

City of Wilsonville

Comprehensive Plan



Updated July 2013

**CITY OF WILSONVILLE
COMPREHENSIVE PLAN**

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The Wilsonville Comprehensive Plan was revised in entirety and adopted by City Council Ordinance No. 517 on October 16, 2000. It has been amended since then by the ordinances below. These ordinances have been incorporated into the January 2013 Comprehensive Plan.

Ordinance #	Description	Adoption Date
742	Wilsonville Residential Land Study	5/19/14
718	2013 Transportation System Plan (Replaces prior Transportation Systems Plan)	9/6/12
707	Water System Master Plan (<i>Replaces all prior Water System Master Plans</i>)	9/6/12
700	Stormwater Master Plan (<i>Repeals Ordinance No. 515</i>)	2/23/12
676	Accessory Dwelling Units	3/3/10
674	Metro Title 13 (Nature in Neighborhoods) Compliance	11/16/09
671	Transportation-related amendments	11/16/09
653	Transit Master Plan	7/7/08
638	Statewide Planning Goal 9: Economic Opportunities Analysis	12/3/07
637	Coffee Creek 1 Master Plan	10/15/07
625	Parks and Recreation Master Plan	9/17/07
623	Bicycle and Pedestrian Master Plan	12/20/06
609	Villebois Village Master Plan Amendments	5/15/06
610	Public Works Standards	5/1/06
594	Villebois Village Master Plan Amendments	12/3/05
574	Reduction of Allowable Commercial Uses in Industrially-Zoned Land	11/1/04
573	Memorial Parks Trails Master Plan	9/20/04
571	Wastewater Facility Plan	8/30/04
566	Villebois Village Master Plan Amendment	6/21/04
556	Villebois Village Master Plan (adoption of)	8/18/03
552	Transportation Systems Plan	6/2/03
555	Villebois Village Concept Plan - Comprehensive Plan Map amendment	6/2/03
554	Villebois Village Concept Plan text amendment	6/2/03
553	Villebois Village Concept Plan (adoption of)	6/2/03
549	Metro Title 5 Compliance	10/21/02
531	Water System Master Plan (<i>Replaced by Ordinance No. 707, adopted 9/6/12</i>)	1/24/02
530	Wastewater Collection System Master Plan	7/17/01
515	Stormwater Master Plan (<i>Repealed by Ordinance No. 700, adopted 2/23/12</i>)	6/7/01
516	Natural Resources Plan	6/7/01

INTRODUCTION

BRIEF HISTORY

Wilsonville is located within the traditional territory of the Kalapuyan people who occupied nearly all of the Willamette River watershed above the Falls (at Oregon City). The Tualatin Kalapuyans occupied the north bank of the Willamette and all of the Tualatin River watershed. The Santiam Kalapuyans occupied the south bank of the Willamette (including what is now the Charbonneau District of Wilsonville).

The opening of overland and sea routes to Oregon brought Old World diseases which repeatedly devastated Kalapuyan populations in a series of epidemics that ranged from smallpox to malaria in the late 18th and early 19th centuries. After that, the expansion of white and multi-racial immigration restricted Kalapuyan land management and undermined the native economy. Following treaties in the 1850s, the remnants of both the Santiam and Tualatin Kalapuyans were moved to the Grand Ronde Reservation.

Early settlement of the Wilsonville area by people other than the indigenous Native Americans dates back to the early 1800s. In addition to scattered farms, the early settlement began providing needed support services for travelers using a ferry crossing the Willamette River. The ferry was operated by Alphonse Boone, a relative of Daniel Boone, and provided access to the southern Willamette Valley from the Portland area. The town was named after early postmaster Charles Wilson. In 1908 the railroad came to the area, creating a transportation link that still continues today. Electricity, natural gas lines, telephone service, automobiles, paved roads and eventually the I-5 Interstate freeway came to Wilsonville, inducing more growth. The freeway brought Wilsonville to within a 20-minute drive to Portland, and a 30-minute drive to Salem. With the completion of I-205, connecting with I-5 just north of Wilsonville, the area's advantageous position for interstate trucking and commerce was substantially enhanced. Freeway and rail access and an abundance of open land have made Wilsonville a desirable place for commercial and industrial development. The peaceful, rural setting also provided a pleasant atmosphere for residential development. As a result, Wilsonville has been one of the fastest growing cities in the state and has one of the highest ratios of jobs to housing.

HISTORY OF LOCAL PLANNING EFFORTS

The creation of the Interstate-5 freeway in the late 1950s, followed by the first sections of I-205 in the 1960s, increased the pressure for development within this area. In a move to increase local control, the local residents voted to incorporate. On January 1, 1969, Wilsonville became a City.

It should be noted that the term "City," as used in this document, refers to the land where the City of Wilsonville is located, the collective citizenry of the community, and the political entity providing governance of the community – subject to the City Charter.

Almost immediately after incorporation, the newly-formed City began work on a General Plan that was intended to help the City preserve the natural qualities of the area, while also ensuring efficient land use as development occurred.

Wilsonville's General Plan, completed in 1971, was adequate for its time. However, changes in economic and social circumstances, as well as adoption of new state planning legislation, soon outdated the General Plan. Requirements for land use plans in Oregon changed substantially with the adoption of new state legislation (Senate Bill 100) in 1973. In 1975, a new Comprehensive Plan Map was adopted which included an urban growth boundary as required by LCDC. Subsequent Comprehensive Plan amendments were adopted on July 7, 1980, by Resolution No. 144; on May 3, 1982, by Ordinance No. 209; and on November 7, 1988, by Ordinance No. 318. The last two of those major amendments were the result of periodic review processes.

The adoption of SB 100 established the Land Conservation and Development Commission (L.C.D.C.) and empowered the Commission to adopt Statewide Planning Goals. All cities and counties in Oregon were required to adopt Comprehensive Plans and implementing ordinances in conformance with the Statewide Planning Goals and to coordinate their Plans with affected units of government and special districts under the State Legislation. Since that time, Comprehensive Plans have become the dominant legal documents directing land use and development within local jurisdictions. The requirement to conform to the Statewide Planning Goals has also made local Plans more comprehensive in content. Plans must also be supported by adequate documentation and analysis of alternatives, impacts, etc., and must be legislatively adopted by the City. Wilsonville's Comprehensive Plan and implementing ordinances must also be coordinated with the plans of both Washington and Clackamas Counties. In the Portland area, local plans and ordinances must also be reviewed by the Metropolitan Service District (Metro) for compliance with regional plans and policies.

The Metro Charter, approved by two-thirds of the region's voters in November 1992, established growth management as Metro's primary task and gave Metro's elected Council broad powers affecting city and county planning programs throughout the region.

Wilsonville's planning programs are required to support Metro's 2040 Regional Framework Plan, and any Functional Plans that are formally adopted by the Metro Council. Such Metro plans are intended to direct the region's urban growth and development.

With the adoption of Metro's 2040 Plan, Wilsonville joined other cities and counties as an active participant in a regional planning effort. This is particularly important to Wilsonville because Metro's decisions on the regional UGB will have a direct effect on land supply and housing demands in this area.

Wilsonville's history of growth is partly the result of its physical location, its position in the regional economy, and its relationship to the interstate freeway system. Wilsonville continues its cooperative and participatory approach to growth management in order to preserve the local quality of life as additional people move into the urban area. Also, as a participant in regional planning efforts, Wilsonville must deal with the issues accompanying growth - traffic congestion,

loss of open space, speculative pressure on rural farm lands, rising housing costs, diminishing environmental quality, demands on infrastructure such as transportation systems, schools, water and sewer treatment plants, and vulnerability to natural hazards - within a common framework. A planning program that recognizes each of these issues and provides a means of balancing and equitably resolving the conflicts between competing interests enhances the community's ability to manage urban growth successfully and creates the opportunity for a livable future.

In addition to meeting Metro requirements, Wilsonville's Comprehensive Plan must be reviewed by LCDC for compliance with the Statewide Planning Goals. All local land use decisions must be made in conformance with the provisions and policies of the City's Comprehensive Plan.

The Comprehensive Plan is an official statement of the goals, policies, implementation measures, and physical plan for the development of the City. The Plan documents the City's approach to the allocation of available resources for meeting current and anticipated future needs. In doing so, it records current thinking regarding economic and social conditions. Because these conditions change over time, the Plan must be directive, but flexible, and must also be periodically reviewed and revised to consider changes in circumstances.

Periodic Review is a State-mandated process through which a local government reviews its Comprehensive Plan and land use regulations to ensure continued compliance with the Statewide Planning Goals and other legal requirements.

The current amendments to the Comprehensive Plan are a result of the Periodic Review process that was initiated in 1996. In the years since the previous major update of the Comprehensive Plan, Wilsonville has experienced significant increases in both population and employment. The Comprehensive Plan has been updated so that the City's actions will be based on recent trends and future projections.

Wilsonville's Comprehensive Plan has been re-evaluated, updated, and in some places re-written, to produce a more user-friendly, current document that will guide the City's growth and development for some years into the future.

Comprehensive Plan Land Use Map

The Land Use Map of the Comprehensive Plan shows land designated for Public, Industrial, Commercial, and Residential use.

The residential designations include planned density ranges which have been changed to reflect Metro's requirement that minimum densities be at least 80% of maximums. In order to meet that requirement, the lower end of the planned density range has been increased and the higher end left unchanged. For example, properties that were previously designated for residential development at 7 to 12 units/acre are now planned for 10 to 12 units/acre. Most of the residential development that has occurred in Wilsonville has been at densities within 80% of the maximum, so this change is not expected to significantly alter the patterns of housing development that have already been established.

Commented [JD1]: The Town Center Plan area is designated Commercial on the Wilsonville Comprehensive Plan Map, with "Town Center" labeled. The exception to the Commercial designation is the Town Center Apartments, which are designated Residential 18-20 du/acre. There is a portion of the planning area (northeast of Town Center Loop East) that is designated Residential 10-12 DU/acre.

The City historically protected natural resources through the Primary Open Space (POS) and Secondary Open Space (SOS) designations in the Comprehensive Plan and Comprehensive Plan Land Use Map. Primary Open Space was a protected resource category that did not allow any development, and Secondary Open Space, which served as a buffer to Primary Open Space, allowed limited development through a Conditional Use permit review process.

In order to comply with the requirements of Statewide Planning Goal 5-Natural Resources, Title 3 of Metro's Urban Growth Management Functional Plan and the Endangered Species Act (ESA) related to the listing of salmonids in the Willamette River as threatened, the City has completed a public process and has created a Significant Resource Overlay Zone. This overlay zone and implementing ordinance replaces the POS/SOS designations in the Comprehensive Plan and on the Comprehensive Plan Land Use Map.

Additional to the Land Use Map, the Plan includes the following text:

1. Separate sections as follows:
 - A. Citizen Involvement;
 - B. Urban Growth Management;
 - C. Public Facilities and Services; and
 - D. Land Use and Development.
2. Each section includes background information and a listing of the Goals, Policies, and Implementation Measures which describe the desired form, nature and rate of City development. Goals state what the community intends to achieve through the implementation of the Comprehensive Plan. Policies are clearly stated commitments from the City Council that are intended to help achieve the stated Goals. Implementation Measures describe the actions that the City will take in support of the Policies. None of these things are intended to be merely guidelines. Policy statements address the entire range of topics included in the Statewide Planning Goals. Also included are references to the Metro 2040 Plan, as well as the Framework and Functional Plans that apply to Wilsonville's planning program.
3. A land use map shows what kind of use is planned for each piece of land, and how these uses are related to adjacent uses. Uses include residential, public, commercial, and industrial activities. For residential areas, the map shows anticipated densities. Public uses include streets, parks, schools, fire stations, public water and sewer facilities and other City buildings.
4. The City uses a two-map system for land use planning (the Land Use Map of the Comprehensive Plan and the Zoning Map). Those researching the potential uses of land should see both maps and read the applicable portions of the City's Development Code, as well as the text of the Comprehensive Plan.

Supporting Documents:

All of the following documents, including amendments that may subsequently be made, should be considered to be supportive of the contents of the Comprehensive Plan. However, only those documents that have been specifically adopted by the City Council as part of this Comprehensive Plan, or implementing this Plan, shall have the force and effect of the Plan.

- Bicycle and Pedestrian Master Plan (Replaces Chapter 5 of Transportation Systems Plan) (2006)
- Capital Improvements Plan Summary Findings and Recommendations (on-going),
- Coffee Creek 1 Master Plan (2007)
- Development Code (Chapter 4 of the Wilsonville Code) and other implementing City ordinances.
- Federal Emergency Management Agency Floodway and Flood Insurance Rate Maps (2008)
- Guidelines for a Water Wise Landscape (1998)
- Master Public Facilities and Capital Improvements Plan (on-going).
- Memorial Park Trails Plan (2004)
- Metro’s Region 2040 program (1995), Regional Framework Plan (1997), Urban Growth Management Functional Plan (1997) and subsequent titles (chapters), Regional Transportation Plan (RTP) and supporting documents (including the Regional Housing Needs Analysis, 1997).
- Metro’s Title 13 (Nature in Neighborhoods) compliance (with Metro’s Urban Growth Management Functional Plan)
- Natural Resource Plan and supporting documents (2001)
- Parks and Recreation Master Plan (2007)
- Physical Inventory – The Natural Environment Research/Analysis (1979)
- Public Works Standards (2006)
- Statewide Planning Goal 9: Economic Opportunities Analysis (2007)
- Statewide Planning Goals and Guidelines, as amended. Please see the end of this Introduction section for a list of the Statewide Planning Goals.
- Stormwater Master Plan (2012)
- Street Tree Study (1998)
- Transit Master Plan (Replaces Chapter 6 and Chapter 8 of the 2003 Transportation Master Plan) (2008)
- Transportation Systems Plan (2003) and supporting documents.
- Urban Renewal Plan (1993)
- Villebois Village Concept Plan (2003)

Commented [JD2]: The City will need to determine whether the Town Center Plan will be regulatory or advisory. If regulatory, it must be adopted “as part of this Comprehensive Plan”.

- Villebois Village Master Plan (2006)
- Wastewater Collection System Master Plan (2001)
- Wastewater Facility Plan (2004)
- Water Moratorium and Public Facility Strategy Information (1998 – 2000)
- Water Supply Study Report (1997)
- Water System Master Plan (2012)
- West Side Master Plan (1996)
- Wilsonville Residential Land Study (2014)

PROCEDURES

How to Use the Plan

The purpose of this Plan is to guide the physical development of the City. Following this introduction, the text of the Plan is presented in four major sections that provide a framework for land use decisions. The four sections are:

- A. Citizen Involvement – this section describes the City’s on-going citizen involvement program.
- B. Urbanization – this section defines where and when urban level development will be permitted and recognizes Metro’s authority relative to the regional urban growth boundary.
- C. Public Facilities and Services – this section determines what facilities and services must be available to support urban development, and therefore, further defines when development can occur.
- D. Land Use and Development – this section determines future zoning and how a parcel of land may be developed. It provides basic standards for residential, public, commercial, and industrial uses and establishes general planning districts for each of these types of uses. The planning districts are visually represented on a land use map.

This Plan consists of general background and explanatory text, City of Wilsonville Goals, Policies, Implementation Measures, and a Plan Map. When any ambiguity or conflict appears to exist, Goals shall take precedence over Policies, Implementation Measures, text and Map; Policies shall take precedence over text, Implementation Measures, and Map. The land use map is only a visual illustration of the intent of the Plan. Therefore, the lines separating uses on the map are not rigid and inflexible. The lines for residential districts do, however, provide a basis for computing permitted densities or total number of allowable units, or zoning densities within a given development.

The Planning Commission, Development Review Board, and Planning Director are authorized to interpret the standards and requirements of either the text or maps of the Comprehensive Plan. The City Council shall have final authority for the interpretation of the text and/or map when such matters come before the Council for consideration.

Plan Amendments

This Plan has been designed to provide some flexibility in interpretation in an effort to be market-responsive and to minimize the need for Plan amendments. However, since it is impossible and impractical to allow for all possible combinations of land development proposals, it is probable that occasional Plan amendments will be necessary. In addition, economic and social conditions change over time, as do land use laws. Therefore, Plans must be periodically reviewed to consider changed circumstances. As noted above, periodic review of local Plans is also required by state law.

The Planning Commission, Development Review Board, and City Council all provide the public with opportunities to comment on non-agenda items at each regularly scheduled public meeting. Any interested person has the opportunity to suggest changes to the Comprehensive Plan that those decision-making bodies may wish to consider. The Commission, DRB, or Council may initiate a Plan amendment, by motion, as prescribed in #1, below.

1. Who May Initiate Plan Amendments? An amendment to the adopted Plan may be initiated by:
 - a. The City Council
 - b. The Planning Commission (for legislative amendments) or Development Review Board (for quasi-judicial amendments); or
 - c. Application of the property owner(s) or contract purchaser(s) affected or their authorized agents, as specified in #2, below.
2. Application for Plan Amendments:

An application for an amendment to the Plan maps or text shall be made on forms provided by the City. The application, except when initiated by the City Council, DRB, or Planning Commission, as noted in #1, above, shall be accompanied by a Plan Amendment Fee.
3. The Consideration of Plan Amendments:
 - a. Amendments to the maps or text of the Comprehensive Plan shall only be considered by the City Council after receiving findings and recommendations from the Planning Commission (legislative) or Development Review Board (quasi-judicial) at their regular or special meetings.
 - b. Amendments must be initiated as provided in this section, sufficiently in advance of the first evidentiary hearing on the proposal to allow adequate time for providing public notice and preparing a staff report on the proposal. The first

evidentiary hearing is usually the first public hearing held by the Planning Commission or Development Review Board on the proposal.

- c. This Plan, and each of its elements, is always open for amendments that consider compliance with the Statewide Planning Goals and Plans of Metro. Amendment and revision for compliance with the above regional Goals, Objectives, and Plans shall be consistent with any re-opening of local Plans as approved by the Land Conservation and Development Commission (LCDC).

This provision is not to be construed as waiving any legal rights which the City may have to challenge the legality of a regional Goal, Objective or Plan provision.

- d. The Planning Commission or City Council may conduct a public hearing at any time to consider an amendment to the Plan text or Plan map when the Commission or Council finds that the consideration of such amendments are necessary to comply with the rules, regulations, goals, guidelines or other legal actions of any governmental agency having jurisdiction over matters contained in said text or Plan map.

4. Standards for approval of Plan Amendments.

In order to grant a Plan amendment, the City Council shall, after considering the recommendation of the Development Review Board (quasi-judicial) or Planning Commission (legislative), find that:

- a. The proposed amendment is in conformance with those portions of the Plan that are not being considered for amendment.
- b. The granting of the amendment is in the public interest.
- c. The public interest is best served by granting the amendment at this time.
- d. The following factors have been adequately addressed in the proposed amendment:
 - the suitability of the various areas for particular land uses and improvements;
 - the land uses and improvements in the area;
 - trends in land improvement;
 - density of development;
 - property values;
 - the needs of economic enterprises in the future development of the area;
 - transportation access;
 - natural resources; and
 - the public need for healthful, safe and aesthetic surroundings and conditions.
- e. Proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements.

5. Public Notice Requirements.

- a. Notice of public hearings before the Development Review Board, Planning Commission, and City Council concerning proposed Plan amendments shall be published in a newspaper of general circulation as prescribed by the state. A written notice of proposed amendments shall be posted in at least three conspicuous public places within the City not less than ten (10) days prior to the hearing(s). Written notice of map amendments shall be mailed to owners of property within 250 feet of the properties or property described in the notice at least ten (10) days prior to the date of the hearing(s).

The City of Wilsonville regularly meets and exceeds the typical standards for public notice concerning land use planning matters. This practice will continue, including City-wide notice, in appropriate situations, to all property owners.

- b. The public notice shall include the date, time, and place of the public hearing(s); a description of the properties involved in the proposed amendment; and a general statement of the nature of the proposed amendment to be considered by the reviewing body.
- c. In the process of amending any Comprehensive Plan provision or implementing ordinance, the City will continue to give notice to Metro as required. At such time as any notice is given to the Director of the Department of Land Conservation and Development pursuant to ORS 197.610 or 197.615, a copy shall be sent to Metro's Executive Officer. In addition to the content of the notice required by ORS 197.610 or 197.615, the notice furnished to Metro shall include an analysis demonstrating that the proposed amendments are consistent with applicable Functional Plans. However, if the analysis demonstrating consistency with Functional Plans is not included in the initial notice, Metro requirements specify that a report containing the analysis shall be delivered to Metro no later than fourteen (14) days before the City conducts a final hearing on the proposed amendment.

Planning/Zoning Procedures

The City is gradually building out, with much less undeveloped property than in the past. Portions of the undeveloped areas are currently served with adequate public facilities for urban level development. Other areas are not adequately served and the service levels vary greatly throughout the City.

Therefore, in order to provide a process to insure orderly development consistent with the availability of adequate public facilities, the provisions of this Plan shall be administered through case-by-case zoning and Site Plan review procedures set forth in the Wilsonville Code. The Development Code clearly defines the standards that must be met to obtain a Zone Change and/or Site Development Permit.

The purpose of the case-by-case review is two-fold. First, the zoning process is intended to serve as an administrative procedure to evaluate the conversion of urbanizable land to urban land consistent with the conversion criteria set forth in the Statewide Planning Goal 14 (Urbanization). Because the service levels vary throughout the City, the zoning process will allow for a case-by-case analysis of the availability of public facilities and services and to determine specific conditions in terms of phasing of development related to needed facility improvements.

Secondly, not all types of development create equal community impact. Therefore, each development must be evaluated on its own merits and liabilities. For this reason, a case-by-case Site Development Plan review is intended to provide site specific analysis of impacts related to particular development proposals, rather than general use categories such as residential, commercial or industrial.

All land development proposals shall be reviewed for conformity to the Plan and specific standards set forth in implementing Ordinances.

The applicable Statewide Planning Goals, as of March 2000, have been copied in full below to help the reader to understand the City's role in the State's overall planning program.

OREGON'S STATEWIDE PLANNING GOALS

1. Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.
2. Land Use Planning: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.
3. Agricultural Lands: To preserve and maintain agricultural lands.
4. Forest Lands: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.
5. Natural Resources, Scenic and Historic Areas, and Open Spaces: To conserve open space and protect natural and scenic resources.
6. Air, Water, and Land Resources Quality: To maintain and improve the quality of the air, water, and land resources of the state.
7. Areas Subject to Natural Disasters and Hazards: To protect life and property from natural disasters and hazards.
8. Recreational Needs: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.
9. Economic Development: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.
10. Housing: To provide for the housing needs of the citizens of the state.
11. Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.
12. Transportation: To provide and encourage a safe, convenient and economic transportation system.
13. Energy Conservation: To conserve energy.
14. Urbanization: To provide for the orderly and efficient transition from rural to urban land use.
15. Willamette River Greenway: To protect, conserve, enhance, and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

CITIZEN INVOLVEMENT

In one way or another, directly or indirectly, the Comprehensive Plan affects all citizens in the City, whether they own property or not. The Plan allocates land to various residential, public, commercial and industrial uses. It also establishes standards for how and when such lands may be developed for the designated purposes. The Comprehensive Plan is not a document created by one faction and imposed upon another, but rather an ongoing planning process that needs and depends upon input and direction developed by all concerned. For these reasons, citizen involvement is a vital part of the planning process. In fact, under Oregon law, citizen involvement is required. Statewide Planning Goal No. 1 requires each community to adopt, implement, and periodically review a citizen involvement program.

Since its incorporation, including development of the 1971 General Plan; and each subsequent revision of the Comprehensive Plan, as well as routine planning and zoning administration, the City of Wilsonville has encouraged citizen involvement in the decision-making process. For a number of years, Wilsonville Interested Neighbors (WIN) served as the City's official Citizen Advisory Committee. WIN ceased meeting in 1991 and after that a number of different ad hoc committees have been appointed to provide for citizen involvement. The City's Planning Commission has continued to serve as the primary citizen involvement organization throughout that time. Given this history, the City has chosen to recognize the Planning Commission's continuing role in facilitating and encouraging public involvement. This does not preclude the use of other ad hoc or adjunct groups to gain public participation but it does formalize the Planning Commission's responsibilities in advising the City Council about the City's overall citizen involvement program.

Wilsonville's Planning Commission, made up of people with diverse interests in the community, now fulfills the role as the City's official Committee for Citizen Involvement. Unlike most Planning Commissions that have quasi-judicial authority, Wilsonville's Planning Commission deals only with legislative and long-range policy issues. The Planning Commission's quasi-judicial functions were transferred to the Development Review Board in 1997, in order to allow the Commission to focus on advising the City Council on legislative policy issues. The Planning Commission's advisory duties make the Commission especially qualified to fulfill the role as the City's Committee for Citizen Involvement. The Planning Commission frequently conducts work sessions and other informal public meetings that are deliberately intended to encourage an exchange of ideas and opinions without the formality of public hearings. These meetings are intended to "open" the City's planning processes for greater public participation.

The Commission may conduct both work sessions and public hearings in one meeting. For instance, it is fairly typical for the Commission to have a work session or informal public meeting before or after a public hearing. The Commission conducts regularly scheduled meetings each month and frequently schedules additional meetings to deal with a wide range of issues. All Planning Commission meetings are open to the public.

Wilsonville's Planning Commission meets the two principal requirements of Statewide Planning Goal No. 1 to serve as the City's official Committee for Citizen Involvement:

- * members are broadly representative of geographic areas and interests related to land use; and
- * members are selected through an open, well-publicized public process.

All City residents and interested parties are allowed and encouraged to participate throughout the City's planning processes. Citizens also regularly participate in decision-making or advisory capacities as members of:

- Development Review Board
- Planning Commission
- Parks and Recreation Advisory Board
- Library Board
- Budget Committee
- Other special study task forces

The City has long recognized the importance of citizen involvement and understanding in government decisions. In support of past involvement activities and to guide future citizen involvement, the following goals, policies, and implementation measures are established.

Local planning decisions also affect other public agencies. Therefore, elements of the Plan and the supporting database will continue to be coordinated with numerous other public agencies.

GOAL 1.1 To encourage and provide means for interested parties to be involved in land use planning processes, on individual cases and City-wide programs and policies.

Policy 1.1.1 The City of Wilsonville shall provide opportunities for a wide range of public involvement in City planning programs and processes.

Implementation Measure 1.1.1.a Provide for early public involvement to address neighborhood or community concerns regarding Comprehensive Plan and Development Code changes. Whenever practical to do so, City staff will provide information for public review while it is still in "draft" form, thereby allowing for community involvement before decisions have been made.

Implementation Measure 1.1.1.b Support the Planning Commission as the City's official Citizens Involvement Organization with regular, open, public meetings in which planning issues and projects of special concern to the City are discussed and resultant recommendations and resolutions are recorded and regularly reported to the City Council, City staff, and local newspapers. The Planning Commission may schedule special public meetings as the Commission deems necessary and appropriate to carry out its responsibilities as the Committee for Citizen Involvement.

Implementation Measure 1.1.1.c Support the Planning Commission as the Committee for Citizen Involvement, which assists City Officials with task forces for gathering information, sponsoring public meetings and/or evaluating proposals on special projects relating to land use and civic issues, when requested by officials or indicated by community need.

Implementation Measure 1.1.1.d Support the Planning Commission as a public Citizens Involvement Organization which assists elected and appointed City Officials in communicating information to the public regarding land use and other community issues. Examples of ways in which the Commission may accomplish this include conducting workshops or special meetings.

Implementation Measure 1.1.1.e Encourage the participation of individuals who meet any of the following criteria:

1. They reside within the City of Wilsonville.
2. They are employers or employees within the City of Wilsonville.
3. They own real property within the City of Wilsonville.
4. They reside or own property within the City's planning area or Urban Growth Boundary adjacent to Wilsonville.

Implementation Measure 1.1.1.f Establish and maintain procedures that will allow any interested parties to supply information.

Implementation Measure 1.1.1.g The Planning Commission will continue to conduct three different kinds of meetings, all of which are open to the public. Whenever feasible and practical, and time allows, the Commission and staff will conduct additional informal meetings to gather public suggestions prior to drafting formal documents for public hearings. The different kinds of meetings conducted by the Commission will include:

1. Public hearings;
2. Work sessions and other meetings during which citizen input is limited in order to assure that the Commission has ample time to complete the work that is pending; and
3. Informal work sessions and other meetings during which the general public is invited to sit with the Commission and play an interactive part in discussions. These sessions are intended to provide an open and informal exchange of ideas among the members of the general public and the Commissioners. Such meetings will happen at least two or three times each year.

Implementation Measure 1.1.1.h In preparing public notices for Planning Commission meetings, the staff will clarify whether the meeting will involve a public hearing and/or a work session.

GOAL 1.2: For Wilsonville to have an interested, informed, and involved citizenry.

Policy 1.2.1 The City of Wilsonville shall provide user-friendly information to assist the public in participating in City planning programs and processes.

Implementation Measure 1.2.1.a Clarify the process of land use planning and policy formulation so citizens understand when and how they can participate.

Implementation Measure 1.2.1.b Using press releases or other means, publicize the ways in which interested parties can participate and the topics which will be considered by public boards.

Implementation Measure 1.2.1.c Establish procedures to allow interested parties reasonable access to information on which public bodies will base their land use planning decisions.

Policy 1.3 The City of Wilsonville shall coordinate with other agencies and organizations involved with Wilsonville's planning programs and policies.

Implementation Measure 1.3.1.a Encourage members of the Wilsonville Chamber of Commerce and other interested organizations to serve on City Boards and Planning Commission.

Implementation Measure 1.3.1.b Where appropriate, the City shall continue to coordinate its planning activities with affected public agencies and private utilities. Draft documents will be distributed to such agencies and utilities and their comments shall be considered and kept on file by the City.

Elements of this Plan and the supporting database have been coordinated with the following agencies:

- Dept. of Land Conservation and Development (DLCD)
- Metropolitan Service District (Metro)
- Tri-Met
- Washington County
- Clackamas County
- Cities of: Tualatin, Sherwood, West Linn, Rivergrove, Canby, Durham, Lake Oswego, Tigard, Aurora, Woodburn, and Newberg.
- Sherwood, Canby, and West Linn-Wilsonville School Districts
- Oregon Department of Environmental Quality
- Oregon Department of Transportation and Parks and Recreation Dept.
- Oregon Department of Economic Development
- Oregon Department of Fish and Wildlife
- Oregon Department of Forestry

- Port of Portland
- U.S. Army Corps of Engineers
- Bonneville Power Administration
- The franchise utilities operating within the City.

URBAN GROWTH MANAGEMENT

Wilsonville is located within the jurisdiction of Metro, and coordinates the management of urban growth in and around Wilsonville with the affected county and regional governments. This section of the Comprehensive Plan recognizes that land around Wilsonville, especially land within the Urban Growth Boundary (UGB), is intended to meet urban growth needs for many years to come. This section is closely tied to the public facilities element to assure the orderly economic provision of urban services. This prioritizes areas for phased urban development, and specifies policies for the conversion of rural land to urban uses.

Wilsonville's rapid growth is clearly demonstrated by the following statistics: of the land within the current City limits, three times as much was developed in 1999 as was the case in 1988; and the City's population increased by nearly 400 percent in the same period. Economic development has grown just as rapidly, yielding an employment base that has grown as rapidly as the population. Figures provided by Metro in 1996 indicated that Wilsonville had more than three jobs for each housing unit within the City.

Based on Metro's (1981) regional growth allocation statistics, Wilsonville's population was projected to grow to 15,600 by the year 2000. In the same time period, the City's economic growth is expected to generate a total of 14,400 jobs. Those projections proved to be surprisingly accurate. In fact, Wilsonville's population in 2000 approached the 15,600 figure, and the number of jobs exceeded the 14,400 figure.

The City has found that uncontrolled rapid growth can seriously impact and overload the available public facilities and services. However, the City recognizes that the Portland metropolitan region continues to grow, and the City has made the commitment to do its fair share to accommodate part of the region's urban growth. Doing its fair share includes expanding the capacity of public facilities and services to keep pace with growth. The City also recognizes that if growth is uncontrolled, the City's current pleasant living and working environment will deteriorate. Therefore, the following provisions have been established as a framework for growth management policies and procedures.

It is a basic premise of this Plan that the purpose of designating land for urban development is to provide for needed housing, employment, and community services. Therefore, while public facilities are used as a controlling factor in growth management, it is not the intent of this Plan to place a priority on the provision of public facilities and services over that of providing for housing and employment. Rather, it is the intent of the Plan to seek a balance of these factors by insuring that a reasonable service level of public facilities is maintained to support urban growth.

The policies and Implementation Measures of this section of the Comprehensive Plan have been established for the management of urban growth in, and adjacent to, the City of Wilsonville.

CITY LIMITS

Wilsonville's City limits establish the boundary of the City's authority and jurisdiction. Only in cases where the City has an intergovernmental agreement (IGA) with one or both of the surrounding counties will the City have jurisdiction over outlying properties.

The City of Wilsonville intends to enter into and maintain such IGAs with both Washington and Clackamas Counties, to allow the City to continue to prepare long-range plans for the properties within Wilsonville's planning area and outside the City limits. Additional authority to zone, provide urban services to, or issue development approvals for, lands outside the City will require separate IGAs. Wilsonville's Planning Commission has strongly encouraged the City staff to enter into these IGAs as soon as possible after the enactment of this Comprehensive Plan.

The City will actively participate in the land use planning decisions of nearby jurisdictions that may have an effect on Wilsonville.

The City limit line is used to clearly indicate the edge of urban development at any given time. It provides for flexibility within the land development market, to assure that there are choices in type, location, and density or intensity of residential, commercial, and industrial development.

While the entire City, other than land that is designated as open space, is planned for immediate growth, the City recognizes that not all areas within the City can be equally served by existing facilities and services. This pattern is likely to continue in the future as the City grows out into previously rural land.

By allowing development to occur anywhere within the City limits, maximum market efficiency is maintained, and a greater variety of development proposals are made possible. The emphasis is then placed on the timing or phasing of actual site development in accordance with the ability to provide services.

Even within the City limits, it is important to place a priority on contiguous development. In so doing, capital improvements can be concentrated from the center portion of the City (near the freeway) outward, thus, providing for maximum efficiency in the street and utility systems.

In spite of the rapid rate of growth and development in Wilsonville since the City's incorporation, there are still portions of the City that lack full urban level services and street improvements. Development master plans and subdivision plats may be approved within these areas, but site development will be restricted to the service level capacities of the existing primary facilities until such time as urban level services are provided, as specified in Section 'C' of the Comprehensive Plan (Public Facilities and Services). The approval of development plans and subdivision plats in such areas with phased development controls will provide specific service demand information which is needed for efficient public facility planning and capital improvements.

URBAN GROWTH BOUNDARIES

Consistent with the Statewide Planning Goals, and statutory mandates, Metro has established, and will periodically expand the urban growth boundary for the region. Upon a demonstration of need, the Metro Council is required to add land to the Urban Growth Boundary to meet projected growth requirements for twenty years.

Once land has been added to the Urban Growth Boundary established by Metro, the City may annex adjacent parts of the UGB into the City limits. This allows for development, subject to the City’s review procedures. Only in highly unusual situations would the City annex land outside the regional UGB, and then only after coordination with Metro, the affected county, and any other affected jurisdictions.

At the City’s request, Metro has added land to the UGB adjacent to Wilsonville. However, there are still substantial land areas outside the City limits that the City considers to be within its planning area for long-range urban growth. The City does not have the legal authority or responsibility to plan for areas outside the City limits unless that land has been added to the UGB or the City has an approved Urban Growth Management Agreement (i.e., intergovernmental agreement) with the affected county. Given the demand for urban development in Wilsonville, it makes sense for the City to begin planning for outward expansion into those areas and to coordinate such planning with Metro, the counties and the state.

GOAL: 2.1 To allow for urban growth while maintaining community livability, consistent with the economics of development, City administration, and the provision of public facilities and services.

Policy 2.1.1. The City of Wilsonville shall support the development of all land within the City, other than designated open space lands, consistent with the land use designations of the Comprehensive Plan.

Implementation Measure 2.1.1.a. Allow development within the City where zoning has been approved and other requirements of the Comprehensive Plan have been met.

Implementation Measure 2.1.1.b. Allow urbanization to occur to provide adequate housing to accommodate workers who are employed within the City.

Implementation Measure 2.1.1.c. Encourage a balance between residential, industrial, and commercial land use, based on the provisions of this Comprehensive Plan.

Implementation Measure 2.1.1.d. Establish and maintain revenue sources to support the City’s policies for urbanization and maintain needed public services and facilities.

Implementation Measure 2.1.1.e. Allow new development to proceed concurrently with the availability of adequate public services and facilities as specified in Public Facilities and Services Section (Section C) of the Comprehensive Plan.

Implementation Measure 2.1.1.f. To insure timely, orderly and efficient use of public facilities and services, while maintaining livability within the community, the City shall establish and maintain growth management policies consistent with the City's regional growth allocation and coordinated with a Capital Improvements Plan.

1. The Planning Commission shall periodically review growth-related data, e.g., the availability of public facilities, scheduled capital improvements, need for housing, commercial development and/or industrial development, etc.; and shall, as determined necessary following a public hearing, make recommendations to the City Council regarding Growth Management Plans.
2. To maximize design quality and conformity to the Comprehensive Plan, the City shall encourage master planning of large land areas. However, as an added growth management tool, the Development Review Board may, as a condition of approval, set an annual phasing schedule coordinated with scheduled Capital Improvements, particularly streets and related transportation facilities.

Implementation Measure 2.1.1.g. To discourage speculative zoning and to provide for maximum responsiveness to new design concepts and a changing market, site plan approvals shall carry an expiration date with substantial progress towards site development required to preserve the approval.

Policy 2.2.1. The City of Wilsonville shall plan for the eventual urbanization of land within the local planning area, beginning with land within the Urban Growth Boundary.

Implementation Measure 2.2.1.a. Allow annexation when it is consistent with future planned public services and when a need is clearly demonstrated for immediate urban growth.

Implementation Measure 2.2.1.b The City of Wilsonville, to the best of its ability based on infrastructure provided at the local, regional, and state levels, shall do its fair share to increase the development capacity of land within the Metro UGB.

1. The City of Wilsonville shall comply with the provisions of the Metro Urban Growth Management Functional Plan, unless an exception to the requirements is granted as provided in that Functional Plan.
2. The City shall comply with the provisions of Metro's Urban Growth Management Functional Plan, as long as that compliance does not violate federal or state law, including Statewide Planning Goals.
3. The City of Wilsonville recognizes that green corridors as described in the 2040 Growth Concept are critical to interurban connectivity. If the City at some future date annexes an area that includes a Metro-designated green corridor, it will be the City's policy to do the following:
 - a. Control access to the transportation facility within the green corridor to maintain the function, capacity and level of service of the facility and to enhance safety and minimize development pressures on rural reserve areas; and

- b. Provide adequate screening and buffering to adjacent development and limit signage in such a way as to maintain the rural character of the green corridor.

[Implementation Measure 2.2.1.b(3) added per Ordinance 549, October 21, 2002.]

Implementation Measure 2.2.1.c In conjunction with Metro, Washington County, and Clackamas County, the City shall periodically review and recommend revisions to the Urban Growth Boundary containing buildable land of a quality and quantity adequate to meet urban growth needs for twenty years.

Implementation Measure 2.2.1.d The City shall review all proposed UGB and urban reserve amendments in the Wilsonville area for conformance with Wilsonville's Comprehensive Plan.

Implementation Measure 2.2.1.e Changes in the City boundary will require adherence to the annexation procedures prescribed by State law and Metro standards. Amendments to the City limits shall be based on consideration of:

1. Orderly, economic provision of public facilities and services, i.e., primary urban services are available and adequate to serve additional development or improvements are scheduled through the City's approved Capital Improvements Plan.
2. Availability of sufficient land for the various uses to insure choices in the marketplace for a 3 to 5 year period.
3. Statewide Planning Goals.
4. Applicable Metro Plans;
5. Encouragement of development within the City limits before conversion of urbanizable (UGB) areas.

Implementation Measure 2.2.1.f Washington and Clackamas Counties have agreed that no new lots shall be created outside the City and within the Urban Growth Boundary that contain less than ten acres. Development of existing lots of record and newly created lots of 10 or more acres shall be limited to single-family dwellings, agricultural activities; accessory uses which are directly related to the primary residential or agricultural use and necessary public and semi-public uses. *(Note that this Implementation Measure may need to be revised after the State has completed pending revisions to Statewide Planning Goal 14.)*

Implementation Measure 2.2.1.g Urban sanitary sewer and water service shall not be extended outside the City limits, with the following exceptions:

1. Where an immediate demonstrable threat to the public health exists, as a direct result of the lack of the service in question;
2. Where a Governmental agency is providing a vital service to the City; or
3. Where it is reasonable to assume that the subject area will be annexed to the City within a reasonable period of time.

Implementation Measure 2.2.1.h To assure consistency between Comprehensive Plans and establish the City's interest in the area, the City shall jointly adopt dual interest area agreements with Washington and Clackamas Counties for comprehensive planning of the land outside the City and within the UGB and the Wilsonville planning area.

PUBLIC FACILITIES AND SERVICES

Public facilities and services include sanitary sewer, water, fire and police protection, libraries, storm drainage, schools, parks and recreation, transportation, solid waste and general governmental administrative services. Semi-public facilities are privately owned and operated, but have general public benefit and may be regulated by government controls. They include a wide range of services from electric utilities to day care.

As a growing City, Wilsonville has learned through experience the importance of community facilities and services that are adequate to serve urban growth. In the late 1990s, the City adopted two Public Facilities Strategies and a City-wide water moratorium on new development approvals. Those actions were due to proposed developments that, if approved, would have exceeded the City's ability to provide concurrent facilities and services.

Wilsonville uses a three-step approach to planning for public facilities. First, general Policies and Implementation Measures are contained in the Comprehensive Plan. Second, individual master plans (e.g., Parks and Recreation Master Plan, Stormwater Master Plan, Transportation Systems Plan, etc.) are prepared and periodically updated to deal with specific facility requirements. Finally, the City annually updates a rolling five-year Capital Improvement Program, based on these master plans, that is used for scheduling and budgeting of improvement projects.

Relying heavily on the formation of Local Improvement Districts (LIDs) and the use of Systems Development Charges (SDCs), Wilsonville typically requires developers to pay for the costs of major facility expansions to serve new development.

As development increases, so does the requirement for improved and greater capacity facilities and services. Providing facilities in response to growth rather than in anticipation of growth is ineffective and causes gaps in service capabilities. In the worst case situations, failure to provide needed facilities and services can result in threats to the public's health or safety. In recognition of this circumstance, the City continues to emphasize the need for providing adequate facilities and services in advance of, or in conjunction with, urban development. However, it also recognizes that not all facilities and services require the same level of service adequacy, simultaneous with development. The Comprehensive Plan, therefore, prioritizes facilities into primary and complimentary categories and establishes specific development policies for each facility or service.

The City's policies for the provision of public facilities and services can be divided into three categories. The first is the City's overall commitment to provide, or coordinate the provision of, facilities and services to meet the community's needs. The second concerns the timing of the provision of facilities and services relative to development (i.e., concurrency issues). The third concerns the costs of providing facilities and services and who is responsible for paying.

This Plan also includes provisions dealing specifically with different types of facilities and services. They are covered in the following order:

Primary facilities and services include: those which significantly impact public health and safety and are directly linked to the land development process, in terms of service capacity, location, and design, or directly affect public health and safety. Therefore, adequate provision must be made for these facilities/services prior to or concurrently with urban level development. These facilities and services include:

- Sanitary sewer;
- Water service;
- Roads and transportation;
- Storm drainage;
- Fire protection; and
- Police protection and public safety.

Complementary Facilities and Services include: those which complement the public health, safety and general welfare of urban residents and workers, but are not necessarily directly linked to the land development process or public health and safety. These facilities include:

- Schools, library, and educational services;
- Parks, recreation, and open space;
- Solid waste;
- Semi-public utilities;
- City administration; and
- Health and social services.

While these complementary facilities and services affect the overall quality of urban living and should be planned for in anticipation of development, in some cases it is more economical and practical to determine service levels subsequent to actual development.

The following provisions apply to public facilities and services in general. More specific Policies and Implementation Measures applying to specific facilities and services follow later in the document.

GOAL 3.1: To assure that good quality public facilities and services are available with adequate, but not excessive, capacity to meet community needs, while also assuring that growth does not exceed the community's commitment to provide adequate facilities and services.

Policy 3.1.1 The City of Wilsonville shall provide public facilities to enhance the health, safety, educational, and recreational aspects of urban living.

Implementation Measure 3.1.1.a The City will continue to prepare and implement master plans for facilities/services, as sub-elements of the City's Comprehensive Plan. Facilities/services will be designed and constructed to help implement the City's Comprehensive Plan.

Implementation Measure 3.1.1.b The City Engineer shall report annually, and at other times as needed, to the Planning Commission, Budget Committee, and City Council, and other City

committees or commissions on the status and available capacity of urban services/facilities, including streets, bicycle and pedestrian facilities, water, sanitary sewer, and storm drainage.

Implementation Measure 3.1.1.c Developments shall continue to be required to extend services/facilities to the far side of the subject property – assuring that the adjacent properties have access to those services/facilities. It is noted that unusual existing circumstances may necessitate creative solutions for the extension of services/facilities.

Implementation Measure 3.1.1.d The City shall periodically review and, where necessary, update its development densities indicated in the land use element of the Plan, based on the capacity of existing or planned services and/or facilities.

TIMING -- CONCURRENCY ISSUES

Wilsonville emphasizes the importance of providing the needed public facilities and services in advance of, or concurrently with, development. In fact, much of the text of the Comprehensive Plan deals with concurrency.

In the course of the most recent Comprehensive Plan revision process, the various provisions dealing with concurrency have been reorganized and listed below:

Policy 3.1.2 The City of Wilsonville shall provide, or coordinate the provision of, facilities and services concurrent with need (created by new development, redevelopment, or upgrades of aging infrastructure).

Implementation Measure 3.1.2.a Urban development will be allowed only in areas where necessary facilities and services can be provided.

Implementation Measure 3.1.2.b Development, including temporary occupancy, that threatens the public's health, safety, or general welfare due to a failure to provide adequate public facilities and services, will not be permitted. Development applications will be allowed to proceed on the following basis:

1. Planning approvals may be granted when evidence, including listing in the City's adopted Capital Improvement Program, supports the finding that facilities/services will be available within two years. Applicants may be encouraged or required to plan and complete development in phases, in order to assure that the rate of development does not exceed the capacity of needed facilities/services.
2. Building permits will be issued when planning approvals have been granted and funding is in place to assure completion of required facilities/services prior to occupancy. Applicants must sign a statement acknowledging that certificates of occupancy will not be given until adequate facilities/services, determined by the Building Official, after consulting with the City Engineer, are in place and operational. Parks, recreation facilities, streets and other transportation system improvements may be considered to be adequately in place and operational if they

are listed in the City's adopted Capital Improvement Program, or other funding is committed for their completion within two years. In such cases, water, sewer, and storm drainage facilities must be available, to the satisfaction of the City Engineer, on at least a temporary basis, prior to occupancy.

3. Final certificates of occupancy will not be given until required facilities/services are in place and operational. Temporary certificates of occupancy may only be granted when the Building Official determines, after consulting with the City Engineer, that needed facilities/services will be in place and operational at the conclusion of the time period specified in the temporary certificate of occupancy. Nothing in this policy is intended to indicate that a temporary certificate of occupancy will be granted without assurance of full compliance with City requirements.

Implementation Measure 3.1.2.c Where a shortage of facilities/services exists or is anticipated in the near future, and other alternatives are not feasible to correct the deficiency, the City shall take steps to implement a moratorium on development activity or to manage growth through a public facilities strategy, as provided by statute. In the event that State laws provide other alternatives to address shortages of facilities/services, the City will consider those alternatives as well.

Implementation Measure 3.1.2.d As an alternative to denying a development application that otherwise meets all applicable standards and criteria, the City shall impose reasonable conditions of approval on that development, in terms of the provision of adequate services/facilities.

Implementation Measure 3.1.2.e When development is proposed in areas of the City where full urban services/facilities are not yet available, development approval shall be conditioned on the provision of adequate facilities and services to serve the subject property. Where the development can reasonably proceed in phases prior to the availability of full urban services/facilities, such development may be permitted. However, the use of on-site sewage disposal and private water systems shall only be approved where permitted by City ordinance.

Implementation Measure 3.1.2.f Coordinate with the appropriate school district to provide for additional school sites substantially ahead of the anticipated need.

PAYING FOR NEEDED FACILITIES AND SERVICES

Policy 3.1.3 The City of Wilsonville shall take steps to assure that the parties causing a need for expanded facilities and services, or those benefiting from such facilities and services, pay for them.

Implementation Measure 3.1.3.a Developers will continue to be required to pay for demands placed on public facilities/services that are directly related to their developments. The City may establish and collect systems development charges (SDCs) for any or all public

Commented [JD3]: This policy and the implementation measures below, should be considered as infrastructure funding strategies are developed for the Town Center. A discussion of "who benefits" from Town Center infrastructure investment will need to occur.

facilities/services, as allowed by law. An individual exception to this standard may be justified, or SDC credits given, when a proposed development is found to result in public benefits that warrant public investment to support the development.

Implementation Measure 3.1.3.b The City will continue to prepare and implement a rolling five-year Capital Improvement Program, with annual funding decisions made as part of the municipal budget process.

Implementation Measure 3.1.3.c The City shall continue to employ pay-back agreements, development agreements, and other creative solutions for facilities that are over-sized or extended from off-site at the expense of only some of the benefited properties.

PRIMARY FACILITIES AND SERVICES

Sanitary Sewer Plan

The City operates its own wastewater treatment plant and sewage collection system, independent of any other agencies. The wastewater treatment plant was significantly expanded in the late 1990s. The wastewater treatment plant has now undergone four major expansions to keep pace with community growth since its original construction. The latest improvements were designed to serve the community through approximately the year 2015.

The City recognizes Metro's role in coordinating water management and waste treatment planning as well as the Department of Environmental Quality's role in monitoring water quality.

The City recognizes and assumes its responsibility for the operation and maintenance of the wastewater treatment plant and the collection system, including public lines and pump stations that have been designed and constructed to City standards. The City also assumes the responsibility for assuring that wastewater treatment plant capacity expands to keep pace with community growth.

Policy 3.1.4 The City of Wilsonville shall continue to operate and maintain the wastewater treatment plant and system in conformance with federal, state, and regional water quality standards.

Implementation Measure 3.1.4.a The City shall continue to maintain a sewer service capacity monitoring and expansion program to assure that adequate treatment and trunk main capacity are available to serve continued development, consistent with the City's urban growth policies and the concurrency standards noted above.

Implementation Measure 3.1.4.b The City shall continue to manage growth consistent with the capacity of sanitary sewer facilities.

Implementation Measure 3.1.4.c Based on the service capacity and the permit monitoring program, the City shall plan and appropriately schedule future expansions of the wastewater treatment plant.

Implementation Measure 3.1.4.d. While the City assumes the responsibility for maintaining the treatment plant and collection system, it does not assume the responsibility for extending lines to serve individual properties and developments.

Implementation Measure 3.1.4.e The City shall continue to require all urban level development to be served by the City's sanitary sewer system.

Implementation Measure 3.1.4.f The cost of all line extensions and individual services shall be the responsibility of the developer and/or property owners(s) seeking service. When a major line is to be extended, the City may authorize and administer formation of a Local Improvement District (LID). All line extensions shall conform to the City Sanitary Sewer Collection System Master Plan, urbanization policies, and Public Works Standards.

Water Service Plan

The City's water system has expanded significantly from the original well and reservoir located on Elligsen Road. The water system has four reservoirs with a total storage capacity of 7.95 million gallons and eight wells with a total production capability of 5.2 million gallons per day (MGD). Following voter approval in 1999, a surface water treatment plant on the Willamette River was designed to provide up to 20 MGD of capacity for the local system with up to 50 additional MGD available to be pumped to neighboring communities north of Wilsonville. The initial phase of the treatment plant construction is intended to meet the average daily water demands predicted through the year 2015. Additional phases of treatment plant expansion will be built as the demand actually occurs, so system expansion will occur on a regular basis. It is also anticipated that a water system master plan update (due for completion in fiscal year 2000-2001) will indicate the need for additional reservoir capacity before the year 2020. As future growth occurs, it will be necessary to incrementally expand the existing water system to provide additional storage, pumping, and pipeline capacity.

The City recognizes and assumes the responsibility for developing and maintaining the community's basic water system.

Policy 3.1.5 The City shall continue to develop, operate and maintain a water system, including wells, pumps, reservoirs, transmission mains and a surface water treatment plant capable of serving all urban development within the incorporated City limits, in conformance with federal, state, and regional water quality standards. The City shall also continue to maintain the lines of the distribution system once they have been installed and accepted by the City.

Implementation Measure 3.1.5.a The City shall review and, where necessary, update the Water System Master Plan to conform to the planned land uses shown in the Comprehensive Plan and any subsequent amendments to the Plan.

Implementation Measure 3.1.5.b All major lines shall be extended in conformance to the line sizes indicated on the Master Plan and, at a minimum, provisions for future system looping shall be made. If the type, scale and/or location of a proposed development negatively impacts operating pressures or available fire flows to other properties as determined by the City Engineer, the Development Review Board may require completion of looped water lines, off-site facilities, pipelines, and/or facility/pipelines to achieve or maintain minimum pressures or fire flows as a conditions of development approval.

Implementation Measure 3.1.5.c Extensions shall be made at the cost of the developer or landowner of the property being served. When a major line is extended that is sized to provide service to lands other than those requiring the initial extension, the City may:

1. Authorize and administer formation of a Local Improvement District to allocate the cost of the line improvements to all properties benefiting from the extension; or
2. Continue to utilize a pay-back system whereby the initial developer may recover an equitable share of the cost of the extension from benefiting property owners/developers as the properties are developed.

Implementation Measure 3.1.5.d. All water lines shall be installed in accordance with the City's urban growth policies and Public Works Standards.

Implementation Measure 3.1.5.e The City shall continue to use its Capital Improvements Program to plan and schedule major water system improvements needed to serve continued development (e.g., additional water treatment plant expansions, transmission mains, wells, pumps and reservoirs).

Policy 3.1.6 The City of Wilsonville shall continue a comprehensive water conservation program to make effective use of the water infrastructure, source water supply and treatment processes.

Commented [AD4]: This policy supports low impact development approaches that should be considered as part of the TC Plan development process

Implementation Measure 3.1.6.a. The City will track system water usage through production metering and service billing records and take appropriate actions to maintain a target annual average unaccounted for water volume of less than 10% of total production.

Implementation Measure 3.1.6.b. The City will maintain other programs and activities as necessary to maintain effective conservation throughout the water system.

Policy 3.1.7 The City of Wilsonville shall maintain an accurate user demand profile to account for actual and anticipated demand conditions in order to assure an adequately sized water system.

Implementation Measure 3.1.7.a. The City will track system water usage through production metering and service billing records and take appropriate actions to maintain a target annual average unaccounted for water volume of less than 10% of total production.

Implementation Measure 3.1.7.b. The City will maintain other programs and activities as necessary to maintain effective conservation throughout the water system.

Policy 3.1.8 The City of Wilsonville shall coordinate distribution system improvements with other CIP projects, such as roads, wastewater, and storm water, to save construction costs and minimize public impacts during construction.

Roads and Transportation Plan [Deleted by Ord. No. 671, 11/16/09] See “Transportation” on page C – 20.

Storm Drainage Plan

Conventionally designed urban development tends to result in an increase in impervious surfaces. Increased quantities of impervious surface increase both the volume and speed of storm water flows, while also damaging water quality. As a rapidly urbanizing and growing area, Wilsonville now experiences the effects of increased impervious surfaces with every major storm event. Increases in impervious surface area in Wilsonville also have the potential to impact downstream locations along the Willamette River.

There are increasing regulatory requirements that affect stormwater and the various drainage ways that convey that water. Federal standards regulate water quality (including temperature and turbidity) and the Endangered Species Act calls for the protection of native salmonid species. The City must set its own standards for development and land use activities to comply with relevant federal standards, and must also comply with regional and state requirements in the process.

The City’s storm drainage responsibilities range from controlling the volume and speed of run-off through storm water detention facilities, to regulating land development activities to assure that individual private construction projects do not overburden the public systems or damage the environment without adequate mitigation. Additionally, the City must now regulate land uses to protect or improve riparian vegetation as feasible, along drainage ways.

To identify deficiencies in the City's storm drainage system, to improve uniform drainage information, to create specified storm drainage standards, and establish a systems development and maintenance program, the City has prepared a Stormwater Master Plan.

Policy 3.1.7 The City of Wilsonville shall develop and maintain an adequate storm drainage system. However, where the need for new facilities is the result of new development, the financial burden for drainage system improvements shall remain primarily the responsibility of developers. The City will use systems development charges, user fees, and/or other funding sources to construct facilities to improve storm water quality and control the volume of runoff.

Commented [AD5]: See previous comment

Implementation Measure 3.1.7.a In order to adequately provide for urban development, the City has established and will maintain a Stormwater Master Plan, development policies/standards for control of an on and off-site drainage, Public Works Standards, and a Capital Improvements Program to upgrade deficient structures and drainage ways.

Implementation Measure 3.1.7.b. To assure maximum efficiency and effectiveness of the drainage system, a maintenance program has also been established to assure compliance with the City's NPDES (National Pollution Discharge Elimination System) permit. In some circumstances, private maintenance of facilities (by homeowners associations or other entities) may be required, as has been the case for the maintenance of neighborhood parks in Wilsonville.

Implementation Measure 3.1.7.c. A storm drainage systems development charge shall continue to be collected from developers prior to issuance of a building permit. The Stormwater Master Plan and the Capital Improvements Program will continue to be the basis of establishing Systems Development Charges for storm drainage. The funds are used to upgrade the storm drainage system beyond those improvements required to serve individual developments. Provision of drainage control within a given development shall remain the responsibility of the developer, with the City assisting only insofar as the system will also accommodate off-site drainage. In reviewing planned improvements, the City Engineer may specify the use of on-site or off-site storm water detention, based on specific site characteristics and drainage patterns of the area.

Implementation Measure 3.1.7.d Major natural drainage ways shall be retained and improved as the backbone of the drainage system and designated as open space. The integrity of these drainage ways shall be maintained as development occurs. Where possible, on-site drainage systems will be designed to complement natural drainage ways and designated open space to create an attractive appearance and will be protected by conservation, utility, or inundation easements. Alteration of minor drainage ways may be allowed provided that such alterations do not adversely impact stream flows and in-stream water quality of the major drainage ways and provide for more efficient use of the land. Such alteration must be approved by the City. Remnant creek channels, which previously carried water that has since been diverted, shall be evaluated for their wildlife habitat value before being selected for use as drainage ways. Where a remnant creek channel is found to provide unique habitat value without being a riparian zone, and that habitat value would actually be diminished through the re-introduction of storm water, alternate methods of conveying the storm water will be considered and, if feasible, used.

Implementation Measure 3.1.7.e Existing culverted or piped drainage ways will be "daylighted" (converted from underground to surface facilities) when doing so will help to achieve the City's goals for storm drainage without overly conflicting with development.

Implementation Measure 3.1.7.f Conversion of existing swales or drainage ways to culverted or piped systems shall be permitted only where the City Engineer determines that there is no other reasonable site development option. See Option A, above.

Implementation Measure 3.1.7.g Conversion of existing meandering swales or drainage ways to linear ditches shall be permitted only when the City Engineer determines that there is no other reasonable site development option.

Implementation Measure 3.1.7.h Open drainage ways may be used to meet a portion of the landscaping and open space requirements for developments, provided that they meet the design requirements of the Development Review Board.

Implementation Measure 3.1.7.i It is the intent of these measures to maximize the use of the natural drainage system to allow for ground water infiltration and other benefits to community aesthetics as well as habitat enhancement. This does not mean that natural drainage ways will be left unimproved.

Implementation Measure 3.1.7.j The natural system must also be improved and maintained to handle the anticipated run-off in a manner that meets the requirements of the Stormwater Master Plan. Where wetlands are constructed for the purpose of accommodating storm drainage, certain areas of those wetlands may be designed to accumulate sediment. The City will periodically dredge and maintain those areas in constructed wetlands, or will permit others to do so, as necessary to maintain the storm drainage functions of those constructed wetlands.

Implementation Measure 3.1.7.k One-hundred year flood plains and floodways have been established through the Federal Flood Insurance program, for all flood-prone areas of the City except Coffee Lake Creek, north of Barber Street. For that area along Coffee Lake Creek, a hydrology study to establish the 100-year flood elevation will be required prior to development approval. The floodways must continue to be protected from encroachment. Development within the flood plain shall be regulated consistent with the standards of the Federal Flood Insurance Act, and Title 3 of Metro's Urban Growth Management Functional Plan. Storm water runoff from upstream development shall be controlled so as to not adversely impact the peak flood flow in the mainstream channels.

Implementation Measure 3.1.7.l The City will regulate new land divisions to prevent the creation of additional lots for building sites within 100-year floodplains. This is not intended to prohibit the creation of new lots that are partially within flood plains, provided that the developable portion of each lot will be outside of the 100-year flood plain, and FEMA standards are met.

Implementation Measure 3.1.7.m The City will regulate cuts and fills within flood plains to assure that the amount of fill material added will not exceed the amount of cut material that is removed.

Implementation Measure 3.1.7.n Wilsonville has established a single-storm drainage runoff standard that is applied throughout the City. That standard requires developers to plan for at least a 25-year storm event. However, the differences in the natural characteristics of the Boeckman Creek and Seely Ditch Basins and their sub-area basins will require developers and their engineers to plan for different types of detention or retention facilities

in one basin than would be used in another. The appropriate criteria will be established and implemented through the City's Public Works Standards.

Implementation Measure 3.1.7.o Based on facility capacities identified in the Stormwater Master Plan, appropriate storm run-off standards shall be implemented through the City's Public Works Standards.

Implementation Measure 3.1.7.p In the course of site development, developers may be required to retain or improve native vegetation in identified riparian zones and landslide prone areas to decrease the amount of surface water run-off, to shade areas of surface water, to preserve areas of natural percolation, help stabilize landslide-prone areas, and reduce erosion. Replacement, enhancement, and/or restoration of vegetation, including the removal of invasive plants, may also be required depending on the type, scale, and location of development.

Implementation Measure 3.1.7.q Natural drainage ways shall be stabilized as necessary below drainage and culvert discharge points for a distance sufficient to convey the discharge without channel erosion. The City Engineer may require the use of energy dissipaters to help minimize erosion.

Implementation Measure 3.1.7.r Sediment and erosion control shall be provided consistent with the Public Works Standards. All approved open drainage channels and open detention/retention basins shall be designed, constructed, and maintained with appropriate safeguards to insure public health and safety.

Implementation Measure 3.1.7.s All drainage facilities shall be designed to be consistent with state and federal standards for the passage of fish and wildlife.

Implementation Measure 3.1.7.t All development proposals shall be accompanied by a storm drainage plan and hydrologic analysis adequate to meet the above policies and standards, unless waived by the City Engineer for good cause. No development permit shall be issued for any project until a storm drainage plan has been approved by the City Engineer and/or the Development Review Board.

Fire Protection Plan

Fire protection is very adequately provided by the Tualatin Valley Fire and Rescue District. The District has responsibility for maintaining and upgrading fire-fighting apparatus and making necessary capital improvements such as new fire stations. However, the overall effectiveness of their operations is significantly affected by the location and design of urban development.

Policy 3.1.8 The City of Wilsonville shall continue to coordinate planning for fire safety with the Tualatin Valley Fire and Rescue District.

Implementation Measure 3.1.8.a All development plans, as approved by the Development Review Board, shall be approved by the City's Building Division for consistency with the state Uniform Fire Code (as amended by the Tualatin Valley Fire and Rescue District and subsequently adopted by the City of Wilsonville).

Implementation Measure 3.1.8.b The City shall update Chapter 9 of the Wilsonville Code by adopting the Fire Prevention Code of the Tualatin Valley Fire and Rescue District as it is updated.

Implementation Measure 3.1.8.c The City shall require that all buildings be designed to a maximum fire flow rating of 3,000 GPM at 20 p.s.i. or such other standard as may be agreed to by the City and the Fire District.

Implementation Measure 3.1.8.d The City's Public Works Standards shall be reviewed for conformity to minimum Fire District Requirements.

Implementation Measure 3.1.8.e The City shall continue to coordinate with the Fire District in maintaining accurate maps (including addressing) and land development records. The City should also take advantage of the District's computer capacity, when operational, for the storage and retrieval of such land use data.

Implementation Measure 3.1.8.f Provide fire protection consistent with the health, welfare, and safety of Wilsonville citizens.

Police Protection And Public Safety

The City's police protection is provided through a contract with the Clackamas County Sheriff's Department. Supplemental services are also available from the State Police.

Policy 3.1.9 The City of Wilsonville shall continue to provide adequate police protection.

Implementation Measure 3.1.9.a To augment formal police protection and minimize public financing of police services, the City shall:

1. Work in concert with the County Sheriff's office and local citizens to develop community crime prevention and safety programs, i.e., citizen patrol.
2. Incorporate where appropriate defensible space and other safety and security design concepts/standards in site and building design review.
3. Encourage local businesses to utilize private security personnel for site specific property protection.

Implementation Measure 3.1.9.b Provide police protection consistent with the health, welfare, and safety of Wilsonville citizens.

COMPLEMENTARY FACILITIES/SERVICES PLAN

These services support urban growth and add to or complement livability in a community. The adequacy of their service levels also tend to be less definable than those in the primary category. Service levels in this category typically lag behind demand and are generally more economical to provide in response to specific rather than projected demands. Even so, it is important to plan for these facilities and services in advance, and if significant service deficiencies exist, to regulate growth accordingly.

School And Educational Services

Public educational facilities/services in Wilsonville are currently provided by three school districts. The West Linn – Wilsonville School District serves the majority of the City but portions of the City also lie within the Canby and Sherwood Districts. Current services provided by the districts are adequate and provisions are being made for new or expanded facilities where existing capacities have been exceeded.

While existing services and facilities are adequate, the division of the City into three districts tends to detract from continuity in community identity.

Policy 3.1.10 The City of Wilsonville shall continue to coordinate planning for educational facilities with all three local school districts and Clackamas Community College.

Implementation Measure 3.1.10.a To provide better continuity throughout the community and realize the maximum benefit to the local tax structure, the City will continue to support the consolidation of the entire City limits into one school district.

Implementation Measure 3.1.10.b Residential development directly impacts school facilities and services. However, the City does not have the responsibility for providing educational services. For this reason, the City will provide information to the school districts about proposed and actual residential developments within the City.

Implementation Measure 3.1.10.c The City shall continue to coordinate with the school districts for the planning, scheduling, and construction of needed educational facilities. To minimize unnecessary duplication, the City will also work in concert with the school districts for the provision of recreational facilities and programs.

Implementation Measure 3.1.10.d The City will encourage private educational services and will work with organizations or individuals proposing such activities in an effort to meet their needs while complying with the appropriate elements of the Comprehensive Plan.

Implementation Measure 3.1.10.e It is the basic reasoning of these policies that development within the City should not be regulated based on the availability of school facilities and services. Rather, these services should be planned for and provided to meet the demands

created by development. If, however, school facilities and/or services were determined to be severely inadequate and the school districts unable to provide satisfactory improvement, then growth limitations would be appropriate.

Parks/Recreation/Open Space

Parks and recreational facilities in and around Wilsonville are provided for by the City, County, State and local school districts. The City's close proximity to Portland provides local residents with numerous recreational and entertainment opportunities provided throughout the metropolitan area, all within a 30 to 40 minute drive. Even the ocean beaches, Mt. Hood and other Cascade Mountains and several campgrounds, rivers and lakes are close at hand, within a couple of hours drive, thus providing an abundance of recreational activities.

Within the City, recreational planning is coordinated with the West Linn-Wilsonville School District. The District provides traditional physical education programs as part of their regular school curriculum plus competitive sports programs in the upper grade levels. Other youth sports programming is provided by the City and a variety of non-profit organizations. The School District's community education program also provides recreational programs for both youth and adult activities and coordinates the use of District facilities.

As the City continues to grow, additional facilities and services will need to be developed.

The following Park and Recreation policies are further supported by policies in the Land Use and Development Section of the Comprehensive Plan regarding the natural environment, natural resources, and general open space.

The 1971 General Plan and the 1988 Comprehensive Plan sought to:

1. Preserve the natural integrity of the Willamette River. Provide for frequent contact with the river. Encourage development of an adequate park and recreation system which would contribute to the physical, mental and moral health of the community.
2. Encourage the school/park concept as a basic feature of the park element of the Plan.
3. Develop parks and open spaces where the land and surrounding development make it least suited for intensive development.
4. Develop an extensive system of trails along stream courses and power line easements.
5. Encourage early acquisition of recreation sites to protect them from development and to reduce the public cost of acquiring the land.

6. Encourage commercial recreation carefully sited within, or adjacent to, other uses.

These standards recognize the importance of an adequate park and recreation system to the physical, mental and moral health of the community. They also represent a common-sense approach to parks planning and are, therefore, reaffirmed by this Plan. The Park and Recreation system envisioned is a combination of passive and active recreational areas including specified park lands, schools, and linear open spaces in both public and private ownership. It is a basic premise of this Plan that the availability of conveniently located open recreational spaces is more important than the form of ownership.

In planning for such a system, it is helpful to classify the individual components (neighborhood parks, community parks, Greenway, etc.) which will or could comprise the park system. In addition, the establishment of a reasonable acquisition and development program requires a listing of priorities and a guide to desirable service levels. To maximize effectiveness, however, the actual development of such a system requires relating the provision of facilities and services to the particular needs and recreational desires of the residents to be served.

In recognition of Statewide Planning Goals and to provide a framework for development of park and recreation facilities, the following policy and implementation measures have been established:

Policy 3.1.11 The City of Wilsonville shall conserve and create open space throughout the City for specified objectives including park lands.

Implementation Measure 3.1.11.a Identify and encourage conservation of natural, scenic, and historic areas within the City.

Implementation Measure 3.1.11.b Provide an adequate diversity and quantity of passive and active recreational opportunities that are conveniently located for the people of Wilsonville.

Implementation Measure 3.1.11.c Protect the Willamette River Greenway from incompatible uses or developments.

Implementation Measure 3.1.11.d Continue the acquisition, improvement, and maintenance of open space.

Implementation Measure 3.1.11.e Require small neighborhood parks (public or private) in residential areas and encourage maintenance of these parks by homeowner associations.

Implementation Measure 3.1.11.f Maintain and develop the current park system for centralized community-wide park facilities, but emphasize the future acquisition of small parks in localized areas.

Implementation Measure 3.1.11.g Where appropriate, require developments to contribute to open space.

Implementation Measure 3.1.11.h Protect residents from bearing the cost for an elaborate park system, excessive landscape maintenance, and excessive public facility costs.

Implementation Measure 3.1.11.i Develop limited access natural areas connected where possible by natural corridors for wildlife habitat and watershed and soil/terrain protection. Give priority to preservation of contiguous parts of that network which will serve as natural corridors throughout the City for the protection of watersheds and wildlife.

Implementation Measure 3.1.11.j Identify areas of natural and scenic importance and where appropriate, extend public access to, and knowledge of such areas, to encourage public involvement in their preservation.

Implementation Measure 3.1.11.k Protect the river-connected wildlife habitat.

Implementation Measure 3.1.11.l Encourage the interconnection and integration of open spaces within the City and carefully manage development of the Willamette River Greenway.

Implementation Measure 3.1.11.m Provide for legal public access to the river only through and within the City parks, right-of-ways, easements, or other public property.

Implementation Measure 3.1.11.n Park classifications and standards shall be developed to guide a program for acquisition and development of a park and open space system to insure an adequate supply of usable open space and recreational facilities, directly related to the specific needs of the local residents.

Implementation Measure 3.1.11.o Individual park and recreational sites, as defined by the parks and open space standards and classification system will be developed according to the following priorities:

1. Where possible, facilities within a park should be adjusted to meet the needs and desires of the local residents and the characteristics of the site. Park and/or recreational facilities in demand and least supply should receive the highest priorities.
2. Parks should be planned to insure maximum benefit to the greatest number of local residents. For this reason, acquisition and development of community level parks should be given the highest park priority.
3. Development of additional neighborhood Parks will have a lower priority for public funding. To assure localized benefit, development and maintenance of neighborhood parks shall continue to be accomplished through homeowner associations.
4. Small neighborhood parks have the lowest development priority and should be supplied at public expense only if an area is determined to be isolated from access to other parks, or where space is extremely limited, and the park is

supported by the adjacent neighborhood. Maintenance of such parks should be assigned to a homeowners' association or other neighborhood organization. Small neighborhood parks tend to benefit a very localized population. It is, therefore, the intent of these standards to assign, where possible, the financial burden of maintenance and even development to those that benefit the most. In addition, a significant factor affecting maintenance costs is one of transporting equipment from park to park. Therefore, by concentrating public maintenance efforts to a few community parks, efficient use of maintenance dollars can be maximized.

5. Provision of regional park facilities will only be considered as an inter-jurisdictional project; and should have a low priority unless unusual circumstances arise.
6. The City will encourage dedication or acquisition of land for parks and other public purposes in excess of lands needed to satisfy immediate needs.

Implementation Measure 3.1.11.p New developments shall be responsible for providing specified amounts of usable on-site open space depending on the density characteristics and location of the development. Where possible, recreational areas should be coordinated with and complement Willamette River Greenway, and other open space areas identified as environmentally sensitive or hazardous areas for development.

Implementation Measure 3.1.11.q All development within the Willamette River Greenway shall be controlled through the conditional use permit process and shall be subject to Design Review approval.

It is the reasoning of these policies that the need for open space is closely related to density. There is a relationship between the amount of interior space provided within living units and the desire for outdoor space. That is, if the interior living space creates a confined or crowded feeling, the availability of outdoor space becomes more important than if the interior area is spacious and comfortable. Therefore, while standards for open space will be set, they may be adjusted based on individual site design characteristics. The standards further recognize the value of urban land for development and attempts to reasonably balance the need for open or recreational space with competing uses.

The West Linn – Wilsonville School District currently provides recreational facilities and programs for City residents. They have developed facilities at Wood Middle School and at Wilsonville High School. These facilities and services are considered a vital part of the City's park and recreational system.

Implementation Measure 3.1.11.r The City shall continue to work on cooperative arrangements with the school districts to encourage provision of adequate year-round recreational programs and facilities, and to eliminate unnecessary overlap of facilities. Joint ventures in providing facilities and programs should be carefully considered in order to maximize the use of public funds in meeting local needs.

Safe and convenient access to park and recreation facilities is an important factor in a successful park system. The pedestrian/bicycle/equestrian paths are essentially an element of the City's transportation system and policies regarding their development are included in the Transportation Systems Plan. Pathways do, however, also serve a recreational function and are, therefore, referenced in this element. This is particularly true with respect to coordination/alignment of proposed pathways with park and recreational facilities, including schools.

Implementation Measure 3.1.11.s Facilities constructed to implement the Bicycle and Pedestrian Master Plan shall be designed to insure safe and convenient pedestrian, bike and, where appropriate, equestrian access from residential areas to park, recreational and school facilities throughout the City.

Park System Classifications

Detailed park development standards are included in the City of Wilsonville Parks & Recreation Master Plan, dated December 1994. That document includes standards for the following:

- Neighborhood parks;
- Community parks;
- Regional parks;
- Minor limited-use recreation center and minor multi-use recreation centers;
- Major limited-use recreation centers;
- Major multi-use recreation centers;
- Activity Centers; and
- Nature trails, minor pathways, and major pathways.

Solid Waste

Within the City of Wilsonville, solid waste disposal is currently handled by United Disposal Service which operates under an exclusive franchise agreement with the City.

Within the Portland metropolitan area solid waste disposal has been a concern for many years. The average family of four generates about 4 tons of garbage a year, which ends up in sanitary landfills. The existing landfills in the metropolitan area have been filled up and it is no longer feasible to site new ones. In fact, garbage from the Portland region is now hauled, at considerable expense, to Eastern Oregon for disposal.

This Plan also recognizes, however, that a successful solid waste management plan will have to deal with much broader issues than just landfills. Such a regional plan must address the issue of throwaway products and emphasize programs for waste reduction rather than discard as a long-term solution.

Policy 3.1.12 The City of Wilsonville shall continue to acknowledge Metro's legislative authority for regional solid waste management and landfill siting. The City may

also, from time to time, recommend adoption of solid waste management strategies or programs.

Implementation Measure 3.1.12.a. In an effort to minimize the solid waste problem, the City will continue to support the local recycling/reuse program as well as supporting regional efforts in waste reduction programs.

Semi-Public Utilities

Semi-public utilities are privately owned and operated companies, but have general public benefit and may be regulated by governmental controls. They include energy and communications facilities and services.

Utilities in this category, serving Wilsonville include GTE, Century Telephone, Northwest Natural Gas Company and Portland General Electric. These services and facilities are currently generally adequate.

Policy 3.1.13 The City of Wilsonville shall coordinate planning activities with the utility companies, to insure orderly and efficient installation of needed service lines and equipment.

Implementation Measure 3.1.13.a. To enhance aesthetic quality, promote public safety and to protect service lines from damage (e.g., ice/wind storms or vehicle accidents), as new development occurs all utility service lines serving the developing property shall be placed underground, in accordance with the City's Public Works Standards.

Implementation Measure 3.1.13.b The City shall encourage the utility companies to underground existing above-ground services, at the earliest possible time.

Implementation Measure 3.1.13.c Above-ground facilities such as transformers, etc., shall be located in a manner that minimizes their visual impact. Where possible such facilities should be coordinated with the landscaping to provide screening.

Implementation Measure 3.1.13.d To reduce future demands for electrical energy, the City shall:

1. Encourage incorporation of alternative energy sources (e.g., solar, etc.) into new construction, as well as retrofitting of existing development.
2. Encourage energy efficient site and building designs. The City should also consider joint efforts with PGE and the Army Corps of Engineers and other government agencies, to study the potential for local power generation.
3. To set an example for proposed developments, the City will incorporate energy-efficient designs into construction of City buildings and facilities.
4. The City will review and revise existing street lighting standards to provide adequate safety while minimizing the demand for power (e.g., use of minimum

number of lights, use of energy-efficient lights such as high pressure sodium lamps, etc.).

City Administration

Decisions about the growth of City staff and how to fund operations are properly within the purview of the City Council, after receiving recommendations from the Budget Committee. Therefore, no specific staffing standards are established.

Policy 3.1.14 The City of Wilsonville shall, pursuant to Statewide Planning Goal 11 and within the confines of the City budget, maintain a qualified staff adequate to support the various service functions of the City. The City shall plan for the provision of adequate work spaces and facilities in order to maximize the accessibility of City services to the public. Facilities shall be funded in the manner deemed most cost-effective and efficient by the Budget Committee and City Council.

Health And Social Services

Health care facilities and services are provided by a variety of public and private agencies throughout the metropolitan area. Legacy - Meridian Park Hospital located just north of the City, in Tualatin, is the closest facility with general medical and emergency services available.

Social services are also provided by a variety of agencies, including State and County facilities and volunteer or non-profit organizations. Many of these facilities are, however, extremely limited in capacity and additional facilities will be needed to support future population growth.

Policy 3.1.15 The City of Wilsonville shall periodically monitor the availability of health and social services, including day care, and where feasible, will cooperate with the appropriate agencies in providing additional services and facilities. The adequacy of these facilities should be considered during the process of planning for future growth.

For information on public facility construction projects, please see the City's Capital Improvement Program, which is updated annually.

TRANSPORTATION

[This section was amended by Ord. # 718, 6/17/13]

Under the State's Transportation Planning Rule (TPR), planning for transportation must "encourage and support the availability of a variety of transportation choices for moving people that balance vehicular use with other transportation modes, including walking, bicycling and transit in order to avoid principal reliance upon any one mode of transportation".

In MPO areas, (i.e. Metro), “regional and local Transportation Systems Plans (TSP) shall be designed to achieve adopted standards for increasing transportation choices and reducing reliance on the automobile”. It is anticipated that metropolitan areas will accomplish reduced reliance by changing land use patterns and transportation systems so that walking, cycling and use of transit are highly convenient and so that, on balance, people need to and are likely to drive less than they do today”.

Both the Transportation Planning Rule and the federally mandated State Air Quality Plan call for reductions in vehicle miles travelled (VMTs) per capita. The goal is to adopt plans and measures that are likely to achieve a five percent reduction in VMT per capita over the 20-year planning period. The Metro Regional Transportation Plan (2035 Federal component) states that, “Improvement in non-single occupancy vehicle (non-SOV) mode share will be used to demonstrate compliance with per capita travel reductions” [VMT reductions] “required by the TPR.”

Transportation plans must also “facilitate the safe, efficient and economic flow of freight and other goods and services within regions and throughout the state through a variety of modes including road, air, rail and marine transportation”.

Communities must “protect existing and planned transportation facilities, corridors and sites for their identified functions’ and also “provide for the construction and implementation of transportation facilities, improvements and services necessary to support acknowledged comprehensive plans”.

Transportation plans must include a transportation financing program.

The Wilsonville Comprehensive Plan includes, as sub-elements of the Plan, the City’s Transportation Systems Plan (2013), the Bicycle and Pedestrian Master Plan (2006) and the Transit Master Plan (2008). There are no airports or marine transportation facilities within the city. The City has adopted 1-Year and 5-Year Capital Improvement Plans which provide for the construction of transportation facilities, improvements and services necessary to support the City’s Transportation Systems Plan, the Bicycle and Pedestrian Master Plan and the Transit Master Plan.

The Transportation Network

Wilsonville is bisected by I-5, just south of its intersection with I-205. I-5 is classified as an Interstate Highway. It is part of the National Highway system and is a designated freight route between Portland and points south. The operational objective for Interstate Highways is to provide safe and efficient high-speed travel in urban and rural areas.

Two I-5 interchanges are located within Wilsonville, Interchange 283, I-5 at Wilsonville Road, and 286, I-5 at Elligsen Road. Both interchanges provide a vital function in supporting local and regional economic development goals and plans. Local traffic, including commercial and industrial vehicles, must have safe and efficient access to and from the freeway.

In the late 1990s, substantial public improvements were made to upgrade both interchanges. Ten years later, both interchanges again had capacity limitations. A major modernization project completed in 2012 reconstructed the I-5/Wilsonville Road interchange. The I-5/Wilsonville Road project created elevated bike/pedestrian pathways on both sides of the street, expansion of the travel way to eight lanes under the I-5 Bridge, and wider and longer on and off ramps.

Capacity limitations also existed at the 95th/ Commerce Circle /Boones Ferry Road intersections. The improvements in 2012 added an additional right-turn lane southbound off I-5 to Boones Ferry Road, an additional left-turn lane from Boones Ferry Road to 95th Avenue, and an additional right-turn lane from 95th Avenue to Boones Ferry Road, as well as making Commerce Circle a right-in / right-out intersection with 95th Ave thereby minimizing congestion at this intersection.

The City has a network of streets which serve the east side or the west side, with only three connection points east–west across I-5. These are Wilsonville Road, Boeckman Road and Elligsen Road. The recent extension of Boeckman Road to Grahams Ferry Road has provided an alternative east-west route resulting in a reduction of the trip levels on both Wilsonville and Elligsen Roads.

City street standards require provision of bicycle facilities and sidewalks on all new streets. Developments in areas without bicycle facilities and sidewalks are required to provide them as part of the development of their site. The City also maintains a sidewalk infill fund for construction of missing sidewalk segments in older neighborhoods. The Bicycle and Pedestrian Master Plan provides greater detail about the existing system and its deficiencies and identifies planned improvements and financial resources.

Local and regional trails and community pathways traverse the community and connect neighborhoods with other destinations. The City is a partner in the 2013 Master Plan for the Ice Age Tonquin Trail, which will connect the communities of Tualatin, Sherwood, and Wilsonville.

The City operates a transit system, SMART, which provides local service, and connects with WES, Cherriots in Salem and Tri-Met in the Portland area. WES, the Westside Express Service Commuter Rail, operates during weekday commuter hours in the morning and evening, connecting Wilsonville with the Beaverton Transit Station and the MAX system. The Transit Master Plan provides greater detail about the existing system and its deficiencies and identifies planned improvements and financial resources.

GOAL 3.2: To encourage and support the availability of a variety of transportation choices for moving people that balance vehicular use with other transportation modes, including walking, bicycling and transit in order to avoid principal reliance upon any one mode of transportation.

Policy 3.2.1 To provide for safe and efficient vehicular, transit, pedestrian and bicycle access and circulation.

Implementation Measure 3.2.1.a Provide a safe, well-connected, and efficient network of streets and supporting infrastructure for all travel modes.

Policy 3.2.2 To provide for a mix of planned transportation facilities and services that are sufficient to ensure economical, sustainable and environmentally sound mobility and accessibility for all residents and employees in the city.

Policy 3.2.3 If adequate regional transportation services, including I-5 interchange modification or additions, and high capacity public transportation, cannot be provided, then the City shall reevaluate and reduce the level of development and/or timing of development anticipated by other elements of this Plan. Such reductions shall be consistent with the capacity of the transportation system at the time of re-evaluation.

Commented [JD6]: This will be a key policy, in concert with compliance with OAR 660-12-060, when the transportation analysis is conducted for the Town Center.

GOAL 3.3: To achieve adopted standards for increasing transportation choices and reducing reliance on the automobile by changing land use patterns and transportation systems so that walking, cycling and use of transit are highly convenient and so that, on balance, people need to and are likely to drive less than they do today.

Commented [JD7]: This policy is the “flip side” of the above consideration.

Policy 3.3.1 The City shall provide facilities that allow people to reduce reliance on single occupant automobile use, particularly during peak periods.

