



## DEVELOPMENT REVIEW BOARD PANEL A AGENDA

July 10, 2023 at 6:30 PM

Wilsonville City Hall & Remote Video Conferencing

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### PARTICIPANTS MAY ATTEND THE MEETING AT:

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

Zoom: <https://us02web.zoom.us/j/85843043229>

### TO PROVIDE PUBLIC TESTIMONY:

Individuals must submit a testimony card online:

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

and email testimony regarding Resolution No. 417

to Kimberly Rybold, AICP, Associate Planner at

[rybold@ci.wilsonville.or.us](mailto:rybold@ci.wilsonville.or.us)

by 2:00 PM on July 10, 2023.

### CALL TO ORDER

### CHAIR'S REMARKS

### ROLL CALL

Yara Alatawy     Rob Candrian  
Jordan Herron     Clark Hildum  
Jean Svadlenka

### CITIZEN INPUT

### CONSENT AGENDA

1. [Approval of minutes of the June 12, 2023 DRB Panel A meeting](#)

### PUBLIC HEARINGS

2. [Resolution No. 417. Charbonneau Marina Modernization. The applicant is requesting approval of a Willamette River Greenway Conditional Use Permit, Site Design Review, Type C Tree Removal Plan and Abbreviated SRIR Review for parking lot and landscaping improvements at the Charbonneau Marina located at 8755 SW Illahee Court.](#)

[Case Files:](#)

[DB22-0010 Charbonneau Marina Modernization](#)

- [Willamette River Greenway Conditional Use Permit \(CUP22-0001\)](#)
- [Site Design Review \(SDR22-00010\)](#)
- [Type C Tree Removal Plan \(TPLN22-0008\)](#)
- [Standard SRIR Review \(SRIR22-0005\)](#)

**BOARD MEMBER COMMUNICATIONS**

3. [Recent City Council Action Minutes](#)

**STAFF COMMUNICATIONS**

**ADJOURN**

*The City will endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting by contacting Shelley White, Administrative Assistant at 503-682-4960: assistive listening devices (ALD), sign language interpreter, and/or bilingual interpreter. Those who need accessibility assistance can contact the City by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.*

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

DEVELOPMENT REVIEW BOARD MEETING  
JULY 10, 2023  
6:30 PM

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Item 1.

Consent Agenda:

1. Approval of minutes of June 12, 2023 DRB Panel A meeting



**DEVELOPMENT REVIEW BOARD PANEL A  
MEETING MINUTES**

**June 12, 2023 at 6:30 PM**

**Wilsonville City Hall & Remote Video Conferencing**

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**CALL TO ORDER**

A regular meeting of the Development Review Board Panel A was held at City Hall beginning at 6:30 p.m. on Monday, June 12, 2023. Chair Jean Svadlenka called the meeting to order at 6:30 p.m.

**CHAIR'S REMARKS**

The Conduct of Hearing and Statement of Public Notice were read into the record.

**ROLL CALL**

Present for roll call were: Jean Svadlenka, Clark Hildum, and Yara Alatawy. Rob Candrian and Jordan Herron were absent.

Staff present: Daniel Pauly, Amanda Guile-Hinman, Kimberly Rybold, Cindy Luxhoj, and Mandi Simmons

**CITIZENS INPUT** – This is an opportunity for visitors to address the Development Review Board on items not on the agenda. There were no comments.

**CONSENT AGENDA**

1. Approval of Minutes of the May 8, 2023 DRB Panel A meeting

**Clark Hildum moved to approve the May 8, 2023 DRB Panel A meeting minutes as presented. Chair Svadlenka seconded the motion, which passed unanimously.**

**PUBLIC HEARINGS**

2. **Resolution No. 416. SW Boeckman Road Building W-5.** The applicant is requesting approval of a Stage 1 Preliminary Plan Modification, Stage 2 Final Plan Modification, Site Design Review, Type C Tree Removal Plan, Standard SROZ Map Verification, and Standard SRIR Review for development of an 80,446 square foot industrial building and associated improvements on property located at 9600 SW Boeckman Road.

Case Files:

DB22-0004 SW Boeckman Road Building W-5

- Stage 1 Preliminary Plan Modification (STG122-0004)
- Stage 2 Final Plan Modification (STG222-0004)
- Site Design Review (SDR22-0004)
- Type C Tree Removal Plan (TPLN22-0003)
- Standard SROZ Map Verification (SROZ22-0003)
- Standard SRIR Review (SRIR22-0001)

**Chair Svadlenka** called the public hearing to order at 6:36 pm and read the conduct of hearing format into the record. Chair Svadlenka and Clark Hildum declared for the record that they had visited the site. No board member, however, declared a conflict of interest, ex parte contact, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

**Cindy Luxhoj, Associate Planner**, announced that the criteria applicable to the application were stated starting on page 2 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room and on the City's website.

**Ms. Luxhoj** presented the Staff report via PowerPoint, noting the site's location and features and highlighting the site's background with these key comments:

- When the architectural renovations occurred to consolidate DWFritz's local operations in one building for its world headquarters, the Transportation Impact Analysis (TIA) prepared at that time analyzed traffic associated with the renovation of the existing W-4 building and the addition of a second future building anticipated to include 70,000 sq ft of high-tech manufacturing and 4,000 sq ft for a sit-down restaurant; however, no applications were ever submitted for a second building. (Slide 3)
  - The subject application proposed to construct the second building anticipated in the 2017 TIA; however, rather than including the mix of uses... the new building was proposed to be an 80,446 sq ft office/manufacturing building without the previously anticipated restaurant space.
- Proper noticing was followed for this application. Public hearing notice was mailed to property owners within 250 ft of the subject property, onsite postings were placed, and notice was published in the *Wilsonville Spokesman*.
  - One public comment was received from an employee of DWFritz Automation, located in Building W-4. Concerns were expressed about the location of the new building; associated parking and loading in relation to existing parking and internal circulation on the site, as well as employee safety for Building W-4. There was also concern that the number of proposed parking spaces for Building W-5 would be insufficient for its size.
  - The comment was forwarded to the Applicant for response during their presentation.
- All six requests were objective in nature as they involved verifying compliance with Code standards. No discretionary requests such as waivers were part of the application.
- Prior Stage 1 Preliminary Plan approvals showed the site of proposed new Building W-5 as undeveloped. No prior phasing or potential use of the building site had been approved. As such, the Stage 1 Preliminary Plan was being modified to identify the site of the proposed

new industrial building and associated improvements. The proposed use of the site was consistent with the Plan Development Industrial (PDI) Zone. (Slide 6)

- The Stage 2 Final Plan modification built upon the Stage 1 Preliminary Plan modification and reviewed the function and design of the proposed new industrial building and related site improvements. (Slide 7)
  - Overall, the campus would be heavily treed. For efficiency, the two buildings would share the existing driveways on SW Boeckman Rd, vehicle circulation drives, and some of the centrally located parking area. The building lobbies would have a pedestrian and visual connection but separate service areas.
  - The Stage 2 Final Plan would layout the function and design of the previously undeveloped portions of the site and reconfigure a portion of the Building W-4 parking area to accommodate one of the parking areas serving the new building, and the Stage 2 Final Plan review would assure the proposal met all standards of the PDI Zone.
- Traffic & Parking. Prior Stage 2 Final Plan approvals did not approve any trips for the western portion of the subject site where Building W-5 was proposed; however, the 2017 TIA prepared as part of the DW Fritz site modifications had analyzed traffic associated with the addition of a potential future 74,000 sq ft building on the subject site.
  - Because that potential future building was never applied for or approved, discussion of the building and the trip generation memo submitted for the current application was only for the purpose of connecting back to the previous TIA. All trips connected with the current proposal were new trips and did not represent any reduction in traffic from prior land use approvals.
    - The current proposal was estimated to generate 54 PM Peak Hour trips and 414 weekday trips, less trips than the 2017 TIA assumed. All impacted intersections were expected to operate above Level of Service (LOS) D.
  - Building W-5 required a minimum of 151 vehicle parking spaces and 297 spaces were proposed. Because the building contained a manufacturing component, no maximum limit existing on the number of spaces.
    - Required bicycle parking was calculated as the sum of the requirements for the individual primary uses, resulting in a minimum of 10 required spaces, and the Applicant had proposed 11 bicycle parking spaces.
- Site Design Review. The Applicant utilized appropriate professional services and quality materials, such as cast concrete, metal, and glass in neutral colors of silver, bronze, and semi-transparent stain, to design Building W-5 and associated improvements. A tilt-up concrete building was proposed, and the materials and colors chosen were appropriate for an industrial setting.
  - The landscaping plans complied with or exceeded the General Landscape or Low Screen Landscape standard. The 15% landscaping requirement was exceeded with 72.1% of the site either in Significant Resource Overlay Zone (SROZ) or formal landscaped area and plantings proposed along the entire frontage of SW Boeckman Rd to soften the appearance of the new building.
  - Standards for parking lots with more than 200 spaces were met or exceeded with respect to required trees, internal pedestrian walkways, and landscaping.

- The configuration of the development allowed for the enhancement and preservation of existing natural features, including the SROZ west and south of the proposed building and of numerous valuable trees. The site had existing trees in the SROZ west and south of the proposed building and in the new parking areas to the southeast.
  - Of 173 trees inventoried for the current application, 72 were proposed for removal and 101 preserved and protected, including 21 situational trees, which might need to be removed in the future if their health declined due to fill placement despite installation of a proposed aeration system over their roots.
  - The Applicant had taken tree preservation into consideration and limited tree removal to what was necessary for development. Existing mature trees were retained and incorporated into the new parking areas as much as possible.
  - As mitigation, 65 trees were proposed for planting in parking areas and on the building perimeter and 328 trees in the SROZ, which far exceeded the replacement requirement, including for the situational trees.
- The Applicant conducted a detailed site analysis consistent with the requirements of the SROZ ordinance. The City's Natural Resources Manager had reviewed the analysis and recommended approval by the DRB. (Slide 11)
- The Applicant's Standard Significant Resource Impact Report (SRIR) delineated specific resource boundaries, analyzed the impacts of development within the SROZ, and contained the required information, which included an analysis and development recommendations for mitigating impacts.

**Chair Svadlenka** asked if the 54 generated trips were a current number and not from 2017 TIA.

**Staff** confirmed the 54 PM Peak Hour trips were from the 2021 traffic study.

**Chair Svadlenka** asked why the 2017 study was referenced when a more recent study was available.

**Amy Pepper, Development Engineering Manager**, replied the original 2017 concept plan for the lot included a restaurant and a manufacturing use. Rather than redo the entire study in 2021, they evaluated from what the concept plan was in 2017, and the Traffic Memo identified that the current proposal was a less intense use than proposed in 2017.

**Daniel Pauly, Planning Manager**, added that since there was a study from 2017, it was not necessary to pay for a whole new study as the 2017 study contained much of the needed data even though it had never been approved. The Traffic Memo supplied by DKS was sufficient. Additionally, traffic patterns had changed since COVID, and Staff had conducted multiple updates and determined traffic had not increased at those study intersections since then. Despite never being approved, the 2017 study provided the intersection data, and Staff knew it was less traffic than what the study stated and therefore, the intersection would continue to meet the LOS.

**Ms. Pepper** confirmed that TIAs did have an expiration date, but the subject application had been in process for some time, and the 2021 Traffic Study was still valid considering when the development proposal first came online.

**Chair Svadlenka** called for the Applicant's presentation.

**Robert Wells, Architect, Lance Mueller & Associates, 130 Lakeside Ave., Suite 250, Seattle, WA, 98122** stated he was the architect on both the W-4 and W-5 building shells. He presented the Applicant's proposal via PowerPoint with these comments:

- Exhibit 2 showed the lot at present and a rendering of what it would look like upon completion. The building itself was a soft industrial building in a park-like setting.
  - The building had to be located on the lawn area; however, the owner wanted a building larger than that area, so a 15,000 sq ft second story was added to the 65,000 sq ft on the first story.
- On Exhibit 3, the yellow area was SROZ, dark green was wetlands, and light green was wetlands buffer. A retaining wall and fill were proposed on the west side to preserve most of the tree stand shown on the upper left of the exhibit.
  - Understanding SROZ/wetland requirements and producing a design that was workable had been a challenge. Learning that fire lanes and rain gardens could be located within the SROZ or wetlands buffer was helpful.
- The parking problem was solved with two lots at the southeast corner next to W-4, which required removing a number of trees, although a lot of trees overall would be saved. The tree count did not include all trees on the site, only the trees in the interstitial area between the SROZ and the building site.
  - The parking areas could not be seen from any right-of-way, and no parking within the site could be seen from the east, west, or south due to the existing vegetation. Only the frontage was visible to the public.
- Exhibit 3b highlighted various buildings occupied by DW Fritz. The buildings featured stained precast concrete and were on exceptionally well landscaped lots when first installed. [29:15 occupied?] The owner himself accompanied the landscape contractor to the plant suppliers to help pick the foliage.
  - The middle photo on the left showed the existing Building W-4, which had to be painted so it was not stained concrete. The photo on the bottom right featured the lobby of W-4, designed by Hacker, who had done the entry and interior. Most of the big budget for W-4 was for the interior, which was typical of high-tech buildings. He noted the developer had worked in Wilsonville on various projects for 34 years.
  - Page 2 of Exhibit 3b featured examples of one of the first stained buildings Lance Mueller & Associates had put vines on, which worked very well. The building was up against the SROZ.
  - The lower right photos featured a building from 1998 in Bellevue, Washington, the first time vines had been used with that particular owner and the first time they had stained precast concrete. It was very successful.



- The photo to the lower left featured a high-tech, three building spec development in Tualatin where one building was occupied by a precision machinist, one by a general contractor, and one had been recently sold.
- Exhibit 4 featured a rendering of the proposed Building W-5 in morning light. It was wrapped in stained concrete with vines on it to soften its appearance. The vines would grow naturally on the concrete and were not separated by any apparatus. They grew particularly well on a north elevation and would likely reach the top of the 40-ft building in four to five years.
- The southeast corner of the office featured two vertical rows of 10-ft sq windows with one row of 8-ft sq windows for the industrial area with the sills raised 8 ft from the floor to allow equipment to be placed against the wall. The proposed windows and a lot of skylights would provide a lot of natural light, which the owner liked. (Exhibit 5)
- As far as color and materials, the owner had not chosen the final stain, so several examples were shown. He noted the stains looked better and more natural on flat concrete, and although sunlight would cause fading over time, it kept a softer patina than blue, cold concrete. Bike racks in the form of geometric loops would also be featured onsite. (Exhibit 6, Slide 8)
- He highlighted key features shown on the building elevations, noting the location of the office and industrial/manufacturing areas and that a lot of vines would be present. (Exhibit 6, Slide 11)
- The lighting fixtures for Building W-5 were the same as those currently on Building W-4. (Exhibit 7-9)
- The lobby for Building W-5 was L-shaped and would face Boeckman Rd and Building W-4 to promote a connection between the two buildings. Originally, Building W-5 was intended for DW Fritz, but the process was too slow, so DW Fritz had rented elsewhere. (Exhibit 10-16, Slide 14)
- He noted an issue regarding the frontage, and they could not go more than 2.5 ft deep into that frontage.
- due to
- The utility easement located in the frontage on Boeckman Rd created an issue because the Applicant could not go more than 2.5 ft deep for about a 30 ft setback from the right-of-way on Boeckman Rd, so the pole lamps were removed and mounted to the building; though he preferred to have light bounce on the pavement and subtly light the facade. He noted sconces had been added on the façade to provide interest. [37:03]
- The high number of parking spaces was proposed for occasions when big contracts required employees to work multiple shifts but they were not normally needed. Previously, DW Fritz had to lease space offsite for parking and shuttle employees to Building W-4, which was not
- A big tree analysis had been done in an attempt to save the trees. The x's indicated trees deemed not worth keeping. (Exhibit 10-16, Slide 19)
- He concluded that he liked the project, adding it was appropriate for the use and site.

**Clark Hildum** asked how many semi- truck trips would be generated per day.

**Mr. Wells** replied there were only two truck docks, so such trips would be minimal. There were a lot more smaller trucks.

**Mr. Hildum** noted there were a lot of parking spaces for a lot of employees and asked if one driveway would be adequate.

**Mr. Wells** replied that two drive entries looped around and under Building W-4.

**Ms. Pepper** clarified that due to the classification of the streets, another driveway approach was not allowed.

**Mr. Wells** added the Applicant had tried repeatedly to add another driveway on the street to the west, but the requests were denied.

- He addressed concerns noted in Exhibit D1, the letter submitted from Karen Bryant dated June 2, 2023, with these comments:
  - She believed the building was too close to the main access road that ran north-south from Boeckman Rd. He clarified the sidewalk had been set back from a landscape buffer at the entrance, and along the east side of the building, the sidewalk was set back from the parking spaces so pedestrians would not have to walk on the edge of the street as they did on the Building W-4 site.
  - Ms. Bryant was also concerned with the entrance to the parking lot, believing that Building W-5 was too close to Boeckman Rd. He noted the turn radius met the requirement for fire truck access. The driveway had a right-in/right-out only separated by a subtle island with painted directional arrows. A large truck might have to drive over the island but could still functionally do that. These mitigations adequately addressed the tight spacing.
  - Additionally, Ms. Bryant was concerned that trucks would be in the drive aisle when maneuvering to the loading dock, which was correct as they would be briefly. However, the truck docks were located behind the building, along with a small number of employee parking stalls and garbage dumpsters, and the public had no need to go back there. The area was also screened from the right-of-way. Any vehicles that needed to pass could wait a moment and then proceed, so there was no problem.
  - The omission of the 11 parking stalls on the looped drive off the rain garden was another concern; however, the stalls had simply been moved closer to the building, making it much more convenient for W-4. Building W-5 did not take away any sidewalk space or parking stalls from W-4. In fact, the subject proposal included two additional stalls for Building W-4. The Applicant was a good neighbor in that regard. He believed Ms. Bryant was simply confused as to the location of the parking spaces when counting them on the plans.

**Mr. Hildum** asked what the sidewalk area on Boeckman Rd would look like.

**Mr. Wells** replied it was an existing sidewalk. There was existing vegetation to the sidewalk, and the Applicant had continued that same vegetation with the berm which tapered as the road

went up and down. He noted the roof equipment, such as the HVAC unit, was set back 15 ft to 20 ft and could not be seen from across the street. Screening mechanical equipment with the building façade was the preferred method. That was part of the standard and had been considered and noted on the plans for review.

**Ms. Luxhoj** advised that the sections of sidewalk Mr. Wells referenced, as well as the elevations and landscaping, could be found in the Staff report, Page 30, under Finding B49. Additionally, the angle from the public right-of-way to the roof that demonstrated the line of sight for the rooftop mechanical was included under Finding B67 on Page 34.

**Chair Svadlenka** understood the Applicant would take 49 eligible tree credits for the mature trees that were preserved. She asked if any of those credits came from the 21 situational trees.

**Mr. Pauly** replied if any did, the tree credits would be adjusted, and the standard would still be met.

**Ms. Luxhoj** confirmed that there was a group of situational trees at the southeast corner of the southern parking area along the edge where there were some grade changes; however, Staff did not look to see if there was correspondence between the tree credits and the situational trees.

**Chair Svadlenka** understood that to get tree credits, specific trees had to be identified by their diameter.

**Ms. Luxhoj** replied that was correct and explained that tree credit could only be taken for trees that were substituting for trees primarily in parking areas and that would provide shade comparable to what would have been provided with newly planted trees. The Applicant had proposed planting 65 trees, as well as over 300 in the SROZ, to mitigate for the 72 being removed.

**Chair Svadlenka** believed the SROZ looked dense to begin with and asked where 300 trees would go.

**Ms. Luxhoj** explained the primary mitigation area was in the northwest corner where several trees, primarily the Douglas firs, were really struggling. Kerry Rappold, Natural Resource Manager, was of the opinion the new trees could fit just fine.

**Chair Svadlenka** asked if Mr. Rappold provided any guidance as to what kind of trees would be planted.

**Ms. Luxhoj** confirmed Mr. Rappold would propose various appropriate and native species.

**Mr. Pauly** added that Mr. Rappold had been working on that part of the project with the Applicant in detail for quite some time. He noted that tree credits were not intended for

mitigation of removed trees. They were for situations in which a certain number of trees were required per number of parking spaces. Per Finding B44, the Applicant was at 37 of 50 required trees even without the tree credits. Therefore, if some of the situational trees were removed, the Applicant would still meet the required number of trees for the parking lot.

**Chair Svadlenka** called for public testimony regarding the application and confirmed with Staff that no one was present at City Hall to testify and no one on Zoom indicated they wanted to testify.

**Chair Svadlenka** confirmed there were no further questions or discussion and closed the public hearing at 7:23 pm.

**Mr. Pauly** entered the email Staff received of the Applicant's written responses to Exhibit D1, the letter from K. Bryant noting concerns about Building W-5, into the record as Exhibit B9.

**Cliff Hildum moved to approve the Staff report as presented with the addition of Exhibit B9. Yara Alatawy seconded the motion. The motion passed unanimously.**

**Clark Hildum moved to adopt Resolution No. 416 including the amended Staff report. The motion was seconded by Yara Alatawy and passed unanimously.**

**Chair Svadlenka** read the rules of appeal into the record.

#### **BOARD MEMBER COMMUNICATIONS:**

3. Recent City Council Action Minutes  
There were no comments.

#### **STAFF COMMUNICATIONS**

57:06

**Daniel Pauly, Planning Manager**, stated a DRB A meeting would be held in July.

#### **ADJOURN**

The meeting adjourned at 7:27 p.m.

Respectfully submitted,

Paula Pinyerd, ABC Transcription Services, LLC. for  
Shelley White, Planning Administrative Assistant

Public Hearing:

2. **Resolution No. 417. Charbonneau Marina Modernization.** The applicant is requesting approval of a Willamette River Greenway Conditional Use Permit, Site Design Review, Type C Tree Removal Plan and Abbreviated SRIR Review for parking lot and landscaping improvements at the Charbonneau Marina located at 8755 SW Illahee Court.

Case Files:

DB22-0010 Charbonneau Marina Modernization

- Willamette River Greenway Conditional Use Permit (CUP22-0001)
- Site Design Review (SDR22-00010)
- Type C Tree Removal Plan (TPLN22-0008)
- Standard SRIR Review (SRIR22-0005)

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 417**

**A RESOLUTION ADOPTING FINDINGS AND CONDITIONS OF APPROVAL, APPROVING A WILLAMETTE GREENWAY CONDITIONAL USE PERMIT, SITE DESIGN REVIEW, TYPE C TREE REMOVAL PLAN, AND ABBREVIATED SRIR REVIEW FOR PARKING LOT AND LANDSCAPING IMPROVEMENTS AT THE CHARBONNEAU MARINA LOCATED AT 8755 SW ILLAHEE COURT.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted by authorized representative Ben Altman, Pacific Design Group on behalf of the applicant, Charbonneau Country Club, in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the subject site is located at 8755 SW Illahee Court on Tax Lot 318, Section 25, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated July 3, 2023, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on July 10, 2023, at which time exhibits, together with findings and public testimony were entered into the public record, and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated July 3, 2023, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB22-0010 Charbonneau Marina Modernization: Willamette Greenway Conditional Use Permit (CUP22-0001), Site Design Review (SDR22-0010), Type C Tree Removal Plan (TPLN22-0008), and Abbreviated SRIR Review (SRIR22-0005).

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 10<sup>th</sup> day of July, 2023, and filed with the Planning Administrative Assistant on \_\_\_\_\_. This resolution is final on the 15<sup>th</sup> calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the Council in accordance with *WC Sec 4.022(.03)*.

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Clark Hildum, Vice Chair - Panel A  
Wilsonville Development Review Board

Attest:

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Shelley White, Planning Administrative Assistant



Exhibit A1  
Staff Report  
Wilsonville Planning Division  
Charbonneau Marina Improvements  
Development Review Board Panel 'A'  
Quasi-Judicial Public Hearing

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<b>Hearing Date:</b>	July 10, 2023
<b>Date of Report:</b>	July 3, 2023
<hr/>	
<b>Application Nos.:</b>	DB22-0010 Charbonneau Marina Modernization
<b>Request/Summary:</b>	The requests before the Development Review Board include a Willamette Greenway Conditional Use Permit, Site Design Review, Type C Tree Removal Plan and Abbreviated SRIR for parking lot and landscaping improvements at the Charbonneau Marina.
<b>Location:</b>	8755 SW Illahee Court. The property is specifically known as a portion of Tax Lot 318, Section 25, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon
<b>Owner/Applicant:</b>	Charbonneau Country Club (Contact: Jim Meierotto)
<b>Applicant's Representative:</b>	Ben Altman, Pioneer Design Group
<b>Comprehensive Plan Designation:</b>	Residential 4-5 dwelling units per acre (du/ac)
<b>Zone Map Classification:</b>	Planned Development Residential-3 (PDR-3)
<b>Staff Reviewers:</b>	Kimberly Rybold, AICP, Senior Planner Ben Schonberger, AICP, Senior Planner, Winterbrook Planning Amy Pepper, PE, Development Engineering Manager Kerry Rappold, Natural Resources Program Manager

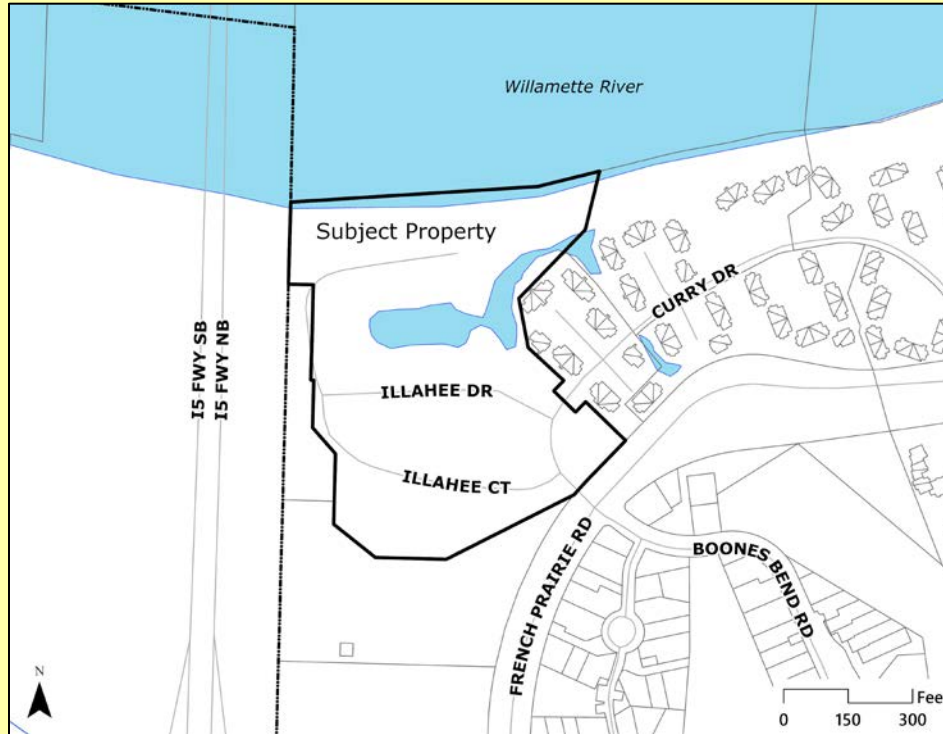
**Staff Recommendation:** Approve with conditions the requested Willamette Greenway Conditional Use Permit, Site Design Review, Type C Tree Removal Plan and Abbreviated SRIR.



**Applicable Review Criteria:**

<b><u>Development Code:</u></b>	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.124	Planned Development Residential Zones (PDR)
Section 4.139	Significant Resource Overlay Zone (SROZ)
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.184	Conditional Use Permits - Authorization
Sections 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.450 as applicable	Site Design Review
Sections 4.500 through 4.514	Willamette River Greenway
Sections 4.600 through 4.640.20	Tree Preservation and Protection
<b><u>Other Documents:</u></b>	
Wilsonville Comprehensive Plan	
Previous Land Use Approvals	

## Vicinity Map:



## Background:

The Charbonneau District was the first major Planned Development in Wilsonville and initial development started in the early 1970s. The marina portion of the development was placed at its current site as part of the development of Riverfront Townhomes in 1978.

As acknowledged in the applicant's narrative, the marina was originally approved through a Willamette Greenway Conditional Use Permit in 1978 (78CU03). The Isberg boat house at the east end for the dock was added in 1984 through a Wilsonville design review process (84DR09) and necessary Corps/DSL permits. In 2015, the access to the dock was modified with a metal gangway extending directly from the parking area. The Charbonneau Country Club purchased the boat house in 2020 and recently executed a lease with the Clackamas County Sheriff to use it for marine patrol purposes.

The Illahee Apartments, subsequently re-named Haven at Charbonneau apartments, are adjacent to the marina. These residential buildings were constructed based on a modification of the original 1978 approval. This modification in 1988 (88PC21 and 88DR14) enabled construction of the apartments and allowed the marina parking to be moved to its current location at the southwest corner of the area.

The applicant has proposed changes to the marina that include the following elements:

1. Replace existing dock. New deck to be 8 feet wide, reconfigure for double-wide slips, 40 total slips, replace four wood pilings with steel pilings.

2. Extend dock to align with lower landing platform. Updated lighting for gangway and dock. Add dock ladders.
3. Canoe and kayak facilities. Storage racks, launch area at west end of dock.
4. Reconfigure, pave, and stripe existing parking and add 6 new motor vehicle and 2 golf cart spaces. Add bike rack.
5. Add picnic table, benches, relocate existing parking lot light pole.
6. Remove 6 trees greater than 6 inches DBH, plant mitigation and parking lot trees.

The current application requires a Willamette Greenway Conditional Use Permit to allow these modifications to the originally approved 1978 permit for the marina. In addition, the proposal requires Site Design Review, Type C Tree Removal Plan and Abbreviated SRIR. As the dock modifications are located within the Willamette River, review and approval of elements 1-3 are under jurisdiction of the State of Oregon and are not the subject of this review.

### **Summary:**

#### Willamette Greenway Conditional Use Permit

The proposed parking lot modifications and associated landscaping improvements and tree removal are located within the Willamette River Greenway, which requires approval of a Willamette River Greenway conditional use permit. The location and scope of those improvements is appropriate, and result in little physical impact to the Willamette River resource, while a visual opportunity and recreational benefit will be achieved.

#### Site Design Review

The applicant used appropriate professional services to design the parking area and landscaping. Overall design of the modified parking area and landscaping is consistent with the design of the existing development and proposed landscaping materials meet or exceed City standards.

#### Type C Tree Removal Plan

Per Subsection 4.600.40 (.01) F., projects within the Charbonneau District, are exempt from the requirements of Subsection 4.600.30 (.01) on the basis that by and through the current CC&R's of the Charbonneau Country Club, the homeowners' association complies with all requirements of Subsection 4.610.30 (.01) C. 1. of the Tree Preservation and Protection standards. However, because the proposed development includes removal of trees within the Willamette River Greenway, Subsection 4.514 (.02) requires that tree removal is reviewed by the Development Review Board subject to the procedures in Subsection 4.620.10. Seven trees will be removed due to health and to allow the proposed development to occur. Six of these trees are greater than 6 inches in diameter and therefore require mitigation. The submitted landscape plan includes 17 newly planted trees to meet the minimum requirement for mitigation. As such the standard for tree planting is met.

## Abbreviated Significant Resource Impact Report (SRIR)

The applicant requests approval of an abbreviated Significant Resource Impact Report (SRIR) for proposed development that is located within the Significant Resource Overlay Zone and its associated Impact Area. Within the SROZ, the applicant's proposed (non-exempt) development includes permeable pavement and gravel. The proposed development does not disturb the riverbank, as all new development is either proposed above the top of bank (including new parking, retaining wall, benches) or in-water (pilings, floating dock, kayak storage).

### **Public Comments and Responses:**

No public comments were received during the comment period for the project.

### **Discussion Points – Verifying Compliance with Standards:**

This section provides a discussion of key clear and objective development standards that apply to the proposed applications. The Development Review Board will verify compliance of the proposed applications with these standards. The ability of the proposed applications to meet these standards may be impacted by the Development Review Board's consideration of discretionary review items as noted in the next section of this report.

#### Traffic and Parking

The proposed replacement of the marina dock increases boat slips and additional parking area will allow more users. This expansion is anticipated to generate additional trips compared to the existing dock. However, the increment is small since the user base for the marina is the same and changes are relatively minor. The applicant requested and was granted a waiver to the requirement to prepare a Traffic Impact Study.

Section 4.155, Table 5 in does not require off-street parking for recreational uses. The existing parking area is currently not striped. As shown on the site plan, the proposal will add approximately 6 additional vehicle spaces and two golf cart spaces to the site for users of the marina that will be constructed with pervious pavement and striped. Total spaces after the project is complete include 15 motor vehicle spaces and two golf cart spaces.

#### Pedestrian Access and Circulation

The parking area for the marina will have 15 motor vehicle parking spaces and two golf cart spaces. The site plan does not establish separate facilities within the parking area for pedestrian access and circulation. Pedestrians, cyclists, and drivers mix in the area, which is also the existing condition throughout the rest of the Charbonneau development. Pedestrian circulation and golf cart paths, including cart parking, are designed to connect the site with the existing pedestrian and cart routes serving the site. The applicant states that the proposed improvements complement and enhance the existing overall circulation systems.

## Discussion Points – Discretionary Review:

This section provides a discussion of discretionary review requests that are included as part of the proposed applications. The Development Review Board may approve or deny items in this section based upon a review of evidence submitted by the applicant.

### Willamette River Greenway Conditional Use Permit

As described in the applicant's code response, the marina was approved as a conditional use in 1978 (78CU03) and the use will continue to operate in a similar manner, consistent with the character of the site and surrounding area. Because of the proposed parking lot modifications, the proposal is considered an intensification of use and thus requires a Conditional Use Permit review by the Development Review Board.

The Development Review Board may grant a Greenway Conditional Use Permit upon making the following findings:

- The proposal will be consistent with the provisions of the Comprehensive Plan and the requirements of Chapter 4 of the Wilsonville Code and other applicable policies of the City.
- The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features.
- All required public facilities and services exist, or will be provided, to adequately meet the needs of the proposed development.
- The proposed use will not alter the character of the surrounding area in a manner which substantially limits, or precludes the use of surrounding properties for the uses listed as permitted in the zone.
- That to the greatest extent possible, the maximum possible landscape area, open space or vegetation between the activity and the river are provided.
- That to the greatest extent possible, necessary public access in accordance with the Comprehensive Plan will be provided to and along the River by appropriate legal means.
- That the change of use, intensification of use, or development complies with this Code, all other applicable City Ordinances, the Comprehensive Plan, and the Oregon State Parks and Recreation Department Greenway Plan.

As discussed in the findings, the proposed parking lot modifications and associated landscaping and tree removal meet these criteria, allowing the Development Review Board to approve the proposed Greenway Conditional Use Permit.

**Conclusion and Conditions of Approval:**

Staff has reviewed the applicant’s analysis of compliance with the applicable criteria. This staff report adopts the applicant’s responses as findings except as noted in staff’s findings. Based on the findings and information included in this staff report, and information received from a duly advertised public hearing, staff recommends that the Development Review Board approve the proposed application (DB22-0010) with the following conditions:

**Planning Division Conditions:**

**Request A: Willamette River Greenway Conditional Use Permit (CUP22-0001)**

No conditions for this request.

**Request B: Site Design Review (SDR22-0010)**

<b>PDB 1.</b>	<b>General:</b> The approved final plan shall control the issuance of all building permits and shall restrict the nature, location and design of the subdivision. Minor changes in an approved plan may be approved by the Planning Director through the Class 1 Administrative Review Process if such changes are consistent with the purposes and general character of the development plan. All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. See Finding B3.
<b>PDB 2.</b>	<b>Prior to Parking Lot Use:</b> All landscaping required and approved by the Development Review Board shall be installed unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding B35.
<b>PDB 3.</b>	<b>Ongoing:</b> The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville’s Development Code. See Findings B36 and B38.
<b>PDB 4.</b>	<b>Ongoing:</b> All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Development Review Board, unless altered as allowed by Wilsonville’s Development Code. See Finding B37.

PDB 5.	<b>Prior to Parking Lot Use:</b> All trees shall be balled and burlapped and conform in grade to “American Standards for Nursery Stock” current edition. Tree size shall be a minimum of 2-inch caliper. See Finding B44.
PDB 6.	<p><b>Prior to Parking Lot Use:</b> The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"> <li>• Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch.</li> <li>• Native topsoil shall be preserved and reused to the extent feasible.</li> <li>• Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings.</li> <li>• All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10” to 12” spread.</li> <li>• Shrubs shall reach their designed size for screening within three (3) years of planting.</li> <li>• Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4” pot spaced 2 feet on center minimum, 2-1/4” pots spaced at 18 inch on center minimum.</li> <li>• No bare root planting shall be permitted.</li> <li>• Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting.</li> <li>• Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.</li> <li>• Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Findings B42 and B43.</li> </ul>
PDB 7.	<b>Prior to Parking Lot Use:</b> To ensure longevity of the proposed parking lot trees, the applicant shall plant a comparable native tree species in lieu of the four Oregon ash trees shown on the landscape plan. See Finding B45.
PDB 8.	<b>Prior to Parking Lot Use:</b> Plant materials shall be installed and irrigated to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. See Finding B48.

**Request C: Type C Tree Removal Plan (TPLN22-0008)**

PDC 1.	<b>General:</b> This approval for removal applies only to the 6 trees in the applicant’s submitted Tree Maintenance and Protection Plan, see Exhibit B2. All other trees on the property shall be maintained unless removal is approved through separate application.
PDC 2.	<b>Prior to Grading Permit Issuance:</b> The applicant/owner shall submit an application for a Type C Tree Removal Permit for the phase(s) of development impacted by the grading permit on the Planning Division’s Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the applicant/owner shall provide the City’s Planning Division an accounting of trees

	to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant/owner shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff.
<b>PDC 3.</b>	<b><u>Prior to Parking Lot Use:</u></b> The applicant/owner shall install the required mitigation trees, as shown in the applicant’s Sheet L1.0 per Section 4.620 WC. See Finding C8.
<b>PDC 4.</b>	<b><u>Prior to Commencing Site Grading:</u></b> The applicant/owner shall install 6-foot-tall chain-link fencing around the drip line of preserved trees. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. See Finding C12.

Request D: Abbreviated SRIR Review (SRIR22-0005)  
 No conditions for this request.

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

**Engineering Division Conditions:**

<b>PF 1.</b>	Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1
<b>PF 2.</b>	<b><u>Prior to the Issuance of the Public Works Permit:</u></b> Applicant shall apply for City of Wilsonville Erosion Control and Grading Permits. The erosion control permit shall be issued and erosion control measures shall be installed, inspected and approved prior to any onsite work occurring.
<b>PF 3.</b>	The applicant proposes the use of pervious pavement, which is a stormwater reduction technique. <b><u>Prior to the Issuance of a Building Permit:</u></b> The applicant shall submit a design for the pervious pavement. <b><u>Prior to Final Approval of the Building Permit:</u></b> Pervious pavement shall be constructed, inspected by a third-party inspector, and approved by the City. The applicant shall record a Stormwater Maintenance Agreement for the pervious pavement.

**Natural Resources Division Conditions:**

<b>NR 1.</b>	Natural Resource Program Requirements and Advisories listed in Exhibit C2 apply to the proposed development.
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## Master Exhibit List:

The following exhibits are hereby entered into the public record by the Development Review Board as confirmation of its consideration of the application as submitted. This is the exhibit list that includes exhibits for Planning Case File DB22-0010. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

### Planning Staff Materials

- A1. Staff report and findings (this document)
- A2. Staff's presentation slides for Public Hearing (to be presented at Public Hearing)

### Materials from Applicant

- B1. Applicant's Notebook: (under separate cover)
  - Completeness Review Response
  - Application
  - Narrative
  - Arborist's Report
  - Abbreviated SRIR
  - Preliminary Stormwater Drainage Report
  - Lighting Specs
  - Pultruded Grading Specs
  - Tax Map
  - Title Report
  - Deeds
- B2. Drawings and Plans (under separate cover)
  - P1.0 Cover Sheet
  - P2.0 Existing Conditions & Demolition Plan
  - P3.0 Preliminary Marina Parking Lot Grading & Erosion Control Plan
  - P4.0 Preliminary Marina And Parking Lot Site Plan
  - L1.0 Marina Parking Lot Landscape Planting Plan

### Development Review Team Correspondence

- C1. Public Works Plan Submittal Requirements and Other Engineering Requirements
- C2. Natural Resources Findings & Requirements

### Other Correspondence/Public Comments

N/A

## Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The application was received on November 14, 2022 Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on December 13, 2022. On April 28, 2023, the Applicant submitted new materials. On May 12, 2023, the application was deemed complete. The City must render a final decision for the request, including any appeals, by September 9, 2023.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	N/A	Willamette River
East:	PDR-3	Charbonneau residential development
South:	PDR-3	Charbonneau residential development
West:	N/A	Interstate 5

3. Previous Planning Approvals:

78CU03 Willamette Greenway Conditional Use Permit

84DR09 Isberg Boat House

DB15-0059 et. al. Charbonneau Boat Dock Access: Greenway Conditional Use Permit,  
Type C Tree Removal Plan, Abbreviated SRIR and SROZ Map Verification

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

## Findings:

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

### General Information

#### Application Procedures-In General

Section 4.008

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

#### Applications Must be Filed by Owner

Section 4.009

The application has been submitted on behalf of the property owner, Charbonneau Country Club, as authorized by the Charbonneau Village Center Condominium Board of Directors, and is signed by an authorized representative, Jim Meierotto, General Manager.

#### Pre-Application Conference Required

Subsection 4.010 (.02)

A Pre-application Conference was held in accordance with this subsection on March 3, 2022 (Case File No. PRE22-0002).

#### Lien Payment before Approval

Subsection 4.011 (.02) B.

No applicable liens exist for the subject property. The application can thus move forward.

#### General Submission Requirements

Subsection 4.035 (.04) A.

The applicant has provided all of the applicable general submission requirements contained in this Subsection.

#### Zoning-Generally

Section 4.110

This proposed development is in conformity with the applicable zoning district and general development regulations listed in Sections 4.140 through 4.199 have been applied in accordance with this Section.

## Request A: Willamette River Greenway Conditional Use Permit (CUP22-0001)

As described in the Findings below, the applicable criteria for this request are met or will be met by Conditions of Approval.

### Conditional Use Permits - Authorization

Planned Development Residential-3 Zone  
Section 4.124

- A1.** The subject property is located in the PDR-3 Zone. Private recreation facilities are conditional uses as defined by the Willamette River Greenway section of the code (WC 4.500). Such recreational facilities are not listed as an outright permitted or accessory use, but are conditional uses under subsection (.04)

Consistency with Comprehensive Plan and Development Code  
Subsection 4.184 (.01) A. 1.

- A2.** Numerous prior land use approvals at this site going back nearly 50 years have demonstrated that residential development and a marina at this location are consistent with the City's Comprehensive Plan. The proposed modification of the marina to expand the dock and change the configuration of the parking area is still consistent with the Plan. Provisions in the Comprehensive Plan for protecting natural resources are addressed through satisfaction of the regulations related to the SROZ, see request D.

Suitable Site Characteristics  
Subsection 4.184 (.01) A. 2.

- A3.** The area of the site subject to the proposed change is currently used as a marina and parking area, and this will remain the same with the improvements. With the new dock and the expanded parking area, the site will still be well-suited for the proposed marina use. The applicant's request would result in an insignificant impact to the Willamette River Greenway and the SROZ because the proposed changes are either in-water, or upland of the top of bank. Six (6) trees greater than six inches DBH are proposed to be removed. The remaining vegetative fringe of the Willamette River will be enhanced by the applicant's proposal.

Required Public Facilities and Services  
Subsection 4.184 (.01) A. 3.

- A4.** There are no public facilities required to serve the proposed project.

## Character of Surrounding Area

Subsection 4.184 (.01) A. 4.

- A5.** The proposed use will not substantially alter the character of the existing bank and surrounding area and will not limit or preclude the use of surrounding property as required by this subsection.

## Willamette River Greenway

### General Purpose

Section 4.500

- A6.** The applicant's proposal will have a minimal impact on the Willamette River Greenway, as six (6) trees greater than six inches DBH are proposed to be removed, and new development is either in-water or above the top of bank. The applicant's request supports the purpose section of the Greenway by improving the economic and recreational qualities of this property along the Willamette River. The proposal would result in an enhancement of the recreational use and the natural and scenic qualities of the river.

### Greenway Boundaries

Section 4.504

- A7.** The applicant's proposal is within the Willamette River Greenway Boundary as defined by the City of Wilsonville zoning map.

### Uses Permitted Conditionally

Section 4.508

- A8.** The applicant's proposal to replace an existing boat dock and modify parking is considered an intensification of use. This is due to the additional parking provided for the use upland of the dock.

### Findings in Support of Granting

Section 4.510

- A9.** The proposed replacement dock and additional parking will improve access to an existing boat marina. The existing dock is dated, has limited capacity, and access to the water will be improved by the replacement. The parking area and picnic area are improvements designed to minimize visual impacts within the Greenway Boundary, as viewed from the river. Proposed improvements within the Greenway Boundary are limited to areas above the top of bank, which minimizes visual impact from a river view. Due to the private nature of the property, public access will not be provided and is not required. The applicant's proposal is consistent with the Comprehensive Plan regarding protection of natural resources. The proposal is consistent with the State Greenway Plan by maintaining and restoring vegetation along the bank of the river and increasing the recreational opportunities for the owners of the property. The above criteria, which are required to be satisfied for the granting of a Willamette River Greenway CUP, are met.

## Application Procedures

Section 4.512

**A10.** The Development Review Board will be conducting a public hearing on this matter consistent with the powers granted to this body by the Development Code, and the application will be reviewed using the Conditional Use criteria consistent with this section.

## Use Management Standards

Section 4.514

**A11.** The applicant's proposal will replace an existing boat dock and improve upland facilities related to the marina. Six (6) trees greater than 6 inches DBH are proposed to be removed to accommodate parking area improvements. The location of the improvements are away from the river and above top of bank to the greatest extent possible. The boat dock in the existing marina is water-dependent. There will be no impact to wildlife corridors leading into the river channel as a result of the proposal. The proposed intensification of use is required to follow the State rules for providing safe conditions, and there are no issues to address related to vandalism and trespass as this is private property.

### Request B: Site Design Review (SDR22-0010)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

## Planned Development Regulations

### Traffic Concurrency

Subsection 4.140 (.09) J. 2.

**B1.** As stated in the applicant's narrative, the proposed marina improvements are not anticipated to substantially alter existing traffic impacts or parking requirements. The improvements are primarily being provided for the benefit of existing marina users. Based on the minimal anticipated impact, the applicant requested and was granted a waiver of the requirement to prepare a Traffic Impact Study.

### Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

**B2.** Sufficient facilities and services, including utilities, are available to serve the project.

### Adherence to Approved Plans

Subsection 4.140 (.10) A.

**B3.** A condition of approval ensures adherence to approved plans except for minor revisions approved by the Planning Director through the Class 1 Administrative Review Process if such changes are consistent with the purposes and general character of the development plan.

## Standards Applying in All Planned Development Zones

### Underground Utilities Required

Subsection 4.118 (.02) and Sections 4.300 to 4.320

- B4.** No additional utilities are proposed with the marina improvements. Any future utilities will be installed underground as required.

### Waivers

Subsection 4.118 (.03)

- B5.** No waivers to the standards applying to all planned development zones are needed.

### Other Requirements or Restrictions

Subsection 4.118 (.03) E.

- B6.** No additional requirements or restrictions are recommended pursuant to this subsection.

### Impact on Development Cost

Subsection 4.118 (.04)

- B7.** In staff's professional opinion, the determination of compliance or attached conditions do not unnecessarily increase the cost of development and no evidence has been submitted to the contrary.

### Requiring Tract Dedications or Easements

Subsection 4.118 (.05)

- B8.** No additional tracts are being required for recreational facilities, open space area, or easements.

### Habitat Friendly Development Practices

Subsection 4.118 (.09)

- B9.** As noted, the marina improvements are largely either in-water or above top of bank. In this way, the proposed changes do not have a measurable effect on the land with Significant Resource Overlay Zone (SROZ) designations. As an existing parking area, the proposed changes do not require significant grading in sensitive areas. Overall, development is in accordance with the applicable City requirements in order to minimize adverse impacts on the site, adjacent properties, and surrounding resources.

## Parking Area Design Standards

### Minimum and Maximum Parking

Subsection 4.155 (.03) G., Table 5, and 4.135 (.05)

- B10.** Table 5 in does not require off-street parking for recreational uses. The existing parking area is currently not striped. As shown on the site plan, the proposal will add approximately 7 additional vehicle spaces and two golf cart spaces to the site for users of the marina that

will be constructed with pervious pavement and striped. Total spaces after the project is complete include 15 motor vehicle spaces and two golf cart spaces.

**Parking Area Design Standards**  
Subsections 4.155 (.02) and (.03)

**B11.** The applicable standards are met as follows:

Standard	Met	Explanation
<b>Subsection 4.155 (.02) General Standards</b>		
B. All spaces accessible and usable for parking	<input checked="" type="checkbox"/>	Additional spaces provided are accessible and usable.
I. Sturdy bumper guards of at least 6 inches to prevent parked vehicles crossing property line or interfering with screening or sidewalks.	<input checked="" type="checkbox"/>	The site plan indicates provision of concrete wheel stops at the end of both new and existing spaces.
J. Surfaced with asphalt, concrete or other approved material.	<input checked="" type="checkbox"/>	The site plan details shows parking spaces surfaced with "std. duty a.c. pavement."
Drainage meeting City standards	<input checked="" type="checkbox"/>	The applicant submitted a grading and erosion control plan and preliminary stormwater report meeting City standards.
K. Lighting won't shine into adjoining structures or into the eyes of passers-by.	<input checked="" type="checkbox"/>	A single existing light pole will be relocated and reinstalled near new picnic table. This is not near structures or passers-by.
N. No more than 40% of parking compact spaces.	<input checked="" type="checkbox"/>	The 7 new spaces proposed are compact spaces. These are fewer than 40% of the overall number of spaces available in the Haven at Charbonneau development.
O. Where vehicles overhang curb, planting areas at least 7 feet in depth.	<input checked="" type="checkbox"/>	Configuration of new parking abuts retaining wall, does not have vehicles overhanging curb.
<b>Subsection 4.155 (.03) General Standards</b>		
A. Access and maneuvering areas adequate.	<input checked="" type="checkbox"/>	Both the existing and expanded parking lot allow adequate access and maneuvering.
A.1. Loading and delivery areas and circulation separate from customer/employee parking and pedestrian areas.	<input checked="" type="checkbox"/>	No loading and delivery areas are proposed.
Circulation patterns clearly marked.	<input checked="" type="checkbox"/>	No changes are proposed to existing circulation patterns marina parking lot, which are clearly marked.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	<input checked="" type="checkbox"/>	No significant changes are proposed to the existing marina parking lot, which delineates vehicle and pedestrian traffic areas.



C. Safe and Convenient Access, meet ADA and ODOT Standards.	☒	The expanded parking area has convenient access and will meet ADA and ODOT standards.
For parking areas with more than 10 spaces, 1 ADA space for every 50 spaces.	☒	The addition of parking spaces to the marina lot triggers the requirement for an ADA space. The applicant proposes two spaces in the northwest corner of the lot for ADA designation. At least one of these will be marked as such to meet this requirement.
D. Where possible, parking areas connect to adjacent sites.	☒	The marina parking lot will continue to be connected to the rest of the Charbonneau development.
Efficient on-site parking and circulation	☒	The design of the existing and proposed parking is a typical and efficient double-loaded design with standard space and drive aisle size and orientation.

**Parking Area Landscaping**

Minimizing Visual Dominance of Parking  
 Subsection 4.155 (.03) B.

**B12.** The applicant has included a landscape plan in the application materials that proposes landscaping throughout the parking area, helping to minimize the visual dominance of the paved area.

10% Parking Area Landscape Requirement  
 Subsection 4.155 (.03) B. 1.

**B13.** Based on the submitted planting plan, the landscape area provided exceeds the 10% minimum requirement. This includes areas east and west of the new row of compact spaces, and along the perimeter of existing spaces.

Landscape Screening of Parking  
 Subsection 4.155 (.03) B. 1.

**B14.** The proposed layout of the new parking area screens it from adjacent properties due to the physical distance from the nearest property line and existing and proposed landscaping and vegetation. The design does not warrant additional screening meeting a specific City screening standard.

Tree Planting Area Dimensions  
 Subsection 4.155 (.03) B. 2.

**B15.** The landscape plan shows 6 new trees planted in the parking lot area, four Oregon ash and two Douglas fir. Four of these trees are at the ends of the parking bays, and two are at the

perimeter of the lot, between the parking spaces and the top of the riverbank. The proposed trees meet the dimensional requirements of the above section.

#### Parking Area Tree Requirement

Subsection 4.155 (.03) B. 2. and 2. a.

**B16.** The expanded parking area is proposed to contain 15 surface parking spaces. One (1) tree is required for every eight (8) parking spaces. The tree planting requirement for the parking lot is 2 trees. The applicant proposes 6 new trees around the parking lot area, which exceeds the minimum requirement.

#### Parking Area Landscape Plan

Subsection 4.155 (.03) B. 2. a.

**B17.** The applicant's landscape plan includes the proposed parking area.

#### Parking Area Tree Clearance

Subsection 4.155 (.03) B. 2. b.

**B18.** The applicant will maintain all trees listed for planting in the parking area and expected to overhang the parking areas to provide a 7-foot vertical clearance.

### Other Development Standards

#### On-site Pedestrian Access and Circulation

Section 4.154

**B19.** As shown on the applicant's site plan in Exhibit B2, the marina area is part of the overall Charbonneau development and is adjacent to the residential uses including the Haven apartments. Existing pedestrian circulation through the development will remain and will not be affected by the dock replacement or changes to the parking area.

New amenities in the area near the marina like benches, a picnic table, golf cart and bicycle parking, and new landscaping create improved outdoor spaces that will be favorable to pedestrian activity and circulation through the area. Access to the marina including the altered parking area is part of an overall system of circulation through the site. As stated in the applicant's materials, the proposed improvements complement and enhance the overall circulation systems within the development.

#### Access, Ingress and Egress

Subsection 4.167

**B20.** Site access is via existing the private driveway from the Haven at Charbonneau apartments.

#### Natural Features and Other Resources

Section 4.171

**B21.** The development area includes some land that is within the SROZ, see Request D. An abbreviated SRIR has been prepared to evaluate and protect natural resources in the area.

Tree removal has been identified and new trees proposed for mitigation. All other existing trees to remain will be protected during construction as required. The proposed grading plan minimizes soil disturbance and damage to vegetation. The standards of this section are met by the proposal.

## Public Safety and Crime Prevention

Section 4.175

**B22.** As described in the applicant's narrative, the marina site has limited lighting to minimize impacts on the greenway and riparian habitat, though there is a single parking lot lighting pole and low lighting on the dock for user safety and access. The adjacent Haven at Charbonneau apartments also provide some surveillance and lighting of the parking area.

## Access Drives and Travel Lanes

Subsection 4.177 (.08)

**B23.** Illahee Drive through the Haven Apartments development provides clear travel lanes, free from obstruction, and all travel lanes are asphalt. Existing drives provide sufficient emergency access.

## Outdoor Lighting Standards

Section 4.199

**B24.** A new outdoor lighting system is proposed on the gangway and dock. The gangway and dock lighting is exempt from these standards, due to its location on the stairs/ramp and within the river. The single existing parking lot light pole will be relocated as shown on the site plan. As this is an existing light, the requirements of this section do not apply.

## Underground Installation of Utilities

Sections 4.300 through 4.320

**B25.** All existing utilities are undergrounded, and no new utilities are proposed or needed for the parking lot changes or the dock replacement.

## Site Design Review

### Excessive Uniformity, Inappropriateness Design

Subsection 4.400 (.01) and Subsection 4.421 (.03)

**B26.** Staff summarizes compliance with this subsection as follows:

- **Excessive Uniformity:** The proposed marina development is unique to its particular context and does not create excessive uniformity.
- **Inappropriate or Poor Design of the Exterior Appearance of Structures:** No new structures are proposed on the site.
- **Inappropriate or Poor Design of Signs:** This standard does not apply as no signs are proposed on the site.
- **Lack of Proper Attention to Site Development:** The appropriate professional services have been used to design the site, demonstrating attention being given to site

development.

- **Lack of Proper Attention to Landscaping:** Landscaping is provided, has been professionally designed by a landscape designer, and includes a variety of plant materials, all demonstrating appropriate attention being given to landscaping.

#### Purpose and Objectives of Site Design Review

Subsection 4.400 (.02) and Subsection 4.421 (.03)

**B27.** The applicant has provided sufficient information demonstrating compliance with the objectives of this subsection as follows:

- **Pursuant to Objective A** (assure proper functioning of the site and high quality visual environment), the proposed layout of the improved parking area allows for landscaping requirements to be met and creates a visual environment that is compatible the surrounding residential uses. Additional parking, an upgraded dock, and new amenities will allow greater use of and better functioning of the marina.
- **Pursuant to Objective B** (encourage originality, flexibility, and innovation), landscaping is designed according to parking standards and incorporates the storm water facilities in the design.
- **Pursuant to Objective C** (discourage inharmonious development), professional design of the parking improvements and proposed landscaping supports a quality visual environment and thus prevents monotonous, drab, unsightly, and dreary development.
- **Pursuant to Objective D** (conserve natural beauty and visual character), the proposed site layout is properly related to both the river to the north and the residential buildings to the south. The natural area within the SROZ will not be significantly impacted, preserving vegetation and natural resources. New trees to replace those removed will improve the general aesthetic of the site and harmonizes with the visual character of the zone.
- **Pursuant to Objective E** (protect and enhance City's appeal), development of the site will enhance use of the marina and an improved and landscaped parking area will enhance this area overall, which could attract additional investment.
- **Pursuant to Objective F** (stabilize property values/prevent blight), improving an existing marina facility and making changes to the parking area will allow the site to continue and thrive economically.
- **Pursuant to Objective G** (insure adequate public facilities), the proposal does not impact the availability of orderly, efficient and economic provision of public services and facilities, which are available and adequate for the subject property.
- **Pursuant to Objective H** (achieve pleasing environments and behavior), landscaping and existing vegetation provide separation and screening between this area and adjacent property, and encourage surveillance between the Haven at Charbonneau apartments and the parking area.
- **Pursuant to Objective I** (foster civic pride and community spirit), the project will foster civic pride by improving a unique riverfront facility and is appealing to the community at large.

- **Pursuant to Objective J** (sustain favorable environment for residents), the project has been designed to protect the peace, health and welfare of the City.

#### Development Review Board Jurisdiction Section 4.420

**B28.** A condition of approval ensures landscaping is carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. No building permits will be granted prior to Development Review Board approval. No variances are requested from site development requirements.

#### Design Standards Subsection 4.421 (.01)

**B29.** The applicant has provided sufficient information demonstrating compliance with the standards of this subsection as follows:

- **Pursuant to Standard A** (Preservation of Landscape), there are minimal changes or impact to natural features on the site. Trees that are removed will be replaced per city standards, and existing trees will be protected, per an arborist report. Attention will be paid to grading and soil changes during construction, following a grading plan and stormwater report.
- **Pursuant to Standard B** (Relation of Proposed Buildings to Environment), no buildings are proposed with the parking lot improvements. The replacement of the existing dock and establishment of kayak storage associated with it is consistent with the existing development on the river and the natural environment in that area.
- **Pursuant to Standard C** (Drives, Parking, and Circulation), vehicle and pedestrian access through the development area will remain effectively the same. No changes to drives or circulation are proposed.
- **Pursuant to Standard D** (Surface Water Drainage), required stormwater facilities are proposed and no adverse impacts to surface water drainage are expected to result from the proposal. A stormwater report has been prepared to demonstrate compliance with engineering standards.
- **Pursuant to Standard E** (Utility Service), no changes to existing utilities are proposed or necessary for the proposed site modifications.
- **Pursuant to Standard F** (Advertising Features), no signs are proposed as part of the current application; therefore, this standard does not apply.
- **Pursuant to Standard G** (Special Features), no special features are proposed for this project.

#### Applicability of Design Standards Subsection 4.421 (.02)

**B30.** The applicant's design considers the design standards for all buildings, structures, and other features.

## Conditions of Approval Ensuring Proper and Efficient Functioning of Development

### Subsection 4.421 (.05)

- B31.** No additional conditions of approval are recommended to ensure the proper and efficient functioning of the development.

## Color or Materials Requirements

### Subsection 4.421 (.06)

- B32.** The colors and materials proposed by the applicant are appropriate. No new buildings are proposed. An ultra-block retaining wall on the south side of the new bay of parking spaces is the only exposed building material visible from the parking area. Staff does not recommend any additional requirements or conditions related to colors and materials.

## Site Design Review Submission Requirements

### Submission Requirements

#### Section 4.440

- B33.** The applicant has submitted materials in addition to the requirements of Section 4.035, as applicable.

## Time Limit on Site Design Review Approvals

### Void after 2 Years

#### Section 4.442

- B34.** The approval will expire after 2 years if a building permit has not been issued, unless an extension has been granted by the Development Review Board.

## Installation of Landscaping

### Landscape Installation or Bonding

#### Subsection 4.450 (.01)

- B35.** A condition of approval ensures all landscaping will be installed prior to issuance of occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the 6-month period, or within an extension of time authorized by the Development Review Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant.

### Approved Landscape Plan Subsection 4.450 (.02)

- B36.** A condition of approval ensures the approved landscape plan is binding upon the applicant. It prevents substitution of plant materials, irrigation systems, or other aspects of an approved landscape without official action of the Planning Director or Development Review Board, as specified in this Code.

### Landscape Maintenance and Watering Subsection 4.450 (.03)

- B37.** A condition of approval ensures the landscape is continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Development Review Board, unless altered with appropriate City approval.

### Modifications of Landscaping Subsection 4.450 (.04)

- B38.** A condition of approval provides ongoing assurance that this criterion is met by preventing modification or removal without the appropriate City review.

## Landscaping Standards

### Intent and Required Materials Subsections 4.176 (.02) C. through I.

- B39.** The applicant's planting plan implements the landscaping standards and integrates general landscaping throughout the parking area, consistent with professional landscaping and design best practices.

### Landscape Area and Locations Subsection 4.176 (.03)

- B40.** The total lot area that is subject to the 15% minimum landscape standard includes the entire Marina at Charbonneau development. Within this area, the site substantially exceeds the 15% minimum that must be landscaped with vegetative plant materials. This includes the 10% minimum for parking areas which is also exceeded within the reconfigured parking area proposed. The proposed landscape plan includes a variety of materials including trees, shrubs, and ground cover plantings that achieve a balance between plant forms, textures and heights.

### Buffering and Screening Subsection 4.176 (.04)

- B41.** The marina is integrated into the residential development around it and the new dock and expanded parking area will not create new structures that require new buffering or screening. There are comparable uses, including other parking areas, residential buildings, and local streets that surround the proposed new development. These adjacent uses do not

warrant any screening or buffering. With the provision of landscaping to satisfy parking lot landscaping requirements, and the addition of landscape materials at the edge of the top of the riverbank, the proposed landscape plan provides sufficient buffers from surrounding uses.

#### Quality and Size of Plant Material

Subsection 4.176 (.06)

**B42.** A note on the landscape plans ensures the quality of the plant materials will meet American Association of Nurserymen (AAN) standards for top grade. A condition of approval ensures other requirements of this subsection are met including use of native topsoil, mulch, and not using plastic sheeting

#### Shrubs and Groundcover Materials Requirements

Subsection 4.176 (.06) A.

**B43.** As shown on the applicant's landscape plans (Exhibit B2), shrubs are all specified 2 gallon or greater in size. Ground cover is all specified as greater than 4 inches. Turf or lawn is used for a minimal amount of the proposed public landscape area. A condition of approval requires meeting the detailed requirements of this subsection.

#### Plant Materials Requirements-Trees

Subsection 4.176 (.06) B.

**B44.** As shown on the applicant's landscape plans, trees are specified at 2" caliper or greater than 6 foot for evergreen trees. A condition of approval requires all trees to be balled and burlapped (B&B), well-branched, and typical of their type as described in current American Association of Nurserymen (AAN) standards.

#### Plant Species Requirements

Subsection 4.176 (.06) E.

**B45.** The applicant's landscape plans Exhibit B2) include four Oregon ash trees to be planted adjacent to the parking lot. These trees are susceptible to Emerald Ash Borer, an invasive pest recently discovered in Oregon. To ensure longevity of the proposed parking lot trees, a condition of approval requires the applicant to utilize a comparable native species in lieu of the proposed Oregon ash trees.

#### Tree Credit

Subsection 4.176 (.06) F.

**B46.** The applicant is not proposing to preserve any trees to be counted as tree credits.

#### Exceeding Plant Standards

Subsection 4.176 (.06) G. C31.

**B47.** The selected landscape materials do not violate any height or vision clearance requirements.



Landscape Installation and Maintenance  
Subsection 4.176 (.07)

- B48.** A condition of approval ensures that installation and maintenance standards are or will be met including that plant materials be installed to current industry standards and properly staked to ensure survival, and that plants that die are required to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City.

Landscape Plans  
Subsection 4.176 (.09)

- B49.** The applicant's landscape plan in Exhibit B2 provides the required information.

