



Exhibit A1
Staff Report
Wilsonville Planning Division
Edith Green Park

Development Review Board Panel 'A'
Quasi-Judicial Public Hearing
Amended and Adopted August 14, 2023
Added language **bold italics underline**

Hearing Date: August 14, 2023

Date of Report: August 7, 2023

Application Nos.: DB23-0001 Edith Green Park
- Stage 2 Final Plan Modification (STG223-0001)
- Site Design Review (SDR23-0001)

Request/Summary: The requests before the Development Review Board include a Stage 2 Final Plan Modification and Site Design Review for site improvements to Edith Green Park, an existing park in Charbonneau. The proposed improvements include a walking path, two shelters, five picnic tables, three benches, a dog park area, bocce ball court and associated landscaping.

Location: Edith Green Park. The property is specifically known as Tax Lot 14100, Section 24DC, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.

Owner: Charbonneau Country Club (Contact: Gary Newbore)

Applicant: Charbonneau Country Club (Contact: Jim Meierotto)

Comprehensive Plan Designation: Residential

Zone Map Classification: Planned Development Residential -3 (PDR-3)

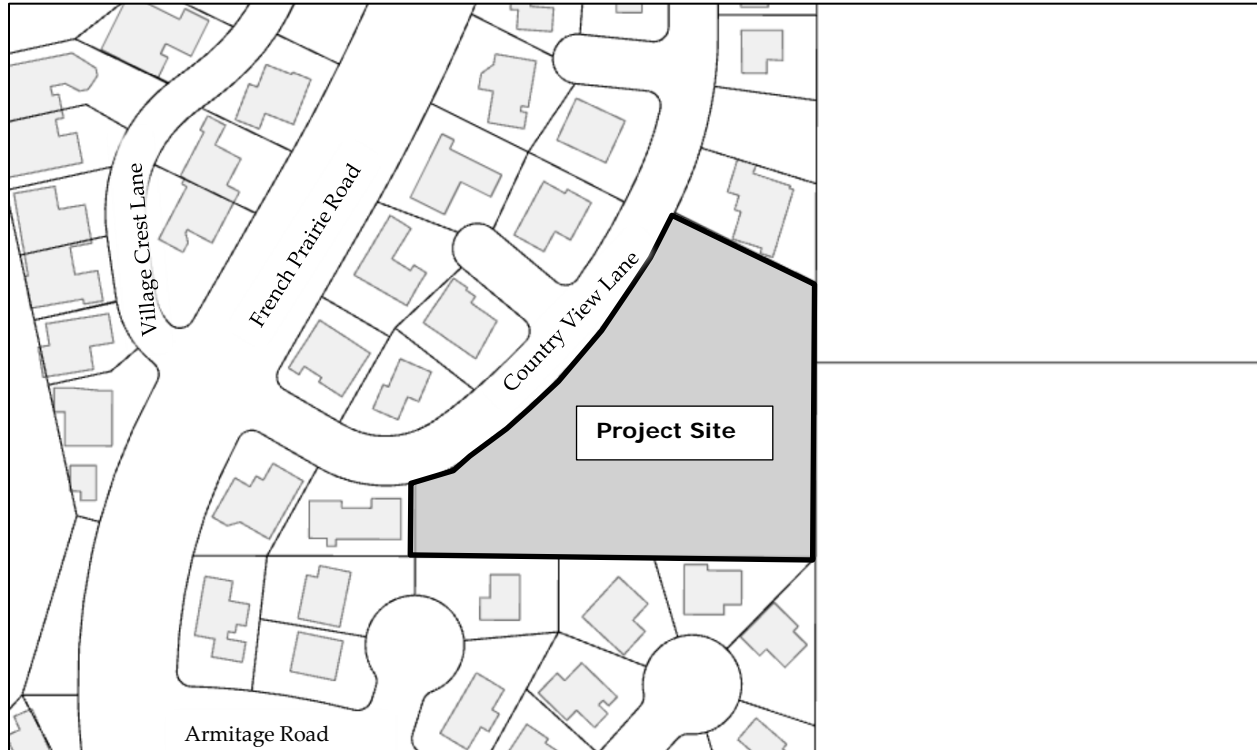
Staff Reviewers: Georgia McAlister, Associate Planner
Amy Pepper, Development Engineering Manager

