



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

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www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

07/24/2013

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Wilsonville Plan Amendment
DLCD File Number 004-13

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, August 07, 2013

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Daniel Pauly, City of Wilsonville
Gordon Howard, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DATE STAMP

DEPT OF

JUL 19 2013

LAND CONSERVATION AND DEVELOPMENT
For Office Use Only

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Wilsonville**

Local file number: **DB13-0023**

Date of Adoption: **7/15/2013**

Date Mailed: **7/18/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **5/2/2013**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Rezone land from PF (Public Facility) and EFU (Exclusive Farm Use) to V (Village) concurrently with other required land use approvals to develop a single-family subdivision and parks. Comprehensive Plan designates land as Residential-Village, for which (V) Village is the only zoning option for this comprehensive plan designation at time of development.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from: **PF and EFU**

to: **V**

Location: **no situs 3S1W15_2915, 2922, 2992, 2995, p.o. 2916**

Acres Involved: **28**

Specify Density: Previous: **None**

New: **13.45 du/ac**

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

See attached list

Local Contact: **Daniel Pauly AICP, Associate Planner** Phone: **(503) 682-4960** Extension:
Address: **29799 SW Town Center Loop East** Fax Number: **503-682-7025**
City: **Wilsonville** Zip: **97070-** E-mail Address: **pauly@ci.wilsonville.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on **light green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail **plan.amendments@state.or.us**.

Affected State or Federal Agencies, Local Governments or Special Districts

Name	Company	Address	City	State	Zip
Columbia Cable of Oregon		14200 SW Brigadoon Ct.	Beaverton	OR	97005
Mike McCallister	Clackamas Cty Planning Manager	150 Beaver creek Road	Oregon City	OR	97045
Wendy Buck	Portland General Electric	121 SW Salmon 1 WTC3	Portland	OR	97204
Tom Simpson	NW Natural Gas	220 NW 2nd Avenue	Portland	OR	97209
Oregon Dept of Environ Quality		811 SW Sixth Avenue	Portland	OR	97204
Ray Valone	Metro	600 NE Grand Avenue	Portland	OR	97232
Manager, Community Development	Growth Management Services Metro	600 NE Grand Avenue	Portland	OR	97232
Attn: Development Review	ODOT	123 NW Flanders Street	Portland	OR	97209
John Lilly	Department of State Lands	775 Summer Street, NE	Salem	OR	97301-1279
Bill Ferber, Region Manager	Oregon Water Resources Department	725 Summer Street, NE	Salem	OR	97301
Bill Rhoades	West Linn/Wilsonville School District 3JT	22210 SW Stafford Rd.	Tualatin	OR	97062
Brian Tietsort	Republic Services	10295 SW Ridder Road	Wilsonville	OR	97070
Brian Moore	Portland General Electric	9540 SW Boeckman Road	Wilsonville	OR	97070
Tualatin Valley Fire and Rescue	South Division	7401 SW Washo Court	Tualatin	OR	97062-8350
Tualatin Valley Fire and Rescue		29875 SW Kinsman Road	Wilsonville	OR	97070

ORDINANCE NO. 720

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE PUBLIC FACILITY (PF) ZONE, AND THE EXCLUSIVE FARM USE (EFU) ZONE TO THE VILLAGE (V) ZONE ON APPROXIMATELY 28.91 - ACRES COMPRISING TAX LOTS 2915, 2922, 2992 AND 2995 AND PORTIONS OF TAX LOTS 2916 OF SECTION 15, T3S, R1W, CLACKAMAS COUNTY, OREGON, POLYGON AT VILLEBOIS II, LLC AND POLYGON AT VILLEBOIS III, LLC APPLICANT.

RECITALS

WHEREAS, Polygon at Villebois II LLC and Polygon at Villebois III LLC (“Applicant”), as owner of the real property legally described and shown on Exhibits A and B, attached hereto and incorporated by reference herein (“Property”) has made a development application requesting, among other things, a Zone Map Amendment of the Property; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on June 10, 2013;

WHEREAS, the Development Review Board Panel 'A' held a public hearing on the application for a Zone Map Amendment on June 10, 2013, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 259 which recommends that the City Council approve a request for a Zone Map Amendment (Case File DB13-0023), adopts the staff report with modified findings and recommendation, all as placed on the record at the hearing, contingent on City Council approval of the Zone Map Amendment and authorizes the Planning Director to issue approvals to the Applicant consistent with the amended staff report, as adopted by DRB Panel A; and

WHEREAS, on June 17, 2013, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the

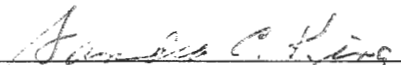
proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

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

Section 1. Findings. The City Council adopts, as findings and conclusions, the forgoing Recitals and the Development Review Board staff report, as contained in the record of the above described DRB hearing and incorporates it by reference herein, as if fully set forth.

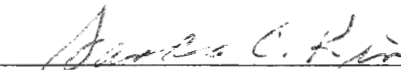
Section 2. Order. The official City of Wilsonville Zone Map is hereby amended by Zoning Order DB13-0023, attached hereto as Exhibit A, from the Public Facility (PF) Zone and the Exclusive Farm Use (EFU) Zone to the Village (V) Zone.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 17th day of June 2013, and scheduled for the second and final reading on July 15, 2013, commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR.


Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the 15th day of July, 2013, by the following

votes: Yes: -4- No:-0-


Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this 16th day of July 2013.


Tim Knapp, MAYOR

SUMMARY OF VOTES:

- Mayor Knapp - Yes
- Council President Starr - Yes
- Councilor Goddard - Excused
- Councilor Stevens - Yes
- Councilor Fitzgerald - Yes

Attachments:

Exhibit A, Zoning Order DB13-0023.

Attachment 1, Legal Description

Attachment 2, Map Depicting Zone Amendment

Exhibit B Zone Map Amendment Findings, June 17, 2013.

Exhibit C DRB Resolution No. 259

**BEFORE THE CITY COUNCIL OF THE
CITY OF WILSONVILLE, OREGON
POLYGON AT VILLEBOIS II, LLC AND POLYGON AT VILLEBOIS III, LLC**

In the Matter of the Application of)
Pacific Community Design, Inc.,)
Agent for the Applicant,)
Polygon at Villebois II, LLC and)
Polygon at Villebois III, LLC)
for a Rezoning of Land and Amendment)
of the City of Wilsonville)
Zoning Map Incorporated in Section 4.102)
of the Wilsonville Code.)

ZONING ORDER DB13-0023

The above-entitled matter is before the Council to consider the application of DB13-0023, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached Exhibits 1 and 2, has heretofore appeared on the City of Wilsonville Zoning Map as Public Facility (PF) and Exclusive Farm Use (EFU).

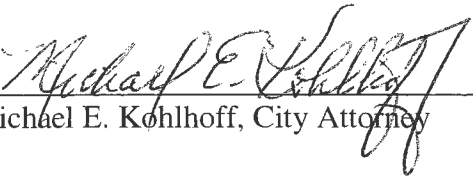
The Council having heard and considered all matters relevant to the application for a zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 28.91 acres comprising Tax Lots 2915, 2992 and 2995 and portions of Tax Lots 2916 and 2922 Section 15, as more particularly shown in the Zone Map Amendment Map, Attachment 2 and described in Attachment 1 is hereby rezoned to Village (V), subject to conditions detailed in this Order’s adopting Ordinance. The foregoing rezoning 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.

Dated: This 15th day of July, 2013.


TIM KNAPP, MAYOR

APPROVED AS TO FORM:



Michael E. Köhlhoff, City Attorney

ATTEST:



Sandra C. King, MMC, City Recorder

Attachment 1: Legal Description
Attachment 2: Map depicting Zone Map Amendment

**STAFF REPORT
WILSONVILLE PLANNING DIVISION**

*Polygon at Villebois II, LLC and Polygon at Villebois III, LLC- Villebois PDP 2 North
“Tonquin Wood at Villebois No. 4”
Zone map amendment*

**CITY COUNCIL
QUASI-JUDICIAL PUBLIC HEARING**

HEARING DATE June 17, 2013

APPLICATION NOS.: DB13-0023 Zone Map Amendment

REQUEST/SUMMARY: The City Council is being asked to review a Zone Map Amendment that will enable the development of a 90-lot residential subdivision, and associated parks and open space and other improvements.

LOCATION: West of 110th Avenue, east of Grahams Ferry Road, north of Barber Street and former Dammasch State Hospital site. The property is specifically known as Tax Lots 2915, 2992 and 2995, and portions of 2916 and 2922, Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.

**PROPERTY OWNER/
APPLICANT:**

Fred Gast
Polygon at Villebois II, LLC
Polygon at Villebois III, LLC

APPLICANT’S REP.: Stacy Connery, AICP
Pacific Community Design, Inc.

COMPREHENSIVE PLAN MAP DESIGNATION: Residential-Village

ZONE MAP CLASSIFICATIONS: PF (Public Facility)
EFU (Exclusive Farm Use)

STAFF REVIEWERS: Daniel Pauly AICP, Associate Planner

DRB RECOMMENDATIONS: **Approve** the requested Zone Map Amendment.

APPLICABLE REVIEW CRITERIA

DEVELOPMENT CODE	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.033	Authority of City Council
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.125	V-Village Zone
Sections 4.139.00 through 4.139.11 as applicable	Significant Resource Overlay Zone (SROZ)
Section 4.177	Street Improvement Standards
Section 4.197	Zone Changes and Amendments to Development Code-Procedures
COMPREHENSIVE PLAN	
Implementation Measure 4.1.6.a.	
Implementation Measure 4.1.6.b.	
Implementation Measure 4.1.6.c.	
Implementation Measure 4.1.6.d.	
OTHER PLANNING DOCUMENTS	
Villebois Village Master Plan	
SAP Central Approval Documents	

Vicinity Map



BACKGROUND/SUMMARY:

PDP 2N Preliminary Development Plan (DB13-0020)

The proposed Preliminary Development Plan (PDP) 2 of Specific Area Plan North (also known as PDP 2N) comprises approximately 28.91 acres. The applicant proposes a variety of single-family detached houses totaling 90 units, 19.12 acres of park/open space areas, and associated infrastructure improvements. Most of the homes in the development will back up to alleys. 10 standard sized lots that back up to Grahams Ferry Road will not back up to an alley. The front of all the homes will face tree lined streets, parks and green spaces.

Proposed Housing Type	Number of Units
Standard Detached Single Family	10
Medium Detached Single Family	6
Small Detached Single Family	37
Small Cottage Detached Single Family	37
Total	90

Zone Map Amendment (DB13-0023)

The primary proposal is to change the current Public Facility (PF) and Exclusive Farm Use (EFU) zones to the Village (V) zone. The proposed residential and park uses are permitted under Wilsonville Code Section 4.125. The proposed Zone Map Amendment would enable the development permitting process for this area of Villebois.

CONCLUSION AND CONDITIONS OF APPROVAL:

Staff and the DRB have reviewed the applicant's analysis of compliance with the applicable criteria. This Staff report adopts the applicant's responses as Findings of Fact except as noted in the Findings.

FINDINGS OF FACT:

1. The statutory 120-day time limit applies to this application. The application was received on April 15, 2013. On May 15, 2013, staff issued a notice that the application was incomplete within the statutorily allowed 30-day review period. The applicant has submitted a number of additional materials since the original submission, the last of which materials was May 31, 2013. On May 31, 2012 the application was deemed complete. The City must render a final decision for the request, including any appeals, by September 28, 2013
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	--	Unincorporated Rural Residential
East:	V	Phase 3 East Villebois (approved/unbuilt)
South:	PF/V	Phase 1 North Villebois (under construction) Future Phase 4 Central (proposed) Undeveloped portions of SAP Central
West:	--	Unincorporated Rural Residential

3. Prior land use actions include:

Legislative:

02PC06 - Villebois Village Concept Plan
02PC07A - Villebois Comprehensive Plan Text
02PC07C - Villebois Comprehensive Plan Map
02PC07B - Villebois Village Master Plan
02PC08 - Village Zone Text
04PC02 - Adopted Villebois Village Master Plan
LP-2005-02-00006 - Revised Villebois Village Master Plan
LP-2005-12-00012 - Revised Villebois Village Master Plan (Parks and Recreation)

Quasi Judicial:

DB07-0054 et seq - SAP-North
DB07-0087 et seq - PDP-1N, Arbor at Villebois
DB11-0024 et seq - PDP-1N Modification, SAP North Amendment Polygon NW
DB12-0066 et seq - PDP-1N Modification, SAP North Amendment Polygon NW

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

GENERAL INFORMATION

Section 4.008 Application Procedures-In General

Review Criteria: This section lists general application procedures applicable to a number of types of land use applications and also lists unique features of Wilsonville's development review process.

Finding: These criteria are met.

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

Section 4.009 Who May Initiate Application

Review Criterion: "Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply."

Finding: This criterion is satisfied.

Details of Finding: The application has been submitted on behalf of the property owner. Polygon at Villebois III, LLC. The application form is signed by Fred Gast, President.

Subsection 4.010 (.02) Pre-Application Conference

Review Criteria: This section lists the pre-application process

Finding: These criteria are satisfied.

Details of Finding: A pre-application conference was held on March 28, 2013 in accordance with this subsection.

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

Review Criterion: "City Council Resolution No. 796 precludes the approval of any development application without the prior payment of all applicable City liens for the subject property. Applicants shall be encouraged to contact the City Finance Department to verify that there are no outstanding liens. If the Planning Director is advised of outstanding liens while an application is under consideration, the Director shall advise the applicant that payments must be made current or the existence of liens will necessitate denial of the application."

Finding: This criterion is satisfied.

Details of Finding: No applicable liens exist for the subject property. The application can thus move forward. Section IIID of the applicant's notebook, Exhibit B1, includes a copy of certification of assessments and liens.

Section 4.014 Burden of Proof is on the Applicant

Review Criterion: "The burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case. In the case of an appeal, the burden of proof rests with the appellant."

Finding: This criterion is satisfied.

Details of Finding: The applicant has provided the necessary findings of fact for approval with conditions of the requested development applications in accordance with this Section.

Subsection 4.035 (.04) A. General Site Development Permit Submission Requirements

Review Criteria: “An application for a Site Development Permit shall consist of the materials specified as follows, plus any other materials required by this Code.” Listed 1. through 6. j.

Finding: These criteria are satisfied.

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

Section 4.110 Zoning-Generally

Review Criteria: “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.” “The General Regulations listed in Sections 4.150 through 4.199 shall apply to all zones unless the text indicates otherwise.”

Finding: These criteria are satisfied.

Details of Finding: This proposed development is in conformity with the applicable zoning district and general development regulations listed in Sections 4.150 through 4.199 have been applied in accordance with this Section.

CONCLUSIONARY FINDINGS, REQUEST D: DB13-0023 ZONE MAP AMENDMENT

The applicant's findings in Section IVA of their notebook, Exhibit B1, respond to the majority of the applicable criteria.

Comprehensive Plan

Compact Urban Development-Implementation Measures

Implementation Measure 4.1.6.a

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

Finding: These criteria are satisfied.

Details of Finding: The subject area is within SAP-North, which was previously approved and found, in case file DB07-0054, to be in accordance with the Villebois Village Master Plan and the Wilsonville Planning and Land Development Ordinance.

Implementation Measure 4.1.6.b.

2. **Review Criteria:** This implementation measure identifies the elements the Villebois Village Master Plan must contain.

Finding: These criteria are not applicable

Details of Finding: The current proposal is for a preliminary development plan implementing the procedures as outlined by the Villebois Village Master Plan, as previously approved.

Implementation Measure 4.1.6.c.

3. **Review Criterion:** "The "Village" Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation."

Finding: This criterion is satisfied.

Details of Finding: The Village Zone zoning district is being applied to an area designated as Residential-Village in the Comprehensive Plan.

Implementation Measure 4.1.6.d.

4. **Review Criterion:** "The "Village" Zone District shall allow a wide range of uses that befit 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."

Finding: This criterion is satisfied.

Details of Finding: The area covered by the proposed zone change is proposed for residential uses, parks, and open space as shown in the Villebois Village Master Plan.

Planning and Land Development Ordinance

Section 4.029 Zoning to be Consistent with Comprehensive Plan

5. **Review Criterion:** “If a development, other than a short-term temporary use, is proposed on a parcel or lot which is not zoned in accordance with the Comprehensive Plan, the applicant must receive approval of a zone change prior to, or concurrently with the approval of an application for a Planned Development.”

Finding: This criterion is satisfied.

Details of Finding: The applicant is applying for a zone change concurrently with other land use applications for the development as required by this section.

Subsection 4.110 (.01) Base Zones

6. **Review Criterion:** This subsection identifies the base zones established for the City, including the Village Zone.

Finding: This criterion is satisfied.

Details of Finding: The requested zoning designation of Village “V” is among the base zones identified in this subsection.

Subsection 4.125 (.01) Village Zone Purpose

7. **Review Criteria:** “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.”

Finding: These criteria are satisfied.

Details of Finding: The subject lands are designated Residential-Village on the Comprehensive Plan map and are within the Villebois Village Master Plan area and the zoning designation thus being applied is the Village “V”.

Subsection 4.125 (.02) Village Zone Permitted Uses

8. **Review Criteria:** This subsection lists the uses permitted in the Village Zone.

Finding: These criteria are satisfied.

Details of Finding: The proposed residential, park, and open space uses are consistent with the Village Zone designation and Villebois Village Master Plan.

Subsection 4.125 (.18) B. 2. Zone Change Concurrent with PDP Approval

9. **Review Criterion:** “... Application for a zone change shall be made concurrently with an application for PDP approval...”

Finding: This criterion is satisfied.

Details of Finding: A zone map amendment is being requested concurrently with a request for PDP approval.

Subsection 4.197 (.02) Zone Change Review

Subsection 4.197 (.02) A. Zone Change Procedures

10. **Review Criteria:** “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;”
Finding: These criteria are satisfied.
Details of Finding: The request for a zone map amendment has been submitted as set forth in the applicable code sections.

Subsection 4.197 (.02) B. Zone Change: Conformance with Comprehensive Plan Map, etc.

11. **Review Criteria:** “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;”
Finding: These criteria are satisfied.
Details of Finding: The proposed zone map amendment is consistent with the Comprehensive Map designation of Residential-Village and as shown in Findings 1 through 4 substantially comply with applicable Comprehensive Plan text.

Subsection 4.197 (.02) C. Zone Change: Specific Findings Regarding Residential Designated Lands

12. **Review Criteria:** “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 Measure 4.1.4.b, d, e, q, and x of Wilsonville’s Comprehensive Plan text;”
Finding: These criteria are satisfied.
Details of Finding: Implementation Measure 4.1.6.c. states the “Village” Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation. Since the Village Zone must be applied to areas designated “Residential Village” on the Comprehensive Plan Map and is the only zone that may be applied to these areas, its application is consistent with the Comprehensive Plan.

Subsection 4.197 (.02) D. Zone Change: Public Facility Concurrency

13. **Review Criteria:** “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.”
Finding: These criteria are satisfied.
Details of Finding: The Preliminary Development Plan compliance report and the plan sheets demonstrate that the existing primary public facilities are available or can be provided in conjunction with the project. Section IIC of the applicant’s notebook, Exhibit B1, includes supporting utility and drainage reports. In addition, the applicant has provided a Traffic Impact Analysis, which is in Section IID of the applicant’s notebook, Exhibit B1.

Subsection 4.197 (.02) E. Zone Change: Impact on SROZ Areas

14. **Review Criteria:** “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 about 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;”
Finding: These criteria are satisfied.
Details of Finding: Portions of the property is within the Significant Resource Overlay Zone. The DRB has reviewed and approved the development and mitigation related to the SROZ and found that the development will not have a significant adverse effect. See Case File SI13-0001.

Subsection 4.197 (.02) F. Zone Change: Development within 2 Years

15. **Review Criterion:** “That the applicant is committed to a development schedule demonstrating that the development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change.”
Finding: This criterion is satisfied.
Details of Finding: The applicant has provided information stating they reasonably expect to commence development within two (2) years of the approval of the zone change. However, in the scenario where the applicant or their successors due not commence development within two (2) years allow related land use approvals to expire, the zone change shall remain in effect.

Subsection 4.197 (.02) G. Zone Change: Development Standards and Conditions of Approval

16. **Review Criteria:** “That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached to insure that the project development substantially conforms to the applicable development standards.”
Finding: These criteria are satisfied.
Details of Finding: As can be found in the findings for the accompanying requests, the applicable development standards will be met either as proposed or as a condition of approval.



EXHIBIT "A"

April 9, 2013

LEGAL DESCRIPTION

Job No. 395-008

A portion of Parcel 2 and Parcel 3 of Partition Plat No. 2007-127, and Parcel 10 of Partition Plat No. 2012-019, Clackamas County Plat Records, situated in the Northwest and Northeast Quarters of Section 15, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, more particularly described as follows:

BEGINNING at the northwest corner of Parcel 2, Partition Plat No. 2007-127;

thence along the northerly line of said Partition Plat No. 2007-127, South 88° 34'09" East, a distance of 2620.32 feet;

thence leaving said line, South 01° 36'50" West, a distance of 123.84 feet;

thence South 50° 46'32" East, a distance of 19.42 feet to a point on the westerly right-of-way line of SW 110th Avenue;

thence along said right-of-way line, South 01° 35'01" West, a distance of 165.77 feet;

thence leaving said right-of-way line, South 39° 14'35" West, a distance of 159.78 feet;

thence South 43° 18'22" East, a distance of 138.32 feet to a point on the westerly right-of-way line of SW 110th Avenue;

thence South 01° 35'01" West, a distance of 46.64 feet to the southeast corner of said Parcel 3;

thence along the southerly line of said Parcel 3, North 41° 30'04" West, a distance of 226.09 feet;

thence continuing along said line, on a 900.00 foot radius tangential curve to the left, arc length of 99.96 feet, central angle of 06° 21'49", chord bearing of North 44° 40'59" West, and chord distance of 99.91 feet;

thence continuing along said line and its extension line, North 47° 51'53" West, a distance of 222.76 feet;

thence leaving said extension line, along a 172.50 foot radius tangential curve to the left, arc length of 21.36 feet, central angle of 07°05'37", chord bearing of North 51°24'42" West, and chord distance of 21.34 feet;

thence North 54°57'30" West, a distance of 19.36 feet;

thence South 34°32'15" West, a distance of 263.51 feet;

thence along a 638.00 foot radius non-tangential curve, concave southerly, with a radius point bearing South 32°41'46" West, arc length of 872.67 feet, central angle of 78°22'13", chord bearing of South 83°30'40" West, and chord distance of 806.21 feet to a point on the easterly line of Parcel 10, Partition Plat No. 2012-019;

thence along said line, South 45°15'25" East, a distance of 20.00 feet;

thence leaving said line, along a 618.00 foot radius non-tangential curve, concave southeasterly, with a radius point bearing South 45°41'13" East, arc length of 381.48 feet, central angle of 35°22'04", chord bearing of South 26°37'45" West, and chord distance of 375.45 feet;

thence along a 482.00 foot radius reverse curve to the right, arc length of 121.62 feet, central angle of 14°27'26", chord bearing of South 16°10'26" West, and chord distance of 121.30 feet to an angle point of the northerly right-of-way line of Barber Street;

thence along said right-of-way line, on a 10.00 foot radius compound curve to the right, arc length of 18.58 feet, central angle of 106°25'35", chord bearing of South 76°36'50" West, and chord distance of 16.02 feet;

thence continuing along said right-of-way line, on a 688.00 foot radius reverse curve to the left, arc length of 12.99 feet, central angle of 01°04'55", chord bearing of North 50°42'51" West, and chord distance of 12.99 feet to the most easterly corner of Parcel 9, Partition Plat No. 2012-019;

thence along the northerly line of said Parcel 9, on a 688.00 foot radius compound curve to the left, arc length of 255.82 feet, central angle of 21°18'17", chord bearing of North 61°54'27" West, and chord distance of 254.35 feet;

thence continuing along said line, on a 10.00 foot radius reverse curve to the right, arc length of 14.07 feet, central angle of 80°36'47", chord bearing of North 32°15'13" West, and chord distance of 12.94 feet;

thence along the easterly line of said Parcel 9, on a 2967.00 foot radius reverse curve to the left, arc length of 143.19 feet, central angle of 02°45'54", chord bearing of North 06°40'13" East, and chord distance of 143.18 feet;

thence continuing along said line, North 05°17'16" East, a distance of 138.59 feet;

thence continuing along said line, on a 101.00 foot radius tangential curve to the left, arc length of 174.43 feet, central angle of 98°57'15", chord bearing of North 44°11'21" West, and chord distance of 153.55 feet;

thence along the northerly line of said Partition Plat No. 2012-019, South 86°20'01" West, a distance of 301.18 feet;

thence continuing along said line, on a 510.00 foot radius tangential curve to the left, arc length of 64.43 feet, central angle of 07°14'19", chord bearing of South 82°42'52" West, and chord distance of 64.39 feet;

thence continuing along said line, on a 770.00 foot radius reverse curve to the right, arc length of 261.94 feet, central angle of 19°29'28", chord bearing of South 88°50'26" West, and chord distance of 260.68 feet;

thence continuing along said line, on a 51.50 foot radius compound curve to the right, arc length of 49.48 feet, central angle of 55°02'48", chord bearing of North 53°53'26" West, and chord distance of 47.60 feet;

thence continuing along said line, South 63°37'58" West, a distance of 39.50 feet;

thence continuing along said line, South 59°27'30" West, a distance of 17.54 feet;

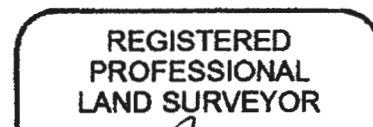
thence continuing along said line, South 78°43'40" West, a distance of 38.94 feet;

thence continuing along said line, North 72°29'33" West, a distance of 128.85 feet to the northwest corner of said Partition Plat No. 2012-019;

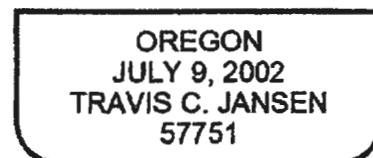
thence along the easterly right-of-way line of Grahams Ferry Road, North 17°14'42" East, a distance of 495.02 feet to the POINT OF BEGINNING.

Containing 28.627 acres, more or less.

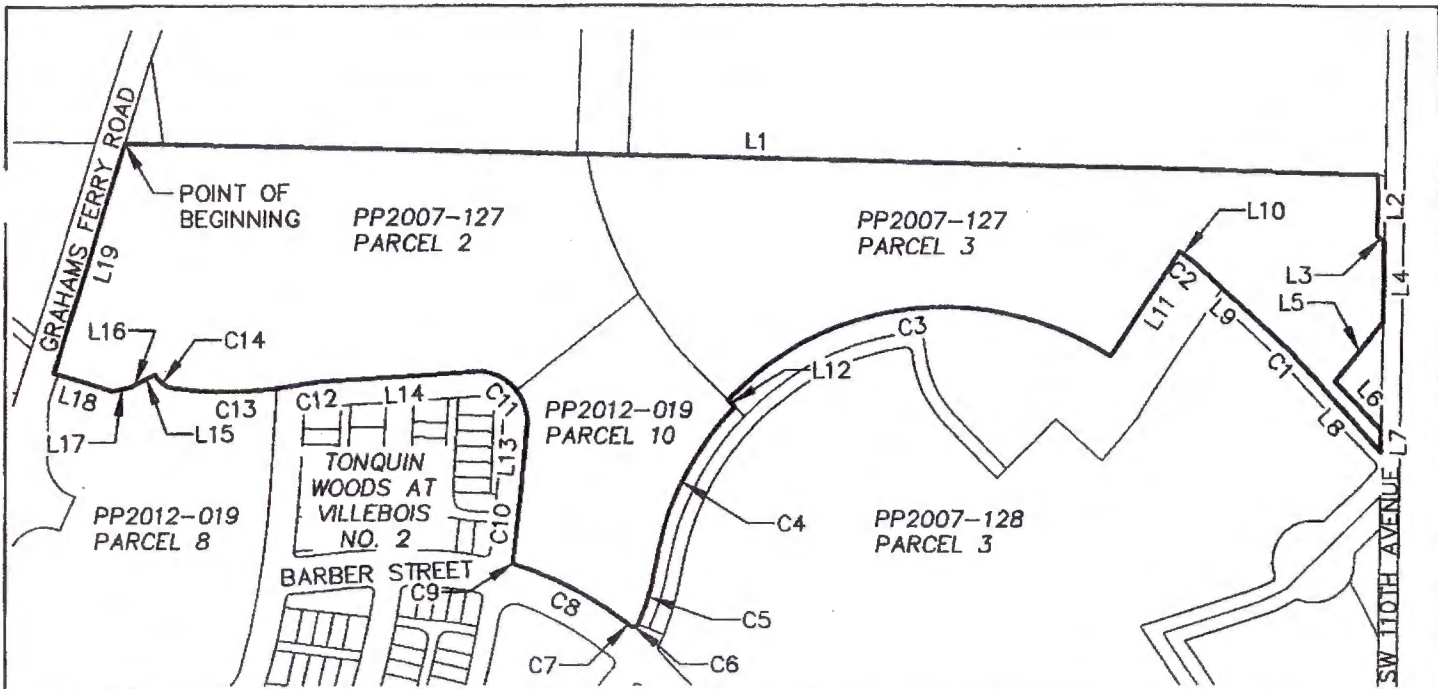
Basis of bearings per Partition Plat No. 2007-127,
Clackamas County Plat Records.



