Sign Enforcement.

Section 3. Directive. The City Council hereby authorizes and directs the City Recorder to make any conforming changes necessary or formatting to amend the Wilsonville Code (WC) in keeping with the adoption of these revisions.

Section 4. Severability. In the event any provisions of this Ordinance shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

SUBMITTED TO THE Wilsonville City Council and read for the first time at a regular scheduled meeting thereof on the 4<sup>th</sup> day of June, 2012, at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon and scheduled for a second reading on the 18<sup>th</sup> day of June, 2012, commencing at the hour of 7 p.m. at the Wilsonville City Hall.

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Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the \_\_\_\_\_ day of June, 2012 by the following votes:

Yeas: \_\_\_\_\_ Nays: \_\_\_\_\_

---

Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this \_\_\_\_\_ day of June, 2012

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TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Mayor Knapp

Council President Núñez

Councilor Goddard

Councilor Starr

**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date: June 18, 2012</b>	<b>Subject: Declaration of Surplus Property 11650 SW Tooze Road</b>
	<b>Staff Member: Kristin Retherford Department: Community Development</b>
<b>Action Required</b>	<b>Advisory Board/Commission Recommendation</b>
<input type="checkbox"/> Motion <input checked="" type="checkbox"/> <b>Public Hearing Date: June 18, 2012</b> <input type="checkbox"/> <b>Ordinance 1<sup>st</sup> Reading Date:</b> <input type="checkbox"/> <b>Ordinance 2<sup>nd</sup> Reading Date:</b> <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	<input checked="" type="checkbox"/> <b>Approval</b> <input type="checkbox"/> Denial  <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments:</b>   
<b>Staff Recommendation:</b> Approve the attached resolution which declares City-owned property at 11650 SW Tooze Road as surplus property and authorizes the City Manager and staff to proceed with a sale of the property.	
<b>Recommended Language for Motion:</b> I move to approve Resolution No.2370.	
<b>PROJECT / ISSUE RELATES TO:</b>	
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)
<input checked="" type="checkbox"/> Not Applicable	

**ISSUE BEFORE COUNCIL:**

Staff recommends the City Council adopt a resolution declaring City-owned property at 11650 SW Tooze Road as surplus property and authorizing the City Manager and staff to proceed with a sale of the property.

## **EXECUTIVE SUMMARY:**

In 2006 the City, through its Urban Renewal Agency, acquired property located at 11650 SW Tooze Road (tax lot 3S1W15 01100) for a new west-side primary school in Villebois. This acquisition is identified as a project in the West Side Urban Renewal Plan, and is part of an agreement between the West Linn-Wilsonville School District to exchange 10 acres of City-owned land in the Villebois area for 10 acres of District-owned land east of the City at Advance Road so that the District can construct a primary school and the City can construct sports fields.

Subsequent to this purchase, the proposed school site was relocated to the east side of the Villebois neighborhood and the Urban Renewal Agency acquired an alternate school site in 2011. This change in location was due to the slow-down in the economy which affected the pace of development in the Villebois and the installation of necessary infrastructure. Meeting the District's schedule for opening the school at the original location would have required several million dollars of public investment to expedite the installation of critical infrastructure. Relocating the school to an area that was already served with much of the needed infrastructure became a more cost-effective and expeditious option.

The property is a 9.9 acres parcel of land improved with a 1941 bungalow residence that is 1,470 SF in size with an additional 980 SF basement. The site is also improved with outbuildings including a barn, a shed, a garage, and a pump shed. The 2006 appraisal of the property prepared by Zell and Associates determined that the Highest and Best Use of the property was for residential redevelopment and that the bungalow and outbuildings would have to be demolished to meet the Highest and Best Use, and thus no value was placed on the bungalow and outbuildings. It was determined that they do not contribute to the value of the property.

At Council's direction staff explored the possibility of repairing the dwelling and making it available for rent. Cost estimates for these repairs exceeded \$25,000. Upon receiving this information in March of 2012, Council determined that converting the dwelling to a rental property would not be cost effective and directed staff to pursue a surplus property sale of the dwelling.

The City no longer has a public purpose for the 1,470 SF dwelling on the property. As the dwelling presents ongoing maintenance expenses and responsibilities, it would be economically beneficial to the City to declare this dwelling as surplus property and dispose of it through sale while retaining ownership of the 9.9 acres of land upon which the dwelling sits.

