



PLANNING COMMISSION AGENDA

July 12, 2023 at 6:00 PM

Wilsonville City Hall & Remote Video Conferencing

PARTICIPANTS MAY ATTEND THE MEETING AT:

City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon

YouTube: <https://youtube.com/c/CityofWilsonvilleOR>

Zoom: <https://us02web.zoom.us/j/87239032604>

TO PROVIDE PUBLIC TESTIMONY:

Individuals may submit a testimony card online:

<https://www.ci.wilsonville.or.us/PC-SpeakerCard>

or via email to Dan Pauly: Pauly@ci.wilsonville.or.us, 503-570-1536

by 2:00 PM on the date of the meeting noting the agenda item

for which testimony is being submitted in the subject line.

CALL TO ORDER - ROLL CALL [6:00 PM]

Olive Gallagher

Ron Heberlein

Nicole Hendrix

Andrew Karr

Kamran Mesbah

Kathryn Neil

Jennifer Willard

PLEDGE OF ALLEGIANCE

CITIZEN INPUT

This is the time that citizens have the opportunity to address the Planning Commission regarding any item that is not already scheduled for a formal Public Hearing tonight. Therefore, if any member of the audience would like to speak about any Work Session item or any other matter of concern, please raise your hand so that we may hear from you now.

ADMINISTRATIVE MATTERS

- [1.](#) Consideration of the June 14, 2023 Planning Commission minutes

WORK SESSION [6:15 PM]

- [2.](#) Procedural Development Code Cleanup (Rybold)(60 Minutes)
- [3.](#) Frog Pond East and South Implementation-Development Code (Pauly)(60 Minutes)

INFORMATIONAL [8:15 PM]

- [4.](#) City Council Action Minutes (June 5 & 19, 2023)(No staff presentation)
- [5.](#) 2023 PC Work Program (No staff presentation)

ADJOURN [8:25 PM]

Time frames for agenda items are not time certain (i.e. agenda items may be considered earlier than indicated). The City will endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting by contacting Mandi Simmons, Administrative Assistant at 503-682-4960: assistive listening devices (ALD), sign language interpreter, and/or bilingual interpreter. Those who need accessibility assistance can contact the City by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

Habr  interpretes disponibles para aqu llas personas que no hablan Ingl s, previo acuerdo. Comun quese al 503-682-4960.



PLANNING COMMISSION

WEDNESDAY, JULY 12, 2023

ADMINISTRATIVE MATTERS

1. Consideration of the June 14, 2023 PC Meeting Minutes



PLANNING COMMISSION MEETING MINUTES

June 14, 2023 at 6:00 PM

City Hall Council Chambers & Remote Video Conferencing

Draft PC Minutes are to be reviewed and approved at the July 12, 2023 PC Meeting.

CALL TO ORDER - ROLL CALL

A regular meeting of the Wilsonville Planning Commission was held at City Hall beginning at 6: 00 p.m. on Wednesday, June 14, 2023. Chair Heberlein called the meeting to order at 6:01 p.m., followed by roll call. Those present:

Planning Commission: Ron Heberlein, Jennifer Willard, Andrew Karr, Kathryn Neil, Olive Gallagher, and Nicole Hendrix. Kamran Mesbah arrived after Roll Call.

City Staff: Miranda Bateschell, Daniel Pauly, Kimberly Rybold, Sarah Pearlman, and Mandi Simmons.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CITIZEN INPUT

This is an opportunity for visitors to address the Planning Commission on items not on the agenda. There was none.

ADMINISTRATIVE MATTERS

1. Consideration of the May 10, 2023 Planning Commission Minutes

The May 10, 2023 Planning Commission Minutes were accepted as presented.

WORK SESSION

2. Housing Needs & Capacity Analysis (Rybold)

Miranda Bateschell, Planning Director, gave a quick introduction, noting the City's last Housing Needs and Capacity Analysis (HNCA) was completed in 2013 and has since been a guide for Wilsonville's housing projects and growth. A new analysis was indeed due after all the strategies and policies and recommendations from the first one had been implemented. Furthermore, the new analysis aligned with several state mandates and their timelines.

Commissioner Mesbah arrived at 6:04 pm.

Kim Rybold, Senior Planner, stated since the last HNCA, the adoption of the Frog Pond West and Frog Pond East and South Master Plans, and the Town Center Plan were some of the key master planning efforts that had come online and would play a pivotal role in the HNCA moving forward over the next 20-year planning horizon.

- A planning effort vital in the work was the Equitable Housing Strategy Project (EHSP), adopted in 2020 . EHSP did a similar type of abbreviated market analysis that reviewed the same data considered in the HNCA, that was pulled from the larger Clackamas County wide effort that was done. The big outcome of EHSP was producing a specific policy document to guide the City in housing work instead of the Comprehensive Plan Policies originally adopted.
 - The document is called Housing Production Strategy (HPS) and was required by State's mandate for HNCA. It provided an opportunity to assess the EHSP to take stock of what has been done and what still remained to be done.

Beth Goodman, ECONorthwest, presented the Housing Needs & Capacity Analysis (HNCA) via PowerPoint, reviewing the project's purpose, components, and differences between HNCA and Housing Production Strategy(HPS) , the project schedule and phasing, preliminary Buildable Lands Inventory (BLI), methodology for assessing land capacity, Wilsonville BLI constraints, unconstrained vacant and partially vacant land, preliminary findings from the HNCA land, forecasting future housing needs, housing cost burden, and next steps including public engagement.

Discussion and feedback from the Planning Commission was as follows with responses by Staff to Commissioner questions as noted:

- Goodman explained that growth expected over the planning period was 1.5% and not 3%, which Wilsonville had always averaged annually, because growth rates tended to go down with growth of the community. It was easier to grow 3% when the households were 1,000 than when there were 10,000.
 - There would be a new HNCA incorporating a new methodology in six years time to handle any disconnect between what Metro forecasted and the present reality.
 - She did not believe Metro considered it harder to grow to 3%. Buildable land capacity determined growth rate and would continue to determine growth rate in the next 20 years outside of Frog Pond. She believed the City did not have enough land to accommodate a 3% growth rate.
- Ms. Rybold added this was the exact conversation and observations made when the numbers for the Equitable Housing Strategic plan were considered, and she believed the challenge at the regional region was they continued to work with a finite piece of growth, while Staff made input that they believed the growth rate was greater, and there was more potential than was being allocated.
 - Staff would stay the course with how forecasts are done now and hoped that the new methodology exhibits more realism in the housing forecast analysis, recognizing under production as well.
- Ms. Goodman confirmed the Metro analysis is required with little flexibility. She believed one thing that would be different in the future was Metro considering land and development readiness in its analysis. Wilsonville had a history of getting land developed, as like in Frog Pond, unlike the Damascus area where development certainly did not happen as expected. Metro would also consider the factor of under production as Oregon as a whole has been under producing a lot of

units over the last decade or longer, so Metro would be accounting for the need for Oregon to catch up, a lot of which needed to happen in the Metro area.

- When Frog Pond and affordable housing were considered, it was observed that developing ~~that~~ land in Frog Pond was proving to be expensive. Future methodologies should take that into consideration, because the same issue was observed with the sudden increase in cost for the enlargement of the wastewater treatment plant, revealing that it costs more to urbanize a land. In not planning ahead, Wilsonville would gentrify slowly. Planning ahead will be helpful to mitigate against housing being very expensive for everybody, like in Lake Oswego. The strategy would hopefully consider lands that were inexpensive to develop and improve and identify areas for affordable housing to avoid having to achieve it through grants and nonprofits because the land is too expensive.
 - These things go in circular kind of motions. The Planning Commission had this conversation when planning for Old Town. Old Town residents said they wanted to flip the homes they bought cheap and asked what was wrong with having a Lake Oswego feel. Well, that is the affordable housing. If you buy cheap and put in marble and so forth, pretty soon it is not going to be affordable anymore. Hopefully the strategies would address these things.
 - It was mentioned that the City was going to be looking at the preservation of existing stock and the City should do something to allow nonprofits to buy some of the older units. Nothing against people who like to fix houses, but they were who the City was competing with.
 - Ms. Goodman said she expected the actions in the HPS for the City to execute over the next six years would consider those issues. The City would not be doing the actions in developing the strategy, but rather developing the work plan for doing some of those actions, some of which the City could choose to do really soon and others, later.
 - Getting the actions done in six years seemed fast, as planning usually had a 20-year horizon.
 - Ms. Bateschell clarified that “Latine” was more inclusive language reflective of a non-binary gender spectrum and intended to encompass all of the Latino population.
 - Due to the number of houses being built at Frog Pond in the six-year horizon, there could be a 5% growth, which is way beyond the estimated 1.5% per year. The City was at 10,000 level and may be building 600 or 700 houses in the next six years, so the information would be a lot more helpful if it was graphically done over a 10 or 20-year horizon.
 - 00:48:14
 - Ms. Goodman explained supposing the City's capacity was equal to the forecast and 600 new units were likely to be built per year, the City would be in a difficult position at the time of redoing the housing needs work. A development of 2000 to 2500 new units would put the City in a place where it was certainly important to be talking about new opportunities for development and planning for it.
 - Recession was likely to happen between now and the next six years resulting in less building.
 - The City's capacity may well be higher than 2000 to 2500 units, especially considering some reasonable estimates for redevelopment potential in Town Center, so this data could be brought to the Commission on a more annual basis or in a 5- or 10-year increment. Waiting 10 or 15 years to do HNCA would be too long.
 - Ms. Bateschell added the faster growth of Wilsonville than Metro's reported forecast was a major discussion point when HNCA was done 10 years ago, and that prompted the Housing Report, which

has evolved over the years to properly track information, such as the how, where, and speed of development, and the relationship between the growth forecasted by Metro and reality.

- One thing that has been clear is that the City has used its land more efficiently. The last time housing capacity was considered, utilizing historical trends, the anticipated growth for Metro, land capacity, and the relationship between them both was determined, and the outcome was the land would probably be sufficient if Wilsonville were to grow at the rate Metro forecasted, but it would probably be tight. And, that if the city grew at the higher end, Wilsonville would likely need more land, and that was essentially what happened, which was why the City did the requests for Frog Pond East and South, and concept planned that area in advance, assuming the City would need and want to grow into that area, and have brought that acreage in now. The city has actually had some infill and some opportunities Staff did not necessarily anticipate, and had used that land well and concisely and efficiently, so the City had not actually absorbed land at the rate Metro's report assumed, which was good as it allowed the City to have a higher forecasted growth number within the same capacity.
 - The City would continue tracking housing growth because it is very important to do so. Given the State requirements, the HCNA would now be done every six years instead of at every Comprehensive Plan update as done previously.
 - Also, 600 units have not been approved every year, so the City was not currently growing at 1.5%. In years when the City had multi-family residential projects, it might be closer to that number.
- Goodman noted that the 2014 HNCA and annual reports were hypothesized to be useful to the City in discussions with Metro, and asked if they were useful and would be applied in the future as Metro continues its planning for future expansions.
 - Ms. Bateschell responded that the annual reports have been produced and shared annually with Metro from their data center and planning department, which is now unified. She was not aware that it had actually influenced Metro's methodology. She understood the methodology would be changing because of State's new requirements and the fact that everyone would be using the Oregon Housing Needs Analysis as a benchmark. She expected to be tracking that process as Metro updates its model to understand that, as it will impact the next HNCA.

Feedback regarding public engagement was as follows:

Commissioner Gallagher:

- Believed that the information garnered from public engagement was determined by questions asked and suggested that questions to the public should elicit what one needed to know and not an agreement with what was already known. The questions asked were just as important as the responses received.
 - Goodman agreed Staff had been thinking about how to get some of the nuanced issues not readily assessed from data.
 - Daniel Pauly, Planning Manager, added Staff had been thinking of how to build on the housing questions that had already been asked.
- Noted it is a very emotional and very personal area that a lot of people are really not comfortable sharing that they are struggling or even thinking about getting help with housing. Asking questions was not as easy as one would hope, and she offered to help in any way.

- Goodman affirmed that Staff would build on the questions asked in recent processes, especially questions that worked well.

Commissioner Hendrix:

- Appreciated comments about sensitivity around the conversations and imagined some listening sessions or conversations at the library, or something that starts a bit more informational but allows people to kind of talk through whatever they feel comfortable doing.
- Believed some of the suggested tools and engagement strategies made sense for the target audience, but some tools, like the Wilsonville survey site, did not. Outreach tools should be designed to make sure they reached the target population.

01:04:22

- Ms. Rybold noted Staff met with the Diversity, Equity, Inclusive (DEI) Committee to gather their input and ideas on how to reach a lot of those communities. The survey was only a kicking point and not the entirety of the outreach. Making paper copies available and designing interactive tools for the Annual Block Party would be considered. The Block Party would be another opportunity to market the survey site as well.