Staff Recommendation: **Approve with conditions** the requested Stage 2 Final Plan and Site Design Review.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.001	Definitions
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Section 4.034	Application Requirements
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.113	Standards Applying to Residential Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.124	Planned Development Residential (PDR)
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.450 as applicable	Site Design Review
<u>Other Planning Documents:</u>	
Wilsonville Comprehensive Plan Previous Land Use Approvals	79PCA01

Vicinity Map



Background:

The subject property is currently an existing neighborhood park owned by the Charbonneau Country Club. The Charbonneau Country Club approach the City with plans for park improvements that includes two shelters, five picnic tables, three benches, a walking path and bocce ball court. While the determining the path forward for approval of this project it was discovered a Condition of Approval relating to the initial creation of the park was never completed. The Condition of Approval included as a part of a Comprehensive Plan Change, 79PCA01, stated that:

“the applicant submit to the City of Wilsonville Development Review Board a Site Development Plan identifying all improvements on the proposed 2.2 recreational site. It is the purpose of this condition to require that the Design Review Board be allowed to review all one-site landscaping and other physical improvements for the property in question”

Due to the fact no evidence has been found or presented that shows the park has gone through a review with the Design Review Board this application is to be reviewed by the DRB to fulfil the original Condition of Approval as well as ensure the design meets the Development Code standards discussed in the following report. Once this Condition of Approval is met, future modifications to planned improvements to the park may be reviewed under the administrative process.

Summary:

Stage 2 Final Plan (STG223-0001)

The Stage 2 Final Plan confirms the function of the park aligns with the original intent and approval for the park. This review ensures the site continues to function as originally intended for the surrounding residents. Additionally, the Stage 2 Final Plan creates an official plan for future modifications.

Site Design Review (SDR223-0001)

Site Design Review focuses on design and placement of the shelter, benches, dog park area, bocce ball court, walking path and associated landscaping throughout the park. The landscaping has been carefully designed to allow for the function of the site to continue while also enhancing the aesthetics and natural features of the park. The use of shrubbery around the dog park area creates a visual and physical barrier between the dog park area and the rest of the park. Shelters, tables and benches have been thoughtfully placed throughout the site.

Neighborhood and Public Comments:

Nine public comments have been received during the public comment period regarding the park improvement proposal. Many of the concerns expressed in the public comments from residents are focused on the neighborhood planning process prior to the submittal of the application to the City of Wilsonville, specifically the inclusion of certain park elements that did not have the support of all residents within the neighborhood. While the commenters have raised concerns regarding the improvements, all proposed elements including the dog area fencing, bocce ball, shelters, walking path, landscaping and other proposed elements are outright allowed uses meeting the City's Development Code criteria that are typical of a neighborhood park.

The requested changes to the proposal outlined in the comments relating to use preferences are not within the Development Review Board's purview. Any future changes to the proposed plans consistent with the applicable Development Code criteria can be made by the owner/applicant at their request upon City review.

Discussion Points – Discretionary Review:

The Development Review Board may approve or deny items in this section based upon a review of evidence submitted by the applicant. There are no discretionary review requests included as part of the proposed application.