Completion of Landscaping  
Subsection 4.176 (.10)

- B50.** The applicant has not requested to defer installation of plant materials.

**Request C: Type C Tree Removal Plan (TPLN22-0008)**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

**Type C Tree Removal - General**

Review Authority  
Subsections 4.514 (.02), 4.600.30 (.03), and 4.610.00 (.03) B.

- C1.** The requested tree removal is connected to a Willamette River Greenway Conditional Use Permit by the DRB and, thus, is under their authority.

Conditions of Approval  
Subsection 4.610.00 (.06) A.

- C2.** No additional conditions are recommended pursuant to this subsection.

Completion of Operation  
Subsection 4.610.00 (.06) B.

- C3.** It is understood the tree removal will be completed by the time development is completed, which is a reasonable time frame for tree removal.

Security for Permit Compliance  
Subsection 4.610.00 (.06) C.

- C4.** No bond is anticipated to be required to ensure compliance with the tree removal plan as a bond is required for overall landscaping.

## Tree Removal Standards

### Subsection 4.610.10 (.01)

C5. The standards of this subsection are met as follows:

- Standard for the Significant Resource Overlay Zone: Six (6) trees greater than 6 inches DBH are proposed for removal within the SROZ and buffer zone. These trees are identified in the arborist report and mitigation is proposed. Removal of these trees is necessary to allow proposed construction or due to their condition consistent with the purpose of this Section.
- Preservation and Conservation. The arborist report lists 30 trees on the inventory of the property in the area of new development. Six of those trees are proposed for removal, one big-leaf maple and five sweet cherry. Including parking lot trees, the applicant proposes to plant 17 new trees to mitigate for the 6 trees proposed for removal, which exceeds the 1:1 mitigation requirement. A condition of approval will ensure that protective fencing is placed around the drip line of preserved trees prior to site grading or other site work that could damage the trees
- Development Alternatives: The proposed tree removal has been minimized to the extent possible in order to enable the parking lot expansion.
- Land Clearing: Land clearing and grading is proposed and will be limited to areas necessary for construction of the parking area and related improvements.
- Compliance with Statutes and Ordinances: The necessary tree replacement and protection is planned according to the requirements of the tree preservation and protection ordinance.
- Limitation: Tree removal is limited to where it is necessary for construction (as discussed in Development Alternatives above).
- Additional Standards: A tree survey has been provided, and no new utilities are proposed.

## Review Process

### Subsection 4.610.40 (.01)

C6. The plan is being reviewed concurrently with the Conditional Use Permit and Site Design Review applications.

## Tree Maintenance and Protection Plan

### Section 4.610.40 (.02)

C7. The applicant has provided information on tree maintenance and protection in Exhibit B2. The tree protection fencing shown indicates fencing around the trees preserved.

## Tree Replacement and Mitigation

### Tree Replacement Requirement

#### Subsection 4.620.00 (.01)

C8. The applicant proposes removing 6 trees and replanting 17 trees as mitigation on the project site, exceeding a one-to-one ratio and the requirements of this subsection.

Basis for Determining Replacement and Replacement  
Subsection 4.620.00 (.02) and (.03)

**C9.** Replacement trees will meet the minimum caliper and other replacement requirements.

Replacement Tree Stock Requirements  
Subsection 4.620.00 (.04)

**C10.** The planting notes on the applicant's landscape plan indicate the appropriate quality.

Replacement Trees Locations  
Subsection 4.620.00 (.05) A.

**C11.** The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development.

**Protection of Preserved Trees**

Tree Protection During Construction  
Section 4.620.10

**C12.** A condition of approval ensures tree protection measures, including fencing, are in place consistent with Public Works Standards Detail Drawing RD-1240.

**Request D: Abbreviated SRIR Review (SRIR22-0005)**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

**Findings of Fact:**

1. Pursuant to Section 4.139.05 (Significant Resource Overlay Zone Map Verification), the map verification requirements shall be met at the time an applicant requests a land use decision. The applicant conducted a detailed site analysis consistent with code requirements, which the Natural Resources Manager reviewed and approved.
2. The property is comprised of mixed conifer and broadleaf forest (Site ID Number 5.03U) within the riparian corridor for the Willamette River.
3. Vegetation within the forest consists of native tree and plant species such as bigleaf maple, Douglas fir, western red cedar, red alder, black cottonwood, red osier dogwood, western sword fern, Pacific waterleaf, fragrant fringecup, common snowberry, and trailing blackberry. In addition, there are invasive tree and plant species, such as sweet cherry, English holly, Himalayan blackberry, and English ivy.
4. The Significant Resource Overlay Zone ordinance prescribes regulations for development within the SROZ and its associated 25-foot Impact Area. Setbacks from significant natural resources implement the requirements of Metro Title 3 Water Quality Resource Areas,

Metro Title 13 Nature in Neighborhoods, and Statewide Planning Goal 5. All significant natural resources have an Impact Area. Development or other alteration activities may be permitted within the SROZ and its associated Impact Area through the review of a Significant Resource Impact Report (SRIR). The primary purpose of the Impact Area is to insure that development does not encroach into the SROZ.

5. Pursuant to the city's SROZ ordinance, development is only allowed within the Area of Limited Conflicting Use (ALCU). The ALCU is located between the riparian corridor boundary, riparian impact area or the Metro Title 3 Water Quality Resource Area boundary, whichever is furthest from the wetland or stream, and the outside edge of the SROZ, or an isolated significant wildlife habitat (upland forest) resource site.
6. The applicant's abbreviated Significant Resource Impact Report delineated specific resource boundaries and analyzed the impacts of non-exempt development within the SROZ. The applicant's SRIR contained the required information, including an analysis and development recommendations for mitigating impacts.

### **Description of Request**

The applicant requests approval of an abbreviated Significant Resource Impact Report (SRIR) for proposed development that is located within the Significant Resource Overlay Zone and its associated Impact Area.

### **Summary of Issues/Background:**

Within the SROZ, the applicant's proposed (non-exempt) development includes permeable pavement and gravel. Pursuant to Section 4.139.00 and Section 4.139.06(.03), no development is allowed within the SROZ unless it's located within an ALCU. Within the designated ALCU on the property, approximately 676 square feet (0.02 acre) will be developed.

### **Section 4.139.06 (.03) SRIR Review Criteria**

**In addition to the normal Site Development Permit Application requirements as stated in the Planning and Land Development Ordinance, the following standards shall apply to the issuance of permits requiring an SRIR. The SRIR must demonstrate how these standards are met in a manner that meets the purposes of this Section.**

Development Permitted within the Area of Limited Conflicting Use  
Subsection 4.139.06 (.03) A.

**D1.** Only non-exempt development is proposed within the Area of Limited Conflicting Use.

Development Not Permitted within Title 3 Boundary  
Subsection 4.139.06 (.03) B.

**D2.** The non-exempt development is not within the Title 3 Water Quality Resource Areas boundary.

Area of Limited Conflicting Use Impact Limitation  
Subsection 4.139.06 (.03) C.

**D3.** The applicant has identified the proposed non-exempt development within the Area of Limited Conflicting Use, and City staff has calculated the percentage for this development. The following numbers have been calculated for the Area of Limited Conflicting Use (ALCU):

Total ALCU	=	29,280 square feet
Allowed Impact (5%)	=	1,464 square feet
Proposed Impact	=	676 square feet (46%)

Mitigation Consistent with SROZ Regulations  
Subsection 4.139.06 (.03) D.

**D4.** The proposed mitigation is consistent with the Development Code provisions. The mitigation will provide an enhancement to the upland forest through the removal of invasive plant species and the planting of native trees and shrubs.

Impact on the Significant Resource  
Subsection 4.139.06 (.03) E.

**D5.** The impacts to the SROZ are the minimum necessary for addressing Public Works Standards and Development Code requirements.

On-Site Mitigation  
Subsection 4.139.06 (.03) F.

**D6.** Impacts to the SROZ will be mitigated for onsite.

Material for Non-structural Fill  
Subsection 4.139.06 (.03) G.

**D7.** Non-structural fill will consist of natural materials similar to the soil types found on the site.

Minimum Fill  
Subsection 4.139.06 (.03) H.

**D8.** The amount of fill has been minimized to the extent practicable.

Minimize Turbidity  
Subsection 4.139.06 (.03) I.

**D9.** All proposed grading activities onsite will be managed pursuant to guidelines established and identified in the applicant’s approved erosion control plan and a 1200-C Erosion Control Permit. Stream turbidity is regulated under the City’s Grading and Erosion Control Permit.

Obtaining Appropriate Federal and State Permits  
Subsection 4.139.06 (.03) J.

**D10.** The applicant shall obtain any necessary federal and state permits from the Oregon Department of State Lands and the U.S. Army Corps of Engineers.

Exhibit C1  
Public Works Plan Submittal Requirements  
and Other Engineering Requirements

1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards - 2017.
2. Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:

<b>Coverage</b> ( <i>Aggregate, accept where noted</i> )	<b>Limit</b>
<b><u>Commercial General Liability:</u></b>	
▪ General Aggregate (per project)	\$3,000,000
▪ General Aggregate (per occurrence)	\$2,000,000
▪ Fire Damage (any one fire)	\$50,000
▪ Medical Expense (any one person)	\$10,000
<b><u>Business Automobile Liability Insurance:</u></b>	
▪ Each Occurrence	\$1,000,000
▪ Aggregate	\$2,000,000
<b><u>Workers Compensation Insurance</u></b>	\$500,000

3. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.
4. All public utility/improvement plans submitted for review shall be based upon a 22" x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.
5. Plans submitted for review shall meet the following general criteria:
  - a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms.
  - b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to review and approval by the City Building Department.
  - c. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print.



- d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
  - e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.
  - f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
  - g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible.
  - h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.
  - i. Erosion Control Plan that conforms to City of Wilsonville City Code Section 8.317.
  - j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
  - k. All engineering plans shall be printed to PDF, combined to a single file, stamped and digitally signed by a Professional Engineer registered in the State of Oregon.
  - l. All plans submitted for review shall be in sets of a digitally signed PDF and three printed sets.
6. Submit plans in the following general format and order for all public works construction to be maintained by the City:
- a. Cover sheet
  - b. City of Wilsonville construction note sheet
  - c. Land Use Conditions of Approval sheet
  - d. General construction note sheet
  - e. Existing conditions plan.
  - f. Erosion control and tree protection plan.
  - g. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
  - h. Grading plan, with 1-foot contours.
  - i. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
  - j. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
  - k. Street plans.
  - l. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference.
  - m. Stormwater LID facilities (Low Impact Development): provide plan and profile views of all LID facilities.
  - n. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.



- o. Where depth of water mains are designed deeper than the 3-foot minimum (to clear other pipe lines or obstructions), the design engineer shall add the required depth information to the plan sheets.
  - p. Detailed plan for water quality facility (both plan and profile views), including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.
  - q. Composite franchise utility plan.
  - r. City of Wilsonville detail drawings.
  - s. Illumination plan.
  - t. Striping and signage plan.
  - u. Landscape plan.
7. Design engineer shall coordinate with the City in numbering the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to City's numbering system.
  8. The applicant shall install, operate and maintain adequate erosion control measures in conformance with City Code Section 8.317 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.
  9. Applicant shall work with City Engineering before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.
  10. The applicant shall be in conformance with all stormwater and flow control requirements for the proposed development per the Public Works Standards.
  11. A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City.
  12. The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as designed.
  13. Storm water quality facilities shall have approved landscape planted and approved by the City of Wilsonville prior to paving.

14. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
15. All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
16. Streetlights shall be in compliance with City dark sky, LED, and PGE Option C requirements.
17. Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.
18. No surcharging of sanitary or storm water manholes is allowed.
19. The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
20. A City approved energy dissipation device shall be installed at all proposed storm system outfalls. Storm outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
21. The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.
22. All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
23. Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.
24. The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.

25. The applicant shall provide adequate sight distance at all project street intersections, alley intersections and commercial driveways by properly designing intersection alignments, establishing set-backs, driveway placement and/or vegetation control. Coordinate and align proposed streets, alleys and commercial driveways with existing streets, alleys and commercial driveways located on the opposite side of the proposed project site existing roadways. Specific designs shall be approved by a Professional Engineer registered in the State of Oregon. As part of project acceptance by the City the Applicant shall have the sight distance at all project intersections, alley intersections and commercial driveways verified and approved by a Professional Engineer registered in the State of Oregon, with the approval(s) submitted to the City (on City approved forms).
26. Access requirements, including sight distance, shall conform to the City's Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
27. Applicant shall design interior streets and alleys to meet specifications of Tualatin Valley Fire & Rescue and Allied Waste Management (United Disposal) for access and use of their vehicles.
28. The applicant shall provide the City with a Stormwater Maintenance and Access Easement Agreement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Applicant shall provide City with a map exhibit showing the location of all stormwater facilities which will be maintained by the Applicant or designee. Stormwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.
29. The applicant shall "loop" proposed waterlines by connecting to the existing City waterlines where applicable.
30. Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
31. For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).
32. Mylar Record Drawings:

At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey

shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings on 3 mil. Mylar and an electronic copy in AutoCAD, current version, and a digitally signed PDF.

Exhibit C2  
Natural Resources Findings & Requirements

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Findings for DB22-0010

Significant Resource Overlay Zone

1. The applicant shall submit the SROZ mapping as ARCGIS shape files or a compatible format.
2. All landscaping, including herbicides used to eradicate invasive plant species and existing vegetation, in the SROZ shall be reviewed and approved by the Natural Resources Manager. Native plants are required for landscaping in the SROZ.
3. Prior to any site grading or ground disturbance, the applicant is required to delineate the boundary of the SROZ. Six-foot (6') tall cyclone fences with metal posts pounded into the ground at 6'-8' centers shall be used to protect the significant natural resource area where development encroaches into the 25-foot Impact Area.
4. Mitigation actions shall be implemented prior to or at the same time as the impact activity is conducted.
5. The Significant Resource Overlay Zone (SROZ) shall be identified in a conservation easement. The applicant shall record the conservation easement with Clackamas County Clerk's office. The conservation easement shall include language prohibiting any disturbance of native vegetation without first obtaining approval from the Planning Division and the Natural Resources Manager. The conservation easement shall be reviewed by the City Attorney prior to recording.
6. The applicant shall submit a monitoring and maintenance plan to be conducted for a period of five years following mitigation implementation. The applicant shall be responsible for ongoing maintenance and management activities, and shall submit an annual report to the Natural Resources Manager documenting such activities, and reporting progress towards the mitigation goals. The report shall contain, at a minimum, photographs from established photo points, quantitative measure of success criteria, including plant survival and vigor if these are appropriate data. The Year 1 annual report shall be submitted one year following mitigation action implementation. The final annual report (Year 5 report) shall document successful satisfaction of mitigation goals, as per the stated performance standards.



April 28, 2023

Kimberly Rybold, Senior Planner, AICP  
City of Wilsonville  
29799  
Sw Town Center Loop E.  
Wilsonville, OR 97070

RE: DB22-0010 Charbonneau Marina Modifications Response to Letter of Incomplete Application.

Pioneer Project No.: 999-146.7

Dear Kim:

This letter summarizes our responses to your letter of incomplete application, dated December 13, 2022. The Code Narrative and Site Plans have been revised consistent with the following responses.

*The submitted application is incomplete, based on the applicable provisions of ORS 227.178(2) and the Wilsonville Comprehensive Plan and Development Code (WC), due to the following missing items:*

*1. Incomplete or insufficient written responses to applicable review criteria explaining how each standard is met as follows:*

*✦ Parking, Loading and Bicycle Parking: Section 4.155 – Clarify the allocation of parking designated for marina and residential uses to ensure minimum parking requirements for the residential use continue to be met.*

**RESPONSE:** The Code Compliance Narrative has been revised as follows (Page 42):

***Section 4.155. - General Regulations—Parking, Loading and Bicycle Parking.***

- A. The provision and maintenance of off-street parking spaces is a continuing obligation of the property owner. The standards set forth herein shall be considered by the Development Review Board as minimum criteria.*
- 1. The Board shall have the authority to grant variances or planned development waivers to these standards in keeping with the purposes and objectives set forth in the Comprehensive Plan and this Code.*
  - 2. Waivers to the parking, loading, or bicycle parking standards shall only be issued upon a finding that the resulting development.*

**RESPONSE:** Table 5 in this Code section does not provide a specific standard for marinas. The code generally does not specify parking requirements for open spaces and recreational facilities.

However, the marina parking was previously approved in conjunction with the Haven Apartment complex. The marina parking area was specifically set aside at its current location when the Haven complex was constructed as a replacement for prior marina parking now assigned to the Haven complex.

The applicant is not proposing any changes to the parking assigned to the Haven complex but is proposing to add 8 additional parking spaces for the marina. The shared parking management program discussed above will continue.

The proposed parking area improvements will include a retaining wall to allow widening of the paved parking area and adding 8 new spaces. One tree is proposed to be removed near the marina access ramp, with 2 ADA stalls stripped on each side of the ramp access. In addition to the added parking, 2 golf cart stalls are proposed along the west edge of the site together with a bike rack. The additional parking brings the total to 15 vehicle spaces so two shade trees will be planted, with one replacing the tree being removed.

There is no boat launch associated with the marina. All boat launching is handled upstream at the County facility west of the I-5 Bridge.

The added marina parking, including golf cart spaces and bike racks are expected to accommodate any increase in marina use resulting from the proposed marina upgrades.

*(.03) Minimum and Maximum Off-Street Parking Requirements:*

*A. Parking and loading or delivery areas shall be designed with access and maneuvering area adequate to serve the functional needs of the site and shall:*

- 1. Separate loading and delivery areas and circulation from customer and/or employee parking and pedestrian areas. Circulation patterns shall be clearly marked.*
- 2. To the greatest extent possible, separate vehicle and pedestrian traffic.*

**RESPONSE:** Table 5 in this Code section does not provide a specific standard for marinas. The code generally does not specify parking requirements for open spaces and recreational facilities.

However, the marina parking was previously approved in conjunction with the Haven Apartment complex. The marina parking area was specifically set aside at its current location when the Haven complex was constructed as a replacement for prior marina parking now assigned to the Haven complex.

The applicant is not proposing any changes to the parking assigned to the Haven complex but is proposing to add 6 additional parking spaces for the marina. The shared parking management program discussed above will continue.

The proposed parking area improvements will include a retaining wall to allow widening of the paved parking area and adding 6 new spaces. One tree is proposed to be removed near the marina access ramp, with 2 ADA stalls stripped on each side of the ramp access. In addition to the added parking, 2 golf cart stalls are proposed along the west edge of the site together with a bike rack. The additional parking brings the total to 15 vehicle spaces so two shade trees will be planted, with one replacing the tree being removed.

There is no boat launch associated with the marina. All boat launching is handled upstream at the County facility west of the I-5 Bridge.

The added marina parking, including golf cart spaces and bike racks are expected to accommodate any increase in marina use resulting from the proposed marina upgrades.

*Tree Preservation and Protection: Section 4.620 – Inconsistent information on quantity and location of trees to be removed and preserved. Insufficient rationale for requesting exception to tree replacement requirement. There are inconsistencies between what is stated in the arborist report/narrative and the number of trees to be planted as identified on the landscape plan.*

**RESPONSE:** The Code Compliance Narrative and Plans have been revised to correct inconsistencies and missing information and details. An updated Arborist’s Report has been provided, as the prior report relied on the 2015 inventory, which included trees on ODOT property to the west of the fenceline.

The Code Compliance Narrative (page 62), the Plan Set and SRIR have also been revised for consistency.

***TREE PRESERVATION AND PROTECTION***

***Section 4.600. - Purpose and Declaration.***

*(.01) Rapid growth, the spread of development, need for water and increasing demands upon natural resources have the effect of encroaching upon, despoiling, or eliminating many of the trees, other forms of vegetation, and natural resources and processes associated therewith which, if preserved and maintained in an undisturbed and natural condition, constitute important physical, aesthetic, recreational and economic assets to existing and future residents of the City of Wilsonville.*



*(.02) Specifically, the City Council finds that:*

- A. Woodland growth protects public health through the absorption of air pollutants and contamination, through the reduction of excessive noise and mental and physical damage related to noise pollution, and through its cooling effect in the summer months, and insulating effects in winter;*
- B. Woodlands provide for public safety through the prevention of erosion, siltation, and flooding; and*
- C. Trees make a positive contribution to water quality and water supply by absorbing rainfall, controlling surface water run-off, and filtering and assisting in ground water recharge; and*
- D. Trees and woodland growth are an essential component of the general welfare of the City of Wilsonville by producing play areas for children and natural beauty, recreation for all ages and an irreplaceable heritage for existing and future City residents.*

*(.03) Therefore, the purposes of this subchapter are:*

- A. To preserve Significant Resource Overlay Zone areas, recognizing that development can and will occur.*
- B. To provide for the protection, preservation, proper maintenance and use of trees and woodlands in order to protect natural habitat and prevent erosion.*
- C. To protect trees and other wooded areas for their economic contribution to local property values when preserved, and for their natural beauty and ecological or historical significance.*
- D. To protect water quality, control surface water run-off, and protect ground water recharge.*
- E. To reflect the public concern for these natural resources in the interest of health, safety and general welfare of Wilsonville residents.*
- F. To encourage replanting where trees are removed.*

**RESPONSE:** The attached Updated Arborist’s Report and Existing Conditions Plan identify all existing trees on the site in the immediate vicinity within the area of planned improvements. The report and Tree Removal and Mitigation Plan identifies those trees proposed for removal, including the basis for removal.

Six trees are now proposed for removal. Previously Tree # 38 was proposed for removal to be removed in the parking area to provide an additional parking space. However, the added parking requires at least one tree island, therefore, Tree # 38 will now be retained in a tree island.

Of the trees to be removed, two trees (#16 & 20) are proposed for removal due to conflicts with the marina access stairs, however, the stumps will be retained for slope stability. Four additional trees (# 40, 41, 51 & 52) are proposed for removal based on poor health, damaged, or hazard conditions and/or invasive species. To the degree possible, the maximum number of trees are being preserved.

Excerpt from SRIR:

*Trees will be removed by cutting the base of the tree above the ground surface, leaving root balls in place below top of bank and removing roots above. No other trees will be impacted by the project. Mitigation measures for tree replacement and the restoration of forest habitat within the rehabilitation area and enhancement of forest habitat by removing invasive species within the project area are discussed below.”*

**Section 4.600.30. - Tree Removal Permit Required.**

*(.01) Requirement Established. No person shall remove any tree without first obtaining a Tree Removal Permit (TRP) as required by this subchapter.*

*(.02) Tree Removal Permits will be reviewed according to the standards provided for in this subchapter, in addition to all other applicable requirements of Chapter 4.*

*(.03) Although tree activities in the Willamette River Greenway are governed by WC 4.500—4.514, the application materials required to apply for a conditional use shall be the same as those required for a Type B or C permit under this subchapter, along with any additional materials that may be required by the Planning Department. An application for a Tree Removal Permit under this section shall be reviewed by the Development Review Board.*

**RESPONSE:** Tree removal is proposed in conjunction with the proposed site improvements. Therefore, a Type C Permit is required.

**Section 4.610.40. - Type C Permit.**

*(.01) Approval to remove any trees on property as part of a site development application may be granted in a Type C permit. A Type C permit application shall be reviewed by the standards of this subchapter and all applicable review criteria of Chapter 4. Application of the standards of this section shall not result in a reduction of square footage or loss of density, but may require an applicant to modify plans to allow for buildings of greater height. If an applicant proposes to remove trees and submits a landscaping plan as part of a site development*

*application, an application for a Tree Removal Permit shall be included. The Tree Removal Permit application will be reviewed in the Stage II development review process. The DRB shall review all Type C permits, with the exception of Class II development review applications located within the Coffee Creek Industrial Design Overlay District, where the Planning Director shall have review authority. Any plan changes made that affect trees after Stage II review of a development application shall be subject to review by the original approval authority. Where mitigation is required for tree removal, such mitigation may be considered as part of the landscaping requirements as set forth in this Chapter. Tree removal shall not commence until approval of the required Stage II application and the expiration of the appeal period following that decision. If a decision approving a Type C permit is appealed, no trees shall be removed until the appeal has been settled.*

**RESPONSE:** The required tree survey has been provided, prepared by Portland Tree Consulting. The inventory, in conjunction with the SRIR, provide the basis for tree preservation and mitigation in compliance with this Section.

A total of 30 trees were inventoried and assessed for health and hazard. A total of 6 trees will be removed in conjunction with the proposed improvements as described herein.

The stumps will be left as snags or woody debris. The application includes the following:

- A Tree Removal and Preservation Plan;
- Tree Maintenance Plan; and
- Tree Mitigation Plan.

All healthy and good quality trees along the riverbank are being preserved. Only unhealthy or otherwise damaged or dangerous trees are identified for removal.

The proposed excavation and fill for the parking area is outside of the tree line. No grading will occur at or below the top of bank.

Therefore, these criteria are met.

*Section 4.620.00. Tree Relocation, Mitigation, Or Replacement*

*(.01) Requirement Established. A Type B or C Tree Removal Permit grantee shall replace or relocate each removed tree having six (6) inches or greater d.b.h. within one year of removal.*

*(.02) Basis for Determining Replacement. The permit grantee shall replace removed trees on a basis of one (1) tree replanted for each tree removed. All replacement trees must measure two inches (2") or more in diameter. Alternatively, the Planning Director or Development Review Board may require the permit grantee to replace removed trees on a per caliper inch*

*basis on a finding that the large size of the trees being removed justifies an increase in the replacement trees required. Except, however, that the Planning Director or Development Review Board may allow use of replacement Oregon white oak and other uniquely valuable trees with a smaller diameter.*

- (.03) *Replacement Tree Requirements. A mitigation or replacement tree plan shall be reviewed by the City prior to planting and according to the standards of this subsection.*
- A. Replacement trees shall have shade potential or other characteristics comparable to the removed trees, shall be appropriately chosen for the site from an approved tree species list supplied by the City, and shall be state Department of Agriculture Nursery Grade No. 1 or better.*
  - B. Replacement trees must be staked, fertilized and mulched, and shall be guaranteed by the permit grantee or the grantee's successors-in-interest for two (2) years after the planting date.*
  - C. A "guaranteed" tree that dies or becomes diseased during that time shall be replaced.*
  - D. Diversity of tree species shall be encouraged where trees will be replaced, and diversity of species shall also be maintained where essential to preserving a wooded area or habitat.*

**RESPONSE:** Appropriate permits shall be obtained for the removal of all identified trees. The Project Arborist has prepared a detailed inventory and assessment of all trees within the development area. The mitigation planting plan has been coordinated with the Project Biologist (SRIR) for appropriate native species.

During construction, trees specified to be protected will be delineated and protected by the placement at the edge of the canopy drip line with orange plastic mesh fencing.

There are no street trees required. The added parking requires one tree island. Therefore, Tree #38 is being retained and placed within a tree island. Therefore, the proposed development plan complies with the tree preservation criteria.

### **Tree Replacement Planting and Understory Rehabilitation Area**

The tree mitigation goal is to improve the ecological integrity and functions of the forested habitat. According to the ratios established in Table NR-3 in Section 4.139.07 of the City's SROZ Ordinance, two trees and three shrubs need to be planted for each tree removed that is 6 to 12 inches in diameter, three trees and six shrubs need to be planted for each tree that is over 12 up to 18 inches in diameter, and seven trees and 18 shrubs need to be planted for each tree over 24 up to 30 inches in diameter. Trees less than 6 inches do not require mitigation.

Therefore, for the removal of six trees greater than 6 inches using criteria above would require a minimum of 11 trees and 18 shrubs shall be planted in the rehabilitation area. The Arborist's report (Torres 2023) (Appendix C) notes that WC Section 4.620.00(.07) of the City's SROZ Ordinance allows for exceptions to the tree replacement rule. The report recommends:

*"...the replacement tree requirement be waived for all invasive trees and applied only to T20 a native species. Natural resources including many young and many older trees on the riverbank and its surroundings are being carefully preserved. Replanting with one bigleaf maple and one Pacific dogwood seems an adequate mitigation, considering that the removal of invasive species contributes to the wellbeing of the land."* (Torres 2023).

For 676 sq ft of ground disturbance within the SROZ, and additional 7 trees and 34 shrubs shall be planted. Additionally, all bare ground should be planted or seeded with native grasses or herbs.

Recommended species and totals for tree removal and ground disturbance are provided in Table 2 in the SRIR.

In addition to trees and shrubs, appropriate grass, herbaceous, and vine species should be installed either as individual plants or in a seed mix. Appropriate species include: California brome (*Bromus carinatus*), blue wildrye (*Elymus glaucus*), showy milkweed (*Asclepias speciosa*), Western yarrow (*Achillea millefolium*), vanillaleaf (*Achlys triphylla*), sword fern, and bracken fern (*Pteridium aquilinum*). Substitutions with appropriate locally-sourced native species for plants recommended above may be necessary based on species quantity and availability at the time of installation. A list of appropriate species to consider is included in the Metro Native Plant List.

### **Invasive Plant Control**

Invasive species control within the immediate vicinity of the project and rehabilitation areas will focus on removal of English ivy, Himalayan blackberry, and English holly or other species as defined as invasive in the Metro Native Plant List. Invasive species will be controlled using a combination of mechanical removal and herbicide application.

### **Additional Measures**

An erosion and sediment control plan will be prepared prior to the start of construction, which will include standard grading and erosion control BMP measures to be used during construction to prevent construction runoff from entering the Willamette River. To remove trees within the project area, the Client will also apply for a Type C Tree Removal Permit (WC Section 4.600 to 4.640) and will comply with the City's recommended tree protection

measures during construction (WC Section 4.620.10). Additional recommendations for tree removal can be found in Appendix C.

*2. Insufficient detail in submitted plans and drawings. While some information is provided, the following specific information is missing or internally inconsistent:*

✦ *L1.0, Landscape Plan*

- *Show location of all existing trees proposed for retention*
- *Show areas proposed for mitigation plantings, including proposed trees*
- *Show required parking lot trees and proposed landscaping*
- *Show proposed parking lot improvements*

**RESPONSE:** The updated Plan Set includes a detailed Landscaping Plan, which includes tree mitigation and parking area improvements, including tree island.

□ *Tree Survey – 4.610.40*

- *Illustrate the location of trees included on the tree table and if they are proposed for removal*

**RESPONSE:** The Arborist’s Report and Plan Set have been updated for consistency, along with the SRIR and Code Compliance Narrative. All trees proposed for removal are clearly identified.

✦ *Grading Plan – 4.140(.09)C.6*

- *Submit grading plan to address area of new parking spaces, retaining wall, and any other areas of ground disturbance.*
- *Show flood plain elevation contour.*

**RESPONSE:** A Grading Plan has been provided that addresses the new parking spaces, retaining wall, and any other areas of ground disturbance.

The flood plain level and ordinary high water level are shown on the updated Plan Set.

*In addition to the incompleteness items listed above, the following questions and comments regarding compliance came to City staff’s attention while reviewing the materials for completeness. This list is not intended to be a comprehensive review of potential compliance issues, which will occur upon receipt of a completed application. Please respond and/or incorporate into updated materials as appropriate.*

*Planning Comments (in addition to incomplete items included above)*  
 A. Consolidate plan sheets (including but not limited to site plan, landscape plan, grading plan, elevations, etc.) into a single plan set. Please note that scanned plan sheets are not scaled and are difficult to read.

**RESPONSE:** A complete new scaled Plan Set has been prepared and provided including revisions to the proposed parking and dock improvements.

*Engineering Comments (in addition to incomplete items included above)*  
 B. Traffic generation is generally connected to an expansion of a use. Additional parking areas do not trigger a Traffic Impact Analysis.  
 C. The City will evaluate the use of pervious pavement with the retaining wall review. Use of pervious pavement will likely place an additional surcharge on the retaining wall.  
 D. Prior to completion of the project, a Stormwater Maintenance Agreement will be required for future maintenance of the porous pavement.

**RESPONSE:** Pervious paving is not proposed. The total additional impervious cover is below the 5,000 square foot threshold, which requires compliance with current storm drainage standards. The storm drainage will continue to be directed to the storm system in the adjacent Illahee parking area, as discussed in the Storm Drainage Report.

The applicant understands that a Stormwater Maintenance Agreement will be required.

*Building Comments (in addition to incomplete items included above)*  
 E. The parking lot retaining wall is capped by a jersey barrier that appears to be less than 42" in height which is the height needed for guardrails to prevent falls when an adjacent change in elevation is greater than 30". The elevation difference between the upper and lower parking lots is significantly more than 30". It is recommended that a guardrail be installed on top of the jersey barrier to provide additional height to achieve the 42" guardrail height.

**RESPONSE:** The updated plans provide for concrete GM rails so other guardrailing is not needed.

## **SUMMARY CONCLUSION**

With these Responses, including revised Plan Set, Code Compliance Narrative, Arborist's Report and SRIR this applicant should be declared complete.

Sincerely,  
**Pioneer Design Group, Inc.**

Ben Altman  
Senior Planner/Project Manager

Attached:     Revised Code Narrative  
                  Revised Plan Set  
                  Updated Arborists' Report  
                  Updated SRIR

Cc:     Rick Schram  
          Jim Meierotto





29799 SW Town Center Loop E, Wilsonville, OR 97070  
Phone: 503.682.4960 Fax: 503.682.7025  
Web: www.ci.wilsonville.or.us

Planning Division  
Development Permit Application

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175

A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements

Pre-Application Meeting Date: \_\_\_\_\_

Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.

**Applicant:**

Name: \_\_\_\_\_  
Company: Illahee Drive Fee Owner, LLC, C/O Corp. Service Co  
Mailing Address: 1127 Broadway Street NE, Suite 310  
City, State, Zip: Salem, OR 97301  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**Authorized Representative:**

Name: Ben Altman  
Company: Pioneer Design Group  
Mailing Address: 9020 SW Washington Sq. Rd. #170  
City, State, Zip: Portland, OR 97223  
Phone: 971-708- 6258 Fax: \_\_\_\_\_  
E-mail: baltman@pd-grp.com

**Property Owner:**

Name: \_\_\_\_\_  
Company: Illahee Drive Fee Owner, LLC, C/O Corp. Service Co  
Mailing Address: 1127 Broadway Street NE, Suite 310  
City, State, Zip: Salem, OR 97301  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**Property Owner's Signature:**

*Lisa Demeter* Regional Manager  
Printed Name: Lisa Demeter Date: 11-17-22

**Applicant's Signature:** (If different from Property Owner)

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

**Site Location and Description:**

Project Address if Available: Part of Haven at Charbonneau 8755 SW Illahee Court, Wilsonville, OR 97070 Suite/Unit \_\_\_\_\_  
Project Location: Illahee Court, northwest corner of Haven at Charbonneau, including marina, access and parking.  
Tax Map #(s): T3S R1W 25 Tax Lot #(s): Portion of 318 County:  Washington  Clackamas

**Request:**

Willamette Greenway Conditional Use, Modernization of Marina including parking, with SROZ, SRIR Review

**Project Type:** Class I  Class II  Class III

Residential  Commercial  Industrial  Other: Marina

**Application Type(s):**

- |  |   |  |   |
|--|---|--|---|
| <input type="checkbox"/> Annexation                  | <input type="checkbox"/> Appeal                         | <input type="checkbox"/> Comp Plan Map Amend                 | <input type="checkbox"/> Parks Plan Review            |
| <input type="checkbox"/> Final Plat                  | <input type="checkbox"/> Major Partition                | <input type="checkbox"/> Minor Partition                     | <input type="checkbox"/> Request to Modify Conditions |
| <input type="checkbox"/> Plan Amendment              | <input checked="" type="checkbox"/> Planned Development | <input type="checkbox"/> Preliminary Plat                    | <input type="checkbox"/> Site Design Review           |
| <input type="checkbox"/> Request for Special Meeting | <input type="checkbox"/> Request for Time Extension     | <input type="checkbox"/> Signs                               | <input type="checkbox"/> Stage II Final Plan          |
| <input checked="" type="checkbox"/> SROZ/SRIR Review | <input type="checkbox"/> Staff Interpretation           | <input type="checkbox"/> Stage I Master Plan                 | <input type="checkbox"/> Variance                     |
| <input type="checkbox"/> Type C Tree Removal Plan    | <input type="checkbox"/> Tree Permit (B or C)           | <input type="checkbox"/> Temporary Use                       | <input type="checkbox"/> Other (describe)             |
| <input type="checkbox"/> Villebois SAP               | <input type="checkbox"/> Villebois PDP                  | <input type="checkbox"/> Villebois FDP                       |   |
| <input type="checkbox"/> Zone Map Amendment          | <input type="checkbox"/> Waiver(s)                      | <input checked="" type="checkbox"/> Conditional Use Greenway |   |

**Land Use Application  
City of Wilsonville**

**CHARBONNEAU MARINA  
MODERIZATION**

**GREENWAY CONDITIONAL USE  
Planned Residential Development  
Willamette River Greenway; and SROZ**

**October 31, 2022**

**APPLICANT:**

**Charbonneau Country Club  
Gary Newborne, President  
32000 SW Charbonneau Drive  
Wilsonville, OR 97070  
Contacts: Jim Meierotto & Richard Schram  
Phone: (503) 694-2300  
Email: [jim@charbonneaucountryclub.com](mailto:jim@charbonneaucountryclub.com)  
[rick@charbonneaucountryclub.com](mailto:rick@charbonneaucountryclub.com)**

**PROPERTY OWNER:**

**Illahee Drive Fee Owner, LLC  
C/O Corp, Service Company  
10505 Sorrento Valley Rd. #300  
San Diego, CA 92121  
Contact: Lisa Demeter  
Phone 858-866-6035**

**APPLICANT'S REPRESENTATIVE:**

**Pioneer Design Group, Inc.  
9020 SW Washington Square Drive, Suite 170  
Portland, OR 97223  
Contact: Ben Altman  
Phone: 541-993-9015  
Email: [baltman@pd-grp.com](mailto:baltman@pd-grp.com)**

**FACT SHEET**

**Project Name:** Charbonneau Marina Modernization Project

**Proposed Actions:** Modified Conditional Use, Willamette Greenway/SROZ, Planned Residential Development, PDR-3

**Tax Maps:** Northwest corner of Tax Lot 318, and also affecting Tax Lot 308, and ODOT right-of-way, Map T3S R1W 25

**Site Size:** Portion of 11. 24 Acres (based on DSL OHW)

**Address:** SW Illahee Court

**Location:** Northwest corner of SW Illahee Court, The Haven at Charbonneau.

**Comprehensive Plan:  
Zoning:** Residential 4-5 DU/AC  
PDR-3, with Willamette Greenway, SROZ and Flood Plain Overlays

**Owners:** Charbonneau Country Club, Marina Illahee Fee Owners, LLC (New Owners), Haven at Charbonneau, Tax Lot 318

**APPLICANT:**

Charbonneau Country Club  
32050 SW Charbonneau Drive  
Wilsonville, OR 97070  
Contacts: Jim Meierotto & Richard Schram  
Phone: (503) 694-2300  
Email: [jim@charbonneaucountryclub.com](mailto:jim@charbonneaucountryclub.com)  
[rick@charbonneaucountryclub.com](mailto:rick@charbonneaucountryclub.com)

**APPLICANT'S REPRESENTATIVE:**

Pioneer Design Group, Inc.  
9020 SW Washington Square Drive, Suite 170  
Portland, OR 97223  
Contact: Ben Altman  
Phone: 541-993-9015  
Email: [baltman@pd-grp.com](mailto:baltman@pd-grp.com)

## PROFESSIONAL DESIGN TEAM

### Planning, Surveying and Landscape Architecture

Pioneer Design Group  
9020 SW Washington Square Drive, Suite 170  
Portland, OR 97223

**Contact: Ben Altman** Survey, Mike Harris; Landscape Architect, Ben Holmes

Phone: 971-708-6258

Email: [baltman@pd-grp.com](mailto:baltman@pd-grp.com)

### Engineering: (Parking Area Retaining Wall)

McGee Engineering  
804 NW Buchanan Ave.

Corvallis, OR 97330

Phone: 541-757-1270

Email: [dennismcgee@mcgee-engineering.com](mailto:dennismcgee@mcgee-engineering.com)

### Resource Biologist:

SWCA, Mirth Walker & Chris Moller

1800 NW Upshur St., Suite 100

Portland, OR 97209

Phone: Chris 503-853-6589 – Marine Biologist - SRIR Dock & Corps Permit

Email: [chris.moller@swca.com](mailto:chris.moller@swca.com)

### Arborist:

Portland Tree Consulting, Peter Torres

PO, Box 19042

Portland, OR 97280

Phone: 503-38421-3883

Email: [info@pdxtreeconsulting.com](mailto:info@pdxtreeconsulting.com)

### Dock Design and Construction:

KC Marine, LLC

1515 S. Henrici Rd.

Oregon City, Or 97045

Contact Kienan Streed

Phone: 971-409-3430

## I. INTRODUCTION

### GENERAL INFORMATION

The Charbonneau Marina is located at the northwest corner of Charbonneau next to the Illahee Apartments. The existing dock consists of 36 boat slips and a boat house.

In 2015 permits were obtained to replace the access to the dock (DB15-0059, DB15-0060, SI15-0001), with a new metal gangway.

This Land Use and Development application is submitted on behalf of The Charbonneau Village Country Club. The Country Club is the General Manager for the combined Homeowners Associations within Charbonneau, which manages the common ownerships, including the Marina (dock facility). However, access to the marina, via Illahee Drive, extends through the Haven Apartments, now owned by Illahee Fee Owners. LLC.

SW Illahee Court also crosses land owned by the City of Wilsonville (Tax Lot 308). The Illahee Drive encroachment over Tax Lot 308 is covered by an easement. However, this application does not involve any change to the access drive. So, technical the city does not need to be a co-applicant.

The Charbonneau Country Club is proposing the modernize and upgrade the Marina, beyond just simple maintenance repairs, including the following:

#### Upland Improvements

1. Construct a retaining wall along the south edge of the parking area and add 8 additional parking spaces, pervious paving.
2. Add 2-3 golf cart spaces, pervious paving.
3. Add bike Rack.
4. Remove 6 trees greater than 6 inches, see Arborist Report & SRIR:
5. Clear invasive species and understory east of parking area and create a habitat-friendly, low impact picnic area. Provide picnic table and benches, all soft surface no permanent installations.

#### In-Water Improvements

1. Replace the 4 remaining wood pilings (lower platform) with steel pilings.
2. Replace the existing dock, with a modern light penetrating deck:
  - a. Widen deck to 8 feet.
  - b. Reconfigure slips to double wide (18') = 40 slips.
3. Extend dock upstream to align directly with lower landing platform.

4. Add Canoe and Kayak facilities:
  - a. Kayak storage (18, >12'), plus 9.
  - b. Kayak launch facilities (18' x 30').
5. Updated lighting (LED) for the gangway and dock.

#### Tree Planting and Mitigation Plan

All required mitigation trees for added parking and tree removal will be planted at or below top of bank to enhance the riparian corridor. See additional details under Section 4.139 herein. The mitigation Plantings will be strategically spaced parallel to but below the top of bank to keep the view for the picnic area.

This planting pattern will keep the trees away from the gangway thereby minimizing potential future problems, like the one tree being removed. This scenario also provides some long-term top of bank stability.

#### **Brief Historic Summary**

The Charbonneau Marina was conceptually part of the originally 1971 Charbonneau Master Plan. It was originally proposed to be located more central to the development, farther to the east. However, the Marina was subsequently relocated to its current location as part of the Riverfront Townhomes 78PC03.

In September 1975, the Corps/DSL issued notice of a pending permit (071-0YA-1-001400), which authorized an initial 42 slip dock, with future development up to 92 slips. But, based on public opposition, the dock permit approval was finally approved with 34 slips in 1976. In 1978, Willamette Factors, the original Charbonneau developer, granted a scenic easement to ODOT, Parks and Recreation Branch, who at that time managed the Willamette River Greenway. That easement acknowledged the marina.

The existing Marina was approved with a Willamette Greenway Conditional Use Permit (78CU03). In 1984, the Isberg boat house was approved as an addition to the dock (84DR9) and (Corps/DSL permit 071-0YA-1-005450).

**NOTE:** The Charbonneau Country Club purchased the Isberg boat house in 2020.

The Country Club has just executed a lease with the Clackamas County Sheriff to use the boathouse for their marine patrol. This will be a very important resource for the entire Wilsonville community, as well as the river in general above the falls in Oregon City.

The Riverfront Townhomes plans were subsequently modified with approval of the Illahee Apartments (88PC21 & 88DR14), which were then constructed, as they exist today. With the construction of the apartments, the marina parking was relocated from the northwest edge of the City property (Tax Lot 308) to its current location at the

southwest corner near the top of bank. The parking that previously was for the marina, on City property, is now reserved for Haven residents. It is noted that the Haven is now owned by Illahee Fee Owners, LLC.

The City of Wilsonville, in 1980, adopted Willamette River Greenway Permit provisions within the Development Code (4.500-4.515); and later in 2001, Significant Resource Overlay Zone provisions (4.139) which now regulate development adjacent to the river. Therefore, the Marina was reviewed and approved under the then applicable Willamette River Greenway and Natural Resource protection provisions of the Code, but not the newer SROZ provisions. Consequently, the facility is classified as a Non-Conforming Use.

The Non-conforming provisions of the Code (4.190) allow for normal repair. However, the proposal is to replacement and modify the dock. Consequently, with this application, the dock will be brought into conformance with current code provisions.

### Location and Ownership

This application is for parking area and dock improvements for the Marina, with no changes to access or other off-site improvements, except for a small picnic area east of the parking lot. Access to the marina parking area is via an existing easement over SW Illahee Court, which runs through the Haven at Charbonneau apartment complex (originally approved as Illahee, 88DR14)), Tax Lot 318, Map T3S R1W 25.

The property ownership, based on the legal description, extends to the “water” of the Willamette River. The Division of State Lands (DSL), who has jurisdiction over Waters of the State, has defined the limits of the “water” of the Willamette River. DSL has specified that the Ordinary High-Water line (71.75 feet msl) is used to define the ownership boundary. The SROZ Map Verification Plan Sheet reflects this boundary.

The Haven at Charbonneau is now owned by Illahee Fee Owners, LLC. The prior owners granted the Country Club an access easement over SW Illahee Court, which also includes the dock access parking area. Illahee Fee Owners, LLC continue to honor the established easement. Further, they have also authorized this application, as an affected property owner.

It is important to note that this access, via Illahee Court, is established and no changes are proposed as part of this application. The majority of the planned improvements are within the parking area leased to the Country Club and the dock facility itself. The planned picnic area is on Illahee Apartment land, but they have authorized the work with their signing on the application.

Vehicle access to the Marina Parking area also crosses land owned by the City of Wilsonville, Tax Lot 308. However, this access is also established by easement and no changes are proposed. Therefore, it is not necessary for the city to be a co-applicant.

### Existing Use and Conditions

The Charbonneau Marina has been in existence since the early 1980s. It consists of a floating dock, with 36 boat slips, and an enclosed boathouse. Access to the marina is via an easement over SW Illahee Court, which runs through the Haven at Charbonneau. Existing conditions are documented with a combination of photos and the Existing Conditions Plan.

At the northwest corner of the Haven there is an auxiliary parking area that was constructed for dock access. This parking was provided when the apartments were built, as the previous marina parking located just south of the pathway was reassigned to the apartments. The current marina parking consists of 9 stripped stalls, plus there is space along the south for parallel parking for 2-3 vehicles.

In 2015 the access to the dock was modified with a metal gangway extending directly from the parking area. This new access eliminated all prior use of the adjacent ODOT right-of-way, and that area was fenced-off and replanted with native vegetation.

Historically, the marina was managed by the manager of the County Marina on the west side of the freeway. However, in 2014 the Country Club took over management of the marina, but the operations have generally stayed the same.

Marina use prioritizes use by Charbonneau residents, but with some allowance for non-resident individuals who acquire a slip through the Country Club.

Parking at the marina is also generally limited to those having use and access rights. Guests of authorized users are directed to park at the County boat launch on Butteville Road west of the I-5 Boone Bridge.

### Surrounding Uses

To the north is the Willamette River, and the Charbonneau dock. To the west is ODOT right-of-way and the I-5 Freeway (Boone Bridge). To the south and east are the Haven Apartments and the rest of Charbonneau Village.

### Topography

The topography of the site varies from the ordinary high-water level at 67.44 feet up to top of bank at 107 feet. From the top of bank there is an average slope of about 20% with a slight hump, then the bank steepens to about 40% down to the toe of slope.

The 100-year flood elevation is 94 feet at this location. The dock parking area sits at an elevation of 106 feet. The deck of the elevated landing at the shoreline is 80.1 feet. No significant changes are proposed for the shoreline landing.



## Vegetation

There are scattered trees along the bank in the vicinity of the dock access, as reflected on the Existing Conditions Plan. The site contains a mix of natural upland forest, including Douglas Fir, Big-leaf Maple, and Riparian Cottonwoods, with understory brush, with some English Ivy and ferns. (see Arborist's Report and Abbreviated SRIR are included with this application).

## Comprehensive Plan and Zoning

The subject property is located at the northwest edge of the Haven at Charbonneau (apartments, previously known as Illahee). Charbonneau is generally designated residential 4-5 units per acre on the Comprehensive Plan Map.

The Haven apartments are located in the most western portion of the riverfront development, with French Prairie Village and Edgewater located further to the east. The entire Charbonneau development is zoned PDR-3, with the exception of the Village Center, which is PDC, Commercial.

The existing Marina was approved with a Willamette Greenway Conditional Use Permit (78CU03). The applicant seeks to modify the Conditional Use to allow for the proposed improvements as outlined herein. The ramp from the platform to the dock and the dock itself will remain without modification, other than normal and necessary maintenance.

## **Proposed City Land Use Applications**

The proposed improvements are listed above. This application includes the following requests for land use actions:

- PDR Stage II Final Development Plan
- Willamette Greenway Conditional Use, including:
  - Parking area expansion
  - Picnic Area
  - Dock modernization
  - Flood Plain Development Permit
  - Master Landscaping Plan; and
- SROZ Review:
  - Abbreviated SRIR
- Type C Tree Removal & Mitigation Plan
  - Arborist's Report

## Professional Design Team

The Planned Development Regulations require the applicant to be represented by a professional design team. The Design Team for this project, led by Ben Altman, Pioneer Design Group, as listed on page 3 above.

## REPORT FORMAT

The following report addresses the applicable Comprehensive Plan and Development Code provisions related to each of the proposed land use actions. It is formatted with the applicable policy, criterion or standard set out in *bold italic* followed by a narrative response presenting findings and conclusions relative to how this proposed development complies with that policy, criterion, or standard.

## II. COMPREHENSIVE PLAN

### Plan Compliance

This section of the report addresses compliance with the Comprehensive Plan.

The subject property is located at the northwest edge of Charbonneau and the Haven Apartments. Charbonneau is generally designated residential 4-5 units per acre on the Comprehensive Plan Map. The entire developed area is zoned PDR-3.

The existing Marina was approved with a Willamette Greenway Conditional Use Permit (78CU03). The applicant seeks to modify the Conditional Use to allow upgrades to the parking area, provide a natural picnic area, and modernize the dock.

Several prior land use approvals have confirmed the marina and parking area are consistent with the Comprehensive Plan and PDR zoning. As noted, a more recent land use approvals (DB15-0059, DB15-0060, SI15-0001) has also addressed compliance with the City's Willamette Greenway and SROZ provisions.

This Narrative addresses Code compliance relative to the proposed new improvements. The Development Code generally implements the Comprehensive Plan, and prior land use approvals for the Marina have confirmed compliance with applicable Plan policies and objectives.

The existing Marina was approved with a Willamette Greenway Conditional Use Permit (78CU03). The applicant seeks to modify the Conditional Use to allow for proposed parking area and dock improvements as outlined herein.

There are designated "Environmentally Sensitive Areas" and Protected Natural Resources (SROZ) associated with the subject property. The property is also affected by the flood plain of the river, and to a minor degree slope hazards associated with the riverbank.

However, no new development is proposed along the riverbank. All improvements are either above the top of bank or in the water. Further, proposed mitigation planting will enhance the riparian edge and further stabilize the bank. Therefore, any potential slope and flood hazards are minimized or otherwise unaltered by the proposed improvements.

The river frontage also is covered by the Willamette River Greenway, which is measured 150 feet from the Ordinary Low Water line (about 58 feet). The Greenway and SROZ are the primary focus of Code compliance discussed later in this report under Section 4.500.

The Existing Conditions Plan, and the attached Abbreviated SRIR, identify the current mapped SROZ. No change is proposed for the boundaries of the SROZ.

A simple environmental assessment (Abbreviated SRIR) has been prepared by SWCA, which addresses the relevant provisions of the SROZ regulations. Compliance with the Tree Preservation requirements of the Code is addressed later in this report, and by the Arborist's Inventory, under that code section.

The improvements to parking area, plus conflicts with the gangway call for removal of 7 trees, based on site review by Kerry Rappold, Natural Resource Manager and the Arborist's Report.

However, the proposed Landscaping and Mitigation Plan provide for replacement trees, plus enhanced understory for erosion control. Therefore, maximum tree cover is maintained.

## **CONCLUSION – Comprehensive Plan**

As addressed herein, and in prior approvals, the Charbonneau Marina and associated improvements is consistent with the Comprehensive Plan.

All urban services are generally available and adequate to serve the proposed development. Other than minor additional storm drainage from the parking area, there is no new demand created on existing urban services. Therefore, this development is consistent with the Public Facilities elements of the Comprehensive Plan.

### III. COMPLIANCE WITH DEVELOPMENT CODE

This section presents information related to applicable zoning and addresses compliance with the code provisions, under the PDR-3, SROZ and Conditional Use regulations.

#### *Section 4.035. - Site Development Permits.*

##### *(.01) Procedures for Processing Site Development Permit.*

*A. Unless the matter is subject to a public hearing process for a land development permit, an application for a Site Development Permit shall be processed through a Class I or II procedure as set forth below.*

*B. When an application and proposed development plan is submitted, the Planning Director shall determine the appropriate procedure specified by the Code, together with the determination of affected departments, public agencies and property owners. Where there is a question as to the appropriate type of procedure, the Director may elect to process the application as a Class II Administrative Review item.*

*C. The Planning Director shall be responsible for the coordination of the Development Permit application and decision-making procedure and shall only issue a Development Permit to an applicant whose application and proposed development are found to be in compliance with all of the applicable provisions set forth in the Comprehensive Plan and Chapter 4 of this Code. Before issuing the Development Permit, the Director shall be provided with the detail required to establish full compliance with the requirements of this Code.*

##### *(.04) Site Development Permit Application.*

*A. An application for a Site Development Permit shall consist of the materials specified as follows, plus any other materials required by this Code.*

*1. A completed Permit application form, including identification of the project coordinator, or professional design team.*

**RESPONSE:** The submitted documents include the completed application form and identify the Professional Design Team and Project Coordinator.

*2. An explanation of intent, stating the nature of the proposed development, reasons for the Permit request, pertinent background information, information required by the development standards and other information specified by the Director as required by other sections of this Code because of the type of development proposal or the area involved or that may*

*have a bearing in determining the action to be taken. As noted in Section 4.014, the applicant bears the burden of proving that the application meets all requirements of this Code.*

**RESPONSE:** The Code Compliance Narrative includes a summary of the proposed project.

*3. Proof that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant has the consent of all individuals or partners in ownership of the affected property.*

**RESPONSE:** A current title report has been provided demonstrating ownership of the affected property. The Owner has signed the application.

*4. Legal description of the property affected by the application.*

**RESPONSE:** A legal description of the property (Marina) has been provided.

*5. The application shall include conceptual and quantitatively accurate representations of the entire development sufficient to judge the scope, size and impact of the development on the community, public facilities and adjacent properties; and except as otherwise specified in this Code, shall be accompanied by the following information.*

**RESPONSE:** The application includes the required conceptual and quantitatively accurate representations of the proposed improvements.

*6. Unless specifically waived by the Director, the submittal shall include: ten copies folded to 9" × 12" or (one set of full-sized scaled drawings and nine 8½" × 11" reductions of larger drawings) of the proposed Site Development Plan, including a small scale vicinity map and showing:*

*a. Streets, private drives, driveways, sidewalks, pedestrian ways, off-street parking, loading areas, garbage and recycling storage areas, power lines and railroad tracks, and shall indicate the direction of traffic flow into and out of off-street parking and loading areas, the location of each parking space and each loading berth and areas of turning and maneuvering vehicles.*

*b. The Site Plan shall indicate how utility service, including sanitary sewer, water and storm drainage, are to be provided. The Site Plan shall also show the following off-site features: distances from the subject property to any*

*structures on adjacent properties and the locations and uses of streets, private drives, or driveways on adjacent properties.*

*c. Location and dimensions of structures, utilization of structures, including activities and the number of living units.*

*d. Major existing landscaping features including trees to be saved, and existing and proposed contours.*

*e. Relevant operational data, drawings and/or elevations clearly establishing the scale, character and relationship of buildings, streets, private drives, and open space.*

*f. Topographic information sufficient to determine direction and percentage of slopes, drainage patterns, and in environmentally sensitive areas, e.g., flood plain, forested areas, steep slopes or adjacent to stream banks, the elevations of all points used to determine contours shall be indicated and said points shall be given to true elevation above mean sea level as determined by the City Engineer.*

*The base data shall be clearly indicated and shall be compatible to City datum, if bench marks are not adjacent. The following intervals shall be shown:*

*i. One foot contours for slopes of up to five percent;*

*ii. Two foot contours for slopes of from six percent to 12 percent;*

*iii. Five foot contours for slopes of from 12 percent to 20 percent. These slopes shall be clearly identified, and*

*iv. Ten foot contours for slopes exceeding 20 percent.*

**RESPONSE:** Based on the City's new submittal format, one hard copy and a digital file have been provided of all submittal documents.

*g. A tabulation of land area, in square feet, devoted to various uses such as building area (gross and net rentable), parking and paving coverage, landscaped area coverage and average residential density per net acre.*

**RESPONSE:** The Plans and Code Narrative include a summary tabulation of the land use area.

*h. An application fee as set by the City Council.*

**RESPONSE:** The required application fees have been paid.

- i. *If there are trees in the development area, an arborist's report, as required in Section 4.600. This report shall also show the impacts of grading on the trees.*

**RESPONSE:** An updated Arborist’s Report has been provided, together with an Abbreviated SRIR.

- j. *A list of all owners of property within 250 feet of the subject property, printed on label format. The list is to be based on the latest available information from the County Assessor.*

**RESPONSE:** The City provides the property owner list.

**ZONING AND GENERAL STANDARDS**

**Section 4.113. - Standards Applying to Residential Developments in any Zone.**

*(.01) Open Space:*

*A. Purpose. The purposes of the following standards for open space are to provide adequate light, air, open space and usable recreational facilities to occupants of each residential development.*

*B. Applicability.*

*1. The open space standards of this subsection shall apply to the following:*

- a. Subdivisions.*
- b. Planned Developments.*
- c. Multi-family Development.*

*2. These standards do not apply to the following:*

- a. Partitions for non-Multi-family development. However, serial or adjacent partitions shall not be used to avoid the requirements.*
- b. Middle Housing Land Divisions.*

**RESPONSE:** This application involves property within the Charbonneau Planned Development (PDR-4). The applicant is proposing modernization of the existing marina. Therefore, the planned development provisions are applicable.

*C. Area Required. The minimum open space area required in a development is an area equal to 25 percent of the size of the Gross Development Area except if reduced for shared parking pursuant to Subsection 4.155(.03)S.*

**RESPONSE:** The Charbonneau Marina is an existing permitted dock facility, which provides for water related recreational activities. River-related recreational opportunities are provided for both semi-public and private use, with access to the marina being limited to authorized individuals, who have acquired dock privileges (keypad access).

The Charbonneau development includes significant open and recreational spaces, including the 27-hole golf course. The Marina is just another part of the overall outdoor experiences available within Charbonneau.

This application is for planned improvements to enhance and modernize the marina facilities, including parking, a casual picnic area and replacement of the dock itself. These improvements are intended to further enhance recreational opportunities. Charbonneau in general is zoned PDR-4, and the dock facility is a residential related Conditional Use within this zone and associated with the Willamette River Greenway. This requested action does not alter any existing open space within Charbonneau, other than the minor habitat-friendly picnic area, which is an enhancement along the river frontage.

*D. Required Open Space Characteristics:*

*1. Size of Individual Open Spaces. For developments with ten or more lots buildable with dwelling units (or ten or more multi-family units) an open space area must be at least 2,000 square feet to be counted towards the 25 percent open space requirement. For developments with less than ten lots buildable with dwelling units (or less than ten multi-family units) an open space area must be at least 1,000 square feet to be counted towards the 25 percent open space requirement.*

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

- a. Preserved wetlands and their buffers, natural and/or treed areas, including those within the SROZ*
- b. New natural/wildlife habitat areas*
- c. Non-fenced vegetated stormwater features*
- d. Play areas and play structures*
- e. Open grass area for recreational play*
- f. Swimming and wading areas*



- g. Other areas similar to a. through f. that are [publicly] accessible*
- h. Walking paths besides required sidewalks in the public right-of-way or along a private drive.*

**RESPONSE:** As noted, this application includes minor improvements or enhancements of the existing marina facilities. Additional parking will be provided, including spaces for golf carts, which are popular in Charbonneau. A passive picnic area is proposed in the wooded area east of the parking lot, and the dock will be completely replaced.

*3. Usable open space requirements. Half of the minimum open space area, an area equal to 12.5 percent of the size of the Gross Development Area, shall be located outside the SROZ and be usable open space programmed for active recreational use. Any open space considered usable open space programmed for active recreation use shall meet the following requirements.*

- a. Be designed by a registered professional landscape architect with experience designing residential park areas. An affidavit of such professional's credentials shall be included in the development application material.*
- b. Be designed and programmed for a variety of age groups or other user groups.*

*4. Enhancing Existing Wildlife Habitat through Design of Open Space:*

- a. Open space designed, as wildlife habitat shall be placed adjacent to and connect to existing, preserved wildlife habitat to the extent feasible.*
- b. To the extent feasible, open space shall create or enhance connections between existing wildlife habitat.*

**RESPONSE:** The picnic area and parking area landscaping has been designed by a Registered Professional Landscape Architect. The design promotes use of both active and passive open spaces intended for the residents of Charbonneau.

The open space improvements will enhance the existing SROZ habitat by removing non-native vegetation and providing native plantings.

*E. Any dedication of land as public park land must meet City parks standards. The square footage of any open space land outside the SROZ and BPA easements, whether dedicated to the public or not, shall be considered part of the Gross Development Area.*

**RESPONSE:** No public dedication is proposed. The marina is a privately owned and operated facility, managed by the Charbonneau Country Club.

*F. Approval of open space must ensure the long-term protection and maintenance of open space and/or recreational areas. Where such protection or maintenance are the responsibility of a private party or homeowners' association, the City Attorney shall review any pertinent bylaws, covenants, or agreements prior to recordation.*

**RESPONSE:** There is an existing Conservation Easement along the riverbank, which is maintained, thereby satisfying this criterion.

*G. The open space requirements of this subsection are subject to adjustments in PDR zones pursuant to Subsection 4.124(.08).*

**RESPONSE:** There is no change to existing open space, other than the small picnic area improvements east of the parking lot.

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

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

- A. Restrict or regulate the height or building design consistent with adequate provision of fire protection and fire-fighting apparatus height limitations.*
- B. To provide buffering of low density developments by requiring the placement of buildings more than two stories in height away from the property lines abutting a low density zone.*
- C. To regulate building height or design to protect scenic vistas of Mt. Hood or the Willamette River from greater encroachments than would occur if developed conventionally.*

**RESPONSE:** This application does not involve any new buildings, which are subject to setbacks or height restrictions. Therefore, these criteria are not applicable.

*(.07) Fences:*

- A. The maximum height of a sight-obscuring fence located in the required front yard of a residential development shall not exceed four feet.*
- B. The maximum height of a sight-obscuring fence located in the side yard of a residential lot shall not exceed four feet forward of the building line and shall not exceed six feet in height in the rear yard, except as approved by the Development Review Board. Except, however, that a*

*fence in the side yard of residential corner lot may be up to six feet in height, unless a greater restriction is imposed by the Development Review Board acting on an application. A fence of up to six feet in height may be constructed with no setback along the side, the rear, and in the front yard of a residential lot adjoining the rear of a corner lot as shown in the attached Figure.*

*C. Notwithstanding the provisions of Section 4.122(10)(a) and (b), the Development Review Board may require such fencing as shall be deemed necessary to promote and provide traffic safety, noise mitigation, and nuisance abatement, and the compatibility of different uses permitted on adjacent lots of the same zone and on adjacent lots of different zones.*

*D. Fences in residential zones shall not include barbed wire, razor wire, electrically charged wire, or be constructed of sheathing material such as plywood or flakeboard.*

**RESPONSE:** The applicant is not proposing any fencing.

***Section 4.118. - Standards Applying to all Planned Development Zones.***

*(.01) Height Guidelines. In "S" overlay zones, the solar access provisions of Section 4.137 shall be used to determine maximum building heights. In cases that are subject to review by the Development Review Board, the Board may further regulate heights as follows:*

*A. Restrict or regulate the height or building design consistent with adequate provision of fire protection and fire-fighting apparatus height limitations.*

*B. To provide buffering of low density developments by requiring the placement of three or more story buildings away from the property lines abutting a low density zone.*

*C. To regulate building height or design to protect scenic vistas of Mt. Hood or the Willamette River.*

*D. In no case shall the height of duplexes, triplexes, fourplexes, or townhouses be limited to less than the maximum height allowed for detached single-family dwellings in the same zone. In addition, in no case shall the height of triplexes, fourplexes, or townhouses be limited to less than 25 feet.*

**RESPONSE:** There has not been an “S” (Solar Access) zone imposed on the subject properties, therefore the solar access provisions set forth in Section 4.137 do not specifically apply to this development. The dock is located on the south side of the river. Therefore, full solar exposure for this site is limited by riparian tree cover.

