

RESOLUTION NO. 2929

A RESOLUTION OF THE CITY OF WILSONVILLE AMENDING THE OLD TOWN NEIGHBORHOOD PLAN AND CONTINUING TO ACCEPT THE OLD TOWN NEIGHBORHOOD PLAN AS A NON-REGULATORY PLANNING TOOL.

WHEREAS, House Bill 2001, adopted by the Oregon Legislature in 2019, directs cities throughout Oregon to adopt regulations allowing duplexes on each lot zoned for residential use that allows for development of detached single-family dwelling, and allowing triplexes, quadplexes, cottage clusters, and townhouses in areas zoned for residential use; and

WHEREAS, House Bill 2001 and Senate Bill 1051, adopted by the Oregon Legislature in 2017, limit how the City can regulate Accessory Dwelling Units; and

WHEREAS, the City adopted the Equitable Housing Strategic Plan in June 2020 through Resolution No. 2820 which included Implementation Action 1B to “Incorporate Equitable Housing into Middle Housing Planning”; and

WHEREAS, the City performed an audit of current planning documents including the Old Town Neighborhood Plan to identify updates necessary to comply with House Bill 2001, implementing administrative rules, other recent law changes such as Senate Bill 1051, and the Equitable Housing Strategic Plan; and

WHEREAS, the 2011 Old Town Neighborhood Plan, a non-regulatory neighborhood plan accepted by City Council in Resolution No. 2324, included a number of references and statements no longer valid due to development changes in the neighborhood over the last decade and changes to State law and related changes to City code; and

WHEREAS, updating the Old Town Neighborhood Plan to reflect current development and law increases the relevance and usefulness of the document; and

WHEREAS, the Planning Commission held eight work sessions and the City Council has held five work sessions to help guide and shape updates related to Middle House in Wilsonville including these updates to the Old Town Neighborhood Plan along with updates to the Comprehensive Plan, legislative master plans, Development Code, and Zoning Map adopted under Ordinance No. 851 (the other Middle Housing amendments); and

WHEREAS, the Wilsonville Planning Director, taking into consideration input and suggested revisions provided by the Planning Commission members and the public, submitted the

proposed amendments to the Old Town Neighborhood Plan together with the other Middle Housing amendments to the Planning Commission, along with a Staff Report, in accordance with the public hearing and notice procedures that are set forth in Sections 4.012, 4.197, and 4.198 of the Wilsonville Code; and

WHEREAS, the Planning Commission, after 13,733 Public Hearing Notices regarding the Planning Commission and City Council hearings were mailed, were posted in various public places in City buildings and on the City's website and social media accounts, and were published in the Wilsonville Spokesman and emailed to impacted agencies and other interested parties, held a Public Hearing on September 8, 2021, to review the proposed Old Town Neighborhood Plan amendments together with the other Middle Housing amendments, and to gather additional testimony and evidence regarding the proposal; and

WHEREAS, the Commission afforded all interested parties an opportunity to be heard on this subject, has entered all available evidence and testimony into the public record of their proceeding, and unanimously adopted Resolution LP21-0003 recommending adoption of the proposed amendments to the City Council; and

WHEREAS, the City Council, after Public Hearing Notices were provided, as described above, held a public hearing on October 4, 2021, to consider the other Middle House amendments and adopted Ordinance No. 851 on first reading; and

WHEREAS, the City Council, on October 18, 2021, adopted Ordinance No. 851 on second reading; and

WHEREAS, due to the Old Town Neighborhood Plan amendments being related to the other Middle Housing amendments adopted in Ordinance No. 851, it is prudent to adopt this Resolution the same date as Ordinance No. 851 final approval for the effective date to be concurrent with the effective date of Ordinance No. 851; and

WHEREAS, **Exhibit A**, attached hereto and incorporated herein, reflects the desired amendments to the Old Town Neighborhood Plan.

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

Section 1. FINDINGS.

The above-recited findings are adopted and incorporated by reference herein.

Section 2. DETERMINATION.

Continues to accept the Old Town Neighborhood Plan as a non-regulatory planning tool with amendments attached hereto and marked as Exhibit A.

Section 2. EFFECTIVE DATE OF RESOLUTION.

This Resolution is effective upon the effective date of Ordinance No. 851.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 18th day of October 2021, and filed with the Wilsonville City Recorder this date.

DocuSigned by:
Julie Fitzgerald
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Julie Fitzgerald, Mayor

ATTEST:

DocuSigned by:
Kimberly Veliz
E781DE10276B498...

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald	Yes
Council President Akervall	Yes
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Excused

EXHIBIT:

A. Middle Housing in Wilsonville Old Town Neighborhood Plan updates

Old Town



Neighborhood Plan

Wilsonville Oregon

*Adopted September 19, 2011
Middle Housing Update
PC Hearing Draft 09.01.21*

Acknowledgements:

2011 Wilsonville City Council

Mayor Tim Knapp

Councilor Celia Núñez

Councilor Steve Hurst

Councilor Richard Goddard

Councilor Scott Starr

Former Councilor Alan Kirk

Former Councilor Michelle Ripple

2011 Planning Commission

Marta McGuire

Ray Phelps

Amy Dvorak

Al Levit

Tom Sullivan

Ben Altman

Eric Postma

Former Commissioners who reviewed Plan

Dustin Kohls

Carol A. Montclair

Yvonne Peck

Robert Meyer

Steve Hurst

Susan Guyton

Craig Faiman

Richard Goddard

Old Town Neighborhood Committee

Steve Van Wechel – President

Doug Muench – Vice President

Barbara Bergmans – Secretary/Treasurer

Thank you to all who participated in the preparation of this Plan

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Wilsonville's Old Town Neighborhood Plan

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1. Introduction and Intent: Old Town – “Our Vision”

The Old Town Neighborhood Plan (OTNP) sets forth a vision for the neighborhood. As the City continues to change, and development pressures and the cost of living increase, it is critical that the character that makes Old Town special needs to be identified, maintained and enhanced. City staff worked with neighbors and business owners who live and work within Old Town to develop a neighborhood vision and recommendations for the first neighborhood plan for the Old Town area. The Old Town Neighborhood Plan (OTNP) will help guide new development as it occurs in the neighborhood.

To the families that live in Old Town, and the businesses that are located there, Old Town is a very special place. For the most part, they made a choice to locate there (over other neighborhoods in Wilsonville) and would not consider relocating.

Many of Wilsonville’s residents have never been in Old Town and know very little about it. So what is it about Old Town that generates such fierce loyalty in its residents and business people?

The purpose of the Old Town Neighborhood Plan (OTNP) is to identify the essence of what makes Old Town a special place, and to provide guidance on how to move Old Town into the 21st Century while maintaining its unique character. The intent of the Old Town Neighborhood Plan is to retain those aspects that contribute to its unique character: older buildings with simple design and small scale, stands of mature trees, and streets with a rural feel which are safely shared with bikes and pedestrians. To accomplish this, the OTNP proposes land use, transportation, utilities, parks/trails/trees/open space, and architectural guidelines. A list of recommendations is proposed for those parts of the plan.

Background of the Old Town Neighborhood Plan:

The Old Town Neighborhood Plan is based on the results of a series of meetings with Old Town residents, businesses and property owners. Each meeting was organized around a specific topic with a goal of learning how that subject or issue has been implemented in the past, determining whether that should change, and if so developing recommendations for those changes.

The impetus for this series of meetings was a “New Urbanism” type residential development proposal on one of the few larger vacant lots in Old Town. The neighborhood was opposed to the development, feeling that it would set a precedent for future similar development proposals that would destroy much of what makes Old Town unique.

The City Council responded to that testimony by requesting that City staff work with the Old Town community to determine the parameters of acceptable development and redevelopment in their community.