Commented [AD8]: Both of these policies support a pedestrian oriented, mixed use district for the TC

Implementation Measure 3.3.1.a Encourage a balance among housing, employment, and commercial activities within the City so more people are able to live and work within Wilsonville, thereby reducing cross-jurisdictional commuting.

Implementation Measure 3.3.1.b Increase densities and intensities of development in or near the Town Center area and in other locations where transportation systems can meet those needs.

Implementation Measure 3.3.1.c Plan for increased access for alternative modes of transportation, such as bicycling, transit and walking.

Implementation Measure 3.3.1.d Continue use of the Planned Development/ Master Plan process to encourage developments that make it more convenient for people to use transit, to walk, to bicycle, and to drive less to meet daily needs.

Implementation Measure 3.3.1.e Provide more and better options for travel from one side of the freeway, the railroad, and the Willamette River to the other.

Implementation Measure 3.3.1.f Support provision of full day and Saturday transit service in the WES corridor.

Implementation Measure 3.3.1.g Advocate for the extension of WES to Salem.

Implementation Measure 3.3.1.h. Consider reducing parking requirements where it can be shown that transit and/or bicycle pedestrian access will reduce vehicular trips.

Policy 3.3.2 The City shall work to improve accessibility for all citizens to all modes of transportation.

Commented [AD9]: See previous comment

Implementation Measure 3.3.2.a. Provide pedestrian and bicycle connections between residential neighborhoods and major commercial, industrial, and recreational activity centers throughout the city, as shown in the Bicycle and Pedestrian Master Plan. Coordinate the system of pathways planned by adjacent jurisdictions to allow for regional travel.

Implementation Measure 3.3.2.b. Concrete sidewalks will be provided on both sides of all streets unless waived when alternative provisions are found to adequately address pedestrian needs.

Implementation Measure 3.3.2.c. Transportation facilities shall be ADA-compliant.

Implementation Measure 3.3.2.d. Fill gaps in the existing sidewalk and off-street pathway systems to create a continuous network of safe and accessible bicycle and pedestrian facilities.

GOAL 3.4: To facilitate the safe, efficient and economic flow of freight and other goods and services within the city and the region.

Policy 3.4.1 Upgrade and/or complete the street network on the west side of I-5, including in the Coffee Creek and Basalt Creek areas, to serve the warehousing, distribution, and other industrial uses located there.

Implementation Measure 3.4.1.a Where the City Council officially designates truck routes, these streets shall be developed to arterial street construction standards and be posted as truck routes.

Policy 3.4.2 The City will work with ODOT, Metro and neighboring communities to maintain the capacity of I-5 through a variety of techniques, including requirements for concurrency, continued development of a local street network within and connecting cities along I-5, access management, and completion of targeted improvements on I-5 such as auxiliary lanes, improvements at interchanges, etc.

Implementation Measure 3.4.2.a. Consistent with the City's policy that needed public facilities and services are provided in advance of, or concurrently with, development, proposed land use changes within the I-5/Wilsonville Road IMA shall be consistent with planned future transportation projects.

Commented [JD10]: The IMA should be checked early on to determine if it has considerations for the Town Center Plan.

Commented [AD11]: I assume this is the IAMP identified in the City's development code? If so this measure may need to be amended depending on the outcome of this process

GOAL 3.5: To protect existing and planned transportation facilities, corridors and sites for their identified functions, including protection of the function and operation of the I-5/Wilsonville Road Interchange and the I-5/Elligsen Road Interchange, together with the local street network within the Interchange Areas.

Policy 3.5.1 Develop and maintain a transportation system that balances land use and transportation needs in a manner that enhances the livability and economic vitality of the city.

Implementation Measure 3.5.1.a. Establish and maintain design standards for each arterial and major collector street, in accordance with the Functional Street Classification System. The conceptual location of proposed new major streets identified in the TSP will be refined based on detailed engineering specifications, design considerations, and consideration of local impacts.

Implementation Measure 3.5.1.b. Evaluate the alignment and design of local streets on a project-by-project basis in coordination with the overall purposes of the TSP.

Implementation Measure 3.5.1.c. The Transportation Systems Plan shall be used to establish the Functional Street Classification System.

Implementation Measure 3.5.1.d. The Development Review Board or City Council may approve specific modifications through the planned development process. Such modifications shall be made in consideration of existing traffic volumes and the cumulative traffic generation potential of the land uses being developed.

Implementation Measure 3.5.1.e. All arterial and collector streets shall be dedicated public streets.

Policy 3.5.2 Review all land use/development proposals with regards to consistency with the TSP transportation impacts.

Implementation Measure 3.5.2.a. All development proposals shall be required to provide for a transportation impact analysis by payment to the City for completion of such study by the city's traffic consultant unless specifically waived by the City's Community Development Director because the scale of the proposed development will have very limited impacts.

Implementation Measure 3.5.2.b. The City may approve local private streets through the Planned Development process, provided that adequate emergency access is available and that proper maintenance by private entities is ensured.

Implementation Measure 3.5.2.c. Any proposed change to the Comprehensive Plan or Zoning Maps that would result in additional trips above that allowed under the city's concurrency policies may be denied unless mitigation measures are identified and provided.

Commented [JD12]: This is another policy that will be relevant to the transportation analysis.

Policy 3.5.3 Provide for an adequate system of local roads and streets for access and circulation within I-5 Interchange Management Areas that minimize local traffic through the interchanges and on the interchange cross roads.

I-5/Wilsonville Road IMA:

Implementation Measure 3.5.3.a. The City will require future development to plan for and develop local roadway connections consistent with the I-5/Wilsonville Road IAMP as part of the development permit approval process.

Implementation Measure 3.5.3.b. Bicycle and pedestrian connections within the IMA will be required for new development consistent with the City's Bicycle and Pedestrian Plan.

Implementation Measure 3.5.3.c. System operational improvements, including signal synchronization, transportation demand management measures and incident management shall be implemented within the vicinity of the interchange to maximize the efficiency of the local street network and minimize the impact of local traffic on the interchange.

Implementation Measure 3.5.3.d. The City will require future development to adhere to access management spacing standards for private and public approaches on statewide highways as adopted in the Wilsonville Road IAMP.

Implementation Measure 3.5.3.e. The City will approve development proposals in the I-5/Wilsonville Road Interchange Management Area (IMA) only after it is demonstrated that proposed access and local circulation are consistent with the Access Management Plan in the I-5/Wilsonville Road IAMP.

Implementation Measure 3.5.3.f. Ensure that future changes to the planned land use system are consistent with protecting the long-term function of the interchange and the surface street system.

Commented [AD13]: This will be a discussion point with ODOT in identifying how traffic is evaluated for the various development options the project will develop, particularly for selected ITE codes, parking requirements, and mode split assumptions

Implementation Measure 3.5.3.g. Any proposed change to the Comprehensive Plan Map or existing zoning that would result in additional trips above that allowed under the current zoning and assumed in the I-5/Wilsonville Road IAMP must include a review of transportation impacts consistent with OAR 660-12-0060.

Commented [JD14]: Another relevant policy

Implementation Measure 3.5.3.h. The City will provide notice to ODOT for any land use actions proposed within the I-5/Wilsonville Road IAMP Overlay Zone.

I-5/Elligsen Road Interchange

Implementation Measure 3.5.3.i. The City will require future development to adhere to access management spacing standards for private and public approaches on statewide highways as required by the Oregon Highway Plan.

Implementation Measure 3.5.3.j. Ensure that future changes to the planned land use system are consistent with protecting the long-term function of the interchange and the surface street system.

Implementation Measure 3.5.3.k. Bicycle and pedestrian connections within the Interchange Area will be required for new development consistent with the City's Bicycle and Pedestrian Plan.

Implementation Measure 3.5.3.l. System operational improvements, including signal synchronization, transportation demand management measures and incident management shall be implemented within the vicinity of the interchange to maximize the efficiency of the local street network and minimize the impact of local traffic on the interchange.

GOAL 3.6: To provide for the construction and implementation of transportation facilities, improvements and services necessary to support the TSP, the Transit Master Plan and the Bicycle and Pedestrian Master Plan.

Policy 3.6.1 The City will plan, schedule, and coordinate implementation of all street improvements through the on-going five-year Capital Improvements Plan. A priority is given to eliminating existing deficiencies and in upgrading the structural quality of the existing arterial system.

Implementation Measure 3.6.1.a. Complete the major street system improvements shown in the Transportation Systems Plan. The City may not be able to finance all of these improvements. Some may be financed by other entities, or a combination of public and private funds.

Implementation Measure 3.6.1.b. The City shall coordinate routine and necessary maintenance with the appropriate State or County agencies.

Policy 3.6.2 Require each development to provide all collector and local streets, unless the benefit to the entire community warrants public participation in funding those collector streets.

GOAL 3.7: Maintain a transportation financing program for the construction and implementation of transportation facilities, improvements and services necessary to support the TSP, the Transit Master Plan and the Bicycle and Pedestrian Master Plan.

Commented [AD15]: Implementing and potentially expanding the transit master plan and bike/ped master plan will be discussion points when assessing whether a MMA is possible

Policy 3.7.1 To ensure development of an adequate street system, the City shall collect a Systems Development Charge as development occurs. Funds collected shall be allocated through the Capital Improvements Plan as needed to provide extra capacity service.

GOAL 3.8: To maintain coordination with neighboring cities, counties, Metro, ODOT local businesses, residents and transportation service providers regarding transportation planning and implementation.

Policy 3.8.1 The City shall work with the State, Metro, Clackamas and Washington Counties and adjacent jurisdictions to develop and implement a Regional Transportation Plan that is complementary to and supportive of the City's Plan while addressing regional concerns. The City expects a reciprocal commitment from the other agencies. This policy recognizes that there is a need for a collective and cooperative commitment from all affected agencies to solve existing and future transportation problems. The City will do its part to minimize transportation conflicts, but it must also have the support of County, regional, State and Federal agencies to effectively implement this Plan.

Implementation Measure 3.8.1.a. The City shall advocate for the State, Metro, and Counties to improve regional transportation facilities which, due to inadequate carrying capacities, limit implementation of the City's Transportation Plan.

LAND USE AND DEVELOPMENT

The previous sections on urbanization and public facilities have addressed the City's intent in terms of where and when development should occur. This section discusses the “what” (type) and “how” (design) of development.

The City of Wilsonville is required to utilize standards to help implement the Metro 2040 Growth Concept and Metro functional plans. Such standards include allowing the creation of smaller lots and more flexible use of land, strategies to encourage land assembly, more flexible zoning, and improvements in the pre-application process to ensure timely and thorough review.

The following plan policies are divided into five sections. The first deals with general development standards applying throughout the City. The second deals with commercial development; followed by sections on industrial development and residential development.

The last section deals with resource areas and natural hazards and it discusses the City's intention to protect environmental resources. It also supports the establishment of community design standards. It provides guidelines for integrating development with the natural features of the community, as well as with surrounding uses. In combination, these standards yield an integrated community design that blends the natural environment with urban development. The design criteria ensure the protection of significant natural resources and enhance the visual attractiveness of the community.

In reviewing this section of the Comprehensive Plan, it is important to remember that Wilsonville is required to conduct its planning efforts in conformance with state and regional requirements. The fundamental theme of the statewide planning program is that urban areas (especially cities) are expected to provide urban services and accommodate urban densities and intensities of development in order to reduce the development pressure on farm and forest lands. The fundamental theme of Metro's regional requirements is that the cities and counties in the urban Portland region must cooperate in meeting urban growth needs in order to reduce the development pressure on farms and forest lands outside the regional Urban Growth Boundary.

Metro has established its own standards for design that the City must consider in amending the local Comprehensive Plan. These “design types” can be found in Metro's 2040 Growth Concept. It is important to note that Wilsonville's Comprehensive Plan does not necessarily use the same terminology as Metro's Growth Concept and the results can be different. The following Metro design types do not necessarily have the same meaning as the words used in Wilsonville's Comprehensive Plan:

Town Center - Local retail and services will be provided within this area, with compact development and transit service. Note that the boundaries of Wilsonville's Town Center area, as defined in the local Comprehensive Plan and zoning, are more refined than Metro's Town Center designation, which Metro did not intend to be site-specific. Recommended average density - 40 persons (residents and employees) per acre.

Commented [JD16]: The Town Center Plan boundary is smaller than the Town Center designation on the 2040 Growth Concept. As a baseline, it would be informative to measure the existing persons/acre what could be achieved under the existing zoning, and then compare that to what could be achieved under various Town Center Plan alternatives.

Station Communities - Include nodes of development centered approximately one-half mile around a light rail or high capacity transit station that feature a high-quality pedestrian environment. Depending on the location and design of a station within Wilsonville for commuter rail, a Station Community may be developed within the City. It should be noted, however, that commuter rail stations tend to have different operating characteristics than light rail stations because they have fewer arrivals and departures throughout the course of a day. Because of those different operating characteristics, development planned around Wilsonville's commuter rail station should not be expected to meet the same standards as light rail areas elsewhere in the region. Recommended average density - 45 persons (residents and employees) per acre.

Main Streets - Include the neighborhoods served by main streets, typically including retail and service developments, as well as housing, served by transit. Wilsonville's plans for the Old Town District along Boones Ferry Road would help to establish that neighborhood as a Main Street. Recommended average density - 39 persons (residents and employees) per acre.

Corridors - Along good quality transit lines, corridors feature a high-quality pedestrian environment, convenient access to transit, and generally high-densities. Corridor areas in Wilsonville include Parkway Drive from Town Center through the north Wilsonville freeway interchange, and the northern end of Boones Ferry Road leaving the city limits. Recommended average density - 25 persons (residents and employees) per acre.

Employment Areas - Various types of employment and some residential development are encouraged in employment areas, with limited commercial uses. Wilsonville has three employment areas according to Metro maps. Metro's employment areas are regarded primarily as industrial development sites in the City's Comprehensive Plan. The site that previously housed the Burns Brothers Truck Stop (Area of Special Concern 'A') is labeled as an employment area by Metro, but is zoned for commercial development by the City. Such sites with existing commercial zoning have been exempted from Metro requirements limiting large retail developments in employment areas. Recommended average density - 20 persons (employees) per acre.

Industrial Areas - Industrial areas are set aside primarily for industrial activities with limited supporting uses. Metro maps designate one large industrial area within the City. Most of Wilsonville's industrial properties have been categorized by Metro as employment areas. Recommended average density - 9 persons (employees) per acre.

Inner Neighborhoods - Residential areas accessible to jobs and neighborhood businesses with smaller lot sizes, are classified as inner neighborhoods. It should be noted that the residential designations on Wilsonville's Comprehensive Plan Land Use Map cover a wide range of densities. Overall, properties with residential zoning in Wilsonville will exceed the recommended density established by Metro. Recommended average density - 14 persons per acre.

Outer Neighborhoods - Residential neighborhoods farther away from large employment centers, with larger lot sizes and lower densities, are classified as outer neighborhoods. (Please see the

notes on residential densities in inner neighborhoods, above.) Recommended average density - 13 persons per acre.

It should be noted that the City will revisit and reconsider Metro's design types as part of the on-going revisions to the Comprehensive Plan. The City will be considering possible changes to the Land Use Map of the Comprehensive Plan in the process of completing the Transportation Systems Plan in 2000 or 2001. The potential for changing City land use designations to better match Metro's design types will be considered at that time.

ECONOMIC DEVELOPMENT

Industrial development has been the primary element in Wilsonville's growth in recent years. However, commercial development, particularly professional offices, has begun to be of interest to business developers. Housing development has also increased substantially. Metro has now projected growth that will more than double both the number of housing units and the number of jobs in Wilsonville between the year 2000 and approximately 2020. If this growth occurs as predicted, the existing imbalance between jobs and housing (estimated at more than three jobs for each housing unit in 1996) will continue into the future.

Economic trends have fluctuated significantly, although perhaps cyclically, since Wilsonville was incorporated in 1969. As with much of Oregon, the local economy hit a low point in the early 1980s but boomed throughout the 1990s.

Commercial and industrial developments accounted for a total local employment that exceeded 17,000 jobs in 1996 (Metro data – ES 202). As of October 1999, the ten top employers within the City had a total of approximately 5,200 employees. Of those top-ten employers, only one was a retail store. The rest would be considered to be industrial uses of one kind or another. Although the number of workers in the ten largest local employers was impressive for a City of less than 15,000 residents, it also indicated how many smaller companies were employing people in Wilsonville. This is a clear indication of the economic diversity that the community now enjoys.

Industrial development is the basic element of economic growth as it produces goods for marketing, as well as being the primary employment generator. Commercial development is also important in that it creates secondary employment and provides retail outlets for manufactured goods. The commercial sector also provides support services for industry and personal goods and services (e.g., doctors, lawyers, food, clothing, etc.) for local residents and workers. It should be noted that having adequate commercial services in proximity to homes and other businesses reduces the need for travel and helps to meet state and regional goals for air quality and traffic congestion.

While commercial and industrial developments are generally associated with economic growth, housing is also an important element of the local economy. Housing development provides employment in planning, engineering, architecture, construction and real estate. More important, however, is the relationship of the availability of affordable housing to the local labor market.

The first section of this element of the Plan is oriented to commercial and industrial development. However, this Plan recognizes the importance of providing housing commensurate with the social and economic needs of local employees and is, therefore, followed by a section on housing.

The State's Economic Development Goal (Goal 9) is, "To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens." Prior to adoption of this statewide goal, Wilsonville had developed the 1971 General Plan. The 1971 General Plan's goals and objectives included:

To develop an attractive and economically sound community.

Encourage commercial and industrial development to provide a balanced tax base and take advantage of the City's strategic location along I-5 and the rail line.

Maintain high-quality industrial development that enhances the livability of the area and promotes diversified economic growth.

Protect industrial lands from incompatible uses.

Encourage only industries interested in and willing to participate in development and preservation of a high-quality environment.

Encourage incorporation of large office complexes in industrial parks.

Develop performance standards, in addition to site development standards, which will limit emissions of smoke, dust, odor, glare, noise, and vibration from industrial uses.

Plan for industry to take advantage of the railroad and I-5 where necessary services can be provided.

These goals and objectives are still as much value today, as they were in 1971. In addition, the 1971 Plan attempted to provide for a reasonable amount of commercial facilities in a planned relationship to the people they will serve. Commercial areas were designated to reinforce existing development patterns and to be centered along Wilsonville Road and the north freeway interchange.

Existing commercial and industrial development has generally conformed to these guidelines and the 1988 Plan reaffirmed them as desirable objectives. The Comprehensive Plan continues to retain a focus on commercial development in the form of centers, rather than strip development.

Wilsonville is strategically located on the fringe of the metropolitan area, just south of the confluence of the I-5 and I-205 freeways, making it very desirable for economic development. Because of this, the City has an excellent opportunity to actively plan and guide its commercial and industrial development rather than remain in a passive review role. In this way, the City can ensure the type of development it wishes to occur.

GENERAL DEVELOPMENT

The rate of business and residential growth experienced by Wilsonville between 1980 and 2000 clearly indicates the popularity of this community as a place to do business, a place to work, and a place to live. The City has historically focused considerable attention on economic development without losing sight of the importance of protecting natural resources and developing attractive residential neighborhoods. The City has a well-established history of designating and protecting open space areas. Wilsonville residents also voted to support regional efforts to acquire large tracts of open space outside the City.

The City completed the West Side Master Plan in 1996, covering most of the City limits west of I-5 and south of Boeckman Road. The implementation of that Master Plan was delayed pending the prison-siting decision by the State and the completion of Wilsonville's Transportation Systems Plan. Much of the text of the West Side Master Plan can now be incorporated into the Comprehensive Plan.

Throughout this section of the Comprehensive Plan, provisions have been made for allowing certain mixes of uses to occur within the separate land use districts. This flexibility is provided to allow for the realization of benefits derived from complementary relationships in land uses. The benefits to be derived from these mixed-uses are primarily related to improvements in transportation and related utilization of energy and subsequent emissions of pollutants. The mixed-use provisions are not intended merely to increase property values.

GOAL 4.1 To have an attractive, functional, economically vital community with a balance of different types of land uses.

Policy 4.1.1 The City of Wilsonville shall make land use and planning decisions to achieve Goal 4.1.

Implementation Measure 4.1.1.a To ensure overall economic stability, the City will continue to coordinate its policies with those of Clackamas County's and Washington County's Overall Economic Development Plans (OEDP), as well as the Oregon Economic Development Department.

Implementation Measure 4.1.1.b To guide the local economic development program, the City will work with the local Chamber of Commerce to plan and promote economic growth in the community. In this regard, the City will maintain the base data and mapping necessary to assist economic development activities. The City will establish a process to update the base data at least annually.

Implementation Measure 4.1.1.c The City will continue to support a cooperative and active working relationship with the business community through the Chamber of Commerce as well as those businesses that are not members of the Chamber of Commerce and will seek their input when making decisions having economic impacts on the business community.

Implementation Measure 4.1.1.d In the process of administering the City's Comprehensive Plan, careful consideration will be given to the economic impacts of proposed policies, programs and regulations. Efforts will be made to simplify and streamline the planning and zoning review process while maintaining the quality of development.

Implementation Measure 4.1.1.e The City shall protect existing and planned industrial and commercial lands from incompatible land uses, and will attempt to minimize deterrents to desired industrial and commercial development.

Implementation Measure 4.1.1.f Through the City's public facilities, transportation, and Capital Improvements Plans, priorities will be established to ensure that adequate public facilities are available to support desired industrial and commercial development. A high priority shall be given to improvements to water, storm drainage, traffic circulation, and safety. It is not the intent of this Implementation Measure for the City to subsidize commercial or industrial development. Developers continue to be primarily responsible for providing needed improvements. The City merely acts as the coordinating agent to ensure that adequate facilities coincide with development.

Implementation Measure 4.1.1.g The City of Wilsonville will continue to help implement the Metro 2040 Growth Concept and the Urban Growth Management Functional Plan through the use of development standards allowing the creation of smaller lots and more flexible use of land, strategies to encourage land assembly, more flexible zoning and improvements in the pre-application process to ensure timely and thorough review.

Implementation Measure 4.1.1.h Application for proposed developments will be accompanied by site plans which at a minimum:

1. Identify and protect adjacent properties.
2. Designate access points; and where possible, coordinate these points with adjacent uses.
3. Provide for adequate on and off-site vehicular and pedestrian/bike circulation.
4. Identify proposed building locations, heights, set-backs, and landscaped areas, architectural drawings or sketches sufficient to demonstrate the intent, impact, character, and intensity of use of the proposed development. Detailed specifications will be required as part of final development plans, which may occur in phases.

Implementation Measure 4.1.1.i In reviewing proposed developments, the City will continue to examine:

1. The intensity of use, which includes percentage of lot coverage.
2. Number of employees per acre.
3. Peak vehicle trips per hour per acre.
4. Total trips per day per acre.

Implementation Measure 4.1.1.j Development will coincide with the provision of public streets, water, and sanitary sewer and storm drainage facilities as specified in Section ‘C,’ above. These facilities shall be: (a) capable of adequately serving all intervening properties as well as the proposed development; and, (b) designed to meet City standards.

Implementation Measure 4.1.1.k A minimum of 15% of the total gross area of all developments shall be landscaped and, where possible, integrated with the open space system. Areas identified as having significant natural resources may require enhancement in order to be considered part of the required open space for a given development. Additional landscaping may be required by the Development Review Board depending on the scale of the proposed development and its compatibility with abutting properties and their respective uses.

Commented [JD17]: The updated Town Center Plan should be clear about whether this Implementation Measure applies to each development within the TC, or for the area as a whole. The “area as a whole” approach is a more appropriate strategy for redevelopment of the Town Center.

Implementation Measure 4.1.1.l Continue to utilize performance standards, in addition to site development standards, which will limit emissions of smoke, dust, odor, glare, noise, and vibration from industrial and commercial uses.

Implementation Measure 4.1.1.m Encourage a balance between light industrial and residential growth within the City.

Implementation Measure 4.1.1.n As existing businesses are renovated and new ones are constructed, the Development Review Board will require high standards of compatibility with surrounding development, landscaping, architecture and signage. The ability of a site to function properly in relation to the surrounding area will be emphasized.

Implementation Measure 4.1.1.o Applications for proposed developments will be accompanied by detailed site plans as specified in the City’s Development Code.

Implementation Measure 4.1.1.p Require the placement of utilities underground in new developments and seek means of undergrounding existing above-ground utilities, other than storm drainage facilities.

Implementation Measure 4.1.1.q Implement those portions of the text of the West Side Master Plan that do not conflict with the remainder of the Comprehensive Plan. Changes to the Land Use Map of the Comprehensive Plan, implementing the West Side Master Plan, will not be made until the Transportation Systems Plan has been adopted by the City Council.

To further guide economic growth, specific goals, objectives and policies have been established for residential, commercial, and industrial land use decisions.

COMMERCIAL DEVELOPMENT

Commercial development is often a major identifying feature in a community, offering impressions to resident and visitor alike of the quality of life available. The Plan, therefore, urges that shopping areas be pleasant environments to live near and to do business within. They should not be designed in a manner only to attract attention. Buildings need not be painted in an offensive manner or have obtrusive signs to secure their share of the shopping public. In fact, the reverse trend tends to be the case, with centers providing a pleasant shopping environment often being more prosperous.

Commercial development demands special consideration in terms of traffic. On one hand, most commercial businesses need lots of customers coming and going in order to thrive. On the other hand, traffic jams at commercial locations can adversely affect the quality of the lives of other people in the area. The City must balance the needs of both the commercial and non-commercial sectors of the community in reviewing proposed development and considering the traffic impacts that will result. This is not intended to imply that commercial development is the only source of traffic problems. It is not. Rather, it is intended to point out that some commercial land uses may thrive in an environment where the traffic is excessive for other uses.

Commercial areas designated on the Plan recognize and reinforce existing development patterns, at the north (Elligsen Road) and south (Wilsonville Road). The Plan also recognizes the commercial development potential within the Charbonneau District, and the need for complementary commercial uses within or near the industrial area of the City. All commercial districts are planned in the form of centers or complexes rather than as a strip development along major streets. Five types of commercial centers have been recommended in Wilsonville's Comprehensive Plan since 1971. They are:

- Town Center;
- Service Centers;
- Office Complexes;
- Commercial Recreation Centers; and
- Neighborhood Commercial Sites.

At this time, it is apparent that there are commercial areas of the City that do not clearly fall into the categories listed above. For that reason, the Planning Commission and City Council are continuing to discuss potential changes to commercial land designations. More changes to the commercial designations of the Comprehensive Plan are expected with the completion of the City's Transportation Systems Plan in the months ahead.

The Town Center or City Center is intended to be the major commercial district. It should be anchored by a few major department stores and a grocery store. It should be interspersed with smaller shops, offering a wide variety of merchandise for comparative shopping. In addition to retail shops, complementary uses such as offices, theaters, restaurants, and civic activities should be provided. As defined by Metro, the Town Center area is expected to have a fairly high population density, and compact development with good quality transit service.

Commented [JD18]: This is the first description of the Town Center in the Plan text. It notably does not mention themes that will arise in the Town Center Plan, such as: mixed use; a high quality pedestrian environment; and strong connections to adjacent areas.

Service Centers are primarily related to the motoring public and should be located at the freeway interchanges, particularly the Stafford Interchange. These centers would be the sites for motels, restaurants, automobile and truck service centers, and other large site users dependent on easy access for freeway travelers. Such centers may also be incorporated into industrial developments. Service centers will be "on view" to a maximum number of visitors to the City and, accordingly, their appearance and their physical and visual relationship to abutting land uses are critical. Such uses should not compete for the same retail market as that intended to be served by the Town Center.

Office Complexes are distinguished from other commercial centers primarily because they are expected to generate less traffic than retail operations. A limited amount of retail is expected to occur within office complexes, but the amount of retail space is intended to be accessory or incidental to the primary office functions. Structures that will be located in these locations should be relatively small in scale if they are to form a transition between abutting residential areas and more intensive uses. The offices should be set back from streets a distance not less than that of abutting residential areas. Larger office complexes are appropriate in larger commercial or industrial locations. Parking areas and yards should be landscaped and signing should be subtle and "in keeping" with a quality environment. Large-scale and technology-oriented office facilities should be encouraged to locate in the Town Center and in large planned development commercial or planned development industrial zones.

Commercial Recreation - One such center has been developed in Charbonneau and is related to the golf courses contained within the development. Commercial recreation developments should be carefully introduced into the natural or constructed landscape of which they are a part, such as river or other water-oriented park sites. Such developments may also serve the convenience shopping needs of nearby residences.

Neighborhood Commercial Centers are established to provide for daily convenience needs of nearby residential or industrial areas. They will consist primarily of a small markets. Other related uses such as barber and beauty shops, laundry and dry cleaner pickup and delivery facilities, small bakery shops and other similar uses would also be appropriate in these small centers. If located in a residential area, parking facilities, signs, landscaping and the architecture of these centers must be of a quality at least equal to that of surrounding housing. Neighborhood Commercial Centers should be sensitively designed so that they are physically and visually compatible with the residential world of which they are generally a part.

Because large portions of the designated commercial areas are undeveloped, the opportunity exists to develop master plans, i.e., Town Center, or Wilsonville Square '76, to coordinate uses within a given area. The use of master plans for development within Wilsonville has been employed by the City since its incorporation. When small areas or individual lots develop, it also makes sense to coordinate them with adjacent properties. Therefore, under the commercial designation, a Planned Development Review process will continue to be the primary method of administration.

The intent of the Planned Development Review process is to allow for more flexible and creative designs and to encourage coordinated master planning of large areas. It is a further intent to

provide for a logical mix of uses in relation to the surrounding uses without necessitating a Plan Amendment.

Policy 4.1.2 The City of Wilsonville shall encourage commercial growth primarily to serve local needs as well as adjacent rural and agricultural lands.

Implementation Measure 4.1.2.a Encourage commercial uses which are compatible with the residential nature of the community, and are complementary to or supportive of industrial development in the City.

Implementation Measure 4.1.2.b Provide opportunities for a basic mix of needed goods and services.

Implementation Measure 4.1.2.c Encourage a rate of commercial development consistent with serving the needs of residents of the City and adjacent rural and agricultural lands.

Implementation Measure 4.1.2.d Cluster commercial activity near the freeway interchanges and encourage service or freeway-oriented commerce to locate near the Stafford Interchange. Encourage retail and other local-oriented commerce to locate in commercial districts along Wilsonville Road to minimize transient traffic impacts on the Wilsonville Interchange.

Implementation Measure 4.1.2.e Maintain the area south of the Willamette River for residential needs and with a residential character consistent with the amended Charbonneau Master Plan (which includes some commercial development).

Implementation Measure 4.1.2.f The City, in accordance with Title 4 of the Metro Urban Growth Management Functional Plan, will encourage development of lands designated by Metro as “Employment” and “Industrial” areas to include supportive retail development. Commercial uses in those areas can be expected to include some limited retail uses, primarily to serve the needs of people working or living in the immediate area and office complexes housing technology-based industries. Where the City has already designated land for commercial development within Metro’s employment areas, the City has been exempted from Metro development standards.

Implementation Measure 4.1.2.g The location and development of commercial areas within the community should be given very careful consideration. Although they may occupy a relatively small percentage of the total land area, commercial developments customarily occur at points of maximum traffic movement and, therefore, have a tremendous impact on people’s impressions of the visual quality of the community. If Wilsonville is to retain an image as a desirable place to live, its commercial areas must reflect that quality.

Commented [JD19]: This Implementation Measure is one of many statements in the Plan that reflect Wilsonville’s priority for quality design and development.

Implementation Measure 4.1.2.h Non-commercial uses may be permitted within a planned development commercial zone, provided that the predominant uses remain commercial. In many locations, the development of residential uses is appropriate and desirable in upper floors, while ground-floor uses remain commercial.

Implementation Measure 4.1.2.i As existing businesses are renovated and new ones are constructed, the Development Review Board will require high standards of compatibility with surrounding development, landscaping, architecture, and signage. The ability of a site to function properly in relation to the surrounding area will be emphasized.

Implementation Measure 4.1.2.j Neighborhood commercial, limited to convenience goods and services for local residents and workers, may be permitted as part of a Planned Development in a residential or industrial area provided the following criteria are met:

1. Sites shall be separated from other commercial uses by at least one-half (1/2) mile.
2. Each neighborhood commercial area shall be limited to no more than 5% of the total planned development acreage (gross) or one acre, whichever is less.
3. Sites shall have direct access to a street of at least a collector classification. Pedestrian access to surrounding development areas should also be provided.
4. Sites shall not include more than one quadrant of an intersection and will not result in undue traffic congestion.

Implementation Measure 4.1.2.k In order to assure compliance with Metro standards, retail uses with more than 60,000 square feet of gross leasable floor area per building or business shall not be permitted within areas zoned for industrial development.

INDUSTRIAL DEVELOPMENT

Wilsonville is basically a compact City, for this reason all industrial development should be compatible with adjacent or nearby commercial and/or residential areas. Therefore, there is little need for more than one industrial designation. For all practical purposes, all development should be guided by the same general standards; dealing with intensity, etc.

Policy 4.1.3 City of Wilsonville shall encourage light industry compatible with the residential and urban nature of the City.

Implementation Measure 4.1.3.a Develop an attractive and economically sound community.

Implementation Measure 4.1.3.b Maintain high-quality industrial development that enhances the livability of the area and promotes diversified economic growth and a broad tax base.

Implementation Measure 4.1.3.c Favor capital intensive, rather than labor intensive, industries within the City.

Implementation Measure 4.1.3.d Encourage industries interested in and willing to participate in development and preservation of a high-quality environment. Continue to require adherence to performance standards for all industrial operations within the City.

Implementation Measure 4.1.3.e Site industries where they can take advantage of existing transportation corridors such as the freeway, river, and railroad.

Implementation Measure 4.1.3.f Encourage a diversity of industries compatible with the Plan to provide a variety of jobs for the citizens of the City and the local area.

Implementation Measure 4.1.3.g Encourage energy-efficient, low-pollution industries.

Implementation Measure 4.1.3.h The City, in accordance with Title 4 of the Metro Urban Growth Management Functional Plan, supports appropriate retail development within Employment and Industrial Areas. Employment and Industrial areas are expected to include some limited retail commercial uses, primarily to serve the needs of people working or living in the immediate Employment or Industrial Areas, as well as office complexes housing technology-based industries. Where the City has already designated land for commercial development within Metro's employment areas, the City has been exempted from Metro development standards.

Implementation Measure 4.1.3.i The City shall limit the maximum amount of square footage of gross leasable retail area per building or business in areas designated for industrial development. In order to assure compliance with Metro's standards for the development of industrial areas, retail uses with more than 60,000 square feet of gross leasable floor area per building or business shall not be permitted in areas designated for industrial development.

Implementation Measure 4.1.3.j All industrial areas will be developed in a manner consistent with industrial planned developments in Wilsonville. Non-industrial uses may be allowed within a Planned Development Industrial Zone, provided that those non-industrial uses do not limit the industrial development potential of the area.

RESIDENTIAL DEVELOPMENT

Housing is a basic human need which concerns everyone. With today's housing costs, satisfying this basic need is becoming an increasingly difficult task. Governments at all levels are giving more and more attention to housing issues.

In the process of adopting the Statewide Planning Goals, LCDC established the goal providing for the housing needs of citizens of the State. To meet this goal, all local jurisdictions in the State must develop plans, "that encourage the availability of adequate number of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density."

As of October 1999, the existing housing stock of 6,788 units consisted of 41.2% single-family 52.4% multi-family (including duplexes and condominiums), and 6.4% manufactured housing (mobile homes). This mix of housing types indicates that the City met the intent of the State's "Metro Housing Rule" applying to housing mix. It is also important to note that the total number

of housing units within the City increased by more than 200% in thirteen years. During that period, there were 476 more multiple-family units than single-family units added to the City's housing mix. The number of mobile and manufactured housing units actually declined during that period, in spite of the fact that local codes were amended to permit those units to be located alongside conventionally built houses and multiple-family units.

Even prior to the adoption of the Statewide Planning Goals, Wilsonville's 1971 General Plan contained a goal that supported affordable housing, plus the following objectives:

- Establish residential areas that are safe, convenient, healthful, and attractive places to live;
- Encourage variety through the use of clusters and planned developments; and
- Develop a renewal program to update the "Old Town" area.

In compliance with these objectives, numerous residential developments, including apartments, single family subdivisions, planned developments, and a mobile home park were approved by the City. However, during the review hearings of many of these projects, questions of need, related to the timing, type, and number of units continually arose. Subsequently, as part of the 1988 Plan update, a detailed housing and economic development analysis was conducted (the Housing and Economic Development Report). While the report discussed several factors, it identified two significant factors related to housing. They were as follows:

The majority of workers employed in Wilsonville did not live in the City.

The prevailing vacancy rates for all types of housing as of January 1987, within the City were extremely low. This indicates that the demand for housing in Wilsonville exceeded the supply.

Many members of the community's sizable work force still cannot afford to live in Wilsonville because of their incomes and the lack of affordable housing.

The City recognizes that some of the existing mobile home parks were originally approved as temporary transitional uses, eventually to be phased out for commercial or industrial uses in conformance with the designations of the 1975 Plan map. The City also recognizes that existing residents within these parks have chosen to live in mobile or manufactured homes based on personal preference and economic factors. They have also invested money in their homes and, if their parks are phased out, will be faced with finding suitable relocation sites, be forced to relocate outside of the City or sell their mobile homes.

The City is required by Metro to assure that residential densities in new developments are not less than 80 percent of maximum-zoned densities. The City is also required to determine the calculated capacity of dwelling units and jobs by the year 2017, using the capacity of its current Comprehensive Plan and implementing ordinances.

Additionally, the City is required to periodically review its public facility capacities and plans to assure that planned public facilities can be provided to accommodate the calculated capacity within the planning period.

The City is required to calculate the increases in dwelling unit and job capacities by the year 2017 from any proposed changes to the current Comprehensive Plan and Development Code that must be adopted and add the increases to the calculation of expected capacities.

The City is required to determine the effect of each of the following on calculated capacities, and include any resulting increase or decrease in calculated capacities:

1. Required dedications for public streets, consistent with Metro's Regional Accessibility requirements;
2. Off-street parking requirements, consistent with the Metro Urban Growth Management Functional Plan;
3. Landscaping, setback, and maximum lot coverage requirements;
4. The effects of tree preservation ordinances, environmental protection ordinances, view preservation ordinances, solar access ordinances, or any other regulations that may have the effect of reducing the capacity of the land to develop at the zoned density;
5. The effects of areas dedicated to bio-swales, storm water retention, open space dedications, and other requirements of local codes that may reduce the capacity of the land to develop at the planned density.

If any of the calculated capacities are determined to be less than the City's target dwelling unit and job capacities specified by Metro, either jurisdiction-wide or in mixed-use areas, or both, then the City is required to increase calculated capacities, as needed, to comply with the calculated capacities of Metro's Urban Growth Management Functional Plan. The City is required to achieve the target capacities for both dwelling units and jobs.

As stated above, housing is a basic human need. Therefore, residential development is considered a primary element of this Plan. A priority is given to satisfying the housing Goal. In so doing, however, it is not the intent of this section to ignore other sections of the Plan. Rather, the intent is to balance conformance to other provisions of the Plan so as to best satisfy housing needs within the City. To complete the framework for evaluating residential development, the following Implementation Measures have been established.

Policy 4.1.4 The City of Wilsonville shall provide opportunities for a wide range of housing types, sizes, and densities at prices and rent levels to accommodate people who are employed in Wilsonville.

Implementation Measure 4.1.4.a The City shall encourage that at least an area of land equal to that now utilized for existing mobile home parks within the City, shall be identified within

Commented [AD20]: Several of these implementation measures are supportive of mixed use, diverse housing options. Tied with commercial uses above, these policies provide a foundation for the TC.

Identifying Metro targets and how far the City has come in meeting those may be useful to understand what an appropriate mix might be for the TC.

the City for development of replacement mobile or manufactured parks or subdivisions prior to redevelopment of the existing parcels for other uses. Preservation of existing parks will be encouraged where consistent with other provisions of this Plan.

Implementation Measure 4.1.4.b Plan for and permit a variety of housing types consistent with the objectives and policies set forth under this section of the Comprehensive Plan, while maintaining a reasonable balance between the economics of building and the cost of supplying public services. It is the City's desire to provide a variety of housing types needed to meet a wide range of personal preferences and income levels. The City also recognizes the fact that adequate public facilities and services must be available in order to build and maintain a decent, safe, and healthful living environment.

Implementation Measure 4.1.4.c Establish residential areas that are safe, convenient, healthful, and attractive places to live while encouraging variety through the use of planned developments and clusters.

Implementation Measure 4.1.4.d Encourage the construction and development of diverse housing types, but maintain a general balance according to housing type and geographic distribution, both presently and in the future. Such housing types may include, but shall not be limited to: Apartments, single-family detached, single-family common wall, manufactured homes, mobile homes, modular homes, and condominiums in various structural forms.

Implementation Measure 4.1.4.e Targets are to be set in order to meet the City's Goals for housing and assure compliance with State and regional standards.

Implementation Measure 4.1.4.f Accommodate the housing needs of the existing residents of the City of Wilsonville. The future status of existing mobile home dwellers within the City is a particular concern in establishing this Measure.

Implementation Measure 4.1.4.g Coordinate housing development with the social and economic needs of the community.

Implementation Measure 4.1.4.h Require new housing developments to pay an equitable share of the cost of required capital improvements for public services.

Implementation Measure 4.1.4.i Restrict the number of housing starts to the capacities of public facilities and services.

Implementation Measure 4.1.4.j The City shall have a diverse range of housing types available within its City limits.

Implementation Measure 4.1.4.k The City shall adopt specific goals for low and moderate cost housing to ensure that sufficient and affordable housing is available to households of all income levels that live or have a member working within the City of Wilsonville.

Implementation Measure 4.1.4.l The City shall work to improve the balance of jobs and housing within its jurisdictional boundaries.

Implementation Measure 4.1.4.m The City will consider the use of the following tools identified by Metro to improve availability of sufficient housing affordable to households of all income levels and manufactured housing to assure a diverse range of available housing types.

1. Donation of buildable tax-foreclosed properties to nonprofit organizations or governments for development as mixed-market affordable housing.
2. Development of permitting process incentives for housing being developed to serve people at or below 80% of area median income.
3. Provision of fee waivers and property tax exemptions for projects developed by nonprofit organizations or governments serving people at or below 60% of area median income.
4. Creation of a land-banking program to enhance the availability of appropriate sites for permanently affordable housing.
5. Adoption of replacement ordinances that would require developers of high-income housing, commercial, industrial, recreational or government projects to replace any affordable housing destroyed by these projects.
6. Creation of linkage programs that require developers of job-producing development, particularly that which receives tax incentives, to contribute to an affordable housing fund.
7. Committing locally controlled funds, such as Community Development Block Grants, Strategic Investment Program tax abatement funds, or general fund dollars, to the development of permanently affordable housing for people at or below 60% of area median income.
8. Within the limits set by State law, consider inclusionary zoning requirements, particularly in tax incentive programs, for new development in transit zones and other areas where public investment has contributed to the value and developability of land.

Implementation Measure 4.1.4.n Amend the Development Code to permit manufactured homes configured as duplexes, triplexes, fourplexes, etc. outside manufactured dwelling parks, consistent with zoning densities.

Implementation Measure 4.1.4.o The City will encourage the development of housing of various types and densities. Guided by the urbanization, public facilities, and economic elements, the City will, however, manage residential growth to ensure adequate provision of public facilities and that proposed housing satisfies local need and desires, i.e., type, price and rent levels.

Implementation Measure 4.1.4.p In an effort to balance residential growth with the City's employment base, the City shall encourage the development of housing to meet the needs of the employees working in the City.

Implementation Measure 4.1.4.q The City will continue to allow for mobile homes and manufactured dwellings, subject to development review processes that are similar to those used for other forms of housing. Individual units will continue to be allowed on individual lots, subject to design standards. Mobile home parks and subdivisions shall be subject to the same procedures as other forms of planned developments.

Implementation Measure 4.1.4.r All development, except as indicated in the lowest density districts, will coincide with the provision of adequate streets, water, and sanitary sewerage and storm drainage facilities, as specified in the Public Facilities and Services Section of the Plan. These facilities shall be (a) capable of adequately serving all intervening properties as well as the proposed development and (b) designed to meet City standards.

Implementation Measure 4.1.4.s Residential subdivisions, including mobile home subdivisions, shall be developed with paved streets, curbs and gutters, street lights and walkways, according to City standards. All utilities, other than storm water facilities, will be placed underground.

Implementation Measure 4.1.4.t Site plans will provide for adequate open space to (a) protect adjacent properties; and (b) provide ample yard space and play areas for residents. The residential character of established neighborhoods, particularly low density developments, shall also be protected as surrounding development occurs. Site development standards shall continue to be applied to ensure compatibility with adjacent land uses. High design standards will be established for signage and appearance, including the landscaping of setback areas and the designation of access points.

Implementation Measure 4.1.4.u To provide variety and flexibility in site design and densities, residential lands shown on the Land Use Map of the Comprehensive Plan have been divided into districts, with different density ranges for each district. In all residential developments, other than those that are so small that it is not mathematically feasible to achieve the prescribed minimum density, the 80% minimum shall apply. The following density ranges have been prescribed for each district:

Density: 0-1 units/acre
 2-3 units/acre
 4-5 units/acre
 6-7 units/acre
 10-12 units/acre
 18-20 units/acre

Implementation Measure 4.1.4.v Site development standards and performance criteria have been developed for determining the approval of specific densities within each district. Densities may be increased through the Planned Development process to provide for meeting special needs (e.g., low/moderate income, elderly, or handicapped).

Implementation Measure 4.1.4.w These Implementation Measures shall not be administered in such a manner as to violate other provisions of this Plan.

Implementation Measure 4.1.4.x Apartments and mobile homes are to be located to produce an optimum living environment for the occupants and surrounding residential areas. Development criteria includes:

1. Buffering by means of landscaping, fencing, and distance from conflicting uses.
2. Compatibility of design, recognizing the architectural differences between apartment buildings and houses.
3. On-site recreation space as well as pedestrian and bicycle access to parks, schools, mass transit stops and convenience shopping.
4. The siting of buildings to minimize the visual effects of parking areas and to increase the availability of privacy and natural surveillance for security.

Implementation Measure 4.1.4.y Housing units shall be designed, constructed, and maintained so that the community is assured of safe, sanitary, and convenient living conditions in dwellings that are sound, energy efficient, and attractive in their appearance. Conservation of housing resources shall be encouraged through code enforcement, renovation, and rehabilitation of the existing housing stock.

Implementation Measure 4.1.4.z The City shall continue to apply a minimum density standard to all zones allowing residential use, such that all development, including subdivisions, will result in the eventual build-out of 80 percent or more of the maximum number of dwelling units per net acre permitted by the zoning designation for a given development. The minimum density requirement does not apply inside areas designated by the City as open spaces or significant resource sites. The maximum-zoned density does not include the density bonus for zones that allow them.

Implementation Measure 4.1.4.aa The City will continue to allow partitioning or subdividing where existing lot sizes are two or more times that of the minimum lot size in the Development Code, and all other applicable requirements are met.

Implementation Measure 4.1.4.bb The City allows the construction of one accessory dwelling unit with any detached or attached single family dwelling that is permitted to be built in any zone, subject to standards in the Land Development Code or density and size standards in Neighborhood Plans, Stage II Development Plans or Final Development Plans. Regulations of such units include size, architectural design to match the primary unit on the site, and parking requirements. [Amended by Ord. 676, 3/3/10]

Implementation Measure 4.1.4.cc In order to encourage originality, flexibility, and innovation in land development, and minimize monotonous standardized subdivisions, all subdivisions over two acres in size require Planned Development review (P.D.R.). Multi-plexes and single-family attached units may also be approved as part of a planned development.

Implementation Measure 4.1.4.dd Continue the development of a renewal program to update/upgrade the "Old Town" area of Wilsonville.

RESIDENTIAL PLANNING DISTRICTS SHOWN ON THE LAND USE MAP OF THE COMPREHENSIVE PLAN

Density (0-1 du/ac)

The purpose of this district is to provide for very low density housing areas to satisfy individuals desiring to own a large lot within an urban setting. This district recognizes and protects existing and future large-lot developments within the City. This density would generally fall under the PDR-1 zoning district category as outlined in the Development Code.

The following areas should be designated and developed at this density:

1. Areas which are currently developed at suburban densities and where little need exists for redevelopment.
2. Areas where transportation is limited to minor collector and local streets, and where high volume traffic would create safety problems.
3. Areas where sensitivity to the natural environment or natural hazards warrant a reduced density.

Density (2-3 or 4-5 du/ac)

The purpose of this district is to provide for low density residential areas. The 2-3 du/acre density would generally fall under the PDR-2 zoning district category as outlined in the Development Code. The 4-5 du/acre density would generally fall under the PDR-2 and PDR-3 (or other categories that could work out to this level of density) zoning district category as outlined in the Development Code.

The following areas should be designated and developed at this density:

1. Areas with access to a minor arterial, collector, or local streets. However, direct vehicular access from individual lots onto a minor arterial will be restricted.
2. Undeveloped areas adjacent to existing lower density developments, or near the fringe of the Urban Growth Boundary.
3. Areas where sensitivity to the natural environment or natural hazards warrant a reduced density.

Density (6-7 or 10-12 du/ac)

The purpose of this district is to ensure an efficient use of urban land by providing for the development of medium density housing areas. This density would generally fall under the PDR-

3 and PDR-4 (or other categories that could work out to this level of density) zoning districts category as outlined in the Development Code.

The following areas should be designated and developed as urban medium density:

1. Areas with access to a major or minor arterial or collector street. Siting should not, however, result in significant traffic impacts through lower density residential areas.
2. Areas located near or adjacent to commercial areas, employment centers and/or mass transit routes.
3. Areas adjacent to urban lower density developments or planning districts.

Permitted uses in this district typically include single family dwellings, whether detached or attached, accessory dwelling units, multi-family dwellings, including duplexes and tri-plexes, and mobile home parks or subdivisions, multi-family developments, including duplexes and multi-plexes and mobile home parks or subdivisions, will be subject to Development Review approval.

Neighborhood or convenience commercial uses may be permitted as part of a Planned Development but should be integrated into the design of the surrounding residential development, i.e., first floor of multi-story structure or similar design as residential units. Such commercial developments shall be limited to locations where there is clearly demonstrated local need. All such uses shall be subject to Development Review approval.

Density (18-20 du/ac)

The purpose of this district is to provide for efficient use of land near the major commercial or employment centers by providing for high-density residential development. It is a further purpose of this district to encourage mixed uses in commercial areas. This density would generally fall under the PDR-6 and PDR-7 (or other categories that could work out to this level of density) zoning district categories as outlined in the Development Code.

The following areas may be designated urban high-density residential:

1. Areas located on major or minor arterials and where such development will not result in significant traffic impacts through low- or medium-density residential areas.
2. Areas located within or adjacent to major shopping centers, employment centers and/or adjacent to mass transit routes.

Because of the land use intensity allowable in this district, the zoning will be restricted to a Planned Development review.

All developments will be subject to Development Review Board approval, including lot sizes, setbacks, open space, and parking requirements. Where feasible, under-structure parking will be encouraged on structures over two (2) stories in height.

ENVIRONMENTAL RESOURCES AND COMMUNITY DESIGN

At a glance, most land appears to be much the same as the lands surrounding it, with the exception of obvious differences such as topography and vegetation. However, a more detailed analysis can reveal distinct differences in the land composition and physical characteristics of nearly any two adjacent parcels of land. These differences can affect the overall suitability of a particular parcel of land for various types of land use. Each piece of land has a natural land use intensity potential which results from variations in its physical features and their interrelationships with natural processes, such as:

1. Underlying geological deposits and associated characteristics.
2. Types of surface soils and associated characteristics.
3. Water, the hydrologic cycle and natural drainage.
4. Slope of the land.
5. Vegetative cover (type, size, and location).
6. Weather conditions.
7. Character of adjoining natural features and developments.

Certain combinations of these natural features and processes can create inherently hazardous or unstable conditions which have special significance to humans and their land use activities. These conditions, referred to as natural hazards, are more appropriately labeled physical or natural limitations and occur in the form of:

1. Flood plains and wetlands
2. Runoff and erosion potentials.
3. Soil instability, including landslides, settlement, shrink/swell potential and earthquakes.

In addition to natural limitations, there are also natural potentials which can provide a more desirable living environment if given proper consideration in determining land use patterns and development design. The elements which offer these potentials are:

1. Existing vegetation.
2. Topography.
3. Wildlife and their associated habitats.
4. River, streams, lakes, and ponds.

In nature, there is a balanced system of events and processes that affect and shape the land on which we live. Because these processes continually and ultimately affect land and property, it follows that we should respect these natural processes in making land use decisions. For example, unless mitigated, it would not be wise to make a land use decision that encourages subdivisions to be built in areas that are known to flood.

By using nature as a guide to initial land use decisions, it is possible to minimize potential development hazards due to physical limitations of the land. It is also possible to maximize the preservation of nature and natural processes, thereby insuring that development occurs in harmony with the natural features of the community. This approach can also maintain and even enhance the natural aesthetic qualities of the community.

Following a detailed analysis of the characteristics of Wilsonville's natural environment, several areas of special concern were identified. They are:

1. Areas containing weak foundation soils, which are soft or compressible or those prone to liquefaction in the event of earthquakes and require special foundation engineering for construction.
2. Areas subject to seasonal or periodic flooding.
3. Areas with seasonally high ground water tables.
4. Areas of steep slope and subject to landslide and/or erosion.
5. Fish and wildlife habitat and associated water courses and native vegetation.

These areas are discussed in detail in the Physical Inventory report. The most significant areas identified are as follows:

1. Coffee Lake Creek/Seely Ditch - this area contains historically hydric soils with a high water table and low compressive strength. The wet soil conditions are compounded by winter rains resulting in standing water over much of the area during the winter months.
2. Boeckman Creek and other small streams have formed steep-sided canyons and ravines as they drain into the Willamette River. These steep slopes, as well as the steep banks along the Willamette River itself, include locations that are extremely unstable and subject to landslide and/or excessive erosion.
3. The flood plains along the Willamette River, Coffee Lake Creek, and Seely Ditch which are subject to seasonal and/or periodic high water following heavy storms.
4. Several stands of native vegetation scattered throughout the City, particularly along natural drainage ways. These areas provide visual relief from urban development plus run-off erosion control and habitat for wildlife.

Generally, all intensive urban development creates conflicts with open space and associated wildlife areas. However, careful management within and adjacent to these areas can significantly reduce these conflicts. Open-space-use management can also increase public safety by controlling development in hazardous areas while preserving valuable natural resources.

The City has identified significant natural resource areas that warrant special use management consideration in order to preserve water quality, visual quality, and sensitive wildlife habitats.

Uncontrolled development of adjacent properties could diminish the natural quality of these areas. Therefore, it is necessary to establish development standards for properties along the fringe of the sensitive areas. The management and protection of these natural resource areas is implemented through the provisions of the Significant Resource Overlay Zone ordinance. The economic loss of development of open space lands can be compensated for through such techniques as density transfers. In order for such a technique to work, the City must take an effective and creative approach to proposed developments, without placing unnecessary limitations on the density of development that will be permitted.

Many of these open space areas also provide scenic views, although no significant site-specific viewpoints have been identified. The Physical Inventory Report identifies the following general scenic views:

1. The Willamette River from the water, its bank, and from the I-5 bridge.
2. Numerous stands of trees throughout the City.
3. Mount Hood.
4. Boeckman Creek.

These views can be observed from numerous locations throughout the City and are infrequently threatened by development in accordance with current standards. Therefore, special scenic view standards are considered impracticable and unnecessary.

The City has determined that there is limited commercial timber resource in the numerous stands of trees throughout the City. However, as noted, they have been considered worthy of protection to preserve wildlife habitats and the community's air and visual quality, as well as providing shade, soil stabilization, and erosion control.

Other environmental resources investigated in the Physical Inventory Report include mineral and aggregate deposits. Based on the Report, there are no known mineral deposits in the City. There are some gravel deposits along the I-5 corridor north of the Willamette River. However, these deposits are of low grade in both quality and quantity. In addition, further excavation of these deposits would significantly conflict with the urban uses planned along the I-5 corridor. Therefore, no provisions have been made to protect this resource.

In addition to these factors, one of the major aspects of Wilsonville's natural environment is its relationship to agricultural land. Statewide Planning Goal #3 is intended to preserve agricultural lands.

Wilsonville's 1971 General Plan and 1988 Comprehensive Plan set objectives to allow for the continuation of agriculture as a viable part of the community's economy. Agricultural activities still exist as an interim use within the City, and they are the primary land use outside of the City. In recognition of this factor, Metro has established an urban growth boundary to protect prime agricultural lands outside of the urban area. The urban growth boundary has been established in consideration of the placement of existing and planned utilities in relation to existing and planned development patterns and provides sufficient vacant land for continued growth over the next 20 years.

As a basic framework for land use decisions in these areas, the following Policies and Implementation Measures have been established. Many of these Policies and Implementation Measures are complemented by policies in the parks and open space sections of the Public Facilities Element.

In combination, these Policies and Implementation Measures form the foundation for an integrated community design that preserves the integrity and aesthetic quality of the natural environment while allowing for development. It is the underlying intent of the Plan to reconcile these factors through site planning and design, so that they complement each other. Wilsonville's agricultural and rural heritage has long given it a sense of openness accented by lines and clusters of trees and other natural vegetation. As the City has become more urban, there remains a desire to create the sense of openness and to preserve natural features, while allowing for higher density development, as expected in urban areas.

Noise, water quality, and air quality affect our health, our economic interests and quality of life. High noise levels affect a person's mental and physical well being and ability to work. Poor water and air quality can be a health hazard. Because of their complexities, air and water quality and noise control require both local and regional action. A regional and urban growth boundary has been established to concentrate urban growth within a specified area and to reduce sprawl. Wilsonville is within the regional growth boundary. While urban growth will be contained by the boundary, the boundary, without the necessary safeguards (such as performance standards), could simultaneously exaggerate and concentrate urban pollution.

Wilsonville is located within the Portland/Vancouver Air Quality Maintenance Area (AQMA). Within the AQMA there are three non-attainment areas (CO, TSP, O₃). Only the O₃ non-attainment area includes Wilsonville (it has the same boundaries as the AQMA). Consequently, the City is subject to the policies and standards set forth in the State Implementation Plan jointly adopted by Metro and State Department of Environmental Quality (DEQ).

Full compliance with these standards could result in some development constraints with the City and at a minimum could require installation of air pollution control devices on some industries. Air quality will remain a concern as urban development occurs.

Similarly, water quality is regulated by Federal Standards enforced by DEQ at the State level. For example, the City's sanitary sewer treatment system is monitored to insure compliance with DEQ wastewater discharge standards.

The major source of noise pollution within the City is the I-5 Freeway. Other noticeable sources include boats on the river and trains passing through town.

In recognition of the noise conflicts with the Freeway and railroad tracks, the City has made an effort to minimize the location of residential development adjacent to the Freeway or tracks. In addition, site design and sound control devices, i.e., berms and walls can be used to reduce noise conflicts.

In considering the overall character of the community, it is important to look to the past. As a community develops, it should not discard its past for the sake of the future. Historic features provide a link with the past and add character and variety to the community's design.

The Statewide Inventory of Historic Sites and Building identifies one historic site in the City, the Boones Ferry Landing Site. There is no physical evidence of this landing site, except that Boone's Ferry Road terminates at the river's edge. The site is part of a six-acre City Park and is located within the Willamette River Greenway Boundaries. Other than documentation and recognition that this landing site exists, no additional standards or measures are considered necessary to preserve its historic value.

Additional Wilsonville sites and buildings have been inventoried and the results have been included as an appendix to the Comprehensive Plan as potential historic sites and structures. The City has worked with the local Historical Society on that inventory in the past and is expected to continue to coordinate with that group in completing the Goal 5 process for historic resources in the future.

Policy 4.1.5 Protect valuable resource lands from incompatible development and protect people and property from natural hazards.

Implementation Measure 4.1.5.a Require the placement of utilities underground in new developments and seek means of undergrounding existing above-ground utilities, other than storm drainage facilities.

Implementation Measure 4.1.5.b Help to preserve agricultural land by protecting the agricultural lands outside the Urban Growth Boundary, by guiding development within the boundary. Discourage long term agricultural uses within the urban boundary.

Implementation Measure 4.1.5.c Provide a buffer use or transition zone between urban and adjacent agricultural areas.

Implementation Measure 4.1.5.d Conserve and create open space throughout the City for specified objectives.

Implementation Measure 4.1.5.e Protect the beneficial uses and functional values of resources within the Water Quality and Flood Management Areas and Habitat Conservation Areas identified by Metro by limiting or mitigating the impact on these areas from development activities.

Implementation Measure 4.1.5.f Ensure protection of Water Quality and Flood Management Areas and Habitat Conservation Areas pursuant to Title's 3 and 13 of the Metro Urban Growth Management Functional Plan by either:

1. Adopting the relevant provisions of the Metro Water Quality and Flood Management model ordinance and Metro Water Quality and Flood Management Conservation Area Map; or

2. Adopting the relevant provisions of the Metro Title 13 model ordinance and Habitat Conservation Areas Map; or
3. Demonstrating that the City's plans and implementing ordinances substantially comply with the performance standards, including the map, contained in Title 3. In this case, the purpose of this map is to provide a performance standard for evaluation of substantial compliance for the City; or
4. Demonstrating that the City's plans and implementing ordinances substantially comply with the development standards, including the Habitat Conservation Areas Map; or
5. Any combination of 1 and 3 above that substantially complies with all performance standards in Section 4 of Title 3 of Metro's Urban Growth Management Functional Plan.
6. Any combination of 2 and 4 above that substantially complies with all development standards in Section 6 of Title 13 of Metro's Urban Growth Management Functional Plan.

Implementation Measure 4.1.5.g Encourage identification and conservation of natural scenic and historic areas within the City.

Implementation Measure 4.1.5.h Develop an attractive and economically sound community.

Implementation Measure 4.1.5.i Identify buildings of unusual or outstanding architectural style from earlier eras. Encourage preservation of these structures.

Implementation Measure 4.1.5.j Ensure that open space conforms to the characteristics of the land, type of land use, adjacent land uses and City needs.

Implementation Measure 4.1.5.k Develop open, limited, or restricted access natural areas connected where possible by natural corridors, for wildlife habitat, watershed, soil and terrain protection. Preservation of contiguous natural corridors throughout the City for the protection of watersheds and wildlife will be given priority in land use decisions regarding open space.

Implementation Measure 4.1.5.l Identify areas of natural and scenic importance and give them priority in selection of public open space. Where legal rights of access have been acquired, extend public access to, and knowledge of such areas, in order to encourage public involvement in their preservation.

Implementation Measure 4.1.5.m Protect the river-connected wildlife habitat and encourage the integration and inter-connection of the Willamette River Greenway to open space areas of the City. Continue to regulate development within the Greenway boundaries. Provide for public access to the river only through and within the City parks or other properties intended for public access.

Implementation Measure 4.1.5.n Adopt performance and development standards, in accordance with Metro, to conserve, preserve, protect, and enhance fish and wildlife habitat within the fish and wildlife habitat conservation areas identified on Metro’s water quality and flood management area map and Habitat Conservation Areas Map.

Implementation Measure 4.1.5.o Adopt Metro’s Habitat-Friendly Development Practices, which provide a method of developing property that protects natural resources and focuses on land development and site design that mimic natural processes. The design and construction practices include the following categories:

1. Minimize hydrologic impacts
2. Minimize impacts on wildlife corridors and fish passage
3. Protect and enhance native landscaping

Implementation Measure 4.1.5.p Require compliance with Oregon Department of Fish and Wildlife (ODFW) seasonal restrictions for in-stream work. Limit development activities that would impair fish and wildlife during key life-cycle events according to the guidelines contained in ODFW’s “Oregon Guidelines for Timing of In-water Work to Protect Fish and Wildlife Resources.”

Implementation Measure 4.1.5.q The Administrative Review, Variance and mitigation procedures within the Development Code may be used to consider claims of map error and unique hardship, to assure that the standards do not render any legal tax lot to be unbuildable by application of requirements for natural resource protection.

Implementation Measure 4.1.5.r Continue to regulate development in potential disaster and hazard areas to minimize risks to life or property.

Implementation Measure 4.1.5.s Housing development, and any other development intended for human occupancy, shall occur, to the greatest extent possible, on lands designated for development that are free from flood hazard, severe soil limitations, or other hazards.

Implementation Measure 4.1.5.t Ensure adequate storm drainage.

Implementation Measure 4.1.5.u Define risks of development by using Federal Emergency Management Agency maps showing flood plains and floodways. Restrict buildings in the flood plains and prohibit buildings in the floodway.

Implementation Measure 4.1.5.v Require engineering where necessary to minimize the potential effects of natural hazards.

Implementation Measure 4.1.5.w Require all future utilities to be placed underground, other than storm drainage facilities.

Implementation Measure 4.1.5.x Provide available information, when requested, to those interested in developing land in areas of the following hazards:

- a. 100 year floods;
- b. slides and earthquake damage; or
- c. wind damage, possible tree topping.

Implementation Measure 4.1.5.y Protect the Willamette River Greenway from incompatible uses or development activities, using the standards of the Greenway section of the Development Code.

Implementation Measure 4.1.5.z Riparian corridors, wetlands and wildlife habitat that are determined to be significant through the Goal 5 process shall be designated as one or more overlay zones on the City Zoning Map.

Implementation Measure 4.1.5.aa Protected natural resources within the Significant Resource Overlay Zone are intended to remain undeveloped with the possible exceptions of passive recreation and underground public facilities. These areas include the following:

1. Riparian corridors, wetlands and wildlife habitat that are determined to be significant through the Goal 5 process and are included in the Significant Resource Overlay Zone.
2. Water quality resource areas as defined by Metro's Title 3 of the Urban Growth Management Functional Plan.
3. Habitat Conservation Areas as defined by Metro's Title 13.

Implementation Measure 4.1.5.bb An Area of Limited Conflicting Use is defined as an area located between the riparian corridor boundary, riparian impact area or the Metro Urban Growth Management Functional Plan Title 3 Water Quality Resource Area boundary, whichever is furthest away from the wetland or stream and the outside edge of the SROZ or an isolated significant wildlife habitat area as defined by Goal 5. These areas can serve as a buffer between development and conservation. Limited development impacts may be permitted in accordance with special development standards found within the Planning and Land Development Ordinance.

Implementation Measure 4.1.5.cc Undeveloped portions of the Significant Resource Overlay Zone may be used towards satisfaction of open space requirements. A density transfer credit of not more than 50% of the designated Significant Resource Overlay Zone will also be allowed.

Implementation Measure 4.1.5.dd In vegetated areas, the positive visual impact of the trees, etc., is to be preserved. Any clearing of trees for development is subject to arboricultural standards and the requirements of the Planning and Land Development Ordinance.

Implementation Measure 4.1.5.ee Due to potential hazards to human health, the high voltage powerline easements within the City are regulated by the Planning and Land Development Ordinance. No residential structures shall be allowed within the easements and any development, particularly residential, adjacent to the easements will be carefully reviewed. While these corridors offer some potential for recreational use, their use is also

somewhat limited by utility requirements. Any proposed non-residential development within powerline easements shall also be coordinated with, and approved by, the Bonneville Power Administration or Portland General Electric Company, depending on the easement ownership.

Implementation Measure 4.1.5.ff To protect the integrity of the Willamette River Greenway, the City has established standards for the development of non-water-related and non-water-dependent uses consistent with Greenway standards. These standards:

- a. Direct incompatible (non-water-related and non-water-dependent) development away from the river.
- b. Establish a minimum setback from the top of bank where no native vegetation can be removed, and only allow selective vegetation removal within the remaining portion of the Greenway Boundaries with revegetation required.
- c. Establish a minimum setback from the river banks for all uses that are not appropriate river-dependent or river-related land uses.
- d. Provide protection of public and private property, as well as public safety.
- e. Provide necessary and needed public access to the river oriented through public lands, without precluding legal river access at appropriate locations across private property. Such public access shall be based upon recorded easements or other legal instruments.

Implementation Measure 4.1.5.gg Where possible, on-site drainage should be designed to preserve natural drainage channels and to allow for ground water infiltration. Man-made structures should be designed to complement the natural system. It is not the intent of this Measure to encourage unsightly and unsafe open ditches. Rather, open drainage systems should be designed to accent natural creeks and drainage channels and provide an attractive natural area-like appearance.

Implementation Measure 4.1.5.hh Minimize the impact of urban development on adjacent rural and agricultural lands. A combination of open space and low density land use designation may be employed.

Implementation Measure 4.1.5.ii The design of developments within the community can be regarded from two viewpoints: the design of structures as they relate to site and function (architectural design) and, their relationship to the surrounding area (community design). Both aspects shall be considered to be of equal importance. Good architectural design is necessary to provide visual variety and allow for individual identity. At the same time, good community design provides a sense of unity with other development while eliminating conflicting appearances.

Implementation Measure 4.1.5.jj All proposed developments, except single family dwellings outside of designated significant natural resource areas, shall continue to be subject to site plan (including landscaping) and architectural development review approval. Single-family subdivisions are subject to development review for approval of street tree plans.

Individual (single-family) dwellings to be located within a designated significant natural resource area are subject to site plan review for removal of trees and vegetation and impacts to natural resources. They are not, however, subject to architectural review.

Implementation Measure 4.1.5.kk Minimum open space and landscaping standards have been established, emphasizing the incorporation of native vegetation and unique topographic features in site design. Additional landscaping may be required based on the scale and type of development and its compatibility with abutting land uses.

Implementation Measure 4.1.5.ll Landscaping and/or open space may be used to buffer non-compatible uses. It is intended to soften the visual impact and provide a sense of openness and should be used to complement good building designs and may be used to screen certain types of development.

Implementation Measure 4.1.5.mm Sign standards have been established to control the visual impact of signs on the community and minimize sign clutter.

Implementation Measure 4.1.5.nn The City shall coordinate with and encourage the State and other appropriate agencies to assist in developing noise controls and mitigation measures.

Implementation Measure 4.1.5.oo Industrial and other potential noise generating activities will be located and designed so as to minimize noise conflicts with adjacent uses. The City will cooperate with DEQ and ODOT in establishing and where practicable assisting in enforcing noise control standards.

Implementation Measure 4.1.5.pp In reviewing all major residential, commercial, industrial and public facility uses, the City shall coordinate with DEQ to insure compliance with the Portland AQMA Plan and standards as well as other applicable regional, State and Federal air, water and environmental quality standards.

Implementation Measure 4.1.5.qq The City will further cooperate with the appropriate State and Federal agencies for enforcement of air, water, noise and other environmental quality standards.

Implementation Measure 4.1.5.rr The City recognizes that historic features form a desirable link with the past and that they form a vital part of and contribute to the overall character of Wilsonville. The City, therefore, will cooperate with the Wilsonville Historical Society, the State Historic Preservation Office, Clackamas County and other interested parties to evaluate and identify potential historic sites and structures and proceed with the Goal 5 process. The City shall determine which sites and structures, if any, are suitable for inclusion on the Plan Inventory and will contact the owners of potentially historic properties to determine whether they object to having their properties listed.

COMPACT URBAN DEVELOPMENT

Several hundred acres of the Metro Urban Growth boundary are affected by the directives of the Villebois Village Concept Plan (Ordinance No. 533). These properties, bounded generally on the north by Tooze Road, west by Grahams Ferry Road, south by the Metro Urban Growth Boundary at Brown and Evergreen Roads, and east to the current City western boundary, can be designated “Residential-Village” on the Comprehensive Plan Map.

Including Dammasch State Hospital property, development and redevelopment will integrate a mixed-use land pattern that combines natural resources, transportation facilities and land uses to create over 2300 residential units that are configured around three neighborhood areas.

The Residential-Village Plan Map Designation fulfills and replaces the intent of previous Comprehensive Plan language that addressed this portion of the City as Special Area of Concern B on the Comprehensive Plan Map. A Residential-Village Plan Map designation carries additional requirements and implementation tools as described below.

The City’s “Village” Zone District will implement this area’s development. The Villebois Village Master Plan will direct necessary infrastructure improvements. The Significant Resource Overlay Zone District will govern how identified natural resources are integrated under the Concept Plan.

Specific development proposals will be guided and directed by “specific area plans” and pattern books. In many cases a development proposal will be reviewed by the City’s Development Review Board for conformance with development requirements for this area.

Policy 4.1.6 Require the development of property designated “Residential-Village” on the Comprehensive Plan Map to create livable, sustainable urban areas which provide a strong sense of place through integrated community design, while also making efficient use of land and urban services.

Implementation Measure 4.1.6.a Development in the “Residential-Village” Map area shall be directed by the Villebois Village Concept Plan (depicting the general character of proposed land uses, transportation, natural resources, public facilities, and infrastructure strategies), and subject to relevant Policies and Implementation Measures in the Comprehensive Plan; and implemented in accordance with the Villebois Village Master Plan, the “Village” Zone District, and any other provisions of the Wilsonville Planning and Land Development Ordinance that may be applicable.

Implementation Measure 4.1.6.b The Villebois Village Master Plan shall contain the following elements:

1. An integrated plan addressing land use, transportation, utilities, open space and natural resources.
2. Direction for cohesive community design based on sustainable economic, social and environmental principles; pedestrian and transit friendly principles; mitigation of

traffic impacts; and enhanced connectivity within proposed development as well as to the remaining Wilsonville environs.

3. Identification of opportunities for employment and services within a village core area to reduce vehicle trip lengths.
4. Incorporation of designs or an indication of where those designs shall be developed that will implement Villebois Village Concept Plan principles of innovative rainwater management, aesthetic vistas, nature corridors and pathways, active and passive parks, wildlife corridors, protection of trees, wetlands, and other sensitive natural resources.
5. Identification of how the properties will accommodate a mix of housing types and densities so that an ultimate buildout of over 2300 housing units is accommodated.
6. Direction for provision of community housing consistent with Oregon Revised Statute 426.508.
7. Identification of architectural patterns and types, creating neighborhoods that encourage bicycle and pedestrian travel, human interaction, and appreciation for natural features and systems.

Implementation Measure 4.1.6.c The “Village” Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation.

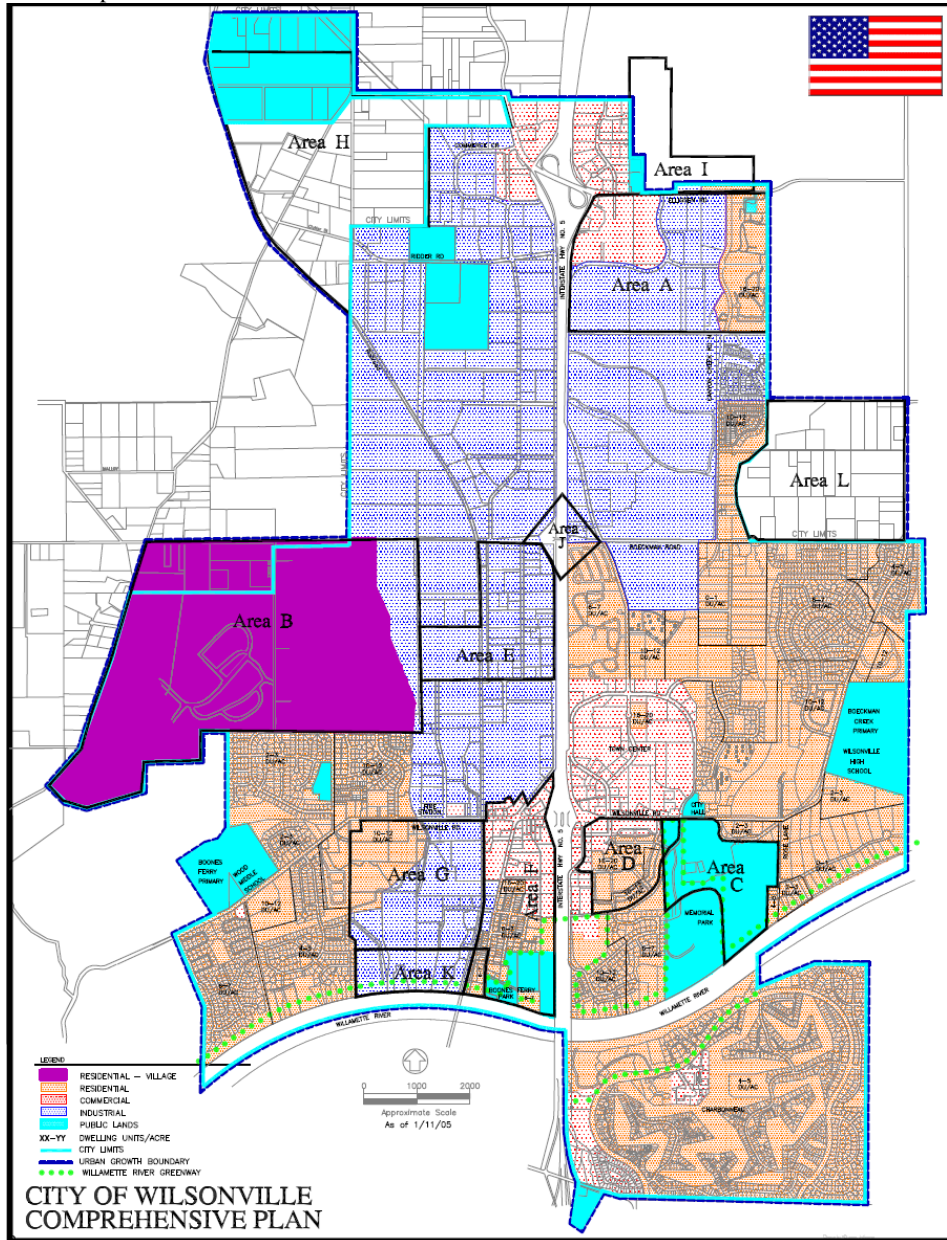
Implementation Measure 4.1.6.d The “Village” Zone District shall allow a wide range of uses that benefit and support an “urban village,” including conversion of existing structures in the core area to provide flexibility for changing needs of service, institutional, governmental and employment uses.

[*Compact Urban Development* added per Ordinance No. 554, June 2, 2003.]

THE PLAN MAP

The Plan Map represents a visual illustration of the general land use concepts presented in the Plan. It establishes a basic land use pattern by allocating specific areas or districts to various land uses, including residential, commercial, industrial, public and open space. The map illustrates a typical separation of uses, consistent with conventional zoning. However, the Plan text recognizes that certain combinations of uses can be beneficial and, therefore, language in the text provides for a mixing of those combinations through a Planned Development Review process. When interpreting the intent of the Plan, the text supersedes the map in the event of a conflict.

This Comprehensive Plan Map is dated January 11, 2005 and does not include amendments made to the Map after that date.



AREAS OF SPECIAL CONCERN

In reviewing and updating the Plan map, several areas of special concern were identified. It was felt that the general language in the text did not adequately address these concerns in these areas.

The following section includes specific language describing special considerations that must be addressed in development of these areas.

AREA A

This area is comprised of land in the southeast quadrant of the I-5/Stafford (Exit 286) interchange. The designated development for this area is a mixture of commercial, industrial, and residential activities, with the majority of the area designated as industrial park. While this is a logical land use pattern, generally conforming to the City's original General Plan goals and objectives, the potential impacts of these designations were considered great enough to warrant special attention.

Ideally, the entire area would be redeveloped under a common master plan, with a development agreement involving all of the property owners and the City. In fact, the various owners worked jointly with the City in developing the original designations on the Comprehensive Plan Map. Specific concerns for this area are related to transportation, land use, and environmental/community design issues. Each development of this area shall be consistent with or complimentary to the following objectives:

Transportation Objectives

1. Assure that congestion at the I-5/Stafford interchange, including conflicts between the freeway on-off ramps and Parkway Avenue, does not exceed the City's adopted level-of-service standards.

Environmental Resources and Community Design Objectives

1. Capitalize on special development opportunities provided by existing topography and natural vegetation. Concentrate sensitive residential uses in areas where privacy may be provided by natural vegetation and topographic variety.
2. Minimize the disruptive and incompatible impacts of the high voltage power lines which transverse the area. Housing should be located away from the power line easements. Less sensitive uses (e.g., short term parking/storage and open space) may effectively utilize areas adjacent to and within the power line easements.
3. Future development shall be designed and located so as to soften the intense appearance of large buildings or expanses of asphalt.

AREA B

[Deleted per Ordinance No. 554, June 2, 2003]

AREA C

This area is located between Memorial Drive and Rose Lane and south of Wilsonville Road. Considerable concern was expressed over the potential impacts of development on the low-density Montgomery Way area and also over potential traffic impacts on Rose Lane and Wilsonville Road.

Design Objectives

1. Provide low-density and/or open space buffers adjacent to existing large lot development.
2. Maximize the visual buffering effect of Boeckman Creek and associated vegetation by locating higher densities southwest of the Creek.
3. Provide a master plan for the development of the east side of Memorial Park and for the Boozier property that has been acquired by the City.

AREA D

This area is the site of the Village at Main Street development located south of Wilsonville Road and east of Parkway Avenue. The area is now undergoing commercial and residential development. The majority of the site is designated for residential development. The frontage of the area is designated for commercial development intended to create a vital village atmosphere. Concerns for this area are related to traffic, design, and use.

Design Objectives

1. Minimize direct access to Wilsonville Road. Primary access to this site shall be provided at signalized intersections to Wilsonville Road aligned with the Town Center Loop Road and the central access to the Town Center. An internal street network shall provide connectivity to and from Parkway Avenue, Memorial Drive, Rogue Lane, Holly Street, the library and the commercial frontage. Provisions for transit access and coordination with existing and planned pedestrian and bike pathways to the City library and City Park are also concerns in this area.
2. The predominant use of the site is intended to be residential. Commercial uses shall be located as designated on the Comprehensive Plan Map and shall be subject to careful design review for compatible and complementary design with the adjacent residential uses. Uses are intended to be convenience and neighborhood oriented to serve the local residents, but may include service commercial and office uses provided they are found to be consistent with the design objectives established in the Planned Development review process. Uses shall interrelate to each other to create a dynamic and vital sense of place. Buildings shall be oriented

to each other and to court yards or plazas to facilitate connectivity. All commercial uses and buildings are subject to Development Review Board approval as part of the Stage I Master Plan and Stage II Site Development Plan.

3. Residential building design shall maintain human scale and provide a mix of public and private spaces resulting in a safe, healthful, attractive, and engaging community. Sign lines and visual reference points shall be created and/or enhanced throughout the site to strengthen the overall aesthetics of the development.
4. The heavy stand of fir trees along the southern portion of the property shall be maintained, providing continuity in the vegetation line extending west from the City Park. A visual corridor and pedestrian/bikeway connection shall be provided between the residential areas and the park.
5. The Village at Main Street development is recognized as a sub district of the Town Center. The core area is located immediately across Wilsonville Road. As such, the subject property creates an opportunity for a unique complementary relationship to the Town Center as a mixed use development. While not physically part of the core area of Town Center, the commercial portion of the Village at Main Street development shall be designed to function as a special sub district with a neighborhood or main street that complements the City's major commercial district. This also recognizes that the predominant use within the subject site is residential.
6. As a special sub-district of the Town Center, the entire development shall be designed with a strong pedestrian orientation both internally and externally to the site. This is of particular concern within the commercial portion where there is an opportunity to create a less auto-dominated environment than has occurred within the Town Center. This special design orientation also recognizes the site's unique geographic location adjacent to the Town Center, City Library, City park and nearby City Hall which are all within easy walking distance. To create a vital pedestrian-oriented environment, the commercial development shall be designed with multiple linkages between storefronts and main doorways. While building sizes may vary, it is the orientation between buildings, store fronts, building entries, walkways and plazas that is of specific concern to maximize the pedestrian environment. Second story uses such as office and residential are also encouraged to strengthen the mix of use and activity within the center.

AREA E

This is the area planned for industrial use between Boeckman Road and Barber Street, from Boones Ferry Road to the railroad tracks. It also includes the property west of the railroad, immediately north of Barber Street, that has been identified as a potential commuter rail station and park-and-ride lot. The primary concerns for this area have been related to continuity in design and protection of the existing mobile home park.

The area has been previously divided into numerous small lots, many of which are in separate ownerships. For this reason, the opportunity to design development under a common master plan is minimized. Therefore, there is a potential for an uncoordinated patchwork development pattern to occur.

The Walnut Park mobile home park is also located in this area. While economics may ultimately force redevelopment of the park to industrial use, the life of the park can be prolonged through careful design considerations of surrounding development. Doing so will help to retain one of the City's affordable housing opportunities.

Design Objectives

1. Encourage consolidation of smaller lots to allow for master planning of large areas.
2. Provide buffers adjacent to the mobile home park, e.g., increased landscaped setbacks, or complementary uses.
3. Minimize traffic (truck) conflicts with residential activities, including pedestrians.
4. Provide an attractive and easily accessible park-and-ride facility in conjunction with a commuter rail station. If necessary to meet these objectives, prepare a master plan for the area around the selected commuter rail station site.
5. Determine the appropriate alignment for a road connecting 95th Avenue and Kinsman Road through this area.

AREA F

This area is situated west of I-5 and primarily, although not entirely, south of Wilsonville Road and includes commercial and residential properties in the Old Town neighborhood. It includes the existing retail centers, both north and south of Wilsonville Road, plus land to the south along both sides of Boones Ferry Road to the Willamette River. Future development applications in Area 'F' must address the design objectives listed below, as well as all other applicable Development Code requirements.

This Area of Concern specifically includes the "Old Town" area of the City. A portion of Old Town includes properties previously master planned as "Wilsonville Square 76." As a result of the West Side master planning effort, additional emphasis has been placed on creating a special

Old Town District (through overlay zoning), and reinforcing the appearance of the City's historic beginnings.

Existing development within Old Town includes a gas station, bank building, prior post office, the Old Methodist Church, the Wilsonville Primary School, apartments, a mini-storage facility, two historic commercial structures, a manufacturing facility, and two mixed-use commercial/industrial buildings, as well as many residential properties with varying densities. One of the mixed-use buildings was recently developed as the first historic replica facade envisioned for the Old Town District discussed below.

