

ORDINANCE NO. 606

AN ORDINANCE AMENDING WILSONVILLE CODE SECTION 4.125 (.05) E, RELATING TO RECREATION AREA REQUIREMENTS FOR MULTIPLE FAMILY DEVELOPMENTS IN THE VILLEBOIS URBAN VILLAGE.

WHEREAS, Wilsonville Code section 4.125 (.05) E was adopted as part of Village Zone, a comprehensive set of development code requirements for the planning, design and construction of development in the Villebois Urban Village; and,

WHEREAS, the subsection was patterned after 4.113 (.01), which 1) applies to residential developments outside the Village zone 2) provides standards for outdoor recreation areas on a "stand alone," project by project basis, and 3) contains recreational area requirements that do not account for satisfaction of the residents needs by adjacent recreational and open space facilities; and,

WHEREAS, the Village zone version of outdoor recreation requirements are not entirely applicable to developments in the Villebois Urban Village, in that the outdoor recreation needs of any one development in the Village has been considered and reflected in the Parks and Open Space Master Plan for the greater village community; and,

WHEREAS, the public interest is served by modifying the outdoor recreation area requirements to better reflect the recreation needs, both indoor and outdoor, of multi-family and mixed use developments in the Village in the context of the provision of, and service by, master planned parks and open spaces in the area; and,

WHEREAS, upon a positive recommendation of adoption of amendments to W.C. 4.125 (.05) E by the Wilsonville Planning Commission, the City Council conducted a duly noticed public hearing on the proposed WC text amendment on March 20, 2006; and

WHEREAS, the Council has considered the record before the Planning Commission, the Planning Division staff report and testimony and evidence of interested parties;

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

Section 1. Findings. The Council adopts as findings of fact the staff reports in the matter, attached as Exhibit A, attached hereto and incorporated herein as if fully set forth.

Section 2. Order. Wilsonville Code section 4.125 (.05) E. is hereby amended to read as follows:

4.125. (.050) V – Village Zone

E. ~~Outdoor Living Area:~~

- ~~1. The Outdoor Living Area requirement is intended to provide adequate outdoor recreational amenities for occupants of multiple family developments. Any Multiple Family Dwelling use shall be subject to the applicable provisions of this section, including the following:
 - ~~a. Outdoor Living Area shall be provided on the subject property. Outdoor Living Area shall not be located in required yards. Parking, circulation, indoor, or inaccessible areas may not be used to meet the Outdoor Living Area requirement.~~
 - ~~b. Outdoor Living Area shall be measured as the sum of all lawns, gardens, play lots, swimming pools, ball courts, roof decks and other similar areas for recreational uses. Private decks, porches, balconies, and terraces in excess of 30 square feet may be counted as Outdoor Living Area.~~
 - ~~c. Multiple family developments shall provide the following minimum Outdoor Living Area:
 - ~~i. For ten (10) or fewer dwelling units, not less than 1,000 square feet;~~
 - ~~ii. For eleven (11) through twenty nine (29) units, 200 square feet per unit;~~
 - ~~iii. For thirty (30) or more units, 300 square feet per unit.~~~~~~
- ~~2. The Development Review Board may reduce the Outdoor Living Area requirement upon a finding, supplied by the applicant, that the recreational needs of the residents will be adequately met through the use of other specific recreational facilities available within a ¼ mile walking distance.~~
- ~~3. Outdoor Living Area shall be considered to be part of the Open Space requirement in Section 4.125(.08).~~

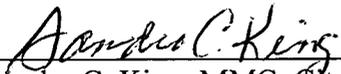
E. Recreational Area in Multi-family Residential and Mixed Use Developments

- 1. The Recreational Area requirement is intended to provide adequate recreational amenities for occupants of multiple family developments and mixed use**

developments where the majority of the developed square footage is to be in residential use.

2. **Recreational Area is defined as the common area of all lawns, community gardens, play lots, plazas, court yards, interior and exterior swimming pools, ball courts, tennis courts, exercise rooms, health and exercise facilities, libraries, internet/electronic media rooms, decks and other similar areas for common recreational uses. Recreational Area may include Parks required under the Villebois Village Master Plan, and any usable park areas not shown in such plan. Private areas under this definition, defined as those areas that are accessible only by a single owner or tenant, or commercial or retail recreation facilities serving the general public, shall not constitute or contribute to the measurement of Recreational Area.**
3. **A variety of age appropriate facilities shall be included in the mix of Recreational Area facilities.**
4. **Recreational Area shall be calculated at the following ratios:**
 - a. **At the SAP Level – 195 square feet per residential unit.**
 - b. **At the PDP level – an additional 30 square feet per residential unit**
5. **Recreational Area shall be considered to be part of the Open Space requirement in Section 4.125 (.08)**

SUBMITTED to the Wilsonville City Council and read for the first time at regular meeting thereof on the 20th day of March, 2006, and scheduled for second reading at a regular meeting thereof on the 3rd day of April, 2006 commencing at the hour of 7 p.m. at the Wilsonville Community Center, 7965 SW Wilsonville Road, Wilsonville, Oregon.



Sandra C. King, MMC, City Recorder

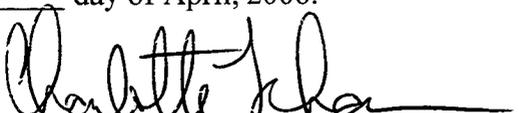
ENACTED by the City Council on the 3rd day of April, 2006, by the following votes:

YEAS: -4- NAYS: -0-



Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this 4th day of April, 2006.