No residential structures are proposed, and no changes to the existing elevated landing platforms or gangway to the dock are proposed.

The proposed change for dock improvements includes extending the dock upstream so it aligns more directly with the lower landing. This dock extension will also accommodate canoe and kayak storage and launch facilities, which are currently not available. In addition, the entire dock will be replaced with a new modern light-penetrating deck to better support marina habitat. Views of the river from on or off-site will not be affected to any significant degree than currently exists. The 4 remaining wood pilings will also be replaced with steel pilings.

The only new impact to the SROZ associated with the dock improvements will be removal of 7 trees, as addressed in herein and in the Arborist's Report and Abbreviated SRIR. All other work is within the water.

Two of the trees are rubbing against the gangway and need to be removed. The other trees identified for removal are in poor or hazardous condition, thus need to be removed. Appropriate mitigation will be provided as addressed later herein.

Separate applications will be submitted to State DSL and Corps of Engineers for the necessary permits for the pilings and dock work.

*(.02) Underground Utilities shall be governed by Sections 4.300 to 4.320. All utilities above ground shall be located so as to minimize adverse impacts on the site and neighboring properties.*

**RESPONSE:** All existing utilities serving the Marina are underground or hung under the access stairs to minimize visibility. No new utilities are necessary to serve the proposed new improvements.

*(.03) Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:*

*A. Waive the following typical development standards:*

- 1. Minimum lot area;*
- 2. Lot width and frontage;*
- 3. Height and yard requirements;*
- 4. Lot coverage;*
- 5. Lot depth;*
- 6. Street widths;*
- 7. Sidewalk requirements;*
- 8. Height of buildings other than signs;*
- 9. Parking space configuration and drive aisle design;*
- 10. Minimum number of parking or loading spaces;*
- 11. Shade tree islands in parking lots, provided that alternative shading is provided;*
- 12. Fence height;*

13. *Architectural design standards;*
14. *Transit facilities;*
15. *On-site pedestrian access and circulation standards;*
16. *Solar access standards, as provided in section 4.137;*
17. *Open space in the Residential Neighborhood zone; and*
18. *Lot orientation.*

**RESPONSE:** The applicant is not requesting any waiver of standards. Therefore, these provisions are not applicable.

*B. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways:*

1. *Open space requirements in residential areas, except that the Board may waive or reduce open space requirements in the Residential Neighborhood zone. Waivers in compliance with [Section] 4.127(.08)(B)(2)(d);*
2. *Minimum density standards of residential zones. The required minimum density may be reduced by the Board in the Residential Neighborhood zone in compliance with [Section] 4.127(.06) B; and*
3. *Minimum landscape, buffering, and screening standards.*

**RESPONSE:** Consistent with this Section, no waivers are requested.

*C. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways, and the action taken will not violate any applicable federal, state, or regional standards:*

1. *Maximum number of parking spaces;*
2. *Standards for mitigation of trees that are removed;*
3. *Standards for mitigation of wetlands that are filled or damaged;*  
*and*
4. *Trails or pathways shown in the Parks and Recreation Master Plan.*

**RESPONSE:** This application includes the addition of 8 vehicle parking spaces and 3 golf cart spaces, plus removal of 1 tree within the parking area.

As addressed in more detail herein there is not set minimum or maximum parking standards for a marina use. The proposed parking is based on historical use of the facility.

Also, as addressed herein the applicant is not requesting a waiver of mitigation for the proposed tree removal.

There are no identified wetlands of Master Plan trails associated with this property.

*E. Adopt other requirements or restrictions, inclusive of, but not limited to, the following, except that no additional requirements or restrictions can conflict with established clear and objective standards for residential development or be grounds for denying a residential development proposal when the applicant has selected the clear and objective path for approval:*

- 1. Percent coverage of land by buildings and structures in relationship to property boundaries to provide stepped increases in densities away from low-density development.*
- 2. Parking ratios and areas expressed in relation to use of various portions of the property and/or building floor area.*
- 3. The locations, width and improvement of vehicular and pedestrian access to various portions of the property, including portions within abutting street or private drive.*
- 4. Arrangement and spacing of buildings and structures to provide appropriate open spaces around buildings.*
- 5. Location and size of off-street loading areas and docks.*
- 6. Uses of buildings and structures by general classification, and by specific designation when there are unusual requirements for parking, or when the use involves noise, dust, odor, fumes, smoke, vibration, glare or radiation incompatible with present or potential development of surrounding property. Such incompatible uses may be excluded in the amendment approving the zone change or the approval of requested permits.*
- 7. Measures designed to minimize or eliminate noise, dust, odor, fumes, smoke, vibration, glare, or radiation which would have an adverse effect on the present or potential development on surrounding properties.*
- 8. Schedule of time for construction of the proposed buildings and structures and any stage of development thereof to insure consistency with the City's adopted Capital Improvements Plan and other applicable regulations.*
- 9. A waiver of the right of remonstrance by the applicant to the formation of a Local Improvement District (LID) for streets, utilities and/or other public purposes.*
- 10. Modify the proposed development in order to prevent congestion of streets and/or to facilitate transportation.*

11. *Condition the issuance of an occupancy permit upon the installation of landscaping or upon a reasonable scheduling for completion of the installation of landscaping. In the latter event, a posting of a bond or other security in an amount equal to 110 percent of the cost of the landscaping and installation may be required.*

12. *A dedication of property for streets, pathways, and bicycle paths in accordance with adopted Facilities Master Plans or such other streets necessary to provide proper development of adjacent properties.*

**RESPONSE:** Appropriate conditions will be recommended by the City planning staff for consideration in the Final Decision. The applicant will have an opportunity prior to or during the public hearing to review any such conditions. Therefore, the applicant reserves the right to comment at that time, as we do not know what they might be at this time (prior to submittal).

*(.05) The Planning Director, Development Review Board, or on appeal, the City Council, may as a condition of approval for any development for which an application is submitted, require that portions of the tract or tracts under consideration be set aside, improved, conveyed or dedicated for the following uses:*

*A. Recreational Facilities: The Director, Board, or Council, as the case may be, may require that suitable area for parks or playgrounds be set aside, improved or permanently reserved for the owners, residents, employees or patrons of the development consistent with adopted Park standards and Parks and Recreation Master Plan.*

*B. Open Space Area: Whenever private and/or common open space area is provided, the City shall require that an association of owners or tenants be established which shall adopt such Articles of Incorporation, By-Laws or other appropriate agreement, and shall adopt and impose such Declaration of Covenants and Restrictions on such open space areas and/or common areas that are acceptable to the Development Review Board. Said association shall be formed and continued for the purpose of maintaining such open space area. Such an association, if required, may undertake other functions. It shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessments levied to maintain said open space area for the purposes intended. The period of existence of such association shall be not less than twenty (20) years and it shall continue thereafter and until a majority vote of the members shall terminate it, and the City Council formally votes to accept such termination.*

*C. Easements: Easements necessary to the orderly extension of public utilities, and the protection of open space, may be required as a condition of approval. When required, such easements must meet the requirements of the City Attorney prior to recordation.*

**RESPONSE:** The existing dock is not a required element of open space within the Charbonneau development. There is substantial open space including the 27-hole golf course available with the development. The Marina was originally approved (Conditional Use) at the developer's request as an added amenity. Maintenance of the facility is managed by the Charbonneau Country Club.

An access easement has been secured over Illahee Court, and all necessary easements for public utilities are already in place.

Therefore, the criteria of this section are met.

*(.07) Density Transfers. In order to protect significant open space or resource areas, the Development Review Board may authorize the transfer of development densities from one portion of a proposed development to another. Such transfers may go to adjoining properties, provided that those properties are considered to be part of the total development under consideration as a unit.*

**RESPONSE:** This request does not affect density and therefore this provision is not applicable.

*(.08) Wetland Mitigation and other mitigation for lost or damaged resources. The Development Review Board may, after considering the testimony of experts in the field, allow for the replacement of resource areas with newly created or enhanced resource areas. The Board may specify the ratio of lost to created and/or enhanced areas after making findings based on information in the record. As much as possible, mitigation areas shall replicate the beneficial values of the lost or damaged resource areas.*

**RESPONSE:** There are no wetlands associated with the subject site. Therefore, this provision is not applicable.

#### ***Section 4.124. - Standards Applying to all Planned Development Residential Zones.***

*(.01) Permitted Uses:*

- A. Open Space.*
- B. Single-Family Dwelling Units.*



- C. Duplexes, triplexes, quadplexes, townhouses.
- D. Cluster housing, including cottage clusters.
- E. Multiple-Family Dwelling Units.
- F. Public parks, playgrounds, recreational and community buildings and grounds, tennis courts, and similar recreational uses, all of a non-commercial nature, provided that any principal building or public swimming pool shall be located not less than 45 feet from any other lot.
- G. Manufactured homes.

**RESPONSE:** While Charbonneau is a residential community, no residential use is proposed so these provisions are not applicable.

*(.04) Uses permitted subject to Conditional Use Permit requirements:*

*A. Public and semi-public buildings and/or structures essential to the physical and economic welfare of an area, such as fire stations, sub-stations and pump stations.*

*B. Public or private clubs, lodges or meeting halls. Public or private parks, playground, golf courses, driving ranges, tennis clubs, community centers and similar recreational uses.*

*C. Churches, public, private and parochial schools, public libraries and public museums.*

*D. Neighborhood Commercial Centers limited to the provisions of goods and services primarily for the convenience of and supported by local residents, and not requiring a zone change to a commercial designation:*

- 1. The site of a Neighborhood Commercial Center was proposed at the time of the original application.*
- 2. Such centers are of a scale compatible with the surrounding residential structures.*
- 3. Such centers shall be compatible with the surrounding residential uses.*
- 4. The site of a Neighborhood Commercial Center shall be at least one-quarter mile from any other sites zoned for commercial uses.*
- 5. The site of a Neighborhood Commercial Center shall not exceed five percent of the total area or one acre, whichever is less.*
- 6. The site of a Neighborhood Commercial Center shall have direct access to a street of a collector classification and shall have direct pedestrian access to the residential areas.*
- 7. The site of a Neighborhood Commercial Center shall not include more than one quadrant of an intersection and shall not result in traffic of a nature which causes a substantial adverse impact on the residential character of the planned development.*

*E. Commercial Recreation which is compatible with the surrounding residential uses and promotes the creation of an attractive, healthful, efficient and stable environment for living, shopping or working. All such uses except golf courses and tennis courts shall conform to the requirements of subsection "D" (Neighborhood Commercial Centers), above.*

**RESPONSE:** The Charbonneau Marina is an existing approved Conditional Use, which best fits the category of Commercial Recreation, all be it a private limited access facility.

This application involves a Modification of the existing Conditional Use Permit (Willamette Greenway), as addressed under Sections 4.184 and 4.500-4.514 herein.

*(.07) General Regulations—Off-Street Parking, Loading and Bicycle Parking. Except as required by Subsections (A) through (D), below, the requirements of Section 4.155 shall apply within the Village zone.*

*A. General Provisions:*

- 1. The provision and maintenance of off-street parking spaces is a continuing obligation of the property owner. The standards set forth herein shall be considered by the Development Review Board as minimum criteria.*
- 2. The Board shall have the authority to grant variances or refinements to these standards in keeping with the purposes and objectives set forth in this zone.*

*B. Minimum and Maximum Off-Street Parking Requirements:*

- 1. Table V-2, Off-Street Parking Requirements, below, shall be used to determine the minimum and maximum parking standards for noted land uses. The minimum number of required parking spaces shown in Table V-2 shall be determined by rounding to the nearest whole parking space. For example, a use containing 500 square feet, in an area where the standard is one space for each 400 square feet of floor area, is required to provide one off-street parking space. If the same use contained more than 600 square feet, a second parking space would be required.*
- 2. Minimum parking requirements may be met by dedicated off-site parking, including surfaced parking areas and parking structures.*
- 3. Except for detached single-family dwellings and middle housing, on-street parking spaces, directly adjoining and on the same side of the street as the subject property, may be counted towards meeting the minimum off-street parking requirements.*
- 4. Minimum parking requirements may be reduced under the following conditions:*
  - a. When complimentary, shared parking availability can be demonstrated, or;*

*b. Bicycle parking may substitute for up to 25 percent of required Mixed-Use or Multi-Family Residential parking. For every five non-required bicycle parking spaces that meet the short or long-term bicycle parking standards, the motor vehicle parking requirement for compact spaces may be reduced by one space.*

**RESPONSE:** The applicant is proposing 8 new vehicle parking spaces, plus 3 golf cart spaces and a bike rack. As addressed in more detail under Section 4.155 herein.

Generally, the Code does not provide parking standards for open space or recreational Uses. The proposed parking is based on the historical use of the Marina.

In addition to the on-site parking, guests of authorized Marina residents are directed to park at the County facility west of the I-5 bridge. This minimizes additional traffic within Charbonneau and The Haven apartments.

Therefore, these provisions are met.

*(.09) Street and Access Improvement Standards:*

*A. Except as noted below, the provisions of Section 4.177 shall apply within the Village zone:*

*1. General Provisions:*

*a. All street alignment and access improvements shall conform to Figures 7, 8, 9A, and 9B of the Villebois Village Master Plan, or as refined in an approved Specific Area Plan, Preliminary Development Plan, or Final Development Plan, and the following standards:*

- i. All street improvements shall conform to the Public Works Standards and the Transportation Systems Plan, and shall provide for the continuation of streets through proposed developments to adjoining properties or subdivisions, according to the Master Plan.*
- ii. All streets shall be developed according to the Master Plan.*

**RESPONSE:** Access to the Marina is via Illahee Drive, which is an existing street. No new streets are proposed.

***Section 4.139.00. - Significant Resource Overlay Zone (SROZ) Ordinance.***

***Section 4.139.01. - SROZ—Purpose.***

*The Significant Resource Overlay Zone (SROZ) is intended to be used with any underlying base zone as shown on the City of Wilsonville Zoning Map. The*

*purpose of the Significant Resource Overlay Zone is to implement the goals and policies of the Comprehensive Plan relating to natural resources, open space, environment, flood hazard, and the Willamette River Greenway. In addition, the purposes of these regulations are to achieve compliance with the requirements of the Metro Urban Growth Management Functional Plan (UGMFP) relating to Title 3 Water Quality Resource Areas, and Title 13 Habitat Conservation Areas, and that portion of Statewide Planning Goal 5 relating to significant natural resources. It is not the intent of this ordinance to prevent development where the impacts to significant resources can be minimized or mitigated.*

*(Ord. No. 674, 11-16-2009)*

***Section 4.139.02. - Where these Regulations Apply.***

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

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

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

**RESPONSE:** There are protected resource areas and designated SROZ associated with this riverfront property including a NR-5 Riparian Corridor along the river frontage, in the area above the Marina and the parking area. Essentially the entire riverfront is covered by the SROZ. Compliance with these provisions is addressed later in this report, and in the Biologist's Abbreviated SRIR.

The City's SROZ Map was previously verified under Section 4.139.05 as part of the ramp access replacement project (DB15-0059, DB15-0060, SI15-0001), see SRIR. This application does not alter the verified Resource Map. However, it does expand the area covered.

The protected riparian corridor along the river extends a minimum of 75 feet from top of bank. The access gangway and other related impacts are addressed within the SRIR, per Section 4.139.06 (.01).

Due to the definition of the Area of Limited Conflicting Use (i.e., the area which can be impacted in the SROZ), it is necessary to deem the dock and replacement pilings as being exempt from the SROZ regulations. The SRIR is the means for justifying the two exemptions under 4.139.04 (.02 and .15).

The existing Marina parking area is located within 4 to 12 feet of the top of bank. As identified on the Existing Conditions Plan there are 9 existing parking spaces along the north side of the paved area. There is space along the south side for 2-3 parallel parked vehicles.

The applicant is proposing to remove tree #38 and add 2 parking spaces along the north side. In addition, the plan is to construct a retaining wall along the south side of the paved area and expand the parking area to provide 6 additional spaces for a total of 8 new spaces. Provision for 2-3 golf cart spaces is also proposed along the west edge adjacent to the ODOT fence. A bike rack is also proposed.

All of the new spaces will be pervious surface to minimize increased storm water runoff. No changes to the existing storm water flows are proposed.

The one tree being removed will be replaced, thereby maintaining the riparian corridor to the maximum degree practicable.

The proposed site improvements are designed to minimize ground disturbance and native vegetation impacts within the SROZ Impact Area, particularly at and below the top of bank.

The parking area improvements only affect one tree near the top of bank. The new pervious paving is along the south and west edges of the existing paved area, and away from the top of bank.

The proposed picnic area will be limited to removal of invasive species and clearing of non-native ground cover. There will not be any grading or hard paving, just soft natural ground cover. short gangway from the parking lot to a small landing platform at the top of bank. Tree removal is limited to those in poor or hazardous condition, with appropriate mitigation plantings, as recommended by the Project Arborist and Biologist.

**Section 4.139.03. - Administration.**

*(.01) Resources. The text provisions of this section shall be used to determine whether applications may be approved within the Significant Resource Overlay Zone. The following maps and documents may be used as references for identifying areas subject to the requirements of this Section:*

- A. Metro's UGMFP Title 3 Water Quality Resource Area maps.*
- B. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM).*
- C. The Wilsonville Local Wetland Inventory (LWI) (1998).*
- D. The Wilsonville Riparian Corridor Inventory (RCI) (1998).*
- E. Locally adopted studies or maps.*
- F. City of Wilsonville slope analysis maps.*
- G. Clackamas and Washington County soils surveys.*
- H. Metro's UGMFP Title 13 Habitat Conservation Area Map.*

*(.02) Impact Area. The "Impact Area" is the area adjacent to the outer boundary of a Significant Resource within which development or other alteration activities may be permitted through the review of an SRIR (Significant Resource Impact Report). Where it can be clearly determined by the Planning Director that development is only in the Impact Area and there is no impact to the Significant Resource, development may be permitted without SRIR review. The impact area is 25 feet wide unless otherwise specified in this ordinance or by the decision making body. Designation of an Impact Area is required by Statewide Planning Goal 5. The primary purpose of the Impact Area is to ensure that development does not encroach into the SROZ.*

*(.03) Significant Resource Impact Report (SRIR). For proposed non-exempt development within the SROZ, the applicant shall submit a Significant Resource Impact Report (SRIR) as part of any application for a development permit.*

**RESPONSE:** SWCA has prepared an Abbreviated SRIR, attached hereto, which identified the Impact Area and general compliance with this Code section.

*(.04) Prohibited Activities. New structures, development and construction activities shall not be permitted within the SROZ if they will negatively impact significant natural resources. Gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by DEQ, domestic animal waste, dumping of materials of any kind, or other activities shall not be permitted within the SROZ if they will negatively impact water quality.*

*Unauthorized land clearing or grading of a site to alter site conditions is not allowed, and may result in the maximum requirement of mitigation/enhancement regardless of pre-existing conditions.*

**RESPONSE:** The applicant is not proposing any Prohibited uses.

*(.05) Habitat-Friendly Development Practices. To the extent practicable, development and construction activities that encroach within the Significant Resource Overlay Zone and/or Impact Area shall be designed, located and constructed to:*

- A. Minimize grading, removal of native vegetation, disturbance and removal of native soils, and impervious area;*
- B. Minimize adverse hydrological impacts on water resources, such as using the practices described in Part (a) of Table NR-2, unless their use is prohibited by an applicable and required state or federal permit, such as a permit required under the federal Clean Water Act, 33 U.S.C. §§ 1251 et seq., or the federal Safe Drinking Water Act, 42 U.S.C. §§ 300f et seq., and including conditions or plans required by such permit;*
- C. Minimize impacts on wildlife corridors and fish passage, such as by using the practices described in Part (b) of Table NR-2; and*
- D. Consider using the practices described in Part (C) of Table NR-2.*

**RESPONSE:** The proposed improvements are designed using Habitat-Friendly Development Practices consistent with these criteria.

***Section 4.139.07. - Mitigation Standards.***

*The following mitigation standards apply to significant wildlife habitat resource areas for encroachments within the Area of Limited Conflicting Uses, and shall be followed by those proposing such encroachments. Wetland mitigation shall be conducted as per permit conditions from the US Army Corps of Engineers and Oregon Division of State Lands. While impacts are generally not allowed in the riparian corridor resource area, permitted impacts shall be mitigated by: using these mitigation standards if the impacts are to wildlife habitat values; and using state and federal processes if the impacts are to wetland resources in the riparian corridor. Mitigation is not required for trees lost to a natural event such as wind or floods.*

*(.01) The applicant shall review the appropriate Goal 5 Inventory Summary Sheets for wildlife habitat (i.e. upland) contained in the City of Wilsonville Natural Resource Inventory and Goal 5/Title 3/ESA Compliance and Protection Plan ("Compliance and Protection Plan" - May 2000) to determine the resource function ratings at the time the inventory was conducted.*

*(.02) The applicant shall prepare a Mitigation Plan document containing the following elements:*

- A. The Mitigation Plan shall contain an assessment of the existing natural resource function ratings at the time of the proposed encroachment for the*

*site compared to the function ratings recorded in the Compliance and Protection Plan.*

*B. The Mitigation Plan shall contain an assessment of the anticipated adverse impacts to significant wildlife habitat resources. The impact assessment shall discuss impacts by resource functions (as listed in the Compliance and Protection Plan, May 2000) for each resource type, and shall map the area of impact (square feet or acres) for each function.*

*C. The Mitigation Plan shall present a proposed mitigation action designed to replace the lost or impacted resource functions described in Subsection B, above. The mitigation plan shall be designed to replace lost or impacted functions by enhancement of existing resources on, or off the impact site, or creation of new resource areas.*

*D. For mitigation projects based on resource function enhancement, the area ratios presented in Table NR-2 shall be applied. These ratios are based on the resource function ratings at the time of the proposed action, as described in Subsection A, above. The mitigation action shall be conducted on the appropriate size area as determined by the ratios in Table NR-2.*

*E. The Mitigation Plan shall include a planting plan containing the following elements:*

*1. Required Plants and Plant Densities. All trees, shrubs and ground cover shall be native vegetation. An applicant shall comply with Section 4.139.06(.02)(E)(1)(a) or (b), whichever results in more tree plantings, except where the disturbance area is one acre or more, the applicant shall comply with Section 4.139.06(.02)(E)(1)(b).*

*a. The mitigation requirement shall be calculated based on the number and size of trees that are removed from the site. Trees that are removed from the site shall be replaced as shown in Table NR-3. Conifers shall be replaced with conifers. Bare ground shall be planted or seeded with native grasses or herbs.*

**RESPONSE:** The proposed Mitigation Plan is based on the Arborist's Report and the Abbreviated SRIR recommendations and designed consistent with these criteria.

Excerpt from SRIR:

***“Tree Replacement Planting and Understory Rehabilitation Area***

*The tree mitigation goal is to improve the ecological integrity and functions of the forested habitat. According to the ratios established in Table NR-3 in Section 4.139.07 of the City's SROZ Ordinance, two trees and three shrubs need to be planted for each tree removed that is 6 to 12 inches in diameter, three trees and six shrubs need to be planted for each tree that is over 12 up to 18 inches in diameter, and seven trees and 18 shrubs*



*need to be planted for each tree over 24 up to 30 inches in diameter. Trees less than 6 inches do not require mitigation.*

*Therefore, for the removal of six trees greater than 6 inches using criteria above would require a minimum of 11 trees and 18 shrubs shall be planted in the rehabilitation area. The Arborist's report (Torres 2022) (Appendix C) notes that WC Section 4.620.00(.07) of the City's SROZ Ordinance allows for exceptions to the tree replacement rule. The report recommends:*

*"...the replacement tree requirement be waived for all invasive trees and applied only to T20 and T38, both native species. Natural resources including many young and many older trees on the riverbank and its surroundings are being carefully preserved. Replanting with one bigleaf maple and one Pacific dogwood seems an adequate mitigation, considering that the removal of invasive species contributes to the wellbeing of the land." (Torres 2022).*

*The mitigation requirement for understory ground disturbance shall be calculated based on the size of the disturbance within the SROZ. Native trees and shrubs shall be planted at a rate of five trees and 25 shrubs per every 500 square feet of disturbance area.*

*For 605 sq ft of ground disturbance within the SROZ, and additional 6 trees and 30 shrubs shall be planted. Additionally, all bare ground should be planted or seeded with native grasses or herbs."*

#### ***Section 4.139.10. - Development Review Board (DRB) Process.***

*The following actions require review through a Development Review Board quasi-judicial process. Nothing contained herein shall be deemed to require a hearing body to approve a request for a permit under this Section.*

*(.03) Development of structures, additions and improvements that relate to uses other than single family residential.*

**RESPONSE:** The marina is a use that is not a single family uses. Therefore, this application is required to be reviewed by the DRB. Compliance with Site Design Review is addressed later herein.

#### **CONCLUSION - SROZ**

The proposed development complies with the applicable zoning and general development standards.

The following sections of this report address the specific applicable provisions of SROZ, Section 4.139; Flood Plain, Section 4.172; Site Design Review, Section 4.400; Willamette River Greenway, Section 4.500; and Tree Preservation, Section 4.600.

These Code provisions are addressed in order of their Code Section numbering.

***Section 4.140. - Planned Development Regulations.***

*(.01) Purpose:*

*A. The provisions of Section 4.140 shall be known as the Planned Development Regulations. The purposes of these regulations are to encourage the development of tracts of land sufficiently large to allow for comprehensive master planning, and to provide flexibility in the application of certain regulations in a manner consistent with the intent of the Comprehensive Plan and general provisions of the zoning regulations and to encourage a harmonious variety of uses through mixed use design within specific developments thereby promoting the economy of shared public services and facilities and a variety of complimentary activities consistent with the land use designation on the Comprehensive Plan and the creation of an attractive, healthful, efficient and stable environment for living, shopping or working.*

*B. It is the further purpose of the following Section:*

- 1. To take advantage of advances in technology, architectural design, and functional land use design;*
- 2. To recognize the problems of population density, distribution and circulation and to allow a deviation from rigid established patterns of land uses, but controlled by defined policies and objectives detailed in the comprehensive plan;*
- 3. To produce a comprehensive development equal to or better than that resulting from traditional lot land use development.*
- 4. To permit flexibility of design in the placement and uses of buildings and open spaces, circulation facilities and off-street parking areas, and to more efficiently utilize potentials of sites characterized by special features of geography, topography, size or shape or characterized by problems of flood hazard, severe soil limitations, or other hazards;*
- 5. To permit flexibility in the height of buildings while maintaining a ratio of site area to dwelling units that is consistent with the densities established by the Comprehensive Plan and the intent of the Plan to provide open space, outdoor living area and buffering of low-density development.*
- 6. To allow development only where necessary and adequate services and facilities are available or provisions have been made to provide these services and facilities.*
- 7. To permit mixed uses where it can clearly be demonstrated to be of benefit to the users and can be shown to be consistent with the intent of the Comprehensive Plan.*
- 8. To allow flexibility and innovation in adapting to changes in the economic and technological climate.*

*(.02) Lot Qualification:*

*A. Planned Development may be established on lots which are suitable for and of a size to be planned and developed in a manner consistent with the purposes and objectives of Section 4.140.*

*B. Any site designated for development in the Comprehensive Plan may be developed as a Planned Development, provided that it is zoned "PD" or specifically defined as a PD zone by this Code. All sites which are greater than two acres in size, and designated in the Comprehensive Plan for commercial, residential, or industrial use shall be developed as Planned Developments, unless approved for other uses permitted by the Development Code. Smaller sites may also be developed through the City's PD procedures, provided that the location, size, lot configuration, topography, open space and natural vegetation of the site warrant such development.*

**RESPONSE:** The Marina is an established use within the Charbonneau Planned Development, which satisfies the lot qualification criteria.

*(.03) Ownership:*

*A. The tract or tracts of land included in a proposed Planned Development must be in one (1) ownership or control or the subject of a joint application by the owners of all the property included. The holder of a written option to purchase, with written authorization by the owner to make applications, shall be deemed the owner of such land for the purposes of Section 4.140.*

*B. Unless otherwise provided as a condition for approval of a Planned Development permit, the permittee may divide and transfer units or parcels of any development. The transferee shall use and maintain each such unit or parcel in strict conformance with the approval permit and development plan.*

**RESPONSE:** The marina property is owned by Illahee Drive Fee Owner, LLC, who has signed the application.

*(.04) Professional Design:*

*A. The applicant for all proposed Planned Developments shall certify that the professional services of the appropriate professionals have been utilized in the planning process for development.*

*B. Appropriate professionals shall include, but not be limited to the following to provide the elements of the planning process set out in Section 4.139:*

*1. An architect licensed by the State of Oregon;*

2. *A landscape architect registered by the State of Oregon;*
3. *An urban planner holding full membership in the American Institute of Certified Planners, or a professional planner with prior experience representing clients before the Development Review Board, Planning Commission, or City Council; or*
4. *A registered engineer or a land surveyor licensed by the State of Oregon.*

*C. One of the professional consultants chosen by the applicant from either 1, 2, or 3, above, shall be designated to be responsible for conferring with the planning staff with respect to the concept and details of the plan.*

*D. The selection of the professional coordinator of the design team will not limit the owner or the developer in consulting with the planning staff.*

**RESPONSE:** The Professional Design Team, led by Ben Altman, Pioneer Design Group, is listed on page 3 above.

*(.05) Planned Development Permit Process:*

*A. All parcels of land exceeding two acres in size that are to be used for residential, commercial or industrial development, shall, prior to the issuance of any building permit:*

1. *Be zoned for planned development;*
2. *Obtain a planned development permit; and*
3. *Obtain Planning Director, Development Review Board, or, on appeal, City Council approval.*

*B. Zone change and amendment to the zoning map are governed by the applicable provisions of the Zoning Sections, inclusive of Section 4.197.*

**RESPONSE:** The Marina is an established use within the Charbonneau Planned Development, which qualifies this application under the planned development provisions. The property is already zoned PDR-4, with a Conditional Use for the marina.

*C. Development Review Board and Planning Director approval is governed by Sections 4.400 to 4.450.*

**RESPONSE:** See responses to Section 4.400-4.450 herein below.

*D. All planned developments require a planned development permit. The planned development permit review and approval process consists of the following multiple stages, the last two or three of which can be combined at the request of the applicant:*

1. *Pre-application conference with Planning Department;*

**RESPONSE:** A pre-application conference was completed March 3, 2022. Summary notes are attached hereto.

2. *Preliminary (Stage I) review by the Development Review Board or the Planning Director for properties within the Coffee Creek Industrial Design Overlay District. When a zone change is necessary, application for such change shall be made simultaneously with an application for preliminary approval; and*

3. *Final (Stage II) review by the Development Review Board or the Planning Director for properties within the Coffee Creek Industrial Design Overlay District.*

4. *In the case of a zone change and zone boundary amendment, City Council approval is required to authorize a Stage I preliminary plan except for properties within the Coffee Creek Industrial Design Overlay District, which may receive separate zone map amendment approvals.*

**RESPONSE:** The marina was part of the original Charbonneau Master Plan (Stage I).

*(.07) Preliminary Approval (Stage One):*

*A. Applications for preliminary approval for planned developments shall:*

1. *Be made by the owner of all affected property or the owner's authorized agent; and*

2. *Be filed on a form prescribed by the City Planning Department and filed with said Department.*

3. *Set forth the professional coordinator and professional design team as provided in subsection (.04), above.*

4. *State whether the development will include mixed land uses, and if so, what uses and in what proportions and locations.*

**RESPONSE:** No new Stage I Master Plan is required.

*(.09) Final Approval (Stage Two): [Note: Outline Number is incorrect.]*

*A. Unless an extension has been granted by the Development Review Board or Planning Director, as applicable, within two years after the approval or modified approval of a preliminary development plan (Stage I), the applicant shall file with the City Planning Department a final plan for the entire development or when submission in stages has been authorized pursuant to Section 4.035 for the first unit of the development, a public hearing shall be held on each such application as provided in Section 4.013. As provided in Section 4.134, an application for a Stage II approval within the Coffee Creek Industrial Design Overlay District may be considered by the Planning Director*

*without a public hearing as a Class II Administrative Review as provided in Section 4.035(.03).*

**RESPONSE:** Prior development within Charbonneau, including the marina, has vested this Planned Development, relative to Stage I validity.

This application provides Stage II Final Development Plans for modernization of the marina, as outlined herein.

*B. The Development Review Board or Planning Director, as applicable, shall determine whether the proposal conforms to the permit criteria set forth in this Code, and shall approve, conditionally approve, or disapprove the application.*

*C. The final plan shall conform in all major respects with the approved preliminary development plan, and shall include all information included in the preliminary plan plus the following:*

- 1. The location of water, sewerage and drainage facilities;*
- 2. Preliminary building and landscaping plans and elevations, sufficient to indicate the general character of the development;*
- 3. The general type and location of signs;*
- 4. Topographic information as set forth in Section 4.035;*
- 5. A map indicating the types and locations of all proposed uses; and*
- 6. A grading plan.*

**RESPONSE:** No new utilities services are required for the proposed improvements. There are no new buildings proposed and not new signage.

The submittal documents include the topographic mapping (Existing Conditions Plan), and define the general character of the proposed improvements, which include added parking, a picnic area and replacement and expansion of the dock.

The only grading involved will be on the south side of the parking lot for the retaining wall and new parking spaces.

All of these improvements are generally consistent with the intent of the original Stage I Master Plan.

*D. The final plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the development or phase of development. However, Site Design Review is a separate and more detailed review of proposed design features, subject to the standards of Section 4.400.*

**RESPONSE:** The Stage II Final Development Plans are sufficiently detailed to indicate fully the ultimate operation and appearance of the development or phase of development, see also responses to Design Review (4.400-4.450).

*E. Copies of legal documents required by the Development Review Board or Planning Director, as applicable, for dedication or reservation of public facilities, or for the creation of a non-profit homeowner's association, shall also be submitted.*

**RESPONSE:** The applicant is not aware of any new legal documents required for the proposed development. The marina is already covered by easements and the Charbonneau HOA.

*J. A planned development permit may be granted by the Development Review Board or Planning Director, as applicable, only if it is found that the development conforms to all the following criteria, as well as to the Planned Development Regulations in Section 4.140:*

*1. The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.*

**RESPONSE:** The location, design, size and uses, both separately and, as a whole of the proposed improvements are consistent with the Comprehensive Plan, PDR-4 zoning and the Charbonneau Master Plan.

*2. That the location, design, size and uses are such that traffic generated by the development at the most probable used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D, as defined in the Highway Capacity Manual published by the National Highway Research Board, on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets. Immediately planned arterial and collector streets are those listed in the City's adopted Capital Improvement Program, for which funding has been approved or committed, and that are scheduled for completion within two years of occupancy of the development or four year if they are an associated crossing, interchange, or approach street improvement to Interstate 5.*

*a. In determining levels of Service D, the City shall hire a traffic engineer at the applicant's expense who shall prepare a written report containing the following minimum information for consideration by the Development Review Board:*

*i. An estimate of the amount of traffic generated by the proposed development, the likely routes of travel of the estimated generated traffic, and the source(s) of*

*information of the estimate of the traffic generated and the likely routes of travel;*

*ii. What impact the estimate generated traffic will have on existing level of service including traffic generated by (1) the development itself, (2) all existing developments, (3) Stage II developments approved but not yet built, and (4) all developments that have vested traffic generation rights under section 4.140(.10), through the most probable used intersection(s), including state and county intersections, at the time of peak level of traffic. This analysis shall be conducted for each direction of travel if backup from other intersections will interfere with intersection operations.*

*b. The following are exempt from meeting the Level of Service D criteria standard:*

*i. A planned development or expansion thereof which generates three new p.m. peak hour traffic trips or less;*

*ii. A planned development or expansion thereof which provides an essential governmental service.*

*c. Traffic generated by development exempted under this subsection on or after Ordinance No. 463 was enacted shall not be counted in determining levels of service for any future applicant.*

*d. Exemptions under 'b' of this subsection shall not exempt the development or expansion from payment of system development charges or other applicable regulations.*

*e. In no case will development be permitted that creates an aggregate level of traffic at LOS "F".*

*3. That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.*

**RESPONSE:** The proposed marina improvements will not result in any significant increase in traffic impacts. The applicant has requested and has been granted a waiver of the traffic impact report.

Therefore, all PD Permit criteria are met.

## ***GENERAL DEVELOPMENT REGULATIONS***

### ***Section 4.154. - On-site Pedestrian Access and Circulation.***

#### ***(.01) On-site Pedestrian Access and Circulation:***



*A. The purpose of this section is to implement the pedestrian access and connectivity policies of the Transportation System Plan. It is intended to provide for safe, reasonably direct, and convenient pedestrian access and circulation.*

*B. Standards. Development shall conform to all of the following standards:*

*1. Continuous Pathway System. A pedestrian pathway system shall extend throughout the development site and connect to adjacent sidewalks, and to all future phases of the development, as applicable.*

*2. Safe, Direct, and Convenient. Pathways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas/playgrounds, and public rights-of-way and crosswalks based on all of the following criteria:*

*a. Pedestrian pathways are designed primarily for pedestrian safety and convenience, meaning they are free from hazards and provide a reasonably smooth and consistent surface.*

*b. The pathway is reasonably direct. A pathway is reasonably direct when it follows a route between destinations that does not involve a significant amount of unnecessary out-of-direction travel.*

*c. The pathway connects to all primary building entrances and is consistent with the Americans with Disabilities Act (ADA) requirements.*

*d. All parking lots larger than three acres in size shall provide an internal bicycle and pedestrian pathway pursuant to Section 4.155(.03)B.3.d.*

**RESPONSE:** The existing Haven Apartments and the marina area have established pedestrian pathways, that will not be altered by the proposed improvements, except that ADA accessibility will be enhanced with two ADA parking stalls near the dock access, and a passive pathway will be extended into the wooded area east of the parking lot for access to the proposed picnic area.

*3. Vehicle/Pathway Separation. Except as required for crosswalks, per subsection 4, below, where a pathway abuts a driveway or street it shall be vertically or horizontally separated from the vehicular lane. For example, a pathway may be vertically raised six inches above the abutting travel lane, or horizontally separated by a row of bollards.*

*4. Crosswalks. Where a pathway crosses a parking area or driveway, it shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrast).*

5. *Pathway Width and Surface. Primary pathways shall be constructed of concrete, asphalt, brick/masonry pavers, or other durable surface, and not less than five feet wide. Secondary pathways and pedestrian trails may have an alternative surface except as otherwise required by the ADA.*

6. *All pathways shall be clearly marked with appropriate standard signs.*

*(Ord. No. 719, 6-17-2013)*

**RESPONSE:** The existing and proposed pedestrian access and circulation is designed consistent with these criteria.

***Section 4.155. - General Regulations—Parking, Loading and Bicycle Parking.***

*(.01) Purpose:*

- A. *The design of parking areas is intended to enhance the use of the parking area as it relates to the site development as a whole, while providing efficient parking, vehicle circulation and attractive, safe pedestrian access.*
- B. *As much as possible, site design of impervious surface parking and loading areas shall address the environmental impacts of air and water pollution, as well as climate change from heat islands.*
- C. *The view from the public right-of-way and adjoining properties is critical to meet the aesthetic concerns of the community and to ensure that private property rights are met. Where developments are located in key locations such as near or adjacent to the I-5 interchanges, or involve large expanses of asphalt, they deserve community concern and attention.*

*(.02) General Provisions:*

- A. *The provision and maintenance of off-street parking spaces is a continuing obligation of the property owner. The standards set forth herein shall be considered by the Development Review Board as minimum criteria.*
  - 1. *The Board shall have the authority to grant variances or planned development waivers to these standards in keeping with the purposes and objectives set forth in the Comprehensive Plan and this Code.*
  - 2. *Waivers to the parking, loading, or bicycle parking standards shall only be issued upon a finding that the resulting development.*

**RESPONSE:** At the northwest corner of the Haven Apartment complex there is an auxiliary parking area that was constructed for marina use. This parking was provided

when the apartments were built, as the previous marina parking was located just south of the pathway and was reassigned to the apartments. The current marina parking can accommodate 9-12 vehicles.

Historically marina use has been limited to residents and individuals who acquired a slip through the Charbonneau Country Club. Parking at the marina is also limited to those having access rights. Guests of authorized users are generally directed to park at the County boat launch on Butteville Road west of the I-5 Boone Bridge. To date, there has not been any major parking issues, other than periodic lack of spaces.

The applicant is now proposing to add 7 spaces, including two designated ADA stalls. Additional spaces for golf carts are also proposed as reflected on the Development Plans.

*(.03) Minimum and Maximum Off-Street Parking Requirements:*

*A. Parking and loading or delivery areas shall be designed with access and maneuvering area adequate to serve the functional needs of the site and shall:*

- 1. Separate loading and delivery areas and circulation from customer and/or employee parking and pedestrian areas. Circulation patterns shall be clearly marked.*
- 2. To the greatest extent possible, separate vehicle and pedestrian traffic.*

**RESPONSE:** Table 5 in this Code section does not provide a specific standard for marinas. The code generally does not specify parking requirements for open spaces and recreational facilities.

The parking was previously approved, and the applicant is not proposing any changes to the parking area. Since this is an existing prior approved use, with only limited new spaces being added, the applicant has requested a Waiver of the Traffic Impact Report, which has been approved.

There is no boat launch associated with the marina. All boat launching is handled upstream at the County facility west of the I-5 Bridge.

With the added spaces, the parking spaces will be restriped.

*B. Parking areas over 650 square feet, excluding access areas, and loading or delivery areas shall be landscaped to minimize the visual dominance of the parking or loading area, as follows:*

- 1. Landscaping of at least ten percent of the parking area designed to be screened from view from the public right-of-way and adjacent properties. This landscaping shall be considered to be part of the 15 percent total landscaping required in Section 4.176.03 for the site development.*

2. *Landscape tree planting areas shall be a minimum of eight feet in width and length and spaced every eight parking spaces or an equivalent aggregated amount.*

- a. Trees shall be planted in a ratio of one tree per eight parking spaces or fraction thereof, except in parking areas of more than 200 spaces where a ratio of one tree per six spaces shall be applied as noted in subsection [4.155](.03)B.3. A landscape design that includes trees planted in areas based on an aggregated number of parking spaces must provide all area calculations.*
- b. Except for trees planted for screening, all deciduous interior parking lot trees must be suitably sized, located, and maintained to provide a branching minimum of seven feet clearance at maturity.*

**RESPONSE:** The required parking area landscaping is proposed to be combined with the SROZ Mitigation Plantings, to further enhancement the Resource area, rather than providing trees and plantings at the south side of the parking lot.

Therefore, these criteria are met, in conjunction with the SROZ Mitigation Plan.

***Section 4.171. - General Regulations—Protection of Natural Features and Other Resources.***

*(.01) Purpose. It is the purpose of this Section to prescribe standards and procedures for the use and development of land to assure the protection of valued natural features and cultural resources. The requirements of this Section are intended to be used in conjunction with those of the Comprehensive Plan and other zoning standards. It is further the purpose of this Section:*

- A. To protect the natural environmental and scenic features of the City of Wilsonville.*
- B. To encourage site planning and development practices which protect and enhance natural features such as riparian corridors, streams, wetlands, swales, ridges, rock outcroppings, views, large trees and wooded areas.*
- C. To provide ample open space and to create a constructed environment capable and harmonious with the natural environment.*

**RESPONSE:** As discussed herein, there are protected resources (SROZ) associated with this development. These river related resources are appropriately addressed under the responses to the SROZ code provisions.

(.02) *General Terrain Preparation:*

*A. All developments shall be planned, designed, constructed and maintained with maximum regard to natural terrain features and topography, especially hillside areas, floodplains, and other significant landforms.*

*B. All grading, filling and excavating done in connection with any development shall be in accordance with the Uniform Building Code.*

*C. In addition to any permits required under the Uniform Building Code, all developments shall be planned, designed, constructed and maintained so as to:*

- 1. Limit the extent of disturbance of soils and site by grading, excavation and other land alterations.*
- 2. Avoid substantial probabilities of: (1) accelerated erosion; (2) pollution, contamination, or siltation of lakes, rivers, streams and wetlands; (3) damage to vegetation; (4) injury to wildlife and fish habitats.*
- 3. Minimize the removal of trees and other native vegetation that stabilize hillsides, retain moisture, reduce erosion, siltation and nutrient runoff, and preserve the natural scenic character.*

**RESPONSE:** As discussed earlier, there are protected natural resources associated with this property. These resource areas are appropriately preserved and protected within the riverfront development as designated open space (88DR14) and are also regulated by SROZ Overlay zoning and Willamette River Greenway provisions in the Development Code. In addition, there is a general Scenic Easement, assigned to ODOT that covers the riparian corridor along the riverbank.

The marina is an existing approved facility. This application proposes improvements to enhance and modernize the marina facilities, including replacement of the dock.

This proposal does not significantly alter any existing open space and is designed to minimize visual impacts and enhance the riparian corridor. The proposed mitigation maximizes retention and enhancement of the riparian vegetation.

The proposed habitat-friendly picnic area is designed to provide additional opportunities for passive recreation and relaxation with enjoyment of river views. The improvements are minimal, consisting primarily of clearing of non-native vegetation and soft natural ground cover, and no permanent structures or paving. Just tables and benches are proposed. Impacts and mitigation are addressed in the Abbreviated SRIR.

Therefore, the development complies with these provisions.

***Section 4.172. - Flood Plain Regulations.***

*(.01) Purpose:*

*A. To minimize public and private losses due to flood conditions in flood-prone areas.*

*B. To regulate uses and alteration of land which would otherwise cause erosion, decreased storm water storage capability, increased flood heights or velocities.*

*C. To require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction, alteration or remodeling.*

*D. To restrict filling, grading, dredging, and other development which would increase flood damage.*

*E. To prevent construction of flood barriers which would unnaturally divert flood waters or increase flood hazards in other areas.*

*F. To properly regulate the 100-year flood plain identified by the Federal Insurance Administration (FIA) in the "Flood Insurance Study for Clackamas County and Incorporated Areas dated effective June 17, 2008", and displayed on FIA Floodway and Flood Insurance Rate Maps dated effective June 17, 2008, which are on file with the City's Community Development Department.*

*G. To implement the policies of the Comprehensive Plan and to provide standards consistent with Wilsonville's adopted Storm Drainage Master Plan.*

*H. To insure the City and its residents and businesses, continued eligibility in the National Flood Insurance Program by complying with the requirements of the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973.*

**RESPONSE:** The Floodplain is 94 feet at this location. The existing lower elevated landing platform (80.1') at shoreline is located within the 100-year floodplain. However, the dock and landing platform were previously approved by the City and Corps of Engineers/DSL, including appropriate floodplain permit.

The proposed dock replacement will be subject to a new Corps of Engineers/DSL permit.

*(.03) Development Permit Required:*

*A. A Development Permit shall be obtained before construction or development, including grading, begins within any area of special flood hazard. The Permit shall be for all structures including manufactured homes and for all development including fill and other activities.*

*B. Outright Permitted Uses in the 100-year Flood Plain:*

- 1. Agricultural use that is conducted without a structure other than a boundary fence.*
- 2. Recreational uses which would require only minor structures such as picnic tables and barbecues.*
- 3. Residential uses that do not contain buildings.*
- 4. Underground utility facilities.*
- 5. Repair, reconstruction or improvement of an existing structure, the cost of which is less than 50 percent of the market value of the structure, as determined by the City's Building Official, prior to the improvement or the damage requiring reconstruction, provided no development occurs in the floodway.*

**RESPONSE:** Except for the dock replacements, there will not be any ground level improvements or utilities installed within the floodplain. All ground improvements, grading, etc. will occur above top of bank.

*(.04) Uses within the 100-year Flood Plain requiring a Flood Plain Permit:*

- A. Any development except as specified in subsection (.03), above, that is otherwise permitted within the Zoning District provided such development is consistent with the Flood Plain Standards.*
- B. All subdivisions and land partitions.*
- C. Installation of dikes to provide buildable or usable property, provided that said dikes do not conflict with the policies of the Comprehensive Plan and this Section.*

**RESPONSE:** The applicant is proposing major upgrades to the dock, as described herein, which will be subject to a separate DSL/Corps. Permit. The proposed dock improvements will provide enhance marine habitat-friendly decking and will replace the 4 remaining wood pilings with steel pilings.

None of the existing landing platform or dock are within the defined floodway. And the dock improvements will not result in any net rise in flood elevations, as there is not excavating cut or fill proposed.

Therefore, no Flood Plain Permit is required. Therefore, the proposed development complies with the floodplain provisions.

***Section 4.175. - Public Safety and Crime Prevention.***

*(.01) All developments shall be designed to deter crime and insure public safety.*

*(.02) Addressing and directional signing shall be designed to assure identification of all buildings and structures by emergency response personnel, as well as the general public.*

*(.03) Areas vulnerable to crime shall be designed to allow surveillance. Parking and loading areas shall be designed for access by police in the course of routine patrol duties.*

*(.04) Exterior lighting shall be designed and oriented to discourage crime.*

**RESPONSE:** The marina site has limited outdoor lighting to minimize greenway and habitat impacts, while providing sufficient light for user safety. There is also some lighting provided from the adjacent Haven Apartments, particularly for the marina parking.

The parking area is well screened from views from the river but is relatively open for surveillance from the Haven Apartments.

***Section 4.176. - Landscaping, Screening, and Buffering.***

*Note: The reader is encouraged to see [Section 4.179](#), applying to screening and buffering of storage areas for solid waste and recyclables.*

*(.01) Purpose. This Section consists of landscaping and screening standards and regulations for use throughout the City. The regulations address materials, placement, layout, and timing of installation. The City recognizes the ecological and economic value of landscaping and requires the use of landscaping and other screening or buffering to:*

- A. Promote the re-establishment of vegetation for aesthetic, health, erosion control, flood control and wildlife habitat reasons;*
- B. Restore native plant communities and conserve irrigation water through establishment, or re-establishment, of native, drought-tolerant plants;*
- C. Mitigate for loss of native vegetation;*
- D. Establish and enhance a pleasant visual character which recognizes aesthetics and safety issues;*
- E. Promote compatibility between land uses by reducing the visual, noise, and lighting impacts of specific development on users of the site and abutting sites or uses;*
- F. Unify development and enhance and define public and private spaces;*



- G. Promote the retention and use of existing topsoil and vegetation. Amended soils benefit stormwater retention and promote infiltration;*
- H. Aid in energy conservation by providing shade from the sun and shelter from the wind; and*
- I. Screen from public view the storage of materials that would otherwise be considered unsightly.*
- J. Support crime prevention, create proper sight distance clearance, and establish other safety factors by effective landscaping and screening.*
- K. Provide landscaping materials that minimize the need for excessive use of fertilizers, herbicides and pesticides, irrigation, pruning, and mowing to conserve and protect natural resources, wildlife habitats, and watersheds.*

**RESPONSE:** The marina and parking area is located at the river's edge (Greenway & SROZ). Therefore, the primary focus for landscaping is removal of non-native vegetation and preservation and enhancement of native riparian trees and vegetation.

*(.02) Landscaping and Screening Standards:*

- A. Subsections "C" through "I," below, state the different landscaping and screening standards to be applied throughout the City. The locations where the landscaping and screening are required and the depth of the landscaping and screening is stated in various places in the Code.*
- B. All landscaping and screening required by this Code must comply with all of the provisions of this Section, unless specifically waived or granted a Variance as otherwise provided in the Code. The landscaping standards are minimum requirements; higher standards can be substituted as long as fence and vegetation-height limitations are met. Where the standards set a minimum based on square footage or linear footage, they shall be interpreted as applying to each complete or partial increment of area or length (e.g., a landscaped area of between 800 and 1,600 square feet shall have two trees if the standard calls for one tree per 800 square feet.*
- C. General Landscaping Standard:*
  - 1. Intent. The General Landscaping Standard is a landscape treatment for areas that are generally open. It is intended to be applied in situations where distance is used as the principal means of separating uses or developments and landscaping is required to enhance the intervening space. Landscaping may include a mixture of ground cover, evergreen and deciduous shrubs, and coniferous and deciduous trees.*
  - 2. Required materials. Shrubs and trees, other than street trees, may be grouped. Ground cover plants must fully cover the remainder of the landscaped area (see Figure 21: General Landscaping). The General*

*Landscaping Standard has two different requirements for trees and shrubs:*

- a. Where the landscaped area is less than 30 feet deep, one tree is required for every 30 linear feet.*
- b. Where the landscaped area is 30 feet deep or greater, one tree is required for every 800 square feet and two high shrubs or three low shrubs are required for every 400 square feet.*

**RESPONSE:** Minor perimeter landscape screening is proposed along the south edge of the parking area. The primary purpose of this screening is to protect the adjacent Haven Apartments from headlights, while also maintaining good sight surveillance.

*D. Low Screen Landscaping Standard:*

*1. Intent. The Low Screen Landscaping Standard is a landscape treatment that uses a combination of distance and low screening to separate uses or developments. It is intended to be applied in situations where low screening is adequate to soften the impact of one use or development on another, or where visibility between areas is more important than a total visual screen. The Low Screen Landscaping Standard is usually applied along street lot lines or in the area separating parking lots from street rights-of-way.*

*2. Required materials. The Low Screen Landscaping Standard requires sufficient low shrubs to form a continuous screen three feet high and 95 percent opaque, year-round. In addition, one tree is required for every 30 linear feet of landscaped area, or as otherwise required to provide a tree canopy over the landscaped area. Ground cover plants must fully cover the remainder of the landscaped area. A three foot high masonry wall or a berm may be substituted for the shrubs, but the trees and ground cover plants are still required. When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area. (See Figure 22: Low Screen Landscaping).*

**RESPONSE:** The mitigation planting is based on the SRIR, with clearing of invasive species and understory east of parking area and creation of a habitat-friendly, low impact picnic area. The plan provides for a 3-foot-wide access point from the parking lot and the then a gravel pad 3 feet around the perimeter of a 6-foot picnic table. It is intended that the gravel pad will be specifically field located to determine the best possible location, with the least ground impact.

***Section 4.177. - Street Improvement Standards.***

*This section contains the City's requirements and standards for pedestrian, bicycle, and transit facility improvements to public streets, or within public easements. The purpose of this section is to ensure that development, including*

*redevelopment, provides transportation facilities that are safe, convenient, and adequate in rough proportion to their impacts.*

*(.01) Development and related public facility improvements shall comply with the standards in this section, the Wilsonville Public Works Standards, and the Transportation System Plan, in rough proportion to the potential impacts of the development. Such improvements shall be constructed at the time of development or as provided by Section 4.140, except as modified or waived by the City Engineer for reasons of safety or traffic operations.*

**RESPONSE:** The marina has access via Illahee Drive through the Haven Apartments (easement).

No new streets are proposed or necessary. The applicant has requested and has been granted a waiver of the Traffic Impact Study due to the limited traffic volume associated with the marina.

***Section 4.179. - Mixed Solid Waste and Recyclables Storage in New Multi-Family Residential and Non-Residential Buildings.***

*(.01) All site plans for multi-family residential and non-residential buildings submitted to the Wilsonville Development Review Board for approval shall include adequate storage space for mixed solid waste and source separated recyclables.*

*(.02) The floor area of an interior or exterior storage area shall be excluded from the calculation of building floor area for purposes of determining minimum storage requirements.*

*(.03) The storage area requirement shall be based on the predominant use(s) of the building. If a building has more than one of the uses listed herein and that use occupies 20 percent or less of the floor area of the building, the floor area occupied by that use shall be counted toward the floor area of the predominant use(s). If a building has more than one of the uses listed herein and that use occupies more than 20 percent of the floor area of the building, then the storage area requirement for the whole building shall be the sum of the requirement for the area of each use.*

*(.04) Storage areas for multiple uses on a single site may be combined and shared.*

*(.05) The specific requirements are based on an assumed storage height of four feet for solid waste/recyclables. Vertical storage higher than four feet but no higher than seven feet may be used to accommodate the same volume of storage in a reduced floor space. Where vertical or stacked storage is proposed, the site*

*plan shall include drawings to illustrate the layout of the storage area and dimensions for the containers.*

**RESPONSE:** Historically, marina users have been responsible for removing their trash. No containers have been provided and there has not been any trash issues.

However, with the proposed picnic area trash containers will need to be provided for convenience. The applicant has coordinated with Republic Services, per attached letter.

***Section 4.199. - Outdoor Lighting.***

***Section 4.199.10. - Outdoor Lighting In General.***

*(.01) Purpose. The purpose of this Code is to provide regulations for outdoor lighting that will:*

- A. Permit reasonable uses of outdoor lighting for nighttime safety, utility, security, productivity, enjoyment and commerce.*
- B. Conserve energy and resources to the greatest extent possible.*
- C. Minimize glare, particularly in and around public rights-of-way; and reduce visual discomfort and improve visual acuity over large areas by avoiding "light islands" and "spotlighting" that result in reduced visual perception in areas adjacent to either the source of the glare or the area illuminated by the glare.*
- D. Minimize light trespass, so that each owner of property does not cause unreasonable light spillover to other property.*
- E. Curtail the degradation of the nighttime environment and the night sky.*
- F. Preserve the dark night sky for astronomy and enjoyment.*
- G. Protect the natural environment, including wildlife, from the damaging effects of night lighting from human sources.*

*(.02) Purpose Statement as Guidelines: Declaration of purpose statements are guidelines and not approval criteria in the application of WC Section 4.199.*

**RESPONSE:** The marina site has limited outdoor lighting to minimize greenway and habitat impacts, while providing sufficient light for user safety. Existing lighting is summarized in Table 1.

There is only 1 existing light pole in the northeast corner of the parking area. The parking area is well screened from views from the river but is relatively open for surveillance from the Haven Apartments. The south edge of the marina parking gets some light provided from the adjacent Haven Apartments by two existing poles.

**Table 1  
Existing and Proposed Lighting**

<b>Area Lighting</b>	<b>Existing Lighting</b>	<b>Proposed Lighting</b>	<b>Percent Change</b>
Parking Area	1		
Gangway	0	19 (2185 Lumens)	100
Dock	14 (12,180 Lumens)	66 (13,570 Lumens)	10
Total	15 (12,180 Lumens)	85 (15,755 Lumens)	29

Proposed new and replacement lighting is proposed primarily for the Marina gangway and dock. All existing lighting will be replaced with LED fixtures with appropriate cutoff shielding and motion detector controls.

***Section 4.199.30. - Lighting Overlay Zones.***

*(.01) The designated Lighting Zone as indicated on the Lighting Overlay Zone Map for a commercial, industrial, multi-family or public facility parcel or project shall determine the limitations for lighting systems and fixtures as specified in this Ordinance.*

*A. Property may contain more than one lighting zone depending on site conditions and natural resource characteristics.*

*(.02) The Lighting Zones shall be:*

*A. LZ 1. Developed areas in City and State parks, recreation areas, SROZ wetland and wildlife habitat areas; developed areas in natural settings; sensitive night environments; and rural areas. This zone is intended to be the default condition for rural areas within the City.*

*B. LZ 2. Low-density suburban neighborhoods and suburban commercial districts, industrial parks and districts. This zone is intended to be the default condition for the majority of the City.*

*C. LZ 3. Medium to high-density suburban neighborhoods and districts, major shopping and commercial districts as depicted on the Lighting Overlay Zone Map.*

*LZ 4. Reserved for limited applications with special lighting requirements. This zone is appropriate for users who have unique site or operating circumstances that warrant additional light. This zone shall not be applied to residential or agricultural areas.*

**RESPONSE:** The Charbonneau Marina is within the LZ2 Zone.

*(.01) Non-Residential Uses and Common Residential Areas.*

*A. All outdoor lighting shall comply with either the Prescriptive Option or the Performance Option below.*

*B. Prescriptive Option. If the lighting is to comply with this Prescriptive Option, the installed lighting shall meet all of the following requirements according to the designated Lighting Zone.*

- 1. The maximum luminaire lamp wattage and shielding shall comply with Table 7.*
- 2. Except for those exemptions listed in Section 4.199.20(.02), the exterior lighting for the site shall comply with the Oregon Energy Efficiency Specialty Code, Exterior Lighting.*
- 3. The maximum pole or mounting height shall be consistent with Table 8.*
- 4. Each luminaire shall be set back from all property lines at least three times the mounting height of the luminaire:*
  - a. Exception 1: If the subject property abuts a property with the same base and lighting zone, no setback from the common lot lines is required.*
  - b. Exception 2: If the subject property abuts a property which is zoned (base and lighting) other than the subject parcel, the luminaire shall be setback three times the mounting height of the luminaire, measured from the abutting parcel's setback line. (Any variance or waiver to the abutting property's setback shall not be considered in the distance calculation).*
  - c. Exception 3: If the luminaire is used for the purpose of street, parking lot or public utility easement illumination and is located less than three mounting heights from the property line, the luminaire shall include a house side shield to protect adjoining property.*
  - d. Exception 4: If the subject property includes an exterior column, wall or abutment within 25 feet of the property line, a luminaire partly shielded or better and not exceeding 60 lamp watts may be mounted onto the exterior column, wall or abutment or under or within an overhang or canopy attached thereto.*
  - e. Exception 5: Lighting adjacent to SROZ areas shall be set back three times the mounting height of the luminaire, or shall employ a house side shield to protect the natural resource area.*

*C. Performance Option. If the lighting is to comply with the Performance Option, the proposed lighting design shall be submitted by the applicant for approval by the City meeting all of the following:*

*1. The weighted average percentage of direct uplight lumens shall be less than the allowed amount per Table 9.*

**RESPONSE:** The application includes a Detailed Lighting Plan, with photometric Plan.

*2. The maximum light level at any property line shall be less than the values in Table 9, as evidenced by a complete photometric analysis including horizontal illuminance of the site and vertical illuminance on the plane facing the site up to the mounting height of the luminaire mounted highest above grade. The Building Official or designee may accept a photometric test report, demonstration or sample, or other satisfactory confirmation that the luminaire meets the shielding requirements of Table 7. Luminaires shall not be mounted so as to permit aiming or use in any way other than the manner maintaining the shielding classification required herein:*

*a. Exception 1. If the property line abuts a public right-of-way, including a sidewalk or street, the analysis may be performed across the street at the adjacent property line to the right-of-way.*

*b. Exception 2. If, in the opinion of the Building Official or designee, compliance is impractical due to unique site circumstances such as lot size or shape, topography, or size or shape of building, which are circumstances not typical of the general conditions of the surrounding area. The Building Official may impose conditions of approval to avoid light trespass to the maximum extent possible and minimize any additional negative impacts resulting to abutting and adjacent parcels, as well as public rights-of-way, based on best lighting practices and available lighting technology.*

*3. The maximum pole or mounting height shall comply with Table 8.*

**RESPONSE:** The proposed lighting is based on the Performance Option method. A total of 71 new lights are proposed, primarily for the gangway and dock.

There are 14 existing lights. Therefore, the new lighting represents a 507% increase in quantity of lights, but only a 29% increase in lumens.

*D. Curfew. All prescriptive or performance based exterior lighting systems shall be controlled by automatic device(s) or system(s) that:*

- 1. Initiate operation at dusk and either extinguish lighting one hour after close or at the curfew times according to Table 10; or*
- 2. Reduce lighting intensity one hour after close or at the curfew time to not more than 50 percent of the requirements set forth in the Oregon Energy Efficiency Specialty Code unless waived by the DRB due to special circumstances; and*
- 3. Extinguish or reduce lighting consistent with 1. and 2. above on Holidays.*

*The following are exceptions to curfew:*

- a. Exception 1: Building Code required lighting.*
- b. Exception 2: Lighting for pedestrian ramps, steps and stairs.*
- c. Exception 3: Businesses that operate continuously or periodically after curfew.*

**RESPONSE:** The lighting is controlled by timers, with dusk to dawn dimming.

## ***UNDERGROUND UTILITIES***

### ***Section 4.300. - General.***

*(.01) The City Council deems it reasonable and necessary in order to accomplish the orderly and desirable development of land within the corporate limits of the City, to require the underground installation of utilities in all new developments.*

*(.02) After the effective date of this Code, the approval of any development of land within the City will be upon the express condition that all new utility lines, including but not limited to those required for power, communication, street lighting, gas, cable television services and related facilities, shall be placed underground.*

*(.03) The construction of underground utilities shall be subject to the City's Public Works Standards and shall meet applicable requirements for erosion control and other environmental protection.*

**RESPONSE:** All existing utilities are underground. No new utilities are proposed or necessary for the limited proposed improvements.