Conclusion and Conditions of Approval:

Staff has reviewed the applicant's analysis of compliance with the applicable criteria. The staff report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this staff report, and information received from a duly advertised public hearing, staff recommends that the Development Review Board approve the proposed application (DB23-0001) with the following conditions:

Planning Division Conditions:

Request A: Stage 2 Final Plan Modification (STG223-0001)

<p>PDA 1. General: The approved final plan shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved final development plan may be approved by the Planning Director through the Class 1 Administrative Review Process if such changes are consistent with the purposes and general character of the development plan. Other changes may be approved through the Class 2 Administrative Review Process pursuant to the authority granted in Section 4.030. Modifications not eligible for administrative review shall be subject to review by the DRB.</p>
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Request B: Site Design Review (SDR23-0001)

<p>PDB 1. Ongoing: Construction, site development, and landscaping shall be carried out and maintained in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding B3, B9 through B17.</p>
<p>PDB 2. Prior to Installation of Landscape Materials: The applicant shall submit a list of all selected plants including their common and scientific name. See Findings A33, A35 and B14</p>
<p>PDB 3. Prior to Building Permit Approval: All proposed structures must be shown on building permit plans meeting the required setback.</p>

The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City's Community Development Department, or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, performance standards, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related

to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.

Engineering Division Findings and Conditions:

PFA 1.	Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1.
PFA 2.	<u>Prior to the Issuance of any Building Permits:</u> Applicant shall apply for City of Wilsonville Erosion Control and Grading Permits. The erosion control permit shall be issued and erosion control measures shall be installed, inspected and approved prior to any onsite work occurring.

Master Exhibit List:

Entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The list below includes exhibits for Planning Case File No. DB23-0001 and reflects the electronic record posted on the City’s website and retained as part of the City’s permanent electronic record. Any inconsistencies between printed or other electronic versions of the same exhibits are inadvertent and the version on the City’s website and retained as part of the City’s permanent electronic record shall be controlling for all purposes.

Planning staff Materials

- A1. Staff report and Findings (this document)
- A2. Staff’s Presentation Slides for Public Hearing (to be presented at Public Hearing)

Materials from Applicant

B1. Applicant’s Narrative and Materials

Signed Application Form
Narrative

B2. Applicant’s Drawings and Plans

Site Plan
Park Elements
Landscape Plan

B3. Revised Landscape Plan

Development Review Team Correspondence

- C1. Public Works Plan Submittal Requirements and Other Engineering Requirements

Public Comments

Development Review Board Panel ‘A’ Staff Report, August 7, 2023
Amended and Adopted August 14, 2023

Exhibit A1

- D1. A Marcel and P. Hickman for Country Club Estates 7.12.2023
- D2. T. Conway 7.29..2023
- D3. P.& J. Hickman 8.01.2023
- D4. J. Hector 8.04.2023
- D5. D. and D. Mauk 8.04.2023
- D6. C. Baldwin 8.04.2023
- D7. B. Eder 8.04.2023
- D8. T. and P Appleby 8.04.2023
- D9. N. Cameron 8.05.2023
- D10. B. Jordan 8.02.2023
- D11. J. Andrews 08.08.2023
- D12. P. and J. Poor 08.09.2023
- D13. J. Andrews 08.09.2023
- D14. D. Maurer 08.04.2023

Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The application was received on January 9, 2023. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application incomplete on February 17, 2023. The applicant submitted additional materials on May 4, 2023. Staff conducted a second completeness review within the statutorily allowed 30-day review period and found the application to be complete on May 25, 2023. The City must render a final decision for the request, including any appeals, by September 22, 2023.
2. Surrounding land uses are as follows:

Compass Direction	Zone	Existing Use
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North	PDR-3	Single Family Residential
East	EFU (Clackamas County)	Agriculture
South	PDR-3	Single Family Residential
West	PDR-3	Single Family Residential

3. Previous Planning Approvals:
79PCA01 Comprehensive Plan Change
80PC10 Preliminary Plat- Single Family IV, East Addition

4. The applicant has complied with Sections 4.008 through 4.011, 4.013-4.031, 4.034 and 4.035 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

Findings:

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

General Information

Application Procedures - In General Section 4.008

The application is being processed in accordance with the applicable general procedures of this Section.

Initiating Application Section 4.009

The application has been submitted on by the property owner, Charbonneau Country Club and is signed by the owner's authorized representative and the applicant.

Pre-Application Conference Subsection 4.010 (.02)

A pre-application conference was held on October 20, 2022 (PRE22-00022) in accordance with this subsection.

