



CITY COUNCIL AGENDA

March 18, 2024 at 7:00 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/81536056468>

TO PARTICIPATE REMOTELY OR PROVIDE PUBLIC COMMENT:

Register with the City Recorder:

CityRecorder@ci.wilsonville.or.us or 503-570-1506

Individuals may submit comments online at: <https://www.ci.wilsonville.or.us/SpeakerCard>,
via email to the address above, or may mail written comments to:

City Recorder - Wilsonville City Hall

29799 SW Town Center Loop East, Wilsonville, OR 97070

CITY COUNCIL MISSION STATEMENT

To protect and enhance Wilsonville's livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.

EXECUTIVE SESSION [5:00 PM]

ORS 192.660(2)(h) Legal Counsel/Litigation

ORS 192.660(2)(i) Performance Evaluations of Public Officer and Employees

ADJOURN [5:55 PM] - Break to switch Zoom accounts [5 min.]

REVIEW OF AGENDA AND ITEMS ON CONSENT [6:00 PM]

COUNCILORS' CONCERNS [6:05 PM]

PRE-COUNCIL WORK SESSION [6:10 PM]

- A. [Utility Meter Reader Rate Increase \(Jones/Smith\) \[15 mins.\]](#)
- B. [Public Contracting Code Update \(Davidson\) \[30 min.\]](#)

ADJOURN [6:55 PM]

CITY COUNCIL MEETING

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held, March 18, 2024 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10:00 a.m. on March 5, 2024. Remonstrances and other documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered there with except where a time limit for filing has been fixed.

CALL TO ORDER [7:00 PM]

1. Roll Call
2. Pledge of Allegiance
3. Motion to approve the following order of the agenda.

COMMUNICATIONS [7:15 PM]

4. Representative Courtney Neron End of Legislative Session Presentation [15 min.]

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS [7:30 PM]

This is an opportunity for visitors to address the City Council on any matter concerning City's Business or any matter over which the Council has control. It is also the time to address items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizen input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

5. Citizens Input

MAYOR'S BUSINESS [7:05 PM]

6. [Upcoming Meetings](#)

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS [7:40 PM]

7. Council President Akervall
8. Councilor Linville
9. Councilor Berry
10. Councilor Dunwell

CONSENT AGENDA [8:00 PM]

11. [Minutes of the March 4, 2024 City Council Meeting. \(City Recorder\)](#)

NEW BUSINESS [8:05 PM]

CONTINUING BUSINESS [8:05 PM]

12. [Ordinance No. 889 2nd Reading \(Legislative Land Use\)](#)

[An Ordinance Of The City Of Wilsonville Amending The Text Of The Development Code To Make Minor Modifications To The Coffee Creek Industrial Design Overlay District Standards. \(Luxhoj\)](#)

PUBLIC HEARING [8:10 PM]

CITY MANAGER'S BUSINESS [8:10 PM]

LEGAL BUSINESS [8:15 PM]

ADJOURN [8:20 PM]

INFORMATIONAL ITEMS – No Council Action Necessary

[City Manager Reports](#)

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 the City Recorder at 503-570-1506 or CityRecorder@ci.wilsonville.or.us: 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   int  rpretes disponibles para aqu  llas personas que no hablan Ingl  s, previo acuerdo. Comun  quese al 503-570-1506.



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: March 18, 2024		Subject: Meter Reader Rate Increase	
		Staff Member: Katherine Smith, Assistant Finance Director Cricket Jones, Finance Operations Supervisor Department: Finance	
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: N/A			
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 COUNCIL:

Review the Metereaders, LLC meter reading rate increase and provide direction to staff.

EXECUTIVE SUMMARY:

The City contracts with a private firm to read water meters on the last working week of each month. The readings are then supplied to the Finance Department in electronic form and used to generate the utility bills for Wilsonville residential and commercial customers.

Metereaders, LLC has provided water meter reading services to the City since 1984, with a succession of contract renewals. Several surrounding entities are/have since transitioned to automated meter reads, making manual reading obsolete.

The term of our current contract is for three years, from July 1, 2021 through June 30, 2024, with the option to renew the contract for up to two additional one-year periods. This existing contract sets forth a rate of \$0.73 for each water meter read.

In February 2024, the City received notice from Metereaders, LLC, surrounding the necessity of a rate increase – from \$0.73 per meter, to \$1.10 per meter. Understanding our need to first present this to Council, they have agreed to a rate increase effective April 1, 2024 following City Council approval. This 51% rate increase is attributable to: inflation, labor changes, and the rising cost of insurance.

As the sole source provider of manual meter reads, the Finance Department recommends adoption of this increase effective April 1, 2024, exercising also a one-year extension, through June 30, 2025.

EXPECTED RESULTS:

Amend Contract No. 210970 to reflect the price increase on April 1, 2024, following City Council approval, and exercising a one-year extension, through June 30, 2025. Continue meter read services with Metereaders, LLC as we explore future option of converting to an automated meter reading system - Advanced Metering Infrastructure (AMI), which would allow for remote reads.

TIMELINE:

The term of our current contract is for three years, from July 1, 2021 through June 30, 2024, with the option to renew the contract for up to two additional one-year periods. The amended contract would extend the contract through June 30, 2025.

CURRENT YEAR BUDGET IMPACTS:

For fiscal year 2023-2024, we budgeted \$64,000 for these meter reads. A rate increase effective April 1, 2024, would increase this by \$14,000, to \$78,000, split between the Water and Sewer funds. For the duration of fiscal year 2024-2025, we anticipate this to increase to \$98,000 which will be included in the proposed budget.

COMMUNITY INVOLVEMENT PROCESS:

N/A

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

This agreement will allow the monthly utility billing process to continue in a timely and effective manner. Rates to citizens will remain the same at this time.

ALTERNATIVES:

Perform meter reads in house, by staff, or pursue upgrading to an Advanced Metering Infrastructure (AMI), which would allow for remote reads.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Contract No. 210970
2. Notice of Increase

Contract No. 210970

CITY OF WILSONVILLE METER READING SERVICES CONTRACT

This Meter Reading Services Contract ("Contract") is made and entered into on this 29th day of June, 2021 ("Effective Date"), by and between the **City of Wilsonville**, a municipal corporation of the State of Oregon (hereinafter referred to as the "City"), and **Metereaders, LLC**, an Oregon limited liability company (hereinafter referred to as "Contractor").

RECITALS

WHEREAS, the City has need for the services by Contractor, with the particular training, ability, knowledge, and experience possessed by Contractor, for water meter reading services; and

WHEREAS, Contractor represents that Contractor is qualified to perform the services and has localized expertise described herein on the basis of specialized experience; and

WHEREAS, Contractor is prepared to perform this Contract in accordance with all the terms and conditions as set forth below and as the City does hereinafter require;

NOW, THEREFORE, in consideration of these mutual promises and the terms and conditions set forth herein, the parties agree as follows:

AGREEMENT

Section 1. Services To Be Provided

1.1. Contractor shall diligently perform the meter reading services ("Services"), as more particularly described in the Scope of Work, including the General Requirements, set forth in **Exhibit A**, attached hereto and incorporated by reference herein, for the Water Utilities Meter Reading Services Project ("Project"). Contractor shall provide and bear the expense of all equipment, work, and labor, of any sort whatsoever, that may be required to complete the Services provided for in this Contract, unless otherwise specified. Contractor shall perform all Services in accordance with all applicable federal, state, and local laws, rules, and regulations.

1.2. The existence of this Contract between the City and Contractor shall not be construed as the City's promise or assurance that Contractor will be retained for future services beyond the Services described herein.

1.3. Contractor shall maintain the confidentiality of any confidential information that is exempt from disclosure under state or federal law to which Contractor may have access by reason of this Contract. Contractor warrants that Contractor's employees assigned to perform any of the Services provided for in this Contract shall be clearly instructed to maintain this confidentiality. All agreements with respect to confidentiality shall survive the termination or expiration of this Contract.

Section 2. Term

2.1. The term of this Contract shall be from July 1, 2021 through and including June 30, 2024, unless earlier terminated in accordance herewith. All Services under this Contract shall be completed prior to the expiration of this Contract.

2.2. The City has the option to renew this Contract for up to two (2) additional one (1) year periods.

Section 3. Compensation Amount and Payment

3.1. The City agrees to retain Contractor to provide the services, materials, and equipment to do and cause to be done the Services described in the Scope of Work, including the General Requirements, set forth in **Exhibit A**, and to complete and finish the same according to the terms and conditions contained in this Contract.

3.2. Except as otherwise set forth in this **Section 3**, the City agrees to pay Contractor for the actual Services completed, as identified in this Contract ("Services To Be Provided") at a rate of SEVENTY-THREE HUNDREDTHS OF ONE DOLLAR (\$0.73) for each water meter read ("Compensation Amount") for the first three (3) years of the Contract.

3.3. Contractor's Compensation Amount is all inclusive and includes, but is not limited to, all work-related costs, expenses, salaries or wages, plus fringe benefits and contributions, including payroll taxes, workers compensation insurance, liability insurance, profit, pension benefits, and all other contributions and benefits, office expenses, travel expenses, mileage, and all other indirect and overhead charges, including, but not limited to, the recently enacted Oregon Corporate Activity Tax (CAT).

3.4. Contractor will be paid for completed Services for which an itemized invoice has been received by the City within thirty (30) days of receipt, unless the City disputes such invoice. In that instance, the undisputed portion of the invoice will be paid by the City within the above timeframe. The City will set forth its reasons for the disputed claim amount and make good faith efforts to resolve the invoice dispute with Contractor as promptly as is reasonably possible.

3.5. Contractor shall complete and return to the City **Exhibit B – Taxpayer Identification Number**, prior to or along with the first invoice submittal.

3.6. If the City exercises its option(s) under **Section 2.2**, the Compensation Amount will be escalated using the Annual Portland-Salem, OR-WA, Consumer Price Index-Urban (CPI-U) for all items, not seasonally adjusted for the twelve (12) month period ending in May.

Section 4. City's Project Manager

The City's Project Manager is Keith Katko. The City shall give Contractor prompt written notice of any re-designation of its Project Manager.

Section 5. Contractor's Project Manager

Contractor's Project Manager(s) are Greg Reynolds and Michael Hamberg. In the event that Contractor's Project Manager(s) is/are changed, Contractor shall give the City prompt written notification of such re-designation. Recognizing the need for consistency and knowledge in the administration of the Project, Contractor's Project Manager will not be changed without the written consent of the City, which consent shall not be unreasonably withheld. In the event the City receives any communication from Contractor that is not from Contractor's Project Manager, the City may request verification by Contractor's Project Manager, which verification must be promptly furnished.

Section 6. Subcontractors and Assignments

Contractor shall not subcontract with others for any of the Services prescribed herein nor assign this Contract or delegate any duties hereunder without the prior written consent of the City, which consent may be withheld by the City in its sole subjective discretion, for any cause whatsoever or for no cause. Any attempted assignment of this Contract without the written consent of the City shall be void. If the City agrees to assignment of tasks to a subcontractor, Contractor shall be fully responsible for the acts or omissions of any subcontractor and of all persons employed by them, and neither the approval by the City of any subcontractor nor anything contained herein shall be deemed to create any contractual relationship between the City and the subcontractor. Except as otherwise specifically agreed, all costs for services performed by others on behalf of Contractor shall not be subject to additional reimbursement by the City.

Section 7. Independent Contractor

Except as otherwise mandated by state law, the performance of Services under this Contract is at Contractor's sole risk. All damages or loss to work, equipment, or materials incurred during the performance of the Services shall be at Contractor's sole risk. Contractor is an independent contractor for all purposes and shall be entitled to no compensation other than the Compensation Amount provided for under **Section 3** of this Contract. Contractor will be solely responsible for determining the manner and means of accomplishing the end result of Contractor's Services. The City does not have the right to control or interfere with the manner or method of accomplishing said Services. The City, however, will have the right to specify and control the results of Contractor's Services so such Services meet the requirements of the Project. Contractor hereby represents that no subcontractors will be used on the Project.

Section 8. Contractor Responsibilities

8.1. Contractor must comply with all applicable Oregon and federal wage and hour laws. Contractor shall make all required workers compensation and medical care payments on time. Contractor shall be fully responsible for payment of all employee withholdings required by law, including but not limited to taxes, including payroll, income, Social Security (FICA), and Medicaid. Contractor shall also be fully responsible for payment of salaries, benefits, taxes, Industrial Accident Fund contributions, and all other charges on account of any employees. Contractor shall pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167. All costs incident to the hiring of assistants or employees shall be Contractor's

responsibility. Contractor shall defend, indemnify, and hold the City harmless from claims for payment of all such expenses.

8.2. Contractor must maintain a City of Wilsonville or Metro business license at all times while performing this Contract.

8.3. No person shall be discriminated against by Contractor in the performance of this Contract on the basis of sex, gender, race, color, creed, religion, marital status, age, disability, sexual orientation, gender identity, national origin, or political affiliation. Any violation of this provision shall be grounds for cancellation, termination, or suspension of the Contract, in whole or in part, by the City. Contractor shall comply with all federal, state, and local laws, regulations, executive orders, and ordinances applicable to the Contract or to the implementation of the Project. Without limiting the generality of the foregoing, Contractor expressly agrees to comply with the following laws, regulations, and executive orders to the extent they are applicable to the Contract or the implementation of the Project: (a) all applicable requirements of state civil rights and rehabilitation statutes, rules, and regulations; (b) Titles VI and VII of the Civil Rights Act of 1964, as amended; (c) Sections 503 and 504 of the Rehabilitation Act of 1973, as amended; (d) the Americans with Disabilities Act of 1990, as amended, and ORS 659A.142; (e) Executive Order 11246, as amended; (f) the Health Insurance Portability and Accountability Act of 1996; (g) the Age Discrimination in Employment Act of 1967, as amended, and the Age Discrimination Act of 1975, as amended; (h) the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended; (i) all regulations and administrative rules established pursuant to the foregoing laws; and (j) all other applicable requirements of federal civil rights and rehabilitation statutes, rules, and regulations.

8.4. Contractor must make prompt payment for any claims for labor, materials, or services furnished to Contractor by any person in connection with this Contract as such claims become due. Contractor shall not permit any liens or claims to be filed or prosecuted against the City on account of any labor or material furnished to or on behalf of Contractor.

8.5. Contractor shall make payment promptly, as due, to any party furnishing medical, surgical, hospital, or other needed care and attention, incident to sickness or injury, to the employees of Contractor, of all sums which Contractor agreed to pay or collected or deducted from the wages of employees pursuant to any law, contract, or agreement for the purpose of providing payment for such service.

8.6. With certain exceptions listed below, Contractor shall not require or permit any person to work more than ten (10) hours in any one (1) day, or forty (40) hours in any one (1) week, except in case of necessity, emergency, or where public policy requires it, and in such cases the person shall be paid at least time and a half for:

8.6.1. All overtime in excess of eight (8) hours in any one (1) day or forty (40) hours in any one (1) week when the work week is five (5) consecutive days, Monday through Friday; or

8.6.2. All overtime in excess of ten (10) hours in any one (1) day or forty (40) hours in any one (1) week when the work week is four (4) consecutive days, Monday through Friday; and

8.6.3. All work performed on the days specified in ORS 279B.020(1)(b) for public contracts.

8.7. Contractor must give notice to employees who work on a public contract, in writing, either at the time of hire or before commencement of Services on the Contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the employees may be required to work.

8.8. The hourly rate of wage to be paid by any Contractor to employed workers or other persons doing or contracting to do all or part of the work contemplated by a public contract shall be not less than the applicable wage required by law.

8.9. Contractor, and all employers working under the Contract, are subject employers under the Oregon Workers Compensation Law and shall comply with ORS 656.017 unless otherwise exempt under ORS 656.126.

8.10. In the performance of this Contract, Contractor shall comply with all applicable federal, state, and local laws and regulations, including but not limited to those dealing with the prevention of environmental pollution and the preservation of natural resources (and avoidance of natural resource damages) in the performance of the Contract, including but not limited to ORS 279C.525. If new or amended statutes, ordinances, or regulations are adopted, or Contractor encounters a condition not referred to in this Contract, not caused by Contractor, and that was not discoverable by reasonable site inspection, which requires compliance with federal, state, or local laws or regulations dealing with the preservation of the environment, both the City and Contractor shall have all the rights and obligations set forth in ORS 279C.525.

8.11. Contractor shall be liable for any fine imposed against Contractor, the City or the 'Project' as a result of a violation of any laws or permitting requirements by Contractor or any suppliers.

8.12. COVID-19 Safety Measures. Contractor must have a written policy in place to comply with all applicable local, state, and federal laws, regulations, and executive orders related to the COVID-19 coronavirus outbreak to ensure the protection of Contractor's employees and/or subcontractors, City employees, and the public. Contractor must provide its written policy to the City Project Manager at the commencement of the Project. In the event that Contractor is required to stop or delay work due to a COVID-19 related event, Contractor shall not be entitled to any additional payment, remobilization costs, or delay damages.

Section 9. Indemnity

9.1. In the performance of the Services, Contractor agrees to use that degree of care and skill exercised under similar circumstances by reputable members of Contractor's profession, practicing in the Portland metropolitan area. Contractor will re-perform any Services not meeting this standard without additional compensation. Contractor's re-performance of any Services, even if done at the City's request, shall not be considered as a limitation or waiver by the City of any other remedies or claims it may have arising out of Contractor's failure to perform in

accordance with the applicable standard of care of this Contract and within the prescribed timeframe.

9.2. Contractor acknowledges responsibility for liability arising out of the performance of this Contract, and shall defend, indemnify, and hold the City harmless from any and all liability, settlements, loss, costs, and expenses in connection with any action, suit, or claim resulting or allegedly resulting from Contractor's negligent acts, omissions, errors, or willful or reckless misconduct pursuant to this Contract, or from Contractor's failure to perform its responsibilities as set forth in this Contract. The review, approval, or acceptance by the City, its Project Manager, or any City employee of documents or other work performed, prepared, or submitted by Contractor shall not be considered a negligent act, error, omission, or willful misconduct on the part of the City, and none of the foregoing shall relieve Contractor of its responsibility to perform in full conformity with the City's requirements, as set forth in this Contract, and to indemnify the City as provided above and to reimburse the City for any and all costs and damages suffered by the City as a result of Contractor's negligent performance of this Contract, failure of performance hereunder, violation of state or federal laws, or failure to adhere to the standards of performance and care described in **Subsection 9.1**. Contractor shall defend the City (using legal counsel reasonably acceptable to the City) against any claim that alleges negligent acts, omissions, errors, or willful or reckless misconduct by Contractor.

Section 10. Insurance

10.1. Contractor must maintain insurance coverage acceptable to the City in full force and effect throughout the term of this Contract. Such insurance shall cover all risks arising directly or indirectly out of Contractor's activities or services hereunder. The amount of insurance carried is in no way a limitation on Contractor's liability hereunder. The policy or policies maintained by Contractor shall provide at least the following minimum limits and coverages at all times during performance of this Contract:

10.1.1. Commercial General Liability Insurance. Contractor shall obtain, at Contractor's expense, and keep in effect during the term of this Contract, comprehensive Commercial General Liability Insurance covering Bodily Injury and Property Damage, written on an "occurrence" form policy. This coverage shall include broad form Contractual Liability insurance for the indemnities provided under this Contract and shall be for the following minimum insurance coverage amounts: The coverage shall be in the amount of **\$2,000,000** for each occurrence and **\$3,000,000** general aggregate and shall include Products-Completed Operations Aggregate in the minimum amount of **\$2,000,000** per occurrence, Fire Damage (any one fire) in the minimum amount of **\$50,000**, and Medical Expense (any one person) in the minimum amount of **\$5,000**. All of the foregoing coverages must be carried and maintained at all times during this Contract.

10.1.2. Professional Errors and Omissions Coverage. Contractor agrees to carry Professional Errors and Omissions Liability insurance on a policy form appropriate to the professionals providing the Services hereunder with a limit of no less than **\$1,000,000** per claim. Contractor shall maintain this insurance for damages alleged to be as a result of errors, omissions, or negligent acts of Contractor. Such policy shall have a retroactive date effective before the commencement of any work by Contractor on the Services

covered by this Agreement, and coverage will remain in force for a period of at least three (3) years thereafter.

10.1.3. Business Automobile Liability Insurance. If Contractor will be using a motor vehicle in the performance of the Services herein, Contractor shall provide the City a certificate indicating that Contractor has business automobile liability coverage for all owned, hired, and non-owned vehicles. The Combined Single Limit per occurrence shall not be less than **\$2,000,000**.

10.1.4. Workers Compensation Insurance. Contractor and all employers providing work, labor, or materials under this Contract that are subject employers under the Oregon Workers Compensation Law shall comply with ORS 656.017, which requires them to provide workers compensation coverage that satisfies Oregon law for all their subject workers under ORS 656.126. Out-of-state employers must provide Oregon workers compensation coverage for their workers who work at a single location within Oregon for more than thirty (30) days in a calendar year. Contractors who perform work without the assistance or labor of any employee need not obtain such coverage. This shall include Employer's Liability Insurance with coverage limits of not less than **\$500,000** each accident.

10.2. Insurance Carrier Rating. Coverages provided by Contractor must be underwritten by an insurance company deemed acceptable by the City with an AM Best Rating of A or better. The City reserves the right to reject all or any insurance carrier(s) with a financial rating that is unacceptable to the City.

10.3. Additional Insured & Termination Endorsements. The City will be named as an additional insured with respect to Contractor's liabilities hereunder in insurance coverages. Additional Insured coverage under Contractor's Commercial General Liability, Automobile Liability, and Excess Liability Policy(ies), as applicable, will be provided by endorsement. Additional insured coverage shall be for both ongoing operations via ISO Form CG 2010 or its equivalent, and products and completed operations via ISO Form CG 2037 or its equivalent. Coverage shall be Primary and Non-Contributory. Waiver of Subrogation endorsement via ISO Form CG 2404 or its equivalent shall be provided. The following is included as additional insured: "The City of Wilsonville, its elected and appointed officials, officers, agents, employees, and volunteers." An endorsement shall also be provided requiring the insurance carrier to give the City at least thirty (30) days' written notification of any termination or major modification of the insurance policies required hereunder.

10.4. Certificates of Insurance. As evidence of the insurance coverage required by this Contract, Contractor shall furnish a Certificate of Insurance to the City. This Contract shall not be effective and Services shall not be performed hereunder until the required certificates and the Additional Insured Endorsements have been received and approved by the City. Contractor agrees that it will not terminate or change its coverage during the term of this Contract without giving the City at least thirty (30) days' prior advance notice and Contractor will obtain an endorsement from its insurance carrier, in favor of the City, requiring the carrier to notify the City of any termination or change in insurance coverage, as provided above.

10.5. Primary Coverage. The coverage provided by these policies shall be primary, and any other insurance carried by the City is excess. Contractor shall be responsible for any deductible amounts payable under all policies of insurance. If insurance policies are "Claims Made" policies, Contractor will be required to maintain such policies in full force and effect throughout any warranty period.

Section 11. Warranties/Guaranty

11.1. Contractor warrants to the City that any materials and equipment furnished under this Contract will be new and of good quality, unless otherwise required or permitted by the Contract Documents, that the Services will be free from defects, and that the Services will conform to the requirements of this Contract. Services not conforming to these requirements, including substitutions not properly approved and authorized in writing by the City, may be considered defective.

11.2. Contractor, for itself, and for its heirs, executors, administrators, successors, and assigns, does hereby agree to the full performance of all the covenants herein contained upon the part of Contractor. Contractor shall be responsible for, and shall indemnify and hold the City harmless from, any damage or expense by reason of failure of performance, as specified in this Contract. The City shall have the right to enter into other agreements for the Project, to be coordinated with this Contract. Contractor shall cooperate with the City and other firms or subcontractors on the Project so that all portions of the Project may be completed in the least possible time and within normal working hours.

Section 12. Suspension of Services

The City may suspend, delay, or interrupt all or any part of the Services for such time as the City deems appropriate for its own convenience by giving written notice thereof to Contractor. An adjustment in the time of performance or method of compensation shall be negotiated as a result of such delay or suspension, unless the reason for the delay was within Contractor's control. The City shall not be responsible for Services performed by any subcontractors after notice of suspension is given by the City to Contractor.

Section 13. Early Termination; Default

13.1. This Contract may be terminated for convenience at any time by the City. Upon such termination, Contractor will be paid to complete any Services in process and, thereafter, this Contract shall be deemed terminated.

13.2. This Contract may be terminated prior to the expiration of the agreed upon terms:

13.2.1. By mutual written consent of the parties;

13.2.2. By the City, for any reason and within its sole discretion, effective upon delivery of written notice to Contractor by mail or in person; or

13.2.3. By the City if Contractor breaches this Contract and fails to cure the breach within ten (10) days of receipt of written notice of the breach from the City.

13.3. If the City terminates this Contract in whole or in part, due to default or failure of Contractor to perform Services in accordance with the Contract, the City may procure, upon reasonable terms and in a reasonable manner, services similar to those so terminated. In addition to any other remedies the City may have, both at law and in equity, for breach of contract, Contractor shall be liable for all costs and damages incurred by the City as a result of the default by Contractor, including, but not limited to all costs incurred by the City in procuring services from others as needed to complete this Contract. This Contract shall be in full force to the extent not terminated by written notice from the City to Contractor. In the event of a default, the City will provide Contractor with written notice of the default and a period of ten (10) days to cure the default. If Contractor notifies the City that it wishes to cure the default but cannot, in good faith, do so within the ten (10) day cure period provided, then the City may elect, in its sole discretion, to extend the cure period to an agreed upon time period, or the City may elect to terminate this Contract, without further notice to Contractor, and seek remedies for the default, as provided above.

13.4. If the City terminates this Contract for its own convenience and not due to any default by Contractor, payment of Contractor shall be prorated to, and include the day of, termination and shall be in full satisfaction of all claims by Contractor against the City under this Contract.

13.5. Termination under any provision of this section shall not affect any right, obligation, or liability of Contractor or the City that accrued prior to such termination.

Section 14. Property of the City

Meter reading records shall be the exclusive property of the City and shall be delivered to the City prior to final payment.

Section 15. Dispute Resolution

In the event of a dispute concerning performance of this Contract, the parties agree to meet to negotiate the problem. If such negotiation fails, the parties will mediate the dispute using a professional mediator, and the parties will split the cost. If the dispute cannot be resolved in either of the foregoing ways within thirty (30) days, either party may file suit in Clackamas County Circuit Court.

Section 16. Notices

Any notice required or permitted under this Contract shall be in writing and shall be given when actually delivered in person or forty-eight (48) hours after having been deposited in the United States mail as certified or registered mail, addressed to the addresses set forth below, or to such other address as one party may indicate by written notice to the other party.

To City: City of Wilsonville
 Attn: Keith Katko, Assistant Finance Director
 29799 SW Town Center Loop East
 Wilsonville, OR 97070

To Contractor: Metereaders, LLC
 Attn: Greg Reynolds/Michael Hamberg

Mailing Address: PO Box 1902
 Lake Oswego, OR 97035

Physical Address: 18167 SW Boones Ferry Road
 Portland OR 97224

Section 17. Miscellaneous Provisions

17.1. Integration. This Contract, including all exhibits attached hereto, contains the entire and integrated agreement between the parties and supersedes all prior written or oral discussions, representations, or agreements. In case of conflict among these documents, the provisions of this Contract shall control, and the terms most favorable to the City, within the City's sole discretion, will apply.

17.2. Legal Effect and Assignment. This Contract shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors, and assigns. This Contract may be enforced by an action at law or in equity.

17.3. No Assignment. Contractor may not assign this Contract, nor the performance of any obligations hereunder, unless agreed to in advance and in writing by the City.

17.4. Adherence to Law. This Contract shall be subject to, and Contractor shall adhere to, all applicable federal, state, and local laws, including but not limited to laws, rules, regulations, and policies concerning employer and employee relationships, workers compensation, and minimum and prevailing wage requirements. Any certificates, licenses, or permits that Contractor is required by law to obtain or maintain in order to perform the Services described in this Contract shall be obtained and maintained throughout the term of this Contract.

17.5. Governing Law. This Contract shall be construed in accordance with and governed by the laws of the State of Oregon. All contractual provisions required by ORS Chapters 279A and 279B to be included in public agreements are hereby incorporated by reference and shall become a part of this Contract as if fully set forth herein.

17.6. Jurisdiction. Jurisdiction and venue for any dispute will be in Clackamas County Circuit Court.

17.7. Legal Action/Attorney Fees. If a suit, action, or other proceeding of any nature whatsoever (including any proceeding under the U.S. Bankruptcy Code) is instituted in connection with any controversy arising out of this Contract or to interpret or enforce any rights or obligations hereunder, the prevailing party shall be entitled to recover attorney, paralegal, accountant, and other expert fees and all other fees, costs, and expenses actually incurred and reasonably necessary in connection therewith, as determined by the court or body at trial or on

any appeal or review, in addition to all other amounts provided by law. If the City is required to seek legal assistance to enforce any term of this Contract, such fees shall include all of the above fees, whether or not a proceeding is initiated. Payment of all such fees shall also apply to any administrative proceeding, trial, and/or any appeal or petition for review.

17.8. Nonwaiver. Failure by either party at any time to require performance by the other party of any of the provisions of this Contract shall in no way affect the party's rights hereunder to enforce the same, nor shall any waiver by the party of the breach hereof be held to be a waiver of any succeeding breach or a waiver of this nonwaiver clause.

17.9. Severability. If any provision of this Contract is found to be void or unenforceable to any extent, it is the intent of the parties that the rest of the Contract shall remain in full force and effect, to the greatest extent allowed by law.

17.10. Modification. This Contract may not be modified except by written instrument executed by Contractor and the City.

17.11. Time of the Essence. Time is expressly made of the essence in the performance of this Contract.

17.12. Calculation of Time. Except where the reference is to business days, all periods of time referred to herein shall include Saturdays, Sundays, and legal holidays in the State of Oregon, except that if the last day of any period falls on any Saturday, Sunday, or legal holiday observed by the City, the period shall be extended to include the next day which is not a Saturday, Sunday, or legal holiday. Where the reference is to business days, periods of time referred to herein shall exclude Saturdays, Sundays, and legal holidays observed by the City. Whenever a time period is set forth in days in this Contract, the first day from which the designated period of time begins to run shall not be included.

17.13. Headings. Any titles of the sections of this Contract are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.

17.14. Number, Gender and Captions. In construing this Contract, it is understood that, if the context so requires, the singular pronoun shall be taken to mean and include the plural, the masculine, the feminine and the neuter, and that, generally, all grammatical changes shall be made, assumed, and implied to individuals and/or corporations and partnerships. All captions and paragraph headings used herein are intended solely for convenience of reference and shall in no way limit any of the provisions of this Contract.

17.15. Good Faith and Reasonableness. The parties intend that the obligations of good faith and fair dealing apply to this Contract generally and that no negative inferences be drawn by the absence of an explicit obligation to be reasonable in any portion of this Contract. The obligation to be reasonable shall only be negated if arbitrariness is clearly and explicitly permitted as to the specific item in question, such as in the case of where this Contract gives the City "sole discretion" or the City is allowed to make a decision in its "sole judgment."

17.16. Other Necessary Acts. Each party shall execute and deliver to the other all such further instruments and documents as may be reasonably necessary to carry out this Contract in

order to provide and secure to the other parties the full and complete enjoyment of rights and privileges hereunder.

17.17. Interpretation. As a further condition of this Contract, the City and Contractor acknowledge that this Contract shall be deemed and construed to have been prepared mutually by each party and it shall be expressly agreed that any uncertainty or ambiguity existing therein shall not be construed against any party. In the event that any party shall take an action, whether judicial or otherwise, to enforce or interpret any of the terms of the contract, the prevailing party shall be entitled to recover from the other party all expenses which it may reasonably incur in taking such action, including attorney fees and costs, whether incurred in a court of law or otherwise.

17.18. Entire Agreement. This Contract, all documents attached to this Contract, and all Contract Documents and laws and regulations incorporated by reference herein, represent the entire agreement between the parties.

17.19. Counterparts. This Contract may be executed in one or more counterparts, each of which shall constitute an original Contract but all of which together shall constitute one and the same instrument.

17.20. Authority. Each party signing on behalf of Contractor and the City hereby warrants actual authority to bind their respective party.

The Contractor and the City hereby agree to all provisions of this Contract.

CONTRACTOR:

METEREADERS, LLC

By: 

Print Name: Greg W Reynolds

As Its: Manager

Employer I.D. No. 20-0119215

CITY:

CITY OF WILSONVILLE

By: 

Print Name: Bryan Cosgrove

As Its: City Manager

APPROVED AS TO FORM:



Ryan Adams, Assistant City Attorney
City of Wilsonville, Oregon

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EXHIBIT A
City of Wilsonville

SCOPE OF WORK

Contractor shall provide meter reading services for the City of Wilsonville, as outlined below:

1.0 Contractor's Services

1.1. The City shall provide Contractor a monthly list of meters to be read. This list, in a text file format, may vary each month based on additional meter installations or meter removals. The list shall be submitted to the Contractor on or before the 20th of each month.

1.2. Contractor will read all manually read water meters designated by the City to be read ("Services"). Contractor agrees that it shall commence reading meters no sooner than the 22nd of each month, and no later than the 25th of each month ("Reading Period"). Contractor shall be required to submit meter reading data to the City's Finance Department electronically no later than the first working day of the month following the collection of the data. Meter reading data shall be submitted via e-mail to utility@ci.wilsonville.or.us.

1.3. The City will be migrating to a new software system in the term of this agreement. The Contractor will work with, assist, and/or cooperate with changes required during its migration to the MUNIS software system.

1.4. In addition to monthly meter reading data, separate electronic files of Contractor shall provide the following information for City staff no later than the first working day of the month following the collection of data:

- Meter maintenance items (meter lid replacement, trim, etc.)
- Meter problems (fogged/damaged register, dead meter)
- Misread meters from prior month
- Potential leaks
- Unreadable meters, along with reasoning
- Meter not found in City's file

1.5. Contractor shall read all meters included in the City's file unless Contractor determines that the meter is not reasonably accessible or safe for reading. In such case, Contractor shall immediately notify the City of which meters Contractor cannot read and the reasons why. Contractor shall not be held responsible for, or liable for, any defective or faulty meter unless the meter was intentionally or negligently damaged by Contractor and, in that case, Contractor shall reimburse the City for any such damage, and if Contractor fails to reimburse the City, the City may deduct the reimbursement amount from the next payment due to Contractor by the City.

1.6. Contractor shall not be responsible for readings associated with an opening or closing of customer accounts with the City, nor shall Contractor be responsible for rereads,

checking for vacancies, verifying whether meters are on or off, reading meters inside buildings, pumping flooded vaults, or reading meters inside vaults that are not readable without entering. Further, Contractor shall not be responsible for reading meters the access to which is obstructed in such a manner that more than due diligence is required to read the meter, which is inclusive of extreme weather conditions caused by an act of God that would make it impossible for Contractor to perform said contracted service during the current Reading Period. If reading is delayed beyond the Reading Period, both parties shall decide when the readings shall be completed by Contractor for that certain Reading Period.

1.7. All meter reading records and documents provided to Contractor by the City shall remain the property of the City and will be immediately returned to the City upon completion of each Reading Period. Contractor agrees to keep strictly confidential all information provided by the City or obtained by Contractor through the performance of this Contract.

1.8. Contractor will not be responsible for damages or be deemed to be in default by reason of delays in performance due to reasons beyond Contractor's reasonable control, including but not limited to strikes, lockouts, severe acts of nature, or other unavoidable delays or acts of third parties not under Contractor's direction and control ("Force Majeure"). Lack of labor, supplies, materials, or the cost of any of the foregoing shall not be deemed a Force Majeure event.

1.9. Contractor will maintain the confidentiality of any confidential information to which Contractor may have access by reason of this Contract. Contractor warrants that Contractor's employees assigned to perform the Services will be clearly instructed to maintain this confidentiality. All agreements with respect to confidentiality shall survive the termination or expiration of this Contract.

2.0 Deliverables

2.1. An electronic comma delimited text file that meets the specifications of the City's utility billing software program shall be submitted by Contractor to the City each month. The text file shall include the following information:

- Meter reading
- Date of meter reading
- Account numbers
- Meter serial number

2.2. All water meters must be accurately read, and estimated reads will not be accepted. If Contractor is unable to read a meter then the reason must be included in the electronic file sent to the City. Acceptable reasons for an unread meter may include, but are not limited to, a buried meter, vehicle parked over meter, or meter under water.

GENERAL REQUIREMENTS

General Requirements are additions to, or revisions of, the City's standard contract. In the event of a conflict between the Contract Documents and the General Requirements, the more stringent requirements shall apply.

A. Errors. Contractor shall perform such additional services as may be necessary to correct errors in the services required under this Contract, without undue delay and without additional cost to the City.

B. Records. The City shall have access to such books, documents, papers, and records of Contractor as are pertinent to this Contract for the purpose of making audits, examination, excerpts, and transcripts. Contractor shall maintain records to assure conformance with the terms and conditions of this Contract, and to assure adequate performance and accurate expenditures during the term of this Contract. Contractor agrees to permit the City, the State of Oregon, the Federal Government, or their duly authorized representatives to audit all records pertaining to this Contract to assure the accurate expenditure of funds.

C. Contractor's Office. Contractor shall be required to maintain an office, which shall be provided with telephones and such personnel as may be necessary to address complaints or to receive any other instruction. Responsible management or supervisory persons shall be accessible at or through the office so as to assure the required performance under the Contract. When the office is closed, a telephone answering service shall be in operation to receive messages.

D. Contractor's Contact. Contractor agrees to designate one (1) primary and one (1) backup person who will be the responsible contact person for Contractor with respect to implementation of the Contract and communication of information necessary for the performance of the Contract.

E. Project Safety. Contractor agrees that, in performing the services contained within this Contract, it will meet all regulations in safety as required by OSHA. Contractor further agrees that it will bring to the attention of the City all conditions on the job site or contained within the specifications which appear to be in violation of the provisions of OSHA. Contractor further agrees that it will include within all subcontracts or contracts for purchase of materials provisions requiring said supplier or subcontractors to meet OSHA standards. All materials, components, and design elements of this Contract will be reviewed and an affirmative determination made by Contractor that they meet the requirements of OSHA.

F. Incidental Costs and Additional Compensation. Contractor shall be responsible for all miscellaneous and incidental costs associated with meter reading for the City of Wilsonville. Contractor assumes the risk of all conditions foreseen or unforeseen and agrees to continue to perform the services described in this Contract without additional compensation unless otherwise provided in this Contract.

TAX IDENTIFICATION NUMBER

Please check the appropriate category:

 X Corporation Partnership Government
 Individual/Proprietor other (explain) Consultant

Tax Identification No. 20-0119215

-01-

Social Security No. _____

Print Name: Greg Reynolds


Title: Manager

Business Name: METEREADERS, LLC

Business Address: 18167 SW Boones Ferry Rd. Portland, OR 97224

Business Phone: 563 624-7010

6/29/21
Date


Authorized Signature (required)



METERREADERS,LLC

18167 SW Boones Ferry Rd
Portland, OR. 97224

phone: 503-317-6176
www.meterreaders.com

Date: 2/5/24

City of Wilsonville
Attention: Keith Katko
Address: 29799 SW Town Center Loop, Wilsonville, OR 97070

RE: Price Increase

Dear: Keith

We wanted to thank you for your continued business for allowing Metereaders to be your water meter reading provider for all these years.

Over the last 3 years, due to inflation, our costs to operate as a company have changed tremendously. Unfortunately, the small CPI rate increase we have passed on to you has not been covering our expenses anymore. Our profit in 2023 has dropped in the last 12 months by 34% compared to 2022.

Within the last several weeks we have received the biggest hit to our company. Without notice, our insurance provider for our scooters has told us they would not renew our auto policy as they are no longer providing coverage to businesses that use scooters. Our insurance broker has reached out to all the viable companies, and no one is insuring scooters for business use. However, he found two companies that are willing to provide coverage, but the rate they quoted is 1190% greater than what we are paying.

The use of scooters is integral to how we do business. It has allowed us to be extremely affordable for decades. The use of scooters allows our readers to read on average 750 - 1000 meters per day. In comparison to a person walking or using an automobile, they can only read on average 300 meters per day. Scooters have really been the calling card of our business.

In order to continue to serve our customers we will need to implement a 37-cent increase in our current billing, per meter. Even with this rate increase we believe we can still save the city nearly 50% on reading costs versus the costs of reading it by foot or by automobile.

We'd also like to take this time to offer you another opportunity to look at our new AMI leasing program, with no upfront costs to the city. This program will allow you to reap the benefits of AMI and have a projected savings of \$5,000,000 over the course of a 20 year period.* If interested we'd be glad to provide you with more information.

Thank you for your time and we look forward to talking with you soon regarding some of the changes to our business.

Respectfully,

Bruce Reid

Bruce Reid
Sales & Technical Director

**Data for the projected savings was taken from the Arcadis 2020 AMI Cost-Benefit Analysis Report for WSSC Water District – Dated October 20, 2020, Pages 7-8*



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: March 18, 2024		Subject: Public Contracting Code Update	
		Staff Member: Stephanie Davidson, Assistant City Attorney	
		Department: Legal	
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: Review of proposed changes to Wilsonville's Public Contracting Code and related administrative rules	
Staff Recommendation: N/A			
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 COUNCIL:

An informational session to review and discuss proposed amended and restated version of the City's Public Contracting Code (WC 2.310 through 2.319), and related administrative rules.

EXECUTIVE SUMMARY:

Public contracting (also referred to as “public procurement”) refers to the City’s efforts to procure goods or services. The Legal Department is currently taking a holistic look at the City’s public contracting program and seeks guidance from City Council.

This project is important because financial reviewers (e.g., auditors, state and federal grant providers, etc...) often request more robust public contracting regulations and guidance than what is currently reflected in the Wilsonville Code (WC). City staff have also periodically expressed that some parts of our public contracting program are frustrating or confusing. The Legal Department’s goal is to facilitate City Council’s adoption of updates to the City’s Public Contracting Code effective as of July 1, 2023. The Legal Department is also developing a manual to assist City staff who engage in contracting activities.

I. Follow Up on February 22, 2024 Work Session

A. Summary of Feedback received from City Council

During the first work session held on this subject, City Council provided feedback to specific questions asked by the Legal Department, which is summarized below. City Council is comfortable:

- Continuing to follow the “Model Rules” (i.e., the Oregon Administrative Rules regarding public procurement), and supplementing them as necessary with the City’s Public Contracting Code (i.e., City Council does not want to explore opting out of the Model Rules and having the City develop its own stand-alone Public Contracting Code);
- Expanding the existing computer hardware and software exemption;
- Adding new exemptions for the National Citizen Survey, environmental stewardship programs, and public art;
- Allowing City staff to engage in direct selection or award for “Professional Services” with a contract value of \$100,000 or less; and,
- Reducing barriers for businesses to contract with the City to provide goods and services.

B. Open Questions

With respect to the following two questions, City Council requested a clear recommendation, and data to support the Legal Department’s recommendation:

- Does City Council still want to see and approve all contracts with a value of more than \$100,000? Or, is City Council interested in increasing this approval threshold?
- Does City Council still want to approve change orders or contract amendments of up to 15% of the “contract price?” At what point and under what circumstances does City Council want to approve contract amendments and change orders?

C. Recommendations and Supporting Data

i. Does City Council still want to see and approve all contracts with a value of more than \$100,000? Or, is City Council interested in increasing this approval threshold?

The Legal Department recommends that the City Code be revised to require that any Public Contract that exceeds \$250,000 must be reviewed and approved by City Council.

This number aligns with a new requirement under the Oregon Public Contracting Code: In procurements of goods or services (i.e., under ORS chapter 279B), a formal competitive procurement process (i.e., a Request for Proposals or Invitation to Bid process) is required for contracts with a value exceeding \$250,000. Contracts with a value equal to or less than this amount may be obtained via direct selection or award (\$25,000 or less), or by obtaining three quotes (over \$25,000 and up to and including \$250,000). The Legal Department recommends that the administrative authority to sign contracts aligns with the goods and services contract threshold that does not require a formal competitive procurement process, which is contracts valued at \$250,000 or less.

Of 25 public contracts that went to City Council for approval in 2023, 10 had a value between \$100,000 and \$250,000. In other words, 40% of all contracts reviewed by City Council were within this range. If City Council increases the current approval threshold from \$100,000 to \$250,000, using 2023 data as an indicator, 60% of all contracts with a value of more than \$100,000 would still be subject to City Council approval.

See WC 2.312(1)(a) in **Attachment 1** or **Attachment 2** to review the Legal Department's proposed language.

ii. At what point and under what circumstances does City Council want to approve contract amendments and change orders?

The Legal Department recommends that the City Code be revised to require that any change order or contract amendment that results in a total contract value that exceeds 25% of the original contract value must be approved by City Council.

In 2023, there were five (5) contract amendments reviewed by City Council for approval. Three of them were tied to the Boeckman Road Corridor Project and were substantial. These amendments are also rare in that they are contemplated to occur as part of the alternative contracting method utilized – a progressive design-build contract. Another one was for the Wastewater Treatment Plant and was also pretty sizable (over \$500,000). Only one of these was relatively small (\$51,000), though there was a prior amendment of approximately \$48,000, which, between the two (2) amendments, required City Council approval for being beyond the 15% approval requirement. However, these two amendments would still be subject to City Council approval if this number is increased to 25%.

The Legal Department recommends increasing the administrative authority for amendments to 25% because the 25% threshold aligns with the State Model Rules. Under the Model Rules for goods and services, a “contracting agency” can amend a contract up to 25% (in Wilsonville, the contracting agency is the City, typically by and through the City Manager).

See WC 2.312(1)(c) in **Attachment 1** or **Attachment 2** to review the Legal Department’s proposed language.

II. Proposed Action

The Legal Department proposes that City Council: (1) repeal and replace the City’s current Public Contracting Code (WC 2.310 through 2.319) with a version of the document attached as **Attachment 1**, and (2) adopt a new set of administrative rules to supplement the City’s Public Contracting Code.

A. Division of Content Between Code and Administrative Rules

The Legal Department has prepared the attached documents using the following approach. Portions of the current City Code that relate to City Council, in its capacity as the “Local Contract Review Board” (a term that is meaningful under the Oregon Public Contracting Code); application of state law; and, the delegation of limited authority to the City Manager and Community Development Director remain in the proposed City Public Contracting Code. Everything else is codified in the proposed administrative rules. The document attached as **Attachment 2** is a redline that shows the proposed revisions that are reflected in the document attached as **Attachment 1**.

The proposed administrative rules attached as **Attachment 3** contains administrative rules that are intended to supplement the content in the proposed City Public Contracting Code. The Legal Department recommends moving this language from City Code into administrative rules to provide the City with greater flexibility in the future; if any of this content must be amended or updated, City Council can take this action by resolution, rather than the relatively more laborious code amendment process.

B. Summary of Major Changes to Existing Code

The attachments to this Staff Report contain comment bubbles that are intended to highlight and explain the proposed changes to the City’s current Public Contracting Code. In addition, here is a high-level summary of the more significant proposed changes:

- To avoid having language in City Code that potentially conflicts with a similar rule in state law, which could potentially be updated in the future, the Legal Department recommends deleting language in the City Code that already exists in state law.
- Text has been moved and reorganized for greater coherence. For example, language that is currently scattered across a few Code sections that all relate to signing authority has been compiled in the revised WC 2.312, regarding “Administrative Authority” (see **Attachment 1** for clean version, and **Attachment 2** for redline version).
- For greater clarity, some terminology has been changed:

- Rather than referring to the “Contracting Agency” (a term that is meaningful under the Oregon Public Contracting Code), which could either be the City or the City Manager, depending upon context, the Legal Department recommends referring to either the City or the City Manager. Making this change will make it clear which party is authorized to take certain actions.
- Rather than referring to “Personal Services,” the proposed administrative rules now refer to “Professional Services.” This is how City staff refer to this type of contracting activity, so this change is intended to make these rules more easily understood.

The Legal Department has also added language to address other types of agreements that are not public contracts (e.g., grants and intergovernmental agreements), and recommends granting the City Manager the authority to sign such agreements when the dollar threshold is \$100,000 or less and is contemplated within the City budget. For example, the City often receives grant funding from the State or Metro that has a dollar amount of \$100,000 or less and is already accounted for in the City budget. Since the City Manager currently has signing authority to procure goods and services valued at \$100,000 or less, the Legal Department recommends including a Code provision that explicitly states the City Manager also has the authority to sign other agreements that have a dollar value of \$100,000 or less.

The Legal Department recommends \$100,000 as the threshold because often grants and other types of agreements are tied to a larger project, and so the Council may want to review agreements that are over \$100,000 to understand the larger project.

See WC 2.312(1)(b) in **Attachment 1** or **Attachment 2** to review the Legal Department’s proposed language.

C. Requests for Additional Feedback

The Legal Department requests City Council’s confirmation of the following points:

- City Council supports the proposed approach (i.e., repealing and replacing the City’s Public Contracting Code, and shifting some of these rules into a new set of administrative rules).
- **Attachments 1 and 2**
 - WC 2.312(1)(a) – Confirm proposed amount.
 - WC 2.312(1)(b) – Discuss and confirm language and proposed amount. This is new language that does not currently exist in City code.
 - WC 2.312(1)(c) – Confirm proposed amount.
 - WC 2.312(2)(a) – Confirm proposed amount.
 - WC 2.312(2)(b) – Confirm proposed amount.
- **Attachment 3**
 - Section 3 – Discuss and confirm language. This is new language that does not currently exist in City code.
 - Section 4.3.11 – Confirm agreement with scope of exemption.
 - Section 4.3.12 – Confirm agreement with scope of exemption.

- Section 4.4 – Confirm agreement with scope of exemption.
- Section 4.5 – Confirm agreement with scope of exemption.
- Section 4.6 – Confirm agreement with scope of exemption.

EXPECTED RESULTS:

The end result of this project is City Council’s adoption of an amended and restated version of the City’s Public Contracting Code (WC 2.310 through 2.319), and related administrative rules

TIMELINE:

These are the deadlines applicable to this project:

- March 18, 2024: Second work session (the Legal Department will present proposed revisions to the City’s Public Contracting Code to City Council)
- May 6, 2024: Public hearing and first reading of an updated Public Contracting Code.
- May 20, 2024: Second reading of an updated Public Contracting Code.

CURRENT YEAR BUDGET IMPACTS:

N/A

COMMUNITY INVOLVEMENT PROCESS:

The Legal Department has sought feedback regarding the City’s public contracting program from all City departments that engage in contracting activities. Most recently, a meeting was convened to gather feedback in fall of 2023.

The Legal Department has also sought feedback on specific portions of this project from the Diversity, Equity, and Inclusion (“DEI”) Committee, and the Arts, Culture, and Heritage Committee (“ACHC”). The DEI Committee is supportive of the Legal Department’s recommendation with respect to equity and inclusion provisions in the manual that the Legal Department is developing. ACHC is supportive of exempting public art from competitive procurement rules under applicable state law.

The Legal Department also plans to seek feedback from the City’s risk management and insurer regarding any updates to insurance and risk management provisions.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Repealing and replacing the City’s Public Contracting Code (WC 2.310 through 2.319), adopting new administrative rules, and adopting a manual to assist staff who engage in public contracting activities, will give staff and members of the public greater clarity, promote the City’s compliance with all applicable public contracting laws and rules.

ALTERNATIVES:

Retain existing code language.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Proposed Amended and Restated City Public Contracting Code (clean)
2. Proposed Amended and Restated City Public Contracting Code (redline)
3. Proposed Administrative Rules

Attachment 1 to Staff Report

Proposed Amended and Restated City Public Contracting Code

2.308. Short Title

WC 2.308 through 2.312 may be cited as the City of Wilsonville's "City Public Contracting Code."

2.309. Definitions

- (1) "City" or "Wilsonville" means the City of Wilsonville, Oregon.
- (2) "City Council" means the Council of the City of Wilsonville, Oregon.
- (3) "City Manager" means the City of Wilsonville City Manager or designee.
- (4) "Oregon Public Contracting Code" means Oregon Revised Statutes chapters 279A, 279B, and 279C. Unless specifically defined below, terms used in the City Public Contracting Code shall have the meaning set forth in the Oregon Public Contracting Code.
- (5) "Model Rules" means the rules of procedure prepared and maintained by the Oregon Attorney General pursuant to ORS 279A.065, which are currently numbered Divisions 47 through 49 of Chapter 137 of the Oregon Administrative Rules, as may be amended or renumbered from time to time.