Commissioner Mesbah:

- Noted planning tools existed for sensitive, emotional kinds of questions and information the City is trying to get that gamifies the process, putting the participants in a well-designed game that allows them to come up with strategies to deal with difficult problems, such as paying for housing or whatever, and allows them to choose tools that shows either knowledge or preference for what kinds of assistance they would be willing to get. Such tools provided greater insight into people without making the information gathering so personal.
- Ms. Rybold said Staff would consider that. She did not believe Wilsonville had used anything similar; however, Mr. Pauly had used some situational questions in the focus groups for Frog Pond East and South to help people drill down into their preferences.
- Added, similar to Monopoly, the idea was to strategize how to use limited funds for needed resources, and then introduce strategies for grants, borrowing, rent subsidies, etc. to see what people use to meet the challenge.
 - Commissioner Willard noted most things in the way of people seeking out those aids were not about preference, but knowledge and awareness.
- Explained if the City was looking for which policies and buckets of resources would be more effective, a gamified experience would show for example, if a majority went for some rent subsidy that would indicate to the City that rent subsidy was probably a good place to start.
 - Ms. Goodman noted one thing to keep mind while talking about all the issues is availability of funds. Rent subsidies were very effective at addressing some of these issues, but how would Wilsonville pay for them? The fiscal plausibility of the different strategies need to be considered.
 - Chair Heberlein understood Commissioner Mesbah meant by discovering what the citizens would use, the City could then design strategies to mirror that. If a different tact was needed, the City needed to understand where changes should be made.

Chair Heberlein appreciated the presentation and was excited to see how the analyses progressed moving forward.

Commissioner Willard added she was an engineer, and this was a wicked hard problem.

INFORMATIONAL

3. Annual Housing Report (Pearlman)

Miranda Bateschell, Planning Director, said she was very excited to introduce the Annual Housing Report for several reasons. Due to the Planning Division's Staff shortages, various transitions, and lots of activities in the community, the report fell through the cracks, so the Housing Report before the Planning Commission was for both 2021 and 2022 and was now live on the City's website. The report provided a snapshot of what has occurred with housing over the last couple of years, what Staff believed is coming next, which would include some difficult conversations.

Sarah Pearlman, Assistant Planner, presented the 2021-2022 Wilsonville Annual Housing Report via StoryMaps, which included a review of the new homes permitted for construction; approved housing development plans; housing and population growth; the need for housing variety, middle housing, infill, and redevelopment; the cost of owning and renting a home; overall housing cost burdens and severe rent burden; comparative affordability and growth to cohort cities; Metro's housing forecast; and available buildable lands.

Commissioner Hendrix appreciated the interactive maps, adding it was eye opening and helpful to see where Wilsonville was, and it was disheartening, but she knew the City was doing the best it could.

Commissioner Karr also appreciated all the work, efforts, and planning that went into the Housing Report, which painted a picture for why the City was developing a housing strategy. He was shocked and disheartened by the spike in rent in 2021 and guessed it was as a result of landlords trying to recover from 2020. He hoped the City could come up with a plan to help its citizens in the future.

Chair Heberlein noted the cyclical nature of the housing environment is not picked up in a five- or six-year horizon and suggested a longer time horizon for data going forward.

- Ms. Pearlman agreed, adding much of the City's data began in 2014, so in two years, it would be interesting to see the 10-year horizon.

Commissioner Willard asked if the Housing Report considered the impact building going on in the surrounding areas outside of the city had on Wilsonville.

- Ms. Pearlman replied most such impacts were considered in the housing unit growth in the cohort cities. It would be interesting to see how housing variety might look different in different jurisdictions as a follow-up.
- Ms. Bateschell confirmed Metro did not do an Annual Housing Report. In the City's last Housing Needs and Capacity Analysis (HNCA), also done by EcoNorthwest, Staff discovered that no other jurisdictions did annual housing reports, so Staff started from the scratch identifying what trackable data points the City would want over time. The housing report has evolved over time, especially given suggestions from the Planning Commission, like adding the cohort information, and would only get better every year.

- Tracking what other cities were producing was challenging since none were doing annual housing reports and the City did not have access to their permit data; however, as cities moved toward electronic permit systems, more data would be available for reporting. Once the State establishes the Oregon Housing Needs Analysis, the City's reporting would be easier.
 - One recommendation of House Bill 2013, adopted in 2019, was to study the option of doing a Regional Housing Needs Analysis (HNA) because so many cities were behind on doing their HNAs as required under Goal 10. This effort ultimately turned into what became the Oregon Housing Needs Analysis, a statewide program passed this legislative session that would change the methodology from the earlier HB2001, but the State had yet to determine the methodology and was working to establish the administrative rules and the processes for the cities' next HNAs.
 - As part of the statewide HNA, the State would create a dashboard so everyone would be able to compare all kinds of annual data, including the types of housing being built, how cities are working toward housing production targets set by the State. The dashboard would enable Wilsonville to see how it compared to its neighboring cities in various data sets. Once the dashboard became active, Staff would alert the Commission.
4. City Council Action Minutes (May 1 & 15, 2023) (No staff presentation)
 5. 2023 PC Work Program (No staff presentation)

ADJOURN

Commissioner Mesbah moved to adjourn the regular meeting of the Wilsonville Planning Commission at 7:38 p.m. Commissioner Gallagher seconded the motion, which passed unanimously.

Respectfully submitted,

By Paula Pinyerd of ABC Transcription Services, LLC. for
Mandi Simmons, Planning Administrative Assistant



PLANNING COMMISSION

WEDNESDAY, JULY 12, 2023

WORK SESSION

2. Procedural Development Code Cleanup (Rybold) (60 minutes)



**PLANNING COMMISSION MEETING
STAFF REPORT**

Meeting Date: July 12, 2023		Subject: Development Code Process Clarifications	
		Staff Members: Kimberly Rybold, AICP, Senior Planner	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		Comments: N/A	
Staff Recommendation: Review draft Development Code amendments that clarify review processes for certain development application types.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities:	<input type="checkbox"/> Adopted Master Plan(s):	<input checked="" type="checkbox"/> Not Applicable	

ISSUE BEFORE COMMISSION:

The project team will present proposed Development Code amendments to clarify the review process for certain application types, including wireless communications facilities, extensions of development approvals, and temporary use and sign permits.

EXECUTIVE SUMMARY:

The proposed Development Code process clarifications will update review processes for certain application types, clarify application requirements, and correct inconsistencies in the Development Code regarding existing review processes. The proposed amendments (Attachment 1) are intended to reduce confusion among applicants and the broader public on required review processes and information needed for certain application types. The proposed amendments will also adjust the review process for some Wireless Communications Facility (WCF) applications.

The primary focus of this work is to clarify application requirements and review processes for various types of WCF applications to better reflect Federal review and approval requirements and the level of information needed to review different types of WCFs. Key amendments include the following:

- **Review Process for Co-locations** – Revisions to Section 4.804 (Review Process and Approval Standards) to enable WCF applications subject to Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. § 1455(a)) to be reviewed through the Class 1 Administrative Review process. Section 6409(a) applications are required to be reviewed in a condensed timeline of 60 days (with limited tolling of this review timeline) and must be approved if all applicable criteria are met. Given the ministerial nature of this review and the inability to incorporate input received through the public comment period, a Class 1 Administrative Review process is most appropriate for these application types. This would be the same as the review process for Small Wireless Facilities (SWFs), which are governed by similar Federal review mandates.
- **Application Requirements** – Specificity added to Section 4.800 about the different WCF types to directly address which ones are permitted, conditional, prohibited, or exempt. Within Section 4.801, the proposed amendments clarify what application materials must be submitted for different WCF types. This clarification will reduce applicant confusion for co-locations and SWFs, as many of the required items are only applicable to new WCF.

Other process clarifications are proposed as noted below:

- **Extension of Development Approvals** – Revisions to Sections 4.023 (Expiration of Development Approvals) and 4.140 (Planned Development Regulations) to resolve conflicting process language regarding the review process for development approval extensions. Revisions would clarify that these requests are reviewed as a Class 1 Administrative Review.
- **Temporary Use Permits** – Amendments to Section 4.030 (Jurisdiction and Powers of Planning Director and Community Development Director) clarify how the time period of the permit is calculated consistent with current practice that allows permits for non-consecutive days. Approval criteria for Class 2 Temporary Use Permits would be updated to be consistent with Class 1 Temporary Use Permits.
- **Temporary Sign Permits** – Amendments adding clarifying language to Section 4.156.09 (Temporary Signs in all Zones) describing which temporary signs need a permit.

- **General Administration** – Clarification in Section 4.011 (How Applications are Processed) that to be considered filed, applications must include authorization as specified in Section 4.009 (Who May Initiate Applications). Addition of Type B Tree Removal Permits to the list of Class 2 Administrative Review applications consistent with Section 4.610.30 (Type B Permit).

During this work session the project team will look for the following question to be answered by the Planning Commission:

- What comments or questions does the Planning Commission have about the proposed Development Code amendments?

EXPECTED RESULTS:

Presentation of proposed Development Code amendments.

TIMELINE:

Upon review of Planning Commission feedback, the Development Code amendments will be scheduled for adoption in fall 2023.

CURRENT YEAR BUDGET IMPACTS:

Consultant costs will be paid by the Planning Division’s professional services budget. Staff time for this update will be paid from the Planning Division’s budget.

COMMUNITY INVOLVEMENT PROCESS:

Existing Development Code regulations were adopted by the City after community outreach. The proposed Development Code amendments are procedural, not policy-based, in nature. The community will be notified of Planning Commission and City Council public hearings and will have the opportunity to provide oral or written testimony on the amendments.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Adoption of the proposed Development Code modifications will provide applicants and the community additional clarity and certainty on the review process for affected development applications.

ALTERNATIVES:

The Planning Commission may suggest modifications to the proposed Development Code amendments to add additional clarity.

ATTACHMENT:

1. DRAFT Proposed Development Code Edits – July 2023

DRAFT Proposed Development Code Edits – July 2023

Proposed added language **bold underline**. Proposed removed language ~~struck through~~.

Section 4.011. How Applications are Processed.

- (.01) Applications submitted without the required filing fee, **or the correct authorization as specified in Section 4.009**, shall not be considered to be "filed" and shall be returned to the prospective applicant without being processed.

No additional changes proposed in this section

Commented [JC1]: Suggested for redundancy based on the practice of not accepting development applications without property owner signatures.

Section 4.023. Expiration of Development Approvals (See also Section 4.140).

- (.01) Except for Specific Area Plans (SAP), land use and development permits and approvals, including both Stage I and Stage II Planned Development approvals, shall be valid for a maximum of two years, unless extended as provided in this Section. Specific Area Plan approvals shall not expire.
- A. Substantial development, as defined in this Chapter, has taken place in compliance with the permit or approval; or
 - B. A time extension has been granted by city staff for good cause. ~~Except as provided in subsection (.05) below, not~~ **Not** more than three such extensions may be granted, for not more than one year each.
- (.02) If the development approval is for a subdivision or partition, the developer has two years from the date of approval to submit the final plat for recordation, unless a time extension has been granted as specified in Section 4.023(.01), above. Use of the site or substantial development does not obviate the need for submittal of the final plat within the specified time limits.
- (.03) Zone changes shall not expire unless expiration provisions are specifically included in the zone order adopted by the City Council.
- (.04) Requests for time extensions shall be submitted in writing, including written justification therefore, and received by the Planning Department not less than ~~eight (8)~~ **30** calendar days prior to the expiration date of the permit or approval.
- ~~(.05) Notwithstanding the limitations and requirements in Section 4.023(.01)(B.) and (.04), beginning June 1, 2009 and ending June 1, 2010, city staff shall approve all applications for one year extensions, which applications shall not require a demonstration of good cause, but shall be accompanied by a filing fee which shall not exceed the fee for a Class 1 Administrative Review, and which extensions shall not be counted toward the maximum number of extensions allowed in Subsection 4.023(.01)(B.).~~

Section 4.030. Jurisdiction and Powers of Planning Director and Community Development Director.