A handwritten signature in black ink, appearing to read "Travis C. Jansen".



RENEWS: 6/30/2013



LINE TABLE

LINE	BEARING	LENGTH
L1	S88°34'09"E	2620.32'
L2	S01°36'50"W	123.84'
L3	S50°46'32"E	19.42'
L4	S01°35'01"W	165.77'
L5	S39°14'35"W	159.78'
L6	S43°18'22"E	138.32'
L7	S01°35'01"W	46.64'
L8	N41°30'04"W	226.09'
L9	N47°51'53"W	222.76'
L10	N54°57'30"W	19.36'
L11	S34°32'15"W	263.51'
L12	S45°15'25"E	20.00'
L13	N05°17'16"E	138.59'
L14	S86°20'01"W	301.18'
L15	S63°37'58"W	39.50'
L16	S59°27'30"W	17.54'
L17	S78°43'40"W	38.94'
L18	N72°29'33"W	128.85'
L19	N17°14'42"E	495.02'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	900.00'	99.96'	6°21'49"	99.91'	N44°40'59"W
C2	172.50'	21.36'	7°05'37"	21.34'	N51°24'42"W
C3	638.00'	872.67'	78°22'13"	806.21'	S83°30'40"W
C4	618.00'	381.48'	35°22'04"	375.45'	S26°37'45"W
C5	482.00'	121.62'	14°27'26"	121.30'	S16°10'26"W
C6	10.00'	18.58'	106°25'35"	16.02'	S76°36'50"W
C7	688.00'	12.99'	1°04'56"	12.99'	N50°42'51"W
C8	688.00'	255.82'	21°18'17"	254.35'	N61°54'27"W
C9	10.00'	14.07'	80°36'47"	12.94'	N32°15'13"W
C10	2967.00'	143.19'	2°45'54"	143.18'	N06°40'13"E
C11	101.00'	174.43'	98°57'15"	153.55'	N44°11'21"W
C12	510.00'	64.43'	7°14'19"	64.39'	S82°42'52"W
C13	770.00'	261.94'	19°29'28"	260.68'	S88°50'26"W
C14	51.50'	49.48'	55°02'48"	47.61'	N53°53'26"W

EXHIBIT "A"



DRAWN BY: CLL DATE: 4/9/13
 REVIEWED BY: TCJ DATE: 4/9/13
 PROJECT NO.: 395-008
 SCALE: Ordinance No. 7200'



[T] 503-941-9484
 [F] 503-941-9485

N:\proj\395-008\Drawings\06 Survey\Exhibits\395008.Zone Change Legal.dwg - SHEET: 1 Apr. 9, 13 - 5:39 PM. cl

Ordinance No. 720

Additional Development Review Board materials from the June 10, 2013 DRB meeting:

4. Council Exhibit C: Development Review Board's Recommendation to Council and Decision and Resolution No. 259.
5. Council Exhibit D: DRB adopted staff report (Exhibit A1) digital sent and on compact disk.

June 11, 2013

DEVELOPMENT REVIEW BOARD PANEL A

**DEVELOPMENT REVIEW BOARD NOTICE OF DECISION AND
RECOMMENDATION TO CITY COUNCIL**

Project Name: Villebois PDP -2 North

Case Files: Request A: DB13-0020 SAP-North PDP-2N Preliminary Development Plan
Request B: DB13-0021 SAP-North Refinements
Request C: DB13-0022 SAP-North Amendment
Request D: DB13-0023 Zone Map Amendment
Request E: DB13-0024 Tentative Subdivision Plat
Request F: DB13-0025 Type C Tree Plan
Request G: DB13-0026 Final Development Plan for Parks and Open Space
Request H: SI13-0001 SRIR Review

**Applicants/
Owners:** Fred Gast – Polygon Northwest Company

**Applicant's
Representative:** Stacy Connery – Pacific Community Design

**Property
Description:** Tax Lots 2915, 2992, 2995 and portions of Tax Lots 2916 and 2922 in
Section 15; T3S R1W; Clackamas County; Wilsonville, Oregon.

Location: Villebois Phase 2 North

On June 10, 2013, at the meeting of the Development Review Board Panel A, the following
action was taken on the above-referenced proposed development applications:

Request D: The DRB has forwarded a recommendation of approval to the City
Council. *A Council hearing date is scheduled for Monday, June 17,
2013 to hear this item. .*

Requests A, B, C, E, F, G and H:
Approved with conditions of approval.
*These approvals are contingent upon City Council's approval of
Request D.*

An appeal of Requests A, B, C, E, F, G and H to the City Council by anyone who is adversely
affected or aggrieved, and who has participated in this hearing, orally or in writing, must be filed
with the City Recorder within fourteen (14) calendar days of the mailing of this Notice of
Decision. *WC Sec. 4.022(.02)*. A person who has been mailed this written notice of decision
cannot appeal the decision directly to the Land Use Board of Appeals under *ORS 197.830*.

This decision has been finalized in written form and placed on file in the City records at the Wilsonville City Hall this 11th day of June 2013 and is available for public inspection. The decision regarding Requests A, B, C, E, F, G and H shall become final and effective on the fifteenth (15th) calendar day after the postmarked date of this written Notice of Decision, unless appealed or called up for review by the Council in accordance with *WC Sec. 4.022(.09)*

Written decision is attached

For further information, please contact the Wilsonville Planning Division at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon 97070 or phone 503-682-4960

Attachments: DRB Resolution No. 259, including adopted staff report with conditions of approval.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 259**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL OF A ZONE MAP AMENDMENT FROM EXCLUSIVE FARM USE (EFU) AND PUBLIC FACILITIES (PF) TO VILLAGE (V) AND ADOPTING FINDINGS AND CONDITIONS APPROVING A PRELIMINARY DEVELOPMENT PLAN, SAP REFINEMENTS, SAP AMENDMENT, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, FINAL DEVELOPMENT PLAN FOR PARKS AND OPEN SPACE AND SRIR REVIEW FOR A 90-LOT RESIDENTIAL SUBDIVISION AND ASSOCIATED IMPROVEMENTS IN VILLEBOIS PDP-2 NORTH. PROPERTIES INVOLVED ARE TAX LOTS 2915, 2992, 2995, AND PORTIONS OF TAX LOTS 2916 AND 2922, SECTION 15, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. STACY CONNERY, AICP, PACIFIC COMMUNITY DESIGN, INC. – REPRESENTATIVE FOR FRED GAST, POLYGON NW COMPANY-APPLICANT.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated June 3, 2013, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on June 10, 2013, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated June 3, 2013, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations, subject to City Council approval of the Zone Map Amendment Request (DB13-0023), for:

DB13-0020 through DB13-0022, DB13-0024 through DB13-0026, and S113-0001 Preliminary Development Plan, SAP Refinements, SAP Amendment, Tentative Subdivision Plat, Type C Tree Plan, Final Development Plan, and Significant Resource Impact Report for a 90-lot residential subdivision, and associated parks and open space and other improvements..

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 10th day of June, 2013 and filed with the Planning Administrative Assistant on June 11, 2013. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.


Mary Fierros Bower Chair, Panel A
Wilsonville Development Review Board

Attest:


Shelley White, Planning Administrative Assistant

Exhibit A1
STAFF REPORT
WILSONVILLE PLANNING DIVISION

Polygon Homes- Villebois Phase 2 North
“Tonquin Woods at Villebois No. 4”
and SAP North Amendments

DEVELOPMENT REVIEW BOARD PANEL ‘A’
QUASI-JUDICIAL PUBLIC HEARING
STAFF REPORT
AMENDED AND ADOPTED JUNE 10, 2013

Added Language identified in **Bold**, *Italics*, Underlined
Deleted Language is ~~struck through~~

HEARING DATE	June 10, 2013
DATE OF REPORT:	June 3, 2013

APPLICATION NOS.: DB13-0020 SAP-North PDP 2 North, Preliminary Development Plan
DB13-0021 SAP-North Refinements
DB13-0022 SAP-North Amendment
DB13-0023 Zone Map Amendment
DB13-0024 Tentative Subdivision Plat
DB13-0025 Type C Tree Plan
DB13-0026 Final Development Plan for Parks and Open Space
SI13-0001 SRIR Review

REQUEST/SUMMARY: The Development Review Board is being asked to review a Preliminary Development Plan, SAP Refinements, SAP Amendment, Zone Map Amendment, Tentative Subdivision Plat, Type C Tree Plan, Final Development Plan, and Significant Resource Impact Report for a 90-lot residential subdivision, and associated parks and open space and other improvements.

LOCATION: West of 110th Avenue, east of Grahams Ferry Road, north of Barber Street and former Dammasch State Hospital site. The property is specifically known as Tax Lots 2915, 2992, 2995, and portions of 2916 and 2922, Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.

APPLICANT/OWNER: Fred Gast, Polygon NW Company

APPLICANT’S REP.: Stacy Connery, AICP
Pacific Community Design, Inc.

COMPREHENSIVE PLAN MAP DESIGNATION: Residential-Village

ZONE MAP CLASSIFICATIONS: PF and EFU (Public Facility and Exclusive Farm Use (Clackamas County Zoning))

STAFF REVIEWERS: Daniel Pauly AICP, Associate Planner
 Steve Adams PE, Development Engineering Manager
 Kerry Rappold, Natural Resource Program Manager
 Don Walters, Building Plans Examiner

STAFF RECOMMENDATIONS: Approve with conditions the requested Preliminary Development Plan, SAP Refinements, SAP Amendment, Tentative Subdivision Plat, Tree Removal Plan, Final Development Plan for Parks and Open Space, and SRIR Review. Recommend approval of the requested Zone Map Amendment to City Council.

APPLICABLE REVIEW CRITERIA

DEVELOPMENT CODE	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Section 4.033	Authority of City Council
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.125	V-Village Zone
Sections 4.139.00 through 4.139.11 as applicable	Significant Resource Overlay Zone (SROZ)
Section 4.154	Bicycle, Pedestrian, and Transit Facilities
Section 4.155	Parking, Loading, and Bicycle Parking
Section 4.167	Access, Ingress, and Egress
Section 4.169	General Regulations-Double Frontage Lots
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.178	Sidewalk and Pathway Standards
Section 4.197	Zone Changes and Amendments to Development Code-Procedures
Sections 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.200 through 4.220	Land Divisions
Sections 4.236 through 4.270	Land Division Standards
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600 through 4.640.20 as applicable	Tree Preservation and Protection

COMPREHENSIVE PLAN	
Implementation Measure 4.1.6.a.	
Implementation Measure 4.1.6.b.	
Implementation Measure 4.1.6.c.	
Implementation Measure 4.1.6.d.	
OTHER PLANNING DOCUMENTS	
Villebois Village Master Plan	
SAP North Approval Documents	

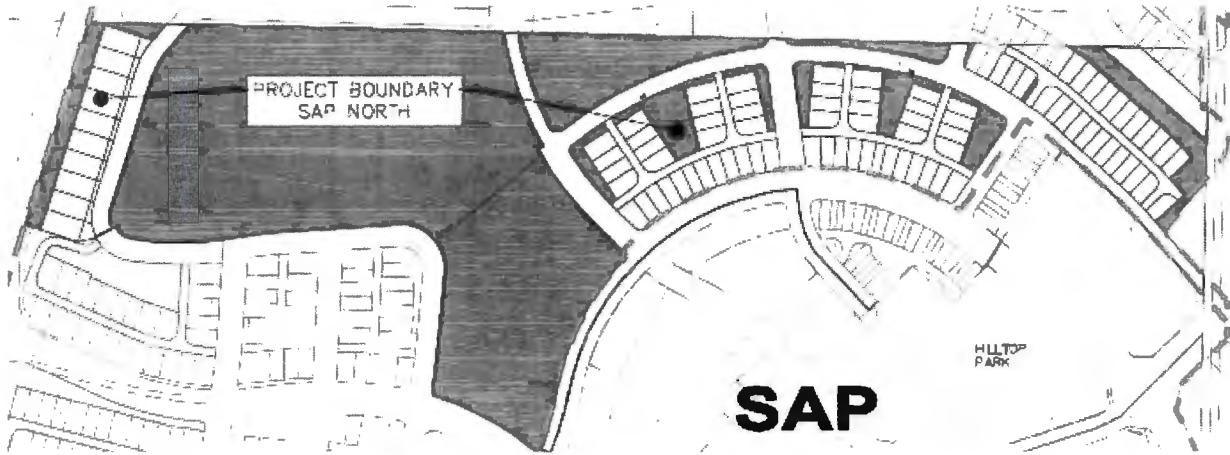
Vicinity Map



BACKGROUND/SUMMARY:

PDP 2N Preliminary Development Plan (DB13-0020)

The proposed Preliminary Development Plan 2 of Specific Area Plan North (also known as PDP 2N) comprises approximately 28.91 acres. The applicant proposes a variety of single-family housing types totaling 90 units, 19.12 acres of parks and open space, and associated infrastructure improvements. A majority of the houses will back up to alleys. 10 houses on the western edge of the subdivision will not back up to alleys and will have vehicle access from the street. The front of all the houses will face tree lined streets, parks and green spaces.



Proposed Housing Type	Number of Units
Standard Size Single Family	10
Medium Size Single Family	6
Small Size Single Family	37
Cottage Size Single Family	37
Total	90

Refinements to SAP North (DB13-0021)

When submitting a Preliminary Development Plan the Development Code allows applicants to request “refinements” to the previously approved Specific Area Plan (SAP) and Villebois Village Master Plan. “Refinements” are specifically defined changes not significant in a quantifiable or qualitative sense, as defined in the code. Refinements are required to equally or better implement relevant goals, policies, and implementation measures of the Villebois Village Master Plan as well as not have a detrimental effect on natural and scenic resources, or preclude adjoining areas from developing according to the Villebois Village Master Plan.

In concurrence with their PDP request, the applicant is requesting five refinements: street network; parks, trails, and open space; utilities and storm water facilities; location and mix of land uses; and density. Notable drivers of refinements include topographic restraints for streets in the northeast corner of the subdivision, increasing the size of and number of pocket parks and linear greens, and changing the product types to reflect developer preferences, as the SAP was requested by a different developer.

As demonstrated by the findings under Request B the requested refinements are not significant changes as defined by code and equally or better meet the applicable components of the Villebois Village Master Plan.

Amendment to SAP North Phasing (DB13-0022)

The phasing for SAP North was set during the review of PDP 1N when little was known about the timeline in which the remainder of the SAP would develop. The requested phasing amendment reflects the fact that Polygon now owns the subject the property and has a specific timeline to develop it. The phasing works in terms of utilities and infrastructure with certain infrastructure being provided through a portion of SAP East which Polygon has approvals to

develop. The remainder of SAP North, which remains outside of City limits, still does not have a defined timeline for development, so previously adopted phasing is being left as is.

Zone Map Amendment (DB13-0023)

The zoning proposal is to change the current PF zone, a remnant of the former Dammasch State Hospital use, and the current Clackamas County EFU zone, a remnant of pre-annexation zoning designation, to the Village (V) zone. The proposed residential and park uses are permitted under Wilsonville Code Section 4.125. The proposed Zone Map Amendment would enable the development permitting process for this area of Villebois.

Tentative Subdivision Plat (DB13-0024)

The applicant is proposing the subdivision of the properties into 90 residential lots, along with alleys, parks areas, and street rights-of-way. In addition, a number of ~~a number of~~ future development tracts are proposed which will be developed with future development to the north. The name of the proposed subdivision approved by Clackamas County is “Tonquin Woods No. 4.”

Type C Tree Plan (DB13-0025)

Thirty-two (32) trees, or about 15 percent of the trees on the site, will be removed and mitigated with street trees and trees in parks and open spaces.

Final Development Plan for Parks and Open Space (DB13-0026)

Details have been provided for all the parks and open space matching the requirements of the Community Elements Book. Street trees, curb extensions, street lights, and mail kiosks are also shown conforming to the Community Elements Book. Specific requirements are being placed on the materials for retaining walls within the public view shed and any hand rails for stairs if they are placed within the various pocket parks and linear greens. Regional Park 4 and Open Space 2 are proposed substantially consistent with the Villebois Village Master Plan.

Parks Board Review of Regional Park 4 and Open Space 2

On May 23, 2013 the plans for Regional Park 4 and Open Space 2 were reviewed by the Wilsonville Parks and Recreation Advisory Board. The result of the meeting was a recommendation to the Development Review Board in support of the park design with the additional consideration to have a full-size basketball court reoriented north to south, locating pet waste bags near trail entrances, and considering more seating around the columns of the shelter. The park plan as shown in Exhibit B3 reflects the Parks Board’s comments.

Significant Resource Impact Report (SI13-0001)

The proposed non-exempt development will encroach into the Significant Resource Overlay Zone and its associated 25 foot Impact Area. All non-exempt development will occur within the Area of Limited Conflicting Use of the isolated significant wildlife habitat (i.e., upland forest). The impacted area totals 16,255 square feet and is situated within and along the edge of the

upland forest. The impact to the SROZ is necessary to accommodate street improvements, a paved pedestrian trail, and encroachments related to a future PDP.

The proposed par course fitness stations and leaf identification creative play areas have not been addressed in the SRIR and are not approved as part of the SRIR review. In addition, the applicant is required to relocate a picnic table area (situated along the eastern edge of the forest) outside the SROZ. A Condition of Approval NRH 3 requires the applicant to modify the site plan.

Proposed exempt development in the SROZ and its associated 25 foot Impact Area includes ~~the following~~ a soft surface pedestrian pathway within forest.

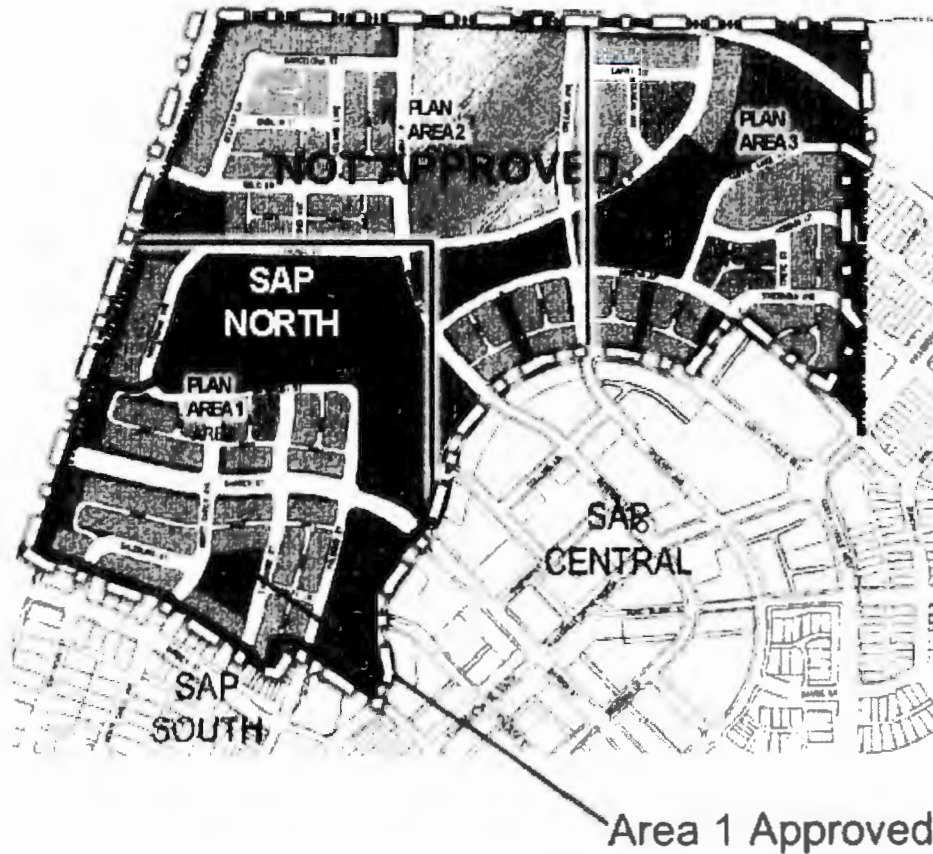
DISCUSSION TOPICS:

Use of the Term “Area”

The terms “plan area” and “area” have duplicate and potentially confusing meanings in relation to SAP North. The first is three “plan areas” SAP North was divided into in the submitted documents for SAP review. Plan Area 1 includes PDP 1N plus areas to the north to the future street labeled Firenze and east to just past the future alignment of Ravenna Loop. Plan Area 2 includes areas of SAP North to the north and east of Plan Area 1 to a line drawing north from the intersection of Orleans Loop and Costa Circle West. Plan Area 3 includes the remainder of the SAP to the east of Plan Area 2.

In the staff report approving with conditions SAP North (DB07-0054) the SAP is divided into two “areas”. The staff report identifies Area 1 as ~~the~~ principally the area proposed at the time to be developed as PDP 1 North. Area 2 is the remainder of the SAP. Area 1 includes a portion of Plan Area 1. Area 2 includes the remainder of Plan Area 1 and the entirety of Plan Areas 2 and 3. (See Phasing discussion on page 4 of 85 of the staff report, Exhibit A1 of DB07-0054; and finding A168 on page 73 of 85 of the same report: Exhibit ~~A4~~A42 of this report)

A number of conditions of approval and findings in the SAP North approval (DB07-0054) refer to “Area 2”. While a portion of “Area 2” is now being developed, these conditions of approval and findings will continue to apply to other portions of “Area 2” not yet developed to the north of the proposed development.



Prior SAP Partial Approval and Circulation

As discussed above, the approval of SAP North divided the SAP into two areas, Area 1 and Area 2. All SAP elements were approved for Area 1, but only certain elements were approved for Area 2. **The approval status of some elements is unclear.** Similar to how Stage I Master Plans are often amended with Stage II Final Plan requests in other zones in the City, the applicant's request includes ~~amending~~ **refining** the SAP North approval to adopt the elements not previously approved but shown in the PDP drawings. The majority of these elements are consistent with the Villebois Village Master Plan, with the exception of necessary circulation changes due to topographic restraints in the block bounded by Geneva Loop, Villebois Drive, Stockholm Avenue, and Cherbourg Lane. In the SAP Request (DB07-0054) the applicant requested the two intermediate road connections be removed and Stockholm be realigned to intersect Geneva Loop at what is proposed as Dundee Lane. A new street was proposed to connect Stockholm and Verdun Loop between Cherbourg Lane (formerly Coffee Lake Drive) and the SAP boundary. This change is not listed as one of the circulation refinements in the adopted Staff Report for the SAP, but neither is it explicitly not approved. Both the Master Plan and SAP proposed circulation will not work in this area due to topographic restraints. The applicant proposes keeping an orientation of Stockholm and Geneva similar to the Villebois Village Master Plan and removing the two intermediate streets due to topography restraints. Topographic restraints is an allowed reason in Subsection 4.125 (.05) A. to exceed the maximum block perimeter and street spacing. The remainder of Area 2 will necessitate further review in the future.

SAP Elements “Area 2” of SAP North

Approved	Not Approved or Uncertain
	Site Circulation
	Lot layout
	Parks and Open Space
	Utility Plan
	Proposed Contours
Sequencing/Phasing (being modified)	
	Tree Removal
	Traffic Impact Analysis
Master Signage and Wayfinding Plan	
Rainwater Management Program	
Architectural Pattern Book	
Community Elements Book	

Future Development Tracts

In this and previous applications PDP and phasing boundaries have been adjusted to reflect property ownership. Often this leads to remnant areas between the PDP’s developable with homes using land from multiple PDP’s. The tentative subdivision plat for PDP 2 North shows three such tracts that will need land from a future PDP to develop. This includes a tract at the northeast corner of Cherbourg Lane and Geneva Loop; a tract north of the alley between Geneva and Stockholm, west of Lot 84; and north of Stockholm Avenue adjacent to Linear Green 15. The first two tracts are labeled as one tract on the tentative plat. The timeframe for the development of the property to the north is unknown and may be a number of years. These tracts thus have the potential to be in a rough seeded state for an extended period.

LG 15 and NP 5 Tracts

Two tracts proposed along the eastern edge of the subdivision are portions of parks approved as part of PDP 3 East. These tracts, along with the adjoining areas to the east will be developed as Linear Green 15 and Neighborhood Park 5 in accordance with the PDP 3 East approvals.

Tract for Overhanging Building Easement

540 square foot Tract ‘Z’AA’ is located on the northern edge of the forested area in the western part of the subdivision in order to accommodate the overhang of an existing outbuilding on the adjacent property. It is expected this outbuilding will be removed and this easement no longer needed when the property to the north develops.

Regional Parks 5 and 6.

The proposed subdivision includes a 1.4 acre tract, Tract ‘X’Y’, planned ~~to be~~ a portion of public Regional Park 5. At the City’s request this area is being left as a rough sodded area pending future park planning and development incorporating the entirety of the park now spread across three ownerships. In addition, Tract ‘Q’R’ is a small portion (9,010 square feet) of the future Regional Park 6, which will be planned and built together with future development to the north.

Amenities on Northern Edge of Open Space 2 “Upland Forest Preserve”

A majority of Open Space 2 “Upland Forest Preserve” is within the proposed subdivision with the northern edge on a property to the north. In the conceptual drawings for the preserve a number of planned amenities, including a child play structure and seating, are shown along this northern edge, though on the property subject to the current application. However, it is undesirable to develop these amenities at a location that will have limited public access and visibility. Staff recommends these amenities be built with development to the north when public access and visibility are created. It is thought the primary users of the play area and other amenities will be the homes in the future phase to the north.

Retaining Walls and Potential Hand Rails

The *With the exception of the permanent retaining walls in the linear green on the south side of Stockholm Avenue, the* applicant aims at grading and designing stairs in the pocket parks and linear greens to avoid the need of retaining walls and hand rails. While staff understands this intent, a possibility remains construction will necessitate either or both retaining walls and hand rails. For this reason a Condition of Approval requires ~~any of these elements~~ *the permanent retaining walls in the linear green along Stockholm and any other of these elements* built to be appropriately enhanced to be consistent with the Architectural Pattern Book.

Enhanced Third Story Rear Elevations.

The third story of the rear of houses facing the alley between Geneva Loop and Stockholm Avenue will be within the view shed of Stockholm as houses on the opposite side of the alley will only be two stories. *The third story of garages for homes along Costa Circle near Dundee lane will also be in the public view shed.* For this reason, a condition of approval requires the third story of these houses to receive enhanced architectural treatment required for elevations in the public view shed in the Architectural Pattern Book.