Staff has received cost estimates for moving the dwelling off-site and site restoration including decommissioning and disconnecting all related utilities, performing any necessary environmental abatements, and removing the dwellings foundation and backfilling the basement. Given that the dwelling had no established value in the appraisal, and that the City would incur significant expense in demolishing the dwelling, staff proposes that the dwelling be auctioned for a nominal value in addition to the buyer covering all costs related to removing the dwelling from the site and site restoration. Staff proposes to publish and advertise the terms of the surplus process subsequent to this public hearing under which it will consider offers to purchase and remove the dwelling and restore the site;

**EXPECTED RESULTS:**

By declaring this property to be surplus property and initiating a disposition process, the City can expect to eliminate the maintenance expenses associated with the dwelling.

**TIMELINE:**

The schedule for the project is to formalize a scope for removal and site restoration, contact known interested parties and began marketing the dwelling and the disposition process in July.

**CURRENT YEAR BUDGET IMPACTS:**

N/A

**FINANCIAL REVIEW / COMMENTS:**

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

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK \_\_\_\_\_ Date: June 7, 2012

Approved as to form.

**COMMUNITY INVOLVEMENT PROCESS:**

Public notice and public hearing to declare the property surplus property no longer needed for a public interest.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY**

This process will decrease maintenance expenditures.

**ALTERNATIVES:**

Retain the property in public ownership.

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

- A. Resolution No. 2370
- B. Map

**RESOLUTION NO. 2370**

**A RESOLUTION OF THE CITY OF WILSONVILLE DECLARING CITY-OWNED REAL PROPERTY LOCATED AT 11650 SW TOOZE ROAD AS SURPLUS PROPERTY AND AUTHORIZING STAFF TO DISPOSE OF THE PROPERTY THROUGH SALE**

WHEREAS, under and by virtue of the laws of the State of Oregon the City of Wilsonville is duly authorized and empowered to efficiently and economically dispose of real property that is determined by the City to be surplus; and

WHEREAS, the City owns real property located at 11650 SW Tooze Road and further described as tax lot 3S1W15 01100; and

WHEREAS, the City of Wilsonville, through its Urban Renewal Agency, acquired this property for \$4,150,000 in September 2006 for a primary school site in the Villebois neighborhood; and

WHEREAS, this site consists of 9.9 acres of land improved with a 1941 bungalow residence that is 1,470 SF in size with an additional 980 SF basement; and

WHEREAS, the site is also improved with outbuildings including a barn, a shed, a garage, and a pump shed; and

WHEREAS, this property was appraised by Zell and Associates in January 2006 to establish the purchase price for the City's acquisition of this property; and

WHEREAS, this appraisal determined that the Highest and Best Use of the property was for residential redevelopment and that the bungalow and outbuildings would have to be demolished to meet the Highest and Best Use, and thus no value was placed on the bungalow and outbuildings and they do not contribute to the value of the property; and

WHEREAS, subsequent to this purchase the proposed school site was relocated to the east side of the Villebois neighborhood and the Urban Renewal Agency acquired an alternate school site in 2011;

WHEREAS, the City of Wilsonville has no further public need for the dwellings and outbuildings on this property; and

WHEREAS, property values have decreased significantly since the time of purchase and at this time the City would not be able to recover the amount invested in the property; and

WHEREAS, the City paid \$419,000 per acre for this property in 2006 and sales since 2011 have ranged between \$28,000 per acre and \$290,000 per acre

WHEREAS, it is in the public's best interest for the City to retain this land until land values have increased; and

WHEREAS, since the 1,470 SF bungalow does not contribute to the value of the property and presents ongoing maintenance expenses and responsibilities, it would be economically beneficial to the City to declare this dwelling as surplus property and dispose of it through sale while retaining ownership of the 9.9 acres of land upon which the dwelling sits; and

WHEREAS, staff has received cost estimates for moving the dwelling off-site and site restoration including decommissioning and disconnecting all related utilities, performing any necessary environmental abatements, and removing the dwellings foundation and backfilling the basement; and

WHEREAS, staff proposes that the dwelling be auctioned for a nominal value in addition to the buyer covering all costs related to removing the dwelling from the site and site restoration; and

WHEREAS, staff proposes to publish and advertise the terms of the surplus process subsequent to this public hearing under which it will consider offers to purchase and remove the dwelling and restore the site; and

WHEREAS, the City will review any reasonable offer but has the right to accept or reject any and all offers; and

WHEREAS, the dwelling is to be sold "AS IS" on a cash basis; and

WHEREAS, any offer accepted for the dwelling must result the buyer meeting all established criteria for site restoration within six months of an Earnest Money Agreement, which will allow buyer sufficient time to obtain any needed land use approvals.