Commented [SD1]: New language

2.310. Local Contract Review Board.

- (1) Designation. The Wilsonville City Council is designated as the Local Contract Review Board under the Oregon Public Contracting Code.
- (2) Authority.
 - a. In its capacity as the Local Contract Review Board, the Wilsonville City Council shall have all the powers and authority granted under the Oregon Public Contracting Code, including, but not limited to the power to:
 - i. Require any notice publication beyond what is required under the Oregon Public Procurement Code or Model Rules;
 - ii. Require pre-qualification for persons desiring to bid for public improvement contracts;
 - iii. Grant exemptions from the bid security and performance bond required on contracts for public improvements; or
 - iv. Make alternate arrangements for retainage pursuant to the Oregon Public Contracting Code.
 - b. In its capacity as the Local Contract Review Board, the Wilsonville City Council, from time to time, may delegate its powers and responsibilities consistent with the Oregon Public Contracting Code, the Model Rules, or the Wilsonville Public Contracting Code.
 - c. In its capacity as the Local Contract Review Board, the Wilsonville City Council is authorized to adopt rules necessary to carry out the City of Wilsonville's Public Contracting Code.
- (3) Rules of Procedure
 - a. WC 2.003 will govern proceedings of the Local Contract Review Board, *except that*: (i) the Mayor will serve as the chair of the Local Contract Review Board, and (ii) the chair of the Local Contract Review Board will preside over meetings of the Local Contract Review Board, and in

Commented [SD2]: Moved and slightly reworded. Currently in WC 2.318(3).

Commented [SD3]: New language inspired by what other similar jurisdictions have in their code.

the absence of the chair, the line of succession will be the same as the line of succession that applies to City Council.

- b. A violation of the rules of procedure in WC 2.003 may not be considered a basis for challenging the validity of any decision by the Local Contract Review Board.
- c. Routine business of the Local Contract Review Board may be conducted on the consent agenda of a regularly schedule City Council Meeting.

2.311. Application of State Law.

- (1) The City's Procurement Activities must be conducted in accordance with the rules of procedure set forth in the Oregon Public Contracting Code, Model Rules, the City Public Contracting Code, and all City policies and rules.
- (2) In the event of a conflict between any provision of the Model Rules and the City Public Contracting Code, the provisions of the City Public Contracting Code shall control.

2.312. Administrative Authority.

- (1) City Manager. The City Manager is authorized to engage in the following Procurement activity without City Council's prior approval:
 - a. Approve any Public Contracting activity so long as: (i) the aggregate contract price does not exceed [\$250,000]; and, (ii) the expenditure is within an approved budget;
 - b. Approve any Procurement activity that is not a Public Contract so long as: (1) the aggregate consideration to be paid by any party under the contract or agreement does not exceed [\$100,000]; and (ii) any expenditure to be incurred by the City is within an approved budget;
 - c. Execute one or more change orders or contract amendments that: (i) are reasonably related to the scope of work under the original contract, (ii) together have an aggregate value not exceeding [25] percent of the original contract value, and (iii) is within the approved project budget;
 - d. Extend or renew a contract so long as the total contract value, after the renewal term, does not exceed the amount stated in Sections 2.312(1)(a) or 2.312(1)(b), or, if amended, the amount stated in Section 2.312(1)(c);
 - e. Adopt forms, procedures, and administrative policies applicable to City Procurement or Public Contracting activities; or,
 - f. The City Manager may delegate the City Manager's powers and responsibilities consistent with the Oregon Public Contracting Code, the Model Rules, or the Wilsonville Public Contracting Code.
- (2) Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, and Land Surveying Services. Procurement of architectural, engineering, photogrammetric mapping, transportation planning, and land surveying services, and related services requires the following approval:
 - a. A contract with a value of less than or equal to [\$150,000] requires the prior approval of the Community Development Director, and
 - b. A contract with a value of between [\$150,000.01 and \$250,000] requires the prior approval of the City Manager.

Commented [SD4]: Currently WC 2.319. Provision has been adjusted. Current language references the Oregon Public Contracting Code and says that in the event of conflict, our code will control; we cannot supersede the Oregon Public Contracting Code.

Commented [SD5]: Content currently in WC 2.312(2), and 2.313(1).

Commented [SD6]: Proposed number for City Council to confirm.

Commented [SD7]: New provision for City Council to consider.

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Commented [SD10]: Proposed number for City Council to confirm. Corresponds to signing authority revisions being considered by the City Manager.

Commented [SD11]: Proposed number for City Council to confirm. Corresponds to signing authority revisions being considered by the City Manager.

Commented [SD12]: Currently in WC 2.312(7).

Attachment 2 to Staff Report

Proposed Amended and Restated City Public Contracting Code

2.308. Short Title

WC 2.308 through 2.312 may be cited as the City of Wilsonville's "City Public Contracting Code."

2.309. Definitions

- (1) "City" or "Wilsonville" means the City of Wilsonville, Oregon.
- ~~(1)(2)~~ "City Council" means the Council of the City of Wilsonville, Oregon.
- ~~(2)(3)~~ "City Manager" means the City of Wilsonville City Manager or designee.
- ~~(3)(4)~~ "Oregon Public Contracting Code" means Oregon Revised Statutes chapters 279A, 279B, and 279C. Unless specifically defined below, terms used in the City Public Contracting Code shall have the meaning set forth in the Oregon Public Contracting Code.
- (5) "Model Rules" means the rules of procedure prepared and maintained by the Oregon Attorney General pursuant to ORS 279A.065, which are currently numbered Divisions 47 through 49 of Chapter 137 of the Oregon Administrative Rules, as may be amended or renumbered from time to time.

2.310. Local Contract Review Board; ~~Delegation of Authority.~~

- (1) Designation. The Wilsonville City Council is designated as the Local Contract Review Board under the ~~State of~~ Oregon Public Contracting Code. ~~The~~
- (2) Authority.
 - a. In its capacity as the Local Contract Review Board, ~~the Wilsonville City Council~~ shall have all the powers ~~of the State and Local authority granted under the Oregon~~ Public Contracting Code, including, but not limited to the power to:
 - i. Require any notice publication beyond what is required under the Oregon Public Procurement Code or Model Rules;
 - ii. Require pre-qualification for persons desiring to bid for public improvement contracts;
 - iii. Grant exemptions from the bid security and performance bond required on contracts for public improvements; or
 - iv. Make alternate arrangements for retainage pursuant to the Oregon Public Contracting Code.
 - ~~a.b. In its capacity as the Local Contract Review Board relative to the contract concerns of the City or, if delegated, the Urban Renewal Agency of the, the Wilsonville City of Wilsonville. The Board may Council, from time to time, may delegate its powers and responsibilities consistent with the Oregon Public Contracting Code, the Model Rules, or the Wilsonville Public Contracting Code. The City Manager, or his/her designated agent, is designated as the City's "Contracting Agency" for purposes of contracting powers and duties assigned to the City of Wilsonville as a "Contracting Agency" under the State of Oregon Public Contracting Code or the Model Rules.~~
 - ~~— In its capacity as the Local Contract Review Board, the Wilsonville City Council is authorized to adopt rules necessary to carry out the City of Wilsonville's Public Contracting Code.~~
- (3) Rules of Procedure

Commented [SD1]: New language

Commented [SD2]: Moved and slightly reworded. Currently in WC 2.318(3).

Commented [SD3]: New language inspired by what other similar jurisdictions have in their code.

- a. WC 2.003 will govern proceedings of the Local Contract Review Board, except that: (i) the Mayor will serve as the chair of the Local Contract Review Board, and (ii) the chair of the Local Contract Review Board will preside over meetings of the Local Contract Review Board, and in the absence of the chair, the line of succession will be the same as the line of succession that applies to City Council.
- b. A violation of the rules of procedure in WC 2.003 may not be considered a basis for challenging the validity of any decision by the Local Contract Review Board.
- c. Routine business of the Local Contract Review Board may be conducted on the consent agenda of a regularly schedule City Council Meeting.

2.311. Application of State Law.

- (1) The City's Procurement Activities must be conducted in accordance with the rules of procedure set forth in the Oregon Public Contracting Code, Model Rules, the City Public Contracting Code, and all City policies and rules. Except as specifically provided herein, public contracts shall be let by the City of Wilsonville according to the State of Oregon Public Contracting Code, including the Model Rules adopted by the Oregon Attorney General as they now exist and as they may be amended in the future, and the Wilsonville Code. Definitions provided by the State of Oregon Public Contracting Code or the Model Rules shall apply to City of Wilsonville procurements, except as may be specifically provided herein.
- (2) In the event of a conflict between any provision of the Model Rules and the City Public Contracting Code, the provisions of the City Public Contracting Code shall control.

2.312. ~~Exemptions from Competitive Procurement~~ Administrative Authority.

~~The following classes of public contracts are hereby exempted from competitive procurement:~~

- ~~(1) Any contract the exemption of which is provided by the State of Oregon Public Contracting Code or Model Rules.~~
- (1) (2) Change orders or contract amendments City Manager. The City Manager is authorized to engage in the following Procurement activity without City Council's prior approval:
 - a. Approve any Public Contracting activity so long as: (i) the aggregate contract price does not exceed [\$250,000]; and, (ii) the expenditure is within an approved budget;
 - b. Approve any Procurement activity that is not a Public Contract so long as: (1) the aggregate consideration to be paid by any party under the contract or agreement does not exceed [\$100,000]; and (ii) any expenditure to be incurred by the City is within an approved budget;
 - c. Execute one or more change orders or contract amendments that: (i) are reasonably related to the scope of work under the original contract, up to 15% (ii) together have an aggregate value not exceeding [25] percent of the original contract value; contract price may be approved by the Contracting Agency. Additional goods or services may be purchased through the amendment even though the did not provide unit prices or allow for additional purchases. Change orders or other amendments that increase the initial price of, and (iii) is within the approved project budget;
 - d. Extend or renew a contract by more than so long as the above-mentioned amount must be separately approved by total contract value, after the Contract Review Board and Contracting Agency, renewal term, does not exceed the amount stated in Sections 2.312(1)(a) or 2.312(1)(b), or, if amended, the amount stated in Section 2.312(1)(c);
- ~~(3) Contracts for the purchase of computer equipment and software, which may be by requests for quotations, the solicitation of which may be by advertisement or oral requests for offers.~~

Commented [SD4]: Currently WC 2.319. Provision has been adjusted. Current language references the Oregon Public Contracting Code and says that in the event of conflict, our code will control; we cannot supersede the Oregon Public Contracting Code.

Commented [SD5]: Content currently in WC 2.312(2), and 2.313(1).

Commented [SD6]: Proposed number for City Council to confirm.

Commented [SD7]: New provision for City Council to consider.

Commented [SD8]: Proposed number for City Council to confirm.

Commented [SD9]: Important clarification to term "contract price" – this term is ambiguous and could mean the aggregate price, including all amendments, or original contract value.

- ~~(4) Personal Service Contracts up to the limits defined in Wilsonville Code Section 2.315.~~
- ~~(5) A Public Facility Improvement Agreement entered into between the City of Wilsonville and a person responsible for carrying out conditions of approval of a land use decision of the City of Wilsonville. The term "Land Use Decision" has the meaning provided by ORS 197.015.~~
- ~~(6) Price Regulated Items, Library lending materials, used items, and periodicals, advertising contracts, equipment maintenance repair and overhaul, purchases under established price agreements, gasoline, diesel fuel, heating oil, lubricants and asphalt, investment contracts, insurance contracts, office copier purchases, sole source contracts, and oil or hazardous material removal.~~
- e. ~~(7) Adopt forms, procedures, and administrative policies applicable to City Procurement or Public Contracting activities; or,~~
- f. ~~The City Manager may delegate the City Manager's powers and responsibilities consistent with the Oregon Public Contracting Code, the Model Rules, or the Wilsonville Public Contracting Code.~~
- ~~(2) Architectural, Engineering, Photogrammetric Mapping, Transportation Planning, and Land Surveying Services. Procurement of architectural, engineering, photogrammetric mapping, transportation planning, and land surveying services, and related services less than or equal to \$50,000.00 subject to approval by the Community Development Director, and up to \$100,000.00 subject to approval of the requires the following approval: City Manager.~~
- a. ~~A contract with a value of less than or equal to \$150,000 requires the prior approval of the Community Development Director, and~~
- b. ~~A contract with a value of between \$150,000.01 and \$250,000 requires the prior approval of the City Manager.~~

2.313. Administrative Authority.

Administrative staff and departments have contracting authority and responsibilities as follows:

- ~~(1) In addition to all other acts authorized by state law, the Contracting Agency is authorized to:~~
- a. ~~Enter into City contracts not to exceed \$100,000.00 without additional authorization of the Contract Review Board or as otherwise may be allowed by these Code provisions.~~
- b. ~~Consistent with the Wilsonville Code, adopt forms, computer software, procedures, and administrative policies and rules for all City purchases.~~
- c. ~~Allow a contract to be extended or renewed for a single term not to exceed the length of the initial term.~~
- ~~(2) Purchases of goods from City employees shall require authorization of the Contracting Agency. Provision of services by City personnel shall be in accordance with the City Personnel Policies and other applicable law.~~
- ~~(3) All contracting by departments shall be according to approved City purchasing procedures adopted by the Contracting Agency or the Contract Review Board.~~
- ~~(4) Each department shall operate within its budget or seek supplemental budgetary authority from City Council with respect to any contract.~~
- ~~(5) Department shall plan purchase requirements sufficiently in advance so that orders can be placed in economical quantities.~~
- ~~(6) Department shall process requisition forms and negotiate purchases on the most favorable terms in accordance with adopted ordinances, state laws, policies, and procedures.~~

Commented [SD10]: Proposed number for City Council to confirm.
Corresponds to signing authority revisions being considered by the City Manager.

Commented [SD11]: Proposed number for City Council to confirm.
Corresponds to signing authority revisions being considered by the City Manager.

Commented [SD12]: Currently in WC 2.312(7).

- (7) ~~Departments may give notice of public improvement contracts by electronic publication where the Contracting Agency finds that such publication is likely to be cost effective, as provided in ORS 279C.360.~~

2.314. Public Improvement Contracts.

Public improvement contracts estimated by the Contracting Agency to be greater than \$5,000 and not to exceed \$100,000 may be let by competitive quote under the following procedures:

- (1) ~~The Contracting Agency shall informally solicit at least three price quotes from prospective contractors. If three prospective contractors are not available, then fewer quotes may be solicited, and the Contracting Agency shall maintain records of the attempts to obtain quotes.~~
- (2) ~~The Contracting Agency shall award the contract to the prospective contractor whose quote will best serve the interests of the City of Wilsonville, taking into account price and other applicable factors, such as experience, specific expertise, availability, project understanding, contractor capacity, and contractor responsibility. If the contract is not awarded on the basis of the lowest price, the Contracting Agency shall make a written record of the basis for the award.~~
- (3) ~~A procurement may not be artificially divided or fragmented to qualify for the informal contract award procedures provided by this section.~~
- (4) ~~A public improvement contract let under this section may be amended by change order as provided in Wilsonville Code Section 2.312(2).~~
- (5) ~~Public improvement contracts in excess of \$100,000 shall be let in accordance with the provisions of ORS 279C.~~
- (6) ~~Nothing in this section shall be deemed as restricting the Contracting Agency's ability to competitively solicit and award a contract for an undefined scope of work through the use of Price Agreements allowed pursuant to ORS 279B.140.~~

2.315. Personal Service Contracts.

A personal service contract is a contract primarily for the provision of services that require specialized technical, creative, professional, or communication skills or talents, unique and specialized knowledge, or the exercise of discretionary judgment skills, and for which the quality of the service depends on attributes that are unique to the service provider. Such services include, but are not limited to, the services of architects, engineers, surveyors and related services, attorneys, auditors and other licensed professionals, artists, designers, computer programmers, performers, consultants, and property Managers. Special rules apply to the selection of service providers for Engineering, Architectural, and Related professional services. See Sections 2.312 and 2.315(7).

The Contracting Agency shall have discretion to determine whether a particular type of contract or service falls within the foregoing definition. Nothing in this section shall apply to the employment of regular City employees.

Personal services contracts are subject to the rules established by this section:

- (1) ~~Unless otherwise approved by the Contracting Agency, all personal service contracts shall require the contractor to defend, indemnify, and hold harmless the City, its officers, agents, and employees against and from any and all claims or demands for damages of any kind arising out of or connected in any way with the contractor's performance thereunder and shall include a waiver of contractor's right to ORS 30.285 and ORS 30.287 indemnification and defense.~~
- (2) ~~Unless otherwise approved by the Contracting Agency, City personal service contracts shall contain a provision requiring the person or entity providing the service to obtain and maintain liability insurance coverage in at least the amount of the City's tort liability limits, naming the City as an additional named insured, during the life of the contract.~~

- ~~(3) All City personal services contracts shall contain all contract provisions mandated by State law. These provisions may be incorporated in the personal service contract by reference to State law, unless State law provides otherwise. The City Attorney's Office will prepare model contract provisions for use in City personal service contracts.~~
- ~~(4) The following procedure shall be observed in the selection of personal service contractors:~~
- ~~(a) For personal service contracts involving an anticipated fee of \$10,000.00 or less per annum, the Contracting Agency may negotiate a contract for such services with any qualified contractor of his or her selection.~~
 - ~~(b) Except as allowed under Section 2.312, for personal service contracts involving an anticipated fee of more than \$10,000.00 but less than \$150,000.00 per annum, the Contracting Agency shall solicit at least three prospective contractors who shall appear to have at least minimum qualifications for the proposed assignment, notify each prospective contractor in reasonable detail of the proposed assignment, and determine the prospective contractor's interest and ability to perform the proposed assignment.~~
 - ~~(c) The Contracting Agency may arrange for any or all interested prospective contractors to be interviewed for the assignment by an appropriate City employee or by an interview committee.~~
 - ~~(d) Following a review of the qualifications and interview, where conducted, of the interested prospective contractors, the Contracting Agency shall select the prospective contractor, and shall prepare a personal service contract.~~
- ~~(5) The above provisions regarding selection procedures do not apply to amendments, modifications, or supplements to executed personal service contracts.~~
- ~~(6) The following criteria may be considered in the evaluation and selection of a personal service contractor:~~
- ~~(a) Specialized experience in the type of work to be performed.~~
 - ~~(b) Capacity and capability to perform the work, including any specialized services within the time limitations for the work.~~
 - ~~(c) Educational and professional record, including past record of performance on contracts with governmental agencies and private parties with respect to cost control, quality of work, the exercise of discretion, ability to meet schedules, and contract administration, where applicable.~~
 - ~~(d) Availability to perform the assignment and familiarity with the area in which the specific work is located, including knowledge of design or techniques peculiar to it, where applicable.~~
 - ~~(e) Any other factors relevant to the particular contract. The procedures and criteria for the screening and selection of a personal services contractor is within the sole discretion of the Contracting Agency and may be adjusted to accommodate the Contracting Agency's scope, schedule, and budget objectives for a particular project.~~
- ~~(7) The competitive selection process for Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services, and Related Services, greater than \$100,000.00, shall follow Qualification Based Selection (QBS) criteria pursuant to ORS 279C.005—125 (OAR 137-048-210 through 270), except as allowed under Section 2.312 of this Code.~~
- ~~(8) The selection procedures described in this section may be waived by the Contracting Agency where 1) an emergency exists that could not have been reasonably foreseen and requires such prompt execution of a contract to remedy the situation that there is not sufficient time to permit utilization of the selection procedures, 2) selection is from a list of providers with similar qualifications in which selection is determined based upon a regularly scheduled pre-qualification process, not to exceed three years, or 3) a change in contractor to do follow up work would clearly result in increased costs or increased time.~~

- ~~(9) The Contracting Agency is delegated the authority to sign all personal service contracts.~~
- ~~(10) Unless otherwise provided herein, all personal service contracts shall be awarded on a competitive selection process. Nothing contained in this section shall preclude the City from complying with provisions of Federal or State law that require or allow the City to utilize a different selection or contracting procedure.~~

~~2.316. Surplus Personal Property Disposition.~~

~~Disposition of surplus personal property may be made, at the discretion of the Contracting Agency, under provisions of the State of Oregon Public Contracting Code, or the Model Rules, or under the provisions of this section:~~

- ~~(1) From time to time and after personal property owned by the City of Wilsonville is determined by the Contracting Agency to be surplus to the needs of the City, the City may sell the property at public auction. The City may utilize a contracting firm, approved by the Contract Review Board, for disposition of the property on terms and conditions contained in a contract approved by the Contract Review Board. The City shall give notice of the public auction by posting notice of the means by which the property will be disposed of on the City of Wilsonville Internet Website, or by advertisement in a newspaper of general circulation.~~
- ~~(2) Auction sales may be conducted entirely on the internet. Sale shall be for cash to the highest bidder. All proceeds of the sale shall be paid to the City's general fund, subject to the terms and conditions of the contract (if any) approved by the Contract Review Board between the City of Wilsonville and a firm selected to conduct the auction.~~
- ~~(3) All personal property sold pursuant to this section shall be sold as is without any warranty, either express or implied, of any kind, including but not limited to warranties of title or fitness for any purpose. Upon receiving payment for the personal property from the successful bidder, the person or company conducting the auction shall execute an appropriate bill of sale, which shall recite that the sale is without warranty, as provided in this sub-section.~~
- ~~(4) The Contracting Agency may sell surplus personal property by a negotiated sale if the value of the property is estimated to be less than the cost of the auction sale and expected proceeds. Surplus property which has a value of less than \$500.00, or for which the costs of a negotiated sale are likely to exceed sale proceeds, may be disposed of by any means determined to be cost effective, including by disposal as waste. Alternatively the Contracting Agency may transfer personal property without remuneration or only nominal remuneration to another public agency or any recognized non-profit organization.~~

~~2.317. Bids Exceeding Budget.~~

~~If bids are solicited for a public improvement contract, and all bids exceed the budget for the project, the Contracting Agency may, prior to contract award, negotiate for a lower price under the following procedures:~~

- ~~(1) Negotiations will begin with the lowest, responsive and responsible bidder. If negotiations are not successful, then the Contracting Agency may begin negotiations with the second lowest responsive, responsible bidder, and so on.~~
- ~~(2) Negotiations may include the inclusion of value engineering and other options to attempt to bring the project cost within the budgeted amount.~~
- ~~(3) A contract may not be awarded under this section if the scope of the project is significantly changed from the description in the original bid documents.~~
- ~~(4) The Contracting Agency will adhere to the provisions of ORS 279C.340 in applying this section.~~

2.318. Bid Rejection, Disqualification, Appeal.

- (1) ~~The Contracting Agency may reject any bid not in compliance with all prescribed public bidding procedures and requirements and may reject all bids if it is in the public interest to do so.~~
 - (a) ~~The person does not have sufficient financial ability to perform the contract. Evidence that the person can acquire a surety bond in the amount and type required shall be sufficient to establish financial ability;~~
 - (b) ~~The person does not have equipment available to perform the contract;~~
 - (c) ~~The person does not have personnel or sufficient experience to perform the contract; or~~
 - (d) ~~The person has breached contractual obligations to public and/or private contracting agencies.~~
- (2) ~~A person who has been disqualified as a bidder may appeal such disqualification to the Board as follows:~~
 - (a) ~~The person shall, within three business days after receipt of notice of disqualification, in writing, notify the City Recorder that the person wishes to appeal the disqualification;~~
 - (b) ~~Immediately upon receipt of such written notice of appeal, the Recorder shall inform the Board;~~
 - (c) ~~Upon receipt of notice of appeal, the Board shall notify the person appealing the time and place of the public hearing;~~
 - (d) ~~The Board shall consider de novo the notice of disqualification, the record of the investigation made by the City Manager and/or the Community Development Director or City Engineer, and any evidence provided by the parties. The Board's decision and reasons therefore shall be in writing.~~
- (3) ~~In addition to the powers and duties established by this Code, the Board and Contracting Agency shall have such additional powers as authorized by State law and may also:~~
 - (a) ~~Require notice publication in addition to that required by State law;~~
 - (b) ~~Require pre-qualification for persons desiring to bid for public improvement contracts;~~
 - (c) ~~Grant exemptions from the bid security and performance bond required on contracts for public improvements;~~
 - (d) ~~Make alternate arrangements for retainage pursuant to the Oregon Contracting Code.~~

2.319. Conflict of Law.

~~In the event of a conflict between any provision of the State of Oregon Public Contracting Code or the Model Rules and this chapter of the Wilsonville Code, the provisions of this chapter shall control.~~

~~(Ord. No. 578, 2-22-2005; Ord. No. 733, 2-20-2014)~~

Attachment 3 to Staff Report

Proposed Administrative Rules

1. Definitions

"Land Use Decision" has the meaning provided by ORS 197.015.

"City Manager" means the City of Wilsonville City Manager or designee.

A "Professional Service" is a service that requires specialized technical, creative, professional, or communication skills or talents, unique and specialized knowledge, or the exercise of discretionary judgment skills, and for which the quality of the service depends on attributes that are unique to the service provider. Such services include, but are not limited to, the services of attorneys, auditors, and other licensed professionals, artists, designers, computer programmers, performers, consultants, and property managers. As used in these Administrative Rules, "Professional Services" do not include architectural, engineering, photogrammetric mapping, transportation planning or land surveying services, or related services, as those terms are defined in ORS 279C.100. "Professional Services" are equivalent to the term "Personal Services" used in the Oregon Public Contracting Code.

"Oregon Public Contracting Code" means Oregon Revised Statutes chapters 279A, 279B, and 279C. Unless specifically defined below, terms used in the City of Wilsonville's Public Contracting Code shall have the meaning set forth in the Oregon Public Contracting Code.

"Public Art Policy" means the City's Public Art Policy and Guidelines, initially adopted via Resolution No. 3081, as it may be amended from time to time.

2. General

2.1. The purpose of these Administrative Rules is to: (1) refine, supplement, and provide specificity to the regulations in [WC 2.308 through 2.312]; and (2) provide City personnel direction on implementing [WC 2.308 through 2.312].

2.2. The City may give notice of Public Improvement Contracts by electronic publication where City Council finds that such publication is likely to be cost effective, as provided in ORS 279C.360.

2.3. When engaging in Procurement or Public Contracting activities, the City shall:

2.3.1. Abide by City purchasing procedures and administrative policies adopted by City Council or the City Manager;

Commented [SD1]: General Comment: Language that has been only reworded and minor changes are not marked.

Commented [SD2]: The term used under state law is "Personal Services," but City staff tend to speak in terms of "Professional Services," so that term is used here.

Commented [SD3]: New language.

Commented [SD4]: Currently WC 2.313(7).

Commented [SD5]: Currently WC 2.313(3) through (6).

2.3.2. Operate within its budget, or seek supplemental budgetary authority from City Council;

2.3.3. Plan purchase requirements sufficiently in advance so that orders can be placed in economical quantities; and,

2.3.4. Negotiate purchases on the most favorable terms reasonably possible.

3. **Reporting to City Council.** The City Manager shall, no less than once per fiscal year, provide a report to City Council that lists each contract approved by the City Manager pursuant to WC 2.312(a) that has a value of between \$100,000 and \$250,000.

Commented [SD6]: New language. City Council to discuss and consider.

4. **Exemptions from Competitive Procurement Requirements.**

Commented [SD7]: • Currently WC 2.312.
• Exemptions that are already available under the Oregon Public Procurement Code have been deleted (e.g., insurance contracts, sole source contracts).

4.1. The City may use any exemption available under the Oregon Public Contracting Code or Model Rules.

4.2. When a contract is exempt from a competitive procurement requirement, the City shall use reasonable efforts to ensure it is obtaining goods or services on the best terms (e.g., price and quality).

Commented [SD8]: New language.

4.3. The following classes of public contracts are hereby exempted from competitive procurement requirements. The City may engage in these procurements in any manner deemed practical or convenient, including by direct selection or award:

Commented [SD9]: New language.

4.3.1. An agreement entered into between the City of Wilsonville and a person responsible for carrying out conditions of approval of a land use decision of the City of Wilsonville;

4.3.2. Purchase of items for which prices or selection of suppliers are regulated by a governmental authority;

4.3.3. Purchase of library lending materials and periodicals;

4.3.4. Purchase of used items;

4.3.5. Advertising contracts;

4.3.6. Contracts for equipment maintenance, repair, and overhaul;

4.3.7. Purchases under established price agreements;

4.3.8. Purchases of gasoline, diesel fuel, heating oil, lubricants and asphalt;

4.3.9. Contracts for oil or hazardous material removal services;

4.3.10. Investment contracts;

4.3.11. Partnerships with non-profit organizations to promote environmental stewardship; and,

4.3.12. The National Citizen Survey.

Commented [SD10]: These exemptions are new.

4.4. Professional Services.

Commented [SD11]: • Currently a stand-alone section, WC 2.315. Proposed change approaches these contracts differently, and just increases the point at which you may not use direct appointment from \$25,000 to \$100,000.
• Definition changed from “personal services” to “professional services” and moved to definition section.
• Selection procedures deleted because Model Rules are more robust.
Language duplicative of what is in state laws/rules deleted.

4.4.1. The City may procure Professional Services with an aggregate contract price that does not exceed \$100,000 in any manner deemed practical or convenient, including by direct selection or award.

4.4.2. The following criteria may be considered in the evaluation and selection of a personal service contractor:

4.4.2.1. Specialized experience in the type of work to be performed;

4.4.2.2. Capacity and capability to perform the work, including any specialized services within the time limitations for the work;

4.4.2.3. Educational and professional record, including past record of performance on contracts with governmental agencies and private parties with respect to cost control, quality of work, the exercise of discretion, ability to meet schedules, and contract administration, where applicable;

4.4.2.4. Availability to perform the assignment and familiarity with the area in which the specific work is located, including knowledge of design or techniques peculiar to it, where applicable; and,

4.4.2.5. Any other factors relevant to the particular contract.

4.5. Public Art. The City may award a contract for “public art,” as that term is defined in the Public Art Policy, in accordance with the procurement requirements specified in the Public Art Policy.

Commented [SD12]: This exemption is new.

4.6. Computer Equipment and Software.

Commented [SD13]: This exemption exists in WC 2.312(3), but has been expanded here.

4.6.1. The City may award a contract or renew existing contracts for the following information technology systems or system components in any manner deemed practical or convenient:

4.6.1.1. Contracts for the purchase or lease of computer software or hardware, including, but not limited to, software-as-a-service

software or subscriptions for cloud-based services, audio-visual systems or components, telecommunication systems or components, GIS/GPS systems or components, and office photocopiers;

4.6.1.2. Contracts for the purchase or lease of infrastructure, systems, or components of a system, that requires closed source software to operate or that the City deems to be vulnerable to corruption or harmful unauthorized access;

4.6.1.3. Contracts to upgrade any systems described in this Section 4.6; or

4.6.1.4. Contracts for maintenance or training related to any systems described in this Section 4.6.

4.6.2. If the City enters into a contract for a system or system component described in this Section 4.6 by direct selection or award, the City shall document the basis for the City's decision to use a specific vendor (e.g., it is beneficial for the City to work with the City's current vendor in order to utilize the pre-existing knowledge of the vendor regarding the specifics of the City's computer system, or to keep the specifics of the City's computer systems confidential).

5. **Surplus Personal Property Disposition**

Disposition of surplus personal property may be made, at the discretion of the City Manager, under provisions of the Oregon Public Contracting Code, or the Model Rules, or under the provisions of this section.

- 5.1. Notice Requirement. From time to time and after personal property owned by the City of Wilsonville is determined by the City Manager to be surplus to the needs of the City, the City may sell the property at public auction. The City shall give notice of the public auction by posting notice of the means by which the property will be disposed of on the City of Wilsonville's website, or by advertisement in a newspaper of general circulation.
- 5.2. Auction Procedures. Auction sales may be conducted entirely on the internet. The surplus property shall be sold for cash to the highest bidder. All proceeds of the sale shall be paid to the City's general fund, subject to the terms and conditions of the contract (if any) between the City of Wilsonville and the company selected to conduct the auction.
- 5.3. Property Sold As-Is. All personal property sold pursuant to this section shall be sold as-is without any warranty, either express or implied, of any kind, including but not limited to warranties of title or fitness for any purpose. Upon receiving payment for

Commented [SD14]: • Currently WC 2.316.

- References to "Contracting Agency" revised to refer to "City" or "City Manager" as appropriate.
- One sentence deleted because this action is probably more appropriately handled by City staff, rather than by City Council, which is the Local Contract Review Board.

the personal property from the successful bidder, the person or company conducting the auction shall execute an appropriate bill of sale, which shall recite that the sale is without warranty, as provided in this sub-section.

- 5.4. Sale without an Auction. The City may sell surplus personal property by a negotiated sale to a specific buyer if the value of the property is estimated to be less than the cost of the auction sale and expected proceeds. Surplus property which has a value of less than \$500.00, or for which the costs of a negotiated sale are likely to exceed the expected sale proceeds, may be disposed of by any means determined to be cost effective, including by disposal as waste. Alternatively the City may transfer personal property without remuneration or only nominal remuneration to another public agency or any recognized non-profit organization.

6. Bid Rejection; Appeal of Disqualification

- 6.1. Bid Rejection. The City may reject any bid not in compliance with all prescribed public bidding procedures and requirements and may reject all bids if it is in the public interest to do so, including for, but not limited to, the following reasons:

- 6.1.1. The person does not have sufficient financial ability to perform the contract; Evidence that the person can acquire a surety bond in the amount and type required shall be sufficient to establish financial ability;
- 6.1.2. The person does not have equipment available to perform the contract;
- 6.1.3. The person does not have personnel or sufficient experience to perform the contract; or
- 6.1.4. The person has breached contractual obligations.

- 6.2. Appeal of Disqualification. A person who has been disqualified as a bidder may appeal such disqualification to City Council as follows:

- 6.2.1. The person shall, within three business days after receipt of notice of disqualification, in writing, notify the City Recorder that the person wishes to appeal the disqualification;
- 6.2.2. upon receipt of such written notice of appeal, the City Recorder shall inform City Council;
- 6.2.3. As soon as is practicable upon receipt of notice of appeal, City Council shall notify the person appealing the time and place of the public hearing; or
- 6.2.4. City Council shall consider *de novo* the notice of disqualification, the record of the investigation made by the City Manager, Community Development

Commented [SD15]: • Currently WC 2.318.
 •References to “Contracting Agency” revised to refer to “City” and references to “the Board” revised to refer to “City Council.”
 •Headings added.
 •Third subsection moved to section on “Local Contract Review Board – Authority” in revised code.

Commented [SD16]: New language.

Director, or City Engineer, and any evidence provided by the parties. City Council must document its decision and reasons therefore in writing.

CITY COUNCIL ROLLING SCHEDULE
Board and Commission Meetings
Items known as of 02/29/24

Item 6.

March

3/25	Monday	6:30 pm	DRB – Panel B	Council Chambers
3/27	Wednesday	6:30 pm	Library Board	Library

April

4/1	Monday	6:00 pm	City Council	Council Chambers
4/8	Monday	6:30 pm	DRB – Panel A	Council Chambers
4/9	Tuesday	6:00 pm	DEI Committee	Council Chambers
4/10	Wednesday	6:00 pm	Planning Commission	Council Chambers
4/10	Wednesday	6:00 pm	Kitakata Sister City Advisory Board	Parks & Rec. Admin Bldg.
4/11	Thursday	6:00 pm	Parks & Recreation Advisory Board	Parks & Rec. Admin Bldg.
4/15	Monday	6:00 pm	City Council	Council Chambers
4/16	Tuesday	6:30 pm	Wilsonville Metro CEC	Council Chambers
4/17	Wednesday	5:00 pm	Arts, Culture & Heritage Commission	Council Chambers
4/22	Monday	6:30 pm	DRB – Panel B	Council Chambers
4/24	Wednesday	6:30 pm	Library Board	Library

Community Events:

March

3/19 Nowruz (all day)
 Ukulele Jam, 9:00 am, Parks & Rec
 Piecemakers Quilters, 9:00 am, Tauchman House
 ODHS Drop-In Assistance 10:00 am, Library
 Intermediate English Class, 10:30 am, Library
 Baby & Toddler Time, 10:30 am, Library
 Baby & Toddler Time, 11:15 am, Library
 Stand, Sit and Be Fit, 11:15 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Partners Bridge, 12:30 pm, Community Center
 ODHS Drop-In Assistance, 1:00 pm, Library
 Virtual Reality Fitness, 1:00 pm, Community Center
 Beginning Tai Chi, 2:00 pm, Community Center
 Tai Chi Continuing, 3:00 pm, Community Center
 Soul Flow Yoga, 7:15 pm, Community Center

- 3/20 Healthy Bones and Balance, 8:30 am, Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Community Center
 Digital Photography Club, 10:00 am, Community Center
 Family Storytime, 10:30 am, Library
 Sit and Be Fit, 11:15 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 STEAM Stuff, 1:00 pm, Library
 Pinochle/Cribbage, 1:00 pm, Community Center
 Bingo, 1:00 pm, Community Center
 Teen Afterschool Drop-In Activities, 3:00 pm, Library
- 3/21 Gentle Yoga (Morning), 8:30 am, Community Center
 I-5 Connection Chorus Group, 10:00 am, Community Center
 Bridge for Beginners Lessons, 10:00 am, Community Center
 Family Storytime, 10:30 am, Library
 Walking Book Club, 1:00 pm, Library
 Ladies Afternoon Out, 1:00 pm, Community Center
 Beginning Tai Chi, 2:00 pm, Community Center
 Tai Chi Continuing, 3:00 pm, Community Center
 Restorative Yoga, 7:15 pm, Community Center
- 3/22 Healthy Bones and Balance, 8:30 am, Community Center
 Advance Healthy Bones and Balance, 9:30 am, Community Center
 Play Group, 10:30 am, Library
 Bridge for Intermediate Lessons, 10:30 am, Community Center
 Stand, Sit and Be Fit, 11:00 am, Community Center
 Bridge Group Play, 10:30 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Mexican Train Dominoes, 1:00 pm, Community Center
- 3/23 Personal Choices, Healthy Living, Part 3 Lecture Series, 3:00 pm, Parks & Rec
- 3/24 Abstract Watercolor Painting, 10:00 am, Parks & Rec
- 3/25 Holi (all day)
 Healthy Bones and Balance, 8:30 am, Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Community Center
 Chess Wizards-Spring Break Camp, 9:00 am, Tauchman House
 Life 101 Lecture Series: The Grocery is the Pharmacy, Community Center
 Beginning English Class, 11:00 am, Library
 Lunch at the Community Center, 12:00 pm, Community Center
 Weight Loss Support Group, 12:30 pm, Community Center
 Mexican Train Dominoes, 1:00 pm, Community Center
 Bridge Group Play, 1:00 pm, Community Center
 Body Sculpt with Jules Moody, 6:00 pm, Community Center

- 3/26 Chess Wizards-Spring Break Camp, 9:00 am, Tauchman House
 Ukulele Jam, 9:00 am, Parks & Rec
 Piecemakers Quilters, 9:00 am, Tauchman House
 ODHS Drop-In Assistance 10:00 am, Library
 Intermediate English Class, 10:30 am, Library
 Stand, Sit and Be Fit, 11:15 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Partners Bridge, 12:30 pm, Community Center
 ODHS Drop-In Assistance, 1:00 pm, Library
 Learn to Ride a Bike, 1:00 pm, Wilsonville Transit Center
 Virtual Reality Fitness, 1:00 pm, Community Center
 Beginning Tai Chi, 2:00 pm, Community Center
 Tai Chi Continuing, 3:00 pm, Community Center
 Soul Flow Yoga, 7:15 pm, Community Center
- 3/27 Healthy Bones and Balance, 8:30 am, Community Center
 Advance Healthy Bones and Balance, 9:30 am, Community Center
 Chess Wizards-Spring Break Camp, 9:00 am, Tauchman House
 Digital Photography Club, 10:00 am, Library
 Stand, Sit and Be Fit, 11:00 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Learn to Ride a Bike, 1:00 pm, Transit Center
 Pinochle/Cribbage, 1:00 pm, Community Center
- 3/28 Gentle Yoga (Morning), 8:30 am, Community Center
 Chess Wizards-Spring Break Camp, 9:00 am, Tauchman House
 I-5 Connection Chorus Group, 10:00 am, Community Center
 Bridge for Beginners Lessons, 10:00 am, Community Center
 Learn to Ride a Bike, 10:00 am, Transit Center
 Ladies Afternoon Out, 1:00 pm, Community Center
 Beginning Tai Chi, 2:00 pm, Community Center
 Tai Chi Continuing, 3:00 pm, Community Center
 Restorative Yoga, 7:15 pm, Community Center
- 3/29 Healthy Bones and Balance, 8:30 am, Community Center
 Advance Healthy Bones and Balance, 9:30 am, Community Center
 Chess Wizards-Spring Break Camp, 9:00 am, Tauchman House
 Bridge for Intermediate Lessons, 10:30 am, Community Center
 Blood Drive, 11:00 am, Library
 Stand, Sit and Be Fit, 11:00 am, Community Center
 Bridge Group Play, 10:30 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Mexican Train Dominoes, 1:00 pm, Community Center
 Learn to Ride a Bike, 1:00 pm, Wilsonville Transit Center
- 3/30 Wilsonville Egg Hunt, 10:00 am, Memorial Park Sports Field

April

- 4/1 Deaf Heritage Month (all day)
 Arab American Heritage Month (all day)
 Healthy Bones and Balance, 8:30 am, Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Community Center
 Terrific Toddlers, 10:30 am, Library
 Beginning English Class, 11:00 am, Library
 Lunch at the Community Center, 12:00 pm, Community Center
 Weight Loss Support Group, 12:30 pm, Community Center
 Mexican Train Dominoes, 1:00 pm, Community Center
 Bridge Group Play, 1:00 pm, Community Center
- 4/2 Ukulele Jam, 9:00 am, Parks & Rec
 Piecemakers Quilters, 9:00 am, Tauchman House
 ODHS Drop-In Assistance 10:00 am, Library
 Intermediate English Class, 10:00 am, Library
 Baby & Toddler Time, 10:30 am, Library
 Baby & Toddler Time, 11:15 am, Library
 Stand, Sit and Be Fit, 11:15 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Partners Bridge, 12:30 pm, Community Center
 Poetry Club, 1:00 pm, Community Center
 ODHS Drop-In Assistance, 1:00 pm, Library
 Virtual Reality Fitness, 1:00 pm, Community Center
 Beginning Tai Chi, 2:00 pm, Community Center
 Tai Chi Continuing, 3:00 pm, Community Center
 Oil Painting with Judy Stubb-Storm on the Horizon, 5:30 pm, Parks & Rec
 Soul Flow Yoga, 7:15 pm, Community Center
- 4/3 Earth Month Walk+Roll (all day)
 Healthy Bones and Balance, 8:30 am, Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Community Center
 Digital Photography Club, 10:00 am, Community Center
 Family Storytime, 10:30 am, Library
 PROFILE (online), 11:00 am, Library
 Sit and Be Fit, 11:15 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Pinochle/Cribbage, 1:00 pm, Community Center
 Bingo, 1:00 pm, Community Center
 Teen Afterschool Drop-In Activities, 3:00 pm, Library
 Nutritious (and Delicious!) Foods with Sam-No Knead Focaccia, 6:00 pm, Community Center



CITY COUNCIL MINUTES

March 04, 2024 at 7:00 PM

Wilsonville City Hall & Remote Video Conferencing

CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, March 4, 2024. The Mayor called the meeting to order at 7:05 p.m., followed by roll call and the Pledge of Allegiance.

PRESENT

Mayor Fitzgerald
Council President Akervall
Councilor Linville
Councilor Berry
Councilor Dunwell

STAFF PRESENT

Amanda Guile-Hinman, City Attorney
Beth Wolf, Systems Analyst
Bryan Cosgrove, City Manager
Dan Pauly, Planning Manager
Delora Kerber, Public Works Director
Jeanna Troha, Assistant City Manager
Katherine Smith, Assistant Finance Director
Keith Katko, Finance Director
Kimberly Veliz, City Recorder
Kris Ammerman, Parks and Recreation Director
Mark Ottenad, Public/Government Affairs Director
Zach Weigel, Capital Projects Engineering Manager

3. Motion to approve the following order of the agenda.

Motion: Moved to approve the following order of agenda.

Motion made by Councilor Akervall, Seconded by Councilor Berry.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

Vote: Motion carried 5-0.

MAYOR'S BUSINESS

4. Upcoming Meetings

The Mayor provided details on the following topics.

Diversity, Equity and Inclusion (DEI) Speaker Event

- The City's DEI Speaker Series continued with a lecture scheduled on Wednesday, March 6, 2024.
- Erika Pham, DEI Committee Chair, was to discuss how gender and sexual orientation are concepts with varied meanings across time and cultures, and in ways, they are evolving rapidly today.
- The DEI Committee Chair would explain the meaning of these concepts and the importance of being open minded and seeking understanding of the LGBTQIA+ community in learning how to be an ally.
- The lecture was to be held at the Wilsonville campus of Clackamas Community College.

Oregon Department of Aviation Aurora State Airport PAC Meeting

- The Oregon Department of Aviation Aurora State Airport Planning Advisory Committee (PAC) meeting was scheduled for Tuesday, March 12, 2024.
- Councilor Linville was the City Council's liaison to the PAC, which had not met for some time.
- During the period of waiting for this meeting, the Aviation Department rewrote the Draft Airport Master Plan Chapters One through Six around 6 times.

Senate Bill (SB) 1537

- SB 1537 passed the Oregon Senate, and moved onto the House of Representatives.
- The purpose of the bill was to advance the development of more affordable housing, which Council expressed an understanding and need for more affordable housing across Oregon.
- At a recent meeting of the Metropolitan Mayors' Consortium, there was unanimous concern that the proposed legislation preempted local control, created new state regulations, and provided insufficient funding to achieve the desired goal of creating more affordable housing.
- One of the features of SB 1537 was to help cities advance new housing and follow the law, using a number of factors. Wilsonville asked for money to help cities install infrastructure needed to build more housing.
- The Mayor noted dissatisfaction with the types of tools to be made available to cities.

Senate Bill (SB) 1530

- SB 1530 was a companion bill of SB 1537 to advance State funding of affordable housing, which was supported by Council.
- SB 1530 would appropriate over \$250 million for the implementation of various state programs to support affordable housing, including:
 - \$65 million for emergency shelters
 - \$40 million for the eviction prevention programs
 - \$10 million to acquire land for affordable housing
 - \$18 million for recovery housing projects
 - \$15 million for the Healthy Homes Repair Fund
 - \$7.5 million for heat pump and air condition installation; and
 - \$100 million earmarked for certain cities' projects statewide

Senate Bill (SB) 1572

- SB 1572 would fund an Oregon Department of Transportation (ODOT) study of extending the Westside Express Service (WES) Commuter Rail from Wilsonville to Salem.
- The bill had a great deal of support from a number of cities up and down Interstate 5 (I-5).
- The bill sought a reduced appropriation of \$250,000 to fund a technical study by ODOT and the work of the Mid-Willamette Valley Council of Governments (COG).
- The Council appreciated those whom worked on and supported the bill, which included Senator Woods, Representative Neron, and Representative Mannix.
- It was shared that Oregon Legislative leadership may not be interested in advancing the study at this time.
- The bill was supported by the Cities of Aurora, Beaverton, Donald, Hubbard, Keizer, Salem, Tualatin, Tigard, Wilsonville and Woodburn; The Metropolitan Mayors' Consortium; Mid-Willamette Valley Council of Governments; Salem Area Mass Transit District, SMART and Yamhill County Transit; 1000 Friends of Oregon; Association of Oregon Rail and Transit Advocates, Travel Salem; and the Portland and Western and BNSF railroads.

House Bill (HB) 4042

- The legislature heard a bill that would reauthorize and fund the Business Oregon RSIS Regionally Significant Industrial Sites (RSIS) Program.
- The City had testified in support on HB 4042, which reauthorizes the RSIS program for a six-year period.
- It would allow some funds for cities like Wilsonville that have industrial lands available for businesses to locate in, but infrastructure was needed to bring them into active use.

Affordable Housing

- The Mayor explained on the Consent Agenda was a series of resolutions granting a tax exemption from property taxes for certain affordable housing facilities.
- These resolutions are brought forth every year for Council approval of an abatement of property taxes for affordable housing facilities in Wilsonville that support low income, disabled seniors, and those with behavioral health issues.

- These affordable housing facilities sought an exemption from property taxes via the Clackamas County Assessor's Office, and this tool allowed the City and County to abate over \$400,000 in property taxes that helped to subsidize 600 housing units at nine facilities in Wilsonville.
- The Mayor noted Wilsonville had a good head start on affordable housing but acknowledged a lot more was needed.
- With the prospective 2024 construction of the Wilsonville Transit Center Transit Oriented Development (TOD) project, the City would add an additional 120 units of affordable housing.

City Council Meeting

- The next City Council meeting was scheduled for Monday, March 18, 2024.

5. Diversity, Equity and Inclusion Committee Appointment

Diversity, Equity and Inclusion Committee – Appointment

Appointment of Elisabeth Garcia Davidson to the Diversity, Equity and Inclusion Committee for a term beginning 3/4/2024 to 12/31/2025.

Motion: Moved to ratify the appointment of Elisabeth Garcia Davidson to the Diversity, Equity and Inclusion Committee for a term beginning 3/4/2024 to 12/31/2025.

Motion made by Councilor Akervall, Seconded by Councilor Berry.

The Mayor explained the process for appointments.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

Vote: Motion carried 5-0.

COMMUNICATIONS

6. Clackamas Community College Bond

Tim Cook, Clackamas Community College President detailed projects that would be prioritized should voters pass a bond measure that may appear on the November 2024 ballot. The measure would renew a 2014 bond at the existing tax rate of 25 cents/\$1,000 of assessed value to accommodate projects aimed at supporting student success with modern learning spaces, building community partnerships, and preserving and maintaining assets. The PowerPoint displayed and handouts provided have been added to the record.

Council comments followed the presentation.

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS

This is an opportunity for visitors to address the City Council on any matter concerning City's Business or any matter over which the Council has control. It is also the time to address items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizen input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

There was none.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

7. Council President Akervall

Councilor Akervall reported on the following meetings she attended:

- Wilsonville Childcare Consortium meeting on February 28, 2024
- Wilsonville Alliance for Inclusive Community partnership with Oregon Humanities meeting on February 29, 2024

The Council President shared the deadline for the City's Community Photo Contest was March 15, 2024.

8. Councilor Linville

Councilor Linville reported on the following meetings she planned to attend:

- Opioid Settlement Prevention, Treatment and Recovery Board meeting on March 6, 2024
- Planning Advisory Committee (PAC) meeting on March 12, 2024

9. Councilor Berry

Councilor Berry reported on the following meetings:

- Community Enhancement Committee meeting on February 27, 2024 and March 19, 2024
- Tourism Promotion Committee meeting on February 28, 2024

10. Councilor Dunwell

No report.

CONSENT AGENDA

The City Attorney read the titles of the Consent Agenda items into the record.

11. Resolution No. 3106

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A First Amendment To The Intergovernmental Agreement On Broadband Services And Infrastructure Sharing Between The City Of Wilsonville And The City Of Sherwood.

12. Resolution No. 3115

A Resolution Of The City Of Wilsonville Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Autumn Park Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.

13. Resolution No. 3116

A Resolution Of The City Of Wilsonville Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Charleston Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.

14. Resolution No. 3117

A Resolution Of The City Of Wilsonville Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Creekside Woods LP, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.

15. Resolution No. 3118

A Resolution Of The City Of Wilsonville Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Rain Garden Limited Partnership, A Low-Income Apartment Development Owned And Operated By Caritas Community Housing Corporation.

16. Resolution No. 3119

A Resolution Of The City Of Wilsonville Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Wiedemann Park, A Low-Income Apartment Development Owned And Operated By Accessible Living, Inc.

17. Resolution No. 3127

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Accept Assignment Of And Amend The Facilities Lease With Wilsonville Community Sharing.

18. Resolution No. 3128

A Resolution Of The City Of Wilsonville Supporting A 2024 Grant Application To The Oregon State Parks, Local Government Grant Program For The Memorial Park Playground Replacement Project.

19. Minutes of the February 22, 2024 City Council Meeting.

Motion: Moved to approve the Consent Agenda as read.

Motion made by Councilor Berry, Seconded by Councilor Akervall.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

Vote: Motion carried 5-0.

NEW BUSINESS**20. Resolution No. 3112**

A Resolution Of The City Of Wilsonville Authorizing A Preliminary Engineering Report To Consider Possible Formation Of A Local Improvement District For Public Improvements To SW Parkway Avenue And SW Printer Parkway.

The City Attorney read the title of Resolution No. 3112 into the record.

The City Attorney shared a PowerPoint summarizing the staff report. The PowerPoint has been added to the record.

Council asked clarifying questions.

Motion: Moved to adopt Resolution No. 3112.

Motion made by Councilor Linville, Seconded by Councilor Akervall.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

Vote: Motion carried 5-0.

CONTINUING BUSINESS

There was none.

PUBLIC HEARING**21. Resolution No. 3120 (Legislative Hearing)**

A Resolution Of The City Of Wilsonville Authorizing A Supplemental Budget Adjustment For Fiscal Year 2023-24.

The City Attorney read the title of Resolution No. 3120 into the record.

