



CITY COUNCIL AGENDA

December 02, 2024 at 7:30 PM

Wilsonville City Hall & Remote Video Conferencing

PARTICIPANTS MAY ATTEND THE MEETING AT:

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

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

Zoom: <https://us02web.zoom.us/j/81536056468>

TO PARTICIPATE REMOTELY OR PROVIDE PUBLIC COMMENT:

Register with the City Recorder:

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

Individuals may submit comments online at: <https://www.ci.wilsonville.or.us/SpeakerCard>,

via email to the address above, or may mail written comments to:

City Recorder - Wilsonville City Hall

29799 SW Town Center Loop East, Wilsonville, OR 97070

CITY COUNCIL MISSION STATEMENT

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

EXECUTIVE SESSION [5:00 PM]

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

RECESS EXECUTIVE SESSION [5:30 PM]

Break to switch Zoom accounts [5 min.]

REVIEW OF AGENDA AND ITEMS ON CONSENT [5:35 PM]

COUNCILORS' CONCERNS [5:40 PM]

PRE-COUNCIL WORK SESSION [5:45 PM]

- A. [Resolution No. 3162 - 2024 Solid Waste Rate Review & 2025 Rate Schedule \(Ottenad\) \[25 min\]](#)
- B. [Housing Our Future \(Rybold/Pauly\) \[45 min\]](#)
- C. [Wilsonville Industrial Land Readiness – Basalt Creek \(Luxhoj/Pauly\) \[35 min\]](#)

ADJOURN [7:30 PM]

CITY COUNCIL MEETING

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held, December 2, 2024 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10:00 a.m. on November 19, 2024. Remonstrances and other documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered there with except where a time limit for filing has been fixed.

CALL TO ORDER [7:30 PM]

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

MAYOR'S BUSINESS [7:35 PM]

4. [Upcoming Meetings](#)
5. [Boards/Commission Appointments/Reappointments](#)
6. [Town Center market conditions, and funding strategies](#)

COMMUNICATIONS [7:50 PM]

7. [Public Works Award \(Kerber\) \[5 min\]](#)
8. [Parks & Recreation Award \(Schull\) \[5 min\]](#)
9. [Natural Areas Management Plan Update \(Schull/Rappold\) \[15 min\]](#)
10. [Community Enhancement Grant Project Updates \(Schull\) \[15 min\]](#)

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS [8:30 PM]

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

11. Citizen Input

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS [8:40 PM]

12. Council President Akervall

13. Councilor Linville
14. Councilor Berry
15. Councilor Dunwell

RECESS [9:00 PM]

Recess to celebrate outgoing Mayor and Councilors.

CONSENT AGENDA [9:20 PM]

16. [Resolution No. 3173](#)

[A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With Century West Engineering For Engineering Consulting Services For The Fiscal Year 2025-2028 \(FY 25-28\) Street Maintenance Project \(Capital Improvement Project No. 4014\). \(Rice\)](#)

17. [Resolution No. 3181](#)

[A Resolution Adopting The Canvass Of Votes Of The November 5, 2024 General Election. \(City Recorder\)](#)

18. [Minutes of the September 16, October 7, October 21, and November 18, 2024 City Council Meetings. \(City Recorder\)](#)

NEW BUSINESS [9:25 PM]

19. [Resolution No. 3162](#)

[A Resolution Of The City Of Wilsonville Adopting The Findings And Recommendations Of The "Solid Waste Collection Rate Report, November 2024" And Modifying The Current Republic Services Rate Schedule For Collection And Disposal Of Solid Waste, Recyclables, Organics And Other Materials, Effective February 1, 2025. \(Ottenad\)](#)

20. [Resolution No. 3178](#)

[A Resolution Of The City Of Wilsonville Authorizing And Approving A DEQ State Revolving Fund Loan To Finance Wastewater System Improvement Projects. \(Katko\)](#)

CONTINUING BUSINESS [9:45 PM]

21. [Ordinance No. 892 - 2nd Reading \(Legislative Land Use Hearing\)](#)

[An Ordinance Of The City Of Wilsonville Adopting Amendments To Chapter 4, Chapter 6, And Chapter 8 Of The Wilsonville City Code To Implement The Frog Pond East And South Master Plan And Make Related Updates To Residential Development Regulations Citywide. \(Pauly\)](#)

PUBLIC HEARING [9:50 PM]

CITY MANAGER'S BUSINESS [9:50 PM]

LEGAL BUSINESS [9:55 PM]

ADJOURN [10:00 PM]

RECONVENE EXECUTIVE SESSION [10:00 PM]

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

ADJOURN

AN EXECUTIVE SESSION WILL OCCUR BEFORE WORK SESSION AND WILL RECONVENE IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING

Time frames for agenda items are not time certain (i.e. agenda items may be considered earlier than indicated). The City will endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting by contacting the City Recorder at 503-570-1506 or CityRecorder@ci.wilsonville.or.us: assistive listening devices (ALD), sign language interpreter, and/or bilingual interpreter. Those who need accessibility assistance can contact the City by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

Habr  interpretes disponibles para aqu llas personas que no hablan Ingl s, previo acuerdo. Comun quese al 503-570-1506.

Resolution No. 3162: Adoption of the 2024 Solid Waste Collection Rate Report and 2025 Solid Waste Rate Schedule

Wilsonville City Council Meeting
Dec 2, 2024

Mark Ottenad, Public/Government Affairs Director
Chris Bell, CPA, Bell & Associates



Resolution No. 3162: Adoption of the 2024 Solid Waste Collection Rate Report and 2025 Solid Waste Rate Schedule

Three Exhibits:

1. 2025 Solid Waste Rate Modification Options
2. 2024 Rate Report (to be amended)
3. 2025 Rate Schedule (to be amended)



2024 Solid Waste Collection Rate Report

- October 21 City Council Work Session Review of Draft Solid Waste Collection Rate Report
- City Council direction to advance Solid Waste Franchise Ordinance No. 883 requirements
- City Council members' concerns over residential rate equity for smaller size carts



2024 Solid Waste Collection Rate Report

2024 Rate Review Process and Results

- Annual Cost Report - Adjusted Results for 2023
- Projected Results for 2024
- Rate Recommendations and Options for 2025



2024 Solid Waste Collection Rate Report

Republic Services' Three Lines of Business:

- 1. Roll Cart: Residential customers
- 2. Container: Commercial business customers
- 3. Drop Box: Industrial business customers

Total of all three equals Composite Revenue



2024 Rate Review Process and Results

Item A.

2023 Republic Services Financial Performance

Table 1: Adjusted 2023 Wilsonville Results

Description	Roll Cart	Container	Drop Box	Composite
Revenues	\$2,175,941	\$2,825,024	\$3,095,244	\$8,096,209
Allowable Costs for Rates	\$2,151,671	\$2,350,075	\$2,988,418	\$7,490,164
Franchise Income	\$24,270	\$474,949	\$106,826	\$606,045
Margin (Income / Revenue)	1.1%	16.8%	3.5%	7.5%

2024 Rate Review Process and Results

Item A.

2024 Projected Primary Expense Increases

Table 2: Line Item Inflation Assumptions for 2024

Expense	Change
Union Driver Wages	1.70%
Health Insurance	4.00%
Waste Disposal	6.02%
CPI Inflation	2.60%
Yard Debris Disposal	2.60%

2024 Rate Review Process and Results

Item A.

2024 Projected Financial Performance

Table 4: Estimated 2024 Financial Results for Collection Services in Wilsonville

Description	Roll Cart	Container	Drop Box	Composite
Revenues	\$2,361,114	\$3,015,996	\$3,245,703	\$8,622,813
Allowable Costs for Rates	\$2,231,678	\$2,438,754	\$3,117,427	\$7,787,859
Franchise Income	\$129,436	\$577,242	\$128,276	\$834,954
Return on Revenues	5.5%	19.1%	4.0%	9.7%

2024 Rate Review Process and Results

Item A.

Solid Waste Franchise Ordinance No. 883 – Operating Margin

- Franchise allows standard rate-of-return (ROR) margin range of 8% to 12%, with target of 10%
- Projected 2024 results are below ROR range and target rate-of-return with 9.7% margin

2024 Rate Review Process and Results

Item A.

Solid Waste Franchise Ordinance No. 883 – Operating Margin

- Article VIII of Ordinance No. 883 provides that if the operating margin (ROR), is 8% up to, but not including, 10%, then 100% of the CPI will be applied to the service rates.
- Franchise indicates CPI 2.6% inflation rate increase

2024 Rate Review Process and Results

Item A.

2025 Solid Waste Rate Modification Options

Three Residential Rate Options for Consideration:

1. 2.6% uniform across-the-board CPI rate increase
2. Differentiated rate increase by size of cart, with smallest size having *smallest increase*
3. Differentiated rate increase by size of cart, with smallest size having *no increase*

2024 Rate Review Process and Results

Item A.

2025 Solid Waste Rate Modification Options

- All Three Residential Rate Options Maintain Overall 2.6% CPI Inflation Rate Increase for Composite Revenue
- City Council Selected Option to Amend Content of both 2024 Rate Report and 2025 Rate Schedule, with effective date of Feb. 1, 2025



2024 Rate Review Process and Results

Item A.

2025 Solid Waste Rate Modification Options

Residential Solid Waste Service includes all services:

- *Garbage*: 20, 35, 65 or 90 gallon cart
- *Mixed Recycling*: 65 gallon cart
- *Glass Recycling*: 18 gallon bin
- *Yard Debris/Organics/Food Waste*: 65 gallon cart
(Charbonneau District exempt/optional)



2024 Rate Review Process and Results

Item A.

2025 Solid Waste Rate Modification Options

SERVICE	Current Rate/Mo	OPTION 1 - Rate Per Month					OPTION 2 - Rate Per Month					OPTION 3 - Rate Per Month				
		% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL	% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL	% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL
Residential																
20 gallon	\$23.20	2.6%	\$0.60	\$23.80	\$1.19	\$0.14	0.9%	\$0.20	\$23.40	\$1.17	\$0.14	0.0%	\$0.00	\$23.20	\$1.16	\$0.14
35 gallon	\$30.56	2.6%	\$0.79	\$31.35	\$0.90	\$0.17	2.6%	\$0.80	\$31.41	\$0.90	\$0.17	2.9%	\$0.90	\$31.46	\$0.90	\$0.17
65 gallon	\$39.75	2.6%	\$1.03	\$40.78	\$0.63	\$0.19	2.9%	\$1.15	\$40.85	\$0.63	\$0.19	2.9%	\$1.15	\$40.90	\$0.63	\$0.19
90 gallon	\$44.90	2.6%	\$1.17	\$46.07	\$0.51	\$0.19	2.9%	\$1.30	\$46.15	\$0.51	\$0.19	3.0%	\$1.35	\$46.25	\$0.51	\$0.19
Charbonneau																
20 gallon	\$20.21	2.6%	\$0.53	\$20.74	\$1.04	\$0.20	1.0%	\$0.20	\$20.41	\$1.02	\$0.20	0.0%	\$0.00	\$20.21	\$1.01	\$0.20
35 gallon	\$23.95	2.6%	\$0.62	\$24.57	\$0.70	\$0.21	3.5%	\$0.85	\$24.80	\$0.71	\$0.21	3.8%	\$0.90	\$24.85	\$0.71	\$0.21
65 gallon	\$33.67	2.6%	\$0.88	\$34.55	\$0.53	\$0.23	3.3%	\$1.10	\$34.77	\$0.54	\$0.24	3.4%	\$1.15	\$34.82	\$0.54	\$0.24
Add 65 gallon organics cart	\$8.52	2.6%	\$0.22	\$8.74			2.6%	\$0.22	\$8.74			2.6%	\$0.22	\$8.74		
Condominium																
20 gallon	\$23.20	2.6%	\$0.60	\$23.80	\$1.19	\$0.14	0.9%	\$0.20	\$23.40	\$1.17	\$0.14	0.0%	\$0.00	\$23.20	\$1.16	\$0.14
35 gallon	\$30.56	2.6%	\$0.79	\$31.35	\$0.90	\$0.17	2.8%	\$0.85	\$31.41	\$0.90	\$0.17	2.9%	\$0.90	\$31.46	\$0.90	\$0.17
65 gallon	\$39.75	2.6%	\$1.03	\$40.78	\$0.63	\$0.19	2.8%	\$1.10	\$40.85	\$0.63	\$0.19	2.9%	\$1.15	\$40.90	\$0.63	\$0.19
90 gallon	\$44.90	2.6%	\$1.17	\$46.07		\$0.19	2.9%	\$1.30	\$46.15	\$0.50	\$0.19	3.0%	\$1.35	\$46.25	\$0.50	\$0.19

2024 Rate Review Process and Results

Item A.

SERVICE		OPTION 1 - Rate Per Month					OPTION 2 - Rate Per Month					OPTION 3 - Rate Per Month					
		Current Rate/Mo	% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL	% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL	% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL
Residential																	
20 gallon	\$23.20	2.6%	\$0.60	\$23.80	\$1.19	\$0.14	0.9%	\$0.20	\$23.40	\$1.17	\$0.14	0.0%	\$0.00	\$23.20	\$1.16	\$0.14	
35 gallon	\$30.56	2.6%	\$0.79	\$31.35	\$0.90	\$0.17	2.6%	\$0.80	\$31.41	\$0.90	\$0.17	2.9%	\$0.90	\$31.46	\$0.90	\$0.17	
65 gallon	\$39.75	2.6%	\$1.03	\$40.78	\$0.63	\$0.19	2.9%	\$1.15	\$40.85	\$0.63	\$0.19	2.9%	\$1.15	\$40.90	\$0.63	\$0.19	
90 gallon	\$44.90	2.6%	\$1.17	\$46.07	\$0.51	\$0.19	2.9%	\$1.30	\$46.15	\$0.51	\$0.19	3.0%	\$1.35	\$46.25	\$0.51	\$0.19	
Charbonneau																	
20 gallon	\$20.21	2.6%	\$0.53	\$20.74	\$1.04	\$0.20	1.0%	\$0.20	\$20.41	\$1.02	\$0.20	0.0%	\$0.00	\$20.21	\$1.01	\$0.20	
35 gallon	\$23.95	2.6%	\$0.62	\$24.57	\$0.70	\$0.21	3.5%	\$0.85	\$24.80	\$0.71	\$0.21	3.8%	\$0.90	\$24.85	\$0.71	\$0.21	
65 gallon	\$33.67	2.6%	\$0.88	\$34.55	\$0.53	\$0.23	3.3%	\$1.10	\$34.77	\$0.54	\$0.24	3.4%	\$1.15	\$34.82	\$0.54	\$0.24	
Add 65 gallon organics cart	\$8.52	2.6%	\$0.22	\$8.74			2.6%	\$0.22	\$8.74			2.6%	\$0.22	\$8.74			
Condominium																	
20 gallon	\$23.20	2.6%	\$0.60	\$23.80	\$1.19	\$0.14	0.9%	\$0.20	\$23.40	\$1.17	\$0.14	0.0%	\$0.00	\$23.20	\$1.16	\$0.14	
35 gallon	\$30.56	2.6%	\$0.79	\$31.35	\$0.90	\$0.17	2.8%	\$0.85	\$31.41	\$0.90	\$0.17	2.9%	\$0.90	\$31.46	\$0.90	\$0.17	
65 gallon	\$39.75	2.6%	\$1.03	\$40.78	\$0.63	\$0.19	2.8%	\$1.10	\$40.85	\$0.63	\$0.19	2.9%	\$1.15	\$40.90	\$0.63	\$0.19	
90 gallon	\$44.90	2.6%	\$1.17	\$46.07		\$0.19	2.9%	\$1.30	\$46.15	\$0.50	\$0.19	3.0%	\$1.35	\$46.25	\$0.50	\$0.19	

2024 Rate Review Process and Results

Item A.

Proposed 2025 Commercial Rates: 2.6% CPI Inflation Rate Increase

Table 7: Proposed Rate Increases for Commercial Container Service

	2 yd. weekly	4 yd. weekly	6 yd. weekly	8 yd. weekly
Current Rate	\$196.96	\$347.36	\$482.51	\$635.55
CPI Increase	\$5.12	\$9.03	\$12.55	\$16.52
Proposed Rates	\$202.08	\$356.39	\$495.06	\$652.07
% Increase	2.6%	2.6%	2.6%	2.6%

2024 Rate Review Process and Results

Item A.

Proposed 2025 Industrial Rates : 2.6% CPI Inflation Rate Increase

Table 8: Proposed Rate Increase for Drop Box / Roll-Off Compactor Haul Rates

Container Size	Current Rate	% Increase	\$ Increase	2025 Rate
10-29 yard drop box	\$131.00	2.60%	\$3.41	\$134.41
30 yard drop box	\$147.00	2.60%	\$3.82	\$150.82
40 yard drop box	\$166.00	2.60%	\$4.32	\$170.32
10-19 yard compactor	\$131.00	2.60%	\$3.41	\$134.41
20-29 yard compactor	\$147.00	2.60%	\$3.82	\$150.82
30-39 yard compactor	\$204.00	2.60%	\$5.30	\$209.30
40+ yard compactor	\$271.00	2.60%	\$7.05	\$278.05

2024 Rate Review Process and Results

Item A.

2025 Proposed Rates New Fees

Two New Cost-Recovery Fees Proposed that Require City Council Approval for Industrial Customers that Request Special Disposal:

1. Drop Box Distance Fee
2. Landfill Fee

2024 Rate Review Process and Results

Item A.

2025 Proposed Rates New Fees

1. Drop Box Distance Fee:

- When collected waste material requires disposal at distant locations, such as Coffin Butte Landfill near Corvallis or the Hillsboro Landfill, the drive time exceeds the allotted time embedded in the haul fee.

2024 Rate Review Process and Results

Item A.

2025 Proposed Rates New Fees

1. Drop Box Distance Fee:

- For 2025, the proposed mileage fee is \$4.70. The fee would be assessed for drop box / compactor hauls exceeding 12 miles from the point of collection to the disposal facility.

2024 Rate Review Process and Results

Item A.

2025 Proposed Rates New Fees

2. Landfill Fee:

- When disposal is required at a landfill, the time expended on-site ranges from 20 to 30 minutes compared to an average dump time at WRI of 10 minutes.

2024 Rate Review Process and Results

Item A.

2025 Proposed Rates New Fees

2. Landfill Fee:

- Because the drop box rate is calculated on average times, the cost of the additional time expended on site at the landfill over the average time at WRI will be recovered by assessing a Landfill Fee of \$48.00.

2024 Rate Review Process and Results

Item A.

Summary of Net Results

- Cumulative overall rate increase at CPI inflation rate of 2.6%
- Two new cost-recovery fees (Drop Box Distance Fee and Landfill Fee) for industrial customers that request special disposal
- Rate Schedule change effective Feb. 1, 2025



2024 Rate Review Process and Results

Item A.

Public and Customer Notification

- Republic Services notice to all customers
 - Direct contact with industrial customers on new fees
- City news release for *Wilsonville Spokesman*
- Notice to subscribers of City's eNotify service
- Articles in *The Boones Ferry Messenger* all-city newsletter



Resolution No. 3162: Adoption of the 2024 Solid Waste Collection Rate Report and 2025 Solid Waste Rate Schedule

Wilsonville City Council Meeting
Dec 2, 2024

Mark Ottenad, Public/Government Affairs Director
Chris Bell, CPA, Bell & Associates





2024 Rate Review Process and Results

Item A.

Special Recycling Services Introduced in 2024

- **Recycle + New Program:**
 - Opt-in service for hard-to-recycle products like clamshells and old linens not collected as part of regular recycling service
- **Batteries Recycling:**
 - Placed in plastic bags in glass recycling bin



2024 Rate Review Process and Results

Item A.

Metro Business Food Waste Program:

- Gradual expansion over 3 years of “back of the house” food-scrap composting service for smaller businesses
- All major Wilsonville businesses participate
- Clackamas County Sustainability staff and City Ec-Dev Manager works with businesses





**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: December 2, 2024		Subject: Housing Our Future	
		Staff Members: Kimberly Rybold, AICP, Senior Planner; and Daniel Pauly, AICP, Planning Manager	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		Comments: N/A	
Staff Recommendation: Review potential actions and provide direction on which actions should be further considered for inclusion in the City’s Housing Production Strategy.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Increase housing opportunities for all and reach functional zero homelessness	<input checked="" type="checkbox"/> Adopted Master Plan(s): Comprehensive Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

The project team will present draft actions for consideration in the City’s Housing Production Strategy (HPS), share input from the project task force and Planning Commission’s review of the actions, and seek City Council direction on which actions should move forward for more detailed consideration.

EXECUTIVE SUMMARY:

The purpose of the Housing Our Future project is to analyze Wilsonville's housing capacity and need followed by creating strategies to meet housing needs. The City's last Housing Needs Analysis was adopted in 2014. Since that time the City has taken a number of follow up actions related to housing including completing Town Center and Frog Pond master plans and adopting the Equitable Housing Strategic Plan. The current project builds on these past housing initiatives and newly adopted policies. The project is required for continued compliance with Statewide Planning Goal 10 (Housing) under House Bill 2003 adopted by the Oregon legislature in 2019. Having begun in early 2023, the City anticipates the project to go through mid-2025.

The project includes two primary work products – the Housing Needs and Capacity Analysis (HNCA) and the Housing Production Strategy (HPS). The HNCA identifies unmet housing needs in Wilsonville over the next 20 years, focusing on issues related to land need, as well as demographic change and housing affordability. City Council reviewed an initial draft of the HNCA at a joint work session with Planning Commission in July, and feedback from that work session will be incorporated into the final draft HNCA. Using the recommended actions of the 2020 Equitable Housing Strategic Plan (EHSP) as a starting point, the HPS will propose actions that Wilsonville can take to help address the unmet housing needs.

To begin development of the HPS, the project Task Force met in August, providing input on an initial list of actions the City could consider. To further inform the City's understanding of unmet housing needs, particularly among low- to middle-income households, the Latino population, immigrants and refugees, people with disabilities, people experiencing homelessness, seniors, and college students, the project team conducted interviews with local service providers, non-profits, and educational institutions. Themes that emerged from these interviews include the need for affordable rental and homeownership options, accessible and family-sized units, housing with supportive services, education on eviction prevention and finances, and rental assistance.

Based on this input, the project team further assessed which actions may be best suited to support the City's anticipated housing needs, summarizing these actions and key information about each in a summary memorandum (Attachment 1). The intent of the memorandum is to guide discussion on which actions to prioritize for inclusion in the HPS. Each proposed action includes an assessment of its potential impact and key considerations for implementation. Over the coming months, the City will narrow the number of actions under consideration down to a focused set of impactful actions that the City will need to implement over the next six-years to promote the development and preservation of needed housing.

The Task Force reviewed this refined list of actions at its third meeting on November 6. Based on the information from the project interviews and prior outreach, along with information within the summary memorandum, the Task Force provided feedback on which actions should be evaluated further for consideration in the HPS. The Planning Commission reviewed this information and the Task Force recommendations at their November 13 work session, largely agreeing with the Task Force recommendations with a couple of additions to the list of actions recommended for further consideration.

Primary considerations in these discussions were: alignment of actions with the City’s identified needs, ease of implementing the actions at the local government level, duplication of actions with existing services offered by local service providers or county government, and overall impact of actions, particularly those that are complementary to other actions the City may pursue. Attachment 2 contains a summary of these recommendations, with actions divided into three categories:

- **Actions Recommended for Further Consideration:** These are actions recommended for more detailed evaluation by the project team and Task Force. This list will ultimately be narrowed by City Council to a smaller list of actions the City will commit to implementing in the six-year HPS.
- **Actions Not Recommended for Inclusion in the HPS:** While seen as important, the Task Force and Planning Commission did not think these were the highest priorities for inclusion in the HPS. These actions could still be taken by the City outside of the HPS process or considered in the next HPS.
- **Actions for Further Discussion:** Depending on which actions City Council ultimately selects for inclusion in the HPS, these actions may be necessary to ensure the needed funding and/or staff resources are in place.

To confirm which actions should be considered further, the project team seeks feedback from City Council on the following questions:

1. Do you agree with the list of Actions Recommended for Further Consideration that should be further evaluated for inclusion in the HPS (based on data from the HNCA and input from project interviews, prior outreach, and Planning Commission and Task Force input)?
2. Should any actions on this list be removed from consideration, and are there actions on the other lists that should be added?

EXPECTED RESULTS:

Presentation of Task Force and Planning Commission feedback on actions under consideration for inclusion in the HPS and confirmation of which actions should move forward for further evaluation.

TIMELINE:

Further assessment of the narrowed list of actions with the task force and City Council will occur in early 2025, with adoption of the final HNCA and HPS documents anticipated in mid-2025.

CURRENT YEAR BUDGET IMPACTS:

A portion of City staff time in fiscal year (FY) 2024-2025 is funded by a \$40,000 grant from the Oregon Department of Land Conservation and Development (DLCD). Phase 3 consultant costs are funded directly by DLCD for a total estimated project cost of \$115,000. Additional project outreach costs of approximately \$10,000 are funded by the Planning Division’s professional services budget.

COMMUNITY INVOLVEMENT PROCESS:

The Housing Our Future project is guided by an inclusive public outreach process. Engagement includes creation of a project task force, participation in a variety of public events, interviews, distribution of a housing conversation guide, and engagement through *Let's Talk, Wilsonville!* Outreach is focused on engaging those most impacted by the high costs of housing, particularly those who are typically underrepresented in these conversations.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

As a result of this project, the City will have a clearer understanding of housing needs for the next 20 years and analysis to confirm if there is sufficient land area for the City to accommodate these needs. Creation of a HPS will provide an opportunity to assess the City's progress in implementing recommendations contained within the 2020 Equitable Housing Strategic Plan and prioritize additional actions the City should undertake to meet future housing needs of the community. Pursuit of strategies resulting from this project will continue Wilsonville's efforts to make housing more affordable and attainable for City residents and employees, helping ensure Wilsonville has housing opportunities for different household compositions, ages, and income ranges.

ALTERNATIVES:

City Council may suggest the addition, modification, or removal of actions for further consideration in the HPS.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Wilsonville Housing Production Strategy – Information about Potential HPS Actions – October 30, 2024
2. Task Force and Planning Commission Feedback on Actions for the HPS – November 14, 2024

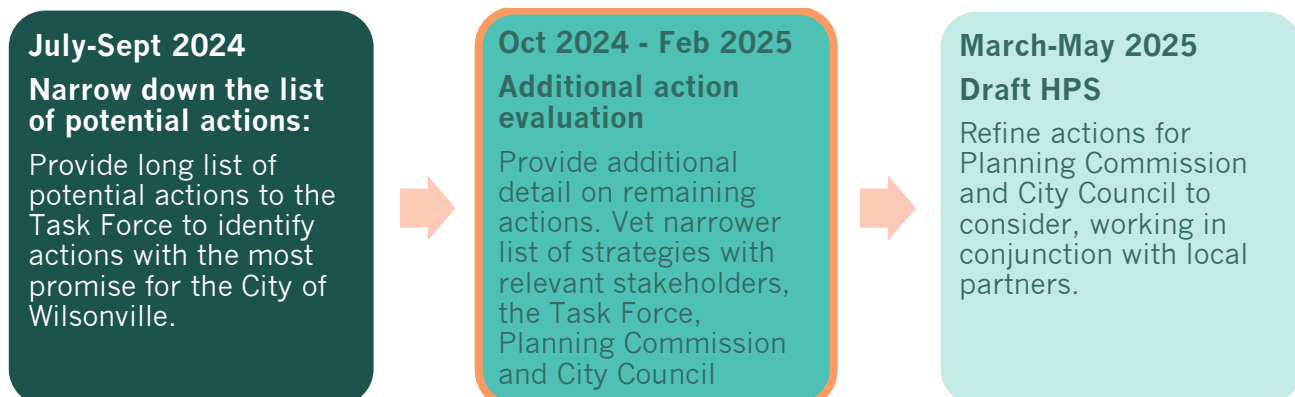
DATE: October 30, 2024
TO: Kim Rybold and Dan Pauly, City of Wilsonville
FROM: Beth Goodman and Nicole Underwood, ECOnorthwest
SUBJECT: Wilsonville Housing Production Strategy – Information about Potential HPS Actions

The City of Wilsonville recognizes the need for housing that meets the diverse requirements of its community members. To help address this need, the City is developing its first Housing Production Strategy (HPS) in accordance with House Bill 2003 adopted by the Oregon legislature in 2019. The HPS will outline actions that the City will undertake over the next six years to encourage housing development and preservation that meets the needs of its residents with a focus on low and middle-income households, individuals with disabilities, those experiencing homelessness, and historically marginalized communities within the city.

Purpose of this Memorandum

This memorandum outlines potential actions the City of Wilsonville could implement to address its housing needs. The project team developed these proposed actions through discussions with City staff, the Task Force, and input from stakeholders. This document serves as an interim deliverable. The listed actions will undergo further development and refinement before being finalized and incorporated into Wilsonville’s Housing Production Strategy (HPS).

This memorandum supports the strategy evaluation phase (highlighted in orange in the diagram) and is intended to guide decision-making around which actions to prioritize. Each proposed action includes an assessment of its potential impact and key considerations for implementation. Currently, there are 21 proposed actions. The City aims to narrow these down to a focused set of impactful actions that will promote the development and preservation of affordable and attainable housing. The project team seeks input to determine which actions will be most effective and appropriate for inclusion in the final HPS.



This memorandum includes the following sections:

- ◆ Definitions of Terms Used to Describe Actions
- ◆ Actions Under Consideration for Inclusion in the HPS
- ◆ Appendix A: Existing Policies, Programs, and Partnerships to Address Wilsonville’s Housing Needs
- ◆ Appendix B: Actions Removed from Consideration

Definitions of Terms Used to Describe Actions

This section summarizes the terms used to describe each action. These terms include: income level served, population served, tenure (rental, ownership, or both), impact on housing development/preservation, equity implications, city role, staff capacity, ease of implementation, funding required, and revenue generation.

Income Level Served

Wilsonville’s HPS will strive to support increased access to housing affordable to all income levels. Focusing on production and preservation of housing for households with incomes below 120% of AMI is an important way to achieve this goal. This HPS defines income levels based on 2024 Median Family Income for Clackamas County (based on the U.S. Department of Housing and Urban Development) for a household of four people, as follows:

Extremely Low Income	Very Low Income	Low Income	Moderate Income	Higher Income
Less than 30% MFI Less than \$35,400	30% to 60% of MFI \$35,400 to \$70,140	60% to 80% of MFI \$70,140 to \$94,400	80% to 120% of MFI \$94,400 to \$140,280	120% of MFI + \$140,280
18% of households	24% of households	11% of households	25% of households	22% of households
Can afford \$890 or less in monthly housing costs. ¹	Can afford \$890 to \$1,750 in monthly housing costs.	Can afford \$1,750 to \$2,360 in monthly housing costs.	Can afford \$2,360 to \$3,510 in monthly housing costs.	Can afford \$3,510 or more in monthly housing costs.