Lien Payment before Approval Subsection 4.011 (.02) B.

No applicable liens exist for the subject property. The application can thus move forward.

General Submission Requirements Subsections 4.035 (.04) A. and 4.035 (.05)

The applicant has provided all of the applicable general submission requirements contained in this subsection.

Zoning - Generally Section 4.110

The proposed development is in conformity with the applicable zoning district and City review uses the general development regulations listed in Sections 4.140 through 4.199.

Request A: Stage 2 Final Plan Modification (STG223-0001)

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

Planned Development Regulations-Generally

Planned Development Purpose & Lot Qualifications Subsection 4.140 (.01) and (.02)

- A1.** The proposed Stage 2 Final Plan for proposed improvements to the site is consistent with the Planned Development Regulations purpose statement.

Ownership Requirements Subsection 4.140 (.03)

- A2.** The property owner, Charbonneau Country Club, represented by Gary Newbore, signed the application.

Professional Design Team Subsection 4.140 (.04)

- A3.** The design was led by credentialed professionals. Dan Jenkins, SERA Architects, is the landscape architect for the project.

Stage 2 Final Plan Submission Requirements and Process

Submission Timing in Relation to Stage 1 Approval. Subsection 4.140 (.09) A.

- A4.** The current application is requesting approval of a Stage 2 Final Plan and Site Design Review to fulfil the Condition of Approvals from 79PCA01. While clearly not within two years of the Stage I approval of the development, the broader development was built approval vested including the subject Condition of Approval for coming back to the DRB for approval of design of the open space.

Development Review Board Role Subsection 4.140 (.09) B.

- A5.** The Development Review Board is considering all applicable permit criteria set forth in the Wilsonville Development Code and staff is recommending the Development Review Board approve the application with Conditions of Approval.

Stage 1 Conformance and Submission Requirements Subsection 4.140 (.09) C.

- A6.** The subject area remains an open space consistent with the Stage I Plan and the proposed action follows through with the Condition from the Stage I by approving a design for the open space.

Stage 2 Final Plan Detail

Subsection 4.140 (.09) D.

- A7.** The applicant has provided sufficiently detailed information to indicate fully the ultimate operation and appearance of the development, including a detailed site plan and landscape plans.

Submission of Legal Documents

Subsection 4.140 (.09) E.

- A8.** No additional legal documentation is required for dedication or reservation of public facilities.

Expiration of Approval

Subsection 4.140 (.09) I. and Section 4.023

- A9.** The Stage 2 Final Plan Modification will be vested along with prior approvals for the surrounding development and will not expire.

Consistency with Plans

Subsection 4.140 (.09) J. 1.

- A10.** The proposed project is consistent with the Residential designation in the Comprehensive Plan and the site's zoning, Planned Development Residential - 3 (PDR-3), that apply to the property. The redesign of the park is in line with the recommendations in the 1979 Comprehensive Plan Change decision (79PCA01) as well as the master plan for the Charbonneau community.

Traffic Concurrency

Subsection 4.140 (.09) J. 2.

- A11.** As the current application is a Stage 2 Final Plan Modification finalize a park and its elements as originally conditioned as a part of the Comprehensive Plan Change in 1979 (79PCA01) and is not expected to result in any new traffic generation or impact traffic concurrency for the project.

Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

- A12.** Facilities and services, including utilities in SW Country View Lane, are available and sufficient to serve the existing development and proposed site improvements.

Adherence to Approved Plans

Subsection 4.140 (.09) L.

- A13.** A Condition of Approval will ensure adherence to approved plans unless modified under the proper authority.

Standards Applying to Residential Developments in Any Zone

Open Space Standards within Residential Developments

Subsection 4.113 (.01) A and B

A14. The Stage 1 approval was a part of the Charbonneau Single Family East- Fourth Addition subdivision (80PC10) thus this section applies. The proposed park improvements have been designed by a registered professional landscape architect will allow for adequate light, air, open space and usable recreational facilities for residents in the area. Protection and maintenance of the park will be the responsibility of the applicant, Charbonneau Country Club.