***Section 4.184. - Conditional Use Permits—Authorization.***

*(.01) Conditional Use of property may be granted by the Development Review Board after concluding a public hearing as provided in Section 4.013. A land use that is "conditional" is one that is generally not compatible with surrounding uses unless mitigating conditions of approval are established. In acting on applications for Conditional Use Permits, the DRB may establish conditions of approval that are found to be necessary to implement the Comprehensive Plan or to assure compliance with the standards of this Code, based on information in the record.*

*A. Authorization to Grant or Deny Conditional Uses: A conditional use listed in this ordinance shall be permitted, altered, or denied in accordance with the standards and procedures of this Section. In judging whether a conditional use permit shall be approved, or determining appropriate conditions of approval, the Development Review Board shall weigh the proposal's positive and negative features that would result from authorizing the particular development at a location proposed, and to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable:*

- 1. The proposal will be consistent with the provisions of the Comprehensive Plan and the requirements of Chapter 4 of the Wilsonville Code and other applicable policies of the City.*
- 2. The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features.*
- 3. All required public facilities and services exist, or will be provided, to adequately meet the needs of the proposed development.*
- 4. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, or precludes the use of surrounding properties for the uses listed as permitted in the zone.*

*(.02) Private parks shall be reviewed in accordance with the Park Standards set forth in the Comprehensive Plan and the Open Space and Recreation Standards set forth in Section 4.113.*

*(.03) Municipal and government buildings shall be developed in accordance with the Planned Development Commercial Standards and Sections 4.178.*

*(.08) Conditional Use Regulations—Willamette River Greenway Development.*

- A. The Development Review Board shall approve Conditional Use Permit applications for new development in the Willamette River Greenway only as specified in Section 4.500 and this Section.*

*(Ord. No. 538, 2-21-2002)*

**RESPONSE:** The marina is an established Conditional Use. This application represents a modification of the existing Conditional Use Permit, see also responses to the following Greenway provisions.

***WILLAMETTE RIVER GREENWAY***

***Section 4.500. - General Purpose.***

*The general purposes of this Section are to protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

***Section 4.504. - General—Greenway Boundaries.***

*The Willamette River Greenway Boundaries in the City shall be the same as the Oregon State Parks and Recreation Department Willamette River Greenway Boundaries, and shall be defined on the City of Wilsonville Zoning and Comprehensive Plan Maps. The boundary is generally 150 feet from the ordinary low water line unless otherwise defined by the Map and this Section. Given that the Greenway Boundary does not always parallel the banks of the River, contact should be made with the City's Planning Department to verify boundary locations.*

***Section 4.506. - General—Uses Permitted Outright.***

*(.01) The following are outright permitted uses within the Willamette River Greenway Boundary:*

- A. The placing, by a public agency, of signs, markers, aids, etc. to serve the public.*
- B. Activities to protect, conserve, enhance and maintain public recreational, scenic, historical, and natural uses on public and private lands, except that changes of use, intensification of use or development shall require Conditional Use Permit review as provided by this Code.*
- C. Agriculture as defined in ORS 215.203(2).*
- D. Reasonable emergency procedures necessary for the safety or protection of property.*

- E. Maintenance and repair usual and necessary for the continuance of an existing use not defined as intensification of use or change of use.*
- F. Uses legally existing on December 6, 1975.*

**RESPONSE:** The marina is an established Conditional Use. This application represents a modification of the existing Conditional Use Permit.

***Section 4.508. - Conditional Use Permit—Uses Permitted Conditionally.***

*(.01) The following uses may be allowed within the Willamette River Greenway Boundaries subject to a Conditional Use Permit by the Development Review Board:*

- A. All uses permitted in the underlying zone which are not listed as permitted uses in Section 4.506.*
- B. All uses which are classified as intensification of use, change of use or development, other than tree removal, which shall be governed by the provisions of Section 4.600.*

**RESPONSE:** The Charbonneau marina is an established Conditional Use authorized as consistent with the underlying PDR-4 zoning. There is also an existing 36 slip boat dock (78CU03) and a private boat house (84DR09).

This application addresses changes to the existing Conditional Use, including minor site improvements, such as added parking, a passive picnic area and replacement of the existing dock and a couple of remaining wood pilings.

As demonstrated throughout this report, the proposed development maintains compliance with the applicable provisions of the Comprehensive Plan and Development Code.

***Section 4.510. - Conditional Use Permit—Findings In Support of Granting.***

*(.01) A Greenway Conditional Use Permit may be granted by the Development Review Board upon making the findings required in Section 4.184 (Conditional Use Permits) and the following additional findings:*

- A. That to the greatest extent possible, the maximum possible landscape area, open space or vegetation between the activity and the river are provided,*
- B. That to the greatest extent possible, necessary public access in accordance with the Comprehensive Plan will be provided to and along the River by appropriate legal means.*
- C. That the change of use, intensification of use, or development complies with this Code, all other applicable City Ordinances, the Comprehensive*

*Plan, and the Oregon State Parks and Recreation Department Greenway Plan.*

**RESPONSE:** The area surrounding the Marina site is currently developed with the Haven Apartments. An auxiliary parking area for the Marina was constructed just south of the top of bank, with access provided via SW Illahee Court. The existing parking area and dock access are within the Greenway Boundary. Therefore, the proposed improvements require a Modification of the current Conditional Use Permit.

The dock use (river-related and river-dependent) is an existing permitted conditional use and the proposed improvements are a combination of necessary maintenance and desired enhancements to improve the overall quality and enjoyment of the marina.

The dock has previously been permitted by the State Division of State Lands and the Army Corps of Engineers. The planned dock improvements are subject to a separate DSL/Corps Permit.

There is a clearly defined riverbank with riparian trees extending above the bank. There is also an existing dock, with access stairs and landing platforms, which extends through the SROZ and within the Greenway Boundary.

The focus of the Greenway area is on its relationship to the river and on views into the property from the river. The proposed development, including new dock, replacement pilings, added parking and a nature-scaped picnic area will not significantly alter or degrade the visual quality of this area as seen from the river. The new dock and the mitigation plantings along the bank will enhance the visual quality of the marina, and the parking improvements will not be visible from a river view.

There will be no residential construction within the Greenway Boundary. The parking area improvements are at the outer edge of the Greenway, which, as mapped, extends to the south edge of the parking area. Mitigation landscaping improvements will be provided within the Greenway to enhance bank stability and views from the river.

There are no public facilities required for any uses proposed within the Greenway Boundary. Electric power is already provided to the dock and will remain unchanged.

The proposed recreational use within the Greenway Boundary will be maintain consistent with the residential character of this neighborhood. Use of this area of the property, by the residents of the development, will not in any way limit permitted uses in the surrounding neighborhood. Surrounding residential uses retain all their current property rights. Public access over ODOT property was eliminated in 2015 and controlled with fencing and signage.

As discussed under the SROZ provisions, the applicant is proposing removal of 7 trees to eliminate conflicts with the access gangway and to enhance safety from potential tree fall. Appropriate mitigation is proposed for the tree removal as described herein.

The parking area and picnic area are improvements designed to minimize visual impacts within the Greenway Boundary, as viewed from the river. Only two trees will be cut, with the stumps retained for slope stability. The one Douglas fir adjacent to the gangway will be cut at the notch and will be left as a snag.

Proposed improvements within the Greenway Boundary are limited to areas above the top of bank, which minimizes visual impact from a river view. No construction activity will occur below the top of bank.

Mitigation will include planting of replacement trees, removal of non-native vegetation, and restoration plantings of native trees, shrubs, and ground cover.

The proposed landscaping will mitigate for the limited tree and ground disturbance. And together with proposed mitigation planting will enhance the riparian corridor and visual quality along the riverbank.

Therefore, the proposed development complies with the Greenway and Conditional Use criteria.

***Section 4.514. - Conditional Use Permit—Use Management Standards.***

*(.01) The natural scenic views, historical character and recreational qualities of the Willamette River shall be protected by preservation and enhancement of the vegetative fringe along the river bank.*

**RESPONSE:** The scenic views, historic character and recreational qualities of the Greenway area will be protected, preserved and enhanced with the proposed improvements. The riverfront area, which also is protected by the SROZ is set aside as general open space within the Haven Apartment complex.

Except for the replacement of the dock, the improvements within the Greenway will be above and away from the top of bank and not visible from the river. The dock improvements will replace the existing deteriorated dock, which has a solid deck and does not allow light penetration. The new dock will be a modern light-penetrating design.

The mitigation plan will provide for enhanced riparian vegetation along the riverbank.

*(.02) A plan to remove any tree or trees shall be reviewed by the Development Review Board under the procedures of Section 4.600, et seq. Based on the standards and procedures of Section 4.620.10, mandatory mitigation shall be required as a condition of approval for any conditional use permit granted under this Section.*

**RESPONSE:** Proposed tree removal is limited to damaged, diseased or hazard trees. The mitigation plan will provide for enhanced riparian vegetation along the riverbank, as recommended by the SRIR and Arborist's Report.

*(.03) Developments shall be directed away from the river to the greatest possible degree; provided, however, lands committed to urban uses within the Greenway shall be permitted to continue as urban uses, including port, industrial, commercial and residential uses, uses pertaining to navigational requirements, water and land access needs and related facilities.*

*(.04) All development after the effective date of this ordinance, except water dependent and water related uses, shall be set back a minimum of 75 feet upland from the top of each bank.*

**RESPONSE:** The only land-based activity below the top of bank will be tree and vegetation removal and replanting. The picnic area improvements will be setback from top of bank to minimize any potential public safety hazards, which might be associated with unstable slopes and any further bank failures. The mitigation plantings will further stabilize the banks.

*(.05) Fish, riparian and wildlife corridors leading into the river channel shall remain open.*

**RESPONSE:** The new dock will have modern light-penetrating decking, which will enhance marine habitat. The new dock will also provide a wider deck which will improve safety.

*(.06) All development, change of use or intensification of use shall demonstrate, to the maximum extent possible, maintenance of public safety and protection of public and private property, especially from vandalism and trespass. (Ord. No. 210, 5-3-1982; Ord. No. 516, 5-7-2001)*

**RESPONSE:** The marina is owned and maintained by the Charbonneau Country Club. But the parking area is owned by the Haven at Charbonneau, and leased to the Charbonneau Country Club, with access easement and maintenance responsibility.

This area in general is used by the residents of the Haven Apartments and Charbonneau residents who have acquired dock privileges, as their private open space. This area is not intended for general public access or use. No general public access is proposed along the river frontage, as this area will be maintained as reserved for the use of the and Charbonneau residents and authorized marina users.

The design of the parking area provides good site surveillance for public safety.

It is also noted that the Boat House is now being leased to the Clackamas County Sheriff's Office for use by their marine patrol, which adds another level of public safety not currently available for this area of the river.

Therefore, the proposed development complies with the Greenway provisions and standards.

## **TREE PRESERVATION AND PROTECTION**

### **Section 4.600. - Purpose and Declaration.**

*(.01) Rapid growth, the spread of development, need for water and increasing demands upon natural resources have the effect of encroaching upon, despoiling, or eliminating many of the trees, other forms of vegetation, and natural resources and processes associated therewith which, if preserved and maintained in an undisturbed and natural condition, constitute important physical, aesthetic, recreational and economic assets to existing and future residents of the City of Wilsonville.*

*(.02) Specifically, the City Council finds that:*

- A. Woodland growth protects public health through the absorption of air pollutants and contamination, through the reduction of excessive noise and mental and physical damage related to noise pollution, and through its cooling effect in the summer months, and insulating effects in winter;*
- B. Woodlands provide for public safety through the prevention of erosion, siltation, and flooding; and*
- C. Trees make a positive contribution to water quality and water supply by absorbing rainfall, controlling surface water run-off, and filtering and assisting in ground water recharge; and*
- D. Trees and woodland growth are an essential component of the general welfare of the City of Wilsonville by producing play areas for children and natural beauty, recreation for all ages and an irreplaceable heritage for existing and future City residents.*

*(.03) Therefore, the purposes of this subchapter are:*

- A. To preserve Significant Resource Overlay Zone areas, recognizing that development can and will occur.*
- B. To provide for the protection, preservation, proper maintenance and use of trees and woodlands in order to protect natural habitat and prevent erosion.*
- C. To protect trees and other wooded areas for their economic contribution to local property values when preserved, and for their natural beauty and ecological or historical significance.*
- D. To protect water quality, control surface water run-off, and protect ground water recharge.*
- E. To reflect the public concern for these natural resources in the interest of health, safety and general welfare of Wilsonville residents.*
- F. To encourage replanting where trees are removed.*

**RESPONSE:** The attached Arborist's Report and Existing Conditions Plan identify all existing trees on the site in the immediate vicinity within the area of planned improvements. The report and Tree Removal and Mitigation Plan identifies those trees proposed for removal, including the basis for removal.

Two trees are proposed for removal due to conflicts with the marina access stairs. All other trees proposed for removal are based on poor health, damaged, or hazard conditions. However, the stumps will be retained for slope stability. To the degree possible, the maximum number of trees is being preserved.

Proposed tree planting is shown on the Landscaping and Mitigation Plan. A total of 11 trees and 18 shrubs will be planted for mitigation and enhancement, as recommended by the Project Arborist and Biologist, see Landscaping Plan.

***Section 4.600.30. - Tree Removal Permit Required.***

*(.01) Requirement Established. No person shall remove any tree without first obtaining a Tree Removal Permit (TRP) as required by this subchapter.*

*(.02) Tree Removal Permits will be reviewed according to the standards provided for in this subchapter, in addition to all other applicable requirements of Chapter 4.*

*(.03) Although tree activities in the Willamette River Greenway are governed by WC 4.500—4.514, the application materials required to apply for a conditional use shall be the same as those required for a Type B or C permit under this subchapter, along with any additional materials that may be required by the Planning Department. An application for a Tree Removal Permit under this section shall be reviewed by the Development Review Board.*

**RESPONSE:** Tree removal is proposed in conjunction with the proposed site improvements. Therefore, a Type C Permit is required.

***Section 4.610.40. - Type C Permit.***

*(.01) Approval to remove any trees on property as part of a site development application may be granted in a Type C permit. A Type C permit application shall be reviewed by the standards of this subchapter and all applicable review criteria of Chapter 4. Application of the standards of this section shall not result in a reduction of square footage or loss of density, but may require an applicant to modify plans to allow for buildings of greater height. If an applicant proposes to remove trees and submits a landscaping plan as part of a site development application, an application for a Tree Removal Permit shall be included. The Tree Removal Permit application will be reviewed in the Stage II development review process. The DRB shall review all Type C permits, with the exception of*



*Class II development review applications located within the Coffee Creek Industrial Design Overlay District, where the Planning Director shall have review authority. Any plan changes made that affect trees after Stage II review of a development application shall be subject to review by the original approval authority. Where mitigation is required for tree removal, such mitigation may be considered as part of the landscaping requirements as set forth in this Chapter. Tree removal shall not commence until approval of the required Stage II application and the expiration of the appeal period following that decision. If a decision approving a Type C permit is appealed, no trees shall be removed until the appeal has been settled.*

**RESPONSE:** The required tree survey has been provided, prepared by Portland Tree Consulting. The inventory, in conjunction with the SRIR, provide the basis for tree preservation and mitigation in compliance with this Section.

A total of 50 trees were inventoried and assessed for health and hazard. More than 3 trees will be removed in conjunction with the proposed improvements as described herein.

The stumps will be left as snags or woody debris. The application includes the following:

- A Tree Removal and Preservation Plan;
- Tree Maintenance Plan; and
- Tree Mitigation Plan.

All healthy and good quality trees along the riverbank are being preserved. Only unhealthy or otherwise damaged or dangerous trees are identified for removal.

The proposed excavation and fill for the parking area is outside of the tree line. No grading will occur at or below the top of bank.

Therefore, these criteria are met.

*Section 4.620.00. Tree Relocation, Mitigation, Or Replacement*

- (.01) *Requirement Established. A Type B or C Tree Removal Permit grantee shall replace or relocate each removed tree having six (6) inches or greater d.b.h. within one year of removal.*
- (.02) *Basis for Determining Replacement. The permit grantee shall replace removed trees on a basis of one (1) tree replanted for each tree removed. All replacement trees must measure two inches (2") or more in diameter. Alternatively, the Planning Director or Development Review Board may require the permit grantee to replace removed trees on a per caliper inch basis on a finding that the large size of the trees being removed justifies an increase in the replacement trees required. Except, however, that the*

*Planning Director or Development Review Board may allow use of replacement Oregon white oak and other uniquely valuable trees with a smaller diameter.*

- (.03) *Replacement Tree Requirements. A mitigation or replacement tree plan shall be reviewed by the City prior to planting and according to the standards of this subsection.*
  - A. *Replacement trees shall have shade potential or other characteristics comparable to the removed trees, shall be appropriately chosen for the site from an approved tree species list supplied by the City, and shall be state Department of Agriculture Nursery Grade No. 1 or better.*
  - B. *Replacement trees must be staked, fertilized and mulched, and shall be guaranteed by the permit grantee or the grantee’s successors-in-interest for two (2) years after the planting date.*
  - C. *A “guaranteed” tree that dies or becomes diseased during that time shall be replaced.*
  - D. *Diversity of tree species shall be encouraged where trees will be replaced, and diversity of species shall also be maintained where essential to preserving a wooded area or habitat.*

**RESPONSE:** Appropriate permits shall be obtained for the removal of all identified trees. The Project Arborist has prepared a detailed inventory and assessment of all trees within the development area. The mitigation planting plan has been coordinated with the Project Biologist (SRIR) for appropriate native species.

During construction, trees specified to be protected will be delineated and protected by the placement at the edge of the canopy drip line with orange plastic mesh fencing.

Excerpt from SRIR:

**“Table 1. Trees to be Removed.**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Diameter at Breast Height (inches)</b>	<b>Tree Inventory Number*</b>
<i>Acer macrophyllum</i>	<i>big-leaf maple</i>	(10/16)	T20
<i>Cornus nuttallii</i>	<i>Pacific dogwood</i>	17	T38
<i>Prunus avium</i>	<i>sweet cherry</i>	7	T16
<i>Prunus avium</i>	<i>sweet cherry</i>	9	T40
<i>Prunus avium</i>	<i>sweet cherry</i>	11	T41
<i>Prunus avium</i>	<i>sweet cherry</i>	4	T51
<i>Prunus avium</i>	<i>sweet cherry</i>	8	T52

\*From Portland Tree Consulting Report (Torres 2022).

*Trees will be removed by cutting the base of the tree above the ground surface, leaving root balls in place below top of bank and removing roots above. No other trees will be impacted by the project. Mitigation measures for tree replacement and the restoration of forest habitat within the rehabilitation area and enhancement of forest habitat by removing invasive species within the project area are discussed below.”*

There are no street trees required. Required parking area trees are being planting along with the mitigation trees within the riparian corridor to maximize enhancement of the resource area. Therefore, the proposed development plan complies with the tree preservation criteria.

## V. FINAL CONCLUSION

This Narrative and accompanying reports, documents and plans demonstrates that the proposed Charbonneau Marina modernization plan complies with all applicable Comprehensive Plan policies and provisions.

This narrative further demonstrated that the application satisfies all the applicable Zoning, SROZ, Greenway Conditional Use, and Site Design Review approval criteria.

Specifically, the application includes the required documents and information for:

1. PDR Stage II Final Development Plan, including dock replacement.
2. Modified Willamette Greenway Conditional Use Permit.
3. Outdoor Lighting Plan.
4. Type C Tree Preservation and Removal Plan.
5. Tree Replacement and SROZ Mitigation Plan.

Therefore, the applicant respectfully requests approval for this Modified Conditional Use Permit and related approvals.

Charbonneau Marina

3/20/2023

### Tree Plan for Charbonneau Marina

Improvements are proposed for the Charbonneau Marina in Wilsonville. Trees in the project vicinity were inventoried in 2015, and the attached Tree Table includes those twenty-eight trees plus tree 51 (T51) and T52. All trees west of the permanent metal fence on the west end have been excluded. All trees in the study area have been tagged with metal tags that shall remain in place throughout construction. Tag numbers are keyed to the tree survey map and the attached Tree Table.

The intent of the proposed improvements is to remove any tree interfering with the aluminum ramp, any high-risk trees, and several invasive trees. A Greenway Conditional Use Permit will be sought, and it will include adding a passive picnic area east of the parking lot.

Seven trees will be removed as allowed by Section 4.610.30. Type B Permit. One of these, T52, is less than 6 inches in diameter and needs no mitigation. Six of the trees have yellow flagging tape tied around them, but T20 could not be flagged due to difficult access. It does have yellow tape tied to a substantial epiphyte on the trunk and is easily found as it is in contact with the aluminum ramp. See photographs below.

For the two trees to be cut on the riverbank, T16 and T20, stumps will be cut close to the ground and left in place. Along with poison oak control the stumps should be monitored annually, with all sprouts cut to eliminate regrowth. Trees on the upper bank, which include T40, T41, T51 and T52, will have stumps removed by a portable stump cutter to eliminate suckering with minimal ground disturbance. A certified arborist should attend to verify that protective fencing is in place and to monitor roots from T37, cutting them if needed during the parking lot process.

Section 4.620.00. (.07) provides exceptions to the tree replacement rule: “*Exception.* Tree replacement may not be required for applicants in circumstances where the Director determines that there is good cause to not so require. Good cause shall be based on a consideration of preservation of natural resources, including preservation of mature trees and diversity of ages of trees. Other criteria shall include consideration of terrain, difficulty of replacement and impact on adjacent property.”

I recommend that the replacement tree requirement be waived for all invasive trees and applied only to T20, a native species. Natural resources including many young and many older trees on the riverbank and its surroundings are being carefully preserved. Replanting with one bigleaf maple seems an adequate mitigation, considering that the removal of invasive species contributes to the wellbeing of the land. We await the Director’s determination.

City Code requires that trees be replaced with a 2-inch caliper sapling within one year of removal. Trees shall be state certified Nursery Grade No.1 or better. Replacement trees must be staked, fertilized, and mulched, and shall be guaranteed by the permit holder for two years after

Portland Tree Consulting

Charbonneau Marina

3/20/2023

the planting date. In lieu of replacing trees, the applicant may propose to pay into the City Tree Fund an amount equivalent to the value of the replacement trees after installation.

It would be counterproductive to require tree protection fencing and to assign root protection zones (RPZs) to each tree. T16 and T20 are on the riverbank which is steep and difficult to access. Removal of the two trees will require working among other trees, and damage to residual trees, if any, should be corrected where feasible. The trees to be cut at the top of the riverbank can easily be dropped into the parking area where they, and the two trees from the riverbank, can be processed.

The proposed picnic area east of the parking lot will include trees 43 through 50, all native conifers. Douglas-fir and western redcedar adapt easily to foot traffic, and outdoor furniture poses no harm. I recommend trimming off low branches for 12 ft. of overhead clearance. Everyone working in this area should be informed that poison oak is present, its malevolent vines climbing into the trees.

The underbrush will be cleared, and the ground may be leveled by hand to control the depth of excavation. Tree roots must be protected here, so as soon as the roots are exposed the excavation will be finished. The Director may require arborist oversight. Geotextile fabric may be laid down next, but it is not mandatory. I recommend gravel or crushed rock to create a level grade. If preferred, coarse woody mulch such as arborist chips may be spread for the same purpose. Either treatment can produce a level picnic area, and both will protect the soil. Woody mulch will nurture the tree roots as it decomposes, but it will eventually turn into mud. Management must be consulted before planning the chip drop in case of limitations due to fire prevention. Any additional improvements that affect the ground, including potential parking expansion on the south side, should be reviewed by an arborist for adverse effects.

The goal of this Tree Plan is to meet the requirements of the tree preservation code and to observe all laws and regulations. Trees to be removed should be verified and tree protection measures should be inspected before any clearing or grading work begins. It is the owner's responsibility to implement this tree plan fully, and to monitor the construction process to its conclusion. Deviations can result in tree damage, liability, and violations of the City Code.

Portland Tree Consulting



Above, Tree 20 is shown at its intersection with a structural element. Part of the base of this tree was cut away during the installation of the new ramp, but trees increase in circumference annually until they die. The tree has two trunks separating at approximately the height of the basal wound.

The two trunks of T20 are to the left.  
The larger trunk has died and broken at approximately 45 ft.  
The smaller trunk is dying but hasn't broken yet. As the tree continues to decline it will drop more wood. It is above the ramp, so it constitutes a high risk to the ramp. It also constitutes a low risk to people, as occupation of the ramp below is intermittent. This will be a difficult tree to take down and tree protection fencing would be another safety obstacle for a tree removal crew.

Unlike T20, tree 16 will be only moderately difficult to remove, and the other four trees are easy removals. All workers should be warned that poison oak is growing in the area. Poison oak should be eradicated before other work begins.

Portland Tree Consulting

Charbonneau Marina

3/20/2023

**Portland Tree Consulting** PO Box 19042 Portland, OR 97280  
 503.421.3883 [petertorresusa@gmail.com](mailto:petertorresusa@gmail.com) CCB 230301

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2. Consultant can neither guarantee nor be responsible for the accuracy of information provided by others.
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8. The report is the completed work product. Any additional work, including production of a site plan, addenda and revisions, construction of tree protection measures, tree work, or inspection of tree protection measures, for example, must be contracted separately. Loss or alteration of any part of the report invalidates the entire report.
9. Any action or proceeding seeking to enforce any provision of this Agreement shall be brought against any of the parties in Multnomah County Circuit Court of the State of Oregon, or, when applicable, in the United States District Court for the District of Oregon. Each party consents to the jurisdiction of such courts (and of the appropriate appellate courts) and waives any objection to such venue.



Peter Torres

Master of Forestry OSU    ASCA RCA 372ISA    Certified Arborist PN-0650B    TRAQualified

Portland Tree Consulting

## Charbonneau Marina Tree Table

3/20/20

Item 2.

Tag	Species	DBH 22	Remarks	Rating	Action
11	big leaf maple	13	native	2	protect
12	big leaf maple	13	native	2	protect
13	Douglas fir	25	native	2	protect
15	big leaf maple	10	native	2	protect
16	bird cherry	7	invasive; on 2015 cut list but still there	2	remove
17	bird cherry	12	invasive	2	none
19	Douglas fir	14	native	2	protect
20	big leaf maple	10,16	hitting ramp; terminal decline & high risk	0	remove
22	big leaf maple	30	two trunks; estimated due to access	2	protect
25	big leaf maple	4	native	2	protect
26	big leaf maple	8	native	2	protect
27	big leaf maple	8	native	2	protect
35	Douglas fir	28	native	2	protect
36	big leaf maple	27	includes an 11-inch bigleaf maple 1 ft. to west	2	protect
37	big leaf maple	17	native	2	protect
38	Pacific dogwood	17	native	3	protect
39	grand fir	18	native	2	protect
40	bird cherry	9	invasive, leans over parking; easy removal	2	remove
41	bird cherry	11	invasive, leans over parking; easy removal	2	remove
42	Douglas fir	18	native	2	protect
43	Douglas fir	36	used Biltmore stick due to poison oak	2	protect
44	western red cedar	37	native; poison oak infested	2	protect
45	western red cedar	24	native; poison oak infested	2	protect
46	western red cedar	10	native; poison oak infested	2	protect
47	western red cedar	10	native; poison oak infested	2	protect
48	western red cedar	12	native; poison oak infested	2	protect
49	western red cedar	16,18	native; poison oak infested	2	protect



Tag	Species	DBH 22	Remarks	Rating	Action
50	Douglas fir	34	used Biltmore stick due to poison oak	2	protect
51	bird cherry	4	not on map; invasive, leans over parking	2	remove
52	bird cherry	8	not on map; invasive, leans over parking	2	remove

Please see narrative for tree protection discussion. This Tree Table is based on fieldwork from 5/03/2022.

### Species

big leaf maple- *Acer macrophyllum*

bird cherry- *Prunus avium*

black cottonwood- *Populus trichocarpa*

Douglas fir- *Pseudotsuga menziesii*

grand fir- *Abies grandis*

Pacific dogwood- *Cornus nuttallii*

red alder- *Alnus rubra*

red oak- *Quercus rubra*

western red cedar- *Thuja plicata*

poison oak- *Toxicodendron diversilobum*

# Charbonneau Country Club Marina Access Project Abbreviated Significant Resource Impact Report

APRIL 2023

PREPARED FOR  
**Charbonneau Country Club**

PREPARED BY  
**SWCA Environmental Consultants**



**CHARBONNEAU COUNTRY CLUB  
MARINA ACCESS PROJECT  
ABBREVIATED SIGNIFICANT RESOURCE IMPACT REPORT  
T3S, R1W, SECTION 23, W.M., TAX LOTS 308 AND 318  
WILSONVILLE, CLACKAMAS COUNTY, OREGON**

Prepared for

**Charbonneau Country Club**  
32000 SW Charbonneau Drive  
Wilsonville, Oregon 97070  
(360) 771-7998  
Attn: Rick Shram  
rick@charbonneaucountryclub.com

and

**Pioneer Design Group, Inc.**  
Ben Altman, Senior Planner/Project Manager  
9020 SW Washington Square Drive, Suite 170  
Portland, Oregon 97223  
(971) 708-6258  
baltman@pd-grp.com

Prepared by

**SWCA Environmental Consultants**  
1800 NW Upshur Street, Suite 100  
Portland, Oregon 97209  
(503) 224-0333  
www.swca.com

SWCA Project No. 69892

April 2023



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## INTRODUCTION

SWCA Environmental Consultants (SWCA) was contracted by Charbonneau Country Club (Client) to verify the Willamette River ordinary high water line (OHWL) and to prepare an abbreviated significant resource impact report (SRIR) for the Charbonneau Country Club Marina Improvement Project located in Wilsonville, Clackamas County, Oregon (Figure 1). The study area for the project is located on the south bank of the Willamette River immediately east of Interstate 5 on SW Illahee Court, in Section 23, Township 3 South, Range 1 West, Willamette Meridian, on the southern portions of Tax Lots 308 and 318 (Figure 2).

During a visit to the study area on March 7, 2022, Kerry Rappold, City of Wilsonville Natural Resources Program Manager, recommended that an abbreviated SRIR be prepared for the project. The abbreviated SRIR includes only the information necessary for the city's review of the Site Development Permit Application to be submitted in compliance with the Wilsonville Code (WC) Planning and Land Development Ordinance, WC 4.139.00. The application will also include a Willamette River Greenway (WRG) Conditional Use Permit (WC 4.500–4.515), and information necessary for that permit is also included herein. The Client concurs with the accuracy of the significant resources overlay zone (SROZ) mapping for the study area and is not requesting a map zone amendment.

## PROPOSED PROJECT

The Client intends to update the marina and surrounding parking area with improvements along the top of bank of the Willamette River. Future in-water improvements and upgrades to the floating dock will require further federal and state permitting. All proposed improvements are detailed below.

### Parking Area Improvements

The parking area improvements will create 1,405 square feet total (676 square feet within the SROZ) of new permeable surface. The improvements are detailed below.

- Permanently remove approximately 148 of pavement
- Convert 100 square feet of pavement to permeable gravel
- Add permeable pavement for two additional golf cart parking spaces
- Add bike rack
- Expand the south side of the existing parking area
  - Add additional parking spaces using pavement and permeable surfaces
  - Add Ultrablock and concrete retaining walls to reinforce and accommodate additional parking spaces
- Add a picnic table area with permeable gravel within existing forested area

### In-Water Improvements

As part of the Charbonneau Country Club Marina Improvement Project future in-water work to replace and upgrade aging infrastructure is detailed below.



- Replace two remaining wood pilings (lower platform) below OHWL and two wood pilings above OHWL (four total) with steel pilings (approx. 10 sq. ft. TBD)
- Replace the existing dock with a modern light-penetrating deck
  - Widen deck to 8 feet
  - Reconfigure slips to be double wide (18 feet) resulting in 40 slips
- Extend dock upstream to align directly with lower landing platform
- Add canoe and kayak facilities
  - Kayak launch facilities (18 × 30 feet)
  - Storage racks for 18 (less than 12-foot-long) kayaks
  - Racks for nine additional longer kayaks
  - Gangway modified to allow kayak passage
- Install 5 dock ladders for added safety
- Update lighting and safety equipment for the gangway and dock

## Tree Planting and Mitigation Plan

All required mitigation trees for the project will be planted at or below the top of bank to enhance the riparian corridor. See additional details in the Significant Resource Impacts and Mitigation section below.

As part of the project, six trees (one native big-leaf maple [*Acer macrophyllum*], and five invasive sweet cherry [*Prunus avium*], as described below) will be removed by cutting at, or just above, ground level. Stumps and root balls will be left in place for T16 and T20 to protect slope stability. T40, T41, T51 and T52 will have stumps removed to eliminate suckering. Site drawings of existing conditions, the proposed site plan, and slope cross sections are provided in Appendix A, Sheets 1–5.

## EXISTING CONDITIONS

(WC 4.139.06(.01)B)

Existing features in and near the study area include the following:

- A paved road and parking lot at the top of the bank
- Forested vegetation
- Fencing along the western portion of the study area (Oregon Department of Transportation right-of-way [ROW])
- The existing marina, gangway, and landing platform just above the OHWL and at the top of the bank
- A power vault near the parking lot and electrical pedestal at the existing landing platform
- Light poles in the parking lot

Existing forested vegetation surrounding the parking lot and marina access is dominated by big-leaf maple, red alder (*Alnus rubra*), western red cedar (*Thuja plicata*), and black cottonwood (*Populus balsamifera*); these species form a canopy cover of 80%. Scattered Douglas-fir (*Pseudotsuga menziesii*)

trees are present. Understory vegetation is dominated by western sword fern (*Polystichum munitum*), Pacific waterleaf (*Hydrophyllum tenuipes*), common snowberry (*Symphoricarpos albus*), trailing blackberry (*Rubus ursinus*), red osier dogwood (*Cornus alba*), and fragrant fringecup (*Tellima grandiflora*). Invasive plants were also noted in this forested vegetation and included English holly (*Ilex aquifolium*), English ivy (*Hedera helix*), and Himalayan blackberry (*Rubus armeniacus*). These three species are listed as invasive on Metro's native plant list (Metro 2022).

## WILLAMETTE RIVER GREENWAY

(WC 4.500-4.515)

A WRG Conditional Use Permit will be required for the project because the project may result in an intensification of use of the Charbonneau Country Club marina due to increased accessibility. The purpose of the WC 4.500 is to protect, conserve, enhance, and maintain the natural, scenic, historical, agricultural, economic, and recreational qualities of lands along the Willamette River. Maintaining the integrity of the Willamette River is achieved by minimizing erosion, promoting bank stability, and maintaining and enhancing water quality and fish and wildlife habitats. The boundary of the WRG is typically 150 feet from the ordinary low water line or as mapped by local jurisdictions. According to the City of Wilsonville's WRG mapping (Figure 3), much of the study area is located within the WRG except for a portion of Tax Lot 308.

The final project design limits the projects proposed impacts by using existing landing platforms and the gangway, limiting disturbance to forested habitats, and promotes slope stability by implementing appropriate tree removal practices. Invasive species removal and tree and shrub replanting further rehabilitation of the area toward natural conditions. The final project design also avoids direct impacts to the Willamette River by implementing erosion and sediment control measures during construction. The project design ensures that necessary public access will be maintained in accordance with the WC, all other applicable city ordinances, the city's comprehensive plan, and the Goal 15 Willamette River Greenway Plan (Oregon Administrative Rule [OAR] 660-020-0060). Implementation of the mitigation measures recommended in this SRIR will further ensure compliance with applicable regulations and will protect and enhance natural and recreational qualities of the WRG at the Charbonneau Country Club Marina.

## SIGNIFICANT NATURAL RESOURCES

### Wetlands and Waterbodies

(WC 4.139.06(.01)C)

The Willamette River forms the northern edge of the study area boundary. Per guidance in OAR 141-085-0515 and U.S. Army Corps of Engineers (2005), the OHWL was identified based on the presence of litter and debris, wracking, sediment deposition, and water staining evident on marina pilings. Based on field visit and evaluation of the area, the OHWL elevation was determined to be 71.75 feet (North American Vertical Datum 1988).

No wetlands above the OHWL of the Willamette River were identified within the study area. A Joint Permit Application will be prepared to determine the impact area and removal/fill volumes for the replacement of the wooden pilings.

## Trees and Forested Habitats

(WC 4.139.06(.01)E-H)

The boundary of forested wildlife habitat was mapped in the city's SROZ mapping following the drip line of the mature forest canopy. A list of trees, including species, diameter at breast height, remarks, rating, and proposed action, are detailed in Appendix C. One native tree and five invasive trees will be removed from the parking area improvements area and adjacent to the gangway ramp, as shown in Table 1.

**Table 1. Trees to be Removed**

Scientific Name	Common Name	Diameter at Breast Height (inches)	Tree Inventory Number*
<i>Acer macrophyllum</i>	Big-leaf maple	10/16 (multi-stem)	T20
<i>Prunus avium</i>	Sweet cherry	7	T16
<i>Prunus avium</i>	Sweet cherry	9	T40
<i>Prunus avium</i>	Sweet cherry	11	T41
<i>Prunus avium</i>	Sweet cherry	4	T51
<i>Prunus avium</i>	Sweet cherry	8	T52

\* Data from Torres (2022).

Trees will be removed by cutting the base of the tree above the ground surface, leaving roots in place below top of bank, and removing roots above top of bank. No other trees will be affected by the project. Mitigation measures for tree replacement and the restoration of forest habitat within the rehabilitation area and for enhancement of forest habitat by removing invasive species within the study area are discussed below.

## SIGNIFICANT RESOURCES OVERLAY ZONE

(WC 4.139.06(.01)E-H)

The SROZ was determined by using the city's mapping and is based on the existing tree canopy drip line. The SROZ impact area is a 25-foot buffer extending beyond the SROZ boundary (Figure 4). The Metro Urban Growth Management Functional Plan (UGMFP) Title 3 Water Quality Resource Area boundary (Metro 2018) was determined using data provided by the Metro. The 50-foot vegetated corridor setback was determined using Metro's Title 3 field-observed standards and water quality resource area slope calculations. Figure 3 shows the location of the existing mapped SROZ boundary, WRG, and the SROZ 25-foot impact area. Figure 4 shows the UGMFP boundary (Title 3 lands), and the 50-foot UGMFP vegetated corridor. Current photographs of site conditions of the forested habitat within these boundaries are provided in Appendix B.

## SIGNIFICANT RESOURCE IMPACTS AND MITIGATION

(WC 4.139.06(.01)I)

### Impacts

The site development plan was designed to protect most of the forested habitat in the study area, minimizing the potential for impacts to the study area's wildlife habitat (see Appendix A, Sheets 1–5). Minor impacts in the SROZ will include the removal of six trees and the addition of 676 square feet of permeable parking surface (see Figures 3 and 4). In total, 1,405 square feet plus some additional area (est. less than 10 sq. ft.) for the removal of wooden pilings will be disturbed by the project.

The following provides a general summary of impacts and proposed restoration:

- Removal of one big-leaf maple and five sweet cherry trees (see Table 1)
- Addition of 1,405 square feet of permeable parking area (676 square feet within the SROZ)
- Restoration of the rehabilitation of the area by replanting native trees and shrubs around planned improvements and below the top of bank and removing invasive species

Mitigation measures provided in the following section will ensure compliance with WC tree replacement requirements within the SROZ and WRG.

No impacts to waters of the U.S. are expected from the parking area improvements. Appropriate best management practices (BMPs) and mitigation measures described below will ensure that fill material (sediments from runoff) will not contaminate the Willamette River.

Impacts to waters of the U.S. are expected to occur from the removal and replacement of existing wood pilings below OHWL and replacement of floating dock. A removal/fill Joint Permit Application through the Oregon Department of State Lands, the Oregon Department of Environmental Quality, and the U.S. Army Corps of Engineers will be required. Appropriate BMPs and mitigation measures will be developed to minimize sediment and fill materials within the Willamette River.

### Mitigation

Mitigation for SROZ encroachment into the forested habitat will include a combination of invasive species control, tree replacement plantings, and enhancement of the understory within the rehabilitation area. Specific mitigation recommendations are provided below.

#### ***Tree Replacement Planting and Understory Rehabilitation Area***

The tree mitigation goal is to improve the ecological integrity and functions of the forested habitat in the study area. According to the ratios established in Table NR-3 in WC 4.139.07 (Mitigation Standards), two trees and three shrubs need to be planted for each tree removed that is 6 to 12 inches in diameter, three trees and six shrubs need to be planted for each tree that is over 12 and up to 18 inches in diameter, and seven trees and 18 shrubs need to be planted for each tree over 24 and up to 30 inches in diameter. Trees less than 6 inches do not require mitigation.

To mitigate for the removal of six trees greater than 6 inches using the criteria above, a minimum of 11 trees and 18 shrubs would need to be planted in the rehabilitation area. The arborist's report (Torres 2023)

(see Appendix C) notes that WC 4.620.00(.07) allows for exceptions to the tree replacement rule and recommends the following:

I recommend that the replacement tree requirement be waived for all invasive trees and applied only to T20, a native species. Natural resources including many young and many older trees on the riverbank and its surroundings are being carefully preserved. Replanting with one bigleaf maple seems an adequate mitigation, considering that the removal of invasive species contributes to the wellbeing of the land. We await the Director's determination. (Torres 2023)

Revised plans protect the existing Pacific dogwood and the area surrounding it within the parking lot for mitigation plantings. Trees required to mitigate for invasive removal are included in the total tree number and will be planted within the existing planting zone.

The mitigation requirement for understory ground disturbance will be calculated based on the size of the disturbance within the SROZ. Native trees and shrubs will be planted at a rate of five trees and 25 shrubs per every 500 square feet of disturbance area.

For 676 square feet of ground disturbance within the SROZ, an additional seven trees and 34 shrubs will be planted. Additionally, all bare ground will be planted or seeded with native grass or herbaceous species. Recommended species and totals for tree removal and ground disturbance are provided in Table 2.

**Table 2. Recommended Mitigation Plantings**

Scientific Name	Common Name	Height (inches)	Spacing	Quantity*
<b>Trees</b>				
<i>Acer macrophyllum</i>	Big-leaf maple	18–24	8–12 feet on center	6
<i>Pseudotsuga menziesii</i>	Douglas-fir	18–24	8–12 feet on center	6
<i>Fraxinus latifolia</i>	Oregon Ash	18–24	8–12 feet on center	6
<b>Total Trees</b>				<b>18</b>
<b>Shrubs</b>				
<i>Acer circinatum</i>	Vine maple	18–24	4–5 feet on center	15
<i>Symphoricarpos albus</i>	Snowberry	12–18	4–5 feet on center or in clusters of four spaced 8–10 feet apart	34
<i>Oemleria cerasiformis</i>	Indian plum	18–24	4–5 feet on center	14
<i>Cornus sericea</i> Kelsey	Kelsey dogwood	18–24	4–5 feet on center	10
<i>Mahonia aquifolium</i>	Oregon grape	18–24	4–5 feet on center	12
<i>Physocarpus capitatus</i>	Pacific ninebark	24	4–5 feet on center	12
<i>Polystichum munitum</i>	Sword fern	18–24	4–5 feet on center	15
<i>Spirea betulafolia</i>	Birchleaf spirea	18–24	4–5 feet on center	9
<i>Spirea Douglasii</i>	Douglas spirea	18	Clusters of four spaced 8–10 feet apart	12
<b>Total Shrubs</b>				<b>113</b>

\* Tree numbers are minimum required based on arborist's recommendations and the WC; shrub quantities are in excess of recommend minimums. Additional species and/or alternative species may be used as appropriate, for mitigation plantings within the study area.

In addition to trees and shrubs, appropriate grass, herbaceous, and vine species will be installed either as individual plants or in a seed mix. Appropriate species include California brome (*Bromus carinatus*), blue wildrye (*Elymus glaucus*), showy milkweed (*Asclepias speciosa*), western yarrow (*Achillea millefolium*), vanillaleaf (*Achlys triphylla*), sword fern, and bracken fern (*Pteridium aquilinum*). Substitutions with appropriate locally sourced native species for plants recommended above may be necessary based on species quantity and availability at the time of installation. A list of appropriate species to consider is included in the Metro native plant list (Metro 2022).

### ***Invasive Plant Species Control***

Invasive plant species control in and near the study and rehabilitation areas will focus on the removal of English ivy, Himalayan blackberry, English holly, and other species defined as invasive in the Metro native plant list (Metro 2022). Invasive plant species will be controlled using a combination of mechanical removal and herbicide application.

### ***Additional Measures***

An erosion and sediment control plan will be prepared before construction and will include standard grading and erosion control BMP measures to be used during construction to prevent construction runoff from entering the Willamette River. To remove trees within the study area, the Client will also apply for a Type C Tree Removal Permit (WC 4.600 to 4.640) and will comply with the city's recommended tree protection measures during construction (WC 4.620.10). Additional recommendations for tree removal are in Appendix C.

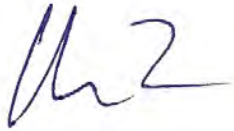
## **Mitigation Performance Standards**

The objective of the proposed mitigation is to establish a diverse native plant understory and reduce the coverage of invasive species, with the goal of increasing the wildlife habitat and ecological integrity. Performance standards will include an 80% survival rate of planted trees and shrubs for a 5-year maintenance and monitoring period. In addition, cover of invasive species will not exceed 20% of the rehabilitation area.

## **CONCLUSION**

This SRIR supports the WRG and SROZ permit application for the Charbonneau County Club Marina Access Project. Encroachment into the SROZ, Title 3 Water Quality Resource Area boundary, and WRG has been minimized to the maximum extent practicable for the entire project by siting almost the entire proposed development and mitigation in previously developed areas of the study area. Minor permanent impacts are proposed for the addition of 676 square feet of permeable surface for additional parking and from removal of the existing wood dock pilings. However, these impacts will be offset by the restoration of native vegetation within the rehabilitation area and the control of invasive species within the study area.

## **LIST OF PREPARERS**



Chris Moller, Lead Wetland Scientist  
Chris.Moller@swca.com

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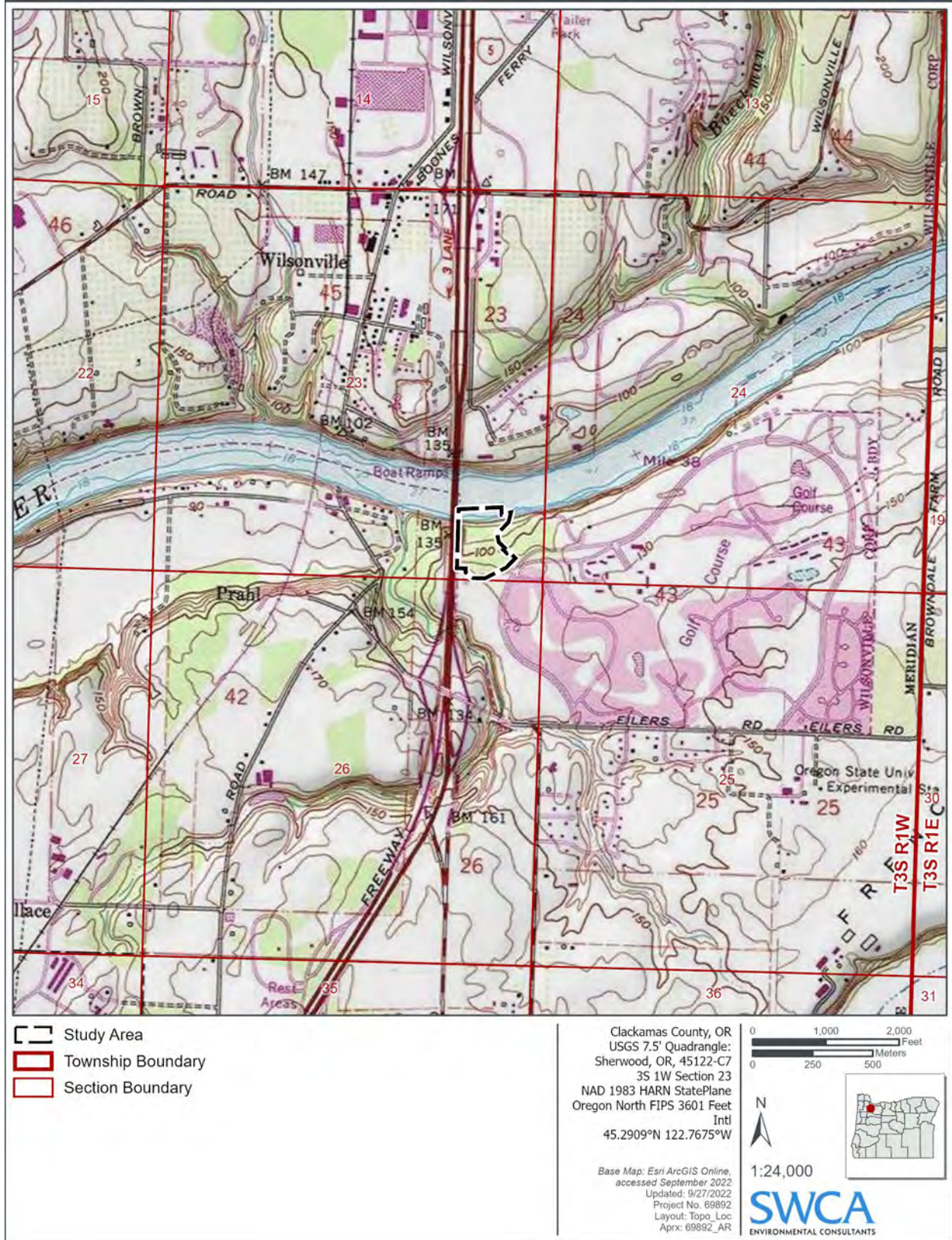
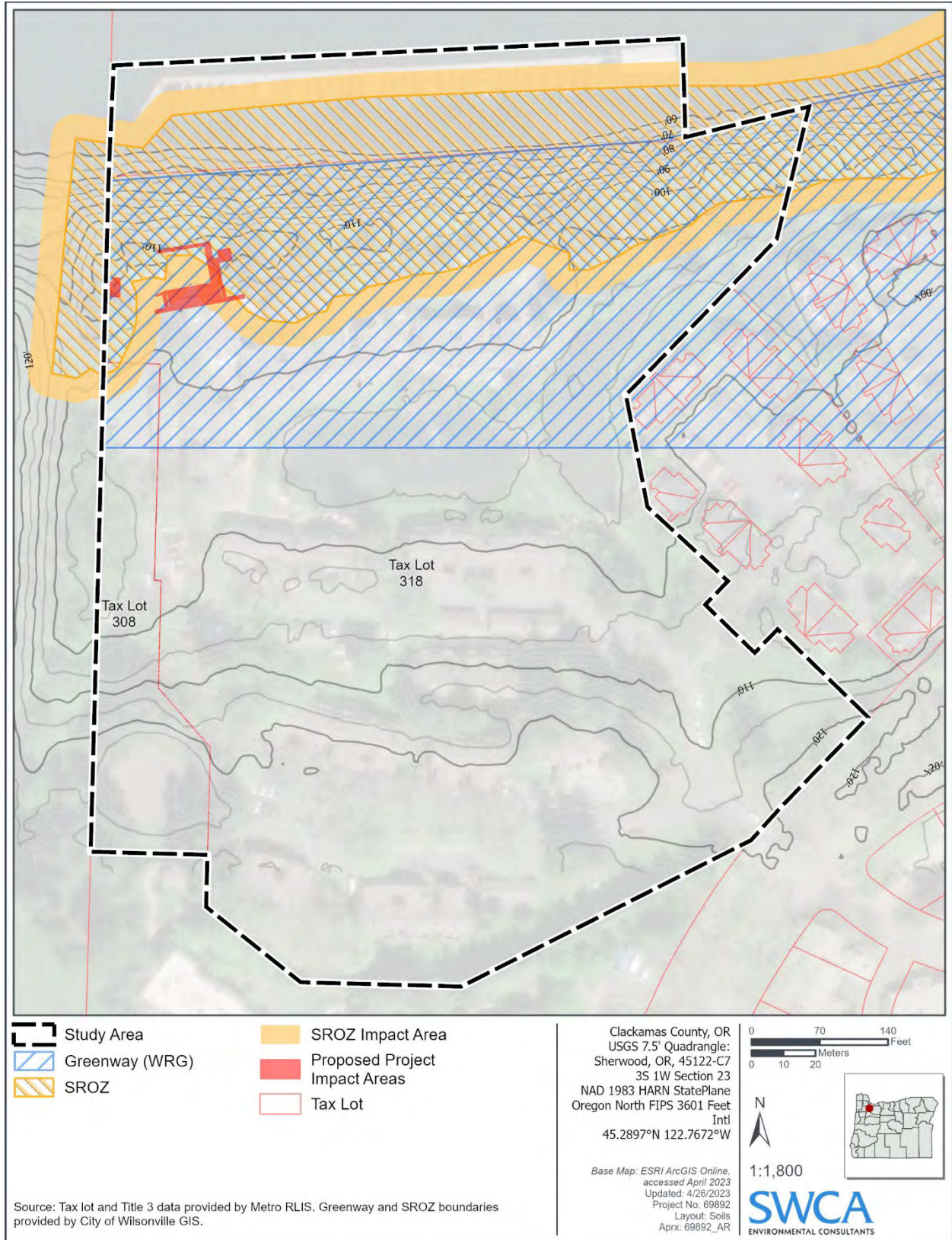


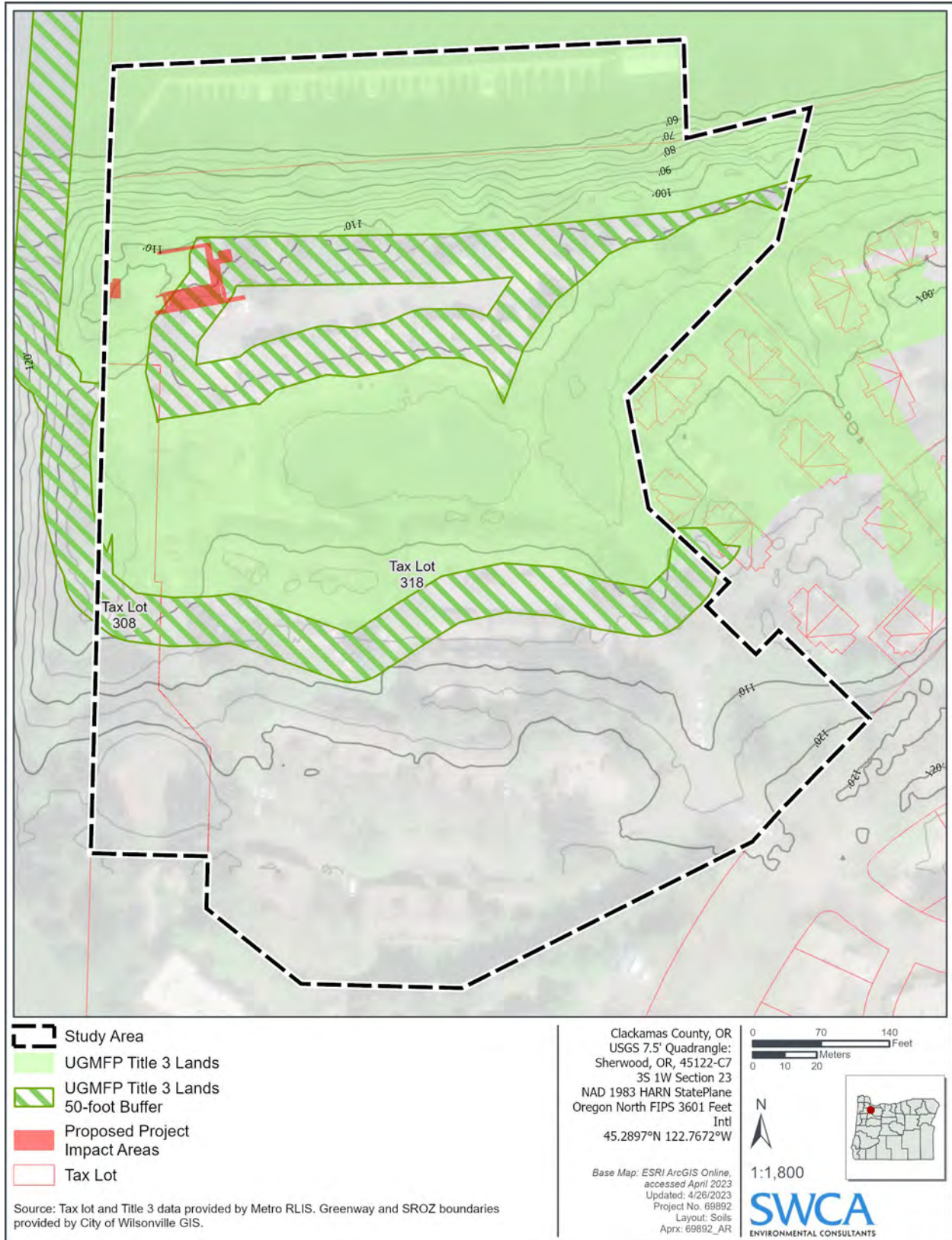
Figure 1. Site location map.



Figure 2. Tax lot map (aerial base).



**Figure 3. Significant resources overlay zone and Willamette River Greenway map in relation to project impact areas.**



**Figure 4. The Metro Urban Growth Management Functional Plan Title 3 Water Quality Resource Area boundary map.**

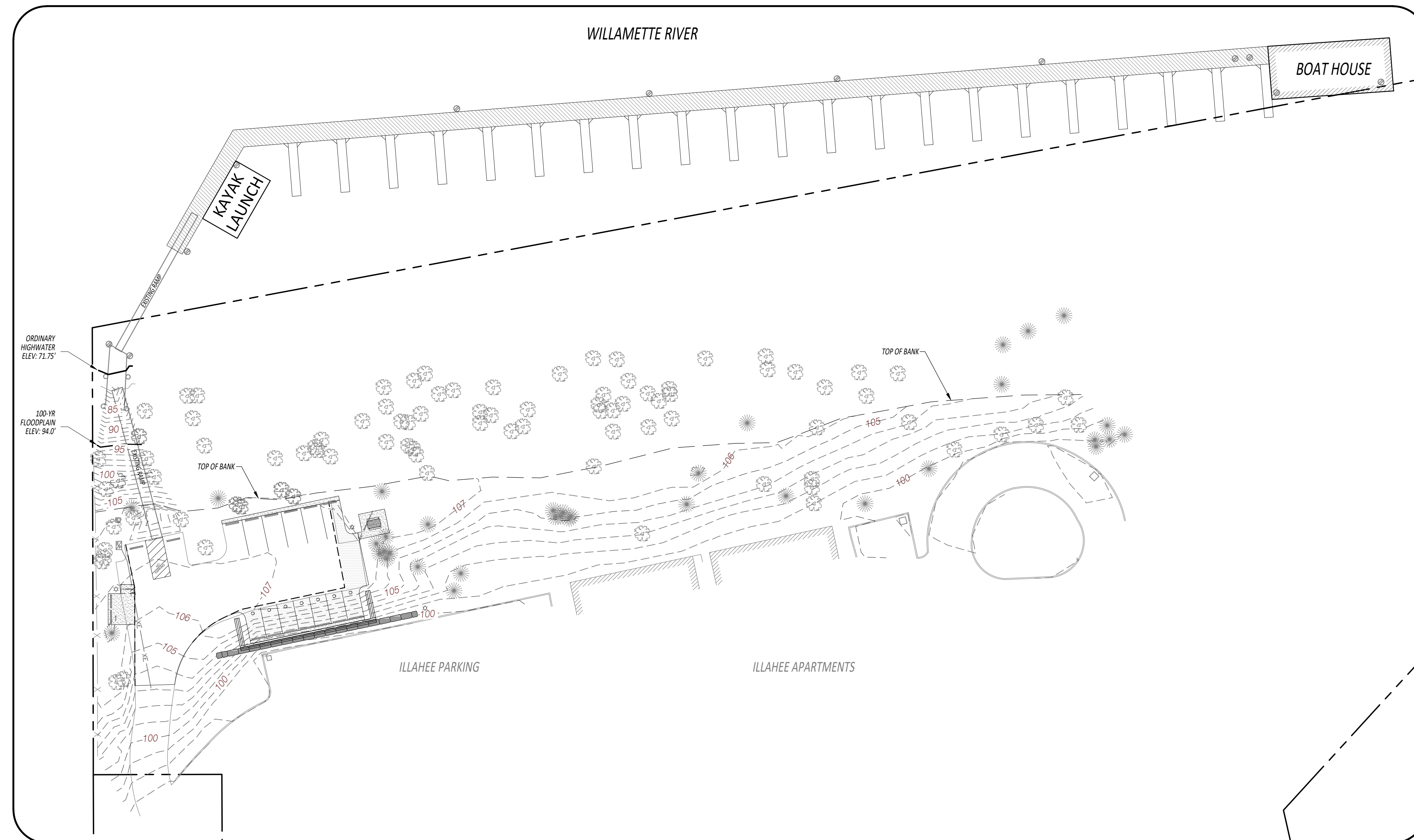
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**APPENDIX A**  
**Site Development Plan Drawings**

# CHARBONNEAU COUNTY CLUB

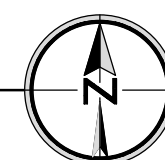
## MARINA MODIFICATIONS

TAX LOT 318 AND A PORTION OF TAX LOT 308, MAP T3S R1W SEC. 25  
8755 SW ILLAHEE COURT, WILSONVILLE, OR 97070



**SITE MAP**

1"=30'



### UTILITY COMPANIES

WATER	CITY OF WILSONVILLE
SEWER	CITY OF WILSONVILLE
STORM	CITY OF WILSONVILLE
GAS	NORTHWEST NATURAL GAS
ELECTRIC	PORTLAND GENERAL ELECTRIC
TELEPHONE	CENTURYLINK
CABLE TV	CENTURYLINK

### VERTICAL DATUM

ELEVATIONS BASED ON THE BENCHMARK SET IN THE PLAT OF "FAIRWAY VILLAGE CONDOMINIUM"  
ELEVATION: 125.72'  
DATUM: U.S.G.S. DATUM, NAVD 88



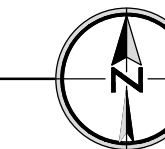
ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0001 through 952-001-0090. You may obtain copies of the rules by calling the center.

NOTE: The telephone number for the Oregon Utility Notification Center is (503) 232-1987.



**VICINITY MAP**

N.T.S.