CHARLOTTE LEHAN, MAYOR

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Kirk	Yes
Councilor Holt	Excused
Councilor Knapp	Yes
Councilor Ripple	Yes

Attachment 1: Staff reports dated March 13, 2006.

WILSONVILLE PLANNING DIVISION
Legislative
STAFF REPORT

HEARING DATE: March 20, 2006

DATE OF REPORT: March 13, 2006

FILE NO.: LP-05-0010

APPLICANT: City of Wilsonville

REQUEST: Amendments to Wilsonville Development Code, Village Zone, Section 4.125(.05)(E) relating to Recreational Area in Multi-family and Mixed use Developments

LOCATION: Villebois

STAFF REVIEWER: Sandi Young, Planning Director

CRITERIA: *Wilsonville Comprehensive Plan:*
Citizen Involvement Goal 1.1; Implementation Measures 1.1.1.a, 1.1.1.e, 1.1.1.f, 1.1.1.g

Planning and Land Development Ordinance:
Section 4.008 (.01)(F) Application Procedures
Section 4.197(.01)(B) Zone change Amendments

Villebois Village Master Plan

SUMMARY:

The Planning Commission conducted public hearings on February 8 and February 22, 2006 on the proposed changes to the Village Zone regarding Recreational Area in Multi-family and Mixed Use Developments. After considerable discussion and several amendments, the Commission recommended Council approval of Ordinance No. 606, as amended.

The proposed amendment reduces the current requirement of the Village Zone for 300 square feet of outdoor recreational area per residential multi-family unit to 225 square feet of Recreational Area per residential multi-family unit. The existing code requirement included only outdoor recreational space. The proposed code includes

usable outdoor recreational space, and also allows indoor recreational facilities to be included in the calculation.

The existing code is based on a section of City Code (4.113(.01) which is applicable to all multi-family developments in the City, outside Villebois. Most of these are free-standing developments and as such, are expected to provide adequate on-site recreational facilities for the proposed development. Section 4.113(.01) was then modified slightly and included in the Village Zone when it was initially adopted. However, it has become clear, particularly with the development of a detailed village-wide Parks and Recreation Plan, that the Villebois community will include a broad range of recreational opportunities available to Villebois residents, including those in multi-family units. Therefore, the need for each multi-family development to provide recreational facilities exclusively for that development is reduced.

The proposed square footage per unit is derived from the total of parks land in SAP Central (4.52 acres) divided by the number of units (1010) for a total of 195 square feet per unit, plus an additional requirement for 30 square feet per unit of recreational space, either indoor or outdoor or a combination. Only common areas can be counted in the calculation. (The existing code allows private decks, porches and balconies over 30 sq. ft. in size to be included.)

This amendment has no effect on the 25% parks and open space requirement, which must continue to be met at the SAP level of approval.

RECOMMENDATION:

Staff supports the recommendation of the Planning Commission, and recommends that the City Council approve Ordinance No. 606, as amended by the Commission, on first reading.

BACKGROUND:

The following is a summary of issues that were raised and addressed at the Planning Commission public hearings.

- 1) Concern that the entire 225 square feet could be indoor recreational space, with no outdoor recreational or green areas.
Discussion: The Villebois Parks and Recreation Plan includes 4.52 acres of usable park area within Central SAP (Hilltop Park, the Plaza, the promenade connecting the Plaza with West Park, and two pocket parks). Since provision of these park areas is required by the Master Plan, they will be included in the calculation as outdoor recreational area for a net of 195 square feet of outdoor recreational space per residential unit. Outdoor space would then be 87%

of the total Recreational Area requirement. The remaining 30 square feet per unit may be indoor, outdoor or a combination.

- 2) Concern about the reduction of 75 square feet of outdoor recreational space per unit.

Discussion: Staff agrees that there is a reduction of at least 75 square feet (300sf. – 225 sf.) and potentially more if all of the 30 sf. portion of the calculation is indoor space (300 sf. – 195 sf.) However, staff recommended, and the Commission agreed with the philosophy that the location of Central SAP within a planned village with village-wide park and recreational facilities, as proposed in the Master Plan Park and Recreation amendments, including 4.5 acres of parks in SAP Central, compensates for the reduction of recreational facilities onsite in each multi-family development.

- 3) Timing of park improvements in SAP Central.

These issues were addressed by the following Implementation measures in the Master Plan, and by Ordinance No. 607 regarding bonding for future park improvements.

Implementation Measure #18 was amended at the Planning Commission and reads as follows:

The parks spaces included within each phase of development will be completed prior to occupancy of 50% of the housing units in that particular phase unless weather or other special circumstances prohibit completion, in which case bonding for the improvements shall be permitted.

Implementation Measure #21 was adopted by the PC as follows:

In the Central SAP, the estimated cost of parks not within a PDP that are required to serve a PDP shall be bonded or otherwise secured on a pro rata, dwelling unit basis.

- 4) Minor Amendments.

There were several minor amendments to the definition of Recreational Area.

CONCLUSION:

The proposed amendments are consistent with the intent of the Villebois Village Master Plan to provide an integrated village with interlocking neighborhoods, parks, trails, recreational facilities and open spaces for the use of the entire village, while still requiring high density residential development to provide reasonable recreational facilities within each PDP.