Old Town Neighborhood Plan Update

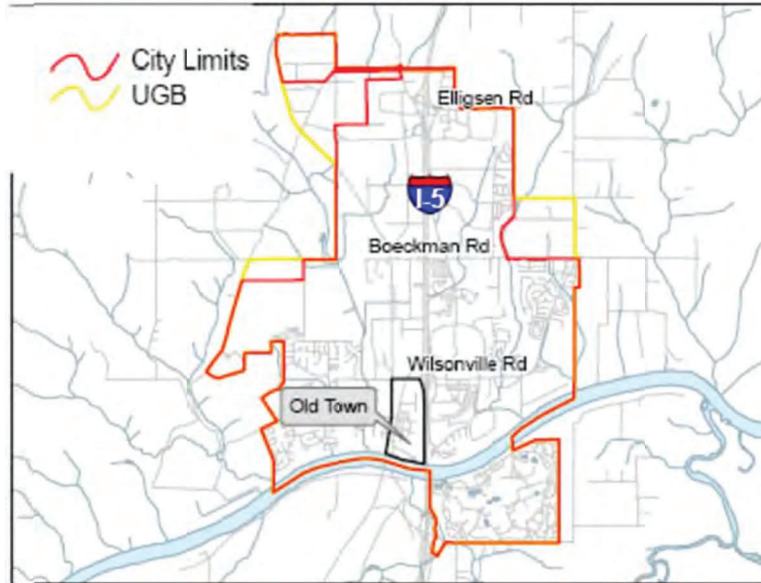
In 2021, the Old Town Neighborhood Plan was updated to reflect recent changes to Oregon state law and associated changes to Wilsonville’s Development Code and Zoning Map. These updates are found in the Land Use section of the plan (Chapter 6).

Where Is Old Town?

According to the West Side Master Plan, accepted by the City Council in December 1996, the Boones Ferry District (Old Town) includes all the lands located between the Oregon Electric Railway and the I 5 right-of-way, and between the Willamette River and approximately Wilsonville Road. (Map 1.1) Others would say that Old Town is smaller, ending at Bailey Street on the north or even at the north end of Magnolia Avenue, but including the south, east and west boundaries identified as “the Boones Ferry District”. Still others feel that the historic core area developed around the Boones Ferry landing, and later, with the coming of the rail, expanding north to the vicinity of 5th Street is the ‘real’ Old Town. After discussion, it was decided to use the Boones Ferry District boundary extended north to Wilsonville Road for a more comprehensive planning effort. (Map 1.1)



Map 1.1. Boones Ferry District

Wilsonville's Old Town Neighborhood Plan

Map 1.2. Old Town In Wilsonville

What Is Different About Old Town?

Some of the defining characteristics of Old Town are the older development and the human scale of the neighborhood. The plat of Old Town was recorded in 1908 (See Chapter 5), and reflects larger lots than are generally found in today's residential developments. There has been little partitioning or further subdivision, so large lot sizes remain. Old Town has built out incrementally with a variety of architectural styles reflecting housing trends from the respective period. Most of the development occurred in the county before Wilsonville was incorporated. Dwellings are mostly single story with large yards and mature trees. Since there are few sidewalks and no through traffic, the character of the neighborhood is "old fashioned" and much less formal. Residents walk and play in the streets, and visit with their neighbors. Social interaction is encouraged by the evolving patterns of the neighborhood. Infrastructure does not separate people, but enables them to interact more freely.

Most of the recent development in Wilsonville occurred after the construction of the Boone

Bridge and I-5 in the late 1950's, and the incorporation of the City of Wilsonville in 1969. In contrast, the oldest buildings in Old Town were built in the late 1880's and early 1900's. Early aerial photos (1936) show Old Town surrounded by operating farms. The older buildings are simple in design and small in scale as shown in early photos. Several have been renovated in keeping with their historic character. Infill development has maintained the modest scale and has been repeating basic architectural style elements. At one time, Old Town was generally self-sufficient with a school, a church, a general store, post office and other businesses serving the community.

Because it is older, and very little redevelopment has occurred, stands of mature trees are found throughout Old Town.

Streets were built to rural standards without curbs, gutters, and in many instances, without sidewalks. The overall appearance is less formal than in newer neighborhoods. There are no

Wilsonville's Old Town Neighborhood Plan

through streets and no large scale commercial establishments so the neighborhood is quieter, and streets can be safely shared with bikes and pedestrians.

No riverfront development has occurred other than Boones Ferry Park, which is an under-utilized City park located at the south end of Boones Ferry Road.

Existing Development:

Existing development within Old Town includes a bank building, the Old Methodist Church, apartments, a mini-storage facility, two historic commercial structures, a manufacturing facility, Lowries Marketplace and three mixed-use commercial/industrial buildings, as well as many residential properties with varying densities. Two of the mixed-use buildings were developed as the first historic replica façade envisioned for the Old Town District discussed in the Land Use chapter.

In 2009, the City approved development/re-development at the southeast corner of Boones Ferry Road and Wilsonville Road. The site was approved for mixed-use development, commercial and residential, with the main anchor being a Fred Meyer store, which opened in July 2011. The development is a much larger scale than typically found in Old Town, however, design consideration was given to provide smaller perimeter pad buildings architecturally designed to complement Old Town.

The majority of Wilsonville's residential areas were developed after 1970 as planned unit developments, and built out with similar architectural styles in a relatively short time period.

Dwellings are generally two-story or taller. The rights-of-way are fully developed with streets, sidewalks, street lights and street trees. A strong sense of identity and ownership has developed within each neighborhood.

Conventional wisdom says that Old Town should be retrofitted with all the amenities of residential planned unit developments (PUD) in the remainder of the city, and the housing stock upgraded to modern housing styles and densities. If that occurs, Old Town as it now exists will be lost, and it will become just one more PUD in the city. The intent of the OTNP is to preserve the existing neighborhood, while being open to redevelopment and infrastructure upgrades consistent with the Old Town character.

***** Chapters 2 – 5 are not included in this review draft *****

6. *Land Use*

Overview of Land Use

The Old Town Neighborhood has an overlay of land use regulations, some of which conflict. Old Town is subject to State, Metro and local land use rules and regulations.

State

The State's land use program is based on the Department of Land Conservation and Development's (DLCD) nineteen (19) Statewide Planning Goals and Guidelines; the first fifteen (15) of which apply to Wilsonville. The first 14 goals were adopted in December 1974, with the remaining goals adopted over the next two years. The Statewide Planning Goals have since been amended and readopted as part of the Oregon Administrative Rules (OAR 660, Division 15)

OAR 660 requires municipalities to prepare Comprehensive Land Use Plans and implementing ordinances, which are then reviewed by DLCD and the Land Conservation and Development Commission (LCDC) for compliance with the Goals. Plans and ordinances that are determined to comply are then "acknowledged" by LCDC to be in compliance with the Goals and become acknowledged plans. If a municipality does not have an acknowledged Plan, then the Statewide Goals must be applied directly to each development proposal in that municipality. Once a municipality has received acknowledgement, then development proposals are reviewed under the local Comprehensive Plan and development regulations. Municipalities are required to update their Comprehensive Plans and ordinances periodically, a process called "Periodic Review".

The City of Wilsonville has an acknowledged Comprehensive Plan and acknowledged development regulations which apply to all of Wilsonville, including Old Town. The Comprehensive Plan includes a Transportation Systems Plan, ~~the Villebois Village Master Plan,~~ the Water System Master Plan, the Wastewater Treatment System Master Plan, the Stormwater Master Plan, the Bike and Pedestrian Master Plan, Park and Recreation Master Plan, ~~and the Transit Master Plans, and various area-specific master plans, such as the Villebois Village Master Plan, and will eventually include the~~ The Old Town Neighborhood Plan was adopted by resolution, with a direction to work on specific tasks in the future, but is not considered a supporting document to the Comprehensive Plan.

Updates to the Old Town Neighborhood Plan were added in 2021 to reflect recent changes to state law. In 2017, the Oregon State Legislature passed Senate Bill 1051 (SB 1051), which requires cities with a population greater than 2,500 to allow the development of at least one accessory dwelling unit (ADU) for each detached single-family dwelling on a residentially-zoned lot, subject to reasonable local regulations relating to siting and design. The requirements of SB 1051 are codified in Oregon Revised Statutes (ORS) 197.312. The City of Wilsonville updated its Development Code to comply with these requirements in 2018.

Then, in 2019, the Legislature passed House Bill 2001 (HB 2001) to help provide Oregonians with more housing choices. HB 2001 requires Oregon cities with populations over 25,000 and those within the Portland metro area (referred to as "Large Cities") to adopt zoning regulations and comprehensive plan amendments to allow middle housing in areas zoned for residential use that allow for the development of detached single-family dwellings. Specifically, Large Cities must allow:

- A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings; and
- Triplexes, quadplexes, cottage clusters, and townhouses in areas zoned for residential use

that allow for the development of detached single-family dwellings.

