

## ORDINANCE NO. 741

**AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE PUBLIC FACILITY (PF) ZONE TO THE VILLAGE (V) ZONE ON APPROXIMATELY 42.76 - ACRES COMPRISING TAX LOTS 2800 AND 2890 OF SECTION 15, T3S, R1W, CLACKAMAS COUNTY, OREGON, POLYGON NORTHWEST COMPANY, APPLICANT.**

### RECITALS

WHEREAS, Polygon Northwest Company (“Applicant”) has made a development application requesting, among other things, a Zone Map Amendment of the Property; and

WHEREAS, the development application form has been signed by Northwest Wilsonville Properties LLC (“Owner”), as owner of the real property legally described and shown on Exhibits A and B, attached hereto and incorporated by reference herein (“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 April 14, 2014;

WHEREAS, the Development Review Board Panel 'A' held a public hearing on the application for a Zone Map Amendment on April 14, 2014, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 275 which recommends that the City Council approve a request for a Zone Map Amendment (Case File DB14-0004), adopts the staff report with modified findings and recommendation, all as placed on the record at the hearing, certain of which are 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 May 5, 2014, 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 DB14-0004, attached hereto as Exhibit A, from the Public Facility (PF) Zone to the Village (V) Zone.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 5<sup>th</sup> day of May 2014, and scheduled for the second and final reading on May 19, 2014, commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR.

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Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the 19th day of May, 2014, by the following votes:  
Yes:4 No:-0-

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Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this \_\_\_\_ day of May, 2014.

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Tim Knapp, MAYOR

SUMMARY OF VOTES:

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

Attachments:

- Attachment A, Zoning Order DB14-0004.
- Attachment 1, Legal Description
- Attachment 2, Map Depicting Zone Amendment
- Attachment B Zone Map Amendment Findings, May 5, 2014.
- Attachment C DRB Resolution No. 275

**EXHIBIT A**

**BEFORE THE CITY COUNCIL OF THE  
CITY OF WILSONVILLE, OREGON  
POLYGON NORTHWEST COMPANY**

In the Matter of the Application of )  
Pacific Community Design, Inc., )  
Agent for the Applicant, )  
Polygon Northwest Company )  
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 DB14-0004**

The above-entitled matter is before the Council to consider the application of DB14-0004, 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).

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 42.76 acres comprising Tax Lots 2800 and 2890 of 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 5<sup>th</sup> day of May, 2014.

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TIM KNAPP, MAYOR

APPROVED AS TO FORM:

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Michael E. Kohlhoff, City Attorney

ATTEST:

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Sandra C. King, CMC, City Recorder

Attachment 1: Legal Description

Attachment 2: Map depicting Zone Map Amendment



EXHIBIT "A"

July 9, 2013

**LEGAL DESCRIPTION**  
Zone Change

Job No. 395-021

A tract of land in the Southwest quarter of Section 15 and the Southeast quarter of Section 16, Township 3 South, Range 1 West of the Willamette Meridian, in the City of Wilsonville, County of Clackamas and the State of Oregon, described as follows:

BEGINNING at the southwest corner of the plat of "Arbor Villebois No. 4";

thence along the southerly plat boundary line of "Arbor Villebois No. 4", South  $88^{\circ}18'41''$  East, a distance of 804.79 feet to the northwest corner of Lot 181 of "Arbor Villebois No. 3";

thence along the westerly plat boundary line of "Arbor Villebois No. 3", South  $01^{\circ}13'44''$  West, a distance of 603.57 feet to the southwest corner of the plat of "Arbor Villebois No. 3";

thence leaving said plat boundary line, South  $02^{\circ}51'59''$  West, a distance of 744.00 feet;

thence South  $75^{\circ}44'45''$  West, a distance of 266.08 feet;

thence South  $75^{\circ}20'01''$  West, a distance of 969.44 feet;

thence North  $64^{\circ}57'40''$  West, a distance of 323.02 feet;

thence North  $45^{\circ}06'47''$  West, a distance of 256.11 feet to a point on the easterly right-of-way line of SW Grahams Ferry Road;

thence along said easterly right-of-way line, on a 2894.79 foot radius non-tangential curve, concave northwesterly, with a radius point bearing North  $44^{\circ}41'37''$  West, arc length of 355.76 feet, central angle of  $07^{\circ}02'29''$ , chord bearing of North  $41^{\circ}47'08''$  East, and chord distance of 355.53 feet to a point of tangency;

thence continuing along said easterly right-of-way line, North  $38^{\circ}15'53''$  East, a distance of 678.81 feet to a point of tangential curvature;

thence continuing along said easterly right-of-way line, on a 1175.92 foot radius tangential curve to the left, arc length of 426.78 feet, central angle of  $20^{\circ}47'40''$ , chord bearing of North  $27^{\circ}52'03''$  East, and chord distance of 424.44 feet to a point of tangency;

thence continuing along said easterly right-of-way line, North 17°27'18" East, a distance of 199.63 feet to the POINT OF BEGINNING.

Containing 42.75 acres, more or less.

Basis of bearings per plat of "Arbor Villebois No. 4",  
Clackamas County Survey Records.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JULY 9, 2002  
TRAVIS C. JANSEN  
57751

RENEWS: 6/30/2015

\\proj\3954\Drawings\Site Survey\Exhibits\3954\Zone.dwg - SHEET: Legal Desc. Jul 9 13 1:50 PM dli

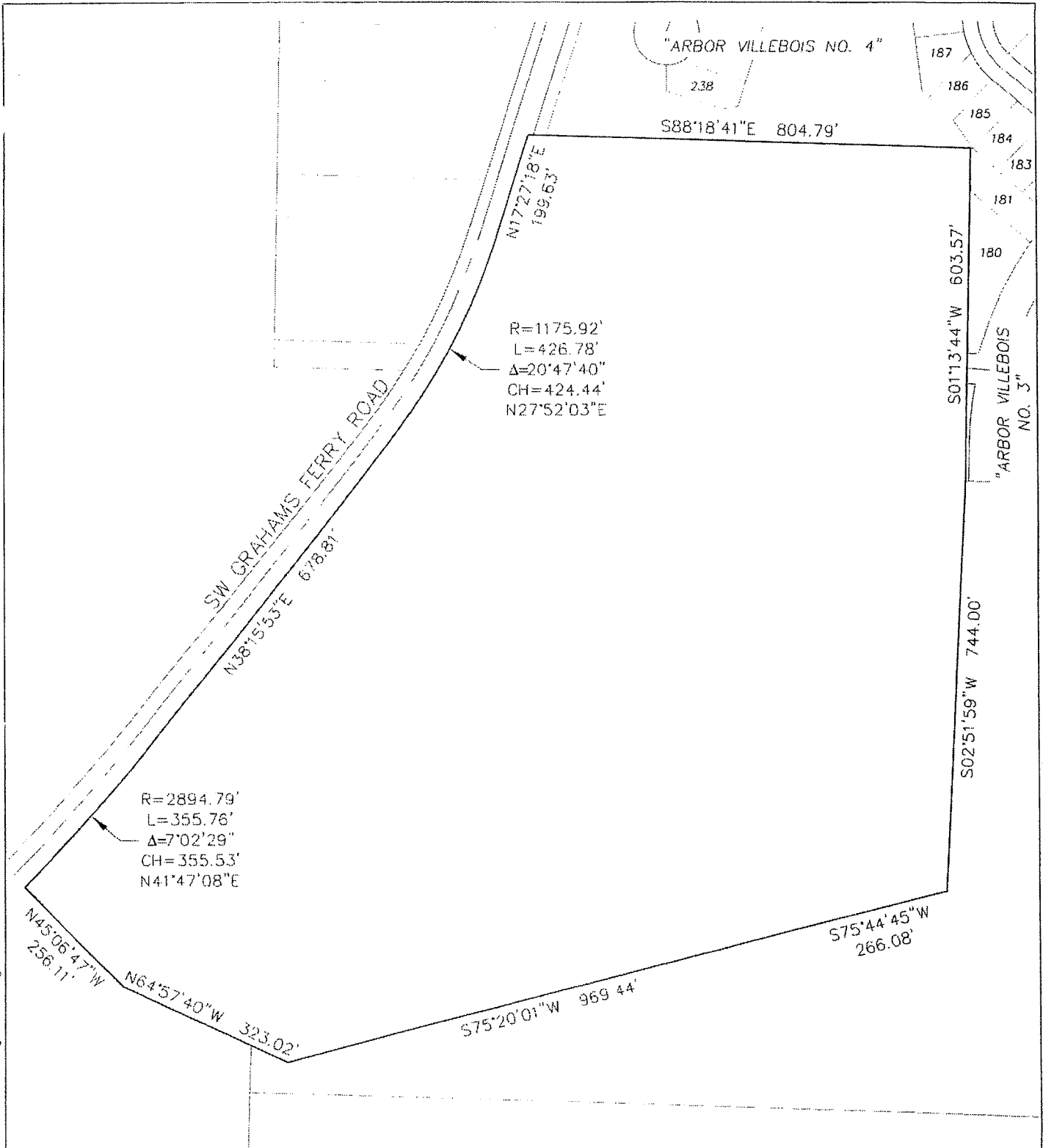


EXHIBIT "A"

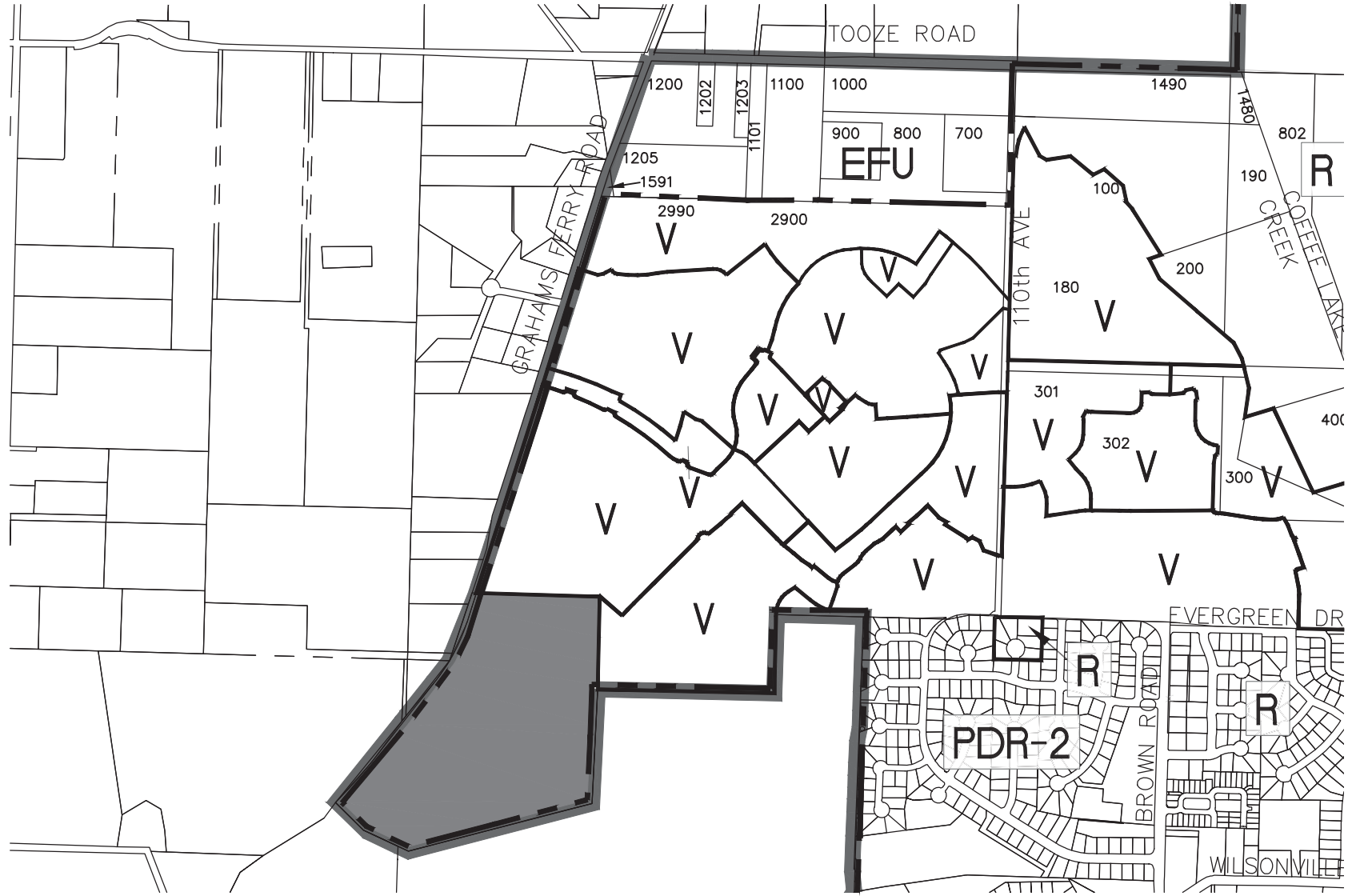


DRAWN BY: CLL DATE: 7/9/13  
 REVIEWED BY: TCJ DATE: 7/9/13  
 PROJECT NO.: 395-021  
 SCALE: 1"=250'  
 PAGE 3 OF 3








12564 SW Main St  
 Tigard, OR 97223  
 [T] 503-941-9484  
 [F] 503-941-9485





**LEGEND**

-  SUBJECT AREA - PROPOSED VILLAGE (V) ZONE (42.76 AC)
-  ZONE LINE
-  EXISTING UGB
-  EXISTING CITY BOUNDARY
-  EXISTING ZONING DESIGNATION



1" = 1000'

PROPOSED ZONE MAP AMENDMENT

Exhibit B  
**STAFF REPORT**  
**WILSONVILLE PLANNING DIVISION**

*Polygon Northwest Company*  
*“Grande Pointe at Villebois”*  
**Zone map amendment**

**CITY COUNCIL**  
**QUASI-JUDICIAL PUBLIC HEARING**

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**HEARING DATE** May 5, 2014

**DATE OF REPORT** April 28, 2014

**APPLICATION NOS.:** DB14-0004 Zone Map Amendment

**REQUEST/SUMMARY:** The City Council is being asked to review a Zone Map Amendment that will enable the development of a 100-lot residential subdivision, and associated parks and open space and other improvements.

**LOCATION:** 29500 SW Grahams Ferry Road. East side of road ¾ miles south of SW Tooze Road. Southwest of current Villebois development, northwest of Graham Oaks Nature Park.. The property is specifically known as Tax Lots 2800 and 2890, Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.

**PROPERTY OWNER:** Bo Oswald, Northwest Wilsonville Properties LLC

**APPLICANT:** 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 (Public Facility)

**STAFF REVIEWERS:** Daniel Pauly AICP, Associate Planner

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

**APPLICABLE REVIEW CRITERIA**

<b>DEVELOPMENT CODE</b>	
<b>Section 4.008</b>	<b>Application Procedures-In General</b>
<b>Section 4.009</b>	<b>Who May Initiate Application</b>
<b>Section 4.010</b>	<b>How to Apply</b>
<b>Section 4.011</b>	<b>How Applications are Processed</b>
<b>Section 4.014</b>	<b>Burden of Proof</b>
<b>Section 4.033</b>	<b>Authority of City Council</b>

<b>Subsection 4.035 (.05)</b>	<b>Complete Submittal Requirement</b>
<b>Section 4.110</b>	<b>Zones</b>
<b>Section 4.125</b>	<b>V-Village Zone</b>
<b>Sections 4.139.00 through 4.139.11 as applicable</b>	<b>Significant Resource Overlay Zone (SROZ)</b>
<b>Section 4.177</b>	<b>Street Improvement Standards</b>
<b>Section 4.197</b>	<b>Zone Changes and Amendments to Development Code-Procedures</b>
<b><u>COMPREHENSIVE PLAN</u></b>	
<b>Implementation Measure 4.1.6.a.</b>	
<b>Implementation Measure 4.1.6.b.</b>	
<b>Implementation Measure 4.1.6.c.</b>	
<b>Implementation Measure 4.1.6.d.</b>	
<b><u>OTHER PLANNING DOCUMENTS</u></b>	
<b>Comprehensive Plan</b>	
<b>Villebois Village Master Plan</b>	
<b>SAP South Approval Documents</b>	

**Vicinity Map**



**BACKGROUND/SUMMARY:**

**PDP 7S Preliminary Development Plan (DB14-0003)**

The proposed Preliminary Development Plan 7 of Specific Area Plan South (also known as Grande Pointe at Villebois) comprises 42.76 acres. The applicant proposes a variety of larger single-family housing types totaling 100 units, 24.06 acres of parks and open space, 6.83 acres of public streets, and associated infrastructure improvements. The front of all the houses will face

tree lined streets, parks and green spaces. The applicant plans on building the project in two phases, Phase I being 56 homes in the western portion of the project, Pocket Park 16 and the northern and southern open space, and Phase II being 44 homes on the eastern portion of the project and the remaining open space and linear greens.



Proposed Housing Type	Number of Units
Large Size Single Family	35
Standard Size Single Family	25
Medium Size Single Family	40
<b>Total</b>	<b>100</b>

**Zone Map Amendment (DB14-0004)**

The zoning proposal is to change the current PF zone, a remnant of the former uses, to the Village (V) zone. The proposed residential and park uses are permitted in the Village zone. The Village zone has been applied to all of Villebois as it has developed.

## 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 January 17, 2014. On February 13, 2014, staff conducted a completeness review within the statutorily allowed 30-day review period, and, on February 21, 2014, the Applicant submitted new materials. On February 26, 2014 the application was deemed complete. The City must render a final decision for the request, including any appeals, by June 26, 2014.

2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	V	Single-family residential
East:	V	Single-family residential/ Graham Oaks Nature Park
South:	PF/V	Graham Oaks Nature Park
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)

LP13-0005 – Amendment to Villebois Village Master Plan (Future Study Area)

### Quasi-Judicial:

03DB21 - SAP-South

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.

**Explanation 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.

**Explanation of Finding:** The application has been submitted on behalf of contract purchaser Polygon Homes, and is signed by Bo Oswald, an authorized member of the current owner, Northwest Wilsonville Properties, LLC.

### *Subsection 4.010 (.02) Pre-Application Conference*

**Review Criteria:** This section lists the pre-application process

**Finding:** These criteria are satisfied.

**Explanation of Finding:** A pre-application conference was held on May 2, 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.

**Explanation of Finding:** No applicable liens exist for the subject property. The application can thus move forward.

### *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.

**Explanation 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.

**Explanation 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.

## CONCLUSIONARY FINDINGS, REQUEST C: DB14-0004 ZONE MAP AMENDMENT

### 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.

**Explanation of Finding:** Development in this area is being guided by all the listed plans and codes.

##### *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

**Explanation of Finding:** The concurrent proposal for a preliminary development plan implements 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.

**Explanation 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.

**Explanation of Finding:** The area covered by the proposed zone change is proposed for residential uses, parks and open space, and sanitary sewer lift station 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.

**Explanation of Finding:** The applicant is applying for a zone change concurrently with a Preliminary Development Plan, which is equivalent to a Stage II Final Plan for a planned development.

#### ***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.

**Explanation 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.

**Explanation 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.

**Explanation of Finding:** The proposed residential, park and open space, and utility 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.

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

#### ***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.

**Explanation 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.

**Explanation of Finding:** The proposed zone map amendment is consistent with the Comprehensive Map designation of Residential-Village and as shown in Findings C1 through C4 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.

**Explanation 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.

**Explanation 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 B3, 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 B3.

***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.

**Explanation of Finding:** A portion of the subject property is within the SROZ. Request G is reviewing SROZ regulations and ensuring the development does not have a significant adverse effect on natural resources. The proposed development is being focused on areas of the site previously disturbed by the development.

***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.

**Explanation 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, beginning construction in 2014. 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.

**Explanation 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.

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 275**

**A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL OF A ZONE MAP AMENDMENT FROM PUBLIC FACILITIES (PF) TO VILLAGE (V) AND ADOPTING FINDINGS AND CONDITIONS APPROVING AN AMENDMENT TO SAP SOUTH TO ADD PLAN AREA 2, A PRELIMINARY DEVELOPMENT PLAN FOR SAP-SOUTH PDP-7, A TENTATIVE SUBDIVISION PLAT, A TYPE C TREE PLAN, A FINAL DEVELOPMENT PLAN FOR PARKS AND OPEN SPACE, A SROZ MAP REFINEMENT, A SRIR REVIEW AND A SROZ BOUNDARY VERIFICATION FOR A 100-LOT SINGLE FAMILY SUBDIVISION IN VILLEBOIS AND ASSOCIATED IMPROVEMENTS. THE SUBJECT SITE IS LOCATED AT 29500 SW GRAHAMS FERRY ROAD ON TAX LOTS 2800 AND 2890, OF 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 April 7, 2014, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on April 14, 2014, 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 April 7, 2014, 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 (DB14-0004) as applicable, for:

DB14-0002, DB14-0003, DB14-0005 through DB14-0007, and SI14-0002 SAP Amendment, Preliminary Development Plan, Tentative Subdivision Plat, Type C Tree Plan, Final Development Plan, SROZ Map Refinement, Significant Resource Impact Report Review, and SROZ Boundary Verification for a 100-lot single-family 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 14<sup>th</sup> day of April, 2014 and filed with the Planning Administrative Assistant on April 17, 2014. 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 Fierres Bower Chair, Panel A  
Wilsonville Development Review Board

Attest:

  
Shelley White, Planning Administrative Assistant

Exhibit A1  
**STAFF REPORT**  
**WILSONVILLE PLANNING DIVISION**

*Polygon Homes- Grande Pointe at Villebois*

**DEVELOPMENT REVIEW BOARD PANEL ‘A’**  
**QUASI-JUDICIAL PUBLIC HEARING**  
**STAFF REPORT**

**AMENDED AND ADOPTED APRIL 14, 2014**

Deleted Language ~~Struck through~~

Added Language ***Bold Italics Underlined***

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**HEARING DATE** April 14, 2014  
**DATE OF REPORT:** April 7, 2014

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**APPLICATION NOS.:** DB14-0002 SAP-South Amendment for Plan Area 2  
DB14-0003 SAP-South PDP 7, Preliminary Development Plan  
DB14-0004 Zone Map Amendment  
DB14-0005 Tentative Subdivision Plat  
DB14-0006 Type C Tree Plan  
DB14-0007 Final Development Plan for Parks and Open Space  
SI14-0002 SROZ Map Refinement, SRIR Review, SROZ  
Boundary Verification

**REQUEST/SUMMARY:** The Development Review Board is being asked to review a Villebois Specific Area Plan Amendment to add a Plan Area 2 to Specific Area Plan South, Preliminary Development Plan, Zone Map Amendment, Tentative Subdivision Plat, Type C Tree Plan, Final Development Plan, and Significant Resource Overlay Zone (SROZ) Map Refinement, SRIR Review, and SROZ Boundary Verification for a 100-lot residential subdivision, and associated parks and open space and other associated improvements.

**LOCATION:** 29500 SW Grahams Ferry Road. East side of road ¾ miles south of SW Tooze Road. Southwest of current Villebois development, northwest of Graham Oaks Nature Park.. The property is specifically known as Tax Lots 2800 and 2890, Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.

**OWNER:** Bo Oswald, Northwest Wilsonville Properties LLC

**APPLICANT:** 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 (Public Facility)

**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 SAP Amendment, Preliminary Development Plan, Tentative Subdivision Plat, Tree Removal Plan, Final Development Plan for Parks and Open Space, SROZ Map Refinement, SRIR Review, and SROZ Boundary Verification. Recommend approval of the requested Zone Map Amendment to City Council.

**APPLICABLE REVIEW CRITERIA**

<b><u>DEVELOPMENT CODE</u></b>	
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 4.113	Residential Development in Any Zone
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 4.197	Zone Changes and Amendments to Development Code-Procedures
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
<b><u>OTHER PLANNING DOCUMENTS</u></b>	
Comprehensive Plan	
Villebois Village Master Plan	
SAP South Approval Documents	

## Vicinity Map



### BACKGROUND/SUMMARY:

#### SAP South Amendment for Plan Area 2 (DB14-0002)

The proposed Specific Area Plan (SAP) amendment for Specific Area Plan (SAP) South seeks to add Plan Area 2, which is the subject property, into SAP South. The amendment will allow application of the existing planning tools used to guide development of SAP South to development of Plan Area 2. These planning tools include an Architectural Pattern Book, Community Elements Book, Master Signage and Wayfinding Plan, and Rainwater Management Book.