- (.01) *Authority of Planning Director.* The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:
- A. A Class I application shall be processed as a ministerial action without public hearing, shall not require public notice, and shall not be subject to appeal or call-up, except as noted below. Pursuant to Class I

procedures set forth in Section 4.035, and upon finding that a proposal is consistent with the provisions of this Code and any applicable Conditions of Approval, shall approve the following, with or without conditions:

1. Minor site clearing and grading, prior to the approval of a Site Development Plan, provided that:
 - a. No clearing or grading occurs within the Significant Resource Overlay Zone. Clearing or grading in the Significant Resource Overlay Zone shall require, at a minimum, approval of a Class II permit through the procedures specified below;
 - b. No clearing or grading occurs within 25 feet of an area that has been identified by the City as a wetland;
 - c. Not more than three trees are proposed to be removed;
 - d. No fill or removal is proposed;
 - e. Adequate measures are utilized to control erosion and runoff from the site and that the applicant will submit a final Site Development application within seven days of submitting the minor site grading application. All grading activities require compliance with the requirements of the applicable building code and City Public Works standards.
2. Class I Sign Permits, and Temporary Sign Permits for 30 days or less.
3. Architectural, landscape, tree removal, grading and building plans that substantially conform to the plans approved by the Development Review Board and/or City Council. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.
4. Building permits for single family dwellings, middle housing, and in the Village zone, row houses or apartments, meeting zoning requirements and located on lots that have been legally created. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.
5. Lot line adjustments, where none of the lots increase in area by 50 percent or more, subject to the standards specified in Section 4.233.
6. A temporary use permit for not more than 30 days, **Permitted days may or may not be consecutive, but shall not exceed 30 days within the calendar year for which the permit was applied. Temporary use permits are** subject to the following standards:
 - a. The applicant has the written permission of the property owner to use the site;
 - b. The proposed use will not create an obstruction within a sight vision clearance area that would impair the vision of motorists entering onto or passing by the property;
 - c. Adequate parking is provided;
 - d. Signs shall meet the standards of Section 4.156.09. A maximum of two signs, not exceeding a combined total of 24 square feet, are allowed; and
 - e. The proposed use has the approval of the Fire Marshal.
7. Determination that an existing use or structure is a non-conforming use or non-conforming structure, as defined in this Code. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the history of the property, choose to process such determinations through the Class II procedures below.
8. Actions taken subject to Site Development Permits which have been approved by the appropriate decision-making body of the City.

Commented [JC2]: Codifies the City's interpretation for multi-week temporary use permits. Ex. a permit for every Saturday over a three-month period.

9. Final plats for condominiums, subdivisions, or partitions that are substantially the same as tentative plats approved by the City and which are submitted for review and signature prior to recordation with the appropriate county.
 10. Type A tree removal permits as provided in Section 4.600.
 11. Determination, based upon consultation with the City Attorney, whether a given development application is quasi-judicial or legislative. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the nature of the application, choose to process such determinations through the Class II procedures below.
 12. Expedited land divisions and middle housing land divisions requiring expedited review under state law. Applications for expedited land divisions and middle housing land divisions requiring expedited review under state law, as provided for in Section 4.232 of this Code and ORS Chapter 197 shall be processed without public hearing, and shall be subject to appeal through the special appeal procedures specified in Section 4.232.
 - a. Authority of Planning Director. The Planning Director shall have authority to review applications for expedited land divisions and middle housing land divisions requiring expedited review under state law and to take action approving, approving with conditions, or denying such applications, based on findings of fact.
 - b. Tentative Plat Requirements for Expedited Land Divisions and middle housing land divisions requiring expedited review under state law. Tentative plats and all other application requirements for expedited land divisions and middle housing land divisions requiring expedited review under state law shall be the same as for other forms of land divisions, except as those requirements are specifically altered by the Oregon Revised Statutes.
 - c. Administrative Relief Not Available. In taking action on an application for an expedited land division or middle housing land divisions requiring expedited review under state law, the Planning Director is not authorized to grant Variances or waivers from the requirements of the Code.
 - d. Residential Areas Only. As specified in ORS 197, expedited land divisions shall only be approved in areas zoned for residential use.
- B. A Class II application shall be processed as an administrative action, with or without a public hearing, shall require public notice, and shall be subject to appeal or call-up, as noted below. Pursuant to Class II procedures set forth in Section 4.035, the Director shall approve, approve with conditions, deny, or refer the application to the Development Review Board for a hearing:
1. Minor alterations to existing buildings or site improvements of less than 25 percent of the previous floor area of a building, but not to exceed 1,250 square feet, or including the addition or removal of not more than ten parking spaces. Minor modifications to approved Architectural and Site Development Plans may also be approved, subject to the same standards.
 2. Residential accessory buildings or structures with less than 120 square feet of floor area located within the Willamette River Greenway Boundary pursuant to Section 4.500 and subject to the flood plain development standards of Section 4.172. Approval of such accessory structures in the Greenway shall be based on all of the following findings of fact:
 - a. The building or structure is located so that the maximum amount of landscape area, open space and/or vegetation is provided between the river and the building;
 - b. Public access to the river is preserved or is provided in accordance with an approved and adopted plan; and
 - c. That the change of use, intensification of use, or development will be directed away from the river to the greatest possible degree while allowing a reasonable use of the property.

3. Written interpretations of the text or maps of this Code, the Comprehensive Plan or sub-elements of the Comprehensive Plan, subject to appeal as provided in Section 4.022. The Planning Director may review and interpret the provisions and standards of Chapter 4 (Planning) of the Wilsonville Code upon receiving the required filing fee along with a specific written request. The Director shall publish and mail notice to affected parties and shall inform the Planning Commission and City Attorney prior to making a final written decision. The Director's letter and notice of decision shall be provided to the applicant, the Planning Commission, the City Council, and City Attorney and the notice shall clearly state that the decision may be appealed in accordance with Section 4.022 (Appeal Procedures). A log of such interpretations shall be kept in the office of the Planning Department for public review.
4. A permit to locate an accessory use on a lot adjacent to the site of the principal use.
5. Subdivisions located within the Coffee Creek Industrial Design Overlay District and land partitions, other than expedited land divisions, pursuant to Section 4.210. Approval shall be based on all of the following findings of fact:
 - a. The applicant has made a complete submittal of materials for the Director to review, as required in Section 4.210;
 - b. The proposed plan meets the requirements of the Code regarding minimum lot size and yard setbacks;
 - c. The approval will not impede or adversely affect the orderly development of any adjoining property or access thereto;
 - d. The public right-of-way bordering the lots or parcels will meet City standards;
 - e. Any required public dedications of land have been approved for acceptance by the City and will be recorded with the County prior to final plat approval;
 - f. Adequate easements are proposed where an existing utility line crosses or encroaches upon any other parcel to be created by the partition;
 - g. All public utilities and facilities are available or can be provided prior to the issuance of any development permit for any lot or parcel; and
 - h. Roads extended or created as a result of the land division will meet City standards.
6. Decisions on the following:
 - a. Lot line adjustments, where any of the lots increase by more than 50 percent in area, subject to the provisions of Section 4.233.
 - b. Temporary use permits for periods exceeding 30 days **but not more than 120 days**. **Permitted days may or may not be consecutive, but shall not exceed 120 days within the calendar year for which the permit was applied.** Temporary use permits may allow specific activities associated with the primary use or business located on the property for up to 120 days provided that:
 - i. the property owners have given written permission;
 - ii. no structure, sign or any other object shall exceed 20 feet in height;
 - iii. adequate parking is provided in designated spaces;
 - iv. signs **shall meet the standards of Section 4.156.09 and** are limited to a maximum of two and shall not exceed a total combined area of 24 square feet;
 - v. electrical and building permits are obtained as required;

- vi. undue traffic congestion will not result and, if traffic congestion is expected, a traffic control plan is submitted along with the application that identifies the traffic control procedures that will be used;
 - vii. the activity and/or use shall not unduly interfere with motorists driving on adjacent roads and streets, including I-5; and
 - viii. public notice has been provided and the comments of interested parties have been considered in the action that has been taken-;
 - ix. the proposed use will not create an obstruction within a sight vision clearance area that would impair the vision of motorists entering onto or passing by the property; and**
 - x. the proposed use has the approval of the Fire Marshal.**
7. Solar access permits, as specified in Section 4.137.3.
 8. Class II Sign Permits.
 9. Site design review, as authorized in Section 4.400 for properties located within the Coffee Creek Industrial Design Overlay District, which satisfy all applicable standards and adjustment criteria in Section 4.134.10.
 10. Review of Stage I and Stage II Planned Development applications for properties located within the Coffee Creek Industrial Design Overlay District, which satisfy all applicable standards and adjustment criteria in Section 4.134.
- 11. Type B tree removal permits as provided in Section 4.600.**
- ~~12.~~ Type C tree removal permits as provided in Section 4.600 for properties located within the Coffee Creek Industrial Design Overlay District.

No additional changes proposed in this section

Section 4.140. Planned Development Regulations.

No changes proposed in Subsections (.01) to (.08)

(.09) *Final Approval (Stage Two):*

[Note: Outline Number is incorrect.]

- A. Unless an extension has been granted by the ~~Development Review Board or~~ Planning Director, ~~as applicable,~~ within two years after the approval or modified approval of a preliminary development plan (Stage I), the applicant shall file with the City Planning Department a final plan for the entire development or when submission in stages has been authorized pursuant to Section 4.035 for the first unit of the development, a public hearing shall be held on each such application as provided in Section 4.013. As provided in Section 4.134, an application for a Stage II approval within the Coffee Creek Industrial Design Overlay District may be considered by the Planning Director without a public hearing as a Class II Administrative Review as provided in Section 4.035(.03).
- B. The Development Review Board or Planning Director, as applicable, shall determine whether the proposal conforms to the permit criteria set forth in this Code, and shall approve, conditionally approve, or disapprove the application.
- C. The final plan shall conform in all major respects with the approved preliminary development plan, and shall include all information included in the preliminary plan plus the following:

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1. The location of water, sewerage and drainage facilities;
 2. Preliminary building and landscaping plans and elevations, sufficient to indicate the general character of the development;
 3. The general type and location of signs;
 4. Topographic information as set forth in Section 4.035;
 5. A map indicating the types and locations of all proposed uses; and
 6. A grading plan.
- D. The final plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the development or phase of development. However, Site Design Review is a separate and more detailed review of proposed design features, subject to the standards of Section 4.400.
- E. Copies of legal documents required by the Development Review Board or Planning Director, as applicable, for dedication or reservation of public facilities, or for the creation of a non-profit homeowner's association, shall also be submitted.
- F. Within 30 days after the filing of the final development plan, the Planning staff shall forward such development plan and the original application to the Tualatin Valley Fire and Rescue District, if applicable, and other agencies involved for review of public improvements, including streets, sewers and drainage. The Development Review Board or Planning Director, as applicable, shall not act on a final development plan until it has first received a report from the agencies or until more than 30 days have elapsed since the plan and application were sent to the agencies, whichever is the shorter period.
- G. Upon receipt of the final development plan, the Development Review Board or Planning Director, as applicable shall examine such plan and determine:
1. Whether it conforms to all applicable criteria and standards; and
 2. Whether it conforms in all substantial respects to the preliminary approval; or
 3. Require such changes in the proposed development or impose such conditions of approval as are in its judgment necessary to insure conformity to the applicable criteria and standards.
- H. If the Development Review Board or Planning Director, as applicable, permits the applicant to revise the plan, it shall be resubmitted as a final development plan within 60 days. If the Board or Planning Director approves, disapproves or grants such permission to resubmit, the decision of the Board shall become final at the end of the appeal period for the decision, unless appealed to the City Council, in accordance with Sections 4.022 of this Code.
- I. All Stage II Site Development plan approvals shall expire two years after their approval date, if substantial development has not occurred on the property prior to that time. Provided, however, that the ~~Development Review Board or Planning Director, as applicable,~~ may extend these expiration times for up to three additional periods of not more than one year each. Applicants seeking time extensions shall make their requests in writing at least 30 days in advance of the expiration date. Requests for time extensions shall only be granted upon (1) a showing that the applicant has in good faith attempted to develop or market the property in the preceding year or that development can be expected to occur within the next year, and (2) payment of any and all Supplemental Street SDCs applicable to the development. Upon such payment, the development shall have vested traffic generation rights under [section] 4.140(.10), provided however, that if the Stage II approval should expire, the vested right to use trips is terminated upon City repayment, without interest, of Supplemental Street SDCs. For purposes of this Ordinance, "substantial development" is deemed to have occurred if the required building permits or public works permits have been issued for the development, and the development has been diligently pursued, including the completion of all conditions of approval established for the permit.
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- J. A planned development permit may be granted by the Development Review Board or Planning Director, as applicable, only if it is found that the development conforms to all the following criteria, as well as to the Planned Development Regulations in Section 4.140:
1. The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.
 2. That the location, design, size and uses are such that traffic generated by the development at the most probable used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D, as defined in the Highway Capacity Manual published by the National Highway Research Board, on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets. Immediately planned arterial and collector streets are those listed in the City's adopted Capital Improvement Program, for which funding has been approved or committed, and that are scheduled for completion within two years of occupancy of the development or four year if they are an associated crossing, interchange, or approach street improvement to Interstate 5.
 - a. In determining levels of Service D, the City shall hire a traffic engineer at the applicant's expense who shall prepare a written report containing the following minimum information for consideration by the Development Review Board:
 - i. An estimate of the amount of traffic generated by the proposed development, the likely routes of travel of the estimated generated traffic, and the source(s) of information of the estimate of the traffic generated and the likely routes of travel;
 - ii. What impact the estimate generated traffic will have on existing level of service including traffic generated by (1) the development itself, (2) all existing developments, (3) Stage II developments approved but not yet built, and (4) all developments that have vested traffic generation rights under section 4.140(.10), through the most probable used intersection(s), including state and county intersections, at the time of peak level of traffic. This analysis shall be conducted for each direction of travel if backup from other intersections will interfere with intersection operations.
 - b. The following are exempt from meeting the Level of Service D criteria standard:
 - i. A planned development or expansion thereof which generates three new p.m. peak hour traffic trips or less;
 - ii. A planned development or expansion thereof which provides an essential governmental service.
 - c. Traffic generated by development exempted under this subsection on or after Ordinance No. 463 was enacted shall not be counted in determining levels of service for any future applicant.
 - d. Exemptions under 'b' of this subsection shall not exempt the development or expansion from payment of system development charges or other applicable regulations.
 - e. In no case will development be permitted that creates an aggregate level of traffic at LOS "F".
 3. That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.
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- K. Mapping: Whenever a Planned Development permit has been granted, and so long as the permit is in effect, the boundary of the Planned Development shall be indicated on the Zoning Map of the City of Wilsonville as the appropriate "PD" Zone.