Through the planning effort that led to the preparation of the West Side Master Plan, additional emphasis has been placed on creating a special Old Town Overlay Zone. The purpose of the Overlay Zone is to reinforce the appearance of the city's historic beginnings and to create a unique commercial main street. The Old Town District is envisioned as a modern representation of the community's past, and is intended to promote compatibility of commercial designs with Old Town residential development and to create a functional main street.

By moving in the direction of recreating an "Old Town" it is recognized that the Wilsonville Square Plan is outdated, falling short of new design objectives. Therefore, there is a need for coordinated planning and broader based master planning that addresses all of the commercial development in Old Town, not just that on the east side of Boones Ferry Road.

The portion of Area 'F' that is north of Wilsonville Road includes properties between Boones Ferry Road and the freeway, the Riverwood Shopping Center at the northwest corner of Boones Ferry and Wilsonville Roads, and other properties to the north and west of the Riverwood Center. There has not been much continuity of design in this area in the past and access control is expected to be of increasing importance in the future as traffic congestion increases.

The Design Objectives listed below include provisions dealing with both commercial and non-commercial properties.

Design Objectives

1. Establish Old Town as a special overlay zoning district, with design criteria reflecting the character of Willamette Valley architecture that was prevalent between 1880 and 1930.
2. As noted above, not all of Area 'F' is within the Old Town Overlay Zone. Because of this, there are two different standards of review for new development proposals in the area. Require master planning (Stage I) coordinating access, circulation, and streetscape, linking both sides of Boones Ferry Road, for any proposed development as far south as 4th Street. For properties within the Old Town Overlay Zone, include architectural design and general building orientation within the Stage I review process. A "main street" pedestrian-oriented feel and look is the desired outcome of such coordinated design. In order for that to be accomplished, on-street parking will need to be provided wherever feasible in the Old Town area.

3. Coordinate public facilities, and in particular master planning of commercial accesses and circulation options, consistent with Old Town Overlay zoning regulations. These requirements apply to all properties in Area F.
4. Coordinate street improvements, including alternate routes to help relieve traffic impacts on Old Town neighborhood residents and on Wilsonville Road near the I-5 Interchange. The new coordinated access and circulation plan is intended, in part, to replace and expand upon the old local street plan set forth in the Wilsonville Square 76 Plan. Internal circulation is intended to provide flow-through access from site to site, not limited by property lines. However, such access need not be via dedicated public streets.
5. Maintaining reasonable access is an important factor in accommodating additional commercial development in this area. Commercial development will create additional traffic. Therefore, it will be necessary to balance maintaining an acceptable level of service and safety while providing reasonable and functional commercial access.
6. Almost all of the long-standing businesses in this area of the community are now in need of modernization or redevelopment, and may also be planning to expand. Therefore, allowing for appropriate remodeling and/or redevelopment of the existing commercial sites or buildings is a concern for the current owners of these properties. There needs to be flexibility allowed to accommodate normal modernization and even redevelopment of existing commercial operations while still making provisions for coordinated design, access, and circulation.
7. New development and redevelopment is expected throughout most of the old Wilsonville Square 76 area. Redevelopment of the school property and the Lowrie's property (on the west side of Boones Ferry Road) is also anticipated. The anticipated redevelopment plan for the school site includes stores fronting Boones Ferry Road. There is also an intent to preserve and remodel the old church on the east side of Boones Ferry Road as some form of public space.
8. Community members have expressed concern about the loss of the park and play facilities which were part of the historic school site. The City will seek ways to replace the recreational space and explore incentive mechanisms to protect and encourage enhancement of the historic residential character of the neighborhood, while preserving appropriate public open space.
9. Minimize the disruptive and incompatible nature of the railroad, which abuts this District. The City may consider pursuing a second commuter rail stop in or near Old Town, at such time as commuter rail service is extended south toward Salem. If a park & ride is added in this area, it will need to be sized and sited to be complimentary with the needs of the commercial district, without drawing unnecessary freeway traffic into the neighborhood.
10. Minimize non-residential traffic impacts south of 4th Street, while planning for improving the recreational potential of the Willamette River and Boones Ferry Park.

11. Allow flexible mixed-use development, including retail commercial, offices, service commercial and light industrial, residential, and public activities within the Old Town Overlay Zone. Limit the area of service commercial development based on traffic capacity.
12. Coordination of utilities and street locations, alignment, and connections will require cooperation among property owners. The City will need to work with private landowners and developers to deliver the desired outcomes.
13. Two-story buildings shall be encouraged along Boones Ferry Road in the Old Town area in order to add to the “Main Street” feel.

AREA G

This area, located west of the railroad tracks and south of Wilsonville Road, contains a mix of planned and existing uses. Existing uses in the area include a concrete plant, building products distribution, and an office building which also houses a church. There are several houses and barns towards the south end of the area. The rest of the area is currently farmed, and includes Coffee Lake Creek, which flows to the Willamette River in this area.

Wilsonville Concrete has conducted gravel and concrete operations at the south end of this area adjacent to the river since prior to the incorporation of the city. The plant is an aggregate resource-based operation that has relied upon the river for transport of raw materials, such as sand and gravel. Aggregate is not mined at the site, but it is brought there for processing. The continuing operation of the plant is important to meet the needs of the construction industry, which relies on the aggregate and concrete products. For that reason, there need to be provisions made to manage conflicts with neighboring uses and activities, while allowing for appropriate continued operations. At the same time, there will be a continuing need to provide for appropriate modernization, including environmental protection as the operation continues within an increasingly urbanized setting.

The owners of the concrete/gravel operation have taken steps to mitigate the effects of their operation on nearby residential development and to separate the truck traffic from their operation from non-industrial traffic. Operational changes at the site will need to be carefully considered in relation to other long-term uses planned for this area. Future planning will need to balance and mitigate conflicts between potentially non-compatible uses. Continued urbanization of this area creates some inherent potential conflicts for which there is a need for creative and cooperative solutions.

The extension of Kinsman Road, south to Industrial Way, and extension of Bailey and/or 5th Streets, west at least to Industrial Way/Kinsman, would improve access to and from Old Town. It would also provide a signalized intersection for the industrial truck traffic generated to the south. An extension from Kinsman Road, west to Brown Road, would further enhance access and circulation in this area, providing an alternative to Wilsonville Road, which is congested during rush-hour times.

Improved access into and through this area could actually result in conflicts between industrial truck traffic and general commercial and residential vehicles. These conflicts will be exaggerated if pedestrian paths and bikeways are not adequately separated from other street improvements. Such anticipated conflicts could increase resistance to the cooperation necessary in developing streets south of Wilsonville Road and west of the railroad tracks. Therefore, the City will likely need to participate in a cooperative public/private partnership.

The West Side Master Plan also acknowledged public desire for more recreational access along the riverfront, and supported commercial and residential mixed-uses along the river frontage, east of Wilsonville Concrete and west of the railroad. This would also bring more non-industrial traffic and use into the area, although the various ravines provide separation between some of those uses. It should also be noted that those ravines provide important natural resource benefits to the area and will necessitate special designs for bridges or other crossings.

A portion of Area 'G' adjacent to Wilsonville Road was previously designated for commercial use. However, this designation conflicted with the city's policy to avoid strip-commercial development. Therefore, that area was designated for industrial development in 1980. During the formulation of the West Side Master Plan, commercial and industrial activities were reconsidered. In particular, the frontage south of Wilsonville Road, just west of the railroad, was recommended to be zoned for offices as well as industrial uses.

Design Objectives

1. Require master planning (Stage I) of large areas to provide long-term protection of the concrete/gravel operation, accommodate the city's water treatment plant and associated water feature park, accommodate new compatible residential, industrial, and office development, and provide for continuity of design and coordination of uses. Note that residential development at moderate densities may be one alternative to other uses that would otherwise generate excessive traffic on Wilsonville Road.
2. Provide coordinated access and circulation that accommodates industrial development, minimizes conflicts with residential neighborhoods, provides an alternate route for Boones Ferry Road and Old Town, and that helps to minimize congestion on Wilsonville Road, particularly where capacity is limited.
3. The city shall work with property owners to identify appropriate street alignments that provide needed access and circulation while serving adjacent properties and Old Town.
4. Provide buffering along the western perimeter of the area for adjacent residential developments. Buffering can be provided by open space, walls, or berms; residentially sensitive buildings such as offices or light industrial; by visual barriers and sound control mechanisms and structures; or combinations thereof.
5. Maintain and enhance the aesthetic and environmental quality of Seely Ditch, Coffee Lake Creek, and the Willamette River.
6. Carefully limit incompatible uses in this area, while minimizing noise and air quality impacts on adjacent residential neighborhoods.

7. If possible, without damaging the viability of the railroad, minimize the disruptive and incompatible nature of the railroad, which abuts this area Pursue appropriate commuter rail service, which ultimately may extend south of Wilsonville.

AREA H

Note: the previous Area 8 has been replaced with Area H, dealing with the Day Road area, northwest of the current City limits, including the new State prison. This area is bordered by Clay and Day Roads on the north and railroad tracks on the west.

A master plan for this neighborhood will be needed to address property-owner concerns and mitigate the effects of the 110-acre prison development. The City is providing urban services to the prison prior to annexation, and expects to provide services to the entire area when it has been master planned and annexed.

AREA I

Note: the previous Area 9 has been replaced with Area I, dealing with the land along Elligsen Road, north of the current City limits. This area includes the Pheasant Ridge RV facility, a City water reservoir, and another 50 or more acres that are still in agricultural use. Interesting development proposals have been discussed for this area, including an amphitheater for outdoor concerts. However, the City has not yet approved a master plan for the area, and future uses are uncertain.

The development of Area I will need to be coordinated with the redevelopment of the old Burns Brothers property, south of Elligsen Road, because of traffic issues in close proximity to freeway interchange #286.

AREA J

The City has long viewed the Boeckman Road crossing of I-5 as a suitable location for construction of an interchange with I-5. However, the City also recognizes that I-5, being an interstate freeway, has state and national functions which may have to be balanced-with local interests. The Oregon Department of Transportation (ODOT) has authority along with the Federal Highway Administration for the design, construction, and operation of I-5. Only recently has ODOT agreed to work with the City to study the feasibility of a Boeckman Road interchange.

The land between the Wilsonville Road / I-5 and the North Wilsonville-Stafford Road / I-5 Interchanges was planned initially with a transportation system which included an interchange at Boeckman Road. The City and ODOT will be evaluating all aspects of need, as well as preliminary interchange design for Boeckman Road at I-5. There are many potential impacts on surrounding land use patterns and other aspects of the local transportation network that will depend on the outcome of the study of interchange feasibility for Boeckman Road at I-5.

As viewed by the City, the rationale for an interchange at this location is at least threefold. (1) Interchange congestion could be reduced by distributing the number of trips among three rather than two interchanges, (2) traffic associated with development allowed by the Wilsonville Comprehensive Plan in the vicinity of Boeckman Road (and especially the Dammasch area, noted in 'D,' above) could be expedited more effectively, and (3) options for improving traffic upon other roadways serving the City of Wilsonville could be enhanced. The City recognizes that if item three is verified, then the improvement to I-5 at Boeckman Road may be viewed by ODOT as a local improvement which is inconsistent with the purpose of the interstate freeway. This may be sufficient or additional reason for ODOT to reject the interchange.

Because of these, and perhaps other, benefits to the City, the City Council has chosen to highlight the City's interest in this potential project by including this special section in the Comprehensive Plan. The City will continue to cooperate with other interested parties to conduct feasibility analyses of a Boeckman Road interchange. As appropriate, City consultants, staff, the Planning Commission and City Council will conduct reviews and hold public meetings on the options.

In the event that the City determines, with ODOT's concurrence, the feasibility of the interchange, the City will proceed with a plan amendment to add the Boeckman Road interchange to the Transportation Systems Plan. In the event this project is to be included in the City's Plan, the City will prepare amendments necessary to include in the Plan the other roadways required to complete the City's transportation network. In this regard, the City realizes that, because a Boeckman Road interchange can only be implemented with the cooperation of ODOT. The City will need to obtain agreement from ODOT demonstrating compliance with state and federal regulations pertaining to the addition of new interchanges before the proposed Boeckman Road interchange can be included in the City's Transportation Systems Plan and capital improvement plans.

AREA K

Note: Area K, land along the Willamette River, west of Boones Ferry, has been designated in the West Side Master Plan for river-focused development. Text applying to this Area of Special Concern will be completed when the Natural Resource Plan has been adopted.

AREA L

This area is located north of Boeckman Road, south of Frog Pond Lane, west of Wilsonville (Stafford) Road, and east of Boeckman Creek. It contains a mixture of rural-residential and small agricultural uses. Eventual redevelopment of the area is expected to be primarily residential. The West Linn – Wilsonville School District and a church have acquired property in the area, causing speculation that redevelopment with full urban services could occur prior to 2010. In fact construction of a new church has already commenced at the corner of Boeckman Road and Wilsonville/Stafford Road.

The existing development patterns, and values of the existing homes in the Frog Pond neighborhood are expected to slow the redevelopment process. Most of the land-owners in the area have expressed little or no interest in urban density redevelopment. The Metro standard for urbanizing residential land is an average residential density of at least 10 units/acre. Those densities may not appeal to many of the current residents of the area who live in large homes on lots with acreage. In view of the School District's plans to construct a school within the neighborhood, the City must prepare plans to serve the new school and the surrounding area.

HISTORIC SITES OR FEATURES

NOTE: information on the historical sites survey, including that generated in 1999, has been moved to the background inventory until the Goal 5 process has been completed.

The City will coordinate its review of land development proposals with the local historical society when any uses are proposed that could have an adverse impact on listed historical features.

**WILSONVILLE CODE
PLANNING AND LAND DEVELOPMENT**

**CHAPTER 4 SECTIONS 4.100 – 4.141
ZONING**

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WILSONVILLE CODE

CHAPTER 4 PLANNING

PLANNING AND LAND DEVELOPMENT ORDINANCE

ZONING

Section 4.100. Zoning - Purpose.

Sections 4.100 to 4.199 of this Code are enacted for the purpose of promoting public health, safety, comfort and general welfare; to encourage the most appropriate use of land; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to provide proper drainage; to facilitate adequate and economical provision of public improvements and services, and to conserve, stabilize, and protect property values; all in accordance with the Statewide Planning Goals and the City's Comprehensive Plan. The purpose is further to provide a method of administration and to prescribe penalties for violations of provisions hereafter described - all as authorized by the provisions of Oregon Revised Statutes.

Section 4.101. Zoning - Interpretation.

The provisions of Sections 4.100 to 4.199, shall be construed as the minimum requirements for the promotion of the public safety, health and general welfare. These Sections are not intended to interfere with or abrogate or annul any easements, covenants, or other agreements between parties; provided, however, that where these Sections impose a greater restriction upon the use of buildings or premises or upon the height of buildings, or require larger space than is imposed or required by other Code Sections, rules or regulation, or by easement, covenants or agreements, the provisions of these Sections shall govern.

Section 4.102. Zoning - Official Zoning Map.

- (.01) The City is hereby divided into base zones or zoning districts, and overlay zones, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Code.
- (.02) The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Recorder, together with the date of the adoption of this Code.
- (.03) No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Code. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Code and punishable as provided by law.
- (.04) Regardless of the existence of purported copies of the Official Zoning Map which may, from time to time, be made or published, the Official Zoning Map, which shall be located in the Office of the Planning Director, shall be the final authority as to the current zoning status of land and water areas, building, and other structures in the City.

Section 4.110. Zoning - Zones.

- (.05) The perimeter boundaries of the Official Zoning Map and the City are intended to be identical to each other at all times, except when properties have been annexed to the City and not yet zoned by the City. New developments in such areas shall require completion of the zone change process before proceeding.

Section 4.110. Zoning - Zones.

- (.01) The following Base Zones are established by this Code:
- A. Residential Agricultural H Holding, which shall be designated "RA-H".
 - B. Residential, which shall be designated "R".
 - C. Planned Development Residential, which shall be designated "PDR," and further divided into:
 - PDR-1
 - PDR-2
 - PDR-3
 - PDR-4
 - PDR-5
 - PDR-6
 - PDR-7.
 - D. Planned Development Commercial, which shall be designated "PDC," including PDC-TC (Town Center).
 - E. Planned Development Industrial, which shall be designated "PDI."
 - F. Public Facility, which shall be designated "PF."
 - G. Public Facility - Corrections, which shall be designated "PF-C."
 - H. Village, which shall be designated "V". (Added by Ord 557, adopted 9/5/03)
- (.02) The following Overlay Zones, to be used in combination with the underlying base zones, are established by this Code.
- A. Solar-Friendly (S) overlay zone;
 - B. Screening and Buffering (SB) overlay zone;
 - C. Old Town (O) overlay zone;
- (.03) The use of any building or premises or the construction of any development shall be in conformity with the regulations set forth in this Code for each Zoning District in which it is located, except as provided in Sections 4.189 through 4.192.
- (.04) The General Regulations listed in Sections 4.150 through 4.199 shall apply to all zones unless the text indicates otherwise.

Section 4.111. Zoning - Zone Boundary Lines.

- (.01) Except where reference is made on said map to a street line, political boundary, section line, legal description, or other designated line by dimensions shown on said map or maps, the zone boundary lines are intended to follow property lines, lot lines,

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

or centerlines of streets, private drives, alleys, streams, or railroads or the extension of such lines as they existed at the time of the adoption of this Code.

- (.02) Questions concerning the exact location of zone boundary lines shall be determined by the Planning Director, who may seek the advice of the City Attorney and/or Planning Commission in making the determination.
- (.03) Whenever any public way is vacated by official action as provided by law, the zone adjoining the side of such public way shall be automatically extended, depending on the side or sides to which such lands revert, to include the right-of-way thus vacated, which shall thenceforth be subject to all regulations of the extended zone or zones.

[Section 4.111 amended by Ord 682, 9/9/10]

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

(.01) Outdoor Recreational Area in Residential Developments.

A. Purpose. The purposes of the following standards for outdoor recreational area are to provide adequate light, air, open space and usable recreational facilities to occupants of each residential development. Outdoor recreational area shall be:

- 1. Designed with a reasonable amount of privacy balanced between indoor and outdoor living areas. Such outdoor recreational area shall be provided consistent with the requirements of this Section.
- 2. Recreational areas shall be provided in keeping with the needs of the prospective tenants and shall not be located in required yards, parking, or maneuvering areas, or areas that are inaccessible. Standards for outdoor recreational areas may be waived by the Development Review Board upon finding that the recreational needs of the residents will be adequately met through the use of other recreational facilities that are available in the area.
- 3. In mixed-use developments containing residential uses, the Development Review Board shall establish appropriate requirements for outdoor recreational area, consistent with this Section.
- 4. The Development Review Board may establish conditions of approval to alter the amount of required outdoor recreation area, based on findings of projected need for the development. Multi-family developments shall provide at least the following minimum recreational area:
 - a. For ten (10) or fewer dwelling units, 1000 square feet of usable recreation area;
 - b. For eleven (11) through nineteen (19) units, 200 square feet per unit;
 - c. For twenty (20) or more units, 300 square feet per unit.
- 5. Outdoor recreational area shall be considered to be part of the open space required in the following subsection.

(.02) Open Space Area shall be provided in the following manner:

A. In all residential subdivisions including subdivision portions of mixed use developments where (1) the majority of the developed square footage is to be in

Commented [JD1]: These standards allow for tailoring outdoor recreation areas for mixed use projects. For MF, the standards are fairly land extensive and should be reviewed if dense urban housing is anticipated for the Town Center.

Commented [AD2]: This is a discretionary statement and vague for developers and landowners.

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

residential use or (2) the density of residential units is equal or greater than 3 units per acre, at least twenty-five percent (25%) of the area shall be in open space excluding streets and private drives. Open space must include, as a minimum natural areas that are preserved under the City's SROZ regulations and usable open space such as public park area, tot lots, swimming and wading pools, grass area for picnics and recreational play, walking paths, and other like space. For subdivisions with less than 25% SROZ lands and those with no SROZ lands, the minimum requirement shall be ¼ acre of usable park area for 50 or less lots, ½ acre of usable park area for 51 to 100 lots, and pro rata amounts based on this formula for subdivisions exceeding 100 lots. Front, side and rear yards of individual residential lots shall not be counted towards the 25% open space.

Commented [JD3]: This would likely not be feasible for most projects in the TC, unless public open spaces can be counted.

Provided, however, where SROZ is greater than 25% of the developable area for any development, the development must also provide ¼ acre of usable park area for a development of less than 100 lots, and ½ acre of usable park area for a development of 100 lots, and pro rata amounts based on this formula for subdivisions exceeding 100 lots. The Development Review Board may waive the usable open space requirement if there is substantial evidence in the record to support a finding that the intent and purpose of the requirement will be met in alternative ways. Irrespective of the amount of SROZ, a development may not use phasing to avoid the minimum usable space requirement.

Multi-family developments shall provide a minimum of 25% open space excluding streets and private drives. Open space must include, as a minimum natural areas that are preserved under the City's SROZ regulations, and outdoor recreational area as provided in 4.113(.01)(A)(1) through (5) [Amended by Ord. 589 8/15/05, Ord. 682, 9/9/10]

Commented [AD4]: This may be a difficult standard to meet per development. Consider district wide as opposed to project specific requirements

- B. Open space area required by this Section may, at the discretion of the Development Review Board, be protected by a conservation easement or dedicated to the City, either rights in fee or easement, without altering the density or other development standards of the proposed development. Provided that, if the dedication is for public park purposes, the size and amount of the proposed dedication shall meet the criteria of the City parks standards. The square footage of any land, whether dedicated or not, which is used for open space shall be deemed a part of the development site for the purpose of computing density or allowable lot coverage.
- C. The Development Review Board may specify the method of assuring the long-term protection and maintenance of open space and/or recreational areas. Where such protection or maintenance are the responsibility of a private party or homeowners' association, the City Attorney shall review any pertinent bylaws, covenants, or agreements prior to recordation.

(.03) **Building Setbacks** (for Fence Setbacks, see subsection .08)

- A. For lots over 10,000 square feet:

- 1. Minimum front yard setback: Twenty (20) feet.

Commented [AD5]: In general, these setbacks will not provide an urban street environment and should be evaluated as urban design concepts are developed later in the project

Commented [AD6]: For mixed use, urban development, this setback is very wide. Consider reducing this in at least some locations of the town center

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

2. Minimum side yard setback: Ten (10) feet. In the case of a corner lot less than one hundred (100) feet in width, abutting more than one street or tract with a private drive, the side yard on the street or private drive side of such lot shall be not less than twenty percent (20%) of the width of the lot, but not less than ten (10) feet.
 3. In the case of a key lot, the front setback shall equal one-half (1/2) the sum of depth of the required yard on the adjacent corner lot along the street or tract with a private drive upon which the key lot faces and the setback required on the adjacent interior lot.
 4. No structure shall be erected within the required setback for any future street shown within the City's adopted Transportation Master Plan or Transportation Systems Plan.
 5. Minimum setback to garage door or carport entry: Twenty (20) feet. Except, however, in the case of an alley where garages or carports may be located no less than four (4) feet from the property line adjoining the alley.
 6. Minimum rear yard setback: Twenty (20) feet. Accessory buildings on corner lots must observe the same rear setbacks as the required side yard of the abutting lot.
- B. For lots not exceeding 10,000 square feet:
1. Minimum front yard setback: Fifteen (15) feet, with open porches allowed to extend to within ten (10) feet of the property line.
 2. Minimum side yard setback: One story: five (5) feet; Two or more stories: seven (7) feet. In the case of a corner lot, abutting more than one street or tract with a private drive, the side yard on the street side of such lot shall be not less than ten (10) feet.
 3. In the case of a key lot, the front setback shall equal one-half (1/2) the sum of depth of the required yard on the adjacent corner lot along the street or tract with a private drive upon which the key lot faces and the setback required on the adjacent interior lot.
 4. No structure shall be erected within the required setback for any future street shown within the City's adopted Transportation Master Plan or Transportation Systems Plan.
 5. Minimum setback to garage door or carport entry: Twenty (20) feet. Wall above the garage door may project to within fifteen (15) feet of property line, provided that clearance to garage door is maintained. Where access is taken from an alley, garages or carports may be located no less than four (4) feet from the property line adjoining the alley.
 6. Minimum rear yard setback: One story: fifteen (15) feet. Two or more stories: Twenty (20) feet. Accessory buildings on corner lots must observe the same rear setbacks as the required side yard of the abutting lot.

[Section 4.113(.03) amended by Ord. 682, 9/9/10]

(.04) Height Guidelines: The Development Review Board may regulate heights as follows:

Commented [AD7]: This should be identified for the Town Center to provide clarity on urban form and fire protection

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

- A. Restrict or regulate the height or building design consistent with adequate provision of fire protection and fire-fighting apparatus height limitations.
 - B. To provide buffering of low density developments by requiring the placement of buildings more than two (2) stories in height away from the property lines abutting a low density zone.
 - C. To regulate building height or design to protect scenic vistas of Mt. Hood or the Willamette River from greater encroachments than would occur if developed conventionally.
- (.05) Residential uses for treatment or training.
- A. Residential Homes, as defined in Section 4.001, shall be permitted in any location where a single-family dwelling is permitted.
 - B. Residential Facilities, as defined in Section 4.001, shall be permitted in any location where multiple-family dwelling units are permitted.
- (.06) Off Street Parking: Off-street parking shall be provided as specified in Section 4.155.
- (.07) Signs: Signs shall be governed by the provisions of Sections 4.156.01 – 4.156.11.
- (.08) Fences:
- A. The maximum height of a sight-obscuring fence located in the required front yard of a residential development shall not exceed four (4) feet.
 - B. The maximum height of a sight-obscuring fence located in the side yard of a residential lot shall not exceed four (4) feet forward of the building line and shall not exceed six (6) feet in height in the rear yard, except as approved by the Development Review Board. Except, however, that a fence in the side yard of residential corner lot may be up to six (6) feet in height, unless a greater restriction is imposed by the Development Review Board acting on an application. A fence of up to six (6) feet in height may be constructed with no setback along the side, the rear, and in the front yard of a residential lot adjoining the rear of a corner lot as shown in the attached Figure.
 - C. Notwithstanding the provisions of Section 4.122(10)(a) and (b), the Development Review Board may require such fencing as shall be deemed necessary to promote and provide traffic safety, noise mitigation, and nuisance abatement, and the compatibility of different uses permitted on adjacent lots of the same zone and on adjacent lots of different zones.
 - D. Fences in residential zones shall not include barbed wire, razor wire, electrically charged wire, or be constructed of sheathing material such as plywood or flakeboard.

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

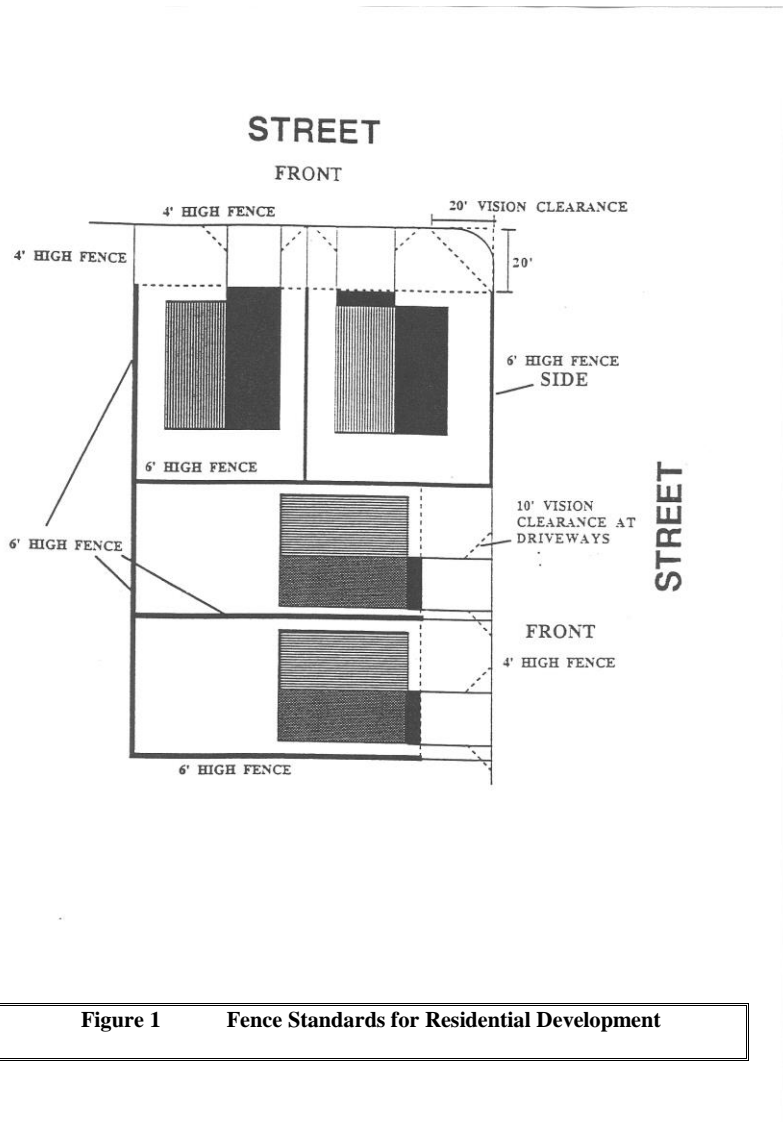


Figure 1 Fence Standards for Residential Development

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

- (.09) Corner Vision: Vision clearance shall be provided as specified in Section 4.177, or such additional requirements as specified by the City Engineer.
- (.10) Prohibited Uses:
- A. Uses of structures and land not specifically permitted in the applicable zoning districts.
 - B. The use of a trailer, travel trailer or mobile coach as a residence, except as specifically permitted in an approved RV park.
 - C. Outdoor advertising displays, advertising signs, or advertising structures except as provided in Sections 4.156.05, 4.156.07, 4.156.09, and 4.156.10.
- (.11) Accessory Dwelling Units.
- A. Accessory Dwelling Units, developed on the same lot as the detached or attached single-family dwelling to which it is accessory, shall be permitted outright, subject to the standards and requirements of this Section.
 - B. Standards
 - 1. One Accessory Dwelling Unit per lot shall be no greater than 800 square feet with not more than two bedrooms, unless the size and density of ADUs are otherwise provided in an adopted Neighborhood Plan or Stage II Development Plans. Larger units shall be subject to standards applied to duplex housing.
 - 2. Accessory Dwelling Units may be either attached or detached, but are subject to all zone standards for setbacks, height, and lot coverage, unless those requirements are specifically waived through the Planned Development waiver or Variance approval processes.
 - 3. This Section applies to residential developments in PD-R, R, RA-H, or Village zones.
 - 4. Where an Accessory Dwelling Unit is proposed to be added to an existing residence and no discretionary land use approval is being sought (e.g., Planned Development approval, Conditional Use Permit approval, etc.) the application shall require the approval of a Class I Administrative Review permit. Application for duplex construction shall be subject to the density standards of the zone in which it is located, or as otherwise provided in a Neighborhood Plan or Stage II/Final Development Plan.
 - 5. Authorization to develop Accessory Dwelling Units does not waive Building Code requirements. Increased firewalls or building separation may be required as a means of assuring adequate fire separation from one unit to the next. Applicants are encouraged to contact, and work closely with, the Building Division of the City's Community Development Department to assure that Building Code requirements are adequately addressed.
 - 6. The Accessory Dwelling Unit must be of substantially the same exterior design and architecture (i.e. siding, windows, doors and roofing materials) as the primary dwelling unit on the property.
 - 7. Parking:

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

- a. Each Accessory Dwelling Unit shall have one standard sized parking space on the same lot.
 - b. Where an off-street parking space is not available to serve the ADU, on-street parking may be considered to satisfy this requirement if all of the following are present:
 - i. On-street parking exists along the frontage of the lot, or within 100' of the front lot line of the lot.
 - ii. No more than 25% of the lots in a block will have ADUs.
 8. Each Accessory Dwelling Unit shall provide complete, independent permanent facilities for living, sleeping, eating, cooking, bathing and sanitation purposes, and shall have its own separate secure entrance.
 9. Each Accessory Dwelling Unit must be accessible by street or driveway to fire and emergency vehicles, and for trash pick-up.
- C. Neighborhood Density and Size Standards.
1. Canyon Creek Estates – up to 12 ADUs as per Resolution No. 95PC16.
[Section 4.133(11) amended by Ord. 677, 3/1/10]
- (.12) Reduced Setback Agreements. The following procedure has been created to allow the owners of contiguous residential properties to reduce the building setbacks that would typically be required between those properties, or to allow for neighbors to voluntarily waive the solar access provisions of Section 4.137. Setbacks can be reduced to zero through the procedures outlined in this subsection.
- A. Examples
1. First example: the owner of one house is allowed to build to the sideyard property line, with no setback, provided that the owner of the neighboring property agrees and that the agreements of both owners are recorded with the deed records for those properties.
 2. Second example: the owner of one property is allowed to build a structure, or grow trees that are not solar friendly, shading an adjoining property beyond the amount that is permitted in Section 4.137.
- B. Standards
1. The use of the Reduced Setback Agreement procedure does not waive Building Code requirements. The Building Code may require increased firewall standards or increased setbacks on one property as a means of assuring adequate fire separation from the adjoining property. Applicants are advised to work with the Building Division of the Community Development Department prior to filing for approval of a Reduced Setback Agreement.
 2. The Reduced Setback Agreement procedure may be used to allow for the construction of common wall units.
 3. Property owners using the Reduced Setback Agreement procedure have responsibility for notifying lien holders of the changes, for meeting all requirements of utility providers, and for avoiding conflicts with established easements.

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

4. The Reduced Setback Agreement procedure shall require the approval of a Class I Administrative Review permit.
5. Owners must provide accurate metes and bounds descriptions of all areas to be covered by non-construction easements.
6. Nothing in this Section shall abrogate any easements or utility locations existing on the subject properties. The property owners are responsible for assuring that easements and utilities are not adversely affected by any construction that is anticipated.

(.13) Bed and Breakfasts.

- A. Purpose. The purpose of this subsection is to provide standards for the establishment of bed and breakfast facilities. These regulations are intended to allow for a more efficient use of large, older houses in residential areas where the neighborhood character is preserved to maintain both the residential neighborhood experience and the bed and breakfast experience. These regulations enable owners to maintain large residential structures in a manner that keeps them primarily in residential use. The proprietor can take advantage of the scale and often the architectural and historical significance of a residence. The regulations also provide an alternative form of lodging for visitors who prefer a residential setting.
- B. Description
 1. Bed and Breakfast Home. An operation conducted by the owner-occupant of a dwelling in an RA-H, R, or PDR zone, or of a one- or other district permitting residential uses, that provides not more than five (5) rooms for paying guests on an overnight basis. Guest occupancy periods shall not exceed fourteen (14) consecutive days. The occupancy of such a bed and breakfast home is limited to two (2) persons or one (1) family per lodging unit or guest room.
 2. Operations that would otherwise meet the standards listed above for Bed and Breakfast Homes, but which exceed either the number of rooms available or the length of stay allowed, shall be subject to the same standards as hotels or motels, listed elsewhere in this Code.
- C. Where These Regulations Apply. The regulations of Section 4.113(13) apply to bed and breakfast facilities in PDR, R, and RA-H zones.
- D. Conditional Use Review. Bed and breakfast facilities require a conditional use review, as specified in Section 4.184.
- E. Use-Related Regulations.
 1. Accessory Use. A bed and breakfast facility must be accessory to a household living use on the site. This means that the individual or family who operate the facility must occupy the house as their primary residence.
 2. Maximum size. Bed and Breakfast facilities are limited to a maximum of five (5) bedrooms for guests and a maximum of six (6) guests per night. In PDR-

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

1, PDR-2, PDR-3, AND PDR-4 zones, bed and breakfast facilities over these size limits are prohibited.

3. Services to guests.
 - a. Food services may only be provided to overnight guests of a bed and breakfast facility.
 - b. Serving alcohol to overnight guests is allowed. The proprietor may need Oregon Liquor Control Commission approval to serve alcohol at a bed and breakfast facility.
4. Meetings and Social Gatherings.
 - a. Commercial meetings. Activities including luncheons, banquets, parties, weddings, meetings, charitable fund raising, commercial or advertising activities, or other gatherings for direct or indirect compensation, are prohibited at a bed and breakfast facility.
 - b. Private social gatherings. The residents of bed and breakfast facilities are allowed to have only four (4) private social gatherings, parties, or meetings per year, for more than four (4) guests. The private social gatherings must be hosted by and for the enjoyment of the residents. The bed and breakfast operator must log the dates these social gatherings are held. Private social gatherings for four (4) or fewer guests are allowed without limit as part of a normal household living use at the site. All participants in the social gathering are counted as guests except for residents.

F. Site-Related Standards.

1. Development Standards. Bed and breakfast facilities must comply with the development standards of the base zone, overlay zones, and plan districts, if applicable.
2. Appearance. Bed and breakfast homes or inns in residential zones must be compatible with the surrounding residential neighborhood. No alterations to the exterior of the house shall be for the purpose of establishing a more commercial building appearance shall be permitted except for routine maintenance, alterations not requiring a building permit, restoration or requirements related to safety or handicapped accessibility. There shall be no exterior indication of a business except for the one (1) permitted sign.
3. No cooking facilities are permitted in the individual guest rooms.
4. Food service shall only be provided to guests taking lodging in the bed and breakfast home or inn.
5. In PDR-1, PDR-2, PDR-3 or PDR-4 zones, no bed and breakfast home may be located on a lot closer than five hundred (500) feet from any other lot containing a bed and breakfast home, with only one (1) such establishment permitted per block face.
6. There shall be no more than one (1) sign. Such sign shall not be self-illuminated and shall not exceed six (6) square feet in area. Additional sign

Section 4.115. Standards Applying to Manufactured Housing in All Zones Where Manufactured Housing is Permitted.

requirements described in Sections 4.156.02 through 4.156.10 of this Code shall be met.

- 7. Each such use must obtain a Certificate of Occupancy from the Building Official before it commences.
- 8. Bed and Breakfast facilities must comply with the off-street parking standards for commercial development found in Section 4.155.
- 9. Bed and Breakfast facilities must comply with the landscaping standards for commercial development found in Section 4.176.

(14) The Planning Director and Development Review Board shall, in making their determination of compliance in attaching conditions, consider the effects of this action on the availability and cost of needed housing. The provisions of this section shall not be used in such a manner that additional conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of housing or effectively excluding a needed housing type. However, consideration of these factors shall not prevent the Board or Planning Director from imposing conditions of approval necessary to meet the minimum requirements of the Comprehensive Plan and Code.

[Section 4.113 amended by Ord. No. 704, 6/18/12]

Section 4.115. Standards Applying to Manufactured Housing in All Zones Where Manufactured Housing is Permitted.

[Section 4.115 deleted by Ordinance No. 538, 2/21/02.]

Section 4.116. Standards Applying To Commercial Developments In Any Zone.

Any commercial use shall be subject to the applicable provisions of this Code and to the following:

- (.01) Commercial developments shall be planned in the form of centers or complexes as provided in the City’s Comprehensive Plan. [As noted in the Comprehensive Plan, Wilsonville’s focus on centers or complexes is intended to limit strip commercial development.]
- (.02) Where the land use map of Wilsonville’s Comprehensive Plan calls for “Office Commercial” development, not less than 60% of the total square footage of the ground floors of buildings within the development shall be in office use. Total floor area dedicated to retail use shall not exceed 30%. On-site parking may be limited in order to control traffic generation.
- (.03) Where the land use map of Wilsonville’s Comprehensive Plan calls for “Commercial/Industrial mixed use” development, not more than 50% of the total floor area of the development shall consist of retail space.
- (.04) Where the land use map of Wilsonville’s Comprehensive Plan calls for “Residential/Commercial mixed use” development, not less than 50% of the total floor area of the development shall consist of residential units.
- (.05) All businesses, service or processing, shall be conducted wholly within a completely enclosed building; except for:

Commented [AD8]: This statement supports walkable development

Commented [AD9]: This should be revisited during the land use options development process. Active ground floor with a high percentage of windows and street access with office above would provide a pedestrian focused street environment.
Consider flexibility in mixed-use land use mix

Commented [AD10]: Consider flexibility in mixed-use land use mix

Commented [AD11]: Many of these uses are not necessarily desirable for a Town Center, particularly outdoor sales

Section 4.116. Standards Applying To Commercial Developments In Any Zone.

- A. The sale of automotive fuel, lubricants, and fluids at service stations.
- B. Car washes and car vacuum bays.
- C. Off-street parking for customers and employees and off-street loading.
- D. Outdoor seating areas associated with food and drink establishments on private property, or on public easements, provided the area and activities conform to ADA standards and do not interfere with public uses, safety, access or circulation.
- E. Temporary staging of inventory, as shall be authorized through a site development permit, complying with the following additional minimum development and performance standards:
 - 1. The staging area shall be screened by a fully sight obscuring fence or planting, high wall, high berm or high screen landscape standard as specified in Section 4.176 - Landscaping Screening and Buffering;
 - 2. All parts of the staged inventory shall be completely concealed on all sides from public view at the right-of-way line; and
 - 3. The staged inventory shall be relocated into a completely enclosed structure of the primary retail operation within 48 hours of placement.
- F. Exterior sales that are specifically authorized through temporary use permit approval, subject to conditions of approval. Exterior sales that may be permitted are those that are limited in time duration, such as sidewalk sales, grand openings, or farmers' markets. [Section 4.116(.05) amended by Ord. No. 580, 4/4/05.]
- G. Exterior sales areas, complying with the following minimum development and performance standards:
 - 1. The sales area shall be accessory to, and shall not exceed 5% of the floor area of the primary retail operation.
 - 2. The sales area shall be completely covered by a permanent structure of a design, construction and architecture compatible with that of the structure of the primary retail operation.
 - 3. All required ADA and pedestrian access ways and circulation aisles shall remain clear at all times.
 - 4. For new development, the Development Review Board may grant a waiver to allow exterior sales area of up to 10% of the floor area of the primary retail operation, provided that findings can be made that:
 - a. The expanded covered area has received approval through a Stage II/Site Design Review process.
 - b. The expanded area does not detract from the overall character of the development or the surrounding neighborhood.
 - c. Partial walls are required for screening large or bulky items.
 - 5. For Development existing on December 21, 2005, the Planning Director, pursuant to a Class II Administrative Review Process, may grant a waiver to allow exterior sales areas of up to 10% of the floor area of the primary retail operation, provided that findings can be made that:

Section 4.116. Standards Applying To Commercial Developments In Any Zone.

- a. The expanded area does not detract from the overall character of the area,
- b. Partial walls are required for screening large or bulky items.

[Section 4.116(.05) amended by Ord. 601, 11/21/05]

- (.06) In any Commercial Development directly across the street from any Residential District, the loading facilities shall be at least twenty (20) feet from the street, shall be sited whenever practicable at the rear or side, and if facing a residential area, shall be properly screened. Screening shall be provided in a manner that is compatible with the adjacent residential development in terms of quality of materials and design. Such screening shall effectively minimize light glare and noise levels to those of adjacent residential areas.
- (.07) Uses shall be limited to those which will meet the performance standards specified in Section 4.135(.05), with the exception of 4.135(.05)(M.)(3.).
- (.08) Corner lots shall conform to the vision clearance standards set forth in Section 4.177.
- (.09) Trailer, trailer houses, mobile coaches, or any altered variation thereof shall not be used for the purpose of conducting a trade or calling or for storage of material unless approved for such purpose as a temporary use.
- (.10) Commercial developments generally.
 - A. No structure shall be erected closer than the right-of-way line then existing or the officially planned right-of-way of any public, county, or state road.
 - B. Minimum Front Yard Setback: None required except when front yard abuts a more restrictive district. When front yard abuts a more restrictive district, setbacks shall be the same as the abutting district.
 - C. Minimum Rear Yard Setback: None required except when rear yard abuts a more restrictive district. When rear yard abuts a more restrictive district, setbacks shall be the same as for the abutting district.
 - D. Minimum Side Yard Setback: None required except when side yard abuts a more restrictive district. When side yard abuts a more restrictive district, setbacks shall be one and one-half (1 1/2) times the setback required for the abutting district.
 - E. Maximum Building Height: Thirty-five (35) feet, unless taller buildings are specifically allowed in the zone.
 - F. Minimum Lot Size: No limitation, save and except as may otherwise be affected by other provisions of this Code.
 - G. Maximum Lot Coverage: No limitation, save and except as may otherwise be affected by other provisions of this Code.
 - H. Minimum Street Frontage: No limitation, save and except as may be necessary to provide minimum access requirements.
- (.11) Hotels or Motels.
 - A. Minimum Lot Size: One thousand (1,000) square feet for each unit.

Commented [MM12]: 35' maximum height should be reconsidered for the TC plan.

Commented [AD13]: This should be evaluated for existing/new streets that will have a high amount of pedestrian traffic. Parking should not be permitted in front of buildings and minimum street frontages should be considered.

Section 4.117. Standards Applying To Industrial Developments In Any Zone.

- B. Minimum Street Frontage: One hundred (100) feet.
 - C. Front Yard Setback: Thirty (30) feet, unless located in the Old Town overlay zone, in which case the standards of the overlay zone shall apply. Structures on corner lots shall observe the minimum setback on both streets or tracts with a private drive. [amended by Ord. 682, 9/9/10]
 - D. Minimum Rear Yard Setback: Thirty (30) feet.
 - E. Minimum Side Yard Setback: Twenty-four (24) feet.
- (.12) Off-Street Parking is to be as specified in Section 4.155.
- (.13) Signs are subject to the standards of Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]
- (.14) Prohibited Uses.
- A. The use of a trailer, trailer house, or mobile coach as a residence is prohibited except where approved within an RV park or approved as a temporary use during construction.
 - B. Any use that violates the performance standards of Section 4.135(.05), other than 4.135(.05)(M).(3.) is prohibited within commercial developments.

Section 4.117. Standards Applying To Industrial Developments In Any Zone.

- (.01) All industrial developments, uses, or activities are subject to performance standards. If not otherwise specified in the Planning and Development Code, industrial developments, uses, and activities shall be subject to the performance standards specified in Section 4. 135 (.05) (PDI Zone).

Section 4.118. Standards applying to all Planned Development Zones:

- (.01) Height Guidelines: In “S” overlay zones, the solar access provisions of Section 4.137 shall be used to determine maximum building heights. In cases that are subject to review by the Development Review Board, the Board may further regulate heights as follows:
- A. Restrict or regulate the height or building design consistent with adequate provision of fire protection and fire-fighting apparatus height limitations.
 - B. To provide buffering of low density developments by requiring the placement of three or more story buildings away from the property lines abutting a low density zone.
 - C. To regulate building height or design to protect scenic vistas of Mt. Hood or the Willamette River.
- (.02) Underground Utilities shall be governed by Sections 4.300 to 4.320. All utilities above ground shall be located so as to minimize adverse impacts on the site and neighboring properties.

Section 4.118. Standards applying to all Planned Development Zones:

(.03) Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:

A. Waive the following typical development standards:

1. minimum lot area;
2. lot width and frontage;
3. height and yard requirements;
4. lot coverage;
5. lot depth;
6. street widths;
7. sidewalk requirements;
8. height of buildings other than signs;
9. parking space configuration and drive aisle design;
10. minimum number of parking or loading spaces;
11. shade tree islands in parking lots, provided that alternative shading is provided;
12. fence height;
13. architectural design standards;
14. transit facilities; and
15. On-site pedestrian access and circulation standards; and
16. Solar access standards, as provided in section 4.137.

[Amended by Ord. #719, 6/17/13.]

B. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways:

1. open space requirements in residential areas;
2. minimum density standards of residential zones;
3. minimum landscape, buffering, and screening standards;

C. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways, and the action taken will not violate any applicable federal, state, or regional standards:

1. maximum number of parking spaces;
2. standards for mitigation of trees that are removed;
3. standards for mitigation of wetlands that are filled or damaged; and
4. trails or pathways shown in the Parks and Recreation Master Plan.

Section 4.118. Standards applying to all Planned Development Zones:

- D. Locate individual building, accessory buildings, off-street parking and loading facilities, open space and landscaping and screening without reference to lot lines; and
- E. Adopt other requirements or restrictions, inclusive of, but not limited to, the following:
 - 1. Percent coverage of land by buildings and structures in relationship to property boundaries to provide stepped increases in densities away from low-density development.
 - 2. Parking ratios and areas expressed in relation to use of various portions of the property and/or building floor area.
 - 3. The locations, width and improvement of vehicular and pedestrian access to various portions of the property, including portions within abutting street or private drive. [amended by Ord. 682, 9/9/10]
 - 4. Arrangement and spacing of buildings and structures to provide appropriate open spaces around buildings.
 - 5. Location and size of off-street loading areas and docks.
 - 6. Uses of buildings and structures by general classification, and by specific designation when there are unusual requirements for parking, or when the use involves noise, dust, odor, fumes, smoke, vibration, glare or radiation incompatible with present or potential development of surrounding property. Such incompatible uses may be excluded in the amendment approving the zone change or the approval of requested permits.
 - 7. Measures designed to minimize or eliminate noise, dust, odor, fumes, smoke, vibration, glare, or radiation which would have an adverse effect on the present or potential development on surrounding properties.
 - 8. Schedule of time for construction of the proposed buildings and structures and any stage of development thereof to insure consistency with the City's adopted Capital Improvements Plan and other applicable regulations.
 - 9. A waiver of the right of remonstrance by the applicant to the formation of a Local Improvement District (LID) for streets, utilities and/or other public purposes.
 - 10. Modify the proposed development in order to prevent congestion of streets and/or to facilitate transportation.
 - 11. Condition the issuance of an occupancy permit upon the installation of landscaping or upon a reasonable scheduling for completion of the installation of landscaping. In the latter event, a posting of a bond or other security in an amount equal to one hundred ten percent (110%) of the cost of the landscaping and installation may be required.
 - 12. A dedication of property for streets, pathways, and bicycle paths in accordance with adopted Facilities Master Plans or such other streets necessary to provide proper development of adjacent properties.

Section 4.118. Standards applying to all Planned Development Zones:

- (.04) The Planning Director and Development Review Board shall, in making their determination of compliance in attaching conditions, consider the effects of this action on availability and cost. The provisions of this section shall not be used in such a manner that additional conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of development. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the minimum requirements of the Comprehensive Plan and Code.
- (.05) The Planning Director, Development Review Board, or on appeal, the City Council, may as a condition of approval for any development for which an application is submitted, require that portions of the tract or tracts under consideration be set aside, improved, conveyed or dedicated for the following uses:
- A. Recreational Facilities: The Director, Board, or Council, as the case may be, may require that suitable area for parks or playgrounds be set aside, improved or permanently reserved for the owners, residents, employees or patrons of the development consistent with adopted Park standards and Parks and Recreation Master Plan.
 - B. Open Space Area: Whenever private and/or common open space area is provided, the City shall require that an association of owners or tenants be established which shall adopt such Articles of Incorporation, By-Laws or other appropriate agreement, and shall adopt and impose such Declaration of Covenants and Restrictions on such open space areas and/or common areas that are acceptable to the Development Review Board. Said association shall be formed and continued for the purpose of maintaining such open space area. Such an association, if required, may undertake other functions. It shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessments levied to maintain said open space area for the purposes intended. The period of existence of such association shall be not less than twenty (20) years and it shall continue thereafter and until a majority vote of the members shall terminate it, and the City Council formally votes to accept such termination.
 - C. Easements: Easements necessary to the orderly extension of public utilities, and the protection of open space, may be required as a condition of approval. When required, such easements must meet the requirements of the City Attorney prior to recordation.
- (.06) Nothing in this Code shall prevent the owner of a site that is less than two (2) acres in size from filing an application to rezone and develop the site as a Planned Development. Smaller properties may or may not be suitable for such development, depending upon their particular sizes, shapes, locations, and the nature of the proposed development, but Planned Developments shall be encouraged at any appropriate location.
- (.07) Density Transfers. In order to protect significant open space or resource areas, the Development Review Board may authorize the transfer of development densities from one portion of a proposed development to another. Such transfers may go to

Section 4.120. Zones. RA-H Residential Agricultural - Holding Zone.

adjoining properties, provided that those properties are considered to be part of the total development under consideration as a unit.

- (.08) Wetland Mitigation and other mitigation for lost or damaged resources. The Development Review Board may, after considering the testimony of experts in the field, allow for the replacement of resource areas with newly created or enhanced resource areas. The Board may specify the ratio of lost to created and/or enhanced areas after making findings based on information in the record. As much as possible, mitigation areas shall replicate the beneficial values of the lost or damaged resource areas.
- (.09) Habitat-Friendly Development Practices. To the extent practicable, development and construction activities of any lot shall consider the use of habitat-friendly development practices, which include:
- A. Minimizing grading, removal of native vegetation, disturbance and removal of native soils, and impervious area;
 - B. Minimizing adverse hydrological impacts on water resources, such as using the practices described in Part (a) of Table NR-2 in Section 4.139.03, unless their use is prohibited by an applicable and required state or federal permit, such as a permit required under the federal Clean Water Act, 33 U.S.C. §§1251 et seq., or the federal Safe Drinking Water Act, 42 U.S.C. §§300f et seq., and including conditions or plans required by such permit;
 - C. Minimizing impacts on wildlife corridors and fish passage, such as by using the practices described in Part (b) of Table NR-2 in Section 4.139.03; and
 - D. Using the practices described in Part (c) of Table NR-2 in Section 4.139.03. [Section 4.118(.09) added by Ord. # 674 11/16/09]

Section 4.120. Zones. RA-H Residential Agricultural - Holding Zone.

- (.01) Purpose. It is the purpose of this zone to serve as a holding zone to preserve the future urban level development potential as undeveloped property designated for more intensive development. This zone has been applied to all urbanizable properties within the city which are planned for development and which have not previously received development approval in accordance with the Comprehensive Plan.
- (.02) Uses Permitted Outright:
- A. One single-family dwelling, with not more than one accessory dwelling unit per lot. Where the Comprehensive Plan calls for future non-residential zoning of the site, the building permit for any proposed residential development shall not be granted until a statement has been recorded applying to the title of the subject property, notifying any potential buyer that future development in the area is expected to be non-residential.
 - B. Except for existing lots of record of less than two acres, recorded prior to the effective date of this Code, partitioning or subdivision of properties designated for development shall only be considered in conjunction with or following a zone

Section 4.120. Zones. RA-H Residential Agricultural - Holding Zone.

change in conformance with the Comprehensive Plan. Said zoning shall confirm the adequate provision of public facilities and the protection of future urban development potentials.

- C. If the proposed development is for a less intensive interim density consisting of large lots, a pre-plat and Site Plan review shall be required that provides for future development of the property in accordance with the uses and densities shown in the Comprehensive Plan. Said plat shall be filed on the City's Lien Docket as an obligation toward the property, together with an agreement of non-remonstrance towards the formation of any local improvement district which may serve the subject site.
 - D. For properties designated in the City's Comprehensive Plan for nonresidential use, the intensity of use shall be restricted to activities which do not require construction of a permanent structure and which will not tend to restrict, obstruct, or adversely affect the future development of the property for its designated use. Except, however, that the development of a single-family dwelling shall be permitted as specified in subsection (.02), above.
 - E. Temporary structures or uses, subject to the procedures for temporary uses set forth in Section 4.163.
 - F. Agriculture, horticulture, greenhouses, nurseries (provided that any commercial sales of products shall require the approval of a conditional use permit), timber growing, grazing, and the small scale raising of livestock and animals.
 - G. Public parks, playgrounds, recreational and community buildings and grounds, public golf courses, tennis courts, and similar recreational uses, all of a non-commercial nature. Any principal building or public swimming pool shall be located not less than forty-five (45) feet from any other lot in a residential or RA-H district.
 - H. Accessory Uses Permitted:
 - 1. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal uses permitted located on the same lot therewith.
 - 2. Home occupations.
 - 3. Signs, subject to the provisions of Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]
- (.03) Uses Permitted Subject to receiving approval of a Conditional Use Permit:
- A. Private parks, municipal and government buildings, public utilities, public information centers, semi-public buildings of a non-commercial nature, churches, attached family dwelling units limited to two (2) family maximum, public, private, and parochial schools as provided in Section 4.184 when approved by the Development Review Board at a Public Hearing as provided in Section 4.013.
 - B. Roadside stands when located on the same property as the principal uses, selling only those products that are produced on the same property on which the stand is located, or on adjacent property.

Section 4.120. Zones. RA-H Residential Agricultural - Holding Zone.

(.04) Dimensional Standards:

- A. Minimum Lot Size: 30,000 square feet.
- B. Minimum Front and Rear Yard Setbacks: Thirty (30) feet. Minimum Side Yard Setback: Ten (10) feet.
 - 1. Legal, non-conforming RA-H lots in the Old Town Overlay Zone shall have the following setbacks:
 - a. Front: Ten (10) feet for single family dwellings, for all other uses: none;
 - b. Rear: Fifteen (15) feet;
 - c. Side: Five (5) feet.
 - 2. Minimum setback for residential garage or carport: At least five (5) feet behind the front of the nearest residential unit on the property. In no case shall the front of a garage or carport be located less than twenty (20) feet behind a sidewalk or a public right-of-way providing access to that garage or carport. Except, however, in the case of an alley where garages or carports are located within five (5) feet of the property line adjoining the alley.
[Amended by Ord. 682, 9/9/10]
- C. Minimum Street Frontage: Seventy-five (75) feet. A reduced street frontage may be approved, based on a finding that the proposed lot frontage will not hinder the future development of the site to densities proposed in the Comprehensive Plan.
- D. Maximum Height: thirty-five (35) feet.
- E. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses do not exceed 120 square feet or ten (10) feet in height, and they are detached and located behind the rear-most line of the main buildings, the side and rear yard setbacks may be reduced to three (3) feet.

(.05) Off-Street Parking Requirements: As provided in Section 4.155.

(.06) Signs: As provided in Sections 4.156.01 through 4.156.11.
[Amended by Ord. No. 704, 6/18/12]

(.07) Corner Vision: As provided in Section 4.177.

(.08) Prohibited Uses:

- A. Uses of structures and land not specifically listed as permitted or conditionally permitted in the zone, or substantially similar to those uses, are prohibited in all RA-H Zones.
- B. The use of a trailer, travel trailer, or mobile coach as a residence.
- C. Service stations for petroleum products.

(.09) Block and access standards:

- 1. Maximum block perimeter: 1,800 feet.
- 2. Maximum spacing between streets or private drives for local access: 530 feet, unless waived by the Development Review Board upon finding that barriers

Section 4.122. Residential Zone.

such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions meeting this standard. [Amended by Ordinance No. 538, 2/21/02; Ord. 682, 9/9/10.]

3. Maximum block length without pedestrian and bicycle crossing: 330 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions meeting this standard.

Section 4.122. Residential Zone.

- (.01) **Purpose:** The purpose of this zone is to provide for standards and a simplified review process for small-scale urban low and medium density residential development. Developments in the 'R' zone are not intended to be Planned Developments.
- (.02) **Residential Densities:** Residential densities shall be governed by the density range designated by the City of Wilsonville Comprehensive Plan.
- (.03) **Lot Size Qualifications:**
 - A. The owner or the owner's authorized agent shall not hold or cause to be held any interest in any adjacent property with the intent to avoid PDR regulations.
 - B. The lot or any part thereof shall not be an identified area of special concern as defined in the Comprehensive Plan.
 - C. The development area must be two (2) acres or less in size. Development of larger properties shall be reviewed through planned development procedures.
 - D. Not more than thirty percent (30%) of the lot shall be covered by buildings.
- (.04) **Principal Uses Permitted:**
 - A. Single-Family Dwelling Units.
 - B. Attached-Family Dwelling Units.
 - C. Apartments.
 - D. Public parks, playgrounds, recreational and community buildings and grounds, tennis courts, and similar recreational uses, all of a non-commercial nature. Any principal building or public swimming pool shall be located not less than forty-five (45) feet from any other lot in a residential or RA-H zone.
 - E. Manufactured homes. [Note: Section 4.115 Standards Applying to Manufactured Housing in All Zones Where Manufactured Housing is Permitted deleted per by Ord. 538, 2/21/02.]
- (.05) **Accessory Uses Permitted to Single Family Dwellings:**
 - A. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal permitted uses, located on the same lot therewith.
 - B. Home occupations.

Section 4.122. Residential Zone.

- C. A private garage or parking area.
- D. Temporary real estate signs, small announcement or professional signs, and subdivision signs, as provided in Sections 4.156.05, 4.156.07, 4.156.09, and 4.156.10. [Amended by Ord. No. 704, 6/18/12]
- E. Temporary buildings for uses incidental to construction work, which buildings shall be removed immediately upon completion or abandonment of the construction work. In no case shall such buildings remain on the premises longer than ten (10) days after the receipt of a Certificate of Occupancy or the expiration of construction permits.
- F. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses are detached and located behind the rear most line of the main buildings, at least one-half (1/2) of the side yard setback. In no case shall a setback less than three (3) feet be permitted unless a Reduced Setback Agreement has been approved and properly recorded, as provided in Section 4.113.
- G. Livestock and farm animals shall be permitted subject to the provisions of Section 4.162.

(.06) Accessory Uses Permitted for Attached Family Dwelling Units and Apartments:

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

(.07) Other Standards:

- A. Minimum lot width at building line: Sixty (60) feet.
- B. Minimum street frontage of lot: Thirty (30) feet; however, no street frontage is required when the lot fronts on an approved, platted private drive.
- C. Minimum lot size: 5000 square feet.
- D. Minimum lot depth: Seventy (70) feet.

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

- E. Maximum building or structure height: Thirty-five (35) feet.
- F. Maximum lot coverage: Twenty percent (20%) for all residential dwelling units; thirty percent (30%) for all buildings.
- G. Block and access standards:
 - 1. Maximum block perimeter in new land divisions: 1,800 feet.
 - 2. Maximum spacing between streets or private drives for local access: 530 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions meeting this standard.
 - 3. Maximum block length without pedestrian and bicycle crossing: 330 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions meeting this standard.

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

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

- (.01) Examples of principal uses that are typically permitted:
 - A. Open Space.
 - B. Single-Family Dwelling Units.
 - C. Multiple-Family Dwelling Units, subject to the density standards of the zone.
 - D. Public parks, playgrounds, recreational and community buildings and grounds, tennis courts, and similar recreational uses, all of a non-commercial nature, provided that any principal building or public swimming pool shall be located not less than forty-five (45) feet from any other lot.
 - E. Manufactured homes, subject to the standards of Section 4.115 (Manufactured Housing).
- (.02) Permitted accessory uses to single family dwellings:
 - A. Accessory uses, buildings and structures customarily incidental to any of the principal permitted uses listed above, and located on the same lot.
 - B. Living quarters without kitchen facilities for persons employed on the premises or for guests. Such facilities shall not be rented or otherwise used as a separate dwelling unless approved as an accessory dwelling unit or duplex.
 - C. Accessory Dwelling Units, subject to the standards of Section 4.113 (.11).
 - D. Home occupations.
 - E. A private garage or parking area.
 - F. Keeping of not more than two (2) roomers or boarders by a resident family.

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

- G. Temporary real estate signs, small announcement or professional signs, and subdivision signs, as provided in the provisions of Sections 4.156.05, 4.156.07, 4.156.09, and 4.156.10. [Amended by Ord. No. 704, 6/18/12]
 - H. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
 - I. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses do not exceed 120 square feet or ten (10) feet in height, and they are detached and located behind the rear-most line of the main buildings, the side and rear yard setbacks may be reduced to three (3) feet.
 - J. Livestock and farm animals, subject to the provisions of Section 4.162.
- (.03) Permitted accessory uses for multiple-family dwelling units:
- A. Accessory uses, buildings, and structures customarily incidental to any of the aforesaid principal permitted uses, located on the same lot therewith.
 - B. Home occupations.
 - C. A private garage or parking area.
 - D. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
 - E. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses do not exceed 120 square feet or ten (10) feet in height, and they are detached and located behind the rear-most line of the main buildings, the side and rear yard setbacks may be reduced to three (3) feet.
 - F. Livestock and farm animals, subject to the provisions of Section 4.162.
- (.04) Uses permitted subject to Conditional Use Permit requirements:
- A. Public and semi-public buildings and/or structures essential to the physical and economic welfare of an area, such as fire stations, sub-stations and pump stations.
 - B. Public or private clubs, lodges or meeting halls. Public or private parks, playground, golf courses, driving ranges, tennis clubs, community centers and similar recreational uses.
 - C. Churches, public, private and parochial schools, public libraries and public museums.
 - D. Neighborhood Commercial Centers limited to the provisions of goods and services primarily for the convenience of and supported by local residents, and not requiring a zone change to a commercial designation:
 - 1. The site of a Neighborhood Commercial Center was proposed at the time of the original application.
 - 2. Such centers are of a scale compatible with the surrounding residential structures.

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

3. Such centers shall be compatible with the surrounding residential uses.
 4. The site of a Neighborhood Commercial Center shall be at least one-quarter (1/4) mile from any other sites zoned for commercial uses.
 5. The site of a Neighborhood Commercial Center shall not exceed five percent (5%) of the total area or one (1) acre, whichever is less.
 6. The site of a Neighborhood Commercial Center shall have direct access to a street of a collector classification and shall have direct pedestrian access to the residential areas.
 7. The site of a Neighborhood Commercial Center shall not include more than one quadrant of an intersection and shall not result in traffic of a nature which causes a substantial adverse impact on the residential character of the planned development.
- E. Commercial Recreation which is compatible with the surrounding residential uses and promotes the creation of an attractive, healthful, efficient and stable environment for living, shopping or working. All such uses except golf courses and tennis courts shall conform to the requirements of subsection “D” (Neighborhood Commercial Centers), above.

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

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

Table 1: PDR Zone based on Comprehensive Plan Density

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

(.06) Block and access standards:

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

Section 4.124.1.PDR-1:

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

- (.07) Signs. Per the requirements of Sections 4.156.01 through 4.156.11.
[Amended by Ord. No. 704, 6/18/12]
- (.08) Parking. Per the requirements of Section 4.155.
- (.09) Corner Vision Clearance. Per the requirements of Section 4.177.

Section 4.124.1. PDR-1:

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

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

Section 4.124.2. PDR-2:

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

- (.01) Average lot size: 16,000 square feet.
- (.02) Minimum lot size: 12,000 square feet.
- (.03) Minimum density at build out: One unit per 20,000 square feet.
- (.04) Other Standards:
 - A. Minimum lot width at building line: Sixty (60) feet.

Section 4.124.3.PDR-3:

- B. Minimum street frontage of lot: Thirty (30) feet; however, no street frontage is required when the lot fronts on an approved, platted private drive. [Amended by Ord. 682, 9/9/10]
 - C. Minimum lot depth: Seventy (70) feet.
 - D. Setbacks: per Section 4.113(.03).
 - E. Maximum building or structure height: Thirty-five (35) feet.
 - F. Maximum lot coverage: Twenty-five percent (25%) for all residential dwelling units; thirty percent (30%) for all buildings.
- (.05) Examples of development that is typically permitted (hypothetical 10-acre site):
- A. Twenty single-family dwellings (with or without accessory dwelling units) on individual lots, or
 - B. Twenty-nine dwelling units (any combination of multiple family or single family units with or without accessory dwelling units).

Section 4.124.3. PDR-3:

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

- (.01) Average lot size: 7,000 square feet.
- (.02) Minimum lot size: 5,000 square feet.
- (.03) Minimum density at build out: One unit per 8,000 square feet.
- (.04) Other standards:
 - A. Minimum lot width at building line: Forty (40) feet.
 - B. Minimum street frontage of lot: Forty (40) feet; however, street frontage may be reduced to twenty-four (24) feet when the lot fronts a cul-de-sac. No street frontage is required when the lot fronts on an approved, platted private drive. [Amended by Ord. 682, 9/9/10]
 - C. Minimum lot depth: Sixty (60) feet.
 - D. Setbacks: per Section 4.113(.03).
 - E. Maximum building or structure height: Thirty-five (35) feet.
 - F. Maximum lot coverage: Fifty percent (50%) for lots containing less than 7000 square feet. Forty-five percent (45%) for lots between 7000 and 8000 square feet. Forty percent (40%) for lots exceeding 8000 square feet.
- (.05) Examples of development that is typically permitted (hypothetical 10-acre site):
 - A. Fifty-four single-family dwellings (with or without accessory dwelling units) on individual lots, or
 - B. Sixty-two dwelling units (any combination of multiple-family or single-family units with or without accessory dwelling units).

Section 4.124.4.PDR-4:

Section 4.124.4. PDR-4:

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

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

Section 4.124.5. PDR-5:

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

- (.01) Average lot area per unit: 3,000 square feet.
- (.02) Minimum lot size: 2,500 square feet.
- (.03) Minimum density at build out: One unit per 4,000 square feet.
- (.04) Other Standards:
 - A. Minimum lot width at building line: Thirty (30) feet.
 - B. Minimum street frontage of lot: Thirty (30) feet.
 - C. Minimum Lot Depth: Sixty (60) feet.
 - D. Setbacks: per Section 4.113(.03).
 - E. Maximum height: Thirty-five (35) feet.
 - F. Maximum lot coverage: Seventy-five percent (75%) for all buildings.

Section 4.124.6.PDR-6:

- (.05) Examples of development that is typically permitted (hypothetical 10-acre site):
 - A. 108 town-house units on individual lots, or
 - B. 145 dwelling units (any combination of multiple-family or single-family units).

Section 4.124.6. PDR-6:

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

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

Commented [MM14]: Maximum Height of 35' may not promote higher density residential development options in the Town Center.

Section 4.124.7. PDR-7:

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

- (.01) Average lot area per unit: 2,000 square feet.
- (.02) Minimum lot size: 1,500 square feet.
- (.03) Minimum density at build out: One unit per 2,400 square feet.
- (.04) Other standards:
 - A. Minimum lot width at building line: Thirty (30) feet.
 - B. Minimum street frontage of lot: Thirty (30) feet.
 - C. Minimum lot depth: Sixty (60) feet.
 - D. Setbacks: per Section 4.113(.03).
 - E. Maximum building height: Thirty-five (35) feet.
 - F. Maximum lot coverage: Seventy-five percent (75%) for all buildings.

Section 4.125. V – Village Zone

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

- A. 174 condominium units, or
- B. 217 multiple-family units.

Section 4.125. V – Village Zone

(.01) Purpose.

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

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

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

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

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- Electronics and appliances store
- Florist
- Furniture store
- Jeweler
- Pet shop
- 2. Food and sundries:
 - Bakery
 - Butcher shop
 - Convenience store
 - Delicatessen
 - Drugstore
 - Gifts Store
 - Hardware store
- 3. Lifestyle and recreation:
 - Art gallery
 - Barbershop or hair salon
 - Boutique shops and other specialty retail
 - Coffee shops including outdoor eating areas
 - Health club or gymnasium
 - Restaurants and pubs including outdoor eating areas
 - Dance or martial arts studio
- 4. Service Commercial:
 - Banking and investment services
 - Child day care
 - Custom tailoring
 - Dry cleaners
 - Photo processing
 - Postal service
 - Reproduction services
 - Laundromat
 - Locksmith
 - Telecommunications services
 - Upholstery shop
- 5. General Office:
 - Computer and technology companies
 - Governmental services
 - Health services
 - Insurance agencies
 - Nonprofit organizations
 - Professional-type services
 - Real estate offices
 - Secretarial services
 - Travel agencies
- J. Commercial uses within a Neighborhood Center, subject to the standards of (.06) Standards Applying to Commercial Uses, and similar to the following:

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Bakery
Barbershop and/or hair salon
Bookstore
Coffee shop including outdoor eating areas
Convenience store
Dry cleaners
Florist
Newsstand
Postal services
Service oriented offices
Wine bar

K. Group Living Facility

(.03) Permitted Accessory Uses

- A. Uses, buildings and structures customarily incidental to any of the principal permitted uses and located on the same lot
- B. Home Occupations
- C. Structured parking, garages, and parking areas
- D. Temporary Uses per Section 4.163.
- E. Signs subject to the standards of (.12) Signage and Wayfinding.
- F. Temporary buildings for uses incidental to construction work, which buildings shall be removed immediately upon completion or abandonment of the construction work. In no case shall such buildings remain on the premises longer than ten (10) days after the receipt of a Certificate of Occupancy or the expiration of construction permits.

(.04) Conditional Uses Applications for the following conditional uses shall be processed in accordance with the procedures listed in Section 4.512:

- A. Public and semi-public buildings and/or structures essential to the physical and economic welfare of an area, such as fire stations, utility sub-stations and pump stations
- B. Public or private clubs, lodges or meeting halls
- C. Public or private libraries and museums
- D. Religious institutions.
- E. Transit Stations
- F. Community Centers
- G. Conference Centers
- H. Non-commercial community buildings and grounds, and other similar community uses, owned and operated either publicly or by an owners association.

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- I. Commercial parks, plazas, playgrounds, recreational facilities, community buildings and grounds, tennis courts, and other similar recreational and community uses owned and operated privately.
 - J. Schools (public, private, or commercial)
 - K. Theaters
 - L. Home Business
 - M. Commercial Parking Facility
 - N. Light Manufacturing / Research and Development located within the Village Center.
 - O. Overnight Lodging Facility
 - P. Grocery Store or Specialty Grocery Store
- (.05) Development Standards Applying to All Developments in the Village Zone. In addition to other applicable provisions of the Wilsonville Planning and Land Development Ordinance, all development in the Village zone shall be subject to Tables V-1 through V-4, and to the following. If there is a conflict between the provisions of the Village zone and other portions of the Code, then the provisions of this section shall apply.
- A. Block, Alley, Pedestrian and Bicycle Standards:
 - 1. Maximum Block Perimeter: 1,800 feet, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent a block perimeter from meeting this standard.
 - 2. Maximum spacing between streets or private drive for local access: 530 feet, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions from meeting this standard. Under such circumstances, intervening pedestrian and bicycle access shall be provided, with a maximum spacing of 330 feet from those local streets or private drives, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions from meeting this standard. [Amended by Ord. 682, 9/9/10]
 - B. Access: All lots with access to a public street, and an alley, shall take vehicular access from the alley to a garage or parking area, except as determined by the City Engineer.
 - C. Trailers, travel trailers, mobile coaches, or any altered variation thereof shall not be used for the purpose of conducting a trade or calling, or for storage of material, unless approved for such purpose as a temporary use.
 - D. Fences:
 - 1. General Provisions:

Section 4.125. V – Village Zone

- a. Fencing in the Village Zone shall be in compliance with the Master Fencing Program in the adopted Architectural Pattern Book for the appropriate SAP. [Section 4.125(.09)(D)(1)(a) amended by Ord. No. 596, 10/3/05.]
- b. When two or more properties with different setbacks abut, the property with the largest front yard setback requirement shall be used to determine the length and height of the shared side yard fence, as required by Section 4.125(.05)(D)(1)(a), above.
Example: Building ‘A’ has 20’ front yard setback and Building ‘B’ has zero front yard setback. Since Building ‘A’ has the larger front yard setback, it shall be used to determine the height and length of the shared side yard fence. It is 6’ tall, but is reduced to 3’ in front of Building ‘A’s building line.
- c. The Development Review Board may, in their discretion, require such fencing as deemed necessary to promote and provide traffic safety, noise mitigation, and nuisance abatement, and the compatibility of different uses permitted on adjacent lots of the same zone and on adjacent lots of different zones.

2. Residential:

- a. The maximum height of any fence located in the required front yard of a residential development shall not exceed three (3) feet.
- b. Fences on residential lots shall not include chain link, barbed wire, razor wire, electrically charged wire, or be constructed of sheathing material such as plywood or flake board. Fences in residential areas that protect wetlands, or other sensitive areas, may be chain link.

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.

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- b. At the PDP level – an additional 30 square feet per residential unit
 - 3. Outdoor Living Area shall be considered to be part of the Open Space requirement in Section 4.125(.08). [Section 4.125(.05)(E.) amended by Ord. 606, 4/3/06.]
- F. Fire Protection:
- 1. All structures shall include a rated fire suppression system (i.e., sprinklers), as approved by the Fire Marshal

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Table V-1: Development Standards

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

Notes: NR No Requirement

NA Not Allowed

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

2 Small lots: 75%, Medium Lots: 65%, Standard and Large Lots: 55%, Estate Lots: 45% Maximum Lot Coverage

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 Maximum setbacks may be increased as necessary to accommodate deeper porches, building code, public utility easements or public open space requirements.

20 Lots are categorized as small, medium, standard, large or estate as shown in the Pattern Book.

[Table V-1 amended by Ord. 667 on 8/17/09; Ord. 682, 9/9/10]

(.06) Standards Applying To Commercial Uses

- A. All commercial uses shall be subject to the following:
1. A Neighborhood Center shall only be located at a Neighborhood Commons
 2. The total area of all commercial uses in a Neighborhood Center shall not exceed 3,500 sq. ft. (excluding residential uses, home occupations, or home businesses).
 3. Commercial use shall not include “drive-through” facilities.
 4. A commercial use shall be adjacent to a street.
 5. All businesses, service or processing, shall be conducted wholly within a completely enclosed building; except for off-street parking and off-street loading. Except, however, that exterior displays, outdoor dining areas, or exterior sales may be specifically authorized through temporary use permit or development permit approval, subject to conditions of approval. Exterior sales that may be permitted are those that are limited in time duration, such as sidewalk sales, grand openings, or farmers’ markets. Said areas must maintain the minimum required clear space accessible to pedestrian movement on pathways and/or sidewalks. See the following figure:

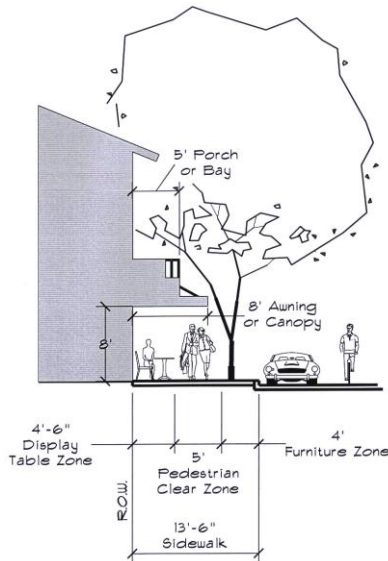


Figure V-1: Exterior Displays/Outdoor Dining

6. Except as may be approved through the processes noted in Section (.07)(A)(5), above, all commercial uses shall meet the performance standards specified in Section 4.135(.05).

(.07) General Regulations - Off-Street Parking, Loading and Bicycle Parking Except as required by Subsections (A) through (D), below, the requirements of Section 4.155 shall apply within the Village zone.

A. General Provisions:

1. The provision and maintenance of off-street parking spaces is a continuing obligation of the property owner. The standards set forth herein shall be considered by the Development Review Board as minimum criteria.
2. The Board shall have the authority to grant variances or refinements to these standards in keeping with the purposes and objectives set forth in this zone.

B. Minimum and Maximum Off-Street Parking Requirements:

1. Table V-2, Off-Street Parking Requirements, below, shall be used to determine the minimum and maximum parking standards for noted land uses. The minimum number of required parking spaces shown in Table V-2 shall be determined by rounding to the nearest whole parking space. For example, a use containing 500 square feet, in an area where the standard is one space for each 400 square feet of floor area, is required to provide one off-street parking space. If the same use contained more than 600 square feet, a second parking space would be required.
2. Minimum parking requirements may be met by dedicated off-site parking, including surfaced parking areas and parking structures.
3. Except for detached single-family dwellings and duplexes, on-street parking spaces, directly adjoining and on the same side of the street as the subject property, may be counted towards meeting the minimum off-street parking requirements.
4. Minimum parking requirements may be reduced under the following conditions:
 - a. When complimentary, shared parking availability can be demonstrated, or;
 - b. Bicycle parking may substitute for up to 25% of required Mixed-Use or Multi-Family Residential parking. For every five non-required bicycle parking spaces that meet the short or long-term bicycle parking standards, the motor vehicle parking requirement for compact spaces may be reduced by one space.

C. Minimum Off-Street Loading Requirements:

1. Loading facilities shall be sited at the rear or side whenever practicable, and if adjacent to a residential use, shall be screened. Screening shall match the adjacent residential development in terms of quality of materials and design. Such screening shall minimize light glare and noise levels affecting adjacent residential uses. See also Section 4.155(.03)(B).

D. Bicycle Parking Requirements:

- 1 Purpose: Bicycle parking is required for most use categories to encourage the use of bicycles by providing safe and convenient places to park bicycles for short and long stays.
 - a. Short-term bicycle parking is intended to encourage shoppers, customers, messengers, and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles.
 - b. Long-term bicycle parking is intended to provide employees, students, residents, commuters and others who generally stay at a site for several hours, a secure and weather-protected place to park bicycles. The intent of the long-term standards is to provide bicycle parking within a reasonable distance in order to encourage bicycle use.
2. General Provisions
 - a. Required Bicycle Parking:
 - i. The required minimum number of bicycle parking spaces for each use category is shown in Table V-2, Parking Requirements, below. Bicycle parking is not required for uses not listed.
 - ii. Bicycle parking spaces are not required for accessory uses. If a primary use is listed in Table V-2, bicycle parking is not required for the accessory use.
 - iii. When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.
3. Bicycle Parking Standards:
 - a. Short-term bicycle parking. Required short-term bicycle parking shall meet the following standards:
 - i. Short-term bicycle parking shall be provided in lockers or racks that meet the standards of this section.
 - ii. Short-term bicycle parking shall be located either within 30 feet of the main entrance to the building; or inside a building, in a location that is easily accessible for bicycles.
 - iii. If 10 or more short-term bicycle spaces are required, then at least 50 percent of the required short-term bicycle spaces shall be covered and meet the standards of this section.
 - b. Long-term bicycle parking. Required long-term bicycle parking shall meet the following standards:
 - i. Long-term bicycle parking shall be provided in racks or lockers that meet the standards of this section.
 - ii. Long-term bicycle parking shall be located on the site or in an area where the closest point is within 300 feet of the site
 - iii. At least 50 percent of required long-term bicycle parking shall be covered in compliance with the standards of this section
 - iv. To provide security, long-term bicycle parking shall be in at least one of the following locations:

- In a locked room or locker
 - In an area that is enclosed by a fence with a locked gate. The fence shall be either eight (8) feet high, or be floor-to-ceiling, subject to review and approval of a building permit;
 - In an area that is visible from employee work areas or within view of an attendant or security guard;
 - In a dwelling unit or dormitory unit. If long-term bicycle parking is provided in a dwelling unit or dormitory unit, neither racks nor lockers shall be required.
- c. Bicycle Lockers, Racks and Cover (Weather Protection):
- i. Where required bicycle parking is provided in lockers, the lockers shall be securely anchored.
 - ii. Covered bicycle parking, as required by this section, shall be provided inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures. Where required covered bicycle parking is not within a building or locker, the cover must be permanent, designed to protect the bicycle from rainfall and provide seven (7) foot minimum overhead clearance.

Table V-2: Off Street Parking Requirements

	Min. Vehicle Spaces	Max. Vehicle Spaces	Bicycle Short-term (Spaces)	Bicycle Long-term (Spaces)
Permitted or Conditional Use				
Permitted Uses				
Single-Family Detached Dwellings	1.0/DU	NR	NR	NR
Single-Family Accessory Dwelling Units*	1.0/DU	NR	NR	NR
Duplex	1.0/DU	NR	NR	NR
Row Houses	1.0/DU	NR	NR	NR
Multi-Family Dwellings	1.0/1 Bdr 1.5/2 Bdr 1.75/3 Bdr	NR	1 per 20 units Min. of 2	1 per 4 units Min. of 2
Community Housing	1 per 4 residents	1 per unit	None	1 per 8 residents Min. of 2
Commercial Uses				
Convenience Store	2/1000 sf	5/1000 sf	1 per 5000 sf Min. of 2	1 per 12,000 sf Min. of 2
Restaurant/Pub	2/1000 sf	10/1000 sf	1 per 5000 sf Min. of 2	1 per 12,000 sf Min. of 2
Child Day Care	0.2 per student/staff	0.3 per student/staff	None	1 per 10,000 sf Min. of 2
Medical/Dental	3/1000 sf	4/1000 sf	1 per 40,000 sf Min. of 2	1 per 70,000 sf Min. of 2
All other commercial uses	2/1000 sf	4/1000 sf	1 per 10,000 sf Min. of 2	1 per 40,000 sf Min. of 2
Conditional Uses				
Schools	0.2 per student/staff	0.3 per student/staff	0.3 per student/staff	0.2 per classroom
Recreational Facilities	3/1000 sf ¹	5/1000 sf ¹	1 per 3,000 sf Min. of 4	1 per 3000 sf Min. of 4
Conference Center	0.3 per seat	0.5 per seat	1 per 15 seats Min. of 2	1 per 40 seats Min. of 10
Library/Museum	2/1000 sf	4/1000 sf	1 per 1000 sf Min. of 6	1 per 1000 sf Min. of 6
Religious Institution	.25 per seat	.5 per seat	1 per 2,000 sf Min. of 2	1 per 4,000 sf Min. of 2
Theater	.25 per seat	.5 per seat	1 per 20 seats Min. of 2	1 per 50 seats Min. of 4
Overnight Lodging Facility	1 per room	1.5 per room	1 per 20 rooms Min. of 2	1 per 20 rooms Min. of 2
Light Manufacturing/Research and Development	2/1000 sf	4/1000 sf	1 per 10,000 sf Min. of 2	1 per 40,000 sf Min. of 2
All other Conditional Uses	2/1000 sf	4/1000 sf	1 per 10,000 sf Min. of 2	1 per 40,000 sf Min. of 2

Notes: ¹ 1/1000 sf min. for court facilities

NR No requirement

* See WC Section 4.113(.11) Assessor Dwelling Units

[Table 4-2 amended by Ord. 677, 3/1/10]

(.08) Open Space. Open space shall be provided as follows:

- A. In all residential developments and in mixed-use developments where the majority of the developed square footage is to be in residential use, at least twenty-five percent (25%) of the area shall be open space, excluding street pavement and surface parking. In multi-phased developments, individual phases are not required to meet the 25% standard as long as an approved Specific Area Plan demonstrates that the overall development shall provide a minimum of 25% open space. Required yard areas shall not be counted towards the required open space area.
- B. Open space area required by this Section may, at the discretion of the Development Review Board, be protected by a conservation easement or dedicated to the City, either rights in fee or easement, without altering the density or other development standards of the proposed development. Provided that, if the dedication is for public park purposes, the size and amount of the proposed dedication shall meet the criteria of the City of Wilsonville standards. The square footage of any land, whether dedicated or not, which is used for open space shall be deemed a part of the development site for the purpose of computing density or allowable lot coverage. See SROZ provisions, Section 4.139.10.
- C. The Development Review Board may specify the method of assuring the long-term protection and maintenance of open space and/or recreational areas. Where such protection or maintenance are the responsibility of a private party or homeowners' association, the City Attorney shall review and approve any pertinent bylaws, covenants, or agreements prior to recordation.