The Mayor provided the public hearing format and opened the public hearing at 8:32 p.m.

Katherine Smith, Assistant Finance Director summarized the staff report.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing on Resolution No. 3120 at 8:34 p.m.

Motion: Moved to adopt Resolution No. 3120.

Motion made by Councilor Berry, Seconded by Councilor Akervall.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

Vote: Motion carried 5-0.

22. Ordinance No. 889 1st Reading (*Legislative Land Use Hearing*)

An Ordinance Of The City Of Wilsonville Amending The Text Of The Development Code To Make Minor Modifications To The Coffee Creek Industrial Design Overlay District Standards.

The City Attorney read the title of Ordinance No. 889 into the record on first reading.

The Mayor provided the public hearing format and opened the public hearing at 8:37 p.m.

Cindy Luxhoj, Associate Planner provided the staff report and PowerPoint, which has been made a part of the record.

Council asked clarifying question.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing on Ordinance No. 889 at 8:52 p.m.

The Mayor then requested a motion on Ordinance No. 889.

Motion: Moved to adopt Ordinance No. 889 on first reading.

Motion made by Councilor Berry, Seconded by Councilor Akervall.

Staff was thanked for their work on the project.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry, Councilor Dunwell

Vote: Motion carried 5-0.

CITY MANAGER'S BUSINESS

No report.

LEGAL BUSINESS

No report.

ADJOURN

The Mayor adjourned the meeting at 8:54 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor

DRAFT



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: March 18, 2024		Subject: Ordinance No. 889 – 2nd Reading Coffee Creek Code Amendments	
		Staff Member: Cindy Luxhoj AICP, Associate Planner	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: March 4, 2024 <input checked="" type="checkbox"/> Ordinance 1 st Reading Date: March 4, 2024 <input checked="" type="checkbox"/> Ordinance 2 nd Reading Date: March 18, 2024 <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable	
		Comments: The Planning Commission adopted Resolution No. LP24-0001 on February 14, 2024, recommending adoption of the Coffee Creek Code Amendments by City Council	
Staff Recommendation: Staff recommends Council adopt Ordinance 889 on 2 nd Reading.			
Recommended Language for Motion: I move to adopt Ordinance No. 889 on 2 nd Reading.			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Attract high-quality industry and increase investment in industrial areas	<input checked="" type="checkbox"/> Adopted Master Plan(s): Coffee Creek Master Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Proposed Development Code amendments of the Coffee Creek Industrial Design Overlay District in Section 4.134 of City Code to more closely align the standards with current and future needs of prospective industrial users while not compromising the City's ability to continue creating a connected, high-quality employment center in Coffee Creek.

EXECUTIVE SUMMARY:

At the September 18 and December 18, 2023 City Council work sessions, staff presented the results of the assessment of the Coffee Creek Industrial Design Overlay District form-based code (FBC) and recommended minor modifications to the standards. The objective of the Development Code amendments is to enable applicants to use the Class 2 Administrative Review track while not compromising the City's ability to continue creating a connected, high-quality employment center in Coffee Creek.

Specifically, staff identified the following nine standards in Table CC-3 and Table CC-4 of Subsection 4.134 (.11) to which minor modifications are warranted, as summarized below:

- **Table CC-3: Site Design**

- Parcel Access: Parcel Driveway Width – Modify to include two driveway width maximums, one for trucks and one for passenger vehicles
- Parcel Pedestrian Access: Parcel Pedestrian Access Width – Modify to limit where an access width of eight feet is required
- Parking Location and Design: Parking Location and Extent – Modify to eliminate the parking bay limitation and require 50% of spaces to be designated for short-term uses
- Grading and Retaining Walls: Maximum Height; Retaining Wall Design – Modify to increase allowed height of walls not visible from adjacent streets and clarify meaning of “horizontal offset” by providing explanatory text

- **Table CC-4: Building Design**

- Primary Building Entrance: Accessible Entrance; Required Canopy – Modify to increase the allowed adjustment for canopy height from 10% to 20% and add a footnote to Table CC-4 to allow corresponding reduction in minimum height of the primary building entrance and ground floor when an applicant elects to use the allowed adjustment to reduce required canopy height
- Overall Building Massing: Allowance of Primary Building Entrance; Ground Floor Height – Modify to add a footnote allowing reduction in height of building entrance and ground floor corresponding to canopy height reduction
- Overall Building Massing: Base Design – Add “and/or” after “finish” under (a.) to clarify the intent of the standard

The final draft of the proposed Development Code amendments (Attachment 1, Exhibit A) incorporates minor modifications to the standards based on feedback from stakeholders and comments received by Planning Commission and City Council at work sessions in fall 2023. The Planning Commission held a public hearing on LP24-0001 on February 14, 2024, and recommended that the City Council adopt the proposed Development Code amendments. Planning Commission Resolution LP24-0001 and the associated record and findings of fact are attached as Exhibit B to Ordinance 889.

EXPECTED RESULTS:

City Council adoption of the proposed Development Code amendments to make compliance with the Class 2 Administrative Review process more achievable for applicants in the Coffee Creek Industrial Design Overlay District.

TIMELINE:

The public hearing is scheduled with the City Council on March 4, 2024, with second reading scheduled for March 18, 2024.

CURRENT YEAR BUDGET IMPACTS:

Funding for the Coffee Creek Code Assessment work is allocated in the fiscal year 2023-2024 Planning Division budget.

COMMUNITY INVOLVEMENT PROCESS:

The Coffee Creek Master Plan, as well as the Coffee Creek Industrial Design Overlay District drafting and review process, included comprehensive community involvement to gather input. For the current Coffee Creek Code Assessment project, staff has focused on gathering input from recent applicants and their consultant teams to inform the evaluation and provide input on the process and standards to inform the recommended Development Code amendments.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Refinement of the Coffee Creek form-based code to facilitate future development while continuing to create the desired connected, high-quality employment center envisioned in the Master Plan will result in efficiencies for future industrial users, as well as inform planning for the Basalt Creek industrial area to the north, which will benefit all members of the Wilsonville community who live nearby and work in these industrial areas.

ALTERNATIVES:

- Adopt the proposed amendments.
- Make no modifications to the Coffee Creek Industrial Design Overlay District standards.
- Propose alternative modifications to the Coffee Creek Industrial Design Overlay District Code standards.
- Modify the Coffee Creek Industrial Design Overlay District standards related to the land use review process for applicants.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Ordinance No. 889
 - A. Proposed Development Code Amendments – February 2024
 - B. Resolution No. LP24-0001 Planning Commission Record

ORDINANCE NO. 889**AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING THE TEXT OF THE DEVELOPMENT CODE TO MAKE MINOR MODIFICATIONS TO THE COFFEE CREEK INDUSTRIAL DESIGN OVERLAY DISTRICT STANDARDS.**

WHEREAS, in 2018, the City adopted Ordinance No. 812, which amended Section 4.134 of the Wilsonville Development Code and adopted the Coffee Creek Industrial Design Overlay District Form-based Code and Pattern Book to create standards supporting development of employment lands in the Coffee Creek Industrial Area; and

WHEREAS, to facilitate a predictable and timely process for reviewing industrial development applications in Coffee Creek, two land use review tracks were established, including Class 2 Administrative Review of applications meeting all the clear and objective standards of the Form-based Code, and Development Review Board review of applications requesting one or more waivers to the standards; and

WHEREAS, the City also modified procedures governing City Council review of annexations and Zone Map amendments in Coffee Creek to allow for City Council review of the requests without prior review or recommendation by the Development Review Board, thus facilitating concurrent processing with other related development permit applications for a project, such as Stage 1, Stage 2, Site Design Review, etc.; and

WHEREAS, when adopted, the Form-based Code standards and review process was subject to a pilot period of three completed development applications or five years, whichever came first; and

WHEREAS, during the pilot period, certain metrics were to be tracked including, but not limited to, number and type of requested waivers, time to approval, and quantity of testimony at public hearing or via other means; a survey of applicants was to be conducted upon conclusion of the land use review process to gain feedback from a customer service standpoint; and nearby citizens, if any, were to be surveyed to understand any questions or concerns about the Class 2 Administrative Review process; and

WHEREAS, the conclusion of the pilot period would allow an opportunity to modify the Form-based Code standards and implementation process, as needed, to ensure that they meet

the overall objective of providing a clear development review process that fosters the creation of a connected, high-quality employment center in Coffee Creek; and

WHEREAS, as of 2023, both pilot period milestones had been achieved, with four completed industrial development projects in various stages of construction throughout the Coffee Creek area within five years of adoption of the Form-based Code and Pattern Book; and

WHEREAS, in 2023, in accordance with the pilot period guidance, the City initiated review of the Coffee Creek standards in Section 4.134 of the Wilsonville Development Code to determine whether modifications are warranted to the standards, process, or both; and

WHEREAS, no public comments were received and no testimony was presented at public hearing for any of the four industrial development projects; and

WHEREAS, none of the applications were processed as a Class 2 Administrative Review and, therefore, no nearby citizens expressed any questions or concerns about the process; and

WHEREAS, the assessment included a review of the timeline to land use approval for the four completed development projects in Coffee Creek, a compilation of types of waivers to the Form-based Code standards requested by applicants that triggered review by the Development Review Board, and focused discussions with applicants and their consultant teams to gain feedback from a customer service standpoint about the Form-based Code and understand in more depth which of the standards could more closely align with current and future needs of prospective industrial users in the Coffee Creek area; and

WHEREAS, based on this review, the City determined that modification of the land use review tracks and process for application review is not needed, but minor modifications to the standards are warranted to make compliance more achievable for applicants, thus enabling applicants to use the Class 2 Administrative Review track for development that meets all the clear and objective standards; and

WHEREAS, at work sessions in September and December 2023, the Planning Commission and City Council were presented with information about the Coffee Creek Assessment, and reviewed and provided input on recommended Code amendments to achieve the objectives outlined above; and

WHEREAS, minor modifications to the Form-based Code standards of Wilsonville Development Code Section 4.134 will make compliance more achievable for applicants, streamline development review in the Coffee Creek Industrial Design Overlay District, and provide clarity for applicants, staff, and the public while not compromising the City's ability to continue creating a connected, high-quality employment center in Coffee Creek; and

WHEREAS, the Planning Commission has the authority to review and make recommendations to City Council regarding legislative changes to the Development Code pursuant to Sections 2.322 and 4.032; and

WHEREAS, the Planning Director submitted a staff report and findings in accordance with the public hearing and notice procedures set forth in Wilsonville Development Code Sections 4.008, 4.012, and 4.197; and

WHEREAS, following the timely mailing, posting, and publication of the required notice, the Planning Commission conducted a public hearing on February 14, 2024, to review the proposed Development Code amendments, and to gather additional testimony and evidence regarding the proposed amendments, and thereafter deliberated and voted to approve Resolution No. LP24-0001 recommending adoption to the City Council; and

WHEREAS, a copy of the record of the aforementioned Planning Commission action and recommendation is marked Exhibit B, attached hereto and incorporated by reference herein; and

WHEREAS, following the Planning Commission public hearing, the Planning Director forwarded the recommended amendments to the Wilsonville Development Code onto the City Council, along with a staff report and attachments, in accordance with the public hearing and notice procedures set forth in Sections 4.008, 4.012 and 4.197; and

WHEREAS, the City Council, after public hearing notices advertised in printed media, emailed, and posted in several locations throughout the City and on the City website, held a public hearing on March 4, 2024, to review the recommended amendments to the Wilsonville Development Code, and to gather additional evidence and testimony regarding the amendments; and

WHEREAS, the City Council afforded all interested parties an opportunity to be heard on the subject and has entered all available evidence and testimony into the public record of its proceeding; and

WHEREAS, the City Council duly considered the Planning Commission recommendation and all the exhibits and testimony introduced and offered by all interested parties.

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

- Section 1. Findings. The above-recited findings are adopted and incorporated by reference herein as findings and conclusions of Resolution No. LP24-0001, which includes the staff report. The City Council further finds and concludes that the adoption of the proposed Development Code amendments is necessary for the good of the public of the municipality as described in Exhibit B.
- Section 2. Determination. Based on such findings, the City Council hereby adopts the Development Code amendments, attached hereto as Exhibit A. The City Recorder is hereby directed to prepare final formatting to make sure such style and conforming changes match the format and style of the Wilsonville Development Code.
- Section 3. Effective Date. This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED by the Wilsonville City Council at a regular meeting thereof this 4th day of March, 2024, and scheduled the second reading on the 18th day of March, 2024, commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 4th day of March, 2024, by the following votes:

Yes: _____ No: _____

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 4th day of March, 2024.

JULIE FITZGERALD MAYOR

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBITS:

- A. Proposed Development Code Amendments – February 2024
- B. Planning Commission Resolution No. LP24-0001 and Record

Proposed Development Code Amendments – February 2024

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

Section 4.134. Coffee Creek Industrial Design Overlay District.

(.11) *Development Standards Table*. Areas bounded by Addressing Streets, Supporting Streets and Through Connections shall be designated as a Parcel and subject to the Development Standards in Tables CC-1 through CC-4.

Table CC-3: Site Design			
	Addressing Streets	Supporting Streets	Through Connections
1. Parcel Access			
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none"> Section 4.177(.02) for street design; Section 4.177(.03) to (.10) for sidewalks, bike facilities, pathways, transit improvements, access drives & intersection spacing. The following Development Standards are adjustable: <ul style="list-style-type: none"> Parcel Driveway Spacing: 20% Parcel Driveway Width: 10% 		
Parcel Driveway Access	Not applicable	Limited by connection spacing standards Parcel Driveway Access may be employed to meet required connectivity, if it complies with Supporting Street Standards for Connection Spacing and Connection Type, see Figure CC-6. Subject to approval by City Engineer	Limited by connection standards for motorized vehicle access. Parcel Driveway Access may be employed to meet required connectivity, if it complies with Through Connection Standards for Connection Spacing and Connection Type, see Figure CC-6. Subject to approval by City Engineer
Parcel Driveway Spacing	Not applicable	150 feet, minimum See Figure CC-6	150 feet, minimum See Figure CC-6
Parcel Driveway Width	Not applicable	24 feet, maximum or complies with Supporting Street Standards <u>for primary driveway providing access for passenger vehicles, light delivery, etc.</u> <u>40 feet, maximum for secondary driveway providing access for heavy delivery vehicles, large trucks, etc.</u>	24 feet, maximum or complies with Through Connection Standards <u>for primary driveway providing access for passenger vehicles, light delivery, etc.</u> <u>40 feet, maximum for secondary driveway providing access for heavy delivery vehicles, large trucks, etc.</u>
2. Parcel Pedestrian Access			
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none"> Section 4.154 (.01) for separated & direct pedestrian connections between parking, entrances, street right-of-way & open space Section 4.167 (.01) for points of access 		
Parcel Pedestrian Access Spacing	No restriction		

Parcel Pedestrian Access Width	8 feet wide, minimum for pedestrian connections between the primary street frontage and Primary Building Entrance(s).		
Parcel Pedestrian Access to Transit	Provide separated & direct pedestrian connections between transit stops and parking, entrances, street right-of-way & open space.		
3. Parcel Frontage			
Parcel Frontage, Defined	Parcel Frontage shall be defined by the linear distance between centerlines of the perpendicular Supporting Streets and Through-Parcel Connections. Where Parcel Frontage occurs on a curved segment of a street, Parcel Frontage shall be defined as the linear dimension of the Chord.		
Primary Frontage, Defined	The Primary Frontage is the Parcel Frontage on an Addressing Street. If the parcel is not bounded by Addressing Streets, it is the Parcel Frontage on a Supporting Street. See Figure CC-5.		
Parcel Frontage Occupied by a Building	A minimum of 100 feet of the Primary Frontage shall be occupied by a building. The maximum Primary Frontage occupied by a building shall be limited only by required side yard setbacks.	No minimum	
4. Parking Location and Design			
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none">• Section 4.155 (03) Minimum and Maximum Off-Street Parking Requirements• Section 4.155 (04) Bicycle Parking• Section 4.155 (06) Carpool and Vanpool Parking Requirements• Section 4.176 for Parking Perimeter Screening and Landscaping—permits the parking landscaping and screening standards as multiple options The following Development Standards are adjustable: <ul style="list-style-type: none">• Parking Location and Extent: up to 20 spaces permitted on an Addressing Street		
Parking Location and Extent	Limited to one double-loaded bay of parking , 16 spaces, maximum, 50% of spaces designated for short-term (1 hour or less), visitor, and disabled parking only between right-of-way of Addressing Street and building.	Parking is permitted between right-of-way of Supporting Street and building.	Parking is permitted between right-of-way of Through Connection and building.
Parking Setback	20 feet minimum from the right-of-way of an Addressing Street.	15 feet minimum from the right-of-way of a Supporting Street.	10 feet minimum from the right-of-way of a Through Connection.
Parking Lot Sidewalks	Where off-street parking areas are designed for motor vehicles to overhang beyond curbs, sidewalks adjacent to the curbs shall be increased to a minimum of seven (7) feet in depth.	Where off-street parking areas are designed for motor vehicles to overhang beyond curbs, planted areas adjacent to the curbs shall be increased to a minimum of nine (9) feet in depth.	
Parking Perimeter Screening and Landscaping	Screen parking area from view from Addressing Streets and Supporting Streets by means of one or more of the following: <ul style="list-style-type: none">a. General Landscape Standard, Section 4.176 (.02) C.b. Low Berm Standard, Section 4.176 (.02) E., except within 50 feet of a perpendicular Supporting Street or Through Connection as measured from the centerline.		Screen parking area from view from Through Connections by means of <ul style="list-style-type: none">a. Low Screen Landscape Standard, Section 4.176(.02) D., orb. High Screen Landscaping Standard, Section 4.176(.02)F., or

		c. High Wall Standard, Section 4.176(.02)G., or d. Partially Sight-obscuring Fence Standard, Section 4.176(.02)I.
Off-Street Loading Berth	One loading berth is permitted on the front façade of a building facing an Addressing Street. The maximum dimensions for a loading are 16 feet wide and 18 feet tall. A clear space 35 feet, minimum is required in front of the loading berth. The floor level of the loading berth shall match the main floor level of the primary building. No elevated loading docks or recessed truck wells are permitted. Access to a Loading Berth facing an Addressing Street may cross over, but shall not interrupt or alter, a required pedestrian path or sidewalk. All transitions necessary to accommodate changes in grade between access aisles and the loading berth shall be integrated into adjacent site or landscape areas. Architectural design of a loading berth on an Addressing Street shall be visually integrated with the scale, materials, colors, and other design elements of the building.	No limitation. Shall meet minimum standards in Section 4.155(.05).
Carpool and Vanpool Parking	No limitation	
5. Grading and Retaining Walls		
General	The following Development Standards are adjustable: <ul style="list-style-type: none">Retaining Wall Design: 20%	
Maximum height	Where site topography requires adjustments to natural grades, landscape retaining walls shall be 48 inches tall maximum <u>when visible from adjacent streets and 60 inches tall maximum when visible only to users from within a site.</u> Where the grade differential is greater than 30 inches, retaining walls may be stepped.	
Required Materials	Materials for retaining walls shall be unpainted cast-in-place, exposed-aggregate, or board-formed concrete; brick masonry; stone masonry; or industrial-grade, weathering steel plate.	
Retaining Wall Design	Retaining walls longer than 50 linear feet shall <u>be tiered,</u> introducing a 5-foot, minimum horizontal offset <u>between the lowest part and upper part(s) of the wall</u> to reduce their apparent mass.	
6. Planting		
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none">Section 4.176 Landscaping and Screening Standards	
Landscaping Standards Permitted	General Landscape Standard, Section 4.176(.02	General Landscape Standard, Section

	C. Low Berm Standard, Section 4.176(.02)E., except within 50 feet of a perpendicular Supporting Street or Through Connection as measured from the centerline	4.176(.02)C. Low Screen Landscape Standard, Section 4.176(.02)D. Screen loading areas with High Screen Landscaping Standard, Section 4.176(.02)F., and High Wall Standard, Section 4.176(.02)G.	
7. Location and Screening of Utilities and Services			
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none"> Sections 4.179 and 4.430. Mixed Solid Waste and Recyclables Storage in New Multi-Unit Residential and Non-Residential Buildings 		
Location and Visibility	Site and building service, equipment, and outdoor storage of garbage, recycling, or landscape maintenance tools and equipment is not permitted	Site and building service, utility equipment, and outdoor storage of garbage, recycling, or landscape maintenance tools and equipment is not permitted within the setback	No limitation
Required Screening	Not permitted	High Screen Landscaping Standard, Section 4.176(.02)F. and/or High Wall Standard, Section 4.176 (.02) G.	

Table CC-4: Building Design			
	Addressing Streets	Supporting Streets	Through Connections
1. Building Orientation			
Front Façade	Buildings shall have one designated front façade and two designated side façades. If one of the streets or connections bounding a parcel is an Addressing Street, the front façade of the building shall face the Addressing Street. If two of the streets or connections bounding a parcel are Addressing Streets, the front façade of the building may face either Addressing Street, except when one of the Addressing Streets is Day Road. In that case, the front façade must face Day Road. If none of the bounding streets or connections is an Addressing Street, the front façade of the building shall face a Supporting Street. See Figure CC-5.		
Length of Front Façade	A minimum of 100 feet of the Primary Frontage shall be occupied by a building. The maximum Primary Frontage occupied by a building shall be limited only by required side yard setbacks.		
Articulation of Front Façade	Applies to a Front Façade longer than 175 feet that has more than 5,250 square feet of street-facing façade area: At least 10% of the street-facing façade of a building facing an Addressing Street must be divided into façade planes that are offset by at least 2 feet from the rest of the façade. Façade area used to meet this standard may be recessed behind, or project out from, the primary façade plane.		
2. Primary Building Entrance			
General	The following Development Standards are adjustable: <ul style="list-style-type: none">Required Canopy: 10% 20%Transparency: 20%		
Accessible Entrance *	The Primary Building Entrance shall be visible from, and accessible to, an Addressing Street (or a Supporting Street if there is no Addressing Street frontage). A continuous pedestrian pathway shall connect from the sidewalk of an Addressing Street to the Primary Building Entrance with a safe, direct and convenient path of travel that is free from hazards and provides a reasonably smooth and consistent surface consistent with the requirements of Americans with Disabilities Act (ADA). The Primary Building Entrance shall be 15 feet wide, minimum and 15 feet tall, minimum.		

Location	150 feet, maximum from right-of-way of an Addressing Street, see Figure CC-7.	150 feet, maximum from right-of-way of a Supporting Street, if there is no Addressing Street Frontage, see Figure CC-7.	
Visibility	Direct line of sight from an Addressing Street to the Primary Building Entrance.		
Accessibility	Safe, direct, and convenient path from adjacent public sidewalk.		
Required Canopy *	Protect the Primary Building Entrance with a canopy with a minimum vertical clearance of 15 feet and an all-weather protection zone that is 8 feet deep, minimum and 15 feet wide, minimum.		
Transparency	Walls and doors of the Primary Building Entrance shall be a minimum of 65% transparent.		
Lighting	The interior and exterior of the Primary Building Entrance shall be illuminated to extend the visual connection between the sidewalk and the building interior from day to night. Pathway lighting connecting the Primary Building Entrance to the adjacent sidewalk on an Addressing Street shall be scaled to the needs of the pedestrian. Comply with Outdoor Lighting, Section 4.199		
3. Overall Building Massing			
General	The following Development Standards are adjustable: <ul style="list-style-type: none">• Required Minimum Height: 10%• Ground Floor Height: 10%• Base, Body, and Top Dimensions: 10%• Base Design: 10%• Top Design: 10%		
Front Setback	30 feet, minimum, except as provided below	30 feet maximum	30 feet maximum
Allowance of Primary Building Entrance *	Where the Primary Building Entrance is located on an Addressing Street it may extend into the required front yard setback by 15 feet maximum provided that: <ul style="list-style-type: none">a. It has a two-story massing with a minimum height of 24 feet;b. The Parcel Frontage on the Addressing Street is limited to 100 feet;c. The building extension is 65% transparent, minimum;d. The entrance is protected with a weather-protecting canopy with a minimum vertical clearance of 15 feet; ande. The standards for site design and accessibility are met.	Not applicable	Not applicable
Required Minimum Height	30 feet minimum.		
Ground Floor Height *	The Ground Floor height shall measure 15 feet, minimum from finished floor to finished ceiling (or 17.5 feet from finished floor to any exposed structural member).		
Base, Body, and Top Dimensions	Buildings elevations shall be composed of a clearly demarcated base, body and top. <ul style="list-style-type: none">a. For Buildings 30 feet in height (unless lower by adjustment):<ul style="list-style-type: none">i. The base shall be 30 inches, minimum.ii. The body shall be equal to or greater than 75% of the overall height of the building.iii. The top of the building shall be 18 inches, minimum.b. For Buildings between 30 feet and 5 stories in height:<ul style="list-style-type: none">i. The base shall be 30 inches, minimum; 2 stories, maximum.ii. The body shall be equal to or greater than 75% of the overall height of the building.		

	<p>iii. The top of the building shall be 18 inches, minimum.</p> <p>c. For Buildings greater than 6 stories in height:</p> <p>i. The base shall be 1 story, minimum, 3 stories, maximum.</p> <p>ii. The body shall be equal to or greater than 75% of the overall height of the building.</p> <p>iii. The top of the building shall be 18 inches, minimum.</p>
Base Design	<p>The design of the building Base shall:</p> <p>a. Use a material with a distinctive appearance, easily distinguished from the building Body expressed by a change in material, a change in texture, a change in color or finish; and/ or</p> <p>b. Create a change in surface position where the Base projects beyond the Body of the building by 1½ inches, minimum; and/or</p> <p>c. Low Berm Landscape Standard, Section 4.176(.02)E.</p>
Top Design	<p>Building Tops define the skyline.</p> <p>The design of the Building Top shall:</p> <p>a. Use a material with a distinctive appearance, easily distinguished from the building Body expressed by a change in material, a change in texture, a change in color or finish; and/ or</p> <p>b. Create a change in surface position where the Top projects beyond, or recesses behind, the Body of the building by 1½ inches, minimum.</p>
Required Screening of Roof-mounted Equipment	<p>Screen roof-mounted equipment with architectural enclosures using the materials and design of the building Body and/ or the building Top. No roof-mounted equipment shall be visible from an Addressing Street or Supporting Street.</p>

*** When an applicant elects to use the allowed adjustment to reduce Required Canopy height to less than 15 feet, corresponding reduction in minimum height is allowed for Accessible Entrance, Allowance of Primary Building Entrance, and Ground Floor Height.**

*****No additional changes proposed in this section*****

PLANNING COMMISSION AND CITY COUNCIL MEETINGS

February 14, 2024 - Planning Commission Public Hearing
Resolution LP24-0001
Staff Report and Attachments
Presentation
Affidavit of Notice of Hearing

December 18, 2023 - City Council Work Session
Staff Report and Attachments
Presentation
Action Minutes

December 13, 2023 - Planning Commission Work Session
Staff Report and Attachments
Presentation
Minutes Excerpt

September 18, 2023 - City Council Work Session
Staff Report and Attachments
Presentation
Action Minutes

September 13, 2023 - Planning Commission Work Session
Staff Report and Attachments
Presentation
Minutes Excerpt

PUBLIC ENGAGEMENT

Summary of Feedback from Coffee Creek Form-Based Code Focused Discussions
2023 Focus Group Dates: September 7, July 27, July 24, July 20

COMMENTS/ARTICLES

None Received



PUBLIC HEARING

2. Coffee Creek Code Amendments (Luxhoj) (45 minutes)

**PLANNING COMMISSION
RESOLUTION NO. LP24-0001**

A RESOLUTION OF THE CITY OF WILSONVILLE PLANNING COMMISSION RECOMMENDING THE WILSONVILLE CITY COUNCIL AMEND THE TEXT OF THE DEVELOPMENT CODE TO MAKE MINOR MODIFICATIONS TO THE COFFEE CREEK INDUSTRIAL DESIGN OVERLAY DISTRICT STANDARDS.

WHEREAS, in 2018, the City adopted Ordinance No. 812, which amended Section 4.134 of the Wilsonville Development Code and adopted the Coffee Creek Industrial Design Overlay District Form-based Code and Pattern Book to create standards supporting development of employment lands in the Coffee Creek Industrial Area; and

WHEREAS, to facilitate a predictable and timely process for reviewing industrial development applications in Coffee Creek, two land use review tracks were established, including Class 2 Administrative Review of applications meeting all the clear and objective standards of the Form-based Code, and Development Review Board review of applications requesting one or more waivers to the standards; and

WHEREAS, the City also modified procedures governing City Council review of annexations and Zone Map amendments in Coffee Creek to allow for City Council review of the requests without prior review or recommendation by the Development Review Board, thus facilitating concurrent processing with other related development permit applications for a project, such as Stage 1, Stage 2, Site Design Review, etc.; and

WHEREAS, when adopted, the Form-based Code standards and review process was subject to a pilot period of three completed development applications or five years, whichever came first; and

WHEREAS, during the pilot period, certain metrics were to be tracked including, but not limited to, number and type of requested waivers, time to approval, and quantity of testimony at public hearing or via other means; a survey of applicants was to be conducted upon conclusion of the land use review process to gain feedback from a customer service standpoint; and nearby citizens, if any, were to be surveyed to understand any questions or concerns about the Administrative Review process; and

WHEREAS, the conclusion of the pilot period would allow an opportunity to modify the Form-based Code standards and implementation process, as needed, to ensure that they meet the overall objective of providing a clear development review process that fosters the creation of a connected, high-quality employment center in Coffee Creek; and

WHEREAS, as of 2023, both pilot period milestones had been achieved, with four completed industrial development projects in various stages of construction throughout the Coffee Creek area within five years of adoption of the Form-based Code and Pattern Book; and

WHEREAS, in 2023, in accordance with the pilot period guidance, the City initiated review of the Coffee Creek standards in Section 4.134 to determine whether modifications are warranted to the standards, process, or both; and

WHEREAS, no public comments were received and no testimony was presented at public hearing for any of the four industrial development projects; and

WHEREAS, none of the applications were processed as an Administrative Review and, therefore, no nearby citizens expressed any questions or concerns about the process; and

WHEREAS, the assessment included a review of the timeline to land use approval for the four completed development projects in Coffee Creek, a compilation of types of waivers to the Form-based Code standards requested by applicants that triggered review by the Development Review Board, and focused discussions with applicants and their consultant teams to gain feedback from a customer service standpoint about the Form-based Code and understand in more depth which of the standards could more closely align with current and future needs of prospective industrial users in the Coffee Creek area; and

WHEREAS, based on this review, the City determined that modification of the land use review tracks and process for application review is not needed, but minor modifications to the standards are warranted to make compliance more achievable for applicants, thus enabling applicants to use the Class 2 Administrative Review track for development that meets all the clear and objective standards; and

WHEREAS, at work sessions in September and December 2023, the Planning Commission and City Council were presented with information about the Coffee Creek Assessment, and

reviewed and provided input on recommended Code amendments to achieve the objectives outlined above; and

WHEREAS, minor modifications to the Form-based Code standards of Section 4.134 will make compliance more achievable for applicants, streamline development review in the Coffee Creek Industrial Design Overlay District, and provide clarity for applicants, staff, and the public while not compromising the City's ability to continue creating a connected, high-quality employment center in Coffee Creek; and

WHEREAS, the Planning Commission has the authority to review and make recommendations to City Council regarding legislative changes to the Development Code pursuant to Sections 2.322 and 4.032; and

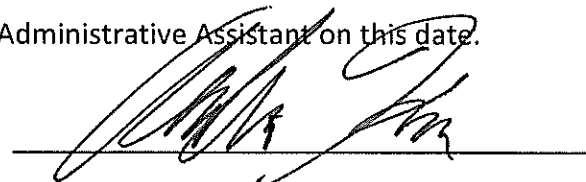
WHEREAS, following the timely mailing, posting, and publication of the required notice, the Planning Commission conducted a public hearing on February 14, 2024, to review the proposed Development Code amendments, and to gather additional testimony and evidence regarding the proposed amendments; and

WHEREAS, the Planning Commission has duly considered the subject, including the staff recommendation and all the exhibits and testimony introduced and offered by all interested parties.


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

- Section 1. The Wilsonville Planning Commission does hereby adopt the Planning Staff Report and Attachments (attached hereto as Exhibit A), as presented at the February 14, 2024 public hearing, including the findings and recommendations contained therein.
- Section 2. The Planning Commission does hereby recommend that the Wilsonville City Council adopt the proposed amendments to the Wilsonville Development Code.
- Section 3. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville Planning Commission at a regular meeting thereof this 14th day of February, 2024, and filed with the Planning Administrative Assistant on this date.


PLANNING COMMISSION CHAIR KARR

ATTEST:


Mandi Simmons, Administrative Assistant III

SUMMARY OF VOTES:

Andrew Karr, Chair

Ronald Heberlein, Vice-Chair

Matt Constantine

Nicole Hendrix

Sam Scull

Yana Semenova

Jennifer Willard

EXHIBITS:

A. Staff Report and Attachments



PLANNING COMMISSION MEETING STAFF REPORT

Meeting Date: February 14, 2024		Subject: Coffee Creek Code Amendments	
		Staff Members: Cindy Luxhoj AICP, Associate 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 checked="" type="checkbox"/> Resolution <input 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: Adopt Resolution No. LP24-0001 recommending adoption of Development Code amendments that make minor modifications to the Coffee Creek Industrial Design Overlay District standards in Section 4.134.			
Recommended Language for Motion: I move to adopt Resolution No. LP24-0001.			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Attract high-quality industry and increase investment in industrial areas	<input checked="" type="checkbox"/> Adopted Master Plan(s): Coffee Creek Master Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COMMISSION:

Staff will present for the Commission's consideration proposed Development Code amendments to more closely align the standards of the Coffee Creek Industrial Design Overlay District in Section 4.134 with current and future needs of prospective industrial users while not compromising the City's ability to continue creating a connected, high-quality employment center in Coffee Creek.

EXECUTIVE SUMMARY:

At the September 13 and December 13, 2023 Planning Commission work sessions, staff presented the results of the assessment of the Coffee Creek Industrial Design Overlay District form-based code (FBC) and recommended minor modifications to the standards to make compliance more achievable for applicants. The objective of the Code amendments is to enable applicants to use the Class 2 Administrative Review track while not compromising the City's ability to continue creating a connected, high-quality employment center in Coffee Creek.

Specifically, staff identified the following nine standards in Table CC-3 and Table CC-4 of Subsection 4.134 (.11) to which minor modifications are warranted, as summarized below:

- **Table CC-3: Site Design**
 - Parcel Access: Parcel Driveway Width – Modify to include two driveway width maximums, one for trucks and one for passenger vehicles
 - Parcel Pedestrian Access: Parcel Pedestrian Access Width – Modify to limit where an access width of eight feet is required
 - Parking Location and Design: Parking Location and Extent – Modify to eliminate the parking bay limitation and require 50% of spaces to be designated for short-term uses
 - Grading and Retaining Walls: Maximum Height; Retaining Wall Design – Modify to increase allowed height of walls not visible from adjacent streets and clarify meaning of “horizontal offset” by providing explanatory text
- **Table CC-4: Building Design**
 - Primary Building Entrance: Accessible Entrance; Required Canopy – Modify to increase the allowed adjustment for canopy height from 10% to 20% and add a footnote to Table CC-4 to allow corresponding reduction in minimum height of the primary building entrance and ground floor when an applicant elects to use the allowed adjustment to reduce required canopy height
 - Overall Building Massing: Allowance of Primary Building Entrance; Ground Floor Height – Modify to add a footnote allowing reduction in height of building entrance and ground floor corresponding to canopy height reduction
 - Overall Building Massing: Base Design – Add “and/or” after “finish” under (a.) to clarify the intent of the standard

The final draft of the proposed Code amendments is included in Attachment 1. These incorporate minor modifications to the standards based on feedback from stakeholders and comments received by Planning Commission and City Council at work sessions in fall 2023.

EXPECTED RESULTS:

Recommendation to the City Council to adopt the Development Code amendments to make compliance with the Class 2 Administrative Review process more achievable for applicants in the Coffee Creek Industrial Design Overlay District.

TIMELINE:

This item is scheduled for public hearing with the City Council on March 4, 2024, pending the Commission's recommendation. Second reading is scheduled for March 18, 2024.

CURRENT YEAR BUDGET IMPACTS:

Funding for the Coffee Creek Code Assessment work is allocated in the FY2023-24 Planning Division budget.

COMMUNITY INVOLVEMENT PROCESS:

The Coffee Creek Master Plan, as well as the Coffee Creek Industrial Design Overlay District drafting and review process, included comprehensive community involvement to gather input. For the current Coffee Creek Code Assessment project, staff has focused on gathering input from recent applicants and their consultant teams to inform the evaluation and provide input on the process and standards to inform the recommended Code amendments.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Refinement of the Coffee Creek FBC to facilitate future development while continuing to create the desired connected, high-quality employment center envisioned in the Master Plan will result in efficiencies for future industrial users, as well as inform planning for the Basalt Creek industrial area to the north, which will benefit all members of the Wilsonville community who live nearby and work in these industrial areas.

ALTERNATIVES:

Alternatives include:

- Adopt the proposed amendments.
- Make no minor modifications to the Coffee Creek Industrial Design Overlay District standards.
- Propose alternative modifications to the Coffee Creek Industrial Design Overlay District Code standards.
- Modify the Coffee Creek Industrial Design Overlay District standards related to the land use review process for applicants.

ATTACHMENTS:

1. Development Code Amendments
2. LP24-0001 Compliance Findings
3. LP24-0001 Planning Commission Record

LP24-0001: Proposed Development Code Edits – February 2024

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

Section 4.134. Coffee Creek Industrial Design Overlay District.

(.11) *Development Standards Table*. Areas bounded by Addressing Streets, Supporting Streets and Through Connections shall be designated as a Parcel and subject to the Development Standards in Tables CC-1 through CC-4.

Table CC-3: Site Design			
	Addressing Streets	Supporting Streets	Through Connections
1. Parcel Access			
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none"> Section 4.177(.02) for street design; Section 4.177(.03) to (.10) for sidewalks, bike facilities, pathways, transit improvements, access drives & intersection spacing. The following Development Standards are adjustable: <ul style="list-style-type: none"> Parcel Driveway Spacing: 20% Parcel Driveway Width: 10% 		
Parcel Driveway Access	Not applicable	Limited by connection spacing standards Parcel Driveway Access may be employed to meet required connectivity, if it complies with Supporting Street Standards for Connection Spacing and Connection Type, see Figure CC-6. Subject to approval by City Engineer	Limited by connection standards for motorized vehicle access. Parcel Driveway Access may be employed to meet required connectivity, if it complies with Through Connection Standards for Connection Spacing and Connection Type, see Figure CC-6. Subject to approval by City Engineer
Parcel Driveway Spacing	Not applicable	150 feet, minimum See Figure CC-6	150 feet, minimum See Figure CC-6
Parcel Driveway Width	Not applicable	24 feet, maximum or complies with Supporting Street Standards <u>for primary driveway providing access for passenger vehicles, light delivery, etc.</u> <u>40 feet, maximum for secondary driveway providing access for heavy delivery vehicles, large trucks, etc.</u>	24 feet, maximum or complies with Through Connection Standards <u>for primary driveway providing access for passenger vehicles, light delivery, etc.</u> <u>40 feet, maximum for secondary driveway providing access for heavy delivery vehicles, large trucks, etc.</u>
2. Parcel Pedestrian Access			
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none"> Section 4.154 (.01) for separated & direct pedestrian connections between parking, entrances, street right-of-way & open space Section 4.167 (.01) for points of access 		
Parcel Pedestrian Access Spacing	No restriction		

Parcel Pedestrian Access Width	8 feet wide, minimum for pedestrian connections between the primary street frontage and Primary Building Entrance(s).		
Parcel Pedestrian Access to Transit	Provide separated & direct pedestrian connections between transit stops and parking, entrances, street right-of-way & open space.		
3. Parcel Frontage			
Parcel Frontage, Defined	Parcel Frontage shall be defined by the linear distance between centerlines of the perpendicular Supporting Streets and Through-Parcel Connections. Where Parcel Frontage occurs on a curved segment of a street, Parcel Frontage shall be defined as the linear dimension of the Chord.		
Primary Frontage, Defined	The Primary Frontage is the Parcel Frontage on an Addressing Street. If the parcel is not bounded by Addressing Streets, it is the Parcel Frontage on a Supporting Street. See Figure CC-5.		
Parcel Frontage Occupied by a Building	A minimum of 100 feet of the Primary Frontage shall be occupied by a building. The maximum Primary Frontage occupied by a building shall be limited only by required side yard setbacks.	No minimum	
4. Parking Location and Design			
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none">• Section 4.155 (03) Minimum and Maximum Off-Street Parking Requirements• Section 4.155 (04) Bicycle Parking• Section 4.155 (06) Carpool and Vanpool Parking Requirements• Section 4.176 for Parking Perimeter Screening and Landscaping—permits the parking landscaping and screening standards as multiple options The following Development Standards are adjustable: <ul style="list-style-type: none">• Parking Location and Extent: up to 20 spaces permitted on an Addressing Street		
Parking Location and Extent	Limited to one double-loaded bay of parking , 16 spaces, maximum, 50% of spaces designated for short-term (1 hour or less), visitor, and disabled parking only between right-of-way of Addressing Street and building.	Parking is permitted between right-of-way of Supporting Street and building.	Parking is permitted between right-of-way of Through Connection and building.
Parking Setback	20 feet minimum from the right-of-way of an Addressing Street.	15 feet minimum from the right-of-way of a Supporting Street.	10 feet minimum from the right-of-way of a Through Connection.
Parking Lot Sidewalks	Where off-street parking areas are designed for motor vehicles to overhang beyond curbs, sidewalks adjacent to the curbs shall be increased to a minimum of seven (7) feet in depth.	Where off-street parking areas are designed for motor vehicles to overhang beyond curbs, planted areas adjacent to the curbs shall be increased to a minimum of nine (9) feet in depth.	
Parking Perimeter Screening and Landscaping	Screen parking area from view from Addressing Streets and Supporting Streets by means of one or more of the following: <ul style="list-style-type: none">a. General Landscape Standard, Section 4.176 (.02) C.b. Low Berm Standard, Section 4.176 (.02) E., except within 50 feet of a perpendicular Supporting Street or Through Connection as measured from the centerline.		Screen parking area from view from Through Connections by means of <ul style="list-style-type: none">a. Low Screen Landscape Standard, Section 4.176(.02) D., orb. High Screen Landscaping Standard, Section 4.176(.02)F., or

		c. High Wall Standard, Section 4.176(.02)G., or d. Partially Sight-obscuring Fence Standard, Section 4.176(.02)I.
Off-Street Loading Berth	One loading berth is permitted on the front façade of a building facing an Addressing Street. The maximum dimensions for a loading are 16 feet wide and 18 feet tall. A clear space 35 feet, minimum is required in front of the loading berth. The floor level of the loading berth shall match the main floor level of the primary building. No elevated loading docks or recessed truck wells are permitted. Access to a Loading Berth facing an Addressing Street may cross over, but shall not interrupt or alter, a required pedestrian path or sidewalk. All transitions necessary to accommodate changes in grade between access aisles and the loading berth shall be integrated into adjacent site or landscape areas. Architectural design of a loading berth on an Addressing Street shall be visually integrated with the scale, materials, colors, and other design elements of the building.	No limitation. Shall meet minimum standards in Section 4.155(.05).
Carpool and Vanpool Parking	No limitation	
5. Grading and Retaining Walls		
General	The following Development Standards are adjustable: <ul style="list-style-type: none">Retaining Wall Design: 20%	
Maximum height	Where site topography requires adjustments to natural grades, landscape retaining walls shall be 48 inches tall maximum <u>when visible from adjacent streets and 60 inches tall maximum when visible only to users from within a site.</u> Where the grade differential is greater than 30 inches, retaining walls may be stepped.	
Required Materials	Materials for retaining walls shall be unpainted cast-in-place, exposed-aggregate, or board-formed concrete; brick masonry; stone masonry; or industrial-grade, weathering steel plate.	
Retaining Wall Design	Retaining walls longer than 50 linear feet shall <u>be tiered,</u> introducing a 5-foot, minimum horizontal offset <u>between the lowest part and upper part(s) of the wall</u> to reduce their apparent mass.	
6. Planting		
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none">Section 4.176 Landscaping and Screening Standards	
Landscaping Standards Permitted	General Landscape Standard, Section 4.176(.02	General Landscape Standard, Section

	C. Low Berm Standard, Section 4.176(.02)E., except within 50 feet of a perpendicular Supporting Street or Through Connection as measured from the centerline	4.176(.02)C. Low Screen Landscape Standard, Section 4.176(.02)D. Screen loading areas with High Screen Landscaping Standard, Section 4.176(.02)F., and High Wall Standard, Section 4.176(.02)G.	
7. Location and Screening of Utilities and Services			
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none"> Sections 4.179 and 4.430. Mixed Solid Waste and Recyclables Storage in New Multi-Unit Residential and Non-Residential Buildings 		
Location and Visibility	Site and building service, equipment, and outdoor storage of garbage, recycling, or landscape maintenance tools and equipment is not permitted	Site and building service, utility equipment, and outdoor storage of garbage, recycling, or landscape maintenance tools and equipment is not permitted within the setback	No limitation
Required Screening	Not permitted	High Screen Landscaping Standard, Section 4.176(.02)F. and/or High Wall Standard, Section 4.176 (.02) G.	

Table CC-4: Building Design			
	Addressing Streets	Supporting Streets	Through Connections
1. Building Orientation			
Front Façade	Buildings shall have one designated front façade and two designated side façades. If one of the streets or connections bounding a parcel is an Addressing Street, the front façade of the building shall face the Addressing Street. If two of the streets or connections bounding a parcel are Addressing Streets, the front façade of the building may face either Addressing Street, except when one of the Addressing Streets is Day Road. In that case, the front façade must face Day Road. If none of the bounding streets or connections is an Addressing Street, the front façade of the building shall face a Supporting Street. See Figure CC-5.		
Length of Front Façade	A minimum of 100 feet of the Primary Frontage shall be occupied by a building. The maximum Primary Frontage occupied by a building shall be limited only by required side yard setbacks.		
Articulation of Front Façade	Applies to a Front Façade longer than 175 feet that has more than 5,250 square feet of street-facing façade area: At least 10% of the street-facing façade of a building facing an Addressing Street must be divided into façade planes that are offset by at least 2 feet from the rest of the façade. Façade area used to meet this standard may be recessed behind, or project out from, the primary façade plane.		
2. Primary Building Entrance			
General	The following Development Standards are adjustable: <ul style="list-style-type: none">Required Canopy: 10% 20%Transparency: 20%		
Accessible Entrance *	The Primary Building Entrance shall be visible from, and accessible to, an Addressing Street (or a Supporting Street if there is no Addressing Street frontage). A continuous pedestrian pathway shall connect from the sidewalk of an Addressing Street to the Primary Building Entrance with a safe, direct and convenient path of travel that is free from hazards and provides a reasonably smooth and consistent surface consistent with the requirements of Americans with Disabilities Act (ADA). The Primary Building Entrance shall be 15 feet wide, minimum and 15 feet tall, minimum.		

Location	150 feet, maximum from right-of-way of an Addressing Street, see Figure CC-7.	150 feet, maximum from right-of-way of a Supporting Street, if there is no Addressing Street Frontage, see Figure CC-7.	
Visibility	Direct line of sight from an Addressing Street to the Primary Building Entrance.		
Accessibility	Safe, direct, and convenient path from adjacent public sidewalk.		
Required Canopy *	Protect the Primary Building Entrance with a canopy with a minimum vertical clearance of 15 feet and an all-weather protection zone that is 8 feet deep, minimum and 15 feet wide, minimum.		
Transparency	Walls and doors of the Primary Building Entrance shall be a minimum of 65% transparent.		
Lighting	The interior and exterior of the Primary Building Entrance shall be illuminated to extend the visual connection between the sidewalk and the building interior from day to night. Pathway lighting connecting the Primary Building Entrance to the adjacent sidewalk on an Addressing Street shall be scaled to the needs of the pedestrian. Comply with Outdoor Lighting, Section 4.199		
3. Overall Building Massing			
General	The following Development Standards are adjustable: <ul style="list-style-type: none">• Required Minimum Height: 10%• Ground Floor Height: 10%• Base, Body, and Top Dimensions: 10%• Base Design: 10%• Top Design: 10%		
Front Setback	30 feet, minimum, except as provided below	30 feet maximum	30 feet maximum
Allowance of Primary Building Entrance *	Where the Primary Building Entrance is located on an Addressing Street it may extend into the required front yard setback by 15 feet maximum provided that: <ul style="list-style-type: none">a. It has a two-story massing with a minimum height of 24 feet;b. The Parcel Frontage on the Addressing Street is limited to 100 feet;c. The building extension is 65% transparent, minimum;d. The entrance is protected with a weather-protecting canopy with a minimum vertical clearance of 15 feet; ande. The standards for site design and accessibility are met.	Not applicable	Not applicable
Required Minimum Height	30 feet minimum.		
Ground Floor Height *	The Ground Floor height shall measure 15 feet, minimum from finished floor to finished ceiling (or 17.5 feet from finished floor to any exposed structural member).		
Base, Body, and Top Dimensions	Buildings elevations shall be composed of a clearly demarcated base, body and top. <ul style="list-style-type: none">a. For Buildings 30 feet in height (unless lower by adjustment):<ul style="list-style-type: none">i. The base shall be 30 inches, minimum.ii. The body shall be equal to or greater than 75% of the overall height of the building.iii. The top of the building shall be 18 inches, minimum.b. For Buildings between 30 feet and 5 stories in height:<ul style="list-style-type: none">i. The base shall be 30 inches, minimum; 2 stories, maximum.ii. The body shall be equal to or greater than 75% of the overall height of the building.		

	<ul style="list-style-type: none"> iii. The top of the building shall be 18 inches, minimum. c. For Buildings greater than 6 stories in height: <ul style="list-style-type: none"> i. The base shall be 1 story, minimum, 3 stories, maximum. ii. The body shall be equal to or greater than 75% of the overall height of the building. iii. The top of the building shall be 18 inches, minimum.
Base Design	<p>The design of the building Base shall:</p> <ul style="list-style-type: none"> a. Use a material with a distinctive appearance, easily distinguished from the building Body expressed by a change in material, a change in texture, a change in color or finish; <u>and/ or</u> b. Create a change in surface position where the Base projects beyond the Body of the building by 1½ inches, minimum; and/or c. Low Berm Landscape Standard, Section 4.176(.02)E.
Top Design	<p>Building Tops define the skyline.</p> <p>The design of the Building Top shall:</p> <ul style="list-style-type: none"> a. Use a material with a distinctive appearance, easily distinguished from the building Body expressed by a change in material, a change in texture, a change in color or finish; and/ or b. Create a change in surface position where the Top projects beyond, or recesses behind, the Body of the building by 1½ inches, minimum.
Required Screening of Roof-mounted Equipment	<p>Screen roof-mounted equipment with architectural enclosures using the materials and design of the building Body and/ or the building Top. No roof-mounted equipment shall be visible from an Addressing Street or Supporting Street.</p>

*** When an applicant elects to use the allowed adjustment to reduce Required Canopy height to less than 15 feet, corresponding reduction in minimum height is allowed for Accessible Entrance, Allowance of Primary Building Entrance, and Ground Floor Height.**

*****No additional changes proposed in this section*****

Attachment 2
Planning Commission Resolution LP24-0001 Staff Report
Compliance Findings

Coffee Creek Code Amendments

Date of Findings:	February 14, 2024
Request:	Amend the Wilsonville Development Code Text to make minor modifications to the Coffee Creek Industrial Design Overlay District standards in Section 4.134.
Affected Properties:	Coffee Creek Industrial Design Overlay District Area
Staff Reviewer:	Cindy Luxhoj AICP, Associate Planner
Staff Recommendation:	<u>Recommend adoption</u> of the Development Code amendments to the Wilsonville City Council.

Applicable Review Criteria:

<u>Statewide Planning Goals:</u>	
Goal 1	Citizen Involvement
Goal 2	Land Use Planning
Goal 9	Economic Development
<u>Wilsonville Comprehensive Plan:</u>	
Goal 1.1 and applicable Policy and Implementation Measures	Encourage Public Involvement
Goal 1.2 and applicable Policy and Implementation Measures	Interested, Informed, and Involved Citizenry
Goal 1.3 and applicable Policy and Implementation Measures	Coordinate with Other Agencies and Organizations
Goal 4.1 and applicable Policy and Implementation Measures	Attractive, Functional, Economically Vital Community
<u>Development Code:</u>	
Section 4.197	Changes and Amendments to Development Code

Compliance Findings

As described in the Findings below, the request meets the applicable criteria.