HB 2001's middle housing requirements are codified in ORS 197.758 and Oregon Administrative Rules (OAR) Chapter 660, Division 46. HB 2001 also modified the ADU provisions of SB 1051, clarifying that "reasonable local regulations relating to siting and design" does not include owner-occupancy requirements or requirements to construct additional off-street parking for ADUs.

Because the Old Town Neighborhood Plan is not a component of the Comprehensive Plan, amendments to the Old Town plan are not necessary for legal compliance with these state laws. However, amendments were needed to ensure that the plan continues to be a useful policy document going forward and contributes to the larger goal of increasing opportunities for housing in Wilsonville.

Metro:

The City of Wilsonville is a member of Metro, an elected regional service district serving three counties and 25 cities within its service area. Under its charter, Metro has jurisdiction over the urban growth boundary and other regional land use issues, solid waste and recycling, regional open space and regional transportation planning as well as several facilities such as the Zoo and the Convention Center. Metro also has adopted and acknowledged land use-related documents, including a 2040 Growth Concept Plan.

The Metropolitan Housing Rule (OAR 660-007/Division 7) establishes regional residential density and housing mix standards for communities within the Metro Urban Growth Boundary. It sets minimum residential density standards for new construction by jurisdiction. Wilsonville must provide for the opportunity to build new housing at an overall average density of 8 or more dwelling units per net buildable acre, as well as designate sufficient buildable land to provide the opportunity for at least 50% of new residential units to be attached housing (either single-family attached or multiple-family units.)

Title 1 of the Metro Urban Growth Management Functional Plan requires member cities to adopt minimum residential development density standards. If minimum density standards were not adopted by 2011, Title 1 requires cities to adopt a minimum density that is at least 80 percent of the maximum density in the zone.

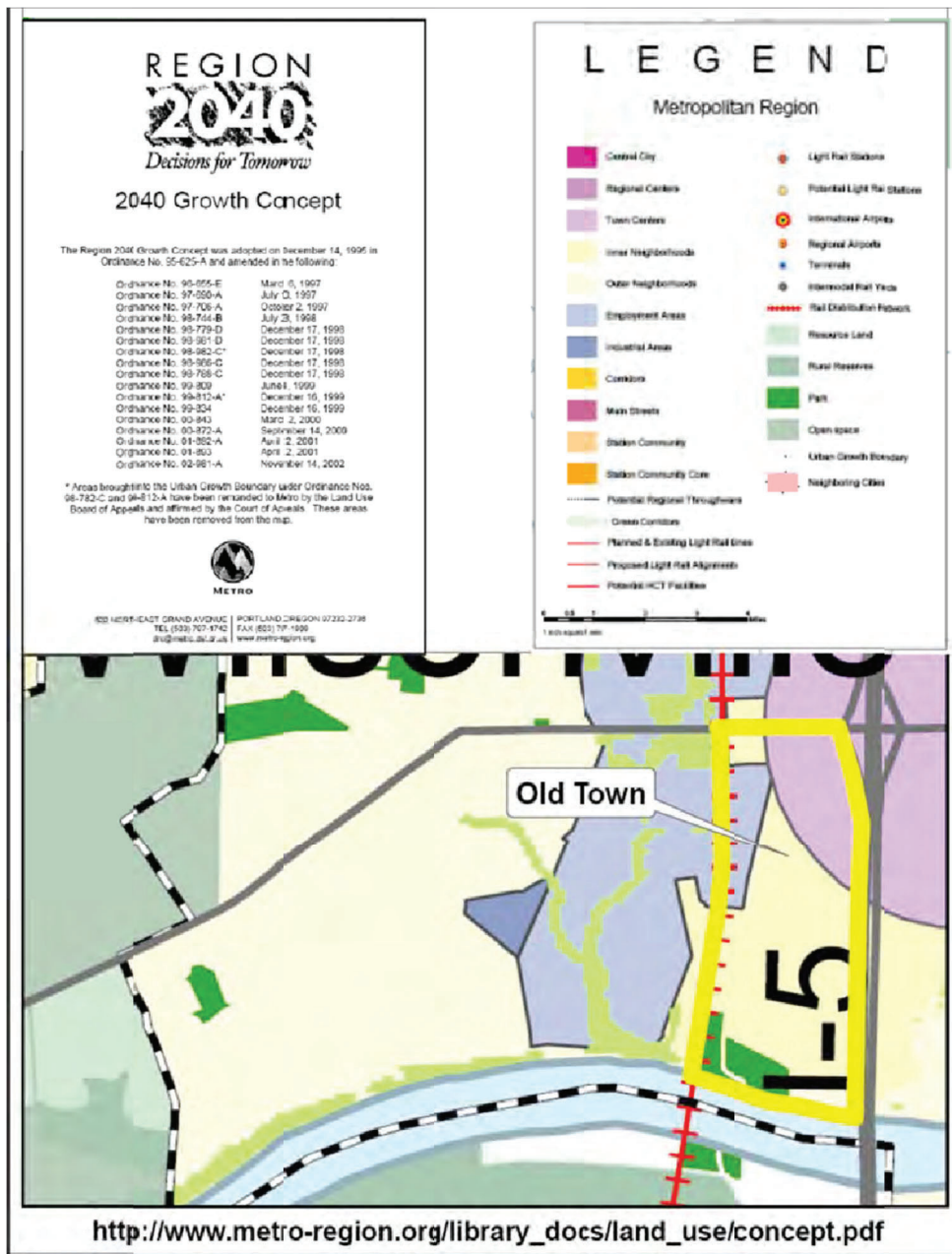
Old Town

Title 12 of the Metro Urban Growth Management Functional Plan is titled "Protection of Residential Neighborhoods". It states that, "Existing neighborhoods are essential to the success of the 2040 Growth Concept" and that, "Metro shall not require any city to authorize an increase in residential density of a single-family neighborhood in an area mapped solely as an Inner or Outer Neighborhood pursuant to Metro Code Section 3.07.130 prior to May 22, 2002".

Wilsonville's Old Town Neighborhood Plan

The question becomes, "Is Old Town a single-family neighborhood mapped solely as an Inner Neighborhood?" Metro's 2040 Growth Concept Plan was first adopted in 1995, and designated most of the Old Town area as an Inner Neighborhood. However, the map also included a Town Center designation which applies to the Town Center development north of Wilsonville Road, to the Village at Main, and extends across I-5 to the Fred Meyer lands, Lowries Marketplace (Albertson's) and commercial lands along Wilsonville Road west almost to the railroad tracks. Due to large differences in the scale of Metro maps vs. city maps, City staff has been working to reconcile the exact location of the designations on the Metro map with the City's

Comprehensive Plan and zoning. For the purposes of this Plan, the residential area of Old Town is mapped as Inner Neighborhood and is protected by Title 12. (Map 6.1)