(.09) Street and Access Improvement Standards

- A. Except as noted below, the provisions of Section 4.177 shall apply within the Village zone:
 - 1. General Provisions:
 - a. All street alignment and access improvements shall conform to Figures 7, 8, 9A, and 9B of the Villebois Village Master Plan, or as refined in an approved Specific Area Plan, Preliminary Development Plan, or Final Development Plan, and the following standards:
 - i. All street improvements shall conform to the Public Works Standards and the Transportation Systems Plan, and shall provide for the continuation of streets through proposed developments to adjoining properties or subdivisions, according to the Master Plan.
 - ii. All streets shall be developed according to the Master Plan.
 - 2. Intersections of streets:
 - a. Angles: Streets shall intersect one another at angles not less than 90 degrees, unless existing development or topography makes it impractical.
 - b. Intersections: If the intersection cannot be designed to form a right angle, then the right-of-way and paving within the acute angle shall have a minimum of a thirty (30) foot centerline radius and said angle shall not be

less than sixty (60) degrees. Any angle less than ninety 90 degrees shall require approval by the City Engineer after consultation with the Fire District.

- c. Offsets: Opposing intersections shall be designed so that no offset dangerous to the traveling public is created. Intersections shall be separated by at least:
 - i. 1000 ft. for major arterials
 - ii. 600 ft. for minor arterials
 - iii. 100 ft. for collectors
 - iv. 50 ft. for local streets[Amended by Ord. #719, 6/17/13.]
- d. Curb Extensions:
 - i. Curb extensions at intersections shall be shown on the Specific Area Plans required in Subsection 4.125(.18)(C) through (F), below, and shall:
 - Not obstruct bicycle lanes on collector streets.
 - Provide a minimum 20 foot wide clear distance between curb extensions at all local residential street intersections, meet minimum turning radius requirements of the Public Works Standards, and shall facilitate fire truck turning movements as required by the Fire District.
3. Street Grades: Street grades shall be a maximum of 6% on arterials and 8% for collector and local streets. Where topographic conditions dictate, grades in excess of 8%, but not more than 12%, may be permitted for short distances, as approved by the City Engineer, where topographic conditions or existing improvements warrant modification of these standards.
4. Centerline Radius Street Curves: The minimum centerline radius street curves shall be as follows:
 - a. Arterial streets: 600 feet, but may be reduced to 400 feet in commercial areas, as approved by the City Engineer.
 - b. Collector streets: 600 feet, but may be reduced to conform with the Public Works Standards, as approved by the City Engineer.
 - c. Local streets: 75 feet
5. Rights-of-way:
 - a. See Section 4.125(.09)(A), above.
6. Access drives:
 - a. See Section 4.125(.09)(A), above.
 - b. 16 feet for two-way traffic
7. Clear Vision Areas
 - a. See Section 4.125(.09)(A), above.
8. Vertical Clearance:
 - a. See Section 4.125(.09)(A), above.
9. Interim Improvement Standard:

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a. See Section 4.125(.09)(A), above.

(.10) Sidewalk and Pathway Improvement Standards

A. The provisions of Section 4.154 and 4.177(.03) shall apply within the Village zone. [Amended by Ord. #719, 6/17/13.]

(.11) Landscaping, Screening and Buffering

A. Except as noted below, the provisions of Section 4.176 shall apply in the Village zone:

1. Streets in the Village zone shall be developed with street trees as described in the Community Elements Book.

(.12) Master Signage and Wayfinding

A. All signage and wayfinding elements within the Village Zone shall be in compliance with the adopted Signage and wayfinding Master Plan for the appropriate SAP.

B. Provisions of Sections 4.156.01 through 4.156.11 shall apply in the Village Zone except Sections 4.156.07 and 4.156.08. Portions of Section 4.156.08 pertaining to Town Center may be used for comparison purposes to assess conceptually whether signage is allowed in an equitable manner throughout the City. Sections 4.156.01 through 4.156.11 are not to be used for direct comparison of sign standards. [Amended by Ord. No. 704, 6/18/12]

C. The Master Signage and Wayfinding Plan is the Master Sign Plan for the applicable SAP.

D. In the event of conflict between the applicable standards of Sections 4.156.01 through 4.156.11 and this subsection or the applicable Master Signage and Wayfinding Plan, this subsection and the Master Signage and Wayfinding Plan shall take precedence. [Amended by Ord. No. 704, 6/18/12]

E. The following signs may be permitted in the Village Zone, subject to the conditions in this Section.

1. Site Signs

a. Signs that capture attention establishing a sense of arrival to Villebois and to areas within Villebois.

2. Site Directional

a. Permanent mounted signs informing and directing the public to major destinations within Villebois.

3. Retail Signs

a. Signs which identify the retail uses, including bulkhead signs, blade signs, temporary window signs and permanent window signs designed to identify storefronts and provide information regarding the retail uses.

4. Informational Signs

a. Permanent mounted signs located along and adjacent to travel ways providing information to residents and visitors traveling within Villebois.

5. Flags and Banners

- a. Permanent and temporary pole mounted signage intended to identify the graphic identity of Villebois and to identify seasonal events taking place within the Villebois Community.

F. Dimensions and square footage of signs are defined in the Master Signage and Wayfinding Plan for the appropriate SAP.

G. Signage locations are specified in the Master Signage and Wayfinding Plan for the appropriate SAP.

H. The number of signs permitted is specified in the Master Signage and wayfinding Plan for the appropriate SAP.

[Section 4.125(.12) amended by Ord. No. 596, 10/3/05.]

(.13) Design Principles Applying to the Village Zone

A. The following design principles reflect the fundamental concepts, and support the objectives of the Villebois Village Master Plan, and guide the fundamental qualities of the built environment within the Village zone.

1. The design of landscape, streets, public places and buildings shall create a place of distinct character.
2. The landscape, streets, public places and buildings within individual development projects shall be considered related and connected components of the Villebois Village Master Plan.
3. The design of buildings shall functionally relate to adjacent open space, gateways, street orientation, and other features as shown in the Villebois Village Master Plan.
4. The design of buildings and landscape shall functionally relate to sunlight, climate, and topography in a way that acknowledges these conditions as particular to the Willamette Valley.
5. The design of buildings shall incorporate regional architectural character and regional building practices.
6. The design of buildings shall include architectural diversity and variety in its built form.
7. The design of buildings shall contribute to the vitality of the street environment through incorporation of storefronts, windows, and entrances facing the sidewalk.
8. The design of streets and public spaces shall provide for and promote pedestrian safety, connectivity and activity.
9. The design of buildings and landscape shall minimize the visual impact of, and screen views of off-street parking from streets.
10. The design of exterior lighting shall minimize off-site impacts, yet enable functionality.

(.14) Design Standards Applying to the Village Zone

- A. The following Design Standards implement the Design Principles found in Section 4.125(.13), above, and enumerate the architectural details and design requirements applicable to buildings and other features within the Village (V) zone. The Design Standards are based primarily on the features, types, and details of the residential traditions in the Northwest, but are not intended to mandate a particular style or fashion. All development within the Village zone shall incorporate the following:
1. General Provisions:
 - a. Flag lots are not permitted.
 - b. The minimum lot depth for a single-family dwelling with an accessory dwelling unit shall be 70 feet.
 - c. Village Center lots may have multiple front lot lines.
 - d. For Village Center lots facing two or more streets, two of the facades shall be subject to the minimum frontage width requirement. Where multiple buildings are located on one lot, the facades of all buildings shall be used to calculate the Minimum Building Frontage Width.
 - e. Neighborhood Centers shall only be located within a Neighborhood Commons.
 - f. Commercial Recreation facilities shall be compatible with surrounding residential uses.
 - g. Convenience Stores within the Village zone shall not exceed 4,999 sq. ft., and shall provide pedestrian access.
 - h. Specialty Grocery Stores within the Village zone shall not be more 19,999 square feet in size.
 - i. A Grocery Store shall not be more than 40,000 square feet in size.
 2. Building and site design shall include:
 - a. Proportions and massing of architectural elements consistent with those established in an approved Architectural Pattern Book or Village Center Architectural Standards.
 - b. Materials, colors and architectural details executed in a manner consistent with the methods included in an approved Architectural Pattern Book, Community Elements Book or approved Village Center Architectural Standards.
 - c. Protective overhangs or recesses at windows and doors.
 - d. Raised stoops, terraces or porches at single-family dwellings.
 - e. Exposed gutters, scuppers, and downspouts, or approved equivalent.
 - f. The protection of existing significant trees as identified in an approved Community Elements Book.
 - g. A landscape plan in compliance with Sections 4.125(.07) and (.11), above.
 - h. Building elevations of block complexes shall not repeat an elevation found on an adjacent block.

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- i. Building elevations of detached buildings shall not repeat an elevation found on buildings on adjacent lots.
 - j. A porch shall have no more than three walls.
 - k. A garage shall provide enclosure for the storage of no more than three motor vehicles, as described in the definition of Parking Space.
3. Lighting and site furnishings shall be in compliance with the approved Architectural Pattern Book, Community Elements Book, or approved Village Center Architectural Standards.
4. Building systems, as noted in Tables V-3 and V-4 (Permitted Materials and Configurations), below, shall comply with the materials, applications and configurations required therein. Design creativity is encouraged. The LEED Building Certification Program of the U.S. Green Building Council may be used as a guide in this regard.

[Section 4.125(.14) amended by Ord. No. 595, 12/5/05.]

Table V-3: Permitted Materials and Configurations

All Single Family Detached, Duplexes, Row Houses - any location All Mixed-Use, Multi-Family, and Commercial Buildings - outside the Village Center*		
	Permitted Materials	Configuration and Application
Exterior Surfaces of Building Walls and Chimneys	<ul style="list-style-type: none"> ▪ Cedar siding and shingles ▪ Dimensional lumber elements ▪ Fiber-cement siding and shingles ▪ Stucco, cementitious ▪ Masonry: brick, stone, concrete, and faux-stone ▪ Exposed cast-in-place concrete ▪ Pre-cast concrete trim and veneer ▪ Plywood with battens (not primary façade) 	<ul style="list-style-type: none"> ▪ Materials can only be changed at horizontal lines or at an inside corner of two vertical planes ▪ Any material used on a front façade shall return a minimum of 16" on side wall ▪ Lap-siding shall not exceed 7" and drop-siding 10" to the weather ▪ Board and batten shall not exceed 10", and 2" running alternately ▪ Brick shall be laid in a true bonding pattern (no stack bond) ▪ Stucco shall be smooth sand finish ▪ Concrete block shall be split-faced or scored ▪ Cast concrete walls shall have a textured finish
Building Elements	<ul style="list-style-type: none"> ▪ Posts and columns shall be of stone masonry, brick, cast concrete, stucco, wood, built-up fiber-cement board, fiberglass, iron, or tubular steel ▪ Arches and piers shall be stone masonry, brick, cast concrete, or stucco ▪ Porches, balconies, decks, stoops, and stairs shall be of wood, wood polymer, stucco, concrete, brick, or stone ▪ Railings and balustrades shall be iron, welded steel, pre-cast concrete, stone, wood or wood polymer ▪ Trellises shall be iron, welded steel, or wood ▪ Walls and fences may be of permitted wall materials, and wood pickets, lattice, boards, or open painted metal 	<ul style="list-style-type: none"> ▪ All balconies, decks, and trellises - whether cantilevered or not - shall be visibly supported by columns, beams, or brackets ▪ Columns and posts shall be minimum 5" in section ▪ Masonry shall be terminated on a concrete base or carried to the ground ▪ The area under porches and decks shall be screened with wall or fencing material ▪ Landscape walls and fences shall match materials on buildings ▪ Concrete and masonry landscape walls shall be a minimum of 8" thick ▪ Stucco landscape walls shall be over concrete or block walls ▪ Metal fencing shall be of open nature and predominately vertical ▪ Fence heights may step up or down in one ft. increments but not at corners ▪ Ornammentation is only allowed to highlight or embellish a functional element ▪ Balconies shall extend no more than 36 inches beyond the furthestmost adjacent building face ▪ Fence boards must be stained or painted
Roofs	<ul style="list-style-type: none"> ▪ Architectural grade composition shingles ▪ Cedar shingles ▪ Concrete or clay tiles ▪ Slate ▪ Built-up flat roofs ▪ Standing seam metal, parallel to slope ▪ Eco/Green roofs ▪ Metal or wood gutters. Metal downspouts or (1) copper, brass or aluminum chain, (2) rope, or (3) freefall water, in lieu of metal downspouts. ▪ Fabric, steel, or glass awnings 	<ul style="list-style-type: none"> ▪ Principal sloped roofs shall have symmetrical 4:12 to 12:12 pitches ▪ Eaves shall overhang at least 12 inches or be tight to the wall and finished by a molding or stucco detail ▪ Eco/Green roofs are permitted on flat roofs or sloped roofs up to 6.9:12 pitch. ▪ Fascia gutters are not allowed ▪ Gutters shall have a half-round, ogee, or square profile ▪ Metal Downspouts shall be round or box and use standoffs instead of bending around trim boards or other elements. ▪ All roof-mounted components, such as mechanical equipment, solar equipment, antennas, satellites, etc., shall be screened from view. ▪ Chain or rope downspouts anchored at bottom, or gutter freefall, shall convey water to a no-splash basin. The basin and drainage conveyance away from the basin require City approval on a per design basis. ▪ Roof vents shall be minimized where visible from public areas ▪ Dormers shall be placed at least 36 inches from side building walls ▪ Flat roofs shall be enclosed by parapets
Windows & Doors	<ul style="list-style-type: none"> ▪ Wood, metal or vinyl-clad wood, vinyl or steel frames and sashes ▪ Clear or Low-E glass where visible from public areas ▪ Entry and garage doors of wood, fiberglass, or embossed metal ▪ Sliding glass doors are allowed only where screened from public areas ▪ Wood, fiber-cement, vinyl, or fiberglass shutters 	<ul style="list-style-type: none"> ▪ Individual windows shall be square or vertical in proportion ▪ Windows and doors shall be recessed at least 3" from the exterior wall surface or surrounded by trim ▪ Door and window shutters shall be sized to cover the window

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Table V-4: Permitted Materials and Configurations:		
	Commercial Buildings - Inside the Village Center*	Educational Facilities (Schools) - any location
	Multi-Family Buildings - Inside the Village Center*	Religious Institutions - any location
	Mixed-Use Buildings - Inside the Village Center*	
	Permitted Materials	Configuration and Application
Exterior Surfaces of Building Walls	<ul style="list-style-type: none"> ▪ Metal Panel ▪ Cedar siding and wood elements ▪ Fiber-cement siding ▪ Stucco, cementitious ▪ Masonry: brick, stone, concrete, concrete masonry units and faux-stone ▪ Exposed cast-in-place concrete ▪ Pre-cast concrete trim and veneer ▪ Plywood w/ battens (not primary façade) 	<ul style="list-style-type: none"> ▪ Materials may be changed at horizontal lines or at an inside corner of two vertical planes ▪ Lap-siding shall not exceed 7" and drop-siding 10" to the weather ▪ Board and batten shall not exceed 10", and 2" running alternately ▪ Brick shall be laid in a true bonding pattern (no stack bond) ▪ Concrete block shall be split-faced, ground-faced, or scored
Building Elements	<ul style="list-style-type: none"> ▪ Posts and columns shall be of stone, masonry, brick, cast concrete, stucco, wood, built-up fiber-cement board, fiberglass, or welded steel ▪ Arches and piers shall be stone masonry, brick, cast concrete, or stucco ▪ Porches, balconies, decks, stoops, and stairs shall be of wood, stucco, concrete, brick, stone, or welded steel ▪ Railings and balustrades shall be iron, welded steel, or wood ▪ Trellises shall be iron, welded steel, or wood ▪ Walls and fences may be of permitted materials, and wood pickets, lattice, boards, or open painted metal 	<ul style="list-style-type: none"> ▪ Balconies shall extend no more than 36 inches beyond the furthest adjacent building face ▪ Masonry shall be terminated on a concrete base or carried to the ground ▪ Columns and posts shall be minimum 5" in section ▪ The area under porches and decks shall be screened with wall or fencing material ▪ Concrete and masonry landscape walls shall be a minimum of 8" thick
Roofs	<ul style="list-style-type: none"> ▪ Architectural grade composition shingles ▪ Concrete or clay tiles ▪ Slate ▪ Built-up flat roofs ▪ Standing seam metal, parallel to slope ▪ Metal gutters and downspouts ▪ Eco/Green roofs ▪ Metal or wood gutters. Metal downspouts or (1) copper, brass or aluminum chain, (2) rope, or (3) freefall water, in lieu of metal downspouts. ▪ Fabric, steel, or glass awnings 	<ul style="list-style-type: none"> ▪ Principal sloped roofs shall have 4:12 to 12:12 pitches (excluding mansard roofs) ▪ Where eaves are used, rafter ends may be exposed or concealed by fascia ▪ Eco/Green roofs are permitted on flat roofs or sloped roofs up to 6.9:12 pitch. ▪ Fascia gutters are not allowed ▪ Gutters shall have a half-round, ogee, or square profile ▪ Downspouts shall be round or box and use standoffs instead of bending around trim boards or other elements ▪ Chain or rope downspouts anchored at bottom, or gutter freefall, shall convey water to a no-splash basin. The basin and drainage conveyance away from the basin require City approval on a per design basis. ▪ All roof-mounted components, such as mechanical equipment, solar equipment, antennas, satellites, etc., shall be screened from public streets ▪ Dormers shall be placed at least 36 inches from side building walls ▪ Flat roofs shall be enclosed by parapets or shall project horizontally a min. of 36 inches as an eave
Windows & Doors	<ul style="list-style-type: none"> ▪ Wood, metal or vinyl-clad wood, vinyl or steel frames and sashes ▪ Clear or Low-E glass where visible from public areas ▪ Entry and garage doors of wood, fiberglass, or embossed metal ▪ Wood, fiber-cement, vinyl, or fiberglass shutters 	<ul style="list-style-type: none"> ▪ Individual windows shall be square or vertical in proportion ▪ Hexagonal windows are not allowed ▪ Windows and doors shall be recessed at least 3" from the exterior wall surface or surrounded by trim ▪ Shutters shall be sized to cover the window or door

*Note: See Figure 2 of the Villebois Village Master Plan for boundaries of Village Center

(.15) Village Center Design Principles

- A. In addition to the design principles found in Section 4.125(.13), above, the following principles reflect the fundamental concepts, support the objectives of the Villebois Village Master Plan, and guide the fundamental qualities within the Village Center:
1. The buildings, streets and open spaces of the Village Center are intended to relate in such a way as to create an identifiable and related series of public and private spaces.

(.16) Village Center Design Standards

- A. In addition to the design standards found in Section 4.125(.14), above, the following Design Standards are applicable to the Village Center, exclusive of single-family detached dwellings and row houses:
1. Off-street parking areas shall not be located between buildings and the street.
 2. The design of off-street parking areas shall include pedestrian connections to the buildings they serve, sidewalks, and adjacent parking areas.
 3. The design of buildings and public spaces shall include interior (through-buildings) and exterior public pedestrian accessways, as required, to facilitate pedestrian connections.
 4. The design of buildings shall include rear and side entrances in addition to primary street front entrances when necessary to facilitate pedestrian connections.
 5. Building facades shall be broken into multiple vertical elements.
 6. Canopies and awnings should be provided as specified in the Village Center Architectural Standards. [Section 4.125(.16)(A)(6) amended by Ord. No. 595, 12/5/05.]
 7. The design of buildings and landscapes shall provide opportunities for public art at a minimum of one location per block.

(.17) Village Center Plaza Design Standards

- A. In addition to the design standards found in Section 4.125(.16), above, the following Design Standards are specific to the design of the Village Center Plaza:
1. The Village Center Plaza shall be measured as all space enclosed by the surrounding buildings.
 2. The Village Center Plaza landscape shall consist of textured paving differentiated from typical street pavement. Vehicular movement and on-street parking within the Village Center Plaza is encouraged to have similar paving treatments and occur at the same elevation as the sidewalk and the Village Center Plaza.
 3. The Village Center Plaza shall include the following:
 - a. Incorporation of existing significant trees, street furniture, bollards or similar elements, and exterior lighting.

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- b. One vertical tower element facing the Village Center Plaza with proportions, massing, and architectural elements consistent with the Village Center Architectural Standards.

[Section 4.125(.17) amended by Ord. No. 595, 12/5/05.]

(.18) Village Zone Development Permit Process. Except as noted below, the provision of Sections 4.140(.02) through (.06) shall apply to development in the Village zone.

A. Purpose and Intent. It is the purpose of this subsection to describe the process by which development plans are proposed, reviewed and adopted and to provide the procedures and criteria for development permit application, review and approval.

B. Unique Features and Processes of the Village (V) Zone: To be developed, there are three (3) phases of project approval. Some of these phases may be combined, but generally the approvals move from the conceptual stage through to detailed architectural, landscape and site plan review in stages. All development within the Village zone shall be subject to the following processes:

1. Specific Area Plan (SAP) approval by the Development Review Board, as set forth in Sections 4.125(.18)(C) through (F), below (Stage I equivalent). To be developed, a site must be included in an approved SAP.
2. Preliminary Development Plan (PDP) approval by the Development Review Board, as set forth in Sections 4.125(.18)(G) through (K) (Stage II equivalent), below. Following SAP approval, an applicant may file applications for Preliminary Development Plan approval (Stage II equivalent) for an approved phase in accordance with the approved SAP, and any conditions attached thereto. Land divisions may also be preliminarily approved at this stage. Except for land within the Central SAP or multi-family dwellings outside the Central SAP, application for a Zone Change and Final Development Plan (FDP) shall be made concurrently with an application for PDP approval. The SAP and PDP/FDP may be reviewed simultaneously when a common ownership exists.

Final Development Plan (FDP) approval by the Development Review Board or the Planning Director, as set forth in Sections 4.125(.18)(L) through (P) (Site Design Review equivalent), below, may occur as a separate phase for lands in the Central SAP or multi-family dwellings outside the Central SAP.

3. Administrative Review approvals, by the Planning Director, as set forth in Section 4.030. Prior to commencement of development, final approval for land divisions, tree removal permits, grading permits, and compliance with prior approvals must be received. Development permit issuance follows completion of the foregoing stages.

[Section 4.125(.18)(B) amended by Ord. No. 587, 5/16/05.]

C. Specific Area Plan (SAP) Application Procedures.

1. Purpose – A SAP is intended to advance the design of the Villebois Village Master Plan.
2. If not initiated by the City Council, Planning Commission or Development Review Board, an application for SAP approval shall be submitted by the

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Master Planner, or by landowners pursuant to subsection C.3 below. The application shall be accompanied by payment of a fee established in accordance with the City's fee schedule.

3. The owners of property representing at least 80 percent of a SAP area may request in writing that the Master Planner submit a SAP application. The Master Planner must provide a written response within thirty days. If the Master Planner agrees to submit a request, the Master Planner shall have 180 days to submit the SAP application. If the Master Planner denies the request, fails to respond within 30 days, or fails as determined by the Planning Director to diligently pursue the application after agreeing to submit it, by providing drafts of a pattern book and all other SAP elements within 60 days and thereafter pursuing approval in good faith, the property owners may submit a SAP application for review and approval. A copy of a SAP application submitted by property owners must be provided to the Master Planner. Once the application has been deemed complete by the City, the Master Planner shall have 30 days to review and comment in writing before the proposed SAP is scheduled for public hearing by the DRB.

D. SAP Application Submittal Requirements:

1. Existing Conditions – An application for SAP approval shall specifically and clearly show the following features and information on maps, drawings, application form or attachments. The SAP shall be drawn at a scale of 1" = 100' (unless otherwise indicated) and may include multiple sheets depicting the entire SAP area, as follows:
 - a. Date, north arrow and scale of drawing.
 - b. The boundaries of the Specific Area Plan as may be refined and in keeping with the intent of the Villebois Village Master Plan's conceptual location of SAPs. (See Figure 3 "Conceptual Specific Area Plan Boundaries" of the Villebois Village Master Plan.) [Amended by Ord. 565, adopted 6/21/04.]
 - c. A vicinity map showing the location of the SAP sufficient to define its location and boundaries and Clackamas County Tax Assessor's map numbers of the tract boundaries. The vicinity map shall clearly identify the nearest cross streets.
 - d. An aerial photograph (at 1" = 500') of the proposed site and properties within 50 feet of the SAP boundary.
 - e. The size, dimensions, and zoning of each lot or parcel tax lot and Tax Assessor's map designations for the SAP and properties within 50 feet of the SAP boundary.
 - f. The location, dimensions and names, as appropriate, of existing and platted streets and alleys on and within 50 feet of the perimeter of the SAP, together with the location of existing and planned easements, sidewalks, bike routes and bikeways, trails and the location of other important features such as section lines, section corners, and City boundary lines. The plan shall also identify all trees 6 inches and greater d.b.h. on the project site only in that SAP .

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- g. Contour lines shall relate to North American Vertical Datum of 1988 and be at minimum intervals as follows:
 - i. One (1) foot contours for slopes of up to five percent (5%);
 - ii. Two (2) foot contours for slopes of from six percent (6%) to twelve percent (12%);
 - iii. Five (5) foot contours for slopes of from twelve percent (12%) to twenty percent (20%). These slopes shall be clearly identified, and
 - iv. Ten (10) foot contours for slopes exceeding twenty percent (20%).
 - h. The location of areas designated Significant Resource Overlay Zone (SROZ), and associated 25-foot Impact Areas, within the SAP and within 50 feet of the SAP boundary, as required by Section 4.139.
2. SAP Development Information – The following information shall also be shown at a scale of 1" = 100' and may include multiple sheets depicting the entire SAP area:
- a. A site circulation plan showing the approximate location of proposed vehicular, bicycle and pedestrian access points and circulation patterns, and parking and loading areas.
 - b. The approximate location of all proposed streets, alleys, other public ways, curb extensions, sidewalks, bicycle and pedestrian accessways, neighborhood commons, and easements. The map shall identify existing subdivisions and development and un-subdivided land ownerships adjacent to the proposed SAP site.
 - c. The approximate project location, acreage, type, preliminary lot lines and density of the proposed development. For the residential portions of the SAP, the master planner shall identify: 1) the overall minimum and maximum number of housing units to be provided; and 2) the overall minimum and maximum number of housing units to be provided, by housing type.
 - d. The approximate locations of proposed parks, playgrounds or other outdoor play areas, outdoor common areas, usable open spaces, and natural resource areas or features proposed for preservation. This information shall include identification of areas proposed to be dedicated or otherwise preserved for public use and those open areas to be maintained and controlled by the owners of the property and their successors in interest for private use. This information shall be provided in tabular form, and shall reconcile all such areas as may have been adjusted through prior approvals.
 - e. A composite utility plan illustrating existing and proposed water, sanitary sewer, and storm drainage facilities necessary to serve the SAP.
 - f. A grading plan illustrating existing and proposed contours as prescribed previously in this section.
 - g. A development sequencing plan
 - h. A utilities sequencing plan
 - i. A bicycle and pedestrian circulation plan

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- j. A tree removal, preservation and protection plan
 - k. A property ownership list, as required by Section 4.035(.04)(A)(6)(j).
 - l. At the applicant's expense, the City shall have a Traffic Impact Analysis prepared, as required by Section 4.030(.02)(B), to review the anticipated traffic impacts of the proposed development. This traffic report shall include an analysis of the impact of the SAP on the local street and road network, and shall specify the maximum projected average daily trips and maximum parking demand associated with buildout of the entire SAP, and it shall meet Subsection 4.140(.09)(J)(2).
 - m. A master signage and wayfinding plan
 - n. A rainwater management program
3. Architectural Pattern Book – An Architectural Pattern Book shall be submitted with a SAP application. The Architectural Pattern Book shall apply to all development outside of the Village Center Boundary, as shown on Figure 1 of the currently adopted Villebois Village Master Plan. An Architectural Pattern Book shall address the following: [Section 4.125(.18)(D)(3) was amended by Ord. No. 595, 12/5/05.]
- a. Illustrate areas within the Specific Area Plan covered by the Architectural Pattern Book.
 - b. An explanation of how the Architectural Pattern Book is organized, and how it is to be used.
 - c. Define specific standards for architecture, color, texture, materials, and other design elements.
 - d. Include a measurement or checklist system to facilitate review of development conformity with the Architectural Pattern Book.
 - e. Include the following information for all row houses, duplexes, and single-family detached housing inside and outside of the Village Center, and for all other buildings outside of the Village Center, including Neighborhood Center(s) within the SAP:
 - i. Illustrate and describe the Regional and Climatic conditions affecting the SAP, and the proposed building types including:
 - Relationship of indoor and outdoor spaces.
 - Design for rainwater paths including roof forms, gutters, scuppers and downspouts.
 - Design for natural day-lighting.
 - Massing and materials.
 - f. Illustrate and describe examples of appropriate architectural styles and how they would be applied to specific land use types, including the definitions (i.e., specifications) of the elements, massing, and facade composition for each style including:
 - i. Architectural precedent and/or historic relevance of each style.
 - ii. Massing, proportions, and roof forms, including details.
 - iii. Doors, windows and entrances showing trim types and details.
 - iv. Porches, chimneys and unique features and details.

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- v. Materials, colors, light fixtures and accents.
- vi. Downspouts and gutters.
- g. Illustrate and describe examples of appropriate exterior lighting types, and how their design:
 - i. Minimizes glare.
 - ii. Minimizes emission of light beyond the boundaries of a development site.
 - iii. Conserves energy.
 - iv. Maintains nighttime safety, utility, security, and productivity.
 - v. Minimizes the unnatural brightening of the night sky.
- h. A Master Fencing Program illustrating and describing the specifications and materials for fencing within the SAP. [Section 4.125(.18)(D)(3.) added by Ord. No. 596, 10/305.]
- 4. Community Elements Book – A Community Elements Book shall be submitted, including the following:
 - a. Lighting Master Plan and Specifications, which address the requirements of Section 4.125(.18)(D)(3)(g), above.
 - b. Lighting Master Plan and Specifications
 - c. Site Furnishings Master Plan and Specifications
 - d. Curb Extensions Master Plan and Specifications
 - e. Street Tree Master Plan and Specifications
 - f. Post Box Specifications
 - g. Bollard Specifications
 - h. Trash Receptacle Specifications
 - i. Recycling Receptacle Specifications
 - j. Bench Specifications
 - k. Bicycle Rack and Locker Specifications
 - l. Playground Equipment Specifications
 - m. Master Plant List and Specifications
 - n. For SAP Central, provide additional information regarding the elements within the Address Overlay Areas.
[Section 4.125(.18)(D)(4) amended by Ord. No. 595, 12/5/05.]
- 5. Rainwater Management Program – A Rainwater Management Program shall be submitted, addressing the following:
 - a. Provision for opportunities to integrate water quality, detention, and infiltration into the SAP's natural features and proposed development areas;
 - b. Provision of methods reducing the increase in runoff from the 90th percentile of all rain events and meet pre-development hydrology to the greatest extent practicable;
 - c. Identification of guidelines and standards for the design of all Rainwater Management Systems within the SAP, that:
 - i. Manage the ¼-inch, 24-hour rainfall event at pre-development levels.

- ii. Mitigate 100% of impervious area from private areas within public areas and/or private areas (i.e., parks and open space areas, public street rights-of-way).
- iii. Mitigate 100% of impervious area from all public areas within public areas (i.e., parks and open space areas, public street rights-of-way).
- iv. Remove 70% of Total Suspended Solids (TSS) for ¼-inch, 24-hour storm event for all development areas.
- v. Remove 65% of Phosphorous for ¼-inch, 24-hour storm event for all development areas.
- vi. Integrate compost-amended topsoil in all areas to be landscaped to help detain runoff, reduce irrigation and fertilizer needs, and create a sustainable, low-maintenance landscape.
- vii. Treatment associated with stormwater runoff will be considered in meeting Total Suspended Solids (TSS) and Phosphorus removal requirements.

[Section 4.125(.18)(D)(5)(c) amended by Ord. No. 579, 3/7/05]

- 6. Master Signage and Wayfinding – A Master Signage and Wayfinding Plan shall be submitted with an SAP application and shall address the following:
 - a. Illustrate the boundaries of the SAP covered by the Master Signage and Wayfinding Plan.
 - b. An explanation of how the Master Signage and Wayfinding Plan is organized and how it is to be used.
 - c. Define specific standards for signage and wayfinding elements within the subject SAP.
 - d. Define specifications for logo, typography, symbols and color palette.
 - e. Narrative shall be submitted as part of the application to adopt the Master Signage and Wayfinding Plan showing how the proposed Master Signage and Wayfinding Plan meets the Purpose statement of W.C. Section 4.156.01 and how the proposed Plan is consistent with site signs, sited directional signs and information signs in other Villebois SAPs. Narrative shall also be provided describing how the proposed Master Signage and Wayfinding Plan compares conceptually with the signage allowed in the Wilsonville Town Center, as described in Section 4.156.08, to ensure that signage is allowed in a equitable manner throughout the City. Section 4.156.08 is not to be used for a direct comparison of sign standards.
[Section 4.125(18)(D)(6) added by Ord. No. 596, 10/3/05. Subsequent subsection numbering adjusted.] [Amended by Ord. No. 704, 6/18/12]
- 7. Village Center Architectural Standards – Village Center Architectural Standards shall be submitted with an application for the Central SAP. The Village Center Architectural Standards shall apply to the portion of SAP Central within the Village Center boundary. This area is shown on Figure 1 of the currently adopted Master Plan. The Village Center Architectural Standards shall address the following:

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- a. Provide an explanation of how the Village Center Architectural Standards is organized, and how it is to be used.
 - b. Include a measurement or checklist system to facilitate review of development conformity with the Village Center Architectural Standards.
 - c. The Village Center Architectural Standards shall address Village Center Design Standards required by Sections 4.125(.16) and (.17), above.
 - d. Illustrate the boundaries of all Address Overlay Areas.
 - e. For each Address Overlay Area, the Village Center Architectural Standards shall include a narrative describing the intended characteristics.
 - f. The Village Center Architectural Standards shall include standards for all buildings regarding the following elements:
 - i. Building massing and proportions
 - ii. Roof forms, including typical components
 - iii. Building components, including but not limited to:
 - Doors and primary entrances
 - Canopies and awnings
 - Windows
 - Porches, balconies, bay windows.
 - iv. Exterior materials and color palette
 - g. The Village Center Architectural Standards shall work in coordination with the following SAP documents:
 - i. The Parks and Open Space Plan
 - ii. The Site Circulation Plan
 - iii. Composite Utility Plan
 - iv. The Master Signage and Wayfinding Plan
 - v. The Community Elements Book
 - vi. The Rainwater Management Program
[Section 4.125(.18)(D)(6) amended by Ord. No 595, 12/5/05.]
8. SAP Narrative Statement – A narrative statement shall be submitted, addressing the following:
- a. A description, approximate location and timing of each proposed phase of development within the SAP.
 - b. An explanation of how the proposed development complies with the applicable standards of this section.
 - c. A statement describing the impacts of the proposed development on natural resources within the SAP and how the proposed development complies with the applicable requirements of Chapter 4.
 - d. Includes a description of the goals and objectives of the Villebois Village Master Plan and the Design Principles of the V-Zone, and how they will be met for the specified land use area.
 - e. Includes information demonstrating how the Architectural Pattern Book satisfies the goals and concepts of the Villebois Village Master Plan, the Design Principles and Design Standards of the Village zone.

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- f. Where applicable, a written description of the proposal’s conformance with the Village Center Design Principles and Standards.

E. SAP Approval Process and Review Criteria

1. An application for SAP approval shall be reviewed using the following procedures:
 - a. Notice of a public hearing before the Development Review Board regarding a proposed SAP shall be made in accordance with the procedures contained in Section 4.012.
 - b. The Development Review Board may approve an application for SAP approval only upon finding the following approval criteria are met:
 - i. That the proposed SAP:
 - Is consistent with the standards identified in this section.
 - Complies with the applicable standards of the Planning and Land Development Ordinance, and
 - Is consistent with the Villebois Village Master Plan. Those elements of the Village Master Plan with which the SAP must be consistent are the Plan’s Goals, Policies, and Implementation Measures, and, except as the text otherwise provides, Figures 1, 5, 6A, 7, 8, 9A, and 9B.
 - ii. If the SAP is to be phased, as enabled by Sections 4.125(.18)(D)(2)(g) and (h), that the phasing sequence is reasonable.
 - iii. The Development Review Board may require modifications to the SAP, or otherwise impose such conditions, as it may deem necessary to ensure conformance with the Villebois Village Master Plan, and compliance with applicable requirements and standards of the Planning and Land Development Ordinance, and the standards of this section.

F. Refinements to Approved Villebois Village Master Plan

1. In the process of reviewing a SAP for consistency with the Villebois Village Master Plan, the Development Review Board may approve refinements, but not amendments, to the Master Plan. Refinements to the Villebois Village Master Plan may be approved by the Development Review Board, upon the applicant’s detailed graphic demonstration of compliance with the criteria set forth in Section 4.125(.18)(F)(2), below. Amendments to the Villebois Village Master Plan may be approved by the Planning Commission as set forth in Section 4.032(.01)(B).
 - a. Refinements to the Master Plan are defined as:
 - i. Changes to the street network or functional classification of streets that do not significantly reduce circulation system function or connectivity for vehicles, bicycles or pedestrians.
 - ii. Changes to the nature or location of park type, trails, or open space that do not significantly reduce function, usability, connectivity, or overall distribution or availability of these uses in the Specific Area Plan.

- iii. Changes to the nature or location of utilities or storm water facilities that do not significantly reduce the service or function of the utility or facility.
 - iv. Changes to the location or mix of land uses that do not significantly alter the overall distribution or availability of uses in the affected SAP. For purposes of this subsection, “land uses” or “uses” are defined in the aggregate, with specialty condos, mixed use condos, urban apartments, condos, village apartments, neighborhood apartments, row houses and small detached uses comprising a land use group and medium detached, standard detached, large and estate uses comprising another.
 - v. A change in density that does not exceed ten percent, provided such density change does not result in fewer than 2,300 dwelling units in the Village.
 - vi. Changes that are significant under the above definitions, but necessary to protect an important community resource or substantially improve the function of collector or minor arterial streets. [Amended by Ord. 682, 9/9/10]
- b. As used herein, “significant” means:
- i. More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(F)(1)(a), above, or,
 - ii. That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(F)(1)(a), above.
2. Refinements meeting the above definition may be approved by the DRB upon the demonstration and finding that:
- a. The refinements will equally or better meet the Goals, Policies and Implementation Measures of the Villebois Village Master Plan
 - b. The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the SAP and Village area, and
 - c. The refinement will not preclude an adjoining or subsequent SAP area from development consistent with the Master Plan.
3. Amendments are defined as changes to elements of the Master Plan not constituting a refinement. Amendments to the Master Plan must follow the same procedures applicable to adoption of the Master Plan itself.
- G. Preliminary Development Plan Approval Process (Equivalent to Stage II):
- 1. An application for approval of a Preliminary Development Plan for a development in an approved SAP shall:
 - a. Be filed with the City Planning Division for the entire SAP, or when submission of the SAP in phases has been authorized by the Development Review Board, for a phase in the approved sequence.
 - b. Be made by the owner of all affected property or the owner's authorized agent; and

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- c. Be filed on a form prescribed by the City Planning Division and filed with said division and accompanied by such fee as the City Council may prescribe by resolution; and
 - d. Set forth the professional coordinator and professional design team for the project; and
 - e. State whether the development will include mixed land uses, and if so, what uses and in what proportions and locations.
 - f. Include a preliminary land division (concurrently) per Section 4.200, as applicable.
 - g. Include a concurrent application for a Zone Map Amendment (i.e., Zone Change) for the subject phase.
2. The application for Preliminary Development Plan approval shall include conceptual and quantitatively accurate representations of the entire development sufficient to demonstrate conformance with the approved SAP and to judge the scope, size and impact of the development on the community and shall be accompanied by the following information:
- a. A boundary survey or a certified boundary description by a surveyor licensed in the State of Oregon.
 - b. Topographic information sufficient to determine direction and percentage of slopes, drainage patterns, and in environmentally sensitive areas, (e.g., flood plain, wetlands, forested areas, steep slopes or adjacent to stream banks). Contour lines shall relate to North American Vertical Datum of 1988 and be at minimum intervals as follows:
 - i. One (1) foot contours for slopes of up to five percent (5%);
 - ii. Two (2) foot contours for slopes of from six percent (6%) to twelve percent (12%);
 - iii. Five (5) foot contours for slopes of from twelve percent (12%) to twenty percent (20%). These slopes shall be clearly identified, and
 - iv. Ten (10) foot contours for slopes exceeding twenty percent (20%).
 - c. The location of areas designated Significant Resource Overlay Zone (SROZ), and associated 25-foot Impact Areas, within the PDP and within 50 feet of the PDP boundary, as required by Section 4.139.
 - d. A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre.
 - e. The location, dimensions and names, as appropriate, of existing and platted streets and alleys on and within 50 feet of the perimeter of the SAP, together with the location of existing and planned easements, sidewalks, bike routes and bikeways, trails, and the location of other important features such as section lines, section corners, and City boundary lines. The plan shall also identify all trees 6 inches and greater d.b.h. on the project site only.
 - f. Conceptual drawings, illustrations and building elevations for each of the listed housing products and typical non-residential and mixed-use buildings to be constructed within the Preliminary Development Plan

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boundary, as identified in the approved SAP and where required, the approved Village Center Architectural Standards. [Section 4.125(.18)(G)(2)(f) amended by Ord. No. 595, 12/5/05.]

- g. A composite utility plan illustrating existing and proposed water, sanitary sewer, and storm drainage facilities necessary to serve the SAP.
- h. If it is proposed that the Preliminary Development Plan will be executed in phases, the sequence thereof shall be provided.
- i. A commitment by the applicant to provide a performance bond or other acceptable security for the capital improvements required by the project.
- j. At the applicant's expense, the City shall have a Traffic Impact Analysis prepared, as required by Section 4.030(.02)(B), to review the anticipated traffic impacts of the proposed development. This traffic report shall include an analysis of the impact of the SAP on the local street and road network, and shall specify the maximum projected average daily trips and maximum parking demand associated with buildout of the entire SAP, and it shall meet Subsection 4.140(.09)(J)(2).

H. PDP Application Submittal Requirements:

1. The Preliminary Development Plan shall conform with the approved Specific Area Plan, and shall include all information required by Sections 4.125(.18)(D)(1) and (2), plus the following:
 - a. The location of water, sewerage and drainage facilities;
 - b. Conceptual building and landscape plans and elevations, sufficient to indicate the general character of the development;
 - c. The general type and location of signs;
 - d. Topographic information as set forth in Section 4.035;
 - e. A map indicating the types and locations of all proposed uses; and
 - f. A grading and erosion control plan illustrating existing and proposed contours as prescribed previously in this section.
2. In addition to this information, and unless waived by the City's Community Development Director as enabled by Section 4.008(.02)(B), at the applicant's expense, the City shall have a Traffic Impact Analysis prepared, as required by Section 4.030(.02)(B), to review the anticipated traffic impacts of the proposed development. This traffic report shall include an analysis of the impact of the PDP on the local street and road network, and shall specify the maximum projected average daily trips and maximum parking demand associated with buildout of the entire PDP, and it shall meet Subsection 4.140(.09)(J)(2) for the full development of all five SAPs.
3. The Preliminary Development Plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the phase of development. However, approval of a Final Development Plan is a separate and more detailed review of proposed design features, subject to the standards of Section 4.125(.18)(L) through (P), and Section 4.400 through Section 4.450.

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4. Copies of legal documents required by the Development Review Board for dedication or reservation of public facilities, or for the creation of a non-profit homeowner's association, shall also be submitted.

I. PDP Approval Procedures

1. An application for PDP approval shall be reviewed using the following procedures:
 - a. Notice of a public hearing before the Development Review Board regarding a proposed PDP shall be made in accordance with the procedures contained in Section 4.012.
 - b. A public hearing shall be held on each such application as provided in Section 4.013.
 - c. After such hearing, the Development Review Board shall determine whether the proposal conforms to the permit criteria set forth in this Code, and shall approve, conditionally approve, or disapprove the application.

J. PDP Refinements to an Approved Specific Area Plan

1. In the process of reviewing a PDP for consistency with the approved Specific Area Plan, the DRB may approve refinements, but not amendments, to the SAP. Refinements to the SAP may be approved by the Development Review Board, upon the applicant's detailed graphic demonstration of compliance with the criteria set forth in Section (.18)(J)(2), below.
 - a. Refinements to the SAP are defined as:
 - i. Changes to the street network or functional classification of streets that do not significantly reduce circulation system function or connectivity for vehicles, bicycles or pedestrians.
 - ii. Changes to the nature or location of park type, trails, or open space that do not significantly reduce function, usability, connectivity, or overall distribution or availability of these uses in the Preliminary Development Plan.
 - iii. Changes to the nature or location of utilities or storm water facilities that do not significantly reduce the service or function of the utility or facility.
 - iv. Changes to the location or mix of land uses that do not significantly alter the overall distribution or availability of uses in the Preliminary Development Plan. For purposes of this subsection, "land uses" or "uses" are defined in the aggregate, with specialty condos, mixed use condos, urban apartments, condos, village apartments, neighborhood apartments, row houses and small detached uses comprising a land use group and medium detached, standard detached, large and estate uses comprising another.
 - v. A change in density that does not exceed ten percent, provided such density change has not already been approved as a refinement to the underlying SAP or PDP, and does not result in fewer than 2,300 dwelling units in the Village.

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- vi. Changes that are significant under the above definitions, but necessary to protect an important community resource or substantially improve the functioning of collector or minor arterial streets. [Amended by Ord. 682, 9/9/10]
- b. As used herein, “significant” means:
 - i. More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(J)(1)(a), above, or,
 - ii. That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(J)(1)(a), above.
- 2. Refinements meeting the above definition may be approved by the DRB upon the demonstration and finding that:
 - a. The refinements will equally or better meet the conditions of the approved SAP, and the Goals, Policies and Implementation Measures of the Villebois Village Master Plan.
 - b. The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the PDP and Village area, and
 - c. The refinement will not preclude an adjoining or subsequent PDP or SAP areas from development consistent with the approved SAP or the Master Plan.
- 3. Amendments to the SAP, not including SAP amendments for phasing, must follow the same procedures applicable to adoption of the SAP itself. Amendments are defined as changes to elements of the SAP not constituting a refinement.
- 4. Amendments to the SAP for phasing will be processed as a Class II administrative review proposal. [Section 4.125(.18)(J)(1) amended by Ord. No. 587, 5/16/05.]
- K. PDP Approval Criteria. The Development Review Board may approve an application for a PDP only upon finding that the following approval criteria are met:
 - 1. That the proposed PDP:
 - a. Is consistent with the standards identified in this section.
 - b. Complies with the applicable standards of the Planning and Land Development Ordinance, including Sections 4.140(.09)(J)(1) – (3).
 - c. Is consistent with the approved Specific Area Plan in which it is located.
 - d. Is consistent with the approved Architectural Pattern Book and, where required, the approved Village Center Architectural Standards. [Section 4.125(.18)(K)(1)(d) amended by Ord. No. 595, 9/19/05.]
 - 2. If the PDP is to be phased, that the phasing schedule is reasonable and does not exceed two years between commencement of development of the first, and completion of the last phase, unless otherwise authorized by the Development Review Board.

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3. Parks within each PDP or PDP phase shall be constructed prior to occupancy of 50% of the dwelling units in the PDP or PDP phase, unless weather or other special circumstances prohibit completion, in which case bonding for the improvements shall be permitted.
4. In the Central SAP, parks shall be constructed within each PDP as provided above, and that pro rata portion of the estimated cost of Central SAP parks not within the PDP, calculated on a dwelling unit basis, shall be bonded or otherwise secured to the satisfaction of the city.
5. The Development Review Board may require modifications to the PDP, or otherwise impose such conditions as it may deem necessary to ensure conformance with the approved SAP, the Villebois Village Master Plan, and compliance with applicable requirements and standards of the Planning and Land Development Ordinance, and the standards of this section. [Section 4.125(.18)(K.) amended by Ord. 607, 4/3/06]

L. Final Development Plan Approval Procedures (Equivalent to Site Design Review):

1. Unless an extension has been granted by the Development Review Board as enabled by Section 4.023, an application for FDP approval on lands within the Central SAP or multi-family dwellings outside of the Central SAP shall be filed within two (2) years after the approval of a PDP. All applications for approval of a FDP shall:
 - a. Be filed with the City Planning Division for the entire FDP, or when submission of the PDP in phases has been authorized by the Development Review Board, for a phase in the approved sequence.
 - b. Be made by the owner of all affected property or the owner's authorized agent.
 - c. Be filed on a form prescribed by the City Planning Division and filed with said division and accompanied by such fee as the City Council may prescribe by resolution.
 - d. Set forth the professional coordinator and professional design team for the project. [Section 4.125(.18)(L) amended by Ord. No. 587, 5/16/05]

M. FDP Application Submittal Requirements:

1. An application for approval of a FDP shall be subject to the provisions of Section 4.034.

N. FDP Approval Procedures

1. An application for approval of a FDP shall be subject to the provisions of Section 4.421

O. FDP Refinements to an Approved Preliminary Development Plan

1. In the process of reviewing a FDP for consistency with the underlying Preliminary Development Plan, the DRB may approve refinements, but not amendments, to the PDP. Refinements to the PDP may be approved by the Development Review Board, upon the applicant's detailed graphic

Section 4.125. V – Village Zone

demonstration of compliance with the criteria set forth in Section 4.125(.18)(O)(2), below.

- a. Refinements to the PDP are defined as:
 - i. Changes to the street network or functional classification of streets that do not significantly reduce circulation system function or connectivity for vehicles, bicycles or pedestrians.
 - ii. Changes to the nature or location of park type, trails, or open space that do not significantly reduce function, usability, connectivity, or overall distribution or availability of these uses in the PDP.
 - iii. Changes to the nature or location of utilities or storm water facilities that do not significantly reduce the service or function of the utility or facility.
 - iv. Changes to the location or mix of land uses that do not significantly alter the overall distribution or availability of uses in the affected PDP. For purposes of this subsection, “land uses” or “uses” are defined in the aggregate, with specialty condos, mixed use condos, urban apartments, condos, village apartments, neighborhood apartments, row houses and small detached uses comprising a land use group and medium detached, standard detached, large and estate uses comprising another.
[Section 4.125(.18)(O)(1)(a)(iv) amended by Ord. No. 587, 5/16/05.]
 - v. Changes that are significant under the above definitions, but necessary to protect an important community resource or substantially improve the functioning of collector or minor arterial streets. [Amended by Ord. 682, 9/9/10]
- b. As used herein, “significant” means:
 - i. More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(O)(1)(a), above, or,
 - ii. That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(F)(1)(a), above.
2. Refinements meeting the above definition may be approved by the DRB upon the demonstration and finding that:
 - a. The refinements will equally or better meet the approved conditions of approval of the PDP
 - b. The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the PDP, the associated SAP, and
 - c. The refinement will not preclude adjoining or subsequent PDPs, associated or adjoining SAPs from development consistent with an approved SAP or the Villebois Village Master Plan.
3. Amendments to the PDP must follow the same procedures applicable to adoption of the PDP itself. Amendments are defined as changes to elements of the PDP not constituting a refinement.

Section 4.131. PDC - Planned Development Commercial Zone.

P. FDP Approval Criteria

1. An application for approval of a FDP shall be subject to the provisions of Section 4.421.
2. An application for an FDP shall demonstrate that the proposal conforms to the applicable Architectural Pattern Book, Community Elements Book, Village Center Architectural Standards and any conditions of a previously approved PDP. [Section 4.125(.18)(P)(2) amended by Ord. No. 595, 9/19/05.]

(.19) Expiration of SAP, PDP and FDP Approvals

A SAP approval shall not expire. A PDP or FDP approval shall expire two years after its approval date, if substantial development has not occurred on the property prior to that time. Provided, however, that the Development Review Board may extend these expiration times for up to three (3) additional periods of not more than one (1) year each. Applicants seeking time extensions shall make their requests in writing at least thirty (30) days in advance of the expiration date. Requests for time extensions shall only be granted upon a showing that the applicant has in good faith attempted to develop or market the property in the preceding year or that development can be expected to occur within the next year. For purposes of this section, "substantial development" is deemed to have occurred if the subsequently-required development approval, building permit or public works permit has been submitted for the development, and the development has been diligently pursued, including the completion of all conditions of approval established for the permit.

(.20) Adherence to Approved Plan and Modification Thereof: The applicant shall agree in writing to be bound, for her/himself and her/his successors in interest, by the conditions prescribed for approval of a FDP. The approved FDP and phase development sequence shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved FDP may be approved by the Planning Director if such changes are consistent with the purposes and general character of the approved development plan. All other modifications, excluding revision of the phase development sequence, shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. [Section 4.125(.20) amended by Ord. No. 587, 5/16/05.]

(.21) In the event of a failure to comply with the approved FDP, or any prescribed condition of approval, including failure to comply with the phase development schedule, the Development Review Board may, after notice and hearing, revoke a FDP. General economic conditions that affect all in a similar manner may be considered as a basis for an extension of a development schedule.

[Section 4.125 V-Village Zone, added by Ord 557, adopted 9/5/03.]

Section 4.131. PDC - Planned Development Commercial Zone.

The requirements of a PDC Zone shall be governed by Section 4.140, Planned Development Regulations, and as otherwise set forth in this Code.

(.01) The following shall apply to any PDC zone:

Section 4.131. PDC - Planned Development Commercial Zone.

A. Uses that are typically permitted:

1. Retail business, goods and sales.
2. Wholesale showrooms.
3. Offices and clinics.
4. Service establishments.
5. Any use allowed in a PDR Zone or PDI Zone, provided the majority of the total ground floor area is commercial, or any other commercial uses provided that any such use is compatible with the surrounding uses and is planned and developed in a manner consistent with the purposes and objectives of Section 4.140. However, the uses listed as prohibited below shall not be permitted.
6. Accessory uses, buildings, and structures customarily incidental to any of the aforesaid principal permitted uses.
7. Temporary buildings or structures for uses incidental to construction work, which buildings or structures shall be removed upon completion or abandonment of the construction work.
8. Churches.
9. Those uses that are listed as typically permitted in Section 4.131.05(.03), as well as the following additional uses when conducted entirely within enclosed buildings:
 - a. Automotive machine shops
 - b. Automotive detail shops
 - c. Repair shops for:
 - i. electronics;
 - ii. boats;
 - iii. appliances;
 - iv. light equipment;
 - v. yard equipment;
 - vi. other related types of repair shops.
 - d. Fabrication shops including:
 - i. cabinets;
 - ii. sheet metal;
 - iii. counter tops;
 - iv. closet systems;
 - v. other related types of work.
 - e. Marine equipment – supply and repair

Commented [JD15]: Use are "typically" permitted. Are there cases these uses are not permitted? How is that decided? The PDC-TC zone references the DRB and making use decisions.

(.02) Prohibited uses.

- A. No body/fender repair shops shall be permitted unless all operations are conducted entirely within enclosed buildings and meet the performance standards of Section 4.135(.05). The storage and parking of damaged vehicles shall be screened to assure that they are not visible off-site.

Section 4.131. PDC - Planned Development Commercial Zone.

- B. No used car sales shall be permitted, except in conjunction with new car dealerships within enclosed buildings.
- C. No wrecking yards shall be permitted.
- D. Retail operations south of Boeckman Road and having more than 50,000 square feet of ground floor building area shall only be permitted where it is demonstrated to the satisfaction of the Development Review Board that the following standards will be met. For purposes of these standards, service activities, offices, and other non-retail commercial ventures shall not be considered to be “retail operations.”
 - 1. That the majority of the customers for the proposed use can reasonably be expected to come from no further than five (5) miles from the proposed development site; and
 - 2. That the site design, architecture, landscaping, and pedestrian amenities are compatible with the surrounding neighborhood.
- E. Any use that violates the performance standards of Section 4.135(.05), other than 4.135(.05)(M).(3.).

(.03) **Block and access standards:**

- 1. The Development Review Board shall determine appropriate conditions of approval to assure that adequate connectivity results for pedestrians, bicyclists, and motor vehicle drivers. Consideration shall be given to the use of public transit as a means of meeting access needs.
- 2. Where a residential development, or mixed-use development including residential development, is proposed in a PDC zone, the Development Review Board shall assure that adequate connectivity is provided meeting the standards of Metro’s Urban Growth Management Functional Plan.
- 3. Where a residential development, or mixed-use development including residential development, is proposed in a PDC zone, and the application includes a land division, the following standards shall be applied:
 - a. Maximum spacing between streets for local access: 530 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions meeting this standard. [Amended by Ordinance No. 538, 2/21/02.]
 - b. Maximum block length without pedestrian and bicycle crossing: 330 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions meeting this standard.

Commented [JD16]: This section is probably trumped by the master plan for the TC, which sets the blocks and access spacing on a map. The Town Center Plan should use the same approach (with updated map) and this section should be deleted.

Commented [MM17]: Too generic (region-wide standards) for the Town Center.

Commented [JD18]: This is Metro’s region-wide local street spacing standard. It is too long for good urban blocks, especially town center blocks.

Section 4.131.05. PDC-TC (Town Center Commercial) Zone

(.01) **Purpose:** The purpose of this zoning is to permit and encourage a Town Center, adhering to planned commercial and planned development concepts, including provision for commercial services, sales of goods and wares, business and professional offices, department stores, shopping centers and other customer-oriented uses to meet the needs of the Wilsonville community as well as to meet the general shopping and service needs on an area-wide basis, together with such multiple family residential facilities, open space, recreational and park areas, and public uses facilities as may be approved as part of the Town Center compatible with the Comprehensive Plan of the City.

Commented [JD19]: Two comments on this purpose statement:
1. It is different from the Town Center description on page D-8 of the Comprehensive Plan. The two do not need to be exactly the same, but they should be more closely aligned.
2. As with the Comp Plan, this purpose statement reflects the era in which it was created. It notably does not mention themes that will arise in the Town Center Plan, such as: mixed use: a high quality pedestrian environment; and the Town Center as the civic center for the community.

(.02) **Examples of uses that are typically permitted:**

Commented [JD20]: The terms “examples” and “typically” pop out, as adding uncertainty. It seems burdensome to require someone to go to the DRB to find out if their use is allowed.

A form-based approach would reduce the need to clarify how uses are handled in the TC. Note: the majority of form based codes adopted to date have sections addressing permitted uses.

- A. Retail sales.
- B. Planned development permitted commercial uses, including department stores and shopping centers.
- C. Banking and investment services.
- D. Public facilities complex, Governmental offices, and facilities, hospitals, health centers and office complex for the furnishing of professional services, including but not restricted to medical, legal, architectural and engineering.
- E. Planned multiple-dwelling facilities, including motels, apartments and condominiums as may be approved by the Development Review Board.
- F. Such other and further uses as may be approved by the Development Review Board compatible with the Comprehensive Plan.

(.03) **Examples of uses that are typically recommended:**

Commented [JD21]: How is “recommended” different from “permitted”?

A. **Central Commercial:**

Commented [JD22]: Modern codes use “use classifications” rather than long lists of examples. Form based codes take an even more streamlined and flexible approach (but almost always include some reference to permitted uses).

- Department Stores
- Florist Shop
- Interior Decorating or design Shops
- Retail Stores
- Banks, Loan Companies, other Financial Institutions
- Bicycle sales and service
- Bird Store, Pet Shop or Taxidermist
- Blueprinting, Photostatting, other Reproduction Process
- Business Machines, retail sales & service
- Car wash (automatic)
- Cleaning and Pressing Establishments
- Coffee shops
- Commercial Schools, such as business colleges, music conservatories, trade schools, preschools
- Custom Tailoring, Dressmaking or Millinery Shop
- Day care for adults or children
- Dentists or medical offices
- Dry cleaning or laundries

How has this structure worked out for the City to date?

Commented [JD23]: Central Commercial and the other sub-header terms used here are terms used on the Wilsonville City Center Plan Map. Observations:

- 1. Per staff, the map serves as a Stage 1 Master Plan approval.
- 2. It looks like actual uses are different from the City Center Plan Map uses. Example: the car wash along Wilsonville Road is in the area labeled as Food and Sundries. Perhaps this difference is not important, if the actual land use approvals trump the map.
- 3. Looking ahead, the key question is: If the City wishes to update the TC regulations, what needs to be done to grandfather previous approvals, and what are the rules for accommodating them as redevelopment occurs in compliance with the new Plan?

Commented [JD24]: Auto-oriented and drive through uses should be re-considered in the TC Center Plan.

Section 4.131.05. PDC-TC (Town Center Commercial) Zone

Electronics, retail sales and service
Employment agencies
Entertainment
Film Exchange
Furniture Store
Gunsmith or Locksmith
Household Machines, retail sales & service
Insurance agents
Investment, real estate and law offices
Jewelry store, watch and clock repair shops
Locksmiths, security systems
Office supplies
Photography and photo processing
Restaurants
Theaters, cinemas
Travel agencies
Title companies
Other uses similar in character of predominately retail or service establishments dealing directly with ultimate customers.

Commented [JD25]: Including drive-through restaurants?
Clearly yes, as there are several drive throughs built and operating.

Looking ahead, the practical questions are: Are additional drive through uses part of the vision in the new Plan? If so, where and under what standards?

B. Service Commercial:

Building Materials, retail outlet only
Cabinet or Carpenter Shop
Car wash, automatic
Feed Store, retail only
Fuels, Solid, retail outlet only
Furniture Store
Upholstering Shop
Automobile Service Station
Bicycle, Motorcycle,
Trailer (other than house and truck trailers) retail sales, service, rental, if located in a fully enclosed building
Garage, Parking or Repair
Oilery (commercial oil change or quick-lube operations for cars)
Retail sales and service of New Automobiles and Trucks, if not more than one and one-half (1 1/2) tons capacity, and if located in a fully enclosed building
Tire sales and service
Self-service car wash
Building contractors and related subcontractors
Glass repair shop
Self-service laundry
Rental equipment companies
Studios:

- Dance;
- Photography;
- Artists;
- Craft;
- Other.

Commented [JD26]: Auto-oriented

Section 4.131.05. PDC-TC (Town Center Commercial) Zone

C. Food and Sundries:

- Bakery, retail
 - Banks, loan companies, other financial institutes
 - Barber Shop
 - Beauty Parlor, Nail salon
 - Bicycle, retail sales & service
 - Bookstores
 - Clothes Cleaning Pick-up Agencies
 - Clothes Pressing Establishment
 - Coffee shop
 - Confectionery
 - Custom Dressmaking
 - Dance or martial arts studio
 - Delicatessen
 - Dentist, medical and eye clinics, including drug testing and labs
 - DMV (Department of Motor Vehicles office)
 - Drug Store
 - Dry Goods Store
 - Electronics, retail sales & service
 - Florist Shop
 - Frame shop
 - Furniture stores
 - Gifts, stationery, card, party supplies
 - Grocers, Fruit or Vegetable Store
 - Hardware Store
 - Health club, gym, personal trainer, tanning salon
 - Insurance agencies
 - Jewelry store, watch and clock repair shops
 - Internet, sales & service
 - Investment, real estate and law offices
 - Locksmiths, security systems
 - Mail, shipping and photocopying
 - Meat Market
 - Music, sales & service, including lessons
 - Nail Salon
 - Notions or Variety Store
 - Office supplies
 - Pet shop, bird store
 - Photography, photo processing and film exchange
 - Printing, blueprinting, other reproduction processes
 - Restaurants
 - Shoe Repair Shop
 - Tanning Salon
 - Telecommunication, sales & service
 - Temporary employment and placement agencies
 - Title companies
 - Travel agencies
 - Video, retail and rental
 - Other uses in character of neighborhood food and services
- [Section 4.131.05.(03)(C.) amended by Ordinance No. 538, 2/21/02.]

Commented [JD27]: This may be intended to indicate scale. Market-wise, the food and sundries uses of the TC serve the entire city and surrounding areas.

Section 4.131.05. PDC-TC (Town Center Commercial) Zone

D. Fast Food Service:

Free-standing fast food take-out type restaurant, with the uses being limited to that type of food service establishment catering to a take-out trade.

Commented [JD28]: As noted above, this is a key use for discussion during the Town Center process. One strategy is to continue the allowance for fast food and other drive through uses where they exist along Wilsonville Road, but prohibit or limit them elsewhere.

E. Office Professional and General Office:

Accountants
Architects
Artists
Attorneys
Authors and Writers
Banks and financial institutions
Collection agencies
Computer company, excluding manufacturing
Dentists
Designers
Engineers
Government offices
Insurance agencies
Investment Counselors
Landscape Architects
Management Consultants
Marketing firms
Ministers
Nonprofit organizations, “storefronts”
Physicians & Surgeons
Psychiatrists & Psychologists
Real estate or rental agencies
Secretarial services
Software Design
Temporary employment and placement agencies
Travel agencies
Title companies
Other professional and general office user

(.04) Accessory uses that are typically permitted:

- A. Any accessory use and structure not otherwise prohibited customarily accessory and incidental to any permitted principal use.
- B. Temporary buildings and uses incidental to the development of principal facilities, such temporary structures to be removed upon completion of the work or abandonment of the project. In no case shall such buildings remain on the premises longer than ten (10) days after the receipt of a Certificate of Occupancy or the expiration of construction permits.

(.05) Procedures, Regulations and Restrictions: The procedures, regulations and restrictions applicable to the Town Center District shall conform to those set forth in Section 4.140 of this Code as the Development Review Board may deem necessary to achieve the purposes of the zone.

(.06) The Town Center District consists of all those certain lands in the East Half (E1/2) of Section 14 and the West Half (W1/2) of Section 13, Township 3 South, Range I West,

Commented [JD29]: Is this consistent with the planning area for the Town Center Redevelopment Plan.

Section 4.133.00. Wilsonville Road Interchange Area Management Plan (IAMP) Overlay Zone

Willamette Meridian, Clackamas County, Oregon. More particularly, those properties within the above-described area that are designated as Commercial on the land use map of the Wilsonville Comprehensive Plan.

(.07) Block and access standards:

The PDC-TC shall be subject to the same block and access standards as the remainder of the PDC zone.

Commented [JD30]: See comments above.

Commented [MM31]: What about pedestrian access standards along busy corridors? Existing access standards are not comprehensive

Section 4.133.00. Wilsonville Road Interchange Area Management Plan (IAMP) Overlay Zone

Section 4.133.01. Purpose

The purpose of the IAMP Overlay Zone is the long-range preservation of operational efficiency and safety of the Wilsonville Road Interchange, which provides access from and to Interstate 5 for residents and businesses in south Wilsonville. The Wilsonville Road Interchange is a vital transportation link for regional travel and freight movement and provides connectivity between the east and west side of the community. Preserving capacity and ensuring safety of this interchange and the transportation system in its vicinity is essential to existing businesses and residents in the southern parts of the city and to the continued economic and community growth and development in the vicinity of Wilsonville Road and the interchange.

Section 4.133.02. Where These Regulations Apply

The provisions of this Section shall apply to land use applications subject to Section 4.004, Development Permit Required, for parcels wholly or partially within the IAMP Overlay Zone, as shown on Figure I-1. Any conflict between the standards of the IAMP Overlay Zone and those contained within other chapters of the Development Code shall be resolved in favor of the Overlay Zone.

Section 4.133.03. Permitted Land Uses

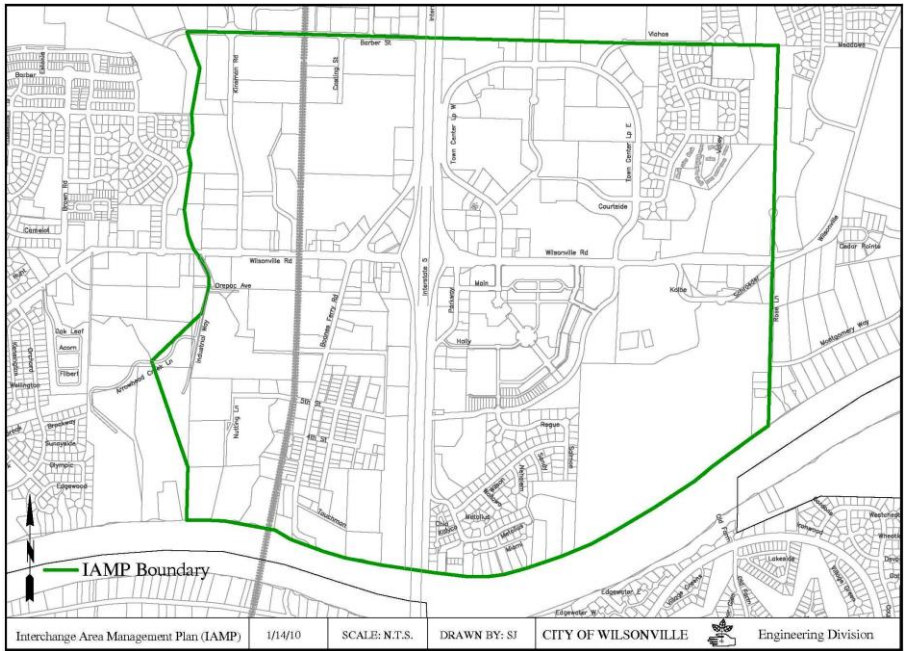


Figure I-1: Wilsonville Road Interchange Area Management Plan (IAMP) Overlay District Map

Section 4.133.03. Permitted Land Uses

Uses allowed in the underlying zoning districts are allowed subject to other applicable provisions in the Code and this Section.

Section 4.133.04. Access Management

In addition to the standards and requirements of Section 4.237 for land divisions and Street Improvement Standards in Section 4.177, parcels wholly or partially within the IAMP Overlay Zone are governed by the Access Management Plan in the Wilsonville Road Interchange Area Management Plan. The following applies to land use and development applications subject to Sections 4.133.02 Applicability. The provisions of Section 4.133.04 apply to:

- (.01) Development or redevelopment proposals for parcels two (2) acres or less that are subject to the requirements of Section 4.004 Development Permit.
- (.02) Planned Development applications, pursuant to Section 4.140, as part of Preliminary Approval (Stage One).
- (.03) Final Approval (Stage Two) Planned Development applications, pursuant to Section 4.140, to the extent that subsequent phases of development differ from the approved preliminary development plan, or where one or more of the following elements are not identified for subsequent phases:

Section 4.133.04. Access Management

- A. Land uses.
- B. Building location.
- C. Building size.
- D. Internal circulation.

(.04) Access Approval.

- A. Access to public streets within the IAMP Overlay Zone shall be reviewed for consistency with the IAMP Access Management Plan.
- B. Approval of access to City streets within the IAMP Overlay Zone shall be granted only after joint review by the City and the Oregon Department of Transportation (ODOT). Coordination of this review will occur pursuant to Section 4.133.05(.02).
- C. Access approval is a Class II decision, pursuant to Section 4.030, and is based on the standards contained in this Section, the provisions in Section 4.177 and Section 4.237 of this Code, and the Access Management Plan in the Wilsonville Road Interchange Area Management Plan.
 - 1. Where the recommendations of the Access Management Plan conflict with other access and spacing requirements in Section 4.177 of this Code, the IAMP Access Management Plan shall govern.
 - 2. Where development proposals are inconsistent with the Access Management Plan, modifications to the Access Management Plan are required pursuant to (.03) in this Section.

(.05) Cross-access easements.

- A. Prior to approving access for tax lots that are identified in the Access Management Plan (see Table 3 and Figure 5 in the Wilsonville Road Interchange Area Management Plan), the City shall require that:
 - 1. The applicant demonstrate how cross access can be accomplished for sites contiguous to the subject property or properties, consistent with the circulation and planned local street network shown in the Interchange Area Management Plan;
 - 2. If access across an adjacent parcel or parcels is necessary for the development of the subject site, a signed cross-access agreement is submitted with the application; and,
 - 3. For applications reviewed as part of a subdivision approval process, necessary cross-access easements are shown and recorded on the final plat. Access widths shall consistent with City Public Works standards unless based on a Transportation Impact Analysis, developed pursuant to Section 4.133.05(.01) and approved by the City Engineer.

(.06) Access Management Plan Modifications.

- A. Recommended actions in the Access Management Plan are based on property configurations development application approvals and ownership existing at the

Section 4.133.05. Administration

time of the Wilsonville Road Interchange Area Management Plan's adoption. Lot consolidation and other land use actions may necessitate an amendment to the Access Management Plan. Modifications to the Access Management Plan:

1. May occur through agreement by the City of Wilsonville and ODOT and require an amendment to the Wilsonville Road Interchange Area Management Plan; and
2. Will only be allowed if the proposed modifications meet, or move in the direction of meeting, the adopted access management spacing requirements in the Wilsonville Road Interchange Area Management Plan.

Section 4.133.05. Administration

Section 4.133.05 delineates the responsibilities of the City, in coordination with ODOT, to monitor and evaluate vehicle trip generation impacts on the Wilsonville Road Interchange from development approved under this Section.

(.01) Traffic Impact Analysis.

- A. Purpose. The purpose of this section of the code is to implement Section 660-012-0045 (2) (e) of the State Transportation Planning Rule that requires the City to adopt a process to apply conditions to development proposals in order to minimize adverse impacts to and protect transportation facilities. This section establishes the standards for when a proposal in the IAMP Overlay Zone must be reviewed for potential traffic impacts; when a Traffic Impact Analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a Traffic Impact Study; and who is qualified to prepare the Study.
- B. Typical Average Daily Trips. The latest edition of the Trip Generation Manual, published by the Institute of Transportation Engineers (ITE) shall be used as standards by which to gauge average daily vehicle trips, unless a specific trip generation study is approved by the City Engineer. A trip generation study could be used to determine trip generation for a specific land use which is not well represented in the ITE Trip Generation Manual and for which a similar facility is available to count.
- C. When required, a Traffic Impact Analysis shall be required to be submitted to the City with a land use application, when the following conditions apply:
 1. The development application involves one or more of the following actions:
 - a. A change in zoning or a plan amendment designation; or
 - b. The development requires a Development Permit pursuant to Section 4.004; or
 - c. The development may cause one or more of the following effects to access or circulation, which can be determined by site observation, traffic impact analysis or study, field measurements, and information and studies provided by the local reviewing jurisdiction and/or ODOT:
 - i. The location of the access driveway does not meet minimum intersection sight distance requirements, or is located where vehicles

Commented [MM32]: Standards from the Trip Generation Manual may need to be adjusted, especially the trip estimates for the more transit and pedestrian-oriented Town Center.

Commented [JD33]: Assuming the Town Center Redevelopment Plan is adopted as a plan amendment, the DKS TIA prepared as part of the project will need to serve as the TIA required by this standard.

Section 4.133.05. Administration

entering or leaving the property are restricted, or such vehicles queue or hesitate, creating a safety hazard; or

- ii. The location of the access driveway does not meet the access spacing standard of the roadway on which the driveway is located; or
- iii. The location of the access driveway is inconsistent with the Wilsonville Road Interchange Area Management Plan Access Management Plan.
- iv. A change in internal traffic patterns that may cause safety problems, such as back up onto the highway or traffic crashes in the approach area.

D. Traffic Impact Analysis Requirements.

- 1. Preparation. A Traffic Impact Analysis shall be prepared by a professional engineer under retainer to the city. The traffic analysis will be paid for by the applicant.
- 2. Transportation Planning Rule Compliance. The traffic impact analysis shall be sufficient in detail to determine compliance with Oregon Administrative Rule (OAR) 660-012-0060.
- 3. Traffic Impact Analysis Scoping. The applicant will coordinate with the Wilsonville City Engineer prior to submitting an application that requires a Traffic Impact Analysis. The City has the discretion to determine the required elements of the TIA and the level of analysis expected. Coordination with ODOT is advisable and is at the City's discretion.

E. Approval Criteria.

- 1. Criteria. When a Traffic Impact Analysis is required, approval of the development proposal requires satisfaction of the following criteria:
 - a. The Traffic Impact Analysis was prepared by a professional engineer selected by the City; and
 - b. If the proposed development meets the criteria in Section C, above, or other traffic hazard or negative impact to a transportation facility, the Traffic Impact Analysis shall include mitigation measures that meet the City's performance standards (i.e. Level-of-Service and/or Volume/Capacity ratio) and are satisfactory to the City Engineer and ODOT; and
 - c. The proposed site design and traffic and circulation design and facilities, for all transportation modes, including any mitigation measures, are designed to:
 - i. Have the least negative impact on all applicable transportation facilities; and
 - ii. Accommodate and encourage non-motor vehicular modes of transportation to the extent practicable; and
 - iii. Make the most efficient use of land and public facilities as practicable; and

Section 4.133.06. Comprehensive Plan and Zoning Map Amendments

- iv. Provide the most direct, safe and convenient routes practicable between on-site destinations, and between on-site and off-site destinations; and
 - v. Otherwise comply with applicable requirements of the City of Wilsonville’s Development Code.
- F. Conditions of Approval. The City may deny, approve, or approve a development proposal with appropriate conditions.
- 1. Where the existing transportation system will be impacted by the proposed development, dedication of land for streets, transit facilities, sidewalks, bikeways, paths, or access ways may be required to ensure that the transportation system is adequate to handle the additional burden caused by the proposed use.
 - 2. Where the existing transportation system is shown to be burdened by the proposed use, improvements such as paving, curbing, installation or contribution to traffic signals, construction of sidewalks, bikeways, access ways, paths, or streets that serve the proposed use may be required.
 - 3. Where planned local street connectivity is required to improve local circulation for the betterment of interchange function, local street system improvements will be required.

(.02) Land Use Review Coordination.

- A. The City shall not deem the land use application complete unless it includes a Traffic Impact Analysis prepared in accordance with the requirements of this Section.
- B. The City shall provide written notification to ODOT when the application within ten (10) calendar days of receiving a complete Class II Permit application.
- C. ODOT shall have at least 20 calendar days, measured from the date completion notice was mailed, to provide written comments to the City. If ODOT does not provide written comments during this 20-day period, the City staff report will be issued without consideration of ODOT comments.

Section 4.133.06. Comprehensive Plan and Zoning Map Amendments

This Section applies to all Comprehensive Plan Map and Zoning Map amendments to parcels wholly or partially within the IAMP Overlay Zone.

- (.01) IAMP Amendment. If the proposed land use is inconsistent with the current Comprehensive Plan Map or Zoning Map land use designation the applicant will be required to undertake a legislative process to amend and update the Wilsonville Road Interchange Area Management Plan in order to demonstrate that the proposed amendment will be consistent with the planned improvements in the Overlay Zone.

(.02) Transportation Planning Rule Requirements.

- A. Review of Applications for Effect on Transportation Facilities. A proposed comprehensive plan amendment, zone change or land use regulation change

Commented [JD34]: This section will apply at adoption.

Section 4.134. Day Road Design Overlay District

pertaining development within the IAMP Overlay Zone, whether initiated by the City or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – “TPR”). “Significant” means the proposal would:

1. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 2. Change standards implementing a functional classification system; or
 3. As measured at the end of the planning period identified in the adopted transportation system plan:
 - a. Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - b. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or
 - c. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.
- B. Amendments That Affect Transportation Facilities. Amendments to the comprehensive plan and land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP. This shall be accomplished by one or a combination of the following:
1. Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
 2. Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of Section -0060 of the TPR.
 3. Altering land use designations, densities, or design requirements to reduce demand for vehicle travel and meet travel needs through other modes of transportation.
 4. Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
- C. Traffic Impact Analysis. A Traffic Impact Analysis shall be submitted with a plan amendment or zone change application. [See Section 4.133.05(.01) Traffic Impact Analysis]. [Section 4.133.00 – 4.133.06 added by Ord. 672, 11/16/09]

Section 4.134. Day Road Design Overlay District

- (.01) Purpose. The Day Road Design Overlay District (DOD) is an overlay district within the larger Planned Development Industrial - Regionally Significant Industrial Area (RSIA) Zone. It is the purpose of the Day Road DOD to establish standards for site

Section 4.134. Day Road Design Overlay District

design and exterior architecture of all structures located in the Day Road DOD in order to ensure high quality design of development and redevelopment at the Day Road gateway to the City of Wilsonville. These standards are intended to create an aesthetically pleasing aspect for properties abutting Day Road by ensuring:

- A. Coordinated design of building exteriors, additions and accessory structure exteriors
- B. Preservation of trees and natural features
- C. Minimization of adverse impacts on adjacent properties from development that detracts from the character and appearance of the area
- D. Integration of the design of signage into architectural and site design, and
- E. Minimization of the visibility of vehicular parking, circulation and loading areas.

It is the intent to create improved pedestrian linkages and to provide for public transit. It is also the intent of this section to encourage architectural design in relationship to the proposed land use, site characteristics and interior building layout.

- (.02) Applicability. The Day Road DOD shall apply to all properties abutting Day Road. The provisions of this section shall apply to:

- A. All new building construction
- B. Any exterior modifications to existing, non-residential buildings
- C. All new parking lots
- D. All outdoor storage and display areas
- E. All new signage
- F. All building expansions greater than 1,250 square feet.

- (.03) Exceptions. This section does not apply to the following activities:

- A. Maintenance of the exterior of an existing industrial/employment structure such as painting to the approved color palette, reroofing, or residing with the same or similar materials
- B. Industrial/employment building expansions less than 1,250 square feet
- C. Interior remodeling
- D. Essential public facilities
- E. Existing dwellings and accessory buildings
- F. Agricultural buildings

- (.04) Review Process.

- A. Compliance with the Day Road DOD shall be reviewed as part of Stage One – Preliminary Plan, Stage Two - Final Approval and Site Design Review. Such review shall be by the Development Review Board. Building expansions less

Section 4.134. Day Road Design Overlay District

than 2500 square feet and exterior building modifications less than 2500 square feet may be reviewed under Class II Administrative procedures.

- B. Waivers. Under City Code [4.118(.03)], waivers to several development standards may be approved, including waivers to height and yard requirements, and architectural design standards, provided that the proposed development is equal to or better than that proposed under the standards to be waived. For example, a height waiver might be granted on a smaller site if the façade presentation was significantly enhanced, additional landscaping or open space is provided and site modifications are necessary to preserve significant trees. Waivers to the additional front yard setback for future improvements on Day Road may not be granted. [4.134(.05)(C)(1)]
- (.05) Design Review Standards. The DRB shall use the standards in this section together with the standards in Sections 4.400 – 4.421 to ensure compliance with the purpose of the Day Road DOD. These standards shall apply on all Day Road frontages, and on the frontage of corner lots abutting both Day Road and either Boones Ferry Road, Kinsman Road, Garden Acres Road or Grahams Ferry Road.
- A. Natural Features. Buildings shall be sited in compliance with WC 4.171, Protection of Natural Features and Other Resources and with WC 4.600, Tree Preservation and Protection.
 - B. Building Location and Orientation: New buildings shall have at least one principal building entrance oriented towards the Day Road frontage. All building elevations fronting on Day Road or on the frontage on corner lots as described in (.05) above, shall have at least 20% glazing.
 - C. Setbacks:
 - 1. Front Yard: For public health and safety reasons, the front yard setback shall be 30' plus additional setback (15' minimum) to accommodate future improvements to Day Road.
 - 2. Side and rear setbacks shall be 30'. Side and rear yard setbacks may be reduced from the 30' minimum setback requirement where the setback is adjacent to industrial development subject to meeting other requirements of this section and Building Code requirements.
 - D. Building Height: A minimum building height of three stories, 48' is required. on the Day Road frontage and on frontages described in (.05) above. Sites may contain a combination of taller building space abutting the identified street frontages together with 1 or 2-story lab, R&D, and/or manufacturing building space on the remainder of the site. The 1 and 2-story portions of the buildings will be designed to be compatible with the taller structure's design, building materials and colors. Increased building height is encouraged, particularly in combination with site amenities such as under-structure parking, preservation of significant trees rated good or better in the arborist's report, and/or provision of trail segments or of open space areas open to the public.