¹ This row calculates how much a household in this income category can afford in monthly rent without cost burdening themselves. A household is defined as cost burdened if their housing costs exceed 30 percent of their gross income. Cost burden is a standard set by the U.S. Department of Housing and Urban Services to measure housing affordability.



Population Served

The populations served may range from all residents of Wilsonville to serving a specific population, such as historically marginalized populations like People of Color, people with disabilities, people experiencing homelessness, or other marginalized groups.

Tenure

Tenure considers whether the action would primarily serve renters, homeowners, or both.

Potential Impact on Housing

Potential Impact on Housing considers whether the action will result in a little or a lot of change in the housing market. How many dwelling units might be produced, or Affordable Housing units preserved? Can the tool leverage investments from other partners? The scale of impact depends on conditions in the City, such as other existing or newly implemented housing policies, land supply, and housing market conditions. The HPS defines Potential Impact as follows:

Small	Moderate	Large
May result in development of a small amount of new housing or preservation of existing Affordable Housing.	Could directly result in development of new housing or preservation of existing Affordable Housing.	Would directly result in development of new housing or preservation of existing Affordable Housing.
<i>~1-3% of new needed housing. Up to 85 new dwelling units</i>	<i>~3% to 5% of new needed housing. 85 to 141 new dwelling units</i>	<i>~5% to 10% (or more) of new needed housing. Greater than 141 new dwelling units.</i>

Equity Implications

Equity implications consider who benefits and who is burdened by the action. This evaluation will include a high-level description of who is benefited and who is burdened.

City Role

City Role considers whether City staff would take the lead role in implementing an action, or if the City's role would be to partner with other organizations. This evaluation will include a high-level description of what the City's role might entail.



Staff Capacity

Staff Capacity considers whether existing staff at Wilsonville could implement the action or whether it would require additional staff with specialized housing knowledge and/or a more formal housing program to implement.

Ease of Implementation

Ease of Implementation assesses the difficulty of implementing the action in terms of coordination with elected officials and stakeholders. It considers expected political acceptability for elected officials, interested stakeholders (such as developers), and the public at large. For instance, developers may resist changes to land use regulations if they perceive it may make it more costly to develop. Community members may resist certain actions if they perceive negative impacts to themselves or their property. If the action is dependent on the action of another organizational entity, the action is less likely than if the City controlled all aspects of tool implementation. We define ease of implementation, as follows:

	Low	Medium	High
Potential concerns from stakeholder groups, the public at large, and/or elected officials	Likely significant concern	Moderate concern	Little concern
Coordination with another entity required	Significant	On-time or ongoing coordination	Little or none.
Planning Commission review and/or City Council acceptance/adoption required	Extensive review and adoption required	Moderate review and adoption may be required	Little review required

Funding Required

Funding Required considers the level of financial resources, outside of existing staff and decision-maker time, required to develop and implement an action. This includes the additional cost of establishing and maintaining a new program, including new staff. This is a relative comparison to other actions with more refinement to come as we narrow down the specifics of the actions. The HPS defines Funding Required as follows:

Low	Medium	High
Has relatively small funding impacts, in that it requires little additional funding.	Has relatively moderate funding impacts. It requires moderate amounts of additional funding.	Has relatively larger funding impacts. It requires large amounts of additional funding.



Revenue Generation

Revenue Generation considers whether the action will generate revenue to support housing production or preservation programs or infrastructure to support housing development. This will apply to a small subset of actions. The HPS defines Revenue Generation as follows:

None	Low	Medium	High
Does not generate revenue.	Generates little new revenue.	Generates a moderate amount of new revenue.	Generates a large amount of new revenue.



Actions Under Consideration for Inclusion in the HPS

This section describes the potential actions under consideration for inclusion in the HPS. Each proposed action includes an assessment of its potential impact and key considerations for implementation.

A. Evaluate Redesignating or Rezoning Land for Housing

Description: This may include redesignating or rezoning vacant or partially vacant low-density residential land and employment land. These areas could be rezoned for a diversity of housing types, including middle housing, multifamily housing, mixed-use development, or other types of housing that the City needs.

City Role: Lead The City will conduct research, identify potential areas for redesignation, engage stakeholders, and guide the rezoning process through approval.

Staffing: Existing Staff

Ease of Implementation: Medium Likely to face moderate concerns from homeowners and businesses regarding neighborhood changes. Requires Planning Commission review and City Council adoption.

Funding Required: Low Most costs can be covered using existing staff resources, though consulting services or public outreach efforts may require additional funds.

Revenue Generated: None

Anticipated Impacts

Income Level Served: All incomes

Population: All residents

Tenure: Renters and owners

Impact on Housing: Moderate

Equity Implications:

- *Benefits* - Homebuyers/renters: More land for housing; potential for more affordable housing types; Developers: Increased land available for housing
- *Burdens* - Current property owners: Potential neighborhood changes



B. Encourage a Variety of Housing Types and Designs Throughout the City to Meet Diverse Housing Needs

Description: The City may consider the following approaches to encouraging a variety of housing types throughout the City:

- **Establish mixed housing type requirements in targeted areas.** This could be modeled after the approach in Frog Pond East and South which included specific regulations to require the development of a diverse range of middle housing options, ensuring a balanced mix of housing types to meet community needs.
- **Incentivize development of manufactured, prefabricated, and modular housing.** Offer a density bonus or other incentive for manufactured, prefabricated, or modular housing, possibly connecting the incentive to housing that is priced to be affordable at 120% of MFI or less.

City Role: Lead The City would be responsible for drafting, reviewing, and implementing these new requirements or incentives. The City will conduct research, identify potential areas for requirements or incentives, engage stakeholders, and guide changes through the approval process

Staffing: Existing Staff

Ease of Implementation: Medium Likely moderate concerns from existing homeowners hesitant about neighborhood changes. Planning Commission review and City Council adoption required.

Funding Required: Low Most costs can be covered using existing staff resources, though consulting services may require additional funds.

Revenue Generated: None

Anticipated Impacts

Income Level Served: All incomes

Population: All residents

Tenure: Renters and owners

Impact on Housing: Small to Moderate

Equity Implications:

- **Benefits** - Homebuyers/renters: More housing options; potential for more affordable housing types; Developers: Potential incentives to support development
- **Burdens** – Developers: Requirements would decrease flexibility for development



C. Expand Flexibility for Live-work and Living Units Accessory to Other Uses like Businesses

Description: Update zoning regulations to allow housing units associated with non-residential uses where business owners or employees can live on the same site as a business.

City Role: Lead The City will revise zoning regulations to promote and incentivize live-work units and accessory housing. This will include stakeholder outreach, policy alignment, and code updates.

Staffing: Existing Staff

Ease of Implementation: Medium There may be some concern from existing landowners hesitant about neighborhood changes. Planning Commission review and City Council adoption required.

Funding Required: Low This can likely be done with existing staff and resources as part of regular code updates

Revenue Generated: None

Anticipated Impacts

Income Level Served: All incomes

Population: All residents

Tenure: Renters and owners

Impact on Housing: Small

Equity Implications:

- *Benefits* - Local businesses and workers: Expanded live-work opportunities
- *Burdens* - Current property owners: Potential neighborhood changes



D. Evaluate Use of Administrative Review Processes for Residential Development

Description: In most cases, new subdivisions and multifamily residential developments are approved through a public hearing process, even when applications meet clear and objective standards of the Development Code. Processing these applications administratively would reduce the overall review time and the potential for additional regulatory delay. To maximize effectiveness, the City could consider adding an administrative review process for adjustments to certain clear and objective standards.

City Role: Lead The City would analyze current review processes, identify opportunities for streamlining, and implement changes to internal procedures.

Staffing: Existing staff

Ease of Implementation: High This may elicit some concern as it reduces opportunities for public input, but it is expected to be minimal. Recent state legislative actions provide direction for how implementation should occur. This will require code amendments.

Funding Required: Low This is primarily an internal process change that can be implemented with existing staff.

Revenue Generated: None

Anticipated Impacts

Income Level Served: All incomes

Population: All residents

Tenure: Renters and owners

Impact on Housing: Small

Equity Implications:

- *Benefits* - Homebuyers/renters: Faster availability of new housing; Developers: Faster approval process
- *Burdens* - Broader community: Reduced opportunities for public input on developments



E. Implement a Rental Housing Inspection Program

Description: A Rental Housing Inspection Program would establish a proactive inspection schedule for rental properties, ensuring housing quality is maintained without relying solely on tenant complaints. While landlords are already required to meet basic maintenance standards, this program aims to prevent unsafe conditions through routine inspections.

The inspection process would focus on identifying and addressing potential issues early, such as faulty heating or plumbing, pest infestations, structural concerns, or inadequate sanitation, to promote safe and livable housing for all tenants.

To encourage compliance and long-term affordability, the City could offer low-interest loans or grants to property owners who commit to maintaining affordable rent levels. This approach promotes stable housing for vulnerable populations—such as low-income renters, seniors, and people with disabilities—while also ensuring that properties remain in good condition over time.

City Role: Lead The City would develop the program and be responsible for ongoing enforcement.

Staffing: Additional staff needed

Ease of Implementation: Medium Likely concern from landlords. Requires ongoing enforcement.

Funding Required: Medium While program development costs may be low, implementation and enforcement would require ongoing staff resources.

Revenue Generated: None

Anticipated Impacts

Income Level Served: All incomes

Population: Renters, especially low-income and marginalized populations

Tenure: Renters

Impact on Housing: Small – preservation of existing supply

Equity Implications:

- *Benefits* - Renters: safer, better maintained homes; Seniors/people with disabilities: more habitable, accessible living spaces
- *Burdens* – Landlords: potential increase in maintenance costs; Renters: risk of landlords increasing rents/fees to cover additional maintenance costs



F. Scale SDCs to Unit Sizes

Description: Cities often charge a set SDC per dwelling unit, charging the same SDCs for large single-family detached units as for small single-family detached units or accessory dwelling units. Some cities have started scaling SDCs based on the size of the unit in square feet. Offering lower SDC for smaller units can encourage development of smaller units, such as small single-family detached units or cottage cluster units. Wilsonville has studied the possibility of scaling SDCs at a high level and has found implementation to be complex. Further study is needed to determine the correct approach for scaling SDCs. This is something that could be pursued simultaneously with updates to SDC project lists.

City Role: Lead When it next evaluates its SDC methodology for each SDC fee, the City would conduct an analysis of current SDC structure, develop a new scaled fee system, and implement the changes. This would involve coordination across multiple City departments, and systems fee plans, and hiring consultants for technical analysis.

Staffing: Existing Staff

Ease of Implementation: Medium Requires complex analysis and potential restructuring of City fees. May face internal concerns.

Funding Required: Medium This requires complex analysis and potential restructuring of City fees, which will necessitate outside consultants or additional staff time.

Revenue Generated: None

Anticipated Impacts

Income Level Served: Lower incomes

Population: Residents in smaller units

Tenure: Renters and owners

Impact on Housing: Small

Equity Implications:

- *Benefits* - Developers of small units: Lower costs for small-unit projects; Homebuyers/renters of small units: May lower housing costs for smaller units. However, typically cost savings are not passed down to buyers or renters. Any guarantee of pass through of savings would need additional City administrative process.
- *Burdens* – Broader community: reduction in collected SDCs may cause a delay in funding for capital projects; Developers of larger units: Higher costs for larger units; Homeowners/renters of larger units: May increase costs for larger units.



G. Expand Land Banking, Parcel Assembly, and Public Land Disposition Efforts

Description: This action supports affordable housing by reducing or eliminating land costs from development. This strategy aligns with Action 2A from the Equitable Housing Strategic Plan and would require a funding source and additional staffing. The City will pursue at least one of the following:

- **Land Disposition:** Evaluate city-owned land and other publicly owned land identify surplus. Where it makes sense, the City will solicit a partner to develop housing affordable to target MFI.
- **Land Banking and Parcel Assembly:** The City would purchase and hold land for future affordable housing development. This would require a funding source. The City could also implement a policy requiring or incenting first purchase rights to the City or nonprofit (first right of refusal policies). This type of policy would require landlords to notify cities and/or nonprofits of the intent to sell so that the cities/nonprofits can purchase land/properties before they turn to market rate (important for low-cost, market-rate housing).

City Role: Lead The City would identify and acquire suitable land but may partner with developers or nonprofits for actual housing development. The City would lead in creating policies for land disposition and potentially in assembling parcels.

Staffing: Additional staff needed

Ease of Implementation: Low Requires significant funding and coordination. May face public concern to use of public funds/land.

Funding Required: Low (land disposition) to High (land acquisition) Acquiring and managing land requires significant capital investment.

Revenue Generated: None

Anticipated Impacts

Income Level Served: Depends on program criteria: 0-60% MFI, could serve up to 120% MFI

Population: Low-and moderate-income residents; depending on program criteria, housing could focus on specific populations

Tenure: Owners and/or renters depending on program criteria

Impact on Housing: Moderate to Large depending on amount of land available

Equity Implications:

- *Benefits* – Low-income homebuyers/renters: Access to lower-cost housing in the future; People experiencing homelessness: Potential for supportive housing; Communities of Color: Opportunity for intergenerational wealth building, depending on program criteria
- *Burdens* – Broader community: Publicly owned land used for housing is not available for other City priorities. Land acquisition requires significant funding resources which may mean the City may not be able to pursue other priorities.



H. Partner with a Community Land Trust (CLT) to Develop Affordable Housing

Description: The community land trust model typically used in the Portland area involves a non-profit, municipal, or other organization that owns land and provides long-term ground leases to low-income households to purchase the homes on the land, agreeing to purchase prices, resale prices, equity capture, and other terms. The City could pursue partnerships with a CLT, determine the sites it could offer for a CLT, and explore options agreements for development of affordable units for homeownership, potentially as a part of a larger neighborhood development.

The City and nonprofit partner could consider limited equity cooperative housing models as a part of its strategy. A limited equity housing cooperative is a homeownership model where residents purchase a share of the development (rather than an individual unit) and commit to reselling their share at a price determined by a formula. This model ensures long-term affordability for future owners. A cooperative corporation, formed by the residents, owns the housing most often in the form of a multifamily building.

City Role: Lead The City would support the CLT by providing resources (potentially land or funding), adjusting policies to facilitate CLT operations, and collaborating on identifying suitable properties or development opportunities.

Staffing: Additional staff needed

Ease of Implementation: Medium Requires finding suitable partner and ongoing coordination. May face some public skepticism.

Funding Required: Medium to High While the CLT would handle much of the work, the City would likely need to provide some funding, land or other resources to support the partnership

Revenue Generated: None

Anticipated Impacts

Income Level Served: Depends on program criteria: 0-60% MFI, could serve up to 120% MFI

Population: Low- and moderate-income residents; depending on program criteria, housing could focus on specific populations

Tenure: Owners

Impact on Housing: Moderate

Equity Implications:

- *Benefits* - Low-income households: Affordable, secure homeownership; Communities of Color: Opportunity for intergenerational wealth building
- *Burdens* - Homebuyers: Limited equity gain compared to traditional homeownership; Broader community: Publicly owned land used for housing is not available for other City priorities. Providing funding resources to CLT may mean the City may not be able to pursue other priorities.



I. Support Preservation of Affordable Rental Housing

Description: Encourage and support preservation of affordable rental housing for households earning 0-60% Median Family Income. Working with the State and affordable housing partners the City would help ensure no net loss of regulated affordable housing units, especially where prior federal tax credits are expiring in the next 5 to 10 years.²

City Role: Partner The City would work with state agencies and nonprofit housing providers to identify at-risk properties and develop preservation strategies. The City might provide funding or policy support but is unlikely to directly acquire or manage properties.

Staffing: Additional staff needed

Ease of Implementation: Medium Requires coordination with state and housing partners. May face funding challenges.

Funding Required: Medium Preserving existing affordable housing often requires financial investment, potentially including property acquisition or rehabilitation costs. Wilsonville has one regulated affordable multifamily property with federal tax credits expiring in 2029.

Revenue Generated: None

Anticipated Impacts

Income Level Served: 0-60% MFI

Population: Low-income renters; some developments may serve marginalized populations

Tenure: Renters

Impact on Housing: Small – affordable housing preserved but no new housing developed

Equity Implications:

- *Benefits* - Low-income renters: Protection from rising rents; Marginalized groups: Maintains affordable housing availability for specific communities that the developments serve.
- *Burdens* – Landlords: Restrictions on redevelopment

² Wiedemann Park in Wilsonville is a 58-unit, income-restricted multifamily development. It faces the risk of losing its regulated affordable status, as the federal tax credits supporting the property are set to expire in December 2029.



J. Explore and Implement Tax Exemptions

Description: The City will evaluate and pursue at least one of the following tax exemptions:

- **Multiple Unit Limited Tax Exemption Program.**
Incentivizes high-quality, mixed-use, and diverse housing options by selecting a development to award a property tax exemption. All new multifamily units that are built or renovated that offer rent below 120% of MFI are potentially eligible for this tax exemption.
- **Homebuyer Opportunity Limited Tax Exemption (HOLTE).**
This program allows property tax exemptions for some new residential construction and can support homeownership among low and moderate-income households. Ongoing administrative requirements include annual application process and ongoing monitoring to ensure owner-occupancy.

City Role: Partner The City would research tax exemption options, develop program criteria, work with overlapping property taxing authorities to assess whether they would participate in the exemption, implement the chosen exemption(s), and manage the ongoing program including application review and compliance monitoring.

Staffing: Additional staff needed

Ease of Implementation: Medium Requires careful analysis and overlapping taxing jurisdictions may not be willing or able to participate due to impact on tax base. Needs ongoing monitoring.

Funding Required: Low Implementation costs would be lower. While the City would forego tax revenue for a set period, the City will benefit from the additional tax generation once the exemption expires.

Revenue Generated: None

Anticipated Impacts

Income Level Served: 60-120% MFI

Population: Low- and moderate-income residents

Tenure: Renters (MULTE)/Owners (HOLTE)

Impact on Housing: Moderate

Equity Implications:

- *Benefits* - Lower income renters (MULTE): Increased availability of affordable rental units and more access to mixed-income housing developments; First time homebuyers (HOLTE): Lower long-term costs of home ownership; *When house is sold, the second owner may not benefit from this exemption*
- *Burdens* – City and participating taxing districts: Reduced tax revenues for the term of the exemption



K. Support Homebuyer Assistance Programs

Description: Provide grants or loans for down payments and closing costs to low- or moderate-income households. Depending on how the City administers the program (such as working with a nonprofit that provides homeownership assistance), the City could try to do special outreach to historically marginalized groups.

City Role: Partner The City would likely partner with nonprofit organizations or housing authorities to implement these programs. The City would provide funding if a source were identified (such as CET). The City would also help with outreach and ensure program alignment with City housing goals.

Staffing: Additional staff needed

Ease of Implementation: Medium Requires funding source and partnership with nonprofits. Generally well-received but limited impact.

Funding Required: High These programs typically involve direct financial assistance to homebuyers, requiring a substantial funding pool.

Revenue Generated: None

Anticipated Impacts

Income Level Served: 60-120% MFI

Population: First-time low-to moderate- income homebuyers; could target communities of color and other marginalized groups

Tenure: Owners

Impact on Housing: No new housing developed; supports households directly

Equity Implications:

- *Benefits* - First-time homebuyers: Increased ability to afford homes; Marginalized groups: Access to homeownership for historically excluded communities
- *Burdens* – Broader community: Requires funding resources which would be unavailable to pursue other City priorities



L. Explore Programs to Support Housing Rehabilitation and Weatherization

Description: The City will evaluate and pursue at least one of the following programs:

- **Housing Rehabilitation Program:** The City would partner to provide loans to low- and moderate-income households for rehabilitation projects such as making energy efficiency, code, and safety repairs.
- **Housing Weatherization Program:** The City could provide informational/promotional assistance to residents about weatherization funds administered by Community Action Agencies.

Depending on how the City administers the program (such as working with a nonprofit), the City could try to do special outreach to historically marginalized groups.

City Role: Partner The City would work with community action agencies or other nonprofits that typically manage these programs. The City would help with promotion, provide additional funding, or assist in identifying eligible properties.

Staffing: Additional staff needed

Ease of Implementation: High Generally well-received. Requires partnership with Community Action Agencies.

Funding Required: Medium While some costs might be offset by partnerships, providing rehabilitation and weatherization assistance requires funding.

Revenue Generated: None

Anticipated Impacts

Income Level Served: 60-120% MFI

Population: Low- and moderate-income homeowners; could target communities of color and other marginalized groups

Tenure: Owners

Impact on Housing: No new housing developed – existing housing maintained/preserved

Equity Implications:

- **Benefits** - Low to moderate income homeowners: direct assistance to improve their homes; Marginalized groups: Support for remaining in housing for historically excluded communities
- **Burdens** – Broader community: Requires funding resources which would be unavailable to pursue other City priorities



M. Support a Rental Assistance Program

Description: Rental assistance programs provide funds to qualifying low-income households to pay rental costs. The City could choose to administer a rental assistance program itself or could provide support to non-profit agencies that provide these services.

City Role: Partner The City would likely partner with nonprofit organizations or the county to implement rental assistance. The City would contribute funding (if a funding source is identified), assist with program design to meet local needs, and help with outreach to landlords and tenants.

Staffing: Additional staff needed

Ease of Implementation: Medium Requires significant funding source. May face some public concern to use of public funds.

Funding Required: High Direct financial assistance to renters requires a substantial and ongoing funding commitment.

Revenue Generated: None

Anticipated Impacts

Income Level Served: 0-80% MFI

Population: Low-income renters

Tenure: Renters

Impact on Housing: No new housing developed; supports households directly

Equity Implications:

- *Benefits* - Low-income renters: Prevents eviction and stabilizes housing
- *Burdens* – Broader Community: Requires funding resources which would be unavailable to pursue other City priorities



N. Develop a Homelessness Action Plan

Description: A homelessness action plan outlines the strategies and actions a city will take to address and reduce homelessness within the community. It often includes the following elements:

- *Introduction and Context:* Provides an overview of the homelessness issue in the area, including local statistics, trends, and contributing factors like housing costs, economic instability, and access to services.
- *Goals and Objectives:* Outlines clear, measurable goals, such as reducing the number of individuals experiencing homelessness, increasing access to affordable housing, or improving health and support services. Specific objectives might include the establishment of a **Navigation Center** and the expansion of **targeted housing services**.
- *Target Populations:* Identifies the specific groups most affected by homelessness, such as people of color, seniors, families with children, veterans, individuals with disabilities, and those struggling with substance use or mental health issues.
- *Action Steps:* Defines the key actions to achieve the plan's goals, which may include building affordable housing, expanding shelter capacity, providing mental health and addiction services, and improving coordination among service providers.
- *Partnerships and Collaboration:* Highlights collaborations with other local government agencies, nonprofits, healthcare providers, law enforcement, and community organizations to ensure a coordinated response.
- *Funding Sources:* Details potential or secured funding for the plan, such as federal grants, local budgets, private donations, and other resources to support homelessness prevention, housing, and services.
- *Implementation Timeline:* Lays out the timeline for when specific actions will be implemented, often broken into short, medium, and long-term milestones.
- *Evaluation and Monitoring:* Provides mechanisms for tracking progress and adjusting based on what's working, usually through data collection and regular reporting.
- *Equity and Inclusion:* Ensures the plan considers the needs of marginalized populations and addresses barriers they face in accessing housing and services.

These plans are designed to be flexible and evolve as homelessness issues and community needs change.

Anticipated Impacts

Income Level Served: 0-30% MFI

Population: People experiencing homelessness

Tenure: Unhoused

Impact on Housing: Small to Large (depending on actions outlined in the plan)

Equity Implications:

- *Benefits* – People experiencing homelessness: Access to shelter and services
- *Burdens* – Broader Community: Requires funding resources which would be unavailable to pursue other City priorities.



City Role: Partner The City would lead the development of the plan, but would need to partner closely with county agencies, nonprofits, and other stakeholders. The City would coordinate the planning process and be responsible for adopting the final plan.

Staffing: Existing staff to develop the plan; Implementation may require **additional staff**

Ease of Implementation: Low Requires coordination with multiple stakeholders. May face public concerns about approach.

Funding Required: Medium to High While plan development costs may be low, implementation of comprehensive homelessness solutions typically requires significant funding.

Revenue Generated: None



O. Pursue Establishing an Urban Renewal District and Prioritize Funding to Support Affordable Housing Development

Description: Tax increment finance revenues are generated by the increase in total assessed value in an urban renewal district from the time the district is first established. Cities can create a TIF set-aside for affordable housing development programs within designated Urban Renewal Areas for affordable housing projects. The URA could also include projects to address infrastructure deficiencies necessary to support new housing development, as well as other projects necessary to improve the district. The City would need to establish an Urban Renewal Area and include funding affordable housing as a priority in the Urban Renewal Plan.

Depending on how the City administers the program (such as working with a nonprofit), the City could try to do special outreach to historically marginalized groups.

City Role: Lead The City would be responsible for identifying areas for establishing a URA and including a priority to allocate tax increment financing for housing. The City would lead development (potentially with help of a consultant) of the necessary analysis and planning for establishing a new District. This would involve public engagement and coordination across City departments.

Staffing: Existing staff to establish the Urban Renewal District and develop the plan; Implementation may require **additional staff**

Ease of Implementation: Low Establishing a URA is an extensive process that requires coordination across city departments, taxing districts, and public outreach. Once a URA is identified there may be public concern with using urban renewal funds for housing specifically.

Funding Required: Medium Establishing a new URA requires significant planning and potential shifts in resource allocation. Development of a new URA would likely require hiring a consulting firm to assist with the analysis and engagement.

Revenue Generated: High

Anticipated Impacts

Income Level Served: 0-120% MFI

Population: Low- and moderate-income households within the URA; Depending on program criteria, housing could focus on specific populations

Tenure: Renters

Impact on Housing: Moderate to Large depending on funding

Equity Implications:

- *Benefits* – Low-income families: More affordable housing in URA; Renters: Access to diverse housing options; likely in areas with access to services and transit
- *Burdens* – Taxpayers: Reduced tax revenue for other URA projects



P. Implement a Construction Excise Tax (CET)

Description: Levy a tax on construction permits to fund affordable housing programs. If the City were to adopt a CET, the tax would be up to 1% of the permit value on residential construction and an uncapped rate on commercial and industrial construction. CET funds can be used to pay for a variety of affordable housing programs and incentives.

City Role: Partner The City would be responsible for designing the tax structure, getting it approved through City Council, implementing collection procedures, and managing the funds generated. This would require coordination with the building department and potentially new staff for administration of the housing programs funded by the CET.

Staffing: Additional staff needed

Ease of Implementation: Low Likely to generate significant concern from development community. Requires careful analysis and implementation.

Funding Required: Low Implementation costs are relatively low, primarily involving administrative setup, which can be paid from CET funds.

Revenue Generated: Medium

Anticipated Impacts

Income Level Served: 0-100% MFI

Population: Low- and moderate-income **households; Depending on program criteria, housing could focus on specific populations**

Tenure: Owners and/or renters depending on program criteria

Impact on Housing: Moderate to Large, depending on funding available

Equity Implications:

- *Benefits* - Low-income households: More affordable housing in targeted areas; Affordable housing developers: More funding for affordable housing projects
- *Burdens* – Market-rate developers: Increased project costs that could be passed to buyers or renters; Local businesses: Increased rents/sales prices if the tax is passed to the end user; Buyers/renters of market rate housing: Increased rents/sales prices if the tax is passed to the end user.



Q. Identify Locations Where Infrastructure is Needed to Facilitate Development of Needed Housing and Identify Funding Sources to Support Infrastructure Development

Description: The City would consider options such as:

- **Local Improvement District:** A special assessment district where property owners are assessed a fee to pay for capital improvements, such as streetscape enhancements, underground utilities, or shared open space. For residential property, the estimated assessment cannot exceed the pre-improvement value of the property based on assessor records. An ordinance must be passed through a public hearing process which must be supported by a majority of affected property owners. This funding source would indirectly support housing development by financing necessary infrastructure or other related costs.
- **Reimbursement District.** A Reimbursement District is a cost sharing mechanism, typically initiated by a developer. The purpose is to provide a reimbursement method to the developer of an infrastructure improvement, through fees paid by property owners at the time the property benefits from the improvement. This funding source would indirectly support housing development by financing necessary infrastructure or other related costs.
- **Lobbying for state and federal dollars.**

City Role: Lead The City would identify infrastructure needs, develop funding mechanisms (such as local improvement districts or reimbursement districts), and manage the infrastructure projects. This would involve significant coordination with engineering and potentially with developers.

Staffing: Existing staff

Ease of Implementation: Medium May face concern from the community depending on funding mechanism. Requires coordination with multiple city departments and stakeholders.

Funding Required: Low The City would pursue cost sharing mechanisms and state/federal grants, which would lower the cost of infrastructure improvements for the City.

Revenue Generated: None

Anticipated Impacts

Income Level Served: All incomes

Population: All households

Tenure: Renters and owners

Impact on Housing: Moderate to Large

Equity Implications:

➤ **Benefits** - Consumers of housing: Enables cost sharing for infrastructure, supporting new housing development that may otherwise be hindered by high infrastructure costs.

➤ **Burdens** – Developers: additional cost to developer that may or may not get passed down, depending on overall costs and sales/market price; Property owners: Pay fee for infrastructure improvements, proportionate to their benefit from the improvement. *Lower income property owners may find these fees especially burdensome*



R. Fund a Housing Specialist Position

Description: The City would employ a housing specialist to manage HPS actions, conduct outreach with stakeholders, and connect community members with housing resources. That staff person would:

- Manage implementation of HPS actions.
- Conduct ongoing outreach with the County, Metro, development community, community-based organizations, and service providers.
- Connect prospective homeowners, renters, and people experiencing homelessness with the array of resources available through other partners. The City does not expect to be able to offer its own housing services, including homeless services, in the near term.
- Create and maintain an online One Stop Shop that would include a directory of housing-related resources on the City's website for community members, key stakeholders, and interested developers.