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

1. The 1,470 SF bungalow located on real property at 11650 SW Tooze Road and further described as tax lot 3S1W15 01100 is hereby declared surplus property and no longer needed by the City of Wilsonville for public use.

2. City staff will publish and advertise the terms of the surplus process subsequent to this public hearing under which it will consider offers to purchase and remove the dwelling and restore the site.

3. City will review any reasonable offer but has the right to accept or reject any and all offers.

4. All offers must be reviewed and either accepted or rejected by City Council.

5. The City Council authorizes the City Manager to execute all necessary agreements and deeds relating to the transaction.

6. In the event buyer fails to meet the terms of the accepted earnest money agreement, all rights of the buyer in said real property shall cease and all right, title and interest in said real property shall continue to remain vested in the City, free of any claim or equity in the buyer or those claiming through the buyer, and the City shall retain all payments or deposits as liquidated damages for failure of buyer to complete the agreement.

7. This resolution is effective upon adoption.

ADOPTED by the City of Wilsonville at a regular meeting thereof this \_\_\_\_\_ day of June, 2012 and filed with the Wilsonville City Recorder this date.

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

ATTEST:

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

SUMMARY OF VOTES:

Mayor Knapp \_\_\_\_\_  
Councilor Nunez \_\_\_\_\_  
Councilor Goddard \_\_\_\_\_  
Councilor Starr \_\_\_\_\_



Scale 1:1,200

1 in = 100 ft

**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date: June 18, 2012</b>	<b>Subject: Declaration of Surplus Property – 7840 SW Boeckman Road</b>  <b>Staff Member: Kristin Retherford</b> <b>Department: Community Development</b>	
<b>Action Required</b>	<b>Advisory Board/Commission Recommendation</b>	
<input type="checkbox"/> Motion <input checked="" type="checkbox"/> <b>Public Hearing Date: June 18, 2012</b> <input type="checkbox"/> <b>Ordinance 1<sup>st</sup> Reading Date:</b> <input type="checkbox"/> <b>Ordinance 2<sup>nd</sup> Reading Date:</b> <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	<input checked="" type="checkbox"/> <b>Approval</b> <input type="checkbox"/> Denial  <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable <hr/> <b>Comments:</b>  	
<b>Staff Recommendation:</b> Approve the attached resolution which declares City-owned property at 7840 SW Boeckman Road as surplus property and authorizes the City Manager and staff to proceed with a sale of the property.		
<b>Recommended Language for Motion:</b> I move to approve Resolution No. 2371		
<b>PROJECT / ISSUE RELATES TO:</b>		
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:**

Staff recommends the City Council adopt a resolution declaring City-owned property at 7840 SW Boeckman Road as surplus property and authorizing the City Manager and staff to proceed with a sale of the property.

**EXECUTIVE SUMMARY:**

The City acquired property located at 7840 SW Boeckman Road (tax lots 3S1W13B 02402 and 2403) to construct the extension of Canyon Creek Road South, south of Boeckman Road. Construction of this project is now complete and the City is in ownership of a remainder parcel that is approximately 1.15 acres that is no longer needed for a public purpose.

This parcel has access off of a cul de sac on Canyon Creek Road South and is zoned RA-H residential with a comprehensive plan designation of 0-1 dwelling units per acre. Over the last decade, several adjacent properties have been rezoned to the higher density of PDR-3 (4 to 5 dwelling units per acre) upon redevelopment. An appraisal is currently underway to establish the fair market value of the property and it is likely that the appraisal will conclude that the highest and best use of the property would be a proposed rezoning to PDR-3 for redevelopment at 4 to 5 dwelling units per acre. This appraisal is due to City staff at the end of June, at which time it will be made public. Staff won't begin marketing the property until after the appraisal has been received and reviewed.