Plan Area 2 is also known as the 'Future Study Area' in the Villebois Village Master Plan. The Master Plan was amended in October 2013 to update the 'Future Study Area' with a residential land use plan and associated details and information to guide the subsequent review stages for proposed development of this property. In Figure 3, Conceptual Specific Area Plan Boundaries, of the amended Villebois Village Master Plan the subject property is shown as part of Specific Area Plan South.

A number of minor refinements to the Master Plan are proposed as design of the proposed development has progressed. All refinements meet the test of not being significant as defined in Subsection 4.125 (.18) F. and therefore can be approved as part of the SAP Amendment request. The refinements include adding subtle curves to certain streets, minor changes to size and

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Development Review Board Panel 'A' Staff Report April 7, 2014  
AMENDED AND ADOPTED APRIL 14, 2014  
Polygon Homes-Villebois Phase 2-North 7 South

Exhibit A1

amenities within parks and open space, and clarification of the residential unit count (100 units proposed).

**PDP 7S Preliminary Development Plan (DB14-0003)**

The proposed Preliminary Development Plan 7 of Specific Area Plan South (also known as Grande Pointe at Villebois) comprises 42.76 acres. The applicant proposes a variety of larger single-family housing types totaling 100 units, 24.06 acres of parks and open space, 6.83 acres of public streets, and associated infrastructure improvements. The front of all the houses will face tree lined streets, parks and green spaces. The applicant plans on building the project in two phases, Phase I being 56 homes in the western portion of the project, Pocket Park 16 and the northern and southern open space, and Phase II being 44 homes on the eastern portion of the project and the remaining open space and linear greens.



Proposed Housing Type	Number of Units
Large Size Single Family	35
Standard Size Single Family	25
Medium Size Single Family	40
<b>Total</b>	<b>100</b>



### Zone Map Amendment (DB14-0004)

The zoning proposal is to change the current PF zone, a remnant of the former uses, to the Village (V) zone. The proposed residential and park uses are permitted in the Village zone. The Village zone has been applied to all of Villebois as it has developed.

### Tentative Subdivision Plat (DB14-0005)

The applicant is proposing the subdivision of the properties into 100 residential lots, along with alleys, parks areas, and street rights-of-way. The name of the proposed subdivision approved by Clackamas County is “Grande Pointe at Villebois.”

### Type C Tree Plan (DB14-0006)

The preservation of on-site trees was an important factor in the design of PDP 7 South. To minimize the impacts to existing on-site trees, the proposed development footprint is predominantly located within areas previously impacted by development. A majority of the site trees are preserved within the proposed conservation easement area. Trees were only inventoried within and around the proposed development footprint.

The proposed tree preservation plan seeks to preserve the maximum quantity of trees rated “Important” and “Good,” per Villebois Village Master Plan Chapter 3, Implementation Measure 9. In addition, the City’s tree ordinance emphasizes preservation of Oregon White Oak and Native Yew trees. The Tree Report demonstrates most of the inventoried trees are in “Poor” condition (50%) or “Moderate” condition (28%). Of trees inventoried, 19% are rated in “Good” condition and 3% are rated in “Important” condition. Four (4) of the twenty-four (24) “Important” trees inventoried are proposed for removal for construction. All inventoried “Important” trees are Oregon White Oak. Of the one hundred fifty-four (154) inventoried “Good” trees one hundred and one (101) are proposed for removal. Only five (5) of the “Good” trees proposed for removal are Oregon White Oak. Twelve (12) “Good” Oregon White Oak trees are proposed for preservation. Douglas-fir is the predominant species of “Good” trees being removed. In addition four (4) “Good” trees are listed as “likely to remove”. Two (2) of these trees are Oregon White Oak. The determination to remove trees was based upon an assessment of which trees were necessary to remove due to the poor or hazardous health of the tree, whether or not they interfered with the health of other trees, and whether removal is necessary for utility work or the construction of houses.

Treatment Recommendation	General Condition Rating				Total
	P	M	G	I	
Retain	109	101	49	20	279 (34.4%)
Remove	286	121	101	4	512 (63.1%)
Likely to be Removed	7	9	4	0	20 (2.50%)
<b>Total</b>	<b>402</b> (50%)	<b>231</b> (28%)	<b>154</b> (19%)	<b>24</b> (3%)	<b>811</b> (100%)

## **Final Development Plan for Parks and Open Space (DB14-0007)**

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.

### **DISCUSSION TOPICS:**

#### **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 on thirty-percent of the lots. The courtyard fences are especially encouraged for lots facing linear greens and alley loaded lots.

#### **Traffic on Villebois Drive**

Understandably, neighbors in the adjoining development are concerned about increased traffic on neighboring streets including Villebois Drive, including the comments in Exhibit D1 and D2. Staff has not identified capacity issues with Villebois Drive or any improvements on adjoining residential streets that would be triggered by this development.

#### **Ensuring Preservation of “Good” and “Important” Oregon White Oak Trees**

An implementation measure from the Villebois Village Master Plan states in part, “The design of Villebois shall retain the maximum number of existing trees practicable that are six inches or more DBH in the “Important” and “Good” tree rating categories, which are defined in the Community Elements Books.” Native species of trees and trees with historical importance shall be given special consideration for retention.” Oregon White Oak is among the species of native trees prioritized for retention. The subject site includes a number of Oregon White Oak trees rated as “Good” or “Important”. While many of these trees are preserved within the proposed conservation easement covering the area of the site within the Significant Resource Overlay Zone (SROZ), a number are not. They are included in park areas, open spaces, and yards.

The City has extensive experience preserving trees in Villebois and in the City in general. Through the experience the City has learned a number of lessons. The City has learned trees are too often damaged during construction by improper utility and other work within the root zone. The City has learned too over watering, either by improper irrigation or by temporary or permanent grading get be detrimental to the health of preserved trees. The City has learned that preserved trees are a community and neighborhood resource and amenity and their upkeep and maintenance can be a burden on individual homeowners over time.

Based on the special value of the preserved “Good” and “Important” Oregon White Oak trees and past experience with tree preservation a number of Conditions of Approval are being imposed to ensure the proper preservation and long-term maintenance of these trees. These conditions require tree preservation easements where the trees are entirely or partially within private yards and assigns maintenance to the homeowners association rather than the private

homeowners. Also, the easements restrict inappropriate landscaping and irrigation around the preserved trees. A condition requires specific setbacks on certain lots to minimize impact within the root zones of the preserved trees. A condition address using caution when placing fence posts around preserved trees. Another condition requires boring for installation of utilities to avoid the roots of “Important” and “Good’ Trees. Finally, a condition requires bilingual signs on the tree preservation fencing for “Important” and “Good” Oregon White Oaks stating the penalty for damaging the tree may be up to the assessed value of the tree as determined by a tree valuation report required to be submitted as part of the tree removal permit.

**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 (DB14-0002, DB14-0003, DB14-0005, DB14-0006, DB14-00017, and SI14-0002) and recommend approval of the zone map amendment to City Council (DB14-0004) with the following conditions:

**The Developer is working with the City to reach agreement on the apportionment of fair and equitable exactions for the subject applications through a Development Agreement. Such agreement is subject to approval by the City Council by resolution.**

**REQUEST A: DB14-0002 SAP South Plan Area 2 ~~Amendments~~ Amendment**

<b><u>Planning Division Conditions:</u></b>	
<b>PDA 1.</b>	Prior to development of the open space in Phase 2 the applicant shall work with Metro to develop appropriate interface enhancements for trail connections with Graham Oaks Nature Park and shall provide the City with a copy of correspondence from Metro either approving or denying a connecting trail on Metro property. <b><u>See Finding A39.</u></b>

**REQUEST B: DB14-0003 SAP-South PDP 7, Preliminary Development Plan**

<b><u>Planning Division Conditions:</u></b>	
<b>PDB 1.</b>	Approval of DB14-0003 SAP-South PDP 7, Preliminary Development Plan is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB14-0004)
<b>PDB 2.</b>	Street lighting types and spacing shall be as shown in the Community Elements Book. See Finding B28.
<b>PDB 3.</b>	All park and open <u>space</u> improvements approved by the Development Review Board within Phase I (Phasing Shown on Sheet 11 of Exhibit B4) shall be completed prior the issuance of the twenty-eight (28th) house permit for the phase. All park and open space improvements approved by the Development Review Board within Phase II (Phasing Shown on Sheet 11 of Exhibit B4) shall be completed prior the issuance of the twenty-second (22nd) house permit for the phase. If weather or other special circumstances prohibit completion, bonding for the improvements will be permitted. See Finding B57.
<b>PDB 4.</b>	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 'Grande Pointe at Villebois.' Such agreement shall be reviewed and approved by the City Attorney prior to recordation. See also Finding F4.
<b>PDB 5.</b>	The applicant/owner shall install courtyard fencing in the front yard of no less than thirty percent (30%) of the houses, which is thirty (30) of the one hundred (100) houses. The 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 as well as alley loaded homes. 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. See Finding B25.
<b>PDB 6.</b>	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.

**REQUEST C: DB14-0004 Zone Map Amendment**

**Planning Division Conditions:**

This action recommends adoption of the Zone Map Amendment to the City Council for the subject properties. Case files DB14-0003, DB14-0005, DB14-0006, and DB14-0007 are contingent upon City Council's action on the Zone Map Amendment request.

**REQUEST D DB14-0005 Tentative Subdivision Plat**

**Planning Division Conditions:**

**PDD 1.** Approval of DB14-0005 Tentative Subdivision Plat is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB14-0004).

**PDD 2.** Any necessary easements or dedications shall be identified on the Final Subdivision Plat.

**PDD 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.

**PDD 4.** Alleyways 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.

**PDD 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-7S or the Tentative Plat.

**PDD 6.** 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 D3.
<b>PDD 7.</b>	All reserve strips and street plugs shall be detailed on the Final Subdivision Plat. See Finding <del>E3D4</del> .
<b>PDD 8.</b>	All tracts shall, except those indicated for future home development, shall include a public access easement across their entirety except for the area occupied by the Sanitary Sewer <del>Lift</del> <b>Pump</b> Station.
<b>PDD 9.</b>	The applicant/owner shall submit subdivision bylaws, covenants, and agreements to the City Attorney prior to recordation. See Finding D6.

**REQUEST E: DB14-0006 Type C Tree Plan**

**Planning Division Conditions:**

<b>PDE 1.</b>	Approval of DB14-0006 Type C Tree Plan is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB14-0004).
<b>PDE 2.</b>	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.
<b>PDE 3.</b>	<p>In order to ensure proper preservation the applicant/owner shall grant easements to the City over the area within the drip lines of preserved “Important” and “Good” Oregon White Oak Trees outside the SROZ/proposed Conservation Easement on individual lots. Such easements shall be shown on the Final Plat. The applicant/owner shall enter into an easement agreement regarding these tree preservation easements which, among other provisions typical of such agreements, shall include the following provisions:</p> <ul style="list-style-type: none"> <li>• City and HOA access to inspect health of trees and condition of area within easement and perform any necessary activity to preserve trees and maintain appropriate landscaping within the easement area.</li> <li>• Establish HOA responsibility for landscaping and tree maintenance within the easement areas.</li> <li>• Limit landscaping within the tree protection easements to native plantings compatible with Oregon White Oaks.</li> <li>• Require temporary and permanent drainage and irrigation be designed around easement areas to optimize the amount of water in the root zone of the trees to support their health.</li> <li>• Require all hardscape improvements and home construction to follow the arborist recommendations in Exhibit B7.</li> <li>• Establish that if one of the preserved trees dies or structurally fails beyond preservation, that an additional Oregon White Oak is planted in its place.</li> </ul> <p>Trees requiring tree protective easements include the following trees identified in the submitted Arborist Report as seen in Exhibits B3 and B4, and B7:</p> <ul style="list-style-type: none"> <li>• Tree 509 (Lot 65)</li> <li>• Tree 510 (Lot 65)</li> </ul>

<ul style="list-style-type: none"> <li>• Tree 1023 (Lot 100)</li> <li>• Tree 1257 (Lot 93)</li> <li>• Tree 775 (Lot 95)</li> <li>• Tree 799 if retained (Lot 95)</li> <li>• Tree 865 (Lot 92)</li> <li>• Tree 787 (Lot 94)</li> <li>• Tree 788 (Lot 94)</li> <li>• Tree 856 (Lot 91)</li> </ul>
<p><b>PDE 4.</b> Houses on lots with trees or drip lines listed in Condition of Approval PDE 3 shall be constructed to minimize impact on the trees and, to the extent feasible, not place foundations, or other hardscape improvements within the root zone of the trees. Pursuant to note 6 of Table V-1 in Section 4.125 WC Lots 91 and 93 can be exempt from the maximum front setback to enable tree preservation. If it is necessary to place foundations or other hardscape improvements within the root zone of the trees listed in Condition of Approval PDE 3, construction shall be coordinated with and follow recommendations of the project arborist to minimize impacts. <b><u>Construction on Lot 91 shall be substantially follow the site plan in Exhibit B11.</u></b></p>
<p><del><b>PDE 5.</b> 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 E5.</del></p>
<p><b>PDE 6.5.</b> 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 E21 and E22.</p>
<p><b>PDE 7.6.</b> 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 E24.</p>
<p><b>PDE 8.7.</b> 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:</p> <ul style="list-style-type: none"> <li>• 6’ high fence set at tree drip lines.</li> <li>• Fence materials shall consist of 2 inch mesh chain links secured to a minimum of 1 ½ inch diameter steel or aluminum line posts.</li> <li>• Posts shall be set to a depth of no less than 2 feet in native soil.</li> <li>• <b><u>Fences shall be maintained in full upright position.</u></b></li> <li>• Protective barriers shall remain in place until the City authorizes their removal or issues a final certificate of occupancy, whichever occurs first.</li> <li>• For preserved “Important” and “Good” Oregon White Oak trees and their drip lines outside the SROZ/proposed Conservation Easement, a legible sign <b><u>in</u></b></li> </ul>

<p><b><u>English and Spanish</u></b> shall be securely fastened to the fencing in a visible location stating “Penalty for damaging this tree may be up to \$(assessed value)” <b><u>and its Spanish equivalent</u></b> or substantially similar language. Such assessed value shall be based on the tree valuation report provided pursuant to Condition of Approval PDE 8. See Findings E3 and E24.</p>
<p><b>PDE 9.8.</b> The applicant/owner shall cause a tree valuation report to be prepared by the appropriate arboricultural professional establishing an assessed value for each of the preserved “Important” and “Good” Oregon White Oak outside or with drip lines outside the SROZ/proposed Conservation Easement as listed in Condition of Approval PDE 3. The report shall be submitted to the Planning Division together with the tree removal permit. See Finding E3.</p>
<p><b>PDE 10.9.</b> Fence posts placement within drip lines and root zones of preserved trees shall be hand dug and supervised by the project arborist. If roots are encountered alternative fence post placement is required as determined by the project arborist.</p>
<p><b>PDE 11.10.</b> Utilities, including franchise utilities, public utilities, and private utilities and service lines shall be directionally bored as necessary to avoid the root zone of preserved trees. All work within the root zone of preserved trees shall be supervised by and follow the recommendation of the project arborist.</p>
<p><b>PDE 12.11.</b> While an extensive arborist report has been completed and trees and conditions have been inventoried to determine which trees will be preserved it is understood that unforeseen tree health issues or construction situations may arise involving preserved trees, particularly preserved “Good” and “Important” trees. If such issues or situations arise the project arborist shall provide City staff with a written explanation of the measures considered to preserve the trees along with the line of reasoning that makes the preservation of the tree not feasible. Prior to further construction within the tree protection zone, the City will verify the validity of the report through review by an independent arborist to ensure that the tree cannot be preserved. If it is ultimately decided that the tree cannot be preserved by both arborists, then the developer may remove the tree, and will be required to plant one tree of the same variety at another location within the project area. If a tree listed in Condition of Approval PDE 3 is removed under the provisions of this Condition prior to recording of the Final Plat, the protective easement for the tree will not be required as well as any related setback requirements in Condition of Approval PDE 4.</p>

**REQUEST F: DB14-0007 Final Development Plan for Parks and Open Space**

<p><b><u>Planning Division Conditions:</u></b></p>	
<b>PDF 1.</b>	Approval of DB14-0007 Final Development Plan for Parks and Open Space is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB14-0004).
<b>PDF 2.</b>	All plant materials shall be installed consistent with current industry standards.
<b>PDF 3.</b>	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 F32.
<b>PDF 4.</b>	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. <del>The temporary retaining wall along the north property line shall be Lock n-Load or Keystone-type modular block retaining wall.</del> See Finding F37.
<b>PDF 5.</b>	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 F37.
<b>PDF 6.</b>	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 F41 through F43.
<b>PDF 7.</b>	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.
<b>PDF 8.</b>	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.
<b>PDF 9.</b>	The street trees on SW Alta Court shall be a variety listed in the Community Elements Book for secondary residential streets. No street trees shall be planted where <del>there</del> <u>their</u> growth would interfere with Tree 856 or 860, preserved "Important" Oregon White Oak trees. See Finding F23.
<b>PDF 10.</b>	Street trees, as shown on the approved landscape plans, shall be planted as each house or park is built, except as noted in Condition of Approval PDF 9 above.
<b>PDF 11.</b>	Final construction plans for playground equipment, shelter, and other elements shall demonstrate compliance with the requirements of the Community Elements Book which have not been verified for compliance at the current level of design. See Findings F9 and F17.

**REQUEST G: SROZ Map Refinement, SRIR Review, SROZ Boundary Verification**

<b><u>Planning Division Conditions:</u></b>	
NONE	
<b><u>Natural Resources Division Conditions:</u></b>	
<b><i>Significant Resource Overlay Zone</i></b>	
<b>NRG 1.</b>	The applicant shall submit the SROZ refinement mapping, including the removed impact areas, as ARCGIS shape files or a compatible format.
<b>NRG 2.</b>	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.
<b>NRG 3.</b>	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. <ul style="list-style-type: none"> <li>• <b><i>Fences shall be maintained in full upright position.</i></b></li> </ul>
<b>NRG 4.</b>	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. The applicant shall reduce the light spill-off into the SROZ from the



	proposed street lighting.
<b>NRG 5.</b>	Mitigation actions shall be implemented prior to or at the same time as the impact activity is conducted.
<b>NRG 6.</b>	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 ownership, the new owners will have the continued responsibilities established by this section.
<b>NRG 7.</b>	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 County. 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.

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 B: Preliminary Development Plan and Request F: Final Development Plan**

<b>Engineering Division Conditions:</b>	
<b>Standard Comments:</b>	
<b>PF 1.</b>	All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards.
<b>PF 2.</b>	Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:
	<i>Coverage (Aggregate, accept where noted)</i> <span style="float: right;"><i>Limit</i></span>

	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
<b>PF 3.</b>	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.	
<b>PF 4.</b>	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.	
<b>PF 5.</b>	Plans submitted for review shall meet the following general criteria:	
	<ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>c. In the plan set for the Public Works 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.</li> <li>d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.</li> <li>i. Erosion Control Plan that conforms to City of Wilsonville Ordinance No. 482.</li> <li>j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.</li> <li>k. All engineering plans shall be stamped by a Professional Engineer registered in</li> </ul>	

the State of Oregon.

**PF 6.** Submit plans in the following general format and order for all public works construction to be maintained by the City:

- 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, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
- 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.

**PF 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.

**PF 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.
<b>PF 9.</b>	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.
<b>PF 10.</b>	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.
<b>PF 11.</b>	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.
<b>PF 12.</b>	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.
<b>PF 13.</b>	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.
<b>PF 14.</b>	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.
<b>PF 15.</b>	Fire hydrants shall be located in compliance with TVF&R fire prevention ordinance and approval of TVF&R.
<b>PF 16.</b>	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.
<b>PF 17.</b>	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.
<b>PF 18.</b>	Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.

<b>PF 19.</b>	No surcharging of sanitary or storm water manholes is allowed.
<b>PF 20.</b>	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.
<b>PF 21.</b>	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.
<b>PF 22.</b>	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.
<b>PF 23.</b>	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.
<b>PF 24.</b>	Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.
<b>PF 25.</b>	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.
<b>PF 26.</b>	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.
<b>PF 27.</b>	Applicant shall design interior streets and alleys to meet specifications of Tualatin Valley Fire & Rescue and <del>Allied Waste Management (United Disposal)</del> <b><u>Republic Services</u></b> for access and use of their vehicles.
<b>PF 28.</b>	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.
<b>PF 29.</b>	The applicant shall “loop” proposed waterlines by connecting to the existing City waterlines where applicable.
<b>PF 30.</b>	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.
<b>PF 31.</b>	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.
<b>PF 32.</b>	Mylar Record Drawings:  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.

**Specific Comments:**

**PF 33.** At the request of Staff, DKS Associates completed a Transportation Impact Analysis (TIA) dated October 21, 2013. The study was completed anticipating 113 residential units in the development; the proposed development has 100 units resulting in a reduced impact to City streets and intersections from what is reported in the TIA. The project is hereby limited to no more than the following impacts.

	<u>100 Units</u>	<u>(113 Units)</u>
Estimated New PM Peak Hour Trips	101	(114)
Estimated Weekday PM Peak Hour Trips Through Wilsonville Road Interchange Area	36	(40)

**PF 34.** The TIA indicates the intersection of Grahams Ferry Road and Tooze Road would operate at LOS F with these and other approved Villebois subdivisions. Improvements to this intersection are planned and funded by the City and construction work is anticipated to be completed by spring 2016.

**PF 35.** All construction traffic shall access the site via Grahams Ferry Road. No construction traffic will be allowed on internal Villebois streets, except where water and sanitary work will occur on the south end of Villebois Drive.

**PF 36.** In the 2013 Transportation Systems Plan Grahams Ferry Road is identified as a Minor Arterial. Applicant shall dedicate sufficient right-of-way to accommodate Grahams Ferry Road as a Minor Arterial; this will require an additional 8.5 feet of right-of-way dedication to the City to accommodate a half-street width of 38.5-ft (total right-of-way width of 77 feet).

**PF 37.** Applicant shall reconstruct Grahams Ferry Road with a modified street cross-section. North of Athens Lane, west to east: storm swale, 1-ft gravel shoulder, 3-ft asphalt shoulder, two 11-ft travel lanes, 3-ft asphalt shoulder, 1-ft gravel shoulder, swale, landscaping and a 10-ft multi-use pathway. The center turn lane/median will not be constructed at this time. The centerline of street will match the existing centerlines north and south of the proposed project.

South of Athens Lane the 10-ft pathway shall become a 5-ft sidewalk. Locate the pathway and sidewalk to minimize impacts to existing trees.

Applicant will be eligible for Street SDC credits for all roadwork beyond 24 feet from edge of asphalt and for 5 feet of the 10-foot wide multi-use path.