Courtyard Fencing

In order to increase consistency with the Architectural Pattern Book and other development elsewhere in Villebois a condition of approval requires courtyard fencing consistent with the pattern book and the architectural style of the home ~~for all but the standard lots~~ *for no less than thirty percent (30%) of the houses. Courtyards are especially encouraged when the house faces a linear green or pocket park and there is not front porch.* Where necessary, this includes installation of up to forty-eight inch (48”) dry stack rock or brick wall along the front of the lot or side of a lot to create a fairly level and usable front yard outdoor living area (5% maximum slope) enclosed by the courtyard fencing. ~~The applicant/owner can install a greater than forty-eight inch (48”) wall, but if maintaining the required five (5) percent slope requires greater than a forty-eight inch (48”) wall the applicant/owner can request an exception from the courtyard wall and courtyard slope requirements as part of building plan review.~~

Prior Street Dedication-Geneva

As shown in Exhibit B8 a number of street dedications ~~and~~ have been recorded from the parcel

Development Review Board Panel ‘A’ Staff Report June 3, 2013

Exhibit A1

Polygon Homes-Villebois Phase 2 North

Amended and Adopted June 10, 2013

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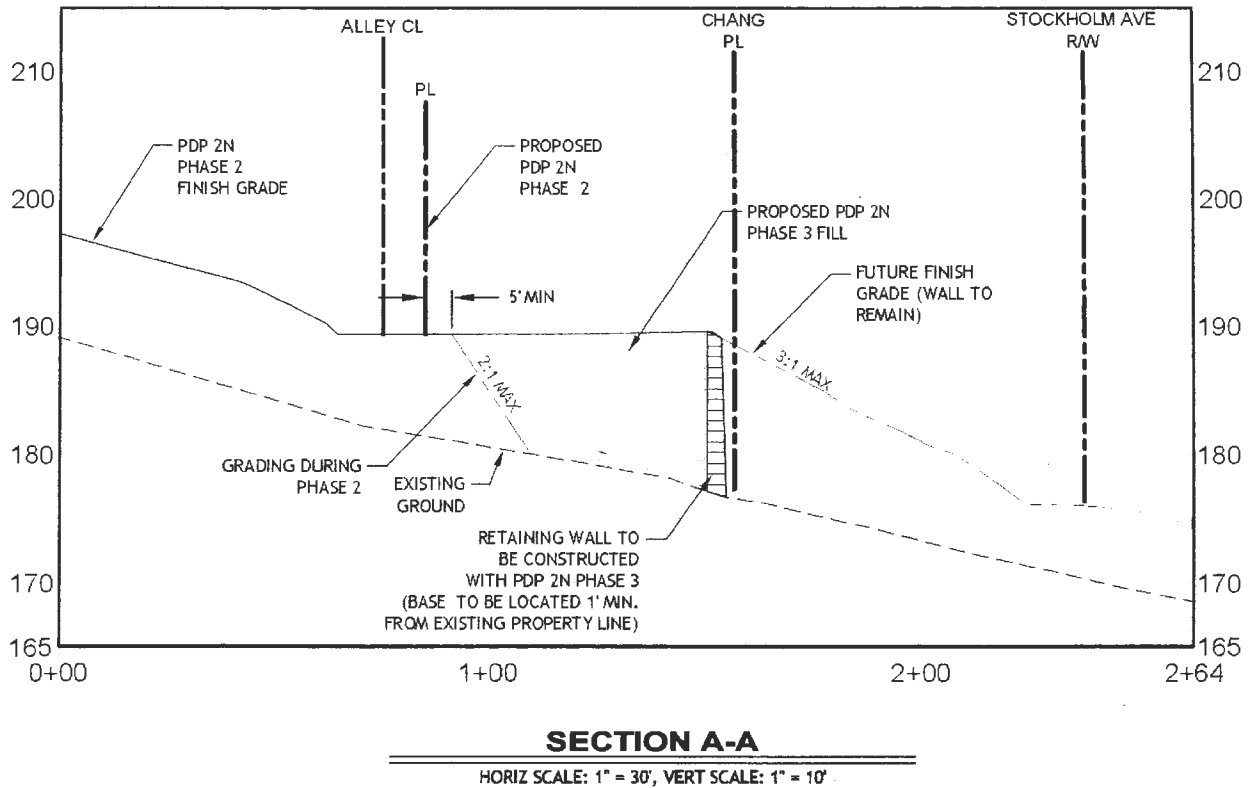
owned by Villebois LLC adjacent to property owned by Polygon. The appropriate public utility easements have also been recorded on the Villebois LLC property. These street dedication areas are currently zoned Public Facility, which is appropriate for the proposed street use they are thus not being rezoned at this time. These dedications allow the section of Geneva Loop from Dundee Lane to Villebois Drive North to be fully built with this development.

Relationship with 4 Central and Costa Circle Improvements

Phase 1 of the proposed PDP, including the areas along Costa Circle, Dundee Lane, and Geneva Loop, are planned to be developed at the same time as the adjacent streets and development across these streets in PDP 4 Central. These streets form the SAP boundaries, but in reality both sides of the street will be developed at the same time.

Phasing, Including Grading

A significant amount of grading is proposed for the subject property. After construction of Phase 1 and 2, intermittent grading will be left to the north of the alleys servicing Phase 1 and 2 until the construction of Phase 3. See example sections in Exhibit B6.



Retaining Wall, Future Development on Property to the North

Due to the amount of fill required for the project a noticeable elevation difference will exist between the proposed grading between Geneva Loop and Stockholm Avenue and the natural contours on the undeveloped property to the north. Due to this difference the applicant proposes

a temporary retaining wall along the property line. It is expected that the retaining wall will be buried with fill during the future development on the adjoining property. See Section A-A above from Exhibit B6. In addition, fill will be required to bring the future development tracts up to the same elevation as areas being developed. See also Sheet 5.2, Grading Plan, in Exhibit B2.

PGE Power Line and Easement

An existing overhead power line and associated PGE easement run across the northern edge of the subject property. The power line is planned to be removed and easement extinguished as part of this development. The applicant’s representative has indicated they are working with PGE to extinguish the easement, but no documentation has yet been received. A condition of approval requires the easement be extinguished prior to City approval of the final plat for the subdivision.

Interim Mid-block Crossing Geneva to Stockholm

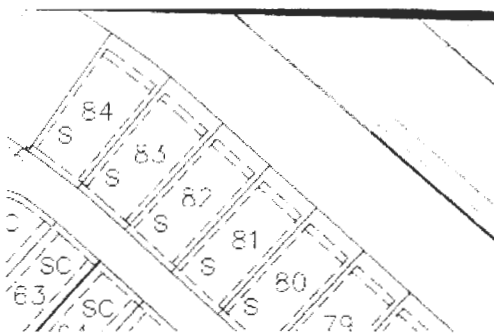
A mid-block pedestrian connection is proposed extending from Geneva Loop to Stockholm Avenue at Dundee Lane. A portion of the planned connection lies on the property to the north of the proposed subdivision. Currently, the fully improved path is proposed to end at the retaining wall along the property line. At the City’s request the applicant is proposing an interim asphalt path to connect the end of the path at the retaining wall to the sidewalk fronting the lots facing Stockholm Avenue.

Diversity of Home Styles Along Palermo Street

The conceptual drawings in Section IIF of the applicant’s notebook, Exhibit B1, includes only American style homes for the standard lots. A condition of approval requires, pursuant to the Architectural Pattern Book, at least two different architectural styles be used in the block along Palermo Street backing up to Grahams Ferry Road, one of which must be a European style.

Street Trees for Homes without Frontage on Stockholm

Until Stockholm Avenue is extended with the development of the property to the north there will be no street, including sidewalk and planting strip, along the linear green directly in front of Lots 81 through 84. Typically street trees are planted at the same time as development of homes and park areas adjacent to the street. In this case the adjacent development will occur prior to the street. The street tree planting will need to occur with the future development of the street. These four lots will have access via an alley as well as pathways within the linear green.



Park Maintenance

The parks within the subject PDP are identified as regional parks and open space in the Villebois Village Master Plan. In addition a number of linear greens and pocket parks have been added. The regional parks will be turned over to the City for maintenance after being maintained by the homeowners association for a period of 5 years after City acceptance of the park. Maintenance of the Open Space is a subject of further discussion between the developer and the City. The pocket parks and linear greens will be privately maintained by a homeowners association in perpetuity. The developer will be required to enter into an Operations and Maintenance Agreement for the PDP that clearly identifies ownership and maintenance responsibilities. This document will be recorded with the subdivision for “Tonquin Woods No. 4”. This requirement has been added as Condition of Approval PDA 4.

CONCLUSION AND CONDITIONS OF APPROVAL:

Staff has reviewed the applicant’s analysis of compliance with the applicable criteria. This Staff report adopts the applicant’s responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, staff recommends that the Development Review Board approve the proposed applications (DB13-0020 through DB13-0022 and DB13-0024 through DB13-0026 as well as SI13-0001) and recommend approval of the zone map amendment to City Council (DB13-0023) with the following conditions:

The Developer is proposing improvements consistent with past agreements between the City’s and preceding owners and past City approvals.

REQUEST A: DB13-0020 SAP-North PDP 2 North, Preliminary Development Plan

<u>Planning Division Conditions:</u>	
PDA 1.	Approval of DB13-0020 SAP-North PDP 2 North, Preliminary Development Plan is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) and Exclusive Farm Use (EFU) to Village (V) (Case File DB13-0023).
PDA 2.	Street lighting types and spacing shall be as shown in the Community Elements Book. See Finding A30.
PDA 3.	All landscaping, and park improvements approved by the Development Review Board and Engineering Division Public Works Permit punch list items for the specific phase of the PDP shall be completed before 50% of the homes are occupied for the phase unless weather or other special circumstances prohibit completion, which case bonding for the improvements is permitted. See Finding A61.
PDA 4.	The applicant/owner shall enter into an Operations and Maintenance Agreement for the subdivision that clearly identifies ownership and maintenance for parks and open space, paths, and natural area tracts. Such agreement shall ensure maintenance in perpetuity and shall be recorded with the subdivision for ‘Tonquin Woods No. 4.’ Such agreement shall be reviewed and approved by the City Attorney prior to recordation. See also Findings E6. and G4.
PDA 5.	Except for the Standard sized lots along Palermo, the <i>The</i> applicant/owner shall install courtyard fencing in the front yard of at <i>no less than thirty percent (30%) of the houses, which is twenty-seven (27) of the ninety (90) houses. The</i>

applicant/owner is especially encouraged to place the courtyards in the front yard of homes facing linear greens and pocket parks that do not have a porch. The design and placement of the required courtyard fencing shall be consistent with the Architectural Pattern Book and the architectural style of the house. The courtyard area enclosed by the fence shall not exceed a five (5) percent slope from front building line of the house to the point of the courtyard closest to the front lot line or between the points of the courtyard closest to opposite side lot lines. Where necessary, the applicant shall install dry stack rock or brick wall along the front or side of the lot to ensure a five (5) percent or less slope is maintained. ~~Where the topography of a lot would require a greater than forty-eight inch (48") wall to maintain a five (5) percent slope for the courtyard the applicant/owner can request an exception from the courtyard fencing and courtyard slope requirements as part of the building permit review. See Finding A27.~~

PDA 6. Pursuant to the Architectural Pattern Book, at least two different architectural styles shall be used in the block along Palermo Street, one of which must be a European Style. See Finding A27.

PDA 7. Where a building foundation is exposed in the public view shed more than would be typical on a level lot, the foundation shall have a brick or stone façade matching the design of the house. See Finding A27.

PDA 8. Prior to the City issuing any building permits for houses in Construction Phase 3 as shown in Exhibit B5, the applicant/owner shall provide a count and map of courtyards installed in Construction Phases 1 and 2 and a map showing where the remaining courtyards required by Condition of Approval PDA 5 will be installed in Construction Phase 3. If the applicant/owner later desires to not place a courtyard in a location shown on the submitted Construction Phase 3 map, the change can be requested as part of building permit review as long as a suitable replacement location for the courtyard within the construction phase is indicated.

REQUEST B: DB13-0021 SAP-North Refinements

Planning Division Conditions:

PDB 1. Approval of DB13-0021 SAP-North Refinements is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) and Exclusive Farm Use (EFU) to Village (V) (Case File DB13-0023).

REQUEST C DB13-0022 SAP-North Amendment

Planning Division Conditions:

PDC 1. Approval of DB13-0022 SAP-North Amendment is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) and Exclusive Farm Use (EFU) to Village (V) (Case File DB13-0023).

REQUEST D: DB13-0023 Zone Map Amendment

Planning Division Conditions: No Conditions of Approval Proposed for This Request

This action recommends adoption of the Zone Map Amendment to the City Council for the subject properties. Case files DB13-0020, DB13-0021, DB13-0022, DB13-0024, DB13-0025, DB13-0026, and SI13-0001 are contingent upon City Council's action on the Zone Map Amendment request.

REQUEST E: DB13-0024 Tentative Subdivision Plat

Planning Division Conditions:	
PDE 1.	Approval of DB13-0025 Type C Tree Plan DB13-0024 Tentative Subdivision Plat is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) and Exclusive Farm Use (EFU) to Village (V) (Case File DB13-0023).
PDE 2.	Any necessary easements or dedications shall be identified on the Final Subdivision Plat.
PDE 3.	If one or more of the park/open space tracts are to be dedicated to the City or other public entity, this dedication(s) shall also be executed and recorded with the Final Plat.
PDE 4.	Alleyways, parking lots and drives shall remain in private ownership and be maintained by the Homeowner's Association established by the subdivision's CC&Rs. The CC&R's shall be reviewed and approved by the City Attorney prior to recordation.
PDE 5.	The Final Subdivision Plat shall indicate dimensions of all lots, lot area, minimum lot size, easements, proposed lot and block numbers, parks/open space by name and/or type, and any other information that may be required as a result of the hearing process for PDP-2N or the Tentative Plat.
PDE 6.	The easement for the overhead power line along the northern edge of the subdivision shall be extinguished prior to City approval of the final plat for the subdivision.
PDE 7.	A non-access reservation strip shall be applied on the final plat to those lots with access to a public street and an alley. All lots with access to a public street and an alley must take vehicular access from the alley to a garage or parking area. A plat note effectuating that same result can be used in the alternative. The applicant shall work with the County Surveyor and City Staff regarding appropriate language. See Finding E3.
PDE 8.	All reserve strips and street plugs shall be detailed on the Final Subdivision Plat. See Finding E3.
PDE 9.	All tracts shall, except those indicated for future home development, shall include a public access easement across their entirety.

REQUEST F: DB13-0025 Type C Tree Plan

Planning Division Conditions:	
PDF 1.	Approval of DB13-0025 Type C Tree Plan is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB13-0023).
PDF 2.	The property owner/applicant or their successors in interest shall grant access to the property for authorized City representatives as needed to verify the tree related information provided, to observe tree related site conditions, and to verify, once a removal permit is granted, that the terms and conditions of the permit are followed. See Finding F1.
PDF 3.	Prior to granting a Tree Removal Permit in accordance with the proposed Tree Removal Plan the permit grantee shall file with the City a cash or corporate surety bond or irrevocable bank letter of credit in an amount determined by the City to ensure compliance with the Tree Removal Permit conditions and the requirements of the Tree Preservation and Protection Ordinance. See Finding F5.

PDF 4.	Trees planted as replacement of removed trees shall be, state Department of Agriculture Nursery Grade No. 1. or better, shall meet the requirements of the American Association of Nursery Men (AAN) American Standards for Nursery Stock (ANSI Z60.1) for top grade, shall be staked, fertilized and mulched, and shall be guaranteed by the permit grantee or the grantee's successors-in-interest for two (2) years after the planting date. A "guaranteed" tree that dies or becomes diseased during that time shall be replaced. See Findings F11 and F12.
PDF 5.	Solvents, building material, construction equipment, soil, or irrigated landscaping, shall not be placed within the drip line of any preserved tree, unless a plan for such construction activity has been approved by the Planning Director or Development Review Board based upon the recommendations of an arborist. See Finding F14.
PDF 6.	Before and during development, land clearing, filling or any land alteration the applicant shall erect and maintain suitable tree protective barriers which shall include the following: <ul style="list-style-type: none"> • 6' high fence set at tree drip lines. • Fence materials shall consist of 2 inch mesh chain links secured to a minimum of 1 ½ inch diameter steel or aluminum line posts. • Posts shall be set to a depth of no less than 2 feet in native soil. Protective barriers shall remain in place until the City authorizes their removal or issues a final certificate of occupancy, whichever occurs first. See Finding F14.

REQUEST G: DB13-0026 Final Development Plan for Parks and Open Space

Planning Division Conditions:

PDG 1.	Approval of DB13-0026 Final Development Plan for Parks and Open Space is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) and Exclusive Farm Use (EFU) to Village (V) (Case File DB13-0023).
PDG 2.	All plant materials shall be installed consistent with current industry standards.
PDG 3.	All construction, site development, and landscaping of the parks shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor alterations may be approved by the Planning Division through the Class I Administrative Review process. See Finding G32.
PDG 4.	All retaining walls within the public view shed shall be a decorative stone or brick construction or veneer. Final color and material for the retaining walls shall be approved by the Planning Division through the Class I Administrative Review Process. <i><u>The temporary retaining wall along the north property line shall be Lock-Load or Keystone-type modular block retaining wall.</u></i> See Finding G37.
PDG 5.	All hand rails within the parks and open space shall be of a design similar to the approved courtyard fencing shown in the Architectural Pattern Book. Final design of any hand rails in parks and open space shall be approved by the Planning Division through the Class I Administrative Review Process. See Finding G37.
PDG 6.	All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Development Review Board. See Finding G 42.
PDG 7.	The applicant shall submit final parks, landscaping and irrigation plans to the City prior to construction of parks. The irrigation plan must be consistent with the requirements of Section 4.176(.07)C.

- PDG 8.** Prior to occupancy of each house the Applicant/Owner shall install landscaping along the public view-sheds of each house, unless otherwise approved by the Community Development Director. Homeowners association shall contract with a professional landscape service to maintain the landscaping.
- PDG 9.** Street trees, as shown on the approved landscape plans, shall be planted as each house or park is built.

REQUEST H: SI13-0001 SRIR REVIEW

Planning Division Conditions: *see also Natural Resource Division Conditions Below*

- PDH 1.** Approval of SI13-0001 SRIR Review is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) and Exclusive Farm Use (EFU) to Village (V) (Case File DB13-0023).

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

REQUEST A: DB13-0020 SAP-North PDP 2 North, Preliminary Development Plan & REQUEST E: DB13-0024 Tentative Subdivision Plat

Engineering Division Conditions:

Standard Comments:

- PFA 1.** All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards.
- PFA 2.** Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:

<i>Coverage (Aggregate, accept where noted)</i>	<i>Limit</i>
Commercial General Liability	
General Aggregate (per project)	\$ 2,000,000
Fire Damage (any one fire)	\$ 50,000
Medical Expense (any one person)	\$ 10,000
Business Automobile Liability Insurance	
Each Occurrence	\$ 1,000,000
Aggregate	\$ 2,000,000
Workers Compensation Insurance	\$ 500,000
- PFA 3.** No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees

	have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.
PFA 4.	All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.
PFA 5.	<p>Plans submitted for review shall meet the following general criteria:</p> <ol style="list-style-type: none"> a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms. b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to review and approval by the City Building Department. c. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print. d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum. e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes. f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area. g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible. h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance. i. Erosion Control Plan that conforms to City of Wilsonville Ordinance No. 482. j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified. k. All engineering plans shall be stamped by a Professional Engineer registered in the State of Oregon.
PFA 6.	<p>Submit plans in the following general format and order for all public works construction to be maintained by the City:</p> <ol style="list-style-type: none"> a. Cover sheet b. City of Wilsonville construction note sheet c. General construction note sheet d. Existing conditions plan. e. Erosion control and tree protection plan. f. Site plan. Include property line boundaries, water quality pond boundaries,

	<p>sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.</p> <ul style="list-style-type: none"> g. Grading plan, with 1-foot contours. h. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes. i. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'. j. Street plans. k. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference l. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference. m. Detailed plan for storm water detention facility (both plan and profile views), including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water detention facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set. n. Detailed plan for water quality facility (both plan and profile views). Note that although storm water quality facilities are typically privately maintained they will be inspected by Natural Resources, and the plans must be part of the Public Works Permit set. o. Composite franchise utility plan. p. City of Wilsonville detail drawings. q. Illumination plan. r. Striping and signage plan. s. Landscape plan.
PFA 7.	Prior to manhole and sewer line testing, design engineer shall coordinate with the City and update the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to the updated numbering system. Design engineer shall also show the updated numbering system on As-Built drawings submitted to the City.
PFA 8.	The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Wilsonville Ordinance No. 482 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.
PFA 9.	Applicant shall work with City's Natural Resources office before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.
PFA 10.	To lessen the impact of the proposed project on the downstream storm drain system, and adjacent properties, project run-off from the site shall be detained and limited to the difference between a developed 25-year storm and an undeveloped 25-year storm.

	The detention and outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
PFA 11.	A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City to address appropriate pipe and detention facility sizing.
PFA 12.	The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as designed.
PFA 13.	Storm water quality facilities shall have approved landscape planted and/or some other erosion control method installed and approved by the City of Wilsonville prior to streets and/or alleys being paved.
PFA 14.	The applicant shall provide the City with a Stormwater Maintenance and Access Easement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Applicant shall maintain all LID storm water components and private conventional storm water facilities located within medians and from the back of curb onto and including the project site.
PFA 15.	Fire hydrants shall be located in compliance with TVF&R fire prevention ordinance and approval of TVF&R.
PFA 16.	The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
PFA 17.	All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
PFA 18.	Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.
PFA 19.	No surcharging of sanitary or storm water manholes is allowed.
PFA 20.	The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
PFA 21.	A City approved energy dissipation device shall be installed at all proposed storm system outfalls. Storm outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
PFA 22.	The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.

PFA 23.	All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
PFA 24.	Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.
PFA 25.	The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
PFA 26.	Access requirements, including sight distance, shall conform to the City's Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
PFA 27.	Applicant shall design interior streets and alleys to meet specifications of Tualatin Valley Fire & Rescue and Allied Waste Management (United Disposal) for access and use of their vehicles.
PFA 28.	Applicant shall prepare an Ownership and Maintenance agreement between the City and the Owner. Stormwater or rainwater facilities may be located within the public right-of-way upon approval of the City Engineer. The Ownership and Maintenance agreement shall specify that the rainwater and stormwater facilities shall be privately maintained by the Applicant; maintenance shall transfer to the respective homeowners association when it is formed.
PFA 29.	The applicant shall "loop" proposed waterlines by connecting to the existing City waterlines where applicable.
PFA 30.	All water lines that are to be temporary dead-end lines due to the phasing of construction shall have a valved tee with fire-hydrant assembly installed at the end of the line.
PFA 31.	Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Minor and Major Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
PFA 32.	For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).
PFA 33.	<p>Mylar Record Drawings:</p> <p>At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings on 3 mil. Mylar and an electronic copy in AutoCAD, current version, and a digitally signed PDF.</p>
PFA 34.	Subdivision or Partition Plats: Paper copies of all proposed subdivision/partition plats shall be provided to the City for review. Once the subdivision/partition plat is

	approved, applicant shall have the documents recorded at the appropriate County office. Once recording is completed by the County, the applicant shall be required to provide the City with a 3 mil Mylar copy of the recorded subdivision/partition plat.
PFA 35.	Subdivision or Partition Plats: All newly created easements shown on a subdivision or partition plat shall also be accompanied by the City's appropriate Easement document (on City approved forms) with accompanying survey exhibits that shall be recorded immediately after the subdivision or partition plat.
PFA 36.	The applicant shall work with the other developers of Villebois and the City to develop an equitable storm water and parks maintenance fee or a maintenance memorandum of understanding prior to any final plat approval.
Specific Comments:	
PFA 37.	At the request of Staff, DKS Associates completed a Transportation Review dated May 31, 2013. The project is hereby limited to no more than the following impacts. Estimated New PM Peak Hour Trips 91 Estimated Weekday PM Peak Hour Trips 29 Through Wilsonville Road Interchange Area
PFA 38.	All construction traffic shall access the site via Grahams Ferry Road to Barber Street or via 110th Avenue. No construction traffic will be allowed on Brown Road or Barber Street east of Costa Circle West.
PFA 39.	Applicant shall be required to complete full design and construction through the far right-of-way and to the far extent of the approved project and all intersections through the far corner radii of all planned streets bordering the development. Streets shall be designed in conformance to the applicable street type as shown in the Villebois Village Master Plan.
PFA 40.	The applicant shall provide 'stamped' engineering details with dimensions for intersection sight distance verification and AutoTURN layouts for all proposed intersections, including alley/street connections. Adequate clearance shall be provided at all intersections and alleyways. The sight distance point for exiting vehicles shall be located 14.4 feet from the edge of the traveled way. At a minimum, the applicant shall provide 'stamped' engineering AutoTURN layouts for fire trucks and buses (WB-60) that show the overhang and/or mirrors of the vehicle as opposed to the wheel paths. Turning vehicles may use the width of the minor street to start the appropriate turn. The vehicle must however, stay within the appropriate receiving (inside) lane of the major street. Additionally, the turning vehicle must not intrude onto the wheel chair ramp on the inside of the turning movement.
PFA 41.	The proposed subdivision lacks direct sidewalk access to Villebois SAP South PDP 6 or SAP East PDP 1 and to the Lowrie Primary School. Applicant shall construct a temporary sidewalk, and provide the necessary easements, linking the proposed development to existing sidewalks and/or crosswalks to provide a safe route to Lowrie Primary School <u>temporary sidewalks from Geneva Loop to Mont Blanc as shown on Exhibit F of Exhibit B13- 'Pedestrian School Route Exhibit' dated June 7, 2013 to provide pedestrian linkages to the existing sidewalks providing connections to Lowrie Primary School.</u>

PFA 42.	<p>The Villebois Village Master Plan identifies a major path, the Tonquin Trail, in a portion of this development. Applicant shall construct a minimum 12-foot wide paved major pathway with 12-ft wide ADA ramps in compliance with the Villebois Master Plan.</p> <p>Enhanced trail crossing treatment, such as a painted crosswalk, street lighting and/or median treatment, shall be installed at the location along the proposed Tonquin Trail system where it crosses the right-of-way.</p>
PFA 43.	<p>The Villebois Village Master Plan identifies a minor pedestrian path in a portion of the development. Applicant shall construct a minimum 8-foot wide paved minor pathway with 8-ft wide ADA ramps in compliance with the Villebois Master Plan.</p>
PFA 44.	<p>Alleys that are identified by Tualatin Valley Fire and Rescue (TVF&R) as possible routes for medical and/or fire emergencies shall meet TVF&R's design requirements.</p>
PFA 45.	<p>At the time of plan submittal for a Public Works Permit, the applicant shall provide to the City a copy of correspondence showing that the plans have also been distributed to the franchise utilities. Prior to issuance of a Public Works Permit, the applicant shall have coordinated the proposed locations and associated infrastructure design for the franchise utilities. Should permanent/construction easements or right-of-way be required to construct the public improvements or to relocate a franchised utility, the applicant shall provide a copy of the recorded documents. Should the construction of public improvements impact existing utilities within the general area, the applicant shall obtain written approval from the appropriate utility prior to commencing any construction.</p>
PFA 46.	<p>All streets shall be lighted with approved Westbrooke style street lights.</p>
PFA 47.	<p>Applicant shall provide sufficient mail box units for the proposed phasing plan; applicant shall construct mail kiosk at locations coordinated with City staff and the Wilsonville U.S. Postmaster.</p>
PFA 48.	<p>Plans show several water, storm and sanitary lines lying outside of the project boundaries or not shown connected. Applicant shall construct SAP Central PDP 4 concurrently with SAP North PDP 2. Applicant shall provide a complete utility system capable of servicing all proposed lots in compliance with Public Works Standards. For proposed lines lying outside of planned right-of-ways, applicant shall provide the City with construction easement(s) and permanent pipeline easement(s) prior to the City issuing a Public Works Permit for their construction. Pipeline easements lying within planned street right-of-ways shall expire at time of future street dedication.</p>
PFA 49.	<p>Applicant shall connect to existing water, storm and sanitary line at north end of Palermo Street.</p>
PFA 50.	<p>The project site appears to straddle the Arrowhead Creek basin, the Mill Creek basin and the Coffee Lake Creek basin. Applicant shall direct stormwater runoff to the correct basin; no interbasin transfer of stormwater is allowed.</p>
PFA 51.	<p>Detention of stormwater flows within the Arrowhead Creek basin have already been accounted for in existing stormwater detention features. No additional detention is required.</p>
PFA 52.	<p>Detention of stormwater flows within the Mill Creek basin have already been accounted for in existing stormwater detention features. No additional detention is</p>

	required.
PFA 53.	Much of the proposed development lies within the Coffee Lake Creek basin. Per City Ord. 608, detention is not required for areas of Villebois that drain directly to the Coffee Lake Wetlands; however, until the stormwater system is completed east of 110th Avenue (Costa Circle), applicant shall be in conformance with PFA 10 and PFA 11 for this portion of the development.
PFA 54.	Applicant shall be required to build the off-site sanitary sewer line prior to or concurrently with this project. This off-site line runs from near the intersection of 110th Ave. and Stockholm Ave. to the existing main line in the future Coffee Lake Drive.
PFA 55.	Applicant shall be required to build the off-site sanitary sewer line prior to or concurrently with this project. This off-site line runs from near the intersection of 110th Ave. and Stockholm Ave. to the existing main line in the future Coffee Lake Drive.
PFA 56 55 .	In accordance with the Public Works Standards, sewer lines entering manholes must be greater than 90 degrees from the line out to minimize turbidity within the manhole.
PFA 57 56 .	Both Northwest Natural Gas line and Kinder Morgan have existing gas/fuel lines located on the west side of the existing 110th Avenue right-of-way. No obstruction can be placed within, adjacent or across the pipelines that will impede access to the pipelines or easement. Applicant's contractor shall contact representatives from both Northwest Natural Gas line and Kinder Morgan prior to commencing any work within 10 feet of the lines.
PFA 58 57 .	Applicant shall be required to reimburse the City for their share of a sanitary sewer reimbursement fee established per Res. 2350 for their corresponding share of tax lot 31W15 02916 at time of issuance of a PW Permit.
PFA 59 58 .	SAP North PDP 2 consists of 90 lots. All construction work in association with the Public Works Permit and Project Corrections List shall be completed prior to the City Building Division issuing a certificate of occupancy, or a building permit for the housing unit(s) in excess of 50% of total (46th lot).