City Role: Lead The City would be responsible for creating the position, hiring the specialist, and integrating this role into existing City operations. The specialist would lead many of the City's housing initiatives

Staffing: Additional staff needed

Ease of Implementation: High Generally well-received. Requires funding for a new position

Funding Required: Medium This involves ongoing salary and benefits for a new staff position

Revenue Generated: None

Anticipated Impacts

Income Level Served: All incomes

Population: All households

Tenure: Owners, renters, and unhoused

Impact on Housing: Moderate to Large

Equity Implications:

- *Benefits* - Residents in need: Easier access to housing programs and resources; Marginalized groups: targeted outreach to ensure equity in housing support services; Developers: Additional assistance in navigating the development process.
- *Burdens* – Broader community: Requires funding resources which would be unavailable to pursue other City priorities



S. Adopt Affirmatively Furthering Fair Housing as a Housing Policy in Comprehensive Plan

Description: Amend the Comprehensive Plan to explicitly make Affirmatively Furthering Fair Housing a Housing Policy.

City Role: Lead The City would be responsible for drafting the policy, engaging with stakeholders, and adopting it through the City Council. The City would then need to ensure other housing policies and actions align with this overarching policy.

Staffing: Existing staff

Ease of Implementation: Low Requires policy adoption. May generate some political concern depending on specific measures.

Funding Required: Low Policy adoption itself has minimal direct costs, though implementation may require more resources.

Revenue Generated: None

Anticipated Impacts

Income Level Served: All incomes

Population: Marginalized populations, including people of color, individuals with disabilities, and low-income residents

Tenure: Owners and renters

Impact on Housing: No new housing developed

Equity Implications:

- *Benefits* - Marginalized groups: Greater awareness of protection against housing discrimination; All residents: Greater awareness of requirements for fairness and equity in housing practices
- *Burdens* – No burdens identified



T. Encourage Accessible Design

Description: The City would provide incentives in the Development Code to increase units designed for Universal Design and Lifelong Housing Certification, aiming to enhance accessibility and livability for all residents. The Frog Pond East and South Master Plan includes a strategy to require a certain percentage of units be friendly or adaptable for limited mobility. The City may want to build upon those efforts in other areas of the city. The Task Force also noted that due to Federal requirements, buildings with four or more units, like quadplexes, have accessibility requirements, so incentivizing these unit types in single family neighborhoods helps to affirmatively further fair housing.

City Role: Lead The City would develop and implement incentives or requirements for accessible design in new developments. This might involve modifications to the Development Code and coordination with the building department.

Staffing: Existing staff

Ease of Implementation: Medium Incentives generally well-received but requirements may generate developer concern. Builds on existing efforts in Frog Pond area.

Funding Required: Low This primarily involves policy changes and can be implemented through existing development review processes.

Revenue Generated: None

Anticipated Impacts

Income Level Served: All incomes

Population: Individuals with disabilities and seniors

Tenure: Renters and owners

Impact on Housing: Small

Equity Implications:

- *Benefits* - People with disabilities and seniors: Increased access to housing that meets their needs
- *Burdens* – Developers: May face higher construction costs to meet accessibility standards, which could impact overall affordability; Renters/homeowners: Higher costs may be passed on to the end user



U. Establish a Tenant Protection Program

Description: This program would provide enhanced support for renters. It would focus on promoting housing stability and equitable treatment by offering resources such as landlord education, tenant rights education, and legal aid services.

Key components of the program could include:

- **Relocation Benefits:** Additional financial assistance for tenants facing displacement, going beyond the state's minimum requirements.
- **Landlord Education:** Training programs to ensure property owners understand their responsibilities, tenant rights, and best practices for property management.
- **Tenant Rights Education:** Outreach efforts to educate tenants about their rights and available resources, empowering them to address issues like unfair treatment or unsafe housing conditions.
- **Compliance Testing:** Collaboration with the Fair Housing Council to conduct regular testing (every 3 to 5 years) to ensure compliance with fair housing laws.
- **Legal Aid and Mediation Services:** Provide free or low-cost legal assistance and mediation services to help tenants facing disputes, harassment, or unreasonable rent increases.

City Role: Lead/Partner These programs could operate under the City, but the City would likely hire a partner such as the Fair Housing Council for specialized services, education, and compliance monitoring.

Staffing: Additional staff needed

Ease of Implementation: Medium May generate concerns from landlord and property management companies. Requires ongoing collaboration and enforcement.

Funding Required: Medium While program development costs may be low, implementation and enforcement would require ongoing staff resources.

Revenue Generated: None

Anticipated Impacts

Income Level Served: Primarily low-income renters

Population: Renters, particularly low-income households and households from marginalized groups

Tenure: Renters

Impact on Housing: No new housing developed

Equity Implications:

- **Benefits** - Low-income renters: Increased housing stability and protection from unjust evictions; Marginalized groups: Ensures safe, livable conditions for vulnerable populations and prevents discrimination
- **Burdens** – Landlords: May face increased regulation and potential administrative costs for complying with tenant protections



Appendix A: Existing Policies, Programs, and Partnerships to Address Wilsonville’s Housing Needs

Since Wilsonville completed its Housing Needs Analysis in 2014, the City has implemented numerous programs and policies to support housing development and address community housing needs. This includes the adoption of the Wilsonville Equitable Housing Strategic Plan in 2020, which outlined actions to promote more equitable housing outcomes. Initiatives that the City has implemented since 2014 include:

- ◆ **Monitoring Development Activity.** The City produces annual housing reports which allows the City to understand how fast land is developing and better understand housing need. This is in direct response to a recommendation in the 2014 Housing Needs Analysis.
- ◆ **Development Code Amendments.** The City implemented code amendments to encourage housing development and comply with State laws and rules related to housing. Some of these changes are detailed below.
 - **Allowed missing middle housing.** To help implement the City's Equitable Housing Strategic Plan (Action 1B) and Oregon House Bill 2001 adopted by the Oregon Legislature in 2019, the City amended the Development Code to allow townhouses, duplexes, triplexes, and fourplexes - “middle housing” – in all zones that permit single-family detached dwellings.
 - **Established clear and objective design standards for all housing types.** The City established clear and objective design standards for all housing types in 2020 in compliance with State law (Ord. No. 841).
 - **Removed zoning barriers to ADUs and other smaller unit types.** The City removed zoning barriers to ADUs in compliance with State law (Ord. No. 841).
 - **Eliminated/reduced parking requirements.** The City adjusted parking requirements as part of the Middle Housing in Wilsonville project. Also, while Code amendments have not occurred to date, the City is implementing State limitations on parking requirements established by the Climate Friendly and Equitable Communities rulemaking (CFEC). The State rules include not requiring parking in key areas of future housing growth, including Town Center and Frog Pond. This aligns with Action 2B from Equitable Housing Strategic Plan.
 - **Implemented mixed housing type requirements in Frog Pond.** Frog Pond East and South took middle housing implementation further by including strategies and regulations that will ensure development of a variety of middle housing types.



- ◆ **Land Disposition:** The Equitable Housing Strategic Plan identified exploration of transit-oriented development (TOD) at the Wilsonville Transit Center as a high-priority action (Action 1A). The City solicited development proposals for this site and selected Palindrome as the developer for this project which will begin construction in late summer 2024. The project includes 121 units of housing affordable to households making between 30% and 80% of Area Median Income, along with ground-floor tenants including a welcome center for SMART, a new home for Wilsonville Community Sharing, and a coffee house/taproom space.
- ◆ **System Development Charges (SDC):** The City established an SDC deferral program for affordable housing projects on City-owned property in 2024, in alignment with Action 2C from the Equitable Housing Strategic Plan. This deferral program has since been used for the TOD project at the Wilsonville Transit Center. In addition, the City established SDC waivers for ADUs in 2010. The waivers have been used for 16 ADUs.
- ◆ **Vertical Housing Development Zone (VHDZ):** The City adopted a VHDZ in 2022 (Action 1C of the Equitable Housing Strategic Plan), which offers a partial property tax exemption on building improvement value for developments that include housing with non-residential use on the ground floor, with the amount of tax exemption increasing based on the size and composition of the project. In most cases this means 20% abatement, per floor of residential use above the ground floor. The abatement period for an eligible project is 10 years.
- ◆ **Nonprofit Corporation Low Income Housing Tax Exemption.** The City implemented the Nonprofit Corporation Low Income Housing Tax Exemption in 2024. This program has supported the development of most the City's income-restricted affordable units.
- ◆ **Safe Sleep Site:** In response to new Oregon and federal laws that provide compassionate protections for people experiencing homelessness, the City of Wilsonville established new local overnight camping guidelines in May 2023. The City established a safe sleep site at City Hall where vehicle and tent camping are allowed between the hours of 9pm and 7am.
- ◆ **Accessibility for People with Disabilities:** The Frog Pond East and South Master Plan includes a strategy to require a certain percentage of units be friendly or adaptable for limited mobility in alignment with Action 2H of the Equitable Housing Strategic Plan.



Appendix B: Actions Removed from Consideration

Following initial discussions with the Task Force and internal meetings with City staff and consultants, the project team has removed some potential actions from consideration. We based these decisions on careful consideration of each action's potential impact and feasibility.

While these actions are not currently prioritized due to their perceived lower impact, they may be reconsidered in the future based on feedback from the Task Force, Planning Commission, and City Council.

Reasons for Exclusion

Several factors influenced the decision to exclude certain actions:

- ◆ **Redundancy with Existing Initiatives:** Some actions are already addressed, either fully or partially, by existing City initiatives, reducing their potential additional impact.
- ◆ **Resource Allocation:** Some actions would require the creation of new City-level grant or loan programs, demanding substantial funding. Currently, the City believes these resources may be more effectively allocated elsewhere.
- ◆ **Integration into Other Actions:** Some actions focused on engagement and outreach were removed as standalone items. These responsibilities could be incorporated under a proposed new City staff position, which is one of the recommended actions. Some actions focused on funding sources were removed as standalone items. These funding sources could potentially support other actions but do not need to be a standalone item.

The exclusion of these actions from the current HPS recommendations does not diminish their potential importance. Rather, it reflects a strategic decision to focus on actions that are expected to have the highest impact and feasibility given current resources and circumstances. The City remains open to revisiting these decisions as conditions evolve.

Removed Actions

- ◆ **Allow Multifamily Buildings in Commercial Zones without Commercial Uses.** Allowing for multifamily buildings in commercial areas without commercial uses on ground floors can result in lower rents, while still contributing to the development of a mixed-use environment.



- ◆ **Allow Small or “Tiny” Homes.** The Oregon Reach Code, Part II, defines a “tiny house” as a dwelling that is 400 square feet or less in floor area, excluding lofts. The City could allow and incentivize tiny houses or tiny house villages by providing regulatory incentives – such as reductions in required off-street parking or open space – for units less than 400 SF in floor area. The City could conduct an initial audit to identify any standards in the Development Code that might inadvertently hinder the development of tiny homes. The City could then explore additional incentives to encourage the development of tiny homes.
- ◆ **Establish a Low Interest Loan Program for Housing Development.** This program would be designed to use the full faith and credit of the City to back permanent loans or construction loans for affordable housing development to reduce risk for the lender. This strategy would require a funding source and may require additional staffing. Suggested by Task Force.
- ◆ **Targeted Infrastructure Grant Program for Infill Housing Development.** This program would provide grants to offset infrastructure costs for housing developers, with a focus on encouraging higher density and housing projects that are relatively affordable in infill areas. Grants could cover expenses such as water meter upgrades, utility connections, and frontage improvements, with a tiered structure offering larger amounts for projects that increase density or provide affordable units. The program could be flexible, supporting both market-rate and affordable housing. Implementation would require establishing a sustainable funding source, developing a streamlined application process, and creating performance agreements to ensure promised outcomes. Suggested by Task Force.
- ◆ **Housing Rehabilitation Code.** Housing rehabilitation codes are building codes designed to reduce the costs of renovating and rehabilitating existing buildings, thereby facilitating the continued availability and habitability of older rental housing and owner-occupied homes. This is especially helpful to facilitate conversion of single-unit housing into multiple units, ensuring and expanding naturally occurring affordable housing.
- ◆ **Add Restrictive Covenants to Ensure Affordability.** Adding restrictive covenants to ensure affordability over time at a certain income level for new or rehabilitated affordable housing developments. Restrictive covenants are usually placed on a property in exchange for a local or state government providing financial contribution to the project.
- ◆ **Support Preservation of Manufactured Home and Mobile Home Parks.** Preservation of manufactured home parks can be accomplished through a range of approaches, such as resident owned cooperatives, non-profit ownership, or developing a zone that only allows manufactured home parks. Wilsonville has an existing ordinance in place that addresses mobile home park closures, helping to preserve the city's existing affordable housing supply provided by mobile homes.



- ◆ **Preserve Existing Housing Supply.** Housing preservation ordinances typically condition the demolition or replacement of certain housing types on the replacement of such housing elsewhere, fees in lieu of replacement, or payment for relocation expenses of existing tenants. Preservation of existing housing may focus on preservation of smaller, more affordable housing. Wilsonville already has an ordinance in place that addresses mobile home park closures, helping to preserve the city's existing affordable housing supply provided by mobile homes.
- ◆ **Property Tax Relief for Income Qualified Homeowners.** Cities can cap the amount of property tax that homeowners have to pay as a share of their income or provide relief to lower-income renters by treating some portion of their rent as attributable to property taxes and then providing an income tax credit to offset the increase in taxes. Additional staff capacity is needed to implement the program in Wilsonville.
- ◆ **Employer Assisted Housing.** Employer-assisted housing programs help employees meet their housing needs, which in turn helps employers achieve their business goals. The City's role could be to provide subsidies, convene employers with other players in the housing sphere, or partner in development. This strategy would require a funding source and/or additional staffing to implement.
- ◆ **Fees or Other Dedicated Revenue.** Directs user fees into an enterprise fund that provides dedicated revenue to fund specific projects. This approach may be helpful in Town Center for parking. This funding source would indirectly support housing development by financing necessary infrastructure or other related costs.
- ◆ **Linkage Fees.** Linkage fees are charges on new development, usually commercial and/or industrial development only, that can be used to fund affordable housing. To implement them, a city must undertake a nexus study that identifies a legal connection between new jobs housed in the developments, the wages those jobs will pay, and the availability of housing affordable to those employees.
- ◆ **State Revolving Loan Fund.** The State Revolving Loan Fund is a financial mechanism designed to provide support for middle income housing projects. It operates by offering loans to local jurisdictions to fill financing gaps in housing development. To implement this fund, local jurisdictions must identify eligible projects, borrow from the fund, and pledge increased property tax revenues to repay the loan over a 10-year period. This approach aims to make workforce housing development more financially feasible while keeping funds within the community once loans are repaid.
- ◆ **Fair Housing Education.** Host nonprofit organizations to do outreach and education to tenants about Fair Housing rights and to property owners and managers about Fair Housing obligations.
- ◆ **Community Outreach and Education.** Engage the community to understand housing needs and share existing housing resources, as well as get input on City-lead housing initiatives. This strategy may require additional staff capacity.



- ◆ **Education on Home Ownership Preparation.** Help first-time homebuyers learn the basics about the home buying process in classes taught by experienced professionals who specialize in helping first-time homebuyers. Special topics on HOAs can be included. The City could coordinate with existing organizations such as the Portland Housing Center to facilitate this training or develop its own program. This strategy may require additional staff capacity.
- ◆ **Implement all Housing Policies through a Lens of Social and Racial Equity.** Develop a social and racial equity and inclusion lens to evaluate all housing policies.
- ◆ **Add Fair Housing Protected Classes.** The City could consider adding fair housing protected classes that are needed in the City. This might include occupation, housing status, etc. Suggested by Task Force.
- ◆ **Eviction Prevention Programs.** Eviction Prevention Programs provide financial assistance to help renters facing eviction stay in their homes. These programs are generally designed for families who are being evicted due to nonpayment of rent during or following an unforeseen crisis, such as job loss or serious illness, rather than those who face more persistent affordability challenges. The City could choose to administer an eviction prevention program itself or could provide support to non-profit agencies that provide these services. This strategy would require a funding source and may require additional staffing to implement.
- ◆ **Establish Landlord Guarantee Program to Support Low-Income Residents.** The goal of this program would be to provide landlords with a guarantee fund if they rent to tenants with lower credit scores. By providing this guarantee, the program would help expand affordable housing options for vulnerable populations in the community. This strategy would require a funding source and may require additional staffing to implement. Suggested by Task Force.



DATE: November 14, 2024
TO: Kim Rybold and Dan Pauly, City of Wilsonville
FROM: Nicole Underwood and Beth Goodman, ECONorthwest
SUBJECT: Task Force and Planning Commission Feedback on Actions for the HPS

The Housing Our Future Task Force and Planning Commission reviewed potential actions for the Housing Production Strategy (HPS) and provided feedback on their priorities, which were largely aligned. Their recommendations are summarized below for the City Council's consideration.

Actions Recommended for Further Consideration

The Task Force and Planning Commission put the following forward as actions to further consider including in the HPS.

- ◆ **A.** Evaluate redesignating or rezoning land for housing
- ◆ **B.** Encourage a variety of housing types and designs throughout the city to meet diverse housing needs
- ◆ **C.** Expand flexibility for live-work and living units accessory to other uses like businesses
- ◆ **D.** Evaluate use of administrative review processes for residential development
- ◆ **E.** Implement a rental housing inspection program
- ◆ **F.** Scale SDCs (System Development Charges) to unit sizes
- ◆ **G.** Expand land banking, parcel assembly, and public land disposition efforts
- ◆ **H.** Partner with a Community Land Trust (CLT) to develop affordable housing
- ◆ **I.** Support preservation of affordable rental housing
- ◆ **K.** Support homebuyer assistance programs
- ◆ **O.** Pursue establishing an Urban Renewal District and prioritize funding to support affordable housing development
- ◆ **Q.** Identify locations where infrastructure is needed to facilitate development of needed housing and identify funding sources to support infrastructure development
- ◆ **T.** Encourage accessible design

Actions Not Recommended for Inclusion in the HPS

While all actions have value, the City plans to focus on a set of impactful actions to support affordable and attainable housing over the next six years, given resource limitations. The Task Force and Planning Commission suggested the following actions not be included in the HPS at this time. These could be addressed outside the HPS or considered in the next HPS.

- ◆ **J.** Explore and implement tax exemptions
- ◆ **L.** Explore programs to support housing rehabilitation and weatherization
- ◆ **M.** Support a rental assistance program
- ◆ **N.** Develop a homelessness action plan
- ◆ **S.** Adopt Affirmatively Furthering Fair Housing as a housing policy in Comprehensive Plan
- ◆ **U.** Establish a tenant protection program

Actions for Further Discussion

The Task Force and Planning Commission recommended further discussion of these two actions as their inclusion may depend on the final set of actions in the HPS. For example, hiring a Housing Specialist might become necessary to implement certain actions, and a CET could help fund preferred initiatives.

- ◆ **P.** Implement a Construction Excise Tax (CET)
- ◆ **R.** Fund a Housing Specialist position





Wilsonville Housing Production Strategy

City Council Meeting

December 2, 2024



Project Schedule Item B.

	Kickoff March 2024	Complete HNCA March-July 2024	Contextualized Housing Need May-Sept 2024	Strategies Development Aug-Feb 2024	Draft and Final HPS March-Apr 2025	Adoption May-June 2025
TECHNICAL ANALYSIS		<ul style="list-style-type: none"> Update BLI and other data Housing forecast and land sufficiency 	<ul style="list-style-type: none"> Characterize housing need Summarize prior outreach 	<ul style="list-style-type: none"> Review existing policies and identify gaps Refine strategies 	<ul style="list-style-type: none"> Compile HPS 	
OUTREACH		<ul style="list-style-type: none"> Task Force 1 Joint PC/CC 	<ul style="list-style-type: none"> Interviews (5) Task Force 2 	<ul style="list-style-type: none"> Open House Discussions w/Latino orgs Task Force (3, 4) PC meeting CC meetings (2) 	<ul style="list-style-type: none"> Task Force 5 PC meeting CC meeting 	<ul style="list-style-type: none"> PC Hearing CC Hearing
DELIVERABLE		<ul style="list-style-type: none"> Draft HNCA 	<ul style="list-style-type: none"> Contextualized housing needs 	<ul style="list-style-type: none"> Memo 1: Existing policies & gaps Memo 2: Evaluate & refine Memo 3: More info 	<ul style="list-style-type: none"> Draft HPS Final HPS Final HNCA 	

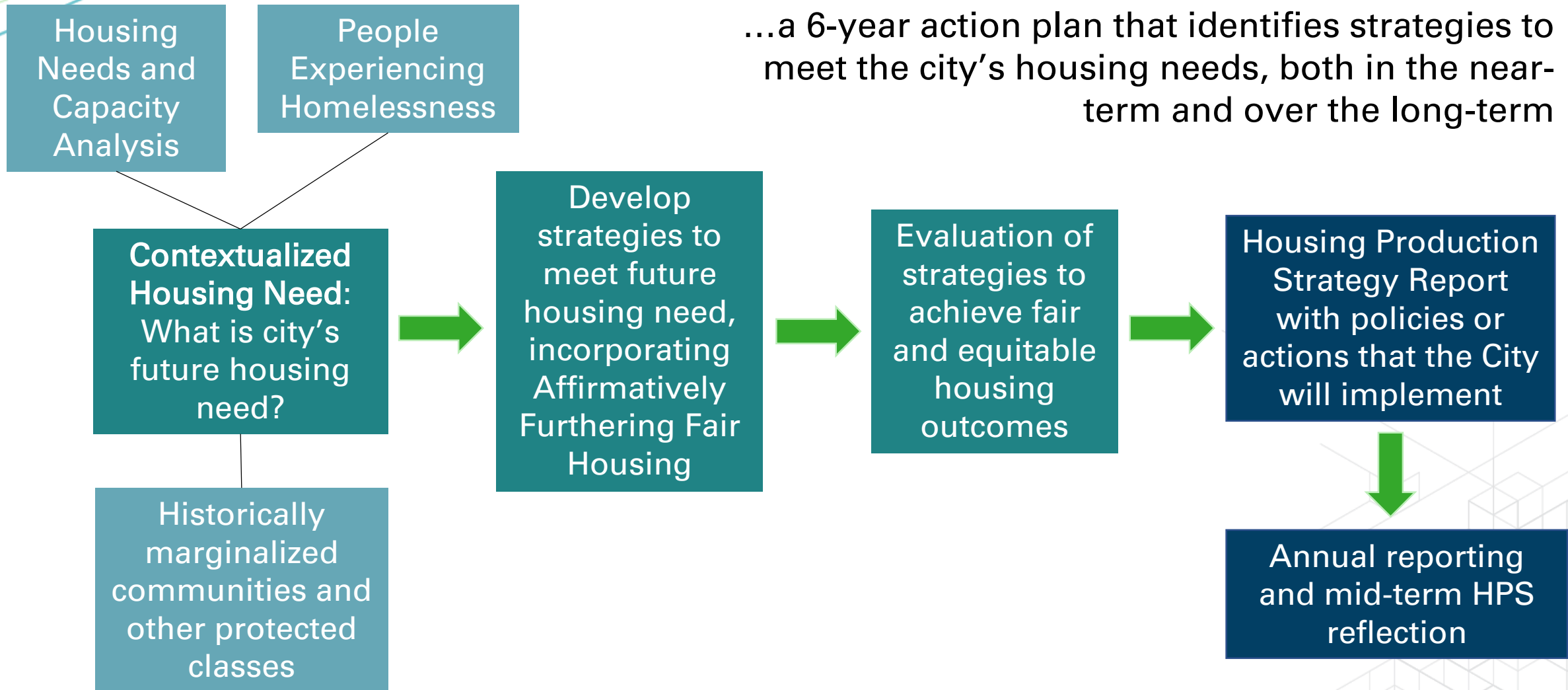


We are here

The Housing Production Strategy Steps are..

Item B.

...a 6-year action plan that identifies strategies to meet the city's housing needs, both in the near-term and over the long-term

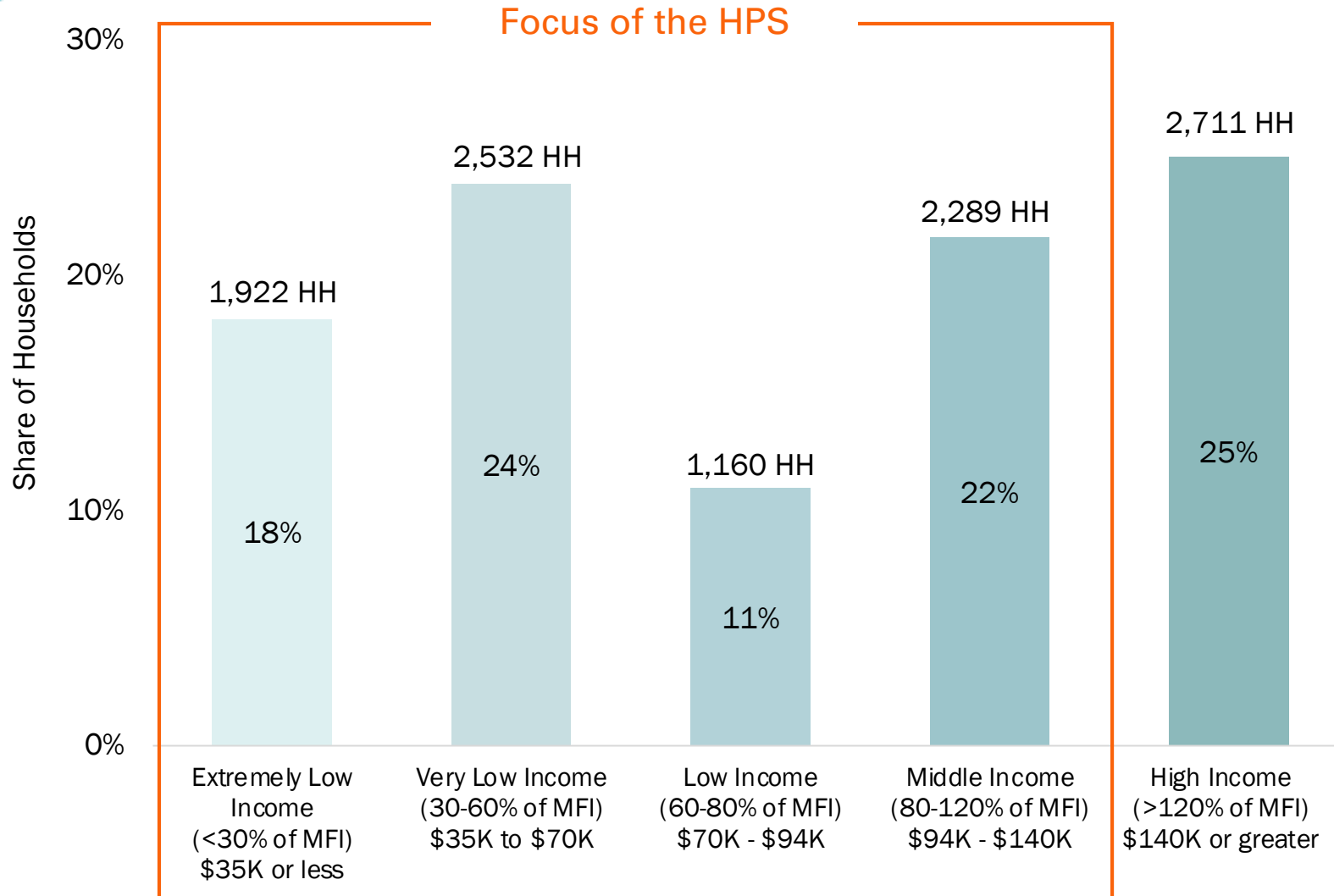




Understanding Unmet Housing Need

Existing Households by Income Level, Wilsonville

Item B.



This chart is based on the HUD MFI for the Portland MSA and the ACS household income distribution for Wilsonville.

Source: US Department of Housing and Urban Development, Portland MSA, 2024; 2018-2022 ACS Table 19001

Themes: Unmet Housing Needs in Wilsonville

Item B.

Low- & Middle-Income Households: Affordable rental and ownership

Latino Population: Larger units for extended and multigenerational families

Immigrant and Refugee: Rental assistance, eviction prevention, and financial education

People with Disabilities: Accessible housing features

People Experiencing Homelessness: Housing with mental health, substance abuse, and healthcare services

Seniors: Accessible housing (such as single level) with adequate air conditioning; support to age in place and access resources

College Students: Shared housing facilities and financial education



Potential Actions for Inclusion in the HPS

What is a City's Role in Housing Development?

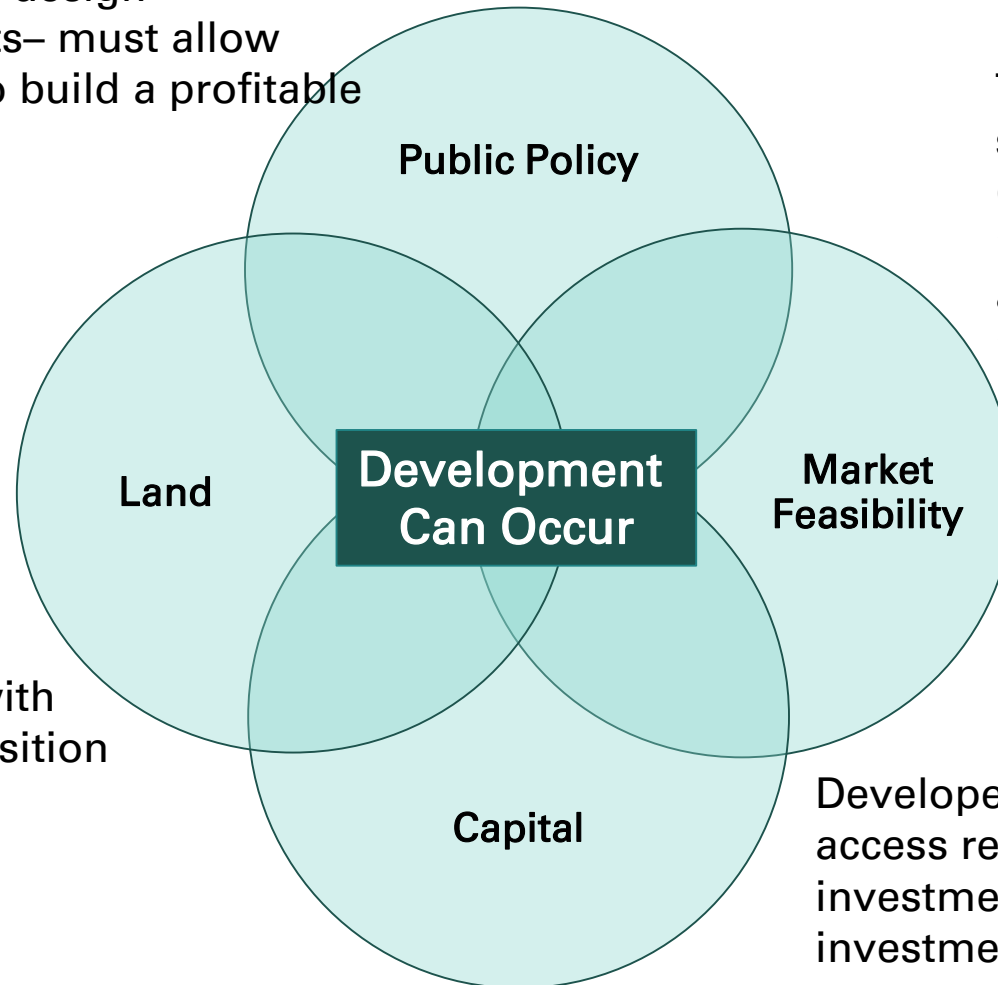
Item B.