**PF 38.** On Grahams Ferry Road, stormwater will continue to be collected in storm swales; however the Applicant shall be required to provide detention and water quality requirements for impervious surfaces created with the reconstruction of Grahams

	Ferry Road.
<b>PF 39.</b>	On Grahams Ferry Road adjacent to the Villebois Village development the standard street light is a 35-ft black fiberglass direct bury pole (30-ft mounting height) with 6-ft black arm and black full-cutoff cobra head luminaire.
<b>PF 40.</b>	South of Villebois SAP South PDP 4, Grahams Ferry Road runs through a forested corridor. It is both the desire and direction of the City to allow a lower lighting standard on this section of roadway adjacent to the proposed development, with the exception of the intersection of Athens Lane and Grahams Ferry Road which shall be lighted per national guidelines. Applicant's lighting engineer shall work with City staff to determine an acceptable lighting level on Grahams Ferry Road.
<b>PF 41.</b>	With the improvements to Grahams Ferry Road applicant shall cause to have all overhead utilities along the east side of the road installed underground along the entire property frontage.
<b>PF 42.</b>	Internal street lighting: the proposed subdivision is located in what was referred to as the Future Study Area. While the Villebois street lighting master plan does not cover this area specifically, all internal streets shall be lighted with approved Westbrooke style street lights to maintain consistency with the other recently approved or constructed Villebois subdivisions.
<b>PF 43.</b>	Applicant has indicated this will be a two-phase project, with the first phase applicant shall complete full street design and construction through the far right-of-way and corner radii of all planned streets within the development. Streets shall be designed in conformance to the applicable street types as shown in the Villebois Village Master Plan.
<b>PF 44.</b>	Pedestrian Linkage - to provide school and pedestrian connectivity applicant shall provide a rocked, paved or bark-mulch pathway from the Phase 1 area to Villebois Drive.
<b>PF 45.</b>	<p>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.</p> <p>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.</p>
<b>PF 46.</b>	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.
<b>PF 47.</b>	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.
<b>PF 48.</b>	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.
<b>PF 49.</b>	Rainwater management components will be allowed to be located in the public right-of-way, however such components shall be maintained by the Applicant, or subsequent HOA, and this shall be included in the Ownership and Maintenance agreement as required in PF 28.
<b>PF 50.</b>	Applicant shall connect sanitary sewer to the existing line at Villebois Drive & Amalfi Lane.
<b>PF 51.</b>	Applicant shall plug the abandoned existing force main and grout interior of sewer manhole at the corner of Villebois Drive and Normandy.
<b>PF 52.</b>	Most of the proposed development will require service from a wastewater pump station to be constructed by the Applicant, then owned and maintained by the City. Wastewater pump station shall be designed and constructed in compliance with the City standards in Exhibit C6.
<b>PF 53.</b>	Applicant shall construct a “looped” water system per PF 29 with phase 1 of the development with connections at Villebois Drive and Grahams Ferry Road. On Grahams Ferry Road this can be done by tying onto the south end of the existing 12” water line and extending an 8” water line down Grahams Ferry Road and into the proposed subdivision and tying into the 8” water line shown at Sicily Street and Como Drive.
<b>PF 54.</b>	With construction of the Villebois SAP South PDP 3 development there was a water vault and meter installed at the northwest corner of Villebois Drive and Amalfi Lane. Applicant shall remove this vault, piping and meter; water meter shall be returned to the City.
<b>PF 55.</b>	Existing abandoned water, sanitary, and storm water lines shall either be completely removed, grouted in place, or abandoned per a City approved recommendation from a Registered Geotechnical Engineer.
<b>PF 56.</b>	SAP South PDP 7 consists of 100 lots, 56 lots in the first phase and 44 lots in the second phase. 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 (29th lot for first phase and 23rd lot for the second phase).
<b>PF 57.</b>	Where “Good” and “Important” preserved trees are located within, or the drip-line extends across, the PUE, if conduits are placed in these areas they shall be bored under the tree’s root system and not open trenched.

**Request D: Tentative Subdivision Plat**

<b>PFE 1.</b>	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
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	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.
<b>PFE 2.</b>	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.
<b>PFE 3.</b>	Street names may need to be modified to meet Clackamas County GIS requirements. The street name “Estonia Way” cannot be used as there is an existing street by that name in Villebois SAP East PDP 1.

**All Requests:**

<b>Natural Resource Division Conditions:</b>	
<b><i>Rainwater Management Plan:</i></b>	
<b>NR 1.</b>	The Rainwater Management Plan does not match the proposed utility plan. Submit an updated Rainwater Management Plan, which reflects the current plan.
<b>NR 2.</b>	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 <b>Plan Area 2, SAP South.</b>
<b>NR 3.</b>	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.
<b>NR 4.</b>	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.
<b>NR 5.</b>	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.
<b>NR 6.</b>	The rainwater management components shall comply with the requirements of the Oregon DEQ UIC (Underground Injection Control) Program.
<b><i>Stormwater Management:</i></b>	
<b>NR 7.</b>	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.
<b>NR 8.</b>	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.
<b>NR 9.</b>	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.
<b><i>Other:</i></b>	
<b>NR 10.</b>	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).

<b>Building Division Conditions:</b>
None
<b>Tualatin Valley Fire &amp; Rescue Conditions:</b>
None

## 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 Files DB14-0002 through DB14-0007, SI14-0002.

- A1. Staff report and findings (this document)
- A2. Slides and notes for Staff's Public Hearing Presentation (*available at Public Hearing*)
- A3. **Staff Memo to DRB Regarding Staff Report Corrections and Changes dated April 14, 2014**
- B1. Applicant's Notebook for SAP Amendments and SROZ: *Under separate cover*
  - Section I: General Information
    - IA) Introductory Narrative
    - IB) Form/Ownership Documentation
    - IC) Copy of Certification of Assessment & Liens
    - ID) Fee Calculation
    - IE) Mailing List *Staff Note: This information has been revised*
  - Section II: SAP Amendment & SROZ Map Refinement
    - IIA) Supporting Compliance Report
    - IIB) Reduced Drawings *Staff Note: Sheet 8 revised, see Exhibit B9.*
    - IIC) Utility & Drainage Report
    - IID) Traffic Analysis
    - IIE) Historic/Cultural Resource
    - IIF) Significant Resource Impact Report
    - IIG) Tree Report
    - IIH) Architectural Pattern Book Proposed Amendments
    - III) Community Elements Book Proposed Amendments
    - IIJ) Master Signage and Wayfinding Plan Proposed Amendments
    - IIK) Rainwater Management Book
    - II L) Sample Elevations of Mailbox Kiosk
    - IIM) Utility Sequencing Plan
- B2. **Applicant's SAP Large Format Plans** (Smaller 11x17 plans included in Sections IIB of the applicant's notebook Exhibit B1.) *Under separate cover.*
  - Sheet 1 Cover Sheet
  - Sheet 2 Existing Conditions
  - Sheet 3 Aerial Photograph
  - Sheet 4 Land Use Key
  - Sheet 5 Land Use Plan
  - Sheet 6 Circulation Plan
  - Sheet 7 Street Sections
  - Sheet 8 Park/Open Space/Pathways Plan *Revised, see Exhibit B9.*
  - Sheet 9 SROZ Plan
  - Sheet 10 Street Tree Plan
  - Sheet 11 Tree Preservation Plan
  - Sheet 12 Grading Plan

- Sheet 13 Utility Plan
- Sheet 14 Phasing Plan
- B3.** Applicant's Notebook for PDP/Tentative Plat/Zone Change/Tree Removal Plan/Final Development Plan: *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*
  - Section II: Preliminary Development Plan
    - IIA) Supporting Compliance Report
    - IIB) Reduced Drawings
    - IIC) Utility & Drainage Reports
    - IID) Traffic Analysis
    - IIE) Tree Report
    - IIF) Significant Resource Impact Report (SRIR)
    - IIG) Conceptual House Elevations
  - Section III: Tentative Subdivision Plat
    - IIIA) Supporting Compliance Report
    - IIIB) Tentative Plat *Staff Note: Sheet 4.1 revised, see Exhibit B9.*
    - 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 & 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 Plans *Staff Note: Sheets L2, L3, L4 revised, see Exhibit B9.*
    - VIC) Illustrative Plans
    - VID) Sample Elevations of Mailbox Kiosks
- B4.** Applicant's Large Format Plans PDP/Tentative Plat/Tree Plan (Smaller 11x17 plans included in Sections IIB and IIIB of the applicant's notebook Exhibit B3.) *Under separate cover.*
  - Sheet 1 Cover Sheet
  - Sheet 2 Existing Conditions
  - Sheet 3 Aerial Photograph
  - Sheet 4.1 Tentative Plat *Staff Note: revised to add Tract 'X' above Lot 91. See Exhibit B9.*
  - Sheet 4.2 Tentative Plat

- Sheet 5.1 Grading and Erosion Control
- Sheet 5.2 Grading and Erosion Control
- Sheet 6 Composite Utility Plan
- Sheet 7.1 Circulation Plan
- Sheet 7.2 Street Sections
- Sheet 8.1 Site/Land Use Plan
- Sheet 8.2 Typical Lot Pattern
- Sheet 9.1 Tree Preservation Plan
- Sheet 9.2 Tree Preservation Plan
- Sheet 10 Street Tree/Lighting Plan
- Sheet 11 Phasing Plan
- B5.** Large Format Plans for Final Development Plan (Smaller 11x17 plans included in Section VIB of the applicant's notebook, Exhibit B1.) *Under separate cover.*
  - Sheet L0 Cover Sheet
  - Sheet L1 Street Tree Plan
  - Sheet L2 Planting Plan North *Staff Note: Revised, see Exhibit B9*
  - Sheet L3 Planting Plan South *Staff Note: Revised, see Exhibit B9*
  - Sheet L4 Pocket Park 16 Park Plan *Staff Note: Revised, see Exhibit B9*
  - Sheet L5 Entry Plan East
  - Sheet L6 Entry Plan West
  - Sheet L7 Nature Trail Activity Area Plan
  - Sheet L8 Plant Legend and Details
  - Sheet L9 Details
- B6.** House Front Elevations Approved by Steve Coyle, City's Consultant Architect
- B7.** Arborist Memo Dated April 2, 2014 Regarding Important Oregon White Oak Trees
  - Memo
  - Site Plan Drawing for Tree 618
  - Modified Profile for Hardscape within Critical Root Zone
  - Site Plan Drawing for Tree 625
  - Modified Profile for Hardscape within Critical Root Zone
  - Site Plan Drawing for Tree 856
  - Modified Profile for Hardscape within Critical Root Zone
  - Site Plan Drawing for Tree 860
  - Modified Profile for Hardscape within Critical Root Zone
  - Site Plan Drawing for Tree 1023
  - Modified Profile for Hardscape within Critical Root Zone
- B8.** Conservation Easement Exhibit
  - Sheet 1.1 South
  - Sheet 1.2 North
- B9.** Revised Sheets Submitted April 2, 2014 Regarding Changes Related to Preserved Important Oregon White Oak Trees
  - Sheet 8 from Exhibit B2 Park/Open Space/Pathways Plan
  - Sheet 4.1 from Exhibit B4 Tentative Plat
  - Sheet L2 from Exhibit B5 Planting Plan North
  - Sheet L3 from Exhibit B5 Planting Plan South
  - Sheet L4 from Exhibit B5 Pocket Park 16 Park Plan

- B10.** Fire Truck AutoTURN Exhibit for Alta Court
- B11.** **Lot 91 Preliminary Utility Layout**
- C1.** Comments and Conditions from Engineering Division
- C2.** Comments and Conditions from Building Division
- C3.** Comments, Findings, and Conditions from Natural Resources
- C4.** Comments and Conditions from TVF&R
- C5.** Comments from Public Works
- C6.** Wastewater Pump Station Design Standards
- C7.** Revised Engineering Conditions PF 37 and 38 regarding Grahams Ferry Rd.
- D1.** Email Letter from Gary Templer dated March 27, 2014
- D2.** Email from John Danahy dated March 31, 2014

**FINDINGS OF FACT:**

1. The statutory 120-day time limit applies to this application. The application was received on January 17, 2014. On February 13, 2014, staff conducted a completeness review within the statutorily allowed 30-day review period, and, on February 21, 2014, the Applicant submitted new materials. On February 26, 2014 the application was deemed complete. The City must render a final decision for the request, including any appeals, by June 26, 2014
2. Surrounding land uses are as follows:

<b>Compass Direction</b>	<b>Zone:</b>	<b>Existing Use:</b>
North:	V	Single-family residential
East:	V	Single-family residential/ Graham Oaks Nature Park
South:	PF/V	Graham Oaks Nature Park
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)
- LP13-0005 – Amendment to Villebois Village Master Plan (Future Study Area)

Quasi-Judicial:  
03DB21 - SAP-South

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.

<b>GENERAL INFORMATION</b>
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#### ***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.

**Explanation 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.

**Explanation of Finding:** The application has been submitted on behalf of contract purchaser Polygon Homes, and is signed by Bo Oswald, an authorized member of the current owner, Northwest Wilsonville Properties, LLC.

#### ***Subsection 4.010 (.02) Pre-Application Conference***

**Review Criteria:** This section lists the pre-application process

**Finding:** These criteria are satisfied.

**Explanation of Finding:** A pre-application conference was held on May 2, 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.

**Explanation of Finding:** No applicable liens exist for the subject property. The application can thus move forward.

***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.

**Explanation 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.

**Explanation 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: DB14-0002 SAP-SOUTH AMENDMENTS FOR PLAN AREA 2**

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

**Wilsonville Comprehensive Plan**

***Implementation Measure 4.1.6.a. Development in the “Residential-Village” Map Area***

- A1. **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.

**Explanation of Finding:** As found in this report, development is being proposed consistent with the Villebois Village Master Plan and the “Village” Zone District. See Findings A3 through A69.

***Implementation Measure 4.1.6.c. Application of the “Village” Zone District***

- A2. **Review Criteria:** “The “Village” Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The “Village” Zone is proposed to be applied. See Request C.

**Villebois Village Master Plan**

**General- Land Use Plan**

***Goal: Villebois Village shall be a complete community that integrates land use, transportation, and natural resource elements to foster a unique sense of place and cohesiveness.***

***General-Land Use Plan Policy 1 Range of Choices***

- A3. **Review Criteria:** “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.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed SAP amendment continues the provision of a mix of types and densities resulting in a minimum of 2,300 dwelling units within the Villebois area. The proposed SAP amendment also facilitates mode choice in transportation with facilities for bicycles and pedestrians in addition to vehicles. Commercial areas continue to be concentrated around the Village Center.

**General-Land Use Plan Policy 2 Compliance with Figure 1 – Land Use Plan**

- A4. **Review Criteria:** “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. The proposed uses for the Future Study Area Specific Area Plan Amendment to SAP South shall be those identified in *Figure 1 – Land Use Plan*, which includes residential uses being limited to single-family lots in the medium to estate land use category identified in Wilsonville Code Subsection 4.125 (.18) F. 1. a. iv. arranged in a similar pattern as other areas on the edges of Villebois. Due to its location outside the general trapezoidal shape of Villebois and distance from the Village Center and neighborhood commons as well as its relatively small size, the Future Study Area Specific Area Plan Amendment to SAP South shall not be considered a neighborhood plan as defined in Section 2.1 of the *Villebois Village Master Plan*.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed SAP Amendment further defines the residential uses in the Future Study Area and other components are in the general configuration shown in the Master Plan. As can be seen on Sheet 5 *Land Use Plan* of the applicant’s submitted plan set, Exhibit B2, the residential uses are limited to medium to large lots. They are arranged as a similar pattern as other areas in Villebois with large and standard lots on the edges with a mix of lot sizes on the interior of the site. The applicant has not requested the area be considered a neighborhood plan.

**General-Land Use Plan Policy 3 Civic, Recreational, Educational, and Open Space Opportunities**

- A5. **Review Criteria:** “The Villebois Village shall provide civic, recreational, educational and open space opportunities.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed SAP Amendment shows recreational opportunities shown in the Master Plan for the subject area.

**General-Land Use Plan Policy 4 Full Public Services**

- A6. **Review Criteria:** “The Villebois Village shall have full public services including: transportation; rainwater management; water; sanitary sewer; fire and police services; recreation, parks and open spaces; education; and transit.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** All the listed public services are proposed to be provided consistent with the Master Plan.

**General-Land Use Plan Policy 5 Development Guided by Finance Plan and CIP**

- A7. **Review Criteria:** “Development of Villebois shall be guided by a Finance Plan and the City’s Capital Improvement Plan, ensuring that the availability of services and development occur in accordance with the City’s concurrency requirements (see Implementation Measure 4, below).”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** All city requirements for concurrency and Development Agreements remain in effect and will be applied, including concurrency requirements with the PDP approval. See Request B.

### ***General-Land Use Plan Implementation Measure 1 Unique Planning and Regulatory Tools***

A8. **Review Criteria:** “Allow for unique planning and regulatory tools that are needed to realize the *Villebois Village Master Plan*. These tools shall include, but are not limited to: Specific Area Plans; Pattern Books; and Community Elements Books.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** All the listed tools are being utilized for the area proposed to be added to SAP South as Plan Area 2.

### ***General-Land Use Plan Implementation Measure 3 Master Plan Refinements***

A9. **Review Criteria:** “Refinements to the *Villebois Village Master Plan* are anticipated as more detailed plans are developed for the Specific Area Plans. Specific Area Plans may propose refinements to the *Villebois Village Master Plan* without requiring an amendment to the *Villebois Village Master Plan* provided the refinement is not significant. Non-significant refinements shall be defined in the Village ("V") Zone text and may include, but are not limited to: minor alterations to street alignments or minor changes in area or uses. Disagreement about whether a refinement is significant shall be resolved by a process provided in the Village ("V") Zone text.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Refinements are proposed consistent with this allowance.

### ***General-Land Use Plan Implementation Measure 4 Coordinating Finance Plan and Development Agreements***

A10. **Review Criteria:** “The Master Planner shall coordinate with the City on the development of a Finance Plan for necessary urban services and public infrastructure. Each developer within Villebois Village will sign their own Development Agreement that will address the necessary urban services and public infrastructure as appropriate.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** All city requirements for concurrency and Development Agreements remain in effect and will be applied, including concurrency requirements with the PDP approval. See Request B.

### ***General-Land Use Plan Implementation Measure 5 SAP South Amendment for Future Study Area***

A11. **Review Criteria:** “The Specific Area Plan (SAP) Amendment to SAP South for the Future Study Area shall demonstrate compliance with the *Villebois Village Master Plan*, the City’s Comprehensive Plan and its sub-elements, the City’s Planning and Land Development Ordinance, and all other applicable regulatory requirements. The developer of the Future Study Area shall be responsible for obtaining any master plan or ordinance amendment(s) that may be necessitated by their proposal.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Villebois Village Master Plan amendments were approved by the City Council in October 2013 for single-family residential development in the Future Study Area (City Case File LP13-0005, Ordinance No. 724). Further land use requests, including the SAP Amendment are able to proceed.

### **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 Variety of Housing Options***

A12. **Review Criteria:** “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.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed mix of housing for the subject area is similar to that in the adjacent area of SAP South, PDP 4 as well as other areas on the edges of Villebois with large and standard lots on the outer edge with a mix of medium, large, and standard lots inside the initial edge.

#### ***Residential Neighborhood Housing Policy 2 Affordable Rental and Ownership Opportunities***

A13. **Review Criteria:** “Affordable housing within Villebois shall include rental and home ownership opportunities.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Affordable rental and home ownership opportunities at the level shown in the adopted Master Plan remain. The proposed mix of housing for the subject area is similar to that in the adjacent area of SAP South, PDP 4 as well as other areas on the edges of Villebois with large and standard lots on the outer edge with a mix of medium, large, and standard lots inside the initial edge.

#### ***Residential Neighborhood Housing Policy 3 Average Density Requirement***

A14. **Review Criteria:** “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.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed development helps maintain an overall average density in Villebois of more than 10 dwellings units per net residential acre with the type of residential development shown in Figure 1 of the Villebois Village Master Plan.

#### ***Residential Neighborhood Housing Policy 4 Minimum Total Dwelling Units***

A15. **Review Criteria:** “The Villebois Village shall accommodate a total of at least 2,300 dwelling units within the boundary of the *Villebois Village Master Plan*.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** This dwelling unit minimum for Villebois continues to be exceeded.

### ***Residential Neighborhood Housing Policy 5 Mix of Housing Types in Neighborhoods***

A16. **Review Criteria:** “The Villebois Village shall provide a mix of housing types within each neighborhood and on each street to the greatest extent practicable.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** A variety of housing types are proposed in the subject area consistent with Figure 1 of the Villebois Village Master Plan.

### ***Residential Neighborhood Housing Policy 6 Community Housing Requirements***

A17. **Review Criteria:** “The Villebois Village shall include community housing types consistent with Oregon Revised Statute 426.508(4), which requires that no more than 10 acres be retained from the sale of the former Dammasch State Hospital property for development of community housing for chronically mentally ill persons. The City of Wilsonville, the Oregon Department of Administrative Services, and the Mental Health and Developmental Disability Services Division shall jointly coordinate the identification of the acreage to be retained.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** None of the designated 10 acres are within the subject area.

### ***Residential Neighborhood Housing Policy 7 Governor’s Quality Development Objectives and Governor’s Livability Initiative***

A18. **Review Criteria:** “The development standards and Specific Area Plans required by the Village zone shall be consistent with the Governor’s Quality Development Objectives and the Governor’s Livability Initiative.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Governor’s Quality Development Objectives (QDO’s), part of the Oregon Initiative adopted in 1997, have guided the design and development of Villebois. The Development Objectives promote the building of strong livable communities, economic growth and the efficient use of public resources, and are listed as follows:

- Promote compact development within urban growth boundaries.
- Give priority to a quality mix of development that addresses the economic and community goals of a community and region.
- Encourage mixed-use, energy efficient development.
- Support development that is compatible with community and regional environmental concerns and available natural resources.
- Support development for a balance of jobs and affordable housing within the community.
- Promote sustainable local and regional economies.

The Villebois Village Concept Plan, the Villebois Village Master Plan and the Village zone were developed, and have all been adopted, to guide the creation of a community that is consistent with these objectives. The SAP amendment does not alter any of these circumstances. The proposed uses are consistent Figure 1 – Land Use Plan which has been found to meet these objectives.

### ***Residential Neighborhood Housing Policy 8 Increasing Transportation Options***

A19. **Review Criteria:** “Each neighborhood shall be designed to increase transportation options. Neighborhoods shall be bike and pedestrian friendly.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed SAP amendment continues to show trails, paths, bike facilities, block lengths, etc. consistent with the Master Plan to be pedestrian friendly and increase transportation options.

### ***Residential Neighborhood Housing Policy 10 Incorporating Natural Features***

A20. **Review Criteria:** “Natural features shall be incorporated into the design of each neighborhood to maximize their aesthetic character while minimizing impacts to said natural features.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Wetlands and forested areas are incorporated into the design of the subject area.

### ***Residential Neighborhood Housing Implementation Measure 1 Compact, Pedestrian Oriented Character***

A21. **Review Criteria:** “Ensure, through the development standards and Pattern Book(s) required by the Village zone, that the design and scale of dwellings are compatible with the compact, pedestrian-oriented character of the concepts contained in the *Villebois Village Concept Plan* and the contents of this *Villebois Village Master Plan*.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The same development standards and Pattern Book is being applied as other areas of SAP South to ensure design of dwellings consistent with the compact, pedestrian-oriented character and other development in Villebois.

### ***Residential Neighborhood Housing Implementation Measure 2 Pattern Books***

A22. **Review Criteria:** “Create a set of design guidelines for the development of Pattern Books with the Village zone requirements. Pattern Books shall address, at a minimum, architectural styles and elements, scale and proportions, and land use patterns with lot diagrams.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The pattern book previously used for the rest of SAP South is also being applied to the subject area.

### ***Park Descriptions Pocket Park 16***

A23. **Review Criteria:** “Pocket Park 16 provides a neighborhood focal point and gathering spot, and connections to the adjacent nature trail system. This pocket park provides nature paths, a picnic table, benches, and a play structure.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Pocket Park 16 provides all of the required elements, in addition to other elements including a shelter. See Park Refinement Request below and Final Development Plan request, Request F.

### *Park Descriptions Miscellaneous Linear Greens (Future Study Area)*

A24. **Review Criteria:** “These linear greens offer visual and physical linkages to open space areas and areas adjacent to existing landscaping. Some linear green spaces include lawn areas, benches, and existing trees where feasible.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Linear greens are proposed consistent with the Master Plan. See Final Development Plan request, Request F.

### *Park Descriptions OS-3: Forested Wetland Preserve (Future Study Area SROZ)*

A25. **Review Criteria:** “This site contains intact and functioning wetlands within forested areas. While the plan does not include restoration or expansion of the wetlands in this site, any work or impacts within the forested wetland preserve shall comply with SROZ regulations as applicable. Smaller soft-surface nature trails will meander through the forest and link neighborhoods on either side. This forest ecosystem will act as a habitat patch, valuable to small mammals, invertebrates and birds. Benches will be located along nature trails in forested areas, and will be distanced from residential areas and play areas. These areas will offer opportunity for wildlife viewing and quiet contemplation that complements the undeveloped nature of this open space. This open space will also include a creative child play area, benches, and picnic tables. Additionally, connections to trails in Graham Oaks Natural Area will be provided.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Minor refinements are proposed for Open Space 3. See Finding A114. All improvements in Open Space 3 are being reviewed through the SROZ regulations. See Request G.

### *Trails and Pathways Descriptions Forested Wetland Preserve (OS-3, 4, 5, and 6)*

A26. **Review Criteria:** “The Villebois Village Master Plan includes 5,998 lineal feet of nature trails around the edge of the forested wetland, connecting the Future Study Area with the West Neighborhood Park and Greenway via a short sidewalk.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The connections and network of trails described in the Master Plan for Open Space 3 are provided.