REQUEST A: DB13-0020 SAP-North PDP 2 North, Preliminary Development Plan

Building Division Conditions:

BD 1.	PREMISES IDENTIFICATION. Buildings shall have approved address numbers, building numbers or approved building identification placed on a position that is plainly visible from the street or road fronting the property. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means [approved by the fire marshal] shall be used to identify the structure. (OFC 505.1) This applies to all situations such as the homes facing Tract "V" and Tract "S" but not Tract "I" or "U". The sign shall be located in an easement or on common land that shall be maintained available for maintenance. If a walkway adjoins the front of the homes, locating the signs in the common area adjacent to the walkway as close as possible to the right-of-way would be ideal. Placing the signs at the mouth of the adjacent alley mouth would also be acceptable.
BD 2.	FIRE HYDRANTS shall be provided along required fire apparatus access roads and adjacent public streets with locations approved by the fire marshal. (2010 OFC C102.1)

BD 3. STOCKHOLM AVENUE appears to temporarily end near proposed lot 74, and Palermo Street near proposed Lot 126. Dead-end fire apparatus access roads in excess of 150' [or a little longer because of the sprinkler systems] shall be provided with width and turn-around provisions in accordance with Table D103.4 of the fire code. (OFC D103.4) An approved fire department turn-around or temporary roadway meeting fire access roadway requirements allowing fire vehicles to access adjacent streets, or other means meeting the approval of the fire marshal shall be provided.

REQUEST A: DB13-0020 SAP-North PDP 2 North, Preliminary Development Plan & REQUEST G: DB13-0026 Final Development Plan for Parks and Open Space

Natural Resources Division Conditions:	
Rainwater Management Plan:	
NRA 1.	The applicant shall submit a detailed operations and maintenance manual for the rainwater management components that has been reviewed and approved by city staff before 50% of the units are occupied in PDP 42, SAP North.
NRA 2.	Pursuant to the City of Wilsonville Public Works Standards, access should be provided for the entire perimeter of the rainwater management components. At a minimum, at least one access shall be provided for maintenance and inspection.
NRA 3.	All Rainwater Management Components and associated infrastructure located in public areas shall be designed to the Public Works Standards. Rainwater Management Components in private areas shall comply with the plumbing code.
NRA 4.	Plantings in Rainwater Management Components located in public areas shall comply with the Public Works Standards. Plantings in Rainwater Management Components located in private areas shall comply with the Plant List in the Rainwater Management Program or Community Elements Plan.
NRA 5.	The rainwater management components shall comply with the requirements of the Oregon DEQ UIC (Underground Injection Control) Program.
Stormwater Management:	
NRA 6.	Provide profiles, plan views and specifications for the proposed water quality treatment facilities consistent with the requirements of the City of Wilsonville's Public Works Standards.
NRA 7.	Pursuant to the Public Works Standards, the applicant shall submit a maintenance plan (including the City's stormwater maintenance covenant) for the proposed stormwater facilities, inclusive of the rainwater management components, prior to approval for occupancy of the associated development.
NRA 8.	Pursuant to the City of Wilsonville's Public Works Standards, access shall be provided to all areas of the proposed water quality treatment facilities. At a minimum, at least one access shall be provided for maintenance and inspection.
Other:	
NRA 9.	The applicant shall comply with all applicable state and federal requirements for the proposed construction activities and proposed facilities (e.g. DEQ NPDES #1200-C permit).

REQUEST H: SI13-0001 SRIR REVIEW

Natural Resources Division Conditions:	
NRH 1.	All landscaping, including herbicides used to eradicate invasive plant species and

	existing vegetation, in the SROZ shall be reviewed and approved by the Natural Resources Program Manager. Native plants are required for landscaping in the SROZ.
NRH 2.	Prior to any site grading or ground disturbance, the applicant is required to delineate the boundary of the SROZ. Six-foot (6') tall cyclone fences with metal posts pounded into the ground at 6'-8' centers shall be used to protect the significant natural resource area where development encroaches into the 25-foot Impact Area.
NRH 3.	Pursuant to Section 4.139.03(C), the applicant shall revise the proposed site plan to remove some of the proposed impacts to the Area of Limited Conflicting Use. The proposed par course fitness stations and leaf identification creative play areas have not been addressed in the SRIR and are not approved as part of the SRIR review. In addition, the applicant is required to relocate a picnic table area (situated along the eastern edge of the forest) outside the SROZ.
NRH 4.	Pursuant to Section 4.139.04, the applicant shall demonstrate proposed development (i.e. soft surface pedestrian trail) within the 25-foot Impact Area and the Significant Resource Overlay Zone has been designed to avoid, minimize and mitigate impact to the significant natural resources.
NRH 5.	Mitigation actions shall be implemented prior to or at the same time as the impact activity is conducted.
NRH 6.	The applicant shall submit a mitigation plan that addresses the requirements of Section 4.139.07.
NRH 7.	Pursuant to Section 4.139.03 (.05) of the Wilsonville Code, the applicant is required to use habitat-friendly development practices (Table NR-2) to the extent practicable for any encroachment into the Significant Resource Overlay Zone and the 25-foot Impact Area.
NRH 8.	The applicant shall submit 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.
NRH 9.	The Significant Resource Overlay Zone (SROZ) and mitigation area depicted on the SRIR mapping for the site shall be identified in a conservation easement. The applicant shall record the conservation easement with Clackamas Court <u>County</u> Clerk's office. The conservation easement shall include language prohibiting any disturbance of natural vegetation without first obtaining approval from the City Planning Division and the Natural Resources Program Manager. The conservation easement shall be reviewed by the City Attorney prior to recording.

MASTER EXHIBIT LIST:

The following exhibits are hereby entered into the public record by the Development Review Board as confirmation of its consideration of the application as submitted. This is the exhibit list that includes exhibits for Planning Case File DB13-0020 through DB13-0026, SI13-0001.

- A1. Staff report and findings (this document)
- A2. Excerpts from DB07-0054, SAP North Approval
- A3. Slides and notes for Staff's Public Hearing Presentation (*available at Public Hearing*)
- A4. *Planning Division Memorandum dated June 7, 2013 RE: Edits and Proposed Corrections to Staff Reports for DB13-0013 et. seq. (PDP 4C) and DB13-0020 et. seq. (PDP 2N)***
- A5. *Planning Division Memorandum dated June 10, 2013 RE: Changes to Conditions and Approval, Discussion Topics, and Findings Related to Courtyards for DB13-0013 et. seq. (PDP 4C) and DB13-00230 et. seq. (PDP 2N)***
- B1. Applicant's Notebook: *Under separate cover*
 - Section I: General Information
 - IA) Introductory Narrative
 - IB) Form/Ownership Documentation
 - IC) Fee Calculation
 - ID) Mailing List *Staff Note: This information has been revised*
 - IE) Updated SAP North Phasing + Unit Counts
 - Section II: Preliminary Development Plan (Includes Phasing Amendment and Refinements)
 - IIA) Supporting Compliance Report
 - IIB) Reduced Drawings
 - IIC) Utility & Drainage Reports
 - IID) Traffic Analysis
 - IIE) Tree Report
 - IIF) Conceptual Elevations
 - IIG) Copy of SROZ Report
 - Section III: Tentative Plat
 - IIIA) Supporting Compliance Report
 - IIIB) Tentative Plat
 - IIIC) Draft CC&R's
 - IIID) Copy of Certification of Assessments and Liens
 - IIIE) Subdivision Name Approval
 - Section IV: Zone Change
 - IVA) Supporting Compliance Report
 - IVB) Zone Change Map
 - IVC) Legal Description and Sketch
 - Section V: Tree Removal Plan
 - VA) Supporting Compliance Report
 - VB) Tree Report
 - VC) Tree Preservation Plan
 - Section VI: Final Development Plan

VIA) Supporting Compliance Report
VIB) Reduced Drawings

B2. Applicant's Large Format Plans (Smaller 11x17 plans included in Sections IIB and IIIB of the applicant's notebook Exhibit B1.) *Under separate cover.*

Sheet 1 Cover Sheet
Sheet 2.1 Existing Conditions
Sheet 2.2 Existing Conditions
Sheet 3.1 Aerial Photograph
Sheet 3.2 Aerial Photograph
Sheet 4.1 Tentative Plat *Staff Note: information revised. See Exhibit B9.*
Sheet 4.2 Tentative Plat *Staff Note: information revised. See Exhibit B9.*
Sheet 4.3 Tentative Plat *Staff Note: information revised. See Exhibit B9.*
Sheet 4.4 Tentative Plat *Staff Note: information revised. See Exhibit B9.*
Sheet 4.5 Tentative Plat *Staff Note: information revised. See Exhibit B9.*
Sheet 5.1 Grading and Erosion Control
Sheet 5.2 Grading and Erosion Control
Sheet 6.1 Composite Utility Plan
Sheet 6.2 Composite Utility Plan
Sheet 7.1 Circulation Plan *Staff Note: information on this sheet has been revised for the park and open space areas. See FDP plans in Exhibit B3.*
Sheet 7.2 Circulation Plan
Sheet 7.3 Street Sections
Sheet 8.1 Site/Land Use Plan
Sheet 8.2 Site/Land Use Plan
Sheet 8.3 Typical Lot Pattern
Sheet 9.1 Tree Preservation Plan *Staff Note: information on this sheet has been revised for the park and open space areas. See FDP plans in Exhibit B3.*
Sheet 9.2 Tree Preservation Plan
Sheet 9.3 SROZ Impacts and Mitigation Plan *Staff Note: information on this sheet has been revised for the park and open space areas. See FDP plans in Exhibit B3.*
Sheet 10.1 Street Tree/Lighting Plan
Sheet 10.2 Street Tree/Lighting Plan
Sheet 11.1 PDP Phasing Plan
Sheet 11.2 PDP Phasing Plan

B3. Final Develop Plan Large Format Plans (Smaller 11x17 plans included in Section VIB of the applicant's notebook, Exhibit B1.) *Under separate cover.*

Sheet 1 Cover Sheet (Landscape Plans)
Sheet L 1.0 Landscape Plan
Sheet L 2.0 Landscape Plan
Sheet L 3.0 Landscape Plan
Sheet L 4.0 Landscape Plan
Sheet L 5.0 Landscape Plan
Sheet L 6.0 Landscape Details

B4. EX1 Reference Diagram, Including Phasing, for PDP 4 Central and PDP 2 North

B5. EX2 Phasing Diagram for PDP 4 Central and PDP 2 North

B6. Supplemental Exhibits Regarding Grading and Profiles

Exhibit A Preliminary Plan and Profile Dundee Lane
Exhibit B Preliminary Plan and Profile Alley I
Exhibit C Future Grading Exhibit Chang Property *Staff Note: information revised. See Exhibit B9.*

Exhibit D Future Grading Exhibit Fir Park

- B7. Memo dated May 15, 2013 regarding circulation in northeast corner of subdivision and adjoining areas. *Staff Note: information from this memo was later revised. See Exhibit B9.*
- B8. Documentation of dedication of adjacent right-of-way for street improvements associated with proposed development.
- B9. Memo dated May 30, 2013 regarding circulation in northeast corner of subdivision and adjoining areas and alignment of pathway. includes the following revised sheets and Exhibits:
 - Exhibit C of Exhibit B6- Future Grading Exhibit ~~Change~~**Chang** Property *Staff Note: Revision of a portion of Exhibit B6.*
 - Tract L Supplemental Grading Plan
 - Sheet 1 of Exhibit B2- Cover Sheet *Staff Note: Revision of a portion of Exhibit B2.*
 - Sheets 4.1 to 4.4 of Exhibit B2- Tentative Plat *Staff Note: Revision of a portion of Exhibit B2.*
- B10. Memo Regarding Revisions to Regional Park 4 and Open Space 2 dated May 20, 2013
- B11. Additional Phasing Plan Update Exhibits
- B12. Memorandum from Stacy Connery Dated June 9, 2013 RE: DB13-0020 thru DB13-0026 & SI13-0001; PDP 2 North (Revision 1) with attached Exhibits F and G. Staff Notes: PDA 6 further modified as discussed in Exhibit A4. Revised by Exhibit B13.**
- B13. Revised Memorandum from Stacy Connery Dated June 10, 2013 RE: DB13-0020 thru DB13-0026 & SI13-0001; PDP 2 North (Revision 1) with attached Exhibit F. Staff Notes: PDA 6 further modified as discussed in Exhibit A4. Exhibit B13 is a Revision to Exhibit B12 deleting the request to remove Condition of Approval PDA 39 and leaving out Exhibit G.**
- C1. Comments and Conditions from Engineering Division
- C2. Comments and Conditions from Building Division
- C3. Comments, Findings, and Conditions from Natural Resources
- C4. Comments from Public Works Department

FINDINGS OF FACT:

1. The statutory 120-day time limit applies to this application. The application was received on April 15, 2013. On May 15, 2013, staff conducted a completeness review within the statutorily allowed 30-day review period, and, ~~on April 18, May 3, May 6, and May 7, 2013~~ **during a period from April 18 to May 31, 2013,** the Applicant submitted new materials. On May 31, 2013 the application was deemed complete. The City must render a final decision for the request, including any appeals, by September 28, 2013

2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	--	Unincorporated Rural Residential
East:	V	Phase 3 East Villebois (approved/unbuilt)
South:	PF/V	Phase 1 North Villebois (under construction) Future Phase 4 Central (proposed) Undeveloped portions of SAP Central
West:	--	Unincorporated Rural Residential

3. Prior land use actions include:

Legislative:

02PC06 - Villebois Village Concept Plan
02PC07A - Villebois Comprehensive Plan Text
02PC07C - Villebois Comprehensive Plan Map
02PC07B - Villebois Village Master Plan
02PC08 - Village Zone Text
04PC02 – Adopted Villebois Village Master Plan
LP-2005-02-00006 – Revised Villebois Village Master Plan
LP-2005-12-00012 – Revised Villebois Village Master Plan (Parks and Recreation)
LP10-0001 – Amendment to Villebois Village Master Plan (School Relocation from SAP North to SAP East)

Quasi Judicial:

DB07-0054 et seq – SAP-North
DB07-0087 et seq – PDP-1N, Arbor at Villebois
DB11-0024 et seq – PDP-1N Modification, SAP North Amendment Polygon NW
DB12-0066 et seq – PDP-1N Modification, SAP North Amendment Polygon NW

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

CONCLUSIONARY FINDINGS:

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

GENERAL INFORMATION

Section 4.008 Application Procedures-In General

Review Criteria: This section lists general application procedures applicable to a number of types of land use applications and also lists unique features of Wilsonville’s development review process.

Finding: These criteria are met.

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

Section 4.009 Who May Initiate Application

Review Criterion: “Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply.”

Finding: This criterion is satisfied.

Details of Finding: The application has been submitted on behalf of the property owner, Polygon at Villebois II, and LLC and Polygon at Villebois III, LLC.

Subsection 4.010 (.02) Pre-Application Conference

Review Criteria: This section lists the pre-application process

Finding: These criteria are satisfied.

Details of Finding: A pre-application conference was held on March 28, 2013 in accordance with this subsection.

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

Review Criterion: “City Council Resolution No. 796 precludes the approval of any development application without the prior payment of all applicable City liens for the subject property. Applicants shall be encouraged to contact the City Finance Department to verify that there are no outstanding liens. If the Planning Director is advised of outstanding liens while an application is under consideration, the Director shall advise the applicant that payments must be made current or the existence of liens will necessitate denial of the application.”

Finding: This criterion is satisfied.

Details of Finding: No applicable liens exist for the subject property. The application can thus move forward. Section IIID of the applicant’s notebook, Exhibit B1, includes a copy of certification of assessments and liens.

Subsection 4.035 (.04) A. General Site Development Permit Submission Requirements

Review Criteria: “An application for a Site Development Permit shall consist of the materials specified as follows, plus any other materials required by this Code.” Listed 1. through 6. j.

Finding: These criteria are satisfied.

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

Section 4.110 Zoning-Generally

Review Criteria: “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.” “The General Regulations listed in Sections 4.150 through 4.199 shall apply to all zones unless the text indicates otherwise.”

Finding: These criteria are satisfied.

Details of Finding: This proposed development is in conformity with the Village zoning district and general development regulations listed in Sections 4.150 through 4.199 have been applied in accordance with this Section.

**REQUEST A: DB13-0020 SAP-NORTH PDP 2 NORTH, PRELIMINARY
DEVELOPMENT Plan**

The applicant's findings in Section IIA of their notebook, Exhibit B1, respond to the majority of the applicable criteria.

Village Zone

Subsection 4.125 (.02) Permitted Uses in Village Zone

A1. **Review Criteria:** This subsection lists the uses typically permitted in the Village Zone, including single-family detached dwellings, row houses, and non-commercial parks, playgrounds, and recreational facilities.

Finding: These criteria are satisfied.

Details of Finding: The uses proposed includes single-family homes, parks and playgrounds, and open space which are permitted in the Village Zone.

Subsection 4.125 (.05) Development Standards Applying to All Development in the Village Zone

"All development in this zone shall be subject to the V Zone and the applicable provisions of the Wilsonville Planning and Land Development Ordinance. If there is a conflict, then the standards of this section shall apply. The following standards shall apply to all development in the V zone:"

Subsection 4.125 (.05) A. 1. Block, Alley, Pedestrian and Bicycle Standards: Maximum Block Perimeter

A2. **Review Criteria:** "Maximums 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.

Finding: These criteria are satisfied.

Details of Finding: Blocks within the proposed PDP plan meet the maximum 1,800-foot block perimeter, except as follows.

- The block bounded by Palermo Street, Barber Street, Costa Circle West, Ravenna Loop, and the north property line will exceed the maximum 1,800-foot block perimeter. This block includes Open Space 2 and Regional Park 4. Open Space 2 includes a large forested area that is designated as a Significant Resource Overlay Zone (SROZ). The SROZ prevents this block from meeting the block perimeter standard; however, this block includes trails throughout both parks. A paved path is provided from Palermo Street to Ravenna Loop pursuant to PDA 6 of case file DB07-0054.
- The remaining blocks along the northern portion of the PDP can only be developed to the property line. Compliance of these blocks with the 1,800-foot block perimeter standard cannot be fully determined until the abutting property to the north develops. However, the proposed blocks include provisions for pedestrian/bicycle connections or trails.

Subsection 4.125 (.05) A. 2. Block, Alley, Pedestrian and Bicycle Standards: Maximum Spacing Between Streets for Local Access

- A3. **Review Criteria:** “If the maximum spacing for streets for local access exceeds 530 feet, intervening pedestrian and bicycle access shall be provided, with a maximum spacing of 330 feet from those local streets, 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.”

Finding: These criteria are satisfied.

Details of Finding: Streets within the proposed PDP plan meet the maximum 530-foot spacing standard, except as follows.

- The block bounded by Geneva Loop, Villebois Drive, Stockholm Avenue and Cherbourg Lane will exceed the maximum 530-foot spacing standard. Topographic variations prevent cross streets meeting the 8% slope requirement in Subsection 4.125 (.09) A. 3.
- The block bounded by Palermo Street, Barber Street, Costa Circle West, Ravenna Loop, and the north property line will exceed the maximum 530-foot spacing standard. This block includes Open Space 2 and Regional Park 4. Open Space 2 includes a large forested area that is designated as a Significant Resource Overlay Zone (SROZ). The SROZ prevents this block from meeting the block spacing standard; however, this block includes trails throughout both parks.
- The block including the 10 Standard lots along Palermo Street will also exceed the 530-foot spacing standard due to the fact that it abuts Grahams Ferry Road to the west, which is a minor arterial with access spacing limitations.

As described above, barriers exist that prevent three (3) blocks in PDP 2 North from meeting the maximum street spacing. Bike/pedestrian connections are provided, where feasible.

Subsection 4.125 (.05) A. 3. Block, Alley, Pedestrian and Bicycle Standards: Intervening Pedestrian and Bicycle Access

- A4. **Review Criteria:** “If the maximum spacing for streets for local access exceeds 530 feet, intervening pedestrian and bicycle access shall be provided, with a maximum spacing of 330 feet from those local streets, 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.”

Finding: These criteria are satisfied.

Details of Finding:

The block bounded by Geneva Loop, Villebois Drive, Stockholm Avenue and Cherbourg Lane has intervening paths north of Dundee Lane and just to the northwest of Fir Park meeting these standards.

The block bounded by Palermo Street, Barber Street, Costa Circle West, Ravenna Loop has an intervening path extending from a point opposite Geneva Loop through to Palermo street meeting these standards.

The block including the 10 Standard lots along Palermo Street have no crossings shown in the Master Plan or SAP documents for the subject property, although a path will likely be required in the future phase to the north aligning with the sidewalk on the south side of future Firenze street.

Subsection 4.125 (.05) B. Access

A5. **Review Criterion:** “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.”

Finding: This criterion is satisfied.

Details of Finding: All of the lots within the proposed PDP that have frontage on a public street and an alley will take vehicular access from an alley to a garage or parking area. See also Finding E3 and Condition of Approval PDE 7.

Table V-1, Development Standards

A6. **Review Criteria:**

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 (ft.) ^{10,12,20}	Max. Bldg. Height (ft.) ⁸	Front Min. (ft.)	Front Max. (ft.)	Rear Min. (ft.)	Side Min. (ft.)	Alley-Loaded Garage (note)	Street-Loaded Garage (note)	
Commercial Buildings - Village Center ¹²	NR	NR	NR	1	90	60	NR ³	5	NR	NR	NR	NA	
Hotels - Village Center ¹²	NR	NR	NR	1	80	60	NR ³	15	NR	NR	NR	NA	
Mixed Use Buildings - Village Center ¹²	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 ¹⁷		8.17.18	
Single-Family Dwellings	2,250	35	50	2	60 ¹⁹	35	12 ^{5,6}	20 ⁶	5	5 ¹⁷		8.17.18	

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 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]

Finding: These criteria are satisfied.

Details of Finding: In previous PDP's it has consistently been interpreted to allow the lot width and lot sizes to be governed by the Pattern Book. All lot dimensions and sizes meet the standards established in the SAP North Pattern Book.

Subsection 4.125 (.07) Table V-2 Off-Street Parking, Loading & Bicycle Parking

A7. Review Criteria:

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) Assessorly Dwelling Units

[Table 4-2 amended by Ord. 677, 3/1/10]

Finding: These criteria are satisfied.

Details of Finding: At least one (1) parking space is provided for each dwelling unit. The houses are designed to provide a two-car garage.

Subsection 4.125 (.08) Parks & Open Space

A8. **Review Criteria:** This subsection prescribes the open space requirement for development in the Village Zone.

Finding: These criteria are satisfied.

Details of Finding: The applicant states the following regarding these requirements, “The Parks Master Plan for Villebois states that there are 57.87 acres of parks and 101.46 acres of open space for a total of 159.33 acres within Villebois, approximately 33%. SAP North includes parks and open space areas consistent with the Master Plan. The proposed PDP includes the parks and open space areas shown in the Villebois Village Master Plan for this area, with increased areas and new linear greens and pocket parks.

Subsection 4.125 (.09) Street Alignment and Access Improvements

Subsection 4.125 (.09) A. 1. a. Street Alignment and Access Improvements Conformity with Master Plan, etc.

A9. **Review Criterion:** “All street alignment and access improvements shall conform to the Villebois Village Master Plan, or as refined in the Specific Area Plan, Preliminary Development Plan, or Final Development Plan . . .”

Finding: This criterion is satisfied.

Details of Finding: The street alignments and access improvements within this PDP are generally consistent with those approved in the Villebois Village Master Plan and SAP North, as refined by this PDP application. See Request B and Findings B2 through B7.

Subsection 4.125 (.09) A. 1. a. i. Street Improvement: Conformity with Public Works Standards and Continuation of Streets

A10. **Review Criteria:** “All street improvements shall conform to the Public Works Standards and shall provide for the continuation of streets through proposed developments to adjoining properties or subdivisions, according to the Master Plan.”

Finding: These criteria are satisfied.

Details of Finding: All street improvements within this PDP will comply with the applicable Public Works Standards. The street system within this PDP is designed to provide for the continuation of streets within Villebois and to adjoining properties or subdivisions according to the Master Plan.

Subsection 4.125 (.09) A. 1. a. ii. Streets Developed According to Master Plan

A11. **Review Criterion:** “All streets shall be developed according to the Master Plan.”

Finding: This criterion is satisfied.

Details of Finding: All streets within this PDP will be developed with curbs, landscape strips, sidewalks, and bikeways or pedestrian pathways as depicted on the Circulation Plan, applicant’s sheet 7.1 and 7.2 in Exhibit B2, and in accordance with the Master Plan.

Subsection 4.125 (.09) A. 2. a. & b. Intersections of Streets: Angles and Intersections

A12. Review Criteria:

- “Angles: Streets shall intersect one another at angles not less than 90 degrees, unless existing development or topography makes it impractical.
- 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 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.”

Finding: These criteria are satisfied.

Details of Finding: The Circulation Plan, applicant’s sheet 7.1 and 7.2 in Exhibit B2, demonstrates that all proposed streets will intersect at angles consistent with the above standards.

Subsection 4.15 (.09) A. 2. c. Intersection of Streets: Offsets

A13. Review Criterion: “Offsets: Opposing intersections shall be designed so that no offset dangerous to the traveling public is created. Intersections shall be separated by at least:

- 1000 ft. for major arterials
- 600 ft. for minor arterials
- 100 ft. for major collector
- 50 ft. for minor collector”

Finding: These criteria are satisfied.

Details of Finding: The plan sheets demonstrate that opposing intersections on public streets are offset, as appropriate, so that no danger to the traveling public is created.

Subsection 4.125 (.09) A. 2. d. Curb Extensions

A14. Review Criteria: “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 shall have, shall meet minimum turning radius requirements of the Public Works Standards, and shall facilitate fire truck turning movements as required by the Fire District.”

Finding: These criteria are satisfied.

Details of Finding: Curb extensions are shown on the Circulation Plan, sheets 7.1 and 7.2 in Exhibit B2. Curb extensions will not obstruct bicycle lanes on collector streets. The plan sheets illustrate that all local street intersections will have a minimum 20 foot wide clear distance between curb extensions.

Subsection 4.125 (.09) A. 3. Street Grades

A15. Review Criteria: “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.”

Finding: These criteria are satisfied.

Details of Finding: The Grading & Erosion Control Plan, sheets 5.1 and 5.2 of Exhibit B2, as well as ‘Exhibit A’ of Exhibit B6, demonstrate that proposed streets comply with this standard. The City Engineer has approved the profile for Dundee Lane at 11.87% grade.

Subsection 4.125 (.09) A. 4. Centerline Radius Street Curves

A16. **Review Criterion:** “The minimum centerline radius street curves shall be as follows:

- Arterial streets: 600 feet, but may be reduced to 400 feet in commercial areas, as approved by City Engineer.
- Collector streets: 600 feet, but may be reduced to conform with the Public Works Standards, as approved by the City Engineer.
- Local streets: 75 feet”

Finding: These criteria are satisfied.

Details of Finding: Compliance is shown on the plan sheets.

Subsection 4.125 (.09) A. 5. Rights-of-way

A17. **Review Criteria:** Pursuant to subsection (.09) A. above, the provisions of 4.177 apply for rights-of-way as no other provisions are noted.

Finding: These criteria are satisfied.

Details of Finding: Proposed rights-of-way are shown on the applicant’s plan sheets, including sheets 4.1 through 4.5, Tentative Subdivision Plat, in Exhibit B2. Rights-of-way will be dedicated and a waiver of remonstrance against the formation of a local improvement district will be recorded with recordation of a final plat in accordance with Section 4.177.

Subsection 4.125 (.09) A. 6. Access Drives

A18. **Review Criteria:** Access drives are required to be 16 feet for two-way traffic. Otherwise, pursuant to subsection (.09) A. above, the provisions of 4.177 apply for access drives as no other provisions are noted.

Finding: These criteria are satisfied.