This resolution does not detail the process under which the property will be sold. Upon receipt of the appraisal, staff will return to Council to discuss the appraisal report and the proposed process.

**EXPECTED RESULTS:**

By declaring this property to be surplus property and initiating a disposition process, the City can expect revenue from sale proceeds that will meet or exceed the appraised value of the property which is yet to be determined. The City can also expect to achieve a decrease in maintenance costs associated with mowing and other maintenance needed for this 1.15 acres parcel.

**TIMELINE:**

The schedule for the project is to return to Council at the second meeting in July with the appraisal and proposed process for disposition.

**CURRENT YEAR BUDGET IMPACTS:**

N/A

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: MEK Date: 6/7/2012

Resolution is approved as to form.

**LEGAL REVIEW / COMMENT:** *[Item must be sent to City Attorney for review.]*

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

**COMMUNITY INVOLVEMENT PROCESS:**

Public notice and public hearing to declare the property surplus property no longer needed for a public interest.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY**

This process will bring in revenue to the City and decrease maintenance expenditures.

**ALTERNATIVES:**

Retain the property in public ownership.

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

- A. Resolution No. 2371
- B. Map

**RESOLUTION NO. 2371**

**A RESOLUTION OF THE CITY OF WILSONVILLE DECLARING CITY-OWNED REAL PROPERTY LOCATED AT 7840 SW BOECKMAN ROAD AS SURPLUS PROPERTY AND AUTHORIZING STAFF TO DISPOSE OF THE PROPERTY THROUGH SALE**

WHEREAS, under and by virtue of the laws of the State of Oregon the City of Wilsonville is duly authorized and empowered to efficiently and economically dispose of real property that is determined by the City to be surplus; and

WHEREAS, the City owns real property located at 7840 SW Boeckman Road and further described as tax lots 3S1W13B 02402 and 2403 (the "Property:"); and

WHEREAS, the Property is approximately 1.15 acres in size with access off of a cul de sac on Canyon Creek Road South; and

WHEREAS, the City of Wilsonville acquired the Property as part of a larger acquisition needed to provide right of way for the construction of Canyon Creek Road South, south of Boeckman Road; and

WHEREAS, these improvements are now constructed and the Property is a remnant parcel no longer needed for a public purpose; and

WHEREAS, staff has hired an appraiser to value the Property and the completed appraisal report is due to staff by June 30, 2012; and

WHEREAS, the Property is raw land with now improvements; and

WHEREAS, the Property has a zoning designation RA-H residential and a comprehensive plan designation of 0-1 dwelling units per acre and adjacent properties have developed to higher densities than this comprehensive plan designation through amendment and rezoning processes at the time of development; and

WHEREAS, subsequent to this public hearing and the receipt of the appraisal report, staff proposes to publish and advertise the terms of the surplus process under which it will consider offers to purchase the Property; and

WHEREAS, the City will review any reasonable offer but has the right to accept or reject any and all offers; and

WHEREAS, the Property is to be sold "AS IS" with a cash closing through escrow; and

WHEREAS, upon closing in escrow the City will convey title to the purchaser and shall convey by bargain and sale deed only such right, title and interest in the Property as is now vested in the City; and

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

1. The Property known as 7840 SW Boeckman Road and further described as tax lots 3S1W13B 02402 and 2403 is hereby declared surplus property and no longer needed by the City of Wilsonville for public use.

2. City staff will publish and advertise the terms of the surplus process subsequent to this public hearing under which it will consider offers to purchase the Property.

3. City will review any reasonable offer but has the right to accept or reject any and all offers.

4. All offers must be reviewed and either accepted or rejected by City Council.

5. The City Council authorizes the City Manager to execute all necessary agreements and deeds relating to the transaction.

6. In the event buyer fails to meet the terms of the accepted earnest money agreement, all rights of the buyer in said real property shall cease and all right, title and interest in said real property shall continue to remain vested in the City, free of any claim or equity in the buyer or those claiming through the buyer, and the City shall retain all payments or deposits as liquidated damages for failure of buyer to complete the agreement.