### *Chapter 3 Parks & Open Space/Off-Street Trails & Pathways*

*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.*

### *Parks and Open Spaces Policy 1 Incorporating Existing Trees, Planting Shade Trees*

A27. **Review Criteria:** “Parks and open space areas shall incorporate existing trees where feasible and large shade trees shall be planted in appropriate locations in parks and open spaces.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The site includes numerous existing trees. To minimize the impacts to existing trees on the site, the proposed development footprint is predominantly

located within the areas previously impacted by development. Trees have only been inventoried within the proposed development footprint; outside of the development footprint all existing trees will be retained within proposed parks and open space areas.

### ***Parks and Open Spaces Policy 2 Interconnected Trail System***

A28. **Review Criteria:** “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 length to accommodate various activities such as walking, running and rollerblading.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The site is located at the southwest corner of Villebois, abutting earlier phases of Villebois to the north and east. The site also abuts Grahams Ferry Road to the west and Grahams Oaks Nature Park to the south and east. Key destination points include other park areas, the Village Center and the Lowrie Primary School within Villebois, as well as the trail system within Graham Oaks Nature Park and the middle school east of Graham Oaks Nature Park. The Park/Open Space/Pathways Plan, Sheet 8 of Exhibit B2 and B9, shows creation of an interconnected trail system linking the proposed parks and open spaces with the key destination points within this phase and with the surrounding neighborhoods. The proposed trail system provides loops of varying length that will accommodate various types of activities. Condition of Approval PF 44 requires an interim path to provide connectivity through Phase II prior to construction for residents of Phase I.

### ***Parks and Open Spaces Policy 3 Variety of Facilities and Activities***

A29. **Review Criteria:** “Parks shall encourage the juxtaposition of various age-oriented facilities and activities, while maintaining adequate areas of calm.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Park/Open Space/Pathways Plan, Sheet 8 of Exhibit B2 as shown modified in Exhibit B9, shows proposed park and open space areas. The proposed homes will be surrounded by large open space areas that include a nature trail system with nature trail activity areas and benches distributed along the trails to provide for areas of creative play or quiet reflection in ways that minimize impacts to the SROZ resources. A centrally located pocket park is planned adjacent to, but outside of, the SROZ and is bordered by two of the main roads within this phase. This pocket park will serve as a neighborhood gathering space, located at the convergence of multiple trail segments from different directions and multiple streets from different directions. The pocket park provides a mix of age-oriented facilities and activity areas, including a sheltered seating area, child play structures for older and younger aged children, a lawn play area, and creative play through interaction opportunities with the non-significant wetland and with an active lawn area located to complement child play structures. Additionally, linear greens and landscape tracts are provided to connect the park and open space areas through the middle of the project. The planned park and open space areas provide activities for a range of ages and activity levels.



#### ***Parks and Open Spaces Policy 4 Wildlife Habitat***

A30. **Review Criteria:** “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.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed park designs include large open space tracts for the preservation and enhancement of SROZ areas. The proposed nature trail system with nature trail activity areas will be established in ways that preserve and encourage opportunities for wildlife habitat.

#### ***Parks and Open Spaces Policy 5 Power of Ten***

A31. **Review Criteria:** “Gathering spaces in parks shall generate social interaction by adding layers of activity (Power of Ten).”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed pocket park will serve as the primary gathering space within this phase. The design to this pocket park will generate social interactions through the layers of activities planned within and adjacent to the park, including the convergence of various trails and adjacent streets, a shelter with seating, two play structures for different age groups, creative play opportunities through interaction with a non-significant wetland area in conjunction with a seating area overlooking the wetland area and an active lawn area located to complement child play structures, and an adjacent roadside mailbox.

#### ***Parks and Open Spaces Policy 6 Compliance with SROZ Regulations***

A32. **Review Criteria:** “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.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** SROZ regulations are being reviewed, see Request G.

#### ***Parks and Open Spaces Policy 9 Parks Flexibility Over Time***

A33. **Review Criteria:** “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.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** No park programming is such as to preclude future flexibility.

#### ***Parks and Open Spaces Policy 11 Parking along Park Frontages***

A34. **Review Criteria:** “On-street parking will not be allowed along the frontages of parks and open spaces where views into and out of the park spaces should be protected. Parking will be allowed along parks and open spaces in circumstances where it is necessary for the function of the park and will not obstruct the views into and out of the park area.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** On-street parking along parks is not proposed, consistent with this Policy.

***Parks and Open Spaces Implementation Measure 1 Compliance with Parks Figures***

A35. **Review Criteria:** “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 in accordance with Village Zone section 4.125(.18) (F).”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** SAP South Plan Area 2 is generally consistent with Figure 5, Figure 5A and Table 1 of the Villebois Village Master Plan. Minor refinements are proposed as discussed in Findings A114 through A119 as allowed in Subsection 4.125 (.18) F.

***Parks and Open Spaces Implementation Measure 3 Native Vegetation, Landforms, and Hydrology***

A36. **Review Criteria:** “Parks and open spaces shall be designed to incorporate native vegetation, landforms and hydrology to the fullest extent possible.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** As shown on the Park/Trail/Open Space Plan , Sheet 8 of Exhibit B2 as shown modified in Exhibit B9, parks and open space areas are designed to incorporate native vegetation (existing trees are retained within park & open space areas), landforms (minimal grading will occur within parks and no grading will occur within SROZ open space areas aside from identified impact areas) and hydrology (the locally significant wetland is preserved within an SROZ open space area and non-locally significant wetlands are retained within the pocket park and with open space areas).

***Parks and Open Spaces Implementation Measure 4 Community Elements Book***

A37. **Review Criteria:** “Each Specific Area Plan shall include a Community Elements Book that (1) meets the requirements of Master Plan Chapter 3; (2) specifies the value system and methodology for tree preservation, protection and tree planting; and (3) provides a proposed plant list. The Community Elements Book also includes specifications for site furnishings and play structures. Proposed parks shall closely comply with the specifications of the applicable Community Elements Book.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** A Community Elements Book was submitted and approved with the application for Specific Area Plan South. This application proposes to add Plan Area 2 to SAP South. This application includes a proposal to add Plan Area 2 to the SAP South Community Elements Book (see Exhibit B1, notebook, Section II I).

***Parks and Open Spaces Implementation Measure 5 Artwork is Encouraged***

A38. **Review Criteria:** “Artwork is encouraged to be incorporated into parks.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Space has been reserved for placement of artwork in parks closer to the Village Center and within neighborhood and community gathering spaces. The addition of Plan Area 2 does alter this approach.

***Parks and Open Spaces Implementation Measure 6 Interface with Graham Oaks***

A39. **Review Criteria:** “The interface with the Graham Oaks Natural Areas should contain enhancements such as trail connections, landscaping, gateway features, seating and overlook opportunities.”

**Finding:** These criteria will be satisfied by Condition of Approval PDA 1.

**Explanation of Finding:** The Park/ Open Space/Pathways Plan illustrates connections from the nature trail system in Plan Area 2 to the Graham Oaks Natural Area, with two (2) connections to the east and one (1) connection to the south. Benches and nature trail activity areas are provided along nature trails in parks and open space areas, including trails connecting to Graham Oaks Natural Area. The Applicant will coordinate with Metro regarding appropriate interfaces/enhancements at trail connections which may include some gateway features such as signage. The condition of approval ensures the coordination occurs between the applicant and Metro.

***Parks and Open Spaces Implementation Measure 7 Year Round Recreation***

A40. **Review Criteria:** “The ability to recreate year round shall be preserved through measures such as: the provision of some hard surfaces that function in the wet season; areas shaded from the sun; areas protected from the rain; safely lit areas and indoor recreation opportunities.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Specific Area Plan South includes a variety of year-round recreation and open space opportunities, including a neighborhood commons, multi-use trails, and play and park structures. The Park/ Open Space/Pathways Plan illustrates how Plan Area 2 will contribute additional parks and open space areas that contribute to the ability to recreate year round. Through the preservation of existing trees within parks and open space areas, shade from the sun and rain is provided along the nature trail system and the nature trail activity areas. The pocket park includes a shelter with a small hardscape area, which will be functional in the wet season and provide shade from the sun. This area will also be safely lit due to the adjacent roads and street lights.

***Parks and Open Spaces Implementation Measure 9 Tree Retention***

A41. **Review Criteria:** “The design of Villebois shall retain the maximum number of existing trees practicable that are six inches or more DBH in the “Important” and “Good” tree rating categories, which are defined in the Community Elements Books. Trees rated “Moderate” shall be evaluated on an individual basis as regards retention. Native species of trees and trees with historical importance shall be given special consideration for retention.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The site includes numerous existing trees, including a significant number of mature Oregon White Oak. To minimize the impacts to existing trees on the site, the proposed development footprint is predominantly located within areas previously impacted by development. Trees have only been inventoried within the proposed development footprint; outside of the development footprint all existing trees will be

retained within proposed parks and open space areas. The Tree Preservation Plan identifies the inventoried existing trees, their classification and their whether they will be retained or removed. Specific Methodology used to determine DBH and tree ratings is described in the Tree Report (see Exhibit B1, notebook, Section IIG). Efforts have been undertaken in the site layout to retain as many “Important” and “Good” trees as practicable, with special consideration given to Oregon White Oak trees.

#### ***Parks and Open Spaces Implementation Measure 10 Tree Preservation and Planting Plans***

A42. **Review Criteria:** “Each Specific Area Plan, Preliminary Development Plan and Final Development Plan shall include tree preservation plans and planting plans to indicate proposed tree planting within parks and along streets and descriptions of the size of trees when planted and upon maturity.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Tree Preservation Plan (see Exhibit B1, notebook, Section IIG) has been submitted with SAP South Plan Area 2. The Preliminary Development Plan and Final Development Plan include additional information on tree preservation and street tree plans.

#### ***Parks and Open Spaces Implementation Measure 11 Cultural and Historic Resources***

A43. **Review Criteria:** “Provide for review of cultural and historic resources on portions of Villebois that are to be annexed into the City of Wilsonville with the Specific Area Plan.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** A cultural resources inventory has been completed and is available in Exhibit B1, notebook, Section IIE. No resources have been identified for preservation.

#### ***Parks and Open Spaces Implementation Measure 13 SROZ Compliance***

A44. **Review Criteria:** “The Villebois Master Plan shall comply with the Significant Resource Overlay Zone (SROZ) regulations. Proposed encroachments into the SROZ for exempt or non-exempt development shall be reviewed for compliance with the requirements of Section 4.139 of the Wilsonville Code.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Request G reviews compliance with the SROZ regulations.

#### ***Parks and Open Spaces Implementation Measure 14 Park Lighting***

A45. **Review Criteria:** “A conceptual plan for the lighting of park spaces throughout Villebois is provided on the plan included in Appendix H. Future development applications shall comply with the lighting system proposed in Appendix H. Refinements may be approved in accordance with Village Zone Section 4.125(.18)(F).”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** No park lighting is shown for the subject area in Appendix H. Portions of Pocket Park 16 as well as the linear greens will be lit by adjacent street lights.

***Parks and Open Spaces Implementation Measure 15 Variety of Child Play Areas***

A46. **Review Criteria:** “Each child play area shall include uses suitable for a range of age groups.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The pocket park includes two (2) play structures suitable for younger children and older children, as well as an active lawn play area and access to a non-significant wetland for creative play. Additionally nature trails pass through the pocket park connecting to the open space areas and linear greens which also include nature trails and nature trail activity areas. The attached Park/Open Space/Pathways Plan, see Sheet 8 of Exhibit B2 as shown modified in Exhibit B9, illustrates proposed park elements, which provide a variety of uses suitable for a range of age groups.

***Parks and Open Spaces Implementation Measure 18 Completion of Parks and Home Occupancy***

A47. **Review Criteria:** “The park spaces included within each phase of development will be completed prior to occupancy of 50% of the housing units in that particular phase unless weather or other special circumstances prohibit completion, in which case bonding for the improvements shall be permitted.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** A Condition of Approval PDB 3 under the Request B, Preliminary Development Plan, ensures compliance with this implementation measure.

***Parks and Open Spaces Implementation Measure 20 ADA Park Access***

A48. **Review Criteria:** “The adequacy, amount and location of the proposed parking (including ADA parking) necessary to serve the proposed park uses shall be evaluated in detail at the SAP and PDP level. Off-street parking may be required to serve the various park users.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** With only local pocket parks and linear greens no off-street parking is required.

***Sanitary Sewer Goal, Policy, and Implementation Measures***

A49. **Review Criteria:** “Goal: The Villebois Village shall include adequate sanitary sewer service.

**Policy**

1. The sanitary sewer system for Villebois Village shall meet the necessary requirements for the City of Wilsonville Wastewater Master Plan.

**Implementation Measures**

1. Implement the following list of policies and projects of the City of Wilsonville Wastewater Master Plan:

- Policies: 1-7; and
- Projects: CIP-UD2.

2. Incorporate the construction of CIP-UD2 into the Finance Plan.
3. Insure the 537 gpm capacity of the Evergreen Road sewer line is not exceeded with Specific Area Plan South application.
4. Insure the 340 gpm capacity of the Park at Merryfield sewer line is not exceeded with Specific Area Plan South application.
5. At the time of development of the Future Study Area, replace private pump station with Public Sanitary Sewer Lift Station build consistent with Technical Appendix I.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Construction of the Barber Main sewer line has been completed and now serves the subject site. A supporting utility report is included in Exhibit B1, notebook, Section IIC, demonstrating the sanitary sewer for SAP South Plan Area 2 will insure the 153 gpm capacity of the Barber Main sewer line is not exceeded. The Utility Plan, see Sheet 13 of Exhibit B2, shows the provision of a Public Sanitary Sewer Lift Station to replace the private pump station. The Public Sanitary Sewer Lift Station will be built consistent with Technical Appendix I. Additional design details for the Public Sanitary Sewer Lift Station will be provided to the City for review with subsequent construction plans for the first phase of this development. Additional design standards for the lift station are included in Exhibit C6.

### ***Water System Goal, Policy, and Implementation Measures***

#### **A50. Review Criteria:**

**“Goal**

The Villebois Village shall include adequate water service.

**Policy**

The water system for Villebois Village shall meet the necessary requirements of the City of Wilsonville Water System Master Plan.

**Implementation Measures**

1. Implement the following list of Water System Master Plan policies and projects with development of Villebois Village:

- Policies: 1-7
- Projects:
  - 1) 18-inch main in Barber Street from Kinsman Road to Brown Road
  - 2) 48-inch main in Kinsman Road from Barber Street to Boeckman Road
  - 3) 24-inch main in Boeckman Road from Kinsman Road to Villebois Drive
  - 4) 18-inch main in Villebois Drive from Boeckman Road to Barber Street
  - 5) 18-inch main in Barber Street from Brown Road to Grahams Ferry Road
  - 6) 18-inch main in Grahams Ferry Road from Barber Street to Tooze Road.
  - 7) 12-inch main in Grahams Ferry Road from the Future Study Area to Barber Street

- 8) 30-inch main in Tooze Road from Villebois Drive to Grahams Ferry Road
- 9) 12-inch main in extension of Villebois Drive from Barber Street to the Future Study Area
- 10) 12-inch main connections from Barber Street to Evergreen Road

2. Incorporate the construction of the above referenced projects into the Finance Plan.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** A water system is proposed consistent with Master Plan requirements.

***Storm Water Goal***

*The Villebois Village shall include adequate storm water systems to prevent unacceptable levels of flooding, protect receiving streams and water bodies from pollution and increased runoff rates due to development, and create a connection between people and the environment.*

***Storm Water Policy 1 Meeting Stormwater Master Plan and Public Works Standards***

A51. **Review Criteria:** “The onsite storm water system for Villebois shall meet the necessary requirements of the City of Wilsonville Stormwater Master Plan and Public Works Standards.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Utility Plan, Sheet 13 of Exhibit B2, shows the proposed stormwater system for Specific Area Plan South Plan Area 2. A supporting utility report is included in Exhibit B1, notebook, Section IIC, which demonstrates that the stormwater system will meet the necessary requirements of the City of Wilsonville Stormwater Master Plan and Public Works Standards.

***Storm Water Policy 2 and 3 Minimizing Development “Footprint” on Hydrological Cycle, Rainwater Management***

A52. **Review Criteria:** “Villebois Village shall strive to minimize the development “footprint” on the hydrological cycle through the combination of stormwater management and rainwater management.”

“Villebois Village shall integrate rainwater management systems into parks and open space areas.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Rainwater Management Systems are integrated into parks and open space areas as shown on the Park/Open Space/Pathways Plan, Sheet 8 of Exhibit B2 as shown modified in Exhibit B9. The Rainwater Management Program for SAP South Plan Area 2 is described in Exhibit B1, notebook, Section IIIK.

***Storm Water Implementation Measure 11 Stormwater Facility Maintenance***

A53. **Review Criteria:** “Pursuant to the City’s Stormwater Master Plan Policies 9.2.4 and 9.2.5, maintenance of stormwater conveyance facilities, including detention/retention facilities, will be planned as part of the Specific Area Plans for the Villebois Village.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Ownership and maintenance of stormwater conveyance facilities in SAP South Plan Area 2 will be addressed through the future Ownership & Maintenance Agreement to be prepared with Final Plat Review.

### ***Circulation System Goal***

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

### ***Circulation System Policy 1 Encourage Alternative Modes, Accommodate All Modes***

A54. **Review Criteria:** “The Villebois Village shall encourage alternatives to the automobile, while accommodating all travel modes, including passenger cars, trucks, buses, bicycles and pedestrians.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Transportation facilities including streets, sidewalks, and trails are proposed consistent with the Master Plan accommodating different travel modes.

### ***Circulation System Implementation Measure 5 Curb Extensions***

A55. **Review Criteria:** “Curb extensions may be utilized within the Villebois Village area under the following basic principles for their placement and design:

- A minimum of 20-foot face-of-curb to face-of-curb street width shall be provided at all Residential street intersections, even where curb extensions are located. In the Village Center (inside the Village Loop), the minimum curb-to-curb public street width should be 22 feet, in order to accommodate delivery and garbage truck movements.
- Fire trucks, buses, and single-unit trucks (i.e., garbage trucks) shall be able to negotiate from Collector/Arterial streets without crossing the Collector/Arterial street centerline. Fire trucks shall be able to negotiate through Residential streets, although it is acceptable for them to cross the street centerline on Residential streets.
- Passenger car turning movements shall be able to stay within the street centerline on all streets.
- Bike lanes shall not be forced into vehicle travel lanes.

Placement of curb extensions shall be reviewed through the City’s minor alteration process with Specific Area Plans.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Curb extensions are proposed to be placed as shown within the Specific Area Plan Drawings, Exhibit B2, and the Community Elements Book (see Exhibit B1, notebook, Section III). Approval of a minor alteration for placement of the curb extensions is requested.

### ***Circulation System Implementation Measure 6 Alignment Compliant with SROZ***

A56. **Review Criteria:** “Street and pathway alignments shall be demonstrated to be in compliance with Significant Resource Overlay Zone (SROZ) regulations with Specific Area Plans.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** SROZ compliance is reviewed in Request G.



***Circulation System Implementation Measure 7 Connectivity Between Street Termination Points and Adjacent Trails/Pathways***

A57. **Review Criteria:** “Pedestrian and bicycle connectivity shall be provided between public and private street termination points and adjacent trails/pathways at the discretion of the City Engineer.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Sufficient pedestrian and bicycle connectivity is provided including a number of trails. No specific termination points have been identified in need of additional pedestrian and bicycle connectivity by the City Engineer.

***Technical Appendix I Sanitary Sewer Pump Station for Future Study Area***

A58. **Review Criteria:**

**Pump Station Building**

Pump stations shall have building enclosures that contain all electrical panels, instrumentation, control systems, generator, and other components are required by the City. Exterior walls shall meet building code structural requirements and meet the Villebois Village Architectural pattern book. The generator shall have its own room with an appropriately sized louver for ventilation. The roof shall be constructed with fire proof materials and have a minimum of 10 feet of clear space above the floor.

**Access**

Design specifications shall incorporate all applicable and reasonable efforts to maximize close and efficient access for removal, replacement and maintenance of all major and minor equipment. This includes but is not limited to adequate clearances, sufficient anchorage, hoists, hatches and platforms.

**Design Capacity**

Wetwells and force mains shall be designed and sized to accommodate full buildout within the identified basin(s) contributing to the pump station, unless otherwise approved by the City.

Service area shall include all land that can be provided with gravity wastewater collection service. Service area shall also include basins, which may discharge wastewater into the subject basin, as identified in the City’s master plan and/or by City staff. Design population shall be determined per the City’s master plan and with additional guidance provided by the City. For facilities being constructed to serve new developments, design population should be based on planned build-out densities.

**Design Flow**

Pumping stations and related components shall be designed to discharge the Peak Hourly Flow (PHF) with criteria as approved by the City, based on approved master plans.

Project Engineer shall also review the City’s master plans and the DEQ’s guidelines.

### Receiving System

Project Engineer shall evaluate the downstream sanitary sewer system to determine the impacts of the increase in flow (e.g. peak pumping capacity) from the proposed pump station.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The location of the lift station has been identified, and design consistent with this subsection will be reviewed during the Public Works permitting process for the development.

### ***Statewide Planning Goals***

#### ***Goal 1 Citizen Involvement***

A59. **Review Criterion:** “To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The adoption process for the proposed SAP amendment includes duly noticed public hearings before the Development Review Board. The current process was preceded by a Master Plan adoption process found compliant with Goal 1.

#### ***Goal 2 Part I Land Use Planning***

A60. **Review Criterion:** “To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The City is currently in compliance with Goal 2 because it has an acknowledged Comprehensive Plan and regulations implementing the plan. The Villebois Village Master Plan was adopted consistent with the planning policies in the Comprehensive Plan. The Villebois Village Master Plan was found to be consistent with Goal 2 because it creates a more specific plan for a portion of the City that provides additional guidance for future regulations. The proposed SAP amendment does not alter these circumstances.

#### ***Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces***

A61. **Review Criterion:** “To protect natural resources and conserve scenic and historic areas and open spaces.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposed SAP amendment complies with local and regional policies and requirements to implement this goal. A significant amount of natural area and open space is shown preserved in the SAP South, Plan Area 2, including Open Space 3.

#### ***Goal 6 Air, Water and Land Resource Quality***

A62. **Review Criteria:** “To maintain and improve the quality of the air, water and land resources of the state.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Villebois Village Master Plan is consistent with the air, water and land resources policies of the Comprehensive Plan. The Villebois Village Master Plan protects water and land resources by providing protection for natural resource areas and limiting development to areas that have less impact on natural resources. The Master Plan does not propose any residential structures within the 100-year floodplain. The Plan also calls for measures to use environmentally sensitive techniques for storm drainage. The Plan provides for a mixed-use, compact, interconnected Village that will provide transportation benefits by reducing the need for lengthy vehicle trips and increase the opportunity for bicycle and pedestrian transportation. The proposed SAP amendment does not alter these conditions as it remains consistent with the Master Plan in this regard.

### ***Goal 7 Areas Prone to Natural Disasters and Hazards***

A63. **Review Criteria:** “To protect life and property from natural disasters and hazards.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** No areas prone to floods, erosion, landslides, wildfire, etc. have been identified in SAP South, Plan Area 2.

### ***Goal 8 Recreational Needs***

A64. **Review Criteria:** “To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Recreational amenities are shown throughout SAP South, Plan Area 2. The amenities include a variety of play areas, trails, and gathering spots. In addition, connections are provided to the regional Graham Oaks Nature Park and the regional Ice Age Tonquin Trail.

### ***Goal 10 Housing***

A65. **Review Criteria:** “To provide for the housing needs of citizens of the state.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Villebois Village Master Plan complies with local and regional policies and requirements to implement this goal. The housing density and number goals for Villebois continue to be met with the number units and type of housing proposed for SAP South, Plan Area 2.

### ***Goal 11 Public Facilities and Services***

A66. **Review Criteria:** “To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Villebois Village Master Plan is consistent with the applicable provisions of the City’s various utility plans (see Chapter 4 – Utilities of the Master Plan). It proposes to coordinate future development with the provision of the public facility infrastructure in the area (Figure 6 – Conceptual Composite Utilities Plan).

The proposed SAP amendment does not change the planned utilities as shown in the Master Plan.

### ***Goal 12 Transportation***

A67. **Review Criteria:** “To provide and encourage a safe, convenient and economic transportation system.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Villebois Village Master Plan provides plans (Figure 7 – Street Plan and Figure 8 – Proposed Arterial/Collectors Street System) for a transportation system that is integrated with the transportation system existing and proposed for the City and surrounding areas of Clackamas County. Street sections (Figures 9A and 9B – Street and Trail Sections) are designed to slow traffic, encourage walking and bicycling, and create a pleasant environment. The proposed SAP amendment remains consistent with the transportation components of the Villebois Village Master Plan, and thus this goal.