E. Building Design:

1. Buildings shall be planned and designed to incorporate green building techniques wherever possible.
2. Exterior Building Design: Buildings with exterior walls greater than 50 feet in horizontal length shall be constructed using a combination of architectural features and a variety of building materials and landscaping near the walls. Walls that can be viewed from public streets or public spaces shall be designed using architectural features for at least 60% of the wall. Other walls shall incorporate architectural features and landscaping for at least 30% of the wall. Possible techniques include:
 - a. Vary the planes of the exterior walls in depth and/or direction.
 - b. Vary the height of the building, so that it appears to be divided into distinct massing elements.
 - c. Articulate the different parts of a building's facade by use of color, arrangement of facade elements, or a change in materials.
 - d. Avoid blank walls at the ground-floor levels. Utilize windows, trellises, wall articulation, arcades, change in materials—textured and/or colored block or similar finished surface, landscape, or other features to lessen the impact of an otherwise bulky building.
 - e. Define entries within the architecture of the building.
 - f. Incorporate, if at all possible, some of the key architectural elements used in the front of the building into rear and side elevations where seen from a main street or residential district.
3. Building Color: All colors shall be harmonious and compatible with colors of other structures in the development and the natural surroundings. Concrete finishes must be painted. The general overall atmosphere of color must be natural tones. Stained wood, natural stone, brick, dark aluminum finishes, etc. shall be used as background colors. The use of corporate colors is permitted provided that such colors are not patterned so as to compete for visual attention. The use of corporate colors shall not create an advertisement of the building itself. Corporate colors shall not violate any other color or design limitations within the Code.
4. Building façade articulation: Both vertical and horizontal articulation is required. If a building is at a corner, all facades must meet the requirement. Incorporation of several of the techniques is the preferred option. The purpose is not to create a standard rigid solution but rather to break up the mass in creative ways.
 - a. Horizontal articulation: Horizontal facades shall be articulated into smaller units. Appropriate methods of horizontal façade articulation include two or more of the following elements:
 - i. change of façade materials
 - ii. change of color
 - iii. façade planes that are vertical in proportion
 - iv. bays and recesses

Section 4.134. Day Road Design Overlay District

- v. breaks in roof elevation, or other methods as approved

Building facades shall incorporate design features such as offsets, projections, reveals, and/or similar elements to preclude large expanses of uninterrupted building surfaces. Articulation shall extend to the roof.

- b. Vertical Facade Articulation: The purpose is to provide articulation, interest in design and human scale to the façade of buildings through a variety of building techniques. Multi-story buildings shall express a division between base and top. Appropriate methods of vertical façade articulation for all buildings include two or more of the following elements:
 - i. Change of material
 - ii. Change of color, texture, or pattern of similar materials
 - iii. Change of structural expression (for example, pilasters with storefronts spanning between at the base and punched openings above)
 - iv. Belt course
 - v. The division between base and top shall occur at or near the floor level of programmatic division
 - vi. Base design shall incorporate design features such as recessed entries, shielded lighting, and/or similar elements to preclude long expanses of undistinguished ground level use
 - vii. Differentiation of a building's base shall extend to a building's corners but may vary in height
- 5. Building Materials:
 - a. No less than 50% of the exterior exposed walls of any new building, or any expansion over 1,250 square feet, shall be constructed of noncombustible, non-degradable and low maintenance construction materials such as face brick, architectural or decorative block, natural stone, specially designed pre-cast concrete panels, concrete masonry units, concrete tilt panels, or other similar materials. Metal roofs may be allowed if compatible with the overall architectural design of the building. Where an elevation of the building is not currently, or will not likely in the future, be exposed to public view, the above standard does not apply.
 - b. Accessory structures visible to the public shall be constructed of materials similar to or the same as the principal building(s) on the site.
- 6. Roof Design:
 - a. Roofs shall be designed to reduce the apparent exterior mass of a building, add visual interest and be appropriate for the architectural design of the building. Variations within an architectural style are highly encouraged. Visible rooflines and roofs that project over the exterior wall of buildings, and especially over entrances, are highly encouraged.
 - b. Mechanical Equipment and Service Areas: Mechanical equipment and service areas shall be screened from adjacent properties, from Day Road and on Day Road corner properties abutting SW Boones Ferry Road, Kinsman Road, Garden Acres Road and Grahams Ferry Road. The

Section 4.134. Day Road Design Overlay District

architectural design of the building shall incorporate design features which screen, contain and conceal all heating, ventilation, air conditioning units, trash enclosures, dumpsters, loading docks and service yards. Such screening shall blend visually with the related structure.

7. Pedestrian Walkways:
 - a. A continuous pedestrian walkway shall be provided from the primary entrance to the sidewalk along Day Road for access to building entrances and to transit facilities.
 - b. Walkways from parking areas to building entrances shall be at least six (6) feet in width, and shall be separated from moving vehicles. Walkways shall be distinguished from vehicular areas through the use of special pavers, bricks, scored concrete or similar materials providing a clear demarcation between pedestrian and vehicular traffic.
 - c. Buildings shall be connected with onsite walkways at least six (6) feet in width.
 8. Community Amenities: Community amenities such as patio seating, water features, art work or sculpture, clock towers, pedestrian plazas with park benches, connections to area trails, parks and open spaces, and similar amenities are strongly encouraged.
 9. Lighting and Flag Poles: All lighting shall be shielded and directed interior to the site, including parking lot lighting. Lighting shall not spill over onto adjacent properties. Light poles, light fixtures and flagpoles shall conform to the City's Outdoor Lighting Standards. Flagpoles shall not exceed 40' in height.
 10. Signage: Signage shall include a monument sign on the Day Road frontage identifying the industrial/business park and buildings therein. Each building may have wall signage, and such other directional and informational signage as allowed by WC 4.156.05, 4.156.08, and 4.156.09. Pole signs are prohibited. The design of signage must be integrated into the overall architectural and site design for the project. [Amended by Ord. No. 704, 6/18/12]
 11. Parking: Employee parking shall be located at the rear of the building, or in courtyard parking areas between buildings. If no other option is available due to site limitations, then employee parking may be located to the side of buildings. Time and number limited visitor parking is allowed at the front of the building. Within a Stage I master plan, employee parking may be combined in a shared facility or facilities with mutual use agreements. Any parking areas visible from Day Road shall be screened from view with broadleaf evergreen or coniferous shrubbery and/or architectural walls or berms.
- (.06) Infill construction. The following general rules shall be followed when constructing a new building adjacent to existing industrial/employment buildings built under the Day Road DOD. Adjacent includes buildings north of Day Road built under the Day Road DOD.

Section 4.134. Day Road Design Overlay District

- A. Proportions and Façade: The average height and width of the surrounding buildings determines a general set of proportions for an infill structure or the bays of a larger structure. The infill building shall fill the entire space and reflect the characteristic rhythm of façades along Day Road. If the site is large, the mass of the façade must be broken into a number of smaller bays to maintain a rhythm similar to the surrounding buildings.
- B. Composition: The composition of the infill façade (i.e. the organization of its parts) shall be similar to surrounding buildings. Rhythms that carry throughout the block, such as window and door spacing, shall be similar to those on surrounding façades.
- C. Detailing/Textures: Infill architecture shall reflect some of the detailing of surrounding buildings in window shapes, cornice lines, brick or stone work, etc. Textures of exterior surfaces shall be reflected in the design of new buildings.
- D. Materials: An infill façade shall be composed of materials similar to adjacent façades. The new building(s) shall not stand out from existing buildings.
- E. Color: All colors shall be harmonious and compatible with colors of other structures in the development and the natural surroundings.
- F. Setbacks: Setbacks for new buildings shall be an average of the setbacks of the two adjacent buildings built under the Day Road DOD, or if none exist, shall meet the setback requirements of the Day Road DOD. Rear yard setbacks may be reduced from the 30' minimum setback requirement in Section 4.135(.06)(D) where the setback is adjacent to industrial development subject to meeting Building Code requirements. Front yard setbacks must include additional setback (15' minimum) to accommodate future improvements to Day Road.
- G. Building Height: A minimum building height of three stories, 48' is required on the Day Road frontage and on frontages described in (.05) above. Sites may contain a combination of taller building space abutting the identified street frontages together with 1 or 2-story lab, R&D, and/or manufacturing building space on the remainder of the site. The 1 and 2-story portions of the buildings will be designed to be compatible with the taller structure's design, building materials and colors. Increased building height is encouraged, particularly in combination with site amenities such as under-structure parking, preservation of significant trees rated good or better in the arborist's report, and/or provision of trail segments or of open space areas open to the public.
- H. Lighting and Flag Poles: All lighting shall be shielded and directed interior to the site, including parking lot lighting. Lighting shall not spill over onto adjacent properties. Light poles, light fixtures and flagpoles shall conform to the City's Outdoor Lighting Standards. Flagpoles shall not exceed 40' in height.

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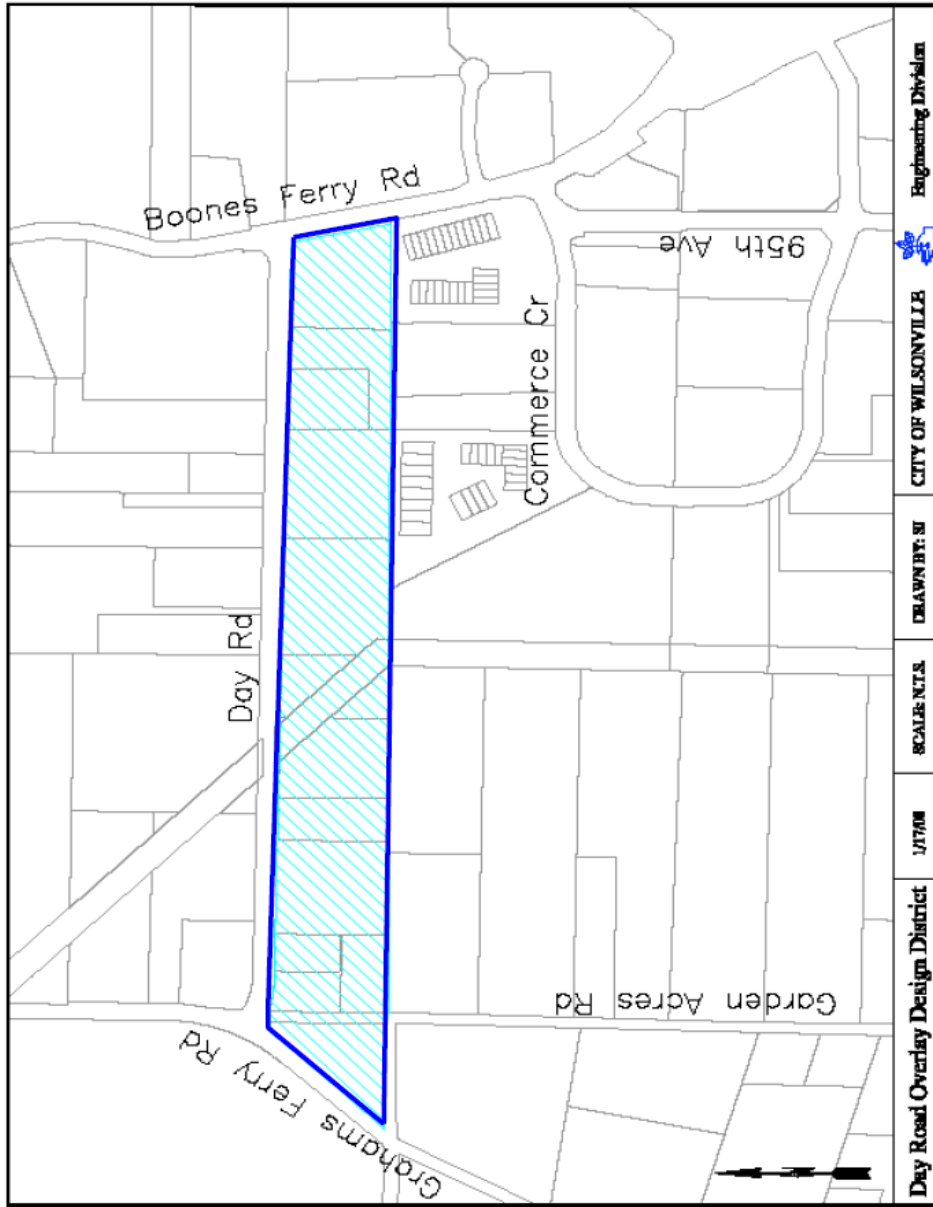


Figure D-1: Day Road Design Overlay District Area Map

Section 4.135. PDI- Planned Development Industrial Zone.

Section 4.135. PDI- Planned Development Industrial Zone.

- (.01) Purpose: The purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses.
- (.02) The PDI Zone shall be governed by Section 4.140, Planned Development Regulations, and as otherwise set forth in this Code.
- (.03) Uses that are typically permitted:
 - A. Warehouses and other buildings for storage of wholesale goods, including cold storage plants.
 - B. Storage and wholesale distribution of agricultural and other bulk products, provided that dust and odors are effectively contained within the site.
 - C. Assembly and packing of products for wholesale shipment
 - D. Manufacturing and processing
 - E. Motor vehicle services, or other services complementary or incidental to primary uses, and which support the primary uses by allowing more efficient or cost-effective operations
 - F. Manufacturing and processing of electronics, technical instrumentation components and health care equipment.
 - G. Fabrication
 - H. Office complexes - Technology
 - I. Corporate headquarters
 - J. Call centers
 - K. Research and development
 - L. Laboratories
 - M. Repair, finishing and testing of product types manufactured or fabricated within the zone.
 - N. Industrial services
 - O. Any use allowed in a PDC Zone, subject to the following limitations:
 - 1. Service Commercial uses (defined as professional services that cater to daily customers such as financial, insurance, real estate, legal, medical or dental offices) not to exceed 5000 square feet of floor area in a single building, or 20,000 square feet of combined floor area within a multi-building development.
 - 2. Office Complex Use (as defined in Section 4.001) shall not exceed 30% of total floor area within a project site.
 - 3. Retail uses, not to exceed 5000 square feet of indoor and outdoor sales, service or inventory storage area for a single building and 20,000 square feet

Section 4.135. PDI- Planned Development Industrial Zone.

of indoor and outdoor sales, service or inventory storage area for multiple buildings.

4. Combined uses under Subsections 4.135(.03)(O.)(1.) and (3.) shall not exceed a total of 5000 square feet of floor area in a single building or 20,000 square feet of combined floor area within a multi-building development.
 - P. Training facilities whose primary purpose is to provide training to meet industrial needs.
 - Q. Public facilities.
 - R. Accessory uses, buildings and structures customarily incidental to any permitted uses.
 - S. Temporary buildings or structures for uses incidental to construction work. Such structures to be removed within 30 days of completion or abandonment of the construction work.
 - T. Other similar uses, which in the judgment of the Planning Director, are consistent with the purpose of the PDI Zone.
- (.04) Block and access standards:
The PDI zone shall be subject to the same block and access standards as the PDC zone, Section 4.131(.02) and (.03).
- (.05) Performance Standards. The following performance standards apply to all industrial properties and sites within the PDI Zone, and are intended to minimize the potential adverse impacts of industrial activities on the general public and on other land uses or activities. They are not intended to prevent conflicts between different uses or activities that may occur on the same property.
- A. All uses and operations except storage, off-street parking, loading and unloading shall be confined, contained, and conducted wholly within completely enclosed buildings, unless outdoor activities have been approved as part of Stage II, Site Design or Administrative Review.
 - B. Vibration: Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any boundary line of the property on which the use is located.
 - C. Emission of odorous gases or other odorous matter in quantities as detectable at any point on any boundary line of the property on which the use is located shall be prohibited.
 - D. Any open storage shall comply with the provisions of Section 4.176, and this Section.
 - E. No building customarily used for night operation, such as a baker or bottling and distribution station, shall have any opening, other than stationary windows or required fire exits, within one hundred (100) feet of any residential district and any space used for loading or unloading commercial vehicles in connection with

Section 4.135. PDI- Planned Development Industrial Zone.

such an operation shall not be within one hundred (100) feet of any residential district.

F. Heat and Glare:

1. Operations producing heat or glare shall be conducted entirely within an enclosed building.
2. Exterior lighting on private property shall be screened, baffled, or directed away from adjacent residential properties. This is not intended to apply to street lighting.

G. Dangerous Substances: Any use which involves the presence, storage or handling of any explosive, nuclear waste product, or any other substance in a manner which would cause a health or safety hazard for any adjacent land use or site shall be prohibited.

H. Liquid and Solid Wastes:

1. Any storage of wastes which would attract insects or rodents or otherwise create a health hazard shall be prohibited.
2. Waste products which are stored outside shall be concealed from view from any property line by a sight-obscuring fence or planting as required in Section 4.176.
3. No connection with any public sewer shall be made or maintained in violation of applicable City or State standards.
4. No wastes conveyed shall be allowed to or permitted, caused to enter, or allowed to flow into any public sewer in violation of applicable City or State standards.
5. All drainage permitted to discharge into a street gutter, caused to enter or allowed to flow into any pond, lake, stream, or other natural water course shall be limited to surface waters or waters having similar characteristics as determined by the City, County, and State Department of Environmental Quality.
6. All operations shall be conducted in conformance with the City's standards and ordinances applying to sanitary and storm sewer discharges.

I. Noise: Noise generated by the use, with the exception of traffic noises from automobiles, trucks, and trains, shall not violate any applicable standards adopted by the Oregon Department of Environmental Quality and W.C. 6.204 governing noise control in the same or similar locations. [Amended by Ord. 631, 7/16/07]

J. Electrical Disturbances. Except for electrical facilities wherein the City is preempted by other governmental entities, electrical disturbances generated by uses within the PDI zone which interfere with the normal operation of equipment or instruments within the PDI Zone are prohibited. Electrical disturbances which routinely cause interference with normal activity in abutting residential use areas are also prohibited.

K. Discharge Standards: There shall be no emission of smoke, fallout, fly ash, dust, vapor, gases, or other forms of air pollution that may cause a nuisance or injury to

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human, plant, or animal life, or to property. Plans of construction and operation shall be subject to the recommendations and regulations of the State Department of Environmental Quality. All measurements of air pollution shall be by the procedures and with equipment approved by the State Department of Environmental Quality or equivalent and acceptable methods of measurement approved by the City. Persons responsible for a suspected source of air pollution upon the request of the City shall provide quantitative and qualitative information regarding the discharge that will adequately and accurately describe operation conditions.

L. Open burning is prohibited.

M. Storage:

1. Outdoor storage must be maintained in an orderly manner at all times.
2. Outdoor storage area shall be gravel surface or better and shall be suitable for the materials being handled and stored. If a gravel surface is not sufficient to meet the performance standards for the use, the area shall be suitably paved.
3. Any open storage that would otherwise be visible at the property line shall be concealed from view at the abutting property line by a sight obscuring fence or planting not less than six (6) feet in height.

N. Landscaping:

1. Unused property, or property designated for expansion or other future use, shall be landscaped and maintained as approved by the Development Review Board. Landscaping for unused property disturbed during construction shall include such things as plantings of ornamental shrubs, lawns, native plants, and mowed, seeded fieldgrass.
2. Contiguous unused areas of undisturbed fieldgrass may be maintained in their existing state. Large stands of invasive weeds such as Himalayan blackberries, English ivy, cherry Laurel, reed canary grass or other identified invasive plants shall be removed and/or mowed at least annually to reduce fire hazard. These unused areas, located within a phased development project or a future expansion cannot be included in the area calculated to meet the landscape requirements for the initial phase(s) of the development.
3. Unused property shall not be left with disturbed soils that are subject to siltation and erosion. Any disturbed soil shall be seeded for complete erosion cover germination and shall be subject to applicable erosion control standards.

(.06) Other Standards:

- A. Minimum Individual Lot Size: No limit save and except as shall be consistent with the other provisions of this Code (e.g., landscaping, parking, etc.).
- B. Maximum Lot Coverage: No limit save and except as shall be consistent with the other provisions of this Code (e.g., landscaping, parking, etc.).
- C. Front Yard Setback: Thirty (30) feet. Structures on corner or through lots shall observe the minimum front yard setback on both streets. Setbacks shall also be

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maintained from the planned rights-of-way shown on any adopted City street plan.

- D. Rear and Side Yard Setback: Thirty (30) feet. Structures on corner or through lots shall observe the minimum rear and side yard setbacks on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.
- E. No setback is required when side or rear yards abut on a railroad siding.
- F. Corner Vision: Corner lots shall have no sight obstruction to exceed the vision clearance standards of Section 4.177.
- G. Off-Street Parking and Loading: As provided in Section 4.155.
- H. Signs: As provided in Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]

[Section 4.135 amended by Ordinance No. 574, 11/1/04.]

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- (.01) Purpose. The purpose of the PDI-RSIA Zone is to provide opportunities for regionally significant industrial operations along with a limited and appropriate range of related and compatible uses; to provide the flexibility to accommodate the changing nature of industrial employment centers, to protect industrially zoned lands for industrial uses, primarily in those areas near significant transportation facilities for the movement of freight and to facilitate the redevelopment of under-utilized industrial sites.
- (.02) The PDI-RSIA Zone shall be governed by Section 4.140, Planned Development Regulations, and as otherwise set forth in this Code.
- (.03) Uses that are typically permitted:
 - A. Wholesale houses, storage units, and warehouses.
 - B. Laboratories, storage buildings, warehouses, and cold storage plants.
 - C. Assembly of electrical equipment, including the manufacture of small parts.
 - D. The light manufacturing, simple compounding or processing packaging, assembling and/or treatment of products, cosmetics, drugs, and food products, unless such use is inconsistent with air pollution, excess noise, or water pollution standards.
 - E. Office Complexes-Technology (as defined in Section 4.001).
 - F. Experimental, film or testing laboratories.
 - G. Storage and distribution of grain, livestock feed, provided dust and smell is effectively controlled.
 - H. Motor vehicle service facilities complementary or incidental to permitted uses.

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- I. Any use allowed in a PDC Zone or any other light industrial uses provided that any such use is compatible with industrial use and is planned and developed in a manner consistent with the purposes and objectives of Sections 4.130 to 4.140 and is subject to the following criteria:
 - 1. Service Commercial (defined as professional services that cater to daily customers such as financial, insurance, real estate, legal, medical or dental offices) shall not exceed 3000 square feet of floor space in a single building or 20,000 square feet of combined floor area within a multiple building development.
 - 2. Office Use (as defined in Section 4.001) shall not exceed 20% of total floor area within a project site.
 - 3. Retail uses not to exceed 3000 square feet of indoor and outdoor sales, service, or inventory storage area for a single building or 20,000 square feet of indoor and outdoor sales, service or inventory storage area for multiple buildings.
 - 4. Combined uses under I.1 and 3. above shall not exceed a total of 3000 square feet of floor area in a single building or 20,000 square feet of combined floor area within a multi-building development.
- J. Residential uses shall not exceed 10% of total floor area.
- K. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal permitted uses.
- L. Temporary buildings or structures for uses incidental to construction work, which buildings or structures shall be removed upon completion or abandonment of the construction work.
- M. Expansion of a building, structure or use approved prior to October 25, 2004 of up to 20% additional floor area and/or 10% additional land area.
- N. Other similar uses which in the judgment of the Planning Director are consistent with the purpose of the PDI-RSIA Zone.

(.04) Prohibited uses.

- A. Retail operations exceeding 3,000 square feet of area for sales, service area or storage area for retail inventory in a single building, or 20,000 square feet of sales, service or storage area for multiple buildings, except training facilities whose primary purpose is to provide training to meet industrial needs.
- B. Any use or activity that violates the performance standards specified in Subsection 4.135.5(.06), below.

(.05) Block and Access Standards. The PDI-RSIA Zone shall be subject to the same block and access standards as the PDC Zone [Section 4.131(.02) and (.03)].

(.06) Performance Standards. The following performance standards apply to all industrial properties and sites within the PDI-RSIA Zone, and are intended to minimize the

Section 4.135.5: Planned Development Industrial – Regionally Significant Industrial Area

potential adverse impacts of industrial activities on the general public and on other land uses or activities. They are not intended to prevent conflicts between different uses or activities that may occur on the same property or site.

- A. All uses and operations except storage, off-street parking, loading and unloading shall be confined, contained and conducted wholly within completely enclosed buildings, unless outdoor activities have been approved as part of Stage II, Site Design or Administrative Review.
- B. Vibration: Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any boundary line of the property or site on which the use is located.
- C. Emission of odorous gases or other odorous matter in quantities detectable at any time and at any point on any boundary line of the property or site on which the use is located are prohibited.
- D. Any open storage shall comply with the provisions of Section 4.176 and this Section.
- E. No building customarily used for night operation, such as a bakery, bottling and distribution plant or other similar use, shall have any opening, other than stationary windows or required fire exits, within one hundred (100) feet of any residential district and any space used for loading or unloading commercial vehicles in connection with such an operation shall not be within one hundred (100) feet of any residential district.
- F. Heat and Glare.
 1. Operations producing heat or glare shall be conducted entirely within an enclosed building.
 2. Exterior lighting on private property shall be screened, baffled, or otherwise directed away from adjacent residential properties. This is not intended to apply to street lighting.
- G. Dangerous Substances: Any use which involves the presence, storage or handling of any explosive, nuclear waste product or any other substance in a manner which would cause a health or safety hazard on any adjacent land use or site shall be prohibited.
- H. Liquid and Solid Wastes:
 1. Any storage of wastes which would attract rodents or insects or otherwise create a health hazard shall be prohibited.
 2. Waste products which are stored outside shall be concealed from view from any property line by a sight-obscuring fence or planting as required by Section 4.176.
 3. No connection with any public sewer shall be made or maintained in violation of applicable City or State standards.

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4. No wastes conveyed shall be allowed to or permitted, caused to enter, or allowed to flow into any public sewer in violation of applicable City or State standards.
 5. All drainage permitted to discharge into a street gutter, caused to enter or allowed to flow into any pond, lake, stream or other natural water course shall be limited to surface waters or waters having similar characteristics as determined by the City, County, and State Department of Environmental Quality.
 6. All operations shall be conducted in conformance with the city's standards and ordinances applying to sanitary and storm sewer discharges.
- I. Noise: Noise generated by the use, with the exception of traffic uses from automobiles, trucks and trains, shall not violate any applicable standards adopted by the Oregon Department of Environmental Quality and W.C. 6.204 governing noise control in the same or similar locations. [Amended by Ord. 631, 7/16/07]
- J. Electrical Disturbances. Except for electrical facilities wherein the City is preempted by other governmental entities, electrical disturbances generated by uses within the PDI-RSIA Zone which interfere with the normal operation of equipment or instruments within the PDI-RSIA Zone are prohibited. Electrical disturbances which routinely cause interference with normal activity in abutting residential uses are also prohibited.
- K. Discharge Standards: There shall be no emission of smoke, fallout, fly ash, dust, vapors, gases or other forms of air pollution that may cause a nuisance or injury to human, plant or animal life or to property. Plans for construction and operation shall be subject to the recommendations and regulations of the State Department of Environmental Quality. All measurements of air pollution shall be by the procedures and with equipment approved by the State Department of Environmental Quality or equivalent and acceptable methods of measurement approved by the City. Persons responsible for a suspected source of air pollution upon request of the City shall provide quantitative and qualitative information regarding the discharge that will adequately and accurately describe operation conditions.
- L. Open burning is prohibited.
- M. Storage.
1. Outdoor storage must be maintained in an orderly manner at all times.
 2. Outdoor storage areas shall be gravel surfaced or better and shall be sufficient for the materials being handled and stored. If a gravel surface is not sufficient to meet the performance standards for the use, the area shall be suitably paved.
 3. Any open storage that would otherwise be visible at the property line shall be concealed from view at the abutting property line by a sight obscuring fence or planting not less than 6' in height.

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N. Landscaping.

1. Unused property, or property designated for expansion or other future use shall be landscaped and maintained as approved by the Development Review Board. Landscaping for unused property disturbed during construction shall include such materials as plantings of ornamental shrubs, lawns, native plants, and mowed, seeded fieldgrass.
2. Contiguous unused areas of undisturbed fieldgrass may be maintained in their existing state. Large stands of invasive weeds such as Himalayan blackberry, English ivy, cherry laurel, reed canary grass or other identified invasive species shall be removed and/or mowed at least annually to reduce fire hazard. These unused areas, located with a phased development project or a future expansion cannot be included in the area calculated to meet the landscape requirements for the initial phase(s) of the development.
3. Unused property shall not be left with disturbed soils that are subject to siltation and erosion. Any disturbed soil shall be seeded for complete erosion cover germination and shall be subject to applicable erosion control standards.

(.07) Other Standards.

A. Lot Size:

1. Parcels less than 50 acres in size at the time of adoption of this amended Section: Land divisions may occur in conformance with an approved Master Plan consistent with the requirements of this section. No lot size limit, save and except as shall be consistent with the other provisions of this code.
2. Parcels 50 acres or greater in size existing on October 25, 2004 may be divided into any number of parcels or lots pursuant to an approved Master Plan provided that at least one lot or parcel of at least 50 acres in size remains. Provided further however, at least forty percent (40%) of the lot or parcel so created has been developed or planned for industrial uses and associated accessory uses and no portion has been developed or planned for the uses listed in Section 4.135.5(03)(I)(1.) through (3).
3. Uses not subject to the foregoing lot size provisions:
 - a. Public facilities and services
 - b. Separation of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by DEQ pursuant to ORS 465.225.
 - c. Separation of a lot or parcel containing a nonconforming use from the remainder of the site in order to improve the utility of the remainder site for the intended industrial uses
 - d. Separation for the purposes of financing when the new lot or parcel is consistent with the approved Master Plan.
 - e. Division of lots or parcels consistent with a Master Plan approved by the City prior to July 1, 2004.

Section 4.136. PF - Public Facility Zone.

- B. Maximum Lot Coverage. No limit save and except as shall be consistent with the other provisions of this code.
- C. Front Yard Setback. Thirty (30) feet. Structures on corner or through lots shall observe the minimum front yard setback on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.
- D. Rear and Side Yard Setback. Thirty (30) feet. Structures on corner or through lots shall observe the minimum rear and side yard setback on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.
- E. No setback is required when rear or side yards abut a railroad siding.
- F. Corner Vision. Corner lots shall have no lot obstruction to exceed the vision clearance standards of Section 4.177.
- G. Off-street Parking and Loading. As required in Section 4.155.
- H. Signs. As required in Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]

[Section 4.135.5 added by Ordinance No. 574, 11/1/04.]

Section 4.136. PF - Public Facility Zone.

- (.01) Purpose: The PF zone is intended to be applied to existing public lands and facilities; including quasi-public lands and facilities which serve and benefit the community and its citizens. Typical uses permitted in the PF Zone are schools, churches, public buildings, hospitals, parks and public utilities. Not all of the uses permitted in this zone are expected to be publicly owned.
- (.02) Uses Permitted Outright:
 - A. Municipal or Governmental Service Building
 - B. Churches
 - C. Hospital
 - D. Marina, public
 - E. Recreational and community buildings and grounds, playgrounds, swimming pools, tennis courts and similar recreational uses
 - F. Parking facilities
 - G. Public utilities and buildings
 - H. Library
 - I. Trails and pathways
 - J. Parks
 - K. Public Schools

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- L. Kindergartens or day care centers
- M. Accessory Uses

(.03) Uses subject to a Conditional Use:

- A. Picnic grounds
- B. Sewerage Treatment Plant
- C. Water treatment plant and storage reservoir
- D. Storage yard, stockpiles and materials
- E. Zoo
- F. Cemetery
- G. Private or Parochial School, College or University
- H. Military bases or offices, including armories.

(.04) Dimensional Standards:

- A. Minimum Lot Size: One (1) Acre The minimum lot area may be reduced upon a finding that the resulting parcel is compatible with the adjoining property in that it does not impair the development of any adjoining property, does not adversely affect the value of adjoining property, and does not adversely affect the public health, safety, or welfare.
- B. Minimum front and rear yard setbacks: Thirty (30) feet. Minimum sideyard setback: ten (10) feet.
- C. Minimum street frontage: Seventy-five (75) feet.
- D. Maximum height: thirty five (35) feet.

(.05) Off-Street Parking Requirements: As provided in Section 4.155.

(.06) Signs: As provided in Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]

(.07) Corner Vision: As provided in Section 4.176

(.08) Special Regulations:

- A. All principal and conditional uses shall be subject to Section 4.400 through 4.450 (Site Design Review) of the Wilsonville Code.
- B. As part of either a permitted or conditional use, the Planning Commission may review and approve a Master Plan for an entire development or area subject to Section 4.140 (Planned Development Regulations) of the Wilsonville Code. Approval of a Master Plan would allow all uses provided in the Master Plan without further review. Minor changes which do not have off-site impact or increase visitor capacity may be reviewed by the Planning Director. [Amended by Ordinance No. 538, 2/21/02.]
- C. Prisons, other than minimum-security mental institutions, are hereby prohibited.

Section 4.136.5. PF-C – Public Facility – Corrections Zone.

(.09) Block and access standards:

The PF zone shall be subject to the same block and access standards as the PDC zone, Section 4.131(.03).

Section 4.136.5. PF-C – Public Facility – Corrections Zone.

(.01) Purpose: The PF-C zone is intended to be applied to lands that have been, or are being, acquired for use and development of corrections facilities and related accessory uses and facilities.

(.02) Uses Permitted Outright

A. Municipal or Governmental Service Building, subject to the site design review standards of Section 4.400.

B. Prisons and other correctional facilities, subject to the site design review standards of Section 4.400.

(.03) Uses subject to a the granting of a Conditional Use Permit:

A. Public parks, trails, or pathways.

B. Water treatment plant and storage reservoir.

C. Military bases or offices, including armories.

(.04) Dimensional Standards:

A. Minimum Lot Size: One (1) Acre. The minimum lot area may be reduced upon a finding that the resulting parcel is compatible with the adjoining property in that it does not impair the development of any adjoining property, does not adversely affect the value of adjoining property, and does not adversely affect the public health, safety, or welfare.

B. Minimum building setbacks, all sides: One hundred (100) feet.

C. Maximum height: Forty-five (45) feet.

(.05) Off-Street Parking Requirements: As provided in Section 4.155.

(.06) Signs: As provided in Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]

(.07) Corner Vision: As provided in Section 4.177

(.08) Special Regulations:

A. All principal and conditional uses shall be subject to Section 4.400 through 4.450 (Site Design Review) of the Wilsonville Code.

B. As part of either a permitted or conditional use, the Development Review Board may review and approve a Master Plan for an entire development or area subject to Section 4.140 (Planned Development Regulations) of the Wilsonville Code. Approval of a Master Plan would allow all uses provided in the Maser Plan without further review. Minor changes which do not have off-site impact or increase visitor capacity may be reviewed by the Planning Director.

Section 4.137. Solar Access For New Residential Development.

- (.09) Block standards: None required.

Section 4.137. Solar Access For New Residential Development.

(.01) Solar Access (S) Overlay Zone

- A. An “S” (solar access) Overlay Zone is hereby created. It may be used in conjunction with any underlying residential base zone (e.g., PDR-S, R-S, etc.) to further refine land-use regulations in the interest of protecting solar access.
- B. The City Council may, through the zone change process, apply the “S” Overlay Zone to any area or development where protecting long-term solar access is of particular concern, and is specifically requested by the developer or owner of the site.
- C. The Solar Access (S) Overlay Zone shall not be applied to existing development unless substantial redevelopment is anticipated in the near future.

- (.02) Purpose. The purposes of Section 4.137 are to ensure that land is divided or developed so that structures can be oriented to maximize solar access and to minimize shade on adjoining properties from structures and trees. The intent of applying the “S” overlay zone is not to create a loop-hole which will allow a developer to clear-cut a site.

- (.03) Applicability. The solar design standard in Section 4.137(.05) shall apply to applications for a development to create lots or building sites in those base zones that have an “S” (solar access) Overlay Zone.

- (.04) Exemptions or Adjustments. An applicant may adjust or be exempt from the provisions of this section to the extent the Development Review Board finds that the applicant has shown one or more of the conditions listed in Sections 4.137(.06) and (.07) exist, and exemptions or adjustments provided for therein are warranted.

- (.05) Design Standard. At least 80 percent of the lots or building sites in a development subject to the “S” overlay zone shall comply with one or more of the options in this section provided, however, that a development may, but is not required to, use the options in subsections 4.137(.05)(B) or 4.137(.05)(C) to comply with Section 4.137(.05).

- A. Basic Requirement (see Figure 10: Solar Lot Option 1: Basic Requirements). A lot complies with Section 4.137(.05) if it:
 - 1. Has a north-south dimension of 90 feet or more; and
 - 2. Has a front lot line that is oriented within 30 degrees of a true east-west axis.
- B. Protected Solar Building Line Option (see Figure 11: Solar Lot Option 2: Protected Solar Building Line). In the alternative, a lot complies with Section 4.137(.05) if a solar building line is used to protect solar access as follows:
 - 1. A protected solar building line is designated on the subdivision or partition plat or in documents recorded with the plat; and

Section 4.137. Solar Access For New Residential Development.

2. The protected solar building line is oriented within 30 degrees of a true east-west axis; and
 3. There is at least 70 feet between the protected solar building line and the middle of the north-south dimension of the lot to the south, measured along a line perpendicular to the protected solar building line; and
 4. There is at least 45 feet between the protected solar building line and the northern edge of the buildable area of the lot, or habitable structures are situated so that at least 80 percent of their south-facing wall will not be shaded by structures or vegetation.
- C. Performance Option. In the alternative, a lot complies with Section 4.137(.05) if:
1. Habitable structures built on that lot will have their long axis oriented within 30 degrees of a true east-west axis, and at least 80% of their ground floor south wall will be protected from shade by structures and trees using appropriate deed restrictions; or
 2. Habitable structures built on that lot will have at least 32% of their glazing and at least 500 square feet of their roof area within 30 degrees east or west of true south, and that glazing and roof areas are protected from shade by structures and trees using appropriate deed restrictions.
- (.06) Exemptions from Design Standard. A development is exempt or partially exempt from Section 4.137(.05) if the Development Review Board finds that the applicant has shown that one or more of the following conditions apply to the site. If a partial exemption is granted for a portion of a given development, the remainder of the development shall comply with Section 4.137(.05).
- A. Slopes. The site, or a portion of the site for which the exemption is sought, is sloped 20 percent or more in a direction greater than 45 degrees east or west of true south, based on a topographic survey by a licensed professional land surveyor, USGS data, or other officially recognized topographic information.
 - B. Off-site shade. The site, or a portion of the site for which the exemption is sought, is within the shadow pattern of off-site features, such as but not limited to structures, topography, or vegetation, which will remain after development occurs on the site from which the shade is originating.
 1. Shade from an existing or approved off-site dwelling in a residential zone, and from topographic features, is assumed to remain after development of the site.
 2. Shade from an off-site structure in a zone other than a residential zone is assumed to be the shadow pattern of the existing or approved development thereon or the shadow pattern that would result from the largest structure allowed at the closest setback on adjoining land, whether or not that structure now exists.
 3. Shade from off-site vegetation is assumed to remain after development of the site if: the trees that cause shade are situated in a required setback or they are part of a developed area, public park, or are a part of an approved development or Significant Resource Overlay Zone; or they are in or separated from the developable remainder of a parcel by an undevelopable

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area or feature; or they are part of landscaping required pursuant to the Wilsonville Code.

4. Shade from other off-site sources is assumed to be shade that exists or that will be cast by development for which applicable local permits have been approved on the date a complete application for the development is filed.
- C. On-site shade. The site, or a portion of the site for which the exemption is requested, is:
1. Within the shadow pattern of on-site features such as, but not limited to structures and topography which will remain after the development occurs; or
 2. Contains trees at least 30 feet tall and more than 6 inches in diameter measured 4 feet above the ground which have a crown cover over at least 80% of the site, or the relevant portion of the site. The applicant can show such crown cover exists using a scaled survey or an aerial photograph. If granted, the exemption shall be approved subject to the condition that the applicant preserve at least 50% of the crown cover that causes the shade that warrants the exemption. The applicant shall file a note on the plat or other documents in the Office of the County Recorder binding the applicant to comply with this requirement.
- D. Completion of phased subdivision. The site is part of a phased subdivision, none of which was subject to Section 4.137, and the site and the remainder of the unplatted portion of the phased subdivision contain no more than 20 percent of the lots in all phases of the subdivision.
- (.07) Adjustments to Design Standard. The Development Review Board shall reduce the percentage of lots that must comply with Section 4.137(.05) to the minimum extent necessary if it finds the applicant has shown it would cause or is subject to one or more of the following conditions.
- A. Adverse impacts on density, cost, or amenities.
1. If the design standard in Section 4.137(.05)(A) is applied, either the resulting density is less than that proposed, or on-site development costs (e.g., grading, water, storm drainage and sanitary systems, and road) and solar related off-site development costs are at least 5% more per lot than if the standard is not applied. The following conditions, among others, could constrain the design of a development in such a way that compliance with Section 4.137(.05)(A) would reduce density or increase per lot costs in this manner. The applicant shall show which, if any, of these or other similar site characteristics apply in an application for a development.
 - a. The portion of the site for which the adjustment is sought has a natural grade that is sloped 10 percent or more and is oriented greater than 45 degrees east or west of true south based on a topographic survey of the site by a professional land surveyor, USGS data, or other officially recognized topographic information.
 - b. There is a significant natural feature on the site, identified as such in the comprehensive plan or development code, that prevents given streets,

Section 4.137. Solar Access For New Residential Development.

private drives, or lots from being oriented for solar access, and it will exist after the site is developed.

- c. Existing road patterns must be continued throughout the site or must terminate on-site to comply with applicable road standards or public road plans in a way that prevents given streets, private drives, or lots in the development from being oriented for solar access.
- d. An existing public easement or right-of-way prevents given streets, private drives, or lots in the development from being oriented for solar access.

[Section 4.137(.07)(A).(1.) amended by Ord. 682, 9/9/10]

2. If the design standard in Section 4.137(.05)(A) applies to given lot(s), significant development amenities that would otherwise benefit the lot(s) will be lost or impaired. Evidence that a significant diminution in the market value of the lot(s) would result from having the lot(s) comply with Section 4.137(.05)(A) is relevant to whether a significant development amenity is lost or impaired.

B. Impacts of existing shade. The shadow pattern from trees cover at least 80% of the lot and at least 50% of the shadow pattern will remain after development of the lot. The applicant shall show the shadow pattern using a scaled survey of trees on the site or using an aerial photograph.

1. Shade from trees is assumed to remain if: the trees are situated in a required setback or they are part of an existing or proposed park, open space, or recreational amenity; or they are separated from the developable remainder of their parcel by an undevelopable area or feature; or they are part of landscaping required pursuant to Wilsonville Code; and they do not need to be removed for a driveway or other development.
2. Also, to the extent the shade is caused by on-site trees or off-site trees on land owned by the applicant, such shade is assumed to remain if a written description of the retained trees causing the shade of the affected lots is titled with the pertinent land partition or subdivision plat.

(.08) Protection from future shade. Structures and vegetation must comply with the Solar Balance Point Standards [WC section 4.137.2] on all lots in a development subject to the Solar Overlay Zone for New Development, including lots for which exemptions or adjustments to Section 4.137 have been granted. The applicant shall file a note on the plat or other documents in the office of the County Recorder binding the applicant and subsequent purchasers to comply with the future shade protection standards in Section 4.137(.08).

(.09) Application. An application for approval of a development subject to this section shall include:

A. Maps and text sufficient to show that the development complies with the solar design standard of Section 4.137(.05), except for lots for which an exemption or adjustment from Section 4.137(.05) is requested, including at least:

1. The north-south lot dimension and front lot line orientation of each proposed lot.

Section 4.137.2. Solar Balance Point Standards

2. Protected solar building lines and relevant building site restrictions, if applicable.
 3. For the purpose of identifying trees exempt from Section 4.137(.08), a map showing existing trees at least 30 feet tall and over 6 inches diameter at a point 4 feet above grade, indicating their height, diameter and species, and stating that they are to be retained and are exempt.
 4. Copies of all private restrictions relating to solar access.
- B. If an exemption or adjustment to Section 4.137(.05) is requested, maps and text sufficient to show that given lots or areas in the development comply with the standards for such an exemption or adjustment in Sections 4.137(.06) or (.07), respectively.
- (.10) Process. The general application procedures listed in Sections 4.008 through 4.024 apply to this section.

Section 4.137.2. Solar Balance Point Standards

- (.01) Purpose. The purposes of these standards are to promote the use of solar energy, to minimize shading of structures by other structures, and, where applicable, to minimize shading of structures by trees. Decisions related to these standards are intended to be ministerial.
- (.02) Applicability. This section applies to an application for a building permit for all structures in an “S” (solar access) Overlay Zone. In addition, vegetation planted or growing on lots subject to the provisions of Section 4.137(.08)(Protection from future shade) shall comply with the shade point height standards as provided in Sections 4.137.2(.05) and (.06).
- (.03) Exemptions or Adjustments. An applicant may adjust or be exempt from the provisions of Section 4.137.2 to the extent the Development Review Board finds the applicant has shown that one or more of the conditions listed in sections 4.137.2(.06) or (.07) exists, and exemptions or adjustments provided for there are warranted.
- (.04) Solar Site Plan required. An applicant for a building permit for a structure subject to this section shall submit a site plan that shows:
- A. The maximum shade point height allowed under Section 4.137.2(.05);
 - B. If the maximum shade point height is adjusted pursuant to Section 4.137.2(.05)(A)(2), the average elevation of the rear property line;
 - C. The location of the shade point, its height relative to the average elevation of the front lot line or the elevation at the midpoint of the front lot line, and its orientation relative to true south; and, if applicable,
 - D. The solar balance point for the structure as provided in Section 4.137.2(.09).
- (.05) Maximum Shade Point Height Standard. The height of the shade point shall comply with either subsection A or B, below.

Section 4.137.2. Solar Balance Point Standards

A. Basic Requirement.

1. The height of the shade point shall be less than or equal to the height specified in Table 2 or computed using the following formula. The height of the shade point shall be measured from the shade point to either the average elevation at the front lot line or the elevation at the midpoint of the front lot line. If necessary, interpolate between the 5-foot dimensions listed in Table 2.

$$H = \frac{(2 \times \text{SRL}) - N + 150}{5}$$

Where:

H = the maximum allowed height of the shade point (see Figures 5: Height of the Shade Point of the Structure and Figure 6: Shade Point Height);

SRL = shade reduction line (the distance between the shade point and the northern lot line, (see Figure 7 Shade Reduction Line); and

N = The north-south lot dimension, provided that a north-south lot dimension more than 90 feet shall use a value of 90 feet for this section.

2. Provided, the maximum allowed height of the shade point may be increased one foot above the amount calculated using the formula or Table 2 for each foot that the average grade at the rear property line exceeds the average grade at the front property line.

TABLE 2: MAXIMUM PERMITTED SHADE POINT HEIGHT (In Feet)

North-South lot dimension (in feet)													
Distance to Shade Reduction Line from northern lot line (in feet)	100+	95	90	85	80	75	70	65	60	55	50	45	40
70	40	40	40	41	42	43	44						
65	38	38	38	39	40	41	42	43					
60	36	36	36	37	38	39	40	41	42				
55	34	34	34	35	36	37	38	39	40	41			
50	32	32	32	33	34	35	36	37	38	39	40		
45	30	30	30	31	32	33	34	35	36	37	38	39	
40	28	28	28	29	30	31	32	33	34	35	36	37	38
35	26	26	26	27	28	29	30	31	32	33	34	35	36
30	24	24	24	25	26	27	28	29	30	31	32	33	34
25	22	22	22	23	24	25	26	27	2	29	30	31	32
20	20	20	20	21	22	23	24	25	26	27	28	29	30
15	18	18	18	19	20	21	22	23	24	25	26	27	28
10	16	16	16	17	18	19	20	21	22	23	24	25	26
5	14	14	14	15	16	17	18	19	20	21	22	23	24

Section 4.137.2. Solar Balance Point Standards

- B. Performance Option. The proposed structure, or applicable vegetation, will shade not more than 20 percent of the south-facing glazing of existing habitable structure(s), or, where applicable, the proposed structure or vegetation comply with Section 4.137(.05)(B) or (C) of Section 4.137. If Section 4.137(.05)(B), Protected Solar Building Line, is used, trees and the shade point of structures shall be set back from the protected solar building line 2.5 feet for every 1 foot of height of the structure or of the mature height of vegetation over 2 feet.
- (.06) Exemption from the Maximum Shade Point Height Standard. The Development Review Board shall exempt a proposed structure or vegetation from Sections 4.137.2(.04) and (.05) if the applicant shows that one or more of the conditions in this section exist, based on plot plans or plats, corner elevations or other topographical data, shadow patterns, suncharts or photographs, or other substantial evidence submitted by the applicant.
- A. Exempt Lot. When created, the lot was subject to Section 4.137 (Solar Access for New Development) and was not subject to the provisions of Section 4.137(.08).
- B. Pre-existing shade. The structure or applicable vegetation will shade an area that is already shaded by one or more of the following:
1. An existing or approved building or structure;
 2. A topographic feature; or
 3. A tree that will remain after development of the site. It is assumed a tree will remain after development if it: is situated in a building setback required by Wilsonville Code; is part of a developed area or landscaping required by Wilsonville Code; a public park or landscape strip, or are a part of an approved development or Significant Resource Overlay Zone; is in or separated from the developable remainder of a parcel by an undevelopable area or feature; or is on the applicant's property and not affected by the development. A duly executed covenant also can be used to preserve trees causing such shade.
- C. Slope. The site has an average slope that exceeds 20 percent in a direction greater than 45 degrees east or west of true south based on a topographic survey by a licensed professional land surveyor, USGS data, or other officially recognized topographic information.
- D. Insignificant benefit. The proposed structure or vegetation shades on or more of the following:
1. An undevelopable area;
 2. The wall of an unheated space, such as a typical garage;
 3. Less than 20 square feet of south-facing glazing; or
 4. An undeveloped lot, other than a lot that was subject to the Section 4.137, where:

Section 4.137.2. Solar Balance Point Standards

- a. There are at least four single family detached or attached homes within 250 feet of the lot within the same subdivision or a phase of the subdivision; and
- b. A majority of the homes identified in subsection 4.a., above, have an average of less than 20 square feet of south-facing glazing.

E. Public involvement. The proposed structure is a publicly owned improvement.

(.07) Adjustments to the Maximum Shade Point Height Standard. The Development Review Board shall increase the maximum permitted height of the shade point determined using section 4.137.2(.05) to the extent it finds the applicant has shown one or more of the following conditions exist, based on plot plans or plats, corner elevations or other topographical data, shadow patterns, suncharts or photographs, or other substantial evidence submitted by the applicant.

A. Physical conditions. Physical conditions preclude development of the site in a manner that complies with section 4.137.2(.05), due to such things as a lot size less than 3000 square feet, unstable or wet soils, or a drainage way, public or private easement, or right-of-way.

B. Conflict between the Maximum Shade Point Height and Allowed Shade on the Solar Feature Standards. A proposed structure may be sited to meet the solar balance point standard described in Section 4.137.2(.09) or be sited as near to the solar balance point as allowed by Section 4.137.2(.09), if:

1. When the proposed structure is sited to meet the maximum shade point height standard determined using Section 4.137.2(.05), its solar feature will potentially be shaded as determined using Section 4.137.2(.08); and
2. The application includes a form provided for that purpose by the City that:
 - a. Releases the applicant from complying with Section 4.137.2(.05) and agrees that the proposed structure may shade an area otherwise protected by section 4.137.2(.05).
 - b. Releases the City from liability for damages resulting from the adjustment; and
 - c. Is signed by the owner(s) of the properties that would be shaded by the proposed structure more than allowed by the provisions of Section 4.137.2(.05).
3. Before the City issues a permit for a proposed structure for which an adjustment has been granted pursuant to Section 4.137.2(.07)(B), the applicant shall file the form provided for in subsection 4.137.2(.07)(B)(2) above in the office of the County Recorder with the deeds to the affected properties.

(.08) Analysis of Allowed Shade on Solar Feature

- A. An applicant may, but is not required to, perform the calculations in or comply with the standards of Section 4.137.2(.08).
- B. Applicants are encouraged to design and site a proposed habitable structure so that the lowest point of any solar feature(s) will not be shaded by building or trees on lot(s) to the south. The applicant will need to complete the following

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calculation procedure to determine if solar feature(s) of the proposed structure will be shaded. To start, the applicant should choose which of the following sources of shade originating from adjacent lot(s) to the south to use to calculate the maximum shade height at the north property line:

1. Existing structure(s) or trees; or
 2. The maximum shade that can be cast from future buildings or trees, based on Table 4. If the lot(s) to the south can be further divided, then the north-south dimension is assumed to be the minimum lot width required for a new lot in that zone.
- C. The height of the lowest point of any solar feature of the proposed structure is calculated with respect to either the average elevation or the elevation at the midpoint of the front lot line of the lot to the south.
- D. The applicant can determine the height of the shadow that may be cast upon the applicant’s solar feature by the source of shade selected in subsection B by using the following formula or Table 3.

$$SFSH = SH - (SGL/2.5)$$

Where:

SFSH = the allowed shadow height on the solar feature (see Figure 9: Solar Balance Point Standard).

SH = the height of the shade at the northern lot line of lot(s) to the south as determined in Section 4.137.2(.08)(B)

SGL = the solar gain line (the distance from the solar feature to the northern lot line of adjacent lot(s) to the south (see Figure 8: Solar Gain Line).

Distance from Solar Gain Line to lot line (feet)	Allowed Shade Height at Northern Lot line of Adjacent Lot(s) to the South (In feet)										
	22	21	20	19	18	17	16	15	14	13	12
50	2	1									
45	4	3	2	1							
40	6	5	4	3	2	1					
35	8	7	6	5	4	3	2	1			
30	10	9	8	7	6	5	4	3	2	1	
25	12	11	10	9	8	7	6	5	4	3	2
20	14	13	12	11	10	9	8	7	6	5	4
15	16	15	14	13	12	11	10	9	8	7	6
10	18	17	16	15	14	13	12	11	10	9	8
5	20	19	18	17	16	15	14	13	12	11	10

Table 4 may be used to determine (SH) in the above formula.

TABLE 4: Table to Determine Shade Height													
North-south lot dimension of adjacent lot(s) to the south	100	95	90	85	80	75	70	65	60	55	50	45	40
Allowed shade height at the north property line of adjacent lot(s) to south	12	12	12	13	14	15	16	17	18	19	20	21	22

E. If the allowed shade height on the solar feature calculated in Subsection D is higher than the lowest point of the solar feature calculated in Subsection C, the applicant shall be encouraged to consider changes to the house design or location which would make it practical to locate the solar feature so that it will not be shaded in the future.

(.09) Solar Balance Point. If a structure does not comply with maximum shade point height standard in Section 4.137.2(.05) and the allowed shade on a solar feature standard in Section 4.137.2(.08), then the solar balance point of the lot shall be calculated (see Figure 9: Solar Balance Point Standard). The solar balance location on the lot is where a structure would be an equal distance between the locations required by the maximum shade point height standard and the allowed shade on a solar feature standard.

(.10) Yard Setback Adjustment. The City shall grant an adjustment to the side, front and/or rear yard setback requirement(s) by up to 50% if necessary to build a proposed structure so it complies with either the shade point height standard in Section 4.137.2(.05), the allowed shade on a solar feature standard in Section 4.137.2(.08), or the solar balance point standard in section 4.137.2(.09) as provided herein (see Figure 9: Solar Balance Point Standard). This adjustment is not intended to encourage reductions in available solar access or unnecessary modification of setback requirements, and shall apply only if necessary for a structure to comply with the applicable provisions of this chapter. [The following list illustrates yard adjustments permitted under this Section:]

A. PDR-7-S Zone(s):

1. A front yard setback may be reduced to not less than 12.5 feet.
2. A rear yard setback may be reduced to not less than 7.5 to 12.5 feet, depending on building height.
3. A side yard setback may be reduced to not less than 2.5 to 5.5 feet, depending on building height.

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B. PDR-4-S Zone(s):

1. A front yard setback may be reduced to not less than 7.5 feet.
2. A rear yard setback may be reduced to not less than 7.5 feet.
3. A side yard setback may be reduced to not less than 2.5 or 3.5 feet, depending on building height.

C. PDR-1-S Zone(s):

1. A front yard setback may be reduced to not less than 15 feet.
2. A rear yard setback may be reduced to not less than 15 feet.
3. A side yard setback may be reduced to not less than 5 feet.

- (.11) Review process. The general application procedures listed in Sections 4.008 through 4.024 apply to this section.

Note: Worksheets to calculate the solar balance point standards are available from the City Planning Department.

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- (.01) Purpose. The purpose of these standards is to protect solar access to solar features on lots designated or used for a single-family detached dwelling under some circumstances. It authorizes owners of such lots to apply for a permit that, if granted, prohibits solar features from being shaded by certain future vegetation on and off the permittee's site.
- (.02) Applicability. An owner or contract purchaser of property may apply for and/or be subject to a solar access permit for a solar feature if that property is in any residential zone that is or will be developed with a single-family dwelling. The City's decision whether or not to grant a solar access permit is intended to be ministerial.
- (.03) Approval standards for a solar access permit. The Planning Director shall approve an application for a solar access permit if the record shows:
- A. The application is complete;
 - B. The information it contains is accurate;
 - C. Vegetation on the applicant's property does not shade the solar feature;
 - D. No objection has been raised by an affected property owner;
 - E. That the permit, if issued, does not conflict with other sections of the Wilsonville Code; and
 - F. That the permit, if issued, would not restrict any lot which has an average slope of fifteen (15) percent in the northerly direction.
- (.04) Duties created by solar access permit.
- A. A party to whom the city grants a solar access permit shall:

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1. Record the permit, legal descriptions of the properties affected by the permit, the solar access height limit, and the site plan required in Section 4.137.3(.05)(C). with such modifications as required by the responsible official in the office of the county recorder with the deeds to the properties affected by it, indexed by the names of the owners of the affected properties, and pay the fees for such filing;
 2. Install the solar feature in a timely manner as provided in Section 4.137.3(.08); and
 3. Maintain vegetation on the site so it does not shade the solar feature.
- B. An owner of property burdened by a solar access permit shall be responsible and pay all costs for keeping vegetation from exceeding the solar access height limit. However, vegetation identified as exempt on the site plan required in Section 4.137.3(.05)(C), vegetation an owner shows was in the ground on the date an application for a solar access permit is filed, and solar friendly vegetation are exempt from the solar access permit.
- (.05) Application contents. In addition to the application requirements pursuant to Section 4.035(.05), an application for a solar access permit shall contain the following information:
- A. A legal description of the applicant's lot and legal description, owners' names, and owners' addresses for lots all or a portion of which are within 250 feet of the applicant's lot and 54 degrees east and west of true south measured from the east and west corners of the applicant's south lot line. The services of a title company shall be used to determine who owns property for purposes of an application. The failure of a property owner to receive notice shall not invalidate the action if a good faith attempt was made to notify all persons who may be affected.
 - B. A scaled plan of the applicant's property showing:
 1. Vegetation in the grounds of the date of the application, if when mature, that vegetation could shade the solar feature.
 2. The approximate height above the grade of the solar feature, its location, and its orientation relative to true south.
 - C. A scaled plan of the properties on the list required in subsection A, above, showing:
 1. Their approximate dimensions; and
 2. The approximate location of all existing vegetation on each property that could shade the solar feature(s) on the applicant's property.
 - D. For each affected lot, the requested solar access height limit. The solar access height limit is a series of contour lines establishing the maximum permitted height for vegetation on lots affected by a Solar Access Permit (see Figure 12: Solar Access Height Limit). The contour lines begin at the bottom edge of a solar feature for which a permit is requested and rise in five foot increments at an angle to the south not less than 21.3 degrees from the horizon and extend not more than 54 degrees east and west of true south. Notwithstanding the preceding, the solar

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access height limit at the northern lot line of any lot burdened by a solar access permit shall allow vegetation on that lot whose height causes not more shade on the benefited property than could be caused by a structure that complies with Section 4.137.2 for existing lots.

- E. A fee, as required for Class II Administrative Review.
 - F. If available, a statement signed by the owner(s) of some or all of the property(ies) to which the permit will apply if granted verifying that the vegetation shown on the plan submitted pursuant to Section 4.137.3(.05)(C) above accurately represents vegetation in the ground on the date of the application. The signed statements provided for herein are permitted but not required for a complete application.
- (.06) Application review process. Application for a solar access permit shall be reviewed under Section 4.035 Class II – Administrative Review.
- A. A Pre-Application Conference may be held in accordance with Section 4.010(.02).
 - B. After the pre-application meeting is held or waived, the applicant may file an application containing the information required in Section 4.137.3(.05) above.
 - C. After filing the application in accordance with Section 4.011(.01) the Planning Director or his or her designate shall determine whether the application is complete in accordance with Section 4.011(.02).
 - D. Within ten (10) calendar days of receiving a complete application, the Planning Director shall mail notice of the proposed application, pursuant to Section 4.035(.03)A. The notice shall invite persons to submit information within ten (10) calendar day, relevant to the standards pertinent to the proposal and giving reasons why the application should or should not be approved or proposing conditions the person believes are necessary for approval according to the standards.
 - 1. The notice shall include the plot plans required in Sections 4.137.3(.05)(B) and (C) above, the proposed solar access height limits, and duties created by the permit.
 - 2. The notice shall request recipients to verify that the plot plan shows all vegetation on the recipient's property, and to send the Planning Director comments in writing within (ten) 10 calendar days after the notice is mailed if the recipient believes the applicant's plot plan is inaccurate.
 - E. Within ten (10) calendar days of the final response date, the Planning Director shall consider responses received from affected parties and/or an inspection of the site, modify the plot plan and the permit to be consistent with the accurate information, and make a final decision pursuant to Section 4.035(.03)(C.)
 - 1. If the final decision is to deny the permit, the Planning Director shall mail a copy of the decision to the applicant.
 - 2. If the final decision is to approve the permit, and the owners of all affected properties did verify the accuracy of the plot plan as permitted under Section

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4.137.3(.05)(F), the Planning Director shall mail a copy of the decision to the applicant and affected parties. The notice to affected parties shall include information that the solar access permit exists and that it may affect the ability of the property owner to grow vegetation, and that it imposes certain obligations the property owner to trim vegetation.

3. If the final decision is to approve the permit, and the owners of all affected properties did not verify the accuracy of the plot plan as permitted under Section 4.137.3(.05)(F), the Planning Director shall send a copy of the final decision to the applicant and to the owners of affected properties (including those who did not sign the verification statement pursuant to Section 4.137.3(.05)(F)). The notice to affected parties shall include information that the solar access permit exists and that it may affect the ability of the property owner to grow vegetation, and that it imposes certain obligations the property owner to trim vegetation.

- F. If the application is approved, the permit is not effective until the applicant records the permit, associated solar access height limits, legal descriptions for the affected properties (including the property where the solar feature is to be located), any special exceptions or exemptions from the usual affects of a solar access permit, and the site plan required in section 4.137.3(.05)(C) (with such modifications as required by the responsible official in the office of the county recorder) with the deeds to the properties affected by the permit.

(.07) Permit enforcement process.

- A. Enforcement request. A solar access permittee may request the city to enforce the solar access permit by providing the following information to the Planning Director:
 1. A copy of the solar access permit and the plot plans submitted with the permit; and
 2. The legal description of the lot(s) on which alleged vegetation is situated, the address of the owner(s) of that property, and a scaled site plan of the lot(s) showing the vegetation; and
 3. Evidence the vegetation violates the solar access permit, such as sunchart photograph, shadow pattern, and/or photographs.
- B. Enforcement process. If the Planning Director determines the request for enforcement is complete, he or she shall initiate an enforcement action pursuant to WC section 4.025 and 4.026. Provided the Planning Director shall not enforce the permit against vegetation the owner of which shows was in the ground on the date the permit application was filed with the city.

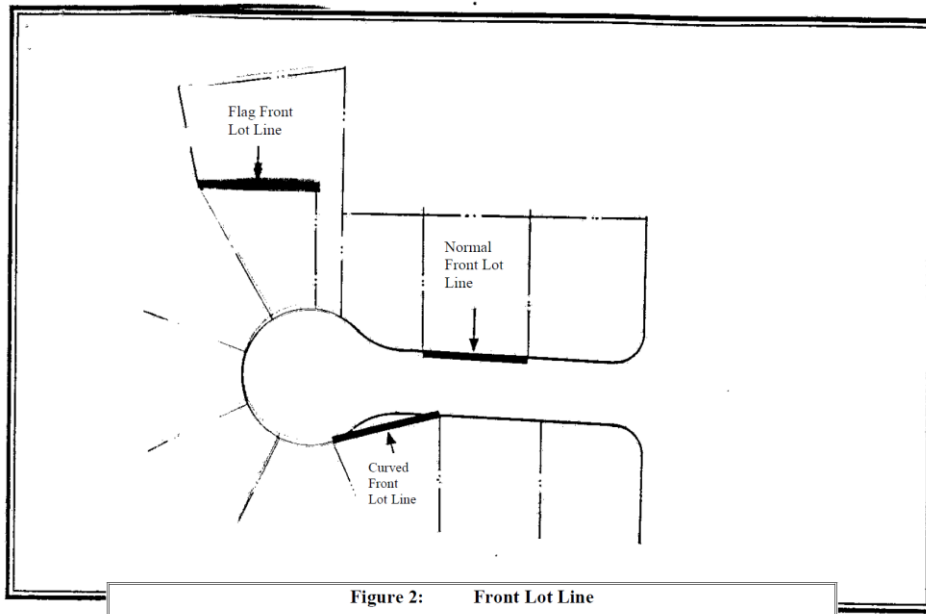
(.08) Expiration and extension of a solar access permit.

- A. Expiration. Every permit issued by the Planning Director under the provisions of this section shall expire if the construction of the solar feature protected by such permit is not commenced within 180 days form the date of such permit; if the construction of the solar feature protected by such permit is suspended or

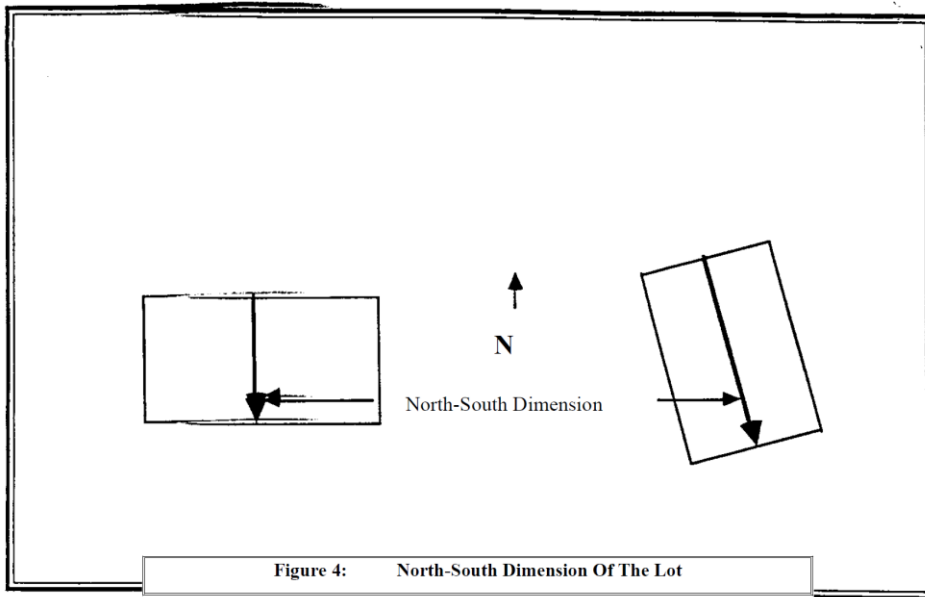
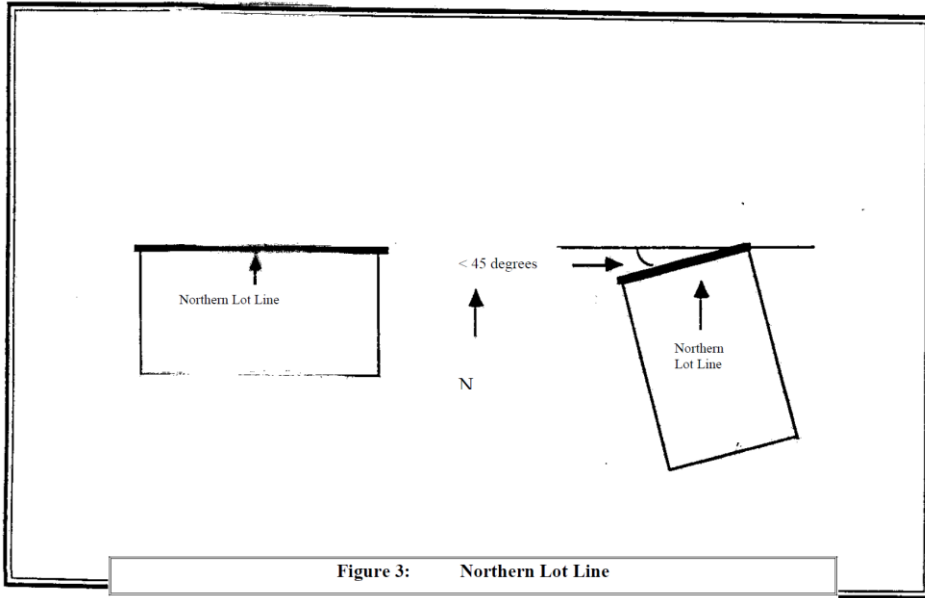
Section 4.137.3. Solar Access Permit Standards.

abandoned at any time after the work is commenced for a period of 180 days; or the use of the solar feature is discontinued for more than twelve (12) consecutive months. The applicant may reapply for a solar access permit in accordance with Section 4.137.3. The fee shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. If the permittee does not show construction of the solar feature will be started within 180 days of the date of the permit or the extension, or if the solar feature is removed, the Planning Director shall terminate the permit by recording a notice of expiration in the office of the county recorder with the deeds to the affected properties.

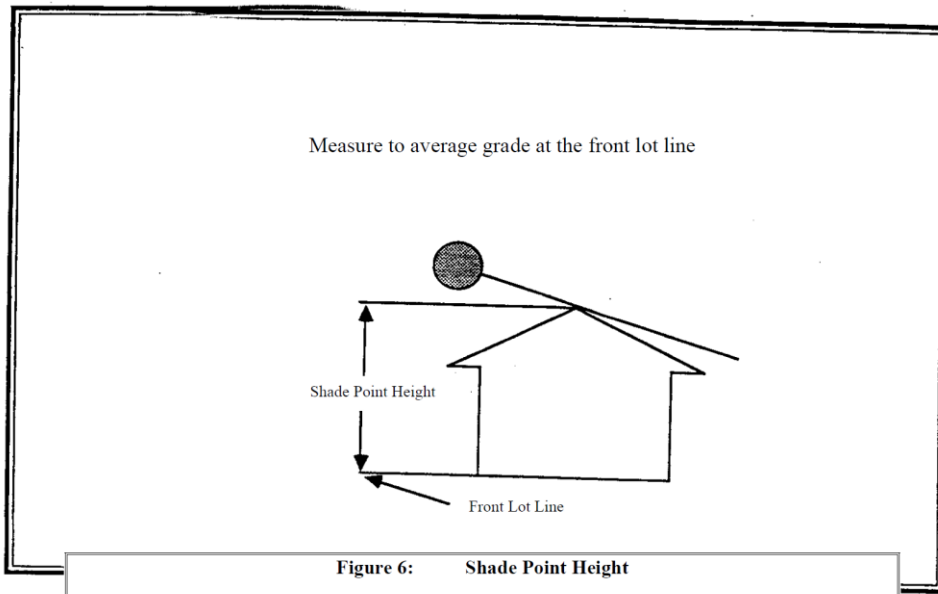
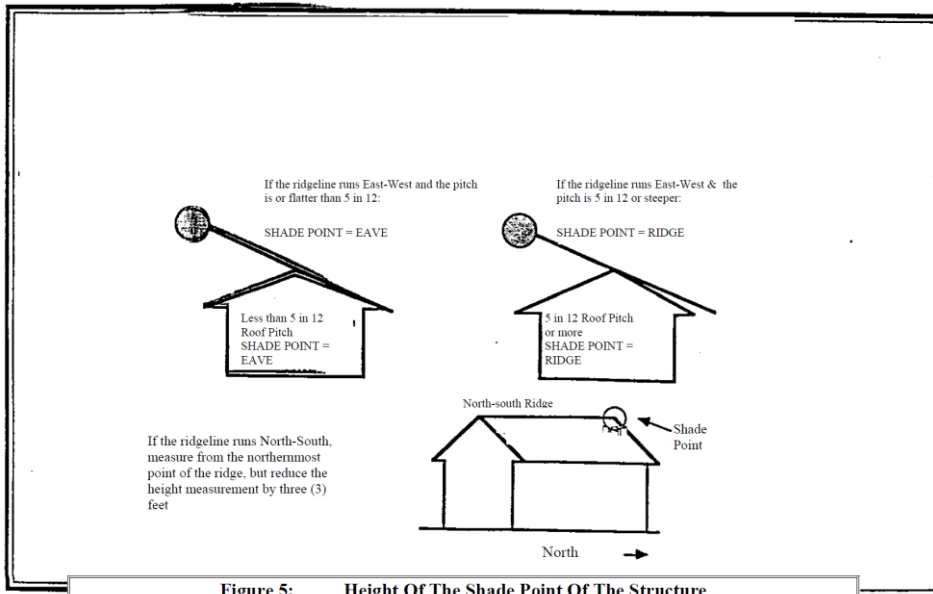
- B. Extensions. Any permittee holding an unexpired permit may apply for an extension of the time within which he or she may commence work under that permit when he or she is unable to commence work within the time required by this section for good and satisfactory reasons. The Planning Director may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.



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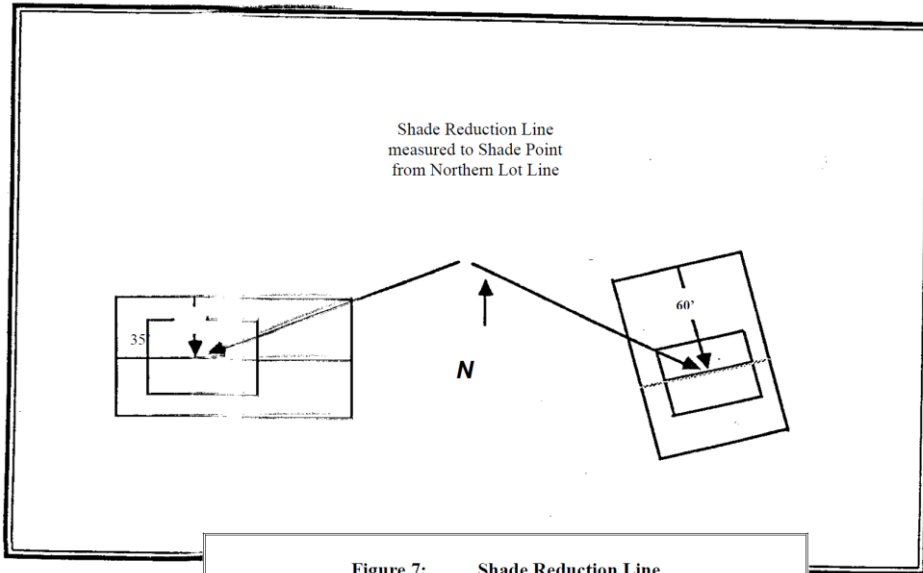


Figure 7: Shade Reduction Line

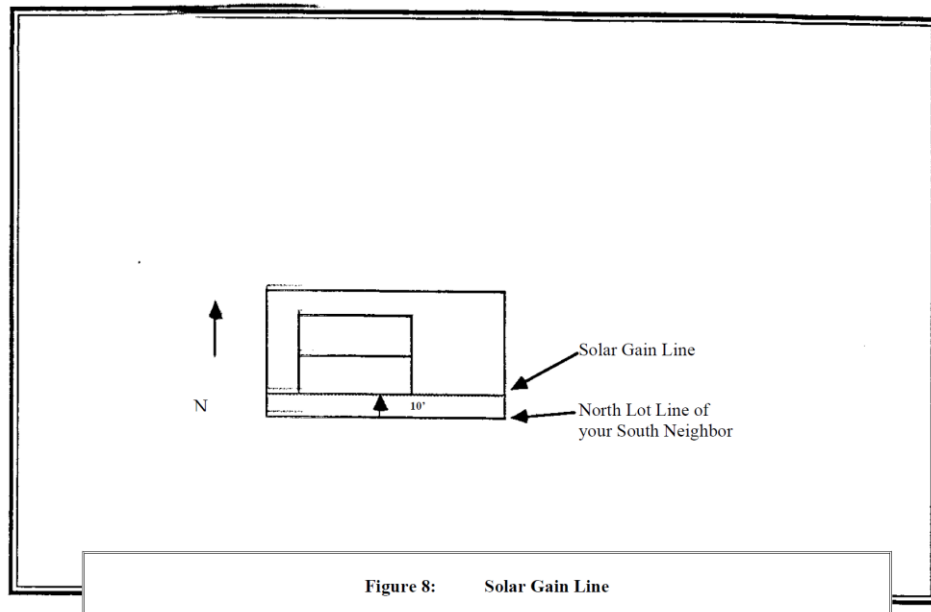
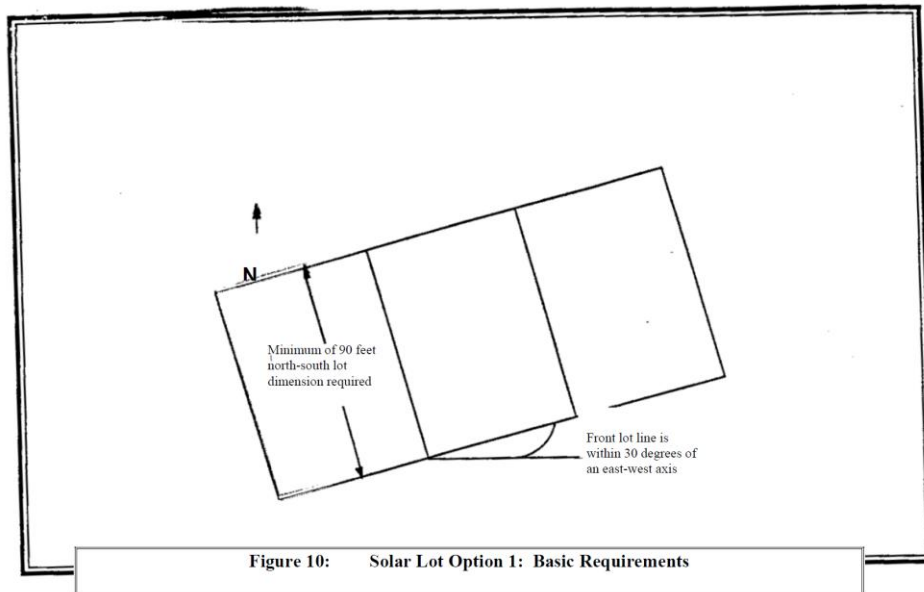
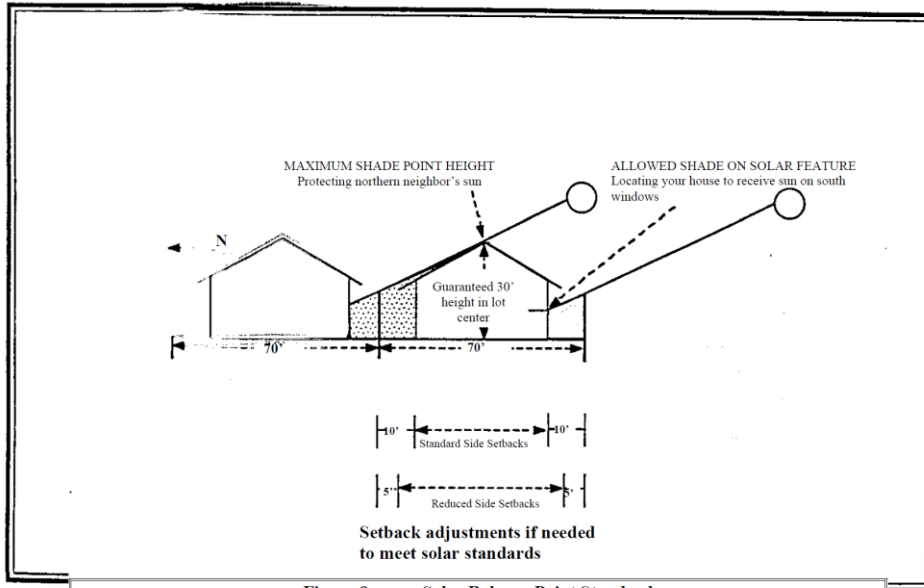


Figure 8: Solar Gain Line

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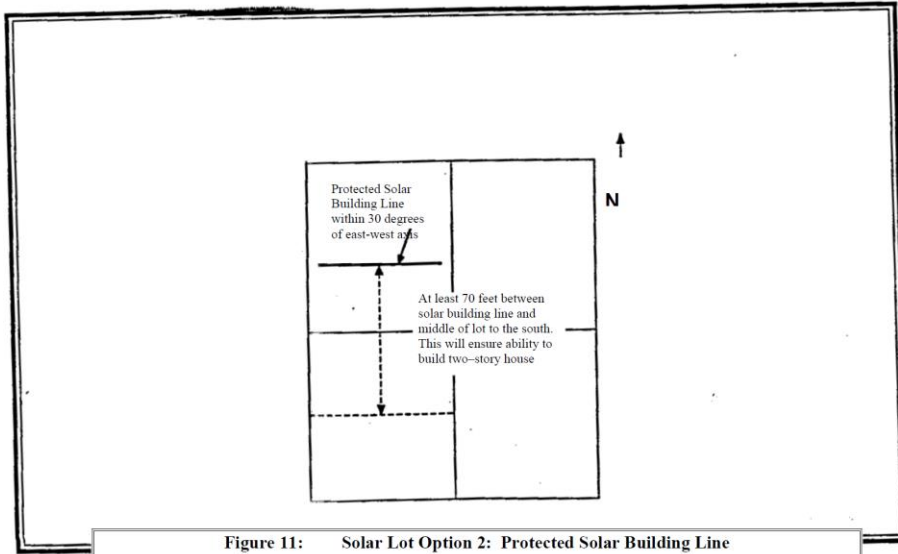


Figure 11: Solar Lot Option 2: Protected Solar Building Line

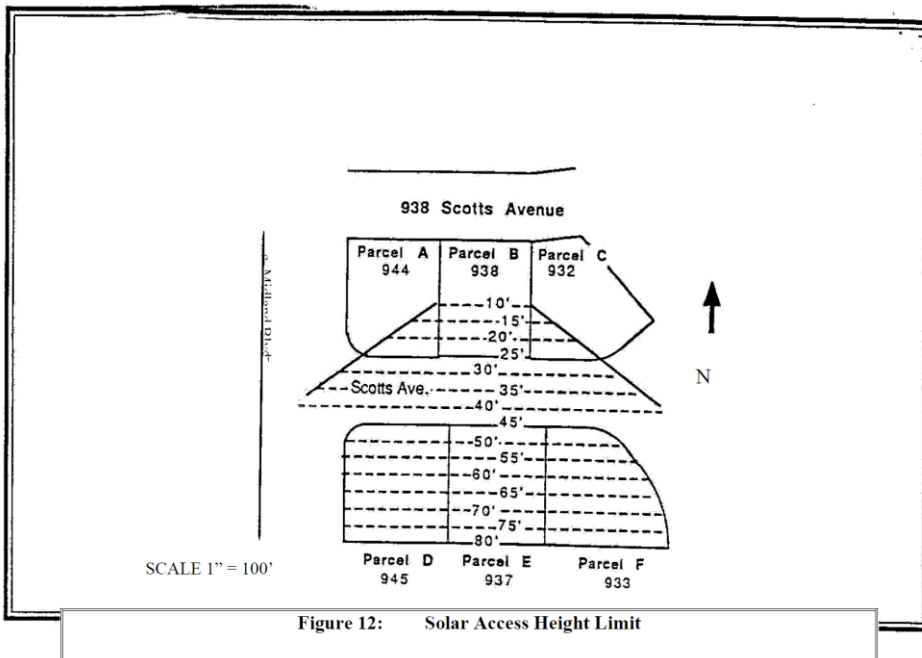
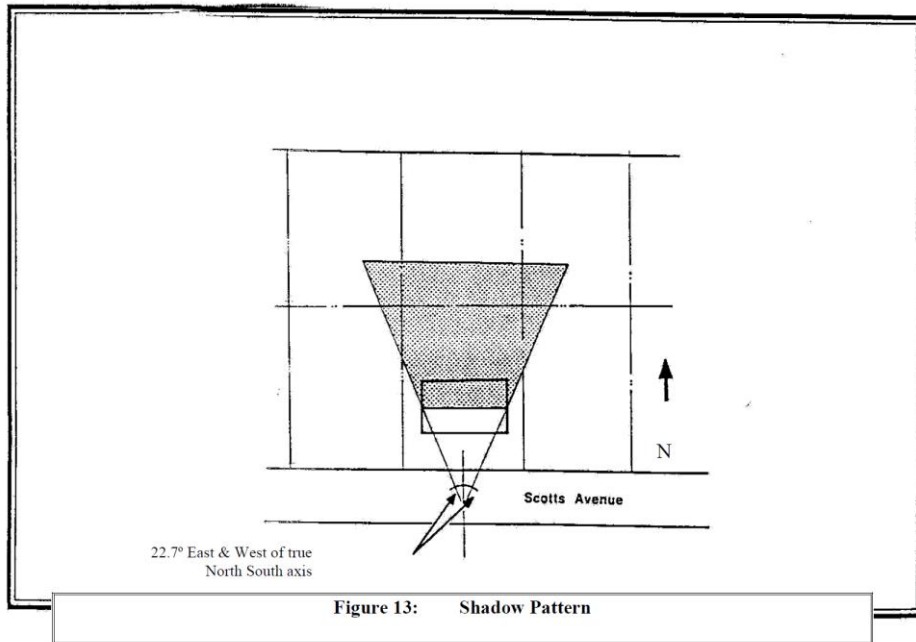


Figure 12: Solar Access Height Limit

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Section 4.137.5. Screening and Buffering (SB) Overlay Zone

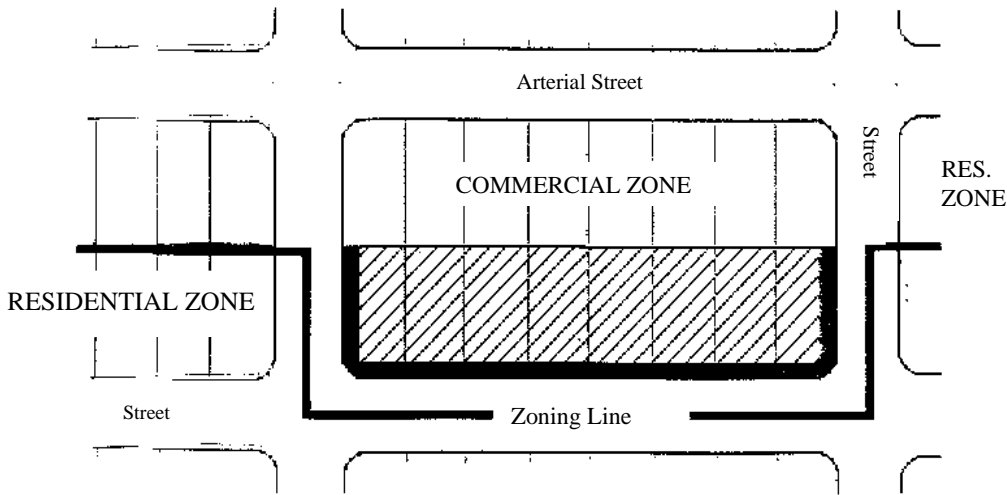
- (.01) **Purpose.** The Screening and Buffering Overlay Zone is intended to be used with any underlying base zone to specify appropriate screening and buffering standards for areas where residential and nonresidential uses abut. The “SB” Overlay Zone is used to assure that there is adequate separation and screening between potentially conflicting land uses. The buffering is achieved by restricting access, increasing setbacks, requiring additional landscaping, restricting signs, and, in some cases, by requiring additional information and proof of mitigation for uses that may otherwise cause off-site impacts or nuisances.
- (.02) **Where the “SB” Overlay Zone is to be Applied.** The Screening and Buffering Overlay Zone is to be applied primarily along the edge of nonresidential zones abutting, or located directly across the street from, residential zones. As with any zoning, the “SB” Overlay Zone is only applied where established by action of the City Council.
- (.03) **Landscaped Areas.** The following landscape requirements apply to the “SB” Overlay Zone. Structures, exterior storage and exterior display of merchandise are prohibited in these landscaped areas.
 - A. **Commercial Properties.** For land zoned PDC, a ten (10) foot deep area landscaped to at least the L-3 standard, specified in Section 4.176, must be provided along all street frontages across from properties zoned or designated in the Comprehensive Plan for residential use. (See Figure 23: High Screen Landscaping.) A ten (10) foot deep landscaped area shall also be provided at any point where the property adjoins a property that is planned or zoned for residential use.