7. This resolution is effective upon adoption.

ADOPTED by the City of Wilsonville at a regular meeting thereof this 18<sup>th</sup> day of June, 2012 and filed with the Wilsonville City Recorder this date.

---

TIM KNAPP, Mayor

ATTEST:

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Sandra C. King, City Recorder, MMC

SUMMARY OF VOTES:

Mayor Knapp \_\_\_\_\_  
Councilor Nunez \_\_\_\_\_  
Councilor Goddard \_\_\_\_\_  
Councilor Starr \_\_\_\_\_



Scale 1:1,200

1 in = 100 ft

King, Sandy

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**From:** Retherford, Kristin  
**Sent:** Monday, May 28, 2012 3:19 PM  
**To:** Cosgrove, Bryan; Kohlhoff, Mike; Jacobson, Barbara; King, Sandy; Howe, Brenda  
**Subject:** Surplus Property Resolutions  
**Attachments:** Resolution - Canyon Creek Road Surplus Property Declaration.doc; Resolution - Tooze House Surplus Property Declaration.doc

Sandy, here are draft surplus property resolutions for public hearing on June 18<sup>th</sup>. I can handle any edits and wrap up the staff reports when I return from vacation in a week. I wanted to at least get you drafts before leaving, though, so that you could get the public notice placed.

Kristin Retherford  
Urban Renewal Manager  
City of Wilsonville  
503-570-1539  
[retherford@ci.wilsonville.or.us](mailto:retherford@ci.wilsonville.or.us)

*Posted online 5/28/12  
Published 6/5/12 + 6/12/12  
in W. Spokesman.*

**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, June 18, 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:

A resolution of the City of Wilsonville declaring city-owned real property located at **7840 SW Boeckman Road** as surplus property and authorizing staff to dispose of the property through sale.

And

A resolution of the City of Wilsonville declaring city-owned real property located at **11650 SW Tooze Road** as surplus property and authorizing staff to dispose of the property through sale.

Copies may be obtained at a cost of 25 cents per page, at City Hall or by calling the City Recorder at 503-570-1506 and requesting a copy to be mailed to you.

Specific suggestions or questions concerning the proposed ordinance may be directed to Kristin Retherford, URA Manager at 503-570-1561. 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.

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 503-570-1506.

Published in the Wilsonville Spokesman June 5, 2012 and June 12, 2012.

**City of Wilsonville  
Work Session and City Council Calendar**

**ITEMS ARE TENTATIVELY SCHEDULED AND MAY BE MOVED TO ANOTHER MEETING.**

<b>Meeting Date</b>	<b>Agenda Items</b>
<b>May 31</b>	Economic Development Summit –6-8:30 p.m. City Hall
<b>June 14</b>	ACHIEVE SITE VISIT – Patty Brescia Water Treatment Plant Conference Room 2 p.m. Meeting with City officials
<b>June 14</b>	Economic Development Advisory Committee meeting. 6-8 pm, City Hall

<p><b>June 18</b></p> <p><i>Staff reports due June 5<sup>th</sup></i></p> <p><i>Councilor Núñez excused</i></p>	<p>Executive Session - CM Review Work Session</p> <ul style="list-style-type: none"> <li>• Survey Results (Cosgrove)</li> <li>• Economic Development Update (Ottenad/Lashbrook et al)</li> </ul> <p>Communications</p> <ul style="list-style-type: none"> <li>• Korean War Memorial Foundation Presentation (Ottenad)</li> <li>• Veolia President – Operations Excellence Award to Wilsonville (Kerber)</li> <li>• Grace Chapel Rummage Sale Proceeds Presented to Random Kindness &amp; Community Sharing (Jake Schwein, Grace Chapel)</li> <li>• Overview of 2012 Summer Events (Knoll/Ottenad)</li> <li>• Quarterly WWTP Progress Report (Eric Mende)</li> </ul> <p>Consent Agenda</p> <ul style="list-style-type: none"> <li>• Janitorial Contract (Peoples)</li> <li>• Community Center IGA Clackamas County/City CDBG Kitchen Remodel (Brown)</li> <li>• 5/21/12 Minutes</li> </ul> <p>Public Hearing</p> <ul style="list-style-type: none"> <li>• Surplus Property Declarations (Retherford) Resolutions 2370 and 2371</li> </ul> <p>Continuing Business</p> <ul style="list-style-type: none"> <li>• Ord 704 Sign Code second reading</li> </ul> <p>New Business</p>
<p><b>June 23</b></p>	<p>62nd Anniversary Celebration of the Start of the Korean War</p>
<p><b>June 28</b></p>	<p>Economic Development Advisory Committee meeting. 6 p.m. – 8:00 p.m.</p>