### ***Goal 13 Energy Conservation***

A68. **Review Criteria:** “Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Comprehensive Plan has been acknowledged to be consistent with Goal 13, and the Villebois Village Master Plan is consistent with Comprehensive Plan energy conservation policies. The Villebois Village Master Plan provides for a compact mixed-use development that will conserve energy by reducing the amount of and length of vehicle trips by making bicycle and pedestrian transportation viable alternatives for many trips. The proposed SAP amendment remains consistent with the Villebois Village Master Plan in this regard, and thus Goal 13.

### ***Goal 14 Urbanization***

A69. **Review Criteria:** “To provide for an orderly and efficient transition from rural to urban land use.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Villebois Village Master Plan is consistent with Comprehensive Plan urbanization policies and the Residential – Village Land Use designation. The proposed SAP amendment for SAP South, Plan Area 2 continues to comply with and further the intent of Goal 14 by providing a coordinated plan for urbanization of the Master Plan area that coordinates development of the area with development of public facilities, including the transportation system, and protects natural resources. The SAP amendment continues to provide more detailed plans for the urbanization of an area already determined to be within the City’s urban growth boundary.

### ***Village Zone***

#### ***Subsection 4.125 (.01) Purpose***

*The Village (V) zone is applied to lands within the Residential Village Comprehensive Plan Map designation. The Village zone is the principal implementing tool for the Residential Village Comprehensive Plan designation. It is applied in accordance with the Villebois Village Master Plan and the Residential Village Comprehensive Plan Map designation as described in the Comprehensive Plan.*

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

A70. **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.

**Explanation 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.-2 Block, Alley, Pedestrian and Bicycle Standards: Maximum Block Perimeter and Spacing Between Streets for Local Access***

A71. **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.”

“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.

**Explanation of Finding:** Circulation patterns along the perimeter of SAP South Plan Area 2 are dictated by a 600-foot access spacing standard on Grahams Ferry Road (City of Wilsonville Transportation System Plan requirement for a minor arterial) along the west property line, surrounding SROZ boundaries, Metro’s Graham Oaks Nature Park to the east and south, and existing development patterns along the north boundary of the site (e.g. adjacent single-family residential lots and parks in SAP South). Internal circulation patterns are impacted by incorporation of the following design features: rear-loaded garages with access provided through alleys for medium lots along the main entry road, retention of wetlands, and retention of existing trees.

Block perimeters in SAP South Plan Area 2 meet the maximum 1,800-foot perimeter and maximum 530-foot street spacing standards except in a few areas where the presence of the SROZ, existing development patterns, Graham Oaks Nature Park, or western property line

at Grahams Ferry Road prevent compliance with this standard. Specific areas that do not meet block perimeter areas are described below.

- Blocks along the west/southwestern portion of Plan Area 2 that are bounded by Grahams Ferry Road, SW Sicily Street, and SW Waterford Lane, as illustrated on the Land Use Key (Sheet 4, Exhibit B2), can only be developed to the property line. Additionally, circulation within these streets is dictated by the 600-foot Grahams Ferry Road spacing standard. These blocks are bordered by the SROZ to the north and south, as well as Graham Oaks Natural Area to the south; local streets cannot be extended into SROZ and Graham Oaks Natural Areas to achieve block and street spacing standards. Therefore, blocks bounded by Grahams Ferry Road, SW Sicily Street, and SW Waterford Lane cannot meet the maximum 1,800-foot block perimeter and maximum 530 street spacing requirements.
- Blocks in the northeastern portion of Plan Area 2, consisting of blocks to the north of SW Amalfi Lane and blocks bounded by SW Amalfi Lane and SW Beaumont Avenue as illustrated on the Land Use Key (Sheet 4, Exhibit B2), are bordered by SROZ area to the west and north. Additionally, an existing residential development of SAP South borders these blocks to the east. Therefore, local street access cannot be extended without adversely impacting the SROZ area. Blocks north of SW Amalfi Lane and blocks bounded by SW Amalfi Lane and SW Beaumont Avenue cannot meet the maximum 1,800-foot maximum block perimeter and 530 maximum street spacing requirements
- Blocks bounded by NW Naples Drive, SW Alta Lane, and SW Alta Court in the southeastern portion of Plan Area 2, as illustrated on the Land Use Key (Sheet 4, Exhibit B2), are bordered by the SROZ and Metro’s Graham Oaks Natural Area to the south and east. Therefore, local street access cannot be extended to serve the subject blocks. Blocks bounded by NW Naples Drive, SW Alta Lane, and SW Alta Court cannot meet the 1,800 maximum block perimeter and 530 maximum street spacing requirements.
- Other blocks not mentioned here meet the maximum 1,800 foot block perimeter and maximum 530 street spacing requirements.

Bike/pedestrian connections are provided, where feasible. Due to the surrounding SROZ areas and the intent to minimize adverse impacts to the SROZ, the majority of trails are soft surface nature trails.

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

A72. **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.

**Explanation of Finding:** The SROZ surrounding the proposed the developed portions of SAP South Plan Area 2 does limit pedestrian and bicycle access improvements. A network of trails is provided but are soft surface in order to minimize impact to the SROZ.

***Subsection 4.125 (.05) B. Access***

A73. **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.

**Explanation of Finding:** The design of the subdivision shown in the SAP allows this criterion to be met during the review of the subdivision plat.

***Subsection 4.125 (.05) D. Fences***

A74. **Review Criterion:** This subsection establishes provisions for fences in the Village Zone, including being consistent with the Master Fencing Program and the Architectural Pattern Book.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The SAP South Master Fencing Plan is part of the SAP South Architectural Pattern Book. This application proposes adding the subject area to the SAP South Master Fencing Plan in the SAP South Architectural Pattern Book. This amendment includes the continuation of Enhanced Full View or Partial View Fence w/ Landscaping along Grahams Ferry Road where residential lots are proposed, Monumentation B at the site entrance, and SROZ fencing at lots adjacent to the SROZ. Residential lot fencing occurs when each home is constructed, details of which are provided with Building Permit review. Residential lot fencing will occur in compliance with the fencing specified for the specific lot type and style in accordance with the SAP South Master Fencing Plan.

***Subsection 4.125 (.08) Parks & Open Space***

A75. **Review Criteria:** This subsection prescribes the open space requirement for development in the Village Zone.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Figure 5 – Parks & Open Space Plan of the Villebois Village Master Plan indicates that approximately 33% of Villebois is in Parks and Open Space. SAP South Plan Area 2 includes 24.06 acres of Parks and Open Space areas, which is in excess of the acreage proposed for the subject area in the Villebois Village Master Plan. Therefore, SAP South Plan Area 2 is consistent with the overall development and will provide the planned parks and open spaces for the subject area.

***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.***

A76. **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 will be satisfied.

**Explanation of Finding:** The street alignments are generally consistent with those shown in the Villebois Village Master Plan. Some minor refinements are proposed. See Findings A108 through A113.

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

A77. **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.

**Explanation of Finding:** The proposed street network will enable conformance with the Public Work Standards. The street system 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***

A78. **Review Criterion:** “All streets shall be developed according to the Master Plan.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** All streets are proposed to be developed with cross sections shown in the Master Plan.

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

A79. **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.

**Explanation of Finding:** The applicant’s drawings in Exhibit B2 show all proposed streets are developed consistent with these standards.

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

A80. **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.

**Explanation of Finding:** No intersections violating the defined offsets are proposed.

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



A81. **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.

**Explanation of Finding:** Proposed curb extensions are shown on the Circulation Plan (Sheet 6 of Exhibit B2), none of which are located on collector streets. The submitted drawings illustrate that all street intersections will have a minimum 20 foot wide clear distance between curb extensions.

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

A82. **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.

**Explanation of Finding:** No street grades approaching these maximums are proposed.

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

A83. **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.

**Explanation of Finding:** The submitted plan sheets, see Exhibit B2, show all street curves meet these standards.

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

A84. **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.

**Explanation of Finding:** Proposed rights-of-way are shown on the applicant’s plan sheets, Exhibit B2. Rights-of-way will also be reviewed as part of the Preliminary Development Plan and Tentative Plat to ensure compliance. 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***

A85. **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.

**Explanation of Finding:** The applicant states in the narrative in Exhibit B1, “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***

A86. **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.

**Explanation 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***

A87. **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.

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

#### ***Subsection 4.125 (.10) Sidewalk and Pathway Improvement Standards***

A88. **Review Criteria:** “The provisions of Section 4.178 shall apply within the Village zone.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The applicant states, “All sidewalks and pathways within SAP South Plan Area 2 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 (Sheets 6 and 7, Exhibit B2).

#### ***Subsection 4.125 (.11) Landscaping, Screening and Buffering***

A89. **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.

**Explanation of Finding:** The appropriate landscaping is provided. The proposed street trees, except for SW Alta Court are among the choices provided in the Community Elements Book, as proposed to be amended by this application to add SAP South Plan Area 2. Condition of Approval PDF 9 ensures the proper street trees are planted for SW Alta Court.

### ***Subsection 4.125 (.12) Signage and Wayfinding***

A90. **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.

**Explanation of Finding:** A Secondary Site Identifier is proposed at the entrance from Grahams Ferry Road with this proposed amendment to SAP South. All signage in the subject area will comply with the proposed amendment to SAP South Master Signage & Wayfinding Plan for the addition of Plan Area 2.

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

A91. **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.

**Explanation of Finding:** The SAP Drawings, Exhibit B2, the Architectural Pattern Book, Exhibit B1, notebook Section IIH, and the Community Elements Book, Exhibit B1, notebook, Section II I, are intended to guide the Preliminary Development Plan and Final Development Plan applications to achieve a built environment that reflects the fundamental concepts and objectives of the Master Plan. The Design Principles of Section (.13) have driven the development of the SAP Drawings, the Architectural Pattern Book and the Community Elements Book, which have previously been approved for the remainder of SAP South, and will work in concert to assure that the vision of Villebois is realized in SAP South Plan Area 2.

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

A92. **Review Criterion:** “Flag lots are not permitted.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** No flag lots are proposed.

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

A93. **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.

**Explanation of Finding:** The Architectural Pattern Book and Community Elements Book previously approved for the remainder of SAP South are proposed to also be applied to SAP South Plan Area 2 ensuring compliance with these standards and consistent with surrounding development.

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

A94. **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.

**Explanation of Finding:** The SAP South Architectural Pattern Book and Community Elements Book is proposed to be amended to add Plan Area 2 to provide the necessary details for lighting and site furnishings, compliance with which will be ensured during PDP, FDP, and building/construction plan review.

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

A95. **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.

**Explanation of Finding:** Subsequent Building Permit applications will review proposed buildings for consistency with the criteria of Table V-3 and the Architectural Pattern Book, as proposed to be amended to add SAP South Plan Area 2.

***Subsection 4.125 (.18) C. Specific Area Plan (SAP) Approval Process***

***Subsection 4.125 (.18) C. 1. Specific Area Plan Purpose***

A96. **Review Criterion:** “Purpose – A SAP is intended to advance the design of the Villebois Village Master Plan.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** As shown in Findings A3 through A58 above, the proposed SAP amendment for Plan Area 2 is advancing the design of the Villebois Village Master Plan.

***Subsection 4.125 (.18) C. 2.-3. Who Can Initiate a SAP Application***

A97. **Review Criterion:** “If not initiated by the City Council, Planning Commission or Development Review Board, an application for SAP approval shall be submitted by the Master Planner, or by landowners pursuant to subsection C.3 below. The application shall be accompanied by payment of a fee established in accordance with the City’s fee schedule.

The owners of property representing at least 80 percent of a SAP area may request in writing that the Master Planner submit a SAP application. The Master Planner must provide a written response within thirty days. If the Master Planner agrees to submit a request, the Master Planner shall have 180 days to submit the SAP application. If the Master Planner denies the request, fails to respond within 30 days, or fails as determined by the Planning Director to diligently pursue the application after agreeing to submit it, by providing drafts of a pattern book and all other SAP elements within 60 days and thereafter pursuing approval in good faith, the property owners may submit a SAP application for review and approval. A copy of a SAP application submitted by property owners must be provided to the Master Planner. Once the application has been deemed complete by the City, the Master Planner shall have 30 days to review and comment in writing before the proposed SAP is scheduled for public hearing by the DRB.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The entirety of SAP South Plan Area 2 is under the ownership of Northwest Wilsonville Properties, LLC, who has signed the application. No Master Planner is currently functioning as outlined in this subsection, wherefore the requirement for their involvement does not apply.

***Subsection 4.125 (.18) D 1. SAP Submittal Requirements: Existing Conditions***

A98. **Review Criterion:** “Existing Conditions – An application for SAP approval shall specifically and clearly show the following features and information on maps, drawings, application form or attachments. The SAP shall be drawn at a scale of 1" = 100' (unless otherwise indicated) and may include multiple sheets depicting the entire SAP area, as follows:” Listed a. through h.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** All the required existing condition drawings have been submitted. See Sheet 2 of Exhibit B2.

***Subsection 4.125 (.18) D. 2. SAP Submittal Requirements: Development Information***

A99. **Review Criterion:** “SAP Development Information – The following information shall also be shown at a scale of 1" = 100' and may include multiple sheets depicting the entire SAP area:” Listed a. through n.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** All the required existing condition drawings have been submitted. See Exhibit B2.

***Subsection 4.125 (.18) D. 3. SAP Submittal Requirements: Architectural Pattern Book***

A100. **Review Criterion:** “Architectural Pattern Book – An Architectural Pattern Book shall be submitted with a SAP application. The Architectural Pattern Book shall apply to all development

outside of the Village Center Boundary, as shown on Figure 1 of the currently adopted Villebois Village Master Plan. An Architectural Pattern Book shall address the following:” Listed a. through h.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The SAP South Architectural Pattern Book (see Exhibit B1, notebook, Section IIIH) includes information addressing all of the above items. This application includes a request to amend SAP South Architectural Pattern Book to include Plan Area 2. Specific amendments proposed with Plan Area 2 are as follows:

- Update *Guiding Principles of the Village Master Plan* to include Plan Area 2 in SAP South on Introduction, page A4
- Update SAP South Lot Types & Sustainability plan to include Plan Area 2 on Introduction, page A5
- Update Community Fencing map to include Plan Area 2 in SAP South: continue Enhanced Full or Partial View Fence w/ Landscaping along Grahams Ferry Road, add monumentation B at site entrance, and show SROZ Fencing at lots adjacent to SROZ, page E3 and E4.

#### ***Subsection 4.125 (.18) D. 4. SAP Submittal Requirements: Community Elements Book***

A101. **Review Criterion:** “Community Elements Book – A Community Elements Book shall be submitted, including the following:” Listed a. through n.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** A standardized design for the above listed elements is included in the SAP South Community Elements Book (see Exhibit B1, notebook, Section II I). Specific amendments proposed with Plan Area 2 are listed below:

- Add lighting detail to Lighting Master Plan Specifications, page 3
- Update Lighting Master Plan Diagram to add Plan Area 2, page 4
- Update Curb Extension Concept Plan Diagram to add Plan Area 2, page 5
- Update Street Tree Master Plan Diagram to add Plan Area 2, page 7

#### ***Subsection 4.125 (.18) D. 5. SAP Submittal Requirements: Rainwater Management Program***

A102. **Review Criterion:** “Rainwater Management Program – A Rainwater Management Program shall be submitted, addressing the following:” Listed a. through c. vii.

**Finding:** These criteria are satisfied or will be satisfied by Condition of Approval NR 1.

**Explanation of Finding:** The previously approved Rainwater Management Program for SAP South is proposed to be applied to SAP South Plan Area 2. Condition of Approval NR 1 requires the plan to be updated to match the proposed utility plan.

#### ***Subsection 4.125 (.18) D. 6. SAP Submittal Requirements: Master Signage and Wayfinding***

A103. **Review Criterion:** “Master Signage and Wayfinding – A Master Signage and Wayfinding Plan shall be submitted with an SAP application and shall address the following:” Listed a. through e.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** A standardized design for the above-listed elements is included in the SAP South Master Signage and Wayfinding Plan (see Exhibit B1, notebook, Section III). Specific amendments proposed with Plan Area 2 include updated Site Plan G0.4 to include Plan Area 2, include Enhanced Full View or Partial View Fence with landscaping along Grahams Ferry Road, secondary site identifier at site entrance, and SROZ fencing where lots are adjacent to SROZ.

***Subsection 4.125 (.18) D. 8. SAP Submittal Requirements: SAP Narrative Statement***

A104. **Review Criterion:** “SAP Narrative Statement – A narrative statement shall be submitted, addressing the following:” Listed a. through f.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The required narrative has been submitted. See Exhibit B1.

***Subsection 4.125 (.18) E. 1. b. i. SAP Elements Consistent with Villebois Village Master Plan***

A105. **Review Criteria:** “Is consistent with the Villebois Village Master Plan. Those elements of the Village Master Plan with which the SAP must be consistent are the Plan’s Goals, Policies, and Implementation Measures, and, except as the text otherwise provides, Figures 1, 5, 6A, 7, 8, 9A, and 9B.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Findings A3 through A58 above demonstrate compliance of proposed SAP South Plan Area 2 with the Villebois Village

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

A106. **Review Criteria:** “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:** These criteria are satisfied.

**Explanation of Finding:** Consistent with Figure 3 of the Villebois Village Master Plan the proposal adds an additional phase to SAP South, Phase 7. All other phases of SAP South have been built. The phasing of the subject area as the 7<sup>th</sup> phase is reasonable as it is the final and only available SAP South Phase to be constructed. Phasing of construction of the phase will be further reviewed under the concurrent PDP request, Request B.

***Subsection 4.125 (.18) E. 1. b. iii. DRB Modification of SAP***

A107. **Review Criteria:** “The Development Review Board may require modifications to the SAP, or otherwise impose such conditions, as it may deem necessary to ensure conformance with the Villebois Village Master Plan, and compliance with applicable requirements and standards of the Planning and Land Development Ordinance, and the standards of this section.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** No specific findings are recommended pursuant to this subsection.

***Subsection 4.125 (.18) F. SAP Refinements to Villebois Village Master Plan***

***Refinement 1 Street Network***

***Subsection 4.125 (.18) F. 1. a. i. Refinements to the Master Plan: Streets***

A108. **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.

**Explanation of Finding:** The Villebois Village Master Plan was amended in October 2013 to update information for the Future Study Area. The street network within proposed SAP South Plan Area 2 is generally consistent with the street network shown in the amended Villebois Village Master Plan. No change in the functional classification of streets is proposed. The only refinements are in relation to SW Waterford Lane, SW Naples Street, and SW Athens Lane. The SROZ analysis, which refines the boundaries of the SROZ based on scientific analysis of the characteristics of the site, identified areas adjacent to the south and east sides of SW Waterford Lane and SW Naples Street that are



not within the SROZ. This allowed for the addition of subtle curves in these roadways. Subtle curvature was also added to SW Athens Lane. This design feature adds aesthetic interest to the streets and allows for the additional and wider linear greens into and throughout the site. This refinement does not affect the function of the circulation system or connectivity for vehicles, bicycles or pedestrians.

***Subsection 4.125 (.18) F. 1. b. i. Refinements: Definition of Significant-Quantitative***

A109. **Review Criteria:** “As used herein, “significant” means:

- i. More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(F)(1)(a), above, or,
- ii. That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(F)(1)(a), above.”

**Finding:** These criteria are satisfied.

**Explanation 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 motor vehicles. No data is available nor practical to obtain regarding the circulation system function for bicycles and pedestrians. Pedestrian and bicycle connections will be maintained where shown in the master plan with only slightly different alignments. 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. No connecting routes for vehicles are lost.

***Subsection 4.125 (.18) F. 1. B. ii. Refinements: Definition of Significant-Qualitative***

A110. **Review Criteria:** “As used herein, “significant” means:

- ii. That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(F)(1)(a), above.”

**Finding:** These criteria are satisfied.

**Explanation 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 A111 below, the proposed refinements do not negatively affect qualitative features of the street network.

***Subsection 4.125 (.18) F. 2. a. Refinements: Equally or Better Meeting Master Plan***

A111. **Review Criteria:** “The refinements will equally or better meet the Goals, Policies and Implementation Measures of the Villebois Village Master Plan.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The adding of curves does not affect compliance with any of the goals, policies and implementation measures in the Villebois Village Master Plan.

***Subsection 4.125 (.18) F. 2. b. Refinements: Impact on Resources***

A112. **Review Criteria:** “The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the SAP and Village area, and”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The SROZ analysis, which refines the boundaries of the SROZ based on scientific analysis of the characteristics of the site, identified areas adjacent to the south and east sides of SW Waterford Lane and SW Naples Street that are not within the SROZ. This allowed for the addition of subtle curves in these roadways. The SROZ analysis helps protect from significant detrimental impacts to the natural areas. See also Request G.

***Subsection 4.125 (.18) F. 2. c. Refinements: Relation to Adjoining Areas***

A113. **Review Criteria:** “The refinement will not preclude an adjoining or subsequent SAP area from development consistent with the Master Plan.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The interaction with adjoining areas of already developed SAP South are consistent with the Master Plan and not affected by the proposed street refinement.

**Refinement 2 Parks, Trails, and Open Spaces**

***Subsection 4.125 (.18) F. 1. a. ii. Refinements to the Master Plan: Parks, Trails, and Open Space***

A114. **Review Criteria:** “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:** These criteria are satisfied.

**Explanation of Finding:** The Villebois Village Master Plan was amended in October 2013 to update information for the Future Study Area. The parks, trails and open space within proposed SAP South Plan Area 2 are generally consistent with the parks, trails and open spaces shown in the amended Villebois Village Master Plan.

The Master Plan included a total of 23.6 acres of parks and open space, consisting of Open Space 3 (OS-3), Pocket Park 16 (PP-16), and multiple Linear Greens (LG) and landscape tracts. The proposed plan for SAP South Plan Area 2 includes a total of 24.06 acres of parks and open space, also consisting of Open Space 3 (OS-3), Pocket Park 16 (PP-16), and multiple Linear Greens (LG) and landscape tracts.

The *Master Plan* describes **Open Space 3** as follows:

**OS-3: Forested Wetland Preserve (Future Study Area SROZ) (23.05 acres)**

This site contains intact and functioning wetlands within forested areas. While the plan does not include restoration or expansion of the wetlands in this site, any work or impacts within the forested wetland preserve shall comply with SROZ regulations as applicable. Smaller soft-surface nature trails will meander through the forest and link neighborhoods on either side. This forest ecosystem will act as a habitat patch, valuable to small mammals, invertebrates and birds. Benches

will be located along nature trails in forested areas, and will be distanced from residential areas and play areas. These areas will offer opportunity for wildlife viewing and quiet contemplation that complements the undeveloped nature of this open space. This open space will also include a creative child play area, benches, and picnic tables. Additionally, connections to trails in Graham Oaks Natural Area will be provided.

OS-3 within the SAP South Plan Area 2 is generally consistent with the *Master Plan*, with refinements that update its size in recognition of the refined SROZ boundaries and remove picnic tables and the play structure previously shown within the SROZ in order to minimize impacts to the SROZ. With this application OS-3 is described as follows:

**Open Space 3 (OS-3): Forested Wetland Preserve (21.48 Acres)**

Preserves existing functional wetlands and wildlife habitat within SROZ areas. Includes smaller soft surface nature trails, with benches and nature trail activity areas that meander through the forest and link with neighborhoods to the north and east and to trails in the Graham Oaks Nature Area to the east and south. Nature trails, benches and nature trail activity areas will comply with SROZ regulations and any impacts will be mitigated through SROZ enhancement and/or creation.

The Master Plan describes **Pocket Park 16** as follows:

**PP-16 (0.26 acres)**

Pocket Park 16 provides a neighborhood focal point and gathering spot, and connections to the adjacent nature trail system. This pocket park provides nature paths, a picnic table, benches, and a play structure.

PP-16 within the SAP South Plan Area 2 is generally consistent with the Master Plan, with refinements that increase its size and add a shelter and small hardscape area to the park, hardscape paths, an additional child play structure, and creative play opportunities through interaction with natural features (non-significant wetland) within the park and an active lawn area located to complement child play structures. With this application PP-16 is described as follows:

**Pocket Park 16 (PP-16) (0.89 Acres)**

Provides a neighborhood focal point and gathering spot, connections to nature trail system, and opportunities for creative play through interaction with a non-locally significant wetland and an active lawn area located to complement child play structures. Includes child play structures for younger and older-aged children, a sheltered seating area and hardscape plaza, hardscape paths, and benches.