Section 4.137.3. Solar Access Permit Standards.

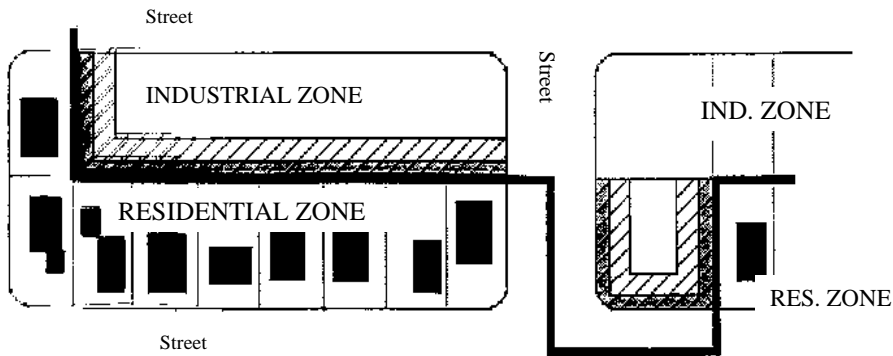
B. **Industrial Properties.** For land zoned PDI, a twenty (20) foot deep area landscaped to at least the L-3 standard, or a ten (10) foot deep area landscaped to at least the L-4 standard, shall be provided along all property lines where the “SB” Overlay Zone is applied. (See Figures 23: High Screen Landscaping and Figure 24: High Wall Landscaping.)


- (.04) **Ingress and Egress.** Motor vehicle access shall be limited through any landscaped area required in the “SB” Overlay Zone. The Development Review Board may impose additional landscape requirements to minimize the visual impacts of any vehicle access points that are approved.
- (.05) **Exterior Work.** No exterior manufacturing, storage, sales, or other similar work shall be performed within the “SB” Overlay Zone.
- (.06) **Signs.** No signs, other than approved monument signs, shall be permitted within the “SB” Overlay Zone.
- (.07) **Performance Standards and Off-Site Impacts.** Many of Wilsonville’s base zones contain performance standards to limit impacts on surrounding properties and the overall community. Developers shall be encouraged to utilize the standards of the “SB” Overlay Zone to help assure compliance with the performance standards.

Section 4.137.3. Solar Access Permit Standards.



 BUFFER ZONE
  10-FOOT DEEP AREA LANDSCAPED TO AT LEAST THE L3 STANDARD



 BUFFER ZONE


 20-FOOT DEEP AREA LANDSCAPED TO AT LEAST THE L3 STANDARD OR A 10-FOOT DEEP AREA LANDSCAPED TO AT LEAST THE L4 STANDARD

Figure 14: Example Of Screening And Buffering

Section 4.138. Old Town (O) Overlay Zone.

Section 4.138. Old Town (O) Overlay Zone.

- (.01) Purpose. The purpose of this overlay zone is to establish the design standards that will be applied to developments within the Old Town neighborhood, mapped as the Boones Ferry District in the City's West Side Master Plan. The following purpose statement is not intended as a set of additional permit criteria. Rather, it is a description of the desired outcome as development occurs incrementally, over time. This overlay district is intended to create a modern interpretation of a traditional old town Main Street and mixed use neighborhood. It is recognized that the Old Town neighborhood is of unique significance because of its existing pattern of mixed uses, its access to the Willamette River and because it was the original center of housing and commerce for the community.
- A. The standards of the "O" overlay zone are intended to assure that, through the appropriate use of architectural details, windows, building orientation, facades, and construction materials, new structures, and major alterations of existing structures, create a pleasing and pedestrian-friendly environment.
 - B. It is the desire of the City to have buildings in the "O" overlay zone reflect a range of architectural types and styles that were popular in the Willamette Valley from approximately 1880 to 1930. The following design standards are intended to further define those characteristics that will convey the desired architecture.
 - C. These standards are intended to encourage quality design, to enhance public safety, and to provide a comfortable and attractive street environment by providing features and amenities of value to pedestrians. Quality design will result in an arrangement of buildings that are in visual harmony with one-another, leading to a neighborhood that is vital, interesting, attractive, and safe. These qualities contribute to the health and vitality of the overall community.
 - D. These standards shall be used by the City's Planning Department and Development Review Board in reviewing development applications within the Old Town neighborhood.
- (.02) The "O" Overlay zone shall be applied in conjunction with the underlying base zones in the Old Town neighborhood.
- A. The following shall require site design review for conformance with these standards:
 - 1. New building construction and the substantial redevelopment of existing buildings, including the construction of new single family dwellings; and
 - 2. Any exterior remodeling that requires a building permit, when that remodeling is visible from a public street (other than an alley).
 - B. Except, however, that exterior remodeling of residential units other than those facing Boones Ferry Road shall be reviewed through the Class I Administrative Review procedures of Sections 4.009 through 4.012. This review will be applied only to the portions of buildings that are visible from public streets (not including alleys) and is intended to assure that the design of the portion of the building

Section 4.138. Old Town (O) Overlay Zone.

being remodeled will either match the standards of the Old Town Overlay Zone or be consistent with the existing design of the structure.

- C. Those proposing to build or remodel the exterior of any building in the area are encouraged to contact the City about the availability of funds for historic façade treatment.

(.03) Development standards.

- A. Lot area, width, depth - As specified in the underlying base zone. Single family and two-family dwelling units, other than those on lots fronting Boones Ferry Road, shall be subject to the following minimum setbacks:
 - 1. Front and rear yard: 15 feet;
 - 2. Street side of corner lots: 10 feet;
 - 3. Other side yards: 5 feet.
- B. Building Setbacks - Buildings fronting Boones Ferry Road shall abut the public sidewalk except where public plazas, courtyards, approved landscaping, or other public pedestrian amenities are approved. Except, however, that residential garages or carports shall be set back a minimum of twenty (20) feet from any sidewalk or traveled portion of a street across which access to the garage or carport is taken. The Development Review Board may approve other setbacks to accommodate sidewalks, landscaping, or other streetscape features located between the street right-of-way and the building.
- C. Landscaping - Not less than fifteen (15) percent of the development site shall be landscaped. In the event that a building is set back from a street side property line, along Boones Ferry Road, Bailey Street, or 5th Street, the intervening area shall be landscaped. In reviewing proposals for parking lots in locations between buildings and streets, the Development Review Board may require special landscaping treatments or designs to screen the view of the parking lot from the public right-of-way.
- D. Building height - As specified in the underlying base zone.
- E. Street access to Boones Ferry Road. Ingress and egress points along Boones Ferry Road shall be designed and constructed such that access points on one side of the road shall coordinate with access points on the other side of the road. New developments along Boones Ferry Road and north of Bailey Street will have access points designed and constructed in a pattern that replicates the shape of Main Street blocks.

(.04) Pedestrian environment. In order to enhance the pedestrian scale of the neighborhood:

- A. Special attention shall be given to the primary building entrances, assuring that they are both attractive and functional.
- B. The pedestrian environment shall be enhanced by amenities such as street furniture, landscaping, awnings, and movable planters with flowers, as required by the Development Review Board.

Section 4.138. Old Town (O) Overlay Zone.

- C. Sidewalk width may vary from block to block, depending upon the nature of adjacent land uses and the setbacks of existing buildings. Provided, however, that a continuity of streetscape design is maintained along Boones Ferry Road, generally following the pattern that has been started with the 1996 approval for Old Town Village on the west side of Boones Ferry Road from Fourth Street to Fifth Street. [Amended by Ordinance No. 538, 2/21/02.]
 - 1. North of Bailey Street, where the most intense commercial development is anticipated, the widest sidewalks and most mature landscaping are required.
 - 2. In situations where existing buildings are located at the right-of-way line, special sidewalk designs may be necessary to assure pedestrian access.
- D. When practicable, buildings along Boones Ferry Road shall occupy 100% of the street frontage between block segments. Up to 25% of street frontage may be in public plazas, courtyards, and similar landscape or streetscape features that provide public spaces adjacent to the sidewalk. For smaller lots, which may not have functional alternatives for parking, up to 40% of lot frontage may be used for parking, provided that appropriate screening and visual enhancement is created between the parking area and the sidewalk. Appropriate pedestrian connections shall be constructed between such parking lots and sidewalks.

(.05) Building compatibility.

- A. The design and materials of proposed buildings shall reflect the architectural styles of the Willamette Valley during the period from 1880 to 1930.
- B. Commercial and manufacturing buildings shall be designed to reflect the types of masonry or wood storefront buildings that were typical in the period from 1880 to 1930. Larger modern buildings shall be designed with facades that are divided to give the appearance of a series of smaller buildings or distinctive store fronts, and/or multi-storied structures with, at least, the appearance of second stories.
- C. Residential buildings shall be designed to reflect the size and shape of traditional dwellings from the period from 1880 to 1930. Where larger multiple family residential buildings are proposed, their building facades shall be divided into units that give the appearance of a series of smaller dwellings.
- D. Manufactured housing units and mobile homes, if located outside of approved manufactured or mobile home parks, shall meet the design standards applied to other single family dwellings in the area.

(.06) Building materials.

- A. Facades shall be varied and articulated to provide visual interest to pedestrians. Within larger developments, variations in facades, floor levels, architectural features, and/or exterior finishes shall be used to create the appearance of a series of smaller buildings.
- B. Exterior building materials shall be durable, and shall convey a visual impression of durability. Materials such as masonry, stone, stucco, and wood will generally provide such an appearance. Other materials that replicate the appearance of those durable materials may also be used.

Section 4.138. Old Town (O) Overlay Zone.

- C. Where masonry is to be used for exterior finish, varied patterns are to be incorporated to break up the appearance of larger surfaces.
 - D. Wood siding is to be bevel, shingle siding or channel siding or the equivalent. T-111 and similar sheathed siding shall not be used unless it is incorporated with batten treatment to give the appearance of boards.
 - E. Exterior materials and colors are to match the architecture of the period.
- (.07) Roof materials, roof design and parapets.
- A. Pitched roof structures shall have a minimum pitch of 4:12.
 - B. Roofs with a pitch of less than 4:12 are permitted, provided that they have detailed, stepped parapets or detailed masonry coursing.
 - C. Parapet corners are to be stepped. Parapets are to be designed to emphasize the center entrance or primary entrance(s).
 - D. Sloped roofs that will be visible from the adjoining street right-of-way shall be of a dark, non-ornamental color.
 - E. Preferred roofing materials that are visible from a public street include wood or architectural grade composition shingle, tile, or metal with standing or batten seams. Metal roofs without raised seams shall not be used in visible locations.
 - F. All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes, wireless communication equipment, and vent pipes are to be completely screened from public view by parapets, walls or other approved means; or , alternatively, may be effectively camouflaged to match the exterior of the building.
 - 1. "Public view" is intended to mean the view from the sidewalk directly across the street from the site.
 - 2. Roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes, wireless communication equipment, and vent pipes that are visible from Interstate-5 shall be effectively camouflaged to match the exterior of the building
- (.08) Building entrances. If visible from the street, entrances to commercial, industrial, or multi-family residential buildings are to be architecturally emphasized, with coverings as noted in subsection (.09), below.
- A. The Development Review Board may establish conditions concerning any or all building entrances, especially where such entrances are adjacent to parking lots. For buildings fronting on Boones Ferry Road, at least one entrance shall be from the sidewalk.
 - B. Secondary building entrances may have lesser architectural standards than primary entrances.

Section 4.138. Old Town (O) Overlay Zone.

(.09) Building facades.

- A. Ornamental devices, such as moldings, entablature, and friezes, are encouraged at building roof lines. Where such ornamentation is to be in the form of a linear molding or board, it shall match or complement the architecture of the building.
- B. Commercial, industrial, and multi-family residential buildings are to incorporate amenities such as alcoves, awnings, roof overhangs, porches, porticoes, and/or arcades to protect pedestrians from the rain and sun. Awnings and entrances may be designed to be shared between two adjoining structures. (See subsection (.08), above.)
- C. Commercial and manufacturing buildings with frontage on Boones Ferry Road shall incorporate the following traditional storefront elements:
 - 1. Building fronts to be located at the right-of-way line for streets, except in cases where an approved sidewalk or other streetscape features are located between the street right-of-way and the building. Intervening areas are to be attractively landscaped.
 - 2. Upper and lower facades are to be clearly delineated.
 - 3. Lower facades shall include large windows, as specified in subsection "(.10)," below, and recessed entries.
 - 4. Tops of facades shall have decorative cornices.
- D. Buildings are to have variations in relief, including such things as cornices, bases, fenestration, fluted masonry, and other aesthetic treatments to enhance pedestrian interest.

(.10) Windows in buildings adjacent to Boones Ferry Road.

- A. Windows shall include amenities such as bottom sills, pediments, or awnings. Glass curtain walls, highly reflective glass, and painted or darkly tinted glass are not permitted other than stained or leaded glass.
- B. Ground-floor windows on commercial or industrial buildings shall include the following features:
 - 1. Windows shall be designed to allow views into interior activity areas and display areas along street frontages.
 - 2. Sills shall be no more than four (4) feet above grade, unless a different design is necessitated by unusual interior floor levels.
 - 3. At least twenty percent (20%), of ground floor wall area along Boones Ferry Road, Bailey Street, or 5th Street shall be in windows or entries. No blank walls shall be permitted abutting any street other than an alley.
- C. Upper-floor windows on commercial, industrial, or multi-family residential buildings shall include the following features:
 - 1. Glass dimensions shall not exceed five (5) feet wide by seven (7) feet high.
 - 2. Windows shall be fully trimmed with molding that is at least two (2) inches wide.

Section 4.138. Old Town (O) Overlay Zone.

3. Multiple-light windows or windows with grid patterns may be required by the Development Review Board when architecturally consistent with the building.

(.11) Landscapes and streetscapes.

- A. The street lights to be used in the area shall be of a standardized design throughout the Old Town Overlay District.
- B. Benches, outdoor seating, and trash receptacles are to be designed to match the architecture in the area.
- C. Benches and other streetscape items placed within the public right-of-way must not block the free movement of pedestrians, including people with disabilities. A minimum pedestrian walkway of five (5) feet shall be maintained at all times. Standards of the Americans with Disabilities Act (ADA) shall be observed.

(.12) Lighting.

- A. All building entrances and exits shall be well-lit. The minimum lighting level for commercial, industrial, or multi-family residential building entrances is to be four (4) foot-candles. The maximum standard is to be ten (10) foot-candles. A lighting plan shall be submitted for review by the Development Review Board.
- B. Exterior lighting is to be an integral part of the architectural design and must complement the street lighting of the area, unless it is located at the side or rear of buildings in locations that are not facing a public street that is not an alley.
- C. In no case is lighting to produce glare on neighboring properties or public rights-of-way such that a nuisance or safety hazard results.

(.13) Exterior storage.

- A. Exterior storage of merchandise or materials shall be subject to the fencing or screening standards of Section 4.176 of the Wilsonville Code. The Development Review Board may prescribe special standards for landscaping or other screening of walls or fences.
- B. Temporary outdoor displays of merchandise shall be permitted, subject to the conditions of the development permit or temporary use permit for the purpose. Where pedestrian access is provided, a minimum walkway width of five (5) feet shall be maintained at all times.

(.14) Storage of Trash and Recyclables. Storage areas for trash and recyclables shall meet the applicable City requirements of Sections 4.179 and 4.430 of the Wilsonville Code.

(.15) Signs. Signs shall match the architecture of buildings in the area, and shall be subject to the provisions of Sections 4.156.01 through 4.156.11 of the Wilsonville Code. [Amended by Ord. No. 704, 6/18/12]

Section 4.139.00 Significant Resource Overlay Zone (SROZ) Ordinance

Definitions:

1. Area of Limited Conflicting Uses: An Area of Limited Conflicting Uses is either:
 - A. An area located between the riparian corridor boundary, riparian impact area or the Urban Growth Management Functional Plan (UGMFP) Metro Title 3 Water Quality Resource Area boundary, whichever is furthest away from the wetland or stream, and the outside edge of the SROZ; or
 - B. An isolated significant wildlife habitat (upland forest) resource site.
2. Bankful Stage: The stage or elevation at which water overflows the natural banks of streams or other waters of the state and begins to inundate upland areas. In the absence of physical evidence, the two-year recurrence interval flood elevation may be used to approximate the bankful stage. [Added by Ord. # 674 11/16/09]
3. Emergency: Any human-caused or natural event or circumstances causing or threatening loss of life, injury to person or property, and includes, but is not limited to fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills or releases of hazardous material, contamination, utility or transportation disruptions, and disease. [Added by Ord. # 674 11/16/09]
4. Encroachment Area: An area within the Area of Limited Conflicting Uses where development may be permitted.
5. Impact Area: The area adjacent to the outer boundary of a Significant Resource within which development or other alteration activities may be permitted through the review of a Significant Resource Impact Report (SRIR) or where an SRIR has been waived in accordance with this ordinance. The impact area is 25 feet wide unless otherwise specified in this ordinance or by the decision making body.
6. Riparian Corridor: Is a Goal 5 resource that includes the water areas, fish habitat, adjacent riparian areas, and wetlands within the riparian area boundary. The “riparian area” is the area adjacent to a river, lake, stream, consisting of lands that include the area of transition from aquatic ecosystem to a terrestrial ecosystem. The Riparian Corridor is diagrammatically defined in Section 4.139.00.
7. Riparian Corridor Cross Sections: Riparian corridor significance for the City of Wilsonville is based on assessment of several factors:
 - a. The presence of habitat used by species listed as threatened or endangered by the Endangered Species Act. The resource is considered significant if ESA-listed salmonid fish species utilize portions of the resource area.
 - b. The protection of ESA listed species habitat both on - or off-site. The resource is considered significant if it provides functions that protect the habitat of ESA-listed species, either on- or off-site. Riparian corridors can protect water quality parameters such as temperature, suspended sediment and contaminants of downstream waters that are ESA-listed species habitat.

Section 4.139.00 Significant Resource Overlay Zone (Sroz) Ordinance

- c. The inclusion of other significant Goal 5 resource areas. Riparian corridor resources that contain significant wetlands and/or wildlife habitat are considered significant.
- d. The provision of habitat continuity for wildlife. Riparian corridor resources that provide a link or continuity for wildlife movement between significant wildlife habitat areas are considered significant.
- e. Headwater areas, including intermittent streams, can be important for fish and wildlife resources. These areas can provide good quality water, protection of water quality, insect and organic materials, and other factors for habitat areas downstream.

Generalized riparian corridor types are shown on the following pages.

Section 4.139.00 Significant Resource Overlay Zone (Sroz) Ordinance

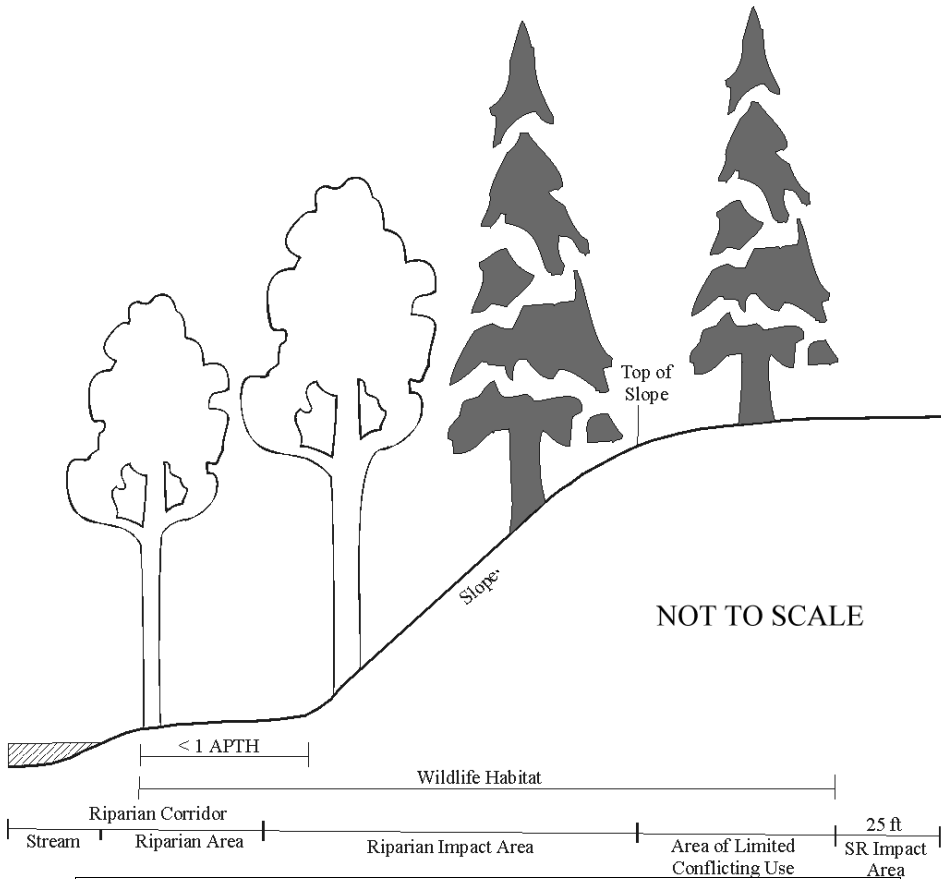


Figure NR - 1: Riparian Corridor Type NR -1 (stream-riparian ecosystem)

Riparian area adjacent to the stream is less than one APTH wide, and has an adjacent slope. The adjacent slope is designated as riparian impact area, based on the potential for activities on the slope to have direct impacts on riparian area functions.

Notes for all riparian figures: (1) The “area of limited conflicting use” and “SR Impact Area” are regulatory areas defined in the proposed City of Wilsonville Significant Resource Overlay Zone (4.139.00). The SR Impact Area is always 25 feet wide from the edge of the significant resource (SR).

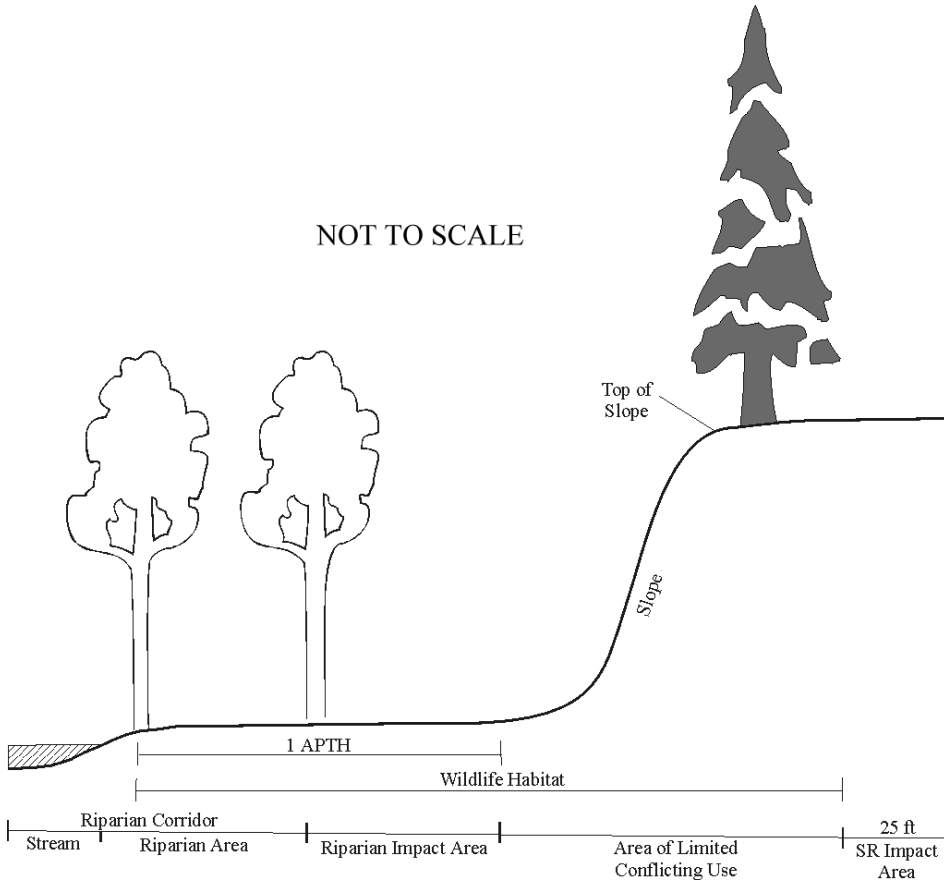


Figure NR - 2: Riparian Corridor Type NR - 2 (stream-riparian ecosystem)

Riparian area adjacent to the stream is less than the width of the streamside terrace or bench, and the base of the adjacent slope is a distance greater than one APTH from the stream bank. If the riparian area is less wide than the distance of one APTH, then the remaining APTH distance is the riparian impact area.

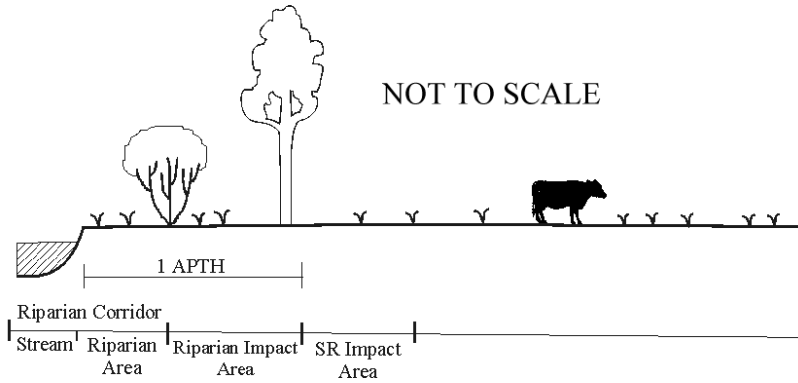


Figure NR – 3: Riparian Corridor Type NR - 3 (stream-riparian ecosystem)

Riparian area adjacent to the stream is upland, forested wetland, or a mosaic of upland and wetland, and does not have adjacent steep slopes within 200 ft. If the riparian area, including wetlands adjacent to the stream, is less wide than one APTH, the riparian impact area extends to a distance of one APTH from the top of the stream bank.

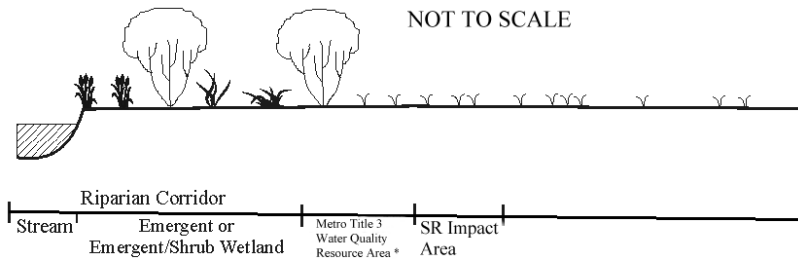
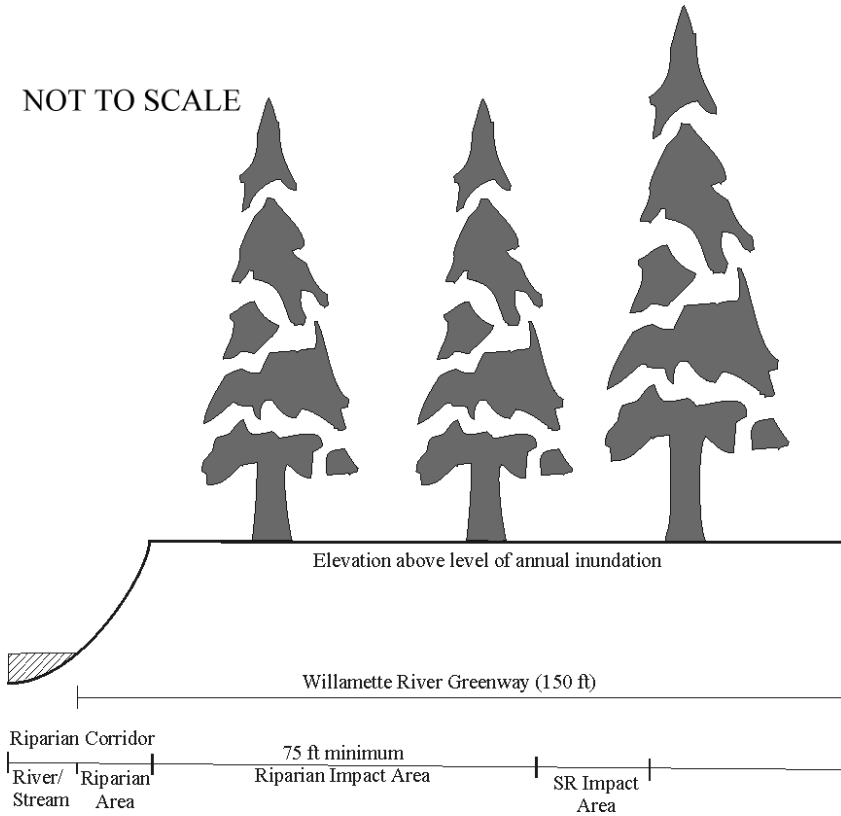


Figure NR – 4: Riparian Corridor Type NR - 4 (stream-riparian ecosystem)

Riparian area is emergent or emergent/shrub wetland, and does not have adjacent steep slopes within 200 ft. The wetland is the riparian corridor. The potential impacts of human activities adjacent to the wetland/riparian area do not warrant placing a riparian impact area on this corridor type.



**Figure NR-5: Riparian Corridor Type NR - 5
(River-Floodplain Ecosystem: Willamette River)**

Riparian area is confined to a portion of the river bank where the adjacent land is not inundated annually (i.e. not an operational floodplain). The riparian impact area is a minimum 75 feet wide from the top of the stream bank.

For any areas along the Willamette River that have an operational floodplain (i.e. flooded annually), the riparian area is the extent of the operational floodplain.

Section 4.139.00 Significant Resource Overlay Zone (Sroz) Ordinance

8. Riparian Impact Area: An area within which human activities could have adverse impacts on functions of adjacent riparian corridor resources.
9. Significant Resource Impact Report (SRIR): A report that delineates specific resource boundaries and analyzes the impacts of development on significant natural resources. It outlines measures to prevent negative impacts, and also provides mitigation and enhancement plans.
10. Significant Resource Overlay Zone (SROZ): The delineated outer boundary of a significant natural resource that includes: a significant Goal 5 natural resource, lands protected under Metro's Urban Growth Management Functional Plan Title 3 (Water Quality Resource Areas), riparian corridors, and significant wildlife habitat.
11. Starting Point for Measurement: Is the edge of the defined channel (bankful stage) for streams/rivers, delineated wetland boundary, delineated spring boundary, and/or average high water for lakes or ponds, whichever offers greatest resource protection. Intermittent springs located more than 15 feet from streams/rivers or wetlands shall not serve as a starting point for measurement. [Amended by Ord. # 674 11/16/09]

Table NR – 1: Metro Water Quality Resource Area Slope Calculations

Protected Water Feature Type (See definitions)	Slope Adjacent to Protected Water Feature	Starting Point for Measurements from Water Feature	Width of Vegetated Corridor (Setback)
Primary Protected Water Features ¹	<25%	-Edge of bankful stage or 2-year storm level; -Delineated edge of Title 3 wetland	50 feet
Primary Protected Water Features ¹	≥25% for 150 feet or more ⁵	-Edge of bankful stage or 2-year storm level; -Delineated edge of Title 3 wetland	200 feet
Primary Protected Water Features ¹	≥25% for less than 150 feet ⁵	Edge of bankful stage or 2-year storm level; -Delineated edge of Title 3 wetland	Distance from starting point of measurement to top of ravine (break in ≥25% slope) ³ , plus 50 feet ⁴
Secondary Protected Water Features ²	<25%	Edge of bankful stage or 2-year storm level; - Delineated edge of Title 3 wetland	15 feet
Secondary Protected Water Features ²	≥25% ⁵	Edge of bankful stage or 2-year storm level; -Delineated edge of Title 3 wetland	50 feet

[Amended by Ord. # 674 11/16/09]

¹Primary Protected Water Features include: all perennial streams and streams draining greater than 100 acres, Title 3 wetlands, natural lakes and spring.

²Secondary Protected Water Features include intermittent streams draining 50-100 acres.

³Where the protected Water Feature is confined by a ravine or gully, the top of ravine is the break in the ≥25% slope

⁴A maximum reduction of 25 feet may be permitted in the width of vegetated corridor beyond the slope break if a geotechnical report demonstrates that slope is stable. To establish the width of the vegetated corridor, slope should be measured in 25-foot increments away from the water feature until slope is less than 25% (top of ravine).

⁵Vegetated corridors in excess of 50-feet from primary protected features, or in excess of 15-feet from secondary protected features, apply on steep slopes only in the *uphill* direction from the protected water feature.

Section 4.139.01 SROZ - Purpose

The Significant Resource Overlay Zone (SROZ) is intended to be used with any underlying base zone as shown on the City of Wilsonville Zoning Map. The purpose of the Significant Resource Overlay Zone is to implement the goals and policies of the Comprehensive Plan relating to natural resources, open space, environment, flood hazard, and the Willamette River Greenway. In addition, the purposes of these regulations are to achieve compliance with the requirements of the Metro Urban Growth Management Functional Plan (UGMFP) relating to Title 3 Water Quality Resource Areas, and Title 13 Habitat Conservation Areas, and that portion of Statewide Planning Goal 5 relating to significant natural resources. It is not the intent of this ordinance to prevent development where the impacts to significant resources can be minimized or mitigated. [Amended by Ord. # 674 11/16/09]

Section 4.139.02 Where These Regulations Apply

The regulations of this Section apply to the portion of any lot or development site, which is within a Significant Resource Overlay Zone and its associated “Impact Areas”. The text provisions of the Significant Resource Overlay Zone ordinance take precedence over the Significant Resource Overlay Zone maps. The Significant Resource Overlay Zone is described by boundary lines shown on the City of Wilsonville Significant Resource Overlay Zone Map. For the purpose of implementing the provisions of this Section, the Wilsonville Significant Resource Overlay Zone Map is used to determine whether a Significant Resource Impact Report (SRIR) is required. Through the development of an SRIR, a more specific determination can be made of possible impacts on the significant resources.

Unless otherwise exempted by these regulations, any development proposed to be located within the Significant Resource Overlay Zone and/or Impact Area must comply with these regulations. Where the provisions of this Section conflict with other provisions of the City of Wilsonville Planning and Land Development Ordinance, the more restrictive shall apply.

The SROZ represents the area within the outer boundary of all inventoried significant natural resources. The Significant Resource Overlay Zone includes all land identified and protected under Metro’s UGMFP Title 3 Water Quality Resource Areas and Title 13 Habitat Conservation Areas, as currently configured, significant wetlands, riparian corridors, and significant wildlife habitat that is inventoried and mapped on the Wilsonville Significant Resource Overlay Zone Map. [Amended by Ord. # 674 11/16/09]

Section 4.139.03 Administration

- (.01) Resources. The text provisions of this section shall be used to determine whether applications may be approved within the Significant Resource Overlay Zone. The following maps and documents may be used as references for identifying areas subject to the requirements of this Section:
 - A. Metro’s UGMFP Title 3 Water Quality Resource Area maps.
 - B. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM)

- C. The Wilsonville Local Wetland Inventory (LWI) (1998)
 - D. The Wilsonville Riparian Corridor Inventory (RCI) (1998)
 - E. Locally adopted studies or maps
 - F. City of Wilsonville slope analysis maps
 - G. Clackamas and Washington County soils surveys
 - H. Metro's UGMFP Title 13 Habitat Conservation Area Map [Added by Ord. # 674 11/16/09]
- (.02) Impact Area. The "Impact Area" is the area adjacent to the outer boundary of a Significant Resource within which development or other alteration activities may be permitted through the review of an SRIR (Significant Resource Impact Report). Where it can be clearly determined by the Planning Director that development is only in the Impact Area and there is no impact to the Significant Resource, development may be permitted without SRIR review. The impact area is 25 feet wide unless otherwise specified in this ordinance or by the decision making body. Designation of an Impact Area is required by Statewide Planning Goal 5. The primary purpose of the Impact Area is to ensure that development does not encroach into the SROZ.
- (.03) Significant Resource Impact Report (SRIR). For proposed non-exempt development within the SROZ, the applicant shall submit a Significant Resource Impact Report (SRIR) as part of any application for a development permit.
- (.04) Prohibited Activities. New structures, development and construction activities shall not be permitted within the SROZ if they will negatively impact significant natural resources. Gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by DEQ, domestic animal waste, dumping of materials of any kind, or other activities shall not be permitted within the SROZ if they will negatively impact water quality.
- Unauthorized land clearing or grading of a site to alter site conditions is not allowed, and may result in the maximum requirement of mitigation/enhancement regardless of pre-existing conditions.
- (.05) Habitat-Friendly Development Practices. To the extent practicable, development and construction activities that encroach within the Significant Resource Overlay Zone and/or Impact Area shall be designed, located and constructed to:
- A. Minimize grading, removal of native vegetation, disturbance and removal of native soils, and impervious area;
 - B. Minimize adverse hydrological impacts on water resources, such as using the practices described in Part (a) of Table NR-2, unless their use is prohibited by an applicable and required state or federal permit, such as a permit required under the federal Clean Water Act, 33 U.S.C. §§1251 et seq., or the federal Safe Drinking Water Act, 42 U.S.C. §§300f et seq., and including conditions or plans required by such permit;

Section 4.139.03 Administration

- C. Minimize impacts on wildlife corridors and fish passage, such as by using the practices described in Part (b) of Table NR-2; and
- D. Consider using the practices described in Part (c) of Table NR-2.
[Section 4.139.03(.05) added by Ord. # 674 11/16/09]

Table NR-2: Habitat-Friendly Development Practices

Part (A) Design and Construction Practices to Minimize Hydrologic Impacts
1. Amend disturbed soils to original or higher level of porosity to regain infiltration and stormwater storage capacity.
2. Use pervious paving materials for residential driveways, parking lots and walkways.
3. Incorporate stormwater management in road right-of ways.
4. Landscape with rain gardens to provide on-lot detention, filtering of rainwater and groundwater re-charge.
5. Use green roofs for runoff reduction, energy savings, improved air quality, and enhanced aesthetics.
6. Disconnect downspouts from roofs and direct the flow to vegetated infiltration/filtration areas such as rain gardens.
7. Retain rooftop runoff in a rain barrel for later on-lot use in lawn and garden watering.
8. Use multi-functional open drainage systems in lieu of more conventional curb and gutter systems.
9. Use bioretention cells as rain gardens in landscaped parking lot islands to reduce runoff volume and filter pollutants.
10. Apply a treatment train approach to provide multiple opportunities for storm water treatment and reduce the possibility of system failure.
11. Reduce sidewalk width and grade them such that they drain to the front yard of a residential lot or retention area.
12. Reduce impervious impacts of residential driveways by narrowing widths and moving access to the rear of the site.
13. Use shared driveways.
14. Reduce width of residential streets, depending on traffic and parking needs.
15. Reduce street length, primarily in residential areas, by encouraging clustering and using curvilinear designs.
16. Reduce cul-de-sac radii and use pervious vegetated islands in center to minimize impervious effects, and allow them to be utilized for truck maneuvering/loading to reduce need for wide loading areas on site.
16. Minimize car spaces and stall dimensions, reduce parking ratios, and use shared parking facilities and structured parking.
17. Minimize the number of stream crossings and place crossing perpendicular to stream channel, if possible.
18. Allow narrow street right-of-ways through stream corridors whenever possible to reduce adverse impacts of transportation corridors.
Part (B) Design and Construction Practices to Minimize Impacts on Wildlife Corridors and Fish Passage
1. Carefully integrate fencing into the landscape to guide animals toward animal crossings under, over, or around transportation corridors.
2. Use bridge crossings rather than culverts, wherever possible.
3. If culverts are utilized, install slab, arch or box type culverts, preferably using bottomless designs that more closely mimic stream bottom habitat.

4. Design stream crossings for fish passage with shelves and other design features to facilitate terrestrial wildlife passage.

5. Extend vegetative cover through the wildlife crossing in the migratory route, along with sheltering areas.

Part (C) Miscellaneous Other Habitat Friendly Design and Construction Practices

1. Use native vegetation throughout the development.

2. Locate landscaping adjacent to SROZ.

3. Reduce light spill-off into SROZ areas from development.

4. Preserve and maintain existing trees and tree canopy coverage, and plant trees, where appropriate, to maximize future tree canopy coverage.

[Added by Ord. # 674 11/16/09]

Section 4.139.04 Uses and Activities Exempt from These Regulations

A request for exemption shall be consistent with the submittal requirements listed under Section 4.139.06(01)(B – I), as applicable to the exempt use and activity. [Added by Ord. # 674 11/16/09]

- (.01) Emergency procedures or emergency activities undertaken which are necessary for the protection of public health, safety, and welfare. Measures to remove or abate hazards and nuisances. Areas within the SROZ that are disturbed because of emergency procedures or activities should be repaired and mitigated.
- (.02) Maintenance and repair of buildings, structures, yards, gardens or other activities or uses that were in existence prior to the effective date of these regulations.
- (.03) Alterations of buildings or accessory structures which do not increase building coverage.
- (.04) The following agricultural activities lawfully in existence as of the effective date of this ordinance:
 - A. Mowing of hay, grass or grain crops.
 - B. Tilling, disking, planting, seeding, harvesting and related activities for pasture, tree crops, commercial woodlots, food crops or business crops, provided that no additional lands within the SROZ are converted to these uses after the effective date of this ordinance.
- (.05) Operation, maintenance, and repair of irrigation and drainage ditches, constructed ponds, wastewater facilities, stormwater detention or retention facilities, and water facilities consistent with the Stormwater Master Plan or the Comprehensive Plan.
- (.06) Maintenance and repair of streets and utility services within rights-of way, easements, access drives or other previously improved areas. [Amended by Ord. 682, 9/9/10]
- (.07) Normal and routine maintenance and repair of any public improvement or public recreational area regardless of its location.
- (.08) The construction of new roads, pedestrian or bike paths into the SROZ in order to provide access to the sensitive area or across the sensitive area, provided the location of the crossing is consistent with the intent of the Wilsonville Comprehensive Plan. Roads and paths shall be constructed so as to minimize and repair disturbance to existing vegetation and slope stability.
- (.09) Maintenance and repair of existing railroad tracks and related improvements.
- (.10) The removal of invasive vegetation such as Himalayan Blackberry, English Ivy, Poison Oak, Scots (Scotch) Broom or as defined as invasive in the Metro Native Plant List.
- (.11) The planting or propagation of any plant identified as native on the Metro Native Plant List. See Wilsonville Planning Division to obtain a copy of this list.

Section 4.139.04 Uses and Activities Exempt from These Regulations

- (.12) Grading for the purpose of enhancing the Significant Resource as approved by the City.
- (.13) Enhancement of the riparian corridor or wetlands for water quality or quantity benefits, fish, or wildlife habitat as approved by the City and other appropriate regulatory authorities.
- (.14) Flood control activities pursuant to the Stormwater Master Plan, save and except those stormwater facilities subject to Class II Administrative Review, as determined by the Planning Director, to ensure such facilities meet applicable standards under federal, state and local laws, rules and regulations.
- (.15) Developments that propose a minor encroachment into the Significant Resource Overlay Zone. The purpose of this adjustment would be to allow for minor encroachments of impervious surfaces such as accessory buildings, eave overhangs, building appurtenances, building access and exiting requirements or other similar feature. The total adjustment shall not exceed 120 square feet in cumulative area.
- (.16) The expansion of an existing single family dwelling not exceeding 600 square feet in area. The expansion of an existing single family dwelling or structures that are accessory to a single family dwelling inside the SROZ, provided that the following criteria have been satisfied. An SRIR is not required to evaluate and reach a decision on the issuance of a permit to expand a single-family residence under this paragraph.
 - A. The expansion of a single family structure or improvement (including decks and patios) shall not be located any closer to the stream or wetland area than the existing structure or improvement; and
 - B. The coverage of all structures within the SROZ on the subject parcel shall not be increased by more than 600 square feet, based on the coverage in existence prior to the effective date of this ordinance; and,
 - C. The applicant must obtain the approval of an erosion and sediment control plan from the City's Building and Environmental Services Divisions; and,
 - D. No part of the expansion is located within the Metro UGMFP Title 3 Water Quality Area.
- (.17) New Single-Family Dwelling. The construction of a new single family dwelling is exempt unless the building encroaches into the Impact Area and/or the SROZ.
 - A. If the proposed building encroaches only into the Impact Area then an abbreviated SRIR may be required as specified in Section 4.139.05, unless it can be clearly determined by the Planning Director that the development proposal will have no impact on the Significant Resource. The primary purpose of the Impact Area is to insure that development does not encroach into the SROZ. Development otherwise in compliance with the Planning and Land Development Ordinance may be authorized within the Impact Area.
 - B. If the proposed building encroaches into the SROZ, then a complete or abbreviated SRIR report is required.

Section 4.139.05 Significant Resource Overlay Zone Map Verification

- (.18) Private or public service connection laterals and service utility extensions.
- (.19) A Stage II development permit or other development permits issued by the City and approved prior to the effective date of this ordinance.
- (.20) The installation of public streets and utilities specifically mapped within a municipal utility master plan, the Transportation Systems Plan or a capital improvement plan.
- (.21) Structures which are non conforming to the standards of this Section may be re-built in the event of damage due to fire or other natural hazard subject to Sections 4.189 – 4.192 of the Planning and Land Development Ordinance, provided that the structure is placed within the same foundation lines (See Figure NR-6.). An SRIR is not required to evaluate and reach a decision on the issuance of a permit to replace a structure subject to this paragraph.

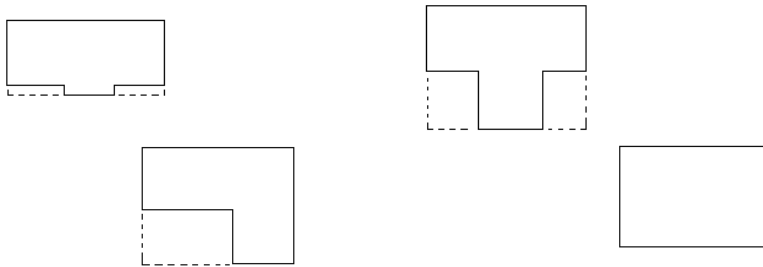


Figure NR-6. Building Line Examples

- (.22) Any impacts to resource functions from the above excepted activities, such as gravel construction pads, erosion/sediment control materials or damaged vegetation, shall be mitigated using appropriate repair or restoration/enhancement techniques.

Section 4.139.05 Significant Resource Overlay Zone Map Verification

The map verification requirements described in this Section shall be met at the time an applicant requests a building permit, grading permit, tree removal permit, land division approval, or other land use decision. Map verification shall not be used to dispute whether the mapped Significant Resource Overlay Zone boundary is a significant natural resource. Map refinements are subject to the requirements of Section 4.139.10(.01)(D).

- (.01) In order to confirm the location of the Significant Resource Overlay Zone, map verification shall be required or allowed as follows:
 - A. Development that is proposed to be either in the Significant Resource Overlay Zone or less than 100 feet outside of the boundary of the Significant Resource Overlay Zone, as shown on the Significant Resource Overlay Zone Map.

Section 4.139.06 Significant Resource Impact Report (SRIR) and Review Criteria

- B. A lot or parcel that:
1. Either contains the Significant Resource Overlay Zone, or any part of which is less than 100 feet outside the boundary of the Significant Resource Overlay Zone, as shown on the Significant Resource Overlay Zone Map; and
 2. Is the subject of a land use application for a partition, subdivision, or any land use application that the approval of which would authorize new development on the subject lot or parcel.
- (.02) An application for Significant Resource Overlay Zone Map Verification may be submitted even if one is not required pursuant to Section 4.139.05(.01).
- (.03) If a lot or parcel or parcel is subject to Section 4.139.05(.01), an application for Significant Resource Overlay Zone Map Verification shall be filed concurrently with the other land use applications referenced in Section 4.139.05(.01)(B)(2) unless a previously approved Significant Resource Overlay Zone Map Verification for the subject property remains valid.
- (.04) An applicant for Significant Resource Overlay Zone Map Verification shall use one or more of the following methods to verify the Significant Resource Overlay Zone boundary:
- A. The applicant may concur with the accuracy of the Significant Resource Overlay Zone Map of the subject property;
 - B. The applicant may demonstrate a mapping error was made in the creation of the Significant Resource Overlay Zone Map;
 - C. The applicant may demonstrate that the subject property was developed lawfully prior to June 7, 2001.
- (.05) The Planning Director shall determine the location of any Significant Resource Overlay Zone on the subject property by considering information submitted by the applicant, information collected during any site visit that may be made to the subject property, information generated by Significant Resource Overlay Zone Map Verification that has occurred on adjacent properties, and any other relevant information that has been provided.
- (.06) For applications filed pursuant to Section 4.139.05(.04)(A) and (C), a Significant Resource Overlay Zone Map Verification shall be consistent with the submittal requirements listed under Section 4.139.06(.01)(B-H).
- (.07) For applications filed pursuant to Section 4.139.05(.04)(B), a Significant Resource Overlay Zone Map Verification shall be consistent with the submittal requirements listed under Section 4.139.06(.02)(D)(1).
[Section 4.139.05 added by Ord. # 674 11/16/09]

Section 4.139.06 Significant Resource Impact Report (SRIR) and Review Criteria

A Significant Resource Impact Report (SRIR) is a report that delineates specific resource boundaries and analyzes the impacts of development within mapped significant resource areas

based upon the requirements of this Section. An SRIR is only required for non-exempt development that is located within the Significant Resource Overlay Zone and/or its associated 25 foot Impact Area.

The Significant Resource Overlay Zone Map identifies areas that have been classified as significant natural resources. The preparation of the Significant Resource Overlay Zone Map did not include specific field observations of every individual property. These maps are designed to be specific enough to determine whether further environmental review of a development proposal is necessary. If any portion of the development or alteration of the land (except those exempted by this Section) is located within the Significant Resource Overlay Zone boundary or the identified Impact Area, then an SRIR is required before any development permit can be issued. Where it can be clearly determined by the Planning Director that development is only in the Impact Area and there is no impact to the Significant Resource, development may be permitted without SRIR review.

The Planning Director may consult with a professional with appropriate expertise to evaluate an applicant's SRIR prepared under this Section or may rely on appropriate staff expertise, in order to properly evaluate the report's conclusions.

- (.01) Abbreviated SRIR Requirements. It is the intent of this subsection to provide a user-friendly process for the applicant. Only the materials necessary for the application review are required. At the discretion of the Planning Director, an abbreviated SRIR may be submitted for certain small-scale developments such as single family dwellings, additions to single family dwellings, minor additions and accessory structures. The following requirements shall be prepared and submitted as part of the abbreviated SRIR evaluation:
- A. A Site Development Permit Application must be submitted in compliance with the Planning and Land Development Ordinance;
 - B. Outline of any existing features including, but not limited to, structures, decks, areas previously disturbed and existing utility locations*;
 - C. Location of any wetlands or water bodies on the site and the location of the stream centerline and top-of-bank;
 - D. Within the area proposed to be disturbed, the location, size and species of all trees that are more than six (6) inches in diameter at breast height (DBH). Trees outside the area proposed to be disturbed may be individually shown or shown as drip line with an indication of species type or types;
 - E. The location of the SROZ and Impact Area boundaries*;
 - F. A minimum of three slope cross-section measurements transecting the site, equally spaced at no more than 100-foot increments. The measurements should be made perpendicular to the stream*;
 - G. A map that delineates the Metro UGMFP Title 3 Water Quality Resource Area boundary (using Metro Title 3 field observed standards)*;
 - H. Current photos of site conditions shall be provided to supplement the above information*.

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- I. A narrative describing the possible and probable impacts to natural resources and a plan to mitigate for such impacts*.

*Indicates information that City Staff may have readily available to assist an applicant.

- (.02) Application Requirements for a Standard SRIR. The following requirements must be prepared and submitted as part of the SRIR evaluation for any development not included in paragraph A above:

- A. A Site Development Permit Application must be submitted in compliance with the Planning and Land Development Ordinance.
- B. The SRIR shall be conducted and prepared by a natural resource professional knowledgeable and qualified to complete such a report.
- C. The qualifications of the person or persons preparing each element of the analysis shall be included with the SRIR.
- D. The SRIR shall include the following:
 1. Physical Analysis. The analysis shall include, at a minimum:
 - a. Soil types;
 - b. Geology;
 - c. Hydrology of the site;
 - d. Outline of any existing features including, but not limited to, structures, decks, areas previously disturbed, and existing utility locations;
 - e. Location of any wetlands or water bodies on the site and the location of the stream centerline and top-of-bank.
 - f. Within the area proposed to be disturbed, the location, size and species of all trees that are more than six (6) inches DBH. Trees outside the area proposed to be disturbed may be individually shown or shown as drip line with an indication of species type or types;
 - g. A property survey together with topography shown by contour lines prepared at two-foot vertical intervals. Five-foot vertical intervals may be allowed for steep sloped areas. The survey shall be prepared by an Oregon Registered Land Surveyor or Civil Engineer.
 - h. The location of the SROZ and Impact Area boundaries;
 - i. A minimum of three slope cross-section measurements transecting the site, equally spaced at no more than 100-foot increments. The measurements should be made perpendicular to the stream;
 - j. A map that delineates the Metro UGMFP Title 3 Water Quality Resource Area boundary (using Metro Title 3 field observed standards);
 - k. A map that delineates the Goal 5 safe harbor boundary (using the standards found within the Oregon Administrative Rule OAR 660-23(1996));
 - l. The existing site significant resource conditions shall be determined and identified by a natural resource professional; and

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- m. Current photos of site conditions shall be provided to supplement the above information.
- 2. The analysis shall include development recommendations including grading procedures, soil erosion control measures, slope stabilization measures, and methods of mitigating hydrologic impacts. For projects that affect possible wetlands, a copy of the Local Wetland Inventory (LWI) map pertaining to the site shall be provided. Notice of the proposal shall be given to the Oregon Division of State Lands and the Army Corp of Engineers.
- 3. Ecological Analysis. The Ecological Analysis shall include a map, using the Physical Analysis map as a base, showing the delineated boundaries and coverage of wetlands, riparian corridors, and wildlife habitat resources identified on the site.
 - a. Wetland boundaries shall be delineated using the method currently accepted by the Oregon Division of State Lands and the US Army Corps of Engineers. Riparian boundaries shall be delineated using the riparian corridor descriptions in this ordinance. Boundaries of mapped Goal 5 wildlife habitat shall be verified by field observation.
 - b. The analysis shall include an inventory that lists and describes the native and ornamental dominant and sub-dominant groundcover, shrub and tree species occurring on the site and wildlife observed during at least one site visit (specify date). The report shall also include recommended measures for minimizing the adverse impacts of the proposed development on unique and/or significant features of the ecosystem. The analysis shall include a report that discusses the ecological functions and values of the SROZ area, discussing each parameter listed below. The discussion shall be based on actual field observations and data obtained by a natural resource professional.
 - c. Wetlands (based on evaluation criteria in the Oregon Freshwater Wetlands Assessment Methodology (OFWAM), Oregon Division of State Lands)
 - i. wildlife habitat diversity
 - ii. fish habitat
 - iii. water quality protection
 - iv. hydrologic control
 - d. Wildlife Habitat (includes riparian corridors and upland forested areas)¹
 - i. wildlife habitat diversity
 - ii. water quality protection
 - iii. ecological integrity
 - iv. connectivity
 - v. uniqueness
 - e. Riparian Corridors 1

¹ Based on criteria developed for the City of Wilsonville by Fishman Environmental Services, in the *Natural Resources Inventory and Goal 5/Title 3/ESA Compliance and Protection Plan: Inventory Update, 1999-2000*

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Stream-riparian ecosystems:

- i. Presence and abundance of Large Woody Debris (LWD) in and adjacent to stream
 - ii. Tree/shrub canopy stream shade production (water temperature and aquatic plant growth control)
 - iii. Erosion and sediment control by riparian vegetation
 - iv. Water quality protection by riparian vegetation
 - v. River-floodplain ecosystem (Willamette River)
 - vi. Presence of functional floodplain (inundated annually)
 - vii. Type and condition of functional floodplain vegetation
 - viii. Use of river-floodplain by ESA-listed species
 - ix. Role as wildlife corridor connecting significant wildlife habitat areas
4. Mitigation and Enhancement Proposal. The applicant must propose a Significant Resource mitigation and enhancement plan as part of the SRIR. The mitigation and enhancement shall increase the natural values and quality of the remaining Significant Resource lands located on the site or other location as approved by the City. The mitigation and enhancement proposal shall conform to the mitigation standards identified in this Section.
 5. Waiver of Documentation: The Planning Director may waive the requirement that an SRIR be prepared where the required information has already been made available to the City, or may waive certain provisions where the Director determines that the information is not necessary to review the application. Such waivers may be appropriate for small-scale developments and shall be processed under Administrative Review. Where such waivers are granted by the Planning Director, the Director shall clearly indicate the reasons for doing so in the record, citing the relevant information relied upon in reaching the decision.
- (.03) SRIR Review Criteria. In addition to the normal Site Development Permit Application requirements as stated in the Planning and Land Development Ordinance, the following standards shall apply to the issuance of permits requiring an SRIR. The SRIR must demonstrate how these standards are met in a manner that meets the purposes of this Section.
- A. Except as specifically authorized by this code, development shall be permitted only within the Area of Limited Conflicting Use (see definition) found within the SROZ;
 - B. Except as specifically authorized by this code, no development is permitted within Metro's Urban Growth Management Functional Plan Title 3 Water Quality Resource Areas boundary;
 - C. No more than five (5) percent of the Area of Limited Conflicting Use (see definition) located on a property may be impacted by a development proposal. On properties that are large enough to include Areas of Limited Conflicting Use on both sides of a waterway, no more than five (5) percent of the Area of Limited Conflicting Use on each side of the riparian corridor may be impacted by a

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development proposal. This condition is cumulative to any successive development proposals on the subject property such that the total impact on the property shall not exceed five (5) percent;

- D. Mitigation of the area to be impacted shall be consistent with Section 4.139.06 of this code and shall occur in accordance with the provisions of this Section;
- E. The impact on the Significant Resource is minimized by limiting the degree or magnitude of the action, by using appropriate technology or by taking affirmative steps to avoid, reduce or mitigate impacts;
- F. The impacts to the Significant Resources will be rectified by restoring, rehabilitating, or creating enhanced resource values within the “replacement area” (see definitions) on the site or, where mitigation is not practical on-site, mitigation may occur in another location approved by the City;
- G. Non-structural fill used within the SROZ area shall primarily consist of natural materials similar to the soil types found on the site;
- H. The amount of fill used shall be the minimum required to practically achieve the project purpose;
- I. Other than measures taken to minimize turbidity during construction, stream turbidity shall not be significantly increased by any proposed development or alteration of the site;
- J. Appropriate federal and state permits shall be obtained prior to the initiation of any activities regulated by the U.S. Army Corps of Engineers and the Oregon Division of State Lands in any jurisdictional wetlands or water of the United States or State of Oregon, respectively.

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The following mitigation standards apply to significant wildlife habitat resource areas for encroachments within the Area of Limited Conflicting Uses, and shall be followed by those proposing such encroachments. Wetland mitigation shall be conducted as per permit conditions from the US Army Corps of Engineers and Oregon Division of State Lands. While impacts are generally not allowed in the riparian corridor resource area, permitted impacts shall be mitigated by: using these mitigation standards if the impacts are to wildlife habitat values; and using state and federal processes if the impacts are to wetland resources in the riparian corridor. Mitigation is not required for trees lost to a natural event such as wind or floods.

- (.01) The applicant shall review the appropriate Goal 5 Inventory Summary Sheets for wildlife habitat (i.e. upland) contained in the *City of Wilsonville Natural Resource Inventory and Goal 5/Title 3/ESA Compliance and Protection Plan* (“Compliance and Protection Plan”- May 2000) to determine the resource function ratings at the time the inventory was conducted.
- (.02) The applicant shall prepare a Mitigation Plan document containing the following elements:

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- A. The Mitigation Plan shall contain an assessment of the existing natural resource function ratings at the time of the proposed encroachment for the site compared to the function ratings recorded in the Compliance and Protection Plan.
- B. The Mitigation Plan shall contain an assessment of the anticipated adverse impacts to significant wildlife habitat resources. The impact assessment shall discuss impacts by resource functions (as listed in the Compliance and Protection Plan, May 2000) for each resource type, and shall map the area of impact (square feet or acres) for each function.
- C. The Mitigation Plan shall present a proposed mitigation action designed to replace the lost or impacted resource functions described in Subsection B, above. The mitigation plan shall be designed to replace lost or impacted functions by enhancement of existing resources on, or off the impact site, or creation of new resource areas.
- D. For mitigation projects based on resource function enhancement, the area ratios presented in Table NR - 2 shall be applied. These ratios are based on the resource function ratings at the time of the proposed action, as described in Subsection A, above. The mitigation action shall be conducted on the appropriate size area as determined by the ratios in Table NR - 2.
- E. The Mitigation Plan shall include a planting plan containing the following elements:
 - 1. Required Plants and Plant Densities. All trees, shrubs and ground cover shall be native vegetation. An applicant shall comply with Section 4.139.06(.02)(E)(1)(a) or (b), whichever results in more tree plantings, except where the disturbance area is one acre or more, the applicant shall comply with Section 4.139.06(.02)(E)(1)(b).
 - a. The mitigation requirement shall be calculated based on the number and size of trees that are removed from the site. Trees that are removed from the site shall be replaced as shown in Table NR – 3. Conifers shall be replaced with conifers. Bare ground shall be planted or seeded with native grasses or herbs.

Table NR – 3: Tree Replacement Requirements	
Size of Tree to be Removed (inches in diameter at breast height)	Number of Trees and Shrubs to be Planted
6 to 12	2 trees and 3 shrubs
over 12 to 18	3 trees and 6 shrubs
over 18 to 24	5 trees and 12 shrubs
over 24 to 30	7 trees and 18 shrubs
over 30	10 trees and 30 shrubs

- b. The mitigation requirement shall be calculated based on the size of the disturbance within the Significant Resource Overlay Zone. Native trees

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and shrubs shall be planted at a rate of five (5) trees and twenty-five (25) shrubs per every 500 square feet of disturbance area (calculated by dividing the number of square feet of disturbance area by 500, and then multiplying that result times five (5) trees and twenty-five (25) shrubs, and rounding all fractions to the nearest whole number of trees and shrubs; for example, if there will be 330 square feet of disturbance area, then 330 divided by 500 equals 0.66, and 0.66 times five equals 3.3, so three (3) trees shall be planted, and 0.66 times twenty-five (25) equals 16.5, so seventeen (17) shrubs shall be planted). Bare ground shall be planted or seeded with native grasses or herbs.

2. Plant Size. Replacement trees and shrubs shall be at least one-gallon in size and shall be at least twelve (12) inches in height.
 3. Plant Spacing. Trees shall be planted between eight (8) and twelve (12) feet on center, and shrubs shall be planted between four (4) and five (5) feet on center, or clustered in single species groups of no more than four (4) plants, with each cluster planted between eight (8) and ten (10) feet on center. When planting near existing trees, the drip line of the existing tree shall be the starting point for plant spacing measurements.
 4. Plant Diversity. Shrubs shall consist of at least two (2) different species. If five (5) trees or more are planted, then no more than fifty (50) percent of the trees may be of the same genus.
 5. Invasive Vegetation. Invasive non-native or noxious vegetation shall be removed within the mitigation area prior to planting, and shall be removed or controlled for five (5) years following the date that the mitigation planting is completed.
 6. Mulching and Browse Protection. Mulch shall be applied around new plantings at a minimum of three inches in depth and eighteen inches in diameter. Browse protection shall be installed on trees and shrubs. Mulching and browse protection shall be maintained during the two-year plant establishment period.
 7. Tree and Shrub Survival. Trees and shrubs that die shall be replaced in kind to the extent necessary to ensure that a minimum of eighty (80) percent of the trees and shrubs initially required shall remain alive on the fifth anniversary of the date that the mitigation planting is completed.
[Section 4.139.07(.02)(E.) added by Ord. # 674 11/16/09]
- (.03) Proposals for mitigation action where new natural resource functions and values are created (i.e. creating wetland or wildlife habitat where it does not presently exist) will be reviewed and may be approved by the Development Review Board or Planning Director if it is determined that the proposed action will create natural resource functions and values that are equal to or greater than those lost by the proposed impact activity.
- (.04) Mitigation actions shall be implemented prior to or at the same time as the impact activity is conducted.

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- (.05) Mitigation plans shall have clearly stated goals and measurable performance standards.
- (.06) All mitigation plans shall contain a monitoring and maintenance plan to be conducted for a period of five years following mitigation implementation. The applicant shall be responsible for ongoing maintenance and management activities, and shall submit an annual report to the Planning Director documenting such activities, and reporting progress towards the mitigation goals. The report shall contain, at a minimum, photographs from established photo points, quantitative measure of success criteria, including plant survival and vigor if these are appropriate data. The Year 1 annual report shall be submitted one year following mitigation action implementation. The final annual report (Year 5 report) shall document successful satisfaction of mitigation goals, as per the stated performance standards. If the ownership of the mitigation site property changes, the new owners will have the continued responsibilities established by this section.
- (.07) The Mitigation Plan document shall be prepared by a natural resource professional.
- (.08) Prior to any site clearing, grading or construction, the SROZ area shall be staked, and fenced per approved plan. During construction, the SROZ area shall remain fenced and undisturbed except as allowed by an approved development permit.
- (.09) For any development which creates multiple parcels intended for separate ownership, the City shall require that the SROZ areas on the site be encumbered with a conservation easement or tract.
- (.10) The City may require a conservation easement over the SROZ that would prevent the owner from activities and uses inconsistent with the purpose of this Section and any easements therein. The purpose of the conservation easement is to conserve and protect resources as well as to prohibit certain activities that are inconsistent with the purposes of this section. Such conservation easements do not exclude the installation of utilities.
- (.11) At the Planning Directors discretion, mitigation requirements may be modified based on minimization of impacts at the impact activity site. Where such modifications are granted by the Planning Director, the Director shall clearly indicate the reasons for doing so in the record, citing the relevant information relied upon in reaching the decision.
- (.12) The Director may study the possibility of a payment-in-lieu-of system for natural resource impact mitigation. This process would involve the public acquisition and management of natural resource properties partially funded by these payments.

TABLE NR – 4: NATURAL RESOURCE ENHANCEMENT MITIGATION RATIOS

Existing Function* Rating at Impact Site	Existing Function* Rating at Mitigation Site	Proposed Function* Rating at Mitigation Site	Area Ratio (Mitigation:Impact)
L	L	M	2:1
L	L	H	1 ½ : 1
L	M	H	2 : 1
M	L	M	3 : 1
M	L	H	2 : 1
M	M	H	2 ½ : 1
H	L	M	4 : 1
H	L	H	3 : 1
H	M	H	2 ½ : 1
H	H	H+	5 : 1

* mitigation function (i.e water quality, ecological integrity) shall be the same as impacted function + improve on a H rating

NOTE: These mitigation ratios were created by specifically for the Natural Resources Plan by Fishman Environmental Services.

Examples for using Table NR - 4 – the Doe Property

The Doe property (fictitious) was rated as a significant wildlife habitat site in the 2000 Compliance and Protection Plan report with the following function ratings: wildlife habitat, L (low plant diversity); water quality protection, M (adjacent to the Willamette River); ecological integrity, L (a planted woodland); connectivity, M (adjacent to larger forest unit); and uniqueness, L (no sensitive species or unique natural features). In 2015, the function ratings were determined to be the same, except for wildlife habitat, which increased to M and ecological integrity, which rated M, both due to an increase in native plant species diversity and a reduction in Himalayan blackberry resulting from good stewardship practices by the Doe family. A project proposed by the Does would remove 0.2 acre of trees, shrubs and ground cover plants in the Area of Limited Conflicting Uses having an impact on wildlife habitat function. The Does propose to mitigate for the impact by enhancing another area of their property that has continuing invasive plant problems. By removing blackberry, instituting a 5-year blackberry control program, and planting/maintaining native shrubs, they will improve the mitigation site ratings for wildlife habitat and ecological integrity from L to M. Using Table NR - 2, they determine that a 3:1 ratio will be required, and they plan to enhance 0.6 acres of the mitigation site.

Section 4.139.08 Activities Requiring a Class I Administrative Review Process

Calculation summary: existing function rating at impact site = M
existing function rating at mitigation site = L
proposed function rating at mitigation site = M
Table NR - 4 required ration = 3:1
Impact area X 3 = 0.2 acre X 3 = 0.6 acre.
Note: both impacted functions are mitigated by the same action.

Calculation summary:
Wildlife Habitat function:
existing function rating at impact site = H
existing rating at mitigation site = H
proposed function rating at mitigation site = H+
Table NR - 4 required ratio = 5:1
Impact area X 5 = 0.04 acre X 5 = 0.2 acre
Water Quality Protection function:
existing function rating at impact site = H
existing rating at mitigation site = M
proposed function rating at mitigation site = H
Table NR - 4 required ratio = 2½:1
Impact area X 2½ = 0.04 acre X 2½ = 0.1 acre

Section 4.139.08 Activities Requiring a Class I Administrative Review Process

- (.01) Class I Procedure for Amending the Significant Resource Overlay Zone Boundary. The Director may authorize an adjustment to the SROZ by a maximum of 2% (two percent) of the Area of Limited Conflicting Use. On properties that are large enough to include Areas of Limited Conflicting Use on both sides of a waterway or wetland, no more than 2% of the Area of Limited Conflicting Use on each side of the riparian corridor may be adjusted, provided the applicant demonstrates that the following standards are met:
- A. The proposed adjustment is located in an Area of Limited Conflicting Use as determined through a site assessment and SRIR;
 - B. The area within the Significant Resource Overlay Zone is not reduced to less than the requirements of Metro's UGMFP Title 3 Water Quality Resource Areas for the site;
 - C. The adjustment shall be located in the outermost 10% of the significant resource area as it runs near or parallel to a riparian corridor. Where no riparian corridor exists on the site, the adjustment shall be made in a manner which protects the highest resource values on the site;
 - D. The conclusions of the SRIR confirm that the area where the project is proposed does not significantly contribute to the protection of the remaining Significant Resource for water quality, storm water control and wildlife habitat;

Section 4.139.09 Activities Requiring a Class II Administrative Review Process

- E. The line to be adjusted has not been previously adjusted from the boundary location originally adopted as part of this Section; and
 - F. The land proposed to be removed through the use of this adjustment process do not contain more than three healthy trees, as determined by an arborist, that are greater than 6 inches DBH.
 - G. Any change to the SROZ boundary authorized through this Section shall be noted on the official zoning map of the City.
- (.02) Applications that do not meet all of the above criteria shall be processed as a Class II Administrative Review.

Section 4.139.09 Activities Requiring a Class II Administrative Review Process

- (.01) The review of any action requiring an SRIR except:
- A. Activities and uses exempt under this Section;
 - B. Adjustments permitted as a Class I Administrative Review.
 - C. Adjustments permitted as part of a Development Review Board public hearing process.
- (.02) Single family dwelling or the expansion of a single family dwelling on lots with limited buildable land. Single family dwelling or the expansion of a single family dwelling which meet all of the following requirements:
- A. The lot was legally created and has less than 5,000 square feet of buildable land located outside the SROZ; and
 - B. No more than one single family house is permitted on the property and no more than 3,000 square feet of land is to be developed by impervious improvements within the SROZ; and
 - C. The single-family structure shall be sited in a location, which reduces the impacts to the Significant Resources.
 - D. An Abbreviated SRIR is required to be submitted.
- (.03) The expansion of an existing single family dwelling or structures that are accessory to a single-family dwelling located inside Metro's UGMFP Title 3 Water Quality Resource Areas.
- A. The expansion of a single family structure or improvement is located no closer to the stream or wetland area than the existing structures, roadways, driveways or accessory uses and development; and
 - B. The coverage of all structures shall not be increased by more than 600 square feet, based on the coverage in existence as of the effective date of this ordinance; and
 - C. The applicant must obtain the approval of an erosion and sediment control plan from the City's Building and Environmental Services Divisions.
 - D. In determining appropriate conditions of approval, the applicant shall:

Section 4.139.10 Development Review Board (DRB) Process

1. Demonstrate that no reasonably feasible alternative design or method of development exists that would have a lesser impact on the Water Quality Resource Area than the one proposed; and
2. If no such reasonably feasible alternative design or method of development exists, the project shall be conditioned to limit its disturbance and impact on the Water Quality Resource to the minimum extent necessary to achieve the proposed addition, alteration, restoration, replacement or rehabilitation; and
3. Provide mitigation consistent with Section 4.139.06 to ensure that impacts to the functions and values of the Water Quality Resource Area will be mitigated or restored to the extent practicable.

Section 4.139.10 Development Review Board (DRB) Process

The following actions require review through a Development Review Board quasi-judicial process. Nothing contained herein shall be deemed to require a hearing body to approve a request for a permit under this Section.

- (.01) Exceptions. The following exceptions may be authorized through a Development Review Board quasi-judicial review procedure.
- A. Unbuildable Lot. For existing non-developed lots that are demonstrated to be unbuildable by the provisions of this Section, the SROZ shall be reduced or removed to assure the lot will be buildable by allowing up to 3,000 square feet of land to be developed by impervious improvements for residential use, or 5,000 square feet of impervious improvements for non-residential uses, while still providing for the maximum protection of the significant resources, if not in conflict with any other requirements of the Planning and Land Development Ordinance. This section shall not apply to lots created after the effective date of this ordinance.
 - B. Large Lot Exception. An exception under this paragraph is authorized and may allow impact into wetlands, riparian corridors and wildlife habitat areas, and shall not be limited to locations solely within the Area of Limited Conflicting Use. Mitigation is required, and for wetland impacts, state and federal permit requirements shall be followed. An exception to the standards of this Section may be authorized where the following conditions apply:
 1. The lot is greater than one acre in size; and
 2. At least 85 percent of the lot is located within the SROZ based on surveyed resource and property line boundaries; and
 3. No more than 10 percent of the area located within the SROZ on the property may be excepted and used for development purposes; and
 4. Through the review of an SRIR, it is determined that a reduction of the SROZ does not reduce the values listed on the City of Wilsonville Natural Resource Function Rating Matrix for the resource site; and
 5. The proposal is sited in a location that avoids or minimizes impacts to the significant resource to the greatest extent possible.

6. For purposes of this subsection, “lot” refers to an existing legally created lot of record as of the date of the adoption of the SROZ.
 - C. Public. If the application of this Section would prohibit a development proposal by a public agency or public utility, the agency or utility may apply for an exception pursuant to this Section. The hearing body shall use the SRIR review criteria identified within this section.
 - D. Map Refinement process. The applicant may propose to amend the SROZ boundary through a Development Review Board quasi-judicial zone change where more detailed information is provided, such as a state approved wetland delineation. The criteria for amending the SROZ are as follows:
 1. Any map refinement must be evaluated by considering the riparian corridor types contained in this ordinance.
 2. Other supporting documents to be considered in evaluating a proposal to refine a map include, but are not limited to:
 - a. Natural Resources Inventories (LWI/RCI);
 - b. The Economic, Social, Environmental and Energy (ESEE) Analysis;
 - c. Metro Functional Plans;
 - d. Wilsonville Comprehensive Plan;
 - e. State approved wetland delineations;
 - f. Detailed slope analysis
 3. An SRIR must be prepared by the applicant in conformance with the provisions of this Section.
 4. The Hearing Body (including City Council) may amend the Significant Resource Overlay Zone (in or out) upon making a determination that the land area in question is or is not a significant resource. The criteria for determining that land is significant shall be based on finding that the site area has at least one rating of “high” using the function criteria listed in the Natural Resource Function Rating Matrices.
- (.02) Adding Wetlands. Except for water quality or storm water detention facilities, the City shall initiate amendments to the Significant Resource Overlay Zone maps to add wetlands when the City receives significant evidence that a wetland meets any one of the following criteria:
- A. The wetland is fed by surface flows, sheet flows or precipitation, and has evidence of flooding during the growing season, and has 60 percent or greater vegetated cover, and is over one-half acre in size; or the wetland qualifies as having intact water quality function under the 1996 Oregon Freshwater Wetland Assessment Methodology; or
 - B. The wetland is in the Metro Title 3 Flood Management Area as corrected by the most current FEMA Flood Insurance Rate Maps, and has evidence of flooding during the growing season, and is five acres or more in size, and has a restricted outlet or no outlet; or the wetland qualifies as having intact hydrologic control

Section 4.139.11 Special Provisions

function under the 1996 Oregon Freshwater Wetland Assessment Methodology;
or

- C. The wetland or a portion of the wetland is within a horizontal distance of less than one - fourth mile from a water body which meets the Department of Environmental Quality definition of water quality limited water body in OAR Chapter 340, Division 41 (1996).
 - D. Created or restored wetlands that meet the requirements of Section 4.139.10(.02) shall be added to the Significant Resource Overlay Zone. [Added by Ord. # 674 11/16/09]
- (.03) Development of structures, additions and improvements that relate to uses other than single family residential.
- (.04) Variances. A variance may be taken to any of the provisions of this Section per the standards of Section 4.196 of the Planning and Land Development Ordinance.

Section 4.139.11 Special Provisions

- (.01) Reduced front, rear and side yard setback. Applications on properties containing the SROZ may reduce the front, rear and side yard setback for developments or additions to protect the significant resource, as approved by the Development Review Board.
- (.02) Density Transfer. For residential development proposals on lands which contain the SROZ, a transfer of density shall be permitted within the development proposal site. The following formula shall be used to calculate the density that shall be permitted for allowed residential use on the property:
 - A. Step 1. Calculate Expected Maximum Density. The Expected Maximum Density (EMD) is calculated by multiplying the acreage of the property by the maximum density permitted in the Wilsonville Comprehensive Plan.
 - B. Step 2. The density that shall be permitted on the property shall be equal to the EMD obtained in Step 1, provided:
 - 1. The density credit can only be transferred to that portion of the development site that is not located within the designated Significant Resource; and
 - 2. 50% of the maximum number of dwelling units that are within the SROZ are allowed to be transferred to the buildable portion of the proposed development site provided that the standards for outdoor living area, landscaping, building height and parking shall still be met. Applicants proposing a density transfer must demonstrate compatibility between adjacent properties as well as satisfy the setback requirements of the zone in which the development is proposed or meet Section 4.139.10 A. above; and
 - 3. The types of residential uses and other applicable standards permitted in the zone shall remain the same; and
 - 4. Land area within the Significant Resource Overlay Zone may be used to satisfy the requirements for outdoor recreation/open space area consistent with

Section 4.140. Planned Development Regulations.

the provisions found in Section 4.113 of the Planning and Land Development Ordinance.

- (.03) Alteration of constructed drainageways. Alteration of constructed drainageways may be allowed provided that such alterations do not adversely impact stream flows, flood storage capacity and in stream water quality and provide more efficient use of the land as well as provide improved habitat value through mitigation, enhancement and/or restoration. Such alterations must be evaluated through an SRIR and approved by the City Engineer and Development Review Board.

Section 4.140. Planned Development Regulations.

(.01) Purpose.

- A. The provisions of Section 4.140 shall be known as the Planned Development Regulations. The purposes of these regulations are to encourage the development of tracts of land sufficiently large to allow for comprehensive master planning, and to provide flexibility in the application of certain regulations in a manner consistent with the intent of the Comprehensive Plan and general provisions of the zoning regulations and to encourage a harmonious variety of uses through mixed use design within specific developments thereby promoting the economy of shared public services and facilities and a variety of complimentary activities consistent with the land use designation on the Comprehensive Plan and the creation of an attractive, healthful, efficient and stable environment for living, shopping or working.
- B. It is the further purpose of the following Section:
1. To take advantage of advances in technology, architectural design, and functional land use design;
 2. To recognize the problems of population density, distribution and circulation and to allow a deviation from rigid established patterns of land uses, but controlled by defined policies and objectives detailed in the comprehensive plan;
 3. To produce a comprehensive development equal to or better than that resulting from traditional lot land use development.
 4. To permit flexibility of design in the placement and uses of buildings and open spaces, circulation facilities and off-street parking areas, and to more efficiently utilize potentials of sites characterized by special features of geography, topography, size or shape or characterized by problems of flood hazard, severe soil limitations, or other hazards;
 5. To permit flexibility in the height of buildings while maintaining a ratio of site area to dwelling units that is consistent with the densities established by the Comprehensive Plan and the intent of the Plan to provide open space, outdoor living area and buffering of low-density development.

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6. To allow development only where necessary and adequate services and facilities are available or provisions have been made to provide these services and facilities.
7. To permit mixed uses where it can clearly be demonstrated to be of benefit to the users and can be shown to be consistent with the intent of the Comprehensive Plan.
8. To allow flexibility and innovation in adapting to changes in the economic and technological climate.

(.02) Lot Qualification.

- A. Planned Development may be established on lots which are suitable for and of a size to be planned and developed in a manner consistent with the purposes and objectives of Section 4.140.
- B. Any site designated for development in the Comprehensive Plan may be developed as a Planned Development, provided that it is zoned "PD." All sites which are greater than two (2) acres in size, and designated in the Comprehensive Plan for commercial, residential, or industrial use shall be developed as Planned Developments, unless approved for other uses permitted by the Development Code. Smaller sites may also be developed through the City's PD procedures, provided that the location, size, lot configuration, topography, open space and natural vegetation of the site warrant such development.

(.03) Ownership.

- A. The tract or tracts of land included in a proposed Planned Development must be in one (1) ownership or control or the subject of a joint application by the owners of all the property included. The holder of a written option to purchase, with written authorization by the owner to make applications, shall be deemed the owner of such land for the purposes of Section 4.140.
- B. Unless otherwise provided as a condition for approval of a Planned Development permit, the permittee may divide and transfer units or parcels of any development. The transferee shall use and maintain each such unit or parcel in strict conformance with the approval permit and development plan.

(.04) Professional Design.

- A. The applicant for all proposed Planned Developments shall certify that the professional services of the appropriate professionals have been utilized in the planning process for development.
- B. Appropriate professionals shall include, but not be limited to the following to provide the elements of the planning process set out in Section 4.139:
 1. An architect licensed by the State of Oregon;
 2. A landscape architect registered by the State of Oregon;
 3. An urban planner holding full membership in the American Institute of Certified Planners, or a professional planner with prior experience

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representing clients before the Development Review Board, Planning Commission, or City Council; or

4. A registered engineer or a land surveyor licensed by the State of Oregon.
- C. One of the professional consultants chosen by the applicant from either 1, 2, or 3, above, shall be designated to be responsible for conferring with the planning staff with respect to the concept and details of the plan.
- D. The selection of the professional coordinator of the design team will not limit the owner or the developer in consulting with the planning staff.

(.05) Planned Development Permit Process.

- A. All parcels of land exceeding two (2) acres in size that are to be used for residential, commercial or industrial development, shall, prior to the issuance of any building permit:
 1. Be zoned for planned development;
 2. Obtain a planned development permit; and
 3. Obtain Development Review Board, or, on appeal, City Council approval.
- B. Zone change and amendment to the zoning map are governed by the applicable provisions of the Zoning Sections, inclusive of Section 4.197
- C. Development Review Board approval is governed by Sections 4.400 to 4.450
- D. All planned developments require a planned development permit. The planned development permit review and approval process consists of the following multiple stages, the last two or three of which can be combined at the request of the applicant:
 1. Pre-application conference with Planning Department;
 2. Preliminary (Stage I) review by the Development Review Board. When a zone change is necessary, application for such change shall be made simultaneously with an application for preliminary approval to the Board; and
 3. Final (Stage II) review by the Development Review Board
 4. In the case of a zone change and zone boundary amendment, City Council approval is required to authorize a Stage I preliminary plan.