Details of Finding: The applicant states, “Access drives (alleys) will be paved at least 16-feet in width within a 20-foot tract, as shown on the Circulation Plan. In accordance with Section 4.177, all access drives will be constructed with a hard surface capable of carrying a 23-ton load. Easements for fire access will be dedicated as required by the fire department. All access drives will be designed to provide a clear travel lane free from any obstructions.”

Subsection 4.125 (.09) A. 7. Clear Vision Areas

A19. **Review Criteria:** Pursuant to subsection (.09) A. above, the provisions of 4.177 apply for clear vision areas as no other provisions are noted.

Finding: These criteria are satisfied.

Details of Finding: The applicant states that clear vision areas will be provided and maintained in compliance with the Section 4.177.

Subsection 4.125 (.09) A. 8. Vertical Clearance

A20. **Review Criteria:** Pursuant to subsection (.09) A. above, the provisions of 4.177 apply for vertical clearance as no other provisions are noted.

Finding: These criteria are satisfied.

Details of Finding: The applicant states that Vertical clearance will be provided and maintained in compliance with the Section 4.177.

Subsection 4.125 (.09) A. 9. Interim Improvement Standards

A21. **Review Criteria:** Pursuant to subsection (.09) A. above, the provisions of 4.177 apply for interim improvement standards as no other provisions are noted.

Finding: This criterion will be satisfied.

Details of Finding: No interim improvement standards are proposed related to the interim improvement standards described in Section 4.177.

Subsection 4.125 (.10) Sidewalk and Pathway Improvement Standards

A22. **Review Criteria:** “The provisions of Section 4.178 shall apply within the Village zone.”

Finding: These criteria are satisfied.

Details of Finding: The applicant states, “All sidewalks and pathways within SAP North will be constructed in accordance with the standards of Section 4.178 and the Villebois Village Master Plan.” Sidewalks and pathways are shown in the circulation plan and street cross-sections. See applicant’s sheets 7.1 through 7.3, Exhibit B2.

Subsection 4.125 (.11) Landscaping, Screening and Buffering

A23. **Review Criteria:** “Except as noted below, the provisions of Section 4.176 shall apply in the Village zone:

- Streets in the Village Zone shall be developed with street trees as described in the Community Elements Book.”

Finding: These criteria are satisfied.

Details of Finding: The appropriate landscaping is provided. The proposed street trees are among the choices provided in the Community Elements Book.

Subsection 4.125 (.12) Signage and Wayfinding

A24. **Review Criteria:** “Except as this subsection may otherwise be amended, or until such time as a Signage and Wayfinding Plan is approved as required by Section 4.125(.18)(D)(2)(f), signs within the Village zone shall be subject to provisions of Section 4.156.”

Finding: These criteria are satisfied.

Details of Finding: The SAP North Signage & Wayfinding Plan does not require any signage for the subject area that would otherwise be subject to a sign permit.

Subsection 4.125 (.13) Design Principles Applying to the Village Zone

A25. **Review Criteria:** “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.

- The design of landscape, streets, public places and buildings shall create a place of distinct character.
- The landscape, streets, public places and buildings within individual development projects shall be considered related and connected components of the Villebois Village Master Plan.
- The design of streets and public spaces shall provide for and promote pedestrian safety, connectivity and activity.
- The design of exterior lighting shall minimize off-site impacts, yet enable functionality.”

Finding: These criteria are satisfied.

Details of Finding: The Architectural Pattern Book and Community Elements Book ensure the design meets the fundamental design concepts and support the objectives of the Villebois Village Master Plan. By complying with an approved Architectural Pattern Book and Community Elements Book the design of the PDP will satisfy these criteria. See also Final Development Plan, Request G.

Subsection 4.125 (.14) A. 1. a. Design Standards: Flag Lots

A26. **Review Criterion:** “Flag lots are not permitted.”

Finding: This criterion is satisfied.

Details of Finding: No flag lots are proposed.

Subsection 4.125 (.14) A. 2. a. - e. and h. – k. Building and Site Design Requirements

A27. **Review Criteria:** “Building and site design shall include:

- Proportions and massing of architectural elements consistent with those established in an approved Architectural Pattern Book or Village Center Architectural Standards.
- 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.
- Protective overhangs or recesses at windows and doors.
- Raised stoops, terraces or porches at single-family dwellings.
- Exposed gutters, scuppers, and downspouts, or approved equivalent.
- Building elevations of block complexes shall not repeat an elevation found on an adjacent block.
- Building elevations of detached buildings shall not repeat an elevation found on buildings on adjacent lots.
- A porch shall have no more than three walls.
- A garage shall provide enclosure for the storage of no more than three motor vehicles, as described in the definition of Parking Space.”

Finding: These criteria are satisfied or will be satisfied by Conditions of Approval.

Details of Finding: The application requests PDP approval for single family detached houses. Conformance with the Pattern Book and Community Elements Book will assure consistency with the Design Standards of subsection (.14). Conformance with the Architectural Pattern Book will be reviewed at the issuance of each building permit. Compliance with the Community Elements Book is being reviewed as part of Request G

Final Development Plan. In order to increase consistency with the Architectural Pattern Book and other development elsewhere in Villebois Condition of Approval PDA 5 requires courtyard fencing consistent with the pattern book and the architectural style of the home for no less than thirty percent (30%) of the houses. This includes installation of up to forty-eight inch (48”) dry stack rock or brick wall along the front of the lot or side of a lot to create a fairly level and usable front yard outdoor living area enclosed by the courtyard fencing. The applicant/owner can install a greater than forty-eight inch (48”) wall, but if maintaining the required five (5) percent slope requires greater than a forty-eight inch (48”) wall the applicant/owner can request an exception from the courtyard wall and courtyard slope requirements as part of building plan review. The conceptual drawings in Section IIF of the applicant’s notebook, Exhibit B1, includes only American style homes for the standard lots. Condition of Approval PDA 6 requires, pursuant to the Architectural Pattern Book, at least two different architectural styles be used in the block along Palermo Street backing up to Grahams Ferry Road, one of which must be a European style. Condition of Approval PDA 7 requires building foundations exposed to the public view shed due to elevation differences on the lot to receive brick or stone facades consistent with the architectural pattern book.

Specific Findings on Courtyard During Field Research

The courtyard requirement is being placed to increase conformance with the Architectural Pattern Books and be consistent with how it has been applied elsewhere in Villebois. In order to further support the stated purpose of the requirement Planning staff has reviewed where courtyards have been constructed in Phases of Villebois constructed by Arbor Homes and Legend Homes and found the following:

With the exception of a couple areas in PDP 1 South staff found all single-family houses facing a Pocket Park or Linear Green had a courtyard. These courtyards serve an important function in these continuous green areas to divide between the outdoor space with public access and semi-private outdoor space. For this reason staff especially encourages courtyards for homes without a porch facing Linear Greens and Pocket Parks. The number of required courtyards is roughly the same as the number of non-porch houses that will likely face a linear green or pocket park. However, specific locations have not been indicated to allow the applicant flexibility.

Staff found variation in courtyards and no courtyards in alley-loaded single-family houses directly facing a street. Where houses are closer to the street they tend not to have a courtyard. Where they are set further back they tend to have courtyards. For this reason, staff supports the applicant having significant flexibility in whether or not courtyards are placed in this situation.

Staff also found, attached row houses, besides the most urban near the Village Center, have courtyards. This is especially important as many row houses have limited or no other private or semi-private outdoor space. The row houses without courtyards have porches/balconies which provide a semi-private outdoor space similar to a courtyard. Staff is recommending all 40 row houses in SAP Central PDP 4 have courtyards.

Subsection 4.125 (.14) A. 2. g. Landscape Plans

A28. **Review Criterion:** “Building and site design shall include:

- A landscape plan in compliance with Sections 4.125(.07) and (.11), above.”

Finding: This criterion is satisfied.

Details of Finding: The appropriate landscape plans have been provided. See Landscape Sheets in Exhibit B3.

Subsection 4.125 (.14) A. 2. f. Protection of Significant Trees

A29. **Review Criterion:** “Building and site design shall include:

- The protection of existing significant trees as identified in an approved Community Elements Book.”

Finding: This criterion is satisfied.

Details of Finding: Tree protection information is provided. See also Request F.

Subsection 4.125 (.14) A. 3. Lighting and Site Furnishings

A30. **Review Criteria:** “Lighting and site furnishings shall be in compliance with the approved Architectural Pattern Book, Community Elements Book, or approved Village Center Architectural Standards.”

Finding: These criteria are satisfied or will be required to do so by Condition of Approval PDA 2.

Details of Finding: Park plans show furnishings consistent with the Community Elements Book. A condition of approval ensure the final street lighting installation is consistent with the Community Elements Book.

Subsection 4.125 (.14) A. 4. Building Systems

A31. **Review Criteria:** “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.”

Finding: These criteria are satisfied.

Details of Finding: Subsequent Building Permit applications will review proposed buildings for consistency with the criteria of Table V-3 and the Architectural Pattern Book.

Subsection 4.125 (.18) G. Preliminary Development Plan Approval Process

Subsection 4.125 (.18) G. 1. a. Preliminary Development Plan: Submission Timing

A32. **Review Criterion:** “An application for approval of a Preliminary Development Plan for a development in an approved SAP shall 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.”

Finding: This criterion is satisfied.

Details of Finding: This PDP addresses Phase 1B on the amended SAP North Phasing Plan. This PDP includes a request to amend the SAP North Phasing.” See Request C.

Subsection 4.125 (.18) G. 1. b. Preliminary Development Plan: Owners' Consent

A33. **Review Criterion:** "An application for approval of a Preliminary Development Plan for a development in an approved SAP shall be made by the owner of all affected property or the owner's authorized agent;"

Finding: This criterion is satisfied.

Details of Finding: This application is made by Fred Gast for Polygon at Villebois II, LLC and Polygon at Villebois III, LLC the property owner.

Subsection 4.125 (.18) G. 1. c. Preliminary Development Plan Permit Process: Proper Form & Fees

A34. **Review Criterion:** "An application for approval of a Preliminary Development Plan for a development in an approved SAP shall 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;"

Finding: These criteria are satisfied.

Details of Finding: The applicant has used the prescribed form and paid the required application fees.

Subsection 4.125 (.18) G. 1. d. Preliminary Development Plan Permit Process: Professional Coordinator

A35. **Review Criterion:** "An application for approval of a Preliminary Development Plan for a development in an approved SAP shall set forth the professional coordinator and professional design team for the project;"

Finding: This criterion is satisfied.

Details of Finding: A professional design team is working on the project with Stacy Connery AICP from Pacific Community Design as the professional coordinator.

Subsection 4.125 (.18) G. 1. e. Preliminary Development Plan Permit Process: Mixed Uses

A36. **Review Criterion:** "An application for approval of a Preliminary Development Plan for a development in an approved SAP shall state whether the development will include mixed land uses, and if so, what uses and in what proportions and locations."

Finding: This criterion is satisfied.

Details of Finding: The proposed PDP includes only residential uses with supporting recreational amenities.

Subsection 4.125 (.18) G. 1. f. Preliminary Development Plan Permit Process: Land Division

A37. **Review Criterion:** "An application for approval of a Preliminary Development Plan for a development in an approved SAP shall include a preliminary land division (concurrently) per Section 4.400, as applicable."

Finding: This criterion is satisfied.

Details of Finding: A preliminary subdivision plat has been submitted concurrently with this request. See Request E.

Subsection 4.125 (.18) G. 1. g. Preliminary Development Plan Permit Process: Zone Map Amendment

A38. **Review Criterion:** “An application for approval of a Preliminary Development Plan for a development in an approved SAP shall include a concurrent application for a Zone Map Amendment (i.e., Zone Change) for the subject phase.”

Finding: This criterion is satisfied.

Details of Finding: A zone change request has been submitted concurrently with this request. See Request D.

Subsection 4.125 (.18) G. 2. a. – c. Preliminary Development Plan Permit Process: Information Required

A39. **Review Criteria:** “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 boundary survey or a certified boundary description by a surveyor licensed in the State of Oregon.
- 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:
 - One (1) foot contours for slopes of up to five percent (5%);
 - Two (2) foot contours for slopes from six percent (6%) to twelve (12%);
 - Five (5) foot contours for slopes from twelve percent (12%) to twenty percent (20%). These slopes shall be clearly identified, and
 - Ten (10) foot contours for slopes exceeding twenty percent (20%).
- 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.

Finding: These criteria are satisfied.

Details of Finding: A certified boundary description by a surveyor licensed in the State of Oregon is provided as the legal description and sketch for the zone map amendment See Section IVC of the applicant’s notebook, Exhibit B1. Boundary information for the City property and the portions of Tax Lots 2916 and 2919 will be prepared for the City Council Zoning Order. Topographic information and SROZ information in accordance with Sections 4.125(.18) G. 2. b. & c. is shown on sheets 2.1, 2.2, and 9.3 of Exhibit B2.

Subsection 4.125 (.18) G. 2. d. Preliminary Development Plan Permit Process: Land Area Tabulation

A40. **Review Criteria:** “A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre.”

Finding: These criteria are satisfied.

Details of Finding: Following is a tabulation of land area devoted to the various uses and a calculation of net residential density:

Approx. Gross Acreage (all properties)	28.91 Acres
Parks	19.12 Acres
Public Streets	3.10 Acres
Lots and Alleys	6.69 Acres

Net Residential Density: 90 lots / 6.69 Acres = 13.45 units per net acre

Subsection 4.125 (.18) G. 2. e. Preliminary Development Plan Permit Process: Streets, Alleys, and Trees

A41. **Review Criteria:** “The location, dimensions and names, as appropriate, of existing and platted streets and alleys on and within 50 feet of the perimeter of the PDP, 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.”

Finding: These criteria are satisfied.

Details of Finding: Information on planned alleys and streets are provided or the information is readily available. Easements, sidewalks, bike routes and bikeways, trails, and other relevant features are shown. The required trees are shown.

Subsection 4.125 (.18) G. 2. f. Preliminary Development Plan Permit Process: Building Drawings

A42. **Review Criteria:** “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 boundary, as identified in the approved SAP, and where required, the approved Village Center Design.”

Finding: This criterion is satisfied.

Details of Finding: The proposed PDP includes Standard, Medium, Small Detached, Cottage, and Row House housing products, along with a number of variations within these product types based on varying lot widths, lot depths, and split grading. Conceptual elevations are included in Section IIF of the applicant’s notebook, Exhibit B1.

Subsection 4.125 (.18) G. 2. g. Preliminary Development Plan Permit Process: Utility Plan

A43. **Review Criterion:** “A composite utility plan illustrating existing and proposed water, sanitary sewer, and storm drainage facilities necessary to serve the SAP.”

Finding: This criterion is satisfied.

Details of Finding: A composite utility plan has been provided. See applicant’s sheets 6.1 and 6.2 in Exhibit B2.

Subsection 4.125 (.18) G. 2. h. Preliminary Development Plan Permit Process: Phasing Sequence

A44. **Review Criterion:** “If it is proposed that the Preliminary Development Plan will be executed in Phases, the sequence thereof shall be provided.”

Finding: This criterion is satisfied.

Details of Finding: The PDP is proposed to be executed in three phases. The proposed phases of the subject PDP are shown on the PDP Phasing Plan, applicant's sheets 11.1 and 11.2 in Exhibit B2 as well as Exhibits B4 and B5.

Subsection 4.125 (.18) G. 2. i. Preliminary Development Plan Permit Process: Security for Capital Improvements

A45. **Review Criterion:** "A commitment by the applicant to provide a performance bond or other acceptable security for the capital improvements required by the project."

Finding: This criterion is satisfied.

Details of Finding: The applicant states "the applicant will provide a performance bond or other acceptable security for the capital improvements required by the project."

Subsection 4.125 (.18) G. 2. j. Preliminary Development Plan Permit Process: Traffic Report

A46. **Review Criterion:** "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)."

Finding: This criterion is satisfied.

Details of Finding: The required traffic report has been provided, and can be found in Section IID of the applicant's notebook, Exhibit B1.

Subsection 4.125 (.18) H. PDP Application Submittal Requirements

Subsection 4.125 (.18) H. 1. PDP Application Submittal Requirements: General

A47. **Review Criteria:** "The Preliminary Development Plan shall conform with the approved Specific Area Plan, and shall include all information required by (.18)(D)(1) and (2), plus the following:

- The location of water, sewerage and drainage facilities;
- Conceptual building and landscape plans and elevations, sufficient to indicate the general character of the development;
- The general type and location of signs;
- Topographic information as set forth in Section 4.035;
- A map indicating the types and locations of all proposed uses; and
- A grading and erosion control plan illustrating existing and proposed contours as prescribed previously in this section."

Finding: These criteria are satisfied.

Details of Finding: As stated by the applicant, "the proposed PDP generally conforms to the approved SAP North, with the proposed refinements described in the following sections of this report. As demonstrated above, the PDP application includes all information required by 4.125(.18)(D)(1) and (2), as applicable to a PDP."

Subsection 4.125 (.18) H. 2. PDP Application Submittal Requirements: Traffic Report

A48. **Review Criteria:** “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.”

Finding: These criteria are satisfied.

Details of Finding: The required traffic report is included in Section IID of the applicant’s notebook, Exhibit B1.

Subsection 4.125 (.18) H. 3. PDP Application Submittal Requirements: Level of Detail

A49. **Review Criterion:** “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.”

Finding: This criterion is satisfied.

Details of Finding: As stated by the applicant, “the plan sheets for the proposed Preliminary Development Plan provide sufficient detail to show the ultimate operation and appearance of the subject phase of development. The FDP application for design of the included park areas within the PDP area is submitted concurrent with this application.” See Request G.

Subsection 4.125 (.18) H. 4. PDP Application Submittal Requirements: Copies of Legal Documents

A50. **Review Criterion:** “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.”

Finding: This criterion is satisfied.

Details of Finding: The required legal documents for review have been provided. See Section IIIC in the applicant’s notebook, Exhibit B1.

Subsection 4.125 (.18) I. PDP Approval Procedures

A51. **Review Criteria:** “An application for PDP approval shall be reviewed using the following procedures:

- 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.
- A public hearing shall be held on each such application as provided in Section 4.013.
- 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.”

Finding: These criteria are satisfied.

Details of Finding: The request is being reviewed according to this subsection.

Subsection 4.125 (.18) J. PDP Refinements to Approved SAP

Subsection 4.125 (.18) J. 1. a. i. Refinements to the SAP: Street Network and Classification

A52. **Review Criterion:** “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.”

Finding: This criterion is satisfied.

Details of Finding: Concurrently with this PDP request refinements to the street network are being requested that meet the applicable criteria. See Request B.

Subsection 4.125 (.18) J. 1. a. ii. Refinements to the SAP: Parks, Trails, and Open Space

A53. **Review Criterion:** “Changes to the nature or location of park types, 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.”

Finding: This criterion is satisfied.

Details of Finding: Concurrently with this PDP request refinements to the parks, trails, and open space are being requested that meet the applicable criteria. See Request B.

Subsection 4.125 (.18) J. 1. a. iii. Refinements to the SAP: Utilities and Storm Water Facilities

A54. **Review Criterion:** “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.”

Finding: This criterion is satisfied.

Details of Finding: Concurrently with this PDP request refinements to the location of utilities or storm water facilities are being requested that meet the applicable criteria. See Request B.

Subsection 4.125 (.18) J. 1. a. iv. and v/ Refinements to the SAP: Mix of Land Uses and Density

A55. **Review Criteria:**

- “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.
- 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.”

Finding: These criteria are satisfied.

Details of Finding: Concurrently with this PDP request refinements to the location and mix of land uses and density are being requested that meet the applicable criteria. See Request B.

Subsection 4.125 (.18) K. PDP Approval Criteria

Subsection 4.125 (.18) K. 1. a. PDP Approval Criteria: Consistent with Standards of Section 4.125

A56. **Review Criteria:** “Is consistent with the standards identified in this section.”

Finding: These criteria are satisfied.

Details of Finding: As shown elsewhere in this request, the proposed Preliminary Development Plan is consistent with the standards of Section 4.125.

Subsection 4.125 (.18) K. 1. b. PDP Approval Criteria: Complies with the Planning and Land Development Ordinance

A57. **Review Criterion:** “Complies with the applicable standards of the Planning and Land Development Ordinance, including Section 4.140(.09)(J)(1)-(3).”

Finding: This criterion is satisfied.

Details of Finding: Findings are provided showing compliance with applicable standards of the Planning and Land Development Ordinance. Specifically Findings A65 through A67 address Subsections 4.140 (.09) J. 1. through 3.

Subsection 4.125 (.18) K. 1. c. PDP Approval Criteria: Consistent with Approved SAP

A58. **Review Criterion:** “Is consistent with the approved Specific Area Plan in which it is located.”

Finding: This criterion is satisfied.

Details of Finding: Together with the proposed refinements and amendments, the PDP is consistent with the approved SAP.

Subsection 4.125 (.18) K. 1. d. PDP Approval Criteria: Consistent with Approved Pattern Book

A59. **Review Criterion:** “Is consistent with the approved Pattern Book and, where required, the approved Village Center Architectural Standards.”

Finding: This criterion is satisfied.

Details of Finding: As stated by the applicant, “No buildings are proposed with this Preliminary Development Plan. Subsequent Building Permit applications for residential buildings in this Preliminary Development Plan will document compliance with the Architectural Pattern Book. However, proposed lots are sized to accommodate proposed uses in a manner consistent with Table V-1 and the Architectural Pattern Book.”

Subsection 4.125 (.18) K. 2. PDP Approval Criteria: Reasonable Phasing Schedule

A60. **Review Criterion:** “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.”

Finding: This criterion is satisfied.

Details of Finding: The applicant is requesting a phasing schedule involving 3 phases over a number of years. The rationale for which is included on page 29 of Section IIA of the applicant’s notebook, Exhibit B1.

Subsection 4.125 (.18) K. 3. PDP Approval Criteria: Parks Concurrency

A61. **Review Criterion:** “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 such improvements shall be permitted.”

Finding: This criterion will be satisfied by Condition of Approval PDA 3.

Details of Finding: The applicant asserts and a condition of approval ensures the parks within PDP 2N will be completed prior to occupancy of 50% of the housing units or bonding will be provided if special circumstances prevent completion.

Subsection 4.125 (.18) K. 5. PDP Approval Criteria: DRB Conditions

A62. **Review Criterion:** “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.”

Finding: This criterion is satisfied.

Details of Finding: No additional conditions of approval are recommended.

Subsection 4.140 (.09) J. Planned Development Permit Review Criteria

“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:”

Subsection 4.140 (.09) J. 1. Consistency with Comprehensive Plan and Other Plans, Ordinances

A63. **Review Criteria:** “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.”

Finding: These criteria are satisfied.

Details of Finding: The applicant’s findings demonstrate that the location, design, size, and uses proposed with the PDP are both separately and as a whole consistent with SAP North, and thus the Villebois Village Master Plan, the City’s Comprehensive Plan designation of Residential – Village for the area, and any other applicable ordinance of which staff is aware.

Subsection 4.140 (.09) J. 2. Meeting Traffic Level of Service D

A64. **Review Criteria:** 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.

Finding: These criteria are satisfied.

Details of Finding: The location, design, size and uses are such that traffic generated within the PDP at the most heavily used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D. The proposed uses and the circulation system are consistent with the SAP – North application, which included an Internal Circulation Evaluation including an assessment of intersection performance by DKS Associates. A copy of the Traffic Impact Analysis is attached in Section IID of the applicant’s notebook, Exhibit B1.

Subsection 4.140 (.09) J. 3. Concurrency for Other Facilities and Services

A65. **Review Criteria:** “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.”

Finding: These criteria are satisfied.

Details of Finding: As shown in the Utility and Drainage Report, Section IIC of the applicant’s notebook, Exhibit B1, and the applicant’s sheets 6.1 and 6.2, Exhibit B2, adequate or immediately planned facilities and services are sufficient to serve the planned development.

Section 4.171 Protection of Natural Features & Other Resources

Subsection 4.171 (.02) General Terrain Preparation

A66. **Review Criteria:**

- “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 land forms.
- All grading, filling and excavating done in connection with any development shall be in accordance with the Uniform Building Code, all development shall be planned, designed, constructed and maintained so as to:
 - Limit the extent of disturbance of soils and site by grading, excavation and other land alterations.
 - 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.
 - 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.

Finding: These criteria are satisfied.

Details of Finding: As explained on page 33-34 of the applicant’s PDP narrative, Section IIA of Exhibit B1, considerable attention has been given to working with the natural terrain especially the sloped areas towards the eastern edge of the project site. This includes split level home design to better conform to natural contours. The applicant additionally states that grading will be done in accordance with the Uniform Building Code.

Subsection 4.171 (.03) Hillsides

- A67. **Review Criterion:** “Hillsides: All developments proposed on slopes greater than 25% shall be limited to the extent that:”
Finding: This criterion does not apply.
Details of Finding: The subject Preliminary Development Plan does not include any areas of slopes in excess of 25%. Therefore, this standard does not apply to this application.

Subsection 4.171 (.04) Trees and Wooded Area

A68. **Review Criteria:**

- “All developments shall be planned, designed, constructed and maintained so that:
 - Existing vegetation is not disturbed, injured, or removed prior to site development and prior to an approved plan for circulation, parking and structure location.
 - 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.
 - Existing trees are preserved within any right-of-way when such trees are suitably located, healthy, and when approved grading allows.
- Trees and woodland areas to be retained shall be protected during site preparation and construction according to City Public Works design specifications, by:
 - Avoiding disturbance of the roots by grading and/or compacting activity.
 - Providing for drainage and water and air filtration to the roots of trees which will be covered with impermeable surfaces.
 - Requiring, if necessary, the advisory expertise of a registered arborist/horticulturist both during and after site preparation.
 - Requiring, if necessary, a special maintenance, management program to insure survival of specific woodland areas of specimen trees or individual heritage status trees.

Finding: These criteria are satisfied.

Details of Finding: The Tree Preservation Plan, applicant’s sheets 9.1 and 9.2 of their plan set, Exhibit B2, depicts existing trees within the subject area and identifies trees to be retained and to be removed. This application includes a request for approval of a Type “C” Tree Removal Plan, which can be found in Section V of the applicant’s notebook, Exhibit B1.

Subsection 4.171 (.05) High Voltage Power Lines

A69. **Review Criteria:** “High Voltage Power line Easements and Rights of Way and Petroleum Pipeline Easements:

- Due to the restrictions placed on these lands, no residential structures shall be allowed within high voltage power line easements and rights of way and petroleum pipeline easements, and any development, particularly residential, adjacent to high voltage power line easements and rights of way and petroleum pipeline easement shall be carefully reviewed.
- Any proposed non-residential development within high voltage power line 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.

Finding: These criteria do not apply.

Details of Finding: The development area and surrounding area are not around high voltage power lines.

Subsection 4.171 (.06) Safety Hazards

A70. **Review Criteria:** “

- To protect lives and property from natural or human-induced geologic or hydrologic hazards and disasters.
- To protect lives and property from damage due to soil hazards.
- To protect lives and property from forest and brush fires.
- To avoid financial loss resulting from development in hazard areas.

Finding: These criteria are satisfied.

Details of Finding: The applicant states that development of the subject area will occur in a manner that minimizes potential hazards to safety.

Subsection 4.171 (.07) Earth Movement Hazard Areas

A71. **Review Criterion:** “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.”

Finding: This criterion is satisfied.

Details of Finding: No areas of land movement, slump, earth flow, or mud or debris flow have been identified in the project area.

Subsection 4.171 (.08) Standards for Soil Hazard Areas

A72. **Review Criteria:**

- “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.
- The principal source of information for determining soil hazards is the State DOGAMI Bulletin 99 and any subsequent bulleting 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.

Finding: These criteria are satisfied.

Details of Finding: No soil hazard areas have been identified within the subject area.

Subsection 4.171 (.09) Historic Protection

A73. **Review Criteria:** This subsection establishes requirements for protection of historic resources.

Finding: This criterion is satisfied.

Details of Finding: A Historic/ Cultural Resource Inventory was previously conducted for the property identified as SAP – North. No inventoried items are on the subject property.

Section 4.176 Landscaping, Screening, and Buffering

A74. **Review Criteria:** This section establishes landscape, screening, and buffering requirements for development within the City.

Finding: These criteria are satisfied.

Details of Finding: Landscaping will be provided in accordance with the standards in Section 4.176. The Street Tree/Lighting Plan depicts street trees along rights-of-way within the subject Preliminary Development Plan area. The plan has been developed in conformance with the *Community Elements Book* and the applicable standards of Section 4.176. Landscaping in the parks and linear green areas will be reviewed with Request G, Final Development Plan.