The Master Plan describes **Linear Greens** as follows:

**Miscellaneous Linear Greens (Future Study Area) (Total 0.29 acres)**

These linear greens offer visual and physical linkages to open space areas and areas adjacent to existing landscaping. Some linear green spaces include lawn areas, benches, and existing trees where feasible.

Linear greens within the SAP South Plan Area 2 are generally consistent with the *Master Plan*, with refinements that increase the overall area of linear greens by adding more linear greens to the plan and adding small creative play feature(s) within linear greens. Linear greens have been added along both sides of the entry road and along the west side of SW Naples Street. With this application, linear greens are described as follows:

**Linear Greens (LG) (1.14 Acres)**

Provides visual and physical linkages to the neighborhood gathering spot and the nature trail system within Open Space areas. Includes small patches of lawn areas, seating areas, and small creative play features. Provides aesthetic appeal of open space, a sense of place, and safer pedestrian environment along major road from Grahams Ferry Road site entrance.

**Landscape tracts** have been added throughout the site, in areas between residential lots and the adjacent street or providing pedestrian connections. A total of 0.55 acres of landscape tracts are provided with SAP South Plan Area 2.

**Nature Trails** are shown throughout the parks and open space within the subject area in both the Master Plan and in SAP South Plan Area 2, with neighborhood connections to the north and east and to Graham Oaks Nature Area to the east and south. The Nature Trails continue to be shown as smaller soft surface trails and continue to provide the network of connections shown in the Master Plan.

The refinements to the parks, trails and open space described above enhance and improve these features. These refinements do not reduce function, usability, connectivity, or overall distribution or availability of these uses.

***Subsection 4.125 (.18) F. 1. b. i. Refinements: Definition of Significant-Quantitative***

A115. **Review Criteria:** “As used herein, “significant” means:

i. More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(F)(1)(a), above, or,

**Finding:** These criteria are satisfied.

**Explanation 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. While a creative play structure and tables are being removed from Open Space 3 to further protect the natural resources of the areas, new amenities are being added to adjacent Pocket Park 16 including a covered seating area and additional play structure. Additional small creative play structures are also proposed in the linear greens. Especially with the addition of the amenities in Pocket Park 16 and the linear greens, the amenities being removed from Open Space 3 remain available in the SAP South Plan Area 2.

***Subsection 4.125 (.18) F. 1. B. ii. Refinements: Definition of Significant-Qualitative***

A116. **Review Criteria:** “As used herein, “significant” means:

ii. That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(F)(1)(a), above.”

**Finding:** These criteria are satisfied.

**Explanation 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 A117 below, the proposed refinements do not negatively affect qualitative features of the street network.

***Subsection 4.125 (.18) F. 2. a. Refinements: Equally or Better Meeting Master Plan***

A117. **Review Criteria:** “The refinements will equally or better meet the Goals, Policies and Implementation Measures of the Villebois Village Master Plan.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** As discussed in details in Finding A114 above, goals, policies, and implementation measures related to parks and open space are equally or better met. Protection of natural areas and wildlife habitat are enhanced, the network of pathways continues, trees continue to be preserved, a variety of activities remain, and additional layers of activity are added in Pocket Park 16, the main neighborhood gathering area.

***Subsection 4.125 (.18) F. 2. b. Refinements: Impact on Resources***

A118. **Review Criteria:** “The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the SAP and Village area, and”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The creative play area and picnic tables are being removed from the SROZ to reduce impacts on the natural area, none of the other changes negatively impact the natural areas.

***Subsection 4.125 (.18) F. 2. c. Refinements: Relation to Adjoining Areas***

A119. **Review Criteria:** “The refinement will not preclude an adjoining or subsequent SAP area from development consistent with the Master Plan.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed refinements do not impact the surrounding areas. All the surrounding area in the Villebois Village has already been developed.

**Refinement 3 Land Use and Density**

***Subsection 4.125 (.18) F. 1. a. ii. Refinements to the Master Plan: Parks, Trails, and Open Space***

A120. **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 affected SAP.”

“A change in density that does not exceed ten percent, provided such density change does not result in fewer than 2,300 dwelling units in the Village.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The land uses and density within proposed SAP South Plan Area 2 are generally consistent with the land uses and density shown in the Villebois Village Master Plan.

Figure 1 – Land Use Plan of the Master Plan shows a mix of mediums, standards and larges within the subject area with standards and larges around the edges of the

development and mediums concentrated in the internal blocks. The proposed land use plan for SAP South Plan Area 2 continues this pattern with standards and larges located around the edges of the development and mediums located internally.

Refinements to the mix and locations include fewer mediums with mediums being the primary alley-loaded land use proposed. Mediums are located where they will front onto the main entry road (SW Athens Lane) into the project from Grahams Ferry Road, as well as along SW Waterford Lane, SW Beaumont Avenue, and a portion of SW Naples Street. Refinements have occurred along SW Athens Lane to allow for a wider green space feel along this entry street. The mediums along SW Athens Lane will include courtyards in their front yards. The other areas where mediums were previously shown have been refined to show front loaded standards and larges, which results in fewer lots within these blocks. Additionally, lots have been removed from the south side of SW Waterford Lane in order to open up views into the forest.

SAP South Plan Area 2 proposes a total of 100 residential units, including 40 mediums, 25 standards and 35 larges. The proposed refinements do not significantly alter the overall distribution or availability of uses within SAP South as all of these residential units fall within the same land use category as defined by Wilsonville Code. The table below shows the total number of units (larger land use category) shown within SAP South including the subject area in the Master Plan and the total number with the proposed refinements.

	<b>SAP South Unit Count within MP</b>	<b>Proposed SAP South Unit Count</b>	<b>% Change</b>
<b>Medium/Standard/ Large/Estate</b>	312	299	-4.2%

The proposed refinements do not exceed the 10% standard. This proposal results in a total of 2,632 units within Villebois, which remains above the minimum density of 2,300 units required to be obtained across Villebois. The refinements described above improve the overall aesthetic of the proposed plan by enhancing the entry street into the project with the addition of linear greens and courtyards in front of these mediums, by increasing views into the forested open space, and by adding linear greens and landscape tracts along several of the internal streets.

***Subsection 4.125 (.18) F. 1. b. i. Refinements: Definition of Significant-Quantitative***

A121. **Review Criteria:** “As used herein, “significant” means:

i. More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(F)(1)(a), above, or,

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Quantifiable measures related to this refinement include number of units within the aggregate land use category, which is being reduced within the allowable 10% limit and maintains more than 2300 units in the Villebois Village.

***Subsection 4.125 (.18) F. 1. B. ii. Refinements: Definition of Significant-Qualitative***

A122. **Review Criteria:** “As used herein, “significant” means:

ii. That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(F)(1)(a), above.”

**Finding:** These criteria are satisfied.

**Explanation 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 A123 below, the proposed refinements do not negatively affect qualitative features of the street network.

***Subsection 4.125 (.18) F. 2. a. Refinements: Equally or Better Meeting Master Plan***

A123. **Review Criteria:** “The refinements will equally or better meet the Goals, Policies and Implementation Measures of the Villebois Village Master Plan.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** For housing in SAP South Plan Area 2, a specific pattern is established in the Master Plan. A mix of mediums, standards and larges within the subject area with standards and larges around the edges of the development and mediums concentrated in the internal blocks. The proposed land use plan for SAP South Plan Area 2 continues this pattern with standards and larges located around the edges of the development and mediums located internally. See also Finding A120.

***Subsection 4.125 (.18) F. 2. b. Refinements: Impact on Resources***

A124. **Review Criteria:** “The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the SAP and Village area, and”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Part of the unit reduction is to preserve a treed area not in the SROZ helping to maintain and natural and scenic resource.

***Subsection 4.125 (.18) F. 2. c. Refinements: Relation to Adjoining Areas***

A125. **Review Criteria:** “The refinement will not preclude an adjoining or subsequent SAP area from development consistent with the Master Plan.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Adjoining areas of the Master Plan have previously been developed.

***Section 4.139.01 SROZ Purpose***

A126. **Review Criteria:** “The Significant Resource Overlay Zone (SROZ) is intended to be used with any underlying base zone as shown on the City of Wilsonville Zoning Map. The purpose of the Significant Resource Overlay Zone is to implement the goals and policies of the Comprehensive Plan relating to natural resources, open space, environment, flood hazard, and the Willamette River Greenway. In addition, the purposes of these regulations are to achieve compliance with the requirements of the Metro Urban Growth Management Functional Plan (UGMFP) relating to Title 3 Water Quality Resource Areas, and Title 13 Habitat Conservation Areas, and that portion of Statewide Planning Goal 5 relating to significant natural resources. It is not the intent of this ordinance to prevent development where the impacts to significant resources can be minimized or mitigated.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** SAP South Plan Area 2 includes a significant amount of area in the SROZ. Request G, being reviewed concurrently with the SAP Amendment, includes a detailed review of SROZ related regulations.

***Section 4.139.02 Where the SROZ Regulations Apply***

A127. **Review Criteria:** “The regulations of this Section apply to the portion of any lot or development site, which is within a Significant Resource Overlay Zone and its associated “Impact Areas”. The text provisions of the Significant Resource Overlay Zone ordinance take precedence over the Significant Resource Overlay Zone maps. The Significant Resource Overlay Zone is described by boundary lines shown on the City of Wilsonville Significant Resource Overlay Zone Map. For the purpose of implementing the provisions of this Section, the Wilsonville Significant Resource Overlay Zone Map is used to determine whether a Significant Resource Impact Report (SRIR) is required. Through the development of an SRIR, a more specific determination can be made of possible impacts on the significant resources.

Unless otherwise exempted by these regulations, any development proposed to be located within the Significant Resource Overlay Zone and/or Impact Area must comply with these regulations. Where the provisions of this Section conflict with other provisions of the City of Wilsonville Planning and Land Development Ordinance, the more restrictive shall apply.

The SROZ represents the area within the outer boundary of all inventoried significant natural resources. The Significant Resource Overlay Zone includes all land identified and protected under Metro’s UGMFP Title 3 Water Quality Resource Areas and Title 13 Habitat Conservation Areas, as currently configured, significant wetlands, riparian corridors, and significant wildlife habitat that is inventoried and mapped on the Wilsonville Significant Resource Overlay Zone Map.”

**Finding:** These criteria are satisfied.



**Explanation of Finding:** The SROZ areas within SAP South Plan Area 2 include wetlands and upland forest habitat. Request G, being reviewed concurrently with the SAP Amendment, includes a detailed review of SROZ related regulations.

### ***Section 4.171 Protection of Natural Features & Other Resources***

#### ***Subsection 4.171 (.02) General Terrain Preparation***

A128. **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.

**Explanation of Finding:** The SAP Drawings (see Exhibit B2) demonstrate that SAP South Plan Area 2 is designed with maximum regard to natural terrain features and topography including keeping development focused on the areas disturbed by previous development. No hillside areas or floodplains are located within SAP South Plan Area 2. Plan Area 2 includes non-locally significant wetland areas adjacent to the southwestern portion of the subject area, locally significant wetland areas, and areas within the SROZ Zone, as illustrated by the Existing Conditions (see Sheet 2 of Exhibit B2). These features are proposed to be maintained within open space areas. The Tree Preservation Plan shows proposed tree preservation and the Grading Plan conceptually shows proposed grading within the subject area. All subsequent grading, filling and excavating will be done in accordance with the Uniform Building Code. Disturbance of soils and removal of trees and other native vegetation will be limited to the extent necessary to construct the proposed development. Construction will occur in a manner that avoids substantial probabilities of accelerated erosion; pollution, contamination or siltation of lakes, rivers, streams and wetlands; damage to vegetation; and injury to wildlife and fish habitats.

#### ***Subsection 4.171 (.03) Hillsides***

A129. **Review Criterion:** “Hillsides: All developments proposed on slopes greater than 25% shall be limited to the extent that:”

**Finding:** This criterion does not apply.

**Explanation 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***

#### **A130. 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.

**Explanation of Finding:** The Tree Preservation Plan, Sheet 11 of 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. See Request E.

### ***Subsection 4.171 (.05) High Voltage Power Lines***

#### **A131. 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.

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

### ***Subsection 4.171 (.06) Safety Hazards***

#### **A132. 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.

**Explanation 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***

A133. **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.

**Explanation 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***

A134. **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.

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

#### ***Subsection 4.171 (.09) Historic Protection***

A135. **Review Criteria:** This subsection establishes requirements for protection of historic resources.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** A Cultural Resources Inventory for SAP South – Plan Area 2 (see Exhibit B2, notebook, Section IIE) describes methods, conditions, findings, and recommendations related to historic, cultural, and archeological resources on the subject site in detail. This report states that one archeological resource was identified on the subject site. However, the resource is an isolated find, which does not qualify for site designation or listing on the National Register of Historical Places. Therefore, no further archeological work or avoidance measures are recommended at this time. If any resources are discovered during construction, activities should be halted and the resource consultant should be notified.

#### ***Section 4.178 Sidewalk and Pathway Standards***

A136. **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.

**Explanation of Finding:** Sheet 7 of the applicant’s plan sheets, Exhibit B2, depict cross-sections of the proposed sidewalks and pathways in compliance with the above standards and Master Plan figures

**REQUEST B: DB14-0003 SAP-SOUTH PDP 7, PRELIMINARY DEVELOPMENT PLAN**

The applicant's findings in Section IIA of their PDP notebook, Exhibit B3, respond to the majority of the applicable criteria.

*Village Zone*

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

B1. **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.

**Explanation of Finding:** The uses proposed includes single-family homes, parks and playgrounds, a sewer pump station, 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. Block, Alley, Pedestrian, and Bicycle Standards*

B2. **Review Criteria:** This subsection lists the block, alley, pedestrian, and bicycle standards applicable in the Village Zone.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The Preliminary Development Plan drawings, Exhibit B4, shows blocks, alleys, pedestrian, and bicycle paths consistent with this subsection and the SAP, as proposed to be amended.

*Subsection 4.125 (.05) B. Access*

B3. **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.

**Explanation of Finding:** A condition of approval for the Tentative Subdivision Plat will ensure compliance with this standard. See Request D.

**Table V-1, Development Standards**

**B4. 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 <sup>10,12</sup> (%)	Max. Bldg. Height (ft.)	Front Min. (ft.)	Setbacks <sup>10,13,20</sup> Front Max. (ft.)	Rear Min. (ft.)	Side Min. (ft.)	Alley-Loaded Garage (note)	Street-Loaded Garage (note)
Commercial Buildings - Village Center <sup>14</sup>	NR	NR	NR	1	90	60	NR <sup>3</sup>	5	NR	NR	NR	NA
Hotels - Village Center <sup>14</sup>	NR	NR	NR	1	80	60	NR <sup>3</sup>	15	NR	NR	NR	NA
Mixed Use Buildings - Village Center <sup>14</sup>	NR	NR	NR	1	90	60	NR <sup>3</sup>	8	NR	NR	NR	NA
Multi-Family Dwellings - Village Center <sup>14</sup>	NR	NR	NR	1	80	45	5 <sup>4</sup>	15	NR	NR	NR	NA
Row Houses <sup>11</sup> - Village Center <sup>14</sup>	NR	NR	NR	1	80	45	5 <sup>4</sup>	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 <sup>4</sup>	15	NR	NR	NR	NA
Row Houses <sup>11</sup>	NR	15	50	1	80	45	8 <sup>3</sup>	15	NR	NR	NR	NA
Duplexes	4,000	45	70	2	60 <sup>16</sup>	35	12 <sup>5,6</sup>	20 <sup>6</sup>	5	5 <sup>15</sup>	7	8.17.18
Single-Family Dwellings	2,250	35	50	2	60 <sup>16</sup>	35	12 <sup>5,6</sup>	20 <sup>6</sup>	5	5 <sup>15</sup>	7	8.17

Notes: NR, No Requirement  
 NA, Not Allowed  
 1 Lot < 8000sf: NR; Lot >8000sf: 80% (Max. Lot Coverage)  
 2 Small lots: 75%, Medium Lots: 65%, Standard and Large Lots: 55%, Estate Lots: 45% Maximum Lot Coverage  
 On lots where detached accessory buildings are built, maximum lot coverage may be increased by 10%.  
 3 Bay windows, balconies, and other structural building projections above 8 ft. may encroach up to 5 ft. into the Public Way; canopies, awnings, and other non-structural projections may encroach up to 8 ft. into the Public Way.  
 4 Porches, stairs, stoops, decks, canopies, balconies, bay windows, chimneys, awnings, and other building projections may encroach up to the Public Way.  
 5 Porches, stoops, decks, canopies, balconies, bay windows, chimneys, awnings, and other building projections may encroach to within 8 ft. of the Public Way. Stairs may encroach to the Public Way.  
 6 For Standard, or Large Lots on Collector Avenues, front setbacks are 20 ft. min., (13' setback to porch), side street setbacks are 15' (8' setback to porch). Pie-shaped lots or lots with significant trees or grade banks at frontage have no maximum front setback.  
 7 The garage setback from alley shall be between 3 and 5 foot or, when as optional parking space is located between the garage and the alley, shall be 16 ft. minimum. Lots with important trees, as identified in the Master Plan, or grade differences at the alley, affecting garage location shall be exempt from this requirement.  
 8 Street-loaded garages shall be a minimum 20 ft. front setback to face of garage, and located a minimum of 5 ft. behind main façade of the associated dwelling unit.  
 9 Vertical encroachments are allowed up to ten additional feet, for up to 10% of the building footprint, vertical encroachments shall not be habitable space.  
 10 For Village Center buildings with lots fronting two or more streets, at least two facades shall be subject to the minimum frontage width and front setback requirements.  
 11 Row Houses are typically attached, but may be detached within the Village Center Boundary. When attached, no more than ten units shall be contiguous along a street edge. When row houses are detached, the Minimum Frontage Width is 65%. The Minimum Frontage Width for detached row houses may be less than 65% on corner lots or to accommodate the curve radius of street frontage, public utility easements, important trees, grade differences, public open space requirements, or as otherwise approved by the DRB.  
 12 See Definitions, 4.125.01, for measurement of Minimum Frontage Width.  
 13 Front Setback is measured as the offset of the front lot line or a vehicular or pedestrian access easement line. On lots with alleys, Rear Setback shall be measured from the rear lot line abutting the alley.  
 14 See Figure 2A - Village Center Boundary & Land Use Plan in the Villebois Village Master Plan for areas included within the Village Center.  
 15 On Estate Lots and Large Lots with frontage 70 ft. or wider, the minimum combined side yard setbacks shall total 15 ft. with a minimum of 5 ft. On Small and Medium Lots, minimum side setback shall be 0 ft. or as required by Building Code.  
 16 For cluster housing with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right of way or a public pedestrian access easement linking the courtyard with the Public Way.  
 17 Dwellings on lots without alley access shall be at least 36 feet wide.  
 18 Duplexes with front-loaded garages are limited to one shared standard-sized driveway/apron.  
 19 Maximum setbacks may be increased as necessary to accommodate deeper porches, building code, public utility easements or public open space requirements.  
 20 Lots are categorized as small, medium, standard, large or estate as shown in the Pattern Book.

[Table V-1 amended by Ord. 667 on 8/17/09, Ord. 682, 9/9/10]

**Finding:** These criteria are satisfied.

**Explanation 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 South Pattern Book.

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

**B5. Review Criteria:**

Table V-2: Off Street Parking Requirements				
	Min. Vehicle Spaces	Max. Vehicle Spaces	Bicycle Short-term (Spaces)	Bicycle Long-term (Spaces)
<b>Permitted or Conditional Use</b>				
<b>Permitted Uses</b>				
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
<b>Commercial Uses</b>				
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
<b>Conditional Uses</b>				
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 <sup>1</sup>	5/1000 sf <sup>1</sup>	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: <sup>1</sup> 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.

**Explanation of Finding:** At least two (2) parking spaces are provided for each home, exceeding the minimum of one (1).

**Subsection 4.125 (.08) Parks & Open Space**

B6. **Review Criteria:** This subsection prescribes the open space requirement for development in the Village Zone.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Figure 5 – Parks & Open Space Plan of the Villebois Village Master Plan states that there are a total of 159.73 acres within Villebois, which is approximately 33% of Villebois. An amendment to SAP South to include Plan Area 2 has been submitted concurrently. See Request A. SAP South Plan Area 2 included minor refinements to park and open space areas, which increased parks and open space areas within the subject site. Parks and open space areas within PDP 7 South are 24.06 acres in size, consistent with the acreage proposed for the subject area with SAP South Plan Area 2. Additionally, parks and open spaces compromise 56% of PDP 7 South, exceeding the minimum requirement of 25%. Therefore, PDP 7 South is consistent with the overall development and will provide the planned parks and open space areas for the subject area.

***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.***

B7. **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.

**Explanation of Finding:** The street alignments and access improvements conform with SAP South Plan Area 2 plans which have been found to be in compliance with the Villebois Village Master Plans with some minor refinements regarding alignment of the streets. See Request A Findings A76 and Findings A108 through A113.

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

B8. **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.

**Explanation of Finding:** All street improvements within this PDP will comply with the applicable Public Works Standards. The connection to Villebois Drive South and Grahams Ferry Road are provided as shown in the Master Plan. No other connections to adjoining properties or subdivisions are planned.

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

B9. **Review Criterion:** “All streets shall be developed according to the Master Plan.”

**Finding:** This criterion is satisfied.

**Explanation 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, Sheet 7.1 of Exhibit B4, and Street Sections, Sheet 7.2 of Exhibit B4,



which are consistent with the cross sections shown in the Master Plan and as approved by the City Engineer for Grahams Ferry Road.

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

**B10. 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.

**Explanation of Finding:** The Circulation Plan, Sheet 7.1 of Exhibit B4, 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***

**B11. 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.

**Explanation of Finding:** The Circulation Plan, Sheet 7.1 of Exhibit B4, 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***

**B12. 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.

**Explanation of Finding:** Curb extensions are shown on the Circulation Plan, Sheet 7.1 of Exhibit B4. 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***

**B13. 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.

**Explanation of Finding:** No streets are proposed that exceed or approach the maximum grade.

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

B14. **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.

**Explanation of Finding:** Compliance is shown on the Circulation Plan, Sheet 7.1 of Exhibit B4.

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

B15. **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.

**Explanation of Finding:** Proposed rights-of-way are shown on the applicant’s plan sheets, including Sheets 4.1 and 4.2, Tentative Subdivision Plat, in Exhibit B4. 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***

B16. **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.

**Explanation 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***

B17. **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.

**Explanation 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***

B18. **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.

**Explanation 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***

B19. **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.

**Explanation of Finding:** An interim street section improvement will be provided on Grahams Ferry Road to create consistency with street improvements completed previously with phased development of SAP North and SAP South. No other interim street improvements are proposed.

***Subsection 4.125 (.10) Sidewalk and Pathway Improvement Standards***

B20. **Review Criteria:** “The provisions of Section 4.178 shall apply within the Village zone.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** All sidewalks and pathways within SAP South Plan Area 2 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 Sheets 7.1 and 7.2, Exhibit B4.

***Subsection 4.125 (.11) Landscaping, Screening and Buffering***

B21. **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.

**Explanation of Finding:** The appropriate landscaping is provided. The proposed street trees are among the choices provided in the Community Elements Book, except SW Alta Court which Condition of Approval PDF 9 ensures appropriate street trees are placed.

### ***Subsection 4.125 (.12) Signage and Wayfinding***

B22. **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.

**Explanation of Finding:** Signage will be provided consistent with the SAP South Signage & Wayfinding Plan, as amended by Request A.

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

B23. **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.

**Explanation 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, as amended in Request A, the design of the PDP will satisfy these criteria. See also Final Development Plan, Request F.

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

B24. **Review Criterion:** “Flag lots are not permitted.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** No flag lots are proposed.

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

B25. **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.

**Explanation 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. Expected front elevations of the planned homes are provided which have been found satisfactorily consistent with the Architectural Pattern Book by the city’s consultant architect, Steve Coyle. See Section IIG) of Exhibit B3 and Exhibit B6. Compliance with the Community Elements Book is being reviewed as part of Request F Final Development Plan. In order to increase consistency with the Architectural Pattern Book and other development elsewhere in Villebois Condition of Approval PDB 5 requires courtyard fencing consistent with the pattern book and the architectural style of the home for at least 30% of the homes with usable courtyards not exceeding a 5% slope.