No additional changes proposed in this section

Section 4.156.09. Temporary Signs in all Zones.

~~The following temporary signs may be permitted:~~ In addition to the permanent signs allowed in different zones and exempt temporary signs, unless specifically prohibited in a master sign plan or other sign approval, the following temporary signs may be permitted through a temporary sign permit:

- (.01) *General Allowance.* Except as noted in subsection (.02) below up to two temporary signs not exceeding a combined total of 24 square feet may be permitted per lot or non-residential tenant. Such signs may be banners, rigid signs, lawn signs, portable signs, or other signs of similar construction.

No additional changes proposed in this section

Section 4.800. Wireless Communications Facilities—Permitted, Conditionally Permitted, and Prohibited Uses.

Purpose:

Wireless Communications Facilities ("WCF") play an important role in meeting the communication needs of the Wilsonville community citizens. This Section aims to balance the proliferation of and need for WCF with the importance of keeping Wilsonville a livable and attractive City, consistent with City regulations for undergrounding utilities to the greatest extent possible.

In accordance with the guidelines and intent of Federal law and the Telecommunications Act of 1996, these regulations are intended to: 1) protect and promote the public health, safety, and welfare of the Wilsonville community citizens; 2) preserve neighborhood character and overall City-wide aesthetic quality; and 3) encourage siting of WCF in locations and by means that minimize visible impact through careful site selection, design, configuration, screening, and camouflaging techniques.

As used herein, reference to Wireless Communications Facilities is broadly construed to mean any facility, along with all of its ancillary equipment, used to transmit and/or receive electromagnetic waves, radio or television signals including, but not limited to, antennas, dish antennas, microwave antennas, small cells, distributed antenna systems ("DAS"), 5G, small cell sites/DAS, and any other types of equipment for transmission or receipt of signals, including telecommunication towers, poles, and similar supporting structures, equipment cabinets or buildings, parking and storage areas, and all other accessory development.

Reference to Small Wireless Facilities (SWF) herein is construed to mean ~~telecommunications facilities~~ WCF and associated equipment that meet the definition of small wireless facilities as stated in 47 C.F.R. § 1.6002(l).

Reference to Macro WCF means WCF that do not meet the definition of small wireless facilities.

This Section does not apply to (i) amateur radio stations defined by the Federal Communication Commission and regulated pursuant to 47 C.F.R. Part 97; or (ii) WCF owned by, or operated solely for, the City of Wilsonville.

If any provision of this Code directly conflicts with State or Federal law, where State or Federal law preempts local law, then that provision of this Code shall be deemed unenforceable, to the extent of the conflict, but the balance of the Code shall remain in full force and effect.

Nothing contained in this Section shall be construed in any way to waive or limit the City's proprietary rights over its real and personal property, including without limitation any proprietary interest in the right-of-way. Thus, if it is

determined the City has authority to exert greater rights or impose additional conditions or limitations beyond those set forth in this Section, the City reserves the absolute right to do so, as it determines appropriate or necessary.

(.01) *Permitted Uses:*

- A. ~~New~~ Towers, poles, and structures for Macro WCF and ancillary facilities thereto are permitted in all of the following locations:
1. Any property owned by the City of Wilsonville, including public right-of-way;
 2. Any property owned by the West Linn - Wilsonville School District;
 3. Any property owned by the Tualatin Valley Fire District;
 4. Any property within an electric utility substation.
- B. ~~Co-located~~ WCF pursuant to Section 4.802 ~~is encouraged~~ on all existing, legally established, towers, poles, and structures in all zones ~~and may be required on City property.~~
- C. Modification of existing towers, poles, and structures for WCF and ancillary facilities not meeting the co-location requirements of Section 4.802.
- D. SWF as follows:
1. Attached to an existing structure (i.e., utility pole, tower, streetlight, traffic signal, building, etc.) within the public right-of-way.
 2. Incorporated into a freestanding or replacement structure (i.e., a standalone pole intended to support only the wireless equipment or a replacement pole that supports both the wireless equipment and the other utilities, traffic control or other pre-existing attachments) within the public right-of-way.
 3. Attached or mounted to an existing structure (i.e., rooftop, building façade, sports field light, etc.) outside the public right-of-way.
- E. Satellite communications antennas:
1. Not exceeding one meter in diameter shall be permitted in any zone without requiring Administrative Review.
 2. One meter or larger shall be subject to Administrative Review.
- ~~C. Satellite communications antennas not exceeding one meter in diameter shall be permitted in any zone without requiring Administrative Review.~~
- ~~D.F. Camouflaged WCF antennas, excluding SWF, attached to existing light, power, or telephone poles are permitted in all zones, subject to the development standards of Section 4.803.~~
- ~~F. The City of Wilsonville is an underground utility City (Undergrounding District) where mandatory aesthetic design standards do not unreasonably preclude WCF by requiring undergrounding of all equipment to the maximum extent possible. Therefore, no new vertical elements will be allowed on City property if there are existing facilities available to reasonably accommodate the WCF, and all equipment other than the antennas shall be placed underground to the maximum extent possible. The following shall be used to determine maximum extent possible:~~
1. ~~Equipment functional underground;~~
 2. ~~Location available to underground near associated antenna; and~~
 3. ~~Conflicts with other underground uses as determined by the City.~~

Commented [JC3]: Reorganization / clarification - same language and intent

Commented [RK4]: Confirm if this would apply to anything other than SWFs

Commented [JC5]: Reorganized - repeated below with same language and intent

(.02) Conditional Uses. ~~Except as indicated as permitted in (.01) above, WCF can be conditionally permitted in all zones, pursuant to Section 4.184 of the Wilsonville Code~~

Commented [JC6]: Moved below to (.02)(D)

A. Historical Buildings and Structures. ~~No WCF shall be allowed on any building or structure, or in any district, that is listed on any Federal, State, or local historical register unless it is determined by the Development Review Board that the facility will have no adverse effect on the appearance of the building, structure, or district. No change in architecture and no high visibility facilities are permitted on any such building, any such site, or in any such district.~~

B. Tower or Pole Heights. ~~Towers or poles may exceed the height limits otherwise provided for in the Development Code with compelling justification only. Costs and cost efficiency are not compelling justifications.~~

C. Lighting. ~~If beacon lights or strobe lights are required by the Federal Aviation Administration (FAA) or other applicable authority, the Development Review Board shall review the available alternatives and approve the design with the least visual impact.~~

Commented [JC7]: Referenced in other areas of the code as being conditional uses. Brought here for clarity

D. ~~Except as indicated as permitted in (.01) above, WCF can be conditionally permitted in all zones, pursuant to Section 4.184 of the Wilsonville Code.~~

Commented [JC8R7]: Previously: WC 4.803(.01)(D) , WC 4.803(.01)(E), WC 4.803(.01)(P)

(.03) Prohibited Uses. WCF are prohibited on all lands ~~designated as~~ **within the** Significant Resource Overlay Zone ~~lands.~~

(.04) Exemptions. ~~The following shall be considered exempt structures or activities under this Code Chapter:~~

A. Antennas (including direct-to-home satellite dishes, TV antennas, and wireless cable antennas) ~~used by viewers to receive video programming signals from direct broadcast facilities, broadband radio service providers, and TV broadcast stations regardless of zone capacity.~~

B. Cell on Wheels (COW), ~~which are permitted as temporary uses in nonresidential zones for a period not to exceed 60 days, except that such time period may be extended by the City during a period of emergency as declared by the City, County, or State.~~

C. Replacement antennas or equipment, ~~provided the replacement antennas and/or equipment have the same function, size, and design to the replaced antenna and/or equipment and do not exceed the overall size of the original approved antenna and/or equipment.~~

Commented [JC9]: Referenced in other areas of the code as being exempt

(.05) Undergrounding Requirement. ~~The City of Wilsonville is an underground utility City (Undergrounding District) for the purposes of public safety, service reliability, and aesthetic design; where these mandatory design standards do not unreasonably preclude WCF by requiring undergrounding of all equipment to the maximum extent possible. Therefore, no new vertical elements will be allowed on City property if there are existing facilities available to reasonably accommodate the WCF, and all equipment other than the antennas shall be placed underground to the maximum extent possible. The following shall be used to determine maximum extent possible:~~

A. Equipment functional underground;

B. Location available to underground near associated antenna; and

C. Conflicts with other underground uses as determined by the City.

(Ord. No. 831, 1-24-2019)

Section 4.801. Application Requirements.

~~Cable providers that occupy any portion of the City's right-of-way are required to enter into a Franchise Agreement with the City. Other utilities, including Competitive Local Exchange Competitor carriers are subject to the terms of the City's Privilege Tax Ordinance No. 616. In order to be permitted, an applicant must complete: 1) a Site~~

Development Permit Application; 2) a Public Works Permit; 3) a Building Permit; and 4) enter into a Lease Agreement with the City for use of the public Right-of-Way. In preparing the Application, the applicant should review all provisions of this Code Section, particularly the portion attached to the Development Review Standards. The WCF Application process shall include all of the following:

Commented [JC10]: Rearranged and moved to standard (.01)

(.01) Cable providers that occupy any portion of the City's right-of-way are required to enter into a Franchise Agreement with the City. Other utilities, including Competitive Local Exchange Competitor carriers are subject to the terms of the City's Privilege Tax Ordinance No. 616. In order to be permitted, an applicant must complete: 1) a Site Development Permit Application; 2) a Public Works Permit; 3) a Building Permit; and 4) enter into a Lease Agreement with the City for use of the public Right-of-Way.

(.02) Required for all WCF, including SWF applications:

A. Property Owner Signature. The signature of the property owner(s) on City of Wilsonville application forms or a written signed statement from the property owner(s) granting authorization to proceed with the land use application and building permits, pursuant to WC Section 4.009.

B. ~~(.01)~~ Speculation. No Application for a WCF shall be approved from an applicant that constructs WCF and leases tower space to service providers that is not itself a wireless service provider, unless the applicant submits a binding written commitment or executed lease from a service provider to utilize or lease space on the WCF.

C. ~~(.02)~~ Geographical Survey. **This Section (C) is not applicable to applications submitted subject to the provisions of 47 U.S.C. 1455(a). The applicant shall identify the geographic service area for the proposed WCF, including a map showing all of the applicant's existing sites in the local service network ~~associated with the gap that the proposed WCF is proposed to close.~~ The applicant shall **identify technically feasible alternative site locations within the geographic service area** ~~describe how this service area fits into and is necessary for the service provider's service network.~~**

Commented [JC11]: Moved from below. This states that 6409(a) applications need not comply. Need to confirm if this still applies to SWFs

1. Prior to the issuance of any building permits, applicants for WCF shall provide a copy of the corresponding FCC Construction Permit or license for the facility being built or relocated, if required.