Cities can **directly influence** public policy, land, and infrastructure

Cities may have **limited influence** on market feasibility

Policy—including zoning, density, and design requirements—must allow developer to build a profitable project.

There must be sufficient demand (rents, sales prices) to support a profitable project



Developer must control the site with reasonable acquisition costs

Developer must be able to access resources for investment (e.g., equity investment, bank loans)

- Monitoring Development Activity
- Development Code Amendments
 - ◆ Allowed missing middle housing
 - ◆ Established clear and objective design standards for all housing
 - ◆ Removed zoning barriers to ADUs and other small unit types
 - ◆ Implemented mixed housing type requirements in Frog Pond
- Land Disposition for affordable housing (TOD site)
- Vertical Housing Development Zone
- Nonprofit Corporation Low Income Housing Tax Exemption
- System Development Charges
 - ◆ SDC deferral program for affordable housing on City-owned property
 - ◆ SDC waiver for ADUs
- Accessibility requirements in Frog Pond
- Safe Sleep Site
- Intergovernmental agreement with Clackamas County to use Metro Supportive Housing Services funds for homelessness support (motel vouchers, auto repair assistance, gas and clothing vouchers, financial literacy training, charging stations for personal devices)

Feedback from Task Force and Planning Commission: Actions Recommended for Further Consideration

Item B.

- A. Evaluate redesignating or rezoning land for housing
- B. Encourage a variety of housing types and designs
- C. Expand flexibility for live-work & living units accessory to other uses
- D. Evaluate use of administrative review processes for residential development
- E. Implement a rental housing inspection program
- F. Scale SDCs to unit sizes
- G. Expand land banking, parcel assembly, & public land disposition
- H. Partner with a CLT to develop affordable housing

- I. Support preservation of affordable rental housing
- K. Support homebuyer assistance programs
- O. Pursue establishing an Urban Renewal District and prioritize affordable housing
- Q. Identify Locations where Infrastructure is Needed and Identify Funding Sources
- T. Encourage accessible design

Actions recommended for further discussion

- P. Implement a Construction Excise Tax
- R. Fund a Housing Specialist position

Goal: Narrow down to a targeted set of impactful actions for affordable and attainable housing.

Discussion Questions

- Do you agree with the list of Actions Recommended for Further Consideration that should be further evaluated for inclusion in the HPS?
- Should any actions on this list be removed from consideration, and are there actions on the other lists that should be added?



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: December 2, 2024		Subject: Wilsonville Industrial Land Readiness – Basalt Creek	
		Staff Members: Cindy Luxhoj AICP, Associate Planner, and Dan Pauly AICP, Planning Manager	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		Comments: N/A	
Staff Recommendation: Staff recommends Council provide requested input in response to information provided about the Wilsonville Industrial Land Readiness project.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Attract high-quality industry and support economic opportunity for all in Wilsonville	<input checked="" type="checkbox"/> Adopted Master Plan(s): Basalt Creek Concept Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Staff is seeking input from the City Council on two draft work products for the Basalt Creek industrial area – the Buildable Lands Inventory and Site Suitability Analysis Memo and the Redevelopment Feasibility of Contractor Establishments Memo – as the City works on making the area development ready.

EXECUTIVE SUMMARY:

At the City Council's October 21, 2024 work session, staff presented the draft Economic Inventory and Land Use Analysis for the first phase of the Wilsonville Industrial Land Readiness (WILR) project. The first phase is focused on the Basalt Creek and West Railroad planning areas (henceforth referred to collectively as "Basalt Creek") that are the subject of the Basalt Creek Concept Plan, jointly prepared with the City of Tualatin, and adopted by the City of Wilsonville in 2018. This first phase of the WILR project lays the foundation for moving the Concept Plan area to a development ready status, thus enabling the City to accept development applications for industrial projects and realizing the area's economic development potential.

The project team has completed two draft work products: the Buildable Lands Inventory and Site Suitability Analysis Memo (Attachment 1), and the Redevelopment Feasibility of Contractor Establishments Memo (Attachment 2). At the work session, the project team will briefly discuss the preliminary findings of these two documents and seek feedback and guidance from City Council.

Buildable Lands Inventory and Site Suitability Analysis

With regard to the draft Buildable Lands Inventory, Basalt Creek encompasses 453 acres in 85 tax lots of which 175 acres are currently in active use and considered developed, 127 acres are constrained by physical and environmental factors, and 150 acres are considered buildable and available for development. The supply is distributed across parcels of varying sizes, ranging from five to larger than 25 acres, providing a mix of options suitable for different industry needs. Thus, there is a promising opportunity to support a diverse range of industrial and employment uses that align with Wilsonville's economic development goals. However, much of the overall land supply is being used as contractor establishments, as illustrated in Figure 3 of the Buildable Lands Inventory and Site Suitability Analysis Memo (page 6 of Attachment 1), which poses challenges for redevelopment to other industrial uses (as further described below).

The draft Site Suitability Analysis looks at the market competitiveness of three specific sites in Basalt Creek. The analysis focuses on the physical site characteristics, such as size, location, and constraints, rather than on the likelihood of redevelopment. It specifically examines the characteristics of the opportunity sites to assess their ability to support target industries should landowners choose to develop or redevelop their property. Preliminary findings of the draft Site Suitability Analysis include the following:

- **SW Greenhill:** This opportunity site includes 57 acres in 10 tax lots with two landowners, one owning 42 acres and the other 14 acres. With its minimal constraints, lack of development, and availability of existing infrastructure, this site is suited for cleantech, high-tech supply chains, advanced manufacturing industries, food processing, small warehousing and distribution, and industrial business parks or Research and Development (R&D) campuses requiring medium-sized parcels.

- **Craft Industrial:** This opportunity site includes 32 acres in seven (7) tax lots, each individually owned and of generally even size. Due to significant constraints, the site is currently more suitable for micro-industrial uses, such as live-work spaces, as originally identified in the Concept Plan. However, with site aggregation, the eastern portion could accommodate small-scale business or administrative services and production uses, similar to industrial condo developments like Commerce Circle Business Park or Riverwood Business Center. The presence of existing residences, including some high-value homes, is likely to delay redevelopment timelines compared to other opportunity sites.
- **West Railroad:** This opportunity site includes 165 acres in 15 tax lots with eight (8) landowners, one (1) owning 65 acres, four (4) with about 20 acres each, and three (3) owning smaller parcels. The site offers development potential for general manufacturing, food processing, warehousing and distribution, and business services. However, significant infrastructure upgrades are required, and existing constraints may limit the scale of some types of development.

Redevelopment Feasibility of Contractor Establishments

Contractor establishments are properties characterized by small offices (often former residences), storage buildings, and laydown yards, that provide limited employment and lower property values compared with typical urbanized industrial land. Figure 3 in Attachment 1 (page 6) shows the current extent of contractor establishments in Basalt Creek. The draft analysis of contractor establishments highlights several ways this type of development impacts redevelopment efforts in the planning area. It raises critical questions about what conditions (e.g., market, ownership, site, zoning) are needed to promote and incentivize urban industrial development as envisioned in the Concept Plan. Preliminary findings include:

- **Current contractor establishments generate significant revenue with minimal effort or risk, reducing financial incentives for redevelopment.** Rents for existing contractor establishments, particularly those with buildings, are comparable to market rates for industrial and flex uses in the I-5 South Submarket. Therefore, for redevelopment to become financially feasible, market rents would need to rise by 33% to 100%, depending on site utilization and construction costs.
- **Owner-occupied properties are less likely to redevelop if the owner wants to maintain their business operations.** Redevelopment is difficult for owner-occupants, as they must consider relocation costs and potential increases in operational expenses. Limited regional industrial land supply could push these businesses to relocate further from their markets. Without substantial increases in land values or rents, redevelopment of these properties remains unlikely.
- **Achieving the City's development vision for Basalt Creek will require strategic interventions.** Potential approaches could include purchasing and aggregating properties to create development-ready parcels, subsidizing infrastructure costs, adjusting system development charges (SDCs), offering other development incentives, or other strategies yet to be identified.

Conclusion

The analyses and related findings are preliminary and will be refined through further analysis and additional discussion with the City Council and Planning Commission. Once the analyses are complete, they will all be synthesized into a comprehensive final report outlining key findings and recommendations.

The Planning Commission will be briefed and provide input at their December 11, 2024 meeting on similar materials to those presented to City Council at this work session.

Following staff's presentation, input is requested from the City Council in response to the questions below:

- What reactions, comments, or further direction does City Council have in response to the findings of the draft Buildable Lands Inventory and Site Suitability Analysis Memo? Particularly, do the initial findings align with the Council's vision for Basalt Creek, or if any of the findings are surprising, does the Council have questions that would help guide future decisions for the planning area?
- What reactions, comments, and input does the City Council have on the draft Redevelopment Feasibility of Contractor Establishments Memo? Particularly, what input does the Council have on whether planning efforts should focus on accommodating and managing contractor establishments as industrial businesses, or encouraging them to relocate their operations so the land they occupy can be redeveloped to other industrial uses envisioned in the Concept Plan?

EXPECTED RESULTS:

Feedback from City Council on these draft documents will guide their completion, as well as guide other implementation items for the Basalt Creek and West Railroad planning areas, including drafting a package of proposed Code amendments, developing economic development strategies, and preparing an infrastructure funding plan.

TIMELINE:

Additional work sessions with the City Council and Planning Commission are anticipated in January through April 2025. Public hearings on related Development Code amendments are expected in mid-2025 with work on the infrastructure funding plan occurring throughout next year.

CURRENT YEAR BUDGET IMPACTS:

Funding for the first phase of the WILR project is allocated in the fiscal year (FY) 2024-2025 Planning Division budget and, for the second phase, will be allocated in the FY 2025-2026 budget. The first phase is primarily funded by a \$100,000 grant from Business Oregon, with additional funding available, if needed, from a \$290,000 Metro grant, which also will fund the second project phase.

COMMUNITY INVOLVEMENT PROCESS:

The Basalt Creek Concept Plan review process included comprehensive community involvement to gather input. For the first phase of the WILR project, ECONorthwest focused on gathering input from Business Oregon, Greater Portland Inc., property owners, and developers, to understand demand for industrial land in Wilsonville as well as property owners' current and future plans for their property. This informed the market, site suitability, and contractor establishment analyses and will be considered in determining appropriate zoning standards to apply and preparing needed Code amendments.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Adoption of appropriate zoning standards, creating an infrastructure funding plan, and identifying and pursuing economic development strategies will remove barriers to development and enable implementation of the Basalt Creek Concept Plan. When developed, Basalt Creek will create jobs, thus contributing to the income and property tax base, support economic mobility for residents through family-wage employment in a highly livable, full-service City, and enable this industrial area to reach its full economic potential, resulting in positive impacts on the greater Wilsonville community.

ALTERNATIVES:

As zoning standards, economic strategies, and an infrastructure funding plan are developed, a number of alternatives will be explored and developed with the City Council and Planning Commission.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Draft Buildable Lands Inventory and Site Suitability Analysis Memo (November 20, 2024)
2. Draft Redevelopment Feasibility of Contractor Establishments Memo (November 20, 2024)



DATE: November 20, 2024
TO: City of Wilsonville
FROM: ECONorthwest: Nicole Underwood, Bob Parker, and Barrett Lewis
SUBJECT: WILR Phase 1: BLI and Site Suitability Analysis - DRAFT

The cities of Tualatin and Wilsonville adopted the Basalt Creek Concept Plan (BCCP) in 2018 after a lengthy joint planning process. Now, in 2024-25, the City of Wilsonville is working to advance the Basalt Creek Planning Area (BCPA) beyond the concept plan to a development-ready status by designating zoning and refining infrastructure plans. However, since adoption of the BCCP, economic conditions at national, state, regional, and local levels have shifted significantly, and must now be considered.

To address these evolving conditions, the City hired ECONorthwest to conduct a market assessment and industrial lands study focused on Wilsonville’s portion of the BCPA. The study began with an Economic Inventory, which reviewed current market trends and industries suitable for the area.

This memorandum addresses Task 3 in the Scope of Work: updating the **Buildable Lands Inventory (BLI)** for the BCPA and conducting a **Site Suitability Analysis** for key opportunity sites. The updated BLI reflects recent land developments, adjusted constraints, and revised capacity estimates.

The Site Suitability Analysis examines three selected “opportunity sites” within the BCPA, assessing their potential to support the target industries identified in the Economic Inventory. This analysis considers site attributes including size, location, access, topography, constraints, and surrounding land uses. It also considers infrastructure (transportation, water, sewer, stormwater) based on available data, with the understanding that infrastructure planning may evolve as work progresses.



Land Supply

This industrial Buildable Lands Inventory (BLI) updates the 2014 BLI from the original concept plan, providing a revised assessment of the buildable land *supply* available within Wilsonville's portion of the BCPA for employment-related growth and development. The amount of land needed to accommodate anticipated growth, often referred to as *demand* for land, depends on the type of employment-related development and other factors.

This BLI update serves two purposes: 1) to provide a revised assessment for developable acres in the BCPA, and 2) to identify lands that have existing economic uses but low improvement values and/or low-density employment. These uses are inconsistent with the development vision expressed in the BCCP and are sites that may have redevelopment potential.

The BCPA encompasses a total of 453 acres across 85 tax lots. Of this:

- **175 acres** are currently in active use and are considered developed.
- **127 acres** are constrained by physical or environmental factors.
- **150 acres** are considered buildable and available for development.

This section outlines the methodology used to develop the BLI and presents the results for Wilsonville's portion of the BCPA. ECONorthwest analyzed GIS data from the City of Wilsonville, Metro, and Washington County, with City staff reviewing the findings for accuracy and completeness.

Methodology

The buildable lands inventory followed a structured process to assess land status:

1. **Generate UGB “land base”:** ECONorthwest established a baseline of tax lots within Wilsonville’s portion of the BCPA designated for industrial and employment uses.
2. **Classify lands by development status:** The project team categorized parcels as vacant, partially vacant, or developed.
3. **Identify constraints:** ECONorthwest applied physical and regulatory constraints, such as wetlands and natural resource protections, to identify unbuildable portions.
4. **Verify inventory results:** City staff reviewed classifications and aerial imagery to confirm accuracy.
5. **Tabulate and map results:** The team compiled findings into tables and maps to provide a clear overview of buildable lands.

The following section summarizes the results of the industrial BLI for the BCPA, presented in tabular and map formats.



Land Base

The land base for the Buildable Lands Inventory (BLI) includes all tax lots within Wilsonville’s portion of the BCPA. Table 1 provides a breakdown of the land base by Wilsonville Comprehensive Plan designation within the BCPA.

Table 1. Employment Land Base by Wilsonville Comprehensive Plan Designation, BCPA, 2024

Plan Designation	Number of Tax Lots	Percent	Total Tax Lot Acreage	Percent (Total Acreage)
Industrial	63	74%	237	52%
Undesignated	22	26%	215	48%
Total	85	100%	453	100%

Source: EConorthwest analysis, City of Wilsonville, Clackamas County, Washington County, Metro

Development Status Classification

Table 2 displays the total acres of tax lots, categorized based on whether land is buildable. EConorthwest applied a rule-based classification of vacant, partially vacant, or developed to determine the initial development status and verified the results through reviews by City staff. These reviews incorporated local knowledge and analyses of aerial maps.

Table 2. Employment Acres by Classification and Wilsonville Comprehensive Plan Designation, BCPA, 2024

Plan Designation	Total Acres	Developed Acres	Constrained Acres	Buildable Acres
Industrial	237	63	48	127
Undesignated	215	113	79	24
Total	453	175	127	150

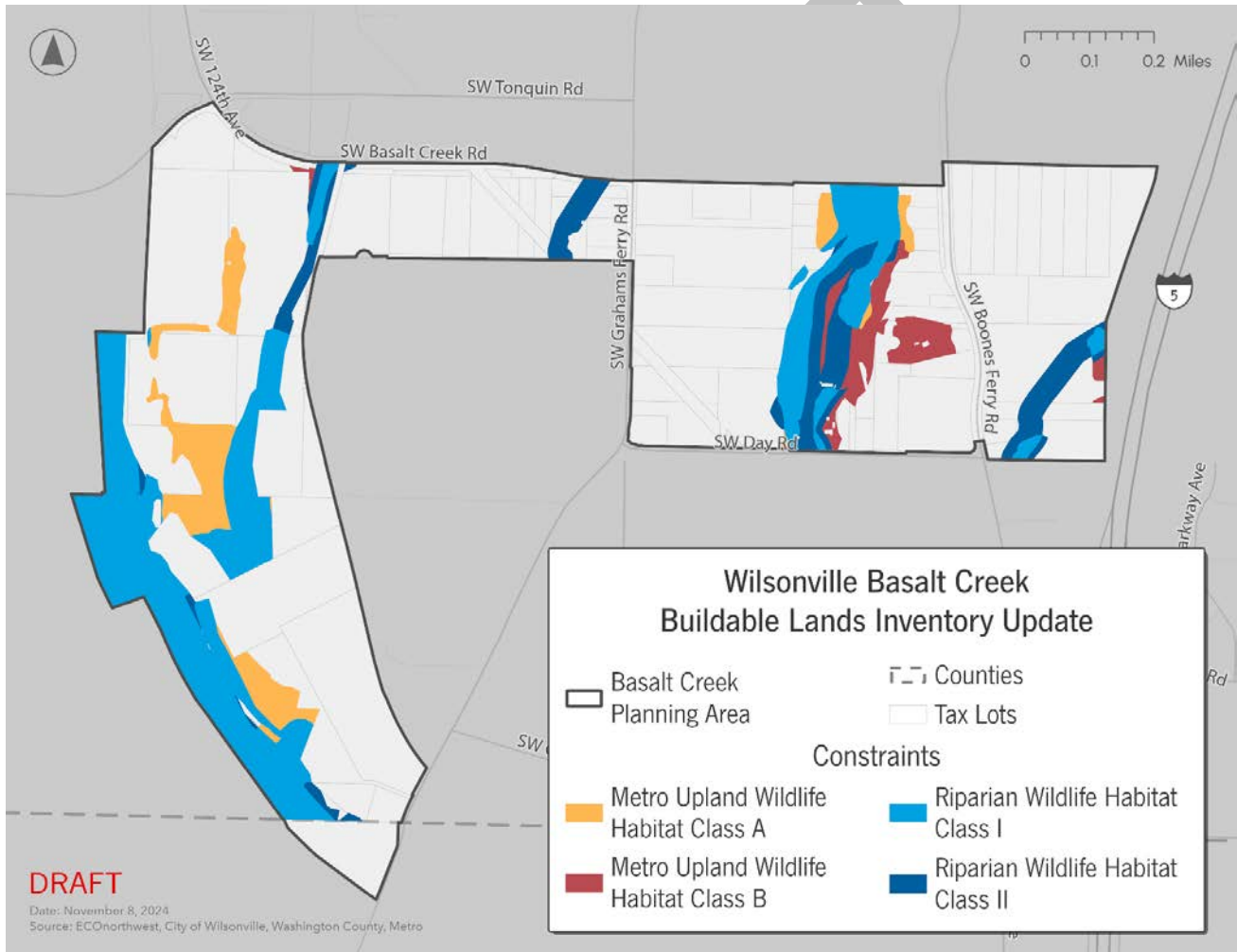
Source: EConorthwest analysis, City of Wilsonville, Washington County, Metro



Development Constraints

In coordination with City staff, EConorthwest identified physical constraints based on Washington County’s Significant Natural Resources (SNR), as amended by Washington County Ordinances No. 901 and No. 902.¹ The SNR includes Metro Upland Wildlife Habitat Classes A and B, as well as Riparian Wildlife Habitat Classes I and II. These constraints are shown in Figure 1.

Figure 1. Development Constraints, BCPA, 2024



Source: EConorthwest Analysis, City of Wilsonville, Washington County, Metro

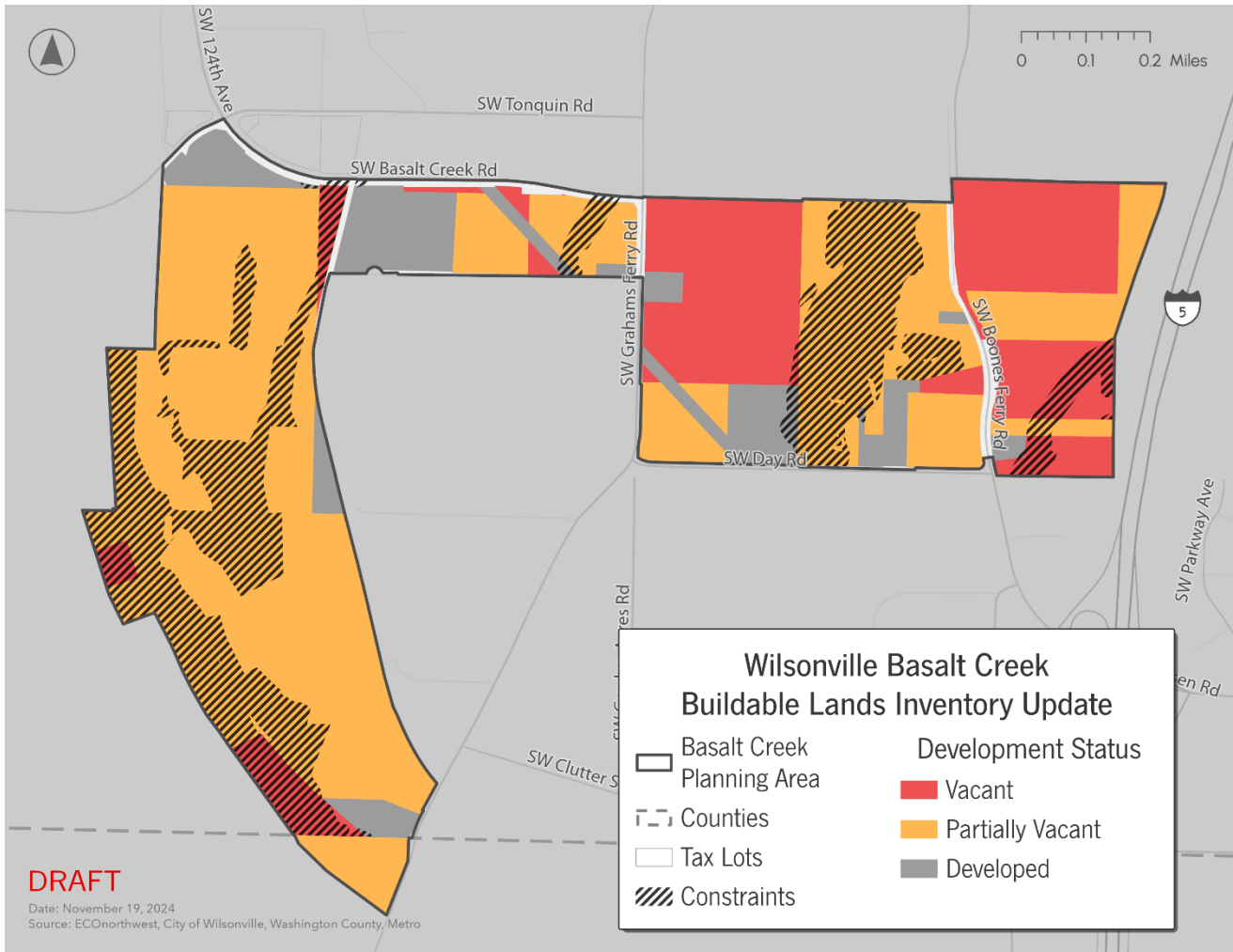
Note: EConorthwest is awaiting the required data to update the constraints of the Clackamas County parcel. This update will be included in a future draft.

¹ <https://www.washingtoncountyor.gov/lut/planning/documents/ordinance-no-901a/download?inline>



Figure 2 shows development status with constraints applied, resulting in buildable acres. Land classified as vacant or partially vacant but affected by these constraints is deemed unavailable for development and has been excluded from the inventory of buildable land.

Figure 2. Development Status with Constraints, BCPA, 2024

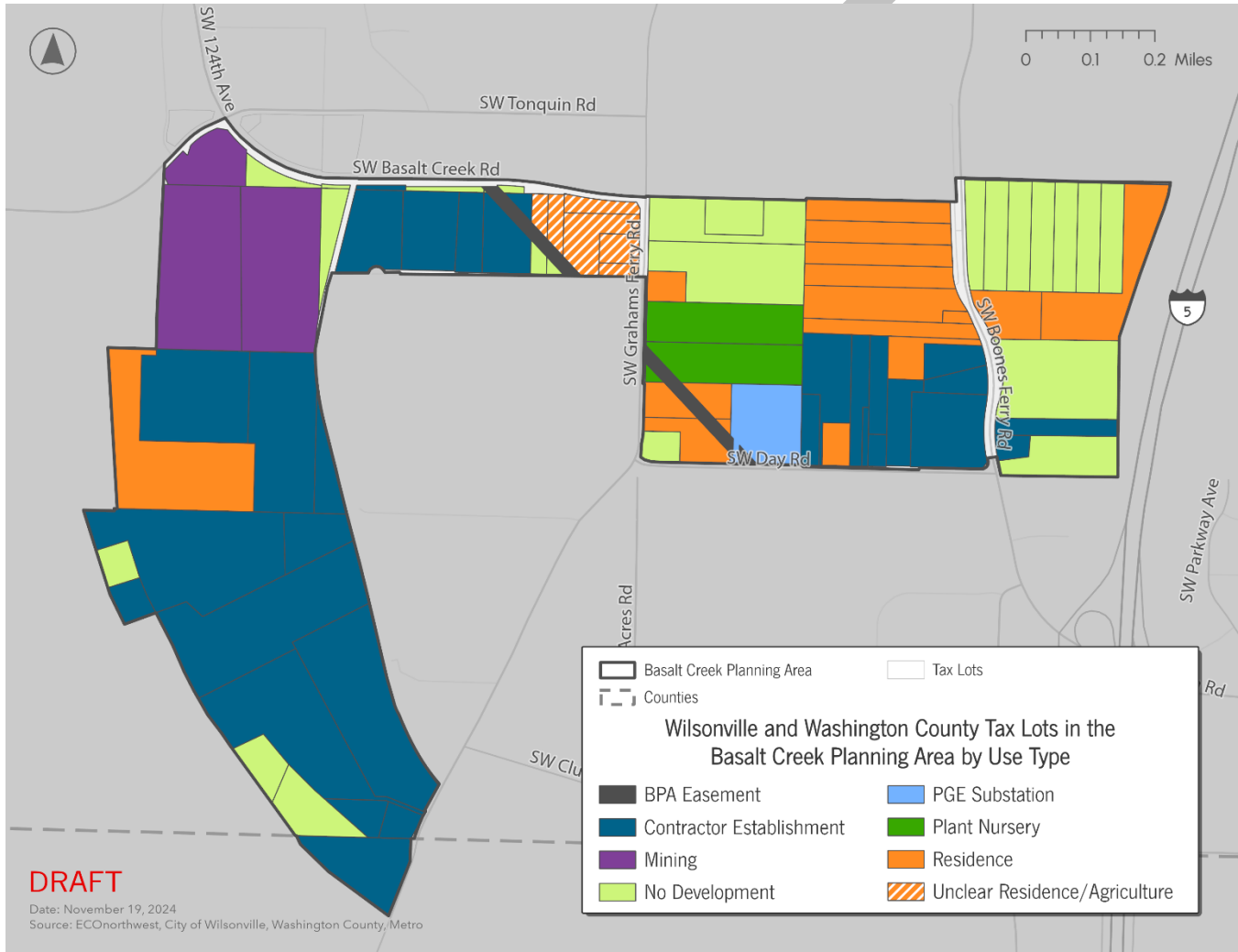


Source: EConorthwest Analysis, City of Wilsonville, Washington County, Metro

Note: EConorthwest is awaiting the required data to update the constraints of the Clackamas County parcel. This update will be included in a future draft.

Figure 3 identifies land use categories for each site. EONorthwest collaborated with City staff to identify these categories through a detailed review process that combined local knowledge with aerial map analysis. Unlike basic classifications of vacant or partially vacant land, this map provides deeper insights into current land uses, offering valuable context for evaluating redevelopment potential and guiding the feasibility analysis (the results of which will be shared in a separate memorandum).

Figure 3. Land Use Categories with Constraints, BCPA, 2024



Source: EONorthwest Analysis, City of Wilsonville, Washington County, Metro



Vacant Buildable Land

The next step in the buildable lands inventory involved removing portions of vacant tax lots deemed unsuitable for development. Unsuitable areas fall into two categories:

1. Developed portions of partially vacant tax lots.
2. Areas affected by physical constraints (i.e. areas within Metro Upland Wildlife Habitat Classes A and B and Riparian Wildlife Habitat Classes I and II)

Table 7 presents the buildable acres—tax lot areas remaining after deducting these constraints—for both vacant and partially vacant land, categorized by Wilsonville’s Comprehensive Plan designation. The BCPA has 150 total buildable acres available for development.