Open Space Area Required, Characteristics and Usable Space

Subsection 4.113 (.01) C and D

A15. Ample open space is located throughout the Charbonneau community including the large golf course interwoven between the various phases of housing development, as well as smaller neighborhood parks. A significant portion of the open space throughout Charbonneau is considered useable open space, with golf being the main active recreational use.

At two acres, the park far exceeds the 2,000 sq ft requirement in order to be counted towards the required 25% of open space area. The proposed open space includes walking paths, open grass for recreational play as well as recreational facilities such as the dog park, bocce ball court, and sports court. All features included in the park area allowed and encouraged uses of an open space associated with residential development. The improvements will increase the usable open space within Charbonneau with the addition of more recreational facilities and opportunities. As per the Condition of Approval from 79PCA01 as well as this subsection, the proposed park improvements will provide activities for residents and visitors of all ages.

Prohibited Uses

Subsection 4.113 (.09)

A16. All proposed uses are allowed within the PDR-3 zone.

Standards Applying to All Planned Development Zones

Underground Utilities

Subsection 4.118 (.02) and Sections 4.300-4.320

A17. All utilities on the property are undergrounded and no new utilities are proposed with the current application.

Waivers

Subsection 4.118 (.03) A. through D.

A18. The applicant has not requested any waivers to the standards applying to all planned development zones.

Other Requirements or Restrictions

Subsection 4.118 (.03) E.

A19. No additional requirements or restrictions are recommended pursuant to this subsection.

Impact on Development Cost

Subsection 4.118 (.04)

A20. In staff's professional opinion, the determination of compliance or attached conditions of approval do not unnecessarily increase the cost of development and no evidence has been submitted to the contrary.

Dedications or Easements for Recreation Facilities, Open Space, Public Utilities

Subsection 4.118 (.05)

A21. No dedications or easements are proposed or requested.

Habitat Friendly Development Practices

Subsection 4.118 (.09)

A22. Grading will be limited to that needed for the proposed improvements, no significant native vegetation would be retained by an alternative site design, and no impacts on wildlife corridors or fish passages have been identified.

Planned Development Residential (PDR) Zone

Typically Permitted Uses

Subsection 4.124 (.01)

A23. The applicant is proposing modifications to an existing park. Open space is an outright allowed use in the PDR-3 zone.

On-site Pedestrian Access and Circulation

Continuous Pathway System, Vehicle Pathway Separation, Width and Surface

Subsection 4.154 (.01) B.1. through B.6.

A24. The applicant has proposed a walking path within the park. No changes to pedestrian circulation and access outside of the site are proposed or required with the current application.

Other Development Standards

Access, Ingress, and Egress

Section 4.167

A25. Pedestrian access to the site from SW Country View Lane is existing and no changes are proposed.

Natural Features and Other Resources

Section 4.171

A26. The subject property does not contain natural environmental and scenic features, and no part of the site is protected as part of the City’s Significant Resource Overlay Zone (SROZ). There are no structures of any historic or cultural designation and no hillsides, wooded areas, or hazard areas needing protection on the site. No overhead powerlines are located on the site, and there are no high voltage powerline easements or rights-of-way or petroleum pipeline easements on the site.

Outdoor Lighting

Sections 4.199.20 through 4.199.60

A27. Outdoor lighting was previously approved and no changes are proposed with the current application, thus the standards will continue to be met.

Public Safety and Crime Prevention

Design for Public Safety, Surveillance and Access

Subsections 4.175 (.01) and (.03)

No evidence has been presented that the design and function of the site will prevent surveillance or encourage crime.

Addressing and Directional Signing

Subsection 4.175 (.02)

A28. No changes to addressing or directional signage are proposed with the current application.

Lighting to Discourage Crime

Subsection 4.175 (.04)

A29. As discussed above, no changes are proposed with the current application to previously approved outdoor lighting and surveillance systems, which are designed and will continue to discourage crime on the site.