Statewide Planning Goals

Citizen Involvement

Goal 1

1. As discussed in Findings 4 through 11 below, the citizen involvement processes and requirements established in Wilsonville's Comprehensive Plan consistent with Goal 1 are being followed.

Land Use Planning

Goal 2

2. The proposed Development Code text amendments support the goal of establishing processes and policy as a basis for making decisions on land use consistent with a Comprehensive Plan.

Economic Development

3. By enabling a more streamlined process to approval for applicants while not compromising the City's ability to continue creating high-quality industrial development in Coffee Creek, the proposed Code amendments support the goal of providing economic development opportunities in the community and promoting diversified economic growth.

Wilsonville Comprehensive Plan-Public Involvement

Public Involvement-In General

Goal 1.1, Policy 1.1.1.

4. By following the applicable implementation measures (see Findings 5 through 11 below), the City provided opportunities for public involvement encouraging and providing means for involvement of interested parties.

Early Involvement

Implementation Measure 1.1.1.a.

5. Planning Commission practice is to conduct a minimum of one work session per proposed Development Code revision allowing for early involvement. This item was discussed at the September 13 and December 13, 2023 Planning Commission meetings. Draft versions of the proposed Code amendments have been available on the City's website.

Encourage Participation of Certain Individuals, Including Residents and Property Owners

Implementation Measure 1.1.1.e.

6. The City encouraged residents, property owners, and other interested parties impacted by the proposed Code amendments to participate as described in Finding 8.

Procedures to Allow Interested Parties to Supply Information

Implementation Measure 1.1.1.f.

7. The City will afford interested parties the opportunity to provide oral input and testimony during the public hearings. In addition, the City afforded them the opportunity to provide written input and testimony.

Types of Planning Commission Meetings, Gathering Input Prior to Public Hearings

Implementation Measure 1.1.1.g.

8. Prior to the scheduled public hearing on the proposed Development Code amendments, the Planning Commission held work sessions open to the public on September 13 and December 13, 2023, during which the Planning Commission provided feedback incorporated into the current draft.

Public Notices for Planning Commission Meetings

Implementation Measure 1.1.1.h.

9. The notice regarding the public hearing clearly indicated the type of meeting.

User Friendly Information for Public

Policy 1.2.1, Implementation Measures 1.2.1.a., b., c.

10. The published mailings and notices provided user-friendly information about the purpose, location, and nature of the meetings. The mailings widely publicized different ways for impacted parties to participate. The information given to impacted parties gave access to the information on which the Planning Commission will base their decision. Staff provided contact information to potentially impacted parties and answered questions raised throughout the project.

Coordinate Planning Activities with Affected Agencies

Implementation Measure 1.3.1.b.

11. The proposed Development Code amendments will have limited or no impact to other agencies.

Wilsonville Comprehensive Plan-Land Use and Development

Simplify and Streamline Planning and Zoning Review Process

Policy 4.1.1, Implementation Measures 4.1.1.d.

12. The proposed Development Code amendments give careful consideration to the current and future needs of prospective industrial users in the Coffee Creek Industrial Area by making minor modifications to some standards that have needed waivers and required Development Review Board review of development applications. The Code amendments are designed to enable applicants to more easily meet the clear and objective standards of the form-based code, thus facilitating their use of the Class 2 Administrative Review track, a shorter and more streamlined process to approval. The Code amendments accomplish this

objective while not compromising the City's ability to continue creating a connected, high-quality employment center in Coffee Creek.

Minimize Deterrents to Desired Industrial Development

Implementation Measure 4.1.1.e.

13. The proposed Development Code amendments attempt to minimize deterrents to desired industrial development by making minor modifications to the form-based code standards, with the objective of reducing the need for waiver requests, thus enabling applicants to use the Class 2 Administrative Review track, a shorter and more streamlined process to approval.

Maintain High-Quality Industrial Development

Policy 4.1.3, Implementation Measure 4.1.3.b.

14. The proposed Development Code amendments do not compromise the City's ability to continue creating high-quality industrial development in Coffee Creek that enhances the livability of the area and promotes diversified economic growth and a broad tax base.

Wilsonville Development Code-Amendments to the Code

Planning Commission Public Hearing, Recommendation to City Council

Subsection 4.197 (.01) A.

15. The Planning Commission will conduct a public hearing and then, by resolution, forward Findings and a recommendation to the Wilsonville City Council within the allowed 40-day timeframe.

Findings Required: Compliance with Procedures of 4.008

Subsection 4.197 (.01) B. 1., Section 4.008, Sections 4.009 through 4.024 as applicable

16. The City mailed notices to affected properties and published/posted notices consistent with established procedures for legislative actions. The City produced written Findings of fact regarding the application in this document for adoption by the Planning Commission. The City also published the Findings and other elements a week prior to the Public Hearing as required by law.

Findings Required: Compliance with Goals, Policies, and Objectives of Comprehensive Plan

Subsection 4.197 (.01) B. 2.

17. Findings 4 through 14 above provide Findings related to the applicable goals, policies, objectives, and implementation measures of Wilsonville's Comprehensive Plan.

Findings Required: No Conflict with Over Code Provisions

Subsection 4.197 (.01) B. 3.

18. While drafting the Code amendments staff took care to ensure the proposed Code changes do not conflict with or endanger other provisions of the Development Code.

Findings Required: Compliance with Statewide Land Use Planning Goals, State Rules and Statutes, Federal Statutes
Subsection 4.197 (.01) B. 4.-5.

- 19.** Findings 1 through 3 above provide Findings related to compliance with the applicable Statewide Land Use Planning Goals as well as applicable State statutes.

Affirmative Findings Required
Subsection 4.197 (.03)

- 20.** Findings 1 through 20 provide the required affirmative Findings on which a recommendation can be made to City Council for adoption of the requested amendments to the Wilsonville Development Code.

PLANNING COMMISSION AND CITY COUNCIL MEETINGS

February 14, 2024 - Planning Commission Public Hearing
Resolution LP24-0001 (*included above, adoption pending*)
Staff Report and Attachments (*included above, adoption pending*)
Presentation (*not included at this time*)
Affidavit of Notice of Hearing

December 18, 2023 - City Council Work Session
Staff Report and Attachments
Presentation
Action Minutes

December 13, 2023 - Planning Commission Work Session
Staff Report and Attachments
Presentation
Minutes Excerpt

September 18, 2023 - City Council Work Session
Staff Report and Attachments
Presentation
Action Minutes

September 13, 2023 - Planning Commission Work Session
Staff Report and Attachments
Presentation
Minutes Excerpt

PUBLIC ENGAGEMENT

Summary of Feedback from Coffee Creek Form-Based Code Focused Discussions
2023 Focus Group Dates: September 7, July 27, July 24, July 20

COMMENTS/ARTICLES

None Received

The Coffee Creek Code Amendments (LP24-0001)
Record can be found on the February 14, 2024
Planning Commission meeting page, in the “Agenda
Packet” (<https://www.ci.wilsonville.or.us/bc-pc/page/planning-commission-73>)



Coffee Creek Code Amendments

Planning Commission Public Hearing

February 14, 2024

Presented by: Cindy Luxhoj AICP, Associate Planner

Coffee Creek Assessment Steps

May to August 2023

- Reviewed timeline to land use approval and requested waivers to form-based code standards.
- Conducted focused discussion with applicants and consultant teams.



September to December 2023

- Identified minor modifications to form-based code standards to make compliance more achievable for applicants.
- Sought direction at Planning Commission and City Council work sessions.



January to March 2024

- Finalized proposed Development Code amendments.
- Planning Commission and City Council public hearings and adoption.

Proposed Code Amendments

- Table CC-3: Site Design
 - Parcel Driveway Width
 - Parcel Pedestrian Access
 - Parking Location and Extent
 - Retaining Wall Height and Design
- Table CC-4: Building Design
 - Required Canopy
 - Building Base Design

Table CC-3: Site Design

Parcel Drive Width

Ord. No. 889 Attachment 1 Exhibit B

Item 12.

- Allow two driveway width maximums

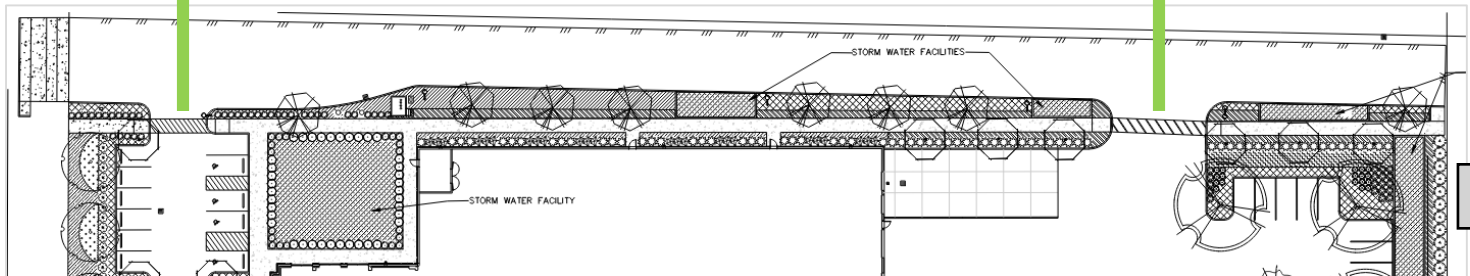


Table CC-3: Site Design

Parcel Pedestrian Access

Ord. No. 889 Attachment 1 Exhibit B

Item 12.

- Limit where 8-foot access width is required



Primary access:
8 ft minimum



Other access:
Minimum meeting
accessibility
requirements

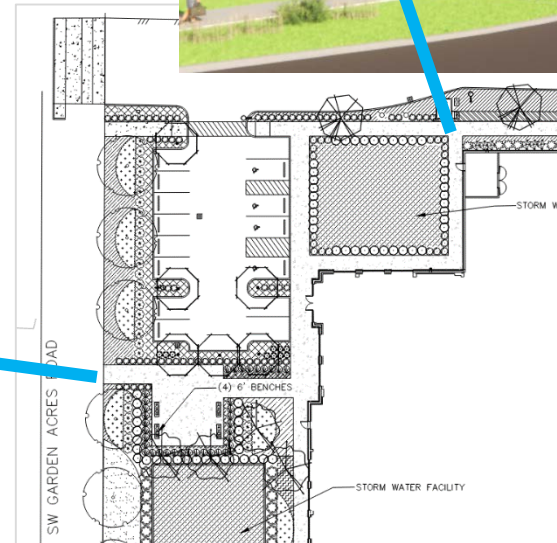


Table CC-3: Site Design

Ord. No. 889 Attachment 1 Exhibit B

Item 12.

Parking Location and Extent

- Eliminate parking bay limit and allow some parking use for longer duration

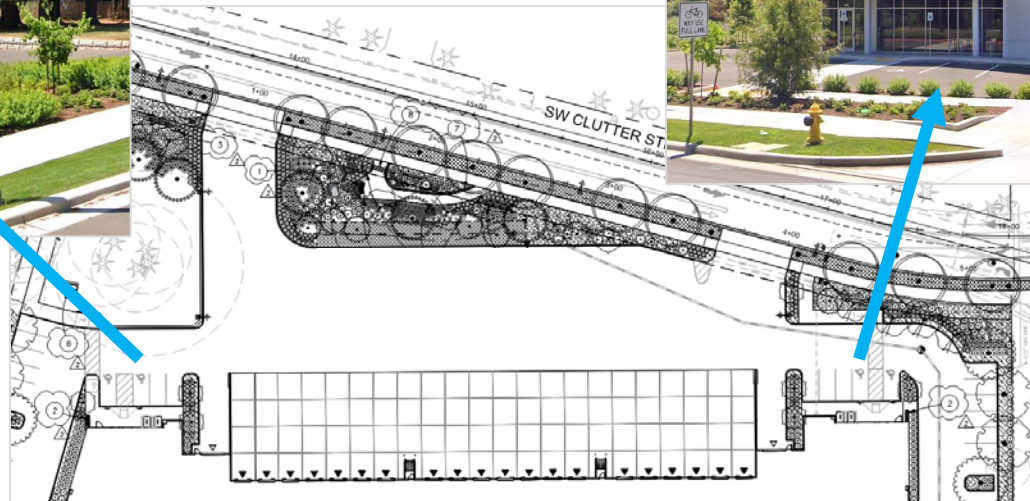


Table CC-3: Site Design

Grading and Retaining Walls

Ord. No. 889 Attachment 1 Exhibit B

Item 12.

- Increase height of walls not visible from adjacent streets



Retaining wall:
48 in maximum when
visible from street

Retaining wall:
60 in maximum when
visible from within site

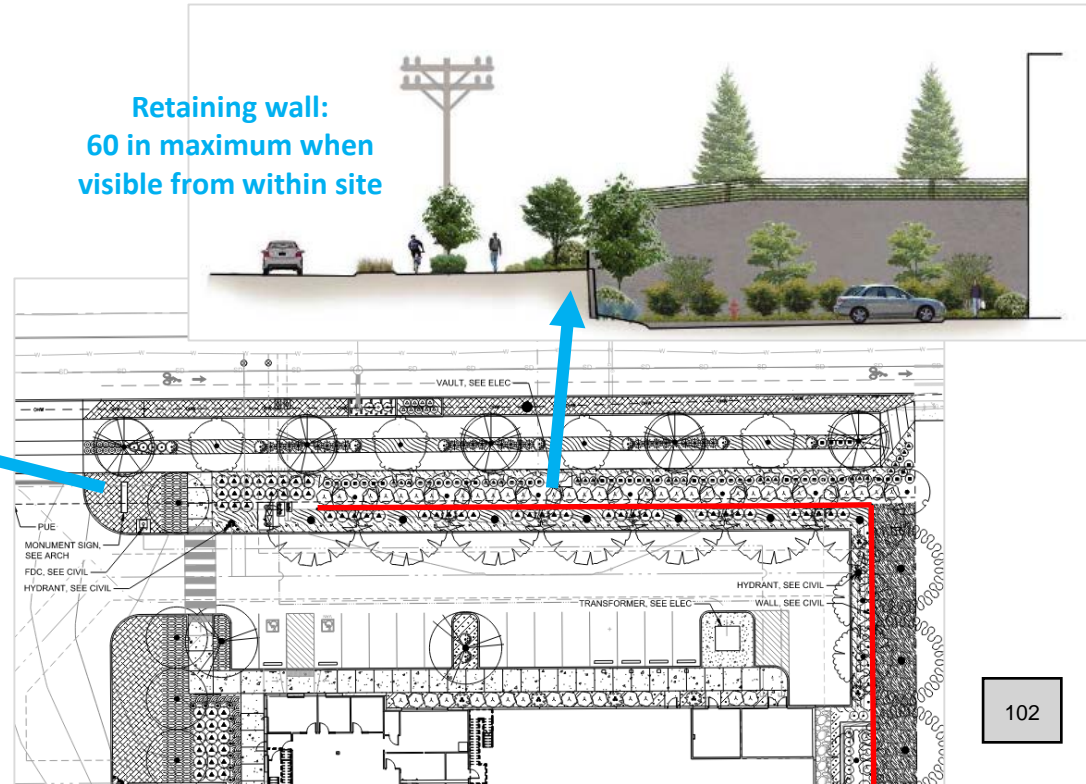


Table CC-3: Site Design Grading and Retaining Walls

- Clarify meaning of “horizontal offset”



Tiered retaining wall with
“horizontal offset” between
lowest part and upper
part(s) of wall

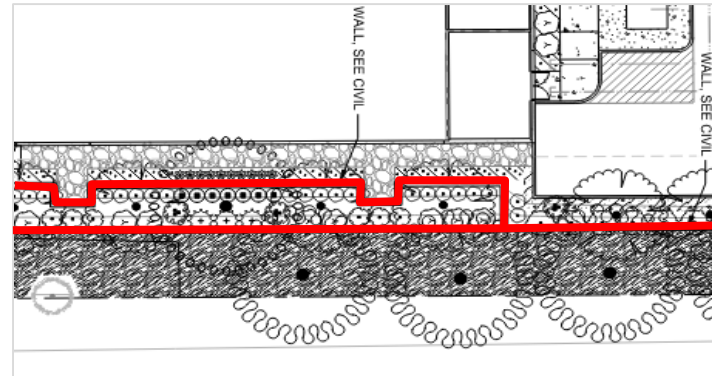


Table CC-4: Building Design Required Canopy

Ord. No. 889 Attachment 1 Exhibit B

Item 12.

- Increase allowance to 20% to allow 12-foot minimum canopy height



16-ft canopy height



12-ft canopy height

Table CC-4: Building Design

Base Design

Ord. No. 889 Attachment 1 Exhibit B

Item 12.

- Clarify that any one of three options satisfies requirement for building base design



Base



Base

Adoption Hearings

February 2024

Planning Commission
Public Hearing

March 2024

City Council Public
Hearing and Adoption

Questions?

**AFFIDAVIT OF MAILING AND POSTING NOTICE OF
PUBLIC HEARING IN THE CITY OF WILSONVILLE**

STATE OF OREGON)

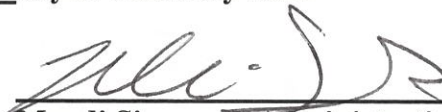
COUNTIES OF CLACKAMAS)
AND WASHINGTON)

CITY OF WILSONVILLE)

I, Mandi Simmons, do hereby certify that I am Administrative Assistant for the City of Wilsonville, Counties of Clackamas and Washington, State of Oregon, that the attached copy of Notice of Public Hearing is a true copy of the originals of the following that I did cause to be mailed/displayed copies of said public hearing in the exact form hereto attached:


- Single-paged notice was emailed on January 24, 2024 to the attached list of affected agencies
- Single-paged notice was sent to the Wilsonville Spokesman for publication in the February 1, 2024 newspaper issue
- The content of the notice was posted on January 24, 2024 on the City's website
- Single-paged notice was posted at physical locations listed below on January 24, 2024
 - City Hall, 29799 SW Town Center Loop, East, Wilsonville OR 97070
 - Wilsonville Community Center, 7965 SW Wilsonville Road, Wilsonville, OR 97070
 - Library, 8200 SW Wilsonville Road, Wilsonville OR 97070

Witness my hand this 5th day of February 2024

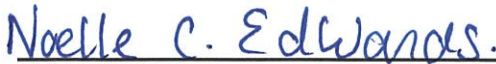


Mandi Simmons, Administrative Assistant

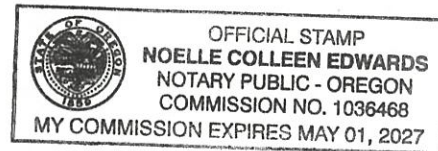
Acknowledged before me this 5th day of February 2024, in Clackamas County, Oregon



Signature of Oregon Notary



Printed Notary Name



NOTARY PUBLIC

My Commission Expires 5-1-27

NOTICE OF LEGISLATIVE PUBLIC HEARING BEFORE THE PLANNING COMMISSION AND CITY COUNCIL: COFFEE CREEK CODE ADJUSTMENTS, CASE FILE LP24-0001

PLANNING COMMISSION

On **Wednesday, February 14, 2024, beginning at 6 pm**, the Planning Commission will hold a public hearing regarding the **Coffee Creek Code Adjustments**, and will consider whether to recommend adoption of the updates to City Council.

You will not receive another notice unless you: submit a request in writing or by phone, or submit testimony or sign-in at the hearing.

CITY COUNCIL

On **Monday, March 4, 2024, beginning at 7 pm**, the City Council will hold a public hearing regarding the **Coffee Creek Code Adjustments**, after which it may make the final decision.

The hearings will take place at **Wilsonville City Hall**, 29799 SW Town Center Loop East. A complete copy of the project record, including staff report, findings, and recommendations, will be available online and at City Hall for viewing seven (7) days prior to each public hearing.

SUMMARY OF PROPOSAL

The City recently completed an assessment of the Coffee Creek Industrial Design Overlay District standards in Section 4.134 of the Development Code. Based on this work, slight adjustments to some of the standards are recommended to more closely align them with current and future needs of prospective industrial users while not compromising the City's ability to continue creating a connected, high-quality employment center in Coffee Creek. There are nine standards in Subsection 4.134 (.11) that will be adjusted by the proposed amendments. No other Development Code language or standards are affected.

HOW TO COMMENT: Oral or written testimony may be presented at the public hearings. Written comment on the proposal is also welcome prior to the public hearings. To have your written comments or testimony distributed to the Planning Commission before the meeting, it must be received by 2 pm on February 6, 2024. **Direct written comments to** Mandi Simmons, Administrative Assistant, 29799 SW Town Center Loop East, Wilsonville, Oregon, 97070 or msimmons@ci.wilsonville.or.us

*Note: Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting. **The City will endeavor to provide qualified sign language interpreters and/or bilingual interpreters, without cost, if requested at least 48 hours prior to the meeting.** To obtain such services, please call Mandi Simmons, Administrative Assistant at (503) 682-4960.*

Pat McGough
West Linn/Wilsonville School District 3J
2755 SW Borland Road
Tualatin, OR 97062

Andy Back
Wash. County Long Range Planning
155 N. First Avenue
Hillsboro, OR 97124

Steve Koper
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062

Attn: Development Review
ODOT Region 1
123 NW Flanders Street
Portland, OR 97209

Ben Baldwin
Tri-Met Project Planning Dept
4012 SE 17th Avenue
Portland, OR 97202

Bill Ferber, Region Manager
Oregon Water Resources Department
725 Summer Street, NE
Salem, OR 97301

Dr. Kathy Ludwig
West Linn/Wilsonville School District 3J
22210 SW Stafford Road
Tualatin, OR 97062

Tracy Wilder, Department of Corrections
Facilities Services
3601 State Street
Salem, Oregon 97301

Steve Hursh, Service & Design Supervisor
Portland General Electric
2213 SW 153rd Drive
Beaverton, OR 97006

Land Use Contact, Planning Department
Metro
600 NE Grand Ave
Portland, OR 97232

Nina Carlson
NW Natural Gas
250 SW Taylor St.
Portland, OR 97204

John Olivares, Operations Manager
Republic Services of Clackamas &
Washington Counties
10295 SW Ridder Road
Wilsonville, OR 97070

City Planner
City of Canby
P.O. Box 930
Canby, OR 97013

Diane Taniguchi-Dennis
Clean Water Services
2550 SW Hillsboro Hwy.
Hillsboro, OR 97123

Department of Corrections
2575 Center Street NE
Salem, OR 97310

John Lilly
Department of State Lands
775 Summer Street, NE
Salem, OR 97301

Roseann Johnson, Assistant Director of
Government Affairs
Home Builders Associations
15555 SW Bangy Road, Suite 301
Lake Oswego, OR 97035

Sherwood School Dist Admin Office
23295 SW Main Street
Sherwood, OR 97140

Clackamas County Planning Director
150 Beavercreek Road
Oregon City, OR 97045

Oregon Dept of Environ Quality
700 NE Multnomah Street, Suite 600
Portland, OR 97232

Tualatin Valley Water District
1850 SW 170th Ave.
Beaverton, OR 97005

Planning Director
City of Sherwood
22560 SW Pine Street
Sherwood, OR 97140

James Clark
BPA, Realty Department
2715 Tepper Lane
Keizer, OR 97013

Tualatin Valley Fire and Rescue
29875 SW Kinsman Road
Wilsonville, OR 97070

Tualatin Valley Fire and Rescue
South Division
8445 SW Elligsen Road
Wilsonville, OR 97070

PamplinMediaGroup

-Ad Proof-

This is the proof of your ad, scheduled to run on the dates indicated below. Please proofread carefully, and if changes are needed, please contact Sarah Penn prior to deadline at or spenn@pamplinmedia.com.

<p>Date: 01/24/24 Account #: 108863 Reference #: LP24-0001 COFFEE CREEK CODE ADJUSTMENTS Company Name: WILSONVILLE, CITY OF Contact: Address: 29799 SW TOWN CENTER LOOP E WILSONVILLE Telephone: (503) 570-1510 Fax: (503) 682-1015</p>	<p>Ad ID: 314710 Start: 01/31/24 Stop: 02/01/24 Total Cost: \$136.72 Ad Size: 7.903 Column Width: 1 Column Height: 7.903 Ad Class: 1202 Phone # Email: spenn@pamplinmedia.com</p>
<p>Run Dates:</p> <p>Wilsonville Spokesman 02/01/24</p>	

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Publish February 1, 2024

WS314710



WORK SESSION

Coffee Creek Assessment (Luxhoj)



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: December 18, 2023		Subject: Coffee Creek Code Assessment	
		Staff Member: Cindy Luxhoj AICP, Associate 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: Staff recommends Council provide requested input on direction of possible Development Code amendments to the Coffee Creek Industrial Design Overlay District form-based code.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Attract high-quality industry and increase investment in industrial areas	<input checked="" type="checkbox"/> Adopted Master Plan(s): Coffee Creek Master Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Staff is seeking input on possible Development Code amendments to the Coffee Creek Industrial Design Overlay District form-based code standards.

EXECUTIVE SUMMARY:

As discussed at the September 18, 2023 City Council work session, staff has initiated an assessment of the Coffee Creek Industrial Design Overlay District form-based code, which was subject to a pilot period of three completed development applications or five years when it was adopted in 2018. As of 2023, both milestones have been achieved, with four completed industrial development projects in various stages of construction throughout the Coffee Creek area.

To date, staff has reviewed the timeline to land use approval and the types of requested waivers to the form-based code for the four completed development projects in Coffee Creek. In July 2023, staff conducted three focused discussions with applicants and their consultant teams to gain feedback from a customer service standpoint about the form-based code, as well as engaged in a follow-up discussion with one of the applicants to understand in more depth which of the form-based code standards could more closely align with current and future needs of prospective industrial users in the Coffee Creek area. Participants offered helpful suggestions for adjustments to the standards, particularly related to project waiver requests.

Based on this initial work and input from Planning Commission and City Council work sessions, staff determined that modification to the land use review tracks and process is not needed. However, slight adjustments to the form-based code standards are needed to make compliance more achievable for applicants, with the objective of enabling applicants to use the Class 2 Administrative Review track while not compromising the City's ability to continue creating a connected, high-quality employment center in Coffee Creek.

Specifically, staff has identified the following six form-based code standards in Table CC-3 and Table CC-4 of Subsection 4.134 (.11), five of which had waiver requests from two or more applicants, to which slight adjustment is warranted:

- Table CC-3: Site Design
 - Parcel Access: Parcel Driveway Width – Modify to include two driveway width maximums
 - Parcel Pedestrian Access: Parcel Pedestrian Access Width – Modify to limit where an access width of 8 feet is required
 - Parking Location and Design: Parking Location and Extent – Modify to eliminate parking bay limitation and require 50% of spaces to be designated for short-term uses
 - Grading and Retaining Walls: Maximum Height; Retaining Wall Design – Modify to increase height of walls not visible from adjacent streets and allow horizontal and/or vertical offset to reduce mass
- Table CC-4: Building Design
 - Primary Building Entrance: Accessible Entrance; Required Canopy – Modify to increase the allowed adjustment from 10% to 20%
 - Overall Building Massing: Allowance of Primary Building Entrance; Ground Floor Height; Base Design – Modify to add a footnote allowing reduction in height of building entrance and ground floor corresponding to canopy height reduction

Attachment 1 includes proposed Code amendments and rationale for the proposed changes that were reviewed by the Planning Commission at their December 13, 2023 meeting and are presented here for the City Council to consider.

At this work session, staff is seeking the following feedback from City Council:

- Does the City Council agree with the standards identified by staff for modifications?
- Does the City Council have other comments about the proposed modifications?

EXPECTED RESULTS:

Feedback from this meeting will guide completion of a package of Development Code amendments that staff will present to Planning Commission for public hearing and to City Council for adoption.

TIMELINE:

Planning Commission provided input on the possible modifications at their December 13, 2023 meeting. A Planning Commission public hearing and recommendation to City Council on the Development Code amendments is expected in early 2024. City Council public hearing and adoption is anticipated in the first half of 2024.

CURRENT YEAR BUDGET IMPACTS:

Funding for the Coffee Creek Code Assessment work is allocated in the fiscal year 2023-24 Planning Division budget.

COMMUNITY INVOLVEMENT PROCESS:

The Coffee Creek Master Plan, as well as the Coffee Creek Industrial Design Overlay District drafting and review process, included comprehensive community involvement to gather input. For the current Coffee Creek Code Assessment project, staff has focused on gathering input from recent applicants and their consultant teams to inform the evaluation and provide input on the process and standards.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Refinement of the Coffee Creek form-based code to facilitate future development while continuing to create the desired connected, high-quality employment center envisioned in the Master Plan will result in efficiencies for future users, as well as inform planning for the Basalt Creek industrial area to the north, which will benefit all members of the Wilsonville community who live and work in these industrial areas.

ALTERNATIVES:

- Make no modifications to the Coffee Creek Industrial Design Overlay District standards.
- Propose alternative modification to the Coffee Creek Industrial Design Overlay District code standards.
- Modify the Coffee Creek Industrial Design Overlay District standards related to the land use review process for applicants.

CITY MANAGER COMMENT:

N/A

ATTACHMENT:

1. Proposed Amendments to the Coffee Creek Industrial Design Overlay District Form-based Code (December 2023)

Proposed Amendments to the Coffee Creek Industrial Design Overlay District Form-based Code

*Note: The tables below contain current Code language. Text highlighted in **red** is the subject of the proposed Code amendments.*

Wilsonville Development Code

Section 4.134 (.11) Coffee Creek Industrial Design Overlay District

Table CC-3: Site Design			
	Addressing Streets	Supporting Streets	Through Connections
1. Parcel Access			
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none"> Section 4.177(.02) for street design; Section 4.177(.03) to (.10) for sidewalks, bike facilities, pathways, transit improvements, access drives & intersection spacing. The following Development Standards are adjustable: <ul style="list-style-type: none"> Parcel Driveway Spacing: 20% Parcel Driveway Width: 10% 		
Parcel Driveway Width	Not applicable	24 feet, maximum or complies with Supporting Street Standards	24 feet, maximum or complies with Through Connection Standards

Proposed Code Amendments:

Modify the standard to include two driveway width maximums:

- Keep 24-foot width with 10% allowed adjustment to 26.4 feet for the primary driveway providing access for passenger vehicles, light delivery, etc.
- Increase the driveway width to 40 feet maximum with 10% allowed adjustment to 44 feet for a secondary driveway or a driveway that provides access for heavy delivery vehicles, large trucks, etc.

Rationale for Proposed Changes:

- Two waivers were requested to allow increased width of a secondary driveway from a Supporting Street for heavy vehicle ingress/egress.
- The allowed driveway width, even with a 10% adjustment, was not sufficient for large truck ingress/egress from a Supporting Street or Through Connection.
- Applicants suggest a maximum of 40 to 45 feet would be adequate for a driveway providing truck ingress/egress.
- Auto-only driveway width of 24 feet with allowed adjustment to 26.4 feet is sufficient.
- While the main goal of the driveway maximum width is limiting the distance that pedestrians have to cross a driveway, thus providing for better pedestrian connectivity, the pedestrian crossing distance needs to be balanced with safe turning radius for larger

vehicles to prevent traffic slowdowns and stacking on the street, and damage to curbs and landscape areas from turning trucks.

Table CC-3: Site Design			
	Addressing Streets	Supporting Streets	Through Connections
2. Parcel Pedestrian Access			
Parcel Pedestrian Access Width	8 feet wide minimum		

Proposed Code Amendments:

Modify the standard to limit where an access width of 8 feet is required:

- Specify that the 8-foot access width is for pathways between the public ROW and Primary Building Entrance(s).

Rationale for Proposed Changes:

- No waivers were requested, but clarification is needed of specific locations where the access width must be 8 feet versus where 5 feet is sufficient.
- While the width requirement appears to apply to all connections into a site, it seems overly burdensome to require all connections from the public right-of-way to be 8 feet wide.
- The highest priority should be connecting the primary frontage to the primary building entrance.

Table CC-3: Site Design			
	Addressing Streets	Supporting Streets	Through Connections
4. Parking Location and Design			
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none"> • Section 4.155 (03) Minimum and Maximum Off-Street Parking Requirements • Section 4.155 (04) Bicycle Parking • Section 4.155 (06) Carpool and Vanpool Parking Requirements • Section 4.176 for Parking Perimeter Screening and Landscaping—permits the parking landscaping and screening standards as multiple options The following Development Standards are adjustable: <ul style="list-style-type: none"> • Parking Location and Extent: up to 20 spaces permitted on an Addressing Street 		
Parking Location and Extent	Limited to one double-loaded bay of parking, 16 spaces, maximum, designated for short-term (1 hour or less), visitor, and disabled parking only between right-of-way of Addressing Street and building.	Parking is permitted between right-of-way of Supporting Street and building.	Parking is permitted between right-of-way of Through Connection and building.

Proposed Code Amendments:

Modify the standard to eliminate the limitation of one parking bay and allow some parking to be used for a longer duration:

- Keep the number of spaces unchanged at 16 spaces maximum with allowed adjustment to 20 spaces.
- Eliminate the requirement that all allowed spaces be located within one double-loaded bay of parking.
- Require that 50% of allowed spaces be designated for short-term, visitor, and disabled parking only, allowing other spaces to be utilized by other users or for longer duration.

Rationale for Proposed Changes:

- Three waivers were requested: one to the number of spaces due to unique site constraints and the waiver gave the City extra leverage to get enhanced landscaping along the frontage; another to allow two different parking bays, rather than one on an Addressing Street, while still meeting the maximum number of spaces; and two to allow some of the parking along an Addressing Street to be used by employees.
- Much of the development thus far (3 of 4 projects) tends not to have many customers or visitors; a majority of employees might work in the office area at the front of the building.
- Minimization of the appearance of parking from an Addressing Street is a key focus in the Pattern Book with the intent of providing a human scale to the public realm.

Table CC-3: Site Design			
	Addressing Streets	Supporting Streets	Through Connections
5. Grading and Retaining Walls			
General	The following Development Standards are adjustable: <ul style="list-style-type: none"> Retaining Wall Design: 20% 		
Maximum height	Where site topography requires adjustments to natural grades, landscape retaining walls shall be 48 inches tall maximum. Where the grade differential is greater than 30 inches, retaining walls may be stepped.		
Retaining Wall Design	Retaining walls longer than 50 linear feet shall introduce a 5-foot, minimum horizontal offset to reduce their apparent mass.		

Proposed Code Amendments:

Modify the standard to increase the maximum height for walls not visible from the right-of-way of adjacent streets and to allow a horizontal and/or vertical offset to reduce their mass.

- Keep the maximum height of 48 inches with a 20% allowed adjustment to 57.6 inches for retaining wall that are visible from the right-of-way of adjacent streets.
- Increase the height maximum to 60 inches with a 20% allowed adjustment to 72 inches for retaining walls that are only visible to users from within a site.
- Keep the requirement for an offset in walls longer than 50 linear feet, but clarify the meaning of “horizontal offset” by providing explanatory text or graphics/illustrations.

Rationale for Proposed Changes:

- Two waivers were requested to allow taller retaining walls to accommodate large flat buildings that require a level expanse within which to build, to meet grade at adjacent street right-of-way, and due to unique, site-specific design challenges.
- It is unclear how the requirement for a 5-foot minimum horizontal offset should be applied. Because it focuses on the linear length of the wall, rather than its height, it seems that the offset should be a vertical, rather than horizontal. Introducing a vertical offset can result in stability issues. It can lead to water penetration and wall failure.
- The Pattern Book (pages 23-24) emphasizes the intent to minimize site grading to preserve the natural character of a site. Contoured slopes are generally preferred to the installation of retaining walls. Where retaining walls are necessary to support site development, they should facilitate surface drainage, limit soil erosion, and avoid increasing instability of native soils. Retaining walls should be integrated with other site design features, such as stairs, ramps, and planters wherever possible.

Table CC-4: Building Design			
	Addressing Streets	Supporting Streets	Through Connections
2. Primary Building Entrance			
General	The following Development Standards are adjustable: <ul style="list-style-type: none">• Required Canopy: 10%• Transparency: 20%		
Accessible Entrance	The Primary Building Entrance shall be visible from, and accessible to, an Addressing Street (or a Supporting Street if there is no Addressing Street frontage). A continuous pedestrian pathway shall connect from the sidewalk of an Addressing Street to the Primary Building Entrance with a safe, direct and convenient path of travel that is free from hazards and provides a reasonably smooth and consistent surface consistent with the requirements of Americans with Disabilities Act (ADA). The Primary Building Entrance shall be 15 feet wide, minimum and 15 feet tall, minimum.		
Required Canopy	Protect the Primary Building Entrance with a canopy with a minimum vertical clearance of 15 feet and an all-weather protection zone that is 8 feet deep, minimum and 15 feet wide, minimum.		
3. Overall Building Massing			
Allowance of Primary Building Entrance	Where the Primary Building Entrance is located on an Addressing Street it may extend into the required front yard setback by 15 feet maximum provided that: <ul style="list-style-type: none">a. It has a two-story massing with a minimum height of 24 feet;b. The Parcel Frontage on the Addressing Street is limited to 100 feet;c. The building extension is 65% transparent, minimum;d. The entrance is protected with a weather-protecting canopy with a minimum vertical clearance of 15 feet; ande. The standards for site design and accessibility are met.	Not applicable	Not applicable
Ground Floor Height	The Ground Floor height shall measure 15 feet, minimum from finished floor to finished ceiling (or 17.5 feet from finished floor to any exposed structural member).		

Proposed Code Amendments:

Modify the standard to increase the allowed adjustment for required canopy height:

- Increase the allowed adjustment for required canopy height from 10% to 20% to allow a minimum canopy height of 12 feet.
- Add a footnote to Table CC-4 at the standards for “Accessible Entrance”, “Allowance of Primary Building Entrance”, and “Ground Floor Height” to allow corresponding reduction in the minimum height of the primary building entrance and ground floor height when an applicant elects to use the allowed adjustment to reduce the required canopy height.

Rationale for Proposed Changes:

- Two waivers were requested to reduce the required canopy height to 12 feet and two waivers were requested to adjust the interior ground floor height to 12 feet.
- A canopy height of 10 to 12 feet is the standard storefront dimension, where a height above 12 feet requires a curtain wall system, which is more expensive and likely requires custom fabrication.
- A lower canopy height may allow for better weather protection at the primary entrance, and can facilitate interior/exterior integration and line of sight.
- Applicants noted that an interior ceiling height requirement matching the exterior canopy feels more spacious in comparison to the typical dropped ceiling of 9 to 10 feet.
- If the allowed adjustment is changed to 20% from 10%, the resulting minimum would be 12 feet, which is the standard storefront dimension.

Table CC-4: Building Design			
	Addressing Streets	Supporting Streets	Through Connections
3. Overall Building Massing			
Base Design	The design of the building Base shall: a. Use a material with a distinctive appearance, easily distinguished from the building Body expressed by a change in material, a change in texture, a change in color or finish; b. Create a change in surface position where the Base projects beyond the Body of the building by 1½ inches, minimum; and/or c. Low Berm Landscape Standard, Section 4.176(.02)E.		

Proposed Code Amendments:

Modify the standard to clarify that any one of the three design options satisfies the requirement:

- Add “and/or” after “finish;” under (a.) in the standard.

Rationale for Proposed Changes:

- No waivers were requested, but clarification is needed as to whether the intent of the standard is to require (a.) **and/or** (b.), similar to with the Top Design, or to require **both** (a.) and (b.)
- Having a base that is both visually (a.) **and** dimensionally (b.) distinct is difficult to achieve, particularly with tilt-up concrete construction technology that has a large flat surface that is poured on the ground. Projecting panels, mesh treatment, or other means must be used to achieve the change in surface position.



Coffee Creek Code Assessment

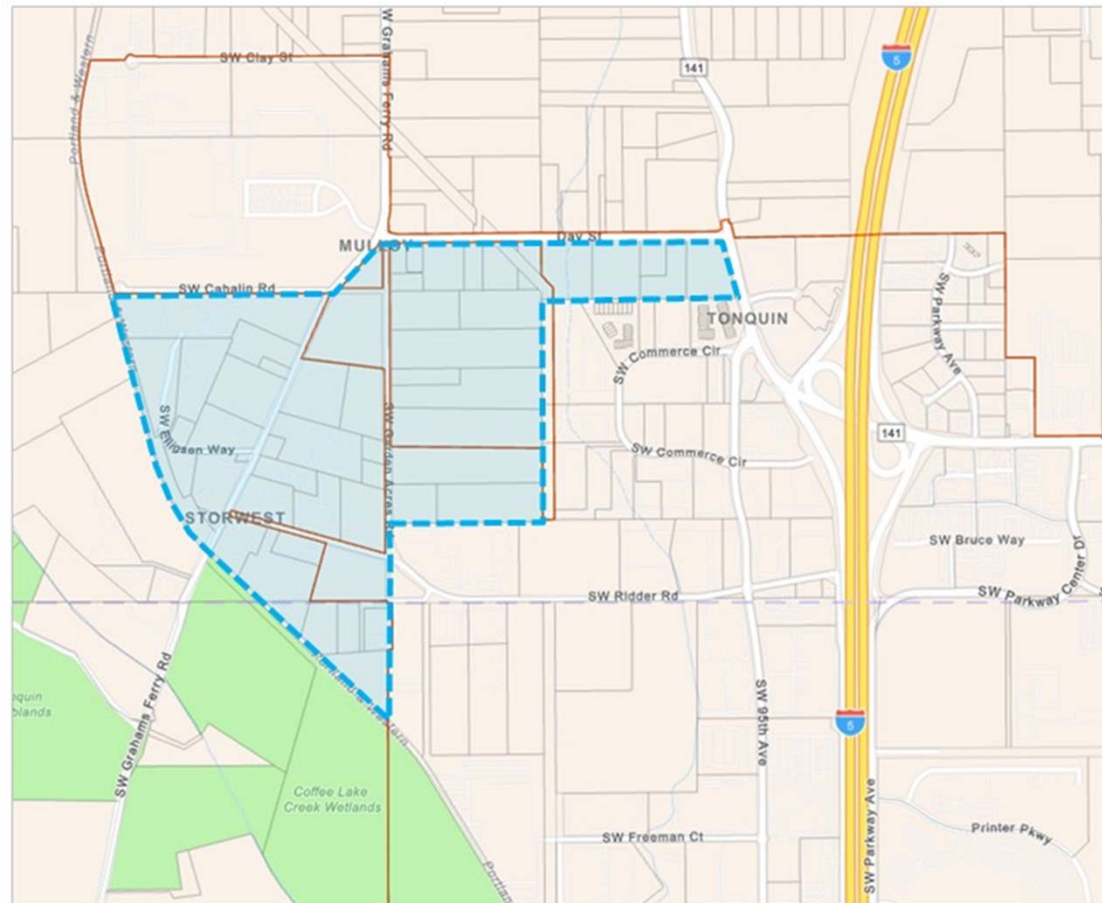
City Council Work Session

December 13, 2023

Presented by: Cindy Luxhoj AICP, Associate Planner



Coffee Creek Master Plan Area





Coffee Creek Assessment Steps Completed to Date

May/June 2023

- Reviewed timeline to land use approval and requested waivers to form-based code standards

July/September 2023

- Conducted focused discussion with applicants and consultant teams

September 2023

- Sought direction at Planning Commission and City Council work sessions

October/November 2023

- Identified slight modifications to form-based code standards to make compliance more achievable for applicants



Form-based Code Standards Proposed for Modifications

- Table CC-3: Site Design
 - Parcel Driveway Width
 - Parcel Pedestrian Access
 - Parking Location and Extent
 - Retaining Wall Maximum Height and Design
- Table CC-4: Building Design
 - Required Canopy Height at Primary Building Entrance
 - Building Base Design



Table CC-3: Site Design Parcel Drive Width

- Allow two driveway width maximums

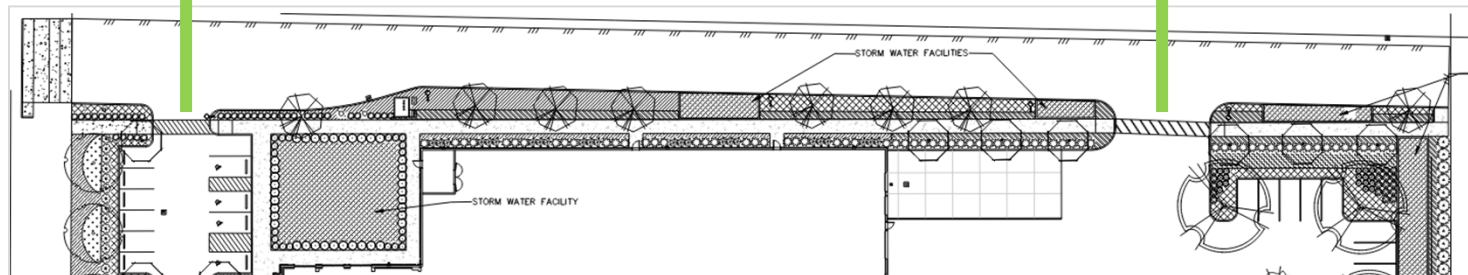




Table CC-3: Site Design Parcel Pedestrian Access

- Limit where 8-foot access width is required

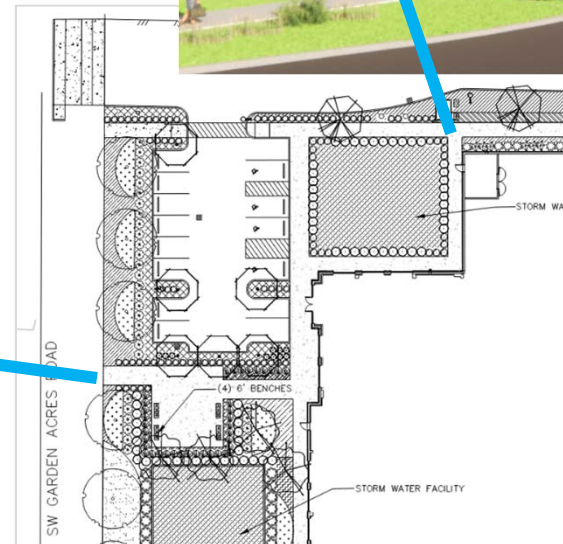




Table CC-3: Site Design Parking Location and Extent

- Eliminate parking bay limit and allow some parking use for longer duration

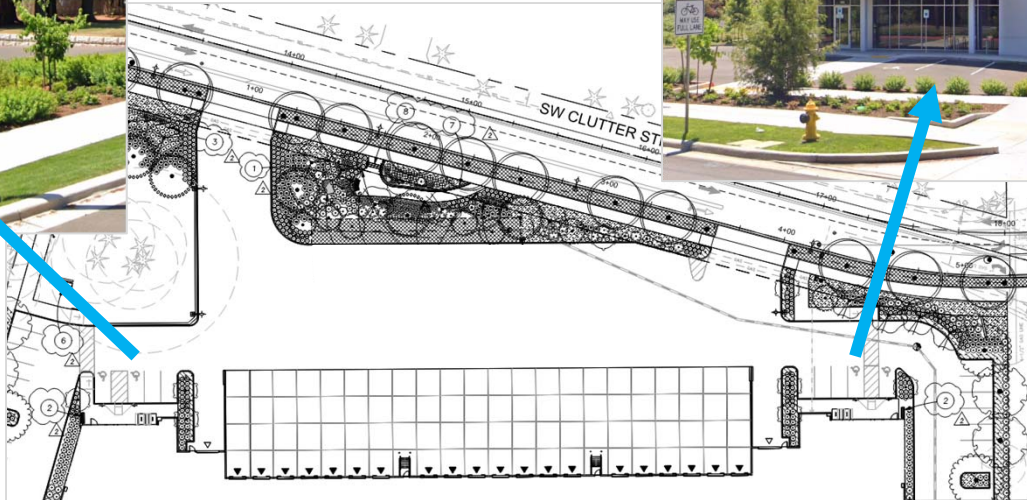




Table CC-3: Site Design Grading and Retaining Walls

- Increase height of walls not visible from adjacent streets

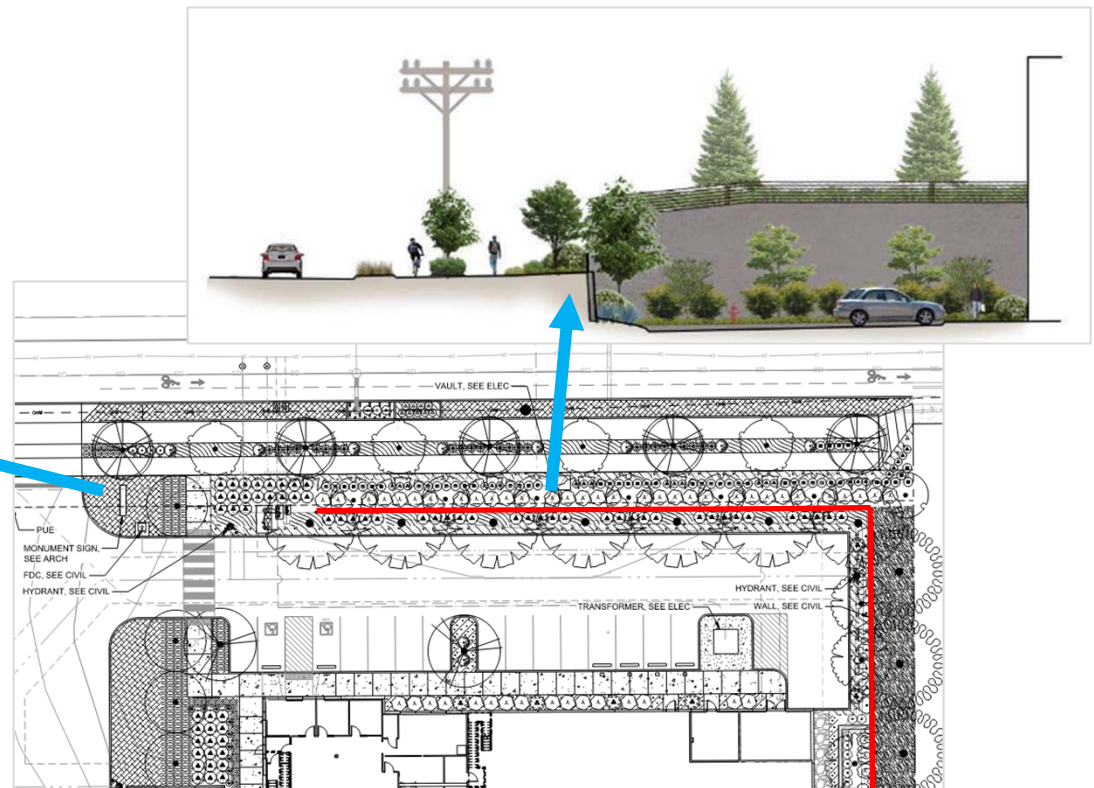




Table CC-3: Site Design Grading and Retaining Walls

- Clarify meaning of “horizontal offset”

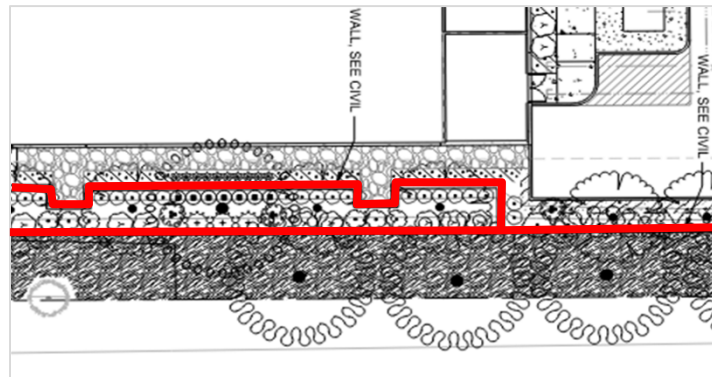




Table CC-4: Building Design Required Canopy

- Increase allowed adjustment to 20% to allow 12-foot minimum canopy height





Table CC-4: Building Design Base Design

- Clarify that any one of three options satisfies requirement for building base design



Base



Base



Planning Commission Feedback

- Appreciated judicious approach taken by staff
- Expressed unanimous support for proposed modifications



Next Steps

February 2024

Planning Commission
Public Hearing

March/April 2024

City Council Public
Hearing and Adoption



Questions for City Council

- Does the City Council agree with the standards identified by staff for modifications?
- Does the City Council have other comments about the proposed modifications?