Table 3. Buildable Acres in Vacant and Partially Vacant Tax Lots by Wilsonville Plan Designations, BCPA, 2024

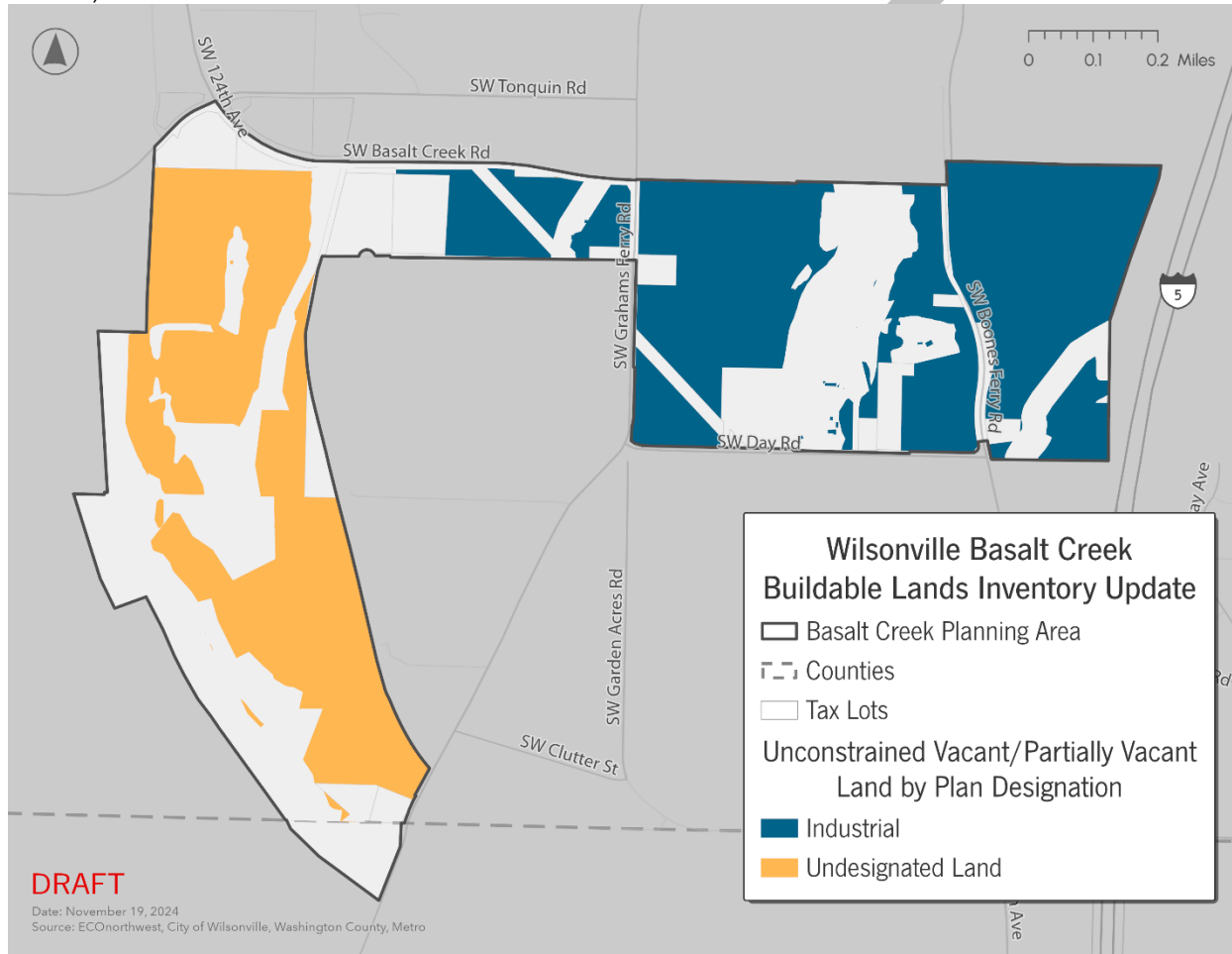
Plan Designation	Total Buildable Acres	Buildable Acres on Vacant Lots	Buildable Acres on Partially Vacant Lots
Industrial	127	87	40
Undesignated	24	0.4	23
Total	150	87	63

Source: ECONorthwest Analysis, City of Wilsonville, Washington County, Metro



Figure 4 shows the buildable vacant and partially vacant land within the BCPA, categorized by Wilsonville Comprehensive Plan designation. It is important to note that tax lots shown as partially vacant in the map do not distinguish the part of the tax lot that is unavailable for development (or has redevelopment potential). However, the buildable lands inventory database accounts for these distinctions: the developed portions (unavailable for future development) are excluded, while the vacant portions are detailed in Table 4.

Figure 4. Buildable Employment Land by Wilsonville Comprehensive Plan Designation, BCPA, 2024



Source: EConorthwest Analysis, City of Wilsonville, Washington County, Metro

Table 4 presents the size of buildable lots categorized by Wilsonville Comprehensive Plan designation across the BCPA. The planning area includes:

- ◆ Eight lots smaller than 0.5 acres, totaling 2 acres.
- ◆ Twenty-two lots between 0.5 and 2 acres, totaling 22 acres.
- ◆ Eighteen lots between 2 and 5 acres, totaling 57 acres.
- ◆ Six lots between 5 and 10 acres, totaling 46 acres.
- ◆ Two lots between 10 and 25 acres, totaling 23 acres.

Table 4. Buildable Acres and Tax Lots by Buildable Site Size by Wilsonville Comprehensive Plan Designation, BCPA, 2024

Plan Designation	Buildable Sites Size					
	0 - 0.5 Acres	0.5 - 1 Acres	1 - 2 Acres	2 - 5 Acres	5 - 10 Acres	10 - 25 Acres
Industrial	1	7	10	51	35	23
Undesignated	1	1	4	6	12	-
Acreage Total	2	8	14	57	46	23
Industrial	5	10	7	16	4	2
Undesignated	3	2	3	2	2	-
Tax Lot Total	8	12	10	18	6	2

Source: EConorthwest Analysis, City of Wilsonville, Washington County, Metro



Site Suitability Analysis

The BCPA is well positioned to capture industrial growth in the South Metro region. It benefits from its strategic location with access to I-5, a robust employment base, and connections to other expanding industrial hubs in Sherwood and Tualatin. Over the summer, ECONorthwest conducted an Economic Inventory to assess market conditions and identify industries most likely to establish a presence in Basalt Creek focusing on industrial and office uses in alignment with the BCCP vision.² The analysis highlighted strong national and regional demand for industrial space and identified key sectors with potential interest in the area, including the semiconductor supply chain, cleantech, advanced manufacturing, distribution and logistics, and data centers.

Although the BCCP originally envisioned a blend of industrial and office development, current market trends suggest a shift towards a greater emphasis on industrial and tech-oriented uses. Office developments, while still anticipated, are expected to occupy a smaller footprint than initially planned.

To determine site specific competitiveness for these industries, ECONorthwest evaluated three opportunity sites using the Mackenzie Infrastructure Finance Authority (IFA) Industrial Development Competitiveness Matrix as a foundation. Recognizing that industry requirements have evolved since the matrix's creation in 2015, the analysis incorporated updated reports and stakeholder feedback to align with current market demands. This Site Suitability Analysis assesses site characteristics such as size, location, and constraints to evaluate their ability to host target industries. While the analysis considered buildable land availability, its primary focus was on site potential, assuming redevelopment occurs.

WHICH SECTORS MAY BE ATTRACTED TO BASALT CREEK?

Below are the potential sectors that may be particularly attracted to Basalt Creek as identified in the Economic Inventory report.

- » **Semiconductor Sector Supply Chain:** Companies providing materials, equipment, and services to chip manufacturers.
- » **Cleantech, including Battery Technology:** Businesses involved in renewable energy technology, energy efficiency solutions and sustainable manufacturing processes.
- » **Advanced Manufacturing:** Companies using technology such as robotics, 3D printing, and computerized systems to manufacture specialized products or components.
- » **Distribution and Logistics:** Storage, transportation and delivery of goods.
- » **Data Centers:** Facilities used to house computer systems and associated components.

² When evaluating the office market, medical office showed stronger growth than traditional office. However, ECONorthwest did not further evaluate its potential as it was not a use envisioned in the BCCP.



Feasibility and redevelopment likelihood of contractor establishments is addressed in a separate task.

Opportunity Sites for Analysis

ECONorthwest evaluated the following sites for their development potential (Figure 5):

- ◆ **SW Greenhill Site:** Selected for its consolidated land ownership and strong potential for near-term development, given the absence of active use.
- ◆ **Craft Industrial Area:** As a transitional area, the City seeks to assess this site's characteristics in detail to determine the most appropriate land uses. This will inform zoning designations.
- ◆ **West Railroad Site:** West Railroad lacked a defined concept in the original BCCP. To explore its potential, ECONorthwest analyzed a portion of West Railroad, focusing on its development suitability. This will inform whether a zoning designation similar to the rest of the Basalt Creek area would be appropriate. The area also faces physical and service constraints, and the analysis evaluates whether these challenges might limit future development opportunities.

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Figure 5. Opportunity Sites



Source: EConorthwest Analysis, City of Wilsonville, Washington County, Metro

Note: EConorthwest is awaiting the required data to update the constraints of the Clackamas County parcel. This update will be included in a future draft.

Table 5 summarizes the size of unconstrained lots for the opportunity sites. Note that "unconstrained acres" here includes developed areas. In general, larger sites are more appealing to industrial users, who often seek parcels of 5 or more acres. Smaller sites, however, may require site aggregation to meet these needs. Notably, sites in SW Greenhill and West Railroad, which exceed 5 acres, could be especially attractive to developers. While all opportunity sites may require some degree of site aggregation, the Craft Industrial area faces the greatest challenge due to its relatively small lot sizes and fragmented land ownership.

Table 5. Unconstrained Acres and Tax Lots by Site Size for Opportunity Sites, BCPA, 2024

Site Suitability Area	Unconstrained Sites Size					
	0 - 0.5 Acres	0.5 - 1 Acres	1 - 2 Acres	2 - 5 Acres	5 - 10 Acres	10 - 25 Acres
Craft Industrial	-	1	5	8	-	-
SW Greenhill	-	-	-	31	-	21
West Railroad	0.3	-	2	10	19	60
Acres Total	0.3	1	7	49	19	81
Craft Industrial	-	1	3	3	-	-
SW Greenhill	-	-	-	8	-	2
West Railroad	3	-	1	4	3	4
Tax Lot Total	3	1	4	15	3	6

Source: EConorthwest Analysis, City of Wilsonville, Washington County, Metro

Site Competitiveness Factors

The IFA Industrial Development Competitiveness Matrix includes the following factors for evaluating the competitiveness of different industries:

- ◆ Site Size
- ◆ Competitive Slope (physical slope of a parcel, which can impact its suitability for development)
- ◆ Access to Transportation and Trip Generation (Highway, Rail, and Airport Proximity)
- ◆ Access to Utility Infrastructure (Water, Sewer, Electricity, Telecommunications)
- ◆ Special Considerations

The industries evaluated in the IFA Industrial Development Competitiveness Matrix include the following, which align with the BCCP and the Economic Inventory findings, and are the focus of this analysis (the full matrix can be found in Appendix A):

- ◆ **Production Manufacturing:**
 - High-Tech/Cleantech Manufacturing
- ◆ **Value-Added Manufacturing and Assembly:**
 - Food Processing
 - Advanced Manufacturing and Assembly
- ◆ **Light/Flex Industrial:**



- General Manufacturing
- Industrial Business Parks and R&D Campuses
- Business Services
- ◆ **Warehousing and Distribution**
 - Regional Warehouse/Distribution
 - Local Warehouse/Distribution
- ◆ **Specialized Uses:**
 - Data Centers

Industry-Specific Considerations

Recent growth in the semiconductor and cleantech sectors has prompted additional research to understand the evolving needs of these industries. To support this, the Oregon Legislature established the Oregon Semiconductor Task Force to identify industry needs and opportunities. Similarly, Business Oregon supported the creation of the Oregon Cleantech Competitiveness Assessment Report to evaluate the needs and prospects for cleantech industries. Key findings related to site-specific requirements from these initiatives are outlined below.

SEMICONDUCTOR SECTOR

The semiconductor industry offers Oregon a prime opportunity to expand advanced manufacturing, grow its traded sector, and create high-quality jobs. The \$52 billion CHIPS Act, passed in July 2022, accelerates efforts to boost domestic semiconductor production by allocating \$40 billion for manufacturing and \$10 billion for research over five years.

The Metro Region hosts a robust semiconductor cluster centered in Hillsboro. There has also been some semiconductor activity south of Hillsboro, including LAM Research in Sherwood and Tualatin, bolstering the supply chain presence in the South Metro. This established network positions the region to attract additional semiconductor-related investments.

The Semiconductor Task Force's Industrial Lands Subcommittee identified key site characteristics most important for the semiconductor industry:

- ◆ **Workforce Availability and Talent Proximity.** Access to skilled workers—engineers, technicians, and operators—is essential. Semiconductor clusters thrive where workers can easily transition between companies, creating a dynamic employment ecosystem. Workforce access is critical for both fabrication plants and supply chain operations.
- ◆ **Parcel Size and Usage.** Parcel size varies by operational needs. Fabrication plants require *50–100 acres* to accommodate cleanrooms and infrastructure, with large-



scale R&D and production facilities needing **500+ acres**. Supply chain operations, such as equipment and material suppliers, generally need smaller parcels of **15–35 acres**.

- ◆ **Infrastructure Readiness.** Reliable access to *transportation, water, electricity, and wastewater systems* is crucial. Semiconductor companies prioritize sites with infrastructure ready to support development within **6 months to 3 years**.
- ◆ **Clustering with R&D Partners and Suppliers.** Collaboration with suppliers and R&D partners is vital. Fabrication plants benefit from proximity to suppliers for quick equipment maintenance and research. Supply chain operations also thrive in clusters, connecting with customers and transport hubs.
- ◆ **Environmental and Regulatory Considerations:** Predictable permitting processes are essential to avoid delays. While environmental regulations remain important, fast-tracked approvals are necessary to match the industry's pace.

SITE COMPETITIVENESS FOR THE CLEANTECH SECTOR

Oregon is well-positioned to capitalize on the growth of cleantech industries, driven by federal initiatives like the Inflation Reduction Act and an increasing focus on sustainability. Cleantech encompasses a range of technologies, including renewable energy, energy-efficient materials, water technologies, and recycling systems. While the IFA Industrial Development Competitiveness Matrix provides general site characteristics for cleantech, the Oregon Cleantech Competitiveness Assessment Report—developed for Business Oregon—offers more detailed site selection criteria specific to established and emerging cleantech industries within the state. Key site characteristics for these subsectors are summarized below (a complete matrix is available in Appendix B). Scalability is essential for many users, as industries often begin on smaller sites but require the flexibility to expand as they grow.

- ◆ **Battery Storage:** These systems store renewable energy for later use, enhancing grid stability and reliability. Technologies range from lithium-ion to flow batteries, used in applications from small urban micro-grids (0-5 acres) to large grid-scale facilities (25+ acres). Electrical system proximity and access for power generation facilities may vary, depending on the scale and intended use. Micro-grid systems may only need connection to the local electrical grid, while large-scale grid storage may require connection to regional transmission lines or substations. Zoning flexibility for energy uses is critical, while water needs and transportation access are generally less significant.
- ◆ **Mass Timber:** Engineered wood products like cross-laminated timber (CLT) and glued laminated timber (GLT) serve as sustainable alternatives to steel and concrete. Production facilities need medium to large sites (5-25+ acres), reliable transportation (particularly to arterial roads and railways) for raw materials, and substantial power supply.



- ◆ **Ag-Tech:** This sector integrates advanced technologies like AI, Internet of Things (IoT), agrivoltaics, and drones to optimize agriculture. Ag-tech operations, in this sense are generally assumed to focus on software and small-scale equipment products, generally collaborating with large existing farms for R&D. These businesses typically require small sites (0-5 acres) with low transportation, water, and power demands.
- ◆ **Circular Economy:** This sector focuses on recycling and resource reuse, supporting waste-reduction and material recovery technologies. Businesses range from R&D to recycling and upcycling facilities. Typically, these operations require small to medium-sized sites (0-25 acres), though the specific site needs depend on the types of raw materials and finished products, as well as the scalability of the industry. Good transportation access—especially to arterial roads and potentially railways—is important, along with moderate water and power requirements and flexible zoning options.
- ◆ **Solar and Wind Energy Production:** This sector encompasses both energy production and manufacturing. Manufacturing facilities share site requirements with advanced manufacturing industries, while energy production facilities vary significantly in scale. These range from small rooftop installations to large-scale farms, which require proximity to transmission lines and substations. The electrical system needs depend on the scale and purpose of the facility—micro-grid systems may only require a connection to the local grid, while large-scale grid storage typically necessitates access to regional transmission lines or substations. Transportation access requirements also vary, but wind turbine manufacturing often requires rail access due to the size of components.
- ◆ **Water Technologies:** This sector focuses on addressing water scarcity and quality through innovations such as AI-driven leak detection, wastewater recycling, and desalination. It often involves both R&D and production facilities. These businesses typically require small to medium-sized sites (0-25 acres) with access to high-pressure water systems and significant power capacity, while having relatively low transportation needs.
- ◆ **Building Energy Technologies:** This sector focuses on innovations that improve energy efficiency, including smart HVAC systems and energy-efficient lighting to reduce building energy use. R&D and software development facilities in this space typically require small sites (0-5 acres) with moderate to high electrical needs, while having low transportation and water requirements.
- ◆ **Electric Vehicle (EV) Infrastructure Technologies:** Supporting the adoption of EVs through charging networks and technology development, this sector generally requires medium to large sites (5-25+ acres) with high electrical power demands and good access to transportation networks.



Opportunity Site Characteristics

The market analysis revealed that Basalt Creek is well-suited for various industrial uses, including light industrial, flex space, warehousing, distribution, advanced manufacturing, and support for cleantech and semiconductor sectors. These industries have specific site requirements. To assess how the three opportunity sites could accommodate different sectors, ECONorthwest analyzed each site's characteristics and evaluated them against the competitiveness matrix and additional criteria specific to cleantech and semiconductor industries. Table 7 outlines the physical characteristics of the three sites under analysis.

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Table 6. Physical Characteristics of Opportunity Sites

SITE CHARACTERISTIC	SW GREENHILL	CRAFT INDUSTRIAL	WEST RAILROAD
Site Size and Ownership	<ul style="list-style-type: none"> ◆ 57 acres ◆ 10 tax lots ◆ 2 owners (1 owns 42 acres, 1 owns 14 acres) 	<ul style="list-style-type: none"> ◆ 32 acres ◆ 7 tax lots ◆ 7 owners (fairly even site size distribution) 	<ul style="list-style-type: none"> ◆ 165 acres ◆ 15 tax lots ◆ 8 owners (1 owns 65 acres, 4 own ~20 acres each, 3 own smaller parcels)
Slope	Slopes of 10% or greater cover about 6 acres, or 11% of the total site area.	<ul style="list-style-type: none"> ◆ Slopes of 10% or greater cover about 15 acres, or 46% of the total site area. These slopes are generally in the middle of the site, bordering Basalt Creek. 	<ul style="list-style-type: none"> ◆ Slopes of 10% or greater cover about 34 acres, or 20% of the total site area. However, some of these slopes are from activities on the sites and not physical attributes
Surrounding Uses	<ul style="list-style-type: none"> ◆ North: Planned for medium-low density residential and neighborhood commercial (Tualatin portion of BCPA) ◆ East: BCPA border and I-5 ◆ South: Undeveloped land, contractor establishment (planned High-Tech Employment District) ◆ West: Craft Industrial Opportunity Site 	<ul style="list-style-type: none"> ◆ North: Planned for (and under development) low-density residential (Tualatin portion of BCPA) ◆ East: SW Greenhill Opportunity Site (planned High-Tech Employment District) ◆ South: Contractor establishments, single residential property (planned High-Tech Employment District) ◆ West: Contractor establishments, plant nurseries, and undeveloped land (planned Light Industrial District) 	<ul style="list-style-type: none"> ◆ North: Adjacent to mining site ◆ East: Coffee Creek Correctional Facility and Coffee Creek Industrial area ◆ West: Coffee Creek provides a natural buffer ◆ South: Undeveloped land in Clackamas County
Constraints	<ul style="list-style-type: none"> ◆ 52 unconstrained acres (91% of total area) ◆ Minimal constraints running along the eastern boundary 	<ul style="list-style-type: none"> ◆ 14 unconstrained acres (42% of total area); 9 of these acres are east of the constraints that dominate the central area; the remaining 5 acres occupy the northwest corner ◆ Constraints dominate the central north-south area 	<ul style="list-style-type: none"> ◆ 90 unconstrained acres (55% of total area) ◆ Constraints run along the entire western boundary and central northern half



Table 8 outlines the existing and planned utilities on the opportunity sites. Details on water, sewer, and roads were provided by City staff based on the most current local access maps from DKS. Final infrastructure alignment and capacity are still in the planning stages. d

Table 7. Infrastructure and Utility Characteristics of Opportunity Sites

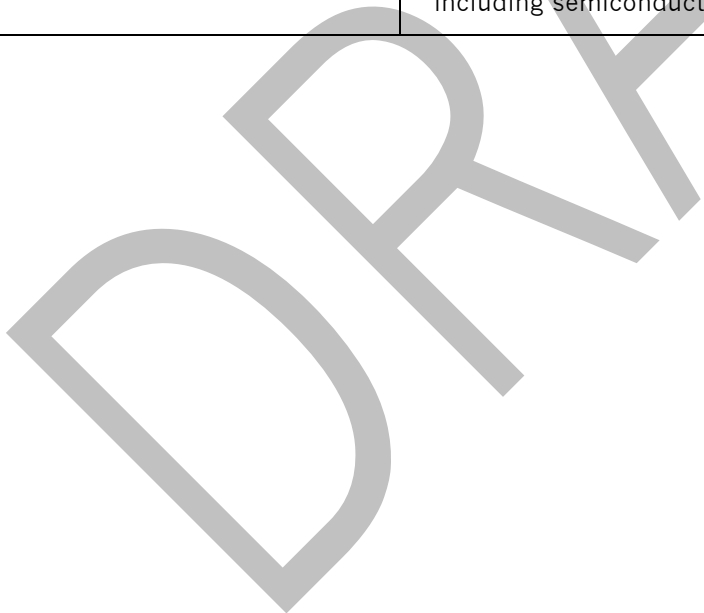
SITE CHARACTERISTIC	SW GREENHILL	CRAFT INDUSTRIAL	WEST RAILROAD
Water: Potable water delivery to BCPA requires Basalt Creek Parkway Extension, Zone C booster station, and may require SW Grahams Ferry Rd Extension. These systems will connect SW Tooze Rd to SW Day Rd – 10,200 LF 18” diameter pipe and 4,670 LF 12” diameter pipe. <i>Modeling needs to confirm these requirements.</i>	Current: No existing water lines in area. Planned: Requires water main along SW Boones Ferry Rd alignment (2,490 LF). Water lines assumed to generally follow local road layout (5,460 LF). Will connect proposed water lines to existing lines on SW Pioneer Ct and SW Day Rd. <i>Sizes to be confirmed during modeling.</i>	Current: No existing water lines in area. Planned: Assumed to utilize proposed water main along SW Boones Ferry Rd. <i>Sizes to be confirmed during modeling.</i>	Current: No existing water lines in area. Planned: Water lines assumed to follow road layout from SW Grahams Ferry to SW Tonquin Rd (6,900 LF). <i>Sizes to be confirmed during modeling.</i>
Roads	Current: Existing SW Boones Ferry Rd, SW Greenhill Rd Planned: New arterial to I-5 from SW Greenhill Rd (300 LF). New arterial from SW Day Rd to I-5 (1,060 LF). New local roads looping SW Greenhill Rd to SW Boones Ferry Rd (3,350 LF) and connecting to SW Pioneer Ct (2,110 LF).	Current: Existing SW Boones Ferry Rd. Planned: New local road looping SW Day Rd to SW Boones Ferry Rd (1,900 LF). Assumed to utilize SW Boones Ferry Rd.	Current: Existing SW Grahams Ferry Rd to south and SW Tonquin Rd to north. Planned: New local road connecting SW Grahams Ferry Rd to SW Tonquin Rd (6,900 LF) with a possible connection to SW Morgan Rd (2,570 LF).
Sewer: Wastewater collection for BCPA requires completion of Coffee Creek Interceptor Phase 2 – 2,000 LF of gravity system upsizing to 21” diameter pipe from SW Boeckman Rd along railroad to SW Ridder Rd. This also requires Coffee Creek Interceptor Railroad Crossing – 160 LF of 21” diameter pipe.	Current: No existing sewer lines in area. Planned: Gravity collection lines flow generally south and west along proposed road layout (5,460 LF). Requires new collection line along SW Day Rd (1,600 LF), and new line to travel south between SW Day Rd to connect to SW Garden Acres Rd just north of SW Ridder Rd (3,700 LF). <i>10-12” diameter collection lines are anticipated.</i>	Current: No existing sewer lines in area. Planned: Assumed to utilize proposed line along SW Boones Ferry Rd.	Current: No existing sewer lines in area. Planned: Gravity line flows from SW Clay St west, crosses railroad, and meets proposed local street alignment in West Railroad to SW Grahams Ferry Rd (6,900 LF). Lift station is required with pressure main along SW Grahams Ferry to SW Clutter St (380 LF) before returning to gravity along SW Clutter St to SW Garden Acres Rd (1,430 LF) <i>A 10” diameter pipe is anticipated for gravity lines.</i>
Natural Gas	The IFA matrix does not identify natural gas as a requirement for industries most likely to locate in the BCCP. Natural gas did not come up as a barrier for industrial development in interviews.		
Electricity	Discussions with PGE indicate that the area can accommodate industrial users with moderate power needs. However large power users such as a data center may require infrastructure upgrades. These types of upgrades can take 3+ years.		
Telecommunication	Since the BCPA is located within the Metro, telecommunication service is expected to be adequate to meet the needs of likely users. Telecommunication capacity did not come up as a barrier for industrial development in interviews.		



Location in the overall region and access to highways, rail, other like businesses, and labor force also play a role in site selection for industries. Given the proximity of these sites within a very small area we detail these overall characteristics for the BCPA rather than for each site (Table 9).

Table 8. Basalt Creek Transportation and Proximity Characteristics

SITE CHARACTERISTIC	BASALT CREEK EVALUATION
Available Trips	<ul style="list-style-type: none"> ◆ The BCCP allocated 951 trips to Wilsonville’s portion of Basalt Creek. The TRP identifies the necessary improvements to accommodate those trips. Additional development and trips would require an update to the TRP and additional capacity improvements to the planned system.
Transportation Access to Interstate or Principal Arterial	<ul style="list-style-type: none"> ◆ The entirety of Basalt Creek is within 5 miles of access to I-5 as well as I-205 and is less than 10 miles from Highway 217.
Proximity to Regional Infrastructure Rail/Port/Airport	<ul style="list-style-type: none"> ◆ Basalt Creek is ~27 miles from Portland International Airport and ~26 miles from the Port of Portland. ◆ A rail line runs through Basalt Creek, but without any spurs, the area lacks direct rail access for industries. <u>Note: The project team is still confirming the type of rail line and potential for spurs.</u>
Proximity to Labor Force	<ul style="list-style-type: none"> ◆ Access to the broader Portland Metro and Mid-Valley labor forces.
Proximity to Goods	<ul style="list-style-type: none"> ◆ Close proximity to wine region and agricultural land ◆ Close proximity to distributors, other manufacturers, and tech hubs, including semiconductor businesses



Evaluation of Compatible Uses

The suitability of potential users for each site is outlined below, based on site characteristics and industry-specific needs. *Note: While water and wastewater capacity, as well as final road alignments, are still in the planning stages, they could influence the types of industries and scale of development that locate on these sites. Generally, water and wastewater capacity is expected to be sufficient, though high-water-use industries are highlighted as needing additional consideration in the matrix. Final road alignments could also affect parcel configurations as well as building size and scale depending on their placement. These factors are acknowledged but are not currently identified as definitive constraints or benefits.*

- ◆ **The SW Greenhill** site spans 57 acres, with 91 percent (52 acres) of the land unconstrained. Minimal slopes (affecting 11 percent of the site), a high proportion of undeveloped land, and proximity to existing infrastructure make it one of the most development-ready locations in Basalt Creek. The site could be suitable for high-tech supply chain, cleantech industries, advanced manufacturing, food processing, small warehousing and distribution, and industrial business parks or R&D campuses. Its proximity to transportation networks and regional workforce access further enhances its competitiveness.
- ◆ **The Craft Industrial** site comprises seven tax lots under separate ownership, most of which are smaller than 5 acres. Substantial constraints limit the developable area to 14 acres. Its proximity to residential areas and existing housing developments makes it less attractive for high-intensity industrial activities. In its current configuration, the site is better suited for micro-industrial uses, such as live-work spaces as originally identified in the BCCP.

With site aggregation, the southeastern portion could support a small-scale industrial and/or office user requiring up to 5 acres. These uses could resemble industrial condo developments like the Commerce Circle Business Park or Riverwood Business Center, which integrate office and small-scale production spaces. While the northeastern portion may also appeal to small industrial users, its irregular shape and the presence of high-value residences make redevelopment less likely there compared to the southeastern portion.

The site's existing residences, some of which are high-value homes, are likely to extend redevelopment timelines relative to other opportunity sites. However, the feasibility of redeveloping these residential properties was not assessed as a part of this study.

- ◆ **The West Railroad** site spans 165 acres, with 55 percent (90 acres) of the land unconstrained. Its large parcel sizes and proximity to regional transportation networks make it a strong candidate for general manufacturing, food processing, and small to mid-sized warehousing or distribution uses. Moderate constraints are concentrated along the western and northern boundaries. Additionally, the lack of



confirmed direct rail access and the need for infrastructure upgrades may present challenges for industries reliant on heavy logistics or rail connections. Additionally, the site's proximity to a rail line and a mining operation could make the site less attractive to advanced manufacturing or other industries sensitive to vibration. On the other hand, the site's proximity to Coffee Creek's existing industrial development may make it attractive to business services supporting nearby industries. **Note:** The project team is continuing to assess rail access and the potential impact of the railroad and nearby mining operations on the site's attractiveness for certain industries. At this stage, these factors are identified as potential considerations. Additionally, the City is still evaluating necessary road improvements to West Railroad to better accommodate truck traffic. Further analysis of how infrastructure constraints or enhancements might influence industry suitability will be included in the next draft if additional information becomes available.