Landscaping Standards

Landscaping Standards Purpose

Subsection 4.176 (.01)

A30. Through complying with the various landscape standards in Section 4.176 the applicant has demonstrated the Stage 2 Final Plan is in compliance with the landscaping and screening purpose statement.

Landscape Code Compliance

Subsection 4.176 (.02) B.

A31. While a variance is mentioned in the applicant's narrative, no waivers or variances to landscape standards have been formally requested. The applicant has since submitted plans with landscaping that complies with the standards of this section.

Intent and Required Materials

Subsections 4.176 (.02) C.

A32. As shown on the Landscape Plan (Exhibit B2), changes to site landscaping have been designed to meet the General Landscaping Standard of this subsection while still allowing the site to function for recreational use. Otto Luyken Laurels are proposed in the area surrounding the dog park. This will both provide aesthetic value and create a boundary around the dog run area. In the upper northeast corner of the site a mix of native grasses and arborvitae are proposed. A Condition of Approval will ensure a list of native grasses are submitted to the City prior to installation.

Landscape Area and Locations

Subsection 4.176 (.03)

A33. 15% of the lot or approximately 13,000 sq ft is required to be landscaped. Existing landscaping covers 10,000 sq ft of the site. The proposal includes 3,000 sq ft of additional landscaping to meet the required 15%. Materials achieve a balance between various plant forms, textures, and heights, and native plant materials are used where practicable.

Landscape Plan Requirements

Subsection 4.176 (.09)

A34. The applicant's Landscape (Exhibit B2) provides the required information including proposed landscape areas, type, installation size, number and placement of materials and plant material list. A Condition of Approval will ensure that the final list of native grasses as well as numbers planted will be submitted to the City prior to installation. The existing irrigation system will remain in place and functioning onsite.

Request B: Site Design Review (SDR23-0001)

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

Site Design Review

Open Space Requirements Objectives and Design

Subsection 4.400 (.01), 4.400 (.02) and Subsection 4.421 (.03)

B1. The park has been professionally designed by a credentialed professional and meets applicable landscape and site design standards as found under Request A above.

Professional design and meeting the landscape and site design standards ensures the proposed park design meets the standards and objectives of Site Design Review. Specifically:

- The proposed shelters, picnic tables, and benches are typical of park areas, are appropriate for the site function and are well designed.
- Landscaping is designed to circle the dog park area and provide a pleasing environment for users of the site as well as help with the absorption of rain throughout the site.
- The proposed layout for park allows for landscaping requirements to be met while also supporting the use of the park for recreation, and creates a visual environment that is compatible with other surrounding residential uses.
- The park will continue to serve its purpose as a neighborhood park providing recreation for nearby residents while being enhanced thus sustain the comfort, health and tranquility of the community.
- With the current lack of landscaping throughout the park beyond turf, installing landscaping including shrubs and grasses will provide a more pleasing environment for users of the site.
- The proposal will not impact the availability or orderly, efficient and economic provision of public services and facilities, which are available and adequate for the subject property.

Development Review Board Jurisdiction

Section 4.420

- B2.** A Condition of Approval will ensure construction, site development, and landscaping are carried out in substantial accordance with the DRB-approved plans, drawings, sketches, and other documents. No building permits will be granted prior to Development Review Board approval. No variances are requested from site development requirements.

Design Standards

Subsection 4.421 (.01) A. through G.

- B3.** The applicant has provided sufficient information demonstrating compliance with the standards of this subsection as follows:
- **Pursuant to Standard A** (Preservation of Landscape), there are no natural features on the site, and existing previously approved landscaping will be preserved and protected during construction of site improvements.
 - **Pursuant to Standard B** (Relation of Proposed Buildings to Environment), the proposed shelters, picnic tables, benches and bocce ball court have been placed in appropriate locations throughout the site.
 - **Pursuant to Standard C** (Drives, Parking, and Circulation), no changes to access to the site are proposed. The proposed walking path will provide more access and easier circulation for park users and pedestrians.
 - **Pursuant to Standard D** (Surface Water Drainage), there is no indication this project will have a negative impact on surface water drainage.