Map 6.1. Old Town's Metro's Region 2040 Growth Concept Map Designations

Wilsonville's Old Town Neighborhood Plan

City

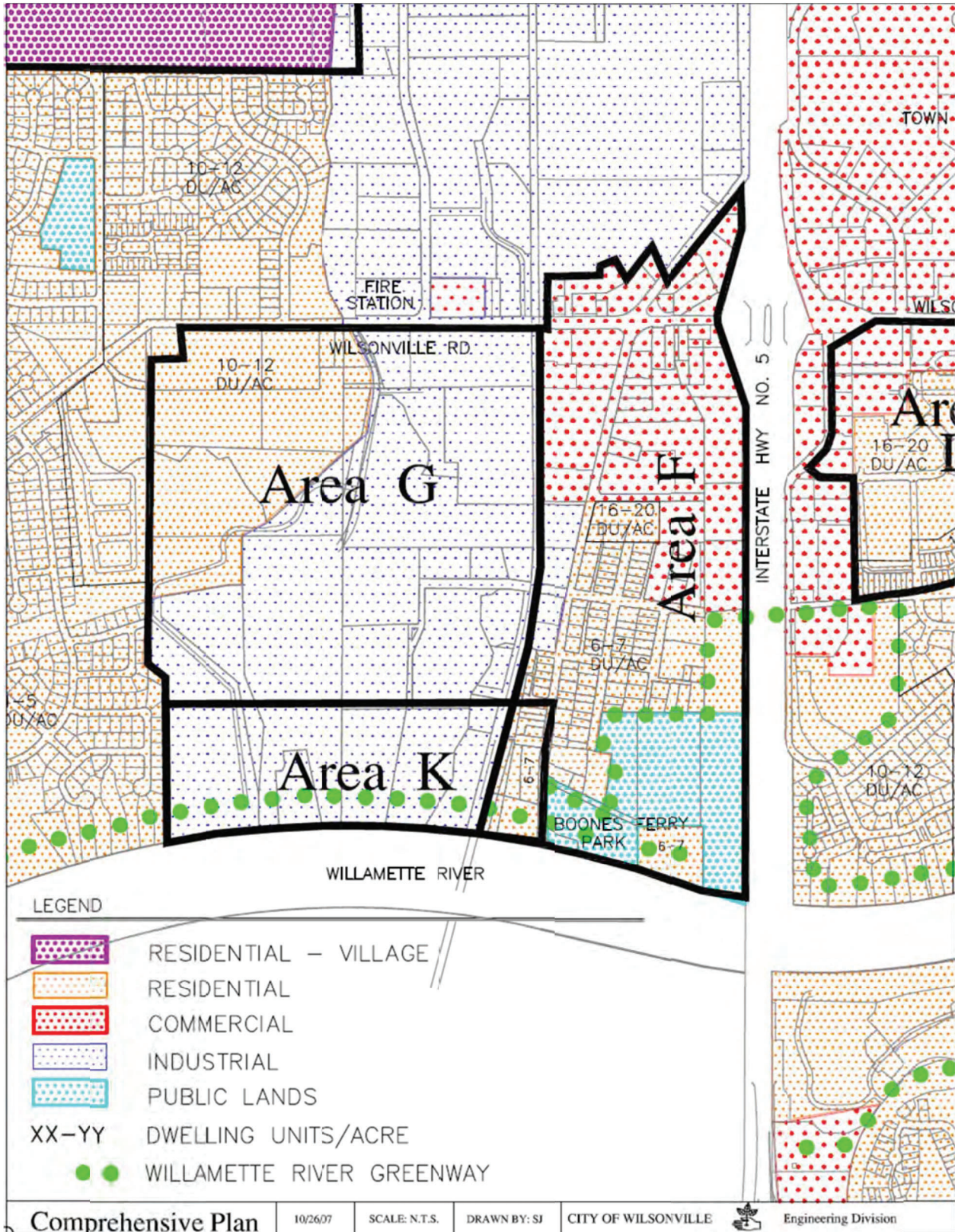
City regulations need to be reviewed in light of the City's development process which requires application for a development proposal at the same time as an application for a Zoning Map amendment. The City's Comprehensive Plan designates future land uses of properties in the City, but unlike many other communities in Oregon, zoning is not changed to be consistent with the Comprehensive Plan until a development application on a specific site has been reviewed by the DRB and approved by the City Council.

City Comprehensive Plan

The Comprehensive Plan designates lands between Wilsonville Road and Bailey Street as Commercial. (Map 6.2) Lands between Bailey Street and 5th Street, west of I-5 to the alley east of Magnolia Avenue, are also designated Commercial. Lands west of Boones Ferry Road between Bailey Street and 4th Street are designated Industrial. The remaining lands, except for those in public ownership are designated as a variety of residential densities, mostly 6 – 7 dwelling units/acre with the apartments being designated at 16 – 20 du/acre. The River Village Mobile Home Park, located at the east end of Tauchman Street between the street and the Willamette River, is also designated 6 – 7 dwelling units per acre.

According to the Comprehensive Plan, the 6 – 7 du/acre designation translates to zoning districts of Planned Development Residential – 3 (PDR-3) or Planned Development Residential – 4 (PDR-4). The Planning and Land Development Ordinance (Wilsonville's Development Code) further refines the designation by equating the PDR-4 zone with the 6 - 7 du/acre Plan designation.

Wilsonville's Old Town Neighborhood Plan



Map 6.2. Existing Old Town Planning Area Comprehensive Plan

Wilsonville's Old Town Neighborhood Plan

The Old Town area is also included in two Areas of Special Concern in the Comprehensive Plan. Area F includes almost all of Old Town.

Area of Special Concern F

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

This Area of Concern specifically includes the "Old Town" area of the City. A portion of Old Town includes properties previously master planned as "Wilsonville Square 76." As a result of the West Side master planning effort, additional emphasis has been placed on creating an Old Town District (through overlay zoning), and reinforcing the appearance of the City's historic beginnings.

The purpose of the Old Town Overlay Zone is to reinforce the appearance of the city's historic beginnings and to create a unique commercial main street. The Old Town District is envisioned as a modern representation of the community's past, and is intended to promote compatibility of commercial designs with Old Town residential development and to create a functional main street.

By moving in the direction of recreating an "Old Town", it is recognized that the Wilsonville Square 76 Plan is outdated, falling short of new design objectives. Therefore, there is a need for coordinated planning and broader based master planning that addresses all of the commercial development in Old Town, not just that on the east side of Boones Ferry Road.

Area of Special Concern K

The portion of Old Town located west of Boones Ferry Road and south of 3rd Street is located in the second Area of Special Concern, Area K. Area K lies south of and immediately adjacent to Area G. Planning and development must be coordinated between the two areas for efficiency of infrastructure and compatibility of uses.

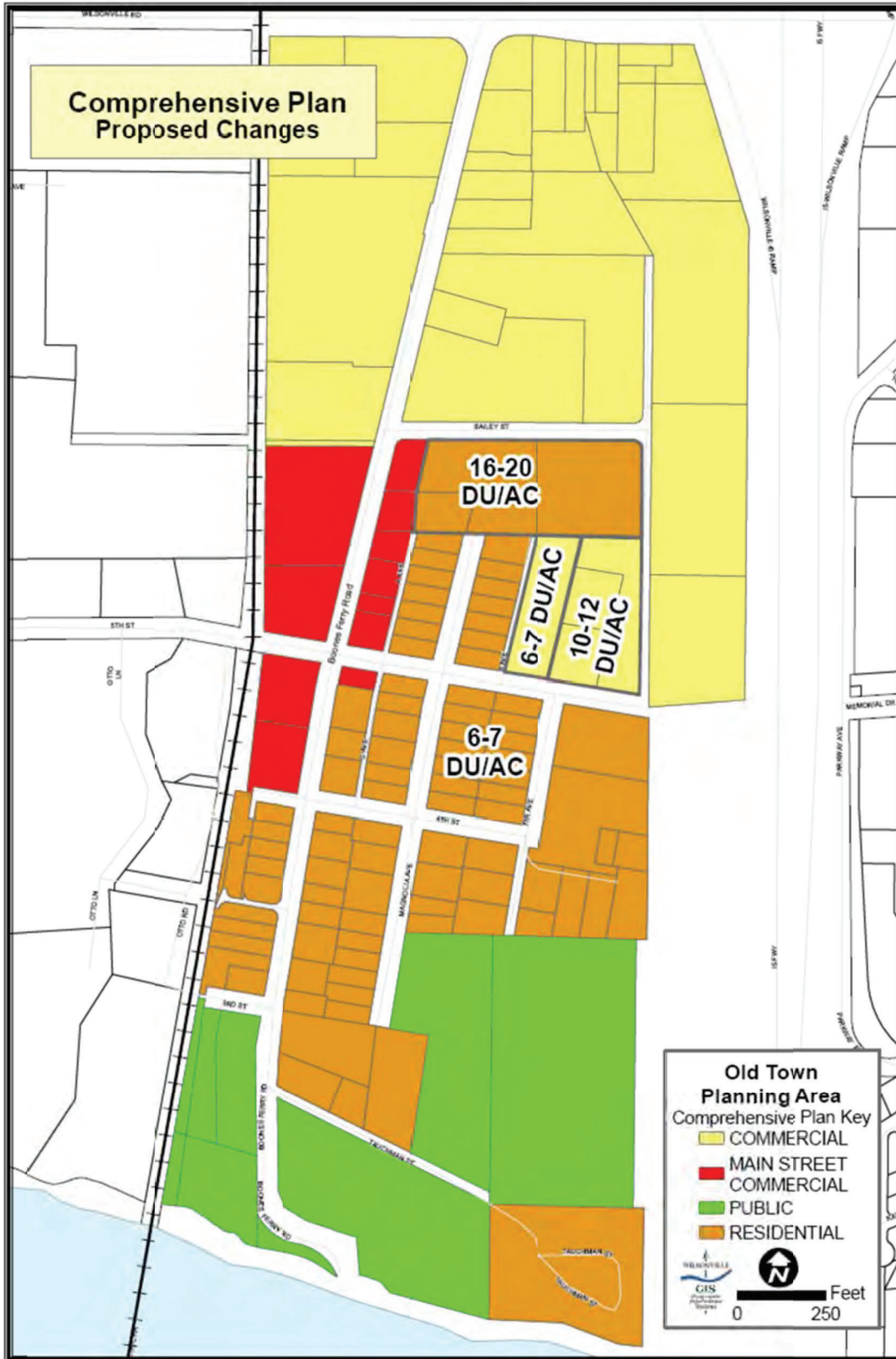
The Comprehensive Plan says, "Note: Area K, land along the Willamette River, west of Boones Ferry, has been designated in the West Side Master Plan for river-focused development. Text applying to this Area of Special Concern will be completed when the Natural Resource Plan has been adopted." Within Area K, east of the railroad tracks, lands south of 2nd Street are in public ownership, while residential lots between 3rd Street and 2nd Street are in private ownership.