### OWNER/APPLICANT

CHARBONNEAU COUNTRY CLUB  
32020 SW CHARBONNEAU DR. WILSONVILLE, OR 97070  
PHONE: (503) 694-2300  
CONTACT: RICK SCHRAM

### PLANNING/ENGINEERING/SURVEYING

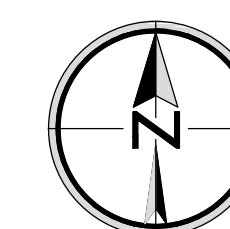
PIONEER DESIGN GROUP, INC.  
9020 SW WASHINGTON SQ RD., SUITE 170  
PORTLAND, OR 97223  
PHONE (503) 643-8286  
CONTACT: BEN ALTMAN

### SITE INFORMATION

TAX MAP: T3S R1W 25  
TAX LOTS: TL#318 AND A PORTION OF TL#308  
SITE ADDRESS: 8755 SW ILLAHEE COURT  
SITE SIZE: 11.28 ACRES  
ZONING: PDR-3

### SHEET INDEX

SHEET NUMBER	SHEET DESCRIPTION
P1.0	COVER SHEET
P2.0	EXISTING CONDITIONS & DEMOLITION PLAN
P3.0	PRELIMINARY MARINA PARKING LOT GRADING & EROSION CONTROL PLAN
P4.0	PRELIMINARY MARINA AND PARKING LOT SITE PLAN
L1.0	MARINA PARKING LOT LANDSCAPE PLANTING PLAN



CoW CASEFILE # DB22-0010

PRELIMINARY

COVER SHEET

CHARBONNEAU COUNTY CLUB - MARINA MODIFICATIONS  
8755 SW ILLAHEE COURT, WILSONVILLE, OREGON

Designed by	Date	Reviewed by	Date	REF.
LRL	04/2023	LRL	04/2023	
BDH	04/2023			
Project No.	999-1167			
Horiz. Scale:				
Vert. Scale:				

By	Date	Revision

Project  
CHARBONNEAU MARINA  
No.  
999-146.7  
Type  
PLANNING  
Sheet



PRELIMINARY

EXISTING CONDITIONS AND DEMOLITION PLAN

CHARBONNEAU COUNTY CLUB - MARINA MODIFICATIONS  
8755 SW ILLAHEE COURT, WILSONVILLE, OREGON

Designed by	Date	Reviewed by	Date	Project No.	REF.
LRL	04/2023	BDH	04/2023	999-116.7	
Drawn by		LRL	04/2023		
Reviewed by					
Project No.		999-116.7			
Horiz. Scale:					
Vert. Scale:					

By	Date	Revision

Project: CHARBONNEAU MARINA  
No.: 999-146.7  
Type: PLANNING  
Sheet

P2.0

LEGEND

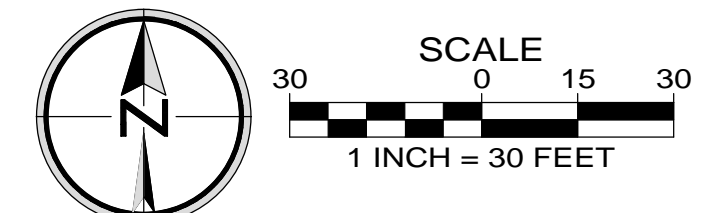
- - - - - RIGHT-OF-WAY LINE
- - - - - BOUNDARY LINE
- - - - - TOP OF BANK
- - - - - CENTER LINE
- SD- STORM DRAINAGE LINE
- YSS- SANITARY SEWER LINE
- XW- WATER LINE
- XG- GAS LINE
- XCOM- COMMUNICATION LINE
- XT- TELEPHONE LINE
- XE- UNDERGROUND POWER LINE
- XOH- OVERHEAD WIRE
- - - - - FENCE LINE (AS NOTED)
- - - - - EXISTING 1' CONTOUR
- - - - - EXISTING 5' CONTOUR
- - - - - CULVERT
- #- CONIFEROUS TREE (DBH)
- #- DECIDUOUS TREE (DBH)
- (# #) - DIAMETER (INCHES) AT BREAST HEIGHT
- (# #) - ARBORIST TREE TAG NUMBER
- □ - CATCH BASIN/DRAIN INLET
- □ - STORM DITCH INLET
- □ - STORM MANHOLE
- □ - SANITARY MANHOLE
- □ - CLEANOUT
- □ - WATER VALVE
- □ - IRRIGATION VALVE
- □ - WATER METER
- □ - FIRE HYDRANT ASSEMBLY
- □ - FIRE DEPARTMENT CONNECTION
- □ - MONITORING WELL
- □ - GAS VALVE
- □ - GAS METER
- □ - GAS RISER
- □ - GAS VAULT
- □ - TELEPHONE MH/VAULT
- □ - SIGN
- □ - MAILBOX
- □ - JUNCTION BOX
- □ - ELECTRIC VAULT
- □ - ELECTRIC PEDESTAL
- □ - ELECTRIC METER
- □ - LIGHT POLE
- □ - POWER POLE
- □ - GUY WIRE
- □ - POWER POLE W/ LIGHT
- □ - SIGNAL POLE
- □ - UTILITY VAULT
- □ - UTILITY PEDESTAL
- □ - WATER VAULT
- □ - COMMUNICATION VAULT
- □ - TELECOMM PEDESTAL
- □ - UTILITY CAP
- □ - HANDICAP MARKER
- □ - EXISTING CONCRETE
- □ - EXISTING ASPHALT PAVEMENT
- □ - EXISTING GRAVEL SURFACE
- □ - EXISTING BUILDING FOOTPRINT
- X X - EXISTING TREE TO BE REMOVED

DEMOLITION NOTES

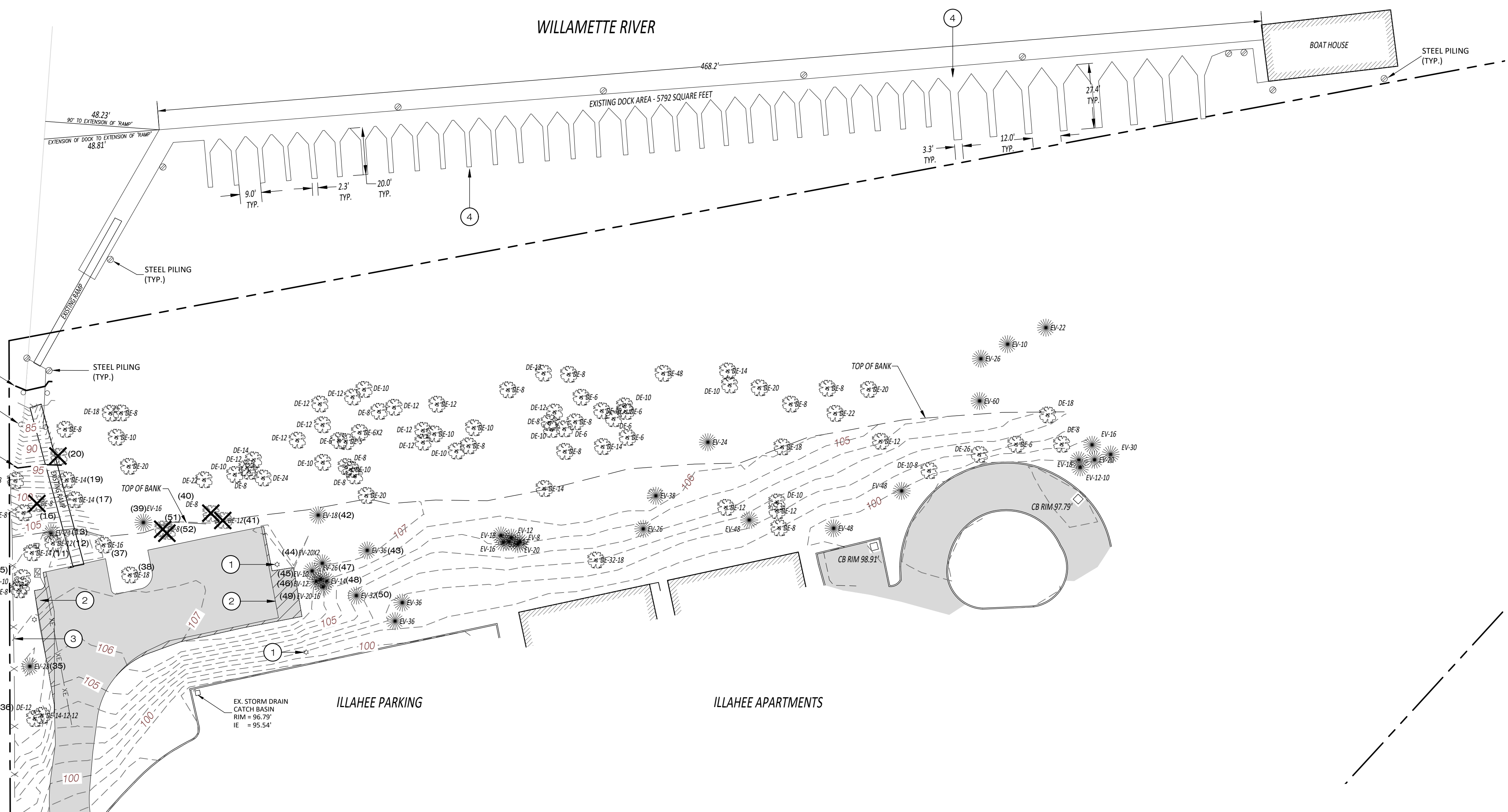
- ① EXISTING PARKING LOT LIGHT TO BE REMOVED AND RELOCATED.
- ② EXISTING PAVEMENT TO BE REMOVED.
- ③ EXISTING FENCE TO REMAIN AND BE USED AS TREE PROTECTION. COORDINATE EXTENT WITH ARBORIST.
- ④ EXISTING DOCK TO BE REMOVED AND REPLACED.

GENERAL NOTES

- 1. ALL TREES TO BE REMOVED PER ARBORIST RECOMMENDATION.
- 2. SEE ARBORIST REPORT FOR COMPLETE TREE INVENTORY ASSESSMENT.



CoW CASEFILE # DB22-0010



Charbonneau Marina Tree Table 3/20/2023

Tag	Species	DBH 22	Remarks	Rating	Action
11	big leaf maple	13	native	2	protect
12	big leaf maple	13	native	2	protect
13	Douglas fir	25	native	2	protect
15	big leaf maple	10	native	2	protect
16	bird cherry	7	invasive; on 2015 cut list but still there	2	remove
17	bird cherry	12	invasive	2	remove
19	Douglas fir	14	native	2	protect
20	big leaf maple	10,16	hitting ramp; terminal decline & high risk	0	remove
22	big leaf maple	30	two trunks; estimated due to access	2	protect
25	big leaf maple	4	native	2	protect
26	big leaf maple	8	native	2	protect
27	big leaf maple	8	native	2	protect
35	Douglas fir	28	native	2	protect
36	big leaf maple	27	also an 11-inch bigleaf maple 1 ft. to west	2	protect
37	big leaf maple	17	please fence when excavating at tree 38	2	protect
38	Pacific dogwood	17	native	3	protect
39	grand fir	18	native	2	protect
40	bird cherry	9	invasive; leans over parking; easy removal	2	remove
41	bird cherry	11	invasive; leans over parking; easy removal	2	remove
42	Douglas fir	18	native	2	protect
43	Douglas fir	36	used Biltmore stick due to poison oak	2	protect
44	western red cedar	37	native; poison oak infested	2	protect
45	western red cedar	24	native; poison oak infested	2	protect
46	western red cedar	10	native; poison oak infested	2	protect
47	western red cedar	10	native; poison oak infested	2	protect
48	western red cedar	12	native; poison oak infested	2	protect
49	western red cedar	16,18	native; poison oak infested	2	protect

Portland Tree Consulting Rating: 0/dead or hazard 1/decline 2/average 3/excellent

Charbonneau Marina Tree Table 3/20/2023

Tag	Species	DBH 22	Remarks	Rating	Action
50	Douglas fir	34	used Biltmore stick due to poison oak	2	protect
51	bird cherry	4	not on map; invasive, leans over parking	2	remove
52	bird cherry	8	not on map; invasive, leans over parking	2	remove

Please see narrative for tree protection discussion. This Tree Table is based on fieldwork from 5/03/2022.

- Species**
- big leaf maple- *Acer macrophyllum*
  - bird cherry- *Prunus avium*
  - black cottonwood- *Populus trichocarpa*
  - Douglas fir- *Pseudotsuga menziesii*
  - grand fir- *Abies grandis*
  - Pacific dogwood- *Cornus nuttallii*
  - red alder- *Alnus rubra*
  - red oak- *Quercus rubra*
  - western red cedar- *Thuja plicata*
  - poison oak- *Toxicodendron diversilobum*

Portland Tree Consulting Rating: 0/dead or hazard 1/decline 2/average 3/excellent

PRELIMINARY

**PRELIMINARY MARINA PARKING LOT  
 GRADING & EROSION CONTROL PLAN**

CHARBONNEAU COUNTY CLUB - MARINA MODIFICATIONS  
 8755 SW ILLAHEE COURT, WILSONVILLE, OREGON

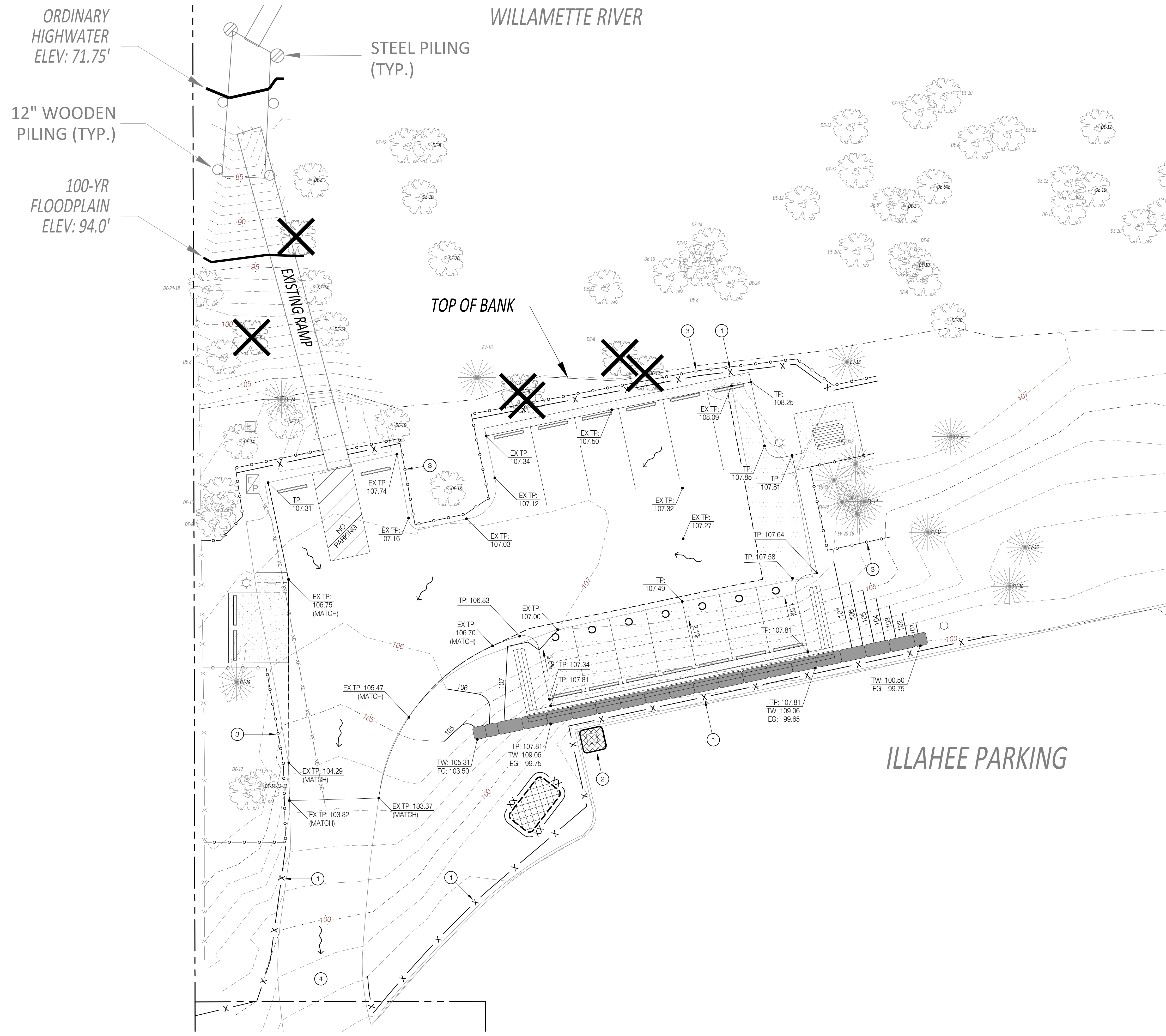
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BDH	04/2023	BDH	04/2023	
Project No.	999-116.7			
Horiz. Scale:				
Vert. Scale:				

By	Date	Revision

Project: CHARBONNEAU MARINA  
 No.: 999-146.7  
 Type: PLANNING  
 Sheet

P3.0

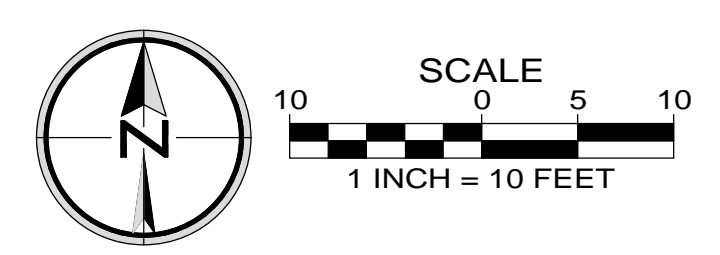
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**LEGEND**

- 151 --- EXISTING 1' CONTOUR
- 155 --- EXISTING 5' CONTOUR
- 151 — PROPOSED 1' CONTOUR
- 155 — PROPOSED 5' CONTOUR
- [Symbol] PROPOSED ULTRABLOCK RETAINING WALL (DESIGN BY OTHERS)
- [Symbol] PROPOSED 42" HIGH CONCRETE JERSEY BARRIER (ODOT)
- [Symbol] PROPOSED EROSION CONTROL FENCING
- [Symbol] PROPOSED TREE PROTECTION FENCING
- TC: 201.50 TP: 201.00 TC = TOP OF CURB ELEVATION TP = TOP OF PAVEMENT ELEVATION
- FG: 201.50 EG: 201.00 FG = FINISH GRADE ELEVATION EG = EXISTING GROUND ELEVATION
- TW: 201.50 TW = TOP OF WALL ELEVATION
- EX. TP: 201.50 EX. TP = EXIST. TOP OF PAVEMENT ELEVATION
- [Symbol] PROPOSED FLOW LINE
- [Symbol] EXISTING CONIFEROUS TREE
- [Symbol] EXISTING DECIDUOUS TREE
- [Symbol] PROPOSED STOCKPILE LOCATION
- [Symbol] PROPOSED TYPE 4 INLET PROTECTION
- [Symbol] PROPOSED TYPE 5 INLET PROTECTION

- GRADING NOTES**
- INSTALL TEMPORARY SEDIMENT FENCE PER CITY OF WILSONVILLE STANDARD DETAIL #S-2245 (TYP).
  - INSTALL TYPE 5 INLET PROTECTION PER CITY OF WILSONVILLE STANDARD DETAIL #S-2127 (TYP).
  - INSTALL TREE PROTECTION FENCING, (TYP).
  - EXISTING ASPHALT DRIVEWAY TO SERVE AS CONSTRUCTION ENTRANCE.



PRELIMINARY

**PRELIMINARY MARINA AND  
 PARKING LOT SITE PLAN**

CHARBONNEAU COUNTY CLUB - MARINA MODIFICATIONS  
 8755 SW ILLAHEE COURT, WILSONVILLE, OREGON

Designed by	Date	REF.
LRL	04/2023	
BDH	04/2023	
LRL	04/2023	
Reviewed by	999-1167	
Project No.	999-1167	
Horiz. Scale:		
Vert. Scale:		

No.	Date	Revision

Project  
 CHARBONNEAU MARINA  
 No.  
 999-146.7  
 Type  
 PLANNING  
 Sheet

P4.0

WILLAMETTE RIVER

BOAT HOUSE

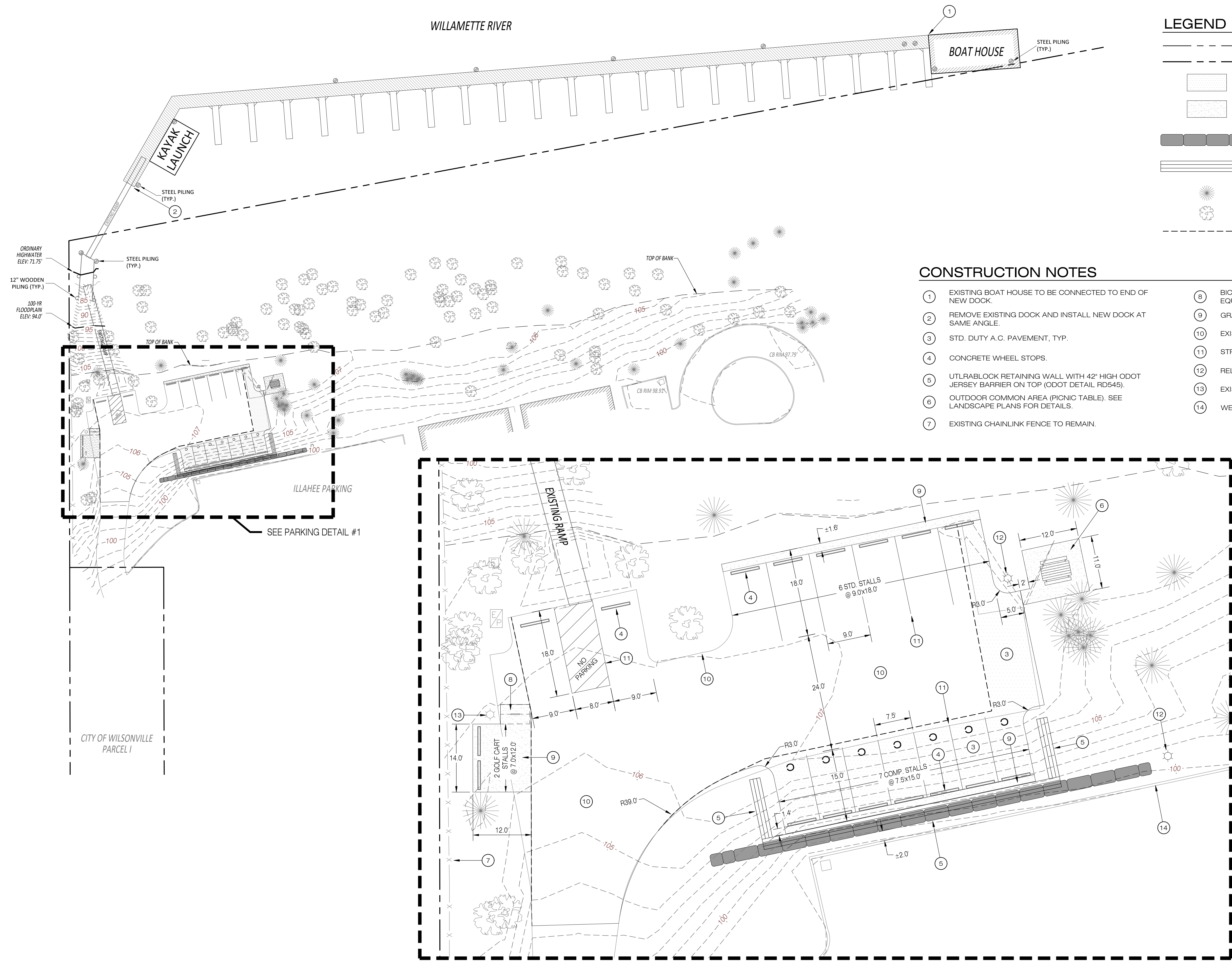
KAYAK LAUNCH

LEGEND

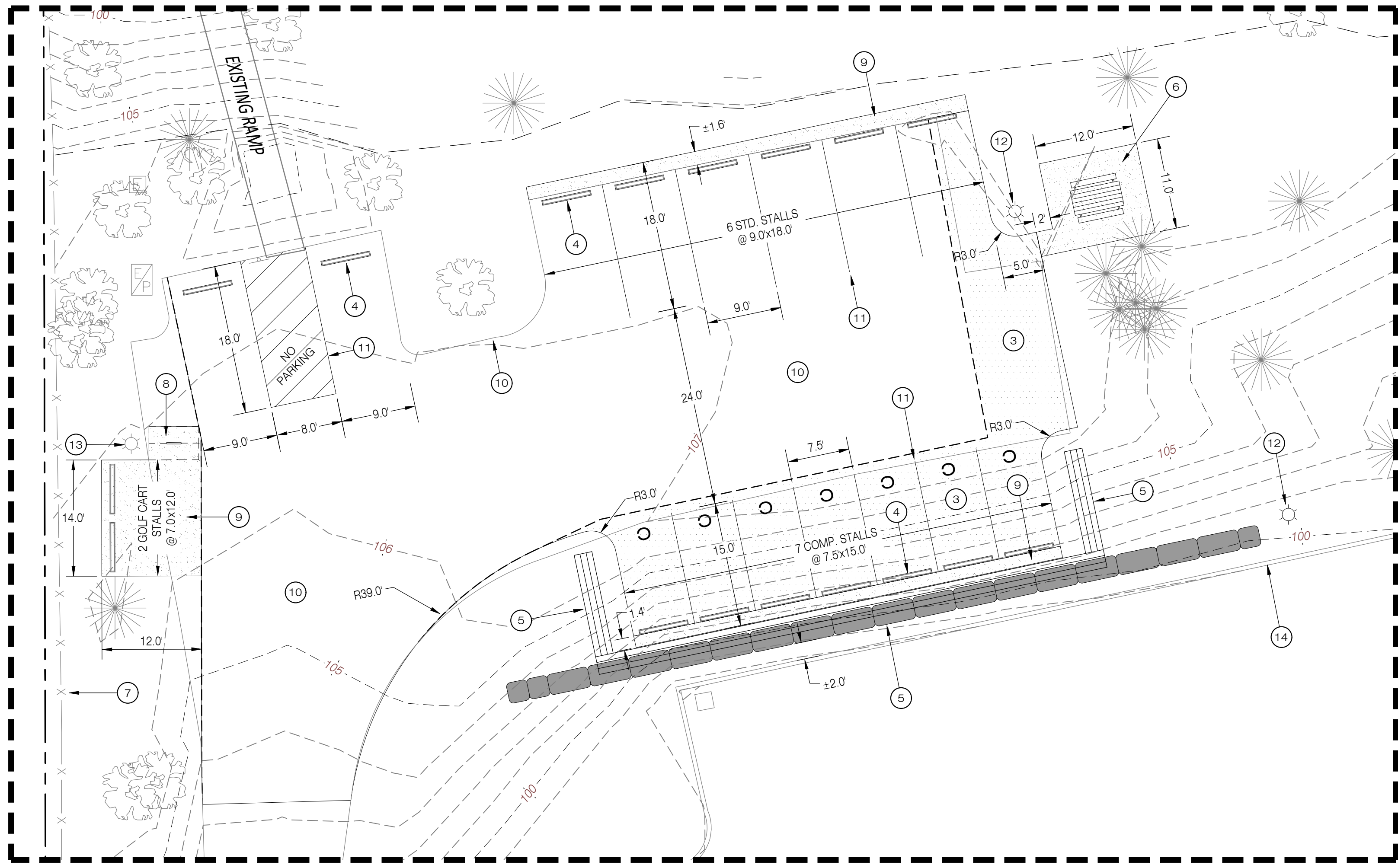
- PROPOSED RIGHT-OF-WAY
- - - BOUNDARY LINE
- [Pattern] PROPOSED ASPHALT PAVEMENT
- [Pattern] PROPOSED GRAVEL PAVEMENT
- [Pattern] PROPOSED ULTRABLOCK RETAINING WALL (DESIGN BY OTHERS)
- [Pattern] PROPOSED 42" HIGH CONCRETE JERSEY BARRIER (ODOT)
- [Symbol] EXISTING CONIFEROUS TREE
- [Symbol] EXISTING DECIDUOUS TREE
- - - SAWCUT LINE

CONSTRUCTION NOTES

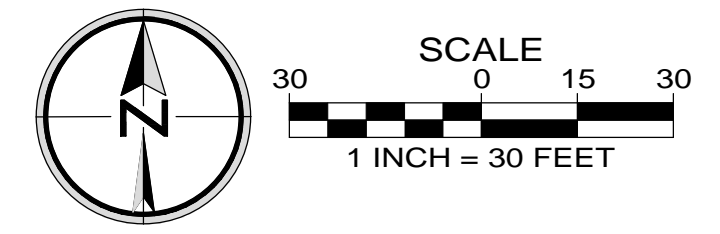
- 1 EXISTING BOAT HOUSE TO BE CONNECTED TO END OF NEW DOCK.
- 2 REMOVE EXISTING DOCK AND INSTALL NEW DOCK AT SAME ANGLE.
- 3 STD. DUTY A.C. PAVEMENT, TYP.
- 4 CONCRETE WHEEL STOPS.
- 5 UTLRABLOCK RETAINING WALL WITH 42" HIGH ODOT JERSEY BARRIER ON TOP (ODOT DETAIL RD545).
- 6 OUTDOOR COMMON AREA (PICNIC TABLE). SEE LANDSCAPE PLANS FOR DETAILS.
- 7 EXISTING CHAINLINK FENCE TO REMAIN.
- 8 BICYCLE RACK. HUNTCO 'STAPLE' OR APPROVED EQUAL.
- 9 GRAVEL PAVEMENT.
- 10 EXISTING ASPHALT PAVEMENT TO REMAIN.
- 11 STRIPE PARKING STALLS.
- 12 RELOCATE AND REINSTALL LIGHT.
- 13 EXISTING LIGHT TO REMAIN.
- 14 WEEPHOLE WALL DRAIN THROUGH CURB.



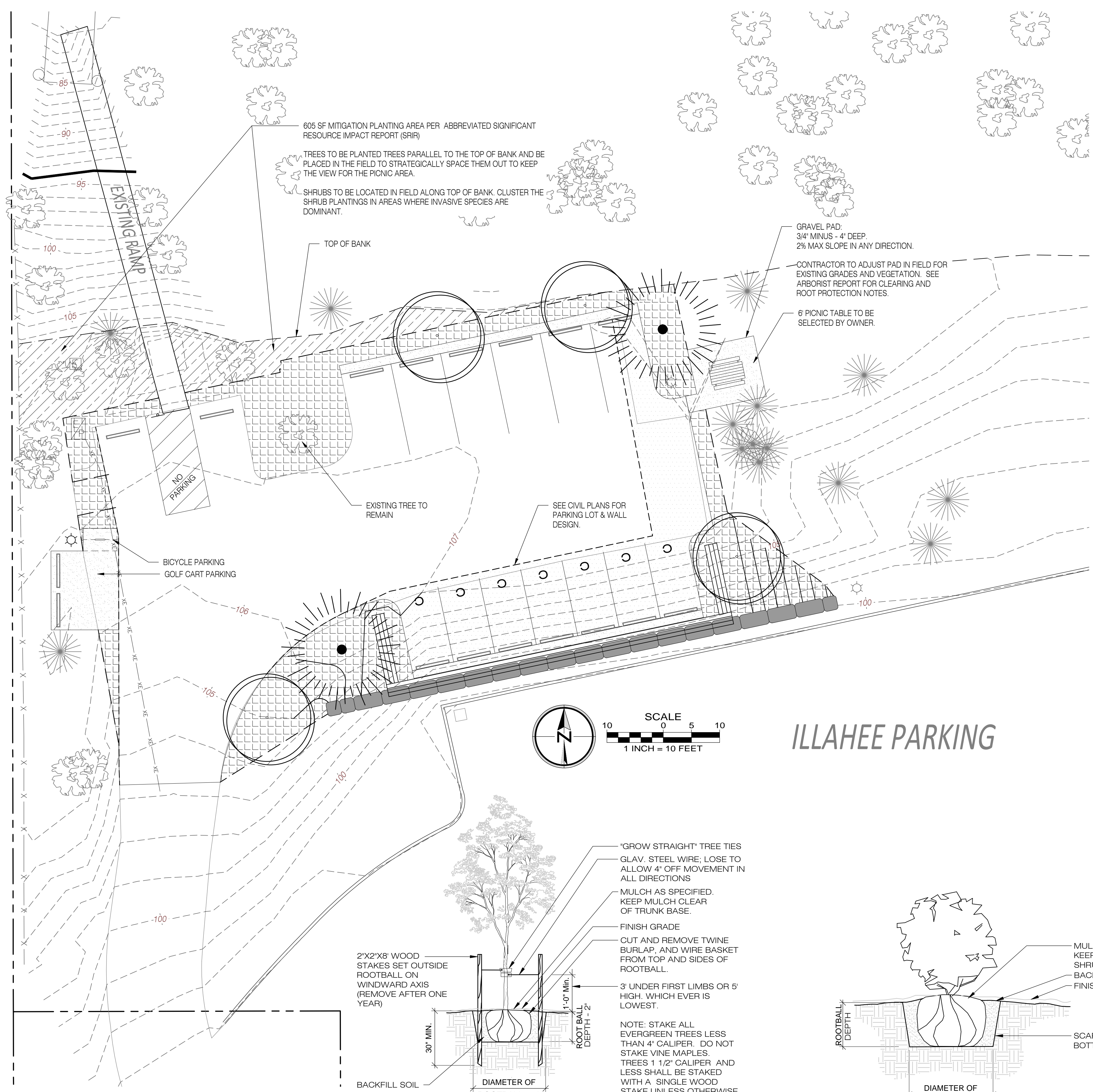
SEE PARKING DETAIL #1



**PARKING DETAIL #1**  
 SCALE: 1"=10' (H)



CoW CASEFILE # DB22-0010



**NOTES:**

1. SEE ARBORIST REPORT FOR TREE REMOVAL AND MITIGATION NOTES.
2. UNDERBRUSH WILL BE CLEARED, AND THE GROUND MAY BE LEVELLED BY HAND WITH AN ARBORIST PRESENT TO CONTROL DEPTH OF EXCAVATION. TREE ROOTS MUST BE PROTECTED HERE, SO AS SOON AS ROOTS ARE EXPOSED THE EXCAVATION IS FINISHED.
3. SEE ABBREVIATED SIGNIFICANT RESOURCE IMPACT REPORT (SRIR) FOR ALL MITIGATION AND ENHANCEMENT INFORMATION.

**TREE REMOVAL MITIGATION TREES - PLANTING LEGEND (SRIR)**

TREES SYMBOL	QTY.	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	3	BIG LEAF MAPLE / ACER MACROPHYLLUM: 18-24" TALL, 8-12FT ON CENTER
	1	PACIFIC DOGWOOD / CORNUS NUTTALLII: 18-24" TALL, 8-12FT ON CENTER
	4	DOUGLAS FIR / PSEUDOTSUGA DOUGLASII: 18-24" TALL, 8-12FT ON CENTER
<b>TOTAL</b>	<b>11</b>	<b>(11) TOTAL TREES REQUIRED FOR MITIGATION PER SIGNIFICANT RESOURCES INVENTORY REPORT</b>

**SHRUBS**

SHRUBS SYMBOL	QTY.	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	15	VINE MAPLE / ACER CIRCINATUM: 18-24" TALL, 4-5FT ON CENTER
	14	SNOWBERRY / SYMPHORICARPUS ALBUS: 18-24" TALL, 4-5FT ON CENTER
	14	INDIAN PLUM / OEMLERIA CERASIFORMIS: 18-24" TALL, 4-5FT ON CENTER
<b>TOTAL</b>	<b>43</b>	<b>(43) TOTAL TREES REQUIRED FOR MITIGATION PER SIGNIFICANT RESOURCES INVENTORY REPORT</b>

**GRASS SEED**

GRASS SEED SYMBOL	QTY.	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION	
	605 S.F.	CALIFORNIA BROME (BROMUS CARINATUS)	40%
		BLUE WILDRIE (ELYMUS GLAUCUS)	30%
		SHOWY MILKWEED (ASCLEPIAS SPECIOSA)	20%
		WESTERN YARROW (ACHILLEA MILLEFOLIUM)	05%
		VANILLA LEAF (ACHLYS TRIPHYLLA)	05%

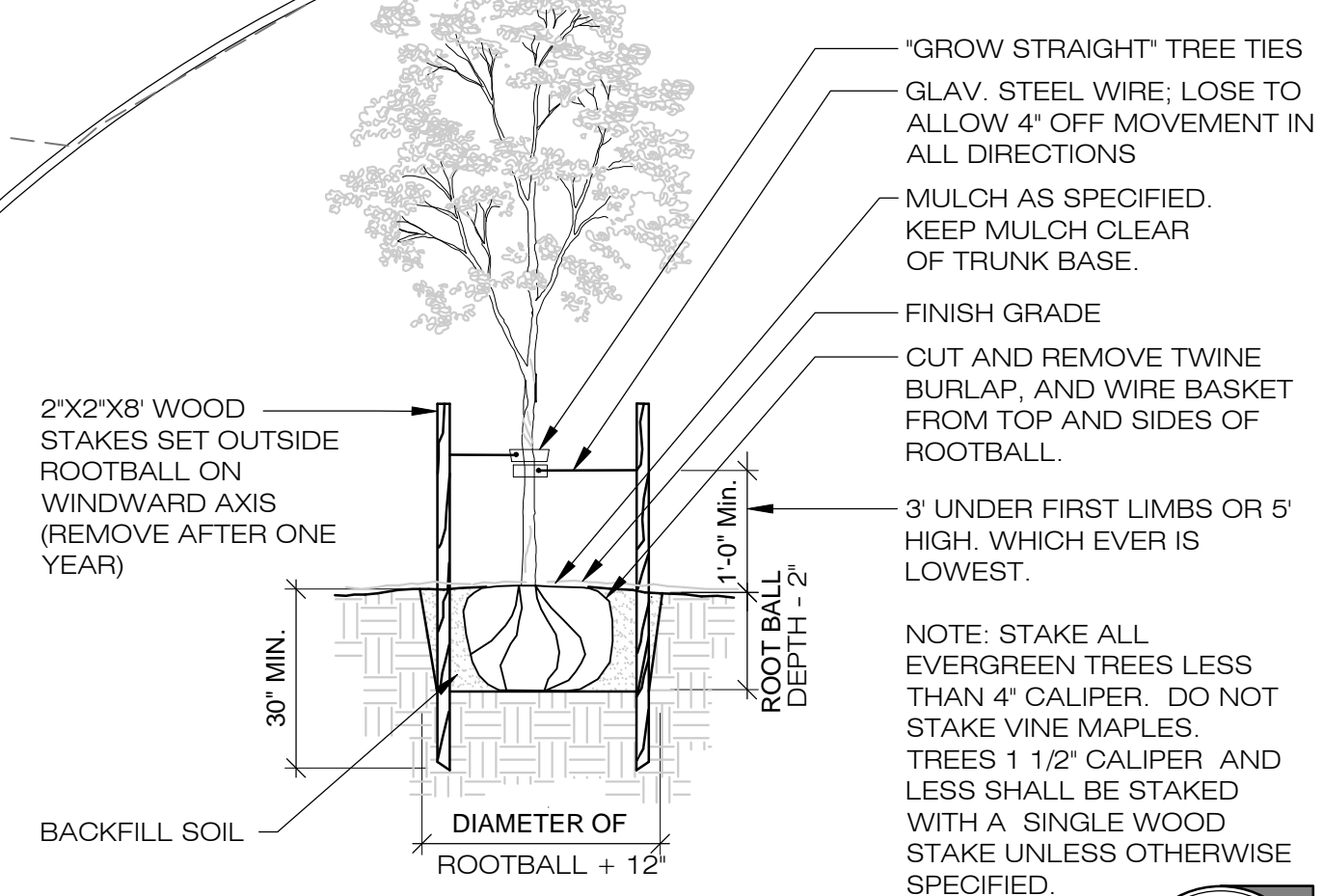
\*APPLY WITH 3/8" THICK COVER OF GREEN DUE D FINE GROUND WOOD CELLULOSE MULCH. PROVIDE 100% EROSION AND WEED FREE COVERAGE. RE-SEED AND WEED AS NEEDED.

**PARKING LOT - PLANT LEGEND**

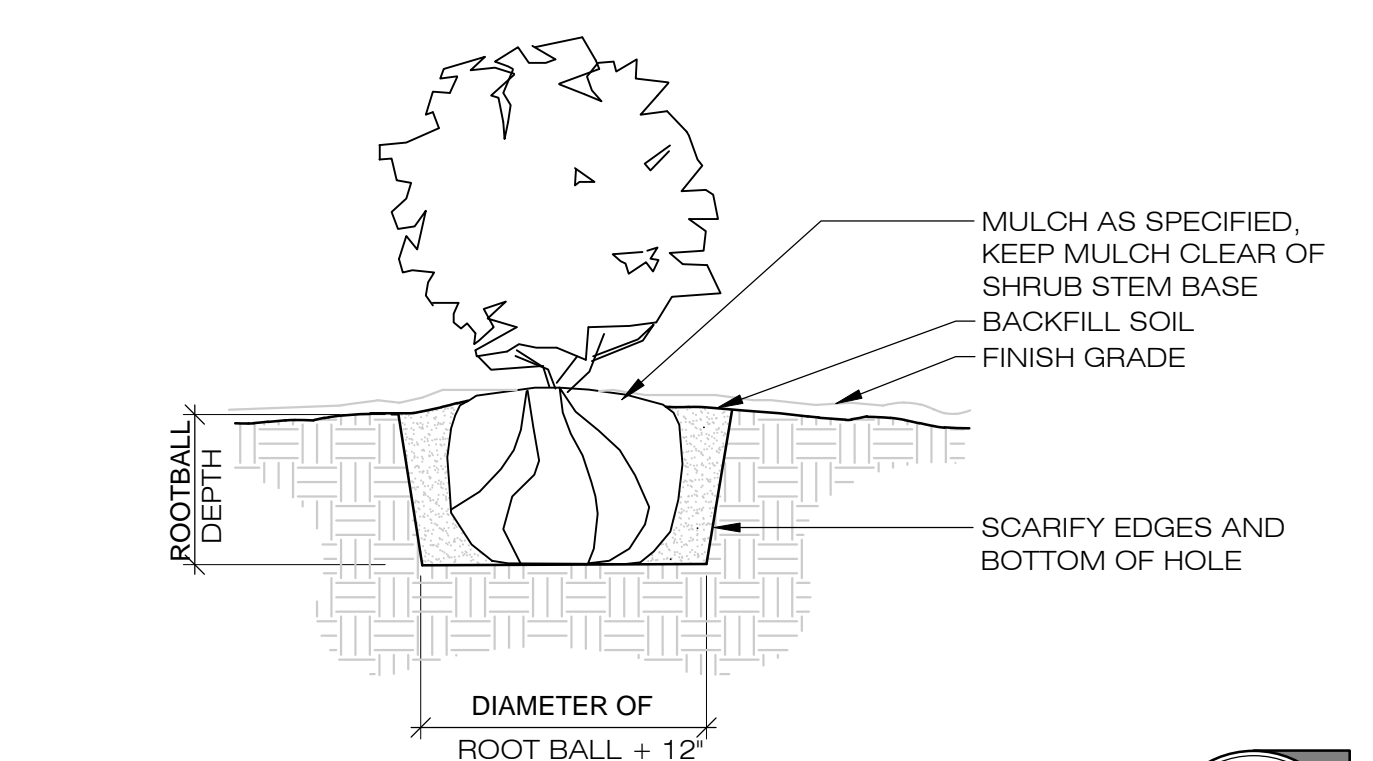
TREES SYMBOL	QTY.	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	4	OREGON ASH / FRAXINUS LATIFOLIA: 2" CAL.
	2	DOUGLAS FIR / PSEUDOTSUGA MENZIESII: 6-8' HT.
SHRUBS SYMBOL	QTY.	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	10	KELSEY DOGWOOD / CORNUS SERICEA KELSEY: 1 GAL.
	12	OREGON GRAPE / MAHONIA AQUIFOLIUM: 1 GAL.
	12	PACIFIC NINEBARK / PHYSOCARPUS CAPITATUS: 1 GAL. / 2' HT. / SINGLE
	15	SWORD FERN / POLYSTICHUM MUNITUM: 1 GAL.
	9	BIRCHLEAF SPIREA / SPIREA BETULAFOLIA: 1 GAL.
	20	SNOWBERRY / SYMPHORICARPUS ALBUS: 1 GAL.
	12	DOUGLAS SPIREA / SPIREA DOUGLASII: 1 GAL. / 1.5' HT. / CLUSTER

**NOTES:**

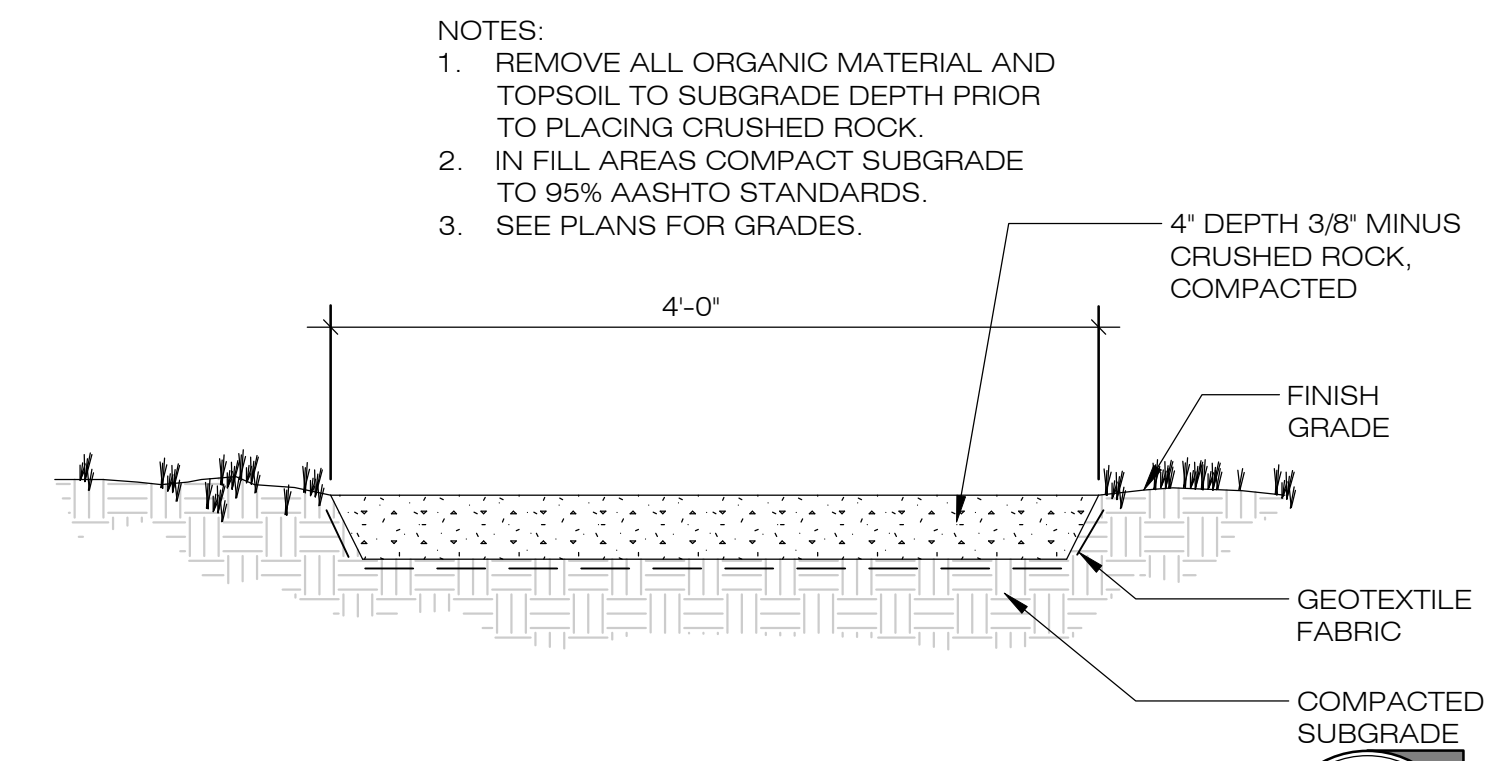
1. LANDSCAPE AREAS WILL BE HAND WATERED FOR THE ESTABLISHMENT PERIOD.



**TREE STAKING DETAIL**  
SCALE: N.T.S.



**SHRUB PLANTING DETAIL**  
SCALE: N.T.S.



**GRAVEL PICNIC TABLE PAD**  
SCALE: N.T.S.

Item 2.

PIONEER DESIGN GROUP  
CIVIL ENGINEERING • LAND USE PLANNING • LAND SURVEYING • LANDSCAPE ARCHITECTURE  
PORTLAND, OREGON | HONOLULU, HAWAII  
PH: 503.643.8286 | WWW.PD-GRP.COM

PRELIMINARY

MARINA PARKING LOT  
LANDSCAPE PLANTING PLAN

CHARBONNEAU COUNTY CLUB - MARINA MODIFICATIONS  
8755 SW ILLAHEE COURT, WILSONVILLE, OREGON

Designed by	Date	Reviewed by	Date	Project No.	REF.
LRL	04/2023	BDH	04/2023	999-116.7	
LRL	04/2023	LRL	04/2023		

By
Revision

No.
Date

Project
No.
Type

CHARBONNEAU MARINA
999-146.7
PLANNING

Sheet
**L1.0**



**APPENDIX B**  
**Ground-Level Site Photographs**



**Photograph B-1.** Panoramic photograph of parking lot improvement area looking west (left) and northeast (right). Shows location of additional golf cart spaces and bike rack (behind truck in center). Photograph taken 3/7/2022.



**Photograph B-2.** Panoramic photograph of parking lot improvement area looking northeast (left) and south (right). Shows location of additional parking cart spaces (blackberries) and retaining wall (center). Tree 38 (to be removed) is shown on the left side. Photograph taken 3/7/2022.



**Photograph B-3.** Panoramic photograph of the existing conditions within the SROZ and WRG looking east (left) and west (right). Dock to be replaced visible in the foreground. OHWL is apparent on bridge and dock pilings and along bank of the Willamette River.



**Photograph B-4.** Panoramic photograph of the existing conditions within the SROZ and WRG looking west (left) and east (right). Dock to be replaced visible in the background.





**Photograph B-5.** Photograph looking southeast upslope. Trees against gangway to be removed visible. Photograph taken 3/7/2022.



**Photograph B-6.** Photograph looking east along the Willamette River. Photograph taken 3/7/2022.



**Photograph B-7.** Photograph looking south along edge of existing paved parking area. Photograph taken 3/7/2022.



**Photograph B-8.** Photograph looking east along north edge of existing paved parking area. Photograph taken 3/7/2022.

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**APPENDIX C**  
**Arborist Report and Tree Information**

Charbonneau Marina

3/20/2023

### Tree Plan for Charbonneau Marina

Improvements are proposed for the Charbonneau Marina in Wilsonville. Trees in the project vicinity were inventoried in 2015, and the attached Tree Table includes those twenty-eight trees plus tree 51 (T51) and T52. All trees west of the permanent metal fence on the west end have been excluded. All trees in the study area have been tagged with metal tags that shall remain in place throughout construction. Tag numbers are keyed to the tree survey map and the attached Tree Table.

The intent of the proposed improvements is to remove any tree interfering with the aluminum ramp, any high-risk trees, and several invasive trees. A Greenway Conditional Use Permit will be sought, and it will include adding a passive picnic area east of the parking lot.

Seven trees will be removed as allowed by Section 4.610.30. Type B Permit. One of these, T52, is less than 6 inches in diameter and needs no mitigation. Six of the trees have yellow flagging tape tied around them, but T20 could not be flagged due to difficult access. It does have yellow tape tied to a substantial epiphyte on the trunk and is easily found as it is in contact with the aluminum ramp. See photographs below.

For the two trees to be cut on the riverbank, T16 and T20, stumps will be cut close to the ground and left in place. Along with poison oak control the stumps should be monitored annually, with all sprouts cut to eliminate regrowth. Trees on the upper bank, which include T40, T41, T51 and T52, will have stumps removed by a portable stump cutter to eliminate suckering with minimal ground disturbance. A certified arborist should attend to verify that protective fencing is in place and to monitor roots from T37, cutting them if needed during the parking lot process.

Section 4.620.00. (.07) provides exceptions to the tree replacement rule: “*Exception.* Tree replacement may not be required for applicants in circumstances where the Director determines that there is good cause to not so require. Good cause shall be based on a consideration of preservation of natural resources, including preservation of mature trees and diversity of ages of trees. Other criteria shall include consideration of terrain, difficulty of replacement and impact on adjacent property.”

I recommend that the replacement tree requirement be waived for all invasive trees and applied only to T20, a native species. Natural resources including many young and many older trees on the riverbank and its surroundings are being carefully preserved. Replanting with one bigleaf maple seems an adequate mitigation, considering that the removal of invasive species contributes to the wellbeing of the land. We await the Director’s determination.

City Code requires that trees be replaced with a 2-inch caliper sapling within one year of removal. Trees shall be state certified Nursery Grade No.1 or better. Replacement trees must be staked, fertilized, and mulched, and shall be guaranteed by the permit holder for two years after

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Charbonneau Marina

3/20/2023

the planting date. In lieu of replacing trees, the applicant may propose to pay into the City Tree Fund an amount equivalent to the value of the replacement trees after installation.

It would be counterproductive to require tree protection fencing and to assign root protection zones (RPZs) to each tree. T16 and T20 are on the riverbank which is steep and difficult to access. Removal of the two trees will require working among other trees, and damage to residual trees, if any, should be corrected where feasible. The trees to be cut at the top of the riverbank can easily be dropped into the parking area where they, and the two trees from the riverbank, can be processed.

The proposed picnic area east of the parking lot will include trees 43 through 50, all native conifers. Douglas-fir and western redcedar adapt easily to foot traffic, and outdoor furniture poses no harm. I recommend trimming off low branches for 12 ft. of overhead clearance. Everyone working in this area should be informed that poison oak is present, its malevolent vines climbing into the trees.

The underbrush will be cleared, and the ground may be leveled by hand to control the depth of excavation. Tree roots must be protected here, so as soon as the roots are exposed the excavation will be finished. The Director may require arborist oversight. Geotextile fabric may be laid down next, but it is not mandatory. I recommend gravel or crushed rock to create a level grade. If preferred, coarse woody mulch such as arborist chips may be spread for the same purpose. Either treatment can produce a level picnic area, and both will protect the soil. Woody mulch will nurture the tree roots as it decomposes, but it will eventually turn into mud. Management must be consulted before planning the chip drop in case of limitations due to fire prevention. Any additional improvements that affect the ground, including potential parking expansion on the south side, should be reviewed by an arborist for adverse effects.

The goal of this Tree Plan is to meet the requirements of the tree preservation code and to observe all laws and regulations. Trees to be removed should be verified and tree protection measures should be inspected before any clearing or grading work begins. It is the owner's responsibility to implement this tree plan fully, and to monitor the construction process to its conclusion. Deviations can result in tree damage, liability, and violations of the City Code.

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Above, Tree 20 is shown at its intersection with a structural element. Part of the base of this tree was cut away during the installation of the new ramp, but trees increase in circumference annually until they die. The tree has two trunks separating at approximately the height of the basal wound.

The two trunks of T20 are to the left.  
The larger trunk has died and broken at approximately 45 ft.  
The smaller trunk is dying but hasn't broken yet. As the tree continues to decline it will drop more wood. It is above the ramp, so it constitutes a high risk to the ramp. It also constitutes a low risk to people, as occupation of the ramp below is intermittent. This will be a difficult tree to take down and tree protection fencing would be another safety obstacle for a tree removal crew.

Unlike T20, tree 16 will be only moderately difficult to remove, and the other four trees are easy removals. All workers should be warned that poison oak is growing in the area. Poison oak should be eradicated before other work begins.

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Charbonneau Marina

3/20/2023

**Portland Tree Consulting** PO Box 19042 Portland, OR 97280  
 503.421.3883 [petertorresusa@gmail.com](mailto:petertorresusa@gmail.com) CCB 230301

1. Client warrants any legal description provided to the Consultant is correct and titles and ownerships to property are good and marketable. Consultant shall not be responsible for incorrect information provided by Client.
2. Consultant can neither guarantee nor be responsible for the accuracy of information provided by others.
3. The Consultant shall not be required to give testimony or attend court or hearings unless subsequent contractual arrangements are made, including additional fees.
4. The report and any values expressed therein represent the opinion of the Consultant, and the Consultant's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
5. Sketches, drawings and photographs in the report are intended as visual aids and may not be to scale. The reproduction of information generated by others will be for coordination and ease of reference. Inclusion of such information does not warrant the sufficiency or accuracy of the information by the Consultant.
6. Unless expressed otherwise, information in the report covers only items that were examined and reflects the condition at the time of inspection. The inspection is limited to visual examination of accessible items without laboratory analysis, dissection, excavation, probing, or coring, unless otherwise stated.
7. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.
8. The report is the completed work product. Any additional work, including production of a site plan, addenda and revisions, construction of tree protection measures, tree work, or inspection of tree protection measures, for example, must be contracted separately. Loss or alteration of any part of the report invalidates the entire report.
9. Any action or proceeding seeking to enforce any provision of this Agreement shall be brought against any of the parties in Multnomah County Circuit Court of the State of Oregon, or, when applicable, in the United States District Court for the District of Oregon. Each party consents to the jurisdiction of such courts (and of the appropriate appellate courts) and waives any objection to such venue.



Peter Torres

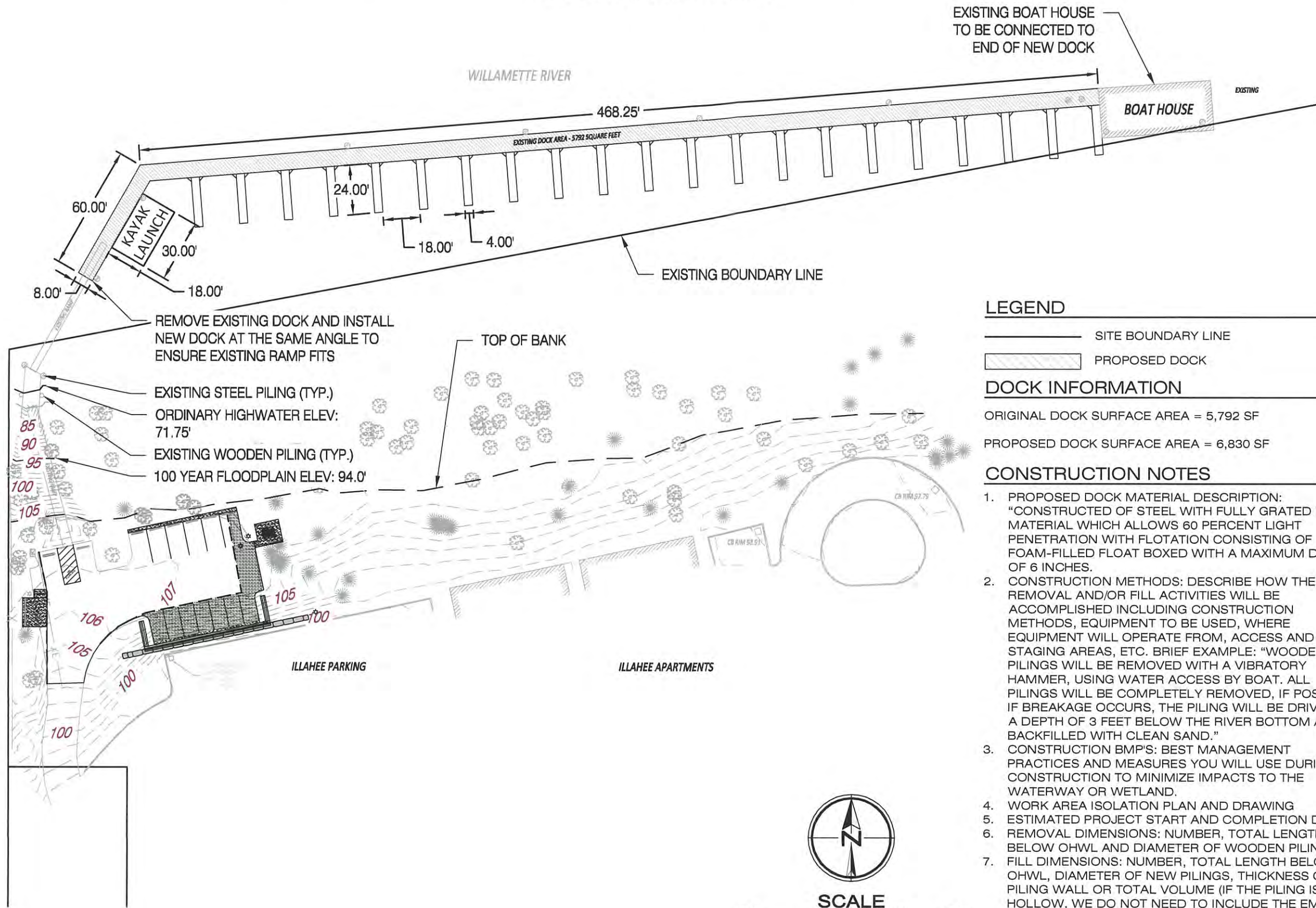
Master of Forestry OSU    ASCA RCA 372ISA    Certified Arborist PN-0650B    TRAQualified

Portland Tree Consulting

B:\Projec\99-146.7-19\Planning\Exhibit\SWCA\999146 - SITE LAY.dwg 4/17/2023 1:54:12 PM

# PROPOSED DOCK EXTENSION & PARKING LOT RENOVATION

CHARBONNEAU MARINA



EXISTING BOAT HOUSE  
TO BE CONNECTED TO  
END OF NEW DOCK

BOAT HOUSE

WILLAMETTE RIVER

468.25'

EXISTING DOCK AREA - 5,792 SQUARE FEET

60.00'

KAYAK LAUNCH

30.00'

24.00'

18.00'

4.00'

EXISTING BOUNDARY LINE

REMOVE EXISTING DOCK AND INSTALL  
NEW DOCK AT THE SAME ANGLE TO  
ENSURE EXISTING RAMP FITS

EXISTING STEEL PILING (TYP.)

ORDINARY HIGHWATER ELEV:  
71.75'

EXISTING WOODEN PILING (TYP.)

100 YEAR FLOODPLAIN ELEV: 94.0'

TOP OF BANK

ILLAHEE PARKING

ILLAHEE APARTMENTS

## LEGEND

- SITE BOUNDARY LINE
- ▨ PROPOSED DOCK

## DOCK INFORMATION

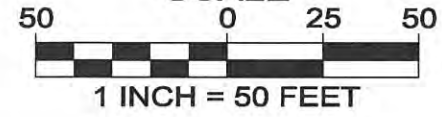
ORIGINAL DOCK SURFACE AREA = 5,792 SF  
PROPOSED DOCK SURFACE AREA = 6,830 SF

## CONSTRUCTION NOTES

1. PROPOSED DOCK MATERIAL DESCRIPTION: "CONSTRUCTED OF STEEL WITH FULLY GRATED DECK MATERIAL WHICH ALLOWS 60 PERCENT LIGHT PENETRATION WITH FLOTATION CONSISTING OF FOAM-FILLED FLOAT BOXED WITH A MAXIMUM DRAFT OF 6 INCHES.
2. CONSTRUCTION METHODS: DESCRIBE HOW THE REMOVAL AND/OR FILL ACTIVITIES WILL BE ACCOMPLISHED INCLUDING CONSTRUCTION METHODS, EQUIPMENT TO BE USED, WHERE EQUIPMENT WILL OPERATE FROM, ACCESS AND STAGING AREAS, ETC. BRIEF EXAMPLE: "WOODEN PILING WILL BE REMOVED WITH A VIBRATORY HAMMER, USING WATER ACCESS BY BOAT. ALL PILING WILL BE COMPLETELY REMOVED, IF POSSIBLE. IF BREAKAGE OCCURS, THE PILING WILL BE DRIVEN TO A DEPTH OF 3 FEET BELOW THE RIVER BOTTOM AND BACKFILLED WITH CLEAN SAND."
3. CONSTRUCTION BMP'S: BEST MANAGEMENT PRACTICES AND MEASURES YOU WILL USE DURING CONSTRUCTION TO MINIMIZE IMPACTS TO THE WATERWAY OR WETLAND.
4. WORK AREA ISOLATION PLAN AND DRAWING
5. ESTIMATED PROJECT START AND COMPLETION DATE
6. REMOVAL DIMENSIONS: NUMBER, TOTAL LENGTH BELOW OHWL AND DIAMETER OF WOODEN PILING
7. FILL DIMENSIONS: NUMBER, TOTAL LENGTH BELOW OHWL, DIAMETER OF NEW PILING, THICKNESS OF PILING WALL OR TOTAL VOLUME (IF THE PILING IS HOLLOW, WE DO NOT NEED TO INCLUDE THE EMPTY AREA OF THE INTERIOR OF THE PILING IN THE FILL VOLUME, WE ONLY NEED TO INCLUDE THE VOLUME OF THE METAL BEING PLACED BELOW THE OHWL



SCALE



Item 2.

**PIONEER DESIGN GROUP**  
 CIVIL ENGINEERING • LAND USE PLANNING • LAND SURVEYING • LANDSCAPE ARCHITECTURE  
 PORTLAND, OREGON | HONOLULU, HAWAII  
 PH: 503.643.8286 | PH: 808.753.2376  
 WWW.PD-GRP.COM

Designed by	BA	Date	03/2023
Drawn by	BDH	Date	03/2023
Reviewed by	LRL	Date	03/2023
Project No.	999-146.7	REF.	
Horiz. Scale:	1"=20'		
Vert. Scale:	N/A		

Proposed Dock Extension.dwg

Project	CHARBONNEAU DOCK
No.	999-146.7-19
Type	EXHIBIT
Sheet	<b>1</b>



# Preliminary Storm Drainage Report

## Charbonneau Country Club – Marina Modifications

Wilsonville, Oregon



**Applicant:**

Charbonneau Country Club  
32000 SW Charbonneau Drive  
Wilsonville, Oregon 97070  
503.694.2300

**Engineer:**

Pioneer Design Group, Inc.  
9020 SW Washington Sq. Rd.  
Suite 170  
Portland, Oregon 97223  
503.643.8286

Land Use Casefile No.: DB22-0010



VALID THROUGH 12-31-24

Date: April 7, 2023  
Prepared by: Luke Lappin, P.E.  
PDG Job No. 999-146.7

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**APPENDIX ‘A’ – FLOOD INSURANCE RATE MAPS (FIRM), FLOOD PROFILES, AND  
FLOODWAY DATA**

## 1.0 INTRODUCTION

This report represents the preliminary storm drainage and stormwater analysis for the **Charbonneau Country Club – Marina Modifications** development project. The basis of this report is to comply with the City of Wilsonville, Clackamas County, and the State of Oregon’s regulations and engineering standards as well as the latest edition of the Oregon Plumbing Specialty Code (OSPC). Compiled in this report are the design criteria for the site, the hydrologic methodology, and the preliminary drainage analysis.

## 2.0 SITE DESCRIPTION AND LOCATION

The proposed project is located at 8755 SW Illahee Court in the northwest corner of the Charbonneau planned community next to the Illahee Apartments. The property is identified as Tax Lot 318 and a portion of Tax Lot 308, Map T3S R1W 25 and is zoned Planned Development Residential (PDR-3) with Willamette Greenway, SROZ, and Flood Plain overlays. The overall tax lot is approximately 11.28 acres while the project area is roughly 0.31 acres or 13,378 square feet. The subject site is on the south bank of the Willamette River, just east of I-5 and Boone Bridge.

The existing dock ramp and gangway are to remain.

The proposed development will modify and upgrade the marina by improving the parking area and replacing the existing dock with a modern, light penetrating structure. A kayak launch and storage facility will be added to the new dock.

## 3.0 EXISTING CONDITIONS

The subject site contains an existing floating dock with 36 boat slips and an enclosed boathouse. Access to the marina is via an easement over SW Illahee Court, which runs through The Haven Apartments at Charbonneau. An auxiliary parking area for dock access is located in the northwest corner of The Haven. A metal gangway built in 2015 extends from the parking area down to the dock.

### 3.1 Site Topography

The topography of the site varies from the ordinary high-water level at 67.44 feet up to top of bank at 107 feet. From the top of bank, there is a small knoll and then steepens up to 20-30% down to the toe of slope and parking lot of the Illahee Apartments.

The 100-year flood elevation is 94 feet at this location. The elevation of the dock parking area is 106-107 feet while the deck of the elevated landing at the shoreline is 80.1 feet.