COUNCILORS PRESENT

Mayor Fitzgerald
 Council President Akervall
 Councilor Linville
 Councilor Berry
 Councilor Dunwell

STAFF PRESENT

Amanda Guile-Hinman, City Attorney
 Bryan Cosgrove, City Manager
 Cindy Luxhoj, Associate Planner

Chris Neamtzu, Community Development Director
 Dan Pauly, Planning Manager
 Jeanna Troha, Assistant City Manager
 Kimberly Rybold, Senior Planner
 Kimberly Veliz, City Recorder
 Mark Ottenad, Public/Government Affairs Director
 Matt Lorenzen, Economic Development Manager
 Scott Simonton, Fleet Services Manager
 Stephanie Davidson, Assistant City Attorney
 Zoe Mombert, Assistant to the City Manager

AGENDA ITEM	ACTIONS
WORK SESSION	START: 5:00 p.m.
A. Town Center Urban Renewal Feasibility Study	Staff discussed preparing a resolution that, if adopted, would place an advisory vote on the May 2024 ballot that asks voters to consider whether the City should utilize Urban Renewal as a mechanism to fund infrastructure development to activate the Town Center Plan.
B. Frog Pond East and South Development Code	Staff sought guidance on the development of code amendments that would define development standards in Frog Pond East and South.
C. Coffee Creek Draft Assessment	Staff provided Council with an update on the status of the Coffee Creek Industrial Design Overlay District form-based code assessment, and sought Council input on possible modifications to the form-based code standards.
D. Transit-Oriented Development (TOD) Financing	Staff presented on Resolution No. 3096, which authorizes applying the Current Parks System Development Charge To The Multifamily Portion Of The Wilsonville Transit Center Transit-Oriented Development Project.

REGULAR MEETINGMayor's Business

A. Reappointments / Appointment

Arts, Culture, and Heritage Commission – Appointment

Appointment of Nadine Elbitar to the Arts, Culture, and Heritage Commission for a term beginning 1/1/2024 to 6/30/2024. Passed 5-0.

Budget Committee – Appointment

Appointment of Christopher Moore to the Budget Committee for a term beginning 1/1/2024 to 12/31/2024. Passed 5-0.

Budget Committee – Appointment

Appointment of Tabi Traugher and Tyler Beach to the Budget Committee for a term beginning 1/1/2024 to 12/31/2026. Passed 5-0.

DRB – Reappointment

Reappointment of John Andrews and Megan Chuinard to the Development Review Board for a term beginning 1/1/2024 to 12/31/2025. Passed 5-0.

DRB – Appointment

Appointment of Kamran Mesbah to the Development Review Board for a term beginning 1/1/2024 to 12/31/2025. Passed 5-0.

DEI Committee – Reappointment

Reappointment of David Siha, Tracy (Tre) Hester and Fay Gyapong-Porter to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2024 to 12/31/2026. Passed 5-0.

DEI Committee – Appointment

Appointment of Justin Brown to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2024 to 12/31/2024. Passed 5-0.

DEI Committee – Appointment

Appointment of Carolina Wilde to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2024 to 12/31/2026. Passed 5-0.

DEI Committee – Student Appointment

Reappointment of George Luo and Aasha Patel to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2024 to 12/31/2024. Passed 5-0.

Kitakata Sister City Advisory Board – Reappointment

Reappointment of John (Michael) Bohlen and Adrienne Scritsmier to the Kitakata Sister City Advisory Board for a term beginning 1/1/2024 to 12/31/2026. Passed 5-0.

Kitakata Sister City Advisory Board – Appointment

Appointment of Karen Kreitzer to the Kitakata Sister City Advisory Board for a term beginning 1/1/2024 to 12/31/2026. Passed 5-0.

Parks and Recreation Board – Appointment

Appointment of Bill Bagnall and Paul Diller to the Parks and Recreation Board for a term beginning 1/1/2024 to 12/31/2027. Passed 5-0.

Planning Commission – Reappointment

Reappointment of Jennifer Willard to the Planning Commission for a term beginning 1/1/2024 to 12/31/2027. Passed 5-0.

Planning Commission – Appointment

Appointment of Matt Constantine, Sam Scull and Yana Semenova to the Planning Commission for a term beginning 1/1/2024 to 12/31/2027. Passed 5-0.

Tourism Promotion Committee –
Appointment

Appointment of Lynn Sanders to the Tourism Promotion Committee for a term beginning 1/1/2024 to 6/30/2026. Passed 5-0.

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

B. Upcoming Meetings

Consent Agenda

A. **Resolution No. 3096**

A Resolution Of The City Of Wilsonville Authorizing Applying The Current Parks System Development Charge To The Multifamily Portion Of The Wilsonville Transit Center Transit-Oriented Development Project.

B. **Resolution No. 3097**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Tapani, Inc. For The Charbonneau Lift Station Rehabilitation Project (Capital Improvement Project #2106).

C. **Resolution No. 3104**

A Resolution Of The City Council Revising Section 4.E. Of The Diversity, Equity And Inclusion (DEI) Committee Charter.

D. **Resolution No. 3105**

A Resolution Of The City Of Wilsonville Authorizing The Purchase Of One Asphalt Patch Truck From Premier Truck Group Of Portland.

E. Minutes of the December 4, 2023 Council Meeting.

The Consent Agenda was approved 5-0.

New Business

A. None.

Continuing Business

A. **Resolution No. 3091**

A Resolution Of The City Of Wilsonville Adopting The Findings And Recommendations Of The Solid Waste Collection Rate Report Date October 2023 And Modifying The Current Republic Services Rate

Resolution No. 3091 was adopted by a vote of 4-1.

Schedule For Collection And Disposal Of Solid Waste, Recyclables, Organic Materials And Other Materials, Effective February 1, 2024.	
<u>Public Hearing</u> A. <u>Ordinance No. 884</u> An Ordinance Of The City Of Wilsonville Annexing Approximately 2.02 Acres Of Property Located At The Northwest Corner Of SW Frog Pond Lane And SW Stafford Road For Development Of An 11-Lot Residential Subdivision B. <u>Ordinance No. 885</u> An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5-Acre (RRFF-5) Zone To The Residential Neighborhood (RN) Zone On Approximately 2.02 Acres Located At The Northwest Corner Of SW Frog Pond Lane And SW Stafford Road For Development Of An 11-Lot Residential Subdivision.	<p>After a public hearing was conducted, Ordinance No. 884 was adopted on first reading by a vote of 5-0.</p> <p>After a public hearing was conducted, Ordinance No. 885 was adopted on first reading by a vote of 5-0.</p>
<u>City Manager's Business</u>	Councilors discussed the materials in the monthly City Manager reports.
<u>Legal Business</u>	No report.
<u>Communications</u> A. Polling on Tolling Request	West Linn Mayor Rory Bialostosky discussed collaboration among local jurisdictions to better understand resident attitudes toward tolling and requested Council contribute \$5,000 towards the administration of a statistically valid survey. Passed 5-0.
ADJOURN	9:00 p.m.



WORK SESSION

3. Coffee Creek Assessment (Luxhoj) (45 Minutes)



PLANNING COMMISSION MEETING STAFF REPORT

Meeting Date: December 13, 2023		Subject: Coffee Creek Code Assessment	
		Staff Member: Cindy Luxhoj AICP, Associate 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:	
Staff Recommendation: Provide requested input on direction of possible Development Code amendments to the Coffee Creek Industrial Design Overlay District.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Attract high-quality industry and increase investment in industrial areas	<input checked="" type="checkbox"/> Adopted Master Plan(s): Coffee Creek Master Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COMMISSION

At the September 13, 2023 Planning Commission work session, staff provided information about the recently-initiated assessment of the Coffee Creek Industrial Design Overlay District form-based code (FBC). At tonight's meeting, staff is seeking input on possible Development Code amendments to the FBC standards planned for a public hearing before the Planning Commission on February 14, 2024.

EXECUTIVE SUMMARY:

As discussed at the September 13, 2023 Planning Commission work session, staff has initiated an assessment of the Coffee Creek Industrial Design Overlay District form-based code (FBC), which were subject to a pilot period of three completed development applications or five years when they were adopted in 2018. As of 2023, both milestones have been achieved, with four completed industrial development projects in various stages of construction throughout the Coffee Creek area.

To date, staff has reviewed the timeline to land use approval for the four completed development projects in Coffee Creek and types of requested waivers to the FBC. In July 2023, staff conducted three focused discussions with applicants and their consultant teams to gain feedback from a customer service standpoint about the FBC, as well as engaged in a follow-up discussion with one of the applicants to understand in more depth which of the FBC standards could more closely align with current and future needs of prospective industrial users in the Coffee Creek area. Participants offered helpful suggestions for adjustments to the standards, particularly related to project waiver requests.

Based on this initial work and input from Planning Commission and City Council work sessions, staff determined that modification to the land use review tracks and process is not needed. However, slight adjustments to the FBC standards are needed to make compliance more achievable for applicants, with the objective of enabling applicants to use the Class 2 Administrative Review track while not compromising the City's ability to continue creating a connected, high-quality employment center in Coffee Creek.

Specifically, staff has identified the following six FBC standards in Table CC-3 and Table CC-4 of Subsection 4.134 (.11), five of which had two or more waiver requests, to which modification are warranted:

- Table CC-3: Site Design
 - Parcel Access: Parcel Driveway Width – Modify to include two driveway width maximums
 - Parcel Pedestrian Access: Parcel Pedestrian Access Width – Modify to limit where an access width of 8 feet is required
 - Parking Location and Design: Parking Location and Extent – Modify to eliminate parking bay limitation and require 50% of spaces to be designated for short-term uses
 - Grading and Retaining Walls: Maximum Height; Retaining Wall Design – Modify to increase height of walls not visible from adjacent streets and allow horizontal and/or vertical offset to reduce mass
- Table CC-4: Building Design
 - Primary Building Entrance: Accessible Entrance; Required Canopy – Modify to increase the allowed adjustment from 10% to 20%

- Overall Building Massing: Allowance of Primary Building Entrance; Ground Floor Height; Base Design – Modify to add a footnote allowing reduction in height of building entrance and ground floor corresponding to canopy height reduction

Attachment 1 includes proposed Code amendments and rationale for the proposed changes.

At this work session, staff is seeking the following feedback from the Planning Commission:

- Does the Planning Commission agree with the standards identified by staff for modifications?
- Does the Planning Commission have comments about the possible modifications recommended by staff?

EXPECTED RESULTS:

Feedback from this meeting will guide completion of a package of Development Code amendments that staff will present to Planning Commission for public hearing at the February 2024 meeting.

TIMELINE:

A Planning Commission public hearing on the Development Code amendments is expected in February 2024 with City Council adoption in March 2024.

CURRENT YEAR BUDGET IMPACTS:

Funding for the Coffee Creek Code Assessment work is allocated in the FY2023-24 Planning Division budget.

COMMUNITY INVOLVEMENT PROCESS:

The Coffee Creek Master Plan, as well as the Coffee Creek Industrial Design Overlay District drafting and review process, included comprehensive community involvement to gather input. For the current Coffee Creek Code Assessment project, staff has focused on gathering input from recent applicants and their consultant teams to inform the evaluation and provide input on the process and standards.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Refinement of the Coffee Creek FBC to facilitate future development while continuing to create the desired connected, high-quality employment center envisioned in the Master Plan will result in efficiencies for future users, as well as inform planning for the Basalt Creek industrial area to the north, which will benefit all members of the Wilsonville community who live and work in these industrial areas.

ALTERNATIVES:

Alternatives include:

- Make no modifications to the Coffee Creek Industrial Design Overlay District standards.
- Modify the Coffee Creek Industrial Design Overlay District standards related to the land use review process for applicants.

ATTACHMENTS:

1. Proposed Amendments to the Coffee Creek Industrial Design Overlay District Form-based Code

Proposed Amendments to the Coffee Creek Industrial Design Overlay District Form-based Code

*Note: The tables below contain current Code language. Text highlighted in **red** is the subject of the proposed Code amendments.*

Wilsonville Development Code

Section 4.134 (.11) Coffee Creek Industrial Design Overlay District

Table CC-3: Site Design			
	Addressing Streets	Supporting Streets	Through Connections
1. Parcel Access			
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none"> Section 4.177(.02) for street design; Section 4.177(.03) to (.10) for sidewalks, bike facilities, pathways, transit improvements, access drives & intersection spacing. The following Development Standards are adjustable: <ul style="list-style-type: none"> Parcel Driveway Spacing: 20% Parcel Driveway Width: 10% 		
Parcel Driveway Width	Not applicable	24 feet, maximum or complies with Supporting Street Standards	24 feet, maximum or complies with Through Connection Standards

Proposed Code Amendments:

Modify the standard to include two driveway width maximums:

- Keep 24-foot width with 10% allowed adjustment to 26.4 feet for the primary driveway providing access for passenger vehicles, light delivery, etc.
- Increase the driveway width to 40 feet maximum with 10% allowed adjustment to 44 feet for a secondary driveway or a driveway that provides access for heavy delivery vehicles, large trucks, etc.

Rationale for Proposed Changes:

- Two waivers were requested to allow increased width of a secondary driveway from a Supporting Street for heavy vehicle ingress/egress.
- The allowed driveway width, even with a 10% adjustment, was not sufficient for large truck ingress/egress from a Supporting Street or Through Connection.
- Applicants suggest a maximum of 40 to 45 feet would be adequate for a driveway providing truck ingress/egress.
- Auto-only driveway width of 24 feet with allowed adjustment to 26.4 feet is sufficient.
- While the main goal of the driveway maximum width is limiting the distance that pedestrians have to cross a driveway, thus providing for better pedestrian connectivity, the pedestrian crossing distance needs to be balanced with safe turning radius for larger

vehicles to prevent traffic slowdowns and stacking on the street, and damage to curbs and landscape areas from turning trucks.

Table CC-3: Site Design			
	Addressing Streets	Supporting Streets	Through Connections
2. Parcel Pedestrian Access			
Parcel Pedestrian Access Width	8 feet wide minimum		

Proposed Code Amendments:

Modify the standard to limit where an access width of 8 feet is required:

- Specify that the 8-foot access width is for pathways between the public ROW and Primary Building Entrance(s).

Rationale for Proposed Changes:

- No waivers were requested, but clarification is needed of specific locations where the access width must be 8 feet versus where 5 feet is sufficient.
- While the width requirement appears to apply to all connections into a site, it seems overly burdensome to require all connections from the public right-of-way to be 8 feet wide.
- The highest priority should be connecting the primary frontage to the primary building entrance.

Table CC-3: Site Design			
	Addressing Streets	Supporting Streets	Through Connections
4. Parking Location and Design			
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none"> • Section 4.155 (03) Minimum and Maximum Off-Street Parking Requirements • Section 4.155 (04) Bicycle Parking • Section 4.155 (06) Carpool and Vanpool Parking Requirements • Section 4.176 for Parking Perimeter Screening and Landscaping—permits the parking landscaping and screening standards as multiple options The following Development Standards are adjustable: <ul style="list-style-type: none"> • Parking Location and Extent: up to 20 spaces permitted on an Addressing Street 		
Parking Location and Extent	Limited to one double-loaded bay of parking, 16 spaces, maximum, designated for short-term (1 hour or less), visitor, and disabled parking only between right-of-way of Addressing Street and building.	Parking is permitted between right-of-way of Supporting Street and building.	Parking is permitted between right-of-way of Through Connection and building.

Proposed Code Amendments:

Modify the standard to eliminate the limitation of one parking bay and allow some parking to be used for a longer duration:

- Keep the number of spaces unchanged at 16 spaces maximum with allowed adjustment to 20 spaces.
- Eliminate the requirement that all allowed spaces be located within one double-loaded bay of parking.
- Require that 50% of allowed spaces be designated for short-term, visitor, and disabled parking only, allowing other spaces to be utilized by other users or for longer duration.

Rationale for Proposed Changes:

- Three waivers were requested: one to the number of spaces due to unique site constraints and the waiver gave the City extra leverage to get enhanced landscaping along the frontage; another to allow two different parking bays, rather than one on an Addressing Street, while still meeting the maximum number of spaces; and two to allow some of the parking along an Addressing Street to be used by employees.
- Much of the development thus far (3 of 4 projects) tends not to have many customers or visitors; a majority of employees might work in the office area at the front of the building.
- Minimization of the appearance of parking from an Addressing Street is a key focus in the Pattern Book with the intent of providing a human scale to the public realm.

Table CC-3: Site Design			
	Addressing Streets	Supporting Streets	Through Connections
5. Grading and Retaining Walls			
General	The following Development Standards are adjustable: <ul style="list-style-type: none"> Retaining Wall Design: 20% 		
Maximum height	Where site topography requires adjustments to natural grades, landscape retaining walls shall be 48 inches tall maximum. Where the grade differential is greater than 30 inches, retaining walls may be stepped.		
Retaining Wall Design	Retaining walls longer than 50 linear feet shall introduce a 5-foot, minimum horizontal offset to reduce their apparent mass.		

Proposed Code Amendments:

Modify the standard to increase the maximum height for walls not visible from the right-of-way of adjacent streets and to allow a horizontal and/or vertical offset to reduce their mass.

- Keep the maximum height of 48 inches with a 20% allowed adjustment to 57.6 inches for retaining wall that are visible from the right-of-way of adjacent streets.
- Increase the height maximum to 60 inches with a 20% allowed adjustment to 72 inches for retaining walls that are only visible to users from within a site.
- Keep the requirement for an offset in walls longer than 50 linear feet, but clarify the meaning of “horizontal offset” by providing explanatory text or graphics/illustrations.

Rationale for Proposed Changes:

- Two waivers were requested to allow taller retaining walls to accommodate large flat buildings that require a level expanse within which to build, to meet grade at adjacent street right-of-way, and due to unique, site-specific design challenges.
- It is unclear how the requirement for a 5-foot minimum horizontal offset should be applied. Because it focuses on the linear length of the wall, rather than its height, it seems that the offset should be a vertical, rather than horizontal. Introducing a vertical offset can result in stability issues. It can lead to water penetration and wall failure.
- The Pattern Book (pages 23-24) emphasizes the intent to minimize site grading to preserve the natural character of a site. Contoured slopes are generally preferred to the installation of retaining walls. Where retaining walls are necessary to support site development, they should facilitate surface drainage, limit soil erosion, and avoid increasing instability of native soils. Retaining walls should be integrated with other site design features, such as stairs, ramps, and planters wherever possible.

Table CC-4: Building Design			
	Addressing Streets	Supporting Streets	Through Connections
2. Primary Building Entrance			
General	The following Development Standards are adjustable: <ul style="list-style-type: none">• Required Canopy: 10%• Transparency: 20%		
Accessible Entrance	The Primary Building Entrance shall be visible from, and accessible to, an Addressing Street (or a Supporting Street if there is no Addressing Street frontage). A continuous pedestrian pathway shall connect from the sidewalk of an Addressing Street to the Primary Building Entrance with a safe, direct and convenient path of travel that is free from hazards and provides a reasonably smooth and consistent surface consistent with the requirements of Americans with Disabilities Act (ADA). The Primary Building Entrance shall be 15 feet wide, minimum and 15 feet tall, minimum.		
Required Canopy	Protect the Primary Building Entrance with a canopy with a minimum vertical clearance of 15 feet and an all-weather protection zone that is 8 feet deep, minimum and 15 feet wide, minimum.		
3. Overall Building Massing			
Allowance of Primary Building Entrance	Where the Primary Building Entrance is located on an Addressing Street it may extend into the required front yard setback by 15 feet maximum provided that: <ul style="list-style-type: none">a. It has a two-story massing with a minimum height of 24 feet;b. The Parcel Frontage on the Addressing Street is limited to 100 feet;c. The building extension is 65% transparent, minimum;d. The entrance is protected with a weather-protecting canopy with a minimum vertical clearance of 15 feet; ande. The standards for site design and accessibility are met.	Not applicable	Not applicable
Ground Floor Height	The Ground Floor height shall measure 15 feet, minimum from finished floor to finished ceiling (or 17.5 feet from finished floor to any exposed structural member).		

Proposed Code Amendments:

Modify the standard to increase the allowed adjustment for required canopy height:

- Increase the allowed adjustment for required canopy height from 10% to 20% to allow a minimum canopy height of 12 feet.
- Add a footnote to Table CC-4 at the standards for “Accessible Entrance”, “Allowance of Primary Building Entrance”, and “Ground Floor Height” to allow corresponding reduction in the minimum height of the primary building entrance and ground floor height when an applicant elects to use the allowed adjustment to reduce the required canopy height.

Rationale for Proposed Changes:

- Two waivers were requested to reduce the required canopy height to 12 feet and two waivers were requested to adjust the interior ground floor height to 12 feet.
- A canopy height of 10 to 12 feet is the standard storefront dimension, where a height above 12 feet requires a curtain wall system, which is more expensive and likely requires custom fabrication.
- A lower canopy height may allow for better weather protection at the primary entrance, and can facilitate interior/exterior integration and line of sight.
- Applicants noted that an interior ceiling height requirement matching the exterior canopy feels more spacious in comparison to the typical dropped ceiling of 9 to 10 feet.
- If the allowed adjustment is changed to 20% from 10%, the resulting minimum would be 12 feet, which is the standard storefront dimension.

Table CC-4: Building Design			
	Addressing Streets	Supporting Streets	Through Connections
3. Overall Building Massing			
Base Design	The design of the building Base shall: a. Use a material with a distinctive appearance, easily distinguished from the building Body expressed by a change in material, a change in texture, a change in color or finish; b. Create a change in surface position where the Base projects beyond the Body of the building by 1½ inches, minimum; and/or c. Low Berm Landscape Standard, Section 4.176(.02)E.		

Proposed Code Amendments:

Modify the standard to clarify that any one of the three design options satisfies the requirement:

- Add “and/or” after “finish;” under (a.) in the standard.

Rationale for Proposed Changes:

- No waivers were requested, but clarification is needed as to whether the intent of the standard is to require (a.) **and/or** (b.), similar to with the Top Design, or to require **both** (a.) and (b.)
- Having a base that is both visually (a.) **and** dimensionally (b.) distinct is difficult to achieve, particularly with tilt-up concrete construction technology that has a large flat surface that is poured on the ground. Projecting panels, mesh treatment, or other means must be used to achieve the change in surface position.



Coffee Creek Code Assessment

Planning Commission Work Session

December 13, 2023

Presented by: Cindy Luxhoj AICP, Associate Planner

Coffee Creek Assessment Steps Completed to Date

May/June 2023

- Reviewed timeline to land use approval and requested waivers to form-based code standards

July/September 2023

- Conducted focused discussion with applicants and consultant teams

September 2023

- Sought direction at Planning Commission and City Council work sessions

October/November 2023

- Identified slight modifications to form-based code standards to make compliance more achievable for applicants

Form-based Code Standards Proposed for Modifications

- Table CC-3: Site Design
 - Parcel Access: Parcel Driveway Width
 - Parcel Pedestrian Access: Parcel Pedestrian Access
 - Parking Location and Design: Parking Location and Extent
 - Grading and Retaining Walls: Maximum Height; Retaining Wall Design
- Table CC-4: Building Design
 - Primary Building Entrance: Accessible Entrance; Required Canopy; and Overall Building Massing: Allowance of Primary Building Entrance; Ground Floor Height
 - Overall Building Massing: Base Design

Table CC-3: Site Design

Parcel Drive Width

- Current standard:
 - 24 feet maximum, or complies with Supporting Street Standards
 - Allowed adjustment: 10% to 26.4 feet
- Modify to include two driveway width maximums:
 - Keep current standard for primary driveway providing access for passenger vehicles, light delivery, etc.
 - Increase driveway width to 40 feet maximum with 10% allowed adjustment to 44 feet for a secondary driveway or a driveway providing access for heavy delivery vehicles, large trucks, etc.

Table CC-3: Site Design

Parcel Pedestrian Access

- Current standard:
 - 8 feet wide minimum on Addressing Streets, Supporting Streets, and Through Connections
- Modify to limit where an access width of 8 feet is required:
 - Specify that 8-foot access width is for pathways between public right-of-way and primary building entrance(s)

Table CC-3: Site Design

Parking Location and Extent

- Current standard:
 - One double-loaded bay, 16 spaces, maximum
 - Allowed adjustment: Up to 20 spaces permitted
 - All spaces designated for short-term (1 hour or less), visitor, and disabled parking only between right-of-way of Addressing Street and building
- Modify to eliminate parking bay limitation and allow some parking to be used for longer duration:
 - Keep number of spaces unchanged.
 - Eliminate requirement that all allowed spaces be located within one double-loaded bay of parking.
 - Require that 50% of allowed spaces be designated for short-term, visitor, and disabled parking only, allowing other spaces to be utilized by other users or for longer duration.

Table CC-3: Site Design

Grading and Retaining Walls

- Current standard:
 - Maximum height of 48 inches
 - Allowed Adjustment: 20% to 57.6 inches
 - Walls longer than 50 linear feet must introduce a 5-foot minimum horizontal offset to reduce their apparent mass
- Modify to increase height of wall not visible from adjacent streets and clarify the meaning of “horizontal offset”:
 - Keep maximum height of current standard for retaining walls that are visible from adjacent street right-of-way.
 - Increase height maximum to 60 inches with a 20% allowed adjustment to 72 inches for retaining walls that are only visible to users from within a site.
 - Keep requirement for an offset in walls longer than 50 linear feet, but clarify meaning of “horizontal offset” by providing explanatory text or graphics/illustrations.

Table CC-4: Building Design Required Canopy

- Current standard:
 - Vertical clearance of 15 feet minimum
 - All-weather protection zone minimum 8 feet deep and 15 feet wide
 - Allowed adjustment: 10% to 13.5 feet
- Modify to increase allowed adjustment to 20%:
 - Increase allowed adjustment for required canopy height from 10% to 20% to allow minimum canopy height of 12 feet.
 - Add footnote at the standards for “Accessible Entrance”, “Allowance of Primary Building Entrance”, and “Ground Floor Height” to allow corresponding reduction in minimum height of primary building entrance and ground floor height when applicant elects to use allowed adjustment to reduce required canopy height.

Table CC-4: Building Design Base Design

- Current standard:
 - Building base design that:
 - (a.) Uses change in material, texture, color or finish to create a distinctive appearance;
 - (b.) Creates a change in surface position; and/or
 - (c.) Meets the Low Berm Landscape standard
- Modify to clarify that any one of three design options satisfies the requirement:
 - Add “and/or” after the last word under (a.) in the standard

Next Steps

February 2024

Planning Commission
Public Hearing

March/April 2024

City Council Public
Hearing and Adoption

Questions for Planning Commission

- Does the Planning Commission support the draft standards modifications?
- Comments on the modifications?

- Mr. Price clarified the triggers on the plot indicated when the equipment or facilities were expected to be in place, so cash should be expended prior to the date shown, which was reflected in the cash flow projection.

Chair Heberlein called for public testimony regarding the Wastewater Treatment Master Plan and confirmed with Staff that no one present at City Hall or on Zoom indicated they wanted to provide testimony. He closed the public hearing at 6:41 pm.

Commissioner Hendrix moved to adopt Resolution No. LP22-0001 as presented. Commissioner Willard seconded the motion. Following a roll call vote, the motion passed unanimously.

WORK SESSION

3. Coffee Creek Assessment (Luxhoj)

Cindy Luxhoj, Associate Planner, updated on the Coffee Creek form-based code assessment via PowerPoint, which involved the four completed development projects in Coffee Creek. She reviewed the steps completed to date, noting Staff determined no modifications were needed to the land use review tracks and process, and presented the proposed modifications to six form-based code standards in Table CC-3 Site Design and Table CC-4 Building Design. The modifications were detailed in Attachment 1, including one proposed modification to the base design of the building not included in the Staff report. (Slide 9) The proposed modifications would come before the Planning Commission for public hearing in February 2024 and before Council for adoption in March or April.

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

- Overall, the Commission was satisfied with the proposed modifications.
- Initially, the potential for dramatic changes was a concern, but the adjustments were acceptable, and Staff's judicious approach was appreciated.
- Ms. Luxhoj confirmed the short-term parking standard modification only applied to parking on an Addressing Street, not additional parking for employees in the back or on other streets, such as supporting streets and through connections. The goal was to limit the extent of the parking on the Addressing Street to maintain a more personable public realm.
- For the next meeting, Staff was asked to provide an example of a five-ft offset to provide a clearer understanding of what that would look like in the real world. (Slide 7)
- What was the purpose of defining a maximum but allowing adjustment? Why not just define the maximum as what the City actually wanted the maximum to be?
 - Daniel Pauly, Planning Manager, agreed it was a good question, especially for the legislature. If an adjustment standard was written, but there was no standard for that adjustment, then it was the maximum, so it might as well be written as the maximum.
 - The difference was some rationale must be provided to get an adjustment. Big picture is important, because often, when creating clear and objective standards to make the process easier, a number had to be chosen, so allowing some flexibility for that number to be a broader gray line often made sense. However, the City still defaulted to whatever number was identified until the rationale for changing it, such as improved design, was provided.

The goal was to make the process easy and not trigger a full public hearing for minor changes.

- Ms. Bateschell citing the Panattoni building project in Coffee Creek where multiple interrelated waivers were triggered to preserve a cluster of trees that both the applicant and the City wanted to save. From a design perspective, it was a much better project, but it went to the Development Review Board (DRB) creating a longer process for the applicant.
- The form-based code was intended to create an administrative path for industrial buildings. While 15 ft was the standard for canopy height was a 12-ft high canopy unacceptable when a great project resulted?
- The idea was to create some small buffers above and below the desired number. Providing flexibility in a project that delivers a better result was fine; it was close to the other number, but the City wanted a reason for it, rather than just approving waiver requests with no discussion about how the decision was made. Approving a waiver could allow things the City did not want to see on every project site, but in Panattoni's case, the better site orientation preserved the trees.
- The clear and objective standard was what the City wanted to see, but adjustments provided the planning director some wiggle room when site conditions made it difficult for the project to meet those standards to grant, if justified, the requested modifications without a full public hearing process.
- Staff was asked to carefully examine the modifications, and if adjustments were allowed, to ensure there was a clear reason that would trigger the adjustment to be acceptable. If not, the language should be changed to an actual maximum or revise the language to differentiate between the recommended and maximum values, because it was not a maximum if there was an allowance to adjust it later.
- Ms. Luxhoj clarified that the scope of adjustments would be applied downward for minimum standards, and upward for maximum standards. An adjustment to a minimum height would allow for a reduction in height and if the scenario regarded a maximum height, the adjustment would allow for an increase in height.
- Discussion continued about the need for the Code to be clear about the rationale for accepting adjustments if a Code minimum or maximum was provided and what triggers the variance to be something acceptable to approve.
 - The purpose of a variance/adjustment was to provide flexibility, and if that flexibility was limited to only certain items, then the flexibility is reduced. Unless a specific list of all the possible justifications for variances was created, there was no way to justify the adjustment. The idea was to look at the different circumstances of each site, and some adjustments result on a much better design based on the Staff's justification to allow the requested variance. As noted, a specific justification might be a cluster of trees. Listing all the possibilities was impossible.
 - Mr. Pauly did not believe listing all the possibilities for variances would be necessary, the justification would be similar to the City's waiver criteria. Applicants had to provide a reasonable statement justifying their request based on the purpose of the Code or the Planned Development Standards, such as taking advantage of improved technology, making a better site plan, etc., rather than a specific list of qualifications.

- Ms. Bateschell noted criteria already existed in the Code requiring applicants to show how the original intent of the standard within the form-based code was being met in order to obtain the adjustment.
 - For the Black Creek project site, parking beyond the maximum allowed on Garden Acres Rd, the Addressing Street frontage, required a waiver and therefore, had to go through the hearing process. The project still had to meet the Code's intent, which was to not have a sea of parking out front, not that much depth before getting to the building and have it oriented in a certain way. Because of the waiver, additional landscaping and screening was required to diminish the view of the parking lot. The design standards and handbook of the form-based code provided some criteria for how to evaluate such adjustments.
- Knowing something in the Code outlined the process for obtaining an adjustment was helpful and having staff's documented justification of the Black Creek project addressed concerns about adjustments being approved willy-nilly; otherwise, the City was setting a precedent by waiving a rule without justifying it properly and the next applicant would expect the same.
- Ms. Luxhoj explained the thoughtful approach taken in the recommended modifications to the form-based code without losing sight of its intent while also providing the waiver process. Based on discussions with former applicants, considerations were made about what could be tweaked to reduce the number of requested waivers, such as having a wider width on a secondary driveway, while keeping the primary driveway at the narrower width.
 - The aim was to balance adjustments that made compliance more feasible for future projects while preserving the Code's intent and maintaining waivers for more substantial changes, like extensive parking or tall retaining walls, where proper justification would still be required through the waiver process.

Commissioner Mesbah commended Ms. Luxhoj for her clear explanation of the rules and codes, without any reference to the public good that should come from enforcing the Code, noting the potential for such regulations to become overly bureaucratic.

4. Frog Pond East and South Implementation-Development Code (Pauly)

Daniel Pauly, Planning Manager, continued the discussion on the Frog Pond East and South Implementation Code Amendments via PowerPoint, updating the Commission on specific draft Development Code amendments for Siting and Design Development Standards, further describing the removal of minimum lot sizes, as well as updating other key standards, including front setbacks, maximum building width, and draft floor to area ratios (FARs). (Slides 3-18)

- He clarified the State rules requiring the allowance of three-story middle housing was only if parking was required; the City could limit the height to two-stories if parking was not required, which would be the case in Frog Pond. As the Code continued to be refined, the maximum building height could potentially be adjusted down. The 35-ft height maximum was based on an old, traditional 10-ft story and current development patterns now had slightly higher ceiling heights. (Slide 9)

Comments from the Planning Commission on the Draft Development Standards topics were as follows with responses to Commissioner questions as noted:



WORK SESSION

Coffee Creek Assessment (Luxhoj)



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: September 18, 2023		Subject: Coffee Creek Code Assessment	
		Staff Member: Cindy Luxhoj AICP, Associate 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: Staff recommends Council provide requested input on direction of possible Development Code amendments to the Coffee Creek Industrial Design Overlay District.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Attract high-quality industry and increase investment in industrial areas	<input checked="" type="checkbox"/> Adopted Master Plan(s): Coffee Creek Master Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Staff has initiated an assessment of the Coffee Creek Industrial Design Overlay District form-based code, which was adopted in 2018 for the Coffee Creek Master Plan area, and is seeking input from City Council on the direction of possible Development Code amendments to the form-based code standards and review process.

EXECUTIVE SUMMARY:

The City adopted the Coffee Creek Master Plan in 2007 to guide industrial development in the Coffee Creek area. In 2018, the City adopted the Coffee Creek Industrial Design Overlay District form-based code (Development Code Section 4.134) and accompanying Pattern Book to establish clear and objective regulations and guidelines for the area. These standards guide street design and connectivity, site design, circulation, building form and architecture, and landscaping for future development.

To facilitate a predictable and timely process for reviewing industrial development applications in Coffee Creek, two land use review tracks were established:

- Class 2 Administrative Review of applications meeting all the clear and objective standards of the form-based code.
- Development Review Board review of applications requesting one or more waivers to the standards.

The City also modified procedures governing City Council review of annexations and Zone Map amendments in Coffee Creek. These modifications allow for City Council review of the requests without prior review or recommendation by the Development Review Board, thus facilitating concurrent processing with other related development permit applications for a project, such as Stage 1, Stage 2, Site Design Review, etc.

When adopted, the form-based code standards and review process was subject to a pilot period of three completed development applications or five years, whichever comes first. As of 2023, both milestones have been achieved, with four completed industrial development projects in various stages of construction throughout the Coffee Creek area (see Attachment 1); thus, staff is assessing the form-based code. This review will enable the City to determine whether adjustments are warranted to the standards, process, or both, to achieve the overall objective of providing a clear and quick development review process that fosters creation of a connected, high-quality employment center in Coffee Creek.

To date, staff has reviewed the timeline to land use approval for the four completed development projects in Coffee Creek (see Attachment 2) and types of requested waivers to the form-based code standards (see Attachment 3). The timeline to approval, from complete application to final land use approval, has varied from roughly three (3) to seven (7) months. Each application applied for at least one waiver triggering review by the Development Review Board and so, to date, the Class 2 review process has not been utilized. Waivers requested have been for driveway width on a Supporting Street, parking location and use at the front of a building on an Addressing Street, retaining wall height and design, and building entrance canopy and ground floor ceiling height, among others.

In July 2023, staff also conducted three focused discussions with applicants and their consultant teams to gain feedback from a customer service standpoint about the form-based code to inform the current assessment (see Attachment 4). Earlier this month, staff engaged in a follow-up discussion with one of the applicants to understand in more depth which of the form-based code standards could more closely align with current and future needs of prospective industrial users in the Coffee Creek area.

In regards to process, applicants stated a preference for more definite guidance upfront from City staff about specific Code requirements and the development review timeline. They also desired more frequent communication about application deficiencies during completeness review and preparation of the land use decision so that they could address issues as they arose. Many of these comments about the timeliness and predictability of the development permit process were not specific to the form-based code, and when applicants focused on Coffee Creek their comments were mostly positive. The ability to take an application to City Council public hearing prior to Development Review Board review was greatly appreciated and added appreciable time savings to the process. Related to the form-based code standards, applicants offered helpful suggestions for adjustments to the standards, particularly related to project waiver requests, which will help inform discussions about what Code amendments could improve and streamline the development review process while maintaining the desired high-quality design in the Coffee Creek Industrial Area (see Attachment 5).

Based on this initial work, it appears that the land use review process is overall working as designed to facilitate a predictable and timely process for reviewing industrial development applications in Coffee Creek. Concurrent City Council review of annexations and Zone Map amendments, which all four projects requested, in particular is enabling a more streamlined land use review process. However, none of the projects has been able to meet all the form-based code standards and utilize the Class 2 Administrative Review track. Rather, they all have required at least one waiver and, thus, review by the Development Review Board, which has resulted in longer timelines to obtaining approval.

Therefore, staff has determined that modification to the land use review tracks and process is not needed. However, staff is recommending the City Council consider slight adjustments to the form-based code standards to make compliance more achievable for applicants, with the objective of enabling applicants to use the Class 2 Administrative Review track while not compromising the City's ability to continue creating a connected, high-quality employment center in Coffee Creek.

At this work session, staff is seeking the following feedback from City Council:

- What questions does City Council have about the Coffee Creek Code Assessment project?
- Does City Council agree with the direction of possible Development Code amendments described by staff that maintains the review process and focuses on adjusting the form-based code standards to reduce the need for waiver requests?

EXPECTED RESULTS:

Feedback from the meeting will guide staff in drafting a package of proposed Development Code amendments that staff will present to City Council for feedback this winter.

TIMELINE:

Planning Commission was briefed on the Coffee Creek Code Assessment at their September 13, 2023 meeting. Work sessions with Planning Commission and City Council are anticipated in December 2023. A Planning Commission public hearing and recommendation to City Council on the Development Code amendments is expected in February 2024. City Council public hearing and adoption is anticipated in March or April 2024.

CURRENT YEAR BUDGET IMPACTS:

Funding for the Coffee Creek Code Assessment work is allocated in the FY2023-24 Planning Division budget.

COMMUNITY INVOLVEMENT PROCESS:

The Coffee Creek Master Plan, as well as the Coffee Creek Industrial Design Overlay District drafting and review process, included comprehensive community involvement to gather input. For the current Coffee Creek Code Assessment project, staff has focused on gathering input from recent applicants and their consultant teams to inform the evaluation and provide input on the process and standards.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Refinement of the Coffee Creek form-based code to facilitate future development while continuing to create the desired connected, high-quality employment center envisioned in the Master Plan will result in efficiencies for future users, as well as inform planning for the Basalt Creek industrial area to the north, which will benefit all members of the Wilsonville community who live and work in these industrial areas.

ALTERNATIVES:

Alternatives include:

- Make no modifications to the Coffee Creek Industrial Design Overlay District standards.
- Modify the Coffee Creek Industrial Design Overlay District standards related to the land use review process for applicants.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Coffee Creek Regulating Plan with Location of Approved Developments
2. Coffee Creek Industrial Area Application Timeline to Approval
3. Waiver Requests for Approved Developments in Coffee Creek
4. Participant List and Questions for Coffee Creek Form-based Code Discussions
5. Summary of Feedback from Coffee Creek Form-based Code Focused Discussions

Coffee Creek Regulating Plan with Location of Approved Developments

- 1. Coffee Creek Logistics
- 2. Black Creek Group
- 3. Precision Countertops
- 4. Delta Logistics



Figure CC-1 - Regulating Plan

COFFEE CREEK INDUSTRIAL AREA APPLICATION TIMELINE TO APPROVAL

TIMELINE TO APPROVAL	BLACK CREEK GROUP INDUSTRIAL	COFFEE CREEK LOGISTICS	DELTA LOGISTICS SITE EXPANSION	PRECISION COUNTERTOPS
Length of Review, Complete Application through Final Approval (end of City Council or DRB appeal period, whichever is latest)	3 months 6 days (March 10, 2022 through June 15, 2022)	3 months 21 days (July 1, 2020 through October 21, 2020)	7 months 11 days (October 14, 2022 through May 24, 2023)	4 months 20 days (December 14, 2022 through May 3, 2023)
Pre-Application Meeting	June 17, 2021 (PA21-0015)	September 26, 2019 (PA19-0019)	April 15, 2021 (PA21-0007)	July 29, 2021 (PA21-0019)
Completeness Review – 1st Application				
o Submitted	December 21, 2021 (DB21-0083 et seq)	February 27, 2020 (DB20-0017 et seq)	April 19, 2022 (DB22-0007)	October 8, 2021 (DB21-0049 et seq; Reassigned to AR21-0050)
o Incomplete Notice issued	January 20, 2022	March 26, 2020	May 19, 2022	November 5, 2021
o Resubmitted	February 14, 2022	July 1, 2020 ^{*1}	August 26, 2022	--
o 2 nd Incomplete Notice issued	--	--	September 16, 2022	--
o Resubmitted	--	--	October 12, 2022 ^{*2}	--
o Complete Notice issued	March 10, 2022	July 1, 2020	October 14, 2022	--
o Withdrawn	--	--	--	March 23, 2022
o 180-day Review Period ended	--	--	--	April 6, 2022
Completeness Review – 2nd Application				
o Submitted	--	--	--	July 8, 2022 (AR22-0008; Reassigned to DB22-0011)
o Incomplete Notice issued	--	--	--	August 5, 2022
o Resubmitted	--	--	--	November 14, 2022
o Complete Notice issued	--	--	--	December 14, 2022
City Council				
o 1 st Reading	May 2, 2022	September 10, 2020	January 5, 2023	March 20, 2023
o 2 nd Reading	May 16, 2022	September 21, 2020	January 19, 2023	April 3, 2023
o Ordinance Effective Date	June 15, 2022	October 21, 2020	February 18, 2023	May 3, 2023
Development Review Board				
o Public Hearing	May 23, 2022	September 28, 2020	May 8, 2023 ^{*3}	April 10, 2023 ^{*4}
o Notice of Decision	May 24, 2022	September 29, 2020	May 9, 2023	April 11, 2023
o Appeal Period ended	June 8, 2022	October 14, 2020	May 24, 2023	April 26, 2023
120-day Review Period ended	July 8, 2022	October 29, 2020	February 11, 2023	April 13, 2023
o 120-day Waiver extending Review Period ended	--	--	March 30, 2023	May 3, 2023
o 2 nd 120-day Waiver extending Review Period ended	--	--	June 30, 2023	--
Subsequent Class 2 Administrative Review				
o Submitted	June 23, 2022	May 20, 2022	--	--
o Pending Notice issued	July 21, 2022	June 2, 2022	--	--
o Notice of Decision issued	September 26, 2022	June 16, 2022	--	--
o Appeal Period ended	October 10, 2022	June 30, 2022	--	--
Notes:				
^{*1} Resubmittal included request to deem application complete per ORS 227.178(2)(b)				
^{*2} Request to deem application complete per ORS 227.178(2)(b) received on October 14, 2022				
^{*3} Public Hearing rescheduled from January 23, 2023, to February 13, 2023; February 13, 2023 to March 27, 2023; and March 27, 2023, to May 8, 2023, at applicant's request.				
^{*4} Public Hearing rescheduled from March 27, 2023, to April 10, 2023, at applicant's request.				

WAIVER REQUESTS FOR APPROVED DEVELOPMENT IN COFFEE CREEK

Subsection 4.134(.11)	Development Standard	Waiver Request
Table CC-3 1. Parcel Access / Parcel Driveway Width / Supporting Streets	24 feet, maximum, or complies with Supporting Street Standards <u>Allowed adjustment:</u> 10% (to 26.4 feet)	<p><u>Black Creek Group Industrial</u> Applicant proposed to increase the width of the southwest driveway to 50 feet to accommodate vehicle turning movements into the site from the Supporting Street.</p> <p><u>Precision Countertops</u> Applicant proposes to increase the width of the east driveway to 40 feet to accommodate vehicle turning movements into the site from the Supporting Street.</p>
Table CC-3 4. Parking Location and Design / Parking Location and Extent / Addressing Streets	Limited to one double-loaded bay of parking, 16 spaces, maximum, designated for short-term (1 hour or less), visitor, and disabled parking only between right-of-way of Addressing Street and building. <u>Allowed adjustment:</u> Up to 20 spaces permitted on an Addressing Street	<p><u>Black Creek Group Industrial</u> Applicant proposed to locate 49 of 71 spaces of provided parking between the right-of-way of SW Garden Acres Road (Addressing Street) and the front of the building. In addition, the applicant proposed to use the spaces for employee parking, as well as the permitted uses of short-term, visitor, and disabled parking.</p> <p><u>Coffee Creek Logistics Center</u> Applicant proposed two (2) parking bays, one (1) containing four (4) spaces and the other containing five (5) spaces outside the office endcaps at the front of the building on SW Clutter Street, rather than one (1) double-loaded bay.</p> <p><u>Delta Logistics Site Expansion</u> Applicant proposed to locate 15 of 41 spaces of provided parking between the right-of-way of SW Day Road (Addressing Street) and the front of the building. Of these spaces, the applicant proposed to use six (6) of the spaces for the permitted uses of short-term, visitor, and disabled parking, and requested a waiver to use nine (9) of the spaces for employee parking,</p>

Subsection 4.134(.11)	Development Standard	Waiver Request
Table CC-3 4. Parking Location and Design / Parking Setback / Addressing Streets	20 feet minimum from the right-of-way of an Addressing Street	<u>Black Creek Group Industrial</u> Applicant proposed a narrower 9-foot setback from the right-of-way of SW Garden Acres Road (Addressing Street) than the 20-foot minimum.
Table CC-3 4. Parking Location and Design / Off Street Loading Berth / Addressing Streets	One loading berth is permitted on the front façade of a building facing an Addressing Street. The maximum dimensions for a loading are 16 feet wide and 18 feet tall. A clear space 35 feet, minimum is required in front of the loading berth. The floor level of the loading berth shall match the main floor level of the primary building. No elevated loading docks or recessed truck wells are permitted. Access to a Loading Berth facing an Addressing Street may cross over, but shall not interrupt or alter, a required pedestrian path or sidewalk. All transitions necessary to accommodate changes in grade between access aisles and the loading berth shall be integrated into adjacent site or landscape areas. Architectural design of a loading berth on an Addressing Street shall be visually integrated with the scale, materials, colors, and other design elements of the building.	<u>Coffee Creek Logistics Center</u> Applicant proposed one at-grade loading berth and 19 recessed loading berths on the front façade of the building facing an addressing street.
Table CC-3 5. Grading and Retaining Walls / Maximum Height / Addressing Streets	Where site topography requires adjustments to natural grades, landscape retaining walls shall be 48 inches tall maximum. Where the grade differential is greater than 30 inches, retaining walls may be stepped. Allowed adjustment: 20% (to 57.6 inches)	<u>Black Creek Group Industrial</u> Applicant proposed a retaining wall on the western side of the drive aisle along SW Grahams Ferry Road, the middle, roughly 105-foot-long section of which varied from 48 inches to 57 inches in height, exceeding the maximum height limitation. <u>Delta Logistics Site Expansion</u> Applicant proposed two (2) retaining walls, one (1) on the east side of the SROZ and one (1) on the north, east, and south sides of the building on the east part of the site. The east retaining wall, with a maximum height of over 18 feet, exceeded the allowed height by several feet.

Subsection 4.134(.11)	Development Standard	Waiver Request
Table CC-3 7. Location and Screening of Utilities and Services / Location and Visibility / Addressing Streets	Site and building service, equipment, and outdoor storage of garbage, recycling, or landscape maintenance tools and equipment is not permitted	<u>Black Creek Group Industrial</u> Applicant proposed to locate the trash/recycling enclosure adjacent to SW Grahams Ferry Road (Addressing Street) on the western side of the building.
Table CC-4 2. Primary Building Entrance Accessible Entrance / Required Canopy	Protect the Primary Building Entrance with a canopy with a minimum vertical clearance of 15 feet and an all-weather protection zone that is 8 feet deep, minimum and 15 feet wide, minimum. <u>Allowed adjustment:</u> 10% (to 13.5 feet)	<u>Black Creek Group Industrial</u> Applicant proposed a canopy height of 12 feet. <u>Coffee Creek Logistics Center</u> Applicant proposed a canopy height of 12 feet.
Table CC-4 3. Overall Building Massing / Base, Body, and Top Dimensions	Buildings elevations shall be composed of a clearly demarcated base, body and top. b. For Buildings between 30 feet and 5 stories in height: i. The base shall be 30 inches, minimum; 2 stories, maximum. ii. The body shall be equal to or greater than 75% of the overall height of the building. iii. The top of the building shall be 18 inches, minimum. <u>Allowed adjustment:</u> 10% (Body: to 67.5 %)	<u>Coffee Creek Logistics Center</u> Applicant proposed a body that is 66.25% of overall building height.
Table CC-4 3. Overall Building Massing / Ground Floor Height	The Ground Floor height shall measure 15 feet, minimum from finished floor to finished ceiling (or 17.5 feet from finished floor to any exposed structural member). <u>Allowed adjustment:</u> 10% (to 13.5 feet)	<u>Black Creek Group Industrial</u> Applicant proposed an interior ground floor height of 12 feet. <u>Coffee Creek Logistics Center</u> Applicant proposed an interior ground floor height of 12 feet.

PARTICIPANT LIST AND QUESTIONS FOR COFFEE CREEK FBC DISCUSSIONS

PARTICIPANTS

FOCUSED DISCUSSION – JULY 20, 2023

- Projects: Precision Countertops
 - Will Grimm, First Forty Feet
 - Simone O-Halloran, MDG Architecture/Interiors

FOCUSED DISCUSSION – JULY 24, 2023

- Projects: Coffee Creek Logistics, Black Creek Group, Delta Logistics
- Participants:
 - Lee Leighton, Mackenzie
 - Scott Moore, Mackenzie
 - Nicole Burrell, Mackenzie

FOCUSED DISCUSSION – JULY 27, 2023

- Projects: Coffee Creek Logistics, Black Creek Group
- Participants:
 - Kim Schoenfelder, KGIP
 - Zach Desper, Ares Management

QUESTIONS

1. The two land use review tracks, Administrative Review and Development Review Board, in Coffee Creek were established to facilitate a predictable and timely process for reviewing industrial development applications.
 - a. Based on your experience with the application and land use review process, do you agree that the process is predictable?
 - b. What do you think are the aspects of the process that help achieve this intended result or, conversely, that hinder achieving a predictable result?
2. The four developments subject to the Form-based Code in Coffee Creek have taken roughly 3 to 4 months, with one application taking roughly 7 months, from complete application to final approval of land use application (end of City Council or Development Review Board appeal period).
 - a. Based on your experience with industrial land development, do you think this is a reasonable timeline for land use review?
 - b. Do you think the process resulted in a relatively streamlined and straightforward review and approval?
 - c. Did concurrent City Council review of the annexation and Zone Map amendment make a difference in the process?
 - d. Do you have suggestions for how the process could be refined to shorten the review timeline further?

3. Two of the projects required subsequent Class 2 Administrative Review for modifications to number of parking spaces, landscaping, stormwater facilities, tree removal/retention, and other site improvements that were triggered by Building and Engineering requirements and Planning compliance related to construction.
 - a. Do you think there are modifications that could be made to the land use review process that would reduce the potential need for subsequent review?
4. All four projects in Coffee Creek had to request one or more waivers to the Coffee Creek standards, so none to date have been able to use the more efficient Administrative Review process. The waivers were for such site design elements as parcel driveway width on a Supporting Street, parking location and extent on an Addressing Street, retaining wall height and design, building entrance canopy height, etc.
 - a. Based on your project experience, do you think any of the standards are overly restrictive to development or pose a particular design challenge? Do you have suggestions for how those standards could be modified to make them less challenging?
 - b. Did the Form-based Code and Pattern Book encourage your team to do something different or result in a better building or site design?
 - c. What do you particularly like about the Form-based Code?
5. Would your design team have benefited from any additional information being provided during the pre-application meeting for your project that you did not receive?
6. Are there any questions you have for Staff or other comments and insights you would like to share?

SUMMARY OF FEEDBACK FROM COFFEE CREEK FORM-BASED CODE FOCUSED DISCUSSIONS

Feedback about Process:

Many comments received about the timeliness and predictability of the land use review process were not specific to the two-track process in Coffee Creek, but to land use review in general, particularly related to pre-application meetings and completeness review.

Information provided by the City, from all Departments/Divisions, at pre-application meetings needs to be as detailed as possible to enable an applicant to design and prepare plans for land use review that meet applicable standards, as rework during site design is costly and causes delay. However, it can be difficult at the pre-application stage to provide detail about a particular site plan, because designs will evolve as requirements and standards are better understood during land use review.