Section 4.177 Street Improvement Standards

A75. **Review Criteria:** This section establishes street improvements standards for development within the City.

Finding: These criteria are satisfied.

Details of Finding: The rights-of-way proposed within the subject PDP are shown on the sheets 7.1 and 7.2 of Exhibit B2. Rights-of-way will be dedicated and a waiver of remonstrance against the formation of a local improvement district will be recorded with the final plat. The plan sheets demonstrate that all proposed access drives (alleys) within the PDP area will have a minimum improvement width of 16 feet and will provide two-way travel. All access drives will be constructed with a hard surface capable of carrying a 23-ton load. Easements for fire access will be dedicated as required by TVF&R. All access drives will be designed to provide a clear travel lane free from any obstructions. Clear vision areas will be maintained in accordance with the standards of Subsection 4.177(.01)(I). Vertical clearance will be maintained over all streets and access drives in accordance with Subsection 4.177(.01)(J).

Section 4.178 Sidewalk and Pathway Standards

A76. **Review Criteria:**

- “Sidewalks. All sidewalks shall be concrete and a minimum of five (5) feet in width, except where the walk is adjacent to commercial storefronts. In such cases, they shall be increased to a minimum of ten (10) feet in width.
- Pathways
 - Bicycle facilities shall be provided using a bicycle lane as the preferred facility design. The other facility designs listed will only be used if the bike lane standard cannot be constructed due to physical or financial constraints. The alternative standards are listed in order of preference.
 - Bike lane. This design includes 12-foot minimum travel lanes for autos and paved shoulders, 5-6 feet wide for bikes that are striped and marked as bicycle lanes. This shall be the basic standard applied to bike lanes on all arterial and collector streets in the City, with the exception of minor residential collectors with less than 1,500 (existing or anticipated) vehicle trips per day.”

Finding: These criteria are satisfied.

Details of Finding: The applicant’s sheet 7.3, see Exhibit B2, depicts cross-sections of the proposed sidewalks and pathways in compliance with the above standards and Specific Area Plan – North.

REQUEST B: DB13-0021 SAP-NORTH REFINEMENTS

The applicant's findings in Section IIA of their notebook, Exhibit B1, specifically pages 19-28, respond to the majority of the applicable criteria.

Refinements Generally

Subsection 4.125 (.18) J. 1. Refinement Process

B1. **Review Criteria:** "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."

Finding: These criteria are satisfied.

Details of Finding: The applicant is requesting a number of refinements as listed below. The applicant has provided plan sheets showing sufficient information to demonstrate compliance with the applicable criteria. As can be seen in the Findings below the criteria set forth in Subsection 4.125 (.18) J. 2. are satisfied for each requested refinement.

Refinement Request "a": Street Network

Subsection 4.125 (.18) J. 1. a. i. SAP Refinements: Street Network and Functional Classification

B2. **Review Criteria:** "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."

Finding: These criteria are satisfied.

Details of Finding: The Villebois Village Master Plan shows two road connections from Stockholm Avenue and Geneva Loop between Villebois Drive North and Cherbourg Lane (formerly Coffee Lake Drive). See Figure 7 of the Villebois Village Master Plan. One of these connections runs on the northwest side of Neighborhood Park 5 "Fir Park." The other continues Verdun Loop to the proposed intersection of Dundee Lane and Geneva Loop. In the SAP Request (DB07-0054) the applicant requested the two intermediate road connections be removed and Stockholm be realigned to intersect Geneva Loop at what is proposed as Dundee Lane. A new street was proposed to connect Stockholm and Verdun Loop between Cherbourg Lane (formerly Coffee Lake Drive) and the SAP boundary. This change is not listed as one of the circulation refinements in the adopted Staff Report for the SAP, but neither is it explicitly not approved. Both the Master Plan and SAP proposed circulation will not work in this area due to topographic restraints. The applicant proposes keeping an orientation of Stockholm and Geneva similar to the Villebois Village Master Plan and removing the two intermediate streets due to topography restraints. Topographic restraints is an allowed reason in Subsection 4.125 (.05) A. to exceed the maximum block perimeter and street spacing. See sheet 7.2 of Exhibit B2, "Exhibit C" of Exhibit B6, Exhibit B7, and Exhibit B9. As stated in Findings B3 through B5 below the proposed changes to the street network do not significantly reduce circulation system or function or connectivity either quantifiably or qualitatively.

Subsection 4.125 (.18) J. 1. b. i. Defining “Significant” for SAP Refinements: Quantifiable

B3. **Review Criteria:** “As used herein, “significant” means: More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(J)(1)(a), above.”

Finding: These criteria are satisfied.

Details of Finding: Quantifiable measures related to this refinement request include circulation system function and connectivity. Level of Service (LOS) is the quantifiable performance measure related to circulation system function for vehicles. No data is available nor practical to obtain regarding the circulation system function for bicycles and pedestrians. In addition, pedestrian connections will be maintained where shown in the master plan by paths. Bicycles connections will also be allowed on these paths, but topography may require stairs. While the traffic study did not compare LOS as various intersections with and without the proposed refinements, LOS of service continues to be met with the proposed changes. The quantifiable measure of connectivity is number of connecting routes. To connecting routes for vehicles are lost, which is less than 10 percent of the overall number of vehicle connections provided in the SAP and PDP.

Subsection 4.125 (.18) J. 1. b. ii. Defining “Significant” for SAP Refinements: Qualitative

B4. **Review Criteria:** “As used herein, “significant” means: That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(J)(1)(a), above.”

Finding: These criteria are satisfied.

Details of Finding: This subsection does not provide clear definition of what an important qualitative feature might be. Absent details in this subsection, staff interprets the primary qualitative factors to consider being the three guiding design principles of the Villebois Village Master Plan: Connectivity, Diversity, and Sustainability. The three guiding design principles are further defined by the goals, policies, and implementation measures of the Master Plan. By virtue of better or equally implementing the goals, policies, and implementation measures of the Villebois Village Master Plan, as described in Finding B5 below, the proposed refinements do not negatively affect qualitative features of the street network.

Subsection 4.125 (.18) J. 2. a. SAP Refinement Review Criteria: Better or Equally Implementing Villebois Village Master Plan

B5. **Review Criterion:** “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.”

Finding: These criteria are satisfied.

Details of Finding: The following are the relevant goals and policies from the Villebois Village Master Plan followed by discussion of how the refinements better or equally meet them:

Circulation System Goal: The Villebois Village shall provide for a circulation system that is designed to reflect the principles of smart growth.

Pedestrian connections are being maintained as shown in the Master Plan supporting the Smart Growth principle of creating walkable neighborhoods.

Circulations System Policy 1: The Villebois Village shall encourage alternatives to the automobile, while accommodating all travel modes, including passenger cars, trucks, buses, bicycles and pedestrians.

As demonstrated in the traffic report adequate vehicle circulation will be maintained. In addition bicycle and pedestrian connections are maintained as shown in the Villebois Village Master Plan.

Subsection 4.125 (.18) J. 2. b. SAP Refinement Review Criteria: Impact on Natural and Scenic Resources

B6. **Review Criterion**: “The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the PDP and Village area”

Finding: These criteria are satisfied.

Details of Finding: As stated in Finding B5 below, the proposed grading reflecting the natural contours of the site are not supportive of through mid-block vehicle connections in the locations where streets are proposed to be removed.

Subsection 4.125 (.18) J. 2. c. SAP Refinement Review Criteria: Effect on Subsequent PDP’s and SAP’s

B7. **Review Criterion**: “The refinement will not preclude an adjoining or subsequent PDP or SAP areas from development consistent with the approved SAP or the Master Plan.”

Finding: These criteria are satisfied.

Details of Finding: The proposed changes still allow the area of SAP North to the north of the circulation changes to develop in a manner consistent with the Master Plan and relevant SAP approvals.

Refinement Request “b”: Parks, Trails, and Open Space

Subsection 4.125 (.18) J. 1. a. ii. SAP Refinements: Parks, Trails, and Open Space

B8. **Review Criteria**: “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.”

Finding: These criteria are satisfied.

Details of Finding: The changes from previous approvals include a number larger and new linear greens and pocket parks of different sizes between homes. The Regional Parks and Open Space are substantially consistent with the Villebois Village Master Plan. Only an amenity (horseshoe pit) is being removed as it is provided in previously constructed Regional Park 3. A number of amenities are being added.

Subsection 4.125 (.18) J. 1. b. i. Defining “Significant” for SAP Refinements: Quantifiable

- B9. **Review Criteria:** “As used herein, “significant” means: More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(J)(1)(a), above.”
Finding: These criteria are satisfied.
Details of Finding: The performance measures, etc. being measured for the purpose of this refinement are the reduction of function, usability, connectivity, or overall distribution or availability of park uses in the Preliminary Development Plan. Park amenities are being added, creating no reduction in any measurable aspect of the parks. The only amenity being removed is provided nearby in another park not part of this application.

Subsection 4.125 (.18) J. 1. b. ii. Defining “Significant” for SAP Refinements: Qualitative

- B10. **Review Criteria:** “As used herein, “significant” means: That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(J)(1)(a), above.”
Finding: These criteria are satisfied.
Details of Finding: This subsection does not provide clear definition of what an important qualitative feature might be. Absent details in this subsection, staff interprets the primary qualitative factors to consider to be the three guiding design principles of the Villebois Village Master Plan: Connectivity, Diversity, and Sustainability. The three guiding design principles are further defined by the goals, policies, and implementation measures of the Master Plan. By virtue of better or equally implementing the goals, policies, and implementation measures of the Villebois Village Master Plan, as described in Finding B11 below, the proposed refinements do not negatively affect qualitative features of the parks.

Subsection 4.125 (.18) J. 2. a. SAP Refinement Review Criteria: Better or Equally Implementing Villebois Village Master Plan

- B11. **Review Criterion:** “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.”
Finding: These criteria are satisfied.
Details of Finding: The following are the relevant goals and policies from the Villebois Village Master Plan followed by discussion of how the refinements better or equally meet them:

Goal stated in paragraph one under 3.1 Introduction/Proposal for Parks and Open Space:

Offer a variety of opportunities that are engaging to all senses, through the provision of programming elements that allow for a wide variety of experiences.

3.3 Parks Goal: The Parks system within Villebois Village shall create a range of experiences for its residents and visitors through an interconnected network of pathways, parks, trails, open space and other public spaces that protect and enhance the site’s natural resources and connect Villebois to the larger regional park/open space system.

Policy 2: An interconnected trail system shall be created linking the park and open spaces and key destination points within Villebois and to the surrounding neighborhoods. The trails system shall also provide loops of varying lengths to accommodate various activities such as walking, running, and rollerblading.

Policy 3: Parks shall encourage the juxtaposition of various age-oriented facilities and activities, while maintaining adequate areas of calm.

Policy 4: Park designs shall encourage opportunities for wildlife habitat, such as plantings for wildlife foraging and/or habitat, bird and/or bat boxes and other like elements.

Policy 5: Gathering spaces in parks shall generate social interaction by adding layers of activity (Power of Ten).

Policy 6: Build-out of the Villebois Village Master Plan shall comply with the City of Wilsonville SROZ regulations. Any encroachment into the SROZ will be reviewed for compliance or exemption as more detailed information is provided that will affect the SROZ areas. Adjustments in plan, street alignments, and intersections as well as rainwater facilities and pathways shall be made to comply with SROZ regulations.

Policy 9: Parks and recreation spaces shall provide for flexibility over time to allow for adaptation to the future community's park, recreation and open space needs.

Implementation Measure 1: Future and pending development applications within Villebois (Specific Area Plans, Preliminary Development Plans and Final Development Plans) shall comply with the park, trail, open space system proposed in Figure 5 – Parks and Open Space Plan, Figure 5A – Recreational Experiences Plan, and Table 1: Parks Programming. Refinements may be approved

Implementation Measure 3: Parks and open spaces shall be designed to incorporate native vegetation, landforms and hydrology to the fullest extent possible.

Implementation Measure 12: Through time, the Developers shall have a responsibility to participate in planning, implementing and securing funding sources for a wetland naturalization and enhancement plan for the Coffee Lake wetland complex. These wetlands are adjacent to Coffee Creek and within the boundary of Villebois. The wetland naturalization and enhancement plan shall be initiated and completed with the phased development of the Village.

Implementation Measure 15: Each child play area shall include uses suitable for a range of age groups.

The refinements maintain all the amenities and their related variety shown in the Master Plan for the PDP area.

Subsection 4.125 (.18) J. 2. b. SAP Refinement Review Criteria: Impact on Natural and Scenic Resources

B12. **Review Criterion:** “The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the PDP and Village area”

Finding: These criteria are satisfied.

Details of Finding: The additional green space will not result in detrimental impacts to the environment or natural or scenic resources.

Subsection 4.125 (.18) J. 2. c. SAP Refinement Review Criteria: Effect on Subsequent PDP's and SAP's

B13. **Review Criterion:** "The refinement will not preclude an adjoining or subsequent PDP or SAP areas from development consistent with the approved SAP or the Master Plan."

Finding: These criteria are satisfied.

Details of Finding: The proposed park refinements do not preclude an adjoining or subsequent PDP or SAP area from developing consistent with the approved SAP or Master Plan.

Refinement Request "c": Utilities and Storm Water Facilities

Subsection 4.125 (.18) J. 1. a. iii. SAP Refinements: Utilities and Storm Water Facilities

B14. **Review Criteria:** "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."

Finding: These criteria are satisfied.

Details of Finding: As stated by the applicant, "the proposed PDP includes changes to utility lines that correspond with the changes in the street network. The proposed changes to utilities do not reduce the service or function in any way."

Refinement Request "d": Location and Mix of Land Uses

Subsection 4.125 (.18) J. 1. a. iv. SAP Refinements: Location and Mix of Land Uses

B15. **Review Criteria:** "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."

Finding: These criteria are satisfied.

Details of Finding: The changes to the location and mix of land uses are illustrated in the following table. Overall, as shown in the findings below, the changes do not significantly alter the distribution or availability of uses in the PDP.

Description of Block (bounded by:)	SAP Plan	Proposed PDP Plan
SW Palermo St. SW Grahams Ferry Rd.	10 Standard Detached <hr/> 10 Total	10 Standard Detached <hr/> 10 Total
SW Costa Circle West SW Dundee Lane Alley north of SW Costa Circle West	31 Attached Row Houses <hr/> 31 Total	22 Small Cottage Detached <hr/> 22 Total

SW Ravenna Loop		
Alley north of SW Costa Circle West	20 Small Detached	26 Small Detached
SW Dundee Lane	12 Medium Detached	6 Medium Detached
SW Geneva Loop	<hr/>	<hr/>
SW Ravenna Loop	32 Total	32 Total
SW Geneva Loop		
SAP Boundary	18 Small Detached	11 Small Detached
PDP Boundary	6 Medium Detached	15 Small Cottage
SW Cherbourg Lane	<hr/>	<hr/>
(does not include future development tracts)	24 Total	26 Total

Subsection 4.125 (.18) J. 1. b. i. Defining “Significant” for SAP Refinements: Quantifiable

B16. **Review Criteria:** “As used herein, “significant” means: More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(J)(1)(a), above.”

Finding: These criteria are satisfied.

Details of Finding: For the purpose of this refinement the quantifiable requirement is the number of lots/units under an aggregated land use category on the SAP level. The first land use category small detached, small cottage detached, and all attached housing types. The second land use category includes medium, standard, and larger single-family unit types. The table below shows the proposed changes affect the SAP North Land Use Mix. Proposed is a 6.8 percent decrease in the larger land use category, and a 1.6 percent increase in the smaller and attached land use category. Both of these are well within the ten percent allowance.

	Current SAP N Unit Count	Proposed SAP N Unit Count	% Change
Medium/ Standard/ Large/ Estate	174	162	-6.8%
Small Detached/ Small Attached/ Cottage/ Row Houses/ Neighborhood Apartment	297	302	1.6%
Total	471	464	-1.5%

Subsection 4.125 (.18) J. 1. b. ii. Defining “Significant” for SAP Refinements: Qualitative

B17. **Review Criteria:** “As used herein, “significant” means: That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(J)(1)(a), above.”

Finding: These criteria are satisfied.

Details of Finding: This subsection does not provide clear definition of what an important qualitative feature might be. Absent details in this subsection, staff interprets the primary qualitative factors to consider being the three guiding design principles of the Villebois Village Master Plan: Connectivity, Diversity, and Sustainability. The three guiding design principles are further defined by the goals, policies, and implementation measures of the Master Plan. By virtue of better or equally implementing the goals, policies, and implementation measures of the Villebois Village Master Plan, as described in Finding C23 below, the proposed refinements do not negatively affect qualitative features for location and mix of land uses.

Subsection 4.125 (.18) J. 2. a. SAP Refinement Review Criteria: Better or Equally Implementing Villebois Village Master Plan

B18. **Review Criterion:** “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.”

Finding: These criteria are satisfied.

Details of Finding: The following are the relevant goals and policies from the Villebois Village Master Plan followed by discussion of how the refinements better or equally meet them:

Land Use Policy 1: The Villebois Village shall be a complete community with a wide range of living choices, transportation choices, and working and shopping choices. Housing shall be provided in a mix of types and densities resulting in a minimum of 2,300 dwelling units within the Villebois Village Master Plan area.

Land Use Policy 2: Future development applications within the Villebois Village area shall provide land uses and other major components of the Plan such as roadways and parks and open space in general compliance with their configuration as illustrated on Figure 1 – Land Use Plan or as refined by Specific Area Plans.

Residential Neighborhood Housing Goal: The Villebois Village shall provide neighborhoods consisting of a mix of homes for sale, apartments for rent, row homes, and single-family homes on a variety of lot sizes, as well as providing housing for individuals with special needs. The Villebois Village shall provide housing choices for people of a wide range of economic levels and stages of life through diversity in product type.

Residential Neighborhood Housing Policy 1: Each of the Villebois Village’s neighborhoods shall include a wide variety of housing options and shall provide home ownership options ranging from affordable housing to estate lots.

Residential Neighborhood Housing Policy 5: The Villebois Village shall provide a mix of housing types within each neighborhood and on each street to the greatest extent practicable.

Residential Neighborhood Housing Policy 10: Natural features shall be incorporated into the design of each neighborhood to maximize their aesthetic character while minimizing impacts to said natural features.

As stated by the applicant “In summary, the proposed refinements will better integrate green spaces throughout the PDP and expand the range of housing options in the subject area. As the proposed refinements will not compromise the project’s ability to comply with all other Goals, Policies and Implementation Measures of the Villebois Village Master Plan, they will equally meet all other Goals, Policies and Implementation Measures of the Villebois Village Master Plan.” See the applicant’s more detailed response on page 26 of their compliance report in Section IIA of the applicant’s notebook, Exhibit B1.

Subsection 4.125 (.18) J. 2. b. SAP Refinement Review Criteria: Impact on Natural and Scenic Resources

B19. **Review Criterion:** “The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the PDP and Village area”

Finding: These criteria are satisfied.

Details of Finding: The proposed refinements add green space having a positive impact on the natural and scenic resources and amenities in the development.

Subsection 4.125 (.18) J. 2. c. SAP Refinement Review Criteria: Effect on Subsequent PDP's and SAP's

B20. **Review Criterion:** "The refinement will not preclude an adjoining or subsequent PDP or SAP areas from development consistent with the approved SAP or the Master Plan."

Finding: These criteria are satisfied.

Details of Finding: The proposed refinements will not preclude any other SAP's or PDP's from developing consistent with the approved SAP or the Master Plan.

Refinement Request "e": Density

Subsection 4.125 (.18) J. 1. a. v. SAP Refinements: Density

B21. **Review Criteria:** "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."

Finding: These criteria are satisfied.

Details of Finding: The proposed PDP, as proposed, would result in a density decrease (change in the number of overall units) in the SAP of 1.5 percent, which is well below the ten percent (10%) allowance. The proposal results in a total of 2532 units within Villebois.

Subsection 4.125 (.18) J. 2. a. SAP Refinement Review Criteria: Better or Equally Implementing Villebois Village Master Plan

B22. **Review Criteria:** "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."

Finding: These criteria are satisfied.

Details of Finding: The following is policy from the Villebois Village Master Plan followed by discussion of how the refinements better or equally meet it:

Residential Neighborhood Housing Policy 3: The mix of housing shall be such that the Village development provides an overall average density of at least 10 dwelling units per net residential acre.

The change of density is small decrease and continues to meet the density requirement for the Village Zone.

Subsection 4.125 (.18) J. 2. b. SAP Refinement Review Criteria: Impact on Natural and Scenic Resources

B23. **Review Criterion:** "The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the PDP and Village area"

Finding: This criterion is satisfied.

Details of Finding: The proposed minor decrease in density does not create any sort of impact that can be seen being detrimental to any of the resources mentioned in this subsection.

Subsection 4.125 (.18) J. 2. c. SAP Refinement Review Criteria: Effect on Subsequent PDP's and SAP's

B24. **Review Criterion:** “The refinement will not preclude an adjoining or subsequent PDP or SAP areas from development consistent with the approved SAP or the Master Plan.”

Finding: This criterion is satisfied.

Details of Finding: The proposed minor change in density does not affect any adjoining PDP's or SAP's.

REQUEST C: DB13-0022 SAP-NORTH AMENDMENT

The applicant's findings in Section IIA (page 28) and Section VIIA of their notebook, Exhibit B1, respond to the majority of the applicable criteria.

Amendment Request: SAP Phasing

Subsection 4.125 (.18) J. 4. SAP Phasing Amendment to be Processed as Class II Review

C1. **Review Criteria:** “Amendments to the SAP for phasing will be processed as a Class II administrative review proposal.”

Finding: These criteria are satisfied.

Details of Finding: While the SAP Phasing Amendment is eligible to be processed as a Class II Review, the Planning Director is allowing it to be reviewed by the DRB as a component of the broader application for PDP 2 North, as authorized by Section 4.030.

Subsection 4.125 (.18) E. 1. b. ii. SAP Phasing Reasonable

C2. **Review Criterion:** “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.”

Finding: This criterion is satisfied.

Details of Finding: The SAP North phasing is being realigned based on current property ownership and ability to develop the property. The phasing is reasonable as it allows development of the subject property on the timeline desired by the developer while not negatively impacting the ability of future phases of SAP North to develop as shown previous in approved phasing plans.

REQUEST D: DB13-0023 ZONE MAP AMENDMENT

The applicant's findings in Section IVA of their notebook, Exhibit B1, respond to the majority of the applicable criteria.

Comprehensive Plan

Compact Urban Development-Implementation Measures

Implementation Measure 4.1.6.a

- D1. **Review Criteria:** "Development in the "Residential-Village" Map area shall be directed by the Villebois Village Concept Plan (depicting the general character of proposed land uses, transportation, natural resources, public facilities, and infrastructure strategies), and subject to relevant Policies and Implementation Measures in the Comprehensive Plan; and implemented in accordance with the Villebois Village Master Plan, the "Village" Zone District, and any other provisions of the Wilsonville Planning and Land Development Ordinance that may be applicable."

Finding: These criteria are satisfied.

Details of Finding: The subject area is within SAP-North, which was previously approved as part of case file DB05-0047 and found to be in accordance with the Villebois Village Master Plan and the Wilsonville Planning and Land Development Ordinance.

Implementation Measure 4.1.6.b.

- D2. **Review Criteria:** This implementation measure identifies the elements the Villebois Village Master Plan must contain.

Finding: These criteria are not applicable

Details of Finding: The current proposal is for a preliminary development plan implementing the procedures as outlined by the Villebois Village Master Plan, as previously approved.

Implementation Measure 4.1.6.c.

- D3. **Review Criterion:** "The "Village" Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation."

Finding: This criterion is satisfied.

Details of Finding: The Village Zone zoning district is being applied to an area designated as Residential-Village in the Comprehensive Plan.

Implementation Measure 4.1.6.d.

- D4. **Review Criterion:** "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."

Finding: This criterion is satisfied.

Details of Finding: The area covered by the proposed zone change is proposed for residential uses, parks, and open space as shown in the Villebois Village Master Plan.

Planning and Land Development Ordinance

Section 4.029 Zoning to be Consistent with Comprehensive Plan

D5. **Review Criterion:** “If a development, other than a short-term temporary use, is proposed on a parcel or lot which is not zoned in accordance with the Comprehensive Plan, the applicant must receive approval of a zone change prior to, or concurrently with the approval of an application for a Planned Development.”

Finding: This criterion is satisfied.

Details of Finding: The applicant is applying for a zone change concurrently with other land use applications for the development as required by this section.

Subsection 4.110 (.01) Base Zones

D6. **Review Criterion:** This subsection identifies the base zones established for the City, including the Village Zone.

Finding: This criterion is satisfied.

Details of Finding: The requested zoning designation of Village “V” is among the base zones identified in this subsection.

Subsection 4.125 (.01) Village Zone Purpose

D7. **Review Criteria:** “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.”

Finding: These criteria are satisfied.

Details of Finding: The subject lands are designated Residential-Village on the Comprehensive Plan map and our within the Villebois Village Master Plan area and the zoning designation thus being applied is the Village “V”.

Subsection 4.125 (.02) Village Zone Permitted Uses

D8. **Review Criteria:** This subsection lists the uses permitted in the Village Zone.

Finding: These criteria are satisfied.

Details of Finding: The proposed residential, park, and open space uses are consistent with the Village Zone designation and Villebois Village Master Plan.

Subsection 4.125 (.18) B. 2. Zone Change Concurrent with PDP Approval

D9. **Review Criterion:** “... Application for a zone change shall be made concurrently with an application for PDP approval...”

Finding: This criterion is satisfied.

Details of Finding: A zone map amendment is being requested concurrently with a request for PDP approval. See Request. A.

Subsection 4.197 (.02) Zone Change Review

Subsection 4.197 (.02) A. Zone Change Procedures

D10. **Review Criteria:** “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;”

Finding: These criteria are satisfied.

Details of Finding: The request for a zone map amendment has been submitted as set forth in the applicable code sections.

Subsection 4.197 (.02) B. Zone Change: Conformance with Comprehensive Plan Map, etc.

D11. **Review Criteria:** “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;”

Finding: These criteria are satisfied.

Details of Finding: The proposed zone map amendment is consistent with the Comprehensive Map designation of Residential-Village and as shown in Findings D1 through D4 substantially comply with applicable Comprehensive Plan text.

Subsection 4.197 (.02) C. Zone Change: Specific Findings Regarding Residential Designated Lands

D12. **Review Criteria:** “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 Measure 4.1.4.b, d, e, q, and x of Wilsonville’s Comprehensive Plan text;”

Finding: These criteria are satisfied.

Details of Finding: Implementation Measure 4.1.6.c. states the “Village” Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation. Since the Village Zone must be applied to areas designated “Residential Village” on the Comprehensive Plan Map and is the only zone that may be applied to these areas, its application is consistent with the Comprehensive Plan.

Subsection 4.197 (.02) D. Zone Change: Public Facility Concurrency

D13. **Review Criteria:** “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.”

Finding: These criteria are satisfied.

Details of Finding: The Preliminary Development Plan compliance report and the plan sheets demonstrate that the existing primary public facilities are available or can be provided in conjunction with the project. Section IIC of the applicant’s notebook, Exhibit B1, includes supporting utility and drainage reports. In addition, the applicant has provided a Traffic Impact Analysis, which is in Section IID of the applicant’s notebook, Exhibit B1.

Subsection 4.197 (.02) E. Zone Change: Impact on SROZ Areas

D14. **Review Criteria:** “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 about 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;”

Finding: These criteria are satisfied.

Details of Finding: The western portions of the property include areas within the Significant Resource Overlay Zone. The PDP Supporting Compliance Report, section IIA of the applicant’s notebook, Exhibit B1, demonstrates that the proposed development does not have a significant adverse effect on the SROZ. Any impacts from trail features within the SROZ are being appropriately mitigated. See also Request G, SRIR Review.

Subsection 4.197 (.02) F. Zone Change: Development within 2 Years

D15. **Review Criterion:** “That the applicant is committed to a development schedule demonstrating that the development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change.”

Finding: This criterion is satisfied.

Details of Finding: The applicant has provided information stating they reasonably expect to commence development within two (2) years of the approval of the zone change. However, in the scenario where the applicant or their successors due not commence development within two (2) years allow related land use approvals to expire, the zone change shall remain in effect.

Subsection 4.197 (.02) G. Zone Change: Development Standards and Conditions of Approval

D16. **Review Criteria:** “That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached to insure that the project development substantially conforms to the applicable development standards.”

Finding: These criteria are satisfied.

Details of Finding: As can be found in the findings for the accompanying requests, the applicable development standards will be met either as proposed or as a condition of approval.