There are scattered trees along the bank in the vicinity of the dock access. The site contains a mixture of natural upland forest, including Douglas Fir, Big-leaf Maple, and Riparian Cottonwoods, with understory brush, English Ivy, and numerous ferns.

The subject site is bordered to the north by the Willamette River and the Charbonneau dock. To the west is the ODOT right-of-way and the I-5 Freeway (Boone Bridge). To the south and east are the Haven (Illahee) Apartments and the Charbonneau Village.

3.2 Soil Type

The predominant soil found on site is Newberg fine sandy loam (67) with a corresponding hydrologic soil group (HSG) designation ‘A’, as shown on the attached Natural Resources Conservation Service (NRCS) soil survey for Clackamas County.

Table 3-2: HYDROLOGIC SOIL GROUP RATING		
NRCS Map Unit Symbol	NRCS Map Unit Name	Hydrologic Soil Group Rating
67	Newberg fine sandy loam	A
W	Water	

3.3 Runoff Curve Numbers

Predeveloped and developed pervious areas will use a Runoff Curve Number (RCN) of 49 corresponding to “Open Space” cover type (HSG designation ‘A’) in fair condition. A runoff curve number of 98 will be used for all predeveloped and developed impervious areas (refer to the *SCS Runoff Curve Numbers* Exhibit).

Table 3-3: Runoff Curve Numbers		
Land Description	Existing RCN	Proposed RCN
Open Space, Fair Condition	49	49
Impervious	98	98

3.4 Existing Stormwater Facility

There is an existing stormwater facility consisting of a series of detention ponds southeast of the site behind the Illahee Apartments. Runoff from the existing roadways and buildings is conveyed through a series of pipes and catch basins before outfalling into the ponds. Stormwater appears to be managed in the pond by a number of structures and weirs before discharging into the Willamette River further to the east.

#### 4.0 PROPOSED IMPROVEMENTS

The City of Wilsonville's 2015 Stormwater and Surface Water Design and Construction Standards shall govern the stormwater design criteria for the proposed project. Per Section 301.1.02, all development that results in 5,000 square feet of new or replaced impervious surface, cumulative over a 5-year period, are subject to the requirements of these standards.

Impervious surfaces will be constructed as a result of the new and redeveloped parking area.

The development proposes to create approximately 1,405 sq. ft. of new impervious area. *Therefore, the project is not subject to the requirements of the City's stormwater standards.*

There are no proposed storm drainage facilities or modifications to the existing infrastructure as a result of the proposed development. The existing onsite storm system will continue to convey runoff into the existing ponds to treat and manage stormwater from the subject site and surrounding area.

There are no offsite contributing drainage basins.

##### 4.1 Water Quality

Water quality is not a requirement of the project as the impervious area threshold is not surpassed with the proposed improvements.

##### 4.2 Detention

Water quantity control (detention) is not a requirement of the project as the impervious area threshold is not surpassed with the proposed improvements.

##### 4.3 Facility Design

The existing stormwater facility will continue to manage the site's stormwater runoff.

##### 4.4 Conveyance

Stormwater from the parking area will continue to sheet flow through the drive aisle of the apartment complex where it is collected in a trapped catch basin and discharged into the existing stormwater ponds.

There are no new storm pipes, structures, or catchment facilities with the proposed development. Runoff from the existing ponds is ultimately discharged into the Willamette.

## 5.0 DOWNSTREAM ANALYSIS

According to the City of Wilsonville's *2015 Stormwater and Surface Water Design and Construction Standards* Section 301.5.01.b, an analysis of the drainage system downstream of the development must verify the downstream system has capacity to convey the 25-year storm. Visual observation of the downstream conveyance system didn't show any indication of observable capacity or condition issues with the receiving channel or system.

## 6.0 CONCLUSION

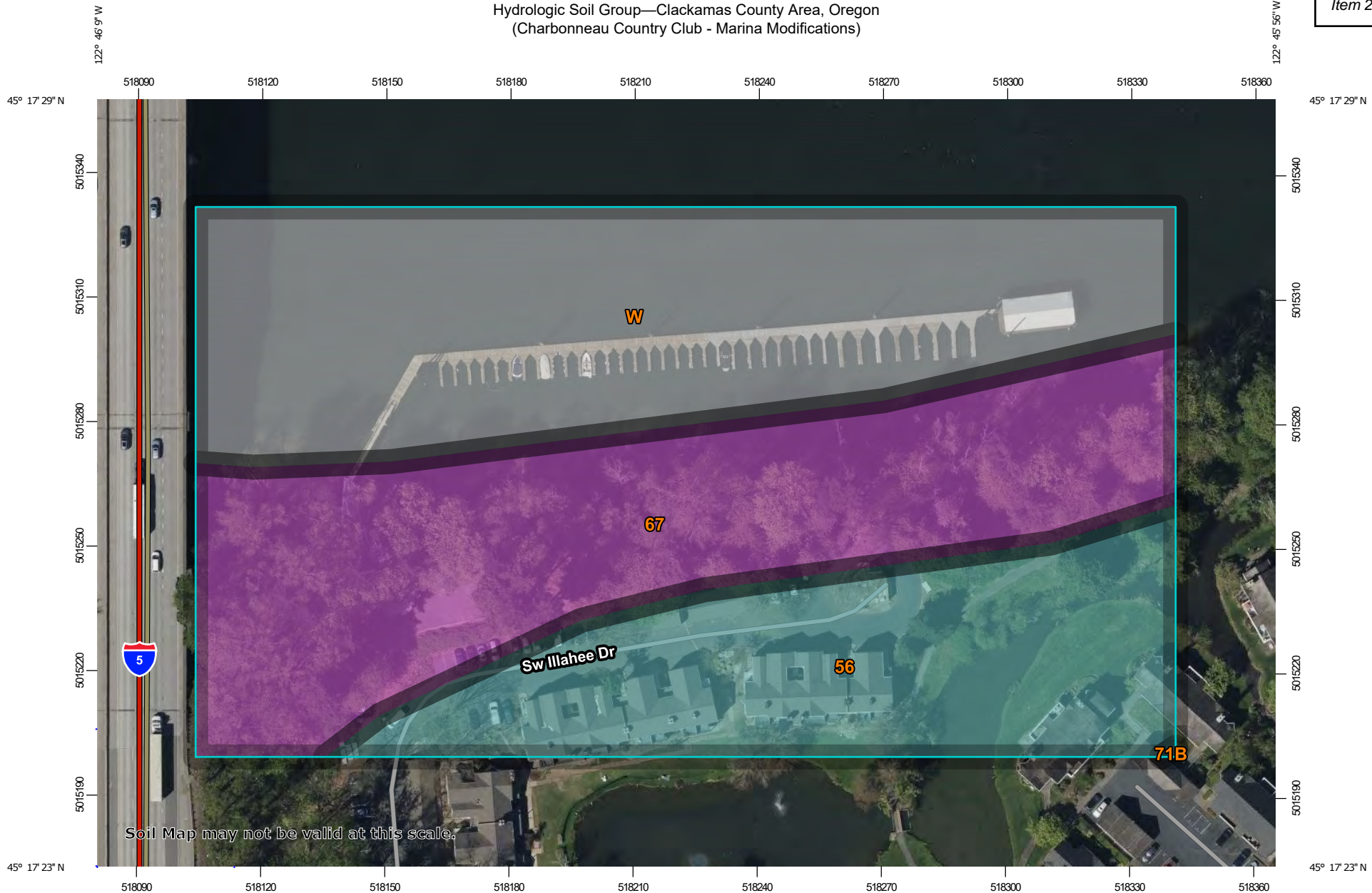
Based on the supporting stormwater calculations and attached analysis, it is the opinion of Pioneer Design Group that the Charbonneau Marina Modification development project does not trigger the impervious area threshold requirements of the City of Wilsonville and is not subject to the requirements of the City's stormwater standard. Water quality treatment and quantity control for all new impervious areas created by the project will be managed onsite by the existing stormwater facility. Therefore, all the requirements associated with the city of have been met for this project.

## 7.0 VICINITY MAP

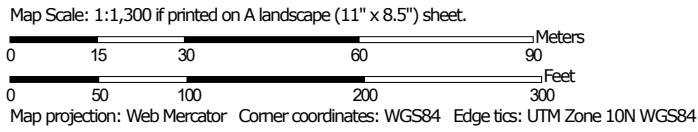


## ENGINEERING CALCULATIONS AND SPREADSHEETS

Hydrologic Soil Group—Clackamas County Area, Oregon  
(Charbonneau Country Club - Marina Modifications)



































Soil Map may not be valid at this scale.





### MAP LEGEND

- Area of Interest (AOI)**
  -  Area of Interest (AOI)
- Soils**
  - Soil Rating Polygons**
    -  A
    -  A/D
    -  B
    -  B/D
    -  C
    -  C/D
    -  D
    -  Not rated or not available
  - Soil Rating Lines**
    -  A
    -  A/D
    -  B
    -  B/D
    -  C
    -  C/D
    -  D
    -  Not rated or not available
  - Soil Rating Points**
    -  A
    -  A/D
    -  B
    -  B/D
- Water Features**
  -  Streams and Canals
- Transportation**
  -  Rails
  -  Interstate Highways
  -  US Routes
  -  Major Roads
  -  Local Roads
- Background**
  -  Aerial Photography
- Other**
  -  C
  -  C/D
  -  D
  -  Not rated or not available

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

**Warning:** Soil Map may not be valid at this scale.  
Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Clackamas County Area, Oregon  
Survey Area Data: Version 19, Sep 14, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 16, 2021—Apr 18, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
56	McBee silty clay loam	C	1.9	24.6%
67	Newberg fine sandy loam	A	2.9	36.8%
71B	Quatama loam, 3 to 8 percent slopes	C	0.0	0.0%
W	Water		3.0	38.5%
<b>Totals for Area of Interest</b>			<b>7.8</b>	<b>100.0%</b>

### Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

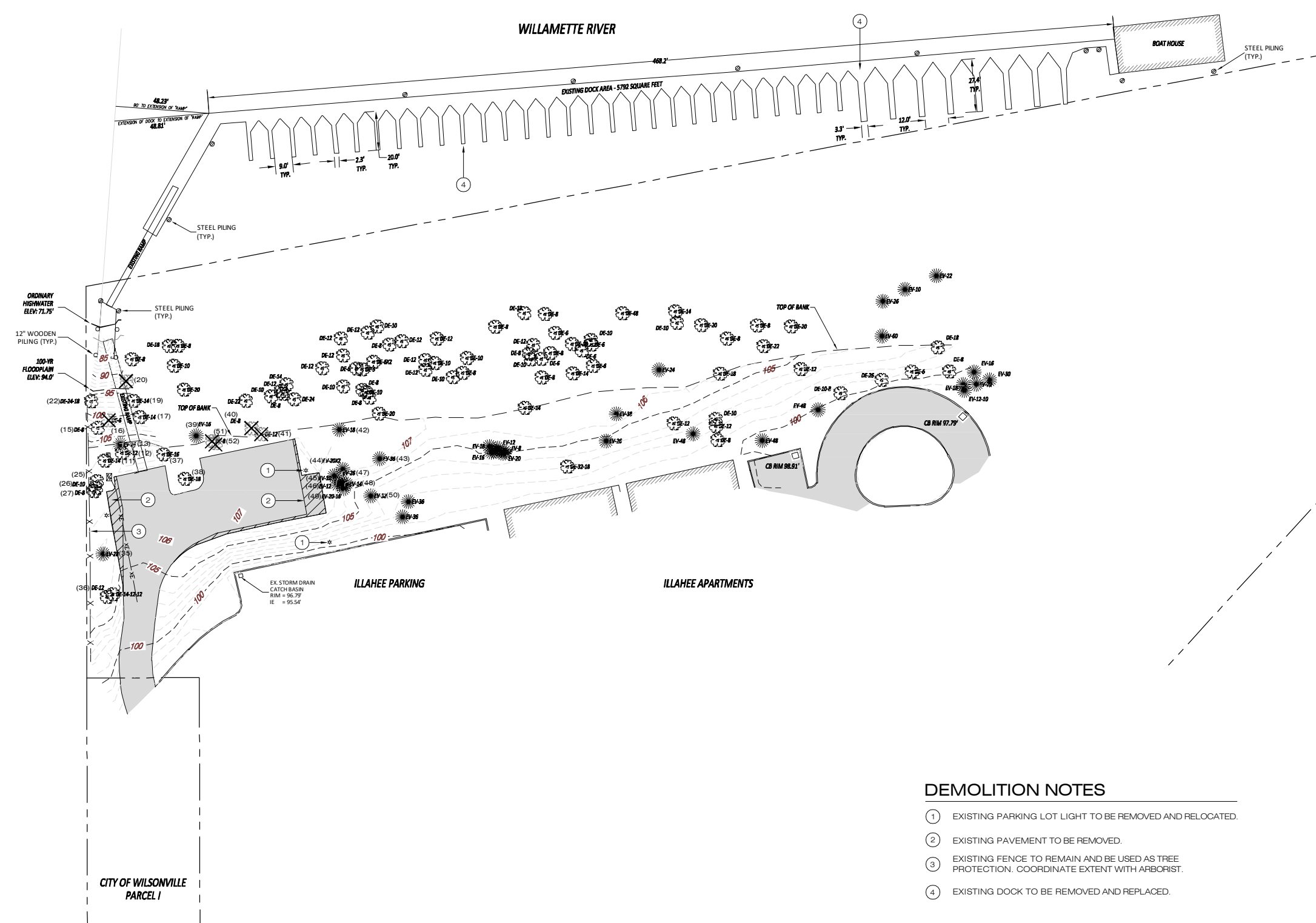
If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

## Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Higher

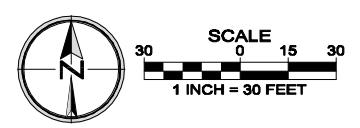


### LEGEND

- - - - - RIGHT-OF-WAY LINE
- - - - - BOUNDARY LINE
- - - - - TOP OF BANK
- - - - - CENTER LINE
- SD - - - - - STORM DRAINAGE LINE
- XSS - - - - - SANITARY SEWER LINE
- XW - - - - - WATER LINE
- XG - - - - - GAS LINE
- XCOM - - - - - COMMUNICATION LINE
- XT - - - - - TELEPHONE LINE
- XE - - - - - UNDERGROUND POWER LINE
- XOH - - - - - OVERHEAD WIRE
- - - - - FENCE LINE (AS NOTED)
- - - - - EXISTING 1' CONTOUR
- - - - - EXISTING 5' CONTOUR
- - - - - CULVERT
- ☀️ - CONIFEROUS TREE (DBH)
- 🌳 - DECIDUOUS TREE (DBH)
- # - DIAMETER (INCHES) AT BREAST HEIGHT
- (#/#) - ARBORIST TREE TAG NUMBER
- ☐ - CATCH BASIN/DRAIN INLET
- ☐ - STORM DITCH INLET
- ☐ - STORM MANHOLE
- ☐ - SANITARY MANHOLE
- - CLEANOUT
- - WATER VALVE
- - IRRIGATION VALVE
- - WATER METER
- - FIRE HYDRANT ASSEMBLY
- - FIRE DEPARTMENT CONNECTION
- - MONITORING WELL
- - GAS VALVE
- - GAS METER
- - GAS RISER
- - GAS VAULT
- - TELEPHONE MH/VAULT
- - SIGN
- - MAILBOX
- - JUNCTION BOX
- - ELECTRIC VAULT
- - ELECTRIC PEDESTAL
- - ELECTRIC METER
- - LIGHT POLE
- - POWER POLE
- - GUY WIRE
- - POWER POLE W/ LIGHT
- - SIGNAL POLE
- - UTILITY VAULT
- - UTILITY PEDESTAL
- - WATER VAULT
- - COMMUNICATION VAULT
- - TELECOMM PEDESTAL
- - UTILITY CAP
- - HANDICAP MARKER
- ▨ - EXISTING CONCRETE
- ▨ - EXISTING ASPHALT PAVEMENT
- ▨ - EXISTING GRAVEL SURFACE
- ▨ - EXISTING BUILDING FOOTPRINT
- ☀️ ☒ - EXISTING TREE TO BE REMOVED

### DEMOLITION NOTES

- ① EXISTING PARKING LOT LIGHT TO BE REMOVED AND RELOCATED.
- ② EXISTING PAVEMENT TO BE REMOVED.
- ③ EXISTING FENCE TO REMAIN AND BE USED AS TREE PROTECTION. COORDINATE EXTENT WITH ARBORIST.
- ④ EXISTING DOCK TO BE REMOVED AND REPLACED.



Item 2.

**PIONEER DESIGN GR**  
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---

**PRELIMINARY**

---

**EXISTING CONDITIONS AND DEMOLITION PLAN**

CHARBONNEAU COUNTY CLUB - MARINA MODIFICATIONS  
 8755 SW ILLAHEE COURT, WILSONVILLE, OREGON

---

Designed by	Date	By
LRL	03/2023	
BDH	03/2023	
LRL	03/2023	
Reviewed by	Date	REF.
Project No. 999-146.7		
Horiz. Scale:		
Vert. Scale:		

---

**Project** CHARBONNEAU MARINA  
**No.** 999-146.7  
**Type** PLANNING  
**Sheet** 188

WILLAMETTE RIVER

BOAT HOUSE

KAYAK LAUNCH

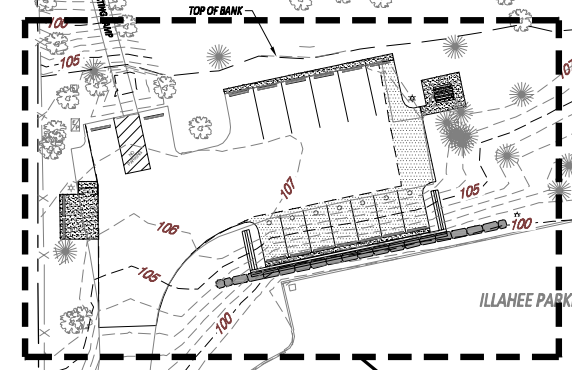
LEGEND

- PROPOSED RIGHT-OF-WAY
- BOUNDARY LINE
- PROPOSED ASPHALT PAVEMENT
- PROPOSED GRAVEL PAVEMENT
- PROPOSED ULTRABLOCK RETAINING WALL (DESIGN BY OTHERS)
- PROPOSED 42" HIGH CONCRETE JERSEY BARRIER (ODOT)
- EXISTING CONIFEROUS TREE
- EXISTING DECIDUOUS TREE
- SAWCUT LINE

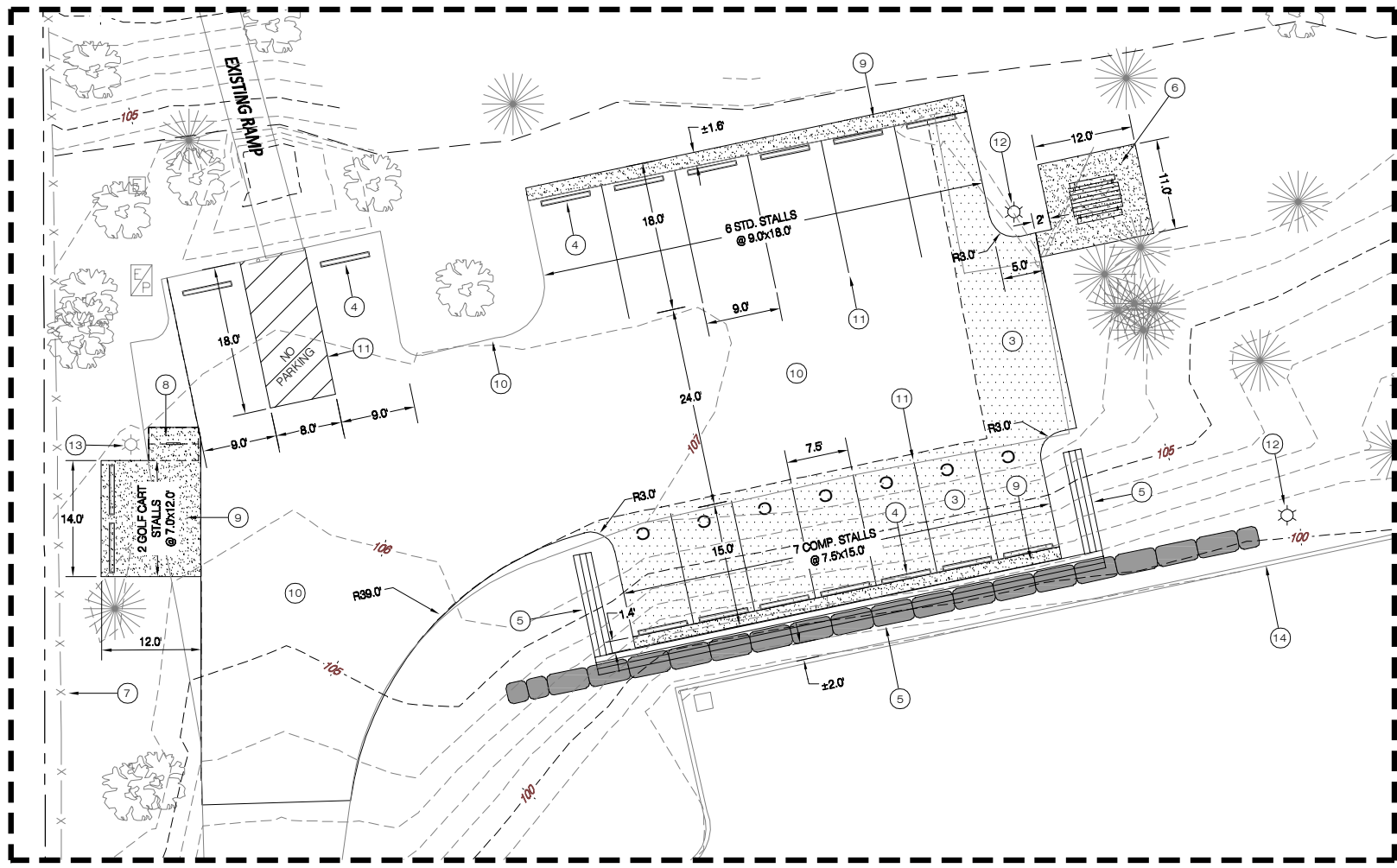
CONSTRUCTION NOTES

- 1 EXISTING BOAT HOUSE TO BE CONNECTED TO END OF NEW DOCK.
- 2 REMOVE EXISTING DOCK AND INSTALL NEW DOCK AT SAME ANGLE.
- 3 STD. DUTY A.C. PAVEMENT, TYP.
- 4 CONCRETE WHEEL STOPS.
- 5 UTLRABLOCK RETAINING WALL WITH 42" HIGH ODOT JERSEY BARRIER ON TOP (ODOT DETAIL RD545).
- 6 OUTDOOR COMMON AREA (PICNIC TABLE). SEE LANDSCAPE PLANS FOR DETAILS.
- 7 EXISTING CHAINLINK FENCE TO REMAIN.
- 8 BICYCLE RACK. HUNTCOO 'STAPLE' OR APPROVED EQUAL.
- 9 GRAVEL PAVEMENT.
- 10 EXISTING ASPHALT PAVEMENT TO REMAIN.
- 11 STRIPE PARKING STALLS.
- 12 RELOCATE AND REINSTALL LIGHT.
- 13 EXISTING LIGHT TO REMAIN.
- 14 WEEPHOLE WALL DRAIN THROUGH CURB.

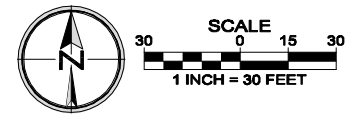
ORDINARY HIGHWATER ELEV: 71.75'  
 12" WOODEN PILING (TYP.)  
 100-YR FLOODPLAIN ELEV: 94.0'



SEE PARKING DETAIL #1



PARKING DETAIL #1  
SCALE: 1"=10' (H)



B:\Projects\999-146.7-19\Planning\999146\_P4\_0site.dwg 4/5/2023 3:59:55 PM

Item 2.

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PRELIMINARY

PRELIMINARY MARINA AND PARKING LOT SITE PLAN

CHARBONNEAU COUNTY CLUB - MARINA MODIFICATIONS  
 8755 SW ILLAHEE COURT, WILSONVILLE, OREGON

Designed by	03/2023
Drawn by	03/2023
Reviewed by	03/2023
Project No.	999-146.7
Horiz. Scale:	REF.
Vert. Scale:	

By	
Revision	
Date	
No.	

Project: CHARBONNEAU MARINA  
 No.: 999-146.7  
 Type: PLANNING  
 Sheet: 189

# RUNOFF CURVE NUMBERS (TR55)

**Table 2-2a: Runoff curve numbers for urban areas** <sup>1</sup>

Cover description	Average percent impervious area <sup>2</sup>	CN for hydrologic soil group			
		A	B	C	D
<i>Fully developed urban areas (vegetation established)</i>					
Open space (lawns, parks, golf courses, cemeteries, etc.) <sup>3</sup> :					
Poor condition (grass cover <50%)		68	79	86	89
Fair condition (grass cover 50% to 75%)		49	69	79	84
Good condition (grass cover >75%)		39	61	74	80
Impervious areas:					
Paved parking lots, roofs, driveways, etc. (excluding right-of-way)		98	98	98	98
Streets and roads:					
Paved; curbs and storm sewers (excluding right-of-way)		98	98	98	98
Paved; open ditches (including right-of-way)		83	89	92	93
Gravel (including right-of-way)		76	85	89	91
Dirt (including right-of-way)		72	82	87	89
Western desert urban areas:					
Natural desert landscaping (pervious areas only) <sup>4</sup>		63	77	85	88
Artificial desert landscaping (impervious weed barrier, desert shrub with 1- to 2-inch sand or gravel mulch and basin borders)		96	96	96	96
Urban districts:					
Commercial and business	85	89	92	94	95
Industrial	72	81	88	91	93
Residential districts by average lot size:					
1/8 acre or less (town houses)	65	77	85	90	92
1/4 acre	38	61	75	83	87
1/3 acre	30	57	72	81	86
1/2 acre	25	54	70	80	85
1 acre	20	51	68	79	84
2 acres	12	46	65	77	82
<i>Developing urban areas</i>					
Newly graded areas (pervious areas only, no vegetation) <sup>5</sup>	77	86	91	94	
Idle lands (CNs are determined using cover types similar to those in table 2-2c)					

- 1: Average runoff condition, and  $I_a = 0.2S$ .
- 2: The average percent impervious area shown was used to develop the composite CN's. Other assumptions are as follows: impervious areas are directly connected to the drainage system, impervious areas have a CN of 98, and pervious areas are considered equivalent to open space in good hydrologic condition. CN's for other combinations of conditions may be computed using figure 2-3 or 2-4.
- 3: CN's shown are equivalent to those of pasture. Composite CN's may be computed for other combinations of open space cover type.
- 4: Composite CN's for natural desert landscaping should be computed using figures 2-3 or 2-4 based on the impervious area percentage (CN = 98) and the pervious area CN. The pervious area CN's are assumed equivalent to desert shrub in poor hydrologic condition.
- 5: Composite CN's to use for the design of temporary measures during grading and construction should be computed using figure 2-3 or 2-4 based on the degree of development (impervious area percentage) and the CN's for the newly graded pervious areas.



## IMPERVIOUS AREA CALCULATIONS

JOB NUMBER: 999-146.7  
 PROJECT: Charbonneau Country Club - Marina Modifications  
 FILE: 999146.7\_hydro\_planning.xls

### NEW / REDEVELOPED IMPERVIOUS AREA

BUILDINGS	0 ft <sup>2</sup>	
SIDEWALKS	0 ft <sup>2</sup>	
GRAVEL AT 60% IMPERVIOUS	298 ft <sup>2</sup>	
STREET PAVEMENT	1,107 ft <sup>2</sup>	
	<hr/>	
	<b>1,405 ft<sup>2</sup></b>	<b>0.03 ac</b>

### EXISTING IMPERVIOUS AREA

BUILDINGS	0 ft <sup>2</sup>	
SIDEWALKS	0 ft <sup>2</sup>	
GRAVEL AT 60% IMPERVIOUS	0 ft <sup>2</sup>	
STREET PAVEMENT	5,311 ft <sup>2</sup>	
	<hr/>	
	<b>5,311 ft<sup>2</sup></b>	<b>0.12 ac</b>

### EXISTING IMPERVIOUS AREA TO REMAIN

STREET PAVEMENT	4,998 ft <sup>2</sup>	
	<hr/>	
	<b>4,998 ft<sup>2</sup></b>	<b>0.11 ac</b>

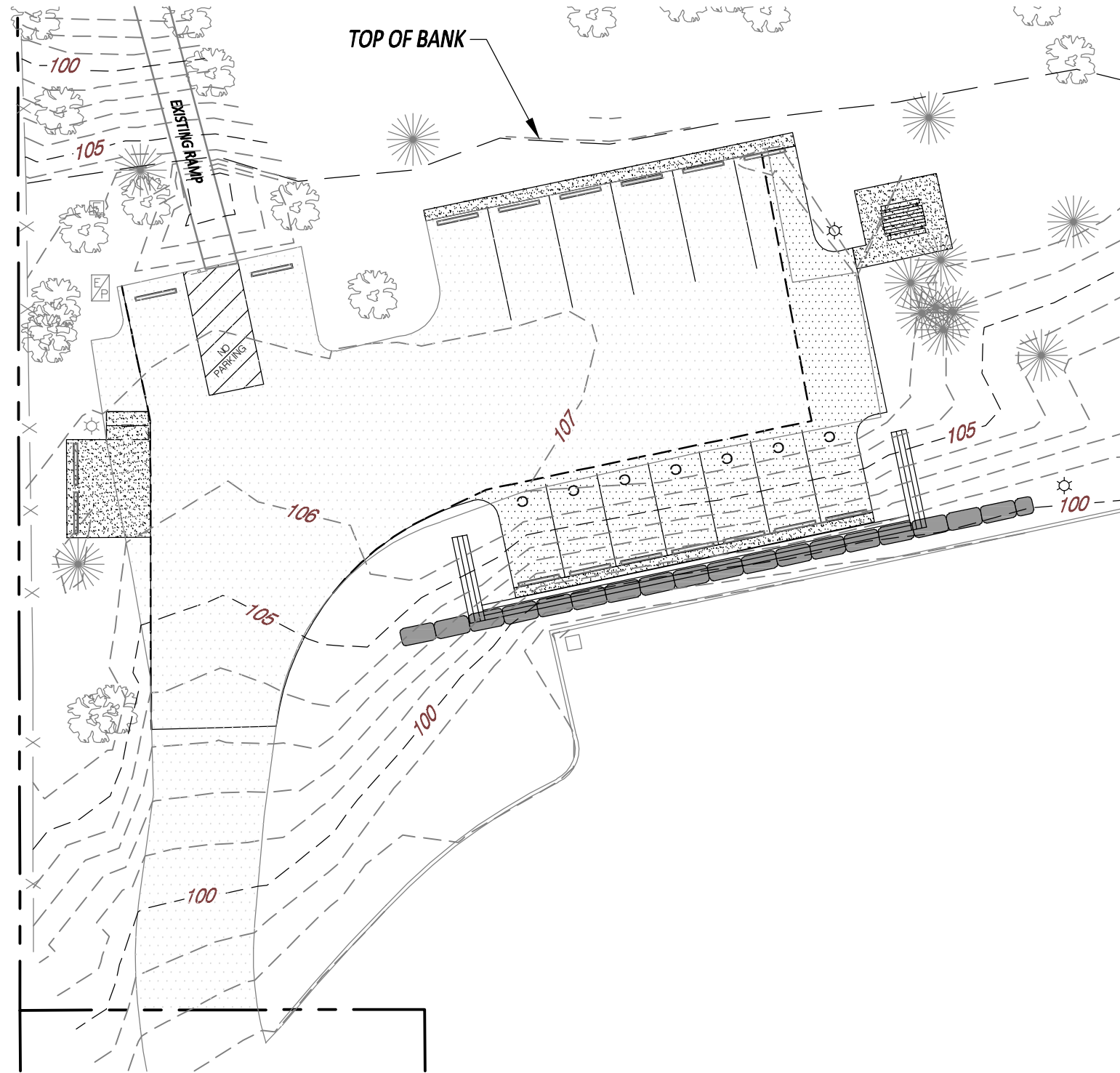
### TOTAL IMPERVIOUS AREA TO REMAIN (EXIST. AND PROPOSED)

GRAVEL AT 60% IMPERVIOUS	298 ft <sup>2</sup>	
STREET PAVEMENT	6,105 ft <sup>2</sup>	
	<hr/>	
	<b>6,403 ft<sup>2</sup></b>	<b>0.15 ac</b>

<b>Total Shed Area</b>	<b>13,378 ft<sup>2</sup></b>	<b>0.31 ac</b>
<b>Existing Impervious Area</b>	<b>5,311 ft<sup>2</sup></b>	<b>0.12 ac</b>
<b>% Impervious</b>		<b>39.7 %</b>
<b>Proposed Impervious Area</b>	<b>1,405 ft<sup>2</sup></b>	<b>0.03 ac</b>
<b>% Impervious</b>		<b>10.5 %</b>
<b>Total Impervious Area to Remain</b>	<b>6,403 ft<sup>2</sup></b>	<b>0.15 ac</b>
<b>% Impervious</b>		<b>47.9 %</b>

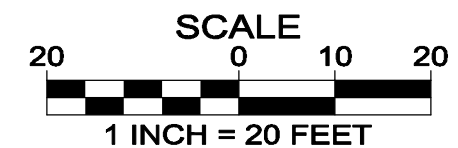
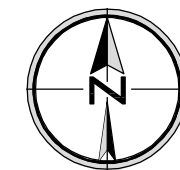
# Impervious Area Exhibit

## CHARBONNEAU COUNTRY CLUB - MARINA MODIFICATIONS



### IMPERVIOUS AREA

EXIST. PAVEMENT	=	5,311 SF
EXIST. PAVEMENT TO REMAIN	=	4,998 SF
PROP. PAVEMENT (NEW)	=	813 SF
PROP. PAVEMENT (NEW/RED.)	=	1,107 SF
PROP. GRAVEL PAVEMENT (@60%)	=	298 SF
<b>TOTAL PROPOSED IMPERVIOUS</b>	<b>=</b>	<b>1,405 SF</b> (0.03 AC)
<b>TOTAL EXIST./PROP. IMPERVIOUS</b>	<b>=</b>	<b>6,403 SF</b>



Item 2.

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Designed by	LRL	Date	4/2023
Drawn by	LRL	Date	4/2023
Reviewed by	BEF	Date	4/2023
Project No.	999-146.7	REF.	
Horiz. Scale:	1"=20'		
Vert. Scale:			

Impervious Area Exhibit.dwg

**Project**  
MARINA MODIFICATIONS

**No.**  
999-146.7

**Type**  
PLANNING

**Sheet**





## DEVELOPED TIME OF CONCENTRATION

JOB NUMBER: 999-146.7  
PROJECT: Charbonneau Country Club - Marina Modifications  
FILE: 999146.7\_hydro\_planning.xls

Catchment Time	5 min.
Longest Run of Pipe	0 ft
Velocity of Flow	3 ft/s
Time in Pipe = (0 ft)/(3.00 ft/s) =	0 s

**TOTAL DEVELOPED Tc = 5 min.**



### SANTA BARBARA URBAN HYDROGRAPHS

JOB NUMBER: 999-146.7  
 PROJECT: Charbonneau Country Club - Marina Modifications  
 FILE: 999146.7\_hydro\_planning.xls

DESCRIPTION	DESIGN STORM (YR)	DURATION (HR)	PRECIP (IN)	AREA TOTAL (AC)	% IMP	AREA PERV. (AC)	CN PER.	AREA IMP. (AC)	CN IMP.	TIME (MIN)	Q (CFS)
PREDEVELOPED 2-YEAR PEAK DISCHARGE	2	24	2.5	0.31	39.70	0.19	49	0.12	98	5.00	0.08
DEVELOPED 2-YEAR PEAK DISCHARGE	2	24	2.5	0.31	47.90	0.16	49	0.15	98	5.00	0.10
PREDEVELOPED 10-YEAR PEAK DISCHARGE	10	24	3.45	0.31	39.70	0.19	49	0.12	98	5.00	0.11
DEVELOPED 10-YEAR PEAK DISCHARGE	10	24	3.45	0.31	47.90	0.16	49	0.15	98	5.00	0.13
PREDEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.9	0.31	39.70	0.19	49	0.12	98	5.00	0.13
DEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.9	0.31	47.90	0.16	49	0.15	98	5.00	0.15
PREDEVELOPED 100-YEAR PEAK DISCHARGE	100	24	4.5	0.31	39.70	0.19	49	0.12	98	5.00	0.15
DEVELOPED 100-YEAR PEAK DISCHARGE	100	24	4.5	0.31	47.90	0.16	49	0.15	98	5.00	0.18

**APPENDIX 'A' – FLOOD INSURANCE MAPS (FIRM),  
FLOOD PROFILES, AND FLOODWAY DATA**

### NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

**Coastal Base Flood Elevations** shown on this map apply only to landward of 0.0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 10. The horizontal datum was NAD83, GRS1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov/> or contact the National Geodetic Survey at the following address:

NGS Information Services  
NOAA, NWS/CI-12  
National Geodetic Survey  
SSMC-3, 89202  
1315 East-West Highway  
Silver Spring, MD 20910-3282

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov/>.

**Base map** information shown on this FIRM was derived from multiple sources. High resolution color orthophotos produced by Merrick & Co., Phoenix, Inc., and Clean Water Services covered portions of the county. USGS Digital Quadrangles at a scale of 1:12000 or less dated 6/20/94 covered the remainder of the county.

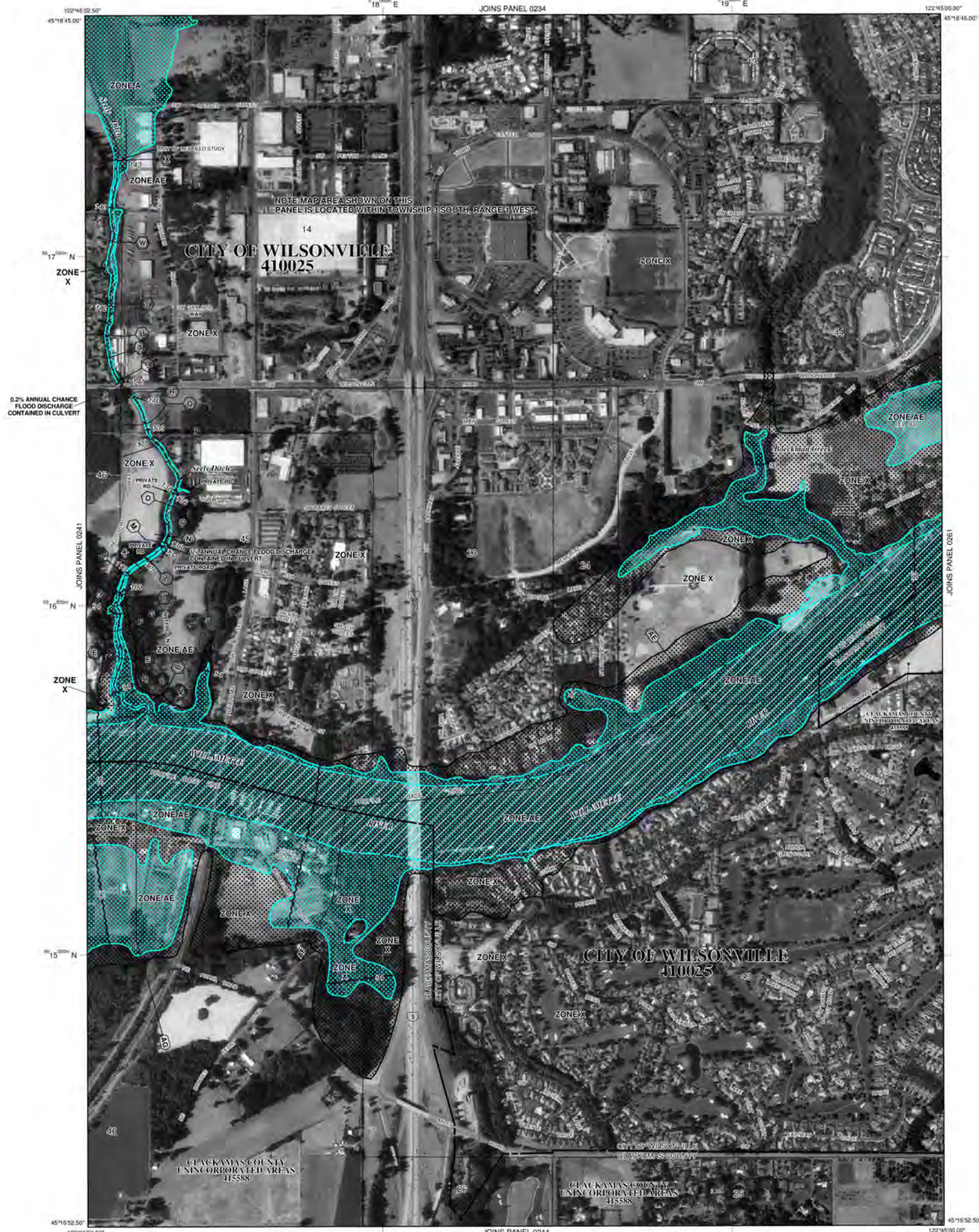
This map reflects more detailed and up-to-date **stream channel configurations** than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

**Corporate limits** shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://www.msc.fema.gov/>.

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/>.



### LEGEND

**SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD**

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

**ZONE A** No Base Flood Elevations determined.

**ZONE AE** Base Flood Elevations determined.

**ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.

**ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of shallow fan flooding, velocities also determined.

**ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently determined to be ineffective. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.

**ZONE A99** Areas to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.

**ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

**ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

**FLOODWAY AREAS IN ZONE AE**

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

**OTHER FLOOD AREAS**

**ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

**OTHER AREAS**

**ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.

**ZONE D** Areas in which flood hazards are undetermined, but possible.

**COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**

**OTHERWISE PROTECTED AREAS (OPAs)**

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

1% annual chance floodplain boundary  
0.2% annual chance floodplain boundary  
Floodway boundary  
Zone D boundary  
CBRS and OPA boundary  
boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.  
Base Flood Elevation line and value; elevation in feet\*  
Base Flood Elevation value where uniform within zone; elevation in feet\*  
\* Referenced to the North American Vertical Datum of 1988 (NAVD 88)

— A — A — Cross section line  
— 25 — 25 — Transient line  
97°30' 32.222" Geographic coordinates referenced to the North American Datum of 1983 (NAD 83)  
4750000 N 1000-meter Universal Transverse Mercator grid ticks, zone 10  
6000000 M 5000-foot grid ticks: Oregon State Plane coordinate system, north zone (FIPS ZONE 3601), Lambert Conformal Conic  
DX5610 Bench mark (see explanation in Notes to Users section of this FIRM panel)  
M1.5 River Mile

**MAP REPOSITORIES**  
Refer to Map Repositories list on Map Index

**EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP**  
June 17, 2008

**EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL**

For community map revision history prior to countywide mapping refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

**NATIONAL FLOOD INSURANCE PROGRAM**

**PANEL 0242D**

**FIRM**  
**FLOOD INSURANCE RATE MAP**  
**CLACKAMAS COUNTY,**  
**OREGON**  
**AND INCORPORATED AREAS**

**PANEL 242 OF 1175**  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

**CONTAINS:**

COMMUNITY	NUMBER	PANEL	SUFFIX
CLACKAMAS COUNTY	410025	0242	D
WILSONVILLE, CITY OF	410025	0242	D

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

**MAP NUMBER**  
**41005C0242D**

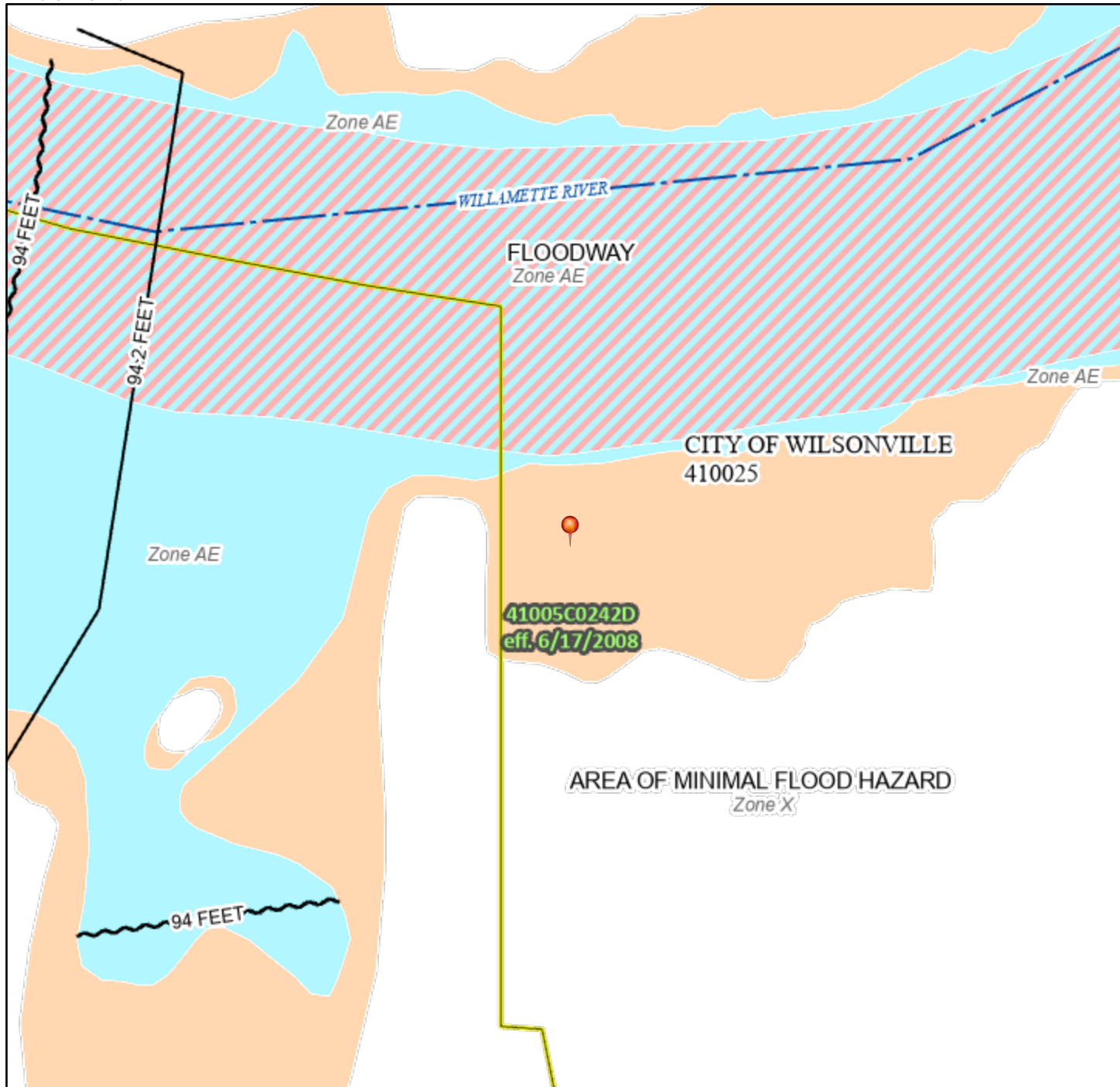
**EFFECTIVE DATE**  
**JUNE 17, 2008**

Federal Emergency Management Agency

# National Flood Hazard Layer FIRMette



122°46'23"W 45°17'37"N



## Legend

Item 2.

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM UT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone A, V, A99	With BFE or Depth Zone AE, AO, AH, VE, AR
	Regulatory Floodway	

OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
	Future Conditions 1% Annual Chance Flood Hazard Zone X
	Area with Reduced Flood Risk due to Levee. See Notes. Zone X
	Area with Flood Risk due to Levee Zone D

OTHER AREAS	NO SCREEN	Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall

OTHER FEATURES	20.2	17.5	Cross Sections with 1% Annual Chance Water Surface Elevation
			Coastal Transect
			Base Flood Elevation Line (BFE)
			Limit of Study
			Jurisdiction Boundary
			Coastal Transect Baseline
			Profile Baseline
			Hydrographic Feature

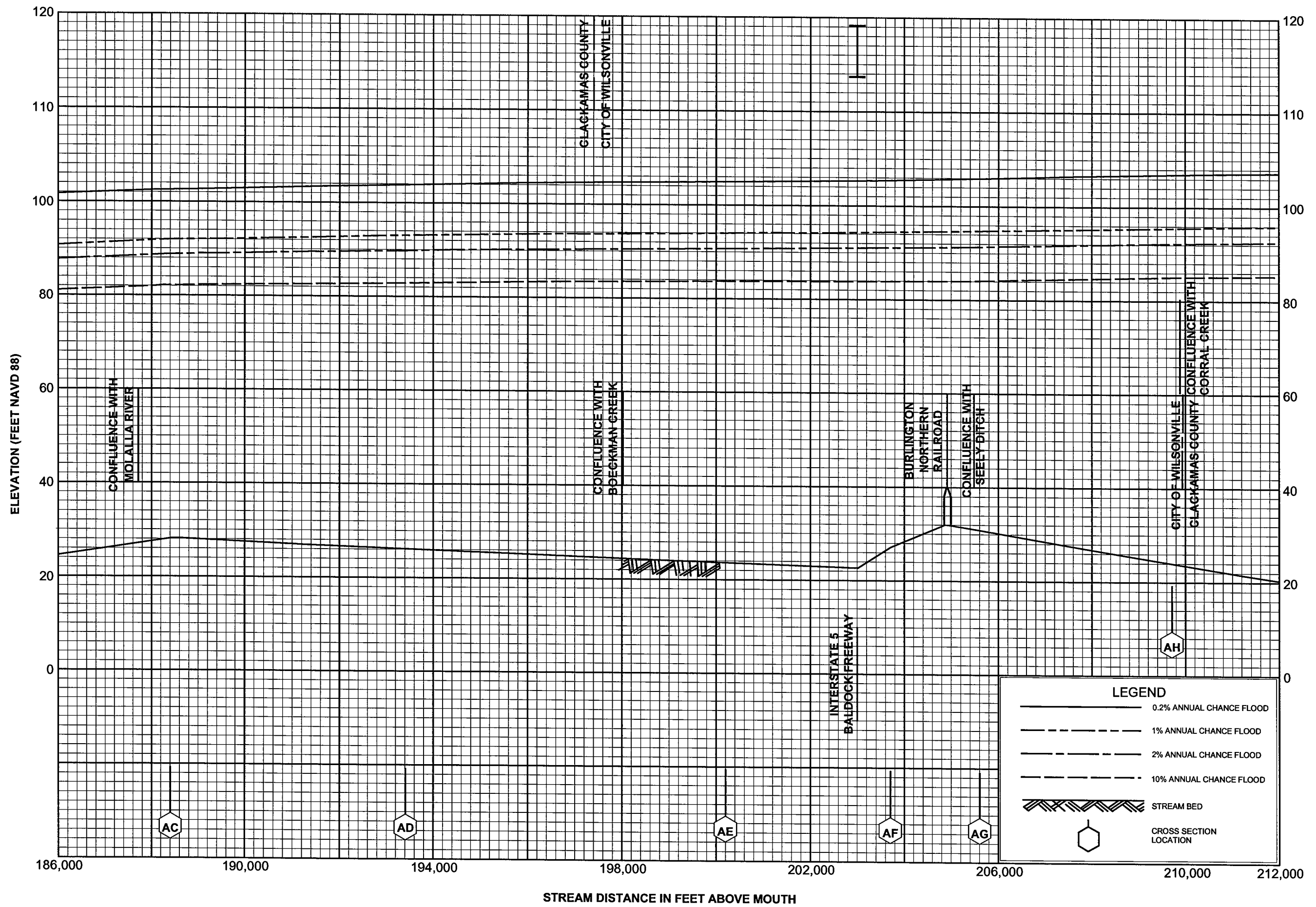
MAP PANELS	Digital Data Available	No Digital Data Available	Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/4/2023 at 11:50 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community id, FIRM panel number, and FIRM effective date. Map is unmapped and unmodernized areas cannot be used for regulatory purposes.



FLOOD PROFILES  
WILLAMETTE RIVER

FEDERAL EMERGENCY MANAGEMENT AGENCY  
**CLACKAMAS COUNTY, OR**  
AND INCORPORATED AREAS

167P

FLOODING SOURCE		FLOODWAY			BASE FLOOD WATER-SURFACE ELEVATION			
CROSS SECTION	DISTANCE <sup>1</sup>	WIDTH (FEET)	SECTION AREA (SQ. FEET)	MEAN VELOCITY (FEET PER SECOND)	REGULATORY	WITHOUT FLOODWAY	WITH FLOODWAY	INCREASE
						FEET (NAVD)		
WILLAMETTE RIVER								
AA	180,960	818	36,339	9.0	88.7	88.7	89.5	0.8
AB	184,535	760	33,080	9.9	89.8	89.8	90.6	0.8
AC	188,435	2,740 <sup>2</sup>	35,841	8.0	91.7	91.7	92.5	0.8
AD	193,410	750	43,652	6.6	92.8	92.8	93.6	0.8
AE	200,200	747	42,342	6.8	93.6	93.6	94.3	0.7
AF	203,665	710	42,872	6.7	94.2	94.2	95.0	0.8
AG	205,610	731	38,605	7.4	94.5	94.5	95.3	0.8
AH	209,645	716	38,580	7.4	95.3	95.3	96.1	0.8
AI	213,795	690	42,290	6.7	96.1	96.1	97.0	0.9
AJ	217,760	680	41,838	6.9	96.6	96.6	97.5	0.9
AK	221,910	710	43,332	6.6	97.2	97.2	98.1	0.9
AL	223,590	730	43,718	6.6	97.4	97.4	98.3	0.9
AM	225,235	700	43,336	6.6	97.6	97.6	98.4	0.8
AN	227,010	709	43,605	6.6	97.8	97.8	98.6	0.8
AO	228,615	680	39,287	7.3	97.9	97.9	98.7	0.8

<sup>1</sup> Stream distance in feet above mouth.

<sup>2</sup> Width includes portion of Molalla River floodway

TABLE 8	FEDERAL EMERGENCY MANAGEMENT AGENCY <b>CLACKAMAS COUNTY, OR</b> AND INCORPORATED AREAS	<b>FLOODWAY DATA</b>
		<b>WILLAMETTE RIVER</b>

**PROPOSED DESIGN**



**10 staggered on railing including the top section steps by parking**



**EXAMPLE**



**PROPOSED DESIGN**



9 staggered on railing

# DECK LIGHT MICRO II

## DL II MICRO | DECK LIGHT



### CATEGORY

LED Deck Light

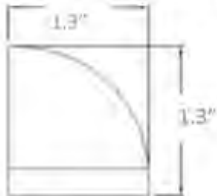
### LED LIFE EXPECTANCY | WARRANTY

TM-21 data: Greater than **80,000 hours** (20+ years at 8 hours a day)  
 20 Year Warranty  
 We run our fixtures **40%** cooler than LM-80 testing standards

### SPECIFICATIONS

APPLICATION	CONSTRUCTION	DRIVER SYSTEM	INPUT POWER	INSTALLATION	LEAD WIRES	CRI	CERTIFICATION
Decks Railings Wall Mount Step Lighting Fences	6061 Aluminum C360 Solid Brass	Internal Driver	10.5-18 VAC	Mounting Bracket Included	UL1015 22 AWG Tinned Copper Wire 60 Inch Length	80	UL1838 Low Voltage Landscape Lighting

### PRODUCT DIMENSIONS



### PHOTOMETRICS

\*Complete IES files furnished upon request.

### WATTS / VA / LUMENS

WATTS / VA / LUMENS
1W/2VA - 115lm

### FEATURES

- Overdesigned heat sink and thermal management for longevity and consistency
- Dedicated LED fixtures
- Machined Metal Ingot, not Cast Material
- Proprietary design-enhanced and robust driver technology
- Remarkably tight binning process. 2-step MacAdam ellipse to ensure consistent light output and no variant light
- Surge protection built into every driver

### BEAM SPREAD & FINISH

BEAM SPREAD	FINISH
130°	Architectural Bronze (AB) Black (BLK) C360 Solid Brass (BR) Stainless Aluminum (SSA) White (WHT)

### POWER CONSUMPTION

COLOR TEMPERATURE	VA
3000K	2
2700K	2
5000K	2
AMB*	1
BLU	2
RBL	2
GRN	2
RED*	1

■ INDICATES STOCKED ITEMS

### ADDITIONAL INFO

- Built in USA | Tampa, FL
- For custom light output, contact your sales associate
- \*Color Temperature Amber and Red are not Turtle Friendly; see our Turtle Friendly fixtures for more information



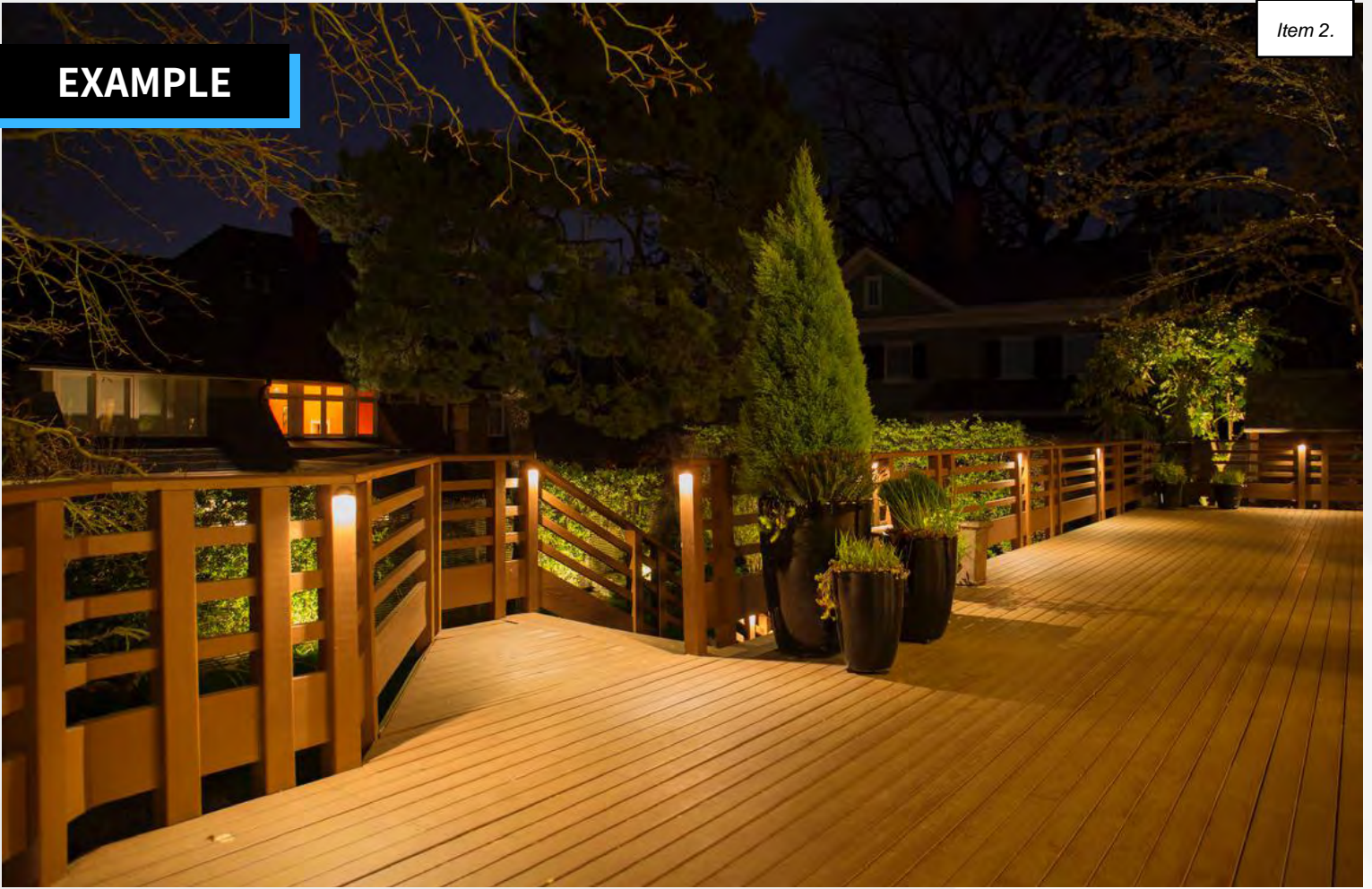
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**PROPOSED DESIGN**



**Replace  
each post  
light with  
large deck  
light**

EXAMPLE



# LARGE DECK LIGHT

## DL | DECK LIGHT



**CATEGORY**

LED Deck Light

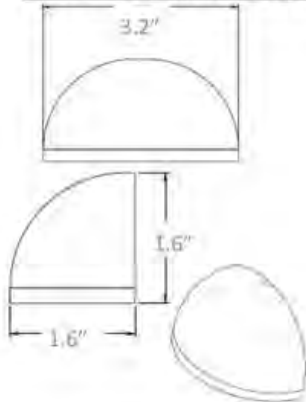
**LED LIFE EXPECTANCY | WARRANTY**

TM-21 data: Greater than **80,000 hours** (20+ years at 8 hours a day)  
 20 Year Warranty  
 We run our fixtures **40% cooler** than LM-80 testing standards

**SPECIFICATIONS**

APPLICATION	CONSTRUCTION	DRIVER SYSTEM	INPUT POWER	INSTALLATION	LEAD WIRES	CRI	CERTIFICATION
Decks Railings Wall Mount Step Lighting Fences	6061 Aluminum	Internal Driver	10.5-18 VAC	Mounting Bracket Included	UL1015 22 AWG Tinned Copper Wire 60 Inch Length	80	UL1838 Low Voltage Landscape Lighting

**PRODUCT DIMENSIONS**



**WATTS / VA / LUMENS**

WATTS / VA / LUMENS
1W/2VA - 115lm

**BEAM SPREAD & FINISH**

BEAM SPREAD	FINISH
130°	Architectural Bronze (AB) Black (BLK)

**POWER CONSUMPTION**

COLOR TEMPERATURE	VA
3000K	2
2700K	2
5000K	2
AMB*	1
BLU	2
RBL	2
GRN	2
RED*	1
■	INDICATES STOCKED ITEMS

**PHOTOMETRICS**

\*Complete IES files furnished upon request.

**FEATURES**

- Overdesigned heat sink and thermal management for longevity and consistency
- Dedicated LED fixtures
- Machined Metal Ingot, not Cast Material
- Proprietary design-enhanced and robust driver technology
- Remarkably tight binning process. 2-step MacAdam ellipse to ensure consistent light output and no variant light
- Surge protection built into every driver

**ADDITIONAL INFO**

- Built in USA | Tampa, FL
- For custom light output, contact your sales associate
- \*Color Temperature Amber and Red are not Turtle Friendly; see our Turtle Friendly fixtures for more information



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**PROPOSED DESIGN**



Lights staggered on dock

52 staggered along dock ending at boat house

Item 2.



**PROPOSED DESIGN**



**EXAMPLE**



**EXAMPLE**



# MINI WELL LIGHT

## MWL HP | WELL LIGHT



**CATEGORY**

LED Well Light

**LED LIFE EXPECTANCY | WARRANTY**

TM-21 data: Greater than **80,000 hours** (20+ years at 8 hours a day)  
 20 Year Warranty  
 We run our fixtures **40% cooler** than LM-80 testing standards

**SPECIFICATIONS**

APPLICATION	CONSTRUCTION	DRIVER SYSTEM	INPUT POWER	INSTALLATION	LEAD WIRES	CRI	CERTIFICATION
Up Light Shadowing Wall Wash Silhouette Architectural Accents	6061 Aluminum C360 Solid Brass	Internal Driver	10.5-18 VAC	High Performance High Pressure	ULECC 18 AWG Tinned Copper Wire 46 Inch Length	80	UL1838 Low Voltage Landscape Lighting

**PRODUCT DIMENSIONS**



**BE - WATTS / VA / LUMENS**

BE - WATTS / VA / LUMENS
20 - 2W/5VA - 230lm

**BEAM SPREAD & FINISH**

BEAM SPREAD	FINISH
12°	C360 Solid Brass (BR) Stainless Aluminum (SSA)
25°	
40°	
60°	

**POWER CONSUMPTION**

COLOR TEMPERATURE	VA
3000K	5
2700K	5
5000K	5
AMB*	6
BLU	5
RBL	5
GRN	5
RED*	4

INDICATES STOCKED ITEMS

**ADDITIONAL INFO**

- Built in USA | Tampa, FL
- For custom light output, contact your sales associate
- \*Color Temperature Amber and Red are not Turtle Friendly; see our Turtle Friendly fixtures for more information

**PHOTOMETRICS**

\*Complete IES files furnished upon request.