(.06) Staff Report:

- A. The planning staff shall prepare a report of its findings and conclusions as to whether the use contemplated is consistent with the land use designated on the Comprehensive Plan. If there is a disagreement as to whether the use contemplated is consistent, the applicant, by request, or the staff, may take the preliminary information provided to the Development Review Board for a use interpretation.
- B. The applicant may proceed to apply for Stage I - Preliminary Approval - upon determination by either staff or the Development Review Board that the use contemplated is consistent with the Comprehensive Plan.

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(.07) Preliminary Approval (Stage One):

- A. Applications for preliminary approval for planned developments shall:
1. Be made by the owner of all affected property or the owner's authorized agent; and
 2. Be filed on a form prescribed by the City Planning Department and filed with said Department.
 3. Set forth the professional coordinator and professional design team as provided in subsection (.04), above.
 4. State whether the development will include mixed land uses, and if so, what uses and in what proportions and locations.
- B. The application shall include conceptual and quantitatively accurate representations of the entire development sufficient to judge the scope, size, and impact of the development on the community; and, in addition to the requirements set forth in Section 4.035, shall be accompanied by the following information:
1. A boundary survey or a certified boundary description by a registered engineer or licensed surveyor.
 2. Topographic information as set forth in Section 4.035
 3. A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre.
 4. A stage development schedule demonstrating that the developer intends receive Stage II approval within two (2) years of receiving Stage I approval, and to commence construction within two (2) years after the approval of the final development plan, and will proceed diligently to completion; unless a phased development schedule has been approved; in which case adherence to that schedule shall be considered to constitute diligent pursuit of project completion.
 5. A commitment by the applicant to provide in the Final Approval (Stage II) a performance bond or other acceptable security for the capital improvements required by the project.
 6. If it is proposed that the final development plan will be executed in stages, a schedule thereof shall be provided.
 7. Statement of anticipated waivers from any of the applicable site development standards.
- C. An application for a Stage I approval shall be considered by the Development Review Board as follows:
1. A public hearing as provided in Section 4.013.
 2. After such hearing, the Board shall determine whether the proposal conforms to the permit criteria set forth in this Code, and may approve or disapprove the application and the accompanying preliminary development plan or require such changes therein or impose such conditions of approval as are in its judgment, necessary to ensure conformity to said criteria and regulations. In

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so doing, the Board may, in its discretion, authorize submission of the final development plan in stages, corresponding to different units or elements of the development. It shall do so only upon evidence assuring completion of the entire development in accordance with the preliminary development plan and stage development schedule.

3. A final decision on a complete application and preliminary plan shall be rendered within one hundred and twenty (120) days after the application is deemed complete unless a continuance is agreed upon by the applicant and the appropriate City decision-making body.
4. The determination of the Development Review Board shall become final at the end of the appeal period for the decision, unless appealed to the City Council in accordance with Section 4.022 of this Code.

(.09) Final Approval (Stage Two):

[Note: Outline Number is incorrect.]

- A. Unless an extension has been granted by the Development Review Board, within two (2) years after the approval or modified approval of a preliminary development plan (Stage I), the applicant shall file with the City Planning Department a final plan for the entire development or when submission in stages has been authorized pursuant to Section 4.035 for the first unit of the development, a public hearing shall be held on each such application as provided in Section 4.013.
- B. After such hearing, the Development Review Board shall determine whether the proposal conforms to the permit criteria set forth in this Code, and shall approve, conditionally approve, or disapprove the application.
- C. The final plan shall conform in all major respects with the approved preliminary development plan, and shall include all information included in the preliminary plan plus the following:
 1. The location of water, sewerage and drainage facilities;
 2. Preliminary building and landscaping plans and elevations, sufficient to indicate the general character of the development;
 3. The general type and location of signs;
 4. Topographic information as set forth in Section 4.035;
 5. A map indicating the types and locations of all proposed uses; and
 6. A grading plan.
- D. The final plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the development or phase of development. However, Site Design Review is a separate and more detailed review of proposed design features, subject to the standards of Section 4.400.
- E. Copies of legal documents required by the Development Review Board for dedication or reservation of public facilities, or for the creation of a non-profit homeowner's association, shall also be submitted.

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- F. Within thirty (30) days after the filing of the final development plan, the Planning staff shall forward such development plan and the original application to the Tualatin Valley Fire and Rescue District, if applicable, and other agencies involved for review of public improvements, including streets, sewers and drainage. The Development Review Board shall not act on a final development plan until it has first received a report from the agencies or until more than thirty (30) days have elapsed since the plan and application were sent to the agencies, whichever is the shorter period.
- G. Upon receipt of the final development plan, the Development Review Board shall conduct a public hearing and examine such plan and determine:
 - 1. Whether it conforms to all applicable criteria and standards; and
 - 2. Whether it conforms in all substantial respects to the preliminary approval; or
 - 3. Require such changes in the proposed development or impose such conditions of approval as are in its judgment necessary to insure conformity to the applicable criteria and standards.
- H. If the Development Review Board permits the applicant to revise the plan, it shall be resubmitted as a final development plan within sixty (60) days. If the Board approves, disapproves or grants such permission to resubmit, the decision of the Board shall become final at the end of the appeal period for the decision, unless appealed to the City Council, in accordance with Sections 4.022 of this Code.
- I. All Stage II Site Development plan approvals shall expire two years after their approval date, if substantial development has not occurred on the property prior to that time. Provided, however, that the Development Review Board may extend these expiration times for up to three (3) additional periods of not more than one (1) year each. Applicants seeking time extensions shall make their requests in writing at least thirty (30) days in advance of the expiration date. Requests for time extensions shall only be granted upon (1) a showing that the applicant has in good faith attempted to develop or market the property in the preceding year or that development can be expected to occur within the next year, and (2) payment of any and all Supplemental Street SDCs applicable to the development. Upon such payment, the development shall have vested traffic generation rights under 4.140 (.10), provided however, that if the Stage II approval should expire, the vested right to use trips is terminated upon City repayment, without interest, of Supplemental Street SDCs. For purposes of this Ordinance, “substantial development” is deemed to have occurred if the required building permits or public works permits have been issued for the development, and the development has been diligently pursued, including the completion of all conditions of approval established for the permit. [Amended by Ord 561, adopted 12/15/03.]
- J. A planned development permit may be granted by the Development Review Board only if it is found that the development conforms to all the following criteria, as well as to the Planned Development Regulations in Section 4.140:
 - 1. The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.

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2. That the location, design, size and uses are such that traffic generated by the development at the most probable used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D, as defined in the Highway Capacity Manual published by the National Highway Research Board, on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets. Immediately planned arterial and collector streets are those listed in the City's adopted Capital Improvement Program, for which funding has been approved or committed, and that are scheduled for completion within two years of occupancy of the development or four year if they are an associated crossing, interchange, or approach street improvement to Interstate 5.
 - a. In determining levels of Service D, the City shall hire a traffic engineer at the applicant's expense who shall prepare a written report containing the following minimum information for consideration by the Development Review Board:
 - i. An estimate of the amount of traffic generated by the proposed development, the likely routes of travel of the estimated generated traffic, and the source(s) of information of the estimate of the traffic generated and the likely routes of travel; [Added by Ord. 561, adopted 12/15/03.]
 - ii. What impact the estimate generated traffic will have on existing level of service including traffic generated by (1) the development itself, (2) all existing developments, (3) Stage II developments approved but not yet built, and (4) all developments that have vested traffic generation rights under section 4.140(.10), through the most probable used intersection(s), including state and county intersections, at the time of peak level of traffic. This analysis shall be conducted for each direction of travel if backup from other intersections will interfere with intersection operations. [Amended by Ord 561, adopted 12/15/03.]
 - b. The following are exempt from meeting the Level of Service D criteria standard:
 - i. A planned development or expansion thereof which generates three (3) new p.m. peak hour traffic trips or less;
 - ii. A planned development or expansion thereof which provides an essential governmental service.
 - c. Traffic generated by development exempted under this subsection on or after Ordinance No. 463 was enacted shall not be counted in determining levels of service for any future applicant. [Added by Ord 561, adopted 12/15/03.]
 - d. Exemptions under 'b' of this subsection shall not exempt the development or expansion from payment of system development charges or other applicable regulations. [Added by Ord 561, adopted 12/15/03.]
 - e. In no case will development be permitted that creates an aggregate level of traffic at LOS "F". ([Added by Ord 561, adopted 12/15/03.]

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3. That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.
 - K. Mapping: Whenever a Planned Development permit has been granted, and so long as the permit is in effect, the boundary of the Planned Development shall be indicated on the Zoning Map of the City of Wilsonville as the appropriate "PD" Zone.
 - L. Adherence to Approved Plan and Modification Thereof: The applicant shall agree in writing to be bound, for her/himself and her/his successors in interest, by the conditions prescribed for approval of a development. The approved final plan and stage development schedule shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved preliminary or final development plan may be approved by the Director of Planning if such changes are consistent with the purposes and general character of the development plan. All other modifications, including extension or revision of the stage development schedule, shall be processed in the same manner as the original application and shall be subject to the same procedural requirements.
 - M. In the event of a failure to comply with the approved plan or any prescribed condition of approval, including failure to comply with the stage development schedule, the Development Review Board may, after notice and hearing, revoke a Planned Development permit. General economic conditions that affect all in a similar manner may be considered as a basis for an extension of a development schedule. The determination of the Board shall become final thirty (30) days after the date of decision unless appealed to the City Council.
- (.10) Early Vesting of Traffic Generation. Applicants with Stage I or Master Plan approvals occurring after June 2, 2003 may apply to vest the right to use available transportation capacity at the intersections of Wilsonville Road with Boone's Ferry Road and with Town Center Loop West, and/or the I-5 interchange. Vesting for properties with such approvals shall occur upon execution of a vesting agreement satisfactory to the city, which agreement shall include a proposed development schedule or phasing plan and either provide for the payment of any and all Supplemental Street SDCs or provide other means of financing public improvements. Vesting for properties pending such approvals shall occur upon such agreement and the date the approvals are final.

The number of trips vested is subject to modification based upon updated traffic analysis associated with subsequent development approvals for the property. A reduction in vested trips shall attend repayment of vesting fees by the City. An increase in available vested trips shall occur upon payment of necessary vesting fees.

Vesting shall remain valid and run with the property, unless an approval that is necessary for vesting to occur is terminated or a vesting agreement is terminated. If the vested right to use certain trips is lost or terminated, as determined by the Community Development Director with the concurrence of City Council, such trips shall be made available to other development upon City repayment, without interest, of associated vesting fees. [Added by Ord. 561, adopted 12/15/03.]

Section 4.141. Special Regulations - Changes of Use.

Section 4.141. Special Regulations - Changes of Use.

- (.01) Except as otherwise specified in this Code, an approved land-use or existing non-conforming use may be changed to another use, subject to the standards of this Section.
 - A. Conversion to a use that is listed as permitted outright in the zone shall be permitted without discretionary review, provided that the existing use was not specifically approved through a Planned Development review process. If the existing use is a non-conforming use, is within a non-conforming structure, or is non-conforming as to site conditions, the conversion shall be subject to the applicable standards and procedures of Sections 4.189 through 4.191.
 - B. Conversion to a use that is listed as typically permitted in the zone, where the existing use was approved through a Planned Development review process, or conversion to a use that is found by the Planning Director to be substantially similar to a typically permitted use, shall be approved by the Planning Director, unless the Director determines that the proposed use will result in adverse impacts on neighboring properties that exceed those that would typically be permitted in the zone, in which case the Director shall require that the request be reviewed through the Class II Administrative Review process specified in Section 4.035.
 - C. Conversion to a use that is listed as conditional in the zone, or conversion to a use that is found by the Planning Director to be substantially similar to a listed conditional use, may be approved through the Conditional Use Permit process specified in Section 4.184. In reviewing the proposed Conditional Use Permit, the Development Review Board may approve the application only if the Board agrees with the Director's determination that the proposed use is substantially similar to one or more of the listed conditional uses of the zone.
 - D. If a change of use is proposed in a situation where "A" through "C," above, do not apply, the use may be changed only after the site has been zoned in conformance with the Comprehensive Plan and the applicant completes the PD approval or other development permit process specified in this Code.
- (.02) The conversion of apartments or other rental units to condominiums shall be subject to the standards and procedures for land divisions specified in Section 4.200, et seq.
- (.03) The conversion of any building into a dwelling, or the conversion of a dwelling so as to accommodate an increased number of dwelling units or families, shall be permitted only within a zone in which a new building of similar occupancy would be permitted under this Code, and only when the resulting occupancy will comply with the requirements governing new construction and use in such zone.

WILSONVILLE CODE
PLANNING AND LAND DEVELOPMENT
CHAPTER 4 SECTIONS 4.154 – 4.199
GENERAL DEVELOPMENT REGULATIONS

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GENERAL DEVELOPMENT REGULATIONS

Section 4.154. On-site Pedestrian Access and Circulation.

(.01) On-site Pedestrian Access and Circulation

- A. The purpose of this section is to implement the pedestrian access and connectivity policies of the Transportation System Plan. It is intended to provide for safe, reasonably direct, and convenient pedestrian access and circulation.
- B. Standards. Development shall conform to all of the following standards:
1. Continuous Pathway System. A pedestrian pathway system shall extend throughout the development site and connect to adjacent sidewalks, and to all future phases of the development, as applicable.
 2. Safe, Direct, and Convenient. Pathways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas/playgrounds, and public rights-of-way and crosswalks based on all of the following criteria:
 - a. Pedestrian pathways are designed primarily for pedestrian safety and convenience, meaning they are free from hazards and provide a reasonably smooth and consistent surface.
 - b. The pathway is reasonably direct. A pathway is reasonably direct when it follows a route between destinations that does not involve a significant amount of unnecessary out-of-direction travel.
 - c. The pathway connects to all primary building entrances and is consistent with the Americans with Disabilities Act (ADA) requirements.
 - d. All parking lots larger than three acres in size shall provide an internal bicycle and pedestrian pathway pursuant to Section 4.155(.03)(B.)(3.)(d.).
 3. Vehicle/Pathway Separation. Except as required for crosswalks, per subsection 4, below, where a pathway abuts a driveway or street it shall be vertically or horizontally separated from the vehicular lane. For example, a pathway may be vertically raised six inches above the abutting travel lane, or horizontally separated by a row of bollards.
 4. Crosswalks. Where a pathway crosses a parking area or driveway, it shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrast).
 5. Pathway Width and Surface. Primary pathways shall be constructed of concrete, asphalt, brick/masonry pavers, or other durable surface, and not less than five (5) feet wide. Secondary pathways and pedestrian trails may have an alternative surface except as otherwise required by the ADA.
 6. All pathways shall be clearly marked with appropriate standard signs.

[Added by Ord. #719, 6/17/13]

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

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

(.01) Purpose:

- A. The design of parking areas is intended to enhance the use of the parking area as it relates to the site development as a whole, while providing efficient parking, vehicle circulation and attractive, safe pedestrian access.
- B. As much as possible, site design of impervious surface parking and loading areas shall address the environmental impacts of air and water pollution, as well as climate change from heat islands.
- C. The view from the public right of way and adjoining properties is critical to meet the aesthetic concerns of the community and to ensure that private property rights are met. Where developments are located in key locations such as near or adjacent to the I-5 interchanges, or involve large expanses of asphalt, they deserve community concern and attention.

Commented [AD1]: This sets a good foundation for location and design for the parking facilities in the TC since it's adjacent to I-5

(.02) General Provisions:

- A. The provision and maintenance of off-street parking spaces is a continuing obligation of the property owner. The standards set forth herein shall be considered by the Development Review Board as minimum criteria.
 - 1. The Board shall have the authority to grant variances or planned development waivers to these standards in keeping with the purposes and objectives set forth in the Comprehensive Plan and this Code.
 - 2. Waivers to the parking, loading, or bicycle parking standards shall only be issued upon a findings that the resulting development will have no significant adverse impact on the surrounding neighborhood, and the community, and that the development considered as a whole meets the purposes of this section.
- B. No area shall be considered a parking space unless it can be shown that the area is accessible and usable for that purpose, and has maneuvering area for the vehicles, as determined by the Planning Director.
- C. In cases of enlargement of a building or a change of use from that existing on the effective date of this Code, the number of parking spaces required shall be based on the additional floor area of the enlarged or additional building, or changed use, as set forth in this Section. Current development standards, including parking area landscaping and screening, shall apply only to the additional approved parking area.
- D. In the event several uses occupy a single structure or parcel of land, the total requirement for off-street parking shall be the sum of the requirements of the several uses computed separately, except as modified by subsection "E," below.
- E. Owners of two (2) or more uses, structures, or parcels of land may utilize jointly the same parking area when the peak hours of operation do not overlap, provided satisfactory legal evidence is presented in the form of deeds, leases, or contracts securing full and permanent access to such parking areas for all the parties jointly using them. [Amended by Ord. # 674 11/16/09]

Commented [AD2]: This could potentially add up to a lot of parking. For the TC, we may want to consider a general building square footage using a limited number of uses.

Commented [AD3]: This should be expanded to allow shared access between lots and removing the requirement to not overlap. Typically, a use study for multiple buildings can be completed to make sure it works.

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

- F. Off-street parking spaces existing prior to the effective date of this Code may be included in the amount necessary to meet the requirements in case of subsequent enlargement of the building or use to which such spaces are necessary.
- G. Off-Site Parking. Except for single-family dwellings, the vehicle parking spaces required by this Chapter may be located on another parcel of land, provided the parcel is within 500 feet of the use it serves and the DRB has approved the off-site parking through the Land Use Review. The distance from the parking area to the use shall be measured from the nearest parking space to the main building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced in the form of recorded deeds, easements, leases, or contracts securing full and permanent access to such parking areas for all the parties jointly using them. [Amended by Ord. # 674 11/16/09]
- H. The conducting of any business activity shall not be permitted on the required parking spaces, unless a temporary use permit is approved pursuant to Section 4.163.
- I. Where the boundary of a parking lot adjoins or is within a residential district, such parking lot shall be screened by a sight-obscuring fence or planting. The screening shall be continuous along that boundary and shall be at least six (6) feet in height.
- J. Parking spaces along the boundaries of a parking lot shall be provided with a sturdy bumper guard or curb at least six (6) inches high and located far enough within the boundary to prevent any portion of a car within the lot from extending over the property line or interfering with required screening or sidewalks.
- K. All areas used for parking and maneuvering of cars shall be surfaced with asphalt, concrete, or other surface, such as pervious materials (i. e. pavers, concrete, asphalt) that is found by the City's authorized representative to be suitable for the purpose. In all cases, suitable drainage, meeting standards set by the City's authorized representative, shall be provided. [Amended by Ord. # 674 11/16/09]
- L. Artificial lighting which may be provided shall be so limited or deflected as not to shine into adjoining structures or into the eyes of passers-by.
- M. Off-street parking requirements for types of uses and structures not specifically listed in this Code shall be determined by the Development Review Board if an application is pending before the Board. Otherwise, the requirements shall be specified by the Planning Director, based upon consideration of comparable uses.
- N. Up to forty percent (40%) of the off-street spaces may be compact car spaces as identified in Section 4.001 - "Definitions," and shall be appropriately identified.
- O. Where off-street parking areas are designed for motor vehicles to overhang beyond curbs, planting areas adjacent to said curbs shall be increased to a minimum of seven (7) feet in depth. This standard shall apply to a double row of parking, the net effect of which shall be to create a planted area that is a minimum of seven (7) feet in depth.

Commented [AD4]: This is good, but could be reconsidered if the recommendation goes to a central parking garage or area. In that case, this would need to be revised to permit that.

(.03) Minimum and Maximum Off-Street Parking Requirements:

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

- A. Parking and loading or delivery areas shall be designed with access and maneuvering area adequate to serve the functional needs of the site and shall:
 - 1. Separate loading and delivery areas and circulation from customer and/or employee parking and pedestrian areas. Circulation patterns shall be clearly marked.
 - 2. To the greatest extent possible, separate vehicle and pedestrian traffic.
- B. Parking and loading or delivery areas shall be landscaped to minimize the visual dominance of the parking or loading area, as follows:
 - 1. Landscaping of at least ten percent (10%) of the parking area designed to be screened from view from the public right-of-way and adjacent properties. This landscaping shall be considered to be part of the fifteen percent (15%) total landscaping required in Section 4.176.03 for the site development.
 - 2. Landscape tree planting areas shall be a minimum of eight (8) feet in width and length and spaced every eight (8) parking spaces or an equivalent aggregated amount.
 - a. Trees shall be planted in a ratio of one (1) tree per eight (8) parking spaces or fraction thereof, except in parking areas of more than two hundred (200) spaces where a ratio of one (1) tree per six (six) spaces shall be applied as noted in subsection (.03)(B.) (3.). A landscape design that includes trees planted in areas based on an aggregated number of parking spaces must provide all area calculations.
 - b. Except for trees planted for screening, all deciduous interior parking lot trees must be suitably sized, located, and maintained to provide a branching minimum of seven (7) feet clearance at maturity.
 - 3. Due to their large amount of impervious surface, new development with parking areas of more than two hundred (200) spaces that are located in any zone, and that may be viewed from the public right of way, shall be landscaped to the following additional standards:
 - a. One (1) trees shall be planted per six (6) parking spaces or fraction thereof. At least twenty-five percent (25%) of the required trees must be planted in the interior of the parking area.
 - b. Required trees may be planted within the parking area or the perimeter, provided that a minimum of forty percent (40%) of the canopy dripline of mature perimeter trees can be expected to shade or overlap the parking area. Shading shall be determined based on shadows cast on the summer solstice.
 - c. All parking lots in excess of two hundred (200) parking spaces shall provide an internal pedestrian walkway for every six (6) parking aisles. Minimum walkway clearance shall be at least five (5) feet in width. Walkways shall be designed to provide pedestrian access to parking areas in order to minimize pedestrian travel among vehicles. Walkways shall be designed to channel pedestrians to the front entrance of the building.

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

- d. Parking lots more than three acres in size shall provide street-like features along principal drive isles, including curbs, sidewalks, street trees or planting strips, and bicycle routes.
- e. All parking lots viewed from the public right of way shall have a minimum twelve (12) foot landscaped buffer extending from the edge of the property line at the right of way to the edge of the parking area. Buffer landscaping shall meet the low screen standard of 4.176(.02)(D) except that trees, groundcovers and shrubs shall be grouped to provide visual interest and to create view openings no more than ten (10) feet in length and provided every forty (40) feet. Notwithstanding this requirement, view of parking area that is unscreened from the right of way due to slope or topography shall require an increased landscaping standard under 4.176(.02) in order to buffer and soften the view of vehicles as much as possible. For purposes of this section, "view from the public right of way" is intended to mean the view from the sidewalk directly across the street from the site, or if no sidewalk, from the opposite side of the adjacent street or road.
- f. Where topography and slope condition permit, the landscape buffer shall integrate parking lot storm water treatment in bioswales and related plantings. Use of berms or drainage swales are allowed provided that planting areas with lower grade are constructed so that they are protected from vehicle maneuvers. Drainage swales shall be constructed to Public Works Standards.
- g. In addition to the application requirements of section 4.035(.04)(6)(d), where view of signs is pertinent to landscape design, any approved or planned sign plan shall accompany the application for landscape design approval.

[Amended by Ord. #719, 6/17/13]

- C. Off Street Parking shall be designed for safe and convenient access that meets ADA and ODOT standards. All parking areas which contain ten (10) or more parking spaces, shall for every fifty (50) standard spaces., provide one ADA-accessible parking space that is constructed to building code standards, Wilsonville Code 9.000.
- D. Where possible, parking areas shall be designed to connect with parking areas on adjacent sites so as to eliminate the necessity for any mode of travel of utilizing the public street for multiple accesses or cross movements. In addition, on-site parking shall be designed for efficient on-site circulation and parking.
- E. In all multi-family dwelling developments, there shall be sufficient areas established to provide for parking and storage of motorcycles, mopeds and bicycles. Such areas shall be clearly defined and reserved for the exclusive use of these vehicles.
- F. On-street parking spaces, directly adjoining the frontage of and on the same side of the street as the subject property, may be counted towards meeting the minimum off-street parking standards.

Commented [AD5]: This applies to my earlier comment 02(E). That section may contradict that section.

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

G. Tables 5 shall be used to determine the minimum and maximum parking standards for various land uses. The minimum number of required parking spaces shown on Tables 5 shall be determined by rounding to the nearest whole parking space. For example, a use containing 500 square feet, in an area where the standard is one space for each 400 square feet of floor area, is required to provide one off-street parking space. If the same use contained more than 600 square feet, a second parking space would be required. Structured parking and on-street parking are exempted from the parking maximums in Table 5. [Amended by Ordinance No. 538, 2/21/02.]

Commented [AD6]: The TC should consider car share parking. If those are provided (zipcar or other), a reduction in required parking is permitted (amount TBD)

H. Electrical Vehicle Charging Stations:

1. Parking spaces designed to accommodate and provide one or more electric vehicle charging stations on site may be counted towards meeting the minimum off-street parking standards.
2. Modification of existing parking spaces to accommodate electric vehicle charging stations on site is allowed outright.

I. Motorcycle parking:

1. Motorcycle parking may substitute for up to 5 spaces or 5 percent of required automobile parking, whichever is less. For every 4 motorcycle parking spaces provided, the automobile parking requirement is reduced by one space.
2. Each motorcycle space must be at least 4 feet wide and 8 feet deep. Existing parking may be converted to take advantage of this provision.

[Amended by Ord. #719, 6/17/13]

(.04) **Bicycle Parking:**

A. Required Bicycle Parking - General Provisions.

1. The required minimum number of bicycle parking spaces for each use category is shown in Table 5, Parking Standards.
2. Bicycle parking spaces are not required for accessory buildings. If a primary use is listed in Table 5, bicycle parking is not required for the accessory use.
3. When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.
4. Bicycle parking space requirements may be waived by the Development Review Board per Section 4.118(.03)(A.)(9.) and (10.).

B. Standards for Required Bicycle Parking

1. Each space must be at least 2 feet by 6 feet in area and be accessible without moving another bicycle.
2. An aisle at least 5 feet wide shall be maintained behind all required bicycle parking to allow room for bicycle maneuvering. Where the bicycle parking is adjacent to a sidewalk, the maneuvering area may extend into the right-of-way.

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

3. When bicycle parking is provided in racks, there must be enough space between the rack and any obstructions to use the space properly.
4. Bicycle lockers or racks, when provided, shall be securely anchored.
5. Bicycle parking shall be located within 30 feet of the main entrance to the building or inside a building, in a location that is easily accessible for bicycles. For multi-tenant developments, with multiple business entrances, bicycle parking may be distributed on-site among more than one main entrance.

C. Long-term Bicycle Parking

1. Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for several hours a weather-protected place to park bicycles.
2. For a proposed multi-family residential, retail, office, or institutional development, or for a park and ride or transit center, where six (6) or more bicycle parking spaces are required pursuant to Table 5, 50% of the bicycle parking shall be developed as long-term, secure spaces. Required long-term bicycle parking shall meet the following standards:
 - a. All required spaces shall meet the standards in subsection (B.) above, and must be covered in one of the following ways: inside buildings, under roof overhangs or permanent awnings, in bicycle lockers, or within or under other structures.
 - b. All spaces must be located in areas that are secure or monitored (e.g., visible to employees, monitored by security guards, or in public view).
 - c. Spaces are not subject to the locational criterion of (B.)(5.).

[Section 4.155(.04) Added by Ord. #719, 6/17/13]

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

TABLE 5: PARKING STANDARDS

USE	PARKING MINIMUMS	PARKING MAXIMUMS	BICYCLE MINIMUMS
a. Residential			
1. Single and attached units and any apartments (9 or fewer units)	1 per D.U., except accessory dwelling units, which have no minimum.	No Limit	Apartments – Min. of 2
2. Apartments of ten (10) or more units	1 per D.U. (less than 500 sq. ft.) 1.25 per D.U. (1 bdrm) 1.5 per D.U. (2 bdrm) 1.75 per D.U. (3 bdrm)	No Limit	1 per D.U.
3. Manufactured or mobile home park	2 spaces/unit	No Limit	1 per D.U.
4. Manufactured or mobile home subdivision	1 per D.U.	No Limit	1 per D.U.
b. Commercial Residential			
1. Hotel	1 per 1000 sq. ft.	No Limit	1 per 5 units Min. of 2
2. Motel	1 per 1000 sq. ft.	No Limit	1 per 5 units Min. of 2

Commented [AD7]: This is a typical suburban ratio and one that requires a lot of space to provide, especially if there are multiple bedrooms. If seeking an MMA, parking requirements will need to be evaluated to see if it meets MMA standards for reducing vehicle use/traffic as part of a mixed-use area.

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

TABLE 5: PARKING STANDARDS

USE	PARKING MINIMUMS	PARKING MAXIMUMS	BICYCLE MINIMUMS
3. Clubs, Lodges	Spaces to meet the combined requirements of the uses being conducted such as hotel, restaurant, auditorium, etc.	No Limit	1 per 20 parking spaces Min. of 2
c. Institutions			
1. Welfare or correctional institution	1 space/3 beds for patients or inmates	No Limit	1 per 50 beds Min. of 2
2. Convalescent hospital, nursing home, sanitarium, rest home, home for the aged	1 space/2 beds for patients or residents	No Limit	1 per 6000 sq. ft. Min. of 2
3. Hospital	2 spaces/bed	No Limit	1 per 20 parking spaces Min. of 2
d. Places of Public Assembly			
1. Church	1 space/4 seats, or 8 ft of bench length in the main auditorium	.8 per seat	1 per 50 seats Min. of 2
2. Library, reading room, museum, art gallery	2.5 per 1000 sq. ft.	No Limit	1 per 1000 sq. ft. Min. of 6
3. Preschool nursery, kindergarten	.2 per student and staff	.3 per student and staff	1 per 3500 sq. ft. Min. of 2

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

TABLE 5: PARKING STANDARDS

USE	PARKING MINIMUMS	PARKING MAXIMUMS	BICYCLE MINIMUMS
4. Elementary or Middle School	.2 per student and staff	.3 per student and staff	8 per class (above 2 nd grade) K – 2 nd grade: 1 per 3500 sq. ft.
5. High School	.2 per student and staff	.3 per student and staff	4 per class
6. College, commercial school for adults	.2 per student and staff	.3 per student and staff	1 per class Min. of 4
7. Other auditorium, meeting rooms	.3 per seat	.5 per seat	1 per 50 seats Min. of 4
8. Stadium, arena, theater	.3 per seat	.5 per seat	1 per 40 seats Min. of 4
9. Bowling alley	4 spaces/lane	No Limit	1 per 10 lanes Min. of 2
10. Dance hall, skating rink, gym, swim or fitness center	4.3 per 1000 sq. ft.	6.5 per 1000- sq. ft.	1 per 4000 sq. ft. Min. of 2
11. Tennis or racquetball facility	1 per 1000 sq. ft.	1.5 per 1000 sq. ft.	1 per court Min. of 2

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

TABLE 5: PARKING STANDARDS

USE	PARKING MINIMUMS	PARKING MAXIMUMS	BICYCLE MINIMUMS
e. Commercial			
1. Retail store except supermarkets and stores selling bulky merchandise and grocery stores 1500 sq. ft. gross floor area or less	4.1 per 1000 sq. ft.	6.2 per 1000 sq. ft.	1 per 4000 sq. ft. Min. of 2
2. Commercial retail, 1501 sq. ft. or more	4.1 per 1000 sq. ft.	6.2 per 1000 sq. ft.	1 per 4000 sq. ft. Min. of 2
3. Service or repair shops	4.1 per 1000 sq. ft.	6.2 per 1000 sq. ft.	1 per 4000 sq. ft.
4. Retail stores and outlets selling furniture, automobiles or other bulky merchandise where the operator can show the bulky merchandise occupies the major areas of the building	1.67 per 1000 sq. ft.	6.2 per 1000 sq. ft.	1 per 8000 sq. ft. Min. of 2
5. Office or flex space (except medical and dental)	2.7 per 1000 sq. ft.	4.1 per 1000 sq. ft.	1 per 5000 sq. ft. Min. of 2
Bank with drive-thru	4.3 per 1000 sq. ft.	6.5 per 1000 sq. ft.	
6. Medical and dental office or clinic area	3.9 per 1000 sq. ft.	5.9 per 1000 sq. ft.	1 per 5000 sq. ft. Min. of 2
7. Eating or drinking establishments	15.3 per 1000 sq. ft.	23 per 1000 sq. ft.	1 per 4000 sq. ft.

Commented [AD8]: As with other sections of the code, extensive use categories are difficult to manage. For commercial uses, a single building may change uses over time and parking could be overbuilt.

These standards are very high for a walkable district, particularly if parking areas are shared.

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

TABLE 5: PARKING STANDARDS			
USE	PARKING MINIMUMS	PARKING MAXIMUMS	BICYCLE MINIMUMS
Fast food (with drive-thru) Other	9.9 per 1000 sq. ft.	14.9 per 1000 sq. ft.	Min. of 4
8. Mortuaries	1 space/4 seats, or 8ft. of bench length in chapels	No Limit	Min. of 2
f. Industrial			
1. Manufacturing establishment	1.6 per 1000 sq. ft.	No Limit	1 per 10,000 sq. ft. Min. of 6
2. Storage warehouse, wholesale establishment, rail or trucking freight terminal	.3 per 1000 sq. ft.	.5 per 1000 sq. ft.	1 per 20,000 sq. ft. Min. of 2
g. Park & Ride or Transit Parking	As needed	No Limit	10 per acre, with 50% in lockable enclosures

[Table 5 amended by Ordinance No. 538, 2/21/02]
 [Table 5 amended by Ordinance No. 548, 10/9/02]
 [Table 5 amended by Ordinance No. 719, 6/17/13]

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

(.05) Minimum Off-Street Loading Requirements:

A. Every building that is erected or structurally altered to increase the floor area, and which will require the receipt or distribution of materials or merchandise by truck or similar vehicle, shall provide off-street loading berths on the basis of minimum requirements as follows:

1. Commercial, industrial, and public utility uses which have a gross floor area of 5,000 square feet or more, shall provide truck loading or unloading berths in accordance with the following tables:

Square feet of Floor Area	Number of Berths Required
Less than 5,000	0
5,000 - 30,000	1
30,000 - 100,000	2
100,000 and over	3

2. Restaurants, office buildings, hotels, motels, hospitals and institutions, schools and colleges, public buildings, recreation or entertainment facilities, and any similar use which has a gross floor area of 30,000 square feet or more, shall provide off-street truck loading or unloading berths in accordance with the following table:

Square feet of Floor Area	Number of Berths Required
Less than 30,000	0
30,000 - 100,000	1
100,000 and over	2

3. A loading berth shall contain space twelve (12) feet wide, thirty-five (35) feet long, and have a height clearance of fourteen (14) feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased to accommodate the larger vehicles.
4. If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less space than is required to adequately handle the needs of the particular use.
5. Off-street parking areas used to fulfill the requirements of this Ordinance shall not be used for loading and unloading operations except during periods of the day when not required to meet parking needs.

B Exceptions and Adjustments.

1. The Planning Director or Development Review Board may approve a loading area adjacent to or within a street right-of-way where it finds that loading and unloading operations:

Section 4.156.01. Sign Regulations Purpose and Objectives.

- a. Are short in duration (*i.e.*, less than one hour);
- b. Are infrequent (less than three operations daily);
- c. Do not obstruct traffic during peak traffic hours;
- d. Do not interfere with emergency response services or bicycle and pedestrian facilities; and
- e. Are acceptable to the applicable roadway authority.

(.06) Carpool and Vanpool Parking Requirements:

- A. Carpool and vanpool parking spaces shall be identified for the following uses:
 1. New commercial and industrial developments with seventy-five (75) or more parking spaces,
 2. New institutional or public assembly uses, and
 3. Transit park-and-ride facilities with fifty (50) or more parking spaces.
- B. Of the total spaces available for employee, student, and commuter parking, at least five percent, but not fewer than two, shall be designated for exclusive carpool and vanpool parking.
- C. Carpool and vanpool parking spaces shall be located closer to the main employee, student or commuter entrance than all other parking spaces with the exception of ADA parking spaces.
- D. Required carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only."

(.07) Parking Area Redevelopment. The number of parking spaces may be reduced by up to 10% of the minimum required parking spaces for that use when a portion of the existing parking area is modified to accommodate or provide transit-related amenities such as transit stops, pull-outs, shelters, and park and ride stations.

[Section 4.155 Amended by Ordinance. No. 536, 1/7/02]

[Section 4.155 Amended by Ordinance. No. 719, 6/17/13]

Section 4.156.01. Sign Regulations Purpose and Objectives.

(.01) Purpose. The general purpose of the 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.

Section 4.156.02. Sign Review Process and General Requirements.

- 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.

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.
- (.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,

Section 4.156.02. Sign Review Process and General Requirements.

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;

Section 4.156.02. Sign Review Process and General Requirements.

- 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 for 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;

Section 4.156.02. Sign Review Process and General Requirements.

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;

Section 4.156.02. Sign Review Process and General Requirements.

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), 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

Section 4.156.03. Sign Measurement

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 (2) copies of sign drawings or descriptions showing all materials, sign area and dimensions used to calculate areas, number of signs, location and placement of signs, 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

- (.01) Sign Area:
- 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 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. The sign area does not include:
 - a. Foundations, supports, and other essential structures that are not designed to serve as a backdrop or border to the sign;
 - a. 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;

Section 4.156.03. Sign Measurement

- 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.

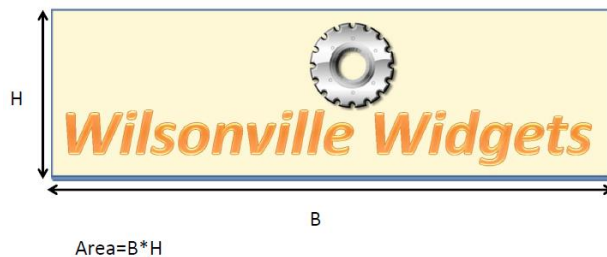


Figure S-1. Measurement of Cabinet or Similar Signs

- B. **Individual Element Signs:** The area for signs constructed of individual elements (letters, figures, etc.) attached to a building wall or similar surface or structure 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.

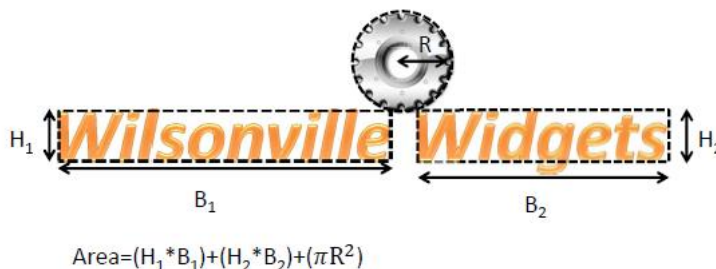


Figure S-2. Measurement of Individual Element Signs

- C. **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 measured the same as A. above 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.
- D. **Awning or Marquee Signs:** The area of signs incorporated into awnings or marquees shall be the area of the entire panel containing the sign 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. **Painted Wall Signs:** The area of painted wall signs shall be determined as follows:
 1. If individual elements are painted without a background it shall be calculated in the manner indicated in B. above.
 2. If a background is painted it shall be calculated in the manner indicated in A. above.
- F. **Temporary Signs:** The area of temporary signs including banners, lawn signs, and rigid signs shall be calculated in the manner indicated in A. above.
- 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) **Sign Height above Ground.**

- A. The height above ground of a freestanding or ground-mounted sign 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.

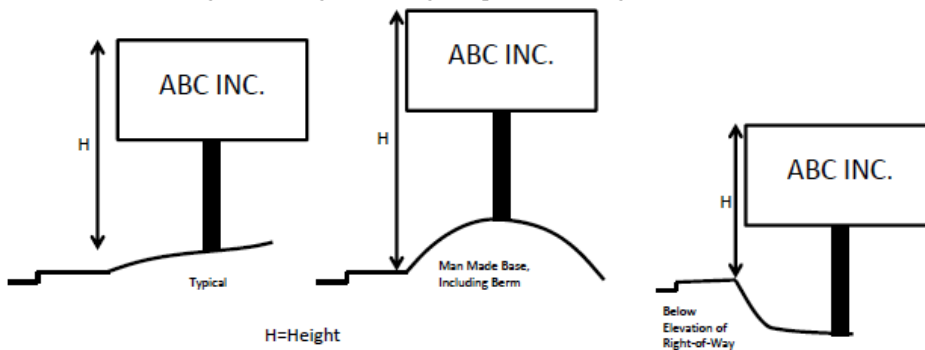


Figure S-3. How to Measure Height of a Freestanding or Ground Mounted Sign

(.03) **Sign Height and Length.**

Section 4.156.04. Non-Conforming Signs.

- 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) Non-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.

Section 4.156.05. Signs Exempt From Sign Permit Requirements.

- (.01) The following signs are exempt from the permit requirements of this 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. 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. 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. 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.

Section 4.156.05. Signs Exempt From Sign Permit Requirements.

- (.02) 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. Signs inside a building except for prohibited signs listed in Section 4.156.06.
 - B. Name Plates and Announcements.
 - 1. 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. 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. 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. The sign area does not exceed three (3) square feet per sign face,
 - 2. The sign location is not within public rights-of-way and meets City vision clearance requirements;
 - 3. No sign lighting;
 - 4. No logo or a logo that does not exceed one (1) square foot in size; and
 - 5. No more than one (1) directional sign is located on the same tax lot.
 - D. Changes of Copy Only, where the graphics contained on an existing sign are changed, but the sign itself is not structurally altered, and no building or electrical permit is required.
 - E. Signs not visible from any off-site location.
 - F. Holiday lights and decorations, in place between November 15 and January 15.
 - G. Signs on scoreboards or ballfields located on public property.
 - H. One small decorative banner per dwelling unit placed on site, in residential zones.
 - I. Lawn Signs meeting the standards of Table S-1 and the following conditions:
 - 1. Such signs shall not be intentionally illuminated and shall not display movement.
 - 2. Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
 - 3. Lawn signs associated with temporary events may be posted no longer than sixty (60) days before the beginning of an event and must be removed at the event's completion.

Section 4.156.05. Signs Exempt From Sign Permit Requirements.

4. Lawn signs not associated with temporary events may be posted for one period of up to sixty (60) days in a calendar year.
 5. Such signs may be up to six (6) feet in height.
 6. Such signs may be one (1) or two (2) sided.
- J. Rigid Signs meeting the standards of Table S-1 and the following conditions:
1. Such signs shall not be intentionally illuminated and shall not display movement.
 2. Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
 3. Such signs may be up to six (6) feet in height, except signs on lots with an active construction project (active building permit), which may be up to ten (10) feet in height. (Note that signs exceeding six (6) feet in height typically require building permits.)
 4. Such signs may be one (1), two (2), or three (3) sided.
 5. On Residential and Agriculture zoned lots:
 - a. A rigid sign not associated with an ongoing temporary event may be displayed for no more than sixty (60) days each calendar year.
 - b. A rigid sign associated with an ongoing temporary event may be displayed for the duration of that event. Note: Section 4.156.06 (.01) Q. of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
 6. On Commercial, Industrial, or Public Facility zoned lots:
 - a. A rigid sign not associated with an ongoing temporary event may be displayed for no more than ninety (90) days each calendar year.
 - b. A rigid sign associated with an ongoing temporary event may be displayed for the duration of that temporary event. Note: Section 4.156.06(.01)(Q.) of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
 - c. 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.

Section 4.156.06. Prohibited Signs

- (.01) 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.
 - 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.
 - E. Roof 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 sign permit procedures 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.
 - F. Signs obstructing vision clearance areas.
 - 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.
 - H. Signs attached to trees, public sign posts, or public utility poles, other than those placed by appropriate government agencies or public utilities.
 - 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.
 - J. Signs that use flame as a source of light or that emit smoke or odors.
 - 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

Section 4.156.07. Sign Regulations In Residential Zones.

that are likely to cause confusion for the public, such as “STOP,” “GO,” “SLOW,” “CAUTION,” “DANGER,” “WARNING,” etc.

- 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.
- 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.
- N. Signs located on public property in violation of Section 4.156.10.
- O. Signs placed on private property without the property owner’s permission.
- P. Signs erected or installed in violation of standards prescribed by the City of Wilsonville, State of Oregon or the U.S. government.
- 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

Section 4.156.07. Sign Regulations In Residential Zones.

- (.01) Ground Mounted Signs for Residential Developments. One 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 or for any multi-family development.
 - A. 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.
 - B. 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) 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.

Section 4.156.08. Sign Regulations in the PDC, PDI, and PF Zones.

(.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 allowed height above ground of a freestanding or ground mounted sign is twenty (20) feet except as noted in 1-2 below.
 - 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 S-4, 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.
 - 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 identified in Figure S-4.
- 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:

Gross Floor Area in a Single Building	Maximum Allowed Sign Area
Less than 11,000 sq. ft.	32 sq. ft.
11,000-25,999 sq. ft.	32 sq. ft. + 2 sq. ft. per 1000 sq. ft. of floor area greater than 10,000 rounded down to the nearest 1,000 sq. ft.
26,000 sq. ft. or more	64 sq. ft.

- 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:
 - i. For PF (Public Facility) zoned properties adjacent to residential zoned land the maximum allowed area is thirty-two (32) square feet.

Section 4.156.08. Sign Regulations in the PDC, PDI, and PF Zones.

Gross Floor Area of Tenant Space	Additional Allowed Sign Area for Tenant Space
Less than 1,000 sq. ft.	3 sq. ft.
1,000-10,999	3 sq. ft. + 3 sq. ft. per 1,000 sq. ft. of floor area rounded down to the nearest 1,000 sq. ft.
11,000 sq. ft. or more	32 sq. ft.

- 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 S-4.
 - 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.
- D. Pole or sign support placement shall be installed in a full vertical position.
- E. 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.

Section 4.156.08. Sign Regulations in the PDC, PDI, and PF Zones.

- 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.

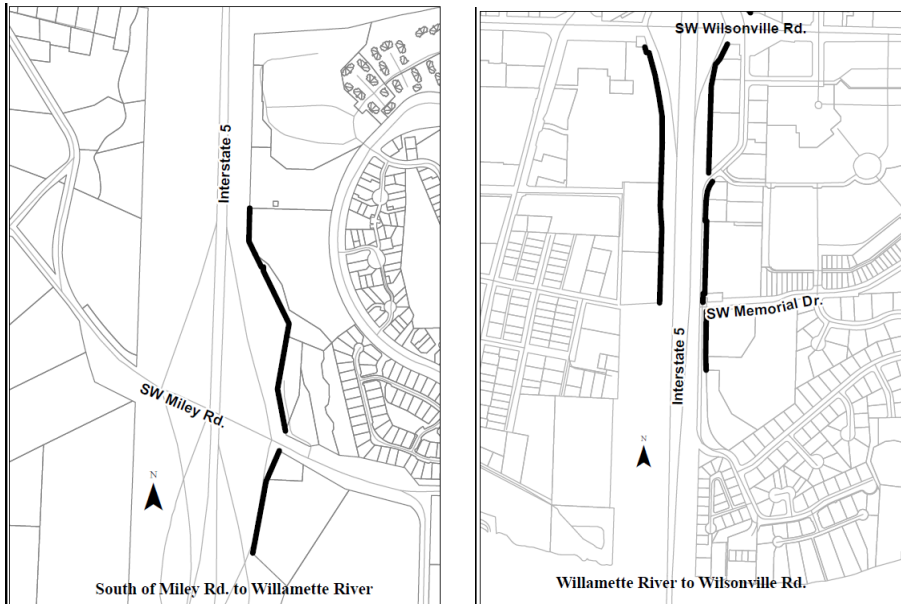


Figure S-4. Interstate 5 and Contiguous Parallel Street Frontages

Section 4.156.08. Sign Regulations in the PDC, PDI, and PF Zones.

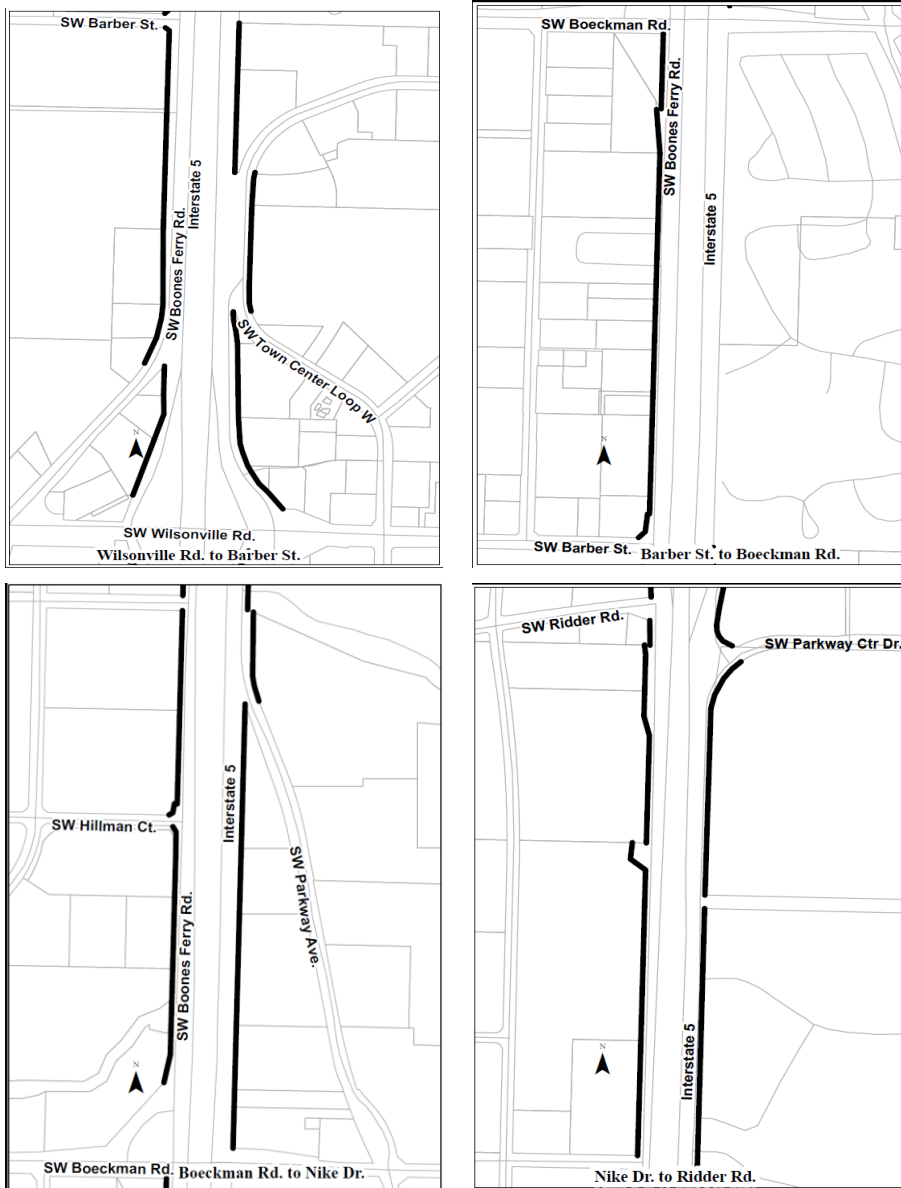


Figure S-4. Interstate 5 and Contiguous Parallel Street Frontages (continued)

Section 4.156.08. Sign Regulations in the PDC, PDI, and PF Zones.

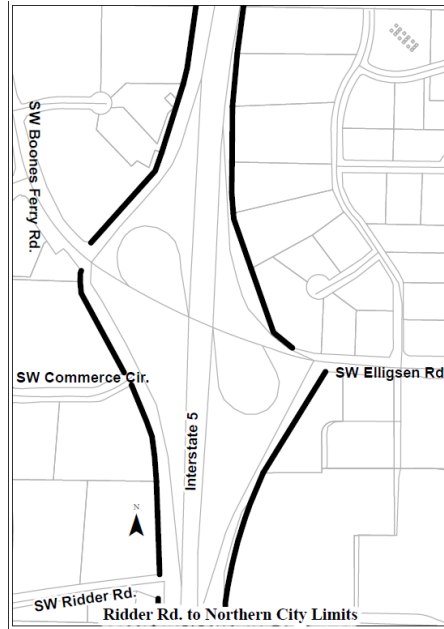


Figure S-4. Interstate 5 and Contiguous Parallel Street Frontages (continued)

(.02) 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 façade is shown in the table below:

Section 4.156.08. Sign Regulations in the PDC, PDI, and PF Zones.

Linear Length of Façade (feet)	Sign Area Allowed*
Less than 16	Area equal to linear length
16 to 24	24 sq. ft.
Greater than 24 to 32	32 sq. ft.
Greater than 32 to 36	Area equal to linear length
Greater than 36 to 72	36 sq. ft.
Greater than 72	36 sq. ft. plus 12 sq. ft. for each 24 linear feet or portion thereof greater than 72 up to a maximum of 200 sq. ft.

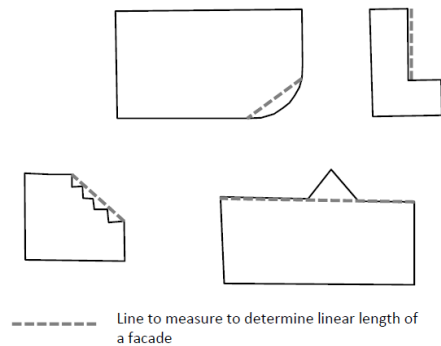
*Except as noted in 2. through 5. below

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

Section 4.156.08. Sign Regulations in the PDC, PDI, and PF Zones.

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 the longest leg can be distributed between legs.



- C. The length of individual tenant signs shall not exceed seventy-five (75) percent of the length of the facade of the tenant space.
 - D. 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.
 - E. Types of signs permitted on buildings include wall flat, fascia, projecting, blade, marquee and awning signs. Roof-top signs are prohibited.
- (.03) Additional signs. Notwithstanding the signs allowed based on the site in (.01) and (.02) above, the following signs may be permitted, subject to standards and conditions in this Code:
- A. 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;

Section 4.156.09. Temporary Signs In All Zones.

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.
- B. 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 on-site monument sign or off-site monument sign on an adjacent parcel identifying the Planned Development project.
- C. 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 over pedestrian accessible areas shall provide a minimum of eight (8) feet of clearance from the ground.
- D. Fuel or Service Station Price Signs. 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. The signs shall have a maximum of eleven (11) square feet in area per face per type of fuel sold and shall be permanently affixed to the building or a freestanding sign.
 2. The signs shall not be considered in calculating the sign area or number of signs allowed.
 3. Signs on fuel pumps shall be permitted, providing that they do not project beyond the outer edge of the pump in any direction.

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.
 - 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.

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

- (.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.

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

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

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 110th.
 - m. Either side of 110th 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 110th 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);
 - c. Not placed on street surfaces, sidewalks, paths, median strips, or bicycle ways;
 - d. Located within forty (40) feet of an intersection;
 - e. No more than three (3) signs per person; and

Section 4.156.11. Sign Enforcement.

- f. 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.
- (.02) 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.

Section 4.156.11. Sign Enforcement.

- (.01) General. Any person who places a sign that requires a permit under this section, and who fails to obtain a permit before installing the sign, shall be subject to penalties and fines as established in Wilsonville Code 4.025.
- (.02) Removal of Signs. Any sign placed on public property in violation of the provisions of this Code shall be immediately removed by the City. As soon thereafter as reasonable, the City shall notify the owner or the owner's representative that the sign has been removed, and that if the sign is not claimed within ten (10) days, the sign will be deemed abandoned and subject to disposal by the City. The City shall have no responsibility to contact the owner of the sign if the owner's name, address, and telephone number are not clearly indicated on the sign and shall dispose of the sign ten days after its removal by the City. The City Council may establish fees to be collected at the time of releasing impounded signs in order to cover the City's costs in collecting, storing, and returning these signs and administering the sign removal program.
- (.03) Civil Enforcement. Any sign which is intentionally placed in violation of the provisions of this code after the owner of the sign has been notified of the initial sign removal and reason for its removal, shall subject the owner to a civil violation not to exceed \$100.00 as and for a civil fine for each day that a violation continues to exist.
- (.04) Additional enforcement. The remedies described herein are not exclusive and may be used in addition to those prescribed elsewhere in the Wilsonville Code, including Sections 1.012 and 1.013, Violations, and 6.200 through 6.620, Nuisances. The City Attorney may use any enforcement process available at law or equity, including but not limited to, seeking injunctive relief, equitable relief, damages, or fines for violations.

[Sign Regulations revised by Ord. No. 704, 6/18/12.]

<u>Sign Location Description</u>		<u>Lawn Signs</u> [see WC 4.156.05 (.02) I.]	<u>Rigid Signs</u> [see WC 4.156.05 (.02) J.]	<u>Maximum Combined Lawn and Rigid Signs</u>
Part 1. General Allowances for Lawn and Rigid Signs				
Residential or Agriculture zoned lots. ¹	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. ²	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.
Part 2. Additional Special Allowances for Rigid Signs³				
Lots with <i>active</i> commercial, industrial, public facility, or multi-family construction projects. ⁴	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	
¹ 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. ² 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. ³ Sign allowances in Part 2 are in addition to the allowances and maximums in Part 1. ⁴ An active construction project means a construction project for which any required building permits have been obtained <u>and</u> for which the City Building Official has <u>not</u> 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]

[Sign Regulations revised by Ord. No. 704, 6/18/12.]

Section 4.162. General Regulations - Livestock and Farm Animals.

Section 4.162. General Regulations - Livestock and Farm Animals.

- (.01) Under no circumstances shall any livestock animals, farm animals, poultry or fowl be kept for commercial purposes in a Residential or Planned Development Zone, except where such animal keeping is a legal non-conforming use. The animals listed below shall not be kept on lots having an area of less than one (1) acre. The total number of such animals (other than their young under the age of six (6) months) allowed on a lot shall be limited to the square footage of the lot divided by the total minimum areas required for each animal as listed below.
 - A. One (1) horse or cow: Twenty thousand (20,000) square feet.
 - B. One (1) goat, llama or sheep: Ten thousand (10,000) square feet.
 - C. One (1) swine: Two thousand (2,000) square feet. (Maximum two swine per individual lot or contiguous lots under individual ownership).
 - D. One (1) ostrich: Four thousand (4,000) square feet.
 - E. One (1) emu: Two thousand (2,000) square feet.
- (.02) Animal runs or barns, chicken or fowl pens shall be located no closer than one hundred (100) feet from any residence other than the residence of the owner. Swine pens shall be located a minimum of two hundred (200) feet from any residence other than that of the resident owner.
- (.03) Animals, chickens and/or fowl shall be properly caged or housed, and proper sanitation shall be maintained at all times. All animal or poultry food shall be stored in metal or other rodent-proof receptacles.
- (.04) Upon a receipt of a formal complaint by adjacent property owners alleging improper or unsanitary maintenance of animal runs, pens or barn, the Development Review Board shall hold a public hearing and adopt findings as to the validity of said complaint. Based on the adopted findings, the Board may impose conditions or restrictions as determined necessary to insure proper maintenance and sanitation, including prohibition of raising livestock and farm animals on the subject site.
- (.05) "Pot-bellied" pigs may be considered to be either livestock or household pets, depending upon the accommodations provided for them. If such pigs are kept primarily within a dwelling unit, they shall be considered to be household pets, subject to the same rules as the keeping of dogs. If they are kept primarily outside of a dwelling unit, they shall be considered to be livestock, and subject to the provisions listed above.

Section 4.163. General Regulations - Temporary Structures and Uses.

- (.01) The Development Review Board, after hearing as set forth in Section 4.012, may permit the temporary use of a structure or premises in any zone for a purpose or use that does not conform to the regulations prescribed elsewhere in this Code for the zone in which it is located, provided that such use be of a temporary nature and does not involve the erection of a substantial structure. A permit for such use may be granted in the form of a temporary and revocable permit, up to a five (5) year period, subject to a

Section 4.164. General Regulations - Uses Not Listed.

showing of good cause and such conditions as will safeguard the public health, safety, convenience and general welfare. Such permits may be renewable upon re-application to the Development Review Board, provided that the Board finds that the renewal is not likely to result in a permanent situation.

- (.02) Applications for Temporary Use Permits shall provide:
- A. A clear description of the proposed temporary structure/use and the reasons why a temporary structure/use is necessary at this location for the requested time period.
 - B. A statement of the expected duration of the temporary use/structure, together with documentation supporting the proposed date for termination of the temporary use/structure
 - C. A site plan showing the location of the proposed use/structure, access, associated parking, pedestrian connections to the greater site if appropriate, lighting, signage and landscaping.
 - D. A plan for removal of the temporary use/structure and restoration of the site to pre-TUP conditions or development of the site for approved permanent structures/uses.
- (.03) Factors and considerations for “good cause” include, but are not limited to:
- A. Availability of appropriately zoned land for the proposed use in the city.
 - B. Availability of and need for the subject property for allowed uses.
 - C. Market conditions, construction costs and other obstructions to the location of the use on appropriately zoned land.
 - D. Due diligence of the applicant to site the use on appropriately zoned land,
 - E. Circumstances of the applicant bearing on the need for the temporary use permit.
- (.04) The Planning Director of the City and the Director's staff shall be authorized to issue, without public hearing and upon application for Administrative Review pursuant to Section 4.035, a temporary permit for a use of less than two (2) weeks duration which does not involve the erection of a substantial structure. Examples of such uses are farmer's market sales, Fourth of July fireworks stands, Christmas tree sales and Boones Ferry Days. For the purposes of this provision, those structures and signs commonly associated with these special events are not "substantial structures."

[Section 4.163 amended by Ord. # 659 3/16/09]

Section 4.164. General Regulations - Uses Not Listed.

- (.01) The Planning Director may determine that a proposed use is sufficiently similar to other uses permitted in the zone to allow that use without special review. Such determinations may be made through the Class II Administrative Review procedure listed in Section 4.035, or may be at the initiation of the Director. In either case, written notification of the decision, including opportunity for appeal, shall be provided to the public as well as to the members of the Development Review Board and Planning Commission.

Section 4.166. General Regulations - Unsafe Buildings.

Section 4.166. General Regulations - Unsafe Buildings.

- (.01) Nothing in this Code shall prevent the strengthening or restoring to a safe condition of any building or structure declared unsafe by Building Official or City Engineer.

Section 4.167. General Regulations - Access, Ingress and Egress.

- (.01) Each access onto streets or private drives shall be at defined points as approved by the City and shall be consistent with the public's health, safety and general welfare. Such defined points of access shall be approved at the time of issuance of a building permit if not previously determined in the development permit. [Amended by Ord. 682, 9/9/10]

Section 4.169. General Regulations – Double-Frontage Lots.

- (.01) Buildings on double frontage lots (i.e., through lots) and corner lots must meet the front yard setback for principal buildings on both streets or tracts with a private drive. [Amended by Ord. 682, 9/9/10]
- (.02) Given that double-frontage lots tend to have one end that is regarded as a rear yard by the owner, the Development Review Board may establish special maintenance conditions to apply to such areas. Such conditions may include the requirement that the subject homeowners association, if any, be responsible for the on-going maintenance of the street frontage areas of double-frontage lots.

Section 4.171. General Regulations - Protection of Natural Features and Other Resources.

- (.01) Purpose. It is the purpose of this Section to prescribe standards and procedures for the use and development of land to assure the protection of valued natural features and cultural resources. The requirements of this Section are intended to be used in conjunction with those of the Comprehensive Plan and other zoning standards. It is further the purpose of this Section:
- A. To protect the natural environmental and scenic features of the City of Wilsonville.
 - B. To encourage site planning and development practices which protect and enhance natural features such as riparian corridors, streams, wetlands, swales, ridges, rock outcroppings, views, large trees and wooded areas.
 - C. To provide ample open space and to create a constructed environment capable and harmonious with the natural environment.
- (.02) General Terrain Preparation:
- A. All developments shall be planned, designed, constructed and maintained with maximum regard to natural terrain features and topography, especially hillside areas, floodplains, and other significant landforms.
 - B. All grading, filling and excavating done in connection with any development shall be in accordance with the Uniform Building Code
 - C. In addition to any permits required under the Uniform Building Code, all developments shall be planned, designed, constructed and maintained so as to:

Section 4.171. General Regulations - Protection of Natural Features and Other Resources.

1. Limit the extent of disturbance of soils and site by grading, excavation and other land alterations.
2. Avoid substantial probabilities of: (1) accelerated erosion; (2) pollution, contamination, or siltation of lakes, rivers, streams and wetlands; (3) damage to vegetation; (4) injury to wildlife and fish habitats.
3. Minimize the removal of trees and other native vegetation that stabilize hillsides, retain moisture, reduce erosion, siltation and nutrient runoff, and preserve the natural scenic character.

(.03) Hillsides: All developments proposed on slopes greater than 25% shall be limited to the extent that:

- A. An engineering geologic study approved by the City, establishes that the site is stable for the proposed development, and any conditions and recommendations based on the study are incorporated into the plans and construction of the development. The study shall include items specified under subsection 4.171(.07)(A.)(2.)(a-j):
- B. Slope stabilization and re-vegetation plans shall be included as part of the applicant's landscape plans.
- C. Buildings shall be clustered to reduce alteration of terrain and provide for preservation of natural features.
- D. Creation of building sites through mass pad grading and successive padding or terracing of building sites shall be avoided where feasible.
- E. Roads shall be of minimum width, with grades consistent with the City's Public Works Standards.
- F. Maintenance, including re-vegetation, of all grading areas is the responsibility of the developer, and shall occur through October 1 of the second growing season following receipt of Certificates of Occupancy unless a longer period is approved by the Development Review Board.
- G. The applicant shall obtain an erosion and sediment control permit from the City's Building and Environmental Services Division's.

(.04) Trees and Wooded Areas.

- A. All developments shall be planned, designed, constructed and maintained so that:
 1. Existing vegetation is not disturbed, injured, or removed prior to site development and prior to an approved plan for circulation, parking and structure location.
 2. Existing wooded areas, significant clumps/groves of trees and vegetation, and all trees with a diameter at breast height of six inches or greater shall be incorporated into the development plan and protected wherever feasible.
 3. Existing trees are preserved within any right-of-way when such trees are suitably located, healthy, and when approved grading allows.
- B. Trees and woodland areas to be retained shall be protected during site preparation and construction according to City Public Works design specifications, by:

Section 4.171. General Regulations - Protection of Natural Features and Other Resources.

1. Avoiding disturbance of the roots by grading and/or compacting activity.
2. Providing for drainage and water and air filtration to the roots of trees which will be covered with impermeable surfaces.
3. Requiring, if necessary, the advisory expertise of a registered arborist/horticulturist both during and after site preparation.
4. Requiring, if necessary, a special maintenance, management program to insure survival of specific woodland areas of specimen trees or individual heritage status trees.

(.05) High Voltage Powerline Easements and Rights of Way and Petroleum Pipeline Easements:

- A. Due to the restrictions placed on these lands, no residential structures shall be allowed within high voltage powerline easements and rights of way and petroleum pipeline easements, and any development, particularly residential, adjacent to high voltage powerline easements and rights of way and petroleum pipeline easements shall be carefully reviewed.
- B. Any proposed non-residential development within high voltage powerline easements and rights of way and petroleum pipeline easements shall be coordinated with and approved by the Bonneville Power Administration, Portland General Electric Company or other appropriate utility, depending on the easement or right of way ownership.

(.06) Hazards to Safety: Purpose:

- A. To protect lives and property from natural or human-induced geologic or hydrologic hazards and disasters.
- B. To protect lives and property from damage due to soil hazards.
- C. To protect lives and property from forest and brush fires.
- D. To avoid financial loss resulting from development in hazard areas.

(.07) Standards for Earth Movement Hazard Areas:

- A. No development or grading shall be allowed in areas of land movement, slump or earth flow, and mud or debris flow, except under one of the following conditions:
 1. Stabilization of the identified hazardous condition based on established and proven engineering techniques which ensure protection of public and private property. Appropriate conditions of approval may be attached by the City.
 2. An engineering geologic study approved by the City establishing that the site is stable for the proposed use and development. The study shall include the following:
 - a. Index map.
 - b. Project description, to include: location; topography, drainage, vegetation; discussion of previous work; and discussion of field exploration methods.
 - c. Site geology, to include: site geologic map; description of bedrock and superficial materials including artificial fill; location of any faults, folds, etc.; and structural data including bedding, jointing, and shear zones.

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- d. Discussion and analysis of any slope stability problems.
 - e. Discussion of any off-site geologic conditions that may pose a potential hazard to the site or that may be affected by on-site development.
 - f. Suitability of site for proposed development from geologic standpoint.
 - g. Specific recommendations for cut slope stability, seepage and drainage control, or other design criteria to mitigate geologic hazards.
 - h. Supportive data, to include: cross sections showing subsurface structure; graphic logs of subsurface explorations; results of laboratory tests; and references.
 - i. Signature and certification number of engineering geologist registered in the State of Oregon.
 - j. Additional information or analyses as necessary to evaluate the site.
- B. Vegetative cover shall be maintained or established for stability and erosion control purposes.
- C. Diversion of storm water into these areas shall be prohibited.
- D. The principal source of information for determining earth movement hazards is the State Department of Geology and Mineral Industries (DOGAMI) Bulletin 99 and any subsequent bulletins and accompanying maps. Approved site specific engineering geologic studies shall be used to identify the extent and severity of the hazardous conditions on the site, and to update the earth movement hazards database.
- (.08) Standards for Soil Hazard Areas:
- A. Appropriate siting and design safeguards shall insure structural stability and proper drainage of foundation and crawl space areas for development on land with any of the following soil conditions: wet or high water table; high shrink-swell capability; compressible or organic; and shallow depth-to-bedrock.
 - B. The principal source of information for determining soil hazards is the State DOGAMI Bulletin 99 and any subsequent bulletins and accompanying maps. Approved site-specific soil studies shall be used to identify the extent and severity of the hazardous conditions on the site, and to update the soil hazards database accordingly.

(.09) Historic Protection: Purpose:

- A. To preserve structures, sites, objects, and areas within the City of Wilsonville having historic, cultural, or archaeological significance.
- B. Standards:
 - 1. All developments shall be planned, designed, constructed, and maintained to assure protection of any designated historic or cultural resource on or near the site. Restrictions on development may include:
 - a. Clustering of buildings and incorporation of historic and/or cultural resources into site design in a manner compatible with the character of such resource.

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- b. Limitations on site preparation and grading to avoid disturbance of areas within any historic or archaeological sites, monuments or objects of antiquity.
 - c. Provision of adequate setbacks and buffers between the proposed development and the designated resources.
2. The city may attach additional conditions with respect to the following design factors in protecting the unique character of historic/cultural resources:
- a. Architectural compatibility;
 - b. Proposed intensity of development;
 - c. Relationship to designated open space;
 - d. Vehicular and pedestrian access; and
 - e. Proposed building or structural mass in relation to the designated resource.
- C. Review Process:
1. The Development Review Board shall be the review body for:
- a. All development which proposes to alter a designated historic, or cultural resource or resource site; and
 - b. All development which proposes to use property adjacent to a designated cultural resource; and
 - c. All applications requesting designation of a cultural or historic resource
2. The application shall include the following:
- a. A complete list of exterior materials, including color of these materials.
 - b. Drawings:
 - i. Side elevation for each side of any affected structure.
 - ii. Drawings shall show dimensions or be to scale.
 - iii. Photographs may be used as a substitute for small projects.
 - c. Plot plans shall be submitted for new structures, fences, additions exceeding fifty (50) square feet, or any building relocation.
3. Any improvement proposed for property adjacent to a designated, cultural or historic resource site, shall be subject to the following provisions:
- a. All uses and structures which are incompatible with the character of the cultural or historic resource are prohibited. The criteria used to determine incompatibility shall include the following:
 - i. The intensity and type of use when compared with the historic use patterns of the areas.
 - ii. The orientation, setback, alignment, spacing and placement of buildings.
 - iii. The scale, proportions, roof forms, and various architectural features of building design.
 - b. Setbacks may be required which are over and above those required in the base zone in order to protect the resource. Setbacks should be appropriate to the scale and function of the resource, but allow reasonable use of the adjacent property.

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- c. An appropriate buffer or screen may be required between the new or converting use on the adjacent property and the resource.
4. Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in or on any property covered by this chapter that does not involve a change in design, material or external reconstruction thereof, nor does this Code prevent the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when the Building Official certifies to the Development Review Board that such action is required for the public safety due to an unsafe or dangerous condition which cannot be rectified through the use of acceptable building practices.
5. The owner, occupant or other person in actual charge of a cultural resource, or an improvement, building or structure in an historic district shall keep in good repair all of the exterior portions of such improvement, building or structure, all of the interior portions thereof when subject to control as specified in the designating ordinance or permit, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay or any exterior architectural feature.

(.10) Alteration and Development Criteria:

- A. Demolition or alteration of any structure, or any change in any site or object which has been designated as a cultural resource, is prohibited unless it is determined:
 1. In the case of a designated cultural resource, the proposed work would not detrimentally alter, destroy or adversely affect any exterior architectural or other identified feature; or
 2. In the case of any property located within a historic district, the proposed construction, removal, rehabilitation, alteration, remodeling, excavation or exterior alteration conforms to any prescriptive standards as adopted by the City, and does not adversely affect the character of the district; or
 3. In the case of construction of a new improvement, building or structure upon a cultural resource site, the exterior of such improvements will not adversely affect and will be compatible with the external appearance of existing designated improvements, buildings and structures on said site; or
 4. That no reasonable use can be made of the property without such approval.

(.11) Cultural Resource Designation Criteria: A cultural resource may be designated and placed on the Cultural Resources Inventory if it meets the following criteria:

- A. It exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering or architectural history; or
- B. It is identified with persons or events significant in local, state, or national history; or
- C. It embodies distinctive characteristics of a style, type, period, or method of construction, or it is a valuable example of the use of indigenous materials or craftsmanship; or

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- D. It is representative of the notable work of a builder, designer, or architect.

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(.01) Purpose:

- A. To minimize public and private losses due to flood conditions in flood-prone areas.
- B. To regulate uses and alteration of land which would otherwise cause erosion, decreased storm water storage capability, increased flood heights or velocities.
- C. To require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction, alteration or remodeling.
- D. To restrict filling, grading, dredging, and other development which would increase flood damage.
- E. To prevent construction of flood barriers which would unnaturally divert flood waters or increase flood hazards in other areas.
- F. To properly regulate the 100-year flood plain identified by the Federal Insurance Administration (FIA) in the "Flood Insurance Study for Clackamas County and Incorporated Areas dated effective June 17, 2008", and displayed on FIA Floodway and Flood Insurance Rate Maps dated effective June 17, 2008, which are on file with the City's Community Development Department.
- G. To implement the policies of the Comprehensive Plan and to provide standards consistent with - Wilsonville's adopted Storm Drainage Master Plan.
- H. To insure the City and its residents and businesses, continued eligibility in the National Flood Insurance Program by complying with the requirements of the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973.

(.02) General Provisions Affecting Flood Plains:

- A. This section shall apply to all flood plain areas in the City of Wilsonville identified by the Flood Insurance Rate Map. No Building Permits, Construction Permits, or Development Permits for development within the flood plain shall be issued except in compliance with the provisions of the Section. [Amended by Ord 686, 11/1/10]
- B. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "Flood Insurance Study – Clackamas County, Oregon and Incorporated Areas, effective June 17, 2008," with accompanying Flood Insurance Rate Maps (effective date June 17, 2008) is hereby adopted by reference and declared part of this ordinance. The Flood Insurance Study is on file at the City of Wilsonville Community Development Department.
- C. The City of Wilsonville Community Development Director shall review all Building and Grading Permit applications for new construction or substantial improvement to determine whether proposed building or grading sites will be

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located in a flood plain. If a proposed building or grading site is located within a flood plain, any proposed new construction, grading, or substantial improvement (including prefabricated and manufactured housing) must:

1. Be designed (or modified) and anchored to prevent flotation, collapse or lateral movement of the structure.
 2. Use construction materials and utility equipment that are resistant to flood damage,
 3. Use construction methods and practices that will minimize flood damage, and
 4. Limit the addition of any fill material such that the total volume of fill within the flood plain does not exceed the volume of material removed from the flood plain in the same area.
- D. That the City of Wilsonville Planning Director shall review subdivision proposals and other proposed new developments within the flood plain to assure that:
1. all such proposals are consistent with the need to minimize flood damage,
 2. all public utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage,
 3. adequate drainage is provided so as to reduce exposure to flood hazards, and
 4. No new lots or parcels shall be created for the purpose of increasing the development of buildings for human occupancy within the flood plain.
- E. That the City of Wilsonville Community Development Director shall require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.
- (.03) Development Permit Required:
- A. A Development Permit shall be obtained before construction or development, including grading, begins within any area of special flood hazard. The Permit shall be for all structures including manufactured homes and for all development including fill and other activities.
- B. Outright Permitted Uses in the 100-year Flood Plain:
1. Agricultural use that is conducted without a structure other than a boundary fence.
 2. Recreational uses which would require only minor structures such as picnic tables and barbecues.
 3. Residential uses that do not contain buildings.
 4. Underground utility facilities.
 5. Repair, reconstruction or improvement of an existing structure, the cost of which is less than 50 percent of the market value of the structure, as

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determined by the City's Building Official, prior to the improvement or the damage requiring reconstruction, provided no development occurs in the floodway.

(.04) Uses within the 100-year Flood Plain requiring a Flood Plain Permit:

- A. Any development except as specified in subsection (.03), above, that is otherwise permitted within the Zoning District provided such development is consistent with the Flood Plain Standards.
- B. All subdivisions and land partitions.
- C. Installation of dikes to provide buildable or usable property, provided that said dikes do not conflict with the policies of the Comprehensive Plan and this Section.

(.05) Prohibited Uses in the 100-year Flood Plain:

- A. Any use or building which stores or otherwise maintains hazardous materials, chemicals, explosives or any other similar materials.
- B. Storage of any materials that are not properly anchored, enclosed or protected to prevent movement or flotation beyond the property lines.
- C. Critical Facility. Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Flood-proofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

(.06) Flood Plain Permit Review Process:

- A. The Community Development Director the local flood plain administrator and is hereby appointed to administer and implement this Section by granting or denying Development Permit applications in accordance with its provisions.
- B. Duties and Responsibilities of the Community Development Director:
 - 1. Duties of the Community Development Director shall include, but not be limited to:
 - a. Review all Development Permits to determine that the permit requirements of this ordinance have been satisfied.
 - b. Review all Development Permits to determine that all necessary permits have been obtained from those Federal, State or local government agencies from which prior approval is required. Notify the State Department of Land Conservation and Development and FEMA of final permit decision.
 - c. Review all Development Permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment limitations of subsection (.07)(H) are met.

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- C. The Permit process for developments not regulated by Section 4.140 shall be as follows:
 - 1. Pre-application conference with the Planning Department in accordance with the procedures set forth in Section 4.008.
 - 2. A complete application in accordance with this Section shall be submitted to the Community Development Director.
 - 3. Within 30 days of complete application, the Community Development Director shall approve or deny the application based on the following Findings:
 - a. Reports from the City Engineer and Planning Director as to the applicant's submittal documents' compliance with this Section, including recommendations.
 - b. The proposed development's compliance with other provisions of the Comprehensive Plan and Zoning Regulations.
- D. The decision of the Community Development Director may be appealed to the Development Review Board, upon written notice to the City Recorder within ten (10) calendar days of the date of final decision. Upon appeal, the Board shall hear the matter in accordance with Section 4.022
- E. Any flood plain development proposed for property regulated under Section 4.140 shall be considered by the Development Review Board and the Community Development Director as part of the Planned Development Permit process.
- F. Submittal requirements.
 - 1. A field survey in relation to mean sea level by a licensed surveyor or civil engineer of the actual location of the 100-year flood plain, fringe, floodway and the lowest habitable finished floor elevations, including basements, of all existing structures.
 - 2. A Site Plan map showing all existing and proposed contours and development and supplemented by a soils and hydrologic report sufficient to determine the net effect of the proposed development on the flood plain elevations on the subject site and adjacent properties. Proposed areas of cut or fill shall be clearly indicated.
 - 3. A soils stabilization plan for all cuts, fills and graded areas.
- G. Use and Interpretation of Base Flood Data and maps.
 - 1. When specific 100-year flood plain elevation data has not been provided in as required in this Section, the Community Development Director shall obtain, review and reasonably utilize any base flood elevation data available from Federal, State or other sources, in order to determine compliance with this Section.
 - 2. The Community Development Director shall make the final interpretation of the exact 100-year flood plain boundaries on the FIRM and the Floodway Map. Appeals shall be granted consistent with the Standards of the rules and regulations of the National Flood Insurance Program and pursuant to WC 4.172(.08) Appeal Board.

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H. Monumentation and Recordation:

1. Prior to issuance of a Flood Plain Permit, the Community Development Director shall cause the placement of an elevation marker, set at two (2) feet above the 100-year flood elevation, on the subject property. The marker shall be properly identified and permanently monumented in concrete.
2. A Site Plan or map showing the location and elevation of the monument shall be submitted to and maintained on file by the Community Development Director.
3. Prior to issuance of an Occupancy Permit, for any structure within the 100-year flood plain, the Community Development Director shall insure by signature of a licensed surveyor or civil engineer (elevation certificate) that the finished floor elevation of commercial, industrial and public buildings are one and one-half (1-1/2) feet above the 100-year flood elevation and that residential uses are two (2) feet above the 100-year flood elevation. The finished floor elevation shall be in relation to mean sea level, of the lowest floor (including basement) of all structures. A copy of the finished construction elevation certificate for all new and substantially improved structures shall be provided to and maintained on file by the Community Development Director.
4. For all new or substantially improved flood proofed structures where base flood elevation data is provided through the Flood Insurance Study, FIRM, or as required in Section 4.172(.06)(G):
 - a. Verify and record the actual elevation (in relation to mean sea level) to which the structure was flood proofed, and
 - b. Maintain the flood proofing certifications required in Section 4.172(.07)(F)(1)(c).
5. Maintain for public inspection all records pertaining to the provisions of this ordinance.

[Section 4.172(.06)(H.) amended by Ord 686, 11/1/10]

(.07) General Standards:

A. Anchoring requirements:

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
2. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top of frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).
3. All recreational vehicles must either be elevated two (2) feet or more above the 100-year flood elevation and anchored in accordance with paragraph 2, above, or be on the site for less than 180 consecutive days and be fully licensed and highway ready. A recreational vehicle is ready for highway use if its wheels

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are in place and it is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

B. Construction materials and methods:

1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
3. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
4. Below-grade crawl spaces:
 - a. Below-grade crawlspaces are allowed subject to the following standards as found in FEMA Technical Bulletin 11-01, *Crawlspace Construction for Buildings Located in Special Flood Hazard Areas*:
 - i. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Hydrostatic loads and the effects of buoyancy can usually be addressed through the required openings stated in Section B below. Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than five (5) feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer. Other types of foundations are recommended for these areas.
 - ii. The crawlspace is an enclosed area below the base flood elevation (BFE) and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one (1) foot above the lowest adjacent exterior grade.
 - iii. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, or other materials that extend below the BFE. The recommended construction practice is to elevate the bottom of joists and all insulation above BFE.
 - iv. Any building utility systems within the crawlspace must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters.
 - v. The interior grade of a crawlspace below the BFE must not be more than two (2) feet below the lowest adjacent exterior grade.

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- vi. The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed four (4) feet at any point. The height limitation is the maximum allowable unsupported wall height according to the engineering analyses and building code requirements for flood hazard areas.
- vii. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles or gravel or crushed stone drainage by gravity or mechanical means.
- viii. The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawlspace. For velocities in excess of five (5) feet per second, other foundation types should be used.

For more detailed information refer to FEMA Technical Bulletin 11-01.

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C. Utilities:

1. All new replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.
3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

D. Alteration of Watercourses:

1. Provide description of the extent to which a watercourse will be altered or relocated as a result of proposed development.
2. Notify adjacent communities and the Federal Emergency Management Agency, Army Corps of Engineers, Department of Land Conservation and Development and Department of State Lands prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
3. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished. (Amended by Ord. #316, 7/6/87).

E. Residential Construction:

1. New construction and substantial improvement of any residential structure shall have the lowest finished floor, including basement, elevated two feet above the 100-year flood elevation.
2. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
 - a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - b. The bottom of all openings shall be no higher than one foot above grade.
 - c. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
3. Manufactured homes or mobile homes to be placed or substantially improved shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated two (2) feet or more above the base flood elevation and be securely anchored to an adequately designed foundation system to resist flotation, collapse and lateral movement in accordance with the provisions of Section 4.172(.07)(A.(2.)).

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F. Nonresidential Construction:

1. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest finished floor, including basement, elevated one and one-half (1-1/2) feet above the 100-year flood elevation; or, together with attendant utility and sanitary facilities, shall:
 - a. Be floodproofed so that below the base flood level the structure is water-tight with walls substantially impermeable to the passage of water.
 - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Floodproofing certifications are required to be provided to the Community Development Director.
 - d. Nonresidential structures that are elevated, not flood-proofed, must meet the same standards for space below the lowest floor as prescribed for residential construction, above.
 - e. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the flood-proofed level (e.g., a building constructed to the base flood level will be rated as one foot below that level).
2. Manufacture homes shall meet the requirements of Section 4.172(.07)(E)(3).

G. Before Regulatory Floodway: In areas where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zone AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

H. Floodways:

1. Located within the flood plain - are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:
 - a. Encroachments, including fill, new construction, or substantial improvements, and other development shall be prohibited unless certification by a registered professional civil engineer is provided, demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that encroachments shall not result in any increase flood levels during the occurrence of the base flood discharge.
 - b. All development shall comply with all applicable flood plain standards of Section 4.172.
 - c. All buildings designed for human habitation and/or occupancy shall be prohibited within the floodway.