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

B26. **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.

**Explanation of Finding:** The appropriate landscape plans have been provided. See Exhibit B5.

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

B27. **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.

**Explanation of Finding:** Tree protection information is provided. See also Request E.

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

B28. **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 PDB 2.

**Explanation 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***

B29. **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.

**Explanation 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***

B30. **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.

**Explanation of Finding:** This PDP addresses Phase 7 on the SAP South Phasing Plan as amended with Request A.

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

B31. **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.

**Explanation of Finding:** This application is made by Fred Gast of Polygon Homes. The PDP is all under the ownership of Northwest Wilsonville Properties, LLC. The application has been signed by managing member Bo Oswald.

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

B32. **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.

**Explanation 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***

B33. **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.

**Explanation 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***

B34. **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.

**Explanation of Finding:** The proposed PDP includes only residential uses with supporting recreational amenities and utilities, including a sanitary sewer lift station.

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

B35. **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.

**Explanation of Finding:** A preliminary subdivision plat has been submitted concurrently with this request. See Request D.

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

B36. **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.

**Explanation of Finding:** A zone map amendment request has been submitted concurrently with this request. See Request C.

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

B37. **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.

**Explanation of Finding:** All of the listed information has been provided. See Exhibits B3 and B4.

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

B38. **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.

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

Approx. Gross Acreage	42.76 Acres
Parks and Open Space	24.06 Acres
Public Streets	6.83 Acres
Lots and Alleys	11.58 Acres

Net Residential Density: 100 lots / 11.58 Acres = 8.6units per net acre

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

B39. **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.

**Explanation 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. See Exhibit B4.



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

B40. **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.

**Explanation of Finding:** The proposed PDP includes Large, Standard, and Medium, detached single-family housing products. Elevations approved by the city consultant architect, Steve Coyle, have been provided. See Section IIG) of applicant’s notebook, Exhibit B3, and Exhibit B6.

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

B41. **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.

**Explanation of Finding:** A composite utility plan has been provided. See applicant’s Sheet 6, Exhibit B4.

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

B42. **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.

**Explanation of Finding:** The PDP is proposed to be executed in two phases. The proposed phases of the subject PDP are shown on the PDP Phasing Plan, Sheet 11 of Exhibit B4.

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

B43. **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.

**Explanation 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***

B44. **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.

**Explanation of Finding:** The required traffic report has been provided, and can be found in Section IID of the applicant's notebook, Exhibit B3.

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

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

- B45. **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.

**Explanation of Finding:** The PDP matches the requested approval of SAP South Plan Area 2 and the application includes all of the requested information.

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

- B46. **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.

**Explanation of Finding:** The required traffic report is included in Section IID of the applicant's notebook, Exhibit B3.

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

- B47. **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.

**Explanation of Finding:** The required level of detail has been shown, similar to other PDP's approved throughout Villebois.

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

B48. **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.

**Explanation of Finding:** The required legal documents for review have been provided. See Section IIIC in the applicant’s notebook, Exhibit B3.

***Subsection 4.125 (.18) I. PDP Approval Procedures***

B49. **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.

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

***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***

B50. **Review Criteria:** “Is consistent with the standards identified in this section.”

**Finding:** These criteria are satisfied.

**Explanation 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***

B51. **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.

**Explanation of Finding:** Findings are provided showing compliance with applicable standards of the Planning and Land Development Ordinance. Specifically Findings B57 through B59 address Subsections 4.140 (.09) J. 1. through 3.

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

B52. **Review Criterion:** “Is consistent with the approved Specific Area Plan in which it is located.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The requested PDP approval is consistent with the SAP, as requested to be amended by Request A.

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

B53. **Review Criterion:** “Is consistent with the approved Pattern Book and, where required, the approved Village Center Architectural Standards.”

**Finding:** This criterion is satisfied.

**Explanation 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.” Exhibit B6 shows front elevations of homes found to be consistent with the Pattern Book by the City’s consultant architect, Steve Coyle.

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

B54. **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.

**Explanation of Finding:** Construction is anticipated to begin in 2014 on the first phase. As the DRB is not otherwise authorizing, completion of the final phase of construction must be completed within two years of the commencement of construction of the first phase.

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

B55. **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 PDB 3.

**Explanation of Finding:** A condition of approval ensures the parks within phase 1 and phase 2 of PDP 7S as shown on Sheet 11 of Exhibit B4 will be completed prior to occupancy of 50% of the housing units of the phase or bonding will be provided if special circumstances prevent completion. Specifically, park improvement shown in Phase 1 must be completed prior to the granting of the building permit for the 28<sup>th</sup> house in the phase. Park improvements in Phase II must be completed prior to granting the building permit for the 22<sup>nd</sup> house in the phase.

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

B56. **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.

**Explanation 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***

B57. **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.

**Explanation of Finding:** The applicant’s findings demonstrate the location, design, size, and uses proposed with the PDP are both separately and as a whole consistent with SAP South as proposed to be amended in Request A, 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***

B58. **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.

**Explanation 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 requested SAP South amendment in Request A, which included an Internal Circulation Evaluation including an assessment of intersection performance by DKS Associates. A copy of the Traffic Impact Analysis is included in Section IID of the applicant’s notebook, Exhibit B3.

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

B59. **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.

**Explanation of Finding:** As shown in the Utility and Drainage Report, Section IIC of the applicant’s notebook, Exhibit B3, and the applicant’s Composite Utility Plan, Sheet 6 of Exhibit B4, 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***

B60. **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.

**Explanation of Finding:** The PDP matches the SAP South amendment for Plan Area 2, which in Request A has been found to meet the requirements of this subsection.

***Subsection 4.171 (.03) Hillsides***

B61. **Review Criterion:** “Hillsides: All developments proposed on slopes greater than 25% shall be limited to the extent that:”

**Finding:** This criterion does not apply.

**Explanation of Finding:** No development is proposed on such slopes.

***Subsection 4.171 (.04) Trees and Wooded Area***

B62. **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.

**Explanation of Finding:** The Tree Preservation Plan, Section V of Exhibit B3 and Sheets 9.1 and 9.2 of Exhibit B4, 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. See Request E.

***Subsection 4.171 (.05) High Voltage Power Lines***

B63. **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.

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

***Subsection 4.171 (.06) Safety Hazards***

B64. **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.

**Explanation 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***

B65. **Review Criteria:** “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.

**Explanation 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***

B66. **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.

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

#### ***Subsection 4.171 (.09) Historic Protection***

B67. **Review Criteria:** This subsection establishes requirements for protection of historic resources.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The PDP matches the SAP South amendment for Plan Area 2, which in Request A has been found to meet the requirements of this subsection.

#### ***Section 4.176 Landscaping, Screening, and Buffering***

B68. **Review Criteria:** This section establishes landscape, screening, and buffering requirements for development within the City.

**Finding:** These criteria are satisfied.

**Explanation 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. The variety of street tree shown for SW Alta Court is not consistent for the street type as shown in the *Community Elements Book*. However, Condition of Approval PDF 9 ensures appropriate street trees are planted consistent with the *Community Elements Book*. Landscaping in the parks and linear green areas will be reviewed with Request F, Final Development Plan.



#### ***Section 4.177 Street Improvement Standards***

B69. **Review Criteria:** This section establishes street improvements standards for development within the City.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The PDP is consistent with the SAP South amendment for Plan Area 2, which in Request A has been found to meet the requirements of this subsection.

#### ***Section 4.178 Sidewalk and Pathway Standards***

B70. **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.

**Explanation of Finding:** The PDP is consistent with the SAP South amendment for Plan Area 2, which in Request A has been found to meet the requirements of this subsection.

**REQUEST C: DB14-0004 ZONE MAP AMENDMENT**

The applicant’s findings in Section IVA of their PDP notebook, Exhibit B3, respond to the majority of the applicable criteria.

**Comprehensive Plan**

***Compact Urban Development-Implementation Measures***

***Implementation Measure 4.1.6.a***

- C1. **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.  
**Explanation of Finding:** Development in this area is being guided by all the listed plans and codes.

***Implementation Measure 4.1.6.b.***

- C2. **Review Criteria:** This implementation measure identifies the elements the Villebois Village Master Plan must contain.  
**Finding:** These criteria are not applicable  
**Explanation of Finding:** The concurrent proposal for a preliminary development plan implements the procedures as outlined by the Villebois Village Master Plan, as previously approved.

***Implementation Measure 4.1.6.c.***

- C3. **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.  
**Explanation 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.***

- C4. **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.  
**Explanation of Finding:** The area covered by the proposed zone change is proposed for residential uses, parks and open space, and sanitary sewer lift station as shown in the Villebois Village Master Plan.

**Planning and Land Development Ordinance**

***Section 4.029 Zoning to be Consistent with Comprehensive Plan***

C5. **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.

**Explanation of Finding:** The applicant is applying for a zone change concurrently with a Preliminary Development Plan, which is equivalent to a Stage II Final Plan for a planned development.

***Subsection 4.110 (.01) Base Zones***

C6. **Review Criterion:** This subsection identifies the base zones established for the City, including the Village Zone.

**Finding:** This criterion is satisfied.

**Explanation 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***

C7. **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.

**Explanation 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***

C8. **Review Criteria:** This subsection lists the uses permitted in the Village Zone.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed residential, park and open space, and utility 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***

C9. **Review Criterion:** “... Application for a zone change shall be made concurrently with an application for PDP approval...”

**Finding:** This criterion is satisfied.

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

***Subsection 4.197 (.02) Zone Change Review***

***Subsection 4.197 (.02) A. Zone Change Procedures***

C10. **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.

**Explanation 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.***

C11. **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.

**Explanation of Finding:** The proposed zone map amendment is consistent with the Comprehensive Map designation of Residential-Village and as shown in Findings C1 through C4 comply with applicable Comprehensive Plan text.

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

C12. **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.

**Explanation 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***

C13. **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.

**Explanation 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 B3, 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 B3.

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

- C14. **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.

**Explanation of Finding:** A portion of the subject property is within the SROZ. Request G is reviewing SROZ regulations and ensuring the development does not have a significant adverse effect on natural resources. The proposed development is being focused on areas of the site previously disturbed by the development.

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

- C15. **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.

**Explanation 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, beginning construction in 2014. 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*

- C16. **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.

**Explanation 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 D: DB14-0005 TENTATIVE SUBDIVISION PLAT**

The applicant's findings in Section IIIA of their PDP notebook, Exhibit B3, respond to the majority of the applicable criteria.

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

D1. **Review Criteria:** This subsection lists the permitted uses in the Village Zone.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed subdivision is for uses including single family homes and row homes, parks and open space, and a sanitary sewer lift station are 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*

D2. **Review Criteria:** This subsection lists the block, alley, pedestrian, and bicycle standards applicable in the Village Zone.

**Finding:** These criteria are satisfied.

**Explanation 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*

D3. **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 PDD 6.

**Explanation of Finding:** Condition of Approval PDD 6 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*

D4. **Review Criteria:** This table shows the development standards, including setback for different uses in the Village Zone.

**Finding:** These criteria are satisfied.

**Explanation 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*

D5. **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.

**Explanation of Finding:** Nothing concerning the tentative subdivision would prevent the required parking from being built.

***Subsection 4.125 (.08) Open Space Requirements***

D6. **Review Criteria:** This subsection establishes the open space requirements for the Village Zone.

**Finding:** These criteria are satisfied or will be satisfied by Condition of Approval PDD 9.

**Explanation 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. the condition of approval require the City Attorney to review and approve pertinent bylaws, covenants, or agreements prior to recordation.

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

D7. **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.

**Explanation of Finding:** The tentative subdivision plat shows street alignments, improvements, and access improvements consistent with the approved PDP and SAP 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***

D8. **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.

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

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

D9. **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.

**Explanation of Finding:** The tentative subdivision plat shows streets found to meet these standards under Requests A and B.

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

D10. **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.

**Explanation 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***

D11. **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.

**Explanation 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***

D12. **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.

**Explanation of Finding:** The tentative subdivision plat shows streets found to meet these standards under Requests A and B.

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

D13. **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.

**Explanation 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***

D14. **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.

**Explanation 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***

- D15. **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.

**Explanation 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***

- D16. **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.

**Explanation of Finding:** It is understood that no lots 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***

D17. **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.

**Explanation 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***

D18. **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.

**Explanation of Finding:** A pre-application meeting has been held. See case file PA13-0007.

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

D19. **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.

**Explanation of Finding:** Sheets 4.1 and 4.2 of Exhibit B4, as shown modified in Exhibit B9, is a tentative subdivision plat prepared in accordance with this subsection.

***Subsection 4.210 (.01) B. Tentative Plat Submission***

D20. **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.

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

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

D21. **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.

**Explanation of Finding:** Phasing is shown on Sheet 11 of the applicant’s plan set, Exhibit B4.

***Subsection 4.210 (.01) E. Remainder Tracts***

D22. **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.

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

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

D23. **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.

**Explanation 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***

D24. **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.

**Explanation of Finding:** The tentative subdivision plat shows streets meeting these standards consistent with the proposed PDP. See Request B.

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

D25. **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.

**Explanation of Finding:** The tentative subdivision plat shows streets consistent with the proposed SAP Amendment and PDP under Requests A and B which meets Section 4.177 and the block requirements of the zone.

***Subsection 4.236 (.04) Creation of Easements***

D26. **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.

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

***Subsection 4.236 (.05) Topography***

D27. **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.

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

***Subsection 4.236 (.06) Reserve Strips***

D28. **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.

**Explanation 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 PDD 6 to prevent access to the front side of lots served by an alley. See also Findings D3.

***Subsection 4.236 (.07) Future Expansion of Street***

D29. **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.

**Explanation of Finding:** No street extensions are necessary pursuant to this subsection. Adjacent properties are either already developed or are preserved as a nature park.

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

D30. **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.

**Explanation of Finding:** The necessary right-of-way for Grahams Ferry Road is being dedicated.

#### ***Subsection 4.236 (.09) Street Names***

D31. **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.

**Explanation 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***

D32. **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.

**Explanation of Finding:** The tentative subdivision plat shows blocks consistent with those proposed Preliminary Development Plan. See Request B.

#### ***Subsection 4.237 (.02) Easements***

D33. **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.

**Explanation of Finding:** As shown on the applicant's sheets 4.1 and 4.2 of their plan set, Exhibit B4, the required easements have been provided. Condition of Approvals ensures all easements dealing with utilities are on the final plat.

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

- D34. **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.

**Explanation 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***

- D35. **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.

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

***Subsection 4.237 (.05) Lot Size and Shape***

- D36. **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.

**Explanation 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 Requests A and B.

***Subsection 4.237 (.06) Access***

- D37. **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.

**Explanation of Finding:** Each lot has the minimum frontage on a street or greenbelt, as allowed in the Architectural Pattern Book, as proposed to be amended in Request A.

***Subsection 4.237 (.07) Through Lots***

- D38. **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.

**Explanation of Finding:** No through lots are proposed. The lots on Sicily Street backing up to Grahams Ferry Road have a common tract between the rear lot line and the Grahams Ferry Road right-of-way.



***Subsection 4.237 (.08) Lot Side Lines***

D39. **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.

**Explanation 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, required alley orientation, and natural resource preservation.

***Subsection 4.237 (.09) Large Lot Land Divisions***

D40. **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.

**Explanation of Finding:** No future divisions of the lots included in the tentative subdivision plat.

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

D41. **Review Criteria:** The Planning Director or Development Review Board may establish special:

- building setbacks to allow for the future redivision 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.

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

***Subsection 4.237 (.12) Land for Public Purposes***

D42. **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.

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

***Subsection 4.237 (.13) Corner Lots***

D43. **Review Criterion:** “Lots on street intersections shall have a corner radius of not less than ten (10) feet.”

**Finding:** This criterion is satisfied.

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

### ***Section 4.250 Lots of Record***

D44. **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.

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

### ***Section 4.260 Improvements-Procedures***

D45. **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.

**Explanation 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***

D46. **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.

**Explanation 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 E: DB14-0006 TYPE C TREE PLAN**

**The applicant’s findings in Section VA of their PDP notebook, Exhibit B3, respond to the majority of the applicable criteria.**

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

- E1. **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 PDE 2.

**Explanation of Finding:** Condition of Approval PDE 2 ensures the required access is allowed including easement to inspect preserved Oregon White Oaks in private yards.

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

- E2. **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.

**Explanation 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***

- E3. **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 will be satisfied by a condition of approval.

**Explanation of Finding:** The condition requires tree preservation easements to be recorded with the final plat to protect important and good Oregon White Oak trees identified in the arborist report that are not otherwise within a conservation easement or HOA tract. The easements shall allow City access to inspect the tree and the area within the easement. The responsibility for landscaping and tree maintenance within the easement areas shall be held by the Homeowners Association. Landscaping within easement areas shall be limited to native plantings compatible with Oregon White Oaks. Drainage and irrigation shall be designed to optimize the amount of water in the root zone of the oak trees for the health of the oaks. In the event one of the preserved Oak dies a replacement Oregon White Oak shall be planted in its place. An additional condition requires tree protective fencing around all preserved important and good Oregon White Oaks to have a legible sign be placed on the tree protective fencing stating “Penalty for damaging this tree

may be up to \$(assessed value)” or substantially similar language. The assessed value shall be that shown in a tree valuation report for the preserved important and good Oregon White Oaks prepared by the appropriate arboriculture professional and given to the City’s Planning Division with the Type C Tree Permit request. These conditional are reasonable in consideration of the aesthetic, historical, and natural importance of the preserved Oregon White Oak trees and in consideration that the conditions are based on issues arising around preserved trees in previous phases of Villebois development including inappropriate landscaping and irrigation within drip lines of preserved trees leading to tree decline and death, and construction damage, especially from utility installation and grading leading to excessive pooling of storm water. In addition, Conditions of Approval PDE 409 and PDE 410 require special procedures are followed to protect the preserved trees during fence and utility installation within the root zone.

***Subsection 4.610.00 (.06) B. Completion of Operation***

- E4. **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.  
**Explanation 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***

- E5. **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 PDE 5is satisfied.  
**Explanation of Finding:** The condition of approval ensures the security requirement of this subsection is met. As allowed by Subsection 1 the bonding requirement is being waived as the application is required to comply with WC 4.264(1).

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

***Subsection 4.610.10 (.01) A. Standards for the Significant Resource Overlay Zone***

- E6. **Review Criteria:** “Standard for the Significant Resource Overlay Zone. The standard for tree removal in the Significant Resource Overlay Zone shall be that removal or transplanting of any tree is not inconsistent with the purposes of this chapter.”  
**Finding:** These criteria are satisfied.  
**Explanation of Finding:** Request G fully reviews any impact to the Significant Resource Overlay Zone, including any tree removal.



***Subsection 4.610.10 (.01) B. Standards for Preservation and Conservation***

- E7. **Review Criteria:** “No development application shall be denied solely because trees grow on the site. Nevertheless, tree preservation and conservation as a principle shall be equal in concern and importance as other design principles.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The preservation of on-site trees was an important factor in the design of PDP 7 South. To minimize the impacts to existing on-site trees, the proposed development footprint is predominantly located within the areas of the site previously impacted by development. Care has been taken to preserve trees, especially good and important trees. Review of the site plan by staff has not produced any additional suggestions for reasonable design alternatives that would preserve additional trees.

***Subsection 4.610.10 (.01) C. Standards for Development Alternatives***

- E8. **Review Criteria:** “Preservation and conservation of wooded areas and trees shall be given careful consideration when there are feasible and reasonable location alternatives and design options on-site for proposed buildings, structures or other site improvements.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** To minimize the impacts to existing on-site trees, the proposed development footprint is predominantly located within the areas previously impacted by development. Care has been taken to preserve trees, especially good and important trees. Review of the site plan by staff has not produced any additional suggestions for reasonable design alternatives that would preserve additional trees.

***Subsection 4.610.10 (.01) D. Standards for Land Clearing***

- E9. **Review Criteria:** “Where the proposed activity requires land clearing, the clearing shall be limited to designated street rights-of-way and areas necessary for the construction of buildings, structures or other site improvements.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** This standard is being followed as shown in the applicant’s plan set, Exhibit B4.

***Subsection 4.610.10 (.01) E. Standards for Residential Development***

- E10. **Review Criteria:** “Where the proposed activity involves residential development, residential units shall, to the extent reasonably feasible, be designed and constructed to blend into the natural setting of the landscape.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed development footprint is focused the areas previously impacted by development maintaining much of the surrounding natural setting.

***Subsection 4.610.10 (.01) F. Standards for Compliance with Statutes and Ordinances***

- E11. **Review Criteria:** “The proposed activity shall comply with all applicable statutes and ordinances.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** This standard is broad and duplicative. As found elsewhere in this report, the applicable standards are being applied.

***Subsection 4.610.10 (.01) G. Standards for Relocation and Replacement***

E12. **Review Criteria:** “The proposed activity shall include necessary provisions for tree relocation or replacement, in accordance with WC 4.620.00, and the protection of those trees that are not removed, in accordance with WC 4.620.10.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed tree activity is being reviewed in accordance to the referenced sections related to replacement and protection.

***Subsection 4.610.10 (.01) H. Limitation on Tree Removal***

E13. **Review Criteria:** “Tree removal or transplanting shall be limited to instances where the applicant has provided completed information as required by this chapter and the reviewing authority determines that removal or transplanting is necessary based on the criteria of this subsection.” Listed 1. through 4.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The proposed tree removal is either necessary for construction or is due to the health and condition of the trees.

***Subsection 4.610.10 (.01) I. 1. Additional Standards for Type C Permits: Tree Survey***

E14. **Review Criteria:** “For all site development applications reviewed under the provisions of Chapter 4 Planning and Zoning, the developer shall provide a Tree Survey before site development as required by WC 4.610.40 , and provide a Tree Maintenance and Protection Plan, unless specifically exempted by the Planning Director or DRB, prior to initiating site development.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The required Tree Maintenance and Protection Plan has been submitted.

***Subsection 4.610.10 (.01) I. 2. Additional Standards for Type C Permits: Platted Subdivision***

E15. **Review Criteria:** “The recording of a final subdivision plat whose preliminary plat has been reviewed and approved after the effective date of Ordinance 464 by the City and that conforms with this subchapter shall include a Tree Survey and Maintenance and Protection Plan, as required by this subchapter, along with all other conditions of approval.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The required plan has been submitted, and additional conditions of approval are being attached to further protect “Important” and “Good” Oregon White Oaks trees.

***Subsection 4.610.10 (.01) I. 3. Additional Standards for Type C Permits: Utilities***

E16. **Review Criteria:** “The City Engineer shall cause utilities to be located and placed wherever reasonably possible to avoid adverse environmental consequences given the circumstances of existing locations, costs of placement and extensions, the public welfare, terrain, and preservation

of natural resources. Mitigation and/or replacement of any removed trees shall be in accordance with the standards of this subchapter.”

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

**Explanation of Finding:** The Composite Utility Plan, Sheet 6 of Exhibit B4, shows the site has been designed to minimize the impact upon the environment to the extent feasible given existing conditions. Utility placement in relation to trees will be further reviewed during review of construction drawings and utility easement placement on the final plat. Conditions of Approval PDE 4410 and PF 57 require boring to be used, and prohibits trenching, as necessary to avoid the root zone of preserved trees.

***Subsection 4.610.40 (.01) Type C Tree Plan Reviewed with Stage II Final Plan***

E17. **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.

**Explanation 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***

E18. **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.

**Explanation of Finding:** The applicant has submitted the necessary copies of a Tree Maintenance and Protection Plan. See Section V of the applicant’s notebook, Exhibit B3 and Sheets 9.1 and 9.2 of the applicant’s plan set, Exhibit B4.

***Subsection 4.620.00 (.01) Tree Replacement Requirement***

E19. **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.

**Explanation 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***

E20. **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.

**Explanation 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***

E21. **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 PDE 65.

**Explanation 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***

E22. **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 PDE 65.

**Explanation of Finding:** Condition of Approval PDE 65 assures this is met.

***Subsection 4.620.00 (.05) Replacement Trees Locations***

E23. **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.

**Explanation 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***

E24. **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 PDE 76 and PDE 87.

**Explanation of Finding:** The conditions of approval assure the applicable requirements of this Section will be met.

**REQUEST F: DB14-0007 FINAL DEVELOPMENT PLAN FOR PARKS AND OPEN SPACE**

The applicant's findings in Section VIA of their PDP notebook, Exhibit B3, respond to the majority of the applicable criteria.