Follow-up meetings post pre-application, which are offered by the City, need to happen more than they do as they are helpful to applicants. But these meetings add to review time to organize and coordinate schedules, so a balance is needed.

Applicants need detailed guidelines about rules and requirements so they have clarity about what they are trying to design. No clarity leads to no predictability and, thus, delay. However, applicants also need to spend time understanding what the City is trying to accomplish, so everyone is on the same page as early in the process as possible.

Getting from the pre-application meeting to application submittal can be challenging. This is particularly the case when an applicant modifies their original design to respond to staff input provided at the pre-application meeting and the revised design raises new questions or concerns about compliance with the standards.

It is critical for the applicant to have definite information at the front of project planning for pro-forma and financial commitments. Drastic changes to a site plan that may be needed before submittal for land use completeness review have ripple effects on project design. For example, while the design standards for Supporting Streets are intentionally flexible to accommodate the unique characteristics of each project site, this can be perceived by the applicant as ambiguous and open to interpretation and they may struggle to find an acceptable design solution. This affects speed to market, which is key in speculative building.

With respect to projects in Coffee Creek, the timeline has been reasonable for land use review. But cyclical rounds of review and needed adjustments in some cases were challenging and, in applicants' opinion, time consuming.

Applicants prefer a concrete estimate of timeline to approval and work backward from there to map out their project schedule. If the City provides a timeline estimate and there are delays, either on the applicant's part or in staff response, that prolong the process, this is frustrating for the applicant and has ripple effects on scheduling, cost estimating, budgeting, etc. If the City can answer the biggest question – How long will land use review take? – with certainty at the pre-application meeting, everyone benefits. Now that four projects have gone through the land use review process in Coffee Creek, it may be prudent to adjust the timeline estimate to reflect the experience.

Going to City Council first for annexation and Zone Map amendment as is allowed in Coffee Creek is a significant benefit for applicants, with respect to time savings, and the process has been fairly smooth and worked as anticipated.

After application submittal for completeness review, the land use review process in Coffee Creek was generally predictable and timely. Staff is a good partner and great to work with. At times, more detailed review during completeness from all Departments/Divisions could be helpful. In addition, City review and feedback to the applicant can lag when issues come up. It would be helpful in these instances for staff to mobilize around the issue in a timely manner so it can be addressed quickly and the project can continue to progress through the review process. Timely and frequent conversations are needed throughout the process.

Overall applicants feel staff works very hard to get to yes on applications in Coffee Creek. However, in applicants' opinion it is possible that predictability and timeliness could be improved with more communication with the applicant during completeness review, which could result in fewer incompleteness and compliance items. Also, applicants would prefer more conditions of approval in the land use decision, rather than trying to dial in an application before the decision is issued. Detailed reviews are helpful, but applicants question how many such reviews are enough before outstanding items are conditioned so the project can move forward in the process.

Predictability and timeliness could be improved if some latitude or flexibility was built into the land use approval that anticipates subsequent design changes at the construction permitting stage and either considers the changes substantially compliant or as Class 1 Administrative Review. Returning to the original approving body or going through subsequent Class 2 Administrative Review following approval adds significantly to the project timeline.

Feedback about Intent of FBC:

There appears to be a disconnect between some of the form-based code standards and development typologies described in the Pattern Book and actual development occurring in Coffee Creek. Of the four approved projects in Coffee Creek, three are large single- or two-tenant, speculative industrial warehouse distribution facilities with office endcaps, and one is a corporate headquarters with office, showroom, and manufacturing components. Except for the corporate headquarters, these developments do not fully match the envisioned typologies, which include a mix of uses and more than one building on a site, as well as multi-story office buildings. As a result, achieving fully compliant design, particularly with site design and building form standards, is challenging and resulted in requested waivers. If on-the-ground reality is not fully consistent with the vision for Coffee Creek development typologies but still desirable, does there need to be adjustment to some of the form-based code standards to better align them with market conditions and to anticipate what might come in the future?

The question was raised as to whether the intent of the form-based code is being met with development that has occurred to date, and what the City wants to set the stage for in the future. Now that four projects have gone through the land use review process, what do the next four projects want to be? It could be helpful to have an evolving Master Plan for Coffee Creek that adjusts as projects are constructed to see how they all work together. The Master Plan should be a living document and road map to the future that adapts and updates as the area evolves with development.

Feedback about FBC Standards:

Prescriptive standards can limit innovative design. If a proposed development does not follow Code verbatim, but is a desirable or creative design that the City would like to see developed, is there a path to approval or does the design have to be less or different just to meet the standards? It was suggested that flexibility is needed in the standards, within the administrative review process, to enable the ability to pivot and accommodate divergence, while still achieving the City's vision for the area.

Speculative building (e.g., Black Creek Group) is very different from build-to-suit (e.g., Precision Countertops). Designing standards that work for both types of buildings while not impossible is extremely challenging because of differing operational and site design needs. Speculative users have a list of desirable characteristics for a site and they want to check as many as possible off the list. The purpose of constructing a speculative building is to attract a high quality tenant by checking as many of the boxes as possible based on standards that work for the industry, while making Wilsonville the most desirable location for a prospective user when compared with the larger market.

Applicants want to look at the form-based code and understand what is required. This necessitates that the standards be crystal clear, so that project planning and site design is predictable and there are not gray areas.

Standards that speak to operations are of primary importance from the applicant's perspective and need to be "all dialed in", then the form-based code overlays "desired features" (landscaping, connectivity, etc.) to get what is desired. When they are inflexible or do not make sense operationally, standards cannot be achieved and waivers are needed to enable what operationally works. If the standards that speak to operations are right, it facilitates the process and does not hinder achieving a predictable result. The standards should be reviewed with an eye to allowing more latitude or a higher threshold without requiring a waiver for those that address operations.

Driveway Width

Limiting the driveway width from a Supporting Street to a maximum of 26 feet with adjustment is problematic. There should an allowance for a wider driveway, at least 40 feet wide, to accommodate large truck movements entering/exiting a site. A narrower driveway is fine for passenger vehicles and smaller delivery trucks. Other factors that affect driveway width include such things as restricted access to/from a supporting street, angle of approach, etc.

Parking Location and Design on an Addressing Street

Location and design of passenger vehicle parking is dictated by where loading docks are located - rear, front, side, or cross – characteristics of site, size and orientation of building, etc. With a front load building, it is rare not to see parking in the front. Smaller sites also usually prefer to have parking in the front of the building. This is important to operations, security, and accessibility for employees and customers.

A secure truck court and yard is a high priority need for industrial users. Separating truck and passenger vehicle traffic is essential for safety. Limiting parking, in both number and who can park there, at the front of the building makes achieving separation challenging. If parking is not at the front, then the truck court likely will be on the front, which is less desirable from an aesthetic standpoint.

Allowing 20 spaces maximum with adjustment at the front of a building is extremely limiting. It was suggested that the ratio of allowed parking on an Addressing Street should be adjusted based on the square footage of the building, thus allowing more parking at the front for a larger building size.

Many large industrial users do not have visitors and customers, but do have a large number of employees, particularly in office areas, which are at the front of the building. Some spaces at the front of the building, therefore, should be available for use by employees and not limited to ADA, visitors and customers.

Retaining Walls

Large, flat industrial buildings result in the need to have more and/or taller retaining walls. This is especially true when it is necessary to meet grade on multiple streets around a site. Requirements should be tied to characteristics of an individual site, rather than a uniform standard. Making grade to a street is a key determinant of wall design. In addition, more topography results in the need for more walls. Because walls are very costly, drivers (cut/fill, cost, topography, etc.) will naturally limit their height.

Perhaps consider a proportional approach based on the slope of a site or height as a function of overall cross-slope of a site based on a project that already has been constructed, such as Black Creek Group.

If a retaining wall is not visible from an Addressing Street and primarily visible from the interior of a site, why does it matter what the wall looks like?

The requirement for horizontal offset is problematic. It is prudent to look at aesthetics of a retaining wall, because construction materials vary substantially. However, it may not be possible to integrate the offset or stepped design in landscape areas within the limited constraints of a site.

Entry Canopy Height

A lower entry canopy height than the required 13.5 feet minimum with adjustment makes more sense. Twelve (12) feet is preferable from a functionality standpoint. Standard storefront systems have a natural break at 12 feet. Better weather protection and pedestrian scale is achieved at 12 feet.

Interior ceiling height is typically dropped to 9-10 feet, but a height matching a 12-foot canopy gives a more open feel to the interior and allows better interior/exterior integration. If there is a mezzanine (second story office, not storage mezzanine), the ceiling is usually at 9 feet for first floor, which makes 12 feet problematic.

Building Massing and Base, Middle, Top Dimensions

The overall building massing standard with base, middle, top dimensions probably hinders design and is not productive. Design can be scaled well without the dimensional requirements. The standard results in prescriptive design, causing overall design aesthetic to suffer. The same effect can be achieved with a variety of materials. An alternative methodology is needed that gets the desired "high quality" design.

Requirements for dimensional (recede, project) definition of base and top, rather than just visual, is difficult to achieve with poured slab concrete tilt-up buildings. Allowing applicants to make some trade-offs, such as using graphic treatments, that accomplish the intent of a physical off-set have the same effect from a distance. Paint schemes and reveals are more effective in adding variety and dimension.

Can the standard be adjusted to achieve the same visual interest and variety desired, but in a less prescriptive way? The standard product today is much more interesting and aesthetically pleasing and driven by a market that demands quality. The standards should be flexible and adaptable as the market changes now and in the future.

Landscape Buffer Areas on Addressing and Supporting Streets

Are landscape buffers between a building and/or parking and the public right-of-way necessary? Buildings in urban areas are right up to the street. Is Coffee Creek trying to achieve a suburban model with ample landscape buffers or a more urban aesthetic?

Street Typologies

Street typologies do not align with the Transportation System Plan (TSP) and Engineering Design Manual. This results in negotiation with Engineering staff about street design, leads to confusion, and can make redesign necessary. Required infrastructure design under the streets also needs to be calibrated.

Requiring a Supporting Street, in a public easement, on the edge of an industrial site can make truck circulation more difficult because they are circulating on a public way with other vehicle types. This can put a site at a disadvantage because a large part of the site is reserved for connectivity rather than site circulation.

Agglomeration of sites would help achieve envisioned development and spread the cost burden of Supporting Street infrastructure more equitably across owners/developers.



Coffee Creek Code Assessment

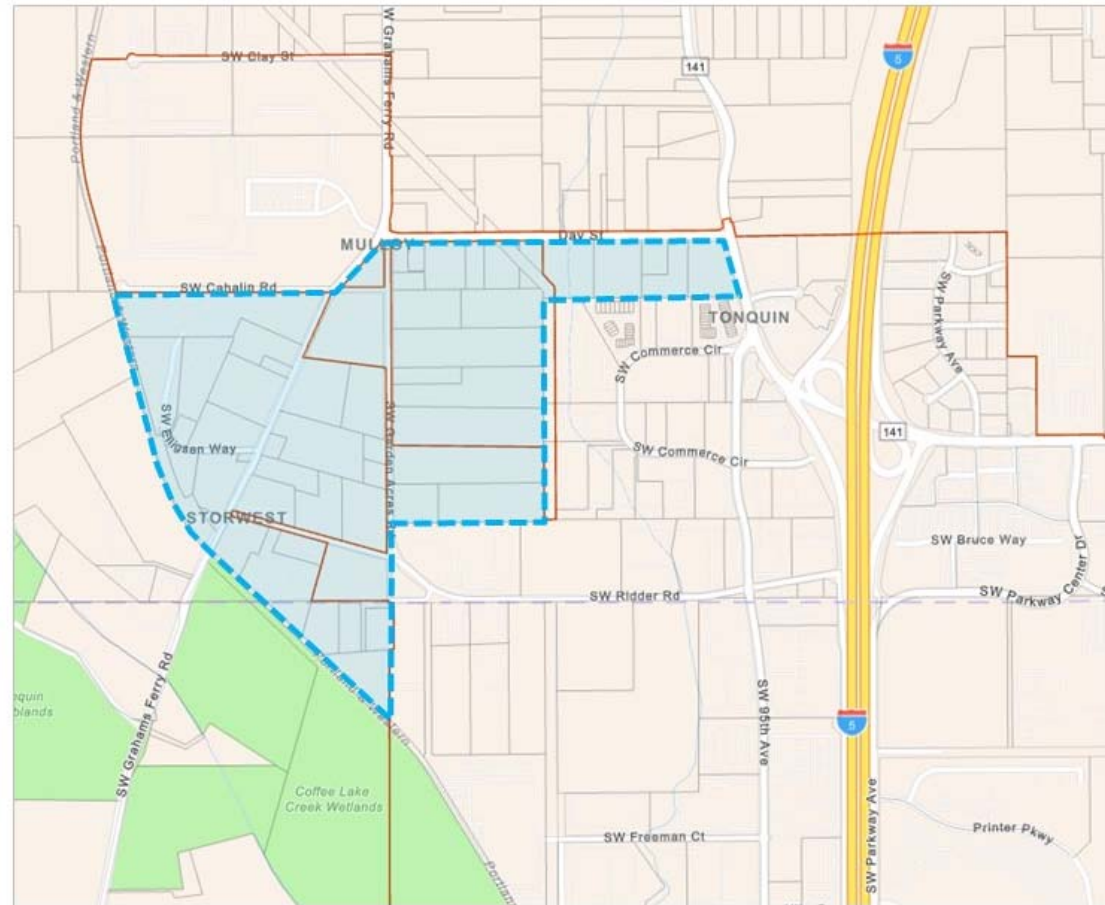
City Council Work Session

September 18, 2023

Presented by: Cindy Luxhoj AICP, Associate Planner



Coffee Creek Master Plan Area





Background

- 2018: Form-based code adopted
 - Two land use review tracks
 - Concurrent City Council review of annexations and Zone Map amendments
 - Pilot period of 3 completed applications or 5 years
- 2023: Pilot milestones achieved and assessment initiated



Steps Completed to Date



- Reviewed timeline to land use approval
- Reviewed requested waivers to form-based code standards
- Conducted focused discussions with applicants and consultant teams



Assessment Summary

- Timeline to approval – 3 to 7 months
- Waiver requests for application:
 - Minimum 1 waiver
 - Maximum 7 waivers
- Applicant Feedback:
 - Review tracks and process are overall working
 - Slight adjustments to form-based code standards would be beneficial



Possible Modification Example

- Wider parcel driveway width on a Supporting Street
- Adjustments to parking location, design, extent on an Addressing Street
- Reduced canopy at primary building entrance



Preliminary Recommendations

- No modification to review tracks or process
- Slight adjustments to form-based code standards



Next Steps

December 2023

Present Draft Code
Amendments at
Planning Commission
and City Council Work
Sessions

February 2024

Planning Commission
Public Hearing

March/April 2024

City Council Public
Hearing and Adoption



Questions for City Council

- What questions does City Council have about the Coffee Creek Code Assessment project?
- Does City Council agree with the direction of possible Development Code amendments described by staff that maintains the review process and focuses on adjusting the form-based code standards to reduce the need for waiver requests?

COUNCILORS PRESENT

Mayor Fitzgerald
 Council President Akervall
 Councilor Linville
 Councilor Berry
 Councilor Dunwell

STAFF PRESENT

Amanda Guile-Hinman, City Attorney
 Kimberly Veliz, City Recorder
 Jeanna Troha, Assistant City Manager
 Beth Wolf, Senior Systems Analyst

Andy Stone, IT Director
 Zoe Mombert, Assistant to the City Manager
 Dwight Brashear, Transit Director
 Matt Lorenzen, Economic Development Manager
 Stephanie Davidson, Assistant City Attorney
 Cindy Luxhoj, Associate Planner
 Miranda Bateschell, Planning Director
 Georgia McAlister, Associate Planner
 Chris Neamtzu, Community Development Director
 Kimberly Rybold, Senior Planner
 Mark Ottenad, Public/Government Affairs Director

AGENDA ITEM	ACTIONS
WORK SESSION	START: 5:00 p.m.
A. Information Technology Strategic Plan	Staff and consultants introduced the newly updated Information Technology (IT) Strategic Plan to Council.
B. Town Center Urban Renewal Feasibility Study	Council heard an update on the Town Center Urban Renewal Feasibility Study.
C. Coffee Creek Code Assessment	Staff shared they had initiated an assessment of the Coffee Creek Industrial Design Overlay District form-based code and sought input from Council on the direction of possible Development Code amendments to the form-based code standards and review process.
D. Proposed Updates to Solid Waste Franchise Agreement and related Administrative Rules	Staff informed Council of potential policy changes on proposed updates to the solid waste collection franchise agreement with Republic Services.
REGULAR MEETING	
<u>Mayor's Business</u>	
A. Upcoming Meetings	Upcoming meetings were announced by the Mayor as well as the regional meetings she attended on behalf of the City.

<u>Communications</u> A. Mediterranean Oak Borer	Staff reported on a new pest called the Mediterranean Oak Borer that had been found in Wilsonville.
<u>Consent Agenda</u> A. <u>Resolution No. 3085</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Enter Into An Intergovernmental Agreement With Metro For Receipt Of Local Share Funds. B. <u>Resolution No. 3086</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute The Tri-County Metropolitan Transportation District Of Oregon (TriMet) Subrecipient Agreement. C. Minutes of the August 21, 2023 City Council Meeting.	The Consent Agenda was approved 5-0.
<u>New Business</u> A. None.	
<u>Continuing Business</u> A. None.	
<u>Public Hearing</u> A. <u>Ordinance No. 881</u> An Ordinance Of The City Of Wilsonville Adopting Wilsonville Code Sections 10.800 Through 10.870 Governing Parking In City-Owned Parking Lots. B. <u>Ordinance No. 882</u> An Ordinance Of The City Of Wilsonville Amending The Text Of The Development Code To Clarify Review Processes And Correct Inconsistencies.	After a public hearing was conducted, Ordinance No. 881 was approved on first reading by a vote of 5-0. After a public hearing was conducted, Ordinance No. 882 was approved on first reading by a vote of 5-0.
<u>City Manager's Business</u>	The Assistant City Manager announced the following upcoming events: <ul style="list-style-type: none"> • Story Walk on October 13, 2023 • Emergency Preparedness Fair on October 28, 2023
<u>Legal Business</u>	No report.
EXECUTIVE SESSION	Council met in Executive Session pursuant to ORS 192.660(2)(a) and ORS 192.660(2)(h).
ADJOURN	9:38 p.m.



WORK SESSION

3. Coffee Creek Assessment (Luxhoj) (60 minutes)



PLANNING COMMISSION MEETING STAFF REPORT

Meeting Date: September 13, 2023		Subject: Coffee Creek Code Assessment	
		Staff Member: Cindy Luxhoj AICP, Associate 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:	
Staff Recommendation: Provide requested input on direction of possible Development Code amendments to the Coffee Creek Industrial Design Overlay District.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Attract high-quality industry and increase investment in industrial areas	<input checked="" type="checkbox"/> Adopted Master Plan(s): Coffee Creek Master Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COMMISSION

When the Coffee Creek Industrial Design Overlay District form-based code (FBC) was adopted in 2018 for the Coffee Creek Master Plan area it was subject to a pilot period of three completed development applications or five years, both of which have been achieved. Staff has initiated an assessment of the FBC and is seeking input from Planning Commission on the direction of possible Development Code amendments to the FBC standards and review process.

EXECUTIVE SUMMARY:

The City adopted the Coffee Creek Master Plan in 2007 to guide industrial development in the Coffee Creek area. In 2018, the City adopted the Coffee Creek Industrial Design Overlay District form-based code (FBC; Development Code Section 4.134) and accompanying Pattern Book to establish clear and objective regulations and guidelines for the area. These standards guide street design and connectivity, site design, circulation, building form and architecture, and landscaping for future development.

To facilitate a predictable and timely process for reviewing industrial development applications in Coffee Creek, two land use review tracks were established:

- Class 2 Administrative Review of applications meeting all the clear and objective standards of the FBC.
- Development Review Board (DRB) review of applications requesting one or more waivers to the standards.

The City also modified procedures governing City Council review of annexations and Zone Map amendments in Coffee Creek. These modifications allow for City Council review of the requests without prior review or recommendation by the DRB, thus facilitating concurrent processing with other related development permit applications for a project, such as Stage 1, Stage 2, Site Design Review, etc.

When adopted, the FBC standards and review process was subject to a pilot period of three completed development applications or five years, whichever comes first. As of 2023, both milestones have been achieved, with four completed industrial development projects in various stages of construction throughout the Coffee Creek area (see Attachment 1); thus, staff is assessing the FBC. This review will enable the City to determine whether adjustments are warranted to the standards, process, or both, to achieve the overall objective of providing a clear and quick development review process that fosters creation of a connected, high-quality employment center in the Coffee Creek Industrial Area.

To date, staff has reviewed the timeline to land use approval for the four completed development projects in Coffee Creek (see Attachment 2) and types of requested waivers to the FBC standards (see Attachment 3). The timeline to approval, from complete application to final land use approval has varied from roughly three (3) to seven (7) months. Each application applied for at least one waiver triggering review by the DRB and so, to date, the Class 2 review process has not been utilized. Waivers requested have been for driveway width on a Supporting Street, parking location and use at the front of a building on an Addressing Street, retaining wall height and design, and building entrance canopy and ground floor ceiling height, among others.

In July 2023, staff conducted three focused discussions with applicants and their consultant teams to gain feedback from a customer service standpoint about the FBC to inform the current assessment (see Attachment 4). Earlier this month, staff engaged in a follow-up discussion with one of the applicants to understand in more depth which of the FBC standards could more

closely align with current and future needs of prospective industrial users in the Coffee Creek area.

In regards to process, applicants stated a preference for more definite guidance upfront from City staff about specific Code requirements and the development review timeline. They also desired more frequent communication about application deficiencies during completeness review and preparation of the land use decision so that they could address issues as they arose. Many of these comments about the timeliness and predictability of the development permit process were not specific to the FBC, and when applicants focused on Coffee Creek their comments were mostly positive. The ability to take an application to City Council public hearing prior to Development Review Board review was greatly appreciated and added appreciable time savings to the process. Related to the FBC standards, applicants offered helpful suggestions for adjustments to the standards, particularly related to project waiver requests, which will help inform discussions about what Code amendments could improve and streamline the development review process while maintaining the desired high-quality design in the Coffee Creek Industrial Area (see Attachment 5).

Based on this initial work, it appears that the land use review process is overall working as designed to facilitate a predictable and timely process for reviewing industrial development applications in Coffee Creek. Concurrent City Council review of annexations and Zone Map amendments, which all four projects requested, in particular is enabling a more streamlined land use review process. However, none of the projects has been able to meet all the FBC standards and utilize the Class 2 Administrative Review track. Rather, they all have required at least one waiver and, thus, review by DRB, which has resulted in longer timelines to obtaining approval.

Therefore, staff has determined that modification to the land use review tracks and process is not needed. However, staff is recommending slight adjustments to the FBC standards to make compliance more achievable for applicants, with the objective of enabling applicants to use the Class 2 Administrative Review track while not compromising the City's ability to continue creating a connected, high-quality employment center in Coffee Creek.

At this work session, staff is seeking the following feedback from the Planning Commission:

- What questions does the Planning Commission have about the Coffee Creek Code Assessment project?
- Does Planning Commission agree with the direction of possible Development Code amendments described by staff that maintains the review process and focuses on adjusting the form-based code standards to reduce the need for waiver requests?

EXPECTED RESULTS:

Feedback from the meeting will guide completion of a package of draft Development Code amendments that staff will present to Planning Commission for feedback at the December 2023 meeting.

TIMELINE:

A Planning Commission public hearing on the Development Code amendments is expected in February 2024 with City Council adoption in March or April 2024.

CURRENT YEAR BUDGET IMPACTS:

Funding for the Coffee Creek Code Assessment work is allocated in the FY2023-24 Planning Division budget.

COMMUNITY INVOLVEMENT PROCESS:

The Coffee Creek Master Plan, as well as the Coffee Creek Industrial Design Overlay District drafting and review process, included comprehensive community involvement to gather input. For the current Coffee Creek Code Assessment project, staff has focused on gathering input from recent applicants and their consultant teams to inform the evaluation and provide input on the process and standards.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Refinement of the Coffee Creek FBC to facilitate future development while continuing to create the desired connected, high-quality employment center envisioned in the Master Plan will result in efficiencies for future users, as well as inform planning for the Basalt Creek industrial area to the north, which will benefit all members of the Wilsonville community who live and work in these industrial areas.

ALTERNATIVES:

Alternatives include:

- Make no modifications to the Coffee Creek Industrial Design Overlay District standards.
- Modify the Coffee Creek Industrial Design Overlay District standards related to the land use review process for applicants.

ATTACHMENTS:

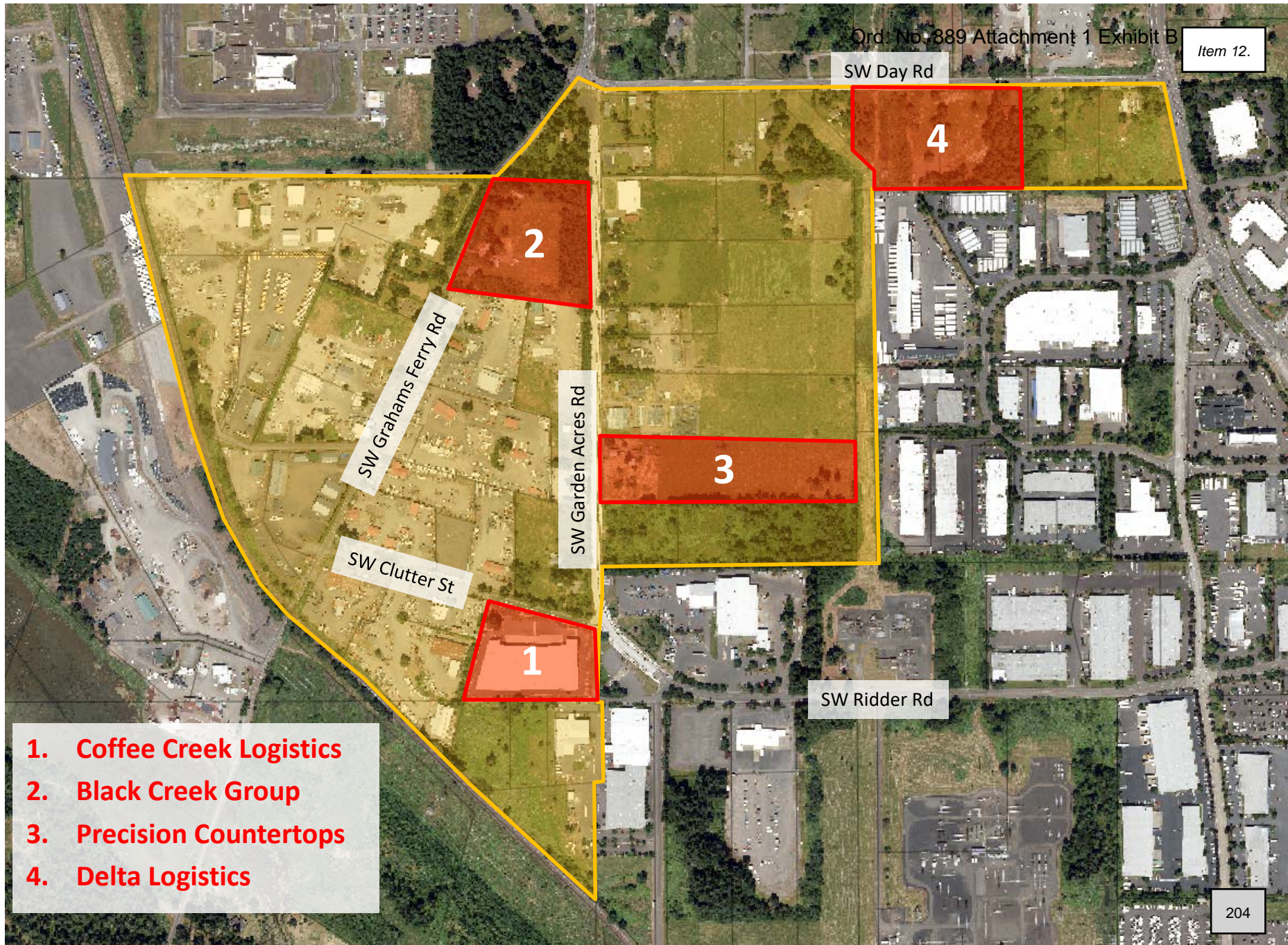
1. Coffee Creek Regulating Plan with Location of Approved Developments
2. Coffee Creek Industrial Area Application Timeline to Approval
3. Waiver Requests for Approved Developments in Coffee Creek
4. Participant List and Questions for Coffee Creek FBC Focused Discussions
5. Summary of Feedback from Coffee Creek FBC Focused Discussions

Coffee Creek Regulating Plan with Location of Approved Developments

1. Coffee Creek Logistics
2. Black Creek Group
3. Precision Countertops
4. Delta Logistics



Figure CC-1 - Regulating Plan



COFFEE CREEK INDUSTRIAL AREA APPLICATION TIMELINE TO APPROVAL

TIMELINE TO APPROVAL	BLACK CREEK GROUP INDUSTRIAL	COFFEE CREEK LOGISTICS	DELTA LOGISTICS SITE EXPANSION	PRECISION COUNTERTOPS
Length of Review, Complete Application through Final Approval (end of City Council or DRB appeal period, whichever is latest)	3 months 6 days (March 10, 2022 through June 15, 2022)	3 months 21 days (July 1, 2020 through October 21, 2020)	7 months 11 days (October 14, 2022 through May 24, 2023)	4 months 20 days (December 14, 2022 through May 3, 2023)
Pre-Application Meeting	June 17, 2021 (PA21-0015)	September 26, 2019 (PA19-0019)	April 15, 2021 (PA21-0007)	July 29, 2021 (PA21-0019)
Completeness Review – 1st Application				
o Submitted	December 21, 2021 (DB21-0083 et seq)	February 27, 2020 (DB20-0017 et seq)	April 19, 2022 (DB22-0007)	October 8, 2021 (DB21-0049 et seq; Reassigned to AR21-0050)
o Incomplete Notice issued	January 20, 2022	March 26, 2020	May 19, 2022	November 5, 2021
o Resubmitted	February 14, 2022	July 1, 2020 ^{*1}	August 26, 2022	--
o 2 nd Incomplete Notice issued	--	--	September 16, 2022	--
o Resubmitted	--	--	October 12, 2022 ^{*2}	--
o Complete Notice issued	March 10, 2022	July 1, 2020	October 14, 2022	--
o Withdrawn	--	--	--	March 23, 2022
o 180-day Review Period ended	--	--	--	April 6, 2022
Completeness Review – 2nd Application				
o Submitted	--	--	--	July 8, 2022 (AR22-0008; Reassigned to DB22-0011)
o Incomplete Notice issued	--	--	--	August 5, 2022
o Resubmitted	--	--	--	November 14, 2022
o Complete Notice issued	--	--	--	December 14, 2022
City Council				
o 1 st Reading	May 2, 2022	September 10, 2020	January 5, 2023	March 20, 2023
o 2 nd Reading	May 16, 2022	September 21, 2020	January 19, 2023	April 3, 2023
o Ordinance Effective Date	June 15, 2022	October 21, 2020	February 18, 2023	May 3, 2023
Development Review Board				
o Public Hearing	May 23, 2022	September 28, 2020	May 8, 2023 ^{*3}	April 10, 2023 ^{*4}
o Notice of Decision	May 24, 2022	September 29, 2020	May 9, 2023	April 11, 2023
o Appeal Period ended	June 8, 2022	October 14, 2020	May 24, 2023	April 26, 2023
120-day Review Period ended	July 8, 2022	October 29, 2020	February 11, 2023	April 13, 2023
o 120-day Waiver extending Review Period ended	--	--	March 30, 2023	May 3, 2023
o 2 nd 120-day Waiver extending Review Period ended	--	--	June 30, 2023	--
Subsequent Class 2 Administrative Review				
o Submitted	June 23, 2022	May 20, 2022	--	--
o Pending Notice issued	July 21, 2022	June 2, 2022	--	--
o Notice of Decision issued	September 26, 2022	June 16, 2022	--	--
o Appeal Period ended	October 10, 2022	June 30, 2022	--	--
Notes:				
^{*1} Resubmittal included request to deem application complete per ORS 227.178(2)(b)				
^{*2} Request to deem application complete per ORS 227.178(2)(b) received on October 14, 2022				
^{*3} Public Hearing rescheduled from January 23, 2023, to February 13, 2023; February 13, 2023 to March 27, 2023; and March 27, 2023, to May 8, 2023, at applicant's request.				
^{*4} Public Hearing rescheduled from March 27, 2023, to April 10, 2023, at applicant's request.				

WAIVER REQUESTS FOR APPROVED DEVELOPMENT IN COFFEE CREEK

Subsection 4.134(.11)	Development Standard	Waiver Request
Table CC-3 1. Parcel Access / Parcel Driveway Width / Supporting Streets	24 feet, maximum, or complies with Supporting Street Standards <u>Allowed adjustment:</u> 10% (to 26.4 feet)	<p><u>Black Creek Group Industrial</u> Applicant proposed to increase the width of the southwest driveway to 50 feet to accommodate vehicle turning movements into the site from the Supporting Street.</p> <p><u>Precision Countertops</u> Applicant proposes to increase the width of the east driveway to 40 feet to accommodate vehicle turning movements into the site from the Supporting Street.</p>
Table CC-3 4. Parking Location and Design / Parking Location and Extent / Addressing Streets	Limited to one double-loaded bay of parking, 16 spaces, maximum, designated for short-term (1 hour or less), visitor, and disabled parking only between right-of-way of Addressing Street and building. <u>Allowed adjustment:</u> Up to 20 spaces permitted on an Addressing Street	<p><u>Black Creek Group Industrial</u> Applicant proposed to locate 49 of 71 spaces of provided parking between the right-of-way of SW Garden Acres Road (Addressing Street) and the front of the building. In addition, the applicant proposed to use the spaces for employee parking, as well as the permitted uses of short-term, visitor, and disabled parking.</p> <p><u>Coffee Creek Logistics Center</u> Applicant proposed two (2) parking bays, one (1) containing four (4) spaces and the other containing five (5) spaces outside the office endcaps at the front of the building on SW Clutter Street, rather than one (1) double-loaded bay.</p> <p><u>Delta Logistics Site Expansion</u> Applicant proposed to locate 15 of 41 spaces of provided parking between the right-of-way of SW Day Road (Addressing Street) and the front of the building. Of these spaces, the applicant proposed to use six (6) of the spaces for the permitted uses of short-term, visitor, and disabled parking, and requested a waiver to use nine (9) of the spaces for employee parking,</p>

Subsection 4.134(.11)	Development Standard	Waiver Request
Table CC-3 4. Parking Location and Design / Parking Setback / Addressing Streets	20 feet minimum from the right-of-way of an Addressing Street	<u>Black Creek Group Industrial</u> Applicant proposed a narrower 9-foot setback from the right-of-way of SW Garden Acres Road (Addressing Street) than the 20-foot minimum.
Table CC-3 4. Parking Location and Design / Off Street Loading Berth / Addressing Streets	One loading berth is permitted on the front façade of a building facing an Addressing Street. The maximum dimensions for a loading are 16 feet wide and 18 feet tall. A clear space 35 feet, minimum is required in front of the loading berth. The floor level of the loading berth shall match the main floor level of the primary building. No elevated loading docks or recessed truck wells are permitted. Access to a Loading Berth facing an Addressing Street may cross over, but shall not interrupt or alter, a required pedestrian path or sidewalk. All transitions necessary to accommodate changes in grade between access aisles and the loading berth shall be integrated into adjacent site or landscape areas. Architectural design of a loading berth on an Addressing Street shall be visually integrated with the scale, materials, colors, and other design elements of the building.	<u>Coffee Creek Logistics Center</u> Applicant proposed one at-grade loading berth and 19 recessed loading berths on the front façade of the building facing an addressing street.
Table CC-3 5. Grading and Retaining Walls / Maximum Height / Addressing Streets	Where site topography requires adjustments to natural grades, landscape retaining walls shall be 48 inches tall maximum. Where the grade differential is greater than 30 inches, retaining walls may be stepped. Allowed adjustment: 20% (to 57.6 inches)	<u>Black Creek Group Industrial</u> Applicant proposed a retaining wall on the western side of the drive aisle along SW Grahams Ferry Road, the middle, roughly 105-foot-long section of which varied from 48 inches to 57 inches in height, exceeding the maximum height limitation. <u>Delta Logistics Site Expansion</u> Applicant proposed two (2) retaining walls, one (1) on the east side of the SROZ and one (1) on the north, east, and south sides of the building on the east part of the site. The east retaining wall, with a maximum height of over 18 feet, exceeded the allowed height by several feet.

Subsection 4.134(.11)	Development Standard	Waiver Request
Table CC-3 7. Location and Screening of Utilities and Services / Location and Visibility / Addressing Streets	Site and building service, equipment, and outdoor storage of garbage, recycling, or landscape maintenance tools and equipment is not permitted	<u>Black Creek Group Industrial</u> Applicant proposed to locate the trash/recycling enclosure adjacent to SW Grahams Ferry Road (Addressing Street) on the western side of the building.
Table CC-4 2. Primary Building Entrance Accessible Entrance / Required Canopy	Protect the Primary Building Entrance with a canopy with a minimum vertical clearance of 15 feet and an all-weather protection zone that is 8 feet deep, minimum and 15 feet wide, minimum. <u>Allowed adjustment:</u> 10% (to 13.5 feet)	<u>Black Creek Group Industrial</u> Applicant proposed a canopy height of 12 feet. <u>Coffee Creek Logistics Center</u> Applicant proposed a canopy height of 12 feet.
Table CC-4 3. Overall Building Massing / Base, Body, and Top Dimensions	Buildings elevations shall be composed of a clearly demarcated base, body and top. b. For Buildings between 30 feet and 5 stories in height: i. The base shall be 30 inches, minimum; 2 stories, maximum. ii. The body shall be equal to or greater than 75% of the overall height of the building. iii. The top of the building shall be 18 inches, minimum. <u>Allowed adjustment:</u> 10% (Body: to 67.5 %)	<u>Coffee Creek Logistics Center</u> Applicant proposed a body that is 66.25% of overall building height.
Table CC-4 3. Overall Building Massing / Ground Floor Height	The Ground Floor height shall measure 15 feet, minimum from finished floor to finished ceiling (or 17.5 feet from finished floor to any exposed structural member). <u>Allowed adjustment:</u> 10% (to 13.5 feet)	<u>Black Creek Group Industrial</u> Applicant proposed an interior ground floor height of 12 feet. <u>Coffee Creek Logistics Center</u> Applicant proposed an interior ground floor height of 12 feet.

PARTICIPANT LIST AND QUESTIONS FOR COFFEE CREEK FBC DISCUSSIONS

PARTICIPANTS

FOCUSED DISCUSSION – JULY 20, 2023

- Projects: Precision Countertops
 - Will Grimm, First Forty Feet
 - Simone O-Halloran, MDG Architecture/Interiors

FOCUSED DISCUSSION – JULY 24, 2023

- Projects: Coffee Creek Logistics, Black Creek Group, Delta Logistics
- Participants:
 - Lee Leighton, Mackenzie
 - Scott Moore, Mackenzie
 - Nicole Burrell, Mackenzie

FOCUSED DISCUSSION – JULY 27, 2023

- Projects: Coffee Creek Logistics, Black Creek Group
- Participants:
 - Kim Schoenfelder, KGIP
 - Zach Desper, Ares Management

QUESTIONS

1. The two land use review tracks, Administrative Review and Development Review Board, in Coffee Creek were established to facilitate a predictable and timely process for reviewing industrial development applications.
 - a. Based on your experience with the application and land use review process, do you agree that the process is predictable?
 - b. What do you think are the aspects of the process that help achieve this intended result or, conversely, that hinder achieving a predictable result?
2. The four developments subject to the Form-based Code in Coffee Creek have taken roughly 3 to 4 months, with one application taking roughly 7 months, from complete application to final approval of land use application (end of City Council or Development Review Board appeal period).
 - a. Based on your experience with industrial land development, do you think this is a reasonable timeline for land use review?
 - b. Do you think the process resulted in a relatively streamlined and straightforward review and approval?
 - c. Did concurrent City Council review of the annexation and Zone Map amendment make a difference in the process?
 - d. Do you have suggestions for how the process could be refined to shorten the review timeline further?

3. Two of the projects required subsequent Class 2 Administrative Review for modifications to number of parking spaces, landscaping, stormwater facilities, tree removal/retention, and other site improvements that were triggered by Building and Engineering requirements and Planning compliance related to construction.
 - a. Do you think there are modifications that could be made to the land use review process that would reduce the potential need for subsequent review?
4. All four projects in Coffee Creek had to request one or more waivers to the Coffee Creek standards, so none to date have been able to use the more efficient Administrative Review process. The waivers were for such site design elements as parcel driveway width on a Supporting Street, parking location and extent on an Addressing Street, retaining wall height and design, building entrance canopy height, etc.
 - a. Based on your project experience, do you think any of the standards are overly restrictive to development or pose a particular design challenge? Do you have suggestions for how those standards could be modified to make them less challenging?
 - b. Did the Form-based Code and Pattern Book encourage your team to do something different or result in a better building or site design?
 - c. What do you particularly like about the Form-based Code?
5. Would your design team have benefited from any additional information being provided during the pre-application meeting for your project that you did not receive?
6. Are there any questions you have for Staff or other comments and insights you would like to share?

SUMMARY OF FEEDBACK FROM COFFEE CREEK FORM-BASED CODE FOCUSED DISCUSSIONS

Feedback about Process:

Many comments received about the timeliness and predictability of the land use review process were not specific to the two-track process in Coffee Creek, but to land use review in general, particularly related to pre-application meetings and completeness review.

Information provided by the City, from all Departments/Divisions, at pre-application meetings needs to be as detailed as possible to enable an applicant to design and prepare plans for land use review that meet applicable standards, as rework during site design is costly and causes delay. However, it can be difficult at the pre-application stage to provide detail about a particular site plan, because designs will evolve as requirements and standards are better understood during land use review.

Follow-up meetings post pre-application, which are offered by the City, need to happen more than they do as they are helpful to applicants. But these meetings add to review time to organize and coordinate schedules, so a balance is needed.

Applicants need detailed guidelines about rules and requirements so they have clarity about what they are trying to design. No clarity leads to no predictability and, thus, delay. However, applicants also need to spend time understanding what the City is trying to accomplish, so everyone is on the same page as early in the process as possible.

Getting from the pre-application meeting to application submittal can be challenging. This is particularly the case when an applicant modifies their original design to respond to staff input provided at the pre-application meeting and the revised design raises new questions or concerns about compliance with the standards.

It is critical for the applicant to have definite information at the front of project planning for pro-forma and financial commitments. Drastic changes to a site plan that may be needed before submittal for land use completeness review have ripple effects on project design. For example, while the design standards for Supporting Streets are intentionally flexible to accommodate the unique characteristics of each project site, this can be perceived by the applicant as ambiguous and open to interpretation and they may struggle to find an acceptable design solution. This affects speed to market, which is key in speculative building.

With respect to projects in Coffee Creek, the timeline has been reasonable for land use review. But cyclical rounds of review and needed adjustments in some cases were challenging and, in applicants' opinion, time consuming.

Applicants prefer a concrete estimate of timeline to approval and work backward from there to map out their project schedule. If the City provides a timeline estimate and there are delays, either on the applicant's part or in staff response, that prolong the process, this is frustrating for the applicant and has ripple effects on scheduling, cost estimating, budgeting, etc. If the City can answer the biggest question – How long will land use review take? – with certainty at the pre-application meeting, everyone benefits. Now that four projects have gone through the land use review process in Coffee Creek, it may be prudent to adjust the timeline estimate to reflect the experience.

Going to City Council first for annexation and Zone Map amendment as is allowed in Coffee Creek is a significant benefit for applicants, with respect to time savings, and the process has been fairly smooth and worked as anticipated.

After application submittal for completeness review, the land use review process in Coffee Creek was generally predictable and timely. Staff is a good partner and great to work with. At times, more detailed review during completeness from all Departments/Divisions could be helpful. In addition, City review and feedback to the applicant can lag when issues come up. It would be helpful in these instances for staff to mobilize around the issue in a timely manner so it can be addressed quickly and the project can continue to progress through the review process. Timely and frequent conversations are needed throughout the process.

Overall applicants feel staff works very hard to get to yes on applications in Coffee Creek. However, in applicants' opinion it is possible that predictability and timeliness could be improved with more communication with the applicant during completeness review, which could result in fewer incompleteness and compliance items. Also, applicants would prefer more conditions of approval in the land use decision, rather than trying to dial in an application before the decision is issued. Detailed reviews are helpful, but applicants question how many such reviews are enough before outstanding items are conditioned so the project can move forward in the process.

Predictability and timeliness could be improved if some latitude or flexibility was built into the land use approval that anticipates subsequent design changes at the construction permitting stage and either considers the changes substantially compliant or as Class 1 Administrative Review. Returning to the original approving body or going through subsequent Class 2 Administrative Review following approval adds significantly to the project timeline.

Feedback about Intent of FBC:

There appears to be a disconnect between some of the form-based code standards and development typologies described in the Pattern Book and actual development occurring in Coffee Creek. Of the four approved projects in Coffee Creek, three are large single- or two-tenant, speculative industrial warehouse distribution facilities with office endcaps, and one is a corporate headquarters with office, showroom, and manufacturing components. Except for the corporate headquarters, these developments do not fully match the envisioned typologies, which include a mix of uses and more than one building on a site, as well as multi-story office buildings. As a result, achieving fully compliant design, particularly with site design and building form standards, is challenging and resulted in requested waivers. If on-the-ground reality is not fully consistent with the vision for Coffee Creek development typologies but still desirable, does there need to be adjustment to some of the form-based code standards to better align them with market conditions and to anticipate what might come in the future?

The question was raised as to whether the intent of the form-based code is being met with development that has occurred to date, and what the City wants to set the stage for in the future. Now that four projects have gone through the land use review process, what do the next four projects want to be? It could be helpful to have an evolving Master Plan for Coffee Creek that adjusts as projects are constructed to see how they all work together. The Master Plan should be a living document and road map to the future that adapts and updates as the area evolves with development.

Feedback about FBC Standards:

Prescriptive standards can limit innovative design. If a proposed development does not follow Code verbatim, but is a desirable or creative design that the City would like to see developed, is there a path to approval or does the design have to be less or different just to meet the standards? It was suggested that flexibility is needed in the standards, within the administrative review process, to enable the ability to pivot and accommodate divergence, while still achieving the City's vision for the area.

Speculative building (e.g., Black Creek Group) is very different from build-to-suit (e.g., Precision Countertops). Designing standards that work for both types of buildings while not impossible is extremely challenging because of differing operational and site design needs. Speculative users have a list of desirable characteristics for a site and they want to check as many as possible off the list. The purpose of constructing a speculative building is to attract a high quality tenant by checking as many of the boxes as possible based on standards that work for the industry, while making Wilsonville the most desirable location for a prospective user when compared with the larger market.

Applicants want to look at the form-based code and understand what is required. This necessitates that the standards be crystal clear, so that project planning and site design is predictable and there are not gray areas.

Standards that speak to operations are of primary importance from the applicant's perspective and need to be "all dialed in", then the form-based code overlays "desired features" (landscaping, connectivity, etc.) to get what is desired. When they are inflexible or do not make sense operationally, standards cannot be achieved and waivers are needed to enable what operationally works. If the standards that speak to operations are right, it facilitates the process and does not hinder achieving a predictable result. The standards should be reviewed with an eye to allowing more latitude or a higher threshold without requiring a waiver for those that address operations.

Driveway Width

Limiting the driveway width from a Supporting Street to a maximum of 26 feet with adjustment is problematic. There should an allowance for a wider driveway, at least 40 feet wide, to accommodate large truck movements entering/exiting a site. A narrower driveway is fine for passenger vehicles and smaller delivery trucks. Other factors that affect driveway width include such things as restricted access to/from a supporting street, angle of approach, etc.

Parking Location and Design on an Addressing Street

Location and design of passenger vehicle parking is dictated by where loading docks are located - rear, front, side, or cross – characteristics of site, size and orientation of building, etc. With a front load building, it is rare not to see parking in the front. Smaller sites also usually prefer to have parking in the front of the building. This is important to operations, security, and accessibility for employees and customers.

A secure truck court and yard is a high priority need for industrial users. Separating truck and passenger vehicle traffic is essential for safety. Limiting parking, in both number and who can park there, at the front of the building makes achieving separation challenging. If parking is not at the front, then the truck court likely will be on the front, which is less desirable from an aesthetic standpoint.

Allowing 20 spaces maximum with adjustment at the front of a building is extremely limiting. It was suggested that the ratio of allowed parking on an Addressing Street should be adjusted based on the square footage of the building, thus allowing more parking at the front for a larger building size.

Many large industrial users do not have visitors and customers, but do have a large number of employees, particularly in office areas, which are at the front of the building. Some spaces at the front of the building, therefore, should be available for use by employees and not limited to ADA, visitors and customers.

Retaining Walls

Large, flat industrial buildings result in the need to have more and/or taller retaining walls. This is especially true when it is necessary to meet grade on multiple streets around a site. Requirements should be tied to characteristics of an individual site, rather than a uniform standard. Making grade to a street is a key determinant of wall design. In addition, more topography results in the need for more walls. Because walls are very costly, drivers (cut/fill, cost, topography, etc.) will naturally limit their height.

Perhaps consider a proportional approach based on the slope of a site or height as a function of overall cross-slope of a site based on a project that already has been constructed, such as Black Creek Group.

If a retaining wall is not visible from an Addressing Street and primarily visible from the interior of a site, why does it matter what the wall looks like?

The requirement for horizontal offset is problematic. It is prudent to look at aesthetics of a retaining wall, because construction materials vary substantially. However, it may not be possible to integrate the offset or stepped design in landscape areas within the limited constraints of a site.

Entry Canopy Height

A lower entry canopy height than the required 13.5 feet minimum with adjustment makes more sense. Twelve (12) feet is preferable from a functionality standpoint. Standard storefront systems have a natural break at 12 feet. Better weather protection and pedestrian scale is achieved at 12 feet.

Interior ceiling height is typically dropped to 9-10 feet, but a height matching a 12-foot canopy gives a more open feel to the interior and allows better interior/exterior integration. If there is a mezzanine (second story office, not storage mezzanine), the ceiling is usually at 9 feet for first floor, which makes 12 feet problematic.

Building Massing and Base, Middle, Top Dimensions

The overall building massing standard with base, middle, top dimensions probably hinders design and is not productive. Design can be scaled well without the dimensional requirements. The standard results in prescriptive design, causing overall design aesthetic to suffer. The same effect can be achieved with a variety of materials. An alternative methodology is needed that gets the desired "high quality" design.

Requirements for dimensional (recede, project) definition of base and top, rather than just visual, is difficult to achieve with poured slab concrete tilt-up buildings. Allowing applicants to make some trade-offs, such as using graphic treatments, that accomplish the intent of a physical off-set have the same effect from a distance. Paint schemes and reveals are more effective in adding variety and dimension.

Can the standard be adjusted to achieve the same visual interest and variety desired, but in a less prescriptive way? The standard product today is much more interesting and aesthetically pleasing and driven by a market that demands quality. The standards should be flexible and adaptable as the market changes now and in the future.

Landscape Buffer Areas on Addressing and Supporting Streets

Are landscape buffers between a building and/or parking and the public right-of-way necessary? Buildings in urban areas are right up to the street. Is Coffee Creek trying to achieve a suburban model with ample landscape buffers or a more urban aesthetic?

Street Typologies

Street typologies do not align with the Transportation System Plan (TSP) and Engineering Design Manual. This results in negotiation with Engineering staff about street design, leads to confusion, and can make redesign necessary. Required infrastructure design under the streets also needs to be calibrated.

Requiring a Supporting Street, in a public easement, on the edge of an industrial site can make truck circulation more difficult because they are circulating on a public way with other vehicle types. This can put a site at a disadvantage because a large part of the site is reserved for connectivity rather than site circulation.

Agglomeration of sites would help achieve envisioned development and spread the cost burden of Supporting Street infrastructure more equitably across owners/developers.