2. The applicant shall include a vicinity map clearly depicting where, within a one-half mile radius, any portion of the proposed WCF could be visible, and a graphic simulation showing the appearance of the proposed WCF and all accessory and ancillary structures from two separate points within the impacted vicinity, accompanied by an assessment of potential mitigation and screening measures. Such points are to be mutually agreed upon by the Planning Director or the Planning Director's designee and the applicant. ~~This Section (2) is not applicable to applications submitted subject to the provisions of 47 U.S.C. 1455(a).~~

D. ~~(.03)~~ Visual Impact, Technological Design Options, and Alternative Site Analysis. The applicant shall provide a visual impact analysis showing the maximum silhouette, viewshed analysis, color and finish palette, and proposed screening for all components of the facility. The analysis shall include photo simulations and other information as necessary to determine visual impact of the facility as seen from multiple directions. The applicant shall include a map showing where the photos were taken. The applicant shall include an analysis of alternative sites **that would meet City design and locational standards and **alternative** technological design options for the WCF, within and outside of the City, ~~that~~ **which** are capable of meeting the same service objectives as the preferred site with an equivalent or lesser visual impact. If a new tower or pole is proposed as a part of the proposed WCF, the applicant must demonstrate the need for a new tower and pole and why existing locations or design alternatives, such as the use of microcell technology, cannot be used to meet the identified service objectives. Documentation and depiction of all steps that**

will be taken to screen or camouflage the WCF to minimize the visual impact of the proposed facility must be submitted.

- E. (-04) Application Narrative.** ~~Number of WCF.~~ The Application shall include a detailed narrative of all of the equipment and components to be included with the WCF, including, but not limited to, antennas and arrays; equipment cabinets; back-up generators; air conditioning units; poles; towers; lighting; fencing; wiring, housing; and screening. The applicant must provide the number of proposed WCF at each location and include renderings of what the WCF will look like when screened. The Application must contain a list of all equipment and cable systems to be installed, including the maximum and minimum dimensions of all proposed equipment. Wilsonville is an Undergrounding District, meaning that the City will require any utility that can be fully or partially located underground to the maximum extent possible to help preserve the aesthetic appearance of the right-of-way and community and to prevent aboveground safety hazards. Therefore, all components of the WCF must be undergrounded to the extent reasonably feasible. Those components of the WCF that must be above ground must be identified by type of facility, dimension of facility, with proposed screening to reduce to the maximum extent possible the visual impact of aboveground facilities and equipment. A written narrative of why any portion of the WCF must be above ground is required.
- F. (-05) Safety Hazards.** Any and all known or expected safety hazards for any of the WCF facilities must be identified and the applicant who must demonstrate how all such hazards will be addressed and minimized to comply with all applicable safety codes.
- G. (-06) Landscaping.** The Application shall provide a landscape plan, drawn to scale, that is consistent with the need for screening at the site, showing all proposed landscaping, screening and proposed irrigation (if applicable), with a discussion of how proposed landscaping, at maturity, will screen the site. Existing vegetation that is proposed to be removed must be clearly indicated and provisions for mitigation included.
- H. (-07) Height.** The Application shall provide an engineer's diagram, drawn to scale, showing the height of the WCF and all of its above-ground components. Applicants must provide sufficient evidence that establishes that the proposed WCF is designed to the minimum height required to meet the carrier's coverage objectives. If a tower or pole height will exceed the base height restrictions of the applicable zone, this narrative shall include a discussion of the physical constraints (topographical features, etc.) making the additional height necessary. The narrative shall include consideration of design alternatives, including the use of multiple sites or designs that would avoid the need for the new WCF or over zone height WCF. Except as noted in (a) and (b) below, the maximum height allowed in the right-of-way is 50 feet.
- 1. A-** The maximum height for a freestanding SWF in the public right-of-way is no more than ten percent taller than other adjacent structures in the right-of-way.
- 2. B-** When collocated on an existing structure in the public right-of-way, the SWF and the existing structure (including the antenna and any equipment enclosures contained within the structure) shall not exceed 50 feet or more than ten percent of the existing structure or nearby structures, whichever is greater.
- I. (-08) Construction.** The Application shall describe the anticipated construction techniques and time frame for **construction or** installation of the WCF. **This narrative must include all temporary staging, site access, and the types of vehicles and equipment to be used.**
- J. (-09) Maintenance.** The Application shall describe the anticipated maintenance and monitoring program for the WCF, including antennas, back-up equipment, poles, paint, and landscaping; **and a description of anticipated maintenance needs, including frequency of service, personnel needs, equipment needs and potential safety impacts of such maintenance.**

Commented [JC12]: This requirement predominately asks for narrative descriptions, and so I believe the name is misleading.

Commented [JC13]: Merged from repeated maintenance standard contained in (.18)

K. (~~10~~) *Noise/Acoustical Information.* The Application shall provide manufacturer's specifications for all noise-generating equipment, such as air conditioning units and back-up generators, and a depiction of the equipment location in relation to adjoining properties. The applicant shall provide a noise study prepared and sealed by a qualified Oregon-license Professional Engineer that demonstrates that the WCF will comply with intent and goals of Section 6.204 et seq. of this Code.

~~(.11) Parking. The Application shall provide a site plan showing the designated parking areas for maintenance vehicles and equipment, if any. No parking of maintenance vehicles and equipment parking shall be permitted in any red curb zone, handicap parking zone, or loading zone.~~

Commented [JC14]: Only applicable to new macro WCF

~~(.12) Co-Location. In the case of new multi-user towers, poles, or similar support structures, the applicant shall submit engineering feasibility data and a letter stating the applicant's willingness to allow other carriers to co-locate on the proposed WCF.~~

Commented [JC15]: Only applicable to new macro WCF

L. (~~13~~) *Lease.* The site plan shall show the lease area of the proposed WCF.

M. (~~14~~) *FCC License and Radio Frequency Safety Compliance.* The Application shall provide a copy of the applicant's FCC license and/or construction permit, if an FCC license and/or construction permit is required for the proposed facility. The applicant shall provide documentation showing that the party responsible for radio frequency transmissions is in planned or actual compliance with all FCC RF emissions safety standards and guidelines at 47 C.F.R. § 1.1307 et seq. and FCC Office of Engineering Technology Bulletin 65.

N. (~~15~~) *Lighting and Marking.* The Application shall describe any proposed lighting and marking of the WCF, including any required by the FAA.

O. (~~16~~) *Co-Location Feasibility.* A feasibility study for the co-location of any WCF as an alternative to new structures must be presented and certified by an Oregon-licensed Professional Engineer. Co-location will be required when determined to be feasible. The feasibility study shall include:

Commented [RK16]: Need to clarify if this should only apply to Macro WCF. If so move to (.03)

- 1.A** An inventory, including the location, ownership, height, and design of existing WCF within one-half mile of the proposed location of a new WCF. The planning director may share such information with other applicants seeking permits for WCF, but shall not, by sharing such information, in any way represent or warrant that such sites are available or suitable.
- 2.B** Documentation of the efforts that have been made to co-locate on existing or previously approved towers, poles, or structures. The applicant shall make a good faith effort to contact the owner(s) of all existing or approved towers, poles, or structures and shall provide a list of all owners contacted in the area, including the date, form, and content of such contact.
- 3.C** Documentation as to why co-location on existing or proposed towers, poles, or commercial structures within 1,000 feet of the proposed site is not practical or feasible. Co-location shall not be precluded simply because a reasonable fee for shared use is charged or because of reasonable costs necessary to adapt the existing and proposed uses to a shared tower. The Planning Director and/or Development Review Board may consider expert testimony to determine whether the fee and costs are reasonable when balanced against the market and the important aesthetic considerations of the community.

P. (~~17~~) *Engineering Report for New Location - A.* An Application for a new WCF, whether co-located or new, shall include, as applicable, a report from an Oregon licensed Professional Engineer documenting the following:

1. A description of the proposed WCF height and design, including technical, engineering, and other pertinent factors governing selection of the proposed design. A cross-section of the proposed WCF structure shall be included. The engineer shall document whether the

structure is at its maximum structural capacity and, if not, the additional weight the structure could support.

2. Documentation that the proposed WCF will have sufficient structural integrity for the proposed uses at the proposed location, in conformance with the minimum safety requirements of the State Structural Specialty Code and EIA/TIA 222 (Structural Standards for Communication and Small Wind Turbine Support Structures), latest edition at the time of the application.
- 3B. A description of mitigation methods which will be employed to avoid ice hazards, including increased setbacks, and/or de-icing equipment, if required by any safety law, regulation, or code.
- 4C. Evidence that the proposed WCF will comply with all applicable requirements of the Federal Aviation Administration, the Aeronautics Section of the Oregon Department of Transportation, and the Federal Communications Commission.

~~(-18) Maintenance.~~ The applicant shall provide a description of anticipated maintenance needs, including frequency of service, personnel needs, equipment needs and potential safety impacts of such maintenance.

Commented [JC17]: Repeated above

~~(-19) Recordation Requirements.~~ If a new WCF is approved, the owner shall be required, as a condition of approval, to:

- A. Record the conditions of approval specified by the City with the Deeds Records Office in the Office of the County Recorder of the county in which the WCF is located;
- B. Respond in a timely, comprehensive manner to a request for information from a potential shared use applicant;
- C. Negotiate in good faith for shared use by others; and
- D. Such conditions shall run with the land and be binding on subsequent purchasers of the WCF.

Commented [JC18]: Applies to new WCF

Q. All SWF applications must demonstrate compliance with all requirements in Section 2 "Design Elements" of the "City of Wilsonville Small Wireless Facility Infrastructure Design Standards".

~~R. (-20)~~ The Planning Director may request any other information deemed necessary to fully evaluate and review the information provided in the application.

(.03) Additional Application Requirements for new Macro WCF applications.

- A. **Parking.** The Application shall provide a site plan showing the designated parking areas for maintenance vehicles and equipment, if any. No parking of maintenance vehicles and equipment parking shall be permitted in any red curb zone, handicap parking zone, or loading zone.
- B. **Co-Location.** In the case of new multi-user towers, poles, or similar support structures, the applicant shall submit engineering feasibility data and a letter stating the applicant's willingness to allow other carriers to co-locate on the proposed WCF.
- C. **Recordation Requirements.** If a new WCF is approved, the owner shall be required, as a condition of approval, to:
 1. Record the conditions of approval specified by the City with the Deeds Records Office in the Office of the County Recorder of the county in which the WCF is located;
 2. Respond in a timely, comprehensive manner to a request for information from a potential shared use applicant;
 3. Negotiate in good faith for shared use by others; and
 4. Such conditions shall run with the land and be binding on subsequent purchasers of the WCF.

Commented [JC19]: No language change - just restructuring

Section 4.802. Co-Location.

In order to encourage shared use of towers, poles, or other facilities for the attachment of WCF, no conditional use permit shall be required for the addition of equipment, provided that:

- (.01) There is no change to the type of tower or pole.
- (.02) All co-located WCF shall be designed in such a way as to be visually compatible with the structures on which they are placed.
- (.03) All co-located WCF must comply with the conditions and concealment elements of the original tower, pole, or other facility upon which it is co-locating.
- (.04) Shall not disturb, or will mitigate any disturbed, existing landscaping elements.
- (.05) Does not entail excavation or deployment outside site of current facility where co-location is proposed.
- (.06) All co-located WCF, and additions to existing towers, poles, or other structures, shall meet all requirements of the State of Oregon Structural Specialty Code and EIA/TIA 222 (Structural Standards for Communication and Small Wind Turbine Support Structures), latest edition at the time of the application. A building permit shall be required for such alterations or additions. Documentation shall be provided by an Oregon-licensed Professional Engineer verifying that changes or additions to the tower structure will not adversely affect the structural integrity of the tower.
- (.07) Additional Application Requirements for Co-Location:
 - A. A copy of the site plan approved for the original tower, pole, or other base station facility to which the co-location is proposed.
 - B. A site survey delineating development on-the-ground is consistent with the approved site plan.

Section 4.803. Development Review Standards.

All WCF shall comply with the following Development Review standards, unless grandfathered under State or Federal law:

- (.01) The following development standards are applicable to all WCF and SWF applications: ~~Visual Impact:~~
 - A. *Maximum Number of High Visibility Facilities Per Lot or Parcel.* No more than one high visibility WCF is allowed on any one lot or parcel of five acres or less. The Development Review Board may approve exceeding the maximum number of high visibility WCF per lot or parcel if one of the following findings is made through a Class III review process: (1) co-location of additional high visibility WCF is consistent with neighborhood character, (2) the provider has shown that denial of an application for additional high visibility WCF would prohibit or have the effect of prohibiting service because the WCF would fill a significant gap in coverage and no alternative locations are available and technologically feasible, or (3) the provider has shown that denial of an application for additional high visibility WCF would unreasonably discriminate among providers of functionally equivalent services. In such cases, the Development Review Board shall be the review authority for all related applications.
 - B. *Height.* The tower or pole height of a freestanding WCF in R, PDR and RA-H zones shall not exceed 50 feet, except the following:
 - 1. RA-H zoned property occupied by the City Wastewater Treatment Plant and the PDR zoned property occupied by the Elligsen Road Water Reservoir shall be exempted from the height limitations of the subject zones, and subsection 4.803(.01)A, above, shall apply.