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

F1. **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.

**Explanation 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*

F2. **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.

**Explanation of Finding:** PDP 7S includes open space areas that are 24.06 acres in size, or approximately 56% of the total PDP area. This FDP application is included with the PDP 7S submittal. Therefore, the FDP is consistent with the open space area in PDP 7S with open space area in excess of the 25% minimum requirement.

*Subsection 4.125 (.08) B. Parks and Open Space in the Village Zone-Ownership*

F3. **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.

**Explanation 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*

F4. **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.

**Explanation 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***

F5. **Review Criteria:** This section lists street and access improvement standards for the Village Zone including vision clearance standards.

**Finding:** These criteria are satisfied.

**Explanation 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***

F6. **Review Criteria:** “The provisions of Section 4.178 shall apply within the Village zone.”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Findings regarding Compliance with the standards of Section 4.178 can be found in Findings A88 and B20.

#### ***Subsection 4.125 (.11) Landscaping Screening and Buffering***

F7. **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.

**Explanation of Finding:** Findings F18 through F29 pertain to Section 4.176. Street trees are proposed consistent with the Community Elements Book as proposed with Request A.

#### ***Section 4.125 (.12) A. Signs Compliance with Master Sign and Wayfinding Plan for SAP***

F8. **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.

**Explanation of Finding:** The SAP South Signage & Wayfinding Plan indicates the provision of Secondary Site Identifier at the site entrance from Grahams Ferry Road. The FDP set, Exhibit B5, show provision of the ‘Secondary Site Identifier’ with the future construction of the site entrance.

*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*

F9. **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 Conditions of Approval.

**Explanation of Finding:** The Architectural Pattern Book is not applicable to the parks except that any retaining walls within the public view shed must be consistent with the materials in the Architectural Pattern Book. Condition of Approval PDF 11 ensures park elements are consistent with the Community Elements Book including playground equipment, nature path directional bollards, benches, tables, and trash cans.

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

F10. **Review Criterion:** “The protection of existing significant trees as identified in an approved Community Elements Book.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Significant trees are being protected. See Request E.

*Subsection 4.125 (.14) A. 2. g. Landscape Plan*

F11. **Review Criterion:** “A landscape plan in compliance with Sections 4.125(.07) and (.11), above.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Landscape plans have been provided in compliance with the referenced sections.

*Subsection 4.125 (.14) C. Lighting and Site Furnishings*

F12. **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 will be satisfied by a condition of approval.

**Explanation of Finding:** The condition of approval requires the lighting and site furnishings to be consistent with the Community Elements Book.

***Subsection 4.125 (.18) L. Final Development Plan Approval Procedures***

F13. **Review Criteria:** This subsection establishes the approval procedures for Final Development Plans.

**Finding:** These criteria are satisfied.

**Explanation 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***

F14. **Review Criteria:** “An application for approval of a FDP shall be subject to the provisions of Section 4.034.”

**Finding:** These criteria are satisfied.

**Explanation 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***

F15. **Review Criteria:** “An application for approval of a FDP shall be subject to the provisions of Section 4.421”

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The provisions of Section 4.421 are being used as criteria in the review of the FDP. See Findings F30 through F37.

***Subsection 4.125 (.18) O. Refinements to Preliminary Development Plan as part of Final Development Plan***

F16. **Review Criteria:** This subsection identifies the process and requirements for refinements to a preliminary development plan as party of a final development plan.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** No refinements are proposed as part of the requested FDP.

***Subsection 4.125 (.18) P.2. Final Development Plan Compliance with Architectural Pattern Book, Community Elements Book, and PDP Conditions of Approval***

F17. **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 PDF 11.

**Explanation of Finding:** Overall, as demonstrated by Finding F9 above, the FDP demonstrates compliance with the SAP South 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 PDF 11 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*

F18. **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.

**Explanation 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*

F19. **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.

**Explanation 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*

F20. **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.

**Explanation 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***

F21. **Review Criteria:** This subsection establishes plant material and planting requirements for shrubs and ground cover.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Applicant’s Sheet L8 in their plan set, Exhibit B5, indicates the requirements established by this subsection will be met by the proposed plantings.

***Subsection 4.176 (.06) B. Plant Materials-Trees***

F22. **Review Criteria:** This subsection establishes plant material requirements for trees.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Applicant’s Sheet L8 in their plan set, Exhibit B5, indicates the requirements established by this subsection will be met by the proposed plantings.

***Subsection 4.176 (.06) D. Plant Materials-Street Trees***

F23. **Review Criteria:** This subsection establishes plant material requirements for street trees.

**Finding:** These criteria are satisfied or will be satisfied by Condition of Approval PDF 9.

**Explanation of Finding:** Applicant’s Sheets L2 and L3 of their plan set, Exhibit B5, as shown modified in Exhibit B9, indicate the requirements established by this subsection as well as the Community Elements Book will be met by the proposed plantings except for Alta Court. A variety of tree listed for secondary residential streets in the Community Elements Book approved with Request A is required by a condition of approval to be placed along Alta Court rather than the Green Vase Zelkova.

***Subsection 4.176 (.06) E. Types of Plant Species***

F24. **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.

**Explanation of Finding:** The allowed plant materials are governed by the Community Elements Book. All proposed plant materials will be consistent with the SAP South Community Elements Book.

***Subsection 4.176 (.06) F. Tree Credit***

F25. **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.

**Explanation 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***

F26. **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.

**Explanation of Finding:** The selected landscape materials do not violate any height or vision clearance requirements.

***Subsection 4.176 (.07) Installation and Maintenance of Landscaping***

F27. **Review Criteria:** This subsection establishes installation and maintenance standards for landscaping.

**Finding:** These criteria are satisfied or will be satisfied by Condition of Approval PDF 2.

**Explanation 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 L8 in their plan set, Exhibit B5, indicates “coordinate landscape installation with installation of underground sprinkler and drainage systems.”

***Subsection 4.176 (.09) Landscape Plans***

F28. **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.

**Explanation of Finding:** Landscape plans have been submitted with the required information. See Exhibit B5 and B9.

***Subsection 4.176 (.10) Completion of Landscaping***

F29. **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.

**Explanation 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 house permits are issued unless

certain conditions exist, similar to what is described in this subsection, in which case a bond can be posted. See finding B57 and Condition of Approval PDB 3.

### **Site Design Review**

#### ***Subsection 4.400 (.01) Excessive Uniformity, Inappropriateness of Design, Etc.***

F30. **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.

**Explanation of Finding:**

*Excessive Uniformity:* A variety of parks with a variety of features and amenities are provided consistent with the diversity of park uses described in the Villebois Village Master Plan avoiding excessive uniformity in park and open space design. The unique setting of the proposed development will provide for a number of unique park and open space experiences.

*Inappropriate or Poor Design of the Exterior Appearance of Structures:* Park structures, including the shelter and play structures, are being required to conform to the Community Elements Book ensuring quality design appropriate for the Villebois context.

*Inappropriate or Poor Design of Signs:* Signs within parks and open spaces are required to be consistent with the Master Sign and Wayfinding program which is a comprehensive signage package that ensures signs in parks and open spaces, like elsewhere in Villebois, are of a quality design and appropriate for the Villebois context.

*Lack of Proper Attention to Site Development:* The appropriate professional services have been used to design the park and open spaces incorporating unique features of the site including natural features, demonstrating appropriate attention being given to site development.

*Lack of Proper Attention to Landscaping:* Landscaping has been professionally designed by a landscape architect, and includes a variety of plant materials, all demonstrating appropriate attention being given to landscaping.

#### ***Subsection 4.400 (.02) Purposes of Objectives of Site Design Review***

F31. **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.

**Explanation 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. This includes designing the site to keep more formal improvements focused on areas of the site that were previously impacted by development, and preserving and enhancing the abundant natural areas of the site. In addition, site structures and features are

consistent with the Community Element Book, which has previously been reviewed to ensure consistency with the Villebois Village Master Plan which has similar purposes and objectives as site design review.

#### ***Section 4.420 Site Design Review-Jurisdiction and Power of the Board***

F32. **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 PDF 3.

**Explanation 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***

F33. **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.

**Explanation of Finding:** The scope of design standards refers only to the parks and open spaces, as the single-family homes are not subject to site design review. The parks and open space areas have minimized grading and preserved a large amount of natural area and significant native trees. More formal parks that include structures are focused on areas of the development that have been previously impacted by development. Surface water drainage has been thoroughly reviewed consistent with the Villebois Village Master Plan and the Rainwater Master Plan for SAP South.

#### ***Subsection 4.421 (.02) Applicability of Design Standards to Various Site Features***

F34. **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.

**Explanation of Finding:** Design standards have been applied to all applicable site features, which does not include single-family homes.

#### ***Subsection 4.421 (.03) Objectives of Section 4.400 Serve as Additional Criteria and Standards***

F35. **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.

**Explanation of Finding:** The purposes and objectives in Section 4.400 are being used as additional criteria and standards. See Finding F31 above.

***Subsection 4.421 (.05) Site Design Review-Conditions of Approval***

F36. **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.

**Explanation of Finding:** No additional conditions of approval are recommended.

***Subsection 4.421 (.06) Color or Materials Requirements***

F37. **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 PDF 4 and PDF 5.

**Explanation of Finding:** The Conditions of Approval requires specific materials for any retaining walls or hand rails to ensure a quality of design consistent with the Architectural Pattern Book.

***Section 4.440 Site Design Review-Procedures***

F38. **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.

**Explanation of Finding:** The applicant has submitted the required additional materials, as applicable.

***Section 4.442 Time Limit on Approval***

F39. **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.

**Explanation 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***

F40. **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.

**Explanation 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 house permits being issued. See Finding B57 in Request B and Condition of Approval PDB 3.

#### ***Subsection 4.450 (.02) Approved Landscape Plan Binding***

F41. **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 PDF 6.

**Explanation of Finding:** The condition of approval shall provide ongoing assurance this criterion is met.

#### ***Subsection 4.450 (.03) Landscape Maintenance and Watering***

F42. **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 PDF 6.

**Explanation 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***

F43. **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 PDF 6.

**Explanation 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 G: SI14-0002 SROZ MAP REFINEMENT, SRIR REVIEW, SROZ MAP VERIFICATION**

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

*The following was prepared by Kerry Rappold, Natural Resources Program Manager*

**Findings of Fact:**

1. The area designated Significant Resource Overlay Zone (SROZ) within SAP South Plan Area 2 is upland wildlife habitat (Site ID Numbers 6.02U, 6.03U, and 6.011U) and wetlands (Site ID Numbers 6.01d, 6.02d, and 6.03d). In addition, a previously unmapped wetland was identified in the southwest corner of the property. Of the four wetland areas, only wetland 6.03d is considered locally significant. The other wetlands are not considered locally-significant, but are regulated by the Oregon Department of State Lands and the Army Corps of Engineers.
2. The upland wildlife habitat consists of a mixed coniferous/deciduous forest containing primarily Douglas fir, Oregon white oak, bigleaf maple, balsam poplar, and red alder. The forest understory contains a diversity of native shrubs and groundcovers, which include red osier dogwood, common snowberry, black hawthorn, and salal. Non-native invasive plant species include Himalayan blackberry, English ivy, and bull thistle. The forest provides habitat for a variety of wildlife, and connections to the 250-acre Graham Oaks Nature Park to the south and east of the property.
3. A wetland delineation was prepared by SWCA Environmental Consultants, and approved by the Oregon Department of State Lands, which identified and delineated the wetlands on the property.
4. 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).
5. 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.

6. 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 the required information, including a physical and ecological analysis, a justification of the proposed impacts, and a mitigation plan. **These code provisions are satisfied provided the conditions of approval are met.**
7. To amend the SROZ boundary, the Development Review Board shall make a "determination that the land area in question is or is not significant". The criteria for determining that land is significant shall be based on finding that the site area has at least one rating of "high" using the function criteria listed in the Natural Resources Inventory (NRI). Staff concurs with the applicant that the SROZ areas to be amended do not have any "high" function ratings, and should not be included in the SROZ boundary. **This code provision is satisfied provided the condition of approval is met.**
8. The SROZ map will be amended, pursuant to Section 4.139.09.01 (D), as part of the land use approval for Villebois SAP South Plan Area 2.

**Description of Request:**

The applicant has requested 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, and a map refinement to the designated upland wildlife habitat in SAP South Plan Area 2.

**Background:**

*Wetlands:*

In May 2013, the applicant conducted a wetland delineation of the site. Four wetlands were delineated (A-D), which primarily correspond with the wetlands identified in the City's Natural Resources Inventory (Site ID Numbers 6.01d, 6.02d, and 6.03d). A new wetland area (Wetland D) was identified in southwest corner of the property. The wetland delineation was concurred by DSL on October 8, 2013.

To be deemed a locally significant wetland (and included in the SROZ), as specified in the City of Wilsonville Natural Resource Inventory, a wetland must satisfy the following functional criteria: diverse wildlife habitat, water quality, and hydrologic control. In addition, they shall be over one-half acre in size.

**Wetland A** (Site ID Number 6.02d) is located in the far northwest corner of the property. It is a small (0.05 acre) isolated forested wetland with a seasonally saturated/shallowly ponded hydrologic condition. Slough sedge, red osier dogwood and Oregon ash are the most common vegetation. The Natural Resource Inventory classified it as a non-locally significant wetland due to it being less than 0.5 acre in size.

**Wetland B** (Site ID Number 6.03d) is located in the north-central portion of the property. The wetland forms the headwaters of a tributary to Mill Creek and extends off-site (upstream) to the

north. The vegetation includes slough sedge, Pacific water-dropwort, red osier dogwood, rose, cascara, and Oregon ash.

The northern portion of Wetland B (0.89 acre) was identified in the Natural Resources Inventory, and determined to be a locally significant wetland. A southern, approximately 75-foot section of Wetland B, was not included in the NRI but was identified during the on-site wetland delineation. The southern portion is an emergent wetland community dominated by Pacific water-dropwort, Siberian springbeauty, and lamp rush. Lacking in tree and shrub layers, the southern portion is more sparsely vegetated and does not provide the diverse wildlife habitat that is provided in the northern portion of the wetland.

Because the southern portion of Wetland B is less than one-half acre in size and does not meet the criteria for adding a wetland, it is not considered locally significant. However, it is regulated by the Oregon Department of State Lands and the Army Corps of Engineers.

**Wetland C** (Site ID Number 6.01d) is connected (i.e., by hydrology) to Wetland B through a stormwater pipe. It is located downstream in the south-central part of the property. The wetland is primarily situated in an old excavated channel and pond. Two invasive plant species, yellow flag iris and reed canarygrass, comprise a majority of the wetland vegetation. Native vegetation includes red alder, western arborvitae, and Pacific water-dropwort. Wetland C was identified in the NRI and determined to be a non-locally significant wetland because it is less than one-half acre in size.

**Wetland D** was not included in the NRI but was identified during the on-site wetland delineation. It is a small emergent wetland (0.48 acres) located in the southwest corner of the property. The dominant vegetation is lamp rush, taper-fruit short-scale sedge, thick-head sedge, dense sedge, fringed willowherb, and scattered Scouler’s willow. Due to its size (i.e., less than one-half acre in size), Wetland D is a non-locally significant wetland.

	Type of Wetland	Size (acres)	Locally Significant
Wetland A	Forested	0.05	N
Wetland B - Northern	Forested	0.89	Y
Wetland B - Southern	Emergent	0.07	N
Wetland C	Forested/emergent	0.27	N
Wetland D	Emergent	0.48	N

Staff concurs with the applicant’s wetland delineation and determination of local significance. Pursuant to Section 4.139.09(.01)(D), the applicant has demonstrated compliance with the provisions of the SROZ map refinement process for the wetland areas.

*Upland Forested Wildlife Habitat:*

The applicant has provided an assessment of the upland forested wildlife habitat (Site ID Numbers 6.02U, 6.03U, and 6.011U) located on the property. As part of the SRIR, they prepared a verification of the SROZ boundary. This boundary verification takes into account the current condition of the upland forested wildlife habitat and any deviation from the NRI mapping. In



verifying the boundary, the applicant documented two areas where the drip line of the mature forest canopy was different than the NRI map. This difference in boundaries was due to the scale of the mapping used for the NRI, which was not verified as accurately as the applicant's inventory and mapping.

The upland forested wildlife habitat is a mixed coniferous/deciduous forest, which includes both upland and wetland forest. The overstory is primarily Oregon white oak, Douglas fir, bigleaf maple, balsam poplar, and red alder. In the understory, red osier dogwood, beaked hazelnut, black hawthorn, common snowberry, salal, and Pacific poison oak are the dominant species.

In reassessing the upland forested wildlife habitat on the property, it is necessary to revisit the functional criteria used to originally determine local significance. Five functions were assessed for upland wildlife habitat in the NRI, which include: habitat diversity, water quality protection, ecological integrity, connectivity, and uniqueness. Each one of these criteria was assigned a high, medium or low rating. In regards to Site Numbers 6.02U and 6.03U, one of the criteria was rated as high, and four were rated as medium. In reassessing the upland forested wildlife habitat, the applicant has revisited these ratings.

For the upland forested wildlife habitat areas (0.58 acres in size) proposed to be removed from the SROZ (i.e., through a map refinement), none of the functional criteria are rated as "High" in the revised assessment. The areas were rated lower due to the presence of row planted trees and a minimal native understory with a substantial amount of non-native species, such as Himalayan blackberry. Staff concurs with the applicant's revised assessment. Pursuant to Section 4.139.09(.01)(D), the applicant has demonstrated compliance with the provisions of the SROZ map refinement process for the upland forested wildlife habitat.

#### **Summary of Issues:**

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 34,730 square feet and is situated along the edge of the upland forest. The impact to the SROZ is necessary to accommodate street improvements, residential lots, and a trail connection.

Proposed exempt development in the SROZ and its associated 25 foot Impact Area includes the following:

- 1) A series of nature trails and nature trail activity areas within the upland forested wildlife habitat.

#### **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.**

G1. The construction of the nature trails and nature trail activity areas 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;**

G2. 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;**

G3. The proposed development for SAP-South Plan Area 2 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;**

G4. 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	=	866,388 square feet
Allowed Impact (5%)	=	43,319 square feet
Proposed Impact	=	34,730 square feet (4%)

**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;**

G5. The applicant has identified the mitigation area necessary to offset impacts to the SROZ, and has proposed to enhance 195,195 square feet. Based on the required mitigation ratio of 2.5:1, only 86,825 square feet is required. In addition, the applicant is proposing to create additional SROZ areas totaling 61,697 square feet. The SROZ creation areas were previously encumbered by development. Pavement will be removed in these areas, and native trees, shrubs, and groundcovers will be installed in accordance with the mitigation planting plan.

**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;**

G6. The impacts to the SROZ will be from the encroachment of street improvements, residential lots, and a trail connection. 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;**

G7. Impacts to the SROZ will be mitigated for on-site and will satisfy the mitigation ratios and other requirements of Section 4.139.07.

**G. Non-structural fill used within the SROZ area shall primarily consist of natural materials similar to the soil types found on the site;**

G8. Any non-structural fill will primarily consist of natural materials similar to the soil types found on the site.

**H. The amount of fill used shall be the minimum required to practically achieve the project purpose;**

G9. Fill used within the SROZ area will be limited to the minimum amount necessary to achieve the intended purpose.

**I. Other than measures taken to minimize turbidity during construction, stream turbidity shall not be significantly increased by any proposed development or alteration of the site;**

G10. 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.**

G11. The applicant is proposing minor impacts (1,258 square feet) to the northern portion of Wetland C. A wetland removal/fill permit will be submitted to the Oregon Department of State Lands and the U.S. Army Corps of Engineers. The compensatory wetland mitigation will be addressed through the purchase of credits from the Mud Slough Mitigation Bank.

#### **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.**

G12. The applicant has reviewed the appropriate Upland Summary Sheet (Site ID Numbers 6.02U, 6.03U, and 6.011U) 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.**

G13. 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 medium function rating due to non-native invasive plant species.

**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.**

G14. 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.**

G15. The applicant has 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.

**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.**

G16. 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.**

G17. The applicant proposes to create forested wildlife habitat where it does not presently exist, however, since it is not part of the required mitigation it is not subject to this requirement.

**(.04) Mitigation actions shall be implemented prior to or at the same time as the impact activity is conducted.**

G18. 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.**

G19. 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.**

G20. The applicant has 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.**

G21. 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.**

G22. 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.**

G23. 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.**

G24. 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.**

G25. 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.**

G26. The applicant has not requested a payment-in-lieu.

#### **Section 4.139.09(.01)(D) Map Refinement Process**

**D. Map Refinement process. The applicant may propose to amend the SROZ boundary through a Development Review Board quasi-judicial zone change where more detailed information is provided, such as a state approved wetland delineation. The criteria for amending the SROZ are as follows:**

1. **Any map refinement must be evaluated by considering the riparian corridor types contained in this ordinance.**
2. **Other supporting documents to be considered in evaluating a proposal to refine a map include, but are not limited to:**
  - a. **Natural Resources Inventories (LWI/RCI);**
  - b. **The Economic, Social, Environmental and Energy (ESEE) Analysis;**
  - c. **Metro Functional Plans;**
  - d. **Wilsonville Comprehensive Plan;**
  - e. **State approved wetland delineations;**
  - f. **Detailed slope analysis.**
3. **An SRIR must be prepared by the applicant in conformance with the provisions of this Section.**
4. **The Hearing Body (including City Council) may amend the Significant Resource Overlay Zone (in or out) upon making a determination that the land area in question is or is not a significant resource. The criteria for determining that land is significant shall be based on finding that the site area has at least one rating of “high” using the function criteria listed in the Natural Resource Function Rating Matrices.**

*Upland Forested Wildlife Habitat:*

G27. Finding: The applicant proposes to amend the Significant Resource Overlay Zone (SROZ) boundary. A Significant Resource Impact Report (SRIR) has been submitted to justify the refinement. To amend the SROZ boundary, the Development Review Board shall make a “determination that the land area in question is or is not significant”. The land area to be amended includes upland forested wildlife habitat (Site Numbers 6.02U, 6.03U and 6.01U), which were identified as part of the city’s Natural Resources Inventory.

In regards to the upland forested wildlife habitat, the Natural Resources Inventory listed two of the criteria as high, and three were rated as medium. In reassessing the wildlife habitat on the property, SWCA rated none of the function criteria as “high” for the map refinement areas. The rationale for lowering the ratings was based primarily on the presence of row planted trees and a minimal native understory with a substantial amount of non-native species, such as Himalayan blackberry.

Staff concurs with the applicant that the SROZ areas to be amended do not have any “high” function ratings, and should not be included in the SROZ boundary. **This code provision is satisfied provided the condition of approval is met.**



**ZONE MAP AMENDMENT**  
**Zoning Order DB14-0004**  
**Villebois Phase 7 South “Grande Pointe at Villebois”**

**INDEX of RECORD**

1. City Council Staff Report for May 5, 2014 Meeting
  2. Council Exhibit A: Ordinance No. 741 approving and adopting Zoning Order DB14-0004
  3. Council Exhibit A, Attachment A: Zoning Order DB14-0004
    - Attachment 1, Legal Description
    - Attachment 2, Map Depicting Zone Amendment
  4. Council Exhibit A, Attachment B: Zone Map Amendment Findings, April 28, 2014
  5. Council Exhibit A, Attachment C: Development Review Board Panel A’s Resolution No. 275 recommending approval of the Zone Map Amendment.
  6. Council Exhibit B: DRB amended and adopted staff report (Exhibit A1) digital sent and on compact disk.
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- Additional Materials from DRB Record for Zone Map Amendment and Applications Contingent on Zone Map Amendment Approval (Already posted on the City’s website at <http://www.ci.wilsonville.or.us/421/Villebois---Grande-Pointe-at-Villebois> No need to reproduce in Council Packet) Paper copies available to review upon request from City Recorder or Planning Division Staff. Paper copy to be available at hearing.
- ❖ New exhibits entered into the record at the April 14, 2014 DRB Panel A meeting
    - Exhibit A3 - Planning Division Memorandum dated April 14, 2014 recommending various corrections and changes to the DRB Staff Report
    - Exhibit B11 - Lot 91 Preliminary Utility Layout
  - ❖ Packet items for the April 14, 2014 DRB Panel A meeting, including staff report and exhibits and:
    - Exhibit B3 (PDP-7 South submittal documents)
    - Exhibit B4 (PDP-7 South PDP Plans)
    - Exhibit B5 (FDP Plans)
    - Exhibits B6-B10