In Table 10, the compatibility of each site with various industrial uses is color-coded as follows:

- ◆ **Red:** Not competitive for the industry
- ◆ **Yellow:** Moderate potential
- ◆ **Green:** High compatibility and strong suitability

Table 9. Evaluation of Compatible Uses Based on Site Characteristics

INDUSTRIES		SW GREENHILL	CRAFT INDUSTRIAL	WEST RAILROAD
Production Manufacturing	High Tech / Cleantech Manufacturing	Mid-sized, flat site; high power or utility demands could exclude some users depending on system capacity	May be able to accommodate a small user (under 5 acres) most likely on the southeastern portion; some users may prefer larger sites with expansion potential	Vibration may be a concern from nearby rail and mining (This may or may not be a barrier – project team is still confirming); high power or utility demands could exclude some users depending on system capacity
Value-Added Manufacturing and Assembly	Food Processing	Water and sewer needs are high; high demands could exclude some users depending on system capacity	May be able to accommodate a small user (under 5 acres) most likely on the southeastern portion	Water and sewer needs are high; high demands could exclude some users depending on system capacity
	Advanced Manufacturing & Assembly	Mid-sized, flat site; lower water and sewer demand than high-tech industries	Site small and constrained; increased setbacks (if required) could be a problem; often requires onsite utility service areas	Vibration may be a concern from nearby rail and mining (This may or may not be a barrier – project team is still confirming)



INDUSTRIES		SW GREENHILL	CRAFT INDUSTRIAL	WEST RAILROAD
Light / Flex Industrial	General Manufacturing	Residential proximity may reduce appeal	Site small and constrained; residential proximity may reduce appeal	Desirable site size available; distance from sensitive uses (residential, park)
	Industrial Business Park and R&D Campus	Mid-sized, flat site; slightly small for some users	Site small and constrained	Constraints may limit large park potential
	Business / Admin Services	Mid-sized, flat site; high trip generation	May be able to accommodate a small user (under 5 acres) most likely on the southeastern portion; tolerates higher slopes; compatible near residential; high trip generation	Proximity to Coffee Creek Industrial area which hosts similar services is attractive; tolerates higher slopes; high trip generation
Warehouse & Distribution	Regional	Close to I-5; existing road infrastructure; site may be a little small for some users	Site too small and constrained; limited space for trucks	Constraints could limit large distribution centers; The City is evaluating needed improvement to better accommodate truck traffic
	Local	Close to I-5; existing road infrastructure; suitable for smaller users	Site too small and constrained; limited space for trucks	Close to I-5; suitable for smaller users; The City is evaluating needed improvement to better accommodate truck traffic
Specialized	Data Center	May be suitable but power needs could exceed available capacity requiring upgrades	Site too small and constrained	May be suitable but power needs could exceed available capacity requiring upgrades

Site Competitiveness for Semiconductor Industry

Basalt Creek lacks the large parcels required for fabrication plants but is positioned to accommodate supply chain businesses that support semiconductor manufacturing.

- ◆ **SW Greenhill:** **High Potential** – Could be competitive for the semiconductor supply chain businesses. This site is closest to development ready, which is highly competitive as semiconductor companies prioritize sites with infrastructure ready to support development within 6 months to 3 years.
- ◆ **Craft Industrial:** **Not Competitive** – Given the small parcels on the Craft Industrial site, this site is not competitive for the semiconductor supply chain businesses.



- ◆ **West Railroad: Moderate Potential** – The longer timeline required to provide adequate infrastructure, combined with existing constraints, makes this site less attractive for the semiconductor industry.

Site Competitiveness for Cleantech

- ◆ **Craft Industrial: Moderate Potential** – Given the small parcels and extent of constraints, this site is not competitive for many cleantech businesses but may be attractive to small scale users in ag-tech and building energy tech that require sites under 5 acres.

Table 10. Cleantech Evaluation of Compatible Uses for Craft Industrial

Battery Storage	Existing businesses add appeal, but energy demands may exceed supply; site size may be too small for many users
Mass Timber	Limited by small site size, lack of direct rail access and high energy requirements
Ag-Tech	Site may be suitable for a small user
Circular Economy	Some users may prefer direct rail access; site may be too small for some users
Solar & Wind Energy	Small site; unsuitable for power generation and manufacturing
Water Tech	High demand user; water pressure adequacy and energy needs may pose challenges; site may be too small for some users
Building Energy Tech	Site may be suitable for a smaller user; energy demands could exceed supply.
EV infrastructure Tech	Limited site size, lack of rail access and high energy requirements

- ◆ **SW Greenhill and West Railroad: High Potential** – Site size and infrastructure could appeal to a variety of cleantech subsectors including battery storage, ag-tech, circular economy, water tech, and building energy tech.

Table 11. Cleantech Evaluation of Compatible Uses

Battery Storage	Existing businesses add appeal, but energy demands may exceed supply
Mass Timber	Limited by lack of direct rail access and high energy requirements
Ag-Tech	Sites meet needs well
Circular Economy	High transportation needs: some facilities may prefer direct rail access
Solar & Wind Energy	Unsuitable for power generation; possible for manufacturing but limited by rail and power needs
Water Tech	High demand user; water pressure adequacy and energy needs may pose challenges; low transportation needs
Building Energy Tech	Sites meet needs well; energy demands could exceed supply.
EV infrastructure Tech	Limited by lack of rail access and high power requirements



Conclusion

Land Supply

The BCPA offers a promising opportunity to support a diverse range of industrial and employment uses that align with Wilsonville’s economic development goals. Since the previous Buildable Lands Inventory (BLI) update, the area has experienced growth in contractor establishments. The updated BLI identifies **150 acres of buildable land**, comprising **87 acres of vacant land** and **63 acres of partially vacant land**, after accounting for constraints and existing development. The supply is distributed across parcels of varying sizes, ranging from small lots under 5 acres to larger parcels exceeding 25 acres, providing a mix of options suitable for different industry needs.

Note: ECOnorthwest will include employment capacity estimates in the next version of this draft.

Site Suitability Analysis

The Site Suitability Analysis evaluates the competitiveness of three opportunity sites within the BCPA based on their ability to host key industries identified in the Economic Inventory. This evaluation focuses on physical site characteristics, such as size, location, and constraints, rather than the likelihood of redevelopment. Redevelopment feasibility is addressed in a separate deliverable.

- ◆ **SW Greenhill:** With its minimal constraints, lack of development and existing infrastructure, this site could be suited for cleantech, high-tech supply chains, advanced manufacturing industries, food processing, small warehousing and distribution, and industrial business parks or R&D campuses requiring medium-sized parcels. This validates the uses originally envisioned in the BCCP for the area.
- ◆ **Craft Industrial:** Due to significant constraints, the site is currently more suitable for micro-industrial uses, such as live-work spaces, as originally identified in the BCCP. However, with site aggregation, the eastern portion could accommodate small-scale business or administrative services and production uses, similar to industrial condo developments like Commerce Circle Business Park or Riverwood Business Center. The presence of existing residences, including some high-value homes, are likely to delay redevelopment timelines compared to other opportunity sites.
- ◆ **West Railroad:** This site has potential for development in general manufacturing, food processing, warehousing and distribution, and business services. However, significant infrastructure upgrades are required, and existing constraints may limit the scale of some types of development.



Next Steps

The findings presented in this memorandum are preliminary and will be further refined through ongoing discussions with the Planning Commission and City Council. This analysis is being conducted in parallel with an evaluation of redevelopment feasibility for contractor establishments. Ultimately, these components, along with insights from the Economic Inventory, will be synthesized into a comprehensive final report that outlines key findings and recommendations.

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Appendix A. IFA Industrial Development Competitiveness Matrix

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Item C.



STATE OF OREGON - Infrastructure Finance Authority
Industrial Development Competitiveness Matrix



CRITERIA		Production Manufacturing		Value-Added Manufacturing and Assembly		Light / Flex Industrial			Warehousing & Distribution		Specialized		
		A	B	C	D	E	F	G	I	H	J	K	L
		Heavy Industrial / Manufacturing	High-Tech / Clean-Tech Manufacturing	Food Processing	Advanced Manufacturing & Assembly	General Manufacturing	Industrial Business Park and R&D Campus	Business / Admin Services	Regional Warehouse / Distribution	Local Warehouse / Distribution	UVA Manufacturing / Research	Data Center	Rural Industrial
1 GENERAL REQUIREMENTS		Use is permitted outright, located in UGB or equivalent and outside flood plain; and site (NCDA) does not contain contaminants, wetlands, protected species, or cultural resources or has mitigation plan(s) that can be implemented in 180 days or less.											
2 PHYSICAL SITE													
TOTAL SITE SIZE**	Competitive Acreage*	10 - 100+	5 - 100+	5 - 25+	5 - 25+	5 - 15+	20 - 100+	5 - 15+	20 - 100+	10 - 25+	10 - 25+	10 - 25+	5 - 25+
3 COMPETITIVE SLOPE:	Maximum Slope	0 to 5%	0 to 5%	0 to 5%	0 to 7%	0 to 5%	0 to 7%	0 to 12%	0 to 5%	0 to 5%	0 to 7%	0 to 7%	0 to 5%
5 TRANSPORTATION													
TRIP GENERATION:	Average Daily Trips per Acre	40 to 60 (ADT / acre)	40 to 60 (ADT / acre)	50 to 60 (ADT / acre)	40 to 60 (ADT / acre)	40 to 50 (ADT / acre)	60 to 150 (ADT / acre)	170 to 100 (ADT / acre)	40 to 80 (ADT / acre)	40 to 80 (ADT / acre)	40 to 80 (ADT / acre)	20 to 30 (ADT / acre)	40 to 50 (ADT / acre)
6 MILES TO INTERSTATE OR OTHER PRINCIPAL ARTERIAL:	Miles	w/ in 10	w/ in 10	w/ in 30	w/ in 15	w/ in 20	N/A	N/A	w/ in 5 (only Interstate or equivalent)	w/ in 5 (only Interstate or equivalent)	N/A	w/ in 30	N/A
7 RAILROAD ACCESS:	Dependency	Preferred	Preferred	Preferred	Not Required	Preferred	Preferred	Not Required	Preferred	Preferred	Not Required	Avoid	N/A
8 PROXIMITY TO MARINE PORT:	Dependency	Preferred	Preferred	Preferred	Not Required	Preferred	Preferred	Not Required	Preferred	Preferred	Not Required	Not Required	N/A
9 PROXIMITY TO REGIONAL COMMERCIAL AIRPORT:	Dependency	Preferred	Competitive	Preferred	Competitive	Preferred	Required	Preferred	Preferred	Preferred	Preferred	Competitive	N/A
	Distance (Miles)	w/ in 60	w/ in 60	w/ in 60	w/ in 30	w/ in 60	w/ in 30	w/ in 60	w/ in 60	w/ in 60	w/ in 30	w/ in 60	N/A
10 PROXIMITY TO INTERNATIONAL AIRPORT:	Dependency	Preferred	Competitive	Preferred	Competitive	Preferred	Competitive	Preferred	Preferred	Preferred	Competitive	Preferred	N/A
	Distance (Miles)	w/ in 300	w/ in 300	w/ in 300	w/ in 100	w/ in 300	w/ in 100	w/ in 300	w/ in 300	w/ in 300	w/ in 100	w/ in 300	N/A
11 UTILITIES													
WATER:	Min. Line Size (Inches/Distr)	8" - 12"	12" - 16"	12" - 16"	8" - 12"	6" - 10"	8" - 12"	4" - 6"	4" - 8"	4" - 6"	4" - 8"	16"	4" - 8"
	Min. Fire Line Size (Inches/Distr)	10" - 12"	12" - 18"	10" - 12"	10" - 12"	8" - 10"	8" - 12"	6" - 10"	10" - 12"	6" - 8"	6" - 10"	10" - 12"	6" (or alternate source)
	High Pressure Water Dependency	Preferred	Required	Required	Preferred	Not Required	Preferred	Not Required	Not Required	Not Required	Not Required	Required	Not Required
	Flow Gallons per Day per Acre	1600 (GPD / Acre)	5200 (GPD / Acre)	3150 (GPD / Acre)	2700 (GPD / Acre)	1850 (GPD / Acre)	2450 (GPD / Acre)	1600 (GPD / Acre)	500 (GPD / Acre)	500 (GPD / Acre)	1600 (GPD / Acre)	50-200 (Gallons per MWh) †	1200 (GPD / Acre)
12 SEWER:	Min. Service Line Size (Inches/Distr)	6" - 8"	12" - 18"	10" - 12"	10" - 12"	6" - 8"	10" - 12"	6" - 8"	4"	4"	6"	8" - 10"	4" - 6" (or on-site source)
	Flow (Gallons per Day per Acre)	1500 (GPD / Acre)	4700 (GPD / Acre)	2600 (GPD / Acre)	2500 (GPD / Acre)	1700 (GPD / Acre)	2000 (GPD / Acre)	1600 (GPD / Acre)	500 (GPD / Acre)	500 (GPD / Acre)	1300 (GPD / Acre)	1000 (GPD / Acre) †	1000 (GPD / Acre)



Item C.

	Preferred Min. Service Line Size (Inches/Diameter)	4" - 6"	6"	4"	6"	4"	6"	2"	2"	2"	2"	4"	M/A
13 NATURAL GAS:	On Site	Competitive	Competitive	Preferred	Competitive	Competitive	Competitive	Preferred	Preferred	Preferred	Preferred	Preferred	Preferred
14 ELECTRICITY:	Minimum Service Demand	2 MW	4-6 MW	2-6 MW	1 MW	0.5 MW	0.5 MW	0.5 MW	1 MW	1 MW	0.5 MW	5-25 MW	1 MW
	Close Proximity to Substation	Competitive	Competitive	Not Required	Competitive	Preferred	Competitive	Preferred	Not Required	Not Required	Not Required	Required, could be on site	Not Required
	Redundancy Dependency	Required	Preferred	Not Required	Required	Not Required	Competitive	Required	Not Required	Not Required	Not Required	Required	Not Required
15 TELECOMMUNICATIONS:	Major Communications Dependency	Preferred	Required	Preferred	Required	Required	Required	Required	Preferred	Preferred	Required	Required	Preferred
	Route Diversity Dependency	Not Required	Required	Not Required	Required	Not Required	Preferred	Required	Not Required	Not Required	Not Required	Required	Not Required
	Fiber Optic Dependency	Preferred	Required	Preferred	Required	Preferred	Required	Required	Preferred	Preferred	Required	Required	Not Required
16 SPECIAL CONSIDERATIONS:		Adequate distance from sensitive land uses (residential, parks, large retail centers) necessary. High throughput of materials. Large yard spaces and/or buffering required. Often transportation related requiring marine/rail links.	Acreage allotment includes expansion space (often an exercisable option). Very high utility demands in one or more areas common. Sensitive to vibration from nearby uses.	May require high volum of supply of water and sanitary sewer treatment. Often needs substantial storage/yard space for input storage. Onsite water pre-treatment needed in many instances.	Surrounding environment of great concern (vibration, noise, air quality, etc.). Increased setbacks may be required. Onsite utility service areas. Avoid sites close to wastewater treatment plants, landfills, sewage lagoons, and similar land uses. Lower demands for water and sewer treatment than Production High-Tech Manufacturing.	Adequate distance from sensitive land uses (residential, parks) necessary. Moderate demand for water and sewer. Higher demand for electricity, gas, and telecom.	High diversity of facilities within business parks. RRD facilities benefit from close proximity to higher education facilities. Moderate demand on all infrastructure systems.	Relatively higher parking ratios may be necessary. Will be very sensitive to labor force and the location of other similar centers in the region. High reliance on telecom infrastructure.	Transportation routing and proximity to/from major highways is crucial. Expansion options required. Truck staging requirements mandatory. Minimal route obstructions between the site and interstate highway such as rail crossings, drawbridges, school zones, or similar obstacles.	Transportation infrastructure such as roads and bridges to/from major highways is most competitive factor.	Must be located within or near FAA-regulated UAV testing sites. Moderate utility demands. Low reliance on transportation infrastructure.	Larger sites may be needed. The 25 acre site requirement represents the more typical site. Power delivery, water supply, and security are critical. Surrounding environment (vibration, air quality, etc.) is crucial. May require high volume/supply of water and sanitary sewer treatment.	Located in more remote locations in the state. Usually without direct access (within 50 miles) of Interstate or City of more than 50,000 people.

Mackenzie, Business Oregon

Terms:	
More Critical ↑ Less Critical	*Required* factors are seen as mandatory in a vast majority of cases and have become industry standards.
	Competitive significantly increases marketability and is <i>highly recommended by Business Oregon</i> . May also be linked to financing in order to enhance the potential reuse of the asset in case of default.
	Preferred increases the feasibility of the subject property and its future reuse. Other factors may, however, prove more critical.
	* Competitive Acreage: Acreage that would meet the site selection requirements of the majority of industries in this sector.
	** Total Site: Building footprint, including buffers, setbacks, parking, mitigation, and expansion space
	† Data Center Water Requirements: Water requirement is reported as gallons per MWh to more closely align with the Data Center industry standard reporting of Water Usage Effectiveness (WUE).
	‡ Data Center Sewer Requirements: Sewer requirement is reported as 200% of the domestic usage at the Data Center facility. Water and sewer requirements for Data Centers are highly variable based on new technologies and should be reviewed on a case-by-case basis for specific development requirements.



Appendix B. Cleantech Industrial Sector Land Use Competitiveness Matrix

The Oregon Cleantech Competitiveness Assessment Report (Appendix D in the report) identified the following land use requirements for key cleantech subsectors in Oregon as described below.

Cleantech Land Use Criteria

Land use requirements for attracting and growing industrial users vary across sectors. We have reviewed typical land use and infrastructure needs based on existing facility development, anticipated growth needs, and similarities to existing established industrial users within the State. We have reviewed land use competitiveness for the following development criteria, which are commonly used when evaluating sites for attracting potential industrial users:

1. Total site size: Gross property area, including building footprint, setbacks, parking, laydown space, buffers and/or mitigation areas, and expansion areas.
 - A. Small: 0-5 acres
 - B. Medium: 5-25 acres
 - C. Large: > 25 acres
2. Use allowance: Specific manufacturing use allowed under current zoning. Development standards also may limit feasibility of necessary elements such as utility yards.
 - A. Low: Allowed outright
 - B. Medium: Allowed conditionally or with limitations
 - C. High: Not allowed
3. Site slope tolerance: Elevation differences across the site; generally, industries with large-footprint buildings or laydown yards require flatter sites.
 - A. Low: 0-5%
 - B. Moderate: 0-7%
 - C. High: 0-12%
4. Access to Interstate or Principal Arterial transportation routes: Access to shipping routes and available capacity for trips generated.
 - A. Low: Relatively low need for access to transportation routes.
 - B. Moderate: Access to principal transportation routes is preferred.
 - C. High: Access to principal transportation routes is required.
5. Railroad access: Proximity and capacity for rail freight systems, for either raw materials or finished goods.
 - A. Low: Relatively low need for rail access.
 - B. Moderate: Access to rail access is preferred.
 - C. High: Access to rail access is required.
6. Marine port access: Proximity and capacity for marine cargo shipping, for either raw materials or finished goods.
 - A. Low: Relatively low need for marine access.
 - B. Moderate: Access to marine access is preferred.



- C. High: Access to marine access is required.
- 7. Airport access: Proximity and flight availability for employees, customers, or air cargo.
 - A. Low: Relatively low need for airport access.
 - B. Moderate: Access to airport access is preferred.
 - C. High: Access to airport access is required.
- 8. High pressure water supply: Proximity and capacity for high pressure water supply, typically as municipal water.
 - A. Low: Significant water usage is not expected to be a critical component of this industry.
 - B. Moderate: Water usage may be high for this industry; high-pressure water supply is preferred.
 - C. High: High-pressure water supply is required.
- 9. Electricity supply: Proximity and capacity for electrical power.
 - A. Low: Significant electricity usage is not expected to be a critical component of this industry.
 - B. Moderate: Electrical usage may be high for this industry; high-demand service and/or redundancy is preferred.
 - C. High: High-demand service and/or redundant electrical supply is required.

The following table summarizes our recommendations of land use competitiveness for the selected Cleantech sectors across the criteria listed above.

DRAFT



Table 12. Competitiveness Matrix for Select Cleantech Industries

	Battery Storage	Mass Timber	Ag-Tech	Circular Economy	Solar & Wind Energy Prod	Water Tech	Building Energy Tech	EV Infrastructure Tech
Site Size	Small to Large ³	Med to Large	Small ⁴	Small to Med ⁵	Med to Large ⁶	Small to Med	Small	Med to Large
Use Allowance	Varies by jurisdiction							
Slope Tolerance	Mod.	Low	High	Mod.	Mod.	Low	High	Mod.
Transportation Access	Low	High	Low	High	Mod.	Low	Low	High
Rail Access	Low	Mod.	Low	Mod.	Wind: High Solar: Low	Low	Low	Mod.
Marine Access	Low	Low	Low	Low to Mod.	Low to High ⁷	Low	Low	Low to Mod.
Airport Access	Low	Low	Mod.	Low	Low	Low	Mod.	High
High Pressure Water Needs	Low	Low to Mod.	Low	Mod.	Mod.	High	Low	Low
Electrical Supply Needs	High ⁸	Mod. to High	Low	Mod.	High ⁶	High	Mod. to High	High

Source: Oregon Cleantech Competitiveness Assessment Report, 2024

³ Battery storage site sizes may vary widely, from urban micro-grid installations to large-scale power grid storage.

⁴ The Ag-Tech industries identified in this study are assumed to generally focus on software and small-scale equipment products. These companies may use large-scale farms for product development or research; however, since those are likely to be existing operating farm facilities we do not identify them as a land use criteria here.

⁵ Site facility size for circular economy is dependent on the raw materials and finished products involved, and the industry scaling.

⁶ Site size for solar/wind manufacturing facilities is similar to advanced manufacturing industries, while sites for solar/wind power generation vary greatly depending on scale ranging from rooftop systems to grid-scale farms.

⁷ Off-shore wind power requires marine facilities to transport turbines and equipment to the generating site. Land-based wind power marine access varies.

⁸ Electrical system proximity and access for power generation facilities may vary, depending on the scale and intended use. Micro-grid systems may only need connection to the local electrical grid, while large-scale grid storage may require connection to regional transmission lines or substations.



DATE: November 20, 2024
TO: City of Wilsonville
FROM: ECONorthwest: Nicole Underwood, Michelle Anderson, and Bob Parker
SUBJECT: WILR Phase 1: Redevelopment Feasibility of Contractor Establishments -
DRAFT

The cities of Tualatin and Wilsonville adopted the Basalt Creek Concept Plan (BCCP) in 2018 after a lengthy joint planning process. Now, in 2024-25, the City of Wilsonville is working to advance the Basalt Creek Planning Area (BCPA) beyond the concept plan to a development-ready status by designating zoning and refining infrastructure plans. However, since adoption of the BCCP, economic conditions at national, state, regional, and local levels have shifted significantly, and must now be considered.

To address these evolving conditions, the City hired ECONorthwest to conduct a market assessment and industrial lands study focused on Wilsonville's portion of the BCPA. This study comprises several interconnected tasks:

- ◆ An **Economic Inventory** that evaluated current market trends and identified industries suitable for the area (completed).
- ◆ An updated **Buildable Lands Inventory (BLI)** that reflects recent land developments, adjusted constraints, and revised capacity estimates (ongoing).
- ◆ A **Site Suitability Analysis** that evaluates three key opportunity sites for their potential to support target industries based on attributes like size, location, and access (ongoing).
- ◆ An **Analysis of Future Development of Contractor Establishments in the BCPA** given prevailing lease rates and market conditions (this memorandum).

This memorandum addresses the fourth task by evaluating the redevelopment potential of contractor establishments within the BCPA. Currently, the Wilsonville portion of the BCPA falls under Washington County's Future Development, 20-acre District (FD-20) zoning, which allows a variety of low-intensity uses. The area has limited development, with much of the developed land used for contractor establishments, which typically include small offices (often converted residences), storage buildings, and laydown yards. While these uses contribute to jobs and economic activity, they yield limited employment opportunities and lower property values compared to those envisioned in the BCCP or typically expected for land within the Metro Urban Growth Boundary (UGB) and city limits.

The primary question we address in this task is: What is the redevelopment potential of existing contractor establishments in the BCPA, given prevailing lease rates and market conditions? This analysis will help the City understand what types of development the market will support, which desired development types identified in the BCCP are viable

under current economic conditions, and what conditions might be necessary in the future to support desired development.

The findings from this analysis will guide recommendations on policy interventions and strategic actions the City can take to support desired development and promote redevelopment feasibility. These efforts are part of a broader initiative to position Basalt Creek as a key area for regional job growth and long-term economic success.

Redevelopment Feasibility of Existing Contractor Establishments

The Economic Inventory identified a range of industrial users who may find Basalt Creek particularly attractive due to its prime location in the Southwest Metro area, access to a skilled workforce, availability of industrial land, strong transportation networks, and proximity to existing industrial clusters. Discussions with stakeholders also highlighted strong regional demand for industrial space.

However, several challenges complicate redevelopment efforts. Many existing contractor establishments generate significant income for property owners, reducing their motivation to sell or redevelop the land for higher-intensity industrial uses. Additionally, relocation options for businesses currently occupying these sites may be limited, creating further barriers to redevelopment.

These challenges raise critical questions about whether current market rents and sales prices are sufficient to make redevelopment feasible in the BCPA. This analysis evaluates the conditions needed to support redevelopment in Basalt Creek.

WHICH SECTORS MAY BE ATTRACTED TO BASALT CREEK?

Below are the potential sectors that may be particularly attracted to Basalt Creek as identified in the Economic Inventory report.

Semiconductor Sector Supply Chain:

Companies providing materials, equipment, and services to chip manufacturers.

Clean Tech, including Battery Technology:

Businesses involved in renewable energy technology, energy efficiency solutions and sustainable manufacturing processes.

Advanced Manufacturing: Companies using technology such as robotics, 3D printing, and computerized systems to manufacture specialized products or components.

Distribution and Logistics: Storage, transportation and delivery of goods.

Data Centers: Facilities used to house computer systems and associated



Methods and Approach

What are the key questions?

While there is clear demand for industrial space in the BCPA, the question remains: **What conditions (e.g., market, ownership, site, zoning) are needed to promote and incentivize urban industrial development as envisioned in the BCCP?** To answer this core question, ECONorthwest identified several sub-questions to guide the analysis.

- ◆ What types of property owners are in the study area and who is respectively occupying the site (e.g., does the owner occupy or a tenant)?
 - Understanding ownership and occupancy dynamics helps assess the financial motivations of property owners and determine whether redevelopment offers an incentive.
- ◆ What are the potential future uses for these sites?
 - Identifying potential future uses informs construction costs, market rents, and site utilization. Evaluating the likely range of site utilization (based on constraints and zoning) helps determine whether redevelopment would offer higher returns compared to current uses.

By addressing these supporting questions, ECONorthwest evaluated scenarios where ownership, occupancy, and future uses align to incentivize redevelopment. This structured approach provides insights into the conditions necessary to drive redevelopment in the BCPA.

How did we answer the key questions?

ECONorthwest used a detailed pro forma model to evaluate multiple potential development scenarios. These scenarios incorporated variations in current ownership and occupancy, potential future uses, and site utilization (for additional details, see Appendix). For this quantitative analysis, we focused on conditions that could support new development, either on recently acquired properties (e.g., speculative purchases) or on land likely to transact for redevelopment in the future.

WHAT IS A PRO FORMA?

The pro forma method, a standard tool in real estate feasibility studies, replicates the decision-making process of investors and lenders. It assesses the balance between development costs, expected revenue, and financing structures to identify potential viability gaps.

The pro forma considers the site utilization and potential building program of each scenario, development hard costs (construction labor and materials), other development costs (soft



costs, contingency, developer fee, etc.), costs of capital, relevant operating costs, and land acquisition costs. For each scenario, the pro forma calculated the rent levels required to cover these costs and achieve financial feasibility.

DATA LIMITATIONS AND METHODOLOGY

While the quantitative analysis provided valuable insights, data limitations in the study area and the I-5 South Submarket, such as limited observations of contractor establishment rents, posed some challenges. These limitations are typical for studies in smaller submarkets. To address this, we supplemented the analysis with qualitative methods, including interviews with developers and brokers, to validate assumptions and refine recommendations. We also conducted a range of sensitivity testing to account for potential variance (e.g., higher and lower potential contractor establishment rents) instead of basing the results of our analysis on one assumption. As a result, we believe the findings accurately reflect current market conditions in Wilsonville and provide a reliable basis for evaluating redevelopment feasibility in the BCPA.

WHY IS DEVELOPMENT FEASIBILITY AND PRO FORMA ANALYSIS IMPORTANT?

Development can be costly and risky. Getting funding to construct new development requires lenders and investors to be reasonably confident they will earn enough financial return to justify the risks.

Economic or market feasibility is generally assessed by comparing the expected revenues (rents, sales prices) against the costs of development. If a development project is not profitable, it is not feasible; it will not be built. While some of the factors that determine market feasibility are outside a jurisdiction's direct control (e.g., labor and materials costs, interest rates, market rents), local jurisdictions can provide incentives (such as tax exemptions or land donations); or adjust building, utility, and zoning fees, zoning, programs, and other regulations that can have a substantial impact on whether development could be feasible or not.

ASSUMPTIONS AND INDUSTRY STANDARDS

We based several assumptions on industry standards to ensure consistency and accuracy:

- ◆ **Construction Costs:** Used national averages adjusted with a Portland-metro-specific multiplier to account for regional building conditions.
- ◆ **Other Development Costs and Operating Costs:** Applied standard rates for soft costs (architectural design, site engineering, permitting and entitlement fees, capital carrying costs, etc.), contingency, and developer fees.

For a more detailed overview of the data, assumptions, and methodology, please refer to the Appendix.



UNDERSTANDING THE PRICE OF LAND IN THE BCPA: HOW THIS IS FACTORED INTO FEASIBILITY RESULTS

Predicting the price that a landowner would require when selling property for development is an imperfect science – each landowner has reasons to sell or hold their land. Some property owners are willing to develop their land without selling, but based on interviews, we determined this would be rare in the study area. For the purposes of this analysis, we assumed the value of the property (i.e., the price of the land at which an owner would be willing to sell) could be derived from current comparable property sales prices in the area, a **“comps approach”** as well as using an **“income-based approach”** that considers the revenue stream from current tenants on the property. Therefore, this memo analyzes the rent needed based on the range of land values given these two approaches.