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2. **Small Wireless Facilities in the public right-of-way.** SWF in the public right-of-way shall not exceed the height permitted under WC 4.801(.07).
- C. *WCF Adjacent to Residentially Designated Property.* In order to ensure public safety, all WCF located adjacent to any property designated as residential in Wilsonville shall be set back from all residential property lines by a distance at least equal to the maximum height of the facility including any antennas or other appurtenances attached thereto. The setback shall be measured from that part of the WCF that is closest to the neighboring residentially designated property.
- D. ~~*Historical Buildings and Structures.* No WCF shall be allowed on any building or structure, or in any district, that is listed on any Federal, State, or local historical register unless it is determined by the Development Review Board that the facility will have no adverse effect on the appearance of the building, structure, or district. No change in architecture and no high visibility facilities are permitted on any such building, any such site, or in any such district.~~
- D. ~~E.~~ *Tower or Pole Heights.* ~~Towers or poles may~~ **WCFs shall not** exceed the height limits ~~otherwise~~ provided for in the Development Code with **out a conditional use review and** compelling justification ~~only~~. Costs and cost efficiency are not compelling justifications.
- E. ~~F.~~ *Accessory Building Size.* Within the public right-of-way, no above-ground accessory buildings shall be permitted. Outside of the public right-of-way, all accessory buildings and structures permitted to contain equipment accessory to a WCF shall not exceed 12 feet in height unless a greater height is necessary and required by a condition of approval to maximize architectural integration. Each accessory building or structure is limited to 200 square feet, unless approved through a Conditional Use Permit.
- E. ~~G.~~ *Utility Vaults and Equipment Pedestals.* Within the public right-of-way, utility vaults and equipment pedestals associated with WCF must be underground to the maximum extent possible.
- G. ~~H.~~ *Visual Impact.* All WCF shall be designed to minimize the visual impact to the maximum extent possible by means of placement, screening, landscaping, and camouflage. All WCF shall also be designed to be compatible with existing architectural elements, building materials, and other site characteristics. All WCF shall be sited in such a manner as to cause the least detriment to the viewshed from other properties. The use of radomes and/or other camouflage techniques acceptable to the City to conceal antennas, associated equipment and wiring, and antenna supports is required.
- H. ~~I.~~ *Color Schemes.* For the sake of visual impact, no wooden poles are allowed except Small Wireless Facilities on existing poles with high voltage power lines that would require thermal hydraulic cooling if undergrounded. Color schemes must be approved by the City to best camouflage with the surrounding landscape.
- I. ~~J.~~ *Antennas.* Façade-mounted antennas shall be architecturally integrated into the building design and otherwise made as unobtrusive as possible. As appropriate, antennas shall be located entirely within an existing or newly created architectural feature so as to be completely screened from view. Façade-mounted antennas shall not extend more than two feet out from the building face. Roof-mounted antennas shall be constructed at the minimum height possible to serve the operator's service area and shall be set back as far from the building edge as possible or otherwise screened to minimize visibility from the public right-of-way and adjacent properties.
- J. ~~K.~~ *Noise.* Noise from any equipment supporting the WCF shall meet the requirements of City Code Section 6.204—Noise.
- K. ~~L.~~ *Signage.* No signs, striping, graphics, or other attention-getting devices are permitted on any WCF except for warning and safety signage with a surface area of no more than three square feet. Except as required by law, all signs are prohibited on WCF except for one non-illuminated

Commented [JC20]: These references need to be corrected when agreed-upon structure is final.

sign, not to exceed two square feet, which shall be provided at the main entrance to the WCF, stating the owner's name, the wireless operator(s) if different from the owner, and address and a contact name and phone number for emergency purposes. WCF may be placed entirely behind existing street or building signs as one method of camouflage.

- ~~L. M.~~ *Traffic Obstruction.* Maintenance vehicles servicing facilities located in the public right-of-way shall not park on the traveled way or in a manner that obstructs traffic. No maintenance vehicle parking shall be permitted in red curb zones, handicap zones, or loading zones.
- ~~M. N.~~ *Parking.* No net loss in minimum required parking spaces shall occur as a result of the installation of any WCF.
- ~~N. O.~~ *Sidewalks and Pathways.* Cabinets and other equipment shall not impair pedestrian use of sidewalks or other pedestrian paths or bikeways on public or private land and shall be screened from view. Cabinets shall be undergrounded, to the maximum extent possible.
- ~~O. P.~~ *Lighting.* WCF shall not include any beacon lights or strobe lights, unless required by the Federal Aviation Administration (FAA) or other applicable authority. If beacon lights or strobe lights are required, the Development Review Board shall review the available alternatives and approve the design with the least visual impact. All other site lighting for security and maintenance purposes shall be shielded and directed downward, and shall comply with the City's outdoor lighting standards in City Code Section 4.199, unless otherwise required under Federal law.
- ~~P. Q.~~ *Paint and Finish.* Towers, poles, antennas, and associated equipment shall either maintain a galvanized steel finish or be painted a non-reflective, neutral color, as approved by the Planning Director or Development Review Board, to minimize visibility. Attached communication facilities shall be painted so as to be identical to or compatible with the existing structure. Towers more than 200 feet in height shall be painted in accordance with the Oregon State Aeronautics Division and Federal Aviation Administration rules. Applicants shall attempt to seek a waiver of OSAD and FAA marking requirements. When a waiver is granted, towers shall be painted and/or camouflaged in accordance with subsection (.01), above. All ancillary facilities shall be colored or surfaced so as to blend the facilities with the surrounding natural and built environment.
- ~~Q. R.~~ *Use of Concealments.* Concealments are customized structures engineered to cover cell towers, antennas, DAS equipment and beautify them and make them either less visible or more pleasing to have in the landscape. Applicant shall present a proposal for concealment intended to meet the foregoing goal.
- ~~R. S.~~ *Public Works Standards.* Additional applicable construction and design standards are as set forth in the City's 2015 Public Works Standards.
- ~~S. T.~~ *Compliance With All Laws.* Every WCF shall comply with all local, state, and federal laws, codes, and regulations including without limitation to the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq.

~~(.02) Site Size.~~ The site on which a transmission tower/pole is located shall be of a sufficient shape and size to provide all required setbacks as specified in this Code Section. Towers or poles only as permitted herein may be located on sites containing other principal uses in the same buildable area as long as all of the other general requirements of this Code Section are met.

~~(.03) Separation and Setbacks.~~

- ~~A.~~ WCF shall be set back from any other property line by a distance at least equal to the maximum height of the facility including any antennas or other appurtenances attached thereto unless this requirement is specifically waived by the Planning Director or the Development Review Board for purposes of mitigating visual impacts or improving compatibility with other uses on the property.

- ~~B.~~ A guyed tower located on sites containing other principal uses must maintain a minimum distance between the tower and other principal uses of the greater of 100 percent breakpoint or 25 feet, unless this requirement is specifically waived by the Planning Director or Development Review Board for purposes of mitigating visual impacts or improving compatibility with other uses on the property.
- ~~C.~~ WCF mounted on rooftops or City approved alternative tower structures shall be exempt from these minimum separation requirements. However, WCF and related equipment may be required to be set back from the edge of the roof line in order to minimize their visual impact on surrounding properties and must be screened.
- ~~D.~~ WCF towers and poles are prohibited in the required front yard, back yard, or side yard setback of any lot in any zone, and no portion of any antenna array shall extend beyond the property lines. For guyed towers or poles, all guy anchors shall be located outside of the setback from all abutting properties.
- ~~T. (.04)~~ *Security Fencing.* WCF or towers shall be enclosed by decay-resistant security fencing not less than six feet in height and shall be equipped with an appropriate anti-climbing device. Fencing shall be compatible with other nearby fencing. Such requirements may be waived for attached WCF.
- ~~U. (.05)~~ *Landscaping.* Landscaping shall be placed around the outside perimeter of the security fencing and shall consist of fast growing vegetation that can be expected to reach a minimum height of six feet and form a continuous hedge within two years of planting. Drought tolerant landscaping materials shall be required and otherwise meet the landscaping standards of City Code Section 4.176. Trees and shrubs in the vicinity of guy wires shall be of a kind that would not exceed 20 feet in height and would not affect the stability of the guys should they be uprooted. Landscaping shall be compatible with other nearby landscaping.
- ~~V. (.06)~~ *Conflict with Right-of-Way.* No WCF shall be located within a planned or existing public right-of-way, unless it is specifically designed for the purpose in a way that will not impede pedestrian, bicycle, or vehicular traffic and the installation of any sidewalk or path that is a planned future improvement.
- ~~W. (.07)~~ *Change to Approved WCF.* Any change to or expansion of a WCF that will in any way change the physical appearance of the WCF will require a new application.

(.02) Additional development standards applicable to new Macro WCF:

- A. **Site Size.** The site on which a transmission tower/pole is located shall be of a sufficient shape and size to provide all required setbacks as specified in this Code Section. Towers or poles only as permitted herein may be located on sites containing other principal uses in the same buildable area as long as all of the other general requirements of this Code Section are met.
- B. **Separation and Setbacks.**
1. **WCF shall be set back from any other property line by a distance at least equal to the maximum height of the facility including any antennas or other appurtenances attached thereto unless this requirement is specifically waived by the Planning Director or the Development Review Board for purposes of mitigating visual impacts or improving compatibility with other uses on the property.**
 2. **A guyed tower located on sites containing other principal uses must maintain a minimum distance between the tower and other principal uses of the greater of 100 percent breakpoint or 25 feet, unless this requirement is specifically waived by the Planning Director or Development Review Board for purposes of mitigating visual impacts or improving compatibility with other uses on the property.**
 3. **WCF mounted on rooftops or City-approved alternative tower structures shall be exempt from these minimum separation requirements. However, WCF and related equipment may**

Commented [RK21]: Moved from (.01)

be required to be set back from the edge of the roof line in order to minimize their visual impact on surrounding properties and must be screened.

4. WCF towers and poles are prohibited in the required front yard, back yard, or side yard setback of any lot in any zone, and no portion of any antenna array shall extend beyond the property lines. For guyed towers or poles, all guy anchors shall be located outside of the setback from all abutting properties.

Section 4.804. Review Process and Approval Standards.

(.01) *Class I Process.* The following WCF are allowed with the approval of a WCF Site Plan to be reviewed by the Planning Director pursuant to a Class I process under City Code Section 4.030 (.01) A:

- A. Small Wireless Facilities in the public right-of-way.
- B. ~~Replacement of existing antennas on approved tower at same height.~~ WCF Co-locations meeting the criteria outlined in Wilsonville Code Section 4.802.

Commented [JC22]: Clarify if this applies to both colocation and free standing.

Also, for SWF outside of the ROW - Class 2 if current language does not change.

(.02) *Class II Process.* The following WCF are allowed with the approval of a WCF Site Plan to be reviewed by the Planning Director pursuant to a Class II process under City Code Section 4.030(.01)B:

- A. New Macro WCF proposed in the following locations excepted as noted in (.01) above:
1. Any property owned by the City of Wilsonville, including public right-of-way;
 2. Any school property owned by any public school district;
 3. Any fire station property owned by any fire district;
 4. Any property within an electric utility substation.
- B. Camouflaged WCFs attached to existing light, power, or telephone poles in all zones, subject to the development standards of Section 4.803.
- C. WCF Co-locations not meeting the criteria outlined in Wilsonville Code Section 4.802.
- D. Satellite dishes larger than one meter.

Commented [RK23]: Clarify if this is still needed

(.03) *Conditional Use Permit Requirements.* Applications for WCF in all other locations and situations, including moderate or high visibility facilities that exceed the height limit of the applicable zone, shall also require a Conditional Use Permit to be reviewed by the Development Review Board. In addition to the approval standards in City Code Section 4.030, the applicant shall demonstrate that the WCF Site Plan approval standards in this Section are met.

(.04) *Approval Criteria.* The Development Review Board shall approve the use and WCF Site Plan for any of the WCF listed in subsections of this Section upon a determination that the following criteria are met:

- A. The height of the proposed WCF does not exceed the height limit of the underlying zoning district, or does not increase the height of an existing facility.
- B. The location is the least visible of other possible locations and technological design options that achieve approximately the same signal coverage objectives.
- C. The location, size, design, and operating characteristics of the proposed WCF will be compatible with adjacent uses, residences, buildings, and structures, with consideration given to:
1. Scale, bulk, coverage, and density;
 2. The suitability of the site for the type and intensity of the proposed WCF; and
 3. Any other relevant impact of the proposed use in the setting where it is proposed.