Wilsonville's Old Town Neighborhood Plan

Recommendations:

- 6.1. Amend the Existing Comprehensive Plan Map (see Map 6.3) as follows:**
- 6.1.a. Designate lands in public ownership south of 2nd Street east of the railroad tracks from Residential to Public.**
 - 6.1.b. Designate all ODOT-owned lands south of 5th Street as public.**
 - 6.1.c. Designate lands one lot deep on both sides of Boones Ferry Road between Bailey Street and 5th Street; and lands on the west side of Boones Ferry Road between 4th Street and 5th Street; and Tax Lot 3S 1W 23AC, 4100, as the Old Town Main Street District.**
 - 6.1.d. Designate all ~~single family~~ residential lands in Old Town south of Boones Ferry Village, including lands east of Boones Ferry Road between 4th and 5th as Old Town Residential. Designate existing multi-family complexes at either 10 -12 du/ac or 16 – 20 du/ac, whichever is closest to the existing density.**
 - 6.1.e. Designate all of Boones Ferry Village as Residential, 16 – 20 du/ac.**
 - 6.1.f. Designate Tax Lot 3S 1W 23AC, 2500 as Residential, 6 - 7 du/ac.**
 - 6.1.g. Designate Tax Lots 3S 1W 23AC, 200, 201 and 202 as Residential, 10 – 12 du/ac.**
 - 6.1.h. Re-designate the lot at the north end of Magnolia Avenue (Tax Lot 3S 1W 23AB, 2101) from Commercial to 6 – 7 du/ac, since its access is via Magnolia Avenue, a residential street.**
 - 6.1.i. Move the Areas of Special Concern, Area F boundary to the north side of Wilsonville Road.**
 - 6.1.j. Move the Areas of Special Concern, Area K boundary to the west side of the railroad right-of-way.**
- 6.2. Amend the Comprehensive Plan text as follows:**
- ~~**6.2.a. Adopt policies supporting the potential for changing the zoning for the River Village Mobile Home Park to a higher residential density at the time a development application is approved if trees are preserved.**~~
 - 6.2.a. Amend the Comprehensive Plan text to direct that the appropriate zone for implementation of the residential designation of 6 – 7 du/ac within the Old Town area is an Old Town Residential (R) Zone and not the PDR-4 Zone.**
 - ~~**6.2.c.**~~**6.2.b. Amend the text for Area F to delete language relating to Old Town that has been implemented in the Old Town Plan and recommended code amendments.**

Wilsonville's Old Town Neighborhood Plan



Map 6.3. Comprehensive Plan – Proposed Changes

*Wilsonville's Old Town Neighborhood Plan***Zoning Designations**

In order to provide a process to insure orderly development consistent with the availability of adequate public facilities, lands are rezoned consistent with the Comprehensive Plan on a case-by-case basis.

At time of acceptance of the Old Town Neighborhood Plan by the City in Old Town, lands within the approved Lowries Marketplace development and Wilsonville Square 76 ~~are~~ were zoned Planned Development Commercial. Lands included in Old Town Village ~~are~~ were zoned Planned Development Industrial, and most of the area between 2nd Street and 3rd Street ~~has been~~ was zoned Planned Development Residential (PDR- 4). (Map 6.4) The remaining residential lands ~~are~~ were zoned either Residential Agricultural-Holding (RA-H, Residential) or Residential (R), and the public lands ~~are~~ were zoned RA-H (Public Lands).

Urbanizable properties within the City which are planned for development and which have not previously received development approval in accordance with the Comprehensive Plan are placed within the Future Development Residential Agricultural Holding (FDARA-H) Zone (formerly RA-H zone). At such time as development is proposed the property must be rezoned consistent with the Comprehensive Plan. The FDARA-H zone allows a single-family dwelling and accessory uses, and home occupations subject to the applicable criteria in Section 4.001(440) of the City's Development Code, as well as agricultural uses and public recreational facilities.

The purpose of the Residential (R) Zone is to provide standards and a simplified review process for small-scale low and medium density residential development. It is for sites which do not qualify as Planned Developments. The subject site must be 2 acres or less in size, ~~and no more than 30% of the site can be proposed to be covered by buildings.~~ Detached ~~and attached~~ single-family dwellings, middle housing, and apartments are permitted uses subject to the density limitations of the Comprehensive Plan. For example, the apartments north of Tauchman are zoned 'R'.

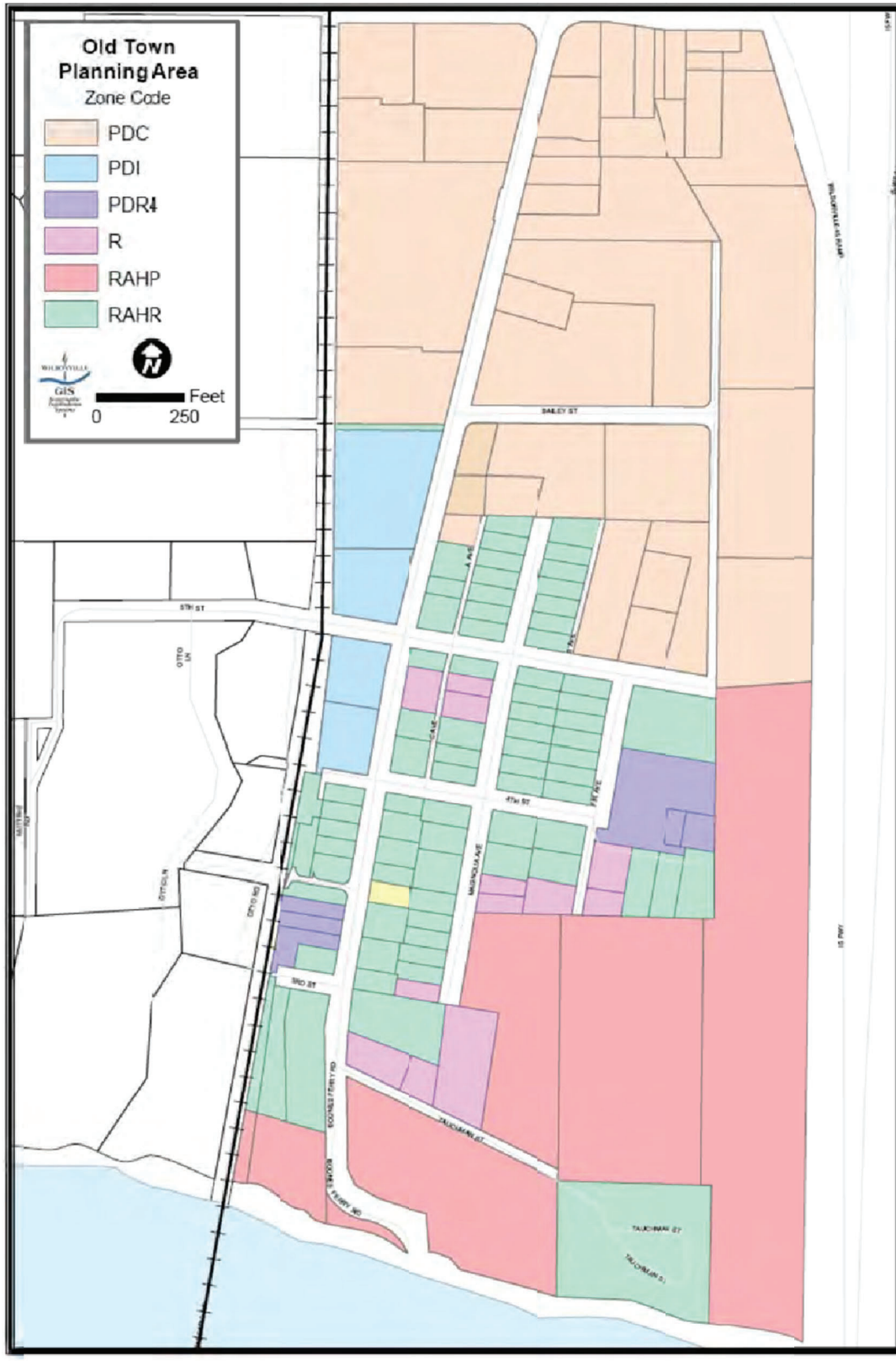
Table 6.1: Comparison of the PDR-4 Zone, the OTOZ and the R Zone (NOTE: These code provisions have changed since the adoption of this plan. This table is no longer accurate.)