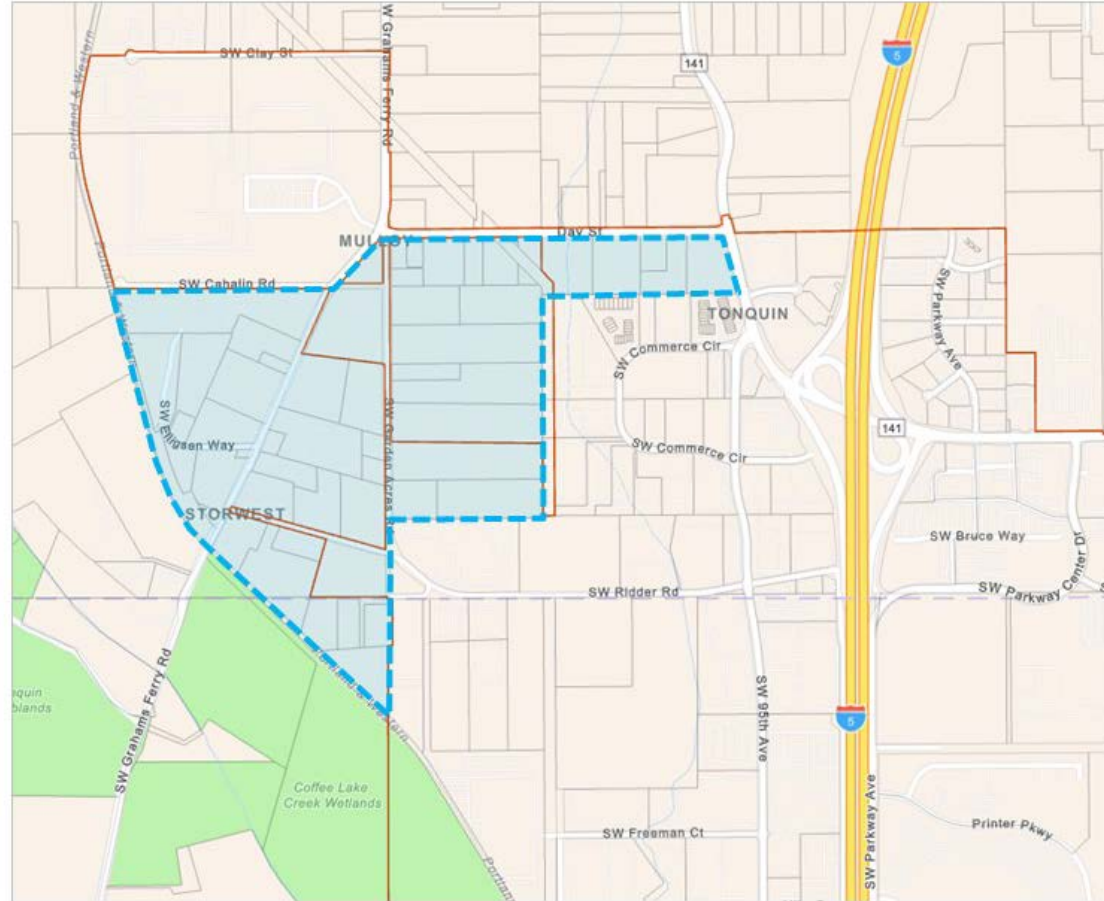
Coffee Creek Code Assessment

Planning Commission Work Session

September 13, 2023

Presented by: Cindy Luxhoj AICP, Associate Planner

Coffee Creek Master Plan Area



Coffee Creek Form-based Code

- 2018: Form-based code adopted
 - Concurrent City Council review of annexations and Zone Map amendments
 - Two land use review tracks

Regulating Plan



Pilot Period

- 2018: Form-based code adopted
 - Pilot period of 3 completed applications or 5 years
- 2023: Pilot milestones achieved and assessment initiated
 - Determine warranted adjustments to achieve overall objective of providing clear and quick development review

Steps Completed to Date



- Reviewed timeline to land use approval
- Reviewed requested waivers to form-based code standards
- Conducted focused discussions with applicants and consultant teams

Assessment Summary

- Timeline to approval – 3 to 7 months
- Waiver requests for application:
 - Minimum 1 waiver
 - Maximum 7 waivers
- Applicant Feedback:
 - Review tracks and process are overall working
 - Slight adjustments to form-based code standards would be beneficial

Possible Modification Example

- Parcel Driveway Width on a Supporting Street
 - Current standard:
 - 24 feet, maximum, or complies with Supporting Street Standards
 - Allowed adjustment: 10% (to 26.4 feet)
 - Possible modifications:
 - No change to driveway width for passenger vehicle parking area access
 - Increase driveway width and allowed adjustment for truck loading/unloading area access
 - 40 to 45 feet, maximum, suggested in focused discussions

Possible Modification Example

- Parking Location, Design, Extent on an Addressing Street
 - Current standard:
 - One double-loaded bay, 16 spaces, maximum
 - Allowed adjustment: Up to 20 spaces permitted
 - Designated for short-term (1 hour or less), visitor, and disabled parking only between right-of-way of Addressing Street and building
 - Possible modifications:
 - Allow variation in loading and/or location of bays
 - Increase maximum number of spaces
 - Allow some or all spaces to be employee parking

Possible Modification Example

- Required Canopy Height at Primary Building Entrance
 - Current standard:
 - Vertical clearance of 15 feet, minimum
 - All-weather protection zone 8 feet deep, minimum and 15 feet wide, minimum
 - Allowed adjustment: 10% (to 13.5 feet)
 - Possible modifications:
 - Reduce canopy height
 - 12 feet, minimum, consistent with standard storefront dimension, suggested in focused discussions

Preliminary Recommendations

- No modification to review tracks or process
- Slight adjustments to form-based code standards to make compliance more achievable for applicants

Next Steps

December 2023

Present Draft Code
Amendments at
Planning Commission
and City Council Work
Sessions

February 2024

Planning Commission
Public Hearing

March/April 2024

City Council Public
Hearing and Adoption

Questions for Planning Commission

- What questions does Planning Commission have about the Coffee Creek Code Assessment project?
- Does Planning Commission agree with the direction of possible Development Code amendments described by staff that maintains the review process and focuses on adjusting the form-based code standards to reduce the need for waiver requests?

Chair Heberlein confirmed there was no public comment and closed the public hearing at 6:19 pm.

Commissioner Willard moved to adopt Resolution NO. LP23-0002. Commissioner Hendrix seconded the motion.

A roll call vote was taken, and the motion passed unanimously.

WORK SESSION

3. Coffee Creek Assessment (Luxhoj)

Miranda Bateschell, Planning Director, explained the crux of the project was to revisit the Form-based Code after five years or after a certain number of applications. She noted the City received grant funding and was currently seeking additional grant funding to do additional work for the Basalt Creek Planning Area which still had a few items to adopt to get to the full master planning level and Zoning Code amendments. Staff would also be considering whether to apply the Form-based Code within the Basalt Creek Planning Area, which both the Planning Commission and City Council wanted to have in the concept plan and for Staff to consider moving forward. This work was critical not only to revisit what was adopted five years ago, but also potentially in a new work program item next year, the Basalt Creek implementation work, which would involve looking at the Coffee Creek Form-based Code to see what should apply to Basalt Creek.

- She confirmed Coffee Creek was the first and currently the only Form-based Code area in the city, and it was the first example of an industrial Form-based Code. Form-based codes were often seen in urban areas where use is less important than form and to drive a pedestrian orientation. ~~so~~ [sentences not connected] Originally, Coffee Creek had an overlay district along Day Rd, but some of that Code was not in line with what the City wanted to do, so a Form-based Code was used to not only reflect that certain design standards were wanted in Coffee Creek, but also for Coffee Creek to support a multimodal system and have the human design element.

Cindy Luxhoj, Assistant Planner, presented the Coffee Creek Code Assessment update via PowerPoint, noting Staff sought input and direction on possible Development Code amendments to the Coffee Creek Industrial Design Overlay District. She briefly reviewed the location and background of the Coffee Creek Master Plan Area and Coffee Creek Form-based Code and explained that the Coffee Creek Assessment enabled the City to determine warranted adjustments to achieve the overall objective of providing a clear and quick development review process that fosters creation of the desired connected, high-quality employment center in Coffee Creek. She highlighted the key metrics used in the assessment and summarized the results to date.

- To make compliance more achievable for applicants, Form-based Code modifications were suggested to the Parcel driveway width on a supporting street; Parking location, design, extent on an addressing street; and required Canopy height at the primary building entrance. (Slides 8-10)
- Most of the applicant feedback in focused discussions was positive, and the assessments showed that the review tracks and process were working overall, so Staff's preliminary recommendations included no modifications to review tracks or processes.
- She concluded by asking if the Commission agreed with the suggested Development Code amendments that would maintain the review process and focus on adjusting the Form-based Code standards to reduce the need for waiver requests.

Commissioner Karr:

- Said he liked that the assessment solicited feedback from the applicants, not only on the process, but on the Code itself and amendment that would make the process smoother.
- Noted the Form-based Code was for an industrial area, but it did not seem to have been designed for an industrial area due to the obvious limitations for trucking, such as the 26-ft driveway, which was impossible to turn an 18-wheeler in.
 - Ms. Luxhoj added she had three focused discussions with various applicants and a follow-up discussion with one particular applicant last week who shared their insights on each of the design standards which she made detailed notes on and was very helpful.
 - Some standards did seem to be designed for different development than what the City was getting; she noted larger speculative industrial buildings were being developed that have full loading bays, so it did become challenging.
- Noted none of the projects were storefront-type developments, so employee parking encroaches on customer parking if there was not enough. Many developments in Coffee Creek appeared to be more industrial distributors without storefronts.
 - Ms. Luxhoj agreed three out of four of the developments did not have storefronts. Precision Countertops, which was a corporate headquarters, would have more customers given the retail showroom and offices at the front.
 - One challenge of the more speculative buildings was that the office endcaps were at the front of the building, but employee parking was required to be at the side or back of the building where trucks are, creating conflicts between employees, the security around the back of the building, etc.
 - Depending on the type of development, there was a desire to allow more employee parking at the front of the building so employees could access their place of work, rather than having to go through a building.

Commissioner Mesbah:

- Commented the design standards were intended to achieve what was envisioned, and changing the design because some other use wanted to modify the design standards in order to make a different design possible was not exactly visionary.
- Asked if the City was starting to see some economic or use information to indicate that what was envisioned for this light industrial commercial area was not being viable, which would support the need to reevaluate the design and use.
 - Ms. Luxhoj understood that the design or desired environment envisioned in Coffee Creek was for smaller buildings or multiple buildings on a site, more like a corporate headquarters or office building. She did not know if it was market dynamics or what was currently in demand, or some other factor, as she was not a market expert. The developments were more of the bigger warehousing and distribution type uses that require extensive flat floors to accommodate racking, etc.
 - The question about how to find the balance between what is being developed and what was envisioned in the Coffee Creek Plan and how it meshes with the current and future market would be addressed through conversations about which Code standards need to be changed, the resulting implications, and whether that was consistent with the vision for Coffee Creek.

- Recalled the Planning Commission had not envisioned big box warehousing, but rather gathering places for employees, walking trails, etc., more like an office campus with industrial mixed in. Though big box commercial was being phased out and there were a lot of empty spaces, this was not about big box commercial.
- Hoped there would be a more thorough reimagining of what the City wanted Coffee Creek development to look like because it was a special opportunity for Wilsonville to develop a 21st Century type of industrial campus and it seemed the City was perhaps, jumping the gun.
 - Daniel Pauly, Planning Manager, responded the process has been going on for a while. The market has shifted in terms of the vision of corporate or high-tech office, which were different markets now, and warehouse was often new commercial where everything is delivered to the consumer's door, so market forces were at play. Additionally, the design standards as written had not disallowed warehousing, but those projects had to go through more process, so it was not really changing the use, but creating more process.
 - Large warehouse buildings seen on Tualatin-Sherwood Road and elsewhere were adaptable. As was the former paper plant/warehouse/church on Boeckman Road which is now DW Fritz. The large, tilt-up concrete building had shown a lot of adaptive reuse over time.
 - Unless tilt-up concrete buildings were outlawed in the Zoning Code, the market was likely revealing that warehousing would continue to develop in Wilsonville. The question was whether to add more processes, which did not really stop it, or allow it through a Class 2 review.
- Noted if the market got skittish about high-density or middle housing, the City would stick with it. Rather than making warehousing difficult as part of the process, perhaps the City should have thought about prohibiting warehousing outright.
 - Mr. Pauly clarified the City did not make it that difficult, but just added another month or two to the process.
- Asked if the City should make it easy or go the other way of not allowing warehousing all over the place and require a higher use. Perhaps Coffee Creek was on the wrong side of the Metro area for what had been envisioned. Being a blank slate, he was not sure why the City would be less insistent.
 - Ms. Bateschell added the Coffee Creek Industrial Area was designated a Regionally Significant Industrial Area (RSIA) by Metro's Title 4, so it was more industrial in nature than other areas where one might see a lot of office in a downtown area or a campus/office environment, which can occur in an RSIA, but by its nature, RSIA would allow manufacturing, warehousing, distribution, so those uses were always allowed and envisioned for the Coffee Creek area. The key issue was how those uses/buildings would look, which was why the City went through a Form-based Code to utilize design standards that create a more inviting, industrial area that may have manufacturing and industrial uses, so it was a question of how those uses would be designed and made to interface with other kinds of RSIA expectations and standards for an industrial area. Obviously, an office or office/manufacturing campus could also locate in Coffee Creek and would likely be able to meet some of the design standards more easily than some warehouse distribution types. However, the Form-based Code would still dictate the size of the buildings and the length of the frontage, which were very important throughout the Form-based Code process.

- The City acknowledged some warehousing would be built, though maybe not to the extent it has given the stronger market right now, but the goal was to ensure it was not a mile or half-mile long as seen in other places.
- Perhaps the Commission would want the waivers to remain part of the process. She believed some design standards around trucking may have been written a bit too stringent initially, knowing trucks were likely going to be coming to all those spaces, even if it was a campus environment.
- Added perhaps the sample population was not large enough with only one of three developments going in the direction the Commission preferred and the other two going the other way, so maybe it was an okay mix thus far.
 - Ms. Bateschell confirmed that was possible, noting the area was highly parcelized, so without any aggregation it was hard to know.
 - Ms. Luxhoj added that every development has a wayside and is very pedestrian-oriented, providing a place for people on bikes or walking to sit and relax. While most of the buildings were tilt-up concrete, the architecture and design of the buildings were exceptional.
 - The Black Creek project had an insane number of reveals on all sides of the building, which was beautiful; the ceiling heights within the office areas were consistent with the canopy, and when she toured the building, there were so many skylights that the building was perfectly lit even with no lights on. The building was really well done.
 - Ms. Bateschell encouraged the Commissioner to go down Garden Acres Road to see how some buildings were being built, noting two were either complete or near complete.
 - She commended Ms. Luxhoj for her work with the Applicant to preserve trees on the Black Creek site, noting the building was very large for the area and the City's standards as the applicant had definitely maximized the footprint on the property which resulted in a lot of trees being removed; however, some very significant trees were preserved on the corner of the parcel which was where the wayside was created for residents or pedestrians walking in the area in the future.
 - She noted some standards should be maintained, like not allowing parking to overtake a building's frontage, which could block a beautiful building or the wayside. At the same time, the parking standard could potentially be modified in a way to not trigger the Development Review Board (DRB) review. Staff had worked very hard with applicants who did increase the number of parking spaces to do additional screening to the mid- to high-screen standards; not allowing the increase to be an indefinite increase, but up to a certain percentage which could be written into the Code to allow the flexibility for a project to go through a Class 2 process.
 - The Commission could still have the original standards, but then have an adjustment that the Planning Director could make if other standards were met, which was similar to the DRB where the intent of the Form-based Code still had to be met when additional items were proposed/waivers requested.
 - A process could be written into Code that if the initial standards are not met, x, y, z must be done to get an extra allowance; and if those could not be met, or if they were looking for a considerable versus a modest adjustment. it might trigger the waiver process at DRB.
- Stated he had always favored giving Staff the ability to problem solve with the applicant, so that direction was fine, especially given the current Planning Director, adding there had to be trust in

who was negotiating on the City's behalf. Some standards were positive, but some, like an 18-ft retaining wall against a landscape resource was not in line with the vision, part of which was to meet the existing landscape in a way that embraced it and did not turn its back to it. He was also alarmed by other potential negatives, like an ocean of parking in front of a building, which brought Fry's to mind.

- Commended Ms. Luxhoj for her work, noting that some things applicants were pushing for were not what the Commission had in mind. He wanted to consider ways to problem solve and keep the vision.

Commissioner Willard thanked Ms. Luxhoj for her first Planning Commission presentation and the City for having the diligence to follow up with the pilot as planned. She stated she was directionally aligned with reducing the need for waivers with Form-based Code applications.

Commission Hendrix:

- Appreciated the follow-through with the applicants to get feedback and the update on the pilot.
- Asked whether Staff anticipated more variety in the waiver requests and how was that accounted for in the discussion or was it based on the waivers seen to date.
 - Ms. Luxhoj responded it was difficult to know what future applications would be received but given the configuration of the undeveloped properties in Coffee Creek, which were long and skinny, she did not believe warehouse/distribution buildings could be built, unless properties were combined.
 - The most waivers had been requested by bigger buildings, so corporate headquarters with smaller buildings would likely get really close to getting through the process without big waivers. Precision Countertops was very close except for the driveway width, which required a waiver. The Black Creek site had the most with a total of seven waivers, which could be because it had two addressing streets and a supporting street.
- Stated she was definitely open to having more discussion on what changes could be made or not.
 - Ms. Luxhoj believed having possible adjustments to the standard 24-ft driveway width, which was an issue when there were two driveways off the supporting street. Black Creek and Precision Countertops were able to meet the standard on driveways to the passenger vehicle parking areas, but the second driveway for truck access required a wider width so trucks could make the turn. A suggested change was in instances with a second driveway off a supporting street to a truck loading/unloading area, a wider driveway would be allowed.

Ms. Bateschell confirmed the limited driveway width standard was to ensure the apron was not too wide for pedestrians to cross. She acknowledged that the consultants at the time did more urban and less suburban style development, so there may have been a tendency to present standards that might fit better in an urban environment, including an industrial area in Portland, though she was not certain. While Wilsonville Staff may have understood the reason for reducing the widths to achieve the connectivity and pedestrian-oriented nature more prevalent than in other areas, the numbers might not have been scrutinized to a great degree.

Commissioner Mesbah suggested a solution that the driveway would have 24-ft pavement with two, 8-ft aprons of lattice concrete/pervious pavement with grass, which would look like lawn, yet support a semi-truck driving over it. He wanted to clarify if the intent was to avoid having huge expanses of

paved roads coming into the frontage, or if the driveway width was related to some function, like stormwater runoff, which would be reduced by pervious pavement.

Chair Heberlein:

- Agreed overall with the direction and looked forward to seeing how the modifications progressed and what would be proposed.
- Confirmed with Staff that there was no requirement for applicants to post signs that parking in front of the building was short-term, an hour or less. When visiting a business, he tends to stay more than an hour, so he would not expect visitor parking spaces to have a one-hour or less time limit. He understood the intent of rule was that it was not a long-term parking area to store commercial vehicles for days at a time.
- Noted that given the low traffic volumes for most of the developments, he did not anticipate a 40 ft driveway entrance being unsafe from a pedestrian standpoint, so when considering that standard, he suggested making sure the City was comfortable with the potential traffic loads to make sure it is safe or consider a flexible space, as mentioned by Commissioner Mesbah, to allow for the transit while still retaining a smaller visual appearance.

INFORMATIONAL

4. City Council Action Minutes (July 17 and August 7 & 21, 2023) (No staff presentation)
5. 2023 PC Work Program (No staff presentation)

Miranda Bateschell, Planning Director, reminded the first development application was just approved in the Wilsonville Town Center that would construct a building and part of a local street consistent with the Wilsonville Town Center Vision and Plan. No designation had been made regarding a street naming scheme in Town Center, so Staff inquired with the Diversity, Equity, and Inclusion (DEI) Committee about engaging with the community in brainstorming an inclusive street naming guide, scheme, and list for the Town Center. Staff presented at the DEI Committee last night, asking them for direction on a street naming scheme and would work with them on developing an actual street name list that would accompany that scheme. Staff hoped to have the street naming project completed by the beginning of the calendar year in line with when the developer would need that information.

Commissioner Hendrix:

- Asked if the City or Planning Department used an equity analysis or a set process like a standard set of questions to ensure that all disparities, mapping, and data were considered.
 - Ms. Bateschell replied the City had not established a formal questionnaire or assessment that each department or division would go through for each project. Staff was working with the DEI Committee to look at different projects and processes internal to the City, so that analysis or process might result from that work. She could also pose the question to Staff members who liaison with the DEI Committee to see if they would be interested in discussing it further.
 - The Planning Department tries to think about those issues and be knowledgeable about the history of their profession and the impact of the City's policies and bring in information and data where possible, as well as realizing Staff's limitations. In the street naming project, Staff realized it was not a job Staff needed to do and it was something that could be broadened within the community and involve a more inclusive process. Currently, no process was set, but hopefully there would be in the future.

SUMMARY OF FEEDBACK FROM COFFEE CREEK FORM-BASED CODE FOCUSED DISCUSSIONS

Feedback about Process:

Many comments received about the timeliness and predictability of the land use review process were not specific to the two-track process in Coffee Creek, but to land use review in general, particularly related to pre-application meetings and completeness review.

Information provided by the City, from all Departments/Divisions, at pre-application meetings needs to be as detailed as possible to enable an applicant to design and prepare plans for land use review that meet applicable standards, as rework during site design is costly and causes delay. However, it can be difficult at the pre-application stage to provide detail about a particular site plan, because designs will evolve as requirements and standards are better understood during land use review.

Follow-up meetings post pre-application, which are offered by the City, need to happen more than they do as they are helpful to applicants. But these meetings add to review time to organize and coordinate schedules, so a balance is needed.

Applicants need detailed guidelines about rules and requirements so they have clarity about what they are trying to design. No clarity leads to no predictability and, thus, delay. However, applicants also need to spend time understanding what the City is trying to accomplish, so everyone is on the same page as early in the process as possible.

Getting from the pre-application meeting to application submittal can be challenging. This is particularly the case when an applicant modifies their original design to respond to staff input provided at the pre-application meeting and the revised design raises new questions or concerns about compliance with the standards.

It is critical for the applicant to have definite information at the front of project planning for pro-forma and financial commitments. Drastic changes to a site plan that may be needed before submittal for land use completeness review have ripple effects on project design. For example, while the design standards for Supporting Streets are intentionally flexible to accommodate the unique characteristics of each project site, this can be perceived by the applicant as ambiguous and open to interpretation and they may struggle to find an acceptable design solution. This affects speed to market, which is key in speculative building.

With respect to projects in Coffee Creek, the timeline has been reasonable for land use review. But cyclical rounds of review and needed adjustments in some cases were challenging and, in applicants' opinion, time consuming.

Applicants prefer a concrete estimate of timeline to approval and work backward from there to map out their project schedule. If the City provides a timeline estimate and there are delays, either on the applicant's part or in staff response, that prolong the process, this is frustrating for the applicant and has ripple effects on scheduling, cost estimating, budgeting, etc. If the City can answer the biggest question – How long will land use review take? – with certainty at the pre-application meeting, everyone benefits. Now that four projects have gone through the land use review process in Coffee Creek, it may be prudent to adjust the timeline estimate to reflect the experience.

Going to City Council first for annexation and Zone Map amendment as is allowed in Coffee Creek is a significant benefit for applicants, with respect to time savings, and the process has been fairly smooth and worked as anticipated.

After application submittal for completeness review, the land use review process in Coffee Creek was generally predictable and timely. Staff is a good partner and great to work with. At times, more detailed review during completeness from all Departments/Divisions could be helpful. In addition, City review and feedback to the applicant can lag when issues come up. It would be helpful in these instances for staff to mobilize around the issue in a timely manner so it can be addressed quickly and the project can continue to progress through the review process. Timely and frequent conversations are needed throughout the process.

Overall applicants feel staff works very hard to get to yes on applications in Coffee Creek. However, in applicants' opinion it is possible that predictability and timeliness could be improved with more communication with the applicant during completeness review, which could result in fewer incompleteness and compliance items. Also, applicants would prefer more conditions of approval in the land use decision, rather than trying to dial in an application before the decision is issued. Detailed reviews are helpful, but applicants question how many such reviews are enough before outstanding items are conditioned so the project can move forward in the process.

Predictability and timeliness could be improved if some latitude or flexibility was built into the land use approval that anticipates subsequent design changes at the construction permitting stage and either considers the changes substantially compliant or as Class 1 Administrative Review. Returning to the original approving body or going through subsequent Class 2 Administrative Review following approval adds significantly to the project timeline.

Feedback about Intent of FBC:

There appears to be a disconnect between some of the form-based code standards and development typologies described in the Pattern Book and actual development occurring in Coffee Creek. Of the four approved projects in Coffee Creek, three are large single- or two-tenant, speculative industrial warehouse distribution facilities with office endcaps, and one is a corporate headquarters with office, showroom, and manufacturing components. Except for the corporate headquarters, these developments do not fully match the envisioned typologies, which include a mix of uses and more than one building on a site, as well as multi-story office buildings. As a result, achieving fully compliant design, particularly with site design and building form standards, is challenging and resulted in requested waivers. If on-the-ground reality is not fully consistent with the vision for Coffee Creek development typologies but still desirable, does there need to be adjustment to some of the form-based code standards to better align them with market conditions and to anticipate what might come in the future?

The question was raised as to whether the intent of the form-based code is being met with development that has occurred to date, and what the City wants to set the stage for in the future. Now that four projects have gone through the land use review process, what do the next four projects want to be? It could be helpful to have an evolving Master Plan for Coffee Creek that adjusts as projects are constructed to see how they all work together. The Master Plan should be a living document and road map to the future that adapts and updates as the area evolves with development.

Feedback about FBC Standards:

Prescriptive standards can limit innovative design. If a proposed development does not follow Code verbatim, but is a desirable or creative design that the City would like to see developed, is there a path to approval or does the design have to be less or different just to meet the standards? It was suggested that flexibility is needed in the standards, within the administrative review process, to enable the ability to pivot and accommodate divergence, while still achieving the City's vision for the area.

Speculative building (e.g., Black Creek Group) is very different from build-to-suit (e.g., Precision Countertops). Designing standards that work for both types of buildings while not impossible is extremely challenging because of differing operational and site design needs. Speculative users have a list of desirable characteristics for a site and they want to check as many as possible off the list. The purpose of constructing a speculative building is to attract a high quality tenant by checking as many of the boxes as possible based on standards that work for the industry, while making Wilsonville the most desirable location for a prospective user when compared with the larger market.

Applicants want to look at the form-based code and understand what is required. This necessitates that the standards be crystal clear, so that project planning and site design is predictable and there are not gray areas.

Standards that speak to operations are of primary importance from the applicant's perspective and need to be "all dialed in", then the form-based code overlays "desired features" (landscaping, connectivity, etc.) to get what is desired. When they are inflexible or do not make sense operationally, standards cannot be achieved and waivers are needed to enable what operationally works. If the standards that speak to operations are right, it facilitates the process and does not hinder achieving a predictable result. The standards should be reviewed with an eye to allowing more latitude or a higher threshold without requiring a waiver for those that address operations.

Driveway Width

Limiting the driveway width from a Supporting Street to a maximum of 26 feet with adjustment is problematic. There should an allowance for a wider driveway, at least 40 feet wide, to accommodate large truck movements entering/exiting a site. A narrower driveway is fine for passenger vehicles and smaller delivery trucks. Other factors that affect driveway width include such things as restricted access to/from a supporting street, angle of approach, etc.

Parking Location and Design on an Addressing Street

Location and design of passenger vehicle parking is dictated by where loading docks are located - rear, front, side, or cross – characteristics of site, size and orientation of building, etc. With a front load building, it is rare not to see parking in the front. Smaller sites also usually prefer to have parking in the front of the building. This is important to operations, security, and accessibility for employees and customers.

A secure truck court and yard is a high priority need for industrial users. Separating truck and passenger vehicle traffic is essential for safety. Limiting parking, in both number and who can park there, at the front of the building makes achieving separation challenging. If parking is not at the front, then the truck court likely will be on the front, which is less desirable from an aesthetic standpoint.

Allowing 20 spaces maximum with adjustment at the front of a building is extremely limiting. It was suggested that the ratio of allowed parking on an Addressing Street should be adjusted based on the square footage of the building, thus allowing more parking at the front for a larger building size.

Many large industrial users do not have visitors and customers, but do have a large number of employees, particularly in office areas, which are at the front of the building. Some spaces at the front of the building, therefore, should be available for use by employees and not limited to ADA, visitors and customers.

Retaining Walls

Large, flat industrial buildings result in the need to have more and/or taller retaining walls. This is especially true when it is necessary to meet grade on multiple streets around a site. Requirements should be tied to characteristics of an individual site, rather than a uniform standard. Making grade to a street is a key determinant of wall design. In addition, more topography results in the need for more walls. Because walls are very costly, drivers (cut/fill, cost, topography, etc.) will naturally limit their height.

Perhaps consider a proportional approach based on the slope of a site or height as a function of overall cross-slope of a site based on a project that already has been constructed, such as Black Creek Group.

If a retaining wall is not visible from an Addressing Street and primarily visible from the interior of a site, why does it matter what the wall looks like?

The requirement for horizontal offset is problematic. It is prudent to look at aesthetics of a retaining wall, because construction materials vary substantially. However, it may not be possible to integrate the offset or stepped design in landscape areas within the limited constraints of a site.

Entry Canopy Height

A lower entry canopy height than the required 13.5 feet minimum with adjustment makes more sense. Twelve (12) feet is preferable from a functionality standpoint. Standard storefront systems have a natural break at 12 feet. Better weather protection and pedestrian scale is achieved at 12 feet.

Interior ceiling height is typically dropped to 9-10 feet, but a height matching a 12-foot canopy gives a more open feel to the interior and allows better interior/exterior integration. If there is a mezzanine (second story office, not storage mezzanine), the ceiling is usually at 9 feet for first floor, which makes 12 feet problematic.

Building Massing and Base, Middle, Top Dimensions

The overall building massing standard with base, middle, top dimensions probably hinders design and is not productive. Design can be scaled well without the dimensional requirements. The standard results in prescriptive design, causing overall design aesthetic to suffer. The same effect can be achieved with a variety of materials. An alternative methodology is needed that gets the desired "high quality" design.

Requirements for dimensional (recede, project) definition of base and top, rather than just visual, is difficult to achieve with poured slab concrete tilt-up buildings. Allowing applicants to make some trade-offs, such as using graphic treatments, that accomplish the intent of a physical off-set have the same effect from a distance. Paint schemes and reveals are more effective in adding variety and dimension.

Can the standard be adjusted to achieve the same visual interest and variety desired, but in a less prescriptive way? The standard product today is much more interesting and aesthetically pleasing and driven by a market that demands quality. The standards should be flexible and adaptable as the market changes now and in the future.

Landscape Buffer Areas on Addressing and Supporting Streets

Are landscape buffers between a building and/or parking and the public right-of-way necessary? Buildings in urban areas are right up to the street. Is Coffee Creek trying to achieve a suburban model with ample landscape buffers or a more urban aesthetic?

Street Typologies

Street typologies do not align with the Transportation System Plan (TSP) and Engineering Design Manual. This results in negotiation with Engineering staff about street design, leads to confusion, and can make redesign necessary. Required infrastructure design under the streets also needs to be calibrated.

Requiring a Supporting Street, in a public easement, on the edge of an industrial site can make truck circulation more difficult because they are circulating on a public way with other vehicle types. This can put a site at a disadvantage because a large part of the site is reserved for connectivity rather than site circulation.

Agglomeration of sites would help achieve envisioned development and spread the cost burden of Supporting Street infrastructure more equitably across owners/developers.

From The Director's Office

Greetings,

On February 8, Community Development Department managers presented to the Civics Academy, which is a seven month-long program comprised of a series of city hosted meetings and events which are designed to prepare community members for roles on local government boards and commissions, such as the Development Review Board or the



Planning Commission. The program affords participants a look inside of city operations and provides opportunities to meet city staff and elected officials as well as tour city facilities.

Staff is excited each year to present the robust Community Development program, and the many associated projects and initiatives that are happening in our community. Staff begins with high-level overviews of each Division's functions, roles and responsibilities (planning, building, engineering, natural resources and economic development). Next, we present a comprehensive overview of the planning and implementation of the Villebois Village demonstrating the multi-disciplinary nature of planning and building a village, in which each Community Development Department Division plays a critical role. From preparing the long-range plans for new portions of the community, to laying out land uses, planning and designing utilities and reviewing private development to ensure the health and safety of citizens, the presentation weaves together each of our areas of expertise into a compelling story of complete communities, quality of life and livability.

Lastly, Staff takes participants on an in-depth tour of active and recently completed City Capital Improvement Projects, as well as private development projects throughout the community. So many past graduates have advanced on from the Civics Academy to fulfill critical roles in City Government, continuing the City's lasting legacy of good governance.

Respectfully submitted,

Chris Neamtzu, AICP

Community Development Director

Building Division

Behind the Scenes: A Day in the Life of a Building Inspector

Today, we're offering a unique perspective as we take you behind the scenes to explore the daily life of a building inspector. What happens in a typical day in this profession? What challenges and responsibilities do inspectors face? Join us as we shed light on the less visible aspects of building inspections and the people who keep our structures safe and sound.

A Day in the Life of a Building Inspector

- **Morning Routine:** Building inspectors often start their day early, preparing for site visits. They equip themselves with essential tools, review inspection schedules, and ensure they have all the necessary paperwork and safety gear.
- **Site Visits:** Inspectors visit various construction sites throughout the day. They assess ongoing projects, ensuring that work is in compliance with local building codes and safety standards. From residential homes to commercial developments, their expertise is in high demand.
- **Documentation:** Accurate record-keeping is a crucial aspect of the job. Inspectors document their findings, take photographs, and maintain detailed inspection reports. This documentation is essential for record-keeping and for sharing results with property owners and contractors.
- **Communication:** Building inspectors are in constant communication with property owners, contractors, and other stakeholders. They explain their findings, answer questions, and provide guidance on addressing any issues that may arise during the inspection.
- **Problem Solving:** Inspectors often encounter unexpected challenges during their visits. Whether it's structural concerns, code violations, or safety hazards, they must think on their feet and come up with effective solutions.
- **Education and Training:** Staying current with building codes and regulations is a must. Inspectors dedicate time to ongoing education and training to ensure they're up to date with the latest industry standards and safety protocols.
- **Safety First:** Safety is a top priority for building inspectors. They assess not only the safety of the structures they inspect but also their own safety. This includes wearing appropriate protective gear, such as hard hats, safety vests, and masks when needed.
- **Teamwork:** Building inspectors often work as part of a larger team. They collaborate with city planners, engineers, and fire safety officials to ensure that all aspects of a project align with safety and zoning requirements.
- **Flexibility:** No two days are the same for building inspectors. They need to be adaptable, as they may be called to respond to urgent situations, like code violations or structural concerns that require immediate attention.



City Building Inspector Mike Ditty performs a plumbing inspection at a restaurant

Economic Development Division

Childcare Provider Consortium

The Consortium met twice in February. They remain interested in advocating at the State legislature, and appreciate the City's government affairs and lobby team. Two bills are currently being heard during this short session: HB 4098 and HB 4158. The Consortium supports both, and we have discussed how and when to provide testimony.

The Consortium has also expressed new interest in the continuation of discussion about a local pilot program. Staffing, employee retention, and competitive pay are the leading challenges that burden private childcare providers and their ability to serve more children and families, and to do so at affordable rates. Any pilot program would likely need to address these issues which, of course, come at a cost. In future meetings of the Consortium we will be exploring what a pilot program could look like—its costs, potential revenue sources, and program structure/mechanics.

This is an open-ended exercise. Staff will consult Council if/when ideas begin to take shape. Councilor Kristin Akervall has been an engaged member of the taskforce, and we thank her for her commitment to this group and the Council's goals.



Mayor joins panel at Clackamas County Business Alliance (CCBA)

The CCBA held their annual Mayoral Summit on Friday, February 23, 2024. The Mayor was invited as a panelist among other Clackamas County mayors, including mayors of Lake Oswego, Oregon City, Sandy, Happy Valley, Milwaukie, West Linn, Canby, and Gladstone.

Mayor Fitzgerald shared thoughts about regional issues including tolling and I-5 congestion (Boone Bridge). She also shared information about ongoing city projects including Town Center, Frog Pond, Basalt Creek, and the proposed study of WES extension to Salem.

Staff attended the event in support of Mayor Fitzgerald. It was a good event and another opportunity for Wilsonville to shine among peers.



Economic Development Division

Measure 3-605 – Town Center Urban Renewal

City Council has referred the question of Town Center Urban Renewal to voters on an advisory basis, and the City Manager's office has filed the appropriate paperwork with County Elections, including the ballot title, summary, and explanatory statement. Clackamas County has assigned a measure number: 3-605.

Staff has been working with Deep Sky Studios, of Portland, to produce an informational video that provides basic information on urban renewal and how it would be used in Town Center if the measure passes.

Simultaneously, staff has submitted the video script and copy from the forthcoming informational website to the Secretary of State's Elections Division for review under the Safe Harbor program, which provides limited protection from potential complaints if/when a member of the public takes issue with those communications pieces and/or the language therein.

First review of the video script and website is complete, and staff is making revisions in order to work toward being granted Safe Harbor. Staff is working with Legal to ensure compliance with elections law as well. This has been a heavy lift for staff in economic development, communications, and legal departments in terms of staff time and internal resources.

RAISE Grant Application Submitted

As noted in a previous report, economic development staff has been coordinating with Engineering and a hired consultant to develop and submit a grant application to the US Department of Transportation for the RAISE program. The application was submitted on February 27, and we will know the outcome by summer 2024. The City requested \$22M for the construction of the fully-permitted and designed I-5 Bike/Ped Bridge, which has been a planned project of the City for over a decade. The project was also most recently affirmed and included in the 2019 Town Center Plan.

Staff believes the application submitted will be highly competitive as it is well-aligned with the goals and objectives of the RAISE program, and construction-ready. But, grants are made nationwide, and the landscape is very competitive. We are hoping for an award, while also surveying and pursuing other grant opportunities that may be announced or which may already exist.

Twist Bioscience – WIN Rebate

Staff has completed review of Twist's program compliance documentation and now awaits the legal department's review of the verification letter before it is sent to Twist. Staff has found Twist has complied with the capital investment, job creation, and wage requirements and anticipates a rebate will be issued by the City before July 31, per the program rules. After consulting with the Mayor and Council President, we may recognize this milestone in a City Council meeting this summer if so desired by Council and Twist Bioscience.



Engineering Division, Capital Projects

2023 Street Maintenance (4014/4118/4717)

The following improvements were performed by S-2 Contractors:

- Boeckman Road (near I-5 Overpass): Road base reconstruction, paving and re-striping.
- Wilsonville Road (between I-5 and Kinsman Road): Road base reconstruction, all paving and striping.
- Wilsonville Road (near Rose Lane): Road base reconstruction, all paving and striping.

Staff has performed a final inspection and are working to resolve issues where the contract was not fulfilled.

2024 Street Maintenance (4014/4717)

Staff is working with design consultants Century West Engineering and Central Geotech to determine the most cost effective method for performing the work below. The goals of the project are to complete the following by August 30, 2024.

Boones Ferry Road (Wilsonville Road to Bailey Street)

- Rehabilitation of pavement section
- Updating of all non-compliant ADA pedestrian ramps
- Pedestrian signal improvements at Boones Ferry Road at the entrance to Fred Meyer
- Updating of the mid-block pedestrian crossing near Killer Burger

Bailey Street (Boones Ferry Road to cul-de-sac near Subaru Dealership)

- Rehabilitation of pavement section
- Updating of all non-compliant ADA pedestrian ramps

Boberg Road (Boeckman Road to Barber Road)

- Reconstruction of pavement section

Boeckman Creek Flow Mitigation (7068)

This projects will look at storm water flows coming off the Siemens site towards Boeckman Creek. Historically, these flows were directed towards the Coffee Creek wetlands, but with development of the Siemens site, flows were altered to head towards Boeckman Creek in the 1980s. These flows are needed to return to their natural waterways with the installation of the new Boeckman bridge. Pending Council approval of the scope and fee in late February, engineering design will be kicking off over the next month.

Boeckman Creek Interceptor (2107)

This project will upsize the existing Boeckman Creek Interceptor sewer collection pipeline in order to support the development of the Frog Pond area. A regional trail will be installed as a part of the maintenance path from Boeckman Road to Memorial Park. Field investigations of the original area are finished, however, it was determined additional field investigations are needed to complete the routing study. CIP 7054, Gesellschaft Water Well Channel Restoration, will also be brought into this project to minimize City design and construction costs. Staff is reviewing the consultant proposal and working on an amendment to include both new areas once deemed feasible. Once additional information is collected, analyzed, and reviewed, a public open house will be held to seek input on the design to refine the layout. One additional open house event is planned for advance designs. The dates for both events will be set and advertised in advance of the events.

Engineering Division, Capital Projects

Boeckman Road Corridor Project (4212/4206/4205/2102/7065)

This project involves the design and construction of the Boeckman Dip Bridge, Boeckman Road Improvements (Canyon Creek Road – Stafford Road), Canyon Creek Traffic Signal, and Boeckman Road Sanitary Sewer projects. The Tapani-Sundt Joint Venture is nearly complete with design, with minor cleanup remaining. Property acquisitions are advancing, and very nearly complete. This project has been divided into several guaranteed maximum price (GMP) packages. The entire project is expected to be complete in Fall 2025.

- **GMP 1: Temporary Traffic Signal at Stafford Road and 65th Ave**
 - ◊ Work is complete on this package. Public feedback on the signal has been significantly positive.
- **GMP 2: Meridian Creek Culverts, House Demo**
 - ◊ Work is complete on this package (pictured). Recent heavy rain events were easily conveyed under the road through these culverts.
- **GMP 3: Bridge, Roundabout, and Road Widening**
 - ◊ Costs have been accepted by the City Council as of December 4. Notice to proceed has been issued, and long lead items have been ordered.



Road closure started on January 22, with extensive public communication and information distributed prior to the closure. Tree removal and overhead utility relocation work is underway, with deep sewer installation from the dip to Stafford road starting this month. Pile driving activities are expected this spring.

Charbonneau Consolidated Plan—Edgewater and Village Greens (1500/2500/4500/7500)

This project is one of 38 project areas designated by the Charbonneau Consolidated Plan for the design and construction of water, wastewater, and stormwater improvements. This project specifically focuses on Edgewater Lane, Village Greens Circle and French Prairie Road. This project is ready for bid once funding becomes available.

Charbonneau Lift Station (2106)

This project involves replacing the Charbonneau wastewater lift station with a submersible lift station and replacing the force main from the station to the I-5 bridge. The design contract was awarded to Murraysmith in December 2021, and final design was completed in October 2023. A construction contract with Tapani, Inc. was awarded by City Council in December 2023, with construction anticipated for completion in September 2024.

West Side Level B Reservoir and Transmission Main (1149)

This project will design and construct a new three million gallon water reservoir just west of City limits, along with a 24-inch transmission main connecting to the City water system. City Council awarded the design contract to Consor in February 2023. Design will be completed in 2024, followed by construction in fiscal year 2024-2025.

Engineering Division, Capital Projects

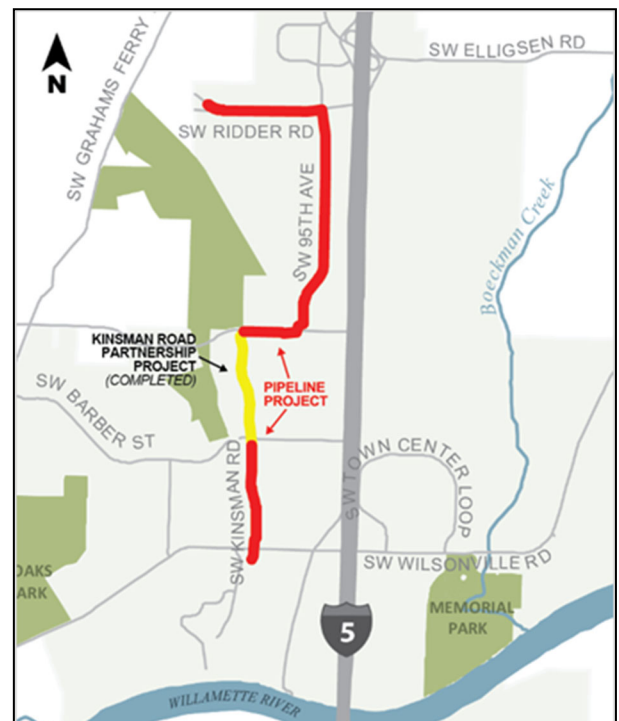
Water Treatment Plan (WTP) Expansion to 20 MGD (1144)

This project will expand the WTP capacity to 20 MGD and incorporate related WTP capital improvements. A Construction Manager/ General Contractor (CMGC) alternative contracting method was approved by City Council in March 2020. An engineering contract was awarded to Stantec in July 2020. The CMGC contract was awarded to Kiewit in August 2021. Final design was completed in coordination with the CMGC in March 2022. Construction began in June 2022, with completion expected in June 2024.

WWSP Coordination (1127)

Ongoing coordination efforts continue with the Willamette Water Supply Program (WWSP). Here are the updates on major elements within Wilsonville:

- **Phase 1, Wilsonville Road (PLM_1.1)** Arrowhead Creek Lane to Wilsonville Road—**COMPLETE**
- **Phase 2, Garden Acres Road to 124th (PLM_1.2)** Ridder Road to Day Road—**COMPLETE**
- **Phase 3, Wilsonville Road to Garden Acres Road (PLM_1.3)** The WWSP's last section of transmission pipeline to be constructed in the City of Wilsonville began in fall 2022, with completion planned for 2024. It will connect the remaining portion of the pipeline through Wilsonville and has an alignment along Kinsman Road, Boeckman Road, 95th Avenue, and Ridder Road (see image). The Engineering Division is currently in the process of reviewing final plans and coordinating construction. The trenchless crossing under Wilsonville Road has been completed. Pipe install on the northern half of 95th Avenue to Ridder Road has been completed and restoration of the sidewalk and curb and gutter on the east side of the road is ongoing. The east side of 95th Avenue from Hillman Court to Ridder Road has been temporarily paved and is opened to two way traffic, with permanent concrete road panel restoration to follow in Spring 2024. Pipe installation and water main relocation will begin on 95th Avenue from Hillman Court to Boeckman Road at the end of February 2024. Pipe installation has been completed on Kinsman Road between Wilsonville Road and Barber Street, and the street has been temporarily paved. The contractor will begin restoring the concrete road panels on the west side of Kinsman Road after restoration has been completed on 95th Avenue. The trenchless crossing under Boeckman Road has begun.



Wastewater Treatment Plant (WWTP) Master Plan (2104)

This project evaluates capacity of WWTP processes to accommodate projected growth and regulatory changes. A prioritized capital improvement plan and budget has been developed. The project was completed and the findings presented to the Planning Commission in December 2023. The Master Plan was presented to City Council for adoption in January 2024.

Engineering Division, Private Development

Residential Construction Activities

Canyon Creek South Phase 3

The contractor paved at the beginning of December and is working on punchlist items for closeout including open space improvements.

Frog Pond West

Frog Pond West continues to see significant construction activities. Housing construction in the Frog Pond Ridge subdivision, located south of Frog Pond Lane, and Frog Pond Crossing subdivision, located north of Frog Pond Lane, is on-going.



- Frog Pond Crossing subdivision, a 29-lot subdivision located north of Frog Pond Lane, was paved at the end of July. The contractor is working on punchlist items for project closeout. Home construction is underway.
- Frog Pond Estates, a 17-lot subdivision located south of Frog Pond Lane and west of Frog Pond Ridge, is working with the private utilities companies to have overhead utilities along Frog Pond Lane placed underground so that street improvements can be completed.
- Frog Pond Oaks subdivision, a 41-lot subdivision located to the west of Frog Pond Crossing, is continuing to work on punchlist items for project closeout. Home construction is anticipated to start in March 2024.
- Frog Pond Overlook, a 24-lot subdivision located north of Frog Pond Lane and west of Frog Pond Vista, is anticipated to start construction in spring 2024.
- Frog Pond Primary, the new West Linn-Wilsonville School District primary school on Boeckman Road, is working primarily onsite (pictured). Work on the utilities (sewer, storm, and water) located in Brisband Lane is underway.
- Frog Pond Terrace, a 19-lot subdivision located north of Morgan Farms, is anticipated to start construction in spring 2024.
- Frog Pond Vista subdivision, a 44-lot subdivision to the west of Frog Pond Oaks, is continuing to work on punchlist items for project closeout. Home construction is anticipated to start in March 2024.



Villebois Clermont

The contractor is continuing to work on punch list items at Regional Parks 5 and 6. Home construction continues.

Natural Resources Division

“Free” Native Tree Program

To help reduce stream temperature and pollutants, the City offers up to five native tree seedlings for any resident or business, within the City Limits, to install on their property. Residents or businesses receive a tree coupon, which allows them to redeem the native plants at Bosky Dell Natives nursery. Plantings along streams, riparian corridors, or other water bodies are encouraged, but regardless of the location, tree plantings enhance the City’s urban forest and contribute to a healthier environment. The incentive program is part of the strategy to address the City’s National Pollutant Discharge Elimination System (NPDES) stormwater permit requirements.



Planning Division, Current

Administrative Land Use Decisions Issued

- 3 Type A Tree Permits
- 3 Type B Tree Permits
- 3 Class 1 Administrative Reviews
- 4 Class 2 Administrative Reviews
- 2 Class 1 Sign Permits

Construction Permit Review, Development Inspections, and Project Management

In February, Planning staff worked with developers and contractors to ensure construction of the following projects are consistent with Development Review Board and City Council approvals:

- Industrial development on Day Road
- New gas station and convenience store on Boones Ferry Road
- Residential subdivisions in Frog Pond West

Development Review Board (DRB)

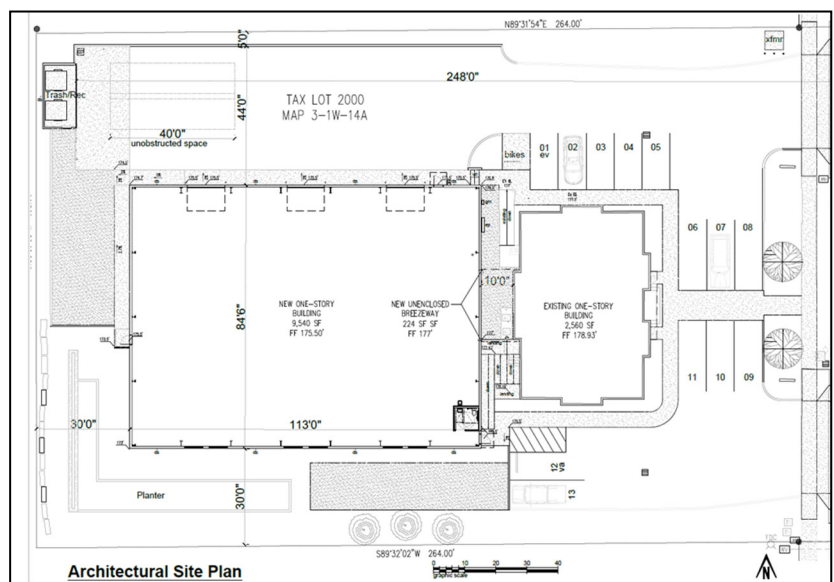
DRB Panel A met on February 12. At the meeting, the Board again continued a hearing on a new industrial building at ParkWorks off Parkway Avenue, this time to their March meeting. The Board also elected a chair and vice chair for 2024. Jean Svadlenka was re-elected chair and Rob Candrian was elected vice chair.

DRB Panel B met on February 26. Following a public hearing, the board unanimously approved a new PGE substation on Parkway Avenue between Al's Garden Center and Grace Chapel. The board also held a hearing on an appeal of the Planning Director's Determination on non-conformance in Class 1 Review ADMN23-0029. No decision was rendered as the appellant requested, as allowed under State law, to leave the written record open for seven (7) additional days.

DRB Projects Under Review

During February, Planning staff actively worked on the following major projects in preparation for potential public hearings before the Development Review Board:

- Appeal of Administrative Decision RE: Non-Conformance Status
- Digital changeable copy sign on Boeckman Creek Primary School
- New electric substation along Parkway Avenue north of Boeckman Road
- New industrial building at ParkWorks off Parkway Avenue
- New Office Building for City County Insurance Services (CIS) at Wilsonville and Kinsman Roads
- Site improvement on the OrePac campus south of Kinsman Road south of Wilsonville Road
- Warehouse expansion on Boberg Road



Proposed Site Plan for Warehouse Expansion on Boberg Road

Planning Division, Long Range

Frog Pond East and South Master Plan

With the Frog Pond East and South Master Plan adopted in December 2022, the City is now focusing on implementation. Two outstanding implementation steps are in process: (1) Development Code amendments, and (2) an infrastructure funding plan. During February, the project team continued work on testing and refining draft code concepts. A work session was held with the Planning Commission. The month also included meetings with staff as well as with consultants and stakeholders. Also during February work continued on the infrastructure funding plan, including meeting with the development community for feedback.