**FEATURES**

- Compression lens technology, no glue
- Oversized heat sink and thermal management for longevity and consistency
- Dedicated LED fixtures
- Machined Metal Ingot, not Cast Material
- Proprietary design-enhanced and robust driver technology
- Remarkably tight binning process, 2-step MacAdam ellipse to ensure consistent light output and no variant light
- Surge protection built into every driver



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# PROPOSED DESIGN

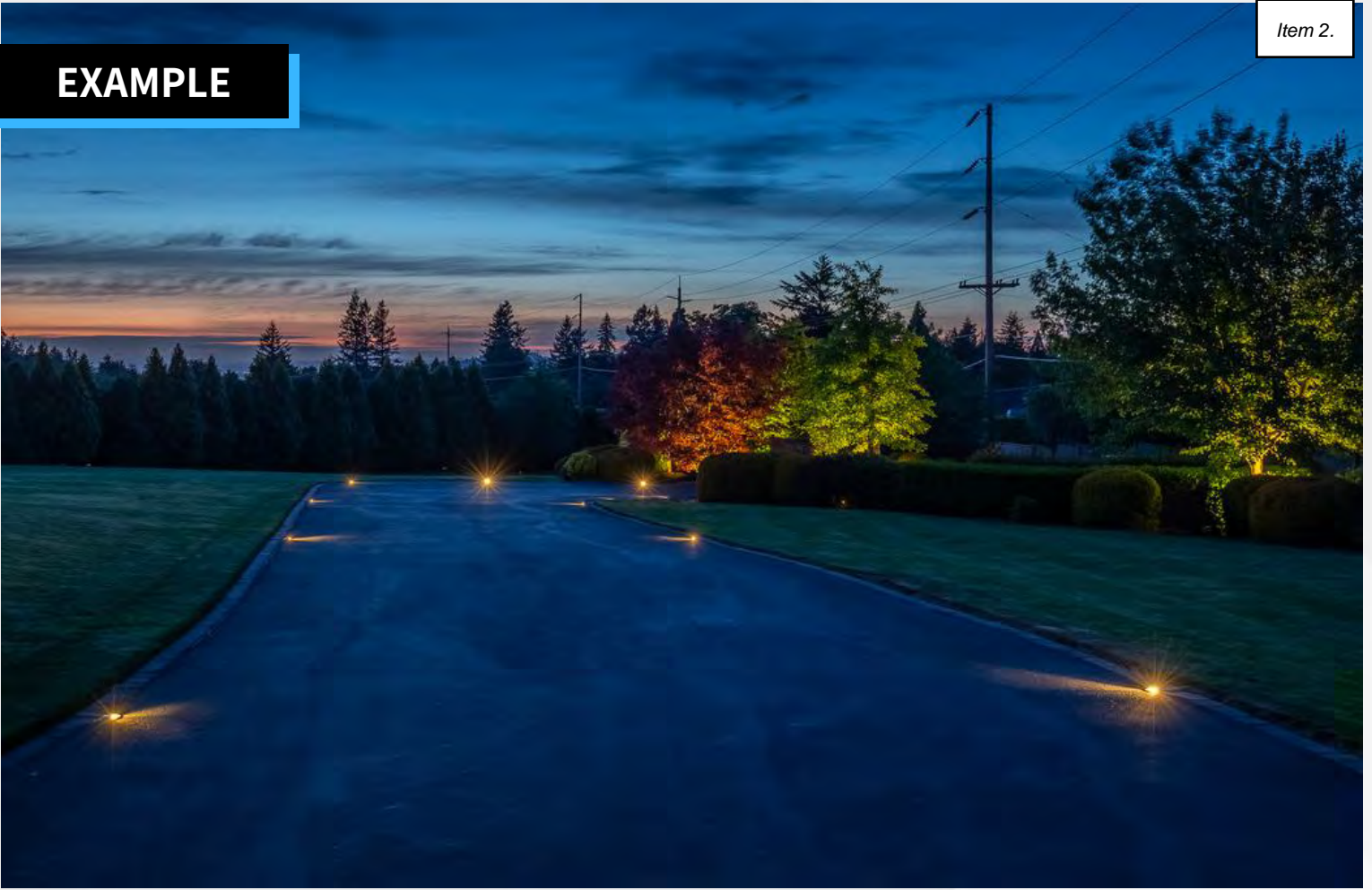


X lights staggered along dock

**EXAMPLE**



**EXAMPLE**



# X-LIGHT SINGLE SIDE

## X-LIGHT ONE | PATH LIGHT



**CATEGORY**

LED Path Light

**LED LIFE EXPECTANCY | WARRANTY**

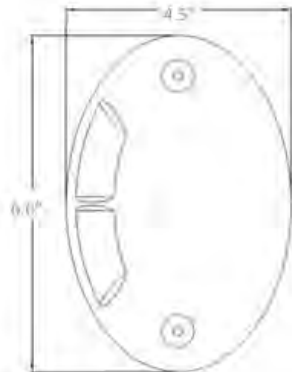
TM-21 data: Greater than **80,000 hours** (20+ years at 8 hours a day)  
 20 Year Warranty  
 We run our fixtures **40% cooler** than LM-80 testing standards



**SPECIFICATIONS**

APPLICATION	CONSTRUCTION	DRIVER SYSTEM	INPUT POWER	INSTALLATION	LEAD WIRES	CRI	CERTIFICATION
Pathway Wall Sconces Patios Docks Driveways	H59 Cast Brass 316 Stainless Steel	Internal Driver	10.5-18 VAC	Surface plate included	SJECOW 18 AWG Tinned Copper Wire 60 Inch Length	80	UL1838 Low Voltage Landscape Lighting

**PRODUCT DIMENSIONS**



**PHOTOMETRICS**

\*Complete IES files furnished upon request.

**WATTS / VA**

WATTS / VA / LUMENS  
**2W/3VA**

**BEAM SPREAD & FINISH**

BEAM SPREAD	FINISH
Diffused Non-Diffused	H59 Cast Brass (BR) Stainless Steel (SS)

**POWER CONSUMPTION**

COLOR	TEMPERATURE	VA
Yellow	3000K	4
Light Yellow	2700K	4
White	5000K	4
Amber	AMB*	3
Blue	BLU	4
Blue	RBL	4
Green	GRN	4
Red	RED*	3
Grey	INDICATES STOCKED ITEMS	

**FEATURES**

- Overdesigned heat sink and thermal management for longevity and consistency
- Dedicated LED fixtures
- Proprietary design-enhanced and robust driver technology
- Remarkably light binning process. 2-step MacAdam ellipse to ensure consistent light output and no variant light
- Surge protection built into every driver

**ADDITIONAL INFO**

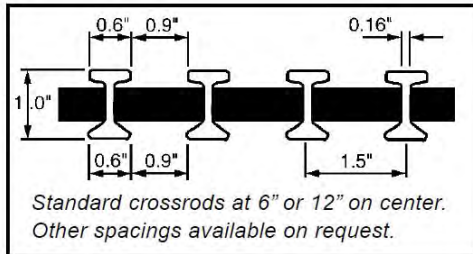
- Built in USA | Tampa, FL
- For custom light output, contact your sales associate
- \*Color Temperature Amber and Red are not Turtle Friendly, see our Turtle Friendly fixtures for more information



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## I-6000 1" DEEP PULTRUDED GRATING

SERIES	BEARING BAR THICKNESS	NO BARS FT. WIDTH	BEARING BAR CENTER	OPEN SPACE	% OPEN AREA	APPROX. WEIGHT PER SQ. FT.	RESIN	COLOR
I-6000	1.000"	8	1.500"	.900"	60%	2.4 LBS	FRPE OR FRVE	YELLOW OR GRAY



$A = 2.496 \text{ IN}^2/\text{FT OF WIDTH}$      $S = 0.656 \text{ IN}^3/\text{FT OF WIDTH}$   
 $I = 0.328 \text{ IN}^4/\text{FT OF WIDTH}$

The modulus of elasticity will vary with span length due to the non-homogeneous make-up of composite material (see table).

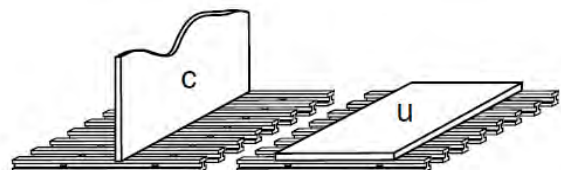
### LOAD / DEFLECTION TABLE

#### I-6000 1" BEARING BARS

SPAN INCHES		LOAD														SAFE LOAD 2:1 SAFETY FACTOR	DEFLECTION	E x 10 <sup>6</sup> PSI
		50	100	150	200	250	300	400	500	750	1000	2000	3000	4000	5000			
12	Δu	0.001	0.002	0.003	0.004	0.005	0.005	0.007	0.009	0.014	0.018	0.036	0.054	0.073	0.091	10401	0.189	3.78
	Δc	0.001	0.003	0.004	0.006	0.007	0.009	0.012	0.015	0.022	0.029	0.058	0.087	0.116	0.145			
18	Δu	0.004	0.008	0.013	0.017	0.021	0.025	0.033	0.042	0.063	0.084	0.167	0.251	0.335	0.418	4954	0.415	4.15
	Δc	0.004	0.009	0.013	0.018	0.022	0.027	0.036	0.045	0.067	0.089	0.179	0.268	0.357	0.446			
24	Δu	0.012	0.025	0.037	0.050	0.062	0.075	0.100	0.124	0.187	0.249	0.498				2900	0.722	4.41
	Δc	0.010	0.020	0.030	0.040	0.050	0.060	0.080	0.100	0.149	0.199	0.398	0.597					
30	Δu	0.029	0.058	0.087	0.116	0.145	0.174	0.231	0.289	0.434	0.579					1856	1.074	4.63
	Δc	0.019	0.037	0.056	0.074	0.093	0.111	0.148	0.185	0.278	0.370							
36	Δu	0.058	0.115	0.173	0.230	0.288	0.345	0.460	0.575							1289	1.483	4.83
	Δc	0.031	0.061	0.092	0.123	0.153	0.184	0.245	0.307	0.460	0.614							
42	Δu	0.105	0.211	0.316	0.422	0.527	0.633									943	1.989	4.88
	Δc	0.048	0.096	0.145	0.193	0.241	0.289	0.386	0.482									
48	Δu	0.176	0.353	0.529	0.705											719	2.534	4.98
	Δc	0.071	0.141	0.212	0.282	0.353	0.423	0.564										
54	Δu	0.281	0.563													566	3.184	5.00
	Δc	0.100	0.200	0.300	0.400	0.500	0.600											

**NOTE:** When a 100 pounds per square foot uniform load is placed upon a 43" simple span, it will produce a deflection of 1/4" at midspan.

- c IS CONCENTRATED LOAD LBS/FT OF WIDTH
- Δc IS DEFLECTION UNDER CONCENTRATED LOAD
- u IS UNIFORM LOAD LBS/FT<sup>2</sup>
- Δc IS DEFLECTION UNDER UNIFORM LOAD





# Pultruded Fiberglass Grating

Molded fiberglass grating is manufactured in an open, heated mold system. Continuous E-glass rovings are placed in the mold in alternating layers and completely wetted out with resin. This continuous process produces an integral, one piece construction which provides excellent corrosion resistance as well as bi-directional strength. There are a number of different molds available resulting in a extensive range of panel sizes, thickness and mesh patterns.



## Key Benefits to Fiberglass Grating

**Corrosion Resistance:** Able to withstand the harshest environments and chemical exposures.

**Lightweight:** Fiberglass is 1/3 the weight of steel grating, making installation much simpler - no heavy equipment needed, and less labor. Allows easy access below floor level.

**Low Maintenance:** No sandblasting, scraping or painting necessary. Clean with a high pressure washer.

**Low Installation Costs:** Grating is light and easy to maneuver. It is also easy to fabricate in the field with normal carpenter's tools using diamond or tungsten carbide grit-edged blades. No need to use heavy lifting equipment.

**Long Lifespan:** Fiberglass outlasts all traditional building materials like wood and metals. No rust, and extreme durability means a product that can handle even the most demanding applicaitons.

**Fire Retardant:** Flame spread rating of 25 or less, as tested in accordance with ASTM E-84, and meets the self-extinguishing requirements of ASTM D-635.

**Anti-Slip:** All grating is either gritted or with a concave non-slip surface, providing excellent slip resistance for worker safety.

**High Structural Strength to Weight Ratio:** Fiberglass is 1/3 the weight of steel with double the load capacity, and 1/4 the weight of aluminum with triple the capacity.

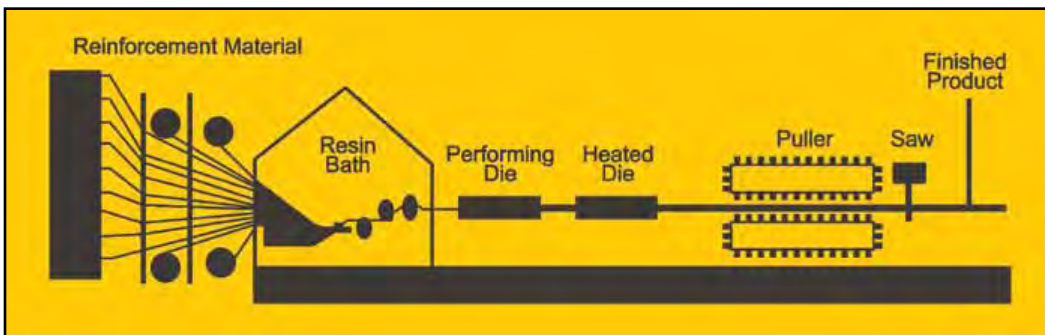
**Non-Conductive Electrically & Thermally:** FRP gives improved worker safety, with no electricity hazards, and low thermal conductivity results in less overheating or cooling, much easier to touch than metal gratings.

**Impact Resistant:** Higher impact resistance compared to steel gratings. Also resistant to chipping and cracking.

**Non-Sparking:** No hazards from sparks, especially important in flammable or gaseous environments.

## Typical Applications

- Agricultural
- Architectural
- Bridge & Highway
- Cellular Communications
- Chemical
- Commercial
- Electrical
- Food & Beverage
- General Industry
- Manufacturing
- Marine/Offshore
- Mining/Metals/Processing
- Oil & Gas
- Pharmaceutical
- Power
- Pulp & Paper
- Recreation
- Telecommunications
- Transportation
- Water & Wastewater



Pultruded products are "pulled" through a pultrusion machine. The initial product consists of strands of glass, which are covered with a glass weaved cloth, sealed in a resin bath, and heated. The final product is cut and sealed with resin.

## FRP GRATING SPECIFICATIONS

### Pultruded Grating Bar Profiles

The bearing bars of pultruded grating come in three different shapes: I-Bar, T-Bar, and Heavy-Load-Bar (HL). I-Bar is a lightweight and highly capable shape, while the T-Bar is designed for foot traffic. HL-Bar is solid, and designed to handle loads from extremely heavy loads like trucks and construction equipment. I-Bar and T-Bar are kept in stock in VE resin.

### Fiberglass Grating Dimensions

With pultruded fiberglass grating it is much more critical to understand how to order dimensions than with molded fiberglass grating. With molded grating, because the FRP is built from a mold, the grate has equal strength in both directions. Pultruded grating has bearing bars which should be bearing the weight, and cross-bars to hold it together. It is absolutely critical that the length of the bearing bars is holding the weight of the application. The length, or span, describes the bearing bars. Ask yourself, "What am I spanning?" That will help in knowing which dimension is the "length".

### Grating Panel Size

Pultruded Grating stock panels come in 5'x20', 5'x12', or 3'x20'. Other sizes available upon request. Gratings can be cut to size.

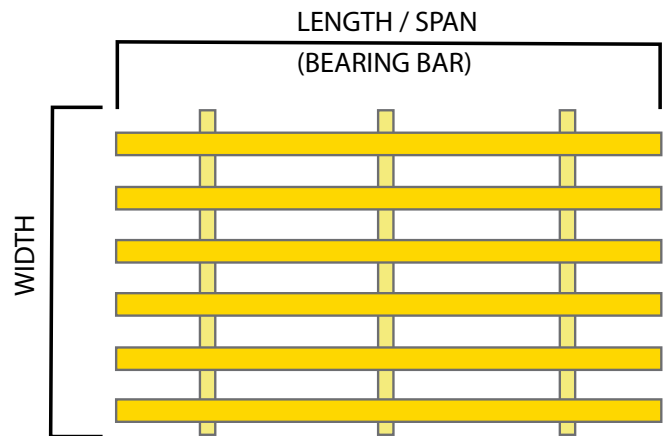
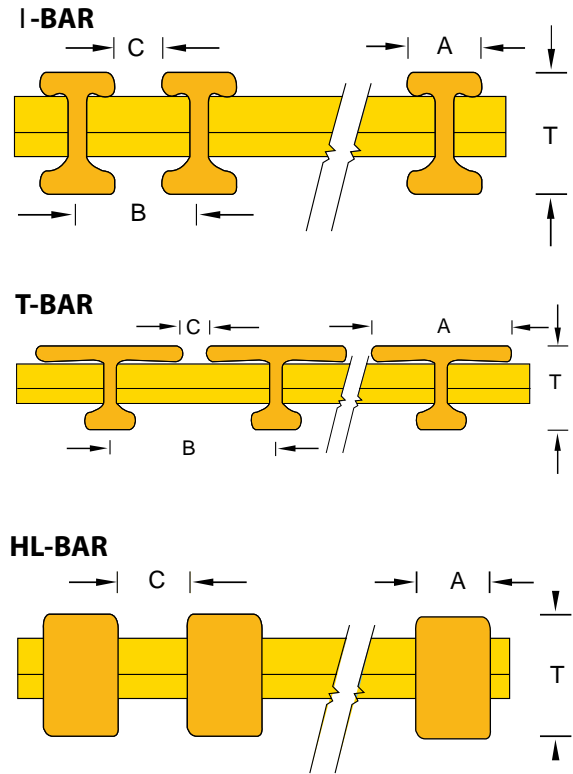
### Surface Texture

Grating comes in either gritted or concave (non-slip) surface. In-stock grating with grit is grey, and non-slip is yellow.

### Resin Selection Chart

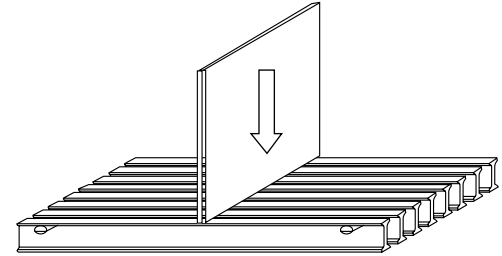
The standard resin for in stock fiberglass grating at National Grating is Vinyl Ester, and for structural pultruded FRP products, it is a fire retardant isophthalic polyester. Other types of resin are available upon request, with much longer ship times. The type of resin selected may be important for some applications like the need for food grade corrosion or superior fire resistance and low smoke.

Most companies stock standard polyester resins, which are more typically used for basic industrial and water/waste water use. Both of the resins we stock are superior grade resins for corrosion resistance, strength, and fire retardant characteristics.



Resin	Description	Fire Performance	Colors	FRP Products
GP	General Polyester Grade is an all-purpose industrial resin that meets the requirements for corrosion resistance found in industrial, water/wastewater, and chemical processing requirements.	ASTM E84 <25	Yellow, Grey	Molded Grating, Pultruded Grating, Pultruded Structural Shapes
SPFR	Fire Retardant Isophthalic Polyester Grade for extra corrosion resistance and where fire retardant properties are important.	ASTM E84 <25	Yellow, Grey	Pultruded structural products, incl: Angle, Beams, Tube, Plate
VE	Vinyl Ester Grade, a top quality resin, for the most extreme corrosive environments, and the ultimate in load bearing capacity.	ASTM E84 <25	Yellow, Grey	Molded FRP Grating, Pultruded FRP Grating, Ladders

## PULTRUDED FRP GRATING LOAD TABLES

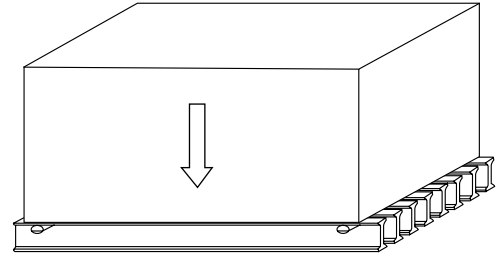


**Concentrated Line Load Deflection, Pultruded Grating**

Deflection in inches

Span (in)	Style	Depth (in)	Open Area	Load (in pounds)						Max Recommended Load (psf)	Ultimate Capacity (psf)	
				50	100	200	300	500	1000			2000
12	I-6010	1	60%	< 0.01	< 0.01	< 0.01	< 0.01	0.01	0.03	0.06	3,570	7,140
	I-6015	1.5	60%	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	0.01	0.02	7,620	15,240
	T-5020	2	50%	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	0.01	0.02	7,560	15,120
	I-4010	1	40%	< 0.01	< 0.01	< 0.01	< 0.01	0.01	0.02	0.04	5,350	10,700
	I-4015	1.5	40%	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	0.01	0.02	11,430	22,860
18	I-6010	1	60%	< 0.01	0.01	0.02	0.03	0.04	0.09	0.17	3,390	6,780
	I-6015	1.5	60%	< 0.01	< 0.01	< 0.01	0.01	0.02	0.03	0.06	7,370	14,740
	T-5020	2	50%	< 0.01	< 0.01	< 0.01	< 0.01	0.01	0.03	0.05	7,560	15,120
	I-4010	1	40%	< 0.01	< 0.01	0.01	0.02	0.03	0.06	0.12	5,080	10,160
	I-4015	1.5	40%	< 0.01	< 0.01	< 0.01	< 0.01	0.01	0.02	0.04	11,060	22,120
24	I-6010	1	60%	0.01	0.02	0.04	0.06	0.09	0.19	0.38	2,840	5,680
	I-6015	1.5	60%	< 0.01	< 0.01	0.01	0.02	0.03	0.07	0.14	4,880	9,760
	T-5020	2	50%	< 0.01	< 0.01	< 0.01	0.01	0.02	0.04	0.08	5,940	11,880
	I-4010	1	40%	< 0.01	0.01	0.03	0.04	0.06	0.13	0.25	4,260	8,520
	I-4015	1.5	40%	< 0.01	< 0.01	< 0.01	0.01	0.02	0.05	0.10	7,310	14,620
30	I-6010	1	60%	0.02	0.03	0.07	0.10	0.17	0.35	---	2,300	4,600
	I-6015	1.5	60%	< 0.01	0.01	0.03	0.04	0.06	0.13	0.26	4,500	9,000
	T-5020	2	50%	< 0.01	< 0.01	0.01	0.02	0.04	0.08	0.16	5,200	10,400
	I-4010	1	40%	0.01	0.02	0.05	0.07	0.12	0.23	0.47	3,450	6,900
	I-4015	1.5	40%	< 0.01	0.01	0.02	0.03	0.05	0.11	0.22	6,750	13,500
36	I-6010	1	60%	0.03	0.06	0.11	0.17	0.28	---	---	1,970	3,940
	I-6015	1.5	60%	0.01	0.02	0.04	0.06	0.10	0.20	0.40	3,750	7,500
	T-5020	2	50%	< 0.01	0.01	0.02	0.04	0.06	0.12	0.25	4,320	8,640
	I-4010	1	40%	0.02	0.04	0.07	0.11	0.18	0.37	---	2,950	5,900
	I-4015	1.5	40%	< 0.01	0.01	0.03	0.04	0.07	0.13	0.26	5,630	11,260
42	I-6010	1	60%	0.04	0.08	0.17	0.25	0.42	---	---	1,670	3,340
	I-6015	1.5	60%	0.02	0.03	0.06	0.10	0.16	0.32	---	3,220	6,440
	T-5020	2	50%	0.01	0.02	0.04	0.06	0.10	0.21	0.41	3,710	7,420
	I-4010	1	40%	0.03	0.06	0.11	0.17	0.28	---	---	2,500	5,000
	I-4015	1.5	40%	0.01	0.02	0.04	0.06	0.11	0.21	0.42	4,820	9,640
48	I-6010	1	60%	0.06	0.11	0.23	0.34	---	---	---	1,440	2,880
	I-6015	1.5	60%	0.02	0.05	0.09	0.14	0.23	0.46	---	2,810	5,620
	T-5020	2	50%	0.01	0.03	0.06	0.09	0.15	0.29	---	3,250	6,500
	I-4010	1	40%	0.04	0.08	0.15	0.23	0.38	---	---	2,160	4,320
	I-4015	1.5	40%	0.02	0.03	0.06	0.09	0.15	0.30	---	4,220	8,440
54	I-6010	1	60%	0.09	0.18	0.36	---	---	---	---	1,280	2,560
	I-6015	1.5	60%	0.03	0.07	0.14	0.21	0.35	---	---	2,500	5,000
	T-5020	2	50%	0.02	0.04	0.08	0.13	0.21	0.42	---	2,890	5,780
	I-4010	1	40%	0.06	0.12	0.24	0.36	---	---	---	1,920	3,840
	I-4015	1.5	40%	0.03	0.05	0.09	0.14	0.23	0.46	---	3,750	7,500
60	I-6010	1	60%	0.13	0.27	---	---	---	---	---	1,150	2,300
	I-6015	1.5	60%	0.05	0.10	0.20	0.30	0.49	---	---	2,250	4,500
	T-5020	2	50%	0.03	0.06	0.12	0.17	0.29	---	---	2,600	5,200
	I-4010	1	40%	0.09	0.18	0.36	---	---	---	---	1,730	3,460
	I-4015	1.5	40%	0.04	0.07	0.13	0.20	0.33	---	---	3,380	6,760
72	I-6010	1	60%	0.26	---	---	---	---	---	---	960	1,920
	I-6015	1.5	60%	0.09	0.18	0.36	---	---	---	---	1,880	3,760
	T-5020	2	50%	0.05	0.09	0.19	0.28	0.47	---	---	2,170	4,340
	I-4010	1	40%	0.17	0.34	---	---	---	---	---	1,440	2,880
	I-4015	1.5	40%	0.06	0.12	0.24	0.36	---	---	---	2,810	5,620

**PULTRUDED FRP GRATING LOAD TABLES**



**Uniform Load Deflection, Pultruded Grating**  
Deflection in inches

Span (in)	Style	Depth (in)	Open Area	Load (in pounds)							Max Recommended Load (psf)	Ultimate Capacity (psf)
				50	100	200	300	500	1000	2000		
12	I-6010	1	60%	< 0.01	< 0.01	< 0.01	< 0.01	0.01	0.02	0.04	7,140	14,280
	I-6015	1.5	60%	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	0.01	0.02	15,240	30,480
	T-5020	2	50%	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	0.01	15,120	30,240
	I-4010	1	40%	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	0.01	0.02	10,700	21,400
	I-4015	1.5	40%	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	0.01	22,860	45,720
18	I-6010	1	60%	< 0.01	0.01	0.02	0.02	0.04	0.08	0.16	4,520	9,040
	I-6015	1.5	60%	< 0.01	< 0.01	< 0.01	0.01	0.02	0.03	0.06	9,820	19,650
	T-5020	2	50%	< 0.01	< 0.01	< 0.01	< 0.01	0.01	0.02	0.05	10,080	20,160
	I-4010	1	40%	< 0.01	< 0.01	0.01	0.02	0.03	0.05	0.11	6,770	13,540
	I-4015	1.5	40%	< 0.01	< 0.01	< 0.01	< 0.01	0.01	0.02	0.04	14,740	29,490
24	I-6010	1	60%	0.01	0.02	0.05	0.07	0.12	0.24	---	2,840	5,680
	I-6015	1.5	60%	< 0.01	0.01	0.02	0.03	0.04	0.09	0.17	4,880	9,760
	T-5020	2	50%	< 0.01	< 0.01	< 0.01	0.02	0.03	0.05	0.11	5,940	11,880
	I-4010	1	40%	0.01	0.02	0.03	0.05	0.08	0.16	0.31	4,260	8,520
	I-4015	1.5	40%	< 0.01	< 0.01	0.01	0.02	0.03	0.06	0.11	7,310	5,520
30	I-6010	1	60%	0.03	0.05	0.11	0.16	0.27	---	---	1,840	3,680
	I-6015	1.5	60%	0.01	0.02	0.04	0.06	0.10	0.20	0.41	3,600	7,200
	T-5020	2	50%	< 0.01	0.01	0.02	0.03	0.06	0.13	0.25	4,160	8,320
	I-4010	1	40%	0.02	0.04	0.07	0.11	0.18	0.36	---	2,760	5,520
	I-4015	1.5	40%	< 0.01	0.01	0.03	0.04	0.07	0.14	0.27	5,400	10,800
36	I-6010	1	60%	0.05	0.10	0.21	0.31	---	---	---	1,310	2,620
	I-6015	1.5	60%	0.02	0.04	0.08	0.11	0.19	0.38	---	2,500	5,000
	T-5020	2	50%	0.01	0.02	0.05	0.07	0.12	0.23	0.47	2,880	5,760
	I-4010	1	40%	0.03	0.07	0.14	0.21	0.35	---	---	1,960	3,930
	I-4015	1.5	40%	0.01	0.03	0.05	0.08	0.13	0.25	0.50	3,750	7,500
42	I-6010	1	60%	0.09	0.19	0.37	---	---	---	---	950	1,900
	I-6015	1.5	60%	0.04	0.07	0.14	0.21	0.35	---	---	1,840	3,680
	T-5020	2	50%	0.02	0.05	0.09	0.14	0.23	0.45	---	2,120	4,240
	I-4010	1	40%	0.06	0.12	0.25	0.37	---	---	---	1,430	2,860
	I-4015	1.5	40%	0.02	0.05	0.09	0.14	0.23	0.47	---	2,760	5,520
48	I-6010	1	60%	0.14	0.29	---	---	---	---	---	720	1,440
	I-6015	1.5	60%	0.06	0.11	0.23	0.34	---	---	---	1,410	2,820
	T-5020	2	50%	0.04	0.07	0.14	0.21	0.36	---	---	1,620	3,240
	I-4010	1	40%	0.10	0.19	0.38	---	---	---	---	1,080	2,160
	I-4015	1.5	40%	0.04	0.08	0.15	0.23	0.38	---	---	2,110	4,220
54	I-6010	1	60%	0.25	---	---	---	---	---	---	570	1,140
	I-6015	1.5	60%	0.10	0.19	0.39	---	---	---	---	1,110	2,220
	T-5020	2	50%	0.06	0.12	0.24	0.36	---	---	---	1,280	2,560
	I-4010	1	40%	0.17	0.34	---	---	---	---	---	850	1,700
	I-4015	1.5	40%	0.06	0.13	0.26	0.39	---	---	---	1,670	3,340
60	I-6010	1	60%	0.42	---	---	---	---	---	---	460	920
	I-6015	1.5	60%	0.15	0.31	---	---	---	---	---	900	1,800
	T-5020	2	50%	0.09	0.18	0.36	---	---	---	---	1,040	2,080
	I-4010	1	40%	0.28	---	---	---	---	---	---	690	1,380
	I-4015	1.5	40%	0.10	0.21	0.41	---	---	---	---	1,350	2,700
72	I-6015	1.5	60%	0.34	---	---	---	---	---	---	630	1,260
	T-5020	2	50%	0.18	0.35	---	---	---	---	---	720	1,440
	I-4015	1.5	40%	0.23	0.45	---	---	---	---	---	940	1,880

**FABRICATION**

FRP Floor grates can be cut with regular carpenter’s tools like a sabre saw or circular saw. For large jobs, we recommend using diamond grit blades, or tungsten carbide grit-edged blades. This ensures accuracy and withstands prolonged use.

All cutting should be done in well ventilated areas, and with proper safety equipment (e.g. eye protection). Mark the grating with a pencil and a straight edge. After the floor grate has been cut, make sure to seal all the cut edges with a similar resin to the grating. This ensures that all elements are fully corrosion resistant.



**Installing Hold-Down Clips**

The most common clip provided is an M-Clip made of Stainless Steel. A general rule of thumb is to use one clip for every four square feet of grating. This is true whether the floor grate is kept whole or cut for a narrow long stretch, like 2’ x 40’.

Clips prevent the floor grate from shifting over time. Typical clips have the main fastener, a hex bolt, nut, and washer.



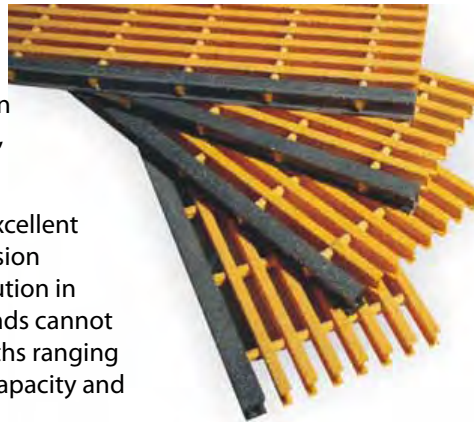
**Supporting the Floor Grates**

Ensure floor grate has proper support. Read the load tables to see how far apart the supports need to be. For cut-out areas, like circles, it is recommended to use support bars to ensure the floor grating bearing bar ends are secure. If it is not possible, use hold-down support bars on each side of the cut-out hole.



**PULTRUDED GRATING STAIR TREADS**

Stair treads come in one-piece configurations, to exceed OSHA and other building code standards for safety, durability, strength and corrosion resistance. Surfaces are non-slip gritted, and FRP is non-conductive.



**Pultruded Grate Stair Treads** are an excellent solution for stairways exposed to corrosion or excessive wear. They are an ideal solution in applications where molded grating treads cannot support the width. Treads come in depths ranging from 1” to 2”. See chart below for load capacity and deflection.



**PULTRUDED GRATING TREAD LOAD TABLE**

Deflection in inches

Grating Tread Type	Load (lbs)	Span (inches)					
		18	24	30	36	42	48
I-6010	250	0.03	0.08	0.14	0.22	0.34	0.46
	500	0.07	0.15	0.28	0.44	0.68	0.92
I-6015	250	0.01	0.02	0.04	0.06	0.09	0.13
	500	0.02	0.04	0.08	0.11	0.18	0.26
T-5020	250	0.01	0.02	0.03	0.04	0.06	0.09
	500	0.02	0.04	0.06	0.09	0.12	0.18
I-4010	250	0.02	0.05	0.1	0.16	0.24	0.33
	500	0.05	0.11	0.2	0.32	0.49	0.65
I-4015	250	0.01	0.01	0.03	0.04	0.06	0.09
	500	0.02	0.03	0.05	0.07	0.12	0.17

## HOW TO ORDER PULTRUDED FRP GRATING

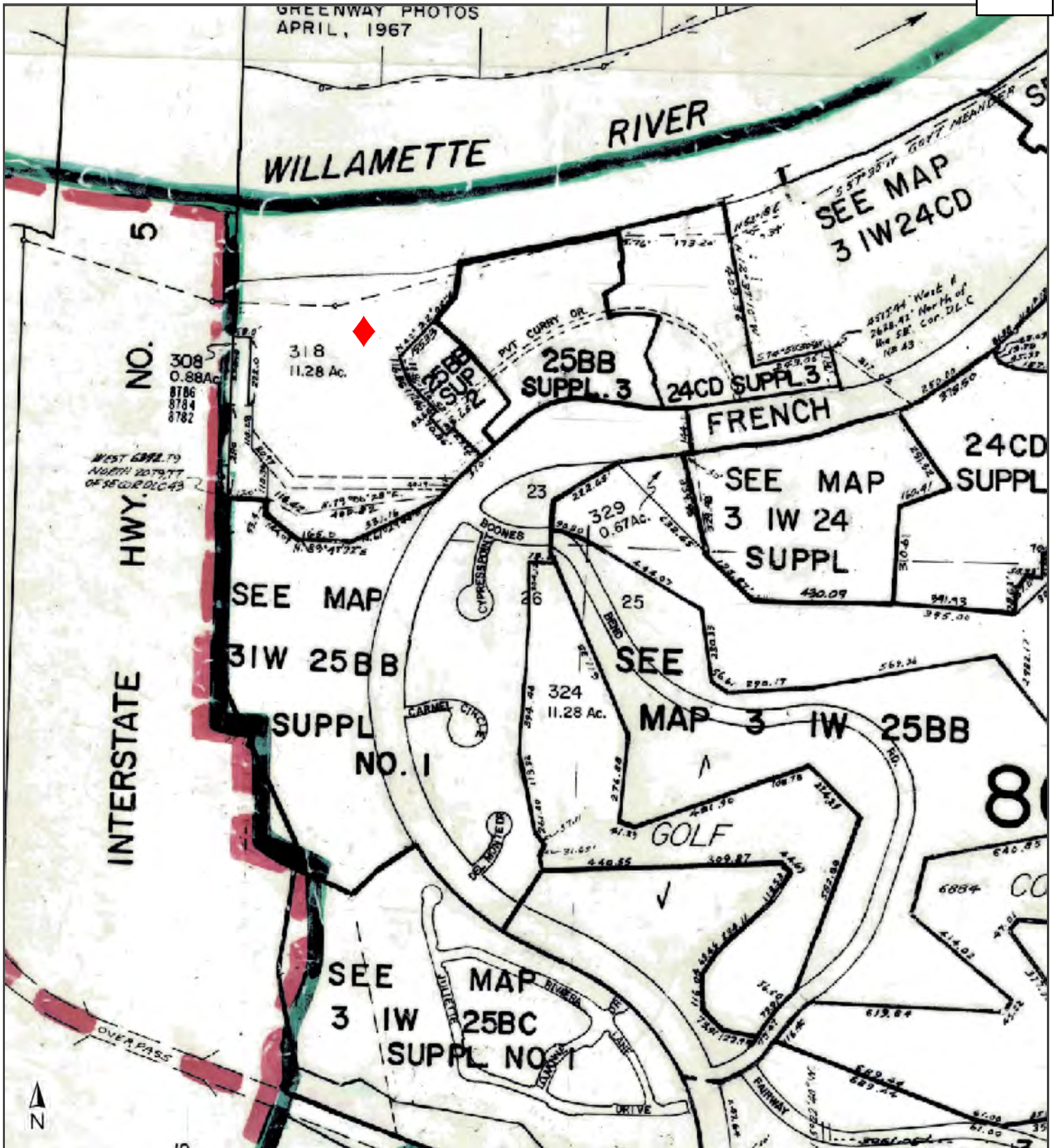
The length of pultruded grating is the span. This is the direction of the bearing bars, which will hold all the weight. The width of the grating consists of the cross rods, and is not intended to bear any weight. Ask yourself, What am I spanning? For example, if you need a trench cover for a three-foot ditch, sixty feet wide, you could order twelve sheets of pultruded grating with 3' spans by 5' widths.



**ISO 9001**  
**QUALITY ASSURANCE**

All of our Structural Fiberglass products have been certified by the ISO 9001 International Standard Quality System and ASTM E-84, for full quality assurance.

Item 2.



**ParcelID: 00825548**

**Tax Account #: 31W25 00318**

**8755 SW Illahee Ct, Wilsonville OR 97070**

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

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1433 SW 6th Avenue  
(503)646-4444

**OWNERSHIP AND ENCUMBRANCES REPORT WITH GENERAL INDEX LIENS**  
Informational Report of Ownership and Monetary and Non-Monetary Encumbrances

**To ("Customer"):** Charbonneau Country Club  
32000 SW Charbonneau Dr  
Wilsonville, OR 97070

**Customer Ref.:** \_\_\_\_\_  
**Order No.:** 472522001894  
**Effective Date:** April 1, 2022 at 08:00 AM  
**Charge:** \$200.00

The information contained in this report is furnished by Chicago Title Company of Oregon (the "Company") as a real property information service based on the records and indices maintained by the Company for the county identified below. THIS IS NOT TITLE INSURANCE OR A PRELIMINARY TITLE REPORT FOR, OR COMMITMENT FOR, TITLE INSURANCE. No examination has been made of the title to the herein described property, other than as specifically set forth herein. Liability for any loss arising from errors and/or omissions is limited to the lesser of the charge or the actual loss, and the Company will have no greater liability by reason of this report. THIS REPORT IS SUBJECT TO THE LIMITATIONS OF LIABILITY STATED BELOW, WHICH LIMITATIONS OF LIABILITY ARE A PART OF THIS REPORT.

**THIS REPORT INCLUDES MONETARY AND NON-MONETARY ENCUMBRANCES.**

**Part One - Ownership and Property Description**

**Owner.** The apparent vested owner of property ("the Property") as of the Effective Date is:

MG Haven at Charbonneau Apartments LSMI LLC, a Delaware limited liability company, as to an undivided 18% interest, and MG Haven at Charbonneau Apartments NTC LLC, a Delaware limited liability company, as to an undivided 82% interest, as tenants in common

**Premises.** The Property is:

**(a) Street Address:**

8755 S.W. Illahee Court, Wilsonville, OR 97070

**(b) Legal Description:**

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF



**Part Two - Encumbrances**

**Encumbrances.** As of the Effective Date, the Property appears subject to the following monetary and non-monetary encumbrances of record, not necessarily listed in order of priority, including liens specific to the subject property and general index liens (liens that are not property specific but affect any real property of the named person in the same county):

**EXCEPTIONS**

1. City Liens, if any, in favor of the City of Wilsonville. No search has been made as to the existence of any liens. A search will be conducted, for an additional charge, only upon request of the Assured herein named.
2. Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of the Willamette River.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of the Willamette River.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of the Willamette River.

3. Limited Access Provisions together with Reservations and Restrictions contained in Deed to the State of Oregon, by and through its State Highway Commission, which, among other things, provides that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property;  
Recording Date: October 16, 1951  
[Book: 449](#)  
[Page: 609](#)  
Affects: The Northwesterly portion
4. Charbonneau Agreement, including the terms and provisions thereof;  
Recording Date: January 14, 1977  
[Recording No.: 77-001642](#)
5. Covenants, Conditions and Restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document:  
Recording Date: April 6, 1977  
[Recording No.: 77-012613](#)  
  
As annexed by Declaration;  
Recording Date: March 9, 1990  
[Recording No.: 90-010525](#)
6. Liens and charges as set forth in the above mentioned declaration payable to the Charbonneau Country Club Homeowners Association.

7. Easement for the purposes shown below and rights incidental thereto, as granted in a document:  
Granted to: The City of Wilsonville  
Purpose: Municipal water and sewer lines  
Recording Date: June 26, 1978  
[Recording No.: 78-027304](#)  
Affects: A 40 foot wide strip through the Southerly portion  
  
And modified by instrument;  
Recording Date: December 21, 1990  
[Recording No.: 90-062763](#)
8. Easement for the purpose shown below and rights incidental thereto, as granted in a document:  
Granted to: Telephone Utilities of Oregon, Inc.  
Purpose: Utilities  
Recording Date: July 20, 1987  
[Recording No.: 87-032940](#)  
Affects: Exact location not disclosed
9. Easement Agreement, including the terms and provisions thereof;  
Executed by: Columbia-Willamette Development Company and the City of Wilsonville  
Recording Date: September 4, 1987  
[Recording No.: 87-040899](#)  
  
And modified by instrument;  
Recording Date: December 21, 1990  
[Recording No.: 90-062763](#)
10. Easement and Water Use Agreement, including the terms and provisions thereof;  
Executed by: Columbia-Willamette Development Company and Willamette Factors, Inc.  
Recording Date: January 31, 1989  
[Recording No.: 89-004682](#)  
  
And amended by instrument;  
Recording Date: May 30, 1991  
[Recording No.: 91-025267](#)
11. Easement Agreement, including the terms and provisions thereof;  
Executed by: Adjoining property owners  
Recording Date: December 21, 1990  
[Recording No.: 90-062762](#)
12. Reciprocal Easement Agreement, including the terms and provisions thereof;  
Executed by: The City of Wilsonville and Columbia-Willamette Development Company  
Recording Date: December 21, 1990  
[Recording No.: 90-062764](#)
13. Water Use Agreement, including the terms and provisions thereof;  
Executed by: Adjoining property owners  
Recording Date: April 11, 1991  
[Recording No.: 91-016011](#)

14. A Multifamily Deed of Trust, Assignment of Rents and Security Agreement to secure an indebtedness in the amount shown below,  
Amount: \$15,130,000.00  
Dated: December 20, 2018  
Grantor: MG Haven at Charbonneau Apartments LSMI LLC and MG Haven at Charbonneau Apartments NTC LLC, both Delaware limited liability companies, as tenants in common  
Trustee: Chicago Title Insurance Company, a Florida corporation  
Beneficiary: Holliday Fenoglio Fowler, L.P., a Texas limited partnership  
Recording Date: December 20, 2018  
[Recording No.: 2018-076307](#)
- The beneficial interest under said Deed of Trust was assigned by mesne assignments and by instrument:  
Assignee: U.S. Bank National Association, as Trustee for the Registered Holders of Citigroup Commercial Mortgage Securities Inc., Multi-Family Mortgage Pass-Through Certificates, Series 2019-K89  
Recording Date: March 25, 2019  
[Recording No.: 2019-015503](#)
15. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.

ADDITIONAL  
NOTES

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NOTE: Property taxes for the fiscal year shown below are paid in full.  
Fiscal Year: 2021-2022  
Amount: \$186,196.04  
Levy Code: 086-014  
[Account No.: 00825548](#)  
Map No.: 31W25 00318

**End of Reported Information**

There will be additional charges for additional information or copies. For questions or additional requests, contact:

Tony Schadle  
5034694150  
tony.schadle@titlegroup.fntg.com  
Chicago Title Company of Oregon  
1433 SW 6th Avenue  
Portland, OR 97201

**EXHIBIT "A"**  
Legal Description

Parcel I:

A tract of land being a portion of the George L. Curry Donation Land Claim No. 43, situated in the Southeast one quarter of Section 23 and the Southwest one quarter of Section 24, Township 3 South, Range 1 West of the Willamette Meridian, in the City of Wilsonville, County of Clackamas and State of Oregon, being more particularly described as follows:

Beginning at a point on the Northerly right of way line of French Prairie Road, said point also being the initial point of EDGEWATER AT CHARBONNEAU, a subdivision recorded in Book 86, Page 3, Plat Records, said Clackamas County, said point being North a distance of 2,518.46 feet and West a distance of 4,482.43 feet from the Southeast corner of the George L. Curry Donation Land Claim; thence running on said Northerly right of way line the following courses: South 79°53'06" West a distance of 505.68 feet to the beginning of a tangent 456.00 foot radius curve right; thence on said curve through a central angle of 18°56'45" (the long chord of which bears South 89°21'28" West, a distance of 150.10 feet) an arc distance of 150.78 feet to the end thereof; thence North 81°10'09" West a distance of 133.96 feet to the beginning of a tangent 244.00 foot radius curve left; thence on said curve through a central angle of 56°27'43" (the long chord of which bears South 70°36'00" West a distance of 230.84 feet) an arc distance of 240.45 feet to the end thereof; thence South 42°22'08" West a distance of 176.04 feet to the true point of beginning; thence leaving said right of way line and running North 47°37'52" West a distance of 129.62 feet; thence South 42°22'08" West 33.65 feet; thence North 47°37'52" West 70.86 feet; thence North 42°22'08" East 33.65 feet; thence North 47°37'52" West 116.52 feet; thence North 12°37'34" West a distance of 111.86 feet; thence North 42°22'08" East a distance of 222.36 feet; thence North 12°01'00" East a distance of 140.02 feet to a point on the ordinary low waterline of the Willamette River; thence Southwesterly along the meanders of the said low waterline to a point where it intersects the East right of way line of Interstate 5; thence along said East right of way line South 0°12'32" East 201.60 feet to an iron rod at the Northwest corner of that tract of land conveyed by Deed to the City of Wilsonville recorded June 26, 1978 as Recorder's Fee No. 78-027304, Clackamas County Deed Records; thence along the North line of said Wilsonville Tract North 89°47'28" East 58.00 feet to the Northeast corner thereof; thence along the East line of said Wilsonville Tract South 0°12'32" East 222.00 feet; thence North 89°47'28" East 7.00 feet; thence South 0°12'32" East 110.28 feet to an angle point; thence South 42°59'44" East 80.97 feet to an angle point; thence South 0°12'32" East 110.30 feet to an iron pipe at the Southeast corner of said Wilsonville Tract; thence South 0°12'32" East 53.40 feet; thence South 53°12'14" East 124.07 feet; thence North 89°47'32" East 165.00 feet; thence North 61°29'44" East 333.16 feet to the West right of way line of French Prairie Road as dedicated by CHARBONNEAU VII, THE VILLAGE AT WILSONVILLE, a subdivision recorded in Book 75, Page 8, Clackamas County Deed Records; thence along said West right of way line along a 583.00 foot radius curve to the right, through a central angle of 3°56'59" (chord bears North 40°23'38" East 40.19 feet) an arc distance of 40.19 feet; thence continuing along the West right of way line of said French Prairie Road North 42°22'08" East 134.13 feet to the true point of beginning.

EXCEPTING THEREFROM ownership of the State of Oregon in and to that portion of the premises herein described lying below the line of ordinary high water of the Willamette River.

Parcel II:

Easements for driveways and parking area as set forth in Reciprocal Easement Agreement as described in document recorded December 21, 1990 as Recorder's Fee No. 90-062764. Records of Clackamas County, Oregon.

Parcel III:

A right and Easement of enjoyment in and to the common areas as defined and described in Covenants, Conditions and Restrictions per Charbonneau Country Club recorded April 6, 1977 as Recorder's Fee No. 77-012613, as amended by instrument recorded March 9, 1990 as Recorder's Fee No. 90-010525, Records of Clackamas County, Oregon.

**LIMITATIONS OF LIABILITY**

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED, **SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.**

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

END OF THE LIMITATIONS OF LIABILITY

Clackamas County Official Records	<b>2015-033684</b>
Sherry Hall, County Clerk	06/04/2015 12:51:32 PM
D-D                      Cnt=1 Stn=6 KARLYN	
\$40.00 \$16.00 \$10.00 \$22.00	<b>\$88.00</b>

After recording, return to:

Sklar Kirsh, LLP  
1880 Century Park East, Suite 300  
Los Angeles, California 90067  
Attention: Andrew T. Kirsh, Esq.

Until a change is requested, all tax statements shall be sent to the following address:

TruAmerica Multifamily LLC  
12100 Wilshire Boulevard, Suite 250  
Los Angeles, California 90025  
Attention: Dessire Armas

**SPECIAL WARRANTY DEED-STATUTORY FORM**

FAOF Illahee, LLC, a Delaware limited liability company, Grantor, does convey and specially warrant to Illahee Drive Fee Owner LLC, a Delaware limited liability company, Grantee, the real property in Clackamas County, State of Oregon described in Exhibit A attached hereto and by this reference made a part hereof (the "Property"), free of all encumbrances created or suffered by or through Grantor, except as described in Exhibit B attached hereto and by this reference made a part hereof.

The true consideration for this conveyance is Sixteen Million Dollars (\$16,000,000).

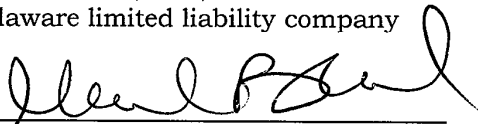
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

[Signature Page to Follow]

Recorded by TICOR TITLE 3626073 44670

IN WITNESS WHEREOF, the undersigned Grantor has executed this Special Warranty Deed as of June 4, 2015.

GRANTOR:  
FAOF ILLAHEE, LLC,  
a Delaware limited liability company

By:   
Michael B. Earl, Vice President

ACKNOWLEDGMENT

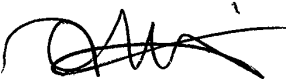
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

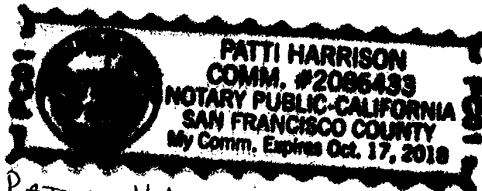
STATE OF CALIFORNIA  
COUNTY OF SAN FRANCISCO

On this 28th day of May, 2015 before me, Patti Harrison, notary public, personally appeared Michael B. Earl who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

  
Notary Public



\* PATTI HARRISON  
COMM. #2086433  
Notary Public - California  
SAN FRANCISCO COUNTY  
My Comm. Expires Oct. 17, 2018

[SIGNATURE PAGE TO SPECIAL WARRANTY DEED]



**Exhibit A**  
**Real Property Legal Description**

All that land situated in the State of Oregon, County of Clackamas, City of Wilsonville and described as follows:

**Parcel 1:**

A tract of land being a portion of the George L. Curry Donation Land Claim No. 43, situated in the Southeast one quarter of Section 23 and the Southwest one quarter of Section 24, Township 3 South, Range 1 West of the Willamette Meridian, in the City of Wilsonville, County of Clackamas and State of Oregon, being more particularly described as follows:

Beginning at a point on the Northerly right of way line of French Prairie Road, said point also being the initial point of EDGEWATER AT CHARBONNEAU, a subdivision recorded in Book 86, Page 3, Plat Records, said Clackamas County, said point being North a distance of 2,518.46 feet and West a distance of 4,482.43 feet from the Southeast corner of the George L. Curry Donation Land Claim; thence running on said Northerly right of way line the following courses: South 79°53'06" West a distance of 505.68 feet to the beginning of a tangent 456.00 foot radius curve right; thence on said curve through a central angle of 18°56'45" (the long chord of which bears South 89°21'28" West, a distance of 150.10 feet) an arc distance of 150.78 feet to the end thereof; thence North 81°10'09" West a distance of 133.96 feet to the beginning of a tangent 244.00 foot radius curve left; thence on said curve through a central angle of 56°27'43" (the long chord of which bears South 70°36'00" West a distance of 230.84 feet) an arc distance of 240.45 feet to the end thereof; thence South 42°22'08" West a distance of 176.04 feet to the true point of beginning; thence leaving said right of way line and running North 47°37'52" West a distance of 129.62 feet; thence South 42°22'08" West, 33.65 feet; thence North 47°37'52" West, 70.86 feet; thence North 42°22'08" East, 33.65 feet; thence North 47°37'52" West, 116.52 feet; thence North 12°37'34" West, a distance of 111.86 feet; thence North 42°22'08" East, a distance of 222.36 feet; thence North 12°01'00" East, a distance of 140.02 feet to a point on the ordinary low waterline of the Willamette River; thence Southwesterly along the meanders of the said low waterline, to a point where it intersects the East right of way line of Interstate 5; thence along said East right of way line, South 0°12'32" East, 201.60 feet to an iron rod at the Northwest corner of that tract of land conveyed by Deed to the City of Wilsonville, recorded June 26, 1978, Fee No. 78 27304, Clackamas County Deed Records; thence along the North line of said Wilsonville Tract, North 89°47'28" East 58.00 feet to the Northeast corner thereof; thence along the East line of said Wilsonville Tract South 0°12'32" East 222.00 feet; thence North 89°47'28" East, 7.00 feet; thence South 0°12'32" East 110.28 feet to an angle point; thence South 42°59'44" East, 80.97 feet to an angle point; thence South 0°12'32" East, 110.30 feet to an iron pipe at the Southeast corner of said Wilsonville Tract; thence South 0°12'32" East, 53.40 feet; thence South 53°12'14" East, 124.07 feet; thence North 89°47'32" East, 165.00 feet; thence North 61°29'44" East, 333.16 feet, to the West right of way line of French Prairie Road as dedicated by CHARBONNEAU VII, THE VILLAGE AT WILSONVILLE, a subdivision recorded in Book 75, Page 8, Clackamas County Deed Records; thence along said West right of way line, along a 583.00 foot radius curve to the right, through a central angle of 3°56'59" (chord bears North 40°23'38" East, 40.19 feet) an arc distance of 40.19 feet; thence continuing along the West right of way line of said French Prairie Road, North 42°22'08" East 134.13 feet to the true point of beginning.

EXCEPTING THEREFROM ownership of the State of Oregon in and to that portion of the premises herein described lying below the line of ordinary high water of the Willamette River.

**Parcel 2:**

Easements for driveways and parking area as set forth in Reciprocal Easement Agreement as described in document recorded December 21, 1990 as Recording No. 90 62764, Records of Clackamas County, Oregon.

**Parcel 3:**

A right and easement of enjoyment in and to the common areas as defined and described in Covenants, Conditions

and Restrictions per Charbonneau Country Club recorded April 6, 1977 as Recording No. 77-12613, as amended, Records of Clackamas County, Oregon.

**Exhibit B**  
**Exceptions**

SCHEDULE OF PERMITTED ENCUMBRANCES  
(HAVEN)

1. Intentionally Deleted.
2. Intentionally Deleted.
3. Intentionally Deleted.
4. Intentionally Deleted.
5. Intentionally Deleted.
6. Intentionally Deleted.
7. Any adverse claim based upon the assertion that:
  - A) Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Willamette River or has been formed by accretion or reliction to any such portion.
  - B) Some portion of said property has been created by deposit of artificial fill.
  - And Excepting;
  - C) The rights of the public and governmental bodies for fishing, navigation and commerce in and to any portion of the premises herein described, lying below the high water line of the Willamette River.
8. The herein described Land has no rights of ingress and egress to, from or across the Interstate Highway 5 other than expressly therein provided for;  
Relinquished by a Deed to the State of Oregon  
Recording Date: October 16, 1951  
Book: 449  
Page: 609
9. Charbonneau Agreement (for scenic easement), including the terms, conditions and provisions therein;  
  
Executed by: Willamette Factors Inc. and the State of Oregon, by and through its Department of Transportation,  
Highway Division  
Recording Date: January 14, 1977  
Recording No.: 77-001642
10. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document  
  
Recording Date: April 6, 1977  
Recording No: 77-012613  
  
Annexed by Declaration;  
Recording Date: March 9, 1990  
Recording No.: 90-010525

11. Liens and assessments, if any, by the Charbonneau Country Club Homeowners Association as disclosed by Covenants, Conditions and Restrictions recorded April 6, 1977 as Recording No. 77-012613, and Declaration for the Annexation of French Prairie Village, Illahee, Spring Ridge and Louvonne at Charbonneau recorded March 9, 1990 as Recording No. 90-010525.

None due and payable at date of Policy.

12. Easements for the purposes shown below and rights incidental thereto as set forth in a document:

In favor of: The City of Wilsonville  
 Purpose: Municipal water and sewer lines  
 Recording Date: June 26, 1978  
 Recording No: 78-027304

Modified by Agreement;  
 Recording Date: December 21, 1990  
 Recording No.: 90-062763  
 Affects: A 40 foot strip through the Southerly portion

As depicted on that certain ALTA Survey prepared by Compass Land Surveyors dated March \_\_, 2015, last revised May 29, 2015, designated Job No. 6976 ( the "Survey")

13. Easements for the purposes shown below and rights incidental thereto as set forth in a document:

In favor of: Telephone Utilities of Oregon, Inc.  
 Purpose: Utilities  
 Recording Date: July 20, 1987  
 Recording No: 87-032940  
 Affects: Exact location cannot be determined

14. Easement Agreement, including the terms and provisions thereof:

In favor of: The City of Wilsonville  
 Purpose: Underground sanitary sewer and water pipeline or pipelines  
 Recording Date: September 4, 1987  
 Recording No: 87-040899

Modified by Agreement;  
 Recording Date: December 21, 1990  
 Recording No.: 90-062763

As depicted on the Survey.

15. Easements set forth in Easement and Water Use Agreement, including the terms and provisions thereof;

Executed by: Columbia-Willamette Development Company and Willamette Factors, Inc.  
 Recording Date: January 31, 1989  
 Recording No.: 89-004682  
 Purpose: Well and water line

As amended by instrument;  
 Recording Date: May 30, 1991  
 Recording No.: 91-025267

16. Easements set forth in, and covenants and conditions contained in, Easement Agreement, including the terms and provisions thereof;

Executed by: Columbia-Willamette Development Corporation and Charbonneau Country Club

Recording Date: December 21, 1990

Recording No.: 90-062762

Purpose: Concrete ramp and wooden walkway for pedestrians for access to the marina, access driveways and parking

17. Reciprocal Easement Agreement, including the terms and provisions thereof;

Executed by: The City of Wilsonville and Columbia-Willamette Development Corporation

Recording Date: December 21, 1990

Recording No.: 90-062764

Purpose: Access easement over driveways granted to the City of Wilsonville to access property located to the West

As depicted on the Survey.

18. Water Use Agreement, including the terms and provisions thereof;

Executed by: Columbia-Willamette Development Corporation and Ernest Auerbach and Lisa D. Auerbach, as Trustees of the Auerbach Family Trust of 1987

Recording Date: April 11, 1991

Recording No.: 91-016011

19. Easement set forth in MDU Broadband Services Agreement and Memorandum of Easement, including the terms and provisions thereof;

Executed by: IAC Properties, LLC and TCI of Tualatin Valley, Inc.

Recording Date: September 27, 2001

Recording No.: 2001-079114

Purpose: Broadband services

20. Intentionally Deleted.

21. Intentionally Deleted.

22. Intentionally Deleted.

23. Intentionally Deleted.

24. Rights of tenants, as tenants only, under unrecorded leases, with no rights of first refusal or purchase options.

25. Encroachments as disclosed by survey,

Job No.: 6976

Dated: March, 2015, last revised May 29, 2015

Prepared by: Compass Land Surveyors

1. 6' wall encroaches 0.8' into property for a distance of 4.3' along eastern property line
2. 8" wide concrete retaining wall encroaches 2.1' into property along eastern property line
3. Concrete pad encroaches 2.2' into property for a distance of 9.9' along eastern property line
4. Garage encroaches over property line by 1.4' onto adjacent property to the west

**SPECIAL WARRANTY DEED**

RECORDING REQUESTED BY AND  
AFTER RECORDING RETURN TO:

Gleiberman Investments, Inc.  
10505 Sorrento Valley Road, Suite 300  
San Diego, California 92121  
Attn: Paul Kaseburg

Clackamas County Official Records Sherry Hall, County Clerk	<b>2018-076306</b>
	12/20/2018 02:11:01 PM
D-D                      Cnt=1 Stn=53 CINDY	
\$50.00 \$16.00 \$10.00 \$62.00	<b>\$138.00</b>

**SPECIAL WARRANTY DEED**

**Grantor:** **ILLAHEE DRIVE FEE OWNER LLC**, a Delaware limited liability company

**Grantee:** **MG HAVEN AT CHARBONNEAU APARTMENTS LSMI LLC**, a Delaware limited liability company, as to an eighteen percent (18%) tenant-in-common interest, and **MG HAVEN AT CHARBONNEAU APARTMENTS NTC LLC**, a Delaware limited liability company, as to an eighty-two percent (82%) tenant-in-common interest

**Legal Description:** Complete legal description on Exhibit A.

**Assessor's Tax Parcel ID#:**

For the consideration of Ten and no/100 Dollars, and other valuable consideration, **ILLAHEE DRIVE FEE OWNER LLC**, a Delaware limited liability company ("Grantor"), does hereby grant, bargain, sell, convey and confirm to **MG HAVEN AT CHARBONNEAU APARTMENTS LSMI LLC**, a Delaware limited liability company, as to an eighteen percent (18%) tenant-in-common interest, and **MG HAVEN AT CHARBONNEAU APARTMENTS NTC LLC**, a Delaware limited liability company, as to an eighty-two percent (82%) tenant-in-common interest ("Grantee"), the real property situate in Clackamas County, Oregon, legally described on Exhibit A attached hereto and incorporated herein.

SUBJECT TO: Items listed on Exhibit B attached hereto and incorporated herein.

The Grantor for itself and its successors-in-interest does by these presents expressly limit the covenants of the deed to those herein expressed, and excludes all covenants arising or to arise by statutory or other implication, and does hereby covenant that Grantor will forever warrant and defend the said described real estate against all persons whomsoever claiming or to claim by, through, or under said Grantor and not otherwise.

Recorded by TICOR TITLE 36261705508

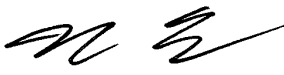
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DATED: December 20, 2018.

GRANTOR:

**ILLAHEE DRIVE FEE OWNER LLC,**  
a Delaware limited liability company

By: PNW5 Land Partners LLC,  
a Delaware limited liability company  
its Sole Member

By:   
Name: Mark Enfield  
Its: Vice President



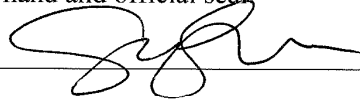
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
 ) SS  
COUNTY OF Los Angeles )

On December 18, 2018, before me Susan Saelee, a Notary Public, personally appeared Mark Enfield, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature 

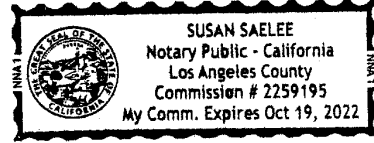


EXHIBIT A

**LEGAL DESCRIPTION**

Parcel 1:

A tract of land being a portion of the George L. Curry Donation Land Claim No. 43, situated in the Southeast one quarter of Section 23 and the Southwest one quarter of Section 24, Township 3 South, Range 1 West of the Willamette Meridian, in the City of Wilsonville, County of Clackamas and State of Oregon, being more particularly described as follows:

Beginning at a point on the Northerly right of way line of French Prairie Road, said point also being the initial point of EDGEWATER AT CHARBONNEAU, a subdivision recorded in Book 86, Page 3, Plat Records, said Clackamas County, said point being North a distance of 2,518.46 feet and West a distance of 4,482.43 feet from the Southeast corner of the George L. Curry Donation Land Claim; thence running on said Northerly right of way line the following courses: South 79°53'06" West a distance of 505.68 feet to the beginning of a tangent 456.00 foot radius curve right; thence on said curve through a central angle of 18°56'45" (the long chord of which bears South 89°21'28" West, a distance of 150.10 feet) an arc distance of 150.78 feet to the end thereof; thence North 81°10'09" West a distance of 133.96 feet to the beginning of a tangent 244.00 foot radius curve left; thence on said curve through a central angle of 56°27'43" (the long chord of which bears South 70°36'00" West a distance of 230.84 feet) an arc distance of 240.45 feet to the end thereof; thence South 42°22'08" West a distance of 176.04 feet to the true point of beginning; thence leaving said right of way line and running North 47°37'52" West a distance of 129.62 feet; thence South 42°22'08" West, 33.65 feet; thence North 47°37'52" West, 70.86 feet; thence North 42°22'08" East, 33.65 feet; thence North 47°37'52" West, 116.52 feet; thence North 12°37'34" West, a distance of 111.86 feet; thence North 42°22'08" East, a distance of 222.36 feet; thence North 12°01'00" East, a distance of 140.02 feet to a point on the ordinary low waterline of the Willamette River; thence Southwesterly along the meanders of the said low waterline, to a point where it intersects the East right of way line of Interstate 5; thence along said East right of way line, South 0°12'32" East, 201.60 feet to an iron rod at the Northwest corner of that tract of land conveyed by Deed to the City of Wilsonville, recorded June 26, 1978, Fee No. 78 27304, Clackamas County Deed Records; thence along the North line of said Wilsonville Tract, North 89°47'28" East 58.00 feet to the Northeast corner thereof; thence along the East line of said Wilsonville Tract South 0°12'32" East 222.00 feet; thence North 89°47'28" East, 7.00 feet; thence South 0°12'32" East 110.28 feet to an angle point; thence South 42°59'44" East, 80.97 feet to an angle point; thence South 0°12'32" East, 110.30 feet to an iron pipe at the Southeast corner of said Wilsonville Tract; thence South 0°12'32" East, 53.40 feet; thence South 53°12'14" East, 124.07 feet; thence North 89°47'32" East, 165.00 feet; thence North 61°29'44" East, 333.16 feet, to the West right of way line of French Prairie Road as dedicated by CHARBONNEAU VII, THE VILLAGE AT WILSONVILLE, a subdivision recorded in Book 75, Page 8, Clackamas County Deed Records; thence along said West right of way line, along a 583.00 foot radius curve to the right, through a central angle of 3°56'59" (chord bears North 40°23'38" East, 40.19 feet) an arc distance of 40.19 feet; thence continuing along the West right of way line of said French Prairie Road, North 42°22'08" East 134.13 feet to the true point of beginning.