	PDR-4	OTOZ	Residential (R) Zone
Average lot size	5000 square feet	5000 square feet	
Minimum lot size	4000 square feet	4000 square feet	5000 square feet
Minimum density	1 unit/6000 square feet		
Minimum lot width at building line	35 feet	35 feet	60'
Minimum street frontage on public street	35 feet		30'
Minimum lot depth	60 feet	60 feet	70'
Setbacks			
Minimum front yard	15 feet To garage or carport: 20'	15 feet To garage or carport: 20'	15' To garage or carport: 20'
Minimum side yard		5'	
One story	5'		5'
Two or more stories	7'		7'
Corner lots	10' adjacent to streets	10' adjacent to streets	10' adjacent to streets
To garage or carport	20'	20'	20'
Rear yard		15'	
One story	15'		15'
Two or more stories	20'		20'
Maximum building height	35 feet	35 feet	35'

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Maximum lot coverage	75% total for all buildings	75% total for all buildings	20% for all residential bldgs, 30% for all bldgs.
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Map 6.4. Existing Old Town Planning Area – Zone Code (NOTE: The zoning map has changed since the adoption of this plan. This map is no longer accurate.)

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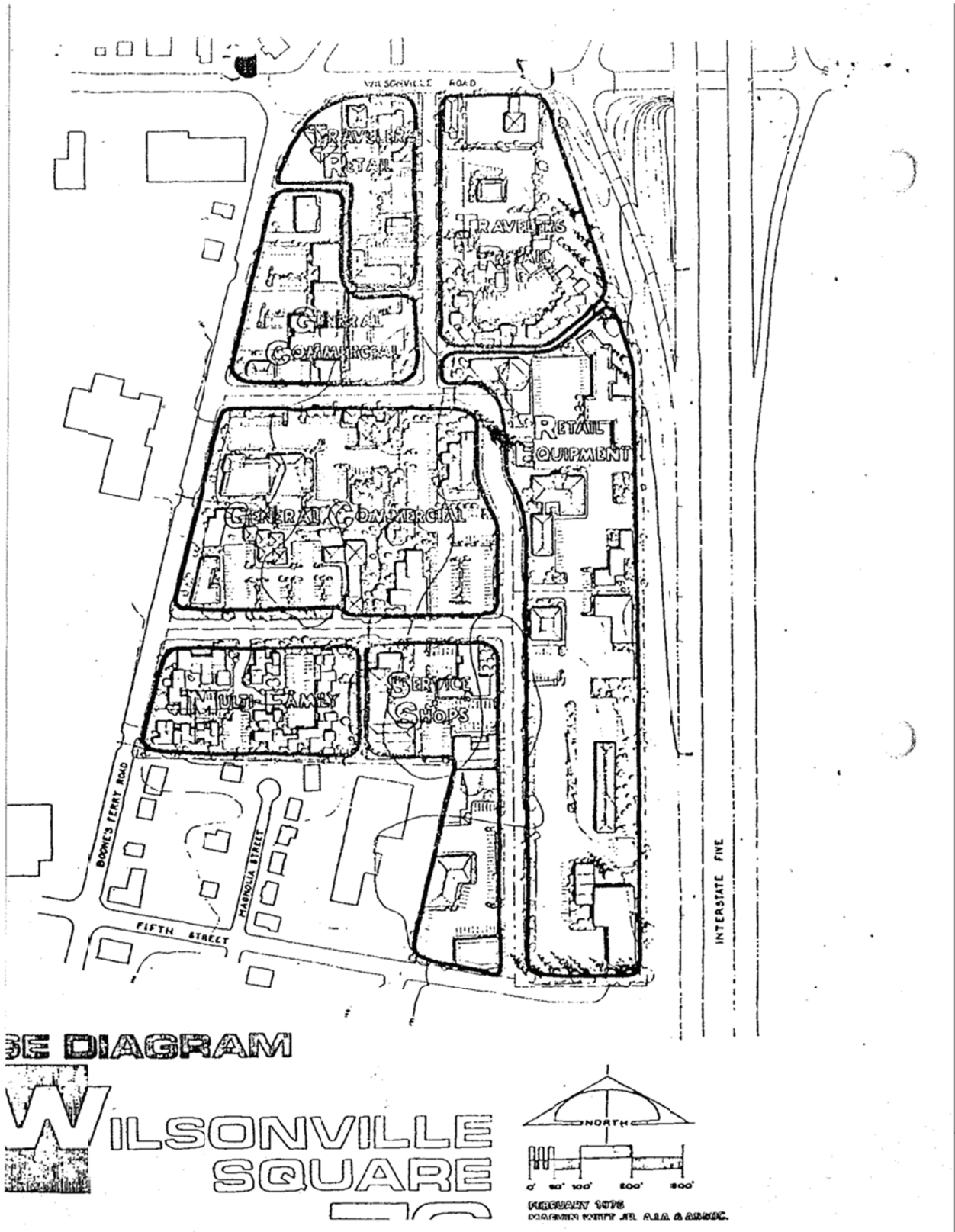
Wilsonville Square 76 Plan:

The Square 76 Plan was approved in 1976, modifying an earlier Concept Plan adopted in 1973 (Map **6.5**). It includes 33 acres of land located east of Boones Ferry Road, between Wilsonville Road and a line running east from Boones Ferry Road at the north end of Magnolia Street, to the I-5 right-of-way; and also including lands located between the Curran Coil Spring, Inc. plant and I-5 north of 5th Street. In 1998, the Catholic Church purchased the lands due east of the Curran lands. Approval was received for modification of the Square 76 Plan and for the construction of the Church's Social Hall and parking lot. The modification located the building approximately where an internal street for Square 76 was located. According to the Clackamas County Assessor's Maps, there is a 25' right-of-way, dedicated to the public in 2003, running north-south along the east side of the Social Hall parcel. Tax Lot 3S 1W 23AC, 0101 located between I-5 and the dedicated public right-of-way is vacant and is still included in the Square 76 Plan.

Recommendations:

- 6.4 The Planning Commission should initiate a public hearing process to consider proposed changes to the Comprehensive Plan and Zoning.**

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Old Town Overlay Zone (OTOZ)

Over the period from the mid-1990's until today, the city has consulted with a variety of nationally recognized planning and development experts. Several of these experts came to Wilsonville to assess the needs of the city from the standpoint of transportation needs, commercial services, neighborhood development, pedestrian-friendly and human-scale concepts as applied to Wilsonville. Expert consultants who have worked with the city in these areas include Architectural and Planning Consultants, Bill Lennertz and Steve Coyle (Lennertz & Coyle), Retail Development Expert Robert Gibb and renowned Urban Planner Fred Kent.