- **Pursuant to Standard E** (Utility Service), no above ground utility installations are proposed and no changes to utility service are included in the current application.
- **Pursuant to Standard F** (Advertising Features), no signs are proposed as part of the current application; therefore, this standard does not apply.
- **Pursuant to Standard G** (Special Features), no special features are proposed for the site.

Conditions of Approval

Subsection 4.421 (.05)

B4. The Development Review Board may attach certain development or use conditions in granting an approval that are determined necessary to insure the proper and efficient functioning of the development, consistent with the intent of the Comprehensive Plan, allowed densities and the requirements of the Code. In making this determination of compliance and attaching conditions, the DRB is required, however, to consider the effects of this action on the availability and cost of needed housing. No conditions of approval in addition to those already included in this staff report are recommended to ensure the proper and efficient functioning of the proposed park improvements.

Color or Materials Requirements

Subsection 4.421 (.06)

B5. The structures proposed throughout the park including the shelters, benches, and picnic tables will use a variety of materials with the most prominent components being comprised of natural or painted wood. The proposed dog park fence will be a black powder coat, which is standard for fences such as this. The proposed materials will reflect the existing surrounding environment while also enhancing the park and creating a unique neighborhood feature.

Site Design Review Submission Requirements

Submission Requirements

Section 4.440

B6. The applicant has submitted materials in addition to requirements of Section 4.035, as applicable.

Time Limit on Site Design Review Approvals

Time Limit on Approval

Section 4.442

B7. The current applications will expire two (2) years after approval, unless a building permit has been issued and substantial development has taken place or an extension is approved in accordance with this section.

Installation of Landscaping

Landscape Installation or Bonding

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Subsection 4.450 (.01)

B8. A Condition of Approval will assure installation or appropriate security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director, is filed with the City assuring such installation within six (6) months of occupancy.

Approved Landscape Plan

Subsection 4.450 (.02)

B9. Action by the City approving a proposed landscape plan is binding on the applicant. A Condition of Approval will ensure that substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan will not be made without official action of the Planning Director through a Class 1 or Class 2 Administrative Review or Development Review Board and provide ongoing assurance the criterion is met.

Landscape Maintenance and Watering

Subsection 4.450 (.03)

B10. A Condition of Approval will ensure landscaping is continually maintained in accordance with this subsection.

Modifications of Landscaping

Subsection 4.450 (.04)

B11. A Condition of Approval will provide ongoing assurance that this criterion is met by preventing modification or removal of landscaping without appropriate City review.

Landscaping Standards

Shrubs and Groundcover Materials

Subsection 4.176 (.06) A.

B12. Proposed shrubs on the applicant's Landscape Plan (Exhibit B2) include arborvitae and Otto luyken laurel. A Condition of Approval will require that the detailed requirements of this subsection are met.

Types of Plant Species

Subsection 4.176 (.06) E.

B13. The applicant has provided sufficient information in their Landscape Plan showing the proposed landscape design meets the standards of this subsection. Otto luyken laurel and arborvitae are frequently planted landscaping plants and are appropriate for the site. The grasses will be native species and appropriate for the site. A Condition of Approval will ensure the final list of all species is submitted to the City prior to installation.

Exceeding Plant Standards

Subsection 4.176 (.06) G.

B14. The selected landscape materials do not violate any height or vision clearance requirements.

Landscape Installation and Maintenance

Subsection 4.176 (.07)

B15. Conditions of Approval ensure that installation and maintenance standards are or will be met including that plant materials be installed to current industry standards and properly staked to ensure survival, and that plants that die are required to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. The sites existing irrigation will continue to be utilized.

Completion of Landscaping

Subsection 4.176 (.10)

B16. The applicant has not requested to defer installation of plant materials.

Outdoor Lighting

Applicability

Sections 4.199.20 and 4.199.60

B17. Per the applicant's code response narrative, no changes to outdoor lighting is proposed with the current application; therefore, the Outdoor Lighting standards do not apply.