We identified vacant land sales (including contractor establishment sales) in the I-5 South Submarket using CoStar data. Most of the vacant land properties recently transacted (over the last 4 years) for approximately \$7 to \$17 per square foot of land. One improved land transaction (with a contractor establishment) had a sale price that indicated it transacted for \$26 per square foot of land. These observations served as our range of land prices using a comps approach. Many of these comps, both vacant land and contractor establishments, might have been leased to tenants and generated income, however, the prices they sold for could have been decided via an unknown variety of methods (including an income-based approach and then a subsequent negotiation). Therefore, for the purposes of this analysis, we refer to all these observed transactions as being within the “comps approach” method.

The income-based approach relied on data collected during interviews that indicated the rent for contractor yards in the area could range from \$0.18 to \$0.23 per square foot of land per month. We considered this gross annual revenue, net of approximately 5 percent for various operating costs, and divided by a range of capitalization (cap) rates (5 percent to 7 percent) to estimate the value. Using a cap rate is a common valuation approach in the commercial real estate industry. This analysis resulted in a range of \$19 to \$52 per square foot of land – considerably higher than most of the results from the comps approach. This approach more appropriately accounts for the value that current owners might apply to their future revenue stream from existing tenants and therefore the hurdle needed to incentivize owners to sell and change the use on the property. Although this income-based value could eventually be negotiated during a potential sale, we still use this range in our analysis to reflect values that a landowner might



Key Findings

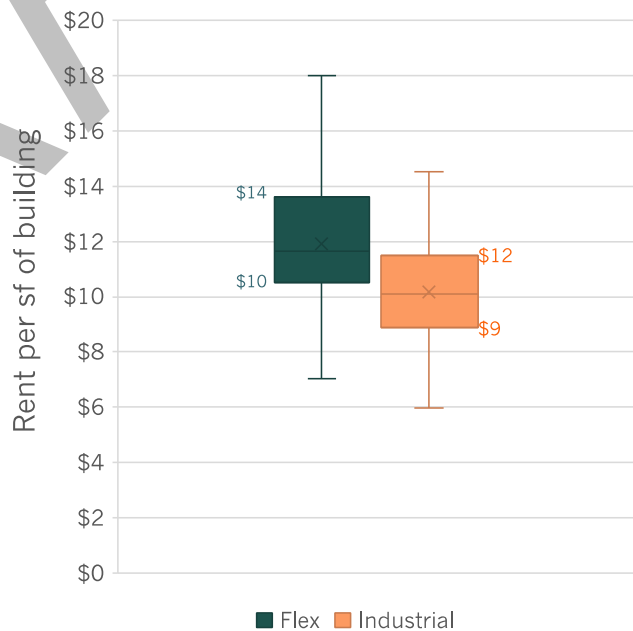
Current uses are generating substantial revenue with minimal management effort or risk.

Our market research and interviews highlighted that the rent for current uses ranged based on whether the site was mostly open land or if a building was present as well. Sites without buildings typically structured their rent per square foot of land, and this typically ranged from \$0.18 to \$0.23 per month. For example, a 1-acre site could generate annual gross rent of approximately \$95,000 to \$120,000 with minimal management effort or operating costs. (This is intended for illustrative purposes only and can scale to larger site sizes.)

Over the past four years, vacant land in the area has sold for around \$7 to \$17 per square foot. For the same, illustrative 1-acre site, this translates to sale prices ranging from \$305,000 to \$750,000. The resulting ratio of annual gross lease revenue to property value ranges from 13 percent (at \$0.18 per square foot rent per month relative to \$17 per square foot land value) to 39 percent (at \$0.23 per square foot rent per month relative to \$7 per square foot land value). This means that property owners who recently purchased land and rent it to contractor establishments could recover their investment within 2.5 to 8 years. For long-term landowners who have already paid off their investment, rents represent additional income with minimal effort. Either way, given the substantial revenue from these uses, a landowner has very little incentive to redevelop.

For sites with buildings and yards, rents are typically based on the building area and range from \$0.85 to \$1.30 per square foot of building per month, or \$10.20 to \$15.60 per square foot per year. In comparison, flex and industrial spaces in the I-5 South Submarket rent for \$9 to \$14 per square foot per year, meaning that rent for an existing contractor establishment building, with yard, is already achieving similar market rents to potential future uses. Not only are some of these contractor establishments already achieving comparable rents to flex and industrial uses, but they are also doing so without the risks of redevelopment (which include new capital investment, entitlements, the time to convert the land to the new use and generate revenue, and opportunity cost, among others).

Figure 1. Market Rent of Potential Future Uses



Source: EConorthwest analysis, CoStar



Rents would likely need to increase by at least one-third (33 percent), if not double (100 percent), to fund construction and create incentive to flip existing contractor establishments.

For our pro forma analysis, we evaluated a range of scenarios based on the variation in ownership and occupancy, future uses, future site utilization, and land acquisition costs (see Appendix for more detail). As previously discussed, ECONorthwest solved for the rent needed to cover these various costs and then compared to the potential market rent of the flex and industrial uses observed in the I-5 South Submarket. We show these results, for a range of potential land acquisition prices and construction costs.

We analyzed results for three different physical scenarios based on observed comparable developments (using the relationship between building square footage and site square footage):

- ◆ **Very high site utilization** based on 45 percent site coverage similar to Graham's Ferry Industrial Center. Note: future development in some portions of BCPA may face constraints due to natural site features or zoning standards that may make achieving this site utilization challenging.
- ◆ **High site utilization** based on 35 percent site utilization, similar to the Sherwood Commerce Center
- ◆ **Low site utilization** based on 20 percent site utilization, similar to observed flex and industrial uses built over the last 20 years in the I-5 South Submarket

INTERPRETING THE RESULTS CHARTS

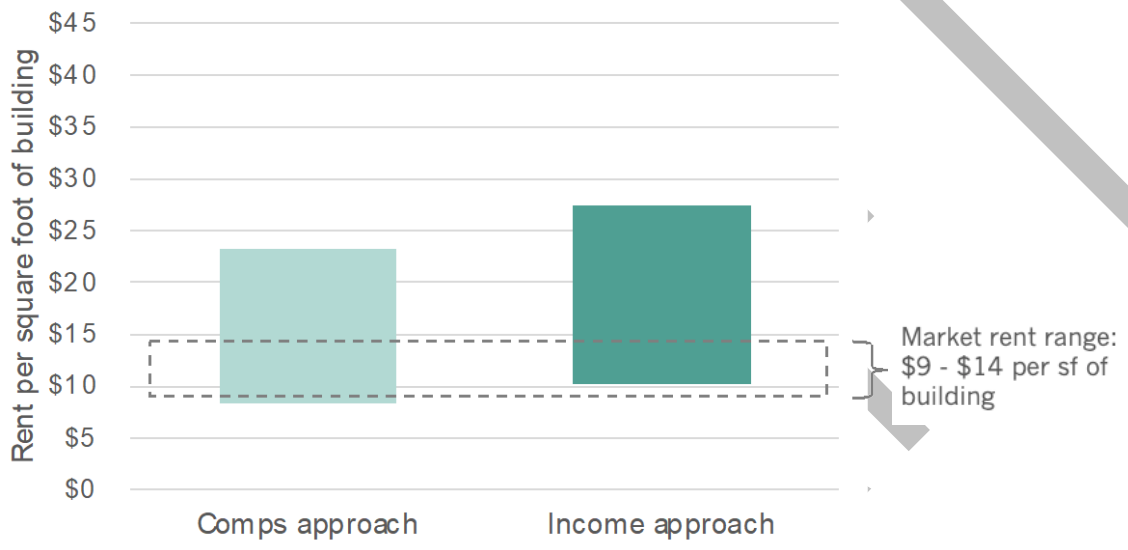
Development feasibility hinges on a range of different assumptions. Rather than picking one specific set of assumptions, the results charts shown in this memo encompass a range of potential assumptions, namely land acquisition costs and development costs.

ECONorthwest compared the feasibility results to both the comps approach and income approach - **one column** in the following charts showing the resulting range of rents needed if assuming a comps approach and **one column** showing the range needed based on an income approach. **Both columns** also include sensitivity testing given a range of construction costs and land prices which is reflected in the size of the bars (the same range is assumed for each of the land price method scenarios). **A dashed box** is also shown to represent the range of observed rents for potential future uses. The rent results would ideally be within, if not lower, than this range for the development to be feasible.



In the **very high site utilization** scenario, future flex and industrial uses are only feasible when land acquisition costs remain low—below \$20 per square foot—and other development costs are average or low. This combination of assumptions results in rents similar to the existing market rents of \$9 to \$14 per square foot of building (see comparison to gray bar shown in results chart in Figure 2). For properties with land costs higher than \$20 per square foot (common for land with existing uses), the market rent for flex and industrial uses would likely need to increase by at least one-third, if not double, (while construction costs remain constant) to make redevelopment feasible.

Figure 2. Rent needed for very high site utilization (45%)

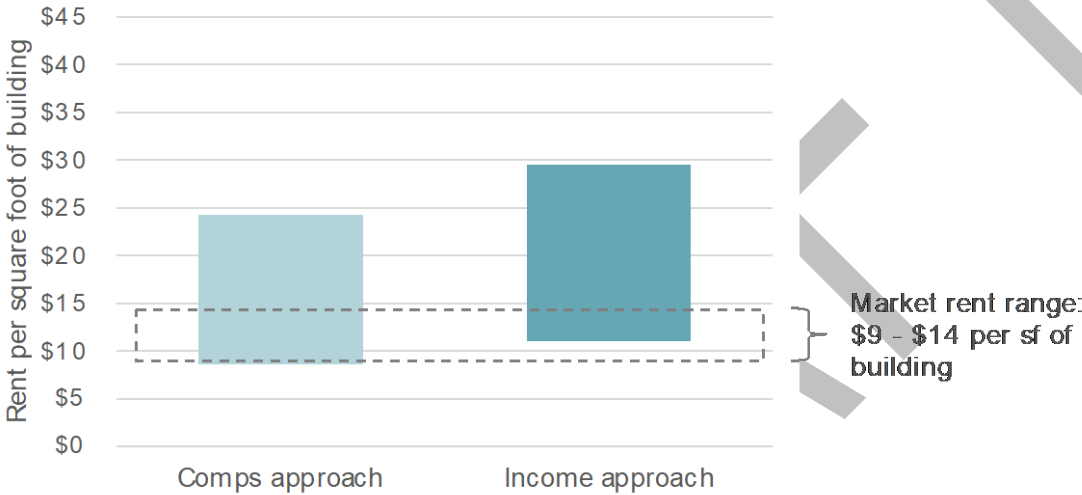


Source: ECOnorthwest analysis



In the **high site utilization scenario**, the results are similar to the very high site utilization, but rents would need to increase more, relative to the very high site utilization scenario, to cover the same ranges of land and development costs. Future flex and industrial uses are only feasible when land acquisition costs remain low—below \$20 per square foot—and other development costs are average or low. This combination of assumptions results in rents similar to the existing market rents of \$9 to \$14 per square foot of building (see comparison to gray bar shown in results chart in Figure 3). For properties with land costs higher than \$20 per square foot (common for land with existing uses), the market rent for flex and industrial uses must increase by at least forty percent, if not double, (while construction costs remain constant) to make redevelopment feasible.

Figure 3. Rent needed for high site utilization (35%)

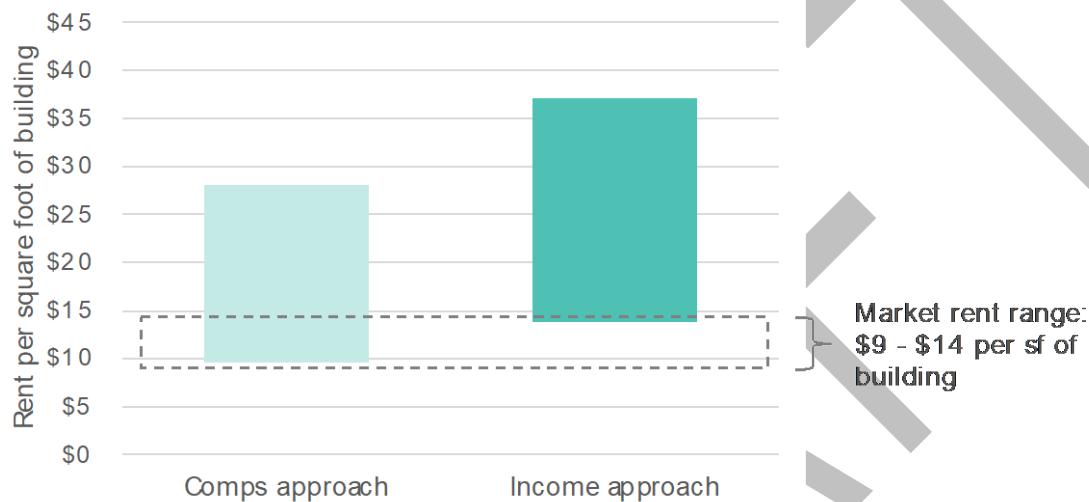


Source: ECOnorthwest analysis



In the **low site utilization scenario**, future flex and industrial uses are only feasible when acquisition costs are assumed to be low, less than \$10 per square foot of land (based on the low end of recent comparable sales of vacant land) and other development costs are low. This combination of assumptions results in rents similar to the existing market rents of \$9 to \$14 per square foot of building (see comparison to gray bar shown in results chart in Figure 4). For properties with existing uses (where land is likely to transact between \$19 and \$52 per square foot), the market rent for flex and industrial uses must double while construction costs remain constant to make redevelopment feasible.

Figure 4. Rent needed for low site utilization (20%)



Source: ECONorthwest analysis

Owner-occupied sites face greater feasibility challenges when landowners want to maintain their business operations.

Owner-occupied sites present more complex financial considerations compared to vacant or tenant-occupied properties. Landowners using their property for their own business must account for additional costs if they relocate, including relocation expenses, higher rents (or purchase prices) for new properties, and potentially higher ongoing business costs. For example, moving farther from suppliers or services could result in increased fuel or labor expenses.

To justify relocating their business, landowners would likely need to sell their property at an even higher price than what the quantitative analysis assumes. This requirement would, in turn, translate to higher rents than those shown in the results charts (Figure 3 and Figure 4). However, if the landowner does not intend to maintain their business, financial considerations would be less complex. Without the need to account for future business costs or the loss of contractor tenant income, necessary rents could align more closely with those projected in the comps approach.



Conclusion and Next Steps

Current contractor establishments generate significant revenue with minimal effort or risk, reducing financial incentives for redevelopment.

Rents for existing contractor establishments, particularly those with buildings, are already comparable to market rates for industrial and flex uses in the I-5 South Submarket. Therefore, for redevelopment to become financially feasible, market rents would likely need to rise by at least one-third, if not double, depending on site utilization, land acquisition costs, and construction costs. Higher site utilization scenarios present some redevelopment feasibility when land acquisition costs are low (below \$20 per square foot). Conversely, properties with higher land costs or existing uses would require either substantially higher rents or have other development costs (e.g., construction, financing) reduce to achieve feasibility.

Owner-occupied properties are less likely to redevelop if the owner wants to maintain their business operations. Redevelopment is difficult for owner-occupants, as they must consider relocation costs and potential increases in operational expenses. Limited regional industrial land supply could push these businesses to relocate further from their markets, increasing costs for labor, transportation, and operations. Without substantial increases in land values or rents, redevelopment for these properties remains unlikely.

Achieving the City's development vision for Basalt Creek will require strategic interventions. Potential approaches could include purchasing and aggregating properties to create development-ready parcels, subsidizing infrastructure costs, adjusting system development charges (SDCs), offering other development incentives, or other strategies yet to be identified.

The findings in this memorandum are preliminary and will be refined through further analysis and discussions. This study is being conducted alongside updates to the buildable lands inventory and site suitability analysis. Ultimately, these components will be synthesized with insights from the Economic Inventory into a comprehensive final report that outlines key findings and actionable recommendations.



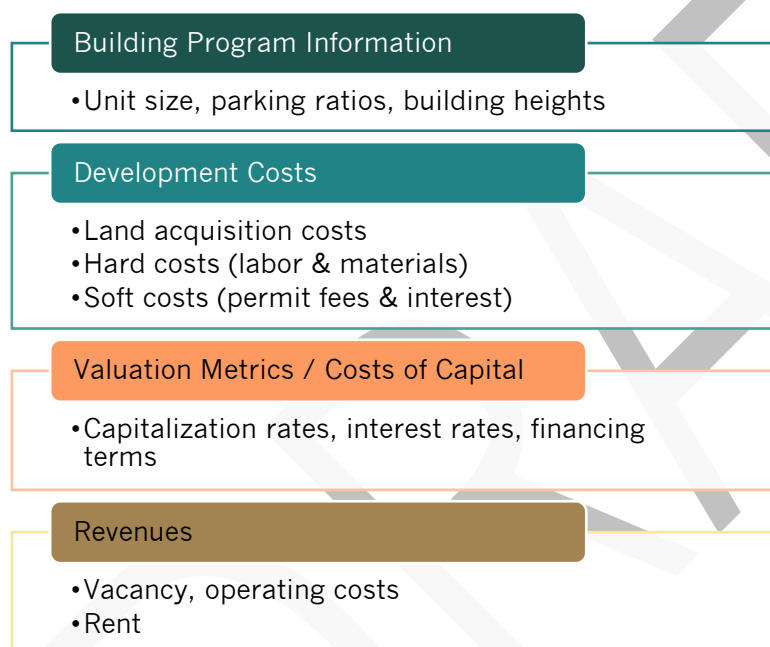
Appendix

Financial Feasibility Methods

To model development feasibility, ECOnorthwest employed a pro forma model which is a common method used in real estate feasibility studies as it simulates the decision-making process of investors and lenders. The pro forma assesses the balance between development costs, expected revenue, and financing structure, which helps to identify viability gaps.

Figure 5. Factors used in the pro forma analysis

Source: ECOnorthwest



This method provides a general analysis of prototypical development scenarios, or prototypes, without accounting for unique conditions that might influence development feasibility (e.g., higher predevelopment costs). Therefore, this analysis serves as a strong indicator of the relative likelihood of development rather than an absolute measure of feasibility.

The pro forma considers the site utilization and potential building program of each scenario, development hard costs (construction labor and materials), other development costs (soft costs, contingency, developer fee, etc.), costs of capital, relevant

operating costs, and land acquisition costs. It then calculates the rent required to cover these costs for each scenario.

Scenarios Evaluated

To establish relevant assumptions for the pro forma model, we first identified the scenarios needed to address the research questions. These scenarios were based on variations in current ownership and occupancy, potential future uses, and site utilization.



CURRENT SITE OWNERSHIP AND OCCUPANCY

We started with an understanding of the current site ownership and occupancy. Based on our understanding, there were three main categories:

- ◆ **Owners of vacant or unused land.** This category includes people who recently purchased land with the intent to develop and existing owners potentially interested in selling their land for new development.
- ◆ **Owners renting to contractor establishment tenants.** These owners might sell their property but would need compensation for the foregone future revenue from their tenants.
- ◆ **Owners using the land for their own contractor establishments.** Financial considerations for this group vary substantially. Landowners would need to account for upfront and ongoing costs associated with relocating their businesses, making this scenario more complex to quantify compared to vacant or tenant-occupied sites.

APPROACH TO ESTIMATING LAND PRICE

- ◆ **Vacant and underutilized land:** We used a comparable sales (“comps”) approach to estimate land price, which accounts for the sales price of recently purchased land, especially by those intending to develop (see the callout box on page 5 for details on the comps approach).
- ◆ **Tenant-occupied land:** For owners renting to contractor establishment tenants, we used an income-based approach to estimate the financial hurdle of land price. This better reflects the potential foregone revenue from tenants (see the callout box on page 5 for details on the income-based approach).
- ◆ **Owner-occupied land:** Due to varied business conditions of landowners who are using the land for their own contractor establishment, we evaluated this scenario qualitatively, considering insights from the other scenarios.

FUTURE BUILDING PROGRAMS

We then considered the potential future building programs that could occur on these former contractor establishment sites. We based the building square footage of our two prototypes on observed comparable flex and industrial spaces, based on CoStar data from the I-5 South Submarket. Key considerations included:

- ◆ **Site Utilization:** Over the past 20 years, average site utilization (building area relative to site area) in the I-5 South Submarket was about 20 percent. Recent developments like the Sherwood Commerce Center achieved 35 percent site utilization and Graham’s Ferry Industrial Center achieved 45 percent site utilization but this was enabled by maximizing impervious coverage for parking and truck logistics. Future development in some portions of the study area may face constraints due to natural site features or



zoning standards. We therefore modeled three prototypes to capture a range of potential future development conditions:

- **Low utilization:** 20 percent
- **High utilization:** 35 percent
- **Very high utilization:** 45 percent

CONSTRUCTION COSTS

Lastly, for the scenarios we modeled we evaluated a range of potential construction costs for flex and industrial uses. We referenced the **2024 National Building Cost Manual** by Craftsman to arrive at a range of potential construction costs for various building types that could house future flex and industrial uses. We conducted sensitivity testing of the potential rents needed to cover low to high construction costs, and the results that informed our key findings are inclusive of the range used.

The land cost, site utilization, and building costs were all assumptions that varied in our analyses as we conducted sensitivity testing of different scenarios (e.g., high site coverage, high land costs, high construction costs). All other pro forma assumptions we held constant. We describe the specifics of these assumptions in the section below.

Detailed Methods and Assumptions

To evaluate future flex or industrial rental uses, we began by calculating development costs. This involved applying the cost per square foot values (see Table 1) to the building square footage derived from the site utilization. From that construction cost we calculated the soft cost, contingency, and developer fees to arrive at the total development cost.

Given the potential range of sources of money to fund these projects, we used a high-level approach and assumed all sources of money that funded the project would require a 6 percent annual return based on a 30-year term. We calculated a payment inclusive of this return, based on the total development cost, to arrive at the rent needed to cover these annual costs. We also assumed these rents would be triple net and therefore the operating costs would be passed on to the tenant, which is common for flex and industrial lease terms. We highlight the specific assumptions of this analysis, and any relevant ranges, in the table in Table 1.



Table 1. Scenarios and Assumptions Used

Source: ECOnorthwest, CoStar, Redfin, Craftsman, Stakeholder Interviews

Assumption	Values
Land price	Ranged from \$7 to \$26 based on observed sales comps of vacant land as well as one sale observation of a contractor establishment. Ranged from \$19 to \$52 per square foot based on income-based approach.
Building program	(3) square footage estimates based on a calculation of 20% site utilization, 35% site utilization, 45% site utilization
Construction cost	\$75 to \$200 per square foot of building; \$20 per square foot of paving
Soft Costs	20% of hard costs
Contingency	5% of hard and soft costs
Developer fee	5% of hard and soft costs plus contingency
Costs of capital	5-7% annual interest range, 30-year term for all funding sources
Operating costs	Assumed triple net rents

DRAFT





Wilsonville Industrial Land Readiness – Phase One/Basalt Creek

City Council Work Session

December 2, 2024

Presented by: Cindy Luxhoj AICP, Associate Planner
Dan Pauly AICP, Planning Manager
Nicole Underwood, ECONorthwest

Phase One Tasks

- EConorthwest
 - Economic Inventory / Land Use Analysis
 - Buildable Lands Inventory Update
 - Site Suitability Analysis
 - Redevelopment Feasibility of Contractor Establishments
- Pacific Habitat Services
 - Natural Resource Assessment
- Consor
 - Input to Infrastructure Funding Plan
- City Staff
 - Zoning Analysis
 - Code Amendments
- DKS Associates
 - Revised Conceptual Access Plan Map

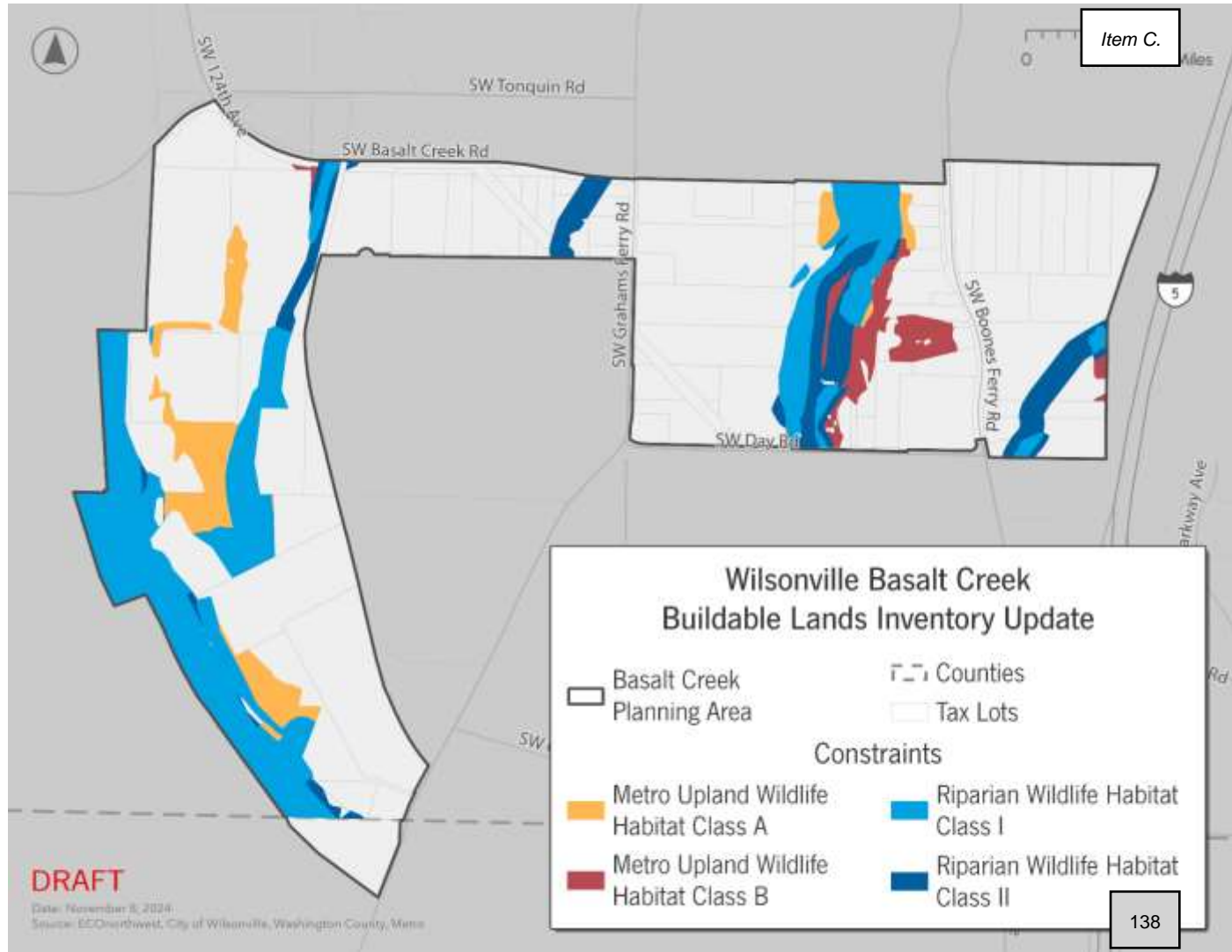
Buildable Lands Inventory (BLI)

Land Base

453 acres across 85 tax lots

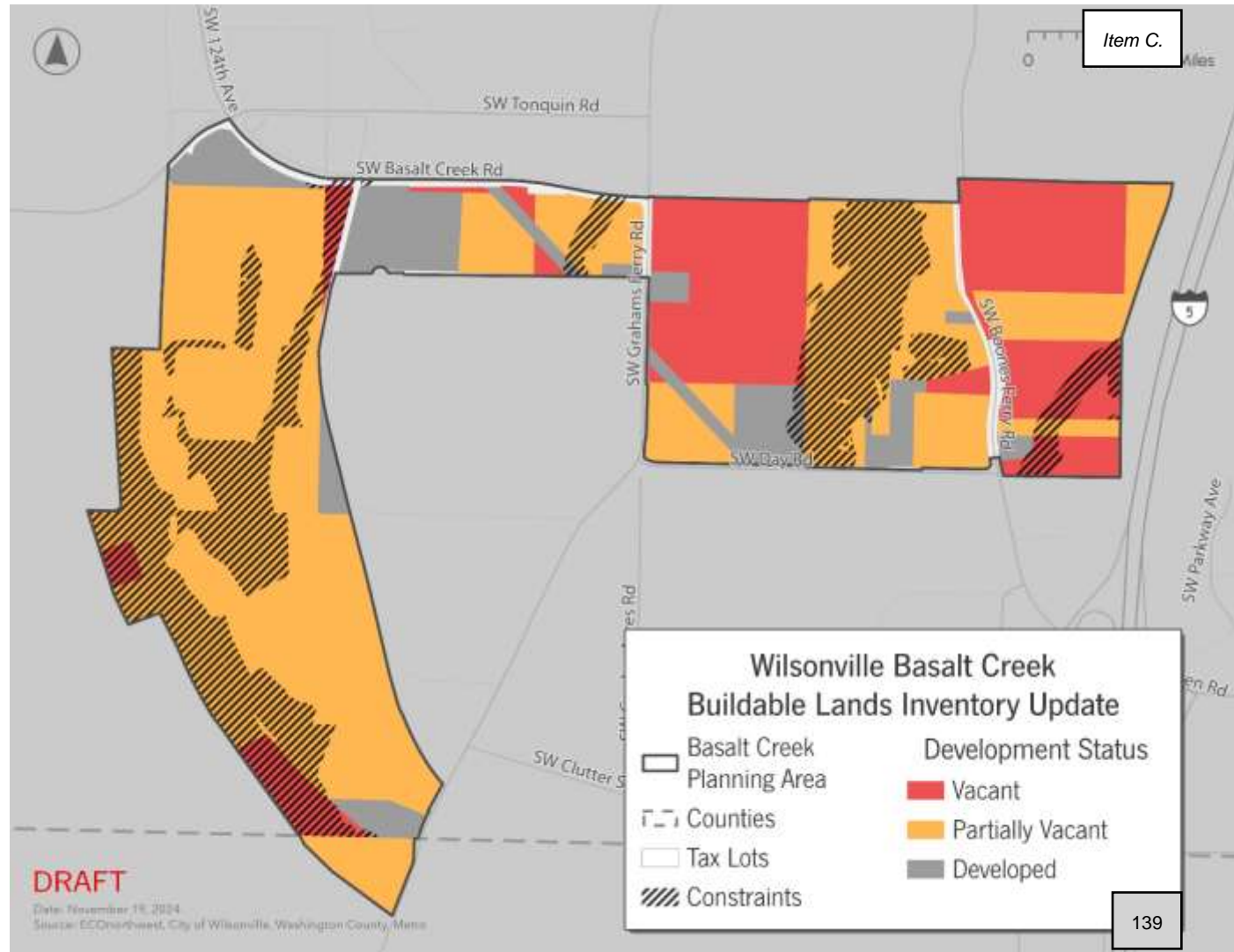
Development Constraints

127 acres considered undevelopable



Development Status

175 acres in active use and considered developed



Buildable Acres

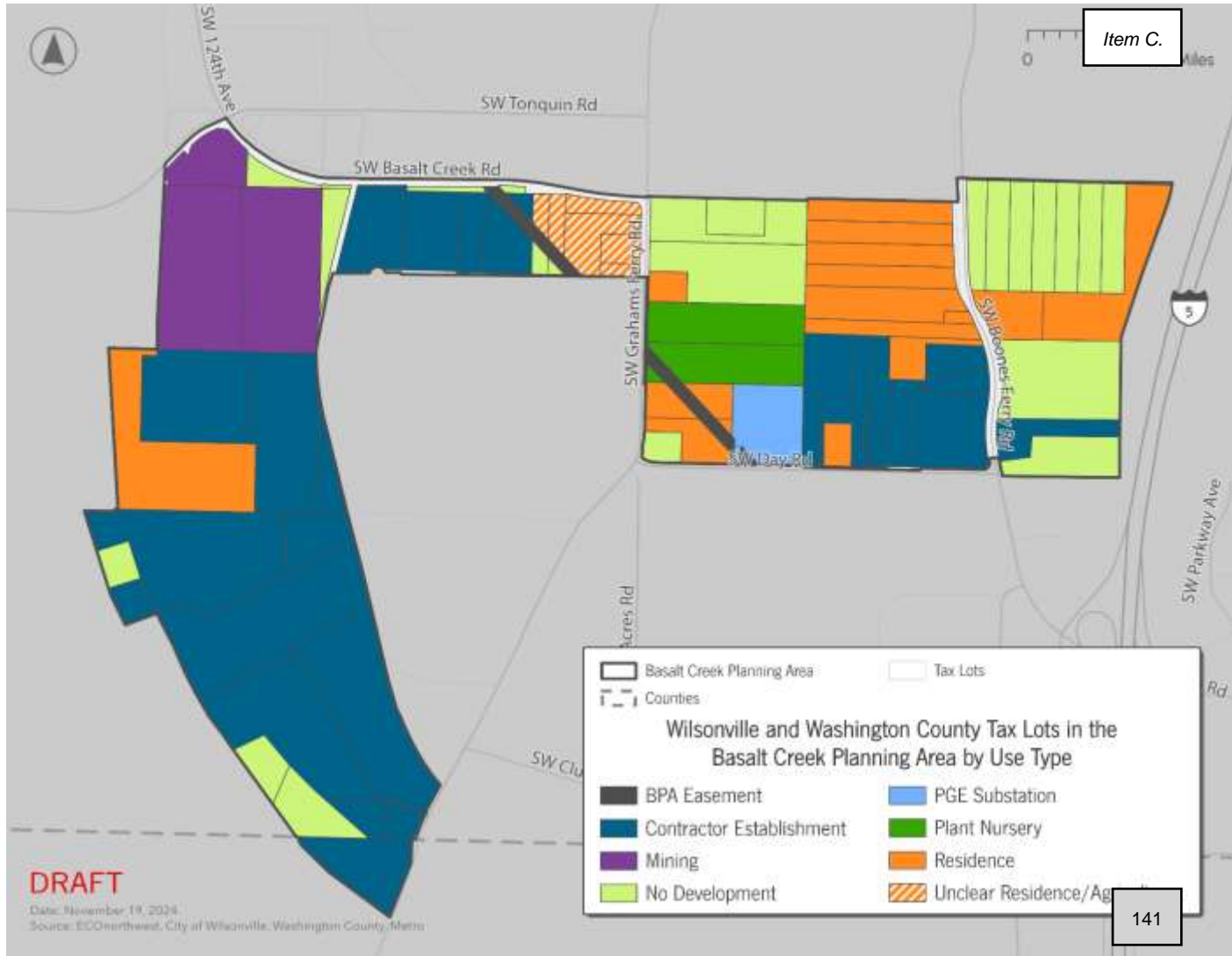
150 acres

considered buildable
and available for
development

Plan Designation	Total Buildable Acres	Buildable Acres on Vacant Lots	Buildable Acres on Partially Vacant Lots
Industrial	127	87	40
Undesignated	24	0.4	23
Total	150	87	63

Current Land Uses

Much of the land is used by contractor establishments



Site Suitability Analysis

Which industries may be attracted to Basalt Creek?