FROG POND EAST & SOUTH MASTER PLAN

Housing Our Future

This multi-year project will analyze Wilsonville's housing capacity and need followed by developing strategies to produce housing to meet the identified housing needs. The City's last Housing Needs Analysis was adopted in 2014. In February, the project team awaited finalization of contracts administered by the State and getting set to being the third and final phase of the project in earnest.

Industrial Readiness Project

At the February Planning Commission meeting, staff presented proposed amendments to the Coffee Creek form-based code standards for recommended adoption by Council. The project team also worked on scoping and identifying consultants for the next phases of the project, which will include specific work on the Basalt Creek industrial area between current City limits and Tualatin, as well as a citywide look at industrial land availability and readiness. The City has secured \$390,000 in grant funds from Business Oregon (\$100,000) and Metro (\$290,000) to support this project.

Oregon White Oak Response Coordination and Leadership

In February, Associate Planner Georgia McAlister continued as a key member of the Mediterranean Oak Borer (MOB) task force, continuing to coordinate efforts between various City Divisions and Departments, as well as contract arborists, property owners, and others to diagnose and make a plan to address the declining health of a number of the City's Oregon White Oak trees. Coordinating with City Staff, Oregon Department of Agriculture (ODA) and Oregon Department of Forestry (ODF) set traps throughout the City in areas where MOB may be present to begin monitoring the load and behaviors of the insects. The MOB Task force discussed current process for removal, potential improvements, and revisions to removal and disposal criteria. The MOB task force continues to focus on planning for the spring season, coordinating with ODA, ODF, and other interested parties on research efforts.

Statewide Policy Involvement

In February, members of the Planning Staff closely followed drafting of housing-related legislation for the 2024 Oregon Legislature short session. The proposed legislation touches on important topics including exemptions to local land use regulations and urban growth boundaries.

Planning Division, Long Range

Planning Commission

The Planning Commission met on February 14. The Commission held a hearing on proposed amendments to the Coffee Creek form-based code standards and unanimously forwarded a recommendation for adoption to City Council. The Commission also held two work sessions, first on the citywide Stormwater Master Plan, and then on the Frog Pond East and South Development Code with the discussion focused on review of a demonstration plan of how development could occur under the draft standards.

Transit-Oriented Development at the Wilsonville Transit Center

The Equitable Housing Strategic Plan identified exploration of Transit-Oriented Development (TOD) at the Wilsonville Transit Center as a near-term implementation action. Throughout 2023, the City worked with the project's selected developer, Palindrome, to refine development plans for the site. The proposed project includes 121 units of housing affordable to households making between 30% and 80% of Area Median Income, along with ground-floor tenants including a welcome center for SMART, a new home for Wilsonville Community Sharing, and a coffee house/taproom space. In February, the City began its review of construction permit documents consistent with the Development Review Board's approval of the project in January.

General project information is available on the project website:

<https://ci.wilsonville.or.us/planning/page/wilsonville-transit-center-tod>

Wilsonville Town Center Plan Implementation

During February, City staff continued implementation of a communications plan for the May advisory vote on the establishment of an Urban Renewal District in Town Center. The project team also began planning for implementation activities in 2024, including additional development opportunity studies and parking management strategies. These activities are anticipated to begin later this year.



WILSONVILLE TOWN CENTER

- **Budget FY 2024-25:** Our annual budget process continues! Throughout the month of February, the City Manager and Finance met with each of the departments to discuss their operating budget requests for the upcoming fiscal year.

As a next step, departments are sharpening their pencils as it relates to capital improvement project (CIP) requests, in preparation for those meetings with the City Manager and Finance, in March. As a component to this, we continue to review/update the City's five year financial forecasts, of which we will dive further into in the upcoming fiscal year 2024-25 budget presentations to the Budget Committee on May 9, May 15, and May 16 (if needed).

- **Mid-Year Review:** This year we transitioned the City's Mid-Year Financial Report for Fiscal Year 2023-24 to a report format. The purpose of this report is to provide the Budget Committee and City Council with a projection of where the City will land financially at fiscal year end on June 30, 2024. This projection is necessary for each City fund as this Estimation of Ending Fund Balance is used as the Budgeted Beginning Fund Balance for our upcoming fiscal year 2024-2025 budget.
- **Municipal Court:** Last February, we transitioned from "Night Court" with arraignments at 5:00pm to "Day Court" starting at 2:00pm. Our court schedule remained the first and third Tuesday of each month; however, during normal business hours, instead of after standard business hours. Initially there were some concerns about how this might impact normal business workflow and any potential burden for defendants that work during the day. In contrast, the transition appears to have been very well received. Further, it is consistent with what other courts are doing. Defendants continue to have the opportunity to resolve many of these matters directly with the Court Clerks, prior to their court date.
- **Utility Billing:** We recently received notification from our contracted meter readers of a price increase to perform this service. The primary factor driving this increase is the rising cost of insurance. Unfortunately, their current provider no longer covers scooters, and alternative insurance providers are quoting a staggering increase of over 1000%. Consequently, they are proposing a \$0.37 per meter rate increase, from \$0.73 to \$1.10, which equates to a 51% increase over the current contract. As the sole source provider of meter reading services in the area, the only other viable option would be to bring this in-house.

- **Utility Billing (continued):**

Meanwhile, the City is interested in exploring the feasibility of transitioning to Advanced Metering Infrastructure (AMI), as it relates to meter reads. This technology would enable the City to obtain meter reads with ease, simply by clicking a mouse, rather than dispatching a technician to each meter location. Additionally, AMI would empower us to detect usage spikes, often indicative of water leaks, at an early stage. While there are numerous advantages to adopting AMI, it does entail a significant cost.

In the upcoming months, we'd like to delve into this further and explore the possibility of engaging a consultant to assist us in delineating the scope of work and estimating the associated costs of implementing AMI.

Several neighboring entities have recently gone through this transition/implementation process, as well. The key benefits consistently being: Water Conservation and Customer Service.

- **Attached Financials:** Finance continues to monitor all departments for on-going budget compliance.

	Current Year Budget	Year to Date Activity	Remaining Balance	% Used
110 - General Fund				
Taxes	\$ 15,090,000	\$ 11,271,003	\$ 3,818,997	75%
Intergovernmental	2,715,173	547,102	2,168,071	20%
Licenses and permits	242,800	113,126	129,674	47%
Charges for services	413,164	275,504	137,660	67%
Fines and forfeitures	250,000	113,542	136,458	45%
Investment revenue	304,600	373,842	(69,242)	123%
Other revenues	681,450	664,376	17,074	97%
Transfers in	5,572,496	3,526,284	2,046,212	63%
TOTAL REVENUES	\$ 25,269,683	\$ 16,884,780	\$ 8,384,903	67%
Personnel services	\$ 12,185,032	\$ 7,035,426	\$ 5,149,606	58%
Materials and services	12,860,094	3,697,614	9,162,480	29%
Capital outlay	311,177	217,577	93,600	70%
Debt service	1,134,284	1,129,631	4,653	100%
Transfers out	8,777,843	2,069,150	6,708,693	24%
TOTAL EXPENDITURES	\$ 35,268,430	\$ 14,149,399	\$ 21,119,031	40%
610 - Fleet Fund				
Charges for services	\$ 1,722,180	\$ 1,148,120	\$ 574,060	67%
Investment revenue	8,200	21,045	(12,845)	257%
Other revenues	-	4,972	(4,972)	-
TOTAL REVENUES	\$ 1,730,380	\$ 1,174,137	\$ 556,243	68%
Personnel services	\$ 985,470	\$ 555,849	\$ 429,621	56%
Materials and services	801,417	409,357	392,060	51%
Capital outlay	303,800	181,292	122,508	60%
Transfers out	2,400	1,600	800	67%
TOTAL EXPENDITURES	\$ 2,093,087	\$ 1,148,098	\$ 944,989	55%
230 - Building Inspection Fund				
Licenses and permits	\$ 1,204,000	\$ 1,165,958	\$ 38,042	97%
Investment revenue	71,700	63,541	8,159	89%
TOTAL REVENUES	\$ 1,275,700	\$ 1,229,499	\$ 46,201	96%
Personnel services	\$ 1,076,940	\$ 563,643	\$ 513,297	52%
Materials and services	198,774	112,372	86,402	57%
Transfers out	346,058	230,712	115,346	67%
TOTAL EXPENDITURES	\$ 1,621,772	\$ 906,728	\$ 715,044	56%
231 - Community Development Fund				
Licenses and permits	\$ 852,302	\$ 671,138	\$ 181,164	79%
Charges for services	743,714	315,355	428,359	42%
Intergovernmental	21,713	-	21,713	0%
Investment revenue	44,400	33,843	10,557	76%
Other revenues	-	25	(25)	-
Transfers in	3,335,385	1,608,517	1,726,868	48%
TOTAL REVENUES	\$ 4,997,514	\$ 2,628,878	\$ 2,368,636	53%
Personnel services	\$ 3,685,060	\$ 2,076,240	\$ 1,608,820	56%
Materials and services	803,584	332,522	471,062	41%
Transfers out	729,639	405,288	324,351	56%
TOTAL EXPENDITURES	\$ 5,218,283	\$ 2,814,049	\$ 2,404,234	54%
240 - Road Operating Fund				
Intergovernmental	\$ 2,240,600	\$ 882,419	\$ 1,358,181	39%
Investment revenue	52,200	64,513	(12,313)	124%
Other revenues	-	14,520	(14,520)	-
TOTAL REVENUES	\$ 2,292,800	\$ 961,452	\$ 1,331,348	42%
Personnel services	\$ 524,370	\$ 259,756	\$ 264,614	50%
Materials and services	616,212	420,201	196,011	68%
Capital outlay	300,000	8,950	291,050	3%
Debt service	358,000	356,448	1,552	100%
Transfers out	2,708,462	1,951,746	756,716	72%
TOTAL EXPENDITURES	\$ 4,507,044	\$ 2,997,102	\$ 1,509,942	66%

	Current Year Budget	Year to Date Activity	Remaining Balance	% Used
241 - Road Maintenance Fund				
Charges for services	\$ 2,249,000	\$ 1,571,977	\$ 677,023	70%
Investment revenue	87,100	63,472	23,628	73%
TOTAL REVENUES	\$ 2,336,100	\$ 1,635,449	\$ 700,651	70%
Transfers out	\$ 4,235,000	\$ 2,474,025	\$ 1,760,975	58%
TOTAL EXPENDITURES	\$ 4,235,000	\$ 2,474,025	\$ 1,760,975	58%
260 - Transit Fund				
Taxes	\$ 6,000,000	\$ 4,499,359	\$ 1,500,641	75%
Intergovernmental	4,174,500	2,576,866	1,597,634	62%
Charges for services	40,000	5,382	34,618	13%
Fines and forfeitures	5,000	3,012	1,988	60%
Investment revenue	425,100	260,923	164,177	61%
Other revenues	16,000	948	15,053	6%
TOTAL REVENUES	\$ 10,660,600	\$ 7,346,489	\$ 3,314,111	69%
Personnel services	\$ 5,058,100	\$ 2,294,105	\$ 2,763,995	45%
Materials and services	3,239,530	1,634,295	1,605,235	50%
Capital outlay	2,060,000	608,201	1,451,799	30%
Transfers out	1,043,990	574,834	469,156	55%
TOTAL EXPENDITURES	\$ 11,401,620	\$ 5,111,435	\$ 6,290,185	45%
510 - Water Operating Fund				
Charges for services	\$ 10,104,780	\$ 7,075,405	\$ 3,029,375	70%
Fines and forfeitures	-	10,560	(10,560)	-
Investment revenue	324,500	400,004	(75,504)	123%
Other revenues	1,168,080	1,169,565	(1,485)	100%
TOTAL REVENUES	\$ 11,597,360	\$ 8,655,534	\$ 2,941,826	75%
Personnel services	\$ 687,800	\$ 339,206	\$ 348,594	49%
Materials and services	5,050,863	2,668,034	2,382,829	53%
Capital outlay	695,000	74,037	620,963	11%
Debt service	371,000	370,454	546	100%
Transfers out	12,343,417	2,653,447	9,689,970	21%
TOTAL EXPENDITURES	\$ 19,148,080	\$ 6,105,178	\$ 13,042,902	32%
520 - Sewer Operating Fund				
Charges for services	\$ 8,477,900	\$ 4,793,769	\$ 3,684,131	57%
Investment revenue	114,900	244,435	(129,535)	213%
Other revenues	31,500	23,453	8,047	74%
Transfers in	600,000	600,000	-	100%
TOTAL REVENUES	\$ 9,224,300	\$ 5,661,658	\$ 3,562,642	61%
Personnel services	\$ 449,960	\$ 263,163	\$ 186,797	58%
Materials and services	4,121,454	2,074,482	2,046,972	50%
Capital outlay	125,509	125,509	-	100%
Debt service	2,880,000	393,199	2,486,801	14%
Transfers out	10,828,059	1,687,861	9,140,198	16%
TOTAL EXPENDITURES	\$ 18,404,982	\$ 4,544,214	\$ 13,860,768	25%
550 - Street Lighting Fund				
Charges for services	\$ 540,540	\$ 330,837	\$ 209,703	61%
Investment revenue	17,000	19,586	(2,586)	115%
TOTAL REVENUES	\$ 557,540	\$ 416,840	\$ 140,700	75%
Materials and services	\$ 366,450	\$ 138,590	\$ 227,860	38%
Transfers out	661,954	23,728	638,226	4%
TOTAL EXPENDITURES	\$ 1,028,404	\$ 162,318	\$ 866,086	16%
570 - Stormwater Operating Fund				
Charges for services	\$ 3,678,840	\$ 2,079,764	\$ 1,599,076	57%
Investment revenue	55,100	110,767	(55,667)	201%
TOTAL REVENUES	\$ 3,733,940	\$ 2,190,530	\$ 1,543,410	59%
Personnel services	\$ 324,810	\$ 223,352	\$ 101,458	69%
Materials and services	830,350	371,595	458,755	45%
Debt service	838,000	836,422	1,578	100%
Transfers out	7,145,858	1,594,675	5,551,183	22%
TOTAL EXPENDITURES	\$ 9,139,018	\$ 3,026,044	\$ 6,112,974	33%

	Current Year Budget	Year to Date Activity	Remaining Balance	% Used
336 - Frog Pond Development				
Licenses and permits	\$ 2,000,000	\$ 1,815,417	\$ 184,583	91%
Investment revenue	28,300	77,071	(48,771)	272%
TOTAL REVENUES	\$ 2,028,300	\$ 1,892,487	\$ 135,813	93%
Materials and services	\$ 36,180	\$ 6,258	\$ 29,922	17%
Transfers out	4,447,454	1,920,194	2,527,260	43%
TOTAL EXPENDITURES	\$ 4,483,634	\$ 1,926,452	\$ 2,557,182	43%
348 - Washington County TDT				
Washington County TDT	\$ 250,000	\$ -	\$ 250,000	0%
Investment revenue	44,700	26,418	18,282	59%
TOTAL REVENUES	\$ 294,700	\$ 26,418	\$ 268,282	9%
346 - Roads SDC				
System Development Charges	\$ 1,800,000	\$ 2,219,084	\$ (419,084)	123%
Investment revenue	40,000	194,734	(154,734)	487%
TOTAL REVENUES	\$ 1,840,000	\$ 2,413,818	\$ (573,818)	131%
Materials and services	\$ 43,130	\$ 8,224	\$ 34,906	19%
Transfers out	11,449,559	946,155	10,503,404	8%
TOTAL EXPENDITURES	\$ 11,492,689	\$ 954,379	\$ 10,538,310	8%
396 - Parks SDC				
System Development Charges	\$ 550,000	\$ 357,176	\$ 192,824	65%
Investment revenue	12,000	33,947	(21,947)	283%
TOTAL REVENUES	\$ 562,000	\$ 391,122	\$ 170,878	70%
Materials and services	\$ 17,570	\$ 1,126	\$ 16,444	6%
Transfers out	1,506,903	49,204	1,457,699	3%
TOTAL EXPENDITURES	\$ 1,524,473	\$ 50,330	\$ 1,474,144	3%
516 - Water SDC				
System Development Charges	\$ 1,515,000	\$ 1,221,309	\$ 293,691	81%
Investment revenue	50,000	180,494	(130,494)	361%
TOTAL REVENUES	\$ 1,565,000	\$ 1,401,803	\$ 163,197	90%
Materials and services	\$ 26,980	\$ 4,328	\$ 22,652	16%
Debt service	452,000	450,702	1,298	100%
Transfers out	9,487,826	1,438,846	8,048,980	15%
TOTAL EXPENDITURES	\$ 9,966,806	\$ 1,893,876	\$ 8,072,930	19%
526 - Sewer SDC				
System Development Charges	\$ 725,000	\$ 538,499	\$ 186,501	74%
Investment revenue	9,900	21,871	(11,971)	221%
TOTAL REVENUES	\$ 734,900	\$ 560,370	\$ 174,530	76%
Materials and services	\$ 22,930	\$ 1,884	\$ 21,046	8%
Transfers out	1,905,265	812,524	1,092,741	43%
TOTAL EXPENDITURES	\$ 1,928,195	\$ 814,408	\$ 1,113,787	42%
576 - Stormwater SDC				
System Development Charges	\$ 690,000	\$ 307,808	\$ 382,192	45%
Investment revenue	109,700	61,528	48,172	56%
TOTAL REVENUES	\$ 799,700	\$ 369,335	\$ 430,365	46%
Materials and services	\$ 5,980	\$ 1,126	\$ 4,854	19%
Transfers out	1,140,868	701,645	439,223	62%
TOTAL EXPENDITURES	\$ 1,146,848	\$ 702,771	\$ 444,077	61%

	Current Year Budget	Year to Date Activity	Remaining Balance	% Used
800 - Year 2000 Program Income				
Investment revenue	\$ 800	\$ 1,289	\$ (489)	161%
Other revenues	-	7,000	(7,000)	-
TOTAL REVENUES	\$ 800	\$ 8,289	\$ (7,489)	1036%
Materials and services	\$ 5,000	\$ 1,183	\$ 3,817	24%
Transfers out	25,000	25,000	-	100%
TOTAL EXPENDITURES	\$ 30,000	\$ 26,183	\$ 3,817	87%
805 - Year 2000 Capital Projects				
Investment revenue	\$ 262,000	\$ 227,291	\$ 34,709	87%
TOTAL REVENUES	\$ 262,000	\$ 227,291	\$ 34,709	87%
Materials and services	\$ 295,572	\$ 139,440	\$ 156,132	47%
Capital outlay	10,940,556	3,084,525	7,856,031	28%
TOTAL EXPENDITURES	\$ 11,236,128	\$ 3,223,966	\$ 8,012,162	29%
810 - Westside Program Income				
Investment revenue	\$ 3,715	\$ 2,213	\$ 1,502	60%
TOTAL REVENUES	\$ 3,715	\$ 2,213	\$ 1,502	60%
815 - Westside Capital Projects				
Investment revenue	\$ 165,000	\$ 100,678	\$ 64,322	61%
TOTAL REVENUES	\$ 165,000	\$ 100,678	\$ 64,322	61%
Materials and services	\$ 277,178	\$ 74,576	\$ 202,602	27%
Capital outlay	710,000	-	710,000	0%
TOTAL EXPENDITURES	\$ 987,178	\$ 74,576	\$ 912,602	8%
817 - Westside Debt Service				
Taxes	\$ 1,672,200	\$ 1,354,007	\$ 318,193	81%
Investment revenue	20,630	58,394	(37,764)	283%
TOTAL REVENUES	\$ 1,692,830	\$ 1,412,401	\$ 280,429	83%
Debt service	\$ 4,702,025	\$ 4,187,519	\$ 514,506	89%
TOTAL EXPENDITURES	\$ 4,702,025	\$ 4,187,519	\$ 514,506	89%
825 - Coffee Creek Capital Projects				
Investment revenue	\$ 3,095	\$ 1,596	\$ 1,499	52%
Transfers in	500,000	500,000	-	100%
TOTAL REVENUES	\$ 503,095	\$ 501,596	\$ 1,499	100%
Materials and services	\$ 136,500	\$ 90,000	\$ 46,500	66%
TOTAL EXPENDITURES	\$ 136,500	\$ 90,000	\$ 46,500	66%
827 - Coffee Creek Debt Service				
Taxes	\$ 566,800	\$ 617,765	\$ (50,965)	109%
Investment revenue	8,510	6,047	2,463	71%
TOTAL REVENUES	\$ 575,310	\$ 623,812	\$ (48,502)	108%
Debt service	\$ 782,000	\$ 639,313	\$ 142,687	82%
TOTAL EXPENDITURES	\$ 782,000	\$ 639,313	\$ 142,687	82%
830 - Wilsonville Investment Now Program				
Taxes	\$ 750,000	\$ 825,438	\$ (75,438)	110%
Investment revenue	10,300	-	10,300	0%
TOTAL REVENUES	\$ 760,300	\$ 825,438	\$ (65,138)	109%
Materials and services	\$ 750,000	\$ -	\$ 750,000	0%
TOTAL EXPENDITURES	\$ 750,000	\$ -	\$ 750,000	0%

From the Director

February was a busy month at the library with celebrations for the library's birthday and our 12th anniversary with Dolly Parton's Imagination Library. For the library's 42nd birthday on Feb. 14, we offered fine forgiveness up to \$10 per person who visited the library that day, and provided a variety of fun family-friendly activities in the Oak Room that morning.

At the "Thank You, Dolly" events on Feb. 10 and Feb. 13, the Wilsonville Public Library Foundation invited currently enrolled children as well as graduates of Dolly Parton's Imagination Library program and their families to the library to celebrate the program and write "thank you" notes to Dolly herself, make crafts to take home, and enjoy some cake.

Youth programs took a week break to focus on outreach. Youth Services staff visited Coffee Creek Correctional Facility to meet with incarcerated parents and share early learning resources with them. Youth Services staff also visited Boeckman Creek, Lowrie, and Boones Ferry Primary Schools, as well as Wood Middle School. Meanwhile, kindergarten classes from the primary schools visited the library for special "Family Nights" where library staff performed a special Storytime, shared information about library resources, and signed up parents and children with library cards. When not on break, Youth programs included the regular line-up as well as a Spanish Storytime, a Saturday Classic Movies and Board Games day, and a special performance by the Pink Pig Puppet Theatre.



A new StoryWalk® went into place at Tivoli Park. Our bilingual winter story is *Ten Ways to Hear Snow* by Cathy Camper. A presentation with the author/illustrator is scheduled for late June.

Adult programs included a Space Talk about NASA's DAWN spacecraft, an online "Profiles" program about Frederick Douglass, and a First Friday Film showing of *The Miracle Club*. The Beginning and Intermediate ESL classes met weekly. The American Red Cross held a blood drive on Feb. 16 and 29 people donated blood.

The Winter Reading Challenge for all ages wrapped up. Over 80 people participated, with 11 of them submitting "Bingo blackouts" by completing all 25 Bingo squares. Prizes will be awarded to three randomly selected participants from each age category: children, teens, and adults; the prizes are gift cards to Powell's Books.

On Feb. 1, Tiny Art Show kits were made available to all ages. The 200 kits included a 3"x3" canvas, a set of six acrylic paints, two paintbrushes, an entry form, and an artwork sticker label. All of the kits were claimed within three days. Over 100 artists ranging from toddlers through adults submitted tiny artworks to the library, which will be on display in the library lobby in March. The public is invited to view the display and vote for their favorites in each age category. Winners' artworks will be displayed in April.

-Shasta Sasser, Library Director



Parks and Recreation Report | February 2024

Director's Report

A highlight this month was sending the Mayor and City Council as well as the Chair and two members of our Kitakata Sister City Advisory Board to Kitakata, Japan for the 35th anniversary of our sister city relationship. While I did not attend, reports back indicate that it was a wonderful trip and a great experience for all of the participants. No doubt our sister city relationship was strengthened and new friendships were formed.

Valentine's day marked a near record day at the community center for the in-person congregate lunch program. 75 individuals were served at the center with an additional 135 home delivered meals going out the same day. Way to go nutrition team!

Also at the Community Center this month was the Daddy Daughter Disco Dance held on February 23. This popular event was sold out with 130 participants.

Besides routine maintenance, the parks team is busy moving several projects forward including path improvements at Boones Ferry Park and Merryfield Park, Sofia Park Playground replacement, as well as restroom and playground replacements at Boones Ferry Park. Look for these upgrades to be completed this coming spring.

Looking ahead, we have a full slate of spring activities including Wilsonville Environmental Resource Keepers (WERK) Day on May 18 and the ever popular community egg hunt in Memorial Park on March 30 at 10 AM. Hope to see you there!

~Kris Ammerman

Recreation Updates

Summer Registration Opens April 8!

The Summer Activity Guide will be in mailboxes the week of April 1, with registration opening on April 8. The Summer Activity Guide covers all programming and events May through August, including youth summer camp opportunities.

Athletic Fields in High Demand

The Parks and Recreation team hosted two (2) in-person field sign-up nights—one for resident sports organizations followed by a second one for non-resident organizations. During these two evenings, representatives from different sports organizations had the opportunity to sign up for recurring field time for their teams to play on the athletic fields in Memorial Park. Once again, the Parks and Recreation team saw the continuing trend of resident organizations filling all available time slots on the ballfields during the spring season for the three (3) fields with lights and as much of the field time as possible on the two (2) ballfields without lights.

Community Garden Renewals Start for Current Gardeners

Plot renewals are in progress for current gardeners. New gardeners will be able to sign-up for available plots beginning on Monday, April 8 when the summer registration opens.

Online Reservations Set to Launch in March

The team has been working diligently behind the scenes with the IT department to implement a new online reservation system for park shelters and facilities. We are excited to offer this new service to Wilsonville residents (and non-residents) as it should streamline how reservations can be done.

Community Center Updates

Life 101 Lecture Series Continued

The Life 101 Lecture Series continued in February. On February 5, Attorney Michael Rose of Rose Elder Law presented a workshop centered around estate planning basics such as wills, trusts, probate, powers of attorney, advance directives, and Medicaid Planning.

On February 12, physical therapist Sydney Neumann, PT, DPT shared common causes of low back pain and what can be done to reduce pain and prevent future injury. The workshop also included tips and tricks for managing low back pain and how physical therapy can help.

Finally, on February 26 Michael Rose once again presented, this time with a workshop covering Medicaid planning, preserving and protecting assets, and veteran's benefits.

Nutrition Program Growth and Valentine's Day Lunch

The Community Center's Nutrition Program continues to grow. The home-delivered meal program is approaching 100 clients and in-person lunch is steadily growing with attendance most days in the 45 – 50 person range.

A special Valentine's Day lunch drew 75 individuals to the Center and 45 of those stayed to listen to 17 members of the I-5 Connection Community (senior) Chorus who gave a special performance. This was one of the Center's biggest lunch crowds in recent times and is up there for all-time lunch crowds at the Center.



The Kitakata Sister City Advisory Board will be hosting a Cherry Blossom viewing event on Saturday, March 23 at the Parks and Rec Admin Office and Town Center Park.



The Wilsonville-Kitakata Sister City Advisory Board Presents:

“A MORNING AMONG THE CHERRY BLOSSOMS”



March 23 | 11am - 1pm | Town Center Park

**Green Tea
Origami Station
Story Time at 11:30 am
Cherry Blossom Viewing
Kitakata Sister City Info Booth
Cherry Blossom Coloring Sheets**



Board Highlights

Arts, Culture, and Heritage Commission (ACHC)

Although the ACHC did not meet in February, it was a big month for Public Art. Staff received 50 Memorial Park Skatepark Mural Request for Qualifications (RFQs) from talented artists residing throughout the United States. An internal team went through a lengthy review and scoring process to determine the top eight (8) applications that are advancing to the next stage of the project. The Panel, which consists of the ACHC as well as two members from the skate community, are excited to review those proposals at their next meeting. The project is being funded by the Wilsonville-Metro Community Enhancement program.

Kitakata Sister City Advisory Board

February was an exciting month for the Kitakata Sister City Advisory Board, as several board members, City Council members and staff traveled to Kitakata, Japan from February 2—10. The focus of the trip was to deepen the Sister City relationship, enhance cultural awareness and celebrate the 35th anniversary of the signing of the friendship agreement, which originally took place in October of 1988. The group was able to learn so much about the City of Kitakata, experience the generosity of it's people, and explore local businesses and cultural traditions. The group partook in a tea ceremony, toured a ramen noodle factory, learned to make soba noodles from scratch, and took part in several informative business meetings. The Sister City Advisory Board met on February 21 to debrief the trip and discuss potential updates to delegation trips visiting from Kitakata moving forward. Ideas for changes moving forward include a more official welcome dinner with 'pinning ceremony', having students attend a board or council meeting, and a type of condensed civics academy for students to learn about the various city departments.

Other Group Highlights

Wilsonville Community Seniors Inc.

The Wilsonville Community Seniors made their final preparations for the BINGO fundraiser on March 9. The sold-out event will include BINGO, a silent auction and a 50/50 raffle.

Korean War Memorial Foundation of Oregon (KWMFO)

Members of the KWMFO Interpretive Center Committee and City staff met with officials of Formations, Inc. to view progress on the project. The display cases, wall panels, photo panels, and topographical map table are 95% completed and are awaiting the graphics/photos that are scheduled to arrive in the upcoming days. The flipbook biographies of approximately 60 veterans are also at the printer and are expected to be completed soon. The topographical map maker is on target for mid-March and Formations, Inc. has set the day for completing installation as March 24, 2024. KWMFO's plans are to have a special private opening for veterans and their families in late April or early May, followed by a formal grand opening of the Interpretive Center to commemorate the beginning of the Korean War on June 29, 2024 at 10 am at the Oregon Korean War Memorial in Town Center Park.



Upcoming Events

Open House: Saturday, March 9 from 2pm-4pm, Stein-Boozier Barn

Cherry Blossom Event: Sat., March 23 from 11am-1pm, Parks and Rec Admin Office & Town Center Park

Community Egg Hunt: March 30, 10am, Memorial Park Sports Fields

Open House: Sunday, April 7 from 10am-12pm, Stein-Boozier Barn

WERK Day: May 18, 9-11am, Memorial Park (Complimentary Breakfast at the Community Center, 8-9 am)

Parks Updates

Moving Toward Spring

As spring continues to draw near, the Parks team kept busy in February with both small projects and maintenance. Sofia Park's playground is nearing completion and should reopen in March. The Team spent time planting new trees and installing irrigation to better steward parks system wide. They also spent time deep cleaning restrooms in anticipation of a busy summer. Murase will be getting nine new picnic tables to replace aging tables, some of which were not originally ADA. The team assembled those tables this month and they are excited to get them out when the weather allows.



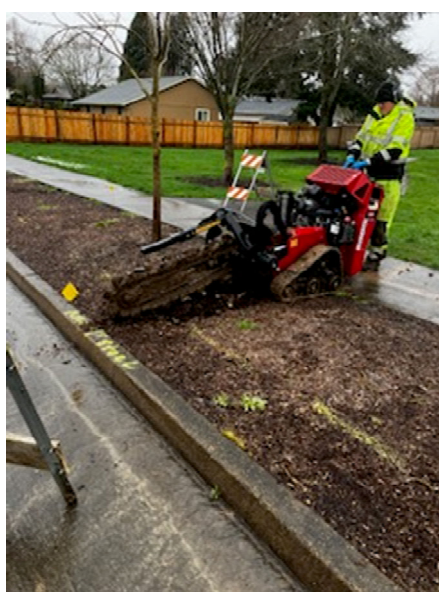
Sofia Nearing Completion



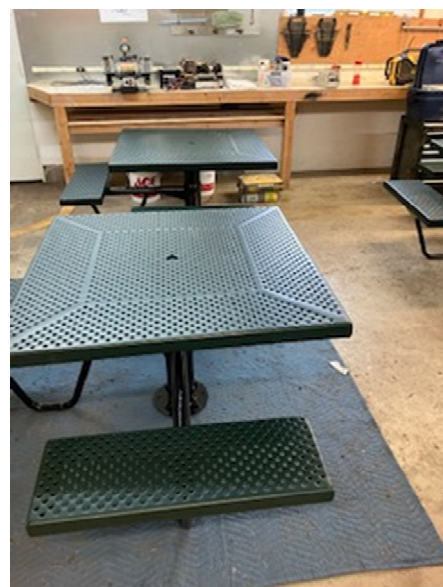
Tree Planting at Murase



Restroom Deep Clean



Irrigation Work



ADA Tables Project



City of Wilsonville Police

FEBRUARY 2024

Happy trails, Detective Brad Leikem

After 28 years with the Clackamas County Sheriff's Office, most of which were spent as a detective, Brad Leikem said goodbye to law enforcement and retired to other adventures. He will truly be missed. Although someone will fill his shoes in Wilsonville, no one will be able to replace him.



School Resource Officers (SROs) were recognized nationally on February 15

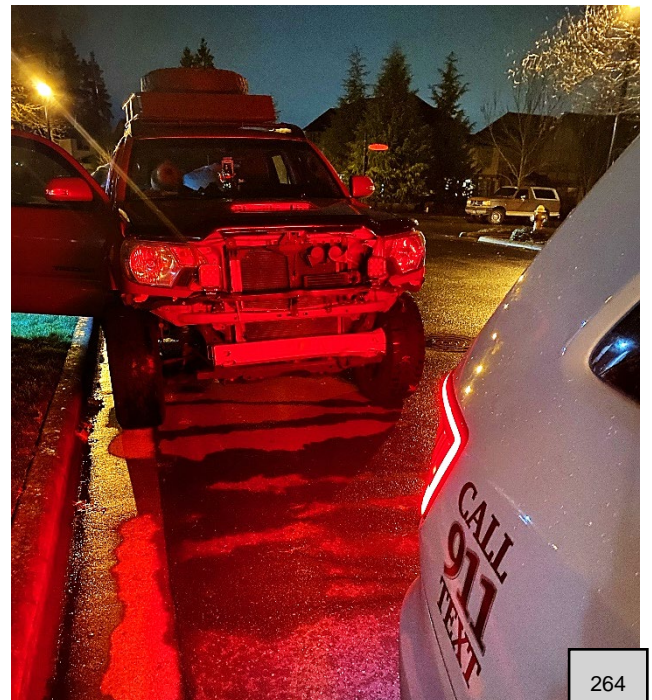
Ours, Deputy Zachary Keirse, deserves a shout out. With dedication, he's helped shape and enhance safety measures and build stronger connections with our youth in their community and schools. Thank you, Officer Keirse!

City of Wilsonville Police assist Oregon City Police, resulting in an arrest

Tyler Jay Thompson, 33, of Oregon City, was taken into custody on January 31 in connection to package thefts.

His arrest was the result of inter-agency communication. Wilsonville Police Officers responded to an early morning call regarding a suspicious vehicle parked in a Villebois neighborhood. A man and woman, not known in the area, were said to be outside the vehicle, arguing.

Deputies contacted the couple and checked their vehicle. They learned the male was of interest to Oregon City Police in connection to several package thefts and the vehicle's plates had expired several months earlier. The man was taken into custody and the vehicle was towed.





City of Wilsonville

Call Activity

2,020

Total Calls

YEAR 2024

High Priority • 189

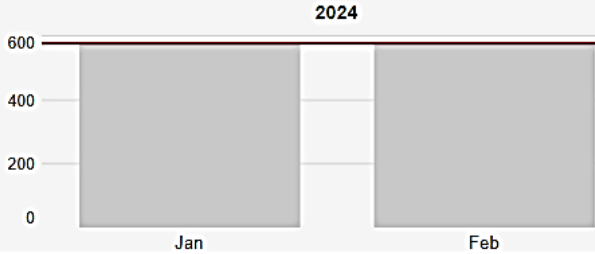
Medium Priority • 1,349

Low Priority • 482

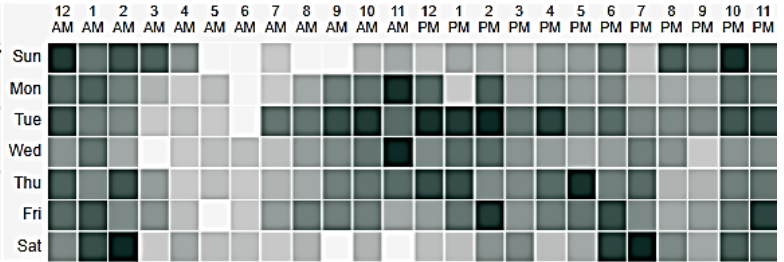
Public-Initiated • 877

Deputy-Initiated • 1,143

Call Activity by Month and Year



Call Activity by Day of Week and Hour of Day



This dashboard is maintained by CCSO's Strategic Analysis Unit
Data source: Clackamas County Communication's Computer Aided Dispatch (CAD) software
Updated: 3/4/2024 6:31:13 PM (UTC)

FEBRUARY 2024

43	65	45	157	319	104	68	216
Alarm	Assist	Civil	Crime	Disorder	Follow-up	Other	Traffic

Alarm	Alarm	43
Assist	Assist Public	48
	Assist Other Agency	11
	Assist Fire/Medical	4
	Assist Law Enforcement	1
	Warrant	1
Civil	Civil	32
	Behavioral Health	13
Crime	Theft	25
	Domestic Violence	23
	Harassment/Menacing	23
	Trespass	23
	Fraud	18
	Criminal Mischief	9
	Hit & Run	9
	Assault/Abuse	7
	Sex Offense	5
	Stolen Vehicle	5
	Burglary	3
	Vice	3
	Violation of Restraining Order	2
	Escape/Pursuit	1
	Robbery	1

Disorder	Suspicious Activity	106
	Parking Disorder	75
	Welfare Check	44
	Premise Check	26
	Extra Patrol	21
	Subject Contact	19
	Disturbance	9
	Unwanted Person	6
	Juvenile Disorder	5
	Noise Disorder	4
	Animal Disorder	3
	Ordinance Disorder	1
Follow-Up	Follow-Up	104
Other	Other	68
Traffic	Traffic Stop	189
	Traffic Crash	14
	Traffic Disorder	7
	Hazard	5
	DUII	1

[Dashboards](#) | [Clackamas County](#)

From The Director's Office:

February 7, 2024 was a momentous day as that is when public works staff officially moved into the Public Works Complex. It was a logistical challenge moving items from several different sites and combining into one site. Staff is still in the process of confirming the best location for supplies, materials and equipment. Staff is enjoying having equipment and materials in one location and being able to all gather together in their crew room or the breakroom.



Best Regards,

Delora Kerber, Public Works Director

Utilities

Thar She Blows

In addition to completing utility billing work orders, locates, sampling and routine maintenance, the crew performed a few curb stop replacements due to them being damaged or broken. A curb stop is a water service shutoff valve located on the service line between the water main and the building.



Utilities

Working Together!

Staff tackled a few projects in February that provided a great opportunity for cross division/cross department collaboration. One of the projects was replacing some meter boxes in a driveway. The Utilities Division worked closely with the Roads Division to place new asphalt around the meter boxes after they had been set in place.



Utilities

Joint Effort on the Golf Course

Another collaboration project was prepping the area on the Charbonneau golf course for sod repair that had been disturbed after a water main break. The Parks Department was very generous in lending some extra hands to assist the Utilities Division with spreading and compacting seven (7) yards of sandy loam.



SCADA Move a Success

The image shows a Dell monitor displaying a SCADA/HMI software interface for a water treatment plant. The interface is titled "WinTouch - Windevviewer - C:\PROGRAMDATA\ARCHESTRA\MANAGER\DAEP" and includes a menu bar (File, Logic, Special) and a toolbar (Time, State, Name, Design, Provider, Alarm Comment). A status bar at the top right shows "LOG ON" at 3:18:26 PM on 3/5/2022, "LOG OFF", and "Current User: J. B. RICE".

The main display area shows a complex process flow diagram with several interconnected components:

- Parkway Drive:** A flow diagram showing "Parkway System flow (gpm)" with "Parkway Low Side Pressure (50.7 psi)" and "Parkway High Side Pressure (103.0 psi)".
- B-LEVEL STATION:** A flow diagram showing "Current Model B-Mode Level" with "Chlorine 0.00 mg/L", "Chlorine Pump Flow 0.00 gpm", and "Pressure 65.0 psi".
- Chlorination Pump Station:** A flow diagram showing "Current Model B-Mode Level" with "Chlorine Pump Flow (12.7 gpm)" and "Chlorine Pressure (103.9 psi)".
- Reservoirs and Tanks:** Several storage units are shown, including "Res B2 Level (30.6)", "Res B1 Level (40.0)", "Res B2 East", "Res B1 West", "Res Chlorination Level (12.7)", and "G Level Res (42.1)".
- Flow Control and Monitoring:** The interface includes various flow rates (e.g., 30.6, 40.0, 12.7, 0.00, 0.00, 12.7, 103.0, 103.9) and pressures (e.g., 50.7, 103.0, 65.0, 103.9).

The interface also features a left-hand navigation pane with buttons for "Overview", "B-Level B-Mode", "G Level", "Parkway", "Chlorination", "Tosco Rd", "Wet-to-Wet", "BIOCH-MBU", "Wet-to-Wet", "Wells", "Alarm History", "Alarms", "Alarm Response", "Hardware", "Trends", and "B-Mode Control". The monitor is a Dell model, and a keyboard and mouse are visible in front of it.



Roads

Now You Can See It

Roads maintenance crew started off February with an exciting, but daunting move into our new Public Works facility. Although this took up some of the staff time, the show must go on in terms of maintenance. Last month, the team continued their campaign of sight line trimming to provide a clear view of signs, signals, and intersections.



Roads

Stop Bar Install

During a few days of nice weather, Roads staff were able to install thermal plastic pavement markings at the Public Works Complex.



Stormwater

Moss be Gone

To help prevent flooding, the Stormwater crew spent a great deal of time in February clearing catch basins and inlets. Other activities occurring during the month included applying an all-natural citrus based moss removal product on the pervious sidewalks along Boeckman Road.



Stormwater

Clearing Ponds and Fixing Beehives

Last month the Stormwater crew started cleaning out and removing invasive plants from the City's stormwater detention facilities.



Apparently, a motorist ran into the top of a beehive stormwater inlet structure so staff had to repair it and it is functioning as designed.



Facilities

Scraping it Clean

To clean a concrete floor of built up waste material, Janitor Morgan Smith uses a scraper tool and lots of elbow grease. As a result the bathroom area looks much better.



Facilities

Clean Up After Your Pet

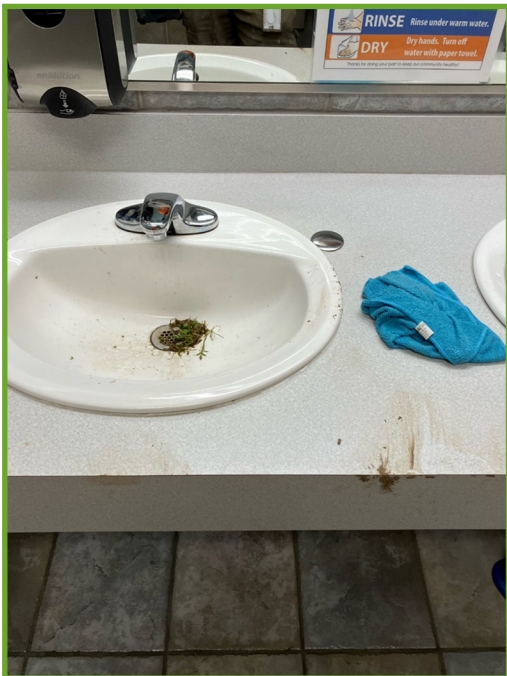
To encourage the neighbors of the Public Works Complex to pick up after their pets, Luke McKinnon and Reynaldo Fuente-Pineda, Facilities Maintenance Specialists installed a doggie waste bag station in front of the building. Once utility locates were completed staff dug a hole, poured concrete, and installed the station.



Facilities

What a Mess

A restroom at the Library was vandalized and left in a mess. To ensure other patrons were able to use an orderly and hygienic area, Janitor Taylor Michael cleaned it, scrubbed it and got it back in order for public use.



Facilities

Ready for Spring

Facilities Grounds crew pruned, raked out landscape beds, and trimmed storm swales at the Westside Express Service (WES) station. It took a few days to get this job completed and now it is prepared for the coming spring growth.





BLACK
HISTORY
MONTH

HAPPY.
Lunar
NEW YEAR



SMART

SOUTH METRO AREA



REGIONAL TRANSIT

2024

February Report

Transit/Fleet

February is Black History Month. In my humble opinion, Black history is U.S. history. I see the two histories as being inextricably bound. When we insist the two be separated, we unwittingly diminish the contributions of a number of great individuals, a number of my ancestors. We diminish the contributions of my great-grandfather...born into slavery, one of the first Blacks to be mustered into the Union Army. We diminish my cousin's service to this nation...a Montford Point Marine, assigned to the 51st Defense Battalion; the first all-Black Marine Corps combat unit. We diminish my great-uncle's selfless ministrations...the first Black deep sea diver. We diminish my cousin's musical talents... known by many as one of the greatest trumpet players in the world. Whether Black History or U.S. History, as for me and my family, we will honor these great Americans without restrictions.

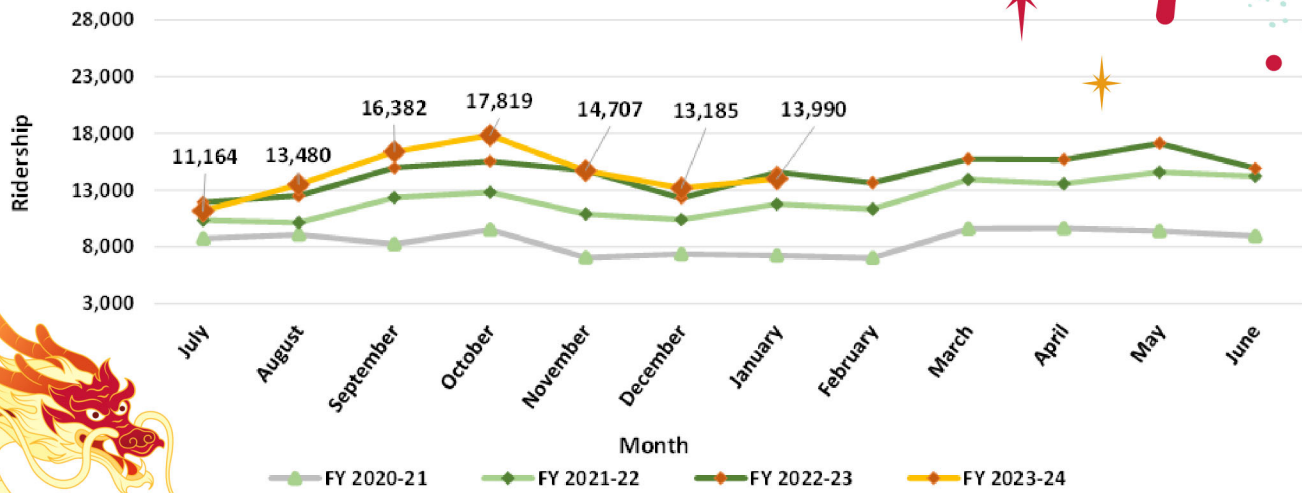
Dwight Brashear
Transit Director



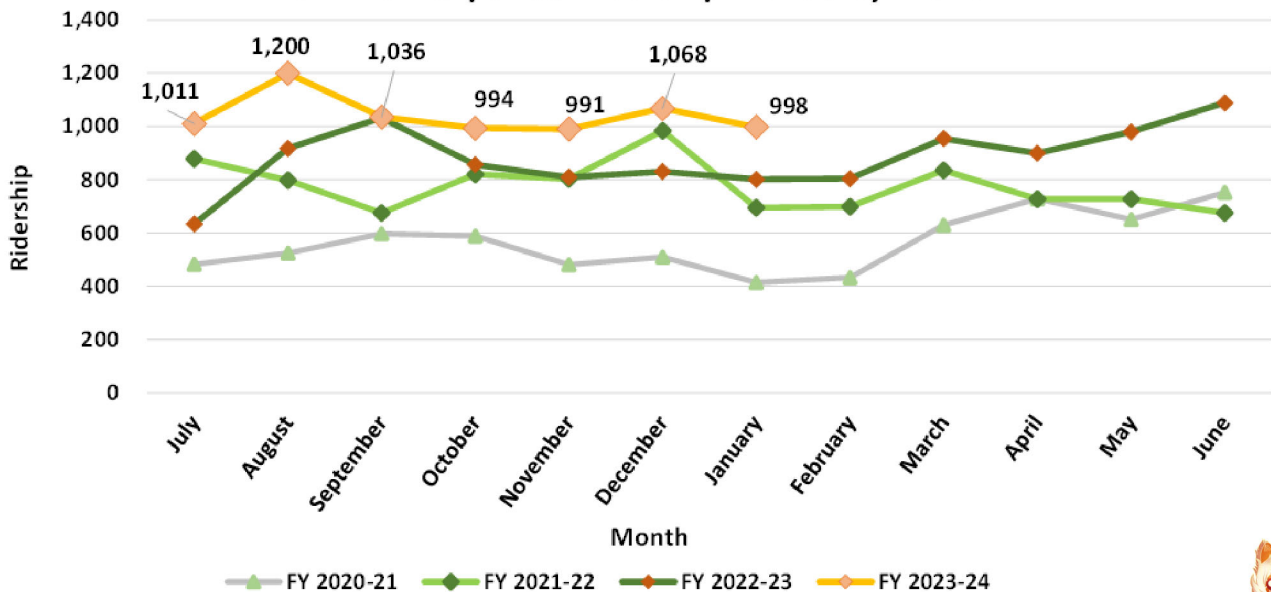
RIDERSHIP TRENDS

Anne MacCracken

Fixed Route Ridership Trends by Month



Demand Response Ridership Trends by Month



COMMUTE OPTIONS

Michelle Marston

February is a planning month for the commute options program. We are wrapping up the programming for the Walk at Lunch season, soon schedules will be on the website. Outreach continues to large employers to encourage carpool/vanpool opportunities for those who commute into and out of Wilsonville.

SMART staff is creating a Spring Commute Challenge which is a worksite reward program to encourage Wilsonville business employees to drive alone less and explore alternate commute choices. This is a pilot program at one Wilsonville business.



Kelsey Lewis

Every three years, the Federal Transit Administration (FTA) conducts a triennial review of SMART/Fleet- all of our service, programs, procedures, and policy are reviewed to be in keeping with the current standards for those receiving federal transit funding. There are 23 topical areas for review for this year. For much of the month of February we have been gathering documents and narratives to submit to our reviewers and preparing for a site visit in April. While this is a lot of work, it is also a great opportunity to breathe new life into our policies and document the good work we do to provide transit service and transportation programs for the Wilsonville community. A huge shout out goes to staff in Finance, Legal and Human Resources for their assistance in preparing for the triennial review!





Scott Simonton

In February, NW Natural Gas provided us with our annual gas usage report. The report details our gas usage and associated cost. Because our new, larger capacity Compressed Natural Gas (CNG) fueling station went online roughly one year ago, it was no surprise that our usage had increased significantly.

During our account manager's analysis, it was determined that due to our usage patterns, we now qualify for a different, more advantageous rate schedule. The change to rate schedule 31 will result in a 19% savings on the cost of gas.

OPERATIONS



Brad Dillingham

"I didn't get to experience the pandemic here in Wilsonville. Nonetheless, it was a dark time for a lot of us and it was an especially depressing period for transit, with most agencies across the country feeling some form of adversity---However, coming to SMART, I can feel a sense of optimism as we ride down the pandemic's tail-end. We have many projects on the horizon and things to look forward to: "Bus on Shoulder," a new route to Clackamas Town Center, Service upgrades, tweaks, and expansions, you name it. All in time!

However, our success is dependent on those people who make it happen---Drivers. The main driver (pun intended) of the optimism that I feel is that we are starting to see more and more drivers being trained and joining the SMART team. Two drivers are making their way through training this month. Our goal is to hire on enough drivers so that we can gradually bring ourselves back up to full service. From there, we can add routes, increase frequency, and make our service to the community more reliable.

After that, who knows? The moon?"



SAFE ROUTES TO SCHOOL

Patty Tiburcio

In February, SMART supported Wilsonville schools with Winter Walk+Roll to School Day. This event is a great way for families to continue being active while practicing pedestrian safety during Oregon's winter months.

All participating schools hosted a Walking School Bus (WSB) during their Winter Walk+Roll event.

- Boeckman Creek Primary hosted a WSB that started at Hathaway Park. Boeckman's WSB will continue to run every Wednesday for the remainder of the school year.
- Boones Ferry Primary hosted two WSBs: one that started at Walt Morey Park and another at Wood Middle School.
- Meridian Creek Middle School hosted a WSB that started at Boeckman Primary.



Boeckman Creek Primary's WSB



Meridian Creek Middle School's WSB



Boones Ferry Primary's WSB