- D. All required public facilities have adequate capacity, as determined by the City, to serve the proposed WCF; and
- E. The proposed WCF complies with all of the general regulations contained in this Section 4.800—4.812.

(.05) *Conditions of Approval.* The City may impose any other reasonable condition(s) deemed necessary to achieve compliance with the approval standards, including designation of an alternate location. If compliance with all of the applicable criteria cannot be achieved through the imposition of reasonable conditions, the Application shall be denied.

(Ord. No. 831, 1-24-2019)

Section 4.805. Exemptions.

The following shall be considered exempt structures or activities under this Code Chapter:

- (.01) ~~Antennas (including direct to home satellite dishes, TV antennas, and wireless cable antennas) used by viewers to receive video programming signals from direct broadcast facilities, broadband radio service providers, and TV broadcast stations regardless of zone capacity.~~
- (.02) ~~Cell on Wheels (COW), which are permitted as temporary uses in nonresidential zones for a period not to exceed 60 days, except that such time period may be extended by the City during a period of emergency as declared by the City, County, or State.~~
- (.03) ~~Replacement antennas or equipment, provided the replacement antennas and/or equipment have the same function, size, and design to the replaced antenna and/or equipment and do not exceed the overall size of the original approved antenna and/or equipment.~~

(Ord. No. 831, 1-24-2019)

Commented [JC24]: Moved above to use section

Section 4.8056. Damage, Destruction, or Interference to Other Utilities.

In the installation of any WCF within the right-of-way, care must be taken to install in such a way that does not damage, interfere with, or disturb any of the several other utilities that may already be located in the area. Any damage done to such other utilities must be immediately reported to both the City and the owner of the damaged utility, and must be promptly repaired by the permittee or the utility owner, with the permittee being responsible for all costs of repair, including any extra charges that may be assessed for emergency repairs. Failure to notify the City and the damaged utility provider will result in revocation of the WCF. When approving the location for a WCF, the location of other utilities, or the need for the location of other utilities, within the right-of-way must be considered before approval to locate the WCF will be given in order to ensure those other services to the public are not disrupted.

No additional changes proposed in this section

Commented [JC25]: Renumber from here down - no other changes proposed past this point.



PLANNING COMMISSION

WEDNESDAY, JULY 12, 2023

WORK SESSION

3. Frog Pond East and South Implementation-Development Code (Pauly)
(60 minutes)



PLANNING COMMISSION MEETING STAFF REPORT

Meeting Date: July 12, 2023		Subject: Frog Pond East and South Master Plan Development Code	
		Staff Member: Daniel Pauly, Planning Manager	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		Comments:	
Staff Recommendation: Provide requested input on draft Development Code amendments for Frog Pond East and South Implementation.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Expand home ownership	<input checked="" type="checkbox"/> Adopted Master Plan(s): Frog Pond East and South Master Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COMMISSION

An important next step in realizing the vision of the Frog Pond East and South Master Plan is to write implementing Development Code amendments. This work session focuses on stormwater design standards, which is an important component in land use planning as it among the requirements that use the limited amount of land area.

EXECUTIVE SUMMARY:

The Frog Pond East and South Master Plan, adopted by City Council in December 2022, provides clear policy direction and guidance for future development in Frog Pond East and South. However, an important implementation step is to develop a detailed set of Development Code standards consistent with the Master Plan. These standards will be relied on by developers to plan and design development. These standards will also be relied on by City reviewers to ensure development meets City expectations.

This work session will bring forward draft Development Code amendments related to stormwater treatment and management (Attachment 1). Stormwater standards must comply with the City's federal stormwater permit, the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit, which is shared with a number of nearby jurisdictions. For reference, a link to the permit is provided as Attachment 2.

The draft stormwater standards aim to establish clear and objective standards during review of development applications. The standards additionally aim to establish clarity about an alternative discretionary review path and what factors would be considered for the alternative path. Key components of the draft standards are:

- Incorporating a purpose statement clarifying the intent of the standards;
- Explaining the requirement to follow low-impact development design standards, meaning above-ground facilities that mimic the natural flow and soil percolation of historic pre-development conditions;
- Setting a clear prioritization of where stormwater facilities should be located within a development;
- Identifying conflicting design elements and uses, such as light poles, street trees, utilities, bicycle and pedestrian paths, and usable open space, and when those would be prioritized over stormwater facility placement;
- Limiting the amount of stormwater that can be managed in a single facility to maximize decentralized stormwater management consistent with the NPDES permit;
- Establishing the review authority as the City Engineer and key factors for considering waivers to stormwater design standards.

At the work session, the project team is seeking the following feedback from the Planning Commission:

What questions does the Planning Commission have about the proposed standards, particularly about their intent and how they relate to other development standards?

What further refinement, if any, would the Planning Commission like to see?

EXPECTED RESULTS:

Feedback from the meeting will guide completion of a package of Development Code

amendments for adoption in the coming months.

TIMELINE:

Following additional work sessions, a public hearing on the Code amendments are expected late in 2023.

CURRENT YEAR BUDGET IMPACTS:

The Development Code implementation work is funded by remaining funds from the \$350,000 Metro grant for the Frog Pond East and South Master Plan and matching City funds in the form of staff time.

COMMUNITY INVOLVEMENT PROCESS:

During this implementation phase the primary focus is on honoring past input. However, the project team will engage key stakeholders for input on draft Development Code amendments.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Realization of the policy objectives set out in the Frog Pond East and South Master Plan to create Wilsonville’s next great neighborhoods. This includes furthering of the City’s Equitable Housing Strategic Plan and Council’s goal of affordable home ownership.

ALTERNATIVES:

The project team prepared draft amendments to help implement the Frog Pond East and South Master Plan. A number of alternative amendments can be considered to meet the same intent.

ATTACHMENTS:

1. Draft Residential Stormwater Facilities Standards July 2023
2. NPDES MS4 Permit ([electronic only, available at this linked webpage](#)), for reference, not required to review

Section 4.113. Standards Applying to Residential Developments in any Zone.**(.01) Open Space:**

...

D. Required Open Space Characteristics:

...

2. *Types of Open Space and Ownership.* The following types of areas count towards the minimum open space requirement if they are or will be owned by the City, a homeowners' association or similar joint ownership entity, or the property owner for Multi-family Development.

- a. Preserved wetlands and their buffers, natural and/or treed areas, including those within the SROZ
- b. New natural/wildlife habitat areas
- c. Non-fenced vegetated stormwater features outside the public right-of-way
- d. Play areas and play structures
- e. Open grass area for recreational play
- f. Swimming and wading areas
- g. Other areas similar to a. through f. that are [publicly] accessible
- h. Walking paths besides required sidewalks in the public right-of-way or along a private drive.

...

(.02) *Building Setbacks* (for Fence Setbacks, see subsection .08). The following provisions apply unless otherwise provided for by the Code or a legislative master plan.

...

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

...

(.04) *Residential uses for treatment or training:*

...

(.05) Stormwater Facilities Standards:

A. Purpose. The purpose of these standards is to protect the public health and welfare by appropriate management of stormwater to prevent flooding and property damage, and the pollution of streams, groundwater, wetlands, and other natural water features through the use of low impact development design and decentralized stormwater treatment and flow control as required by the City's NPDES MS4 permit. The purpose of these standards, further, is to thoughtfully integrate the design of stormwater management facilities into the overall design of neighborhoods.

B. Low Impact Development. All stormwater management facilities for treatment and flow control shall follow low impact development design standards.

C. Areas where stormwater management facilities are required to be integrated. Stormwater management facilities shall be located in the following areas of a residential development unless conflicting uses have locational priority as outlined in standard D. The location of stormwater management facilities shall be prioritized in the following order, with 1. (a.-g.) being the highest

priority, and 2. (a.-b.) being the lowest priority. High priority locations shall be used to the maximum extent practicable, as determined by the City Engineer or their authorized representative, prior to considering lower priority locations.

1. High Priority:

- a. Impervious area reduction such as pervious hard surfaces and green roofs;
- b. Collector and arterial street medians and planter strips where parallel on-street parking is not permitted;
- c. Curb extensions on local streets and other local street curb areas greater than 6 feet in width;
- d. Unpaved areas within five feet of an alley curb;
- e. Shoulder areas along midblock bike and pedestrian connections, and other off-street trails not otherwise part of larger green spaces and parks;
- f. Edges and buffers around parks and open space; and
- g. Landscape areas between buildings and the right-of-way that's owned by a homeowners association or similar entity (e.g., common areas, courtyards, pocket parks).

2. Lower priority:

- a. Landscaped areas within five feet of building foundations except for detached single-family homes, middle housing and their accessory structures; and
- b. Separate landscape tracts for stormwater facilities, subject to the percentage limitations in E. below.

D. Conflicting Uses Prioritized Over Stormwater Management Facilities. The placement of one or more of the following uses shall be prioritized over stormwater management facilities required under C. if a feasible alternative location for the conflicting use is not available.

1. Street trees or other required landscape trees meeting the spacing standards in Section 4.176. The conflicting use includes area for root growth outside the stormwater management facilities, which must be at least 40 square feet;
2. Street lights and other required lighting, including a buffer around the base of the light as required by Portland General Electric;
3. Fire hydrants and FDCs;
4. Manholes, clean outs, pedestals and vaults for public and franchise utilities;
5. Pedestrian walkways and bicycle paths;
6. Public Utility Easements for gas, electricity, and communication; and
7. Minimum area of usable open space required under Subsection (.01) above,. While small stormwater management facilities may be integrated into these spaces, they shall not represent more than 10% of the required usable open space and shall have a secondary purpose beyond just stormwater management (e.g. boundary between two different active uses, an intermittent play/storm stream, design element at the entrance or edge of the active open space).

E. Decentralized Stormwater Management Facilities. Stormwater management facilities shall be decentralized so that no single stormwater management facility shall provide more than 20 percent of the stormwater treatment and flow control for the smaller of a Stage I Master Plan area or drainage

basin. Stage I Master Plan areas or subdivisions less than 2 acres are exempt from this maximum percentage requirement.

F. Standards for Waivers to the Standards of this Subsection. The City Engineer, or their authorized representative, may waive the requirements of this subsection (4.113 (.05)) subject to substantial evidence being available in the record to support the following findings:

1. To the extent practicable, the design continues to provide for decentralized treatment and flow control.
2. If a proprietary stormwater management system is proposed, such use is necessary and the minimal necessary to address technical issues and/or a site constraint (e.g., high groundwater level, contaminated soil, steep slopes).
3. If a fee in lieu is proposed, it is in support of a City stormwater project within the same sub-basin.



PLANNING COMMISSION

WEDNESDAY, JULY 12, 2023

INFORMATIONAL

4. City Council Action Minutes (June 5 & 19, 2023) *(No staff presentation)*

City Council Meeting Action Minutes
June 5, 2023

Item 4.

COUNCILORS PRESENT

Mayor Fitzgerald - Excused
Council President Akervall
Councilor Linville
Councilor Berry
Councilor Dunwell

Cricket Jones, Finance Operations Supervisor
Dan Pauly, Planning Manager
Jeanna Troha, Assistant City Manager
Katherine Smith, Assistant Finance Director
Keith Katko, Finance Director
Kimberly Rybold, Senior Planner
Kimberly Veliz, City Recorder
Kris Ammerman, Parks and Recreation Director
Megan Adams, Legal Intern
Miranda Bateschell, Planning Director
Zach Weigel, Capital Projects Engineering Manager
Zoe Mombert, Assistant to the City Manager

STAFF PRESENT

Amanda Guile-Hinman, City Attorney
Andrew Barrett, Capital Projects Eng. Manager
Bill Evans, Communications & Marketing Manager
Bryan Cosgrove, City Manager

AGENDA ITEM	ACTIONS
WORK SESSION	
START: 5:02 p.m.	
A. Frog Pond East and South Development Code	Council and staff discussion continued regarding design standards and review process for multi-family housing in Frog Pond East and South and throughout the City. Updated standards for Accessory Dwelling Units were also discussed.
B. Park System Development Charge Methodology Analysis	Council heard a presentation on recalculated Parks System Development Charges based on recent growth estimates, project lists, and inventory data.
C. City Civil Exclusion Policy	Staff shared for Council consideration's draft refinements to the City's civil exclusion policy to allow City staff to administer progressive exclusion consequences based on an individual's conduct.
REGULAR MEETING	
<u>Mayor's Business</u>	
A. Upcoming Meetings	Upcoming meetings were announced by the Council President as well as the regional meetings she attended on behalf of the City.
<u>Communications</u>	
A. Wilsonville Community Sharing	Wilsonville Community Sharing updated Council on how City's grant funding helps Wilsonville residents in need.