Several important concepts were developed through these discussions. These concepts include:

- Development of amenities for people will enhance the community. Development of amenities for automobiles will increase traffic.
- Infrastructure development to encourage alternate transportation modes will have to occur before growth in non-automobile transportation mode usage can be expected.
- Delineation of "neighborhoods" should guide plans to make direct connections from each neighborhood center to adjacent neighborhood centers.
- Multiple connections need to be available to residents to choose routes when faced with vehicle congestion on the roads. More small connections are better than a few large ones.
- Residents need to be able to travel to schools, commercial services, recreation and employment on routes other than Wilsonville Road, if they are not intending to access I-5.
- Commercial goods and services need to be available to residents on both sides of I-5, so that unnecessary congestion-causing trips across I-5 are avoided.

The creation of the Old Town Overlay was the first step in implementing this vision of creating a commercial development to serve west side residents. It was envisioned that that development would be located along Boones Ferry Road (Map 6.6). Significant investment by the private sector in commercial development and street improvements based on these concepts has occurred, and more is pending. The next steps to codify a master plan for Old Town north of 5th Street need to honor and continue the vision, concepts and plans to which this commitment has been made. Clarification, refinement and improvements can be made while maintaining the integrity of the overall concept. Building communities is a long-term project requiring consistent long-term direction for success.

The OTOZ is an overlay zone over base zoning. The criteria in the base zone apply, unless specifically modified by the OTOZ.

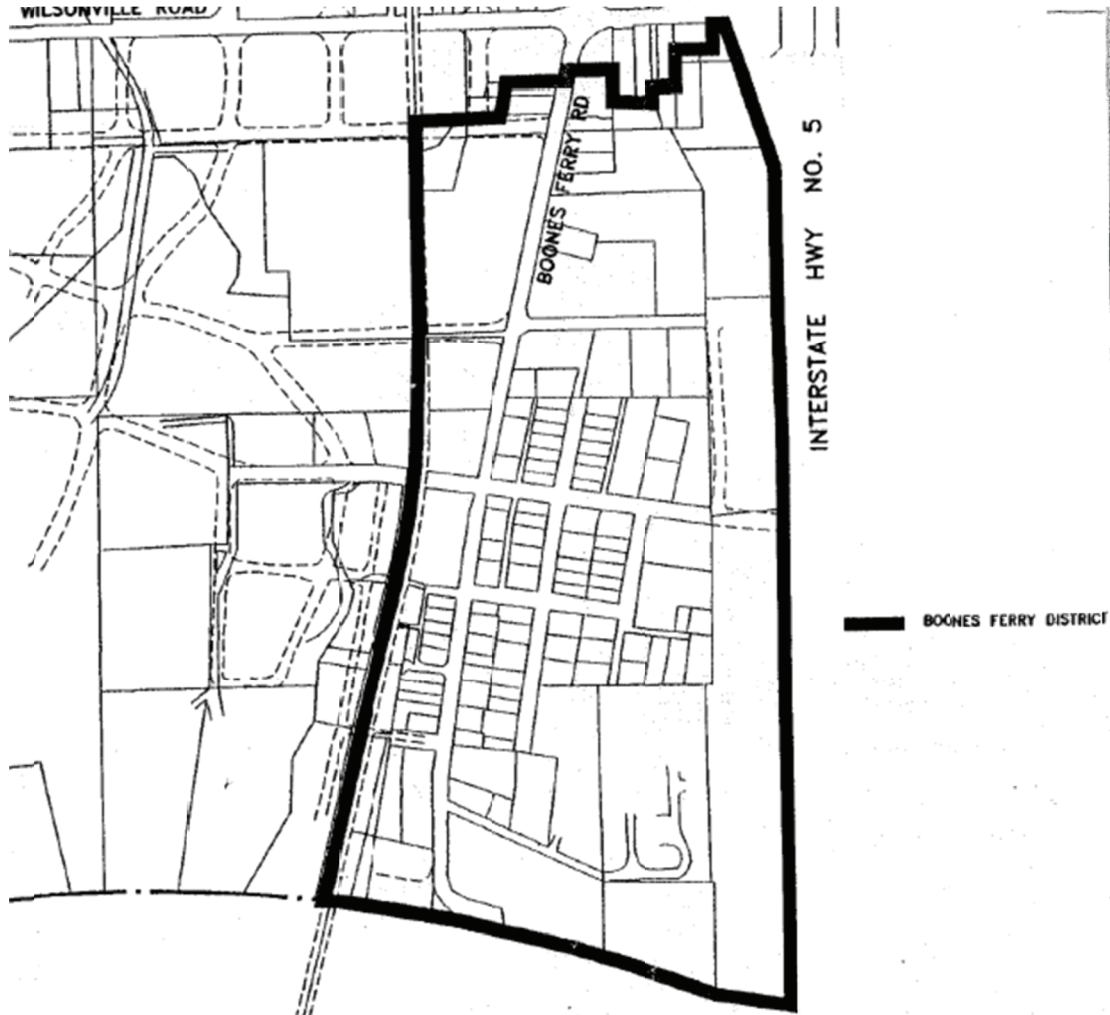
Section 4.138 of the City's Development Code states that the purpose of the Old Town Overlay Zone is to establish design standards that will be applied to developments within the Old Town Neighborhood. It is not intended as an additional set of permit criteria, but rather to serve as guidelines creating a traditional Old Town Main Street and mixed-use neighborhood. It is recognized that the Old Town neighborhood is of unique significance because of its existing pattern of mixed uses, its access to the Willamette River and because it was the original center of housing and commerce for the community. It is the desire of the City to have buildings in the Overlay Zone reflect a range of architectural types and styles that were popular in the Willamette Valley from approximately 1880 to 1930. The OTOZ assumes gradual, but significant redevelopment in Old Town, rather than lot-by-lot improvements and/or replacements of existing

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dwellings. The majority of the standards included in the OTOZ apply to development along Boones Ferry Road and/or to commercial, industrial and multi-family dwellings.

The primary land use type in Old Town, south of Bailey Street, is the detached single-family dwelling on 50' x 125' (6250 square feet) or larger lots. The character is more similar to development under the provisions of the R Zone, rather than the PDR-4 Zone. (Table 6.1) The greatest difference in character is the difference in allowable lot coverage. The R Zone standards clearly provide more open lot area, and by default, a smaller dwelling footprint, both of which are typical of existing Old Town development patterns.

The architectural design standards in the OTOZ will not preserve the character of Old Town without accompanying regulations that continue to allow the existing ratio of open yard area to building on individual lots.