Section 4.172. Flood Plain Regulations.

I. Parking Lots and Storage Areas:

1. All parking lots and storage areas below the flood plain elevation shall be paved.
2. A minimum of twenty-five (25) percent of the required parking space must be provided above the 100-year flood plain elevation for all nonresidential uses.
3. Residential uses shall provide at least one parking space per unit above the 100-year flood plain elevation.

J. Subdivision Proposals:

1. All subdivision proposals shall be consistent with the need to minimize flood damage.
2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.
3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage, and
4. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).

K. Review of Building Permits. Where elevation data is not available either through the Flood Insurance Study or from another authoritative source, applications for Building Permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

[Section 4.172(.07) amended by Ord 686, 11/1/10]

(.08) Appeal Board.

- A. The Development Review Board as established by the City of Wilsonville shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- B. The Development Review Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the Community Development Director in the enforcement or administration of this ordinance.
- C. Those aggrieved by the decision of the Development Review Board may appeal such decision to the City Council.
- D. In acting upon such applications, the Development Review Board shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and
 1. the danger that materials may be swept onto other lands to the injury of others;

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2. the danger to life an property due to flooding or erosion damage;
3. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. the importance of the services provided by the proposed facility to the community;
5. the necessity to the facility of a waterfront location, where applicable;
6. the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
7. the compatibility of the proposed use with existing and anticipated development;
8. the relationship of the proposed use to the Comprehensive Plan and flood plain management program for that area;
9. the safety of access to the property in times of flood for ordinary and emergency vehicles;
10. the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
11. the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas electrical and water systems, and streets and bridges.

E. Upon consideration of the factors of Sections 4.035, 4.184, and 4.196 and the purposes of this ordinance, the Development Review Board may attach such conditions to the granting of - permits as it deems necessary to further the purposes of this ordinance and to protect lives or property.

F. The Community Development Director shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

(.09) Conflicts. If any provisions of Section 4.172 conflict with any other Sections of this Code, the most restrictive shall apply.

[Section 4.172 amended by Ord. 647, 4/21/08]

Section 4.175. Public Safety and Crime Prevention.

- (.01) All developments shall be designed to deter crime and insure public safety.
- (.02) Addressing and directional signing shall be designed to assure identification of all buildings and structures by emergency response personnel, as well as the general public.
- (.03) Areas vulnerable to crime shall be designed to allow surveillance. Parking and loading areas shall be designed for access by police in the course of routine patrol duties.

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- (.04) Exterior lighting shall be designed and oriented to discourage crime.

Section 4.176. Landscaping, Screening, and Buffering.

Note: the reader is encouraged to see Section 4.179, applying to screening and buffering of storage areas for solid waste and recyclables.

- (.01) Purpose. This Section consists of landscaping and screening standards and regulations for use throughout the City. The regulations address materials, placement, layout, and timing of installation. The City recognizes the ecological and economic value of landscaping and requires the use of landscaping and other screening or buffering to:
- A. Promote the re-establishment of vegetation for aesthetic, health, erosion control, flood control and wildlife habitat reasons;
 - B. Restore native plant communities and conserve irrigation water through establishment, or re-establishment, of native, drought-tolerant plants;
 - C. Mitigate for loss of native vegetation;
 - D. Establish and enhance a pleasant visual character which recognizes aesthetics and safety issues;
 - E. Promote compatibility between land uses by reducing the visual, noise, and lighting impacts of specific development on users of the site and abutting sites or uses;
 - F. Unify development and enhance and define public and private spaces;
 - G. Promote the retention and use of existing topsoil and vegetation. Amended soils benefit stormwater retention and promote infiltration;
 - H. Aid in energy conservation by providing shade from the sun and shelter from the wind; and
 - I. Screen from public view the storage of materials that would otherwise be considered unsightly.
 - J. Support crime prevention, create proper sight distance clearance, and establish other safety factors by effective landscaping and screening.
 - K. Provide landscaping materials that minimize the need for excessive use of fertilizers, herbicides and pesticides, irrigation, pruning, and mowing to conserve and protect natural resources, wildlife habitats, and watersheds.
- (.02) Landscaping and Screening Standards.
- A. Subsections “C” through “I,” below, state the different landscaping and screening standards to be applied throughout the City. The locations where the landscaping and screening are required and the depth of the landscaping and screening is stated in various places in the Code.
 - B. All landscaping and screening required by this Code must comply with all of the provisions of this Section, unless specifically waived or granted a Variance as otherwise provided in the Code. The landscaping standards are minimum requirements; higher standards can be substituted as long as fence and vegetation-

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height limitations are met. Where the standards set a minimum based on square footage or linear footage, they shall be interpreted as applying to each complete or partial increment of area or length (e.g., a landscaped area of between 800 and 1600 square feet shall have two trees if the standard calls for one tree per 800 square feet).

C. General Landscaping Standard.

1. Intent. The General Landscaping Standard is a landscape treatment for areas that are generally open. It is intended to be applied in situations where distance is used as the principal means of separating uses or developments and landscaping is required to enhance the intervening space. Landscaping may include a mixture of ground cover, evergreen and deciduous shrubs, and coniferous and deciduous trees.
2. Required materials. Shrubs and trees, other than street trees, may be grouped. Ground cover plants must fully cover the remainder of the landscaped area (see Figure 21: General Landscaping). The General Landscaping Standard has two different requirements for trees and shrubs:
 - a. Where the landscaped area is less than 30 feet deep, one tree is required for every 30 linear feet.
 - b. Where the landscaped area is 30 feet deep or greater, one tree is required for every 800 square feet and two high shrubs or three low shrubs are required for every 400 square feet.

D. Low Screen Landscaping Standard.

1. Intent. The Low Screen Landscaping Standard is a landscape treatment that uses a combination of distance and low screening to separate uses or developments. It is intended to be applied in situations where low screening is adequate to soften the impact of one use or development on another, or where visibility between areas is more important than a total visual screen. The Low Screen Landscaping Standard is usually applied along street lot lines or in the area separating parking lots from street rights-of-way.
2. Required materials. The Low Screen Landscaping Standard requires sufficient low shrubs to form a continuous screen three (3) feet high and 95% opaque, year-round. In addition, one tree is required for every 30 linear feet of landscaped area, or as otherwise required to provide a tree canopy over the landscaped area. Ground cover plants must fully cover the remainder of the landscaped area. A three (3) foot high masonry wall or a berm may be substituted for the shrubs, but the trees and ground cover plants are still required. When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area. (See Figure 22: Low Screen Landscaping).

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E. High Screen Landscaping Standard.

1. Intent. The High Screen Landscaping Standard is a landscape treatment that relies primarily on screening to separate uses or developments. It is intended to be applied in situations where visual separation is required.
2. Required materials. The High Screen Landscaping Standard requires sufficient high shrubs to form a continuous screen at least six (6) feet high and 95% opaque, year-round. In addition, one tree is required for every 30 linear feet of landscaped area, or as otherwise required to provide a tree canopy over the landscaped area. Ground cover plants must fully cover the remainder of the landscaped area. A six (6) foot high masonry wall or a berm may be substituted for the shrubs, but the trees and ground cover plants are still required. When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area. (See Figure 23: High Screen Landscaping).

F. High Wall Standard.

1. Intent. The High Wall Standard is intended to be applied in situations where extensive screening to reduce both visual and noise impacts is needed to protect abutting uses or developments from one-another. This screening is most important where either, or both, of the abutting uses or developments can be expected to be particularly sensitive to noise or visual impacts, or where there is little space for physical separation.
2. Required materials. The High Wall Standard requires a masonry wall at least six (6) feet high along the interior side of the landscaped area (see Figure 24: High Wall Landscaping). In addition, one tree is required for every 30 linear feet of wall, or as otherwise required to provide a tree canopy over the landscaped area. Ground cover plants must fully cover the remainder of the landscaped area.

G. High Berm Standard.

1. Intent. The High Berm Standard is intended to be applied in situations where extensive screening to reduce both visual and noise impacts is needed to protect abutting uses or developments from one-another, and where it is desirable and practical to provide separation by both distance and sight-obscuring materials. This screening is most important where either, or both, of the abutting uses or developments can be expected to be particularly sensitive to noise or visual impacts.
2. Required materials. The High Berm Standard requires a berm at least four (4) feet high along the interior side of the landscaped area (see Figure 25: High Berm Landscaping). If the berm is less than six (6) feet high, low shrubs meeting the Low Screen Landscaping Standard, above, are to be planted along the top of the berm, assuring that the screen is at least six (6) feet in height. In addition, one tree is required for every 30 linear feet of berm, or as otherwise required to provide a tree canopy over the landscaped area. Ground cover plants must fully cover the remainder of the landscaped area.

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H. Partially Sight-Obscuring Fence Standard.

1. Intent. The Partially Sight-Obscuring Fence Standard is intended to provide a tall, but not totally blocked, visual separation. The standard is applied where a low level of screening is adequate to soften the impact of one use or development on another, and where some visibility between abutting areas is preferred over a total visual screen. It can be applied in conjunction with landscape plantings or applied in areas where landscape plantings are not necessary and where nonresidential uses are involved.
2. Required materials. Partially Sight-Obscuring Fence Standard are to be at least six (6) feet high and at least 50% sight-obscuring. Fences may be made of wood (other than plywood or particle-board), metal, bricks, masonry or other permanent materials (see Figure 26: Partially Sight-Obscuring Fence).

I. Fully Sight-Obscuring Fence Standard.

1. Intent. The Fully Sight-Obscuring Fence Standard is intended to provide a totally blocked visual separation. The standard is applied where full visual screening is needed to reduce the impact of one use or development on another. It can be applied in conjunction with landscape plantings or applied in areas where landscape plantings are not necessary.
2. Required materials. Fully sight-obscuring fences are to be at least six (6) feet high and 100% sight-obscuring. Fences may be made of wood (other than plywood or particle-board), metal, bricks, masonry or other permanent materials (see Figure 27: Totally Sight-Obscuring Fence).

(.03) Landscape Area. Not less than fifteen percent (15%) of the total lot area, shall be landscaped with vegetative plant materials. The ten percent (10%) parking area landscaping required by section 4.155.03(B)(1) is included in the fifteen percent (15%) total lot landscaping requirement. Landscaping shall be located in at least three separate and distinct areas of the lot, one of which must be in the contiguous frontage area. Planting areas shall be encouraged adjacent to structures. Landscaping shall be used to define, soften or screen the appearance of buildings and off-street parking areas. Materials to be installed shall achieve a balance between various plant forms, textures, and heights. The installation of native plant materials shall be used whenever practicable. (For recommendations refer to the Native Plant List maintained by the City of Wilsonville). [Amended by Ord. # 674 11/16/09]

(.04) Buffering and Screening. Additional to the standards of this subsection, the requirements of the Section 4.137.5 (Screening and Buffering Overlay Zone) shall also be applied, where applicable.

- A. All intensive or higher density developments shall be screened and buffered from less intense or lower density developments.
- B. Activity areas on commercial and industrial sites shall be buffered and screened from adjacent residential areas. Multi-family developments shall be screened and buffered from single-family areas.

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- C. All exterior, roof and ground mounted, mechanical and utility equipment shall be screened from ground level off-site view from adjacent streets or properties.
 - D. All outdoor storage areas shall be screened from public view, unless visible storage has been approved for the site by the Development Review Board or Planning Director acting on a development permit.
 - E. In all cases other than for industrial uses in industrial zones, landscaping shall be designed to screen loading areas and docks, and truck parking.
 - F. In any zone any fence over six (6) feet high measured from soil surface at the outside of fenceline shall require Development Review Board approval.
- (.05) Sight-Obscuring Fence or Planting. The use for which a sight-obscuring fence or planting is required shall not begin operation until the fence or planting is erected or in place and approved by the City. A temporary occupancy permit may be issued upon a posting of a bond or other security equal to one hundred ten percent (110%) of the cost of such fence or planting and its installation. (See Sections 4.400 to 4.470 for additional requirements.)
- (.06) Plant Materials.
- A. Shrubs and Ground Cover. All required ground cover plants and shrubs must be of sufficient size and number to meet these standards within three (3) years of planting. Non-horticultural plastic sheeting or other impermeable surface shall not be placed under mulch. Native topsoil shall be preserved and reused to the extent feasible. Surface mulch or bark dust are to be fully raked into soil of appropriate depth, sufficient to control erosion, and are confined to areas around plantings. Areas exhibiting only surface mulch, compost or barkdust are not to be used as substitutes for plant areas. [Amended by Ord. # 674 11/16/09]
 - 1. Shrubs. All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10" to 12" spread.
 - 2. Ground cover. Shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum. No bare root planting shall be permitted. Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. Where wildflower seeds are designated for use as a ground cover, the City may require annual re-seeding as necessary.
 - 3. Turf or lawn in non-residential developments. Shall not be used to cover more than ten percent (10%) of the landscaped area, unless specifically approved based on a finding that, due to site conditions and availability of water, a larger percentage of turf or lawn area is appropriate. Use of lawn fertilizer shall be discouraged. Irrigation drainage runoff from lawns shall be retained within lawn areas.

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4. Plant materials under trees or large shrubs. Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.
 5. Integrate compost-amended topsoil in all areas to be landscaped, including lawns, to help detain runoff, reduce irrigation and fertilizer needs, and create a sustainable, low-maintenance landscape. [Added by Ord. # 674 11/16/09]
- B. Trees. All trees shall be well-branched and typical of their type as described in current American Association of Nurserymen (AAN) Standards and shall be balled and burlapped. The trees shall be grouped as follows:
1. Primary trees which define, outline or enclose major spaces, such as Oak, Maple, Linden, and Seedless Ash, shall be a minimum of 2" caliper.
 2. Secondary trees which define, outline or enclose interior areas, such as Columnar Red Maple, Flowering Pear, Flame Ash, and Honeylocust, shall be a minimum of 1-3/4" to 2" caliper.
 3. Accent trees which, are used to add color, variation and accent to architectural features, such as Flowering- Pear and Kousa Dogwood, shall be 1-3/4" minimum caliper.
 4. Large conifer trees such as Douglas-Fir or Deodar Cedar shall be installed at a minimum height of eight (8) feet.
 5. Medium-sized conifers such as Shore Pine, Western Red Cedar or Mountain Hemlock shall be installed at a minimum height of five to six (5 to 6) feet.
- C. Where a proposed development includes buildings larger than twenty-four (24) feet in height or greater than 50,000 square feet in footprint area, the Development Review Board may require larger or more mature plant materials:
1. At maturity, proposed trees shall be at least one-half the height of the building to which they are closest, and building walls longer than 50 feet shall require tree groups located no more than fifty (50) feet on center, to break up the length and height of the façade.
 2. Either fully branched deciduous or evergreen trees may be specified depending upon the desired results. Where solar access is to be preserved, only solar-friendly deciduous trees are to be used. Where year-round sight obscuring is the highest priority, evergreen trees are to be used.
 3. The following standards are to be applied:
 - a. Deciduous trees:
 - i. Minimum height of ten (10) feet; and
 - ii. Minimum trunk diameter (caliper) of 2 inches (measured at four and one-half [4 1/2] feet above grade).
 - b. Evergreen trees: Minimum height of twelve (12) feet.
- D. Street Trees. In order to provide a diversity of species, the Development Review Board may require a mix of street trees throughout a development. Unless the Board waives the requirement for reasons supported by a finding in the record,

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different types of street trees shall be required for adjoining blocks in a development.

1. All trees shall be standard base grafted, well branched and typical of their type as described in current AAN Standards and shall be balled and burlapped (b&b). Street trees shall be planted at sizes in accordance with the following standards:
 - a. Arterial streets - 3" minimum caliper
 - b. Collector streets - 2" minimum caliper.
 - c. Local streets or residential private access drives - 1-3/4" minimum caliper. [Amended by Ord. 682, 9/9/10]
 - d. Accent or median tree -1-3/4" minimum caliper.
2. The following trees and varieties thereof are considered satisfactory street trees in most circumstances; however, other varieties and species are encouraged and will be considered:
 - a. Trees over 50 feet mature height: *Quercus garryana* (Native Oregon White Oak), *Quercus rubra borealis* (Red Oak), *Acer Macrophyllum* (Native Big Leaf Maple), *Acer nigrum* (Green Column Black Maple), *Fraxinus americanus* (White Ash), *Fraxinus pennsylvannica* 'Marshall' (Marshall Seedless Green Ash), *Quercus coccinea* (Scarlet Oak), *Quercus pulustris* (Pin-Oak), *Tilia americana* (American Linden).
 - b. Trees under 50 feet mature height: *Acer rubrum* (Red Sunset Maple), *Cornus nuttallii* (Native Pacific Dogwood), *Gleditsia triacanthos* (Honey Locust), *Pyrus calleryana* 'Bradford' (Bradford Pear), *Tilia cordata* (Little Leaf Linden), *Fraxinus oxycarpa* (Flame Ash).
 - c. Other street tree species. Other species may be specified for use in certain situations. For instance, evergreen species may be specified where year-round color is desirable and no adverse effect on solar access is anticipated. Water-loving species may be specified in low locations where wet soil conditions are anticipated.

[Section 4.176(.06)(D.) amended by Ordinance No. 538, 2/21/02.]

E. Types of Plant Species.

1. Existing landscaping or native vegetation may be used to meet these standards, if protected and maintained during the construction phase of the development and if the plant species do not include any that have been listed by the City as prohibited. The existing native and non-native vegetation to be incorporated into the landscaping shall be identified.
2. Selection of plant materials. Landscape materials shall be selected and sited to produce hardy and drought-tolerant landscaping. Selection shall be based on soil characteristics, maintenance requirements, exposure to sun and wind, slope and contours of the site, and compatibility with other vegetation that will remain on the site. Suggested species lists for street trees, shrubs and groundcovers shall be provided by the City of Wilsonville.
3. Prohibited plant materials. The City may establish a list of plants that are prohibited in landscaped areas. Plants may be prohibited because they are

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potentially damaging to sidewalks, roads, underground utilities, drainage improvements, or foundations, or because they are known to be invasive to native vegetation.

[Section 4.176(.06)(E.) amended by Ordinance No. 538, 2/21/02.]

F. Tree Credit.

Existing trees that are in good health as certified by an arborist and are not disturbed during construction may count for landscaping tree credit as follows (measured at four and one-half feet above grade and rounded to the nearest inch):

Existing trunk diameter	Number of Tree Credits
18 to 24 inches in diameter	3 tree credits
25 to 31 inches in diameter	4 tree credits
32 inches or greater	5 tree credits

[Amended by Ord. # 674 11/16/09]

1. It shall be the responsibility of the owner to use reasonable care to maintain preserved trees. Trees preserved under this section may only be removed if an application for removal permit under Section 4.610.10(01)(H) has been approved. Required mitigation for removal shall be replacement with the number of trees credited to the preserved and removed tree.
2. Within five years of occupancy and upon notice from the City, the property owner shall replace any preserved tree that cannot be maintained due to disease or damage, or hazard or nuisance as defined in Chapter 6 of this code. The notice shall be based on complete information provided by an arborist. Replacement with the number of trees credited shall occur within one (1) growing season of notice.

G. Exceeding Standards. Landscape materials that exceed the minimum standards of this Section are encouraged, provided that height and vision clearance requirements are met. [Amended by Ordinance No. 538, 2/21/02.]

H. Compliance with Standards. The burden of proof is on the applicant to show that proposed landscaping materials will comply with the purposes and standards of this Section. [Amended by Ordinance No. 538, 2/21/02.]

(.07) Installation and Maintenance.

- A. Installation. Plant materials shall be installed to current industry standards and shall be properly staked to assure survival. Support devices (guy wires, etc.) shall not be allowed to interfere with normal pedestrian or vehicular movement.
- B. Maintenance. Maintenance of landscaped areas is the on-going responsibility of the property owner. Any landscaping installed to meet the requirements of this Code, or any condition of approval established by a City decision-making body acting on an application, shall be continuously maintained in a healthy, vital and acceptable manner. Plants that die are to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. Failure to

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maintain landscaping as required in this Section shall constitute a violation of this Code for which appropriate legal remedies, including the revocation of any applicable land development permits, may result.

- C. Irrigation. The intent of this standard is to assure that plants will survive the critical establishment period when they are most vulnerable due to a lack of watering and also to assure that water is not wasted through unnecessary or inefficient irrigation. Approved irrigation system plans shall specify one of the following:
1. A permanent, built-in, irrigation system with an automatic controller. Either a spray or drip irrigation system, or a combination of the two, may be specified.
 2. A permanent or temporary system designed by a landscape architect licensed to practice in the State of Oregon, sufficient to assure that the plants will become established and drought-tolerant.
 3. Other irrigation system specified by a licensed professional in the field of landscape architecture or irrigation system design.
 4. A temporary permit issued for a period of one year, after which an inspection shall be conducted to assure that the plants have become established. Any plants that have died, or that appear to the Planning Director to not be thriving, shall be appropriately replaced within one growing season. An inspection fee and a maintenance bond or other security sufficient to cover all costs of replacing the plant materials shall be provided, to the satisfaction of the Community Development Director. Additionally, the applicant shall provide the City with a written license or easement to enter the property and cause any failing plant materials to be replaced.
- D. Protection. All required landscape areas, including all trees and shrubs, shall be protected from potential damage by conflicting uses or activities including vehicle parking and the storage of materials.
- (.08) Landscaping on Corner Lots. All landscaping on corner lots shall meet the vision clearance standards of Section 4.177. If high screening would ordinarily be required by this Code, low screening shall be substituted within vision clearance areas. Taller screening may be required outside of the vision clearance area to mitigate for the reduced height within it.
- (.09) Landscape Plans. Landscape plans shall be submitted showing all existing and proposed landscape areas. Plans must be drawn to scale and show the type, installation size, number and placement of materials. Plans shall include a plant material list. Plants are to be identified by both their scientific and common names. The condition of any existing plants and the proposed method of irrigation are also to be indicated. Landscape plans shall divide all landscape areas into the following categories based on projected water consumption for irrigation:
- A. High water usage areas (+/- two (2) inches per week): small convoluted lawns, lawns under existing trees, annual and perennial flower beds, and temperamental shrubs;

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- B. Moderate water usage areas (+/- one (1) inch per week): large lawn areas, average water-using shrubs, and trees;
- C. Low water usage areas (Less than one (1) inch per week, or gallons per hour): seeded fieldgrass, swales, native plantings, drought-tolerant shrubs, and ornamental grasses or drip irrigated areas.
- D. Interim or unique water usage areas: areas with temporary seeding, aquatic plants, erosion control areas, areas with temporary irrigation systems, and areas with special water-saving features or water harvesting irrigation capabilities.

These categories shall be noted in general on the plan and on the plant material list.

- (.10) Completion of Landscaping. The installation of plant materials may be deferred for a period of time specified by the Board or Planning Director acting on an application, in order to avoid hot summer or cold winter periods, or in response to water shortages. In these cases, a temporary permit shall be issued, following the same procedures specified in subsection (.07)(C)(3), above, regarding temporary irrigation systems. No final Certificate of Occupancy shall be granted until an adequate bond or other security is posted for the completion of the landscaping, and the City is given written authorization to enter the property and install the required landscaping, in the event that the required landscaping has not been installed. The form of such written authorization shall be submitted to the City Attorney for review.
- (.11) Street Trees Not Typically Part of Site Landscaping. Street trees are not subject to the requirements of this Section and are not counted toward the required standards of this Section. Except, however, that the Development Review Board may, by granting a waiver or variance, allow for special landscaping within the right-of-way to compensate for a lack of appropriate on-site locations for landscaping. See subsection (.06), above, regarding street trees.
- (.12) Mitigation and Restoration Plantings. A mitigation plan is to be approved by the City's Development Review Board before the destruction, damage, or removal of any existing native plants. Plantings intended to mitigate the loss of native vegetation are subject to the following standards. Where these standards conflict with other requirements of this Code, the standards of this Section shall take precedence. The desired effect of this section is to preserve existing native vegetation.
 - A. Plant Sources. Plant materials are to be native and are subject to approval by the City. They are to be non-clonal in origin; seed source is to be as local as possible, and plants must be nursery propagated or taken from a pre-approved transplantation area. All of these requirements are to be addressed in any proposed mitigation plan.
 - B. Plant Materials. The mitigation plan shall specify the types and installation sizes of plant materials to be used for restoration. Practices such as the use of pesticides, fungicides, and fertilizers shall not be employed in mitigation areas unless specifically authorized and approved.
 - C. Installation. Install native plants in-suitable soil conditions. Plant materials are to be supported only when necessary because of extreme winds at the site. Where

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support is necessary, all stakes, guy wires or other measures are to be removed as soon as the plants can support themselves. Protect from animal and fowl predation and foraging until establishment.

- D. Irrigation. Permanent irrigation systems are generally not appropriate in restoration situations, and manual or temporary watering of new plantings is often necessary. The mitigation plan shall specify the method and frequency of manual watering, including any that may be necessary after the first growing season.
- E. Monitoring and Reporting. Monitoring of native landscape areas is the on-going responsibility of the property owner. Plants that die are to be replaced in kind and quantity within one year. Written proof of the survival of all plants shall be required to be submitted to the City's Planning Department one year after the planting is completed.

[Section 4.176 amended by Ordinance No. 536. 1/7/021



Figure 21: General Landscaping

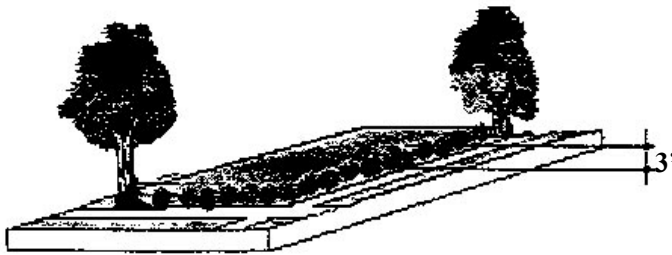


Figure 22: Low Screen Landscaping

Section 4.176. Landscaping, Screening, and Buffering.

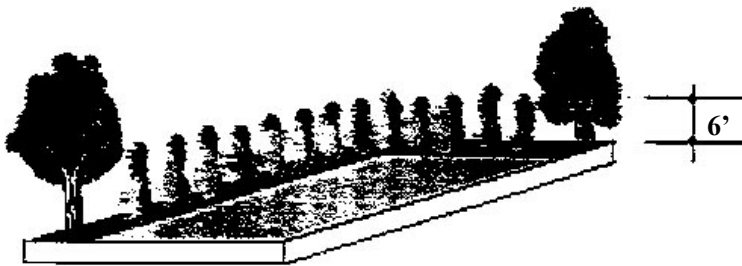


Figure 23: High Screen Landscaping

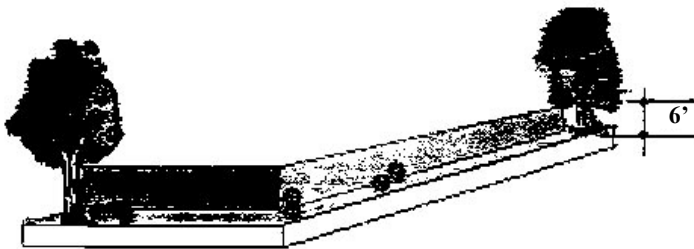


Figure 24: High Wall Landscaping

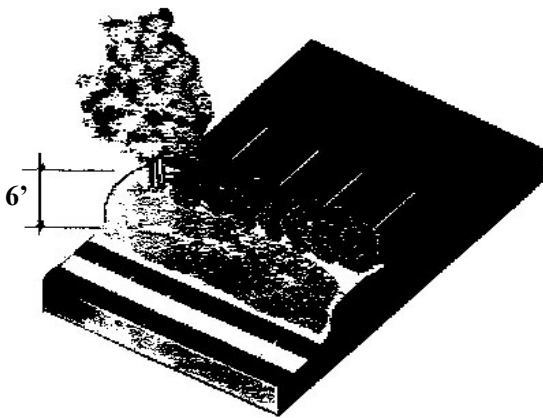


Figure 25: High Berm Landscaping

Section 4.176. Landscaping, Screening, and Buffering.

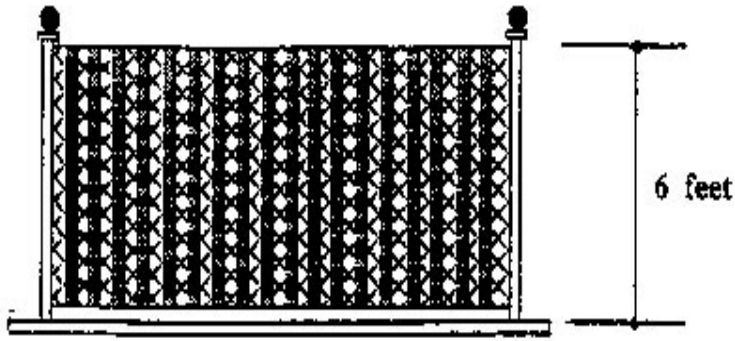


Figure 26: Partially Sight-Obscuring Fence



Figure 27: Totally Sight-Obscuring Fence

TREE CLEARANCES

The Landscaping Graphics

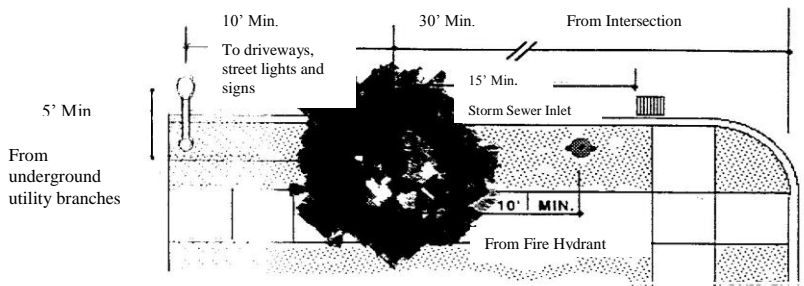
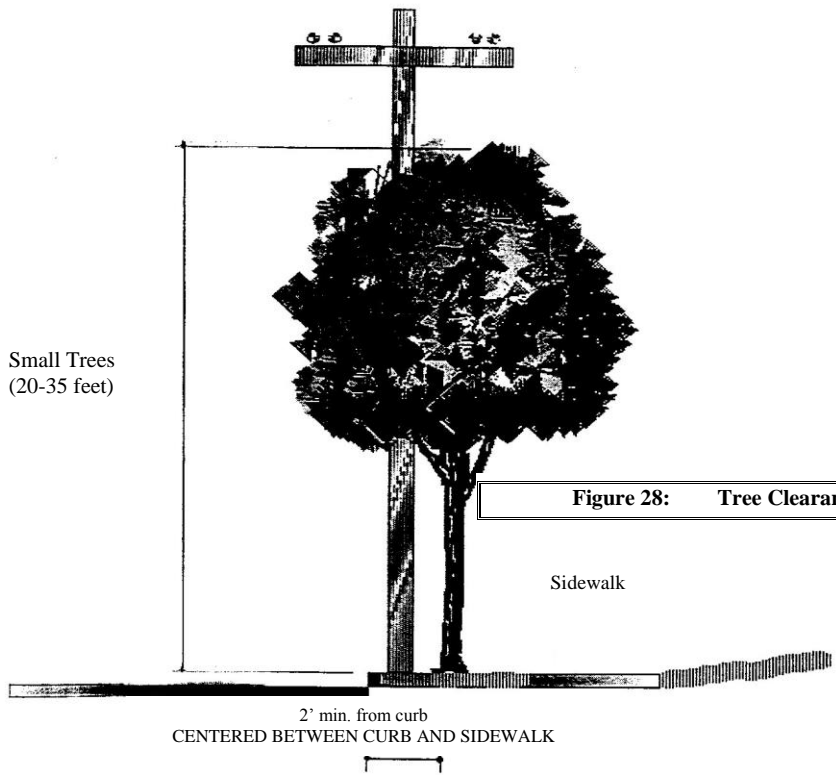


Figure 29: Tree Clearances

Section 4.177. Street Improvement Standards.

Section 4.177. Street Improvement Standards.

This section contains the City's requirements and standards for pedestrian, bicycle, and transit facility improvements to public streets, or within public easements. The purpose of this section is to ensure that development, including redevelopment, provides transportation facilities that are safe, convenient, and adequate in rough proportion to their impacts.

- (.01) Development and related public facility improvements shall comply with the standards in this section, the Wilsonville Public Works Standards, and the Transportation System Plan, in rough proportion to the potential impacts of the development. Such improvements shall be constructed at the time of development or as provided by Section 4.140, except as modified or waived by the City Engineer for reasons of safety or traffic operations..
- (.02) Street Design Standards.
 - A. All street improvements and intersections shall provide for the continuation of streets through specific developments to adjoining properties or subdivisions.
 - 1. Development shall be required to provide existing or future connections to adjacent sites through the use of access easements where applicable. Such easements shall be required in addition to required public street dedications as required in Section 4.236(.04).
 - B. The City Engineer shall make the final determination regarding right-of-way and street element widths using the ranges provided in Chapter 3 of the Transportation System Plan and the additional street design standards in the Public Works Standards.
 - C. Rights-of-way.
 - 1. Prior to issuance of a Certificate of Occupancy Building permits or as a part of the recordation of a final plat, the City shall require dedication of rights-of-way in accordance with the Transportation System Plan. All dedications shall be recorded with the County Assessor's Office.
 - 2. The City shall also require a waiver of remonstrance against formation of a local improvement district, and all non-remonstrances shall be recorded in the County Recorder's Office as well as the City's Lien Docket, prior to issuance of a Certificate of Occupancy Building Permit or as a part of the recordation of a final plat.
 - 3. In order to allow for potential future widening, a special setback requirement shall be maintained adjacent to all arterial streets. The minimum setback shall be 55 feet from the centerline or 25 feet from the right-of-way designated on the Master Plan, whichever is greater.
 - D. Dead-end Streets. New dead-end streets or cul-de-sacs shall not exceed 200 feet in length, unless the adjoining land contains barriers such as existing buildings, railroads or freeways, or environmental constraints such as steep slopes, or major streams or rivers, that prevent future street extension and connection. A central landscaped island with rainwater management and infiltration are encouraged in cul-de-sac design. No more than 25 dwelling units shall take access to a new

Section 4.177. Street Improvement Standards.

dead-end or cul-de-sac street unless it is determined that the traffic impacts on adjacent streets will not exceed those from a development of 25 or fewer units. All other dimensional standards of dead-end streets shall be governed by the Public Works Standards. Notification that the street is planned for future extension shall be posted on the dead-end street. [Amended by Ord. # 674 11/16/09]

E. Corner or clear vision area.

1. A clear vision area which meets the Public Works Standards shall be maintained on each corner of property at the intersection of any two streets, a street and a railroad or a street and a driveway. However, the following items shall be exempt from meeting this requirement:
 - a. Light and utility poles with a diameter less than 12 inches.
 - b. Trees less than 6" d.b.h., approved as a part of the Stage II Site Design, or administrative review.
 - c. Except as allowed by b., above, an existing tree, trimmed to the trunk, 10 feet above the curb.
 - d. Official warning or street sign.
 - e. Natural contours where the natural elevations are such that there can be no cross-visibility at the intersection and necessary excavation would result in an unreasonable hardship on the property owner or deteriorate the quality of the site.

F. Vertical clearance - a minimum clearance of 12 feet above the pavement surface shall be maintained over all streets and access drives.

G. Interim improvement standard. It is anticipated that all existing streets, except those in new subdivisions, will require complete reconstruction to support urban level traffic volumes. However, in most cases, existing and short-term projected traffic volumes do not warrant improvements to full Master Plan standards. Therefore, unless otherwise specified by the Development Review Board, the following interim standards shall apply.

1. Arterials - 24 foot paved, with standard sub-base. Asphalt overlays are generally considered unacceptable, but may be considered as an interim improvement based on the recommendations of the City Engineer, regarding adequate structural quality to support an overlay.
2. Half-streets are generally considered unacceptable. However, where the Development Review Board finds it essential to allow for reasonable development, a half-street may be approved. Whenever a half-street improvement is approved, it shall conform to the requirements in the Public Works Standards:
3. When considered appropriate in conjunction with other anticipated or scheduled street improvements, the City Engineer may approve street improvements with a single asphalt lift. However, adequate provision must be made for interim storm drainage, pavement transitions at seams and the scheduling of the second lift through the Capital Improvements Plan.

[Amended by Ord. 610, 5/1/06]

Section 4.177. Street Improvement Standards.

- (.03) Sidewalks. Sidewalks shall be provided on the public street frontage of all development. Sidewalks shall generally be constructed within the dedicated public right-of-way, but may be located outside of the right-of-way within a public easement with the approval of the City Engineer.
- A. Sidewalk widths shall include a minimum through zone of at least five feet. The through zone may be reduced pursuant to variance procedures in Section 4.196, a waiver pursuant to Section 4.118, or by authority of the City Engineer for reasons of traffic operations, efficiency, or safety.
- B. Within a Planned Development, the Development Review Board may approve a sidewalk on only one side. If the sidewalk is permitted on just one side of the street, the owners will be required to sign an agreement to an assessment in the future to construct the other sidewalk if the City Council decides it is necessary.
- (.04) Bicycle Facilities. Bicycle facilities shall be provided to implement the Transportation System Plan, and may include on-street and off-street bike lanes, shared lanes, bike boulevards, and cycle tracks. The design of on-street bicycle facilities will vary according to the functional classification and the average daily traffic of the facility.
- (.05) Multiuse Pathways. Pathways may be in addition to, or in lieu of, a public street. Paths that are in addition to a public street shall generally run parallel to that street, and shall be designed in accordance with the Public Works Standards or as specified by the City Engineer. Paths that are in lieu of a public street shall be considered in areas only where no other public street connection options are feasible, and are subject to the following standards.
- A. Paths shall be located to provide a reasonably direct connection between likely pedestrian and bicyclist destinations. Additional standards relating to entry points, maximum length, visibility, and path lighting are provided in the Public Works Standards.
- B. To ensure ongoing access to and maintenance of pedestrian/bicycle paths, the City Engineer will require dedication of the path to the public and acceptance of the path by the City as public right-of-way; or creation of a public access easement over the path.
- (.06) Transit Improvements
- Development on sites that are adjacent to or incorporate major transit streets shall provide improvements as described in this section to any bus stop located along the site's frontage, unless waived by the City Engineer for reasons of safety or traffic operations. Transit facilities include bus stops, shelters, and related facilities. Required transit facility improvements may include the dedication of land or the provision of a public easement.
- A. Development shall at a minimum provide:
1. Reasonably direct pedestrian connections, as defined by Section 4.154, between building entrances and the transit facility and between buildings on the site and streets adjoining transit stops.

Section 4.177. Street Improvement Standards.

2. Improvements at major transit stops. Improvements may include intersection or mid-block traffic management improvements to allow for pedestrian crossings at major transit stops.
 - B. Developments generating an average of 49 or more pm peak hour trips shall provide bus stop improvements per the Public Works Standards. Required improvements may include provision of benches, shelters, pedestrian lighting; or provision of an easement or dedication of land for transit facilities.
 - C. In addition to the requirements of 4.177(.06)(A.)(2.), development generating more than 199 pm peak hour trips on major transit streets shall provide a bus pullout, curb extension, and intersection or mid-block traffic management improvements to allow for pedestrian crossings at major transit stops.
 - D. In addition to the requirements of 4.177(.06)(A.) and (B.), development generating more than 500 pm peak-hour trips on major transit streets shall provide on-site circulation to accommodate transit service.
- (.07) Residential Private Access Drives. Residential Private Access Drives shall meet the following standards:
- A. Residential Private Access Drives shall provide primary vehicular access to no more than four (4) dwelling units, excluding accessory dwelling units.
 - B. The design and construction of a Residential Private Access Drive shall ensure a useful lifespan and structural maintenance schedule comparable, as determined by the City Engineer or City's Authorized Representative, to a local street constructed in conformance to current public works standards.
 1. The design of residential private access drives shall be stamped by a professional engineer registered in the state of Oregon and shall be approved by the City Engineer or City's Authorized Representative to ensure the above requirement is met.
 2. Prior to issuing a certificate of occupancy for any residential dwelling unit whose primary vehicular access is from a Residential Private Access Drive the City Engineer or City's Authorized Representative shall certify construction of the Residential Private Access Drive substantially conforms the design approved by the City Engineer or City's Authorized Representative.
 - C. Residential Private Access Drives shall be named for addressing purposes. All Residential Private Access Drives shall use the suffix "Lane", i.e. SW Oakview Lane.
 - D. Residential Private Access Drives shall meet or exceed the standards for access drives and travel lanes established in Subsection (.08) of this Section.
[Amended by Ord. 682, 9/1/10]
- (.08) Access Drive and Driveway Approach Development Standards.
- A. An access drive to any proposed development shall be designed to provide a clear travel lane free from any obstructions.

Section 4.177. Street Improvement Standards.

- B. Access drive travel lanes shall be constructed with a hard surface capable of carrying a 23-ton load.
- C. Where emergency vehicle access is required, approaches and driveways shall be designed and constructed to accommodate emergency vehicle apparatus and shall conform to applicable fire protection requirements. The City may restrict parking, require signage, or require other public safety improvements pursuant to the recommendations of an emergency service provider.
- D. Secondary or emergency access lanes may be improved to a minimum 12 feet with an all-weather surface as approved by the Fire District. All fire lanes shall be dedicated easements.
- E. Minimum access requirements shall be adjusted commensurate with the intended function of the site based on vehicle types and traffic generation.
- F. The number of approaches on higher classification streets (e.g., collector and arterial streets) shall be minimized; where practicable, access shall be taken first from a lower classification street.
- G. The City may limit the number or location of connections to a street, or impose access restrictions where the roadway authority requires mitigation to alleviate safety or traffic operations concerns.
- H. The City may require a driveway to extend to one or more edges of a parcel and be designed to allow for future extension and inter-parcel circulation as adjacent properties develop. The City may also require the owner(s) of the subject site to record an access easement for future joint use of the approach and driveway as the adjacent property(ies) develop(s).
- I. Driveways shall accommodate all projected vehicular traffic on-site without vehicles stacking or backing up onto a street.
- J. Driveways shall be designed so that vehicle areas, including but not limited to drive-up and drive-through facilities and vehicle storage and service areas, do not obstruct any public right-of-way.
- K. Approaches and driveways shall not be wider than necessary to safely accommodate projected peak hour trips and turning movements, and shall be designed to minimize crossing distances for pedestrians.
- L. As it deems necessary for pedestrian safety, the City, in consultation with the roadway authority, may require traffic-calming features, such as speed tables, textured driveway surfaces, curb extensions, signage or traffic control devices, or other features, be installed on or in the vicinity of a site.
- M. Approaches and driveways shall be located and designed to allow for safe maneuvering in and around loading areas, while avoiding conflicts with pedestrians, parking, landscaping, and buildings.
- N. Where a proposed driveway crosses a culvert or drainage ditch, the City may require the developer to install a culvert extending under and beyond the edges of the driveway on both sides of it, pursuant applicable Public Works standards.

Section 4.178. Sidewalk and Pathway Standards. [Deleted by Ord. #719, 6/17/13, see Section 4.177.]

- O. Except as otherwise required by the applicable roadway authority or waived by the City Engineer, temporary driveways providing access to a construction site or staging area shall be paved or graveled to prevent tracking of mud onto adjacent paved streets.
- P. Unless constrained by topography, natural resources, rail lines, freeways, existing or planned or approved development, or easements or covenants, driveways proposed as part of a residential or mixed-use development shall meet local street spacing standards and shall be constructed to align with existing or planned streets, if the driveway.
 - 1. Intersects with a public street that is controlled, or is to be controlled in the planning period, by a traffic signal;
 - 2. Intersects with an existing or planned arterial or collector street; or
 - 3. Would be an extension of an existing or planned local street, or of another major driveway.

(.09) Minimum street intersection spacing standards.

- A. New streets shall intersect at existing street intersections so that centerlines are not offset. Where existing streets adjacent to a proposed development do not align properly, conditions shall be imposed on the development to provide for proper alignment.
- B. Minimum intersection spacing standards are provided in Transportation System Plan Table 3-2.

(.10) Exceptions and Adjustments. The City may approve adjustments to the spacing standards of subsections (.08) and (.09) above through a Class II process, or as a waiver per Section 4.118(.03)(A.), where an existing connection to a City street does not meet the standards of the roadway authority, the proposed development moves in the direction of code compliance, and mitigation measures alleviate all traffic operations and safety concerns. Mitigation measures may include consolidated access (removal of one access), joint use driveways (more than one property uses same access), directional limitations (e.g., one-way), turning restrictions (e.g., right in/out only), or other mitigation.

[Section 4.177 amended by Ord. 719, 6/17/13]

Section 4.178. Sidewalk and Pathway Standards. [Deleted by Ord. #719, 6/17/13, see Section 4.177.]

Section 4.179. Mixed Solid Waste and Recyclables Storage in New Multi-Unit Residential and Non-Residential Buildings.

- (.01) All site plans for multi-unit residential and non-residential buildings submitted to the Wilsonville Development Review Board for approval shall include adequate storage space for mixed solid waste and source separated recyclables. [Amended by Ordinance No. 538, 2/21/02.]

Section 4.179. Mixed Solid Waste and Recyclables Storage in New Multi-Unit Residential and Non-Residential Buildings.

- (.02) The floor area of an interior or exterior storage area shall be excluded from the calculation of building floor area for purposes of determining minimum storage requirements.
- (.03) The storage area requirement shall be based on the predominant use(s) of the building. If a building has more than one of the uses listed herein and that use occupies 20 percent or less of the floor area of the building, the floor area occupied by that use shall be counted toward the floor area of the predominant use(s). If a building has more than one of the uses listed herein and that use occupies more than 20 percent of the floor area of the building, then the storage area requirement for the whole building shall be the sum of the requirement for the area of each use.
- (.04) Storage areas for multiple uses on a single site may be combined and shared.
- (.05) The specific requirements are based on an assumed storage height of four feet for solid waste/recyclables. Vertical storage higher than four feet but no higher than seven feet may be used to accommodate the same volume of storage in a reduced floor space. Where vertical or stacked storage is proposed, the site plan shall include drawings to illustrate the layout of the storage area and dimensions for the containers.
- (.06) The specific requirements for storage area are as follows:
 - A. Multi-unit residential buildings containing five-ten units shall provide a minimum storage area of 50 square feet. Buildings containing more than ten residential units shall provide an additional five square feet per unit for each unit above ten.
 - B. Non-residential buildings shall provide a minimum storage area of ten square feet, plus:
 - 1. Office: Four square feet per 1,000 square feet gross floor area (GFA);
 - 2. Retail: Ten square feet per 1,000 square feet GFA;
 - 3. Wholesale / Warehouse / Manufacturing: Six square feet per 1,000 square feet GFA; and
 - 4. Other: Four square feet per 1,000 square feet GFA.
- (.07) The applicant shall work with the City's franchised garbage hauler to ensure that site plans provide adequate access for the hauler's equipment and that storage area is adequate for the anticipated volumes, level of service and any other special circumstances which may result in the storage area exceeding its capacity. The hauler shall notify the City by letter of their review of site plans and make recommendations for changes in those plans pursuant to the other provisions of this section.
- (.08) Existing multi-unit residential and non-residential developments wishing to retrofit their structures to include storage areas for mixed solid waste and recycling may have their site plans reviewed and approved through the Class I Administrative Review process, according to the provisions of Section 4.035. Site plans for retrofitting existing developments must conform to all requirements of this Section, "Mixed Solid Waste and Recyclables Storage In New Multi-Unit Residential and Non-Residential Buildings," and 4.430, "Location, Design and Access Standards for Mixed Solid

Section 4.180. Exceptions and Modifications - Projections into Required Yards.

Waste and Recycling Areas,” of the Wilsonville City Code. [Added by Ordinance #426 - April 4, 1994]

Section 4.180. Exceptions and Modifications - Projections into Required Yards.

- (.01) Certain non-structural architectural features are permitted to project into required yards or courts, without requiring the approval of a Variance or Reduced Setback Agreement, as follows:
- A. Into any required yard:
1. Architectural features may project into the required yard not more than two (2) inches for each foot of required setback.
 2. Open, unenclosed fire escapes may project a distance not exceeding forty-eight (48) inches.
- B. Into any required yard, adjoining a street or tract with a private drive: [Amended by Ord. 682, 9/9/10]
1. Architectural features may project a distance not exceeding forty (40) inches.
 2. An uncovered porch, terrace, or patio extending no more than two and one-half (2 1/2) feet above the finished elevation may extend within three (3) feet of an interior side lot line, or within ten (10) feet of a front lot line or of an exterior side lot line.

Section 4.181. Exceptions & Modifications - Height Limits.

Except as stipulated in Sections 4.800 through 4.804, height limitations specified elsewhere in this Code shall not apply to barns, silos or other farm buildings or structures on farms; to church spires; belfries; cupolas; and domes; monuments; water towers; windmills; chimneys; smokestacks; fire and hose towers; flag poles; above-ground electric transmission, distribution, communication and signal lines, towers and poles; and properly screened mechanical and elevator structures.

Section 4.182. Exceptions and Modifications - Setback Modifications.

In any residential zone where the average depth of at least two (2) existing front yards on adjoining lots or within one hundred fifty (150) feet of the lot in question and within the same block front is less or greater than the minimum or maximum front yard depth prescribed elsewhere in this Code, the required depth of the front yard on such lot shall be modified. In such case, the front yard depth shall not be less than the average depth, nor more than the greater depth, of existing front yards on at least two (2) adjoining lots within one hundred and fifty (150) feet. In the case of a corner lot, the depth of the front yard may be reduced to that of the lot immediately adjoining, provided, however, that the depth of a front yard on any corner lot shall be at least ten (10) feet.

Section 4.184. Conditional Use Permits – Authorization.

- (.01) Conditional Use of property may be granted by the Development Review Board after concluding a public hearing as provided in Section 4.013. A land use that is “conditional” is one that is generally not compatible with surrounding uses unless mitigating conditions of approval are established. In acting on applications for Conditional Use Permits, the DRB may establish conditions of approval that are found

Section 4.184. Conditional Use Permits – Authorization.

to be necessary to implement the Comprehensive Plan or to assure compliance with the standards of this Code, based on information in the record.

A. Authorization to Grant or Deny Conditional Uses: A conditional use listed in this ordinance shall be permitted, altered, or denied in accordance with the standards and procedures of this Section. In judging whether a conditional use permit shall be approved, or determining appropriate conditions of approval, the Development Review Board shall weigh the proposal's positive and negative features that would result from authorizing the particular development at a location proposed, and to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable:

1. The proposal will be consistent with the provisions of the Comprehensive Plan and the requirements of Chapter 4 of the Wilsonville Code and other applicable policies of the City.
2. The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features.
3. All required public facilities and services exist, or will be provided, to adequately meet the needs of the proposed development.
4. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, or precludes the use of surrounding properties for the uses listed as permitted in the zone.

(.02) Private parks shall be reviewed in accordance with the Park Standards set forth in the Comprehensive Plan and the Open Space and Recreation Standards set forth in Section 4.113.

(.03) Municipal and government buildings shall be developed in accordance with the Planned Development Commercial Standards and Sections 4.178.

(.04) Conditional Use Regulations – Churches.

A. Zone In Which Conditionally Permitted: All Residential Zones.
[Amended by Ordinance No. 538, 2/21/02.]

B. Condition Standards:

1. Minimum Lot Area: Ten thousand (10,000) square feet.
2. Minimum Street Frontage: One hundred (100) feet.
3. Maximum Coverage: Fifty percent (50%) for all buildings.
4. Maximum Building Height: Fifty (50) feet.
5. Minimum Depth: One hundred twenty-five (125) feet.

(.05) Conditional Use Regulations - Public, Private and Parochial Schools.

A. Zone In Which Conditionally Permitted: Any. (Public schools are permitted outright in any Public Facility zone.)

B. Dimensional Standards:

Section 4.184. Conditional Use Permits – Authorization.

1. Minimum Land Area: Five (5) acres, unless the Development Review Board finds a lesser area is appropriate to the use and the location.
 2. Front, Rear and Side Yard Setbacks: A minimum of fifty (50) feet.
 - C. Off-Street Parking: As required in Section 4.155.
- (.06) Conditional Use Regulations - Public Utility Structures.
- A. Except as provided in this Section and Section 4.800, all transmission and public utility structures, including, but not limited to, distribution lines and poles, sub-transmission structures, lines and poles, double poles and steel towers for transmission lines, substations, automatic telephone exchanges, relay stations, microwave towers, satellite antennas, pumping stations and treatment plants shall be regulated as conditional uses in all zones.
 - B. Underground pipes and conduits as provided in Sections 4.300 to 4.320 and any existing above ground electric distribution, sub-transmission and transmission, communication and signal lines and poles of a single pole system and existing above ground transformers which are not in violation of Sections 4.300 to 4.320 and any current or future applicable franchise agreement shall be a permitted use in any zone. This section shall not be construed as permitting any substantial intensification of use.
- (.07) Conditional Use Regulations - Service Stations
- A. The Development Review Board shall approve Conditional Use Permit applications for new service stations only where the design, location and use - are compatible with and do- not adversely impact the surrounding uses.
 - B. No gasoline station shall be located closer than two hundred (200) feet from any school, public playground, church, or hospital. Where the subject property is less than five (5) acres in area, the required separation shall be measured to the property line.
 - C. Dimensional Standards:
 1. Minimum Front Yard Setback:
 - a. Building or Structures: Thirty (30) feet from property line.
 - b. Signs, gasoline pumps, pump islands, and enclosed buildings, excluding attached or detached canopies: Fifteen (15) feet from property line.
 - c. Attached or Detached Canopies: Two (2) feet from property line.
 2. Minimum Rear Yard Setback: As required in the particular district.
 3. Minimum Side Yard Setback: As required in the particular district.
 4. Minimum Street Frontage: One hundred (100) feet.
 5. Minimum Lot Depth: Sixty (60) feet.
 6. Minimum Lot Size: Twelve thousand (12,000) square feet.
 7. All other dimensional standards as required in the particular district.
 - D. Vehicles: All vehicles for service, parked or under the control of any employee shall be on private property and shall not be on any required landscaped area.

Section 4.184. Conditional Use Permits – Authorization.

- E. Permitted Services: Sales and services shall be limited to the sale of motor fuels and supplying goods and service generally required in the operation and maintenance of automotive vehicles and fulfilling a motorist's needs. Those may include sale of petroleum products; sale and servicing of tires, batteries, automotive accessories and replacement items; washing and lubricating services; the performance of minor automotive maintenance and repair, and the supplying of other incidental customer services and products. Major automotive repairs, painting, and body and fender work are excluded.
- F. Access, Parking and Circulation Requirements:
 - 1. Each developed site shall not have more than two (2) accessways to any one street.
 - 2. On-site parking shall be provided for each employee on duty. The peak employment period shall be used to determine the number of employee parking spaces.
 - 3. No vehicles subject to the control of the operator of the premises may temporarily be parked on sidewalks, parkways, driveways, alleys or other public ways.
- G. Site Screening: Where a service station abuts property in a residential district, a six (6) foot high, solid masonry wall, site-screening decorative fence, or dense evergreen hedge shall be constructed and maintained on such abutting lines. When the wall, fence, or screening reaches the required front yard setback, it shall decrease to a height of three (3) feet. See landscape standards, Section 4.176.
- H. Lighting: All outside lighting shall be so arranged and shielded so as not to shine into adjacent residential areas and to prevent any undue glare or reflection and any nuisance, inconvenience, and hazardous interference of any kind on adjoining streets or property. All lighting used shall be erected only on the same premises with the use. The Certificate of Occupancy shall not be issued until compliance with this standard has been verified.
- I. All proposed service stations may be subject to design review by the City depending upon the particular site to be utilized in the establishment thereof.
- J. Service stations shall, in addition to the above, meet the following requirements:
 - 1. No vehicle may be parked on the premises and offered for sale, lease or rent.
 - 2. Automotive repair and lubricating operations and all sales other than petroleum products shall be conducted within the service station building.
 - 3. Signs shall not cause any glare or reflection of light on other property or building.
 - 4. No banner or pennants shall be permitted except by Temporary Permit.
 - 5. Landscaping:
 - a. A minimum of One Hundred (100) square feet of raised planting area shall be installed and maintained at the intersection of the property lines at a street corner.

Section 4.189. Non-Conforming Uses.

- b. A minimum of Twenty (20) square feet of raised planting area shall be installed and maintained along the building facades fronting on a street.
- c. Entrances of all restrooms shall be screened from view of adjacent properties or street right-of-way.
- d. All outside recycling, trash, garbage, and refuse areas shall be enclosed on at least four (4) sides, and each side shall be at least six (6) feet in height.

(.08) Conditional Use Regulations – Willamette River Greenway Development.

- A. The Development Review Board shall approve Conditional Use Permit applications for new development in the Willamette River Greenway only as specified in Section 4.500 and this Section.

Section 4.189. Non-Conforming Uses.

(.01) Continuation of Use.

- A. A non-conforming use may be continued subject to the requirements of this Section.
- B. A manufactured or mobile home placed on a lot, parcel or tract of land and certified to be a non-conforming use shall be allowed to continue in that status. A non-conforming mobile home may be replaced by a newer Manufactured Home as defined herein.
- C. A pre-existing use that is listed as "conditional" in the zone shall be considered to be non-conforming until such time as a conditional use permit is issued for it. In reviewing an application for a conditional use permit for a use that already legally exists, the Development Review Board shall establish conditions of approval that are proportional in scope to the changes proposed in the application and shall not establish conditions that prevent the continued operation of the use.

[Amended by Ordinance No. 538, 2/21/02.]

(.02) Change of Use.

- A. A non-conforming use may not be changed unless the change or replacement is to a use that is determined by the Planning Director to be no less conforming to the regulations for the zone district in which the use is located than the existing use.
- B. In any zone where single-family dwellings are permitted, a non-conforming mobile or manufactured home may be replaced provided that the Planning Director determines that the replacement unit meets the requirements for manufactured housing units on individual lots specified in Section 4.115.

- (.03) Abandoned Use. If a non-conforming use is abandoned for a period of eighteen (18) consecutive months, the use shall not be re-established without fully complying with the use requirements of the zone. Mere vacancy of a site or building while it is being marketed or other plans for its use are being readied, does not constitute abandonment. In order to be considered abandoned, a site must not be receiving City utilities and must not actively be marketed for rent, lease, or sale. These standards concerning

Section 4.190. Non-Conforming Structures.

abandonment do not in any way affect the City's processes for the abatement of nuisances as delineated in Chapter 6 of the Wilsonville Code.

- (.04) Damage and Destruction. When a structure that is a non-conforming use or a building containing a non-conforming use is damaged by any cause, exceeding seventy-five percent (75%) of its replacement cost, as determined by the Building Official, the structure shall not be re-established unless the owners of that structure promptly and diligently pursue its repair or replacement. If all required building permits have not been received within eighteen (18) months of the damage or destruction, the non-conforming use shall not be re-established without meeting all of the requirements of Chapter 4. City staff will use the address listed in County Assessor records to contact the owners of properties that have been damaged to alert them to the time limitations for receiving a building permit for repair or replacement. The property owner's failure to receive such notification does not alter or extend the time limit specified in this subsection.
- (.05) Enlargements and Moving. A non-conforming use, may be permitted to enlarge up to twenty percent (20%) in floor area on approval of a conditional use permit by the Development Review Board.
- (.06) Repairs.
 - A. Normal maintenance of a structure containing a non-conforming use is permitted provided that any exterior additions meet the requirements of this Section.

Section 4.190. Non-Conforming Structures.

- (.01) A non-conforming structure that is in use may continue to be used.
- (.02) If a non-conforming structure is abandoned, as defined herein, - for a period of eighteen (18) months, it may not again be used unless brought into conformity with the requirements of this ordinance. Except, however, that an abandoned non-conforming structure may be re-occupied if a Variance is approved per the requirements of Section 4.196.
- (.03) When a non-conforming structure is damaged by any cause exceeding seventy-five percent (75%) of its replacement cost, as determined by the Building Official, the non-conforming structure shall not be re-established unless all required building permits for the repair or replacement are received within eighteen (18) months of the damage. City staff will endeavor to contact the owners of properties that have been damaged to alert them to the time limitations for receiving a building permit for repair or replacement. The property owner's failure to receive such notification does not alter or extend the time limit specified in this subsection.
- (.04) Normal maintenance of a non-conforming structure is permitted, provided that any exterior additions meet the requirements of this Section.
- (.05) A non-conforming structure may be expanded or enlarged, provided that the portion of the structure being enlarged meets zoning requirements in terms of setbacks, height, and lot coverage.

Section 4.191. Non-Conforming Site Conditions.

Section 4.191. Non-Conforming Site Conditions.

- (.01) A property with non-conforming site conditions that is in use may continue to be used.
- (.02) If a property with non-conforming site conditions is abandoned, as defined herein, for a period of eighteen (18) months, it may not again be used unless brought into conformity with the requirements of this ordinance. Except, however, that an abandoned property with non-conforming site conditions may be re-occupied if a Variance is approved per the requirements of Section 4.196.
- (.03) Normal maintenance of a property with non-conforming site conditions is permitted, provided that the site conditions do not become even less conforming as a result.
- (.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.

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.
 - 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;

Section 4.197. Zone Changes and Amendments To This Code – Procedures.

- 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 commensurate with the increased risk resulting from the reduced lowest floor elevation.

Section 4.197. Zone Changes and Amendments To This Code – Procedures.

- (.01) The following procedure shall be followed in applying for an amendment to the text of this Chapter:
 - A. The Planning Commission shall conduct a public hearing on the proposed amendment at its earliest practicable meeting after it is proposed and shall, within forty (40) days after concluding the hearing, provide a report and recommendation to the City Council regarding the proposed amendment. The findings and recommendations of the Commission shall be adopted by resolution and shall be signed by the Chair-of the Commission.
 - B. In recommending approval of a proposed text amendment, the Planning Commission shall, at a minimum, adopt findings relative to the following:
 1. That the application was submitted in compliance with the procedures set forth in Section 4.008; and
 2. The amendment substantially complies with all applicable goals, policies and objectives set forth in the Comprehensive Plan; and
 3. The amendment does not materially conflict with, nor endanger, other provisions of the - text of the Code; and
 4. If applicable, the amendment is in compliance with Statewide Land Use Planning Goals and related administrative rules; and

Section 4.197. Zone Changes and Amendments To This Code – Procedures.

5. If applicable, the amendment is necessary to ensure that the City's Land Use and Development Ordinance complies with mandated requirements of State or Federal laws and/or statutes.
- (.02) In recommending approval or denial of a proposed zone map amendment, the Planning Commission or Development Review Board shall at a minimum, adopt findings addressing the following criteria:
- A. That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125 (.18)(B)(2) or, in the case of a Planned Development, Section 4.140; and [Amended by Ord 557, adopted 9/5/03]
 - B. That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text; and
 - C. In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measures 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text; and [Amended by Ordinance No. 538, 2/21/02.]
 - D. That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized; and
 - E. That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/or geologic hazard are located on or abut the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone and
 - F. That the applicant is committed to a development schedule demonstrating that development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change; and
 - G. That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached that insure that the project development substantially conforms to the applicable development standards.
 - H. Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property. The applicant shall demonstrate compliance with the Transportation Planning Rule, specifically by addressing whether the proposed amendment has a significant effect on the transportation system pursuant to OAR 660-012-0060. A Traffic

Section 4.197. Zone Changes and Amendments To This Code – Procedures.

Impact Analysis (TIA) shall be prepared pursuant to the requirements in Section 4.133.05.(01).

- (.03) If affirmative findings cannot be made for all applicable criteria listed above the Planning Commission or Development Review Board shall recommend that the proposed text or map amendment, as the case may be, be denied.
- (.04) City Council action approving a change in zoning shall be in the form of a Zoning Order.
- (.05) In cases where a property owner or other applicant has requested a change in zoning and the City Council has approved the change subject to conditions, the owner or applicant shall sign a statement accepting, and agreeing to complete the conditions of approval before the zoning shall be changed.

Section 4.197. Zone Changes and Amendments To This Code – Procedures.

In the Matter of the Application of)
)
) ZONING ORDER NO.
for a rezoning of land and amendment)
of the City of Wilsonville Zoning Map)
as incorporated in Section 4.102)
of the Wilsonville Code)

The above-entitled matter is before the Council to consider the application of
for a zone change and an order amending the official Zoning Map as incorporated in Section 4.102 of
the Wilsonville Code, and

It appearing to the Council that the property which is the subject of this application is described
as follows:

(Legal Description)

and such property has heretofore appeared on the official Zoning Map zoned as follows:

and the Council having heard and considered all matters relevant to the application, including the
Planning Commission and/or Development Review Board resolution and minutes, finds that the
application should be (approved/denied), and it is therefore,

(Incorporated Conditions)

ORDERED that the property above-described is hereby rezoned as follows:

and such rezoning be and the same is hereby declared an amendment to the Wilsonville Zoning Map
(Section 4.102 WC) and shall appear as such from and after entry of this Order.

The property subject to this Zoning Order is also subject to the Order of the City Council in
respect thereto made.

DATED: This _____ day of _____, 19_____.

- Mayor

Approved as to form:
ATTEST:
City Recorder
City of Wilsonville, Oregon

by:
City Recorder

Section 4.198. Comprehensive Plan Changes - Adoption by the City Council.

Section 4.198. Comprehensive Plan Changes - Adoption by the City Council.

- (.01) Proposals to amend the Comprehensive Plan, or to adopt new elements or sub-elements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan. Each such amendment shall include findings in support of the following:
 - A. That the proposed amendment meets a public need that has been identified;
 - B. That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;
 - C. That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate; and
 - D. That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.
- (.02) Following the adoption and signature of the - Resolution by the Development Review Board or Planning Commission, together with minutes of public hearings on the proposed Amendment, the matter shall be shall be scheduled for public hearing before the City Council.
- (.03) Notice of the Council's consideration of the matter shall be provided as set forth in Section 4.012.
- (.04) Upon conclusion of its public hearing on the matter, the Council shall adopt its decision by ordinance, authorizing the Planning Director to amend the official zoning map, Comprehensive Plan Map or the text of Chapter 4 as set forth in Section 4.102.
- (.05) In cases where a property owner or other applicant has requested an amendment to the Comprehensive Plan map and the City Council has approved the change subject to conditions, the owner or applicant shall sign a statement accepting, and agreeing to complete the conditions of approval before the Comprehensive Plan map shall be changed.

Section 4.199 OUTDOOR LIGHTING

- Section 4.199.10 Outdoor Lighting In General.
- Section 4.199.20 Applicability.
- Section 4.199.30 Lighting Zones.
- Section 4.199.40 Lighting Systems Standards for Approval.
- Section 4.199.50 Submittal Requirements.
- Section 4.199.60 Major Additions or Modifications.

Section 4.199.10. Outdoor Lighting In General.

- (.01) Purpose: The purpose of this Code is to provide regulations for outdoor lighting that will:

Section 4.199.20. Applicability.

- A. Permit reasonable uses of outdoor lighting for nighttime safety, utility, security, productivity, enjoyment and commerce.
 - B. Conserve energy and resources to the greatest extent possible.
 - C. Minimize glare, particularly in and around public rights-of-way; and reduce visual discomfort and improve visual acuity over large areas by avoiding “light islands” and “spotlighting” that result in reduced visual perception in areas adjacent to either the source of the glare or the area illuminated by the glare.
 - D. Minimize light trespass, so that each owner of property does not cause unreasonable light spillover to other property.
 - E. Curtail the degradation of the nighttime environment and the night sky.
 - F. Preserve the dark night sky for astronomy and enjoyment.
 - G. Protect the natural environment, including wildlife, from the damaging effects of night lighting from human sources.
- (.02) Purpose Statement as Guidelines: Declaration of purpose statements are guidelines and not approval criteria in the application of WC Section 4.199.

Section 4.199.20. Applicability.

- (.01) This Ordinance is applicable to:
- A. Installation of new exterior lighting systems in public facility, commercial, industrial and multi-family housing projects with common areas.
 - B. Major additions or modifications (as defined in this Section) to existing exterior lighting systems in public facility, commercial, industrial and multi-family housing projects with common areas.
- (.02) Exemption. The following luminaires and lighting systems are EXEMPT from these requirements:
- A. Interior lighting.
 - B. Internally illuminated signs.
 - C. Externally illuminated signs.
 - D. Temporary lighting for theatrical, television, and performance areas.
 - E. Lighting in swimming pools and other water features governed by Article 680 of the National Electrical Code.
 - F. Building Code required exit path lighting.
 - G. Lighting specifically for stairs and ramps.
 - H. Temporary and seasonal lighting provided that individual lamps are 10 watts or less.

Section 4.199.30. Lighting Overlay Zones.

- I. Lighting required and/or regulated by the City (i.e. construction related activities), Federal Aviation Administration, U.S. Coast Guard or other Federal or State agency.
- J. Single-family residential lighting.
- K. Code Required Signs.
- L. American flag.
- M. Landscape lighting.
- N. Lights approved by the City through an Administrative Review Temporary Use Permit process.
- O. Public street lights.
- P. ATM security lighting.
- Q. Those “Exceptions” listed in the “Exterior Lighting Power Allowance” provisions of the *Oregon Energy Efficiency Specialty Code*. [Added by Ord. 688, 11/15/10]

Section 4.199.30. Lighting Overlay Zones.

- (.01) The designated Lighting Zone as indicated on the Lighting Overlay Zone Map for a commercial, industrial, multi-family or public facility parcel or project shall determine the limitations for lighting systems and fixtures as specified in this Ordinance.
 - A. Property may contain more than one lighting zone depending on site conditions and natural resource characteristics.
- (.02) The Lighting Zones shall be:
 - A. LZ 1. Developed areas in City and State parks, recreation areas, SROZ wetland and wildlife habitat areas; developed areas in natural settings; sensitive night environments; and rural areas. This zone is intended to be the default condition for rural areas within the City.
 - B. LZ 2. Low-density suburban neighborhoods and suburban commercial districts, industrial parks and districts. This zone is intended to be the default condition for the majority of the City.
 - C. LZ 3. Medium to high-density suburban neighborhoods and districts, major shopping and commercial districts as depicted on the Lighting Overlay Zone Map.
 - D. LZ 4. Reserved for limited applications with special lighting requirements. This zone is appropriate for users who have unique site or operating circumstances that warrant additional light. This zone shall not be applied to residential or agricultural areas.

[Section 4.199.30(.02) amended by Ord. 688, 11/15/10]

Section 4.199.40. Lighting Systems Standards for Approval.

(.03) Modification of Lighting Zones.

- A. The City Council may modify the designated Lighting Zones of one or more parcels if the City Council finds that the original Lighting Zone was in error, a change in circumstances has occurred warranting the change since the designation was established or the purposes of this section are better served.
- B. The Development Review Board (DRB) may modify the designated Lighting Zones as part of the Stage II, Site Design Review Process if the DRB finds that the original Lighting Zone was in error, or a change in circumstances has occurred warranting the change since the designation was established or the purposes of this section are better served.
- C. This ordinance establishes a Lighting Overlay Zone Map. The Planning Division shall maintain the current Lighting Overlay Zone Map.

Section 4.199.40. Lighting Systems Standards for Approval.

(.01) Non-Residential Uses and Common Residential Areas.

- A. All outdoor lighting shall comply with either the Prescriptive Option or the Performance Option below.
- B. Prescriptive Option. If the lighting is to comply with this Prescriptive Option, the installed lighting shall meet all of the following requirements according to the designated Lighting Zone.
 - 1. The maximum luminaire lamp wattage and shielding shall comply with Table 7.
 - 2. Except for those exemptions listed in Section 4.199.20(.02), the exterior lighting for the site shall comply with the *Oregon Energy Efficiency Specialty Code, Exterior Lighting*.
 - 3. The maximum pole or mounting height shall be consistent with Table 8.
 - 4. Each luminaire shall be set back from all property lines at least 3 times the mounting height of the luminaire:
 - a. Exception 1: If the subject property abuts a property with the same base and lighting zone, no setback from the common lot lines is required.
 - b. Exception 2: If the subject property abuts a property which is zoned (base and lighting) other than the subject parcel, the luminaire shall be setback three times the mounting height of the luminaire, measured from the abutting parcel's setback line. (Any variance or waiver to the abutting property's setback shall not be considered in the distance calculation).
 - c. Exception 3: If the luminaire is used for the purpose of street, parking lot or public utility easement illumination and is located less than 3 mounting heights from the property line, the luminaire shall include a house side shield to protect adjoining property.
 - d. Exception 4: If the subject property includes an exterior column, wall or abutment within 25 feet of the property line, a luminaire partly shielded or better and not exceeding 60 lamp watts may be mounted onto the exterior

Section 4.199.40. Lighting Systems Standards for Approval.

column, wall or abutment or under or within an overhang or canopy attached thereto.

- e. Exception 5: Lighting adjacent to SROZ areas shall be set back 3 times the mounting height of the luminaire, or shall employ a house side shield to protect the natural resource area.

C. Performance Option. If the lighting is to comply with the Performance Option, the proposed lighting design shall be submitted by the applicant for approval by the City meeting all of the following:

1. The weighted average percentage of direct uplight lumens shall be less than the allowed amount per Table 9.
2. The maximum light level at any property line shall be less than the values in Table 9, as evidenced by a complete photometric analysis including horizontal illuminance of the site and vertical illuminance on the plane facing the site up to the mounting height of the luminaire mounted highest above grade. The Building Official or designee may accept a photometric test report, demonstration or sample, or other satisfactory confirmation that the luminaire meets the shielding requirements of Table 7. Luminaires shall not be mounted so as to permit aiming or use in any way other than the manner maintaining the shielding classification required herein:
 - a. Exception 1. If the property line abuts a public right-of-way, including a sidewalk or street, the analysis may be performed across the street at the adjacent property line to the right-of-way.
 - b. Exception 2. If, in the opinion of the Building Official or designee, compliance is impractical due to unique site circumstances such as lot size or shape, topography, or size or shape of building, which are circumstances not typical of the general conditions of the surrounding area. The Building Official may impose conditions of approval to avoid light trespass to the maximum extent possible and minimize any additional negative impacts resulting to abutting and adjacent parcels, as well as public rights-of-way, based on best lighting practices and available lighting technology.
3. The maximum pole or mounting height shall comply with Table 8.

D. Curfew. All prescriptive or performance based exterior lighting systems shall be controlled by automatic device(s) or system(s) that:

1. Initiate operation at dusk and either extinguish lighting one hour after close or at the curfew times according to Table 10; or
2. Reduce lighting intensity one hour after close or at the curfew time to not more than 50% of the requirements set forth in the *Oregon Energy Efficiency Specialty Code* unless waived by the DRB due to special circumstances; and
3. Extinguish or reduce lighting consistent with 1. and 2. above on Holidays.

The following are exceptions to curfew:

- a. Exception 1: Building Code required lighting.
- b. Exception 2: Lighting for pedestrian ramps, steps and stairs.

Section 4.199.40. Lighting Systems Standards for Approval.

- c. Exception 3: Businesses that operate continuously or periodically after curfew.

[Section 4.199.40 amended by Ord. 688, 11/15/10]

(.02) Special Permit for Specific Lighting Fixtures and Systems and When Exceeding Lighting Requirements.

- A. This section is intended to apply to situations where more than normal foot candles are required due to a unique circumstance or use or where it is absolutely essential to perform the proposed activities after dark. All special permits shall be reviewed by the DRB.
- B. Upon issuance of a special permit by the Development Review Board (DRB), lighting systems not complying with the technical requirements of this Ordinance may be installed, maintained, and replaced for lighting that exceeds the maximums permitted by this Ordinance. This section is intended to be applied to uses such as sports lighting systems including but not limited to, sport fields and stadiums, such as baseball and football field lighting, tennis court lighting, swimming pool area lighting and prisons; other very intense lighting defined as having a light source exceeding 200,000 lumens or an intensity in any direction of more than 2,000,000 candelas; building façade lighting of portions of buildings over two stories high; and public monuments.
- C. To obtain such a permit, applicants shall demonstrate that the proposed lighting installation:
 - 1. Is within Lighting Zone 3 or above.
 - 2. Has been designed to minimize obtrusive light and artificial sky glow, supported by a signed statement from a registered civil or electrical engineer describing the mitigation measures. Such statement shall be accompanied by calculations indicating the light trespass levels (horizontal and vertical at ground level) at the property line.
 - 3. Will not create excessive glare, sky glow, or light trespass beyond that which can be reasonably expected by application of best lighting practices, and available technology.
 - 4. Provides appropriate lighting curfew hours based on the use and the surrounding areas.
- D. The DRB may impose conditions of approval to mitigate any negative impacts resulting to the abutting parcel, based on best lighting practices and available lighting technology.
- E. The City may charge a review fee and may, at the Building Official's option, employ the services of a qualified professional civil or electrical engineer to review such submittals and the cost thereof shall be an additional fee charged to the applicant.

Section 4.199.50. Submittal Requirements.

- (.01) Applicants shall submit the following information as part of DRB review or administrative review of new commercial, industrial, multi-family or public facility projects:
- A. A statement regarding which of the lighting methods will be utilized, prescriptive or performance, and a map depicting the lighting zone(s) for the property.
 - B. A site lighting plan that clearly indicates intended lighting by type and location. For adjustable luminaires, the aiming angles or coordinates shall be shown.
 - C. For each luminaire type, Drawings, cut sheets or other documents containing specifications for the intended lighting including but not limited to, luminaire description, mounting, mounting height, lamp type and manufacturer, lamp watts, ballast, optical system/distribution, and accessories such as shields.
 - D. Calculations demonstrating compliance with *Oregon Energy Efficiency Specialty Code, Exterior Lighting*, as modified by Section 4.199.40(.01)(B.)(2.) [Amended by Ord. 688, 11/15/10]
 - E. Lighting plans shall be coordinated with landscaping plans so that pole lights and trees are not placed in conflict with one another. The location of lights shall be shown on the landscape plan. Generally, pole lights should not be placed within one pole length of landscape and parking lot trees.
 - F. Applicants shall identify the hours of lighting curfew.
- (.02) In addition to the above submittal requirements, Applicants using the Prescriptive Method shall submit the following information as part of the permit set plan review:
- A. A site lighting plan (items 1 A - F, above) which indicates for each luminaire the 3 mounting height line to demonstrate compliance with the setback requirements. For luminaires mounted within 3 mounting heights of the property line the compliance exception or special shielding requirements shall be clearly indicated.
- (.03) In addition to the above submittal requirements, Applicants using the Performance Method shall submit the following information as part of the permit set plan review:
- A. Site plan showing horizontal isocandle lines, or the output of a point-by-point computer calculation of the horizontal illumination of the site, showing property lines and light levels immediately off of the subject property.
 - B. For each side of the property, the output of a point-by-point vertical footcandle calculation showing illumination in the vertical plane at the property line from grade to at least 10 feet higher than the height of the tallest pole.
 - C. Lighting plans shall be prepared by a qualified licensed engineer.
- (.04) In addition to the above applicable submittal requirements, Applicants for Special Permits shall submit the following to the DRB for review:
- A. Tabulation of International Engineering Society of North America (IESNA) lighting recommendations for each task including area illuminated, recommended

Section 4.199.60. Major Additions or Modifications to Pre-Existing Sites.

illumination level, actual maintained illumination level, and luminaires used specifically to achieve the indicated criteria.

B. Lighting plans shall be prepared by a qualified licensed engineer.

(.05) For all calculations, the following light loss factors shall be used unless an alternative is specifically approved by the City:

Metal halide	0.6
High pressure sodium	0.8
Compact fluorescent	0.7
Full size fluorescent	0.75
Incandescent	0.9
Halogen	0.95
Other	As approved

Section 4.199.60. Major Additions or Modifications to Pre-Existing Sites.

(01.) Major Additions. If a major addition occurs on a property, all of the luminaires on the site shall comply with the requirements of this Section. For purposes of this subsection, the following are considered to be major additions:

A. Additions of 50 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after July 2, 2008.

B. Modification or replacement of 50 percent or more of the outdoor lighting luminaires within a 5-year timeframe existing as of July 2, 2008.

Table 7: Maximum Wattage And Required Shielding				
Lighting Zone	Fully Shielded	Shielded	Partly Shielded	Unshielded
LZ 1	70	20	13	Low voltage landscape lighting 50 watts or less
LZ 2	100	35	39	Low voltage landscape lighting 50 watts or less
LZ 3	250	100	70	Landscape and facade lighting 100 watts or less; ornamental lighting on private drives of 39 watts and less
LZ 4	450	150	150	Landscape and facade lighting 250 watts or less; ornamental lights on private drives and lanterns 70 watts or less; marquee lighting not employing medium based lamps

[Table 7 amended by Ord. 682, 9/9/10; Ord. 688, 11/15/10]

Section 4.199.60. Major Additions or Modifications to Pre-Existing Sites.

Table 8: Maximum Lighting Mounting Height In Feet			
Lighting Zone	Lighting for private drives, driveways, parking, bus stops and other transit facilities	Lighting for walkways, bikeways, plazas and other pedestrian areas	All other lighting
LZ 0	20	8	4
LZ 1	25	12	4
LZ 2	40	18	8
LZ 3	40	18	16
LZ 4	Height limit to be determined by Special Use Permit Only		

Lighting mounted onto buildings or other structures shall not exceed a mounting height greater than 4 feet higher than the tallest part of the building or structure at the place where the lighting is installed, nor higher than 33.33 percent of the horizontal distance of the light from the nearest property line, whichever is less.

[Table amended by Ord. 682, 9/9/10]

Table 9: Performance Method			
Lighting Zone	Maximum percentage of direct upright lumens	Maximum Light Level at Property Line	
		Horizontal plane at grade (foot candles - fc)	Vertical plane facing the site in question, from grade to mounting height of highest mounted luminaire (foot candles – fc)
LZ 0	0	0.01 fc	0.02 fc
LZ 1	1%	0.05 fc	0.1 fc
LZ 2	5%	0.2 fc	0.4 fc
LZ 3	10%	0.4 fc	0.8 fc
LZ 4	20%	0.8 fc	1.6 fc

Table 10: Curfew	
Lighting Zone	Curfew Time
LZ 0	8:00 PM (2000 hours)
LZ 1	
LZ 2	10:00 PM (2200 hours)
LZ 3	Midnight (2400 hours)
LZ 4	

[Tables, above, renumbered by Ord. 688, 11/15/10]

Section 4.199.60. Major Additions or Modifications to Pre-Existing Sites.

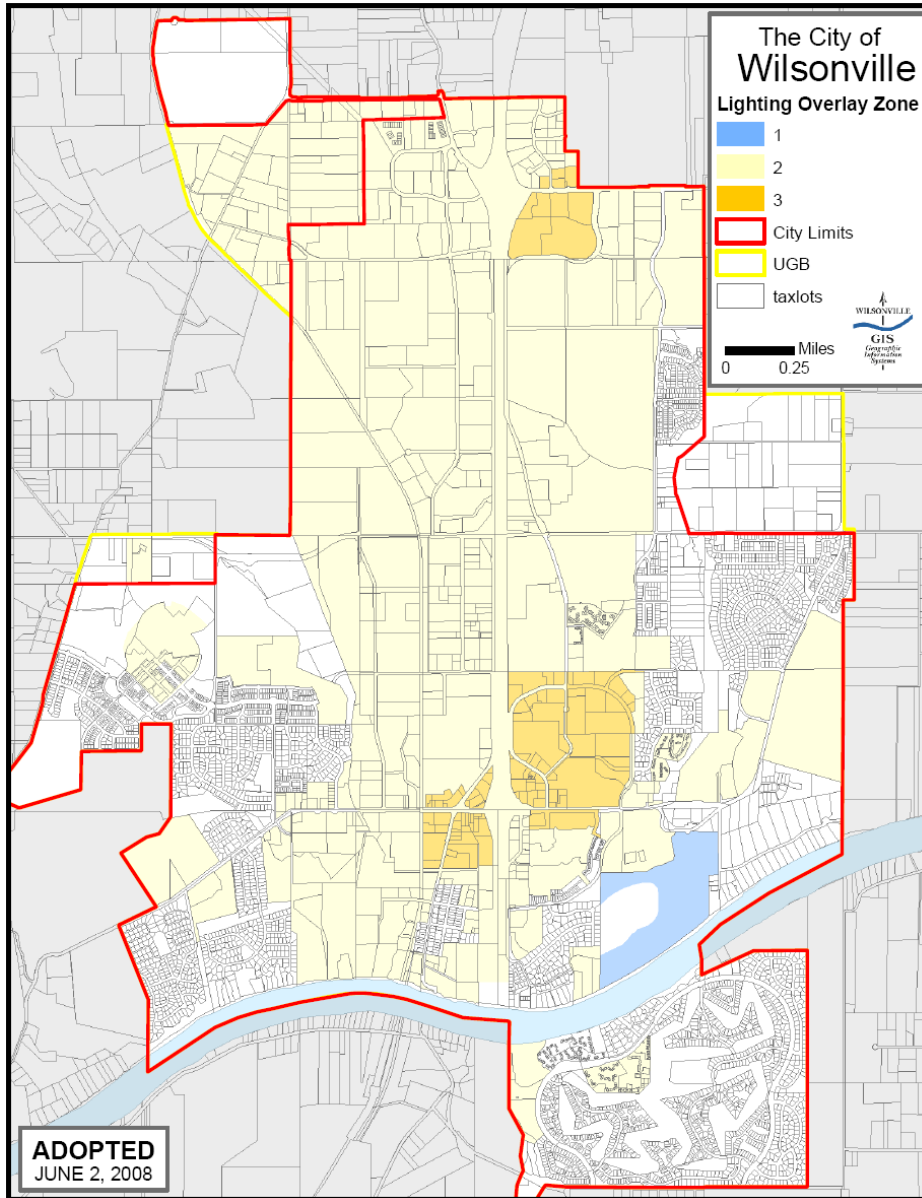


Figure 30: Lighting Overlay Zone Map

[Section 4.199 – 4.199.60 added by Ord. No. 649, adopted 6/2/08]