REQUEST E: DB13-0024 TENTATIVE SUBDIVISION PLAT

The applicant's findings in Section IIIA of their notebook, Exhibit B1, respond to the majority of the applicable criteria.

Subsection 4.125 (.02) Permitted Uses in the Village Zone

- E1. **Review Criteria:** This subsection lists the permitted uses in the Village Zone.
Finding: These criteria are satisfied.
Details of Finding: The proposed subdivision is for uses including single family homes and row homes, parks, and open space permitted in the Village Zone.

Subsection 4.125 (.05) Development Standards Applying to All Development in Village Zone

Subsection 4.125 (.05) A. Block, Alley, Pedestrian, and Bicycle Standards

- E2. **Review Criteria:** This subsection lists the block, alley, pedestrian, and bicycle standards applicable in the Village Zone.
Finding: These criteria are satisfied.
Details of Finding: The tentative subdivision plat shows blocks, alleys, pedestrian, and bicycle paths consistent with this subsection and the proposed PDP.

Subsection 4.125 (.05) B. Access Standards

- E3. **Review Criterion:** "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."
Finding: This criterion will be satisfied by Condition of Approval PDE 7.
Details of Finding: Condition of Approval PDE 7 requires a non-access reservation strip on the street side of lots with street access helping to ensure this criterion is met.

Table V-1: Development Standards in the Village Zone

- E4. **Review Criteria:** This table shows the development standards, including setback for different uses in the Village Zone. See full table under Finding A4.
Finding: These criteria are satisfied.
Details of Finding: As been consistently interpreted for PDP approvals in Villebois, lot dimensions in the Architectural Pattern Book can govern such things as lot width and size even when it is not consistent with the table. The proposed lots facilitate the construction that meets relevant standards of the table.

Subsection 4.125 (.07) Off-Street Parking, Loading and Bicycle Parking

- E5. **Review Criteria:** "Except as required by Subsections (A) through (D), below, the requirements of Section 4.155 shall apply within the Village zone."
Finding: These criteria are satisfied.
Details of Finding: Nothing concerning the tentative subdivision would prevent the required parking from being built.

Subsection 4.125 (.08) Open Space Requirements

- E6. **Review Criteria:** This subsection establishes the open space requirements for the Village Zone.
Finding: These criteria are satisfied or will be satisfied by a Condition of Approval.
Details of Finding: The tentative subdivision plat shows open space consistent with the requirements of the Village Zone and the proposed PDP. Consistent with the requirements of (.08) C. Conditions of approval require the City Attorney to review and approve pertinent bylaws, covenants, or agreements prior to recordation. See Conditions of Approval PDA 4.

Subsection 4.125 (.09) A. 1. Street and Improvement Standards: General Provisions

- E7. **Review Criteria:** “Except as noted below, the provisions of Section 4.177 shall apply within the Village zone:
- General Provisions:
 - 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:
 - 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.
 - All streets shall be developed according to the Master Plan.”

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows street alignments, improvements, and access improvements consistent with the approved PDP and associated refinements found to be consistent with the Master Plan and Transportation Systems Plan.

Subsection 4.125 (.09) A. 2. Street and Improvement Standards: Intersection of Streets

- E8. **Review Criteria:** “Intersections of streets:
- Angles: Streets shall intersect one another at angles not less than 90 degrees, unless existing development or topography makes it impractical.
 - 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.
 - Offsets: Opposing intersections shall be designed so that no offset dangerous to the traveling public is created. Intersections shall be separated by at least:
 - 1000 ft. for major arterials
 - 600 ft. for minor arterials
 - 100 ft. for major collector
 - 50 ft. for minor collector
 - Curb Extensions:
 - 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.”

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows street intersections as proposed in the proposed PDP consistent with these standards.

Subsection 4.125 (.09) A. 3. Street and Improvement Standards: Street Grades

E9. **Review Criteria:** “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.”

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows streets found to meet these standards under Request A.

Subsection 4.125 (.09) A. 4. Street and Improvement Standards: Centerline Radius Street Curves

E10. **Review Criteria:** “The minimum centerline radius street curves shall be as follows:

- Arterial streets: 600 feet, but may be reduced to 400 feet in commercial areas, as approved by the City Engineer.
- Collector streets: 600 feet, but may be reduced to conform with the Public Works Standards, as approved by the City Engineer.
- Local streets: 75 feet”

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows streets found to meet these standards under Request A.

Subsections 4.125 (.09) A. 5. and 4.177 (.01) C. Street and Improvement Standards: Rights-of-way

E11. **Review Criteria:**

- “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 Street System Master Transportation Systems Plan. All dedications shall be recorded with the County Assessor's Office.
- 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.
- 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.”

Finding: These criteria are satisfied.

Details of Finding: As stated by the applicant, “rights-of-way will be dedicated and a waiver of remonstrance against the formation of a local improvement district will be recorded with recordation of a final plat in accordance with Section 4.177.”

Subsections 4.125 (.09) A. 6. and 4.177 (.01) E. Street and Improvement Standards: Access Drives

E12. **Review Criteria:**

- Access drives are required to be 16 feet for two-way traffic.
- An access drive to any proposed development shall be designed to provide a clear travel lane free from any obstructions.
- Access drive travel lanes shall be constructed with a hard surface capable of carrying a 23-ton load.
- 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.
- Minimum access requirements shall be adjusted commensurate with the intended function of the site based on vehicle types and traffic generation.
- Where access drives connect to the public right-of-way, construction within the right-of-way shall be in conformance to the Public Works Standards.

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows alleys of sufficient width to meet the width standards. The applicant states easements for fire access will be dedicated as required.

Subsections 4.125 (.09) A. 7. and 4.177 (.01) F. Street and Improvement Standards: Clear Vision Areas

E13. **Review Criteria:** “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:” Listed 1. a.-f.

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows streets found to meet these standards under Request A.

Subsections 4.125 (.09) A. 8. and 4.177 (.01) G. Street and Improvement Standards: Vertical Clearance

E14. **Review Criterion:** “a minimum clearance of 12 feet above the pavement surface shall be maintained over all streets and access drives.”

Finding: This criterion is satisfied.

Details of Finding: Nothing shown on the tentative subdivision plat would preclude the required clearance from being provided.

Subsections 4.125 (.09) A. 9.and 4.177 (.01) H. Street and Improvement Standards: Interim Improvement Standards

E15. **Review Criteria:** “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 Planning Commission, the following interim standards shall apply.

- 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.
- 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:
- 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.

Finding: These criteria are satisfied.

Details of Finding: The area covered by the tentative subdivision plat does not include any interim improvements addressed by this subsection.

Subsection 4.202 (.01) through (.03) Plats Reviewed by Planning Director or DRB

E16. **Review Criteria:** “Pursuant to ORS Chapter 92, plans and plats must be approved by the Planning Director or Development Review Board (Board), as specified in Sections 4.030 and 4.031, before a plat for any land division may be filed in the county recording office for any land within the boundaries of the City, except that the Planning Director shall have authority to approve a final plat that is found to be substantially consistent with the tentative plat approved by the Board.

The Development Review Board and Planning Director shall be given all the powers and duties with respect to procedures and action on tentative and final plans, plats and maps of land divisions specified in Oregon Revised Statutes and by this Code.

Approval by the Development Review Board or Planning Director of divisions of land within the boundaries of the City, other than statutory subdivisions, is hereby required by virtue of the authority granted to the City in ORS 92.”

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat is being reviewed by the Development Review Board according to this subsection. The final plat will be reviewed by the Planning Division under the authority of the Planning Director to ensure compliance with the DRB review of the tentative subdivision plat.

Subsection 4.202 (.04) A. Lots must be Legally Created for Issuing Development Permit

E17. **Review Criterion:** “No person shall sell any lot or parcel in any condominium, subdivision, or land partition until a final condominium, subdivision or partition plat has been approved by the Planning Director as set forth in this Code and properly recorded with the appropriate county.”

Finding: This criterion is satisfied.

Details of Finding: It is understood that no lots or parcels will be sold until the final plat has been approved by the Planning Director and recorded.

Subsection 4.202 (.04) B. Prohibition of Creating Undersized Lots

E18. **Review Criterion:** “It shall be a violation of this Code to divide a tract of land into a parcel smaller than the lot size required in the Zoning Sections of this Code unless specifically approved by the Development Review Board or City Council. No conveyance of any portion of a lot, for other than a public use, shall leave a structure on the remainder of the lot with less than the minimum lot size, width, depth, frontage, yard or setback requirements, unless specifically authorized through the Variance procedures of Section 4.196 or the waiver provisions of the Planned Development procedures of Section 4.118.”

Finding: This criterion is satisfied.

Details of Finding: No lots will be divided into a size smaller than allowed by the proposed Village “V” zoning designation.

Subsection 4.210 (.01) Pre-Application Conference

E19. **Review Criterion:** “Prior to submission of a tentative condominium, partition, or subdivision plat, a person proposing to divide land in the City shall contact the Planning Department to arrange a pre-application conference as set forth in Section 4.010.”

Finding: This criterion is satisfied.

Details of Finding: A pre-application meeting has been held. See case file PA13-0006.

Subsection 4.210 (.01) A. Preparation of Tentative Plat

E20. **Review Criterion:** “The applicant shall cause to be prepared a tentative plat, together with improvement plans and other supplementary material as specified in this Section. The Tentative Plat shall be prepared by an Oregon licensed professional land surveyor or engineer. An affidavit of the services of such surveyor or engineer shall be furnished as part of the submittal.”

Finding: This criterion is satisfied.

Details of Finding: The applicant’s sheets 4.1 through 4.5 of their plan set, Exhibit B2, is a tentative subdivision plat prepared in accordance with this subsection.

Subsection 4.210 (.01) B. Tentative Plat Submission

E21. **Review Criteria:** “The design and layout of this plan plat shall meet the guidelines and requirements set forth in this Code. The Tentative Plat shall be submitted to the Planning Department with the following information:” Listed 1. through 26.

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat has been submitted with the required information.

Subsection 4.210 (.01) D. Land Division Phases to Be Shown

E22. **Review Criteria:** “Where the applicant intends to develop the land in phases, the schedule of such phasing shall be presented for review at the time of the tentative plat. In acting on an application for tentative plat approval, the Planning Director or Development Review Board may set time

limits for the completion of the phasing schedule which, if not met, shall result in an expiration of the tentative plat approval.”

Finding: These criteria are satisfied.

Details of Finding: Phasing is shown on sheets 11.1 and 11.2 of the applicant’s plan set, Exhibit B2.

Subsection 4.210 (.01) E. Remainder Tracts

E23. **Review Criteria:** “Remainder tracts to be shown as lots or parcels. Tentative plats shall clearly show all affected property as part of the application for land division. All remainder tracts, regardless of size, shall be shown and counted among the parcels or lots of the division.”

Finding: These criteria are satisfied.

Details of Finding: All affected property has been incorporated into the tentative subdivision plat.

Subsection 4.236 (.01) Conformity to the Master Plan or Map

E24. **Review Criteria:** “Land divisions shall conform to and be in harmony with the Transportation Master Plan (Transportation Systems Plan), the Bicycle and Pedestrian Master Plan, the Parks and Recreation Master Plan, the Official Plan or Map and especially to the Master Street Plan.”

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat is consistent with applicable plans including the Transportation Systems Plan and Villebois Village Master Plan.

Subsection 4.236 (.02) Relation to Adjoining Street System

E25. **Review Criteria:**

- A land division shall provide for the continuation of the principal streets existing in the adjoining area, or of their proper projection when adjoining property is not developed, and shall be of a width not less than the minimum requirements for streets set forth in these regulations. Where, in the opinion of the Planning Director or Development Review Board, topographic conditions make such continuation or conformity impractical, an exception may be made. In cases where the Board or Planning Commission has adopted a plan or plat of a neighborhood or area of which the proposed land division is a part, the subdivision shall conform to such adopted neighborhood or area plan.
- Where the plat submitted covers only a part of the applicant's tract, a sketch of the prospective future street system of the unsubmitted part shall be furnished and the street system of the part submitted shall be considered in the light of adjustments and connections with the street system of the part not submitted.
- At any time when an applicant proposes a land division and the Comprehensive Plan would allow for the proposed lots to be further divided, the city may require an arrangement of lots and streets such as to permit a later resubdivision in conformity to the street plans and other requirements specified in these regulations.

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows streets meeting these standards consistent with the proposed PDP and refinements. See Requests A and B.

Subsection 4.236 (.03) Streets: Conformity to Standards Elsewhere in the Code

E26. **Review Criteria:** “All streets shall conform to the standards set forth in Section 4.177 and the block size requirements of the zone.”

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows streets consistent with the proposed PDP under Request A which meets Section 4.177 and the block requirements of the zone.

Subsection 4.236 (.04) Creation of Easements

E27. **Review Criteria:** “The Planning Director or Development Review Board may approve an easement to be established without full compliance with these regulations, provided such an easement is the only reasonable method by which a portion of a lot large enough to allow partitioning into two (2) parcels may be provided with vehicular access and adequate utilities. If the proposed lot is large enough to divide into more than two (2) parcels, a street dedication may be required.”

Finding: These criteria are satisfied.

Details of Finding: No specific easements are requested pursuant to this subsection.

Subsection 4.236 (.05) Topography

E28. **Review Criterion:** “The layout of streets shall give suitable recognition to surrounding topographical conditions in accordance with the purpose of these regulations.”

Finding: This criterion is satisfied.

Details of Finding: The tentative subdivision plat shows street alignments recognizing topographic conditions consistent with the requested PDP.

Subsection 4.236 (.06) Reserve Strips

E29. **Review Criteria:** “The Planning Director or Development Review Board may require the applicant to create a reserve strip controlling the access to a street. Said strip is to be placed under the jurisdiction of the City Council, when the Director or Board determine that a strip is necessary.” Reasons listed A. through D.

Finding: These criteria are satisfied.

Details of Finding: No reserve strips are being required for the reasons listed in this subsection. However, reserve strips are being required by Condition of Approval PDE 7 to prevent access to the front side of lots served by an alley. See also Findings A5 and E3.

Subsection 4.236 (.07) Future Expansion of Street

E30. **Review Criteria:** When necessary to give access to, or permit a satisfactory future division of, adjoining land, streets shall be extended to the boundary of the land division and the resulting dead-end street may be approved without a turn-around. Reserve strips and street plugs shall be required to preserve the objective of street extension.

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows streets for future expansion consistent with this subsection.

Subsection 4.236 (.08) Additional Right-of-Way for Existing Streets

E31. **Review Criteria:** “Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall conform to the designated width in this Code or in the Transportation Systems Plan.”

Finding: These criteria are satisfied.

Details of Finding: No additional right-of-way is being required for existing streets.

Subsection 4.236 (.09) Street Names

E32. **Review Criteria:** “No street names will be used which will duplicate or be confused with the names of existing streets, except for extensions of existing streets. Street names and numbers shall conform to the established name system in the City, and shall be subject to the approval of the City Engineer.”

Finding: These criteria are satisfied.

Details of Finding: Street names will be reviewed by Engineering staff and be subject to approval by the City Engineer consistent with this subsection.

Subsection 4.237 (.01) Blocks

E33. **Review Criteria:**

- The length, width, and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated, consideration of needs for convenient access, circulation, control, and safety of pedestrian, bicycle, and motor vehicle traffic, and recognition of limitations and opportunities of topography.
- Sizes: Blocks shall not exceed the sizes and lengths specified for the zone in which they are located unless topographical conditions or other physical constraints necessitate larger blocks. Larger blocks shall only be approved where specific findings are made justifying the size, shape, and configuration.

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows blocks consistent with those proposed and reviewed as part of Request A, Preliminary Development Plan.

Subsection 4.237 (.02) Easements

E34. **Review Criteria:**

- Utility lines. Easements for sanitary or storm sewers, drainage, water mains, electrical lines or other public utilities shall be dedicated wherever necessary. Easements shall be provided consistent with the City's Public Works Standards, as specified by the City Engineer or Planning Director. All of the public utility lines within and adjacent to the site shall be installed within the public right-of-way or easement; with underground services extending to the private parcel constructed in conformance to the City's Public Works Standards. All franchise utilities shall be installed within a public utility easement. All utilities shall have appropriate easements for construction and maintenance purposes.
- Water courses. Where a land division is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the water course, and such further width as will be adequate for the purposes of conveying storm water and allowing for maintenance of the facility or channel. Streets or parkways parallel to water courses may be required.

Finding: These criteria are satisfied or will be satisfied by Conditions of Approval.

Details of Finding: As shown on the applicant's sheets 4.1 through 4.5 of their plan set, Exhibit B2, the required easements have been provided. Condition of Approval PFA 46 ensures all easements dealing with utilities are on the final plat. Condition of Approval PDE 9 ensures

Subsection 4.237 (.03) Mid-block Pedestrian and Bicycle Pathways

E35. **Review Criteria:** "An improved public pathway shall be required to transverse the block near its middle if that block exceeds the length standards of the zone in which it is located.

- Pathways shall be required to connect to cul-de-sacs or to pass through unusually shaped blocks.
- Pathways required by this subsection shall have a minimum width of ten (10) feet unless they are found to be unnecessary for bicycle traffic, in which case they are to have a minimum width of six (6) feet.

Finding: These criteria are satisfied.

Details of Finding: Pathways are being provided consistent with the Village Zone requirements and the Villebois Village Master Plan. See Finding A4.

Subsection 4.237 (.04) Tree Planting & Tree Access Easements

E36. **Review Criteria:** "Tree planting plans for a land division must be submitted to the Planning Director and receive the approval of the Director or Development Review Board before the planting is begun. Easements or other documents shall be provided, guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property."

Finding: These criteria are satisfied.

Details of Finding: The proposed street trees are within the proposed public right-of-way.

Subsection 4.237 (.05) Lot Size and Shape

E37. **Review Criteria:** "The lot size, width, shape and orientation shall be appropriate for the location of the land division and for the type of development and use contemplated. Lots shall meet the requirements of the zone where they are located."

Finding: These criteria are satisfied.

Details of Finding: Proposed lot sizes, widths, shapes and orientations are appropriate for the proposed development and are in conformance with the Village Zone requirements as discussed under Request A.

Subsection 4.237 (.06) Access

E38. **Review Criteria:** "The division of land shall be such that each lot shall have a minimum frontage on a street or private drive, as specified in the standards of the relative zoning districts. This minimum frontage requirement shall apply with the following exceptions:" Listed A. and B.

Finding: These criteria are satisfied.

Details of Finding: Each lot has the minimum frontage on a street or greenbelt, as allowed in the approved Architectural Pattern Book.

Subsection 4.237 (.07) Through Lots

E39. **Review Criteria:** “Through lots shall be avoided except where essential to provide separation of residential development from major traffic arteries or adjacent non-residential activity or to overcome specific disadvantages of topography and orientation.”

Finding: These criteria are satisfied.

Details of Finding: No through lots are proposed.

Subsection 4.237 (.08) Lot Side Lines

E40. **Review Criteria:** “The side lines of lots, as far as practicable for the purpose of the proposed development, shall run at right angles to the street or tract with a private drive upon which the lots face.”

Finding: These criteria are satisfied.

Details of Finding: Generally side lot lines are at right angles with the front lot line. Where they do not, they run at the closest possible angle to 90 degrees as allowed by block shape, adjacent lot shape, and required alley orientation.

Subsection 4.237 (.09) Large Lot Land Divisions

E41. **Review Criteria:** “In dividing tracts which at some future time are likely to be re-divided, the location of lot lines and other details of the layout shall be such that re-division may readily take place without violating the requirements of these regulations and without interfering with the orderly development of streets. Restriction of buildings within future street locations shall be made a matter of record if the Development Review Board considers it necessary.”

Finding: These criteria are satisfied.

Details of Finding: No future divisions of the lots included in the tentative subdivision plat are anticipated besides the tracts set for future development as part of future PDP’s.

Subsection 4.237 (.10) and (.11) Building Line and Built-to Line

E42. **Review Criteria:** The Planning Director or Development Review Board may establish special:

- building setbacks to allow for the future re-division or other development of the property or for other reasons specified in the findings supporting the decision. If special building setback lines are established for the land division, they shall be shown on the final plat.
- build-to lines for the development, as specified in the findings and conditions of approval for the decision. If special build-to lines are established for the land division, they shall be shown on the final plat.

Finding: These criteria are satisfied.

Details of Finding: No building lines or built-to lines are proposed or recommended.

Subsection 4.237 (.12) Land for Public Purposes

E43. **Review Criterion:** “The Planning Director or Development Review Board may require property to be reserved for public acquisition, or irrevocably offered for dedication, for a specified period of time.”

Finding: This criterion is satisfied.

Details of Finding: No property reservation is recommended as described in this subsection.

Subsection 4.237 (.13) Corner Lots

E44. **Review Criterion:** “Lots on street intersections shall have a corner radius of not less than ten (10) feet.”

Finding: This criterion is satisfied.

Details of Finding: All proposed corner lots meet the minimum corner radius of ten (10) feet.

Section 4.250 Lots of Record

E45. **Review Criteria:** “All lots of record that have been legally created prior to the adoption of this ordinance shall be considered to be legal lots. Tax lots created by the County Assessor are not necessarily legal lots of record.”

Finding: These criteria are satisfied.

Details of Finding: The parcels being divided are of record, and the resulting subdivision lots will be lots of record.

Section 4.260 Improvements-Procedures

E46. **Review Criteria:** “In addition to other requirements, improvements installed by the developer, either as a requirement of these regulations or at the developer's own option, shall conform to the requirements of this Code and improvement standards and specifications of the City. The improvements shall be installed in accordance with the City's Public Works Standards.”

Finding: These criteria are satisfied.

Details of Finding: The rights-of-way shown on the tentative subdivision plat are sufficient for installation of improvements to City standards. Conformance of the improvements with the City's Public Works Standards and other applicable standards will be ensured through the Engineering Division's permit and inspection process.

Section 4.262 Improvements-Requirements

E47. **Review Criteria:** This section establishes requirements for a number of different improvements including curbs, sidewalks, sanitary sewers, drainage, underground utility and service facilities, streetlight standards, street signs, monuments, and water.

Finding: These criteria are satisfied.

Details of Finding: The applicant has stated their intent to meet the requirements for all the types of improvements indicated in this subsection. Conformance with these requirements will be ensured through the Engineering Division's, and Building Division's where applicable, permit and inspection process.

REQUEST F: DB13-0025 TYPE C TREE PLAN

The applicant's findings in Section VA of their notebook, Exhibit B1, respond to the majority of the applicable criteria.

Subsection 4.600.50 (.03) A. Access to Site for Tree Related Observation

F1. **Review Criterion:** "By submission of an application, the applicant shall be deemed to have authorized City representatives to have access to applicant's property as may be needed to verify the information provided, to observe site conditions, and if a permit is granted, to verify that terms and conditions of the permit are followed."

Finding: This criterion will be satisfied by Condition of Approval PDF 2.

Details of Finding: Condition of Approval PDF 2 ensures the required access is allowed.

Subsection 4.610.00 (.03) B. Type C Tree Removal Review Authority

F2. **Review Criterion:** "Type C. Where the site is proposed for development necessitating site plan review or plat approval by the Development Review Board, the Development Review Board shall be responsible for granting or denying the application for a Tree Removal Permit, and that decision may be subject to affirmance, reversal or modification by the City Council, if subsequently reviewed by the Council."

Finding: This criterion is satisfied.

Details of Finding: The requested tree removal is connected to site plan review by the Development Review Board for the proposed development. The tree removal is thus being reviewed by the DRB.

Subsection 4.610.00 (.06) A. Conditions Attached to Type C Tree Permits

F3. **Review Criterion:** "Conditions. Attach to the granting of the permit any reasonable conditions considered necessary by the reviewing authority including, but not limited to, the recording of any plan or agreement approved under this subchapter, to ensure that the intent of this Chapter will be fulfilled and to minimize damage to, encroachment on or interference with natural resources and processes within wooded areas;"

Finding: This criterion is satisfied.

Details of Finding: No additional conditions are recommended pursuant to this subsection.

Subsection 4.610.00 (.06) B. Completion of Operation

F4. **Review Criterion:** "Whenever an application for a Type B, C or D Tree Removal Permit is granted, the reviewing authority shall:" "Fix a reasonable time to complete tree removal operations;"

Finding: This criterion is satisfied.

Details of Finding: It is understood the tree removal will be completed by the time construction of all homes, parks, and other improvements in the PDP are completed, which is a reasonable time frame for tree removal.

Subsection 4.610.00 (.06) C. Security

- F5. **Review Criterion:** “Whenever an application for a Type B, C or D Tree Removal Permit is granted, the reviewing authority shall:” “Require the Type C permit grantee to file with the City a cash or corporate surety bond or irrevocable bank letter of credit in an amount determined necessary by the City to ensure compliance with Tree Removal Permit conditions and this Chapter. 1. This requirement may be waived by the Planning Director if the tree removal must be completed before a plat is recorded, and the applicant has complied with WC 4.264(1) of this Code.”

Finding: This criterion will be satisfied by Condition of Approval PDF 3.

Details of Finding: The condition of approval ensures the security requirement of this subsection is met.

Subsection 4.610.10 (.01) Standards for Tree Removal, Relocation or Replacement

- F6. **Review Criteria:** “Except where an application is exempt, or where otherwise noted, the following standards shall govern the review of an application for a Type A, B, C or D Tree Removal Permit:” Listed A. through J.

Finding: These criteria are satisfied.

Details of Finding: The standards of this subsection are met as follows:

- The proposed tree removal on the western edge of the SROZ for OS-2 is minimal.
- The applicant states tree preservation was taken into consideration the preservation of trees on the site.
- No significant wooded areas or trees would be preserved by design alternatives.
- Land clearing will not exceed the permitted areas.
- The applicant states the homes are designed to blend into the landscape as much as feasible consistent with the relevant pattern book.
- It is understood the proposed development will comply with all applicable statutes and ordinances.
- The necessary tree replacement and protection is planned according to the requirements of tree preservation and protection ordinance.
- Tree removal is limited to where it is necessary for construction or to address nuisances or where the health of the trees warrants removal.
- A tree survey has been provided. See Section V of the applicant’s notebook, Exhibit B1.
- A tree maintenance and protection plan has been submitted concurrently with the request for a tentative subdivision plat.
- No utilities are proposed to be located where they would cause adverse environmental consequences.

Subsection 4.610.40 (.01) Type C Tree Plan Reviewed with Stage II Final Plan

- F7. **Review Criteria:** “Approval to remove any trees on property as part of a site development application may be granted in a Type C permit. A Type C permit application shall be reviewed by the standards of this subchapter and all applicable review criteria of Chapter 4. Application of the standards of this section shall not result in a reduction of square footage or loss of density, but may require an applicant to modify plans to allow for buildings of greater height. If an applicant

proposes to remove trees and submits a landscaping plan as part of a site development application, an application for a Tree Removal Permit shall be included. The Tree Removal Permit application will be reviewed in the Stage II development review process, and any plan changes made that affect trees after Stage II review of a development application shall be subject to review by DRB. Where mitigation is required for tree removal, such mitigation may be considered as part of the landscaping requirements as set forth in this Chapter. Tree removal shall not commence until approval of the required Stage II application and the expiration of the appeal period following that decision. If a decision approving a Type C permit is appealed, no trees shall be removed until the appeal has been settled.”

Finding: These criteria are satisfied.

Details of Finding: The proposed Type C Tree Plan is being reviewed concurrently with the Preliminary Development Plan, which is the equivalent of a Stage II Final Plan in the Village Zone.

Section 4.610.40 (.02) Submission of Tree Maintenance and Protection Plan

F8. **Review Criteria:** “The applicant must provide ten copies of a Tree Maintenance and Protection Plan completed by an arborist that contains the following information:” Listed A. 1. through A. 7.

Finding: These criteria are satisfied.

Details of Finding: The applicant has submitted the necessary copies of a Tree Maintenance and Protection Plan. See Section V of the applicants notebook, Exhibit B1.

Subsection 4.620.00 (.01) Tree Replacement Requirement

F9. **Review Criterion:** “A Type B or C Tree Removal Permit grantee shall replace or relocate each removed tree having six (6) inches or greater d.b.h. within one year of removal.”

Finding: This criterion is satisfied.

Details of Finding: The tree mitigation requirements will be more than exceeded by the planned street tree and trees in parks and linear greens.

Subsection 4.620.00 (.02) Basis for Determining Replacement

F10. **Review Criteria:** “The permit grantee shall replace removed trees on a basis of one (1) tree replanted for each tree removed. All replacement trees must measure two inches (2”) or more in diameter.”

Finding: These criteria are satisfied.