<p>B. DEI Committee Progress Update to City Council</p>	<p>Council heard a progress report on the Diversity, Equity and Inclusion Committee’s work to complete recent initiatives.</p>
<p><u>Consent Agenda</u></p> <p>A. <u>Resolution No. 3031</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With S-2 Contractors Inc. For Construction Of The 2023 Street Maintenance Project (Capital Improvement Project No. 4014).</p> <p>B. <u>Resolution No. 3061</u> A Resolution Of The City Of Wilsonville Authorizing Support Grant Agreement With Wilsonville Community Sharing.</p> <p>C. <u>Resolution No. 3070</u> A Resolution Of The City Of Wilsonville Authorizing South Metro Area Regional Transit (SMART) To Purchase Four CNG (Compressed Natural Gas) Buses From Northwest Bus Sales, Inc.</p> <p>D. <u>Resolution No. 3071</u> A Resolution Of The City Of Wilsonville Amending The City’s Official Zoning Map To Incorporate Previously Approved Quasi-Judicial And Legislative Zoning Map Amendments And Adopting A New 2023 Official Zoning Map.</p> <p>E. Minutes of the May 1 and 15, 2023 City Council Meetings.</p>	<p>The Consent Agenda was approved 4-0.</p>
<p><u>New Business</u></p> <p>A. None.</p>	
<p><u>Continuing Business</u></p> <p>A. None.</p>	
<p><u>Public Hearing</u></p> <p>A. <u>Resolution No. 3062</u> A Resolution Declaring The City’s Eligibility To Receive State Shared Revenues.</p>	<p>After a public hearing was conducted, Resolution No. 3062 was approved 4-0.</p>

<p>B. <u>Resolution No. 3063</u> A Resolution Declaring The City’s Election To Receive State Shared Revenues.</p> <p>C. <u>Resolution No. 3064</u> A Resolution Of The City Of Wilsonville Adopting The Budget, Making Appropriations, Declaring The Ad Valorem Tax Levy, And Classifying The Levy As Provided By ORS 310.060(2) For Fiscal Year 2023-24.</p> <p>D. <u>Resolution No. 3065</u> A Resolution Of The City Of Wilsonville Authorizing A Supplemental Budget Adjustment For Fiscal Year 2022-23.</p>	<p>After a public hearing was conducted, Resolution No. 3063 was approved 4-0.</p> <p>After a public hearing was conducted, Resolution No. 3064 was approved 4-0.</p> <p>After a public hearing was conducted, Resolution No. 3065 was approved 4-0.</p>
<p><u>City Manager’s Business</u></p>	<p>No report.</p>
<p><u>Legal Business</u></p>	<p>The City Attorney informed Council of upcoming dates she would be out of the office.</p>
<p>URBAN RENEWAL AGENCY</p>	
<p><u>URA Consent Agenda</u> A. Minutes of the May 15, 2023 URA Meeting.</p>	<p>The URA Consent Agenda was approved 4-0.</p>
<p><u>New Business</u> A. None.</p>	
<p><u>Continuing Business</u> A. None.</p>	
<p><u>URA Public Hearing</u> A. <u>URA Resolution No. 343</u> A Resolution Of The Urban Renewal Agency Of The City Of Wilsonville Adopting The Budget, Making Appropriations, And Declaring The Intent To Collect Tax Increment For Fiscal Year 2023-24.</p>	<p>After a public hearing was conducted, URA Resolution No. 343 was approved 4-0.</p>
<p>ADJOURN</p>	<p>9:15 p.m.</p>

City Council Meeting Action Minutes
June 19, 2023

COUNCILORS PRESENT

Mayor Fitzgerald
Council President Akervall
Councilor Linville
Councilor Berry
Councilor Dunwell

Dan Carlson, Building Official
Dwight Brashear, Transit Director
Graciela Garcia, Administrative Assistant
Jeanna Troha, Assistant City Manager
Kelsey Lewis, Grants & Programs Manager
Kimberly Veliz, City Recorder
Matt Lorenzen, Economic Development Manager
Megan Adams, Law Clerk
Mike Nacrelli, Civil Engineer
Zach Weigel, Capital Projects Engineering Manager
Zoe Mombert, Assistant to the City Manage

STAFF PRESENT

Amanda Guile-Hinman, City Attorney
Andrew Barrett, Capital Projects Eng. Manager
Bryan Cosgrove, City Manager
Carl Brown, Building Inspector/Plans Examiner

AGENDA ITEM	ACTIONS
WORK SESSION	START: 5:01 p.m.
<p>A. Building Division – Unmanned Aircraft Systems (UAS) (Drone) Inspection Tool Update</p> <p>B. Town Center Urban Renewal Feasibility Study</p> <p>C. Sponsor Tax Reimbursement Agreement – Regionally Significant Industrial Sites</p>	<p>Building Division staff demonstrated how a drone camera was used to conduct building inspections in hazardous or difficult to inspect locations.</p> <p>The Economic Development Manager shared preliminary results from an ongoing feasibility study to help the Council determine whether Urban Renewal may serve as a viable funding mechanism to develop new infrastructure to advance the 2019 Wilsonville Town Center Plan.</p> <p>Staff informed Council of the Sponsor Tax Reimbursement Agreement for Regionally Significant Industrial Sites which was to be voted on during the regular meeting under the Consent Agenda.</p>
URBAN RENEWAL AGENCY	
<p><u>URA Consent Agenda</u></p> <p>A. <u>URA Resolution No. 344</u> A Resolution Of The City Of Wilsonville Urban Renewal Agency Authorizing Acquisition Of The Fourth Group Of Property And Property Interests Related To Construction Of The Boeckman Road Corridor Project.</p>	<p>The URA Consent Agenda was approved 5-0.</p>

B. Minutes of the June 5, 2023 Urban Renewal Agency Meeting.

New Business

A. None.

URA Public Hearing

A. None.

REGULAR MEETING

Mayor's Business

A. Upcoming Meetings

B. Reappointments/Appointment

Upcoming meetings were announced by the Mayor as well as the regional meetings she attended on behalf of the City.

Arts, Culture, and Heritage Commission

Reappointment of Angela Sims and David Altman to the Arts, Culture, and Heritage Commission for a term beginning 7/1/2023 to 6/30/2026. Passed 5-0.

Arts, Culture, and Heritage Commission

Appointment of Sageera Oravil Abdulla Koya to the Arts, Culture, and Heritage Commission for a term beginning 7/1/2023 to 6/30/2026. Passed 5-0.

Kitakata Sister City Advisory Board

Appointment of Masaru Yatabe to the Kitakata Sister City Advisory Board for a term beginning 7/1/2023 to 12/31/2024. Passed 5-0.

Library Board

Appointment of Gay Walker to the Library Board for a term beginning 7/1/2023 to 6/30/2027. Passed 5-0.

Tourism Promotion Committee

Reappointment of Elaine Owen to the Tourism Promotion Committee for a term beginning 7/1/2023 to 6/30/2026. Passed 5-0.

Tourism Promotion Committee

Appointment of Sungmin Park to the Tourism Promotion Committee for a term beginning 7/1/2023 to 6/30/2026. Passed 5-0.

C. Y2K URA Closure Commemoration

Community Enhancement Committee

Appointment of Albert McGee and Devon Thorson to the Wilsonville-Metro Community Enhancement Committee for a term beginning 7/1/2023 to 6/30/2026. Passed 5-0.

Washington County Coordinating Committee

Appointment of Council President Akervall as the primary representative and Mayor Fitzgerald as the secondary alternate representative to the Washington County Coordinating Committee for a term beginning 6/19/2023 to 12/31/2024. Passed 5-0.

The Economic Development Manager presented on the closure of the Year 2000 Urban Renewal Area, established in 1990 to fund new infrastructure development.

Communications

A. Clackamas Community College Bond Projects Update

Clackamas Community College staff shared a report detailing many of the major improvements to the campuses funded with the passage of a \$90 million bond measure in 2014.

Consent Agenda

A. **Resolution No. 3054**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Consultant Contract With Pivot Architecture For The Design Of The SMART Facility Expansion Project.

B. **Resolution No. 3060**

A Resolution To Allocate Community Enhancement Funds For Fiscal Year 2023/2024.

C. **Resolution No. 3066**

A Resolution Of The City Of Wilsonville Authorizing Acquisition Of The Fourth Group Of Property And Property Interests Related To Construction Of The Boeckman Road Corridor Project.

D. **Resolution No. 3072**

A Resolution Of The City Of Wilsonville Acting Through Its South Metro Area Regional Transit Department, Authorizing The Fare Reduction On

The Consent Agenda was approved 5-0.

Route 1X In Coordination With Salem Area Mass Transit District To Enhance Equity To All Passengers.

E. **Resolution No. 3074**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement Contract Amendment With Carollo Engineers For The Wastewater Treatment Plant Master Plan Project (Capital Improvement Project #2104).

F. Sponsor Tax Reimbursement Agreement – Regionally Significant Industrial Sites

New Business

A. Minutes of the June 5, 2023 City Council Meeting.

Minutes of the June 5, 2023 were approved as revised. Passed 5-0.

B. **Resolution No. 3059**

A Resolution Of The City Of Wilsonville Approving A Civil Exclusion Policy For City Facilities.

Resolution No. 3059 was adopted 5-0.

Continuing Business

A. None.

Public Hearing

A. **Ordinance No. 880**

An Ordinance Of The City Of Wilsonville Adopting An Updated Transit Master Plan As A Sub-Element Of The Transportation System Plan, Replacing All Prior Transit Master Plans, And Repealing Ordinance No. 805 And Ordinance No. 828.

After a public hearing was conducted, Ordinance No. 880 was approved on first reading by a vote of 5-0.

City Manager's Business

Shared appreciation for the work done by the DEI Committee, through the Juneteenth event and lecture series.

The City Manager announced the days he would be out of the office on vacation.

Legal Business

The City Attorney updated Council on discussions with Clackamas County staff regarding the implementation of measures regarding camping and connection to services.

ADJOURN

10:00 p.m.



PLANNING COMMISSION

WEDNESDAY, JULY 12, 2023

INFORMATIONAL

5. 2023 PC Work Program (*No staff presentation*)

2023 DRAFT PC WORK PROGRAM SCHEDULE

Item 5.

Updated 6/7/2023

AGENDA ITEMS			
Date	Informational	Work Sessions	Public Hearings
JANUARY 11		<ul style="list-style-type: none"> Frog Pond E+S Implementation 	
FEBRUARY 8		<ul style="list-style-type: none"> Frog Pond E+S TSP Frog Pond E+S Implementation 	
MARCH 8		<ul style="list-style-type: none"> Frog Pond E+S Implementation 	<ul style="list-style-type: none"> Frog Pond E+S TSP
APRIL 12		<ul style="list-style-type: none"> Transit Master Plan Frog Pond E+S Implementation 	
MAY 10		<ul style="list-style-type: none"> Frog Pond E+S Implementation 	<ul style="list-style-type: none"> Transit Master Plan
JUNE 14	<ul style="list-style-type: none"> Annual Housing Report 	<ul style="list-style-type: none"> Housing Needs & Capacity Analysis 	
JULY 12		<ul style="list-style-type: none"> Procedural Develop Code Cleanup Frog Pond E+S Implementation 	
AUGUST 9	<ul style="list-style-type: none"> Traffic Monitoring Report 	<ul style="list-style-type: none"> Stormwater System Master Plan Frog Pond E+S Implementation 	
SEPTEMBER 13		<ul style="list-style-type: none"> Stormwater System Master Plan Frog Pond E+S Implementation 	<ul style="list-style-type: none"> Wastewater Treatment Plant Master Plan
OCTOBER 11	<ul style="list-style-type: none"> Frog Pond E+S Infrastructure Financing Plan and Policy 	<ul style="list-style-type: none"> Frog Pond E+S Implementation 	<ul style="list-style-type: none"> Stormwater System Master Plan
NOVEMBER 8	HOLD for public event on housing		
DECEMBER 13			<ul style="list-style-type: none"> Frog Pond E+S Implementation
JAN. 10, 2024			
2023 Projects		Future (2024)/Potential Fill In Projects	
<ul style="list-style-type: none"> Annual Housing Report Housing Needs Analysis Housing Production Strategy Transit Center TOD Transit Master Plan Update 		<ul style="list-style-type: none"> Frog Pond E&S TSP Ammend. Frog Pond E&S Devt. Code TC Programming Plan TC Ec Dev/Business Retention Mobile Food Vendor Standards Basalt Creek Zoning Basalt Creek Infrastructure CFEC Parking Code Updates & TC Parking Study CFEC Transportation Model Update CFEC TSP Update (2025) 	

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