<p style="text-align: center;">July 2</p> <p style="text-align: center;">Staff reports due June 19</p>	<p>Executive Session –</p> <p>Work Session</p> <p>Communications</p> <ul style="list-style-type: none"> <li>• <del>Introduce new Planner.</del></li> </ul> <p>Consent Agenda</p> <p>Public Hearing</p> <p>Public Hearing</p> <ul style="list-style-type: none"> <li>• <b><u>Resolution No. 2350</u></b> A Resolution Of The City Of Wilsonville Authorizing Establishment Of A Reimbursement District To Refund To The City Of Wilsonville The Pro Rata Costs For The Segment 1 Extension Of The Coffee Lake Drive Sewer Line Infrastructure Improvements That Will Serve Properties Within The Reimbursement District. (staff – Adams/Kohlhoff)</li> <li>• Resolution No. A Resolution Of The City Of Wilsonville Authorizing Establishment Of A Reimbursement District To Refund To The City Of Wilsonville The Pro Rata Costs For The Segment 1 Extension Of The Coffee Lake Drive Street Infrastructure Improvements That Will Serve Properties Within The Reimbursement District. (staff – Adams/Kohlhoff)</li> </ul> <p>Continuing Business</p> <p>New Business</p>
<p style="text-align: center;">July 16</p> <p style="text-align: center;">Staff reports due July 3</p>	<p>Executive Session –</p> <p>Work Session</p> <p>Communications</p> <p>Consent Agenda</p> <p>Public Hearing</p> <p>Continuing Business</p> <p>New Business</p>

<p>August 6</p> <p>Staff reports due July 17</p>	<p>Executive Session –</p> <p>Work Session</p> <p>Communications</p> <ul style="list-style-type: none"> <li>• Introduce new Community Development Director &amp; <i>New Planner</i></li> </ul> <p>Consent Agenda</p> <p>Public Hearing</p> <p>Continuing Business</p> <p>New Business</p>
<p>August 20</p> <p>Staff reports due August 7</p>	<p>Executive Session –</p> <p>Work Session</p> <p>Communications</p> <p>Consent Agenda</p> <p>Public Hearing</p> <p>Continuing Business</p> <p>New Business</p>

**NEIGHBORHOOD BBQS:**

- July 12 – Day Dream Ranch
- August 9 – Canyon Creek South
- September 13 – Landover/Meadows Park

**UNSCHEDULED ITEMS**

- Amend Res. Declaring an emergency succession statement
- Road Maintenance Fee
- State/Metro – Climate Smart Communities and Greenhouse Gas Reduction (lengthy discussion)

**King, Sandy**

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**From:** Front Porch <frontporch75@comcast.net>  
**Sent:** Monday, June 18, 2012 4:04 PM  
**To:** City Council Members  
**Subject:** Survey

City Council  
City of Wilsonville

June 14, 2012

Honorable Mayor and Councilors:

We understand that there are people who are pushing for industrial growth south of the Willamette River. We wish to go on record as being opposed to the City of Wilsonville expending any energy or funds on such activity. There are sufficient issues within the city that need resolving before we go poking into Marion County concerns.

Specifically:

1. We appear to have a multiple year supply of empty commercial buildings and more buildings with available space for which the city's efforts could be directed in attracting tenants.
2. There is attractive land with freeway frontage for sale here in the city for which the city Planning Department has spurned several attractive buyers. We should focus our efforts on developing our resources.
3. The rural reserve designation for the lands south of the Willamette River was developed and adopted after considerable discussion by all the "players" in the Metro area. Certainly the conditions that existed when this designation was made have not changed so there is no need for the state Legislature to reverse this designation.
4. Aurora Airport development is a Marion County issue, not a Wilsonville issue. If there is demand for additional infrastructure development to serve additional growth in the airport area, the developers should pay for these improvements, not the taxpayers. One of the limiting factors, we understand, is water for human consumption. Certainly our water treatment plant has capacity to handle such demand but any cost of expansion and the pipeline to connect south needs to be at the expense of the Marion County users.