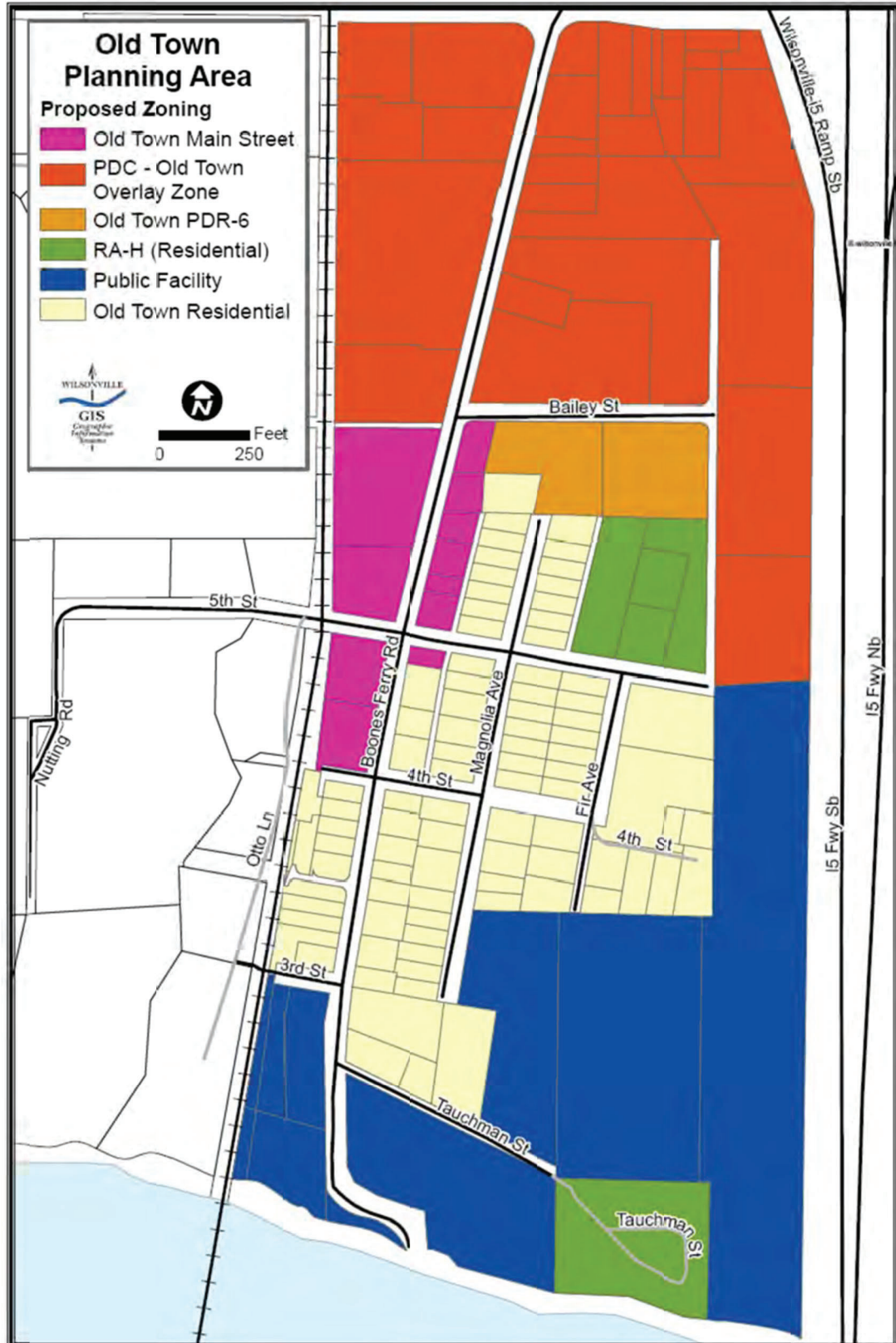


Map 6.6. Old Town Overlay Zone.

Recommendations: (See Map 6.7)**6.5. Amend the Planning and Land Development Ordinance as follows:**

- 6.5.a. Adopt an Old Town Residential Zone based on the City's existing Residential (R) Zone, incorporating by reference architectural ~~standards~~ guidelines and including a special subsection applicable to residential land abutting Boones Ferry Road south of 4th Street, and incorporating Boones Ferry Streetscape Concept Plan standards. Provide for adaptive reuse of the historic buildings east of Boones Ferry Road between 4th Street and 5th Street in keeping with their historic character and Main Street principles.**
- 6.5.b. Rezone all single-family lots in Old Town as Old Town Residential (OTR) Zone. Normally, rezoning is done at the time of development, but this is a developed neighborhood. Rezoning at this time requires new development and alterations to existing development to meet the requirements of the OTR Zone and not the PDR-4 Zone, thus helping to maintain the historic development pattern of Old Town.**
- 6.5.c. Adopt a Planned Development Commercial-Old Town District modeled on the PDC-TC Zone, but including applicable sections of the Old Town Overlay District. Amend the Zoning Map to PDC-OT for lands between Bailey Street and Wilsonville Road that are also between the railroad and I- 5, and for vacant lands adjacent to the ODOT right-of-way east of Boones Ferry Village and St. Cyril's Social Hall.**
- 6.5.d. Adopt an Old Town Main Street District applicable to lands one lot deep adjacent to Boones Ferry Road between Bailey Street and 5th Street, to lands on the west side of Boones Ferry Road between 4th Street and 5th Street, and to the lot at the southeast corner of Boones Ferry Road and 5th Street. Incorporate applicable design guidelines from the existing Old Town Overlay Zone. Include the Old Town Architectural Guidelines and the Boones Ferry Streetscape Concept Plan by reference.**
- 6.5.e. Repeal the Old Town Overlay District and the Square 76 Plan when these recommended zones are adopted.**
- 6.5.f. See Accessory Dwelling Unit section for ADU recommendations.**

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Map 6.7. Recommended Zoning Map

*Wilsonville's Old Town Neighborhood Plan***Accessory Dwelling Units (ADU's)**

Accessory dwelling units, sometimes called “granny flats” are small dwelling units accessory to the main dwelling unit on a lot. They may be attached or detached. ADU's are widely used within the United States, initially to provide housing for dependent relatives, for caregivers for a resident of the main dwelling, or as a living unit for caretakers of property. In college communities, ADUs provide student housing and income for the resident family while reducing the number of illegal apartment conversions. Over time, as housing has become more costly, the use of ADU's has been broadened in many places to allow affordable occupancy by anyone, whether related to the occupants or operation of the main dwelling unit or not.

As noted previously, Oregon state statute requires cities with a population greater than 2,500 to allow the development of at least one ADU for each detached single-family dwelling on a residentially-zoned lot, subject to reasonable local regulations relating to siting and design (per ORS 197.312). As defined by the statute, “reasonable local regulations relating to siting and design” does not include owner-occupancy requirements or requirements to construct additional off-street parking for ADUs. In addition, ADUs cannot be subject to density limits.

At the time the Old Town Neighborhood Plan was initially adopted, the placement of ADU's in Old Town is still anwas a controversial issue. The City's Development Code presently allows ADU's as a permitted use in residential zones subject to certain standards. A compromise proposal was drafted by Old Town residents and is included in the Appendix. Other property owners have provided another alternative also included in the appendix. If adopted, limitation on ADU's in Old Town would differ from other neighborhoods with Wilsonville. However, state law requires Wilsonville to allow an ADU for every single-family detached dwelling, special exceptions for the Old Town neighborhood would not be permissible.

Table 6.2, below, compares the two proposals to the existing City Code. This table was updated in 2021 to reflect recent Code updates. It is important to note that the Old Town residents' and developers' proposals do not comply with state law with regard to occupancy, off-street parking, and density standards.

Table 6.2. Comparisons of ADU Characteristics

ADU characteristics	City Code	OT residents & Property Owners	Developers' Preferred Alternative
Size of unit	600 sq. ft.	600 sq. ft.	600 sq. ft.
# of units/sfd	1	1	1
Occupancy	Anyone	Family member in ADU or primary unit	Anyone
Architectural compatibility	yes	yes	yes
Off-street parking spaces	04	1	1
Limit on # of total occupants on lot	no	yes	no
Limit density of ADUs in neighborhood	no Specific to Planned Development approvals.	yes	no

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Areas of Consensus on ADUs:**Architectural Design:**

There is agreement that the architecture of the ADU should be compatible with the architectural style of the main dwelling unit.

The City's Development Code was updated to make the ADU design standards clear and objective, as required by state law. The code currently requires that roof and siding materials for the ADU match either the primary dwelling, a primary dwelling on an adjacent lot, or a primary dwelling within the same subdivision. "The Accessory Dwelling Unit must be of substantially the same exterior design and architecture (i.e., siding, windows, doors and roofing materials) as the primary dwelling unit on the property."

Size and location of ADUs:

The ADU may be attached to, or detached from the primary dwelling unit. The size of ADUs is limited to 600 square feet or less. There appears to be consensus on these requirements.

Parking:

~~The Development Code requires one parking space per ADU. The Architectural Pattern Books for Villebois included one parking space per ADU. There are a few ADUs in Canyon Creek Estates. They do not have extra parking spaces for these units. Concerns have been raised about the additional congestion and loss of neighborhood character caused by onstreet parking for ADUs.~~

Limit density of ADUs in the neighborhood:

~~There is a strong desire by Old Town residents to limit the number of ADUs that can be approved in Old Town, due to parking, traffic and character of the area issues. However, no mechanism has been identified for directly limiting density of ADUs in the neighborhood, since ADUs are not counted in density calculations within the city. They are, in essence, bonus units to encourage provision of affordable housing. The recommendation to require that either the main unit or the ADU be occupied by the owner of the lot will serve to somewhat limit the number of ADUs.~~

Recommendations:

(NOTE: The recommendations regarding ADUs that were originally included in this plan no longer comply with state law. Therefore, they have been deleted.)

~~**6.6.1 Amend the Planning and Land Development Code to regulate ADU development in the Old Town Residential Zone by density and dispersal restrictions to retain the historic single-family character of the neighborhood.**~~

~~**6.6.2. Amend the Planning and Land Development Code requiring one onsite parking space per ADU in residential zones. The additional parking space should not be in the front yard unless screened from the street by fencing or landscaping.**~~

***** Chapters 7 – 12 are not included in this review draft *****