EXCEPTING THEREFROM ownership of the State of Oregon in and to that portion of the premises herein described lying below the line of ordinary high water of the Willamette River.

Parcel 2:

Easements for driveways and parking area as set forth in Reciprocal Easement Agreement as described in document recorded December 21, 1990 as Recording No. 90 62764. Records of Clackamas County, Oregon.

Parcel 3:

A right and easement of enjoyment in and to the common areas as defined and described in Covenants, Conditions and Restrictions per Charbonneau Country Club recorded April 6, 1977 as Recording No. 77-12613, as amended, Records of Clackamas County, Oregon.

EXHIBIT B

PERMITTED EXCEPTIONS

[Attached]

EXHIBIT BPERMITTED EXCEPTIONS

1. Intentionally Deleted.
2. Intentionally Deleted.
3. Intentionally Deleted.
4. Intentionally Deleted.
5. Intentionally Deleted.

## SPECIFIC ITEMS AND EXCEPTIONS:

6. Intentionally Deleted.
7. City Liens, if any, in favor of the City of Wilsonville. None as of the "Closing Date".
8. Any adverse claim based upon the assertion that:
  - A) Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Willamette River or has been formed by accretion or reliction to any such portion.
  - B) Some portion of said property has been created by deposit of artificial fill.  
And Excepting;
  - C) The rights of the public and governmental bodies for fishing, navigation and commerce in and to any portion of the premises herein described, lying below the high water line of the Willamette River.
9. The herein described Land has no rights of ingress and egress to, from or across the Interstate Highway 5 other than expressly therein provided for;  
Relinquished by a Deed to the State of Oregon  
Recording Date: October 16, 1951  
Book: 449  
Page: 609
10. Charbonneau Agreement (for scenic easement), including the terms, conditions and provisions therein;  
  
Executed by: Willamette Factors Inc. and the State of Oregon, by and through its Department of Transportation, Highway Division  
Recording Date: January 14, 1977  
Recording No.: 77-001642

11. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: April 6, 1977  
Recording No: 77-012613

Annexed by Declaration;  
Recording Date: March 9, 1990  
Recording No.: 90-010525

12. Liens and assessments, if any, by the Charbonneau Country Club Homeowners Association as disclosed by Covenants, Conditions and Restrictions recorded April 6, 1977 as Recording No. 77-012613, and Declaration for the Annexation of French Prairie Village, Illahee, Spring Ridge and Louvonne at Charbonneau recorded March 9, 1990 as Recording No. 90-010525.

"None as of the date of this Policy".

13. Easements for the purposes shown below and rights incidental thereto as set forth in a document:

In favor of: The City of Wilsonville  
Purpose: Municipal water and sewer lines  
Recording Date: June 26, 1978  
Recording No: 78-027304

Modified by Agreement;  
Recording Date: December 21, 1990  
Recording No.: 90-062763  
Affects: A 40 foot strip through the Southerly portion

As shown on the that certain ALTA/ACSM Land Title Survey, dated August 24, 218 as Job No. 6976

14. Easements for the purposes shown below and rights incidental thereto as set forth in a document:

In favor of: Telephone Utilities of Oregon, Inc.  
Purpose: Utilities  
Recording Date: July 20, 1987  
Recording No: 87-032940  
Affects: Exact location cannot be determined

This Item affects the subject property but is not plottable, as shown on that certain ALTA/ACSM Land Title Survey, dated August 24, 2018 as Job No. 6976

15. Easement Agreement, including the terms and provisions thereof:

In favor of: The City of Wilsonville  
 Purpose: Underground sanitary sewer and water pipeline or pipelines  
 Recording Date: September 4, 1987  
 Recording No: 87-040899

Modified by Agreement;  
 Recording Date: December 21, 1990  
 Recording No.: 90-062763

As shown on that certain ALTA/ACSM Land Title Survey, dated August 24, 2018 as Job No. 6976

16. Easements set forth in Easement and Water Use Agreement, including the terms and provisions thereof;

Executed by: Columbia-Willamette Development Company and Willamette Factors, Inc.  
 Recording Date: January 31, 1989  
 Recording No.: 89-004682  
 Purpose: Well and water line

As amended by instrument;  
 Recording Date: May 30, 1991  
 Recording No.: 91-025267

17. Easements set forth in, and covenants and conditions contained in, Easement Agreement, including the terms and provisions thereof;

Executed by: Columbia-Willamette Development Corporation and Charbonneau Country Club  
 Recording Date: December 21, 1990  
 Recording No.: 90-062762  
 Purpose: Concrete ramp and wooden walkway for pedestrians for access to the marina, access driveways and parking

As shown on that certain ALTA/ACSM Land Title Survey, dated August 24, 2018 as Job No. 6976

18. Reciprocal Easement Agreement, including the terms and provisions thereof;

Executed by: The City of Wilsonville and Columbia-Willamette Development Corporation  
 Recording Date: December 21, 1990  
 Recording No.: 90-062764  
 Purpose: Access easement over driveways granted to the City of Wilsonville to access property located to the West

As shown on that certain ALTA/ACSM Land Title Survey, dated August 24, 2018 as Job No. 6976

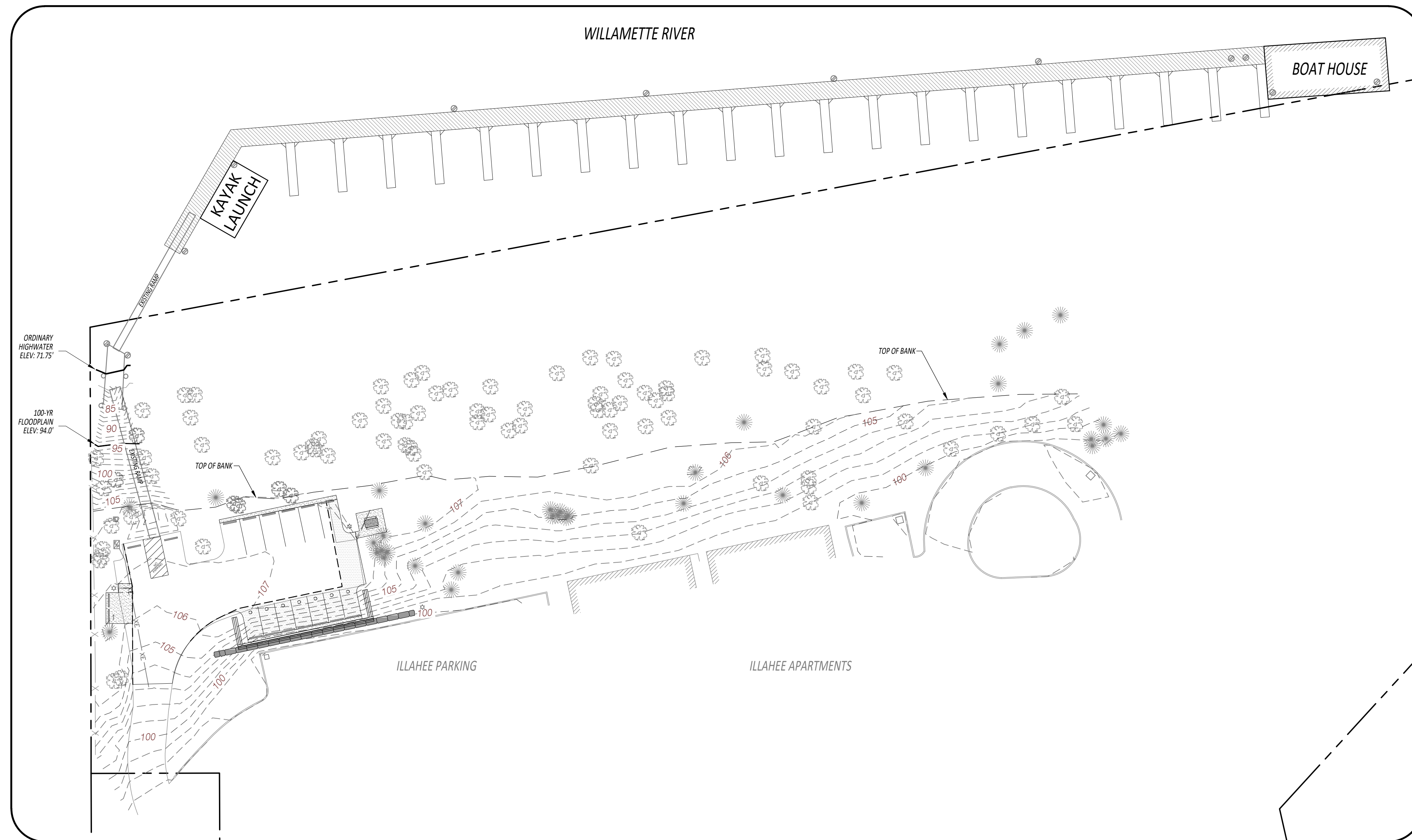
19. Water Use Agreement, including the terms and provisions thereof;
- Executed by: Columbia-Willamette Development Corporation and Ernest Auerbach and Lisa D. Auerbach, as Trustees of the Auerbach Family Trust of 1987  
Recording Date: April 11, 1991  
Recording No.: 91-016011
20. Intentionally Deleted.
21. Intentionally Deleted.
22. Intentionally Deleted.
23. The rights of current tenants, as tenants only, with no option to purchase or rights of first refusal, pursuant to unrecorded written leases as set forth on the attached rent roll.
24. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey,
- Job No.: 6976 ALTA 2018.dwg  
Dated: August 24, 2018  
Prepared by: Compass Land Surveyors  
Matters shown:  
A. 6' Wall encroaches 0.8' into property for a distance of 4.3' as shown.  
B. 8" wide Concrete Retaining Wall encroaches 2.1' into property as shown.  
C. Concrete Pad encroaches 2.2' into property for a distance of 9.9' as shown.  
D. Garage encroaches over property line by 1.4' as shown.



# CHARBONNEAU COUNTY CLUB

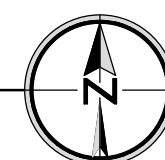
## MARINA MODIFICATIONS

TAX LOT 318 AND A PORTION OF TAX LOT 308, MAP T3S R1W SEC. 25  
8755 SW ILLAHEE COURT, WILSONVILLE, OR 97070



**SITE MAP**

1"=30'



### UTILITY COMPANIES

WATER	CITY OF WILSONVILLE
SEWER	CITY OF WILSONVILLE
STORM	CITY OF WILSONVILLE
GAS	NORTHWEST NATURAL GAS
ELECTRIC	PORTLAND GENERAL ELECTRIC
TELEPHONE	CENTURYLINK
CABLE TV	CENTURYLINK

### VERTICAL DATUM

ELEVATIONS BASED ON THE BENCHMARK SET IN THE PLAT OF "FAIRWAY VILLAGE CONDOMINIUM"  
ELEVATION: 125.72'  
DATUM: U.S.G.S. DATUM, NAVD 88



**VICINITY MAP**

N.T.S.



### OWNER/APPLICANT

CHARBONNEAU COUNTRY CLUB  
32020 SW CHARBONNEAU DR. WILSONVILLE, OR 97070  
PHONE: (503) 694-2300  
CONTACT: RICK SCHRAM

### PLANNING/ENGINEERING/SURVEYING

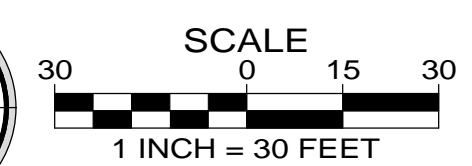
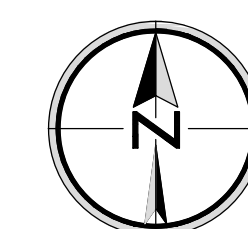
PIONEER DESIGN GROUP, INC.  
9020 SW WASHINGTON SQ RD., SUITE 170  
PORTLAND, OR 97223  
PHONE (503) 643-8286  
CONTACT: BEN ALTMAN

### SITE INFORMATION

TAX MAP: T3S R1W 25  
TAX LOTS: TL#318 AND A PORTION OF TL#308  
SITE ADDRESS: 8755 SW ILLAHEE COURT  
SITE SIZE: 11.28 ACRES  
ZONING: PDR-3

### SHEET INDEX

SHEET NUMBER	SHEET DESCRIPTION
P1.0	COVER SHEET
P2.0	EXISTING CONDITIONS & DEMOLITION PLAN
P3.0	PRELIMINARY MARINA PARKING LOT GRADING & EROSION CONTROL PLAN
P4.0	PRELIMINARY MARINA AND PARKING LOT SITE PLAN
L1.0	MARINA PARKING LOT LANDSCAPE PLANTING PLAN



City of Wilsonville  
Exhibit B2 DB22-0010

CoW CASEFILE # DB22-0010



ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0001 through 952-001-0090. You may obtain copies of the rules by calling the center.

NOTE: The telephone number for the Oregon Utility Notification Center is (503) 232-1987.

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PRELIMINARY

COVER SHEET

CHARBONNEAU COUNTY CLUB - MARINA MODIFICATIONS  
8755 SW ILLAHEE COURT, WILSONVILLE, OREGON

Designed by	Date	Reviewed by	Date	REF.
LRL	04/2023	LRL	04/2023	
BDH	04/2023			
Project No.	999-1167			
Horiz. Scale:				
Vert. Scale:				

By	Date	Revision

Project  
CHARBONNEAU MARINA  
No.  
999-146.7  
Type  
PLANNING  
Sheet

P1.0

PRELIMINARY

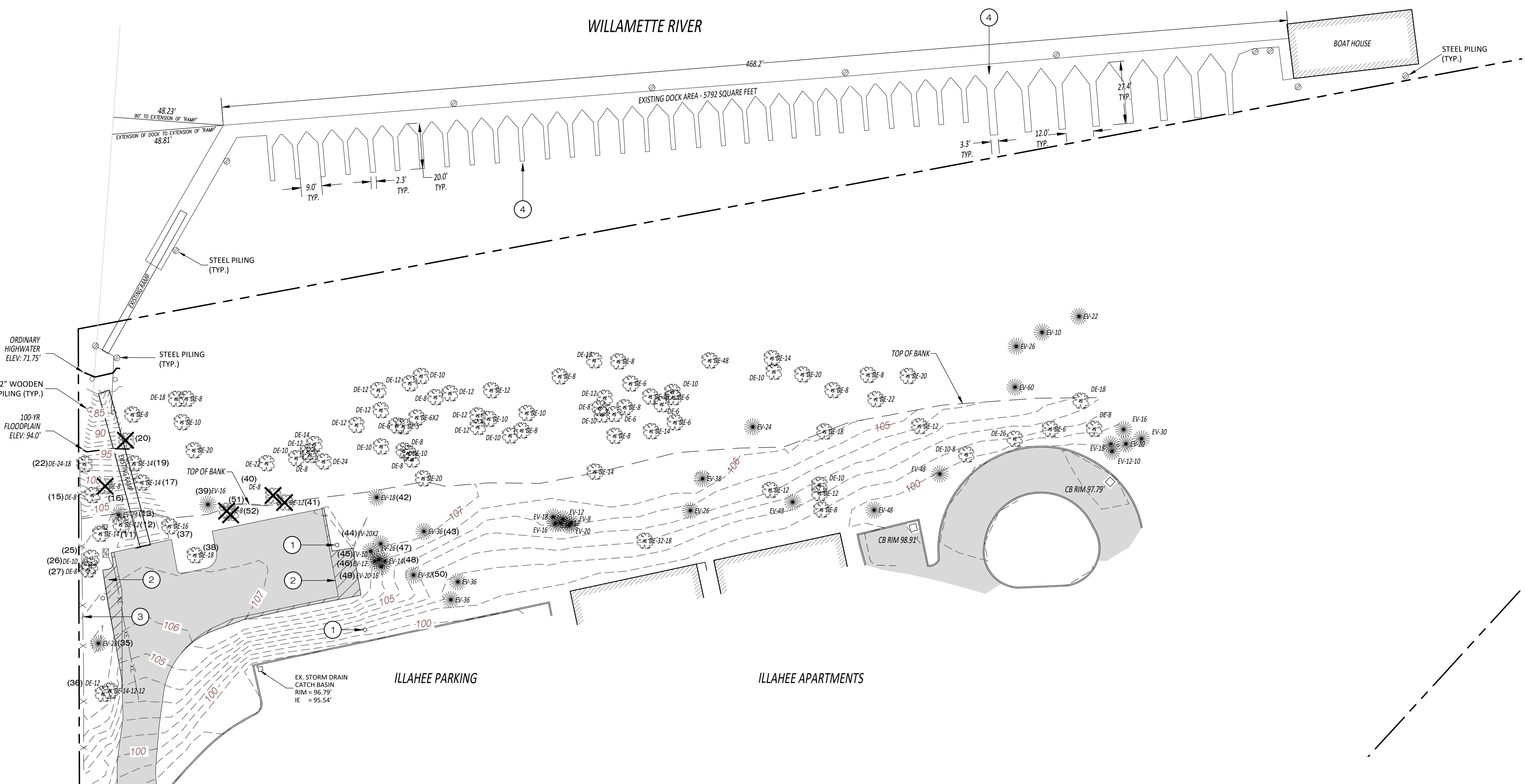
**EXISTING CONDITIONS AND DEMOLITION PLAN**  
 CHARBONNEAU COUNTY CLUB - MARINA MODIFICATIONS  
 8755 SW ILLAHEE COURT, WILSONVILLE, OREGON

Designed by	Date	Reviewed by	Date	Project No.	REF.
LRL	04/2023	BDH	04/2023	999-116.7	

By	Date	Revision

Project: CHARBONNEAU MARINA  
 No: 999-146.7  
 Type: PLANNING  
 Sheet

P2.0



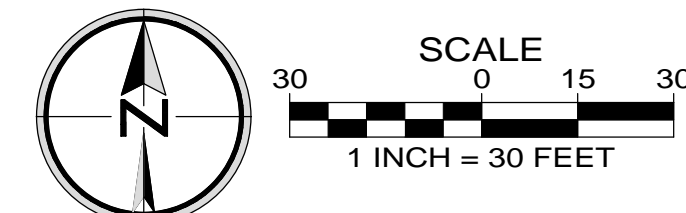
- ### LEGEND
- - - - - RIGHT-OF-WAY LINE
  - - - - - BOUNDARY LINE
  - - - - - TOP OF BANK
  - - - - - CENTER LINE
  - SD- STORM DRAINAGE LINE
  - YSS- SANITARY SEWER LINE
  - XW- WATER LINE
  - XG- GAS LINE
  - XCOM- COMMUNICATION LINE
  - XT- TELEPHONE LINE
  - XE- UNDERGROUND POWER LINE
  - XOH- OVERHEAD WIRE
  - - - - - FENCE LINE (AS NOTED)
  - - - - - EXISTING 1' CONTOUR
  - - - - - EXISTING 5' CONTOUR
  - - - - - CULVERT
  - ☀️ CONIFEROUS TREE (DBH)
  - ☀️ DECIDUOUS TREE (DBH)
  - # DIAMETER (INCHES) AT BREAST HEIGHT
  - (##) ARBORIST TREE TAG NUMBER
  - ☐ CATCH BASIN/DRAIN INLET
  - ☐ STORM DITCH INLET
  - ☐ STORM MANHOLE
  - ☐ SANITARY MANHOLE
  - CLEANOUT
  - W WATER VALVE
  - X IRRIGATION VALVE
  - ☐ WATER METER
  - ☐ FIRE HYDRANT ASSEMBLY
  - ☐ FIRE DEPARTMENT CONNECTION
  - ☐ MONITORING WELL
  - ☐ GAS VALVE
  - ☐ GAS METER
  - ☐ GAS RISER
  - ☐ GAS VAULT
  - ☐ TELEPHONE MH/VAULT
  - ☐ SIGN
  - ☐ MAILBOX
  - ☐ JUNCTION BOX
  - ☐ ELECTRIC VAULT
  - ☐ ELECTRIC PEDESTAL
  - ☐ ELECTRIC METER
  - ☐ LIGHT POLE
  - ☐ POWER POLE
  - ☐ GUY WIRE
  - ☐ POWER POLE W/ LIGHT
  - ☐ SIGNAL POLE
  - ☐ UTILITY VAULT
  - ☐ UTILITY PEDESTAL
  - ☐ WATER VAULT
  - ☐ COMMUNICATION VAULT
  - ☐ TELECOMM PEDESTAL
  - ☐ UTILITY CAP
  - ☐ HANDICAP MARKER
  - ☐ EXISTING CONCRETE
  - ☐ EXISTING ASPHALT PAVEMENT
  - ☐ EXISTING GRAVEL SURFACE
  - ☐ EXISTING BUILDING FOOTPRINT
  - ☒ EXISTING TREE TO BE REMOVED

**DEMOLITION NOTES**

1. EXISTING PARKING LOT LIGHT TO BE REMOVED AND RELOCATED.
2. EXISTING PAVEMENT TO BE REMOVED.
3. EXISTING FENCE TO REMAIN AND BE USED AS TREE PROTECTION. COORDINATE EXTENT WITH ARBORIST.
4. EXISTING DOCK TO BE REMOVED AND REPLACED.

**GENERAL NOTES**

1. ALL TREES TO BE REMOVED PER ARBORIST RECOMMENDATION.
2. SEE ARBORIST REPORT FOR COMPLETE TREE INVENTORY ASSESSMENT.



Charbonneau Marina Tree Table 3/20/2023

Tag	Species	DBH 22	Remarks	Rating	Action
11	big leaf maple	13	native	2	protect
12	big leaf maple	13	native	2	protect
13	Douglas fir	25	native	2	protect
15	big leaf maple	10	native	2	protect
16	bird cherry	7	invasive; on 2015 cut list but still there	2	remove
17	bird cherry	12	invasive	2	remove
19	Douglas fir	14	native	2	protect
20	big leaf maple	10,16	hitting ramp; terminal decline & high risk	0	remove
22	big leaf maple	30	two trunks; estimated due to access	2	protect
25	big leaf maple	4	native	2	protect
26	big leaf maple	8	native	2	protect
27	big leaf maple	8	native	2	protect
35	Douglas fir	28	native	2	protect
36	big leaf maple	27	also an 11-inch bigleaf maple 1 ft. to west	2	protect
37	big leaf maple	17	please fence when excavating at tree 38	2	protect
38	Pacific dogwood	17	native	3	protect
39	grand fir	18	native	2	protect
40	bird cherry	9	invasive; leans over parking; easy removal	2	remove
41	bird cherry	11	invasive; leans over parking; easy removal	2	remove
42	Douglas fir	18	native	2	protect
43	Douglas fir	36	used Biltmore stick due to poison oak	2	protect
44	western red cedar	37	native; poison oak infested	2	protect
45	western red cedar	24	native; poison oak infested	2	protect
46	western red cedar	10	native; poison oak infested	2	protect
47	western red cedar	10	native; poison oak infested	2	protect
48	western red cedar	12	native; poison oak infested	2	protect
49	western red cedar	16,18	native; poison oak infested	2	protect

Portland Tree Consulting Rating: 0/dead or hazard 1/decline 2/average 3/excellent

Charbonneau Marina Tree Table 3/20/2023

Tag	Species	DBH 22	Remarks	Rating	Action
50	Douglas fir	34	used Biltmore stick due to poison oak	2	protect
51	bird cherry	4	not on map; invasive, leans over parking	2	remove
52	bird cherry	8	not on map; invasive, leans over parking	2	remove

Please see narrative for tree protection discussion. This Tree Table is based on fieldwork from 5/03/2022.

- Species**
- big leaf maple- *Acer macrophyllum*
  - bird cherry- *Prunus avium*
  - black cottonwood- *Populus trichocarpa*
  - Douglas fir- *Pseudotsuga menziesii*
  - grand fir- *Abies grandis*
  - Pacific dogwood- *Cornus nuttallii*
  - red alder- *Alnus rubra*
  - red oak- *Quercus rubra*
  - western red cedar- *Thuja plicata*
  - poison oak- *Toxicodendron diversilobum*

Portland Tree Consulting Rating: 0/dead or hazard 1/decline 2/average 3/excellent

PRELIMINARY

**PRELIMINARY MARINA PARKING LOT  
 GRADING & EROSION CONTROL PLAN**

CHARBONNEAU COUNTY CLUB - MARINA MODIFICATIONS  
 8755 SW ILLAHEE COURT, WILSONVILLE, OREGON

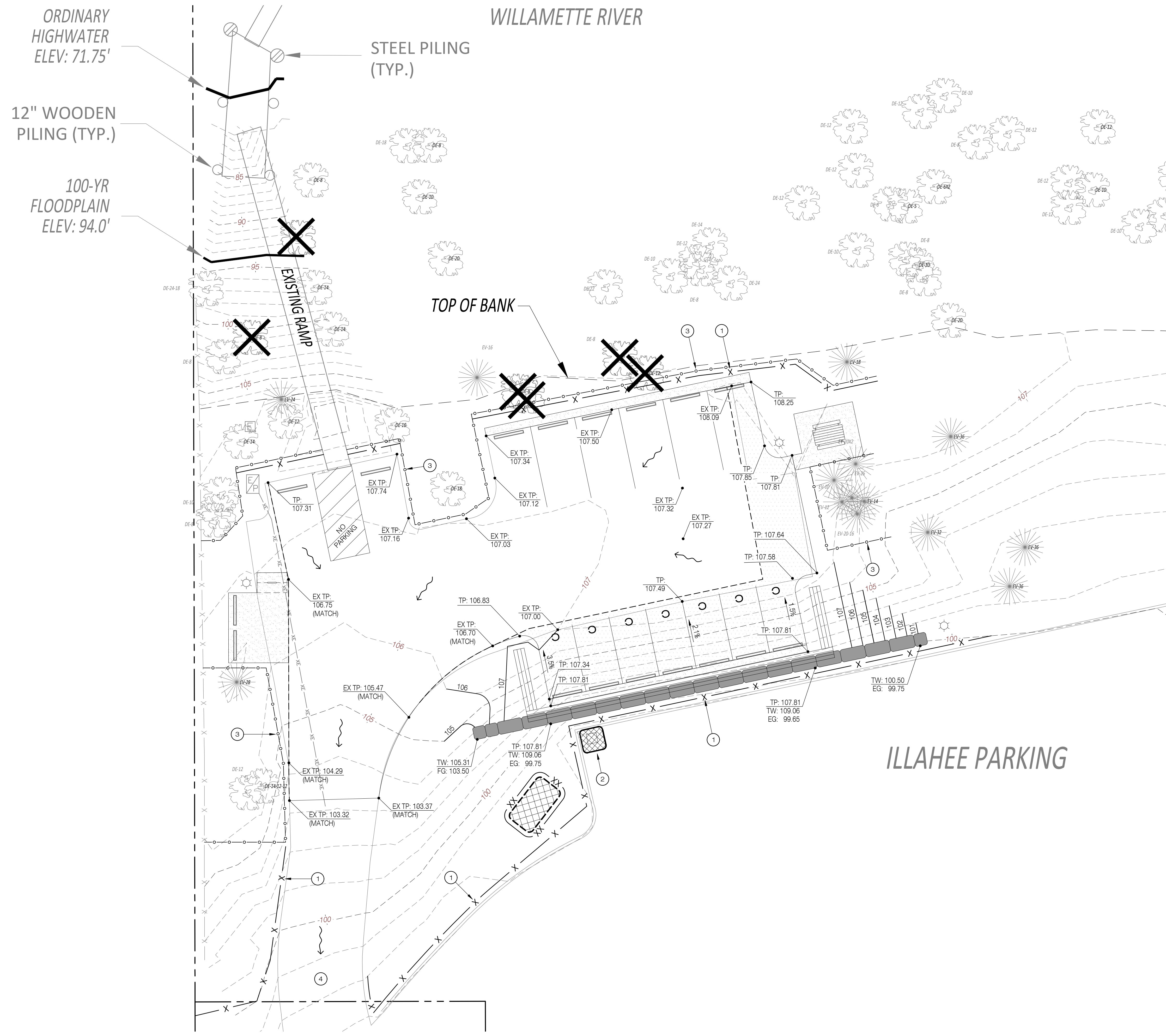
Designed by	Date	Reviewed by	Date	Project No.	REF.
LRL	04/2023	LRL	04/2023	999-116.7	
BDH	04/2023	BDH	04/2023		

By	Date	Revision

Project: CHARBONNEAU MARINA  
 No: 999-146.7  
 Type: PLANNING  
 Sheet

P3.0

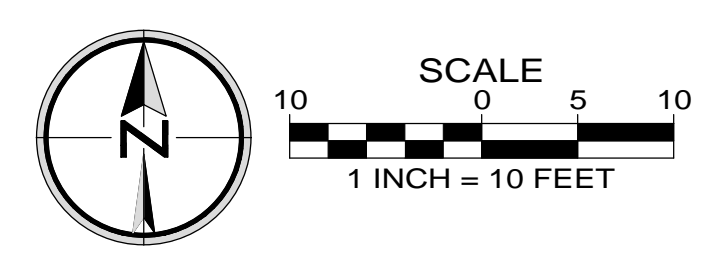
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**LEGEND**

- 151 --- EXISTING 1' CONTOUR
- 155 --- EXISTING 5' CONTOUR
- 151 — PROPOSED 1' CONTOUR
- 155 — PROPOSED 5' CONTOUR
- [Pattern] PROPOSED ULTRABLOCK RETAINING WALL (DESIGN BY OTHERS)
- [Pattern] PROPOSED 42" HIGH CONCRETE JERSEY BARRIER (ODOT)
- X PROPOSED EROSION CONTROL FENCING
- O PROPOSED TREE PROTECTION FENCING
- TC: 201.50 TP: 201.00 TC = TOP OF CURB ELEVATION TP = TOP OF PAVEMENT ELEVATION
- FG: 201.50 EG: 201.00 FG = FINISH GRADE ELEVATION EG = EXISTING GROUND ELEVATION
- TW: 201.50 TW = TOP OF WALL ELEVATION
- EX. TP: 201.50 EX. TP = EXIST. TOP OF PAVEMENT ELEVATION
- ~ PROPOSED FLOW LINE
- [Sunburst] EXISTING CONIFEROUS TREE
- [Circle] EXISTING DECIDUOUS TREE
- [XX] PROPOSED STOCKPILE LOCATION
- [Pattern] PROPOSED TYPE 4 INLET PROTECTION
- [Pattern] PROPOSED TYPE 5 INLET PROTECTION

- GRADING NOTES**
- INSTALL TEMPORARY SEDIMENT FENCE PER CITY OF WILSONVILLE STANDARD DETAIL #S-2245 (TYP).
  - INSTALL TYPE 5 INLET PROTECTION PER CITY OF WILSONVILLE STANDARD DETAIL #S-2127 (TYP).
  - INSTALL TREE PROTECTION FENCING, (TYP).
  - EXISTING ASPHALT DRIVEWAY TO SERVE AS CONSTRUCTION ENTRANCE.



CoW CASEFILE # DB22-0010

WILLAMETTE RIVER

BOAT HOUSE

KAYAK LAUNCH

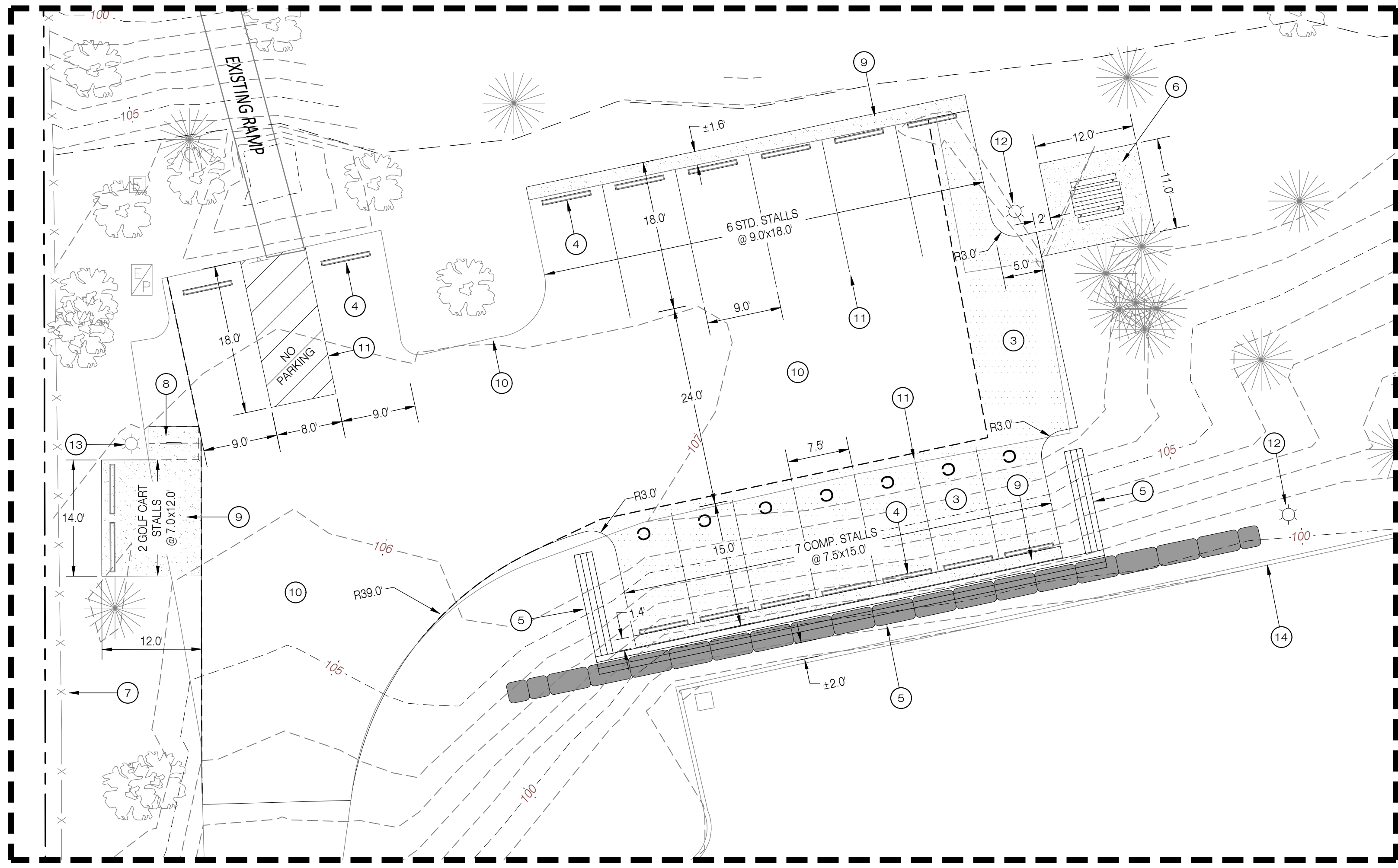
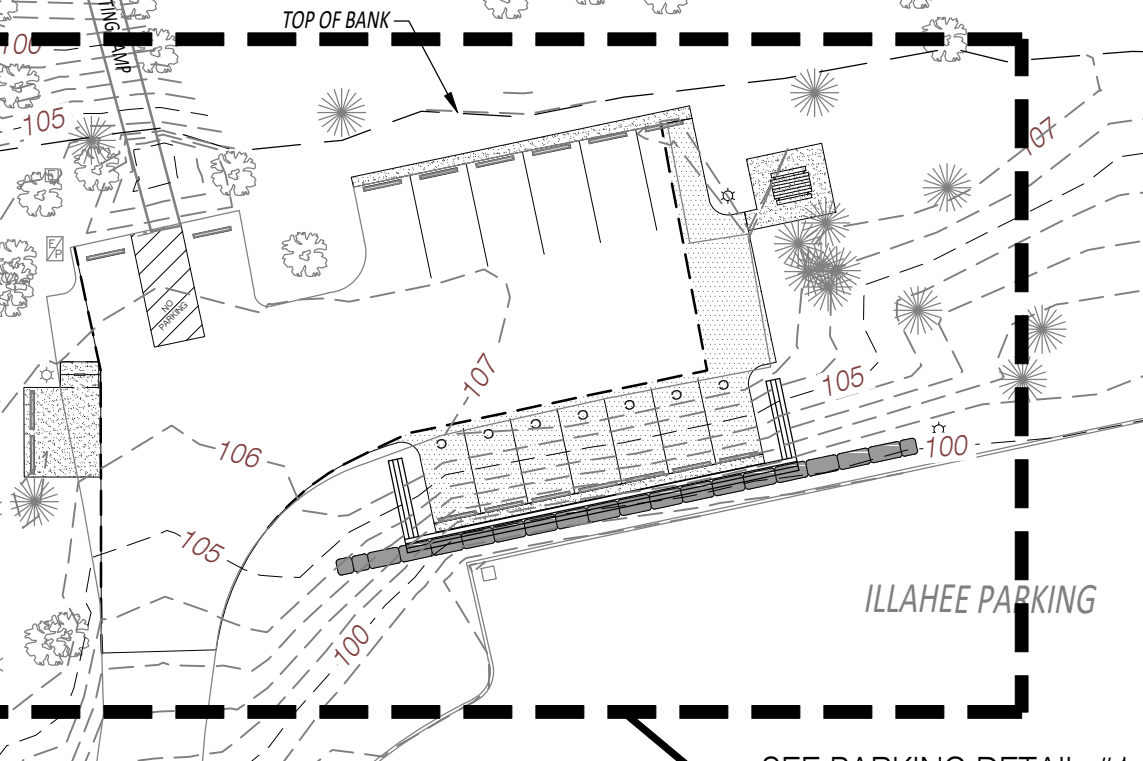
**LEGEND**

- PROPOSED RIGHT-OF-WAY
- BOUNDARY LINE
- PROPOSED ASPHALT PAVEMENT
- PROPOSED GRAVEL PAVEMENT
- PROPOSED ULTRABLOCK RETAINING WALL (DESIGN BY OTHERS)
- PROPOSED 42" HIGH CONCRETE JERSEY BARRIER (ODOT)
- EXISTING CONIFEROUS TREE
- EXISTING DECIDUOUS TREE
- SAWCUT LINE

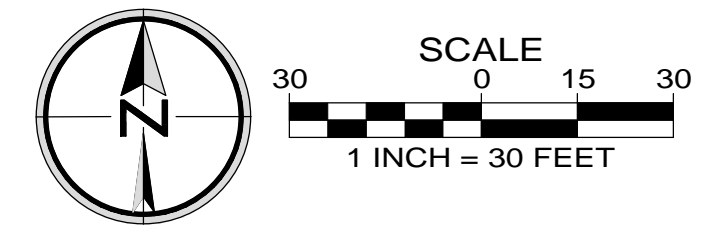
**CONSTRUCTION NOTES**

- ① EXISTING BOAT HOUSE TO BE CONNECTED TO END OF NEW DOCK.
- ② REMOVE EXISTING DOCK AND INSTALL NEW DOCK AT SAME ANGLE.
- ③ STD. DUTY A.C. PAVEMENT, TYP.
- ④ CONCRETE WHEEL STOPS.
- ⑤ UTLRABLOCK RETAINING WALL WITH 42" HIGH ODOT JERSEY BARRIER ON TOP (ODOT DETAIL RD545).
- ⑥ OUTDOOR COMMON AREA (PICNIC TABLE). SEE LANDSCAPE PLANS FOR DETAILS.
- ⑦ EXISTING CHAINLINK FENCE TO REMAIN.
- ⑧ BICYCLE RACK. HUNTCO 'STAPLE' OR APPROVED EQUAL.
- ⑨ GRAVEL PAVEMENT.
- ⑩ EXISTING ASPHALT PAVEMENT TO REMAIN.
- ⑪ STRIPE PARKING STALLS.
- ⑫ RELOCATE AND REINSTALL LIGHT.
- ⑬ EXISTING LIGHT TO REMAIN.
- ⑭ WEEPHOLE WALL DRAIN THROUGH CURB.

ORDINARY HIGHWATER ELEV: 72.75'  
12" WOODEN PILING (TYP.)  
100-YR FLOODPLAIN ELEV: 94.0'



**PARKING DETAIL #1**  
SCALE: 1"=10' (H)



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Item 2

**PIONEER DESIGN GROUP**  
 CIVIL ENGINEERING • LAND USE PLANNING • LAND SURVEYING • LANDSCAPE ARCHITECTURE  
 PORTLAND, OREGON | HONOLULU, HAWAII  
 PH: 503.643.8286 | WWW.PD-GRP.COM

PRELIMINARY

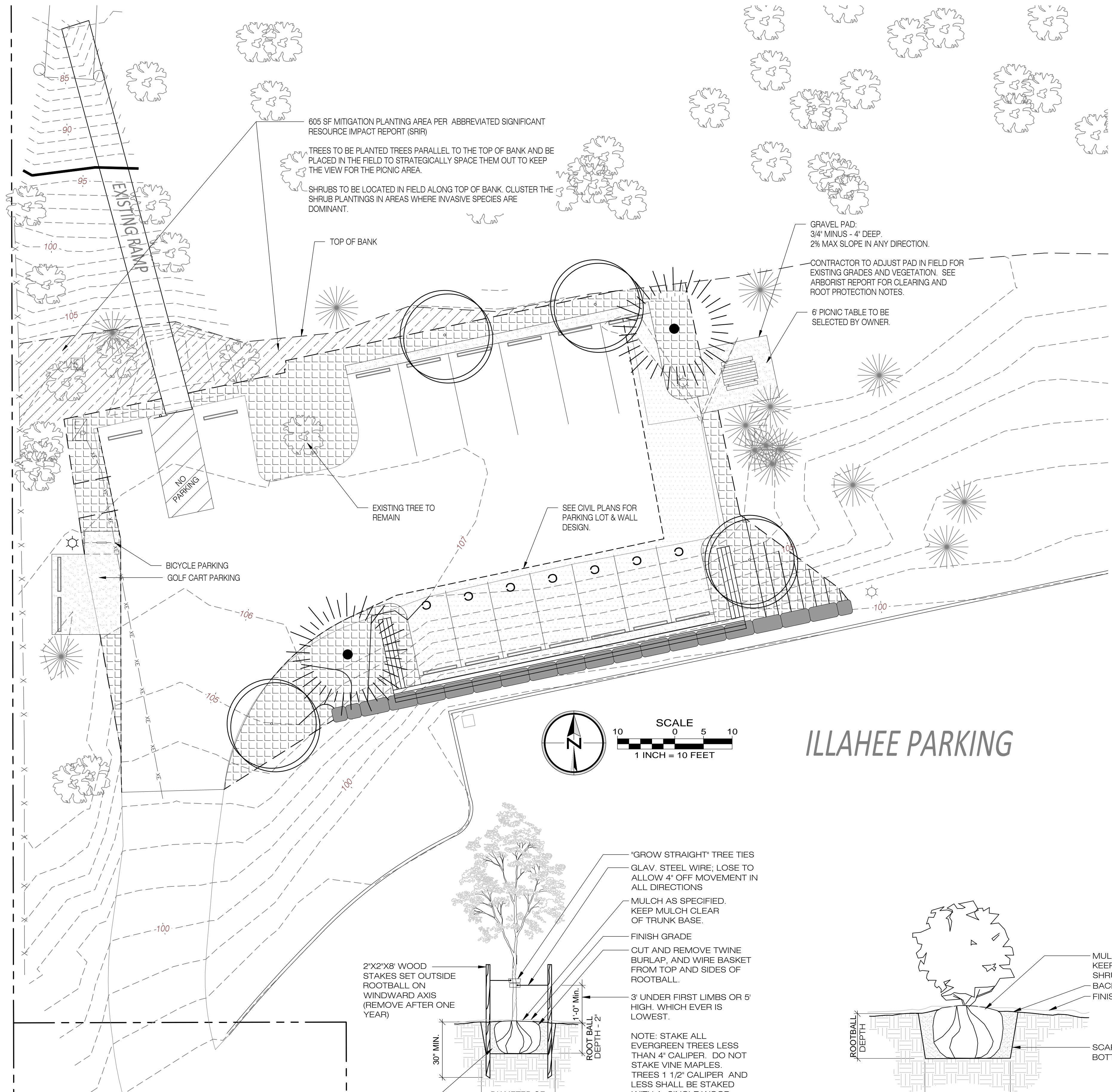
**PRELIMINARY MARINA AND PARKING LOT SITE PLAN**

CHARBONNEAU COUNTY CLUB - MARINA MODIFICATIONS  
 8755 SW ILLAHEE COURT, WILSONVILLE, OREGON

Designed by	Date	Reviewed by	Date	REF.
LRL	04/2023	LRL	04/2023	
BDH	04/2023	LRL	04/2023	
Project No.	999-116.7	REF.		
Horiz. Scale:		Vert. Scale:		

No.	Date	Revision	By

Project: CHARBONNEAU MARINA  
 No.: 999-146.7  
 Type: PLANNING  
 Sheet



**NOTES:**

1. SEE ARBORIST REPORT FOR TREE REMOVAL AND MITIGATION NOTES.
2. UNDERBRUSH WILL BE CLEARED, AND THE GROUND MAY BE LEVELED BY HAND WITH AN ARBORIST PRESENT TO CONTROL DEPTH OF EXCAVATION. TREE ROOTS MUST BE PROTECTED HERE, SO AS SOON AS ROOTS ARE EXPOSED THE EXCAVATION IS FINISHED.
3. SEE ABBREVIATED SIGNIFICANT RESOURCE IMPACT REPORT (SRIR) FOR ALL MITIGATION AND ENHANCEMENT INFORMATION.

**TREE REMOVAL MITIGATION TREES - PLANTING LEGEND PER ABBREVIATED SIGNIFICANT RESOURCE IMPACT REPORT (SRIR)**

TREES SYMBOL	QTY.	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	3	BIG LEAF MAPLE / ACER MACROPHYLLUM: 18-24" TALL, 8-12FT ON CENTER
	1	PACIFIC DOGWOOD / CORNUS NUTTALLII: 18-24" TALL, 8-12FT ON CENTER
	4	DOUGLAS FIR / PSEUDOTSUGA DOUGLASII: 18-24" TALL, 8-12FT ON CENTER
<b>TOTAL</b>	<b>11</b>	<b>(11) TOTAL TREES REQUIRED FOR MITIGATION PER SIGNIFICANT RESOURCES INVENTORY REPORT</b>

**SHRUBS**

SHRUBS SYMBOL	QTY.	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	15	VINE MAPLE / ACER CIRCINATUM: 18-24" TALL, 4-5FT ON CENTER
	14	SNOWBERRY / SYMPHORICARPUS ALBUS: 18-24" TALL, 4-5FT ON CENTER
	14	INDIAN PLUM / OEMLERIA CERASIFORMIS: 18-24" TALL, 4-5FT ON CENTER
<b>TOTAL</b>	<b>43</b>	<b>(43) TOTAL TREES REQUIRED FOR MITIGATION PER SIGNIFICANT RESOURCES INVENTORY REPORT</b>

**GRASS SEED**

GRASS SEED SYMBOL	QTY.	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION	
	605 S.F.	CALIFORNIA BROME (BROMUS CARINATUS)	40%
		BLUE WILDRYE (ELYMUS GLAUCUS)	30%
		SHOWY MILKWEED (ASCLEPIAS SPECIOSA)	20%
		WESTERN YARROW (ACHILLEA MILLEFOLIUM)	05%
		VANILLALEAF (ACHLYS TRIPHYLLA)	05%

\*APPLY WITH 3/8" THICK COVER OF GREEN DUED FINE GROUND WOOD CELLULOSE MULCH. PROVIDE 100% EROSION AND WEED FREE COVERAGE. RE-SEED AND WEED AS NEEDED.

**PARKING LOT - PLANT LEGEND**

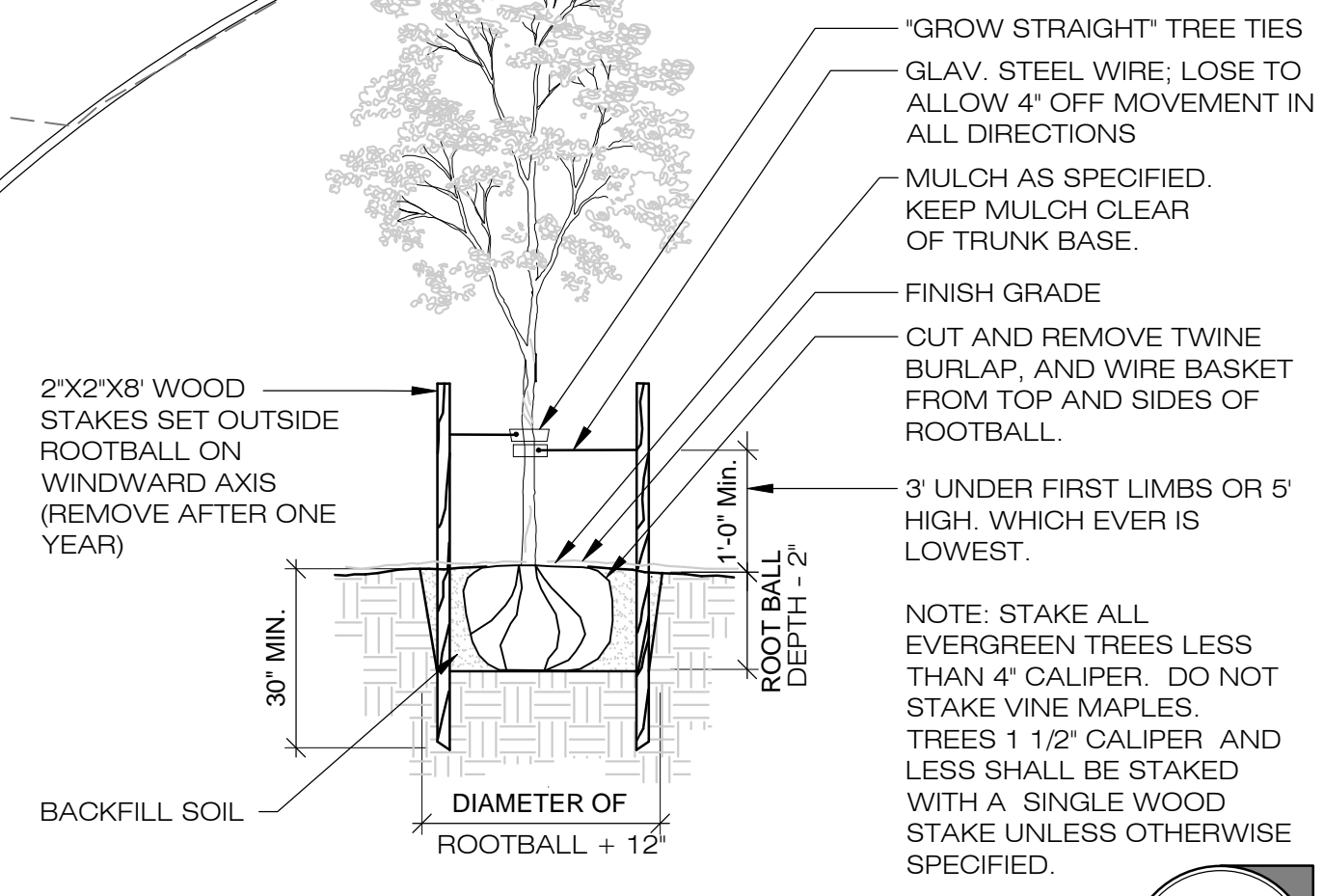
TREES SYMBOL	QTY.	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	4	OREGON ASH / FRAXINUS LATIFOLIA: 2" CAL.
	2	DOUGLAS FIR / PSEUDOTSUGA MENZIESII: 6-8' HT.

**SHRUBS**

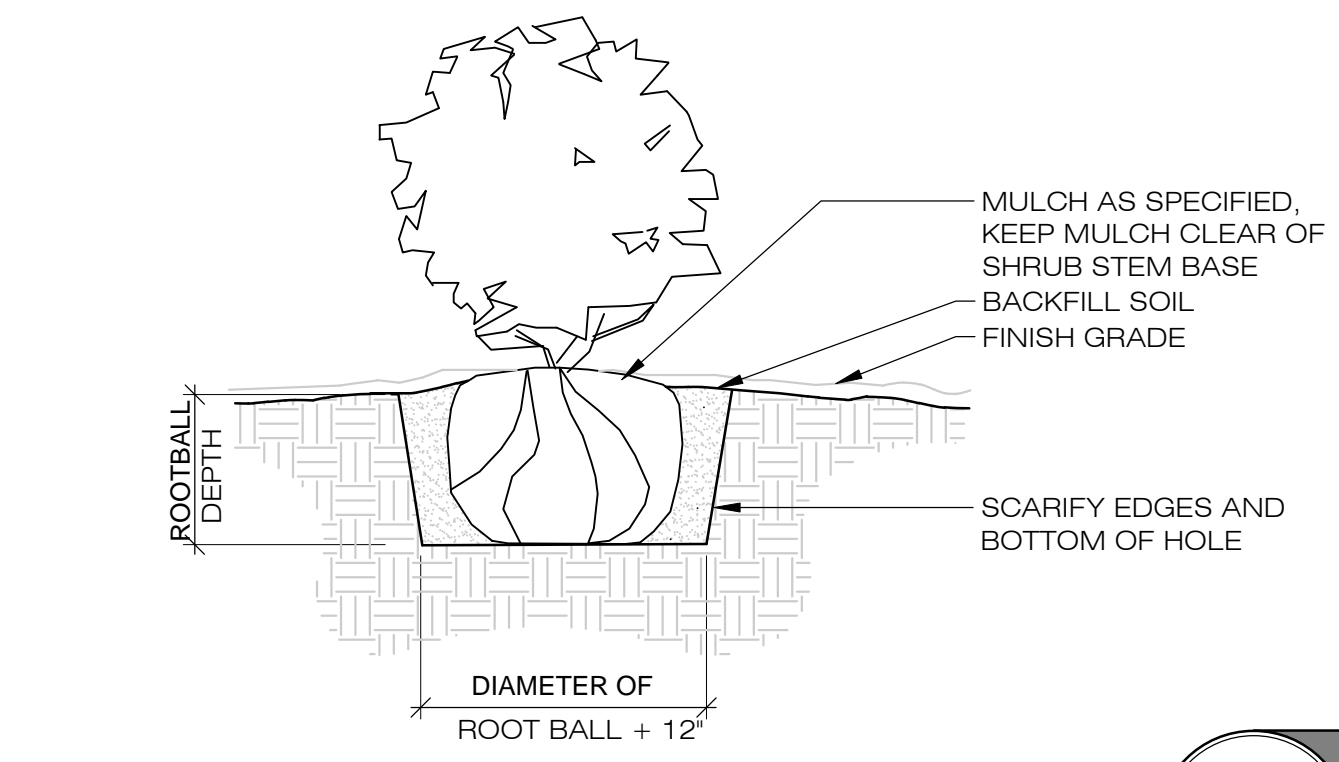
SHRUBS SYMBOL	QTY.	COMMON NAME / BOTANICAL NAME: SIZE AND DESCRIPTION
	10	KELSEY DOGWOOD / CORNUS SERICEA KELSEY: 1 GAL.
	12	OREGON GRAPE / MAHONIA AQUIFOLIUM: 1 GAL.
	12	PACIFIC NINEBARK / PHYSOCARPUS CAPITATUS: 1 GAL. / 2' HT. / SINGLE
	15	SWORD FERN / POLYSTICHUM MUNITUM: 1 GAL.
	9	BIRCHLEAF SPIREA / SPIREA BETULAFOLIA: 1 GAL.
	20	SNOWBERRY / SYMPHORICARPUS ALBUS: 1 GAL.
	12	DOUGLAS SPIREA / SPIREA DOUGLASII: 1 GAL. / 1.5' HT. / CLUSTER

**NOTES:**

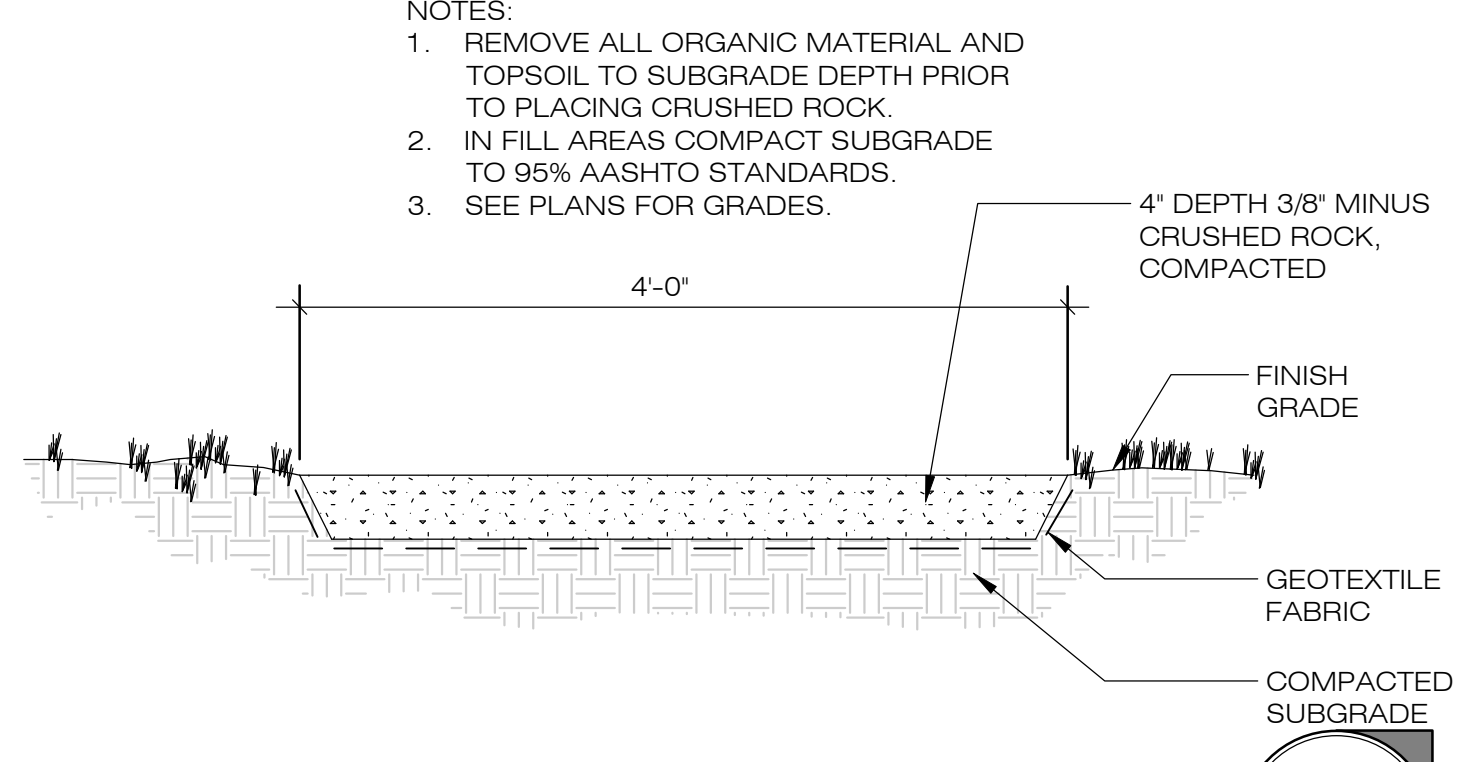
1. LANDSCAPE AREAS WILL BE HAND WATERED FOR THE ESTABLISHMENT PERIOD.



**TREE STAKING DETAIL**  
SCALE: N.T.S.



**SHRUB PLANTING DETAIL**  
SCALE: N.T.S.



**GRAVEL PICNIC TABLE PAD**  
SCALE: N.T.S.

Item 2.

PIONEER DESIGN GROUP  
CIVIL ENGINEERING • LAND USE PLANNING • LAND SURVEYING • LANDSCAPE ARCHITECTURE  
PORTLAND, OREGON | HONOLULU, HAWAII  
PH: 503.643.8286 | WWW.PD-GRP.COM

PRELIMINARY

MARINA PARKING LOT  
LANDSCAPE PLANTING PLAN

CHARBONNEAU COUNTY CLUB - MARINA MODIFICATIONS  
8755 SW ILLAHEE COURT, WILSONVILLE, OREGON

Designed by	Date	Reviewed by	Date	REF.
LRL	04/2023	BDH	04/2023	
LRL	04/2023	LRL	04/2023	
Project No.	999-116.7			
Horiz. Scale:				
Vert. Scale:				

By

Revision

No.

Date

Project

CHARBONNEAU MARINA

No.

999-146.7

Type

PLANNING

Sheet

L1.0

CoW CASEFILE # DB22-0010

253

DEVELOPMENT REVIEW BOARD MEETING  
JULY 10, 2023  
6:30 PM

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Item 3.

Board Member Communications:

3. Recent City Council Action Minutes

City Council Meeting Action Minutes  
June 5, 2023

**COUNCILORS PRESENT**

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

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

**STAFF PRESENT**

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

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

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



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

City Council Meeting Action Minutes  
June 19, 2023

**COUNCILORS PRESENT**

Mayor Fitzgerald  
Council President Akervall  
Councilor Linville  
Councilor Berry  
Councilor Dunwell

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

**STAFF PRESENT**

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

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

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

New Business

A. None.

URA Public Hearing

A. None.

**REGULAR MEETING**

Mayor's Business

A. Upcoming Meetings

B. Reappointments/Appointment

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

**Arts, Culture, and Heritage Commission**

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

**Arts, Culture, and Heritage Commission**

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

**Kitakata Sister City Advisory Board**

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

**Library Board**

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

**Tourism Promotion Committee**

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

**Tourism Promotion Committee**

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

<p>C. Y2K URA Closure Commemoration</p>	<p><b><u>Community Enhancement Committee</u></b>  Appointment of Albert McGee and Devon Thorson to the Wilsonville-Metro Community Enhancement Committee for a term beginning 7/1/2023 to 6/30/2026. Passed 5-0.</p> <p><b><u>Washington County Coordinating Committee</u></b>  Appointment of Council President Akervall as the primary representative and Mayor Fitzgerald as the secondary alternate representative to the Washington County Coordinating Committee for a term beginning 6/19/2023 to 12/31/2024. Passed 5-0.</p> <p>The Economic Development Manager presented on the closure of the Year 2000 Urban Renewal Area, established in 1990 to fund new infrastructure development.</p>
<p><b><u>Communications</u></b></p> <p>A. Clackamas Community College Bond Projects Update</p>	<p>Clackamas Community College staff shared a report detailing many of the major improvements to the campuses funded with the passage of a \$90 million bond measure in 2014.</p>
<p><b><u>Consent Agenda</u></b></p> <p>A. <b><u>Resolution No. 3054</u></b>  A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Consultant Contract With Pivot Architecture For The Design Of The SMART Facility Expansion Project.</p> <p>B. <b><u>Resolution No. 3060</u></b>  A Resolution To Allocate Community Enhancement Funds For Fiscal Year 2023/2024.</p> <p>C. <b><u>Resolution No. 3066</u></b>  A Resolution Of The City Of Wilsonville Authorizing Acquisition Of The Fourth Group Of Property And Property Interests Related To Construction Of The Boeckman Road Corridor Project.</p> <p>D. <b><u>Resolution No. 3072</u></b>  A Resolution Of The City Of Wilsonville Acting Through Its South Metro Area Regional Transit Department, Authorizing The Fare Reduction On</p>	<p>The Consent Agenda was approved 5-0.</p>

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

E. **Resolution No. 3074**

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

F. Sponsor Tax Reimbursement Agreement – Regionally Significant Industrial Sites

New Business

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

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

B. **Resolution No. 3059**

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

Resolution No. 3059 was adopted 5-0.

Continuing Business

A. None.

Public Hearing

A. **Ordinance No. 880**

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

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

City Manager’s Business

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

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

Legal Business

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

**ADJOURN**

10:00 p.m.