Those of us who have lived in the metropolitan area through the time of the development of Charbonneau remember the reaction of the general population to the idea of "urban sprawl" south of the natural border of the river. We feel that expansion of industrial land beyond this natural barrier into some of the world's best farmland would have similar repercussions. Our city has developed a great record with our control of growth and with the application of planning to enhance the quality of life within the community. Examples include the Fred Meyer area, the Argyle Square area, prison area, and Villebois. The addition of Clackamas Community College, Pioneer Pacific College and now ITT bring vitality to our community. Please continue this tradition of excellence by concentrating on Wilsonville issues and leave Marion County issues for them to solve.

Peter & Linda Watkins (20 year residents)  
32575 SW Riviera Lane  
Wilsonville

# City of Wilsonville

## City Council Meeting Action Minutes for June 18, 2012 Meeting

<b>DATE:</b> JUNE 18, 2012
<b>LOCATION:</b> 29799 SW TOWN CENTER LOOP EAST, WILSONVILLE, OR
<b>TIME START:</b> 5 P.M. <b>TIME END:</b> 8:45 P.M. <b>REMARKS:</b> Councilor Núñez excused

### ATTENDANCE LOG

COUNCILORS	STAFF	STAFF
Mayor Knapp	Brian Cosgrove	Floyd Peoples
Council President Núñez - excused	Mike Kohlhoff	Dan Knoll
Councilor Hurst	Jeanna Troha	Mark Ottenad
Councilor Goddard	Sandy King	
Councilor Starr	Chris Neamtzu	
	Kristen Retherford	
	Martin Brown	

AGENDA	ACTIONS
<b>WORK SESSION</b>	
<u>Councilor Concerns</u> <ul style="list-style-type: none"> <li>• Wilsonville Road westbound No Turn on Red, would like to do more to alert drivers to the traffic change</li> <li>• Discuss approach to filing Council vacancy</li> <li>• Schedule additional time to discuss vision, big picture look</li> </ul> <p>Economic Development Update - Staff provided an update on the Economic Development Strategy and the 5/31/12 Summit.</p>	<p>Item scheduled for 7/2/12 work session Staff working on a memo to bring to Council</p>
<b>CONSENT AGENDA</b>	
<p>A. <u>Resolution No. 2372</u> approving Janitorial Services agreement with Tualatin Valley Workshops Inc.</p> <p>B. <u>Resolution No. 2373</u> – IGA with Clackamas County for Community Center Kitchen Project</p>	<p>Adopted 3-0</p> <p>Adopted 3-0</p>
<b>CONTINUING BUSINESS</b>	
<p>A. Ordinance No. 704 amending the Sign Code</p>	<p>Adopted 3-0 with the amendments proposed in the Memo from Mr. Pauly dated 6/18/12 clarifying tables and figures and semi-static digital signs</p>
<b>PUBLIC HEARING</b>	
<p>A. <u>Resolution No. 2370</u> – declaring city owned property at 11650 SW Tooze Road surplus and authorizing staff to dispose of the property</p> <p>B. <u>Resolution No. 2371</u> – declaring city owned property located at 7840 SW Boeckman Road surplus and</p>	<p>Adopted 3-0</p> <p>Adopted 3-0 with a minor modification.</p>

authorizing staff to dispose of it through sale	

**RECORDED BY: SCK 6/19/12**

City of Wilsonville  
June 18, 2012 City Council Meeting

**SPEAKER CARD**

NAME: SIMON SPRINGALL

ADDRESS: 7710 SW ROANOKE DR S. WV

TELEPHONE: \_\_\_\_\_ E-MAIL \_\_\_\_\_

AGENDA ITEM YOU WANT TO ADDRESS: TOOZE PROPERTY.

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Please limit your comments to 3 minutes. Thank you.

City of Wilsonville  
City Council Meeting  
June 18, 2012 Sign In Sheet

Name	Mailing Address
Verw wise	
Doris wehler	
Ben Altman	
JAKE SCHWEIN	
Cheryl Kelly	
Sin Springer	