Details of Finding: More trees are planned to be planted that proposed to be removed. Each tree, including street trees and trees in parks and linear greens will meet the minimum diameter requirement.

Subsection 4.620.00 (.03) Replacement Tree Requirements

F11. **Review Criteria:** “A mitigation or replacement tree plan shall be reviewed by the City prior to planting and according to the standards of this subsection.

A. Replacement trees shall have shade potential or other characteristics comparable to the removed trees, shall be appropriately chosen for the site from an approved tree species list supplied by the City, and shall be state Department of Agriculture Nursery Grade No. 1 or better.

B. Replacement trees must be staked, fertilized and mulched, and shall be guaranteed by the permit grantee or the grantee’s successors-in-interest for two (2) years after the planting date.

- C. A “guaranteed” tree that dies or becomes diseased during that time shall be replaced.
- D. Diversity of tree species shall be encouraged where trees will be replaced, and diversity of species shall also be maintained where essential to preserving a wooded area or habitat.”

Finding: These criteria are satisfied or will be satisfied by Condition of Approval PDF 4.

Details of Finding: The condition of approval will ensure the relevant requirements of this subsection are met.

Subsection 4.620.00 (.04) Replacement Tree Stock Requirements

- F12. **Review Criteria:** “All trees to be planted shall consist of nursery stock that meets requirements of the American Association of Nurserymen (AAN) American Standards for Nursery Stock (ANSI Z60.1) for top grade.”

Finding: These criteria will be satisfied by Condition of Approval PDF 4.

Details of Finding: Condition of Approval PDF 4 assures this is met.

Subsection 4.620.00 (.05) Replacement Trees Locations

- F13. **Review Criteria:** “The City shall review tree relocation or replacement plans in order to provide optimum enhancement, preservation and protection of wooded areas. To the extent feasible and desirable, trees shall be relocated or replaced on-site and within the same general area as trees removed.”

Finding: These criteria are satisfied.

Details of Finding: The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development.

Section 4.620.10 Tree Protection During Construction

- F14. **Review Criteria:** “Where tree protection is required by a condition of development under Chapter 4 or by a Tree Maintenance and Protection Plan approved under this subchapter, the following standards apply:” Listed A. through D.

Finding: These criteria are satisfied or will be satisfied by Condition of Approvals PDF 5 and PDF 6.

Details of Finding: The conditions of approval assure the applicable requirements of this Section will be met.

REQUEST G: DB13-0026 FINAL DEVELOPMENT PLAN FOR PARKS AND OPEN SPACE

The applicant's findings in Section VIA of their notebook, Exhibit B1, respond to the majority of the applicable criteria.

Subsection 4.125 (.02) Permitted Uses in the Village Zone

- G1. **Review Criteria:** This subsection lists the uses typically permitted in the Village Zone including "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."
Finding: These criteria are satisfied.
Details of Finding: The requested Final Development Plan is for parks and open space allowed within the Village Zone.

Subsection 4.125 (.08) A. Parks and Open Space in the Village Zone-Amount Required

- G2. **Review Criteria:** "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."
Finding: These criteria are satisfied.
Details of Finding: The parks master plan for Villebois provides for approximately 33% of the area to be parks and open space. The subject area includes the parks shown in the Villebois Village Master Plan plus additional pocket parks and linear greens.

Subsection 4.125 (.08) B. Parks and Open Space in the Village Zone-Ownership

- G3. **Review Criteria:** "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."
Finding: These criteria are satisfied.
Details of Finding: This discretion of the DRB is understood. Ownership will be according to agreements reached between the developer and the City.

Subsection 4.125 (.08) C. Parks and Open Space in the Village Zone-Protection and Maintenance

- G4. **Review Criteria:** "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."

Finding: These criteria are satisfied.

Details of Finding: Protection and maintenance of the open space and recreational areas are covered in the CCR's being reviewed by the City, and Operation and Maintenance Agreements between the developer and the City.

Subsection 4.125 (.09) Street and Access Improvement Standards

G5. **Review Criteria:** This section lists street and access improvement standards for the Village Zone including vision clearance standards.

Finding: These criteria are satisfied.

Details of Finding: This code section does not apply to the proposed parks and open space, except for vision clearance for vegetation which is met.

Subsection 4.125 (.10) Sidewalk and Pathway Improvement Standards

G6. **Review Criteria:** "The provisions of Section 4.178 shall apply within the Village zone."

Finding: These criteria are satisfied.

Details of Finding: Findings regarding Compliance with the standards of Section 4.178 can be found in Finding A77.

Subsection 4.125 (.11) Landscaping Screening and Buffering

G7. **Review Criteria:** "Except as noted below, the provisions of Section 4.176 shall apply in the Village zone." "Streets in the Village zone shall be developed with street trees as described in the Community Elements Book."

Finding: These criteria are satisfied.

Details of Finding: Findings G18 through G29 pertain to Section 4.176. Street trees are proposed consistent with the Community Elements Book.

Section 4.125 (.12) A. Signs Compliance with Master Sign and Wayfinding Plan for SAP

G8. **Review Criterion:** "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."

Finding: This criterion does not apply.

Details of Finding: No signs requiring permitting are proposed in the PDP area. It is understood wayfinding and regulatory signs will meeting the Master Sign and Wayfinding program.

Subsection 4.125 (.14) Design Standards Applying to the Village Zone

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:

Subsection 4.125 (.14) A. 2. b. Details to Match Architectural Pattern Book and Community Elements Book

G9. **Review Criteria:** “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.”

Finding: These criteria are satisfied ~~or will be satisfied by Condition of Approval PDG 2.~~

Details of Finding: The park furnishings, benches and tables, shown match the Community Elements Book for SAP North. ~~The applicant has provided sufficient information to show that playground equipment meeting the Community Elements Book can be provided. However, Condition of Approval PDG 2 requires additional technical details and ensures the detailed requirements on page 15 of the Community Elements Book are met.~~ The FDP also includes the mail kiosks. Elevations of the kiosks have been provided which are consistent with previous approvals.

Subsection 4.125 (.14) A. 2. f. Protection of Significant Trees

G10. **Review Criterion:** “The protection of existing significant trees as identified in an approved Community Elements Book.”

Finding: This criterion is satisfied.

Details of Finding: Significant trees are being protected.

Subsection 4.125 (.14) A. 2. g. Landscape Plan

G11. **Review Criterion:** “A landscape plan in compliance with Sections 4.125(.07) and (.11), above.”

Finding: This criterion is satisfied.

Details of Finding: Landscape plans have been provided in compliance with the referenced sections.

Subsection 4.125 (.14) C. Lighting and Site Furnishings

G12. **Review Criteria:** “Lighting and site furnishings shall be in compliance with the approved Architectural Pattern Book, Community Elements Book, or approved Village Center Architectural Standards.”

Finding: These criteria are satisfied.

Details of Finding: The lighting and site furnishings shown by the applicant match the Community Elements Book for SAP North.

Subsection 4.125 (.18) L. Final Development Plan Approval Procedures

G13. **Review Criteria:** This subsection establishes the approval procedures for Final Development Plans.

Finding: These criteria are satisfied.

Details of Finding: The applicant has followed the applicable procedures set out in this subsection for approval of a FDP.

Subsection 4.125 (.18) M. Final Development Plan Submittal Requirements

G14. **Review Criteria:** “An application for approval of a FDP shall be subject to the provisions of Section 4.034.”

Finding: These criteria are satisfied.

Details of Finding: The necessary materials have been submitted for review of the FDP.

Subsections 4.125 (.18) N. and P. 1. Final Development Plans Subject to Site Design Review Criteria

G15. **Review Criteria:** “An application for approval of a FDP shall be subject to the provisions of Section 4.421”

Finding: These criteria are satisfied.

Details of Finding: The provisions of Section 4.421 are being used as criteria in the review of the FDP. See Findings G30 through G37.

Subsection 4.125 (.18) O. Refinements to Preliminary Development Plan as part of Final Development Plan

G16. **Review Criteria:** This subsection identifies the process and requirements for refinements to a preliminary development plan as part of a final development plan.

Finding: These criteria are satisfied.

Details of Finding: No refinements are proposed as part of the requested FDP, as park and open space refinements were requested as part of the PDP approval request. See Request B.

Subsection 4.125 (.18) P.2. Final Development Plan Compliance with Architectural Pattern Book, Community Elements Book, and PDP Conditions of Approval

G17. **Review Criteria:** “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.”

Finding: These criteria are satisfied ~~or will be satisfied by a Condition of Approval PDG 2.~~

Details of Finding: Overall, as demonstrated by Finding G7 through G9 above, the FDP demonstrates compliance with the SAP North Community Elements Book. ~~The applicant has provided sufficient information to show that playground equipment meeting the Community Elements Book can be provided. However, Condition of Approval PDG 2 ensures the detailed requirements on page 15 of the Community Elements Book are met.~~ There are no relevant portions of the Architectural Pattern Book, or Conditions of Approval for a previously approved PDP to which to demonstrate compliance.

Landscape Standards Section 4.176

Subsection 4.176 (.02) B. Landscape Standards and Compliance with Code

G18. **Review Criterion:** “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-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”

Finding: This criterion is satisfied.

Details of Finding: No waivers or variances to landscape standards have been requested. Thus all landscaping and screening must comply with standards of this section.

Subsection 4.176 (.03) Landscape Area and Locations

G19. **Review Criteria:** “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.”

Finding: These criteria are satisfied.

Details of Finding: The proposed parks are predominantly covered with vegetative plant materials other than areas for walkways, play structures, benches, tables, etc. The plantings are in a variety of areas.

Subsection 4.176 (.04) Buffering and Screening

G20. **Review Criteria:** “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.

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.”

Finding: These criteria are satisfied.

Details of Finding: No conditions requiring buffering and screening are within the area covered by the subject FDP request.

Subsection 4.176 (.06) A. Plant Materials-Shrubs and Groundcover

G21. **Review Criteria:** This subsection establishes plant material and planting requirements for shrubs and ground cover.

Finding: These criteria are satisfied.

Details of Finding: Applicant’s sheets L 1.0 through L 6.0 in their plan set, Exhibit B3, indicates the requirements established by this subsection will be met by the proposed plantings.

Subsection 4.176 (.06) B. Plant Materials-Trees

G22. **Review Criteria:** This subsection establishes plant material requirements for trees.

Finding: These criteria are satisfied.

Details of Finding: Applicant's sheets L 1.0 through L 6.0 in their plan set, Exhibit B3, indicates the requirements established by this subsection will be met by the proposed plantings.

Subsection 4.176 (.06) D. Plant Materials-Street Trees

G23. **Review Criteria:** This subsection establishes plant material requirements for street trees.

Finding: These criteria are satisfied.

Details of Finding: Applicant's sheets L 1.0 through L 6.0 of their plan set, Exhibit B3, indicates the requirements established by this subsection as well as the Community Elements Book will be met by the proposed plantings.

Subsection 4.176 (.06) E. Types of Plant Species

G24. **Review Criteria:** This subsection discusses use of existing landscaping or native vegetation, selection of plant materials, and prohibited plant materials.

Finding: These criteria are satisfied.

Details of Finding: The allowed plant materials are governed by the Community Elements Book. All proposed plant materials are consistent with the SAP North Community Elements Book.

Subsection 4.176 (.06) F. Tree Credit

G25. **Review Criteria:** "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: 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:"

Maintenance requirements listed 1. through 2.

Finding: These criteria are satisfied.

Details of Finding: The applicant is not requesting any of the preserved trees be counted as tree credits pursuant to this subsection.

Subsection 4.176 (.06) G. Exceeding Plant Material Standards

G26. **Review Criterion:** "Landscape materials that exceed the minimum standards of this Section are encouraged, provided that height and vision clearance requirements are met."

Finding: This criterion is satisfied.

Details of Finding: The selected landscape materials do not violate any height or visions clearance requirements.

Subsection 4.176 (.07) Installation and Maintenance of Landscaping

G27. **Review Criteria:** This subsection establishes installation and maintenance standards for landscaping.

Finding: These criteria are satisfied or will be satisfied by Condition of Approval PDG 3.

Details of Finding: The installation and maintenance standards are or will be met as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival
- Plants that die are required to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City.
- A note on the applicant's sheet L2.0 in their plan set, Exhibit B3, indicates "project is to be irrigated by an automatic underground system, which will provide full coverage for all plant material. System is to be design/build by landscape contractor."

Subsection 4.176 (.09) Landscape Plans

G28. **Review Criterion:** "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."

Finding: This criterion is satisfied.

Details of Finding: Landscape plans have been submitted with the required information. See applicant's sheets L1.0 through L6.0 in their plan set, Exhibit B3.

Subsection 4.176 (.10) Completion of Landscaping

G29. **Review Criterion:** "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."

Finding: This criterion is satisfied.

Details of Finding: As a condition of PDP approval the parks for the PDP or PDP phase must be completed prior to fifty percent (50%) of the homes being occupied unless certain conditions exist, similar to what is described in this subsection, in which case a bond can be posted. See Finding A61 in Request A and Condition of Approval PDA 3.

Site Design Review

Subsection 4.400 (.01) Excessive Uniformity, Inappropriateness of Design, Etc.

G30. **Review Criteria:** “Excessive uniformity, inappropriateness or poor design of the exterior appearance of structures and signs and the lack of proper attention to site development and landscaping in the business, commercial, industrial and certain residential areas of the City hinders the harmonious development of the City, impairs the desirability of residence, investment or occupation in the City, limits the opportunity to attain the optimum use in value and improvements, adversely affects the stability and value of property, produces degeneration of property in such areas and with attendant deterioration of conditions affecting the peace, health and welfare, and destroys a proper relationship between the taxable value of property and the cost of municipal services therefor.”

Finding: These criteria are satisfied.

Details of Finding: It is staff’s professional opinion that the proposed development will not result in excessive uniformity, inappropriateness or poor design, and the proper attention has been paid to site development and landscaping.

Subsection 4.400 (.02) Purposes of Objectives of Site Design Review

G31. **Review Criterion:** “The City Council declares that the purposes and objectives of site development requirements and the site design review procedure are to:” Listed A through J.

Finding: These criteria are satisfied.

Details of Finding: It is staff’s professional opinion that the applicant has provided sufficient information demonstrating compliance with the purposes and objectives of site design review. Among the information provided is a written response to these purposes and objectives on pages 16 through 18 in Section VI of the applicant’s notebook, Exhibit B1.

Section 4.420 Site Design Review-Jurisdiction and Power of the Board

G32. **Review Criteria:** The section states the jurisdiction and power of the Development Review Board in relation to site design review including the application of the section, that development is required in accord with plans, and variance information.

Finding: These criteria will be satisfied by Condition of Approval ~~PDG 4~~PDG 3.

Details of Finding: A condition of approval has been included to ensure construction, site development, and landscaping are carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. No grading or other permits will be granted prior to development review board approval. No variances are requested from site development requirements.

Subsection 4.421 (.01) Site Design Review-Design Standards

G33. **Review Criteria:** “The following standards shall be utilized by the Board in reviewing the plans, drawings, sketches and other documents required for Site Design Review. These standards are intended to provide a frame of reference for the applicant in the development of site and building plans as well as a method of review for the Board. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention and innovation.

The specifications of one or more particular architectural styles is not included in these standards.” Listed A through G.

Finding: These criteria are satisfied.

Details of Finding: The applicant has provided sufficient information demonstrating compliance with the standards of this subsection. Among the information provided is a written response to these standards on pages 18 through 20 of Section VI of the applicant’s notebook, Exhibit B1.

Subsection 4.421 (.02) Applicability of Design Standards to Various Site Features

G34. **Review Criteria:** “The standards of review outlined in Sections (a) through (g) above shall also apply to all accessory buildings, structures, exterior signs and other site features, however related to the major buildings or structures.”

Finding: These criteria are satisfied.

Details of Finding: Design standards have been applied to all site features.

Subsection 4.421 (.03) Objectives of Section 4.400 Serve as Additional Criteria and Standards

G35. **Review Criteria:** “The Board shall also be guided by the purpose of Section 4.400, and such objectives shall serve as additional criteria and standards.”

Finding: These criteria are satisfied.

Details of Finding: The purposes and objectives in Section 4.400 are being used as additional criteria and standards. See Finding G31 above.

Subsection 4.421 (.05) Site Design Review-Conditions of Approval

G36. **Review Criterion:** “The Board may attach certain development or use conditions in granting an approval that are determined necessary to insure the proper and efficient functioning of the development, consistent with the intent of the Comprehensive Plan, allowed densities and the requirements of this Code.”

Finding: This criterion is satisfied.

Details of Finding: No additional conditions of approval are recommended.

Subsection 4.421 (.06) Color or Materials Requirements

G37. **Review Criterion:** “The Board or Planning Director may require that certain paints or colors of materials be used in approving applications. Such requirements shall only be applied when site development or other land use applications are being reviewed by the City.”

Finding: This criterion will be satisfied by Condition of Approvals ~~PDG 5~~**PDG 4** and ~~PDG 6~~**PDG 5**.

Details of Finding: Condition of Approval ~~PDG 5~~**PDG 4** requires all retaining walls within the public view shed, be a decorative stone or brick construction or veneer. This does not include the temporary retaining wall along the north property line. Final design of retaining walls in the public view shed will be approved by the Planning Division through the Class I Administrative Review process. Further, while staff realizes the design of stairs within the parks and open space are such to avoid the need of hand rails, if they are required Condition of Approval ~~PDG 6~~**PDG 5** ensures they are of a design mirroring that for courtyard fences shown in the Architectural Pattern Book. Final design of any handrails

in parks and open space will be approved by the Planning Division through the Class I Administrative Review process.

Section 4.440 Site Design Review-Procedures

G38. **Review Criteria:** “A prospective applicant for a building or other permit who is subject to site design review shall submit to the Planning Department, in addition to the requirements of Section 4.035, the following:” Listed A through F.

Finding: These criteria are satisfied.

Details of Finding: The applicant has submitted the required additional materials, as applicable.

Section 4.442 Time Limit on Approval

G39. **Review Criterion:** “Site design review approval shall be void after two (2) years unless a building permit has been issued and substantial development pursuant thereto has taken place; or an extension is granted by motion of the Board.

Finding: This criterion is satisfied.

Details of Finding: It is understood that the approval will expire after 2 years if a building permit hasn’t been issued unless an extension has been granted by the board.

Subsection 4.450 (.01) Landscape Installation or Bonding

G40. **Review Criterion:** “All landscaping required by this section and approved by the Board shall be installed prior to issuance of occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant.”

Finding: This criterion is satisfied.

Details of Finding: As a condition of PDP approval the parks for the PDP or PDP phase must be completed prior to fifty percent (50%) of the homes being occupied. See Finding A61 in Request A and Condition of Approval PDA 3.

Subsection 4.450 (.02) Approved Landscape Plan Binding

G41. **Review Criterion:** “Action by the City approving a proposed landscape plan shall be binding upon the applicant. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, as specified in this Code.”

Finding: This criterion will be satisfied by Condition of Approval ~~PDG 7~~**PDG 6.**

Details of Finding: The condition of approval shall provide ongoing assurance this criterion is met.

Subsection 4.450 (.03) Landscape Maintenance and Watering

G42. **Review Criterion:** “All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered with Board approval.”

Finding: This criterion will be satisfied by Condition of Approval ~~PDG 7~~**PDG 6.**

Details of Finding: The condition of approval will ensure landscaping is continually maintained in accordance with this subsection.

Subsection 4.450 (.04) Addition and Modifications of Landscaping

G43. **Review Criterion:** “If a property owner wishes to add landscaping for an existing development, in an effort to beautify the property, the Landscape Standards set forth in Section 4.176 shall not apply and no Plan approval or permit shall be required. If the owner wishes to modify or remove landscaping that has been accepted or approved through the City’s development review process, that removal or modification must first be approved through the procedures of Section 4.010.”

Finding: This criterion will be satisfied by Condition of Approval ~~PDG 7~~**PDG 6.**

Details of Finding: The condition of approval shall provide ongoing assurance that this criterion is met by preventing modification or removal without the appropriate City review.

REQUEST H: SI13-0001 SRIR REVIEW

The following was prepared by Kerry Rappold, Natural Resources Program Manager

Findings of Fact:

1. The area designated Significant Resource Overlay Zone (SROZ) within Phase 2 North is upland wildlife habitat (Site ID Number URA#41. The delineated wetland is not considered locally significant, and was not protected within the SROZ. However, any impacts to the wetland are regulated by the Oregon Department of State Lands and the Army Corps of Engineers.
2. The upland wildlife habitat (i.e., mixed coniferous/deciduous forest) is 9.76 acres, and has a mature Douglas fir/Oregon white oak canopy. The understory has been disturbed in the past, and the shrub and herbaceous layers have been impacted by non-native invasive plant species. Native tree species include Oregon white oak, Douglas fir, vine maple, and Indian plum. Non-native invasive plant species include Himalayan blackberry, English ivy, and domestic cheery trees. The forest provides habitat for birds, but due to the lack of connectivity to other habitat, it does not provide many opportunities for other species, such as mammals.
3. The Significant Resource Overlay Zone ordinance prescribes regulations for development within the SROZ and its associated 25 foot Impact Area. Setbacks from significant natural resources implement the requirements of Metro Title 3 Water Quality Resource Areas, Metro Title 13 Nature in Neighborhoods, and Statewide Planning Goal 5. Wetlands, streams and riparian corridors shall have at least a minimum 50-foot buffer, but buffers may extend to the top of the slope for riparian corridors. All significant natural resources

have a 25 foot Impact Area. Development or other alteration activities may be permitted within the SROZ and its associated 25 foot Impact Area through the review of a Significant Resource Impact Report (SRIR).

4. Pursuant to the city's SROZ ordinance, development is only allowed within the Area of Limited Conflicting Use (ALCU). The ALCU is located between the riparian corridor boundary, riparian impact area or the Metro Title 3 Water Quality Resource Area boundary, whichever is furthest from the wetland or stream, and the outside edge of the SROZ, or an isolated significant wildlife habitat (upland forest) resource site.
5. The applicant's Significant Resource Impact Report delineated specific resource boundaries and analyzed the impacts of development within the SROZ. The applicant's SRIR contained most of the required information, including an analysis and development recommendations for mitigating impacts, but is lacking some of the required mitigation elements (e.g., plant densities or spacing). A condition of approval requires the submittal of an updated mitigation plan.

Description of Request:

The applicant is requesting approval of a Significant Resource Impact Report (SRIR) for non-exempt development that is located within the Significant Resource Overlay Zone and its associated 25 foot Impact Area in Phase 2 North.

Summary of Issues/Background:

The proposed non-exempt development will encroach into the Significant Resource Overlay Zone and its associated 25 foot Impact Area. All non-exempt development will occur within the Area of Limited Conflicting Use of the isolated significant wildlife habitat (i.e., upland forest). The impacted area totals 16,255 square feet and is situated within and along the edge of the upland forest. The impact to the SROZ is necessary to accommodate street improvements, a paved pedestrian trail, and encroachments related to a future PDP.

The proposed par course fitness stations and leaf identification creative play areas have not been addressed in the SRIR and are not approved as part of the SRIR review. In addition, the applicant is required to relocate a picnic table area (situated along the eastern edge of the forest) outside the SROZ. A condition of approval requires the applicant to modify the site plan.

Proposed exempt development in the SROZ and its associated 25 foot Impact Area includes the following:

- 1) Soft surface pedestrian pathway within forest.

Conclusionary Findings:

Section 4.139.04 Use and Activities Exempt from These Regulations

Proposed exempt development in the SROZ and its associated 25 foot Impact Area comply with the following exemptions:

(.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 minimize and repair disturbance to existing vegetation and slope stability.

H1. The construction of the soft surface pedestrian path will have minimal impacts to the resource area, and is consistent with the requirements of this exemption.

Section 4.139.06.03 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;

H2. The proposed non-exempt development is located within the Area of Limited Conflicting Use found within the SROZ. The total area of all other encroachments within the SROZ or its associated Impact Area has been deemed exempt or proposed only within the Impact Area.

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;

H3. The proposed development for Phase 2 North will not be located within Metro’s 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 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;

H4. The applicant has identified the proposed development within the Area of Limited Conflicting Use, and calculated the percentage for this development. The following information has been provided on the Area of Limited Conflicting Use (ALCU):

Total ALCU	=	425,149 square feet
Allowed Impact (5%)	=	21,257 square feet
Proposed Impact	=	16,255 square feet (3.8%)

- 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;**
- H5. The applicant has identified the mitigation area necessary to offset impacts to the SROZ, and proposed to enhance 46,212 square feet. Based on the required mitigation ratio of 2.5:1, only 40,638 square feet is required. The mitigation plan is missing some required elements, such as planting densities and spacing. A condition of approval requires the applicant to submit an updated mitigation plan containing all the required information.
- 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;**
- H6. The impacts to the SROZ will be from the encroachment of street improvements, a paved pedestrian trail, and encroachments related to a future PDP. The impacts to the SROZ provide a paved trail connection within the upland forest, future play area, and constructing improvements adjacent to the SROZ. The applicant has minimized permanent impacts to very mature trees, and other native vegetation. The grading and erosion control plan will ensure areas within the SROZ are protected during construction activities. No stormwater runoff will discharge into the SROZ.
- 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;**
- H7. Impacts to the SROZ will be mitigated for on-site and will satisfy the mitigation ratios and other requirements of Section 4.139.07. A condition of approval requires the applicant to submit an updated mitigation plan containing all the required information.
- G. Non-structural fill used within the SROZ area shall primarily consist of natural materials similar to the soil types found on the site;**
- H8. Non-structural fill will 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;**
- H9. No fill is proposed to be placed within the SROZ.
- 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;**
- H10. All proposed grading activities on-site will be managed pursuant to guidelines established and identified in the applicant’s approved erosion control plan and a 1200-C Erosion Control Permit issued by the Oregon Department of Environmental Quality. Stream

turbidity is regulated under the City's Grading and Erosion Control Permit and the DEQ's 1200-C Erosion Control Permit.

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 [Department] of State Lands in any jurisdictional wetlands or water of the United States or State of Oregon, respectively.

H11. No in-water impacts (i.e., jurisdictional wetlands or waters of the U.S. or State of Oregon) are proposed for Phase 2 - North.

Section 4.139.07 Mitigation Standards

(.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.

H12. The applicant has reviewed the appropriate Upland Summary Sheet (Site ID Number 2.14U) 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:

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.

H13. The applicant has addressed the resource function ratings for the impact area and also correctly documented the resource function ratings in the Compliance and Protection Plan. The impact area has a low to medium function rating due to non-native invasive plant species, and the lack of habitat connectivity.

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.

H14. The applicant has determined the impact to the significant resource area based on the resource functions. The applicant has calculated the square feet of the impact to the Significant Resource. The applicant's site plan in the SRIR depicts the area of impact.

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.

H15. The applicant has not submitted a mitigation plan consistent with the requirements in Section 4.139.07. The mitigation will occur on-site, and within close proximity to the areas of impact. A condition of approval requires the applicant to submit an updated mitigation plan containing all the required information.

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.

H16. The applicant has estimated the resource function ratings for the “existing rating at mitigation site” and “proposed rating at mitigation site.”

(.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.

H17. No new habitat would be created as part of the mitigation plan. The proposed mitigation will enhance existing habitat.

(.04) Mitigation actions shall be implemented prior to or at the same time as the impact activity is conducted.

H18. A condition of approval requires the mitigation actions to be implemented prior to or at the same time as the impact activity is conducted.

(.05) Mitigation plans shall have clearly stated goals and measurable performance standards.

H19. The applicant has submitted a mitigation plan with 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.

H20. The applicant has not submitted information regarding monitoring and maintenance of the proposed mitigation. A condition of approval requires the applicant to submit a monitoring and maintenance report to be conducted for a period of five years following mitigation implementation.

(.07) The Mitigation Plan document shall be prepared by a natural resource professional.

H21. The applicant's team has the necessary credentials to implement a mitigation plan for the proposed impacts.

(.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.

H22. A condition of approval requires the SROZ to be fenced and undisturbed.

(.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.

H23. A conservation easement is required for the SROZ areas on the site. A condition of approval requires a conservation easement to be recorded.

(.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.

H24. A conservation easement is required for the SROZ areas on the site. A condition of approval requires a conservation easement to be recorded.

(.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.

H25. The applicant has not requested a modification of mitigation requirements.

(.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.

H26. The applicant has not requested a payment-in-lieu.

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LAND CONSERVATION
AND DEVELOPMENT



CITY OF WILSONVILLE
29799 SW TOWN CENTER LP E
WILSONVILLE OR 97070

TO:

Attention: Plan Amendment Specialist
Department of Land Conservation &
Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540



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