- ◆ Semiconductor sector supply chain
- ◆ Clean Tech, including battery technology
- ◆ Advanced Manufacturing
- ◆ Distribution and Logistics
- ◆ Data Centers



- ◆ **SW Greenhill Site:** Largely undeveloped with potential for near-term development
- ◆ **Craft Industrial Area:** Consider constraints and existing/neighborhood uses
- ◆ **West Railroad Site:** Lacked a defined land use district in Concept Plan



- ◆ Site size and configuration
- ◆ Constraints
- ◆ Surrounding land uses
- ◆ Access to transportation and utility infrastructure
- ◆ Site-specific considerations



SW Greenhill Site

- ◆ Relatively flat, unconstrained site
- ◆ 57 total acres with 52 unconstrained (91% of area)
- ◆ 10 tax lots, 2 owners
- ◆ Largely undeveloped
- ◆ Proximity to existing infrastructure

Potential users:

- ◆ High-tech supply chain
- ◆ Cleantech industries
- ◆ Advanced manufacturing
- ◆ Food processing
- ◆ Small warehousing and distribution
- ◆ Business and admin services; industrial business parks; R&D campuses.

Potential users align with the High Tech Employment district envisioned in the BCCP

Craft Industrial Area

- ◆ Highly constrained site, with constraints running north to south through site
- ◆ 32 total acres, 14 unconstrained split to the east and west (91% of area)
- ◆ 7 tax lots, 7 owners
- ◆ Existing residences
- ◆ Proximity to existing infrastructure

Existing residences, some of which are high-value, likely to extend redevelopment timelines relative to other opportunity sites

Potential users:

- ◆ Micro-uses such as live-work or makerspaces (*aligns with BCCP*)
- ◆ With site aggregation southeastern portion may be able support small-scale industrial condos and/or office user requiring up to 5 acres

Example small-scale industrial user: Riverwood Business Center in Wilsonville



West Railroad Site

- ◆ Moderate constraints concentrated along western boundary and northern half
- ◆ 165 total acres with 90 unconstrained (55% of area)
- ◆ 15 tax lots, 8 owners (mix of land sizes)
- ◆ More challenging to serve with infrastructure
- ◆ Proximity to rail and mining

Potential users:

- ◆ General manufacturing
- ◆ Food processing
- ◆ Small warehousing and distribution
- ◆ Business and admin services
- ◆ Cleantech industries

The City is still exploring how infrastructure might influence industry suitability.

The project team is still assessing rail access and the potential impact of the railroad and nearby mining operations.

Redevelopment Feasibility of Existing Contractor Establishments

What conditions are needed to promote and incentivize urban industrial development as envisioned in the BCCP?



Site ownership and occupancy

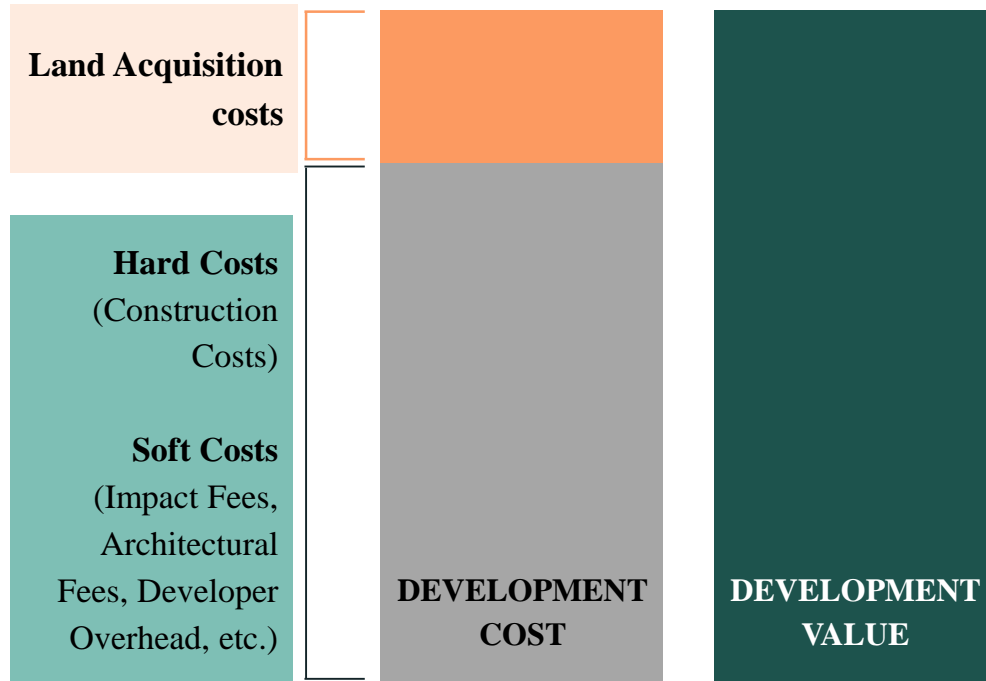
- ◆ Owners of vacant or unused land
- ◆ Owners renting to contractor establishment tenants
- ◆ Owners using the land for their own contractor establishments

Site Utilization

- ◆ Low (20%)
- ◆ High (35%)
- ◆ Very high (45%)

Land and Construction Costs

- ◆ High
- ◆ Low



If development cost is greater than development value than the project is not feasible

- ◆ Current contractor establishments generate substantial revenue with minimal effort or risk, reducing financial incentives for redevelopment
- ◆ Rents would need to increase by 60%, if not double, to fund construction and create incentive to flip existing contractor establishments
- ◆ Owner-occupied sites face greater feasibility challenges when landowners want to maintain their business operations

- ◆ **Challenges:** Limited infrastructure, fragmented ownership, constraints, and preexisting low-density uses pose barriers to implementing the BCCP
- ◆ **Opportunities:** Strong industrial demand combined with development-ready sites and engaged property owners could present catalytic opportunities to spur further investment

The City's approach to addressing the challenges and opportunities depends on its desired outcomes and risk tolerance

Questions for City Council

- What comments or direction does Council have in response to the Buildable Lands Inventory and Site Suitability Analysis Memo? Does this align with the vision for Basalt Creek? If surprising, what questions would help guide future decisions?
- What input does Council have on the Redevelopment Feasibility of Contractor Establishments Memo? Does Council want planning efforts to focus on accommodating and managing contractor establishments as industrial businesses or encouraging their relocation and redevelopment of the land?

CITY COUNCIL ROLLING SCHEDULE
Board and Commission Meetings
Items known as of 11/5/2024 11/05/24

December

12/10	Tuesday	6:00 pm	DEI Committee	Council Chambers
12/16	Monday	5:00 pm	City Council	Council Chambers

Community Events:

DECEMBER

- 12/1 Rosa Parks Day

- 12/2 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools
 Healthy Bones and Balance, 8:30 am, Community Center
 AARP Smart Driver, 9:00 am, Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Community Center
 Beginning English Class, 11:00 am, Library
 Sit, Stand and Be Fit, 11:00 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Weight Loss Support Group, 12:30 pm, Community Center
 Bridge Group Play, 1:00 pm, Community Center
 Mexican Train Dominoes, 1:00 pm, Community Center
 Body Sculpt, 6:00 pm, Community Center

- 12/3 International Day of Persons with Disabilities (all day)
 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools
 Piecemakers Quilters, 9:00 am, Tauchman House
 Ukulele Jam, 9:00 am, Parks & Rec
 Intermediate English Class, 10:00 am, Library
 ODHS Drop-In Assistance 10:00 am, Library
 Baby & Toddler Time, 10:30 am, Library
 Baby & Toddler Time, 11:15 am, Library
 Lunch at the Community Center, 12:00 pm, Community Center
 Partners Bridge, 12:30 pm, Community Center
 Poetry Club, 1:00 pm, Community Center
 ODHS Drop-In Assistance, 1:00 pm, Library
 Virtual Reality Fitness, 1:00 pm, Community Center
 Beginning Tai Chi-Season II, 2:00 pm, Community Center
 Tai Chi Continuing-Season II, 3:00 pm, Community
 Soccer Shots Fall Season, 3:30 pm, Memorial Park
 Oil Painting with Judy Stubb – Snowbound Cabin, 5:30 pm, Parks & Rec
 Barre Tone – Session II, 5:45 pm, Community Center
 Soul Flow Yoga-Season II, 7:15 pm, Community Center

All dates and times are tentative; check the City’s online calendar for schedule changes at www.ci.wilsonville.or.us.

- 12/4 Core, Floor & More + Stretch, 5:45 a.m., Community Center
 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools
 Healthy Bones and Balance, 8:30 am, Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Community Center
 Digital Photography Club, 10:00 am, Community Center
 Family Storytime, 10:30 am, Community Center
 Conversational Spanish Group, 10:30 am, Community Center
 PROFILES (online) 11:00 am
 Sit and Be Fit, 11:00 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Pinochle/Cribbage, 1:00 pm, Community Center
 Bingo, 1:00 pm, Community Center
 Teen Afterschool Drop-In Activities, 3:00 pm, Library
- 12/5 Body Renew-Session 1, 7:15 am, Community Center
 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools
 I-5 Connection Chorus Group, 10:00 am, Community Center
 Bridge for Beginners Lessons, 10:00 am, Community Center
 Family Storytime, 10:30 am, Library
 Ladies Afternoon Out, 1:00 pm, Community Center
 Beginning Tai Chi-Season II, 2:00 pm, Community Center
 Tai Chi Continuing-Season II, 3:00 pm, Community
 Tree Lighting, 5:30 pm, Town Center Park
- 12/6 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools
 Healthy Bones and Balance, 8:30 am, Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Community Center
 WIC Pop-Up Clinic, 10:00 am, Library
 Play Group, 10:30 am, Library
 Sit, Stand and Be Fit, 11:00 am, Community Center
 Bridge Group Play, 11:30 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Mexican Train Dominoes, 1:00 pm, Community Center
 WIC Pop-Up Clinic, 1:00 pm, Library
- 12/7 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools
 Manners Matter: Session I, 9:00 am, Tauchman House
 Soccer Shots-Saturdays (Fall/Winter Season), 9:00 am, Memorial Park or CC
- 12/9 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools
 Healthy Bones and Balance, 8:30 am, Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Community Center
 Beginning English Class, 11:00 am, Library
 Sit, Stand and Be Fit, 11:00 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Weight Loss Support Group, 12:30 pm, Community Center

All dates and times are tentative; check the City's online calendar for schedule changes at www.ci.wilsonville.or.us.

Bridge Group Play, 1:00 pm, Community Center
 Mexican Train Dominoes, 1:00 pm, Community Center
 Body Sculpt, 6:00 pm, Community Center

12/10 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools
 Piecemakers Quilters, 9:00 am, Tauchman House
 Ukulele Jam, 9:00 am, Parks & Rec
 Intermediate English Class, 10:00 am, Library
 ODHS Drop-In Assistance 10:00 am, Library
 Medicare 101, 10:30 am, Community Center
 Baby & Toddler Time, 10:30 am, Library
 Baby & Toddler Time, 11:15 am, Library
 Lunch at the Community Center, 12:00 pm, Community Center
 Partners Bridge, 12:30 pm, Community Center
 Caregiving/Alzheimer's Support Group, 1:00 pm, Community Center
 ODHS Drop-In Assistance, 1:00 pm, Library
 Virtual Reality Fitness, 1:00 pm, Community Center
 Beginning Tai Chi-Season II, 2:00 pm, Community Center
 Tai Chi Continuing-Season II, 3:00 pm, Community
 Soccer Shots Fall Season, 3:30 pm, Memorial Park
 Barre Tone – Session II, 5:45 pm, Community Center
 Soul Flow Yoga-Season II, 7:15 pm, Community Center

12/11 Core, Floor & More + Stretch, 5:45 a.m., Community Center
 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools
 Healthy Bones and Balance, 8:30 am, Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Community Center
 Digital Photography Club, 10:00 am, Community Center
 Family Storytime, 10:30 am, Community Center
 Conversational Spanish Group, 10:30 am, Community Center
 PROFILES (online) 11:00 am
 Sit and Be Fit, 11:00 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Pinochle/Cribbage, 1:00 pm, Community Center
 STEAM Stuff, 2:30 pm, Library
 Teen Afterschool Drop-In Activities, 3:00 pm, Library

12/12 Body Renew-Session 1, 7:15 am, Community Center
 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools
 I-5 Connection Chorus Group, 10:00 am, Community Center
 Bridge for Beginners Lessons, 10:00 am, Community Center
 Family Storytime, 10:30 am, Library
 Ladies Afternoon Out, 1:00 pm, Community Center
 Beginning Tai Chi-Season II, 2:00 pm, Community Center
 Tai Chi Continuing-Season II, 3:00 pm, Community

12/13 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools

All dates and times are tentative; check the City's online calendar for schedule changes at www.ci.wilsonville.or.us.

Healthy Bones and Balance, 8:30 am, Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Community Center
 WIC Pop-Up Clinic, 10:00 am, Library
 Play Group, 10:30 am, Library
 Sit, Stand and Be Fit, 11:00 am, Community Center
 Bridge Group Play, 11:30 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Mexican Train Dominoes, 1:00 pm, Community Center
 WIC Pop-Up Clinic, 1:00 pm, Library

12/14 Mini Hoopers, 8:00 am, Boones Ferry & Boeckman Creek Primary Schools
 Manners Matter: Session II, 9:00 am, Tauchman House
 Soccer Shots-Saturdays (Fall/Winter Season), 9:00 am, Memorial Park or CC
 Oil Painting with Judy Stubb – A Perfect Winder Day, 10:00 am, Parks & Rec
 Space Talks, 11:00 am, Library
 Book Notes Concert, 2:00 pm, Library

12/16 Healthy Bones and Balance, 8:30 am, Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Community Center
 Beginning English Class, 11:00 am, Library
 Sit, Stand and Be Fit, 11:00 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Weight Loss Support Group, 12:30 pm, Community Center
 Bridge Group Play, 1:00 pm, Community Center
 Mexican Train Dominoes, 1:00 pm, Community Center
 Genealogy Club, 1:00 pm, Library
 Body Sculpt, 6:00 pm, Community Center

12/17 Piecemakers Quilters, 9:00 am, Tauchman House
 Ukulele Jam, 9:00 am, Parks & Rec
 Intermediate English Class, 10:00 am, Library
 ODHS Drop-In Assistance 10:00 am, Library
 Baby & Toddler Time, 10:30 am, Library
 Baby & Toddler Time, 11:15 am, Library
 Lunch at the Community Center, 12:00 pm, Community Center
 Partners Bridge, 12:30 pm, Community Center
 ODHS Drop-In Assistance, 1:00 pm, Library
 Virtual Reality Fitness, 1:00 pm, Community Center
 Soccer Shots Fall Season, 3:30 pm, Memorial Park
 Las Posadas Celebration, 4:00 pm, Community Center

12/18 Healthy Bones and Balance, 8:30 am, Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Community Center
 Digital Photography Club, 10:00 am, Community Center
 Family Storytime, 10:30 am, Community Center
 Conversational Spanish Group, 10:30 am, Community Center
 Sit and Be Fit, 11:00 am, Community Center

All dates and times are tentative; check the City's online calendar for schedule changes at www.ci.wilsonville.or.us.

Lunch at the Community Center, 12:00 pm, Community Center
 Pinochle/Cribbage, 1:00 pm, Community Center
 Bingo, 1:00 pm, Community Center
 Teen Afterschool Drop-In Activities, 3:00 pm, Library

- 12/19 Body Renew-Session 1, 7:15 am, Community Center
 I-5 Connection Chorus Group, 10:00 am, Community Center
 Bridge for Beginners Lessons, 10:00 am, Community Center
 Family Storytime, 10:30 am, Library
 Book Walk, 1:00 pm, Library
 Ladies Afternoon Out, 1:00 pm, Community Center
- 12/20 Healthy Bones and Balance, 8:30 am, Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Community Center
 WIC Pop-Up Clinic, 10:00 am, Library
 Play Group, 10:30 am, Library
 Sit, Stand and Be Fit, 11:00 am, Community Center
 Bridge Group Play, 11:30 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Mexican Train Dominoes, 1:00 pm, Community Center
 WIC Pop-Up Clinic, 1:00 pm, Library
- 12/21 Soccer Shots-Saturdays (Fall/Winter Season), 9:00 am, Memorial Park or Comm Ctr
 Spanish Storytime, 11:00 am, Library
- 12/23 Healthy Bones and Balance, 8:30 am Community Center
 Advanced Healthy Bones and Balance, 9:30 am, Community Center
 Blood Drive, 11:00 am, Library
 Beginning English Class, 11:00 am, Library
 Sit, Stand and Be Fit, 11:00 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Weight Loss Support Group, 12:30 pm, Community Center
 Bridge Group Play, 1:00 pm, Community Center
 Mexican Train Dominoes, 1:00 pm, Community Center
- 12/24 Library Closed (all day)
 Piecemakers Quilters, 9:00 am, Tauchman House
 Ukulele Jam, 9:00 am, Parks & Rec
 Lunch at the Community Center, 12:00 pm, Community Center
 Partners Bridge, 12:30 pm, Community Center
 Virtual Reality Fitness, 1:00 pm, Community Center
 Soccer Shots Fall Season, 3:30 pm, Memorial Park
- 12/25 Christmas Day (City Offices, Library and SMART closed)
 Hanukkah (all day)
- 12/26 Kwanza (all day)

All dates and times are tentative; check the City's online calendar for schedule changes at www.ci.wilsonville.or.us.

I-5 Connection Chorus Group, 10:00 am, Community Center
 Bridge for Beginners Lessons, 10:00 am, Community Center
 Ladies Afternoon Out, 1:00 pm, Community Center

- 12/27 WIC Pop-Up Clinic, 10:00 am, Library
 Sit, Stand and Be Fit, 11:00 am, Community Center
 Bridge Group Play, 11:30 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Mexican Train Dominoes, 1:00 pm, Community Center
 WIC Pop-Up Clinic, 1:00 pm, Library
- 12/28 Soccer Shots-Saturdays (Fall/Winter Season), 9:00 am, Memorial Park or Comm Ctr
- 12/30 Beginning English Class, 11:00 am, Library
 Sit, Stand and Be Fit, 11:00 am, Community Center
 Lunch at the Community Center, 12:00 pm, Community Center
 Mexican Train Dominoes, 1:00 pm, Community Center
 Bridge Group Play, 1:00 pm, Community Center
- 12/31 Piecemakers Quilters, 9:00 am, Tauchman House
 Ukulele Jam, 9:00 am, Parks & Rec
 Intermediate English Class, 10:00 am, Library
 ODHS Drop-In Assistance 10:00 am, Library
 Lunch at the Community Center, 12:00 pm, Community Center
 ODHS Drop-In Assistance, 1:00 pm, Library
 Virtual Reality Fitness, 1:00 pm, Community Center
 Soccer Shots Fall Season, 3:30 pm, Memorial Park

All dates and times are tentative; check the City's online calendar for schedule changes at www.ci.wilsonville.or.us.

**Boards/Commissions
Appointment/Reappointment List for
December 2, 2024, Council Meeting**

Diversity, Equity and Inclusion Committee – Student Appointment

Appointment of **Arush Goswami** to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2025 to 12/31/2025.

Motion: I move to ratify the appointment of **Arush Goswami** to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2025 to 12/31/2025.

Diversity, Equity and Inclusion Committee – Student Appointment

Appointment of **Fiona Huston** to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2025 to 12/31/2025.

Motion: I move to ratify the appointment of **Fiona Huston** to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2025 to 12/31/2025.



Item 6.

DWFRITZ

PRECISION
COUNTERTOPS



xerox

SIEMENS



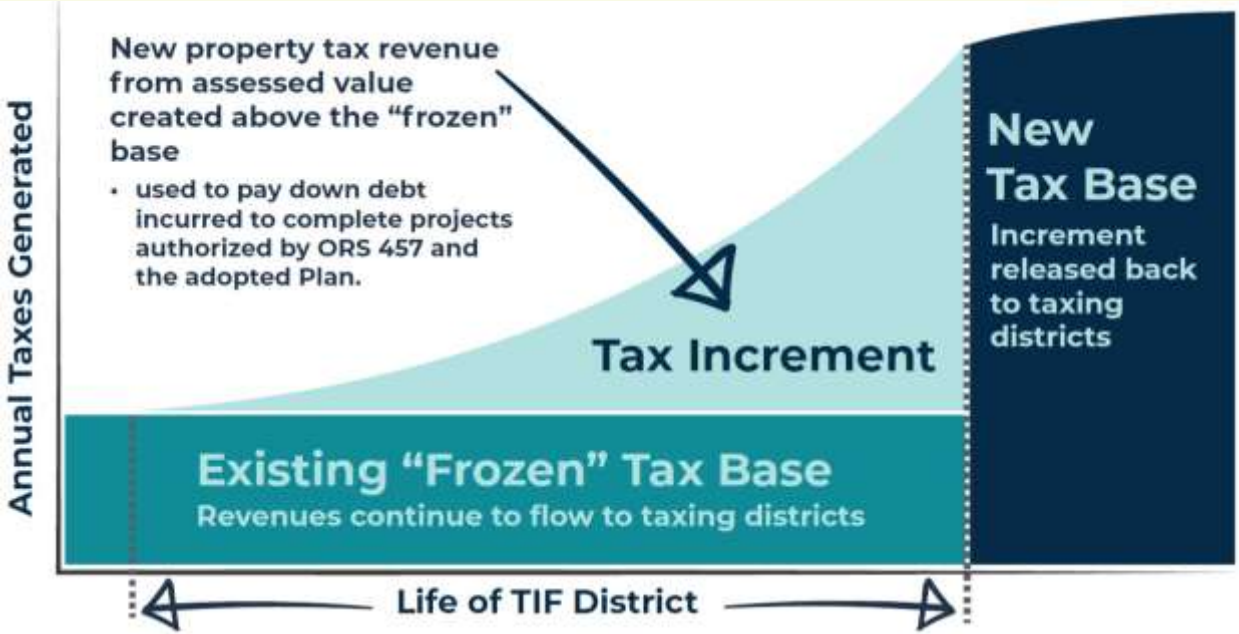
163

What do these assets have in common?

Wilsonville Road Improvements & WV Road underground utilities
Boones Ferry Rd; 5th to Kinsman Memorial Drive
Courtside Drive
Boeckman Road Corridor Project
Boeckman Road Bike/Ped improvements
Boeckman Rd. West of Kinsman
Misc. Streetscapes
Canyon Creek Road North
5th to Kinsman
Brown Road redo (safety, ADA, sidewalks, bike/ped street trees)

I-5 Underpass enhancements
Sewer Plant upgrade funding
Safe Routes to School
Sidewalks
Street trees
Required Stormwater management
Garden Acres Road
Future Day Road improvements
Future Sewer extensions
Employment areas
Wilsonville High Gymnasium
High School Public Facilities

High School Girls' Field Improvements
Town Center Park
Murase Plaza
Stein/Boozier Barn Improvements
City Hall Site Acquisition
City Hall
Creekside Woods Sr. Housing
Wilsonville Sewer Plant upgrade
Villebois Parks
Villebois Residential Springs



Item 6.

Urban Renewal, (UR) also called Tax Increment Financing, is a financing tool used by Wilsonville since 1992.

It can be used to stimulate economic development to improve "blighted" conditions, boost property values and livability while supporting new commercial, industrial, and residential development.

UR identifies and freezes the current tax base within a geographic area and applies money collected above this baseline to the identified Urban Renewal project. Funds collected pay for new infrastructure (i.e., roads, utility lines) to stimulate development in the target area.

Keys to our City's Urban Renewal Success

- Strong partnerships with taxing districts affected by active Urban Renewal districts, including West Linn Wilsonville School District, TVFR, Clackamas County and others.
- Early Revenue Sharing, is a practice of releasing tax increment back to the removing parcels from the district as soon as possible.
- The Urban Renewal Task Force, comprised of residents, land owners, developer, and area businesses, is a key part of the planning.



WILSONVILLE
PUBLIC WORKS



2024 Public Works Project of the Year
Wilsonville Public Works Complex
Structure • \$5 million to less than \$25 million • August 15, 2024

General Description

The Wilsonville Public Works Complex applies forward-looking design in service of the City's vision for this vital center of operations. The complex includes multiple buildings, one for administration and several others to support field crew operations, and the design balanced functionality and aesthetics to create a cohesive experience across spaces. A sense of place and the work performed here inspired the warm industrial materiality. The architecture and interior design cultivates opportunities for connection between people and the outdoors. Resiliency and sustainability informed each design decision, ensuring the complex's longevity and the ability to adapt in the case of an emergency.



Site Features

- 1 Operations Administration Building
- 2 Warehouse
- 3 Storm Water Facility
- 4 Visitor Parking Lot
- 5 Truck Wash
- 6 Magnesium Chloride Facility
- 7 Staff Courtyard
- 7 Dewatering Facility
- 8 Generator
- 8 Staff Parking Lot
- 8 Bulk Material Storage



The Wilsonville Public Works Complex locates the entirety of the department's operations group—including managers and field crews—in one place. Scott Edwards Architecture collaborated with the City of Wilsonville to understand how these groups worked together, and how design could support processes while also creating a comfortable environment for staff and visitors. Through this collaboration, it was determined that separate buildings best served the City's needs and that the administrative office building would also house shared spaces like conference rooms, the breakroom, and the gender-neutral locker room. This approach to placing all complex communal spaces in the administrative building presents organic opportunities for public works staff to connect throughout the day, strengthening the shared culture. The decision also prioritizes recruitment and retention goals, as training and mentoring younger staff members is supported by co-location.





The administrative building is oriented at the NE corner of the site, maximizing its presence along the main road and its purpose as the public-facing area of the campus. When visitors arrive, they enter through a transparent vestibule that leads into a bright and open front lobby. An exposed concrete tilt-up wall and concrete floor combined with the use of renewable woods and durable surfaces is representative of the complex's functionality. An adjacent conference room connects directly to the lobby, placed here within the floorplan to facilitate gatherings between public works staff and external collaborators. An additional layer of security separates this area from the rest of the office due to the nature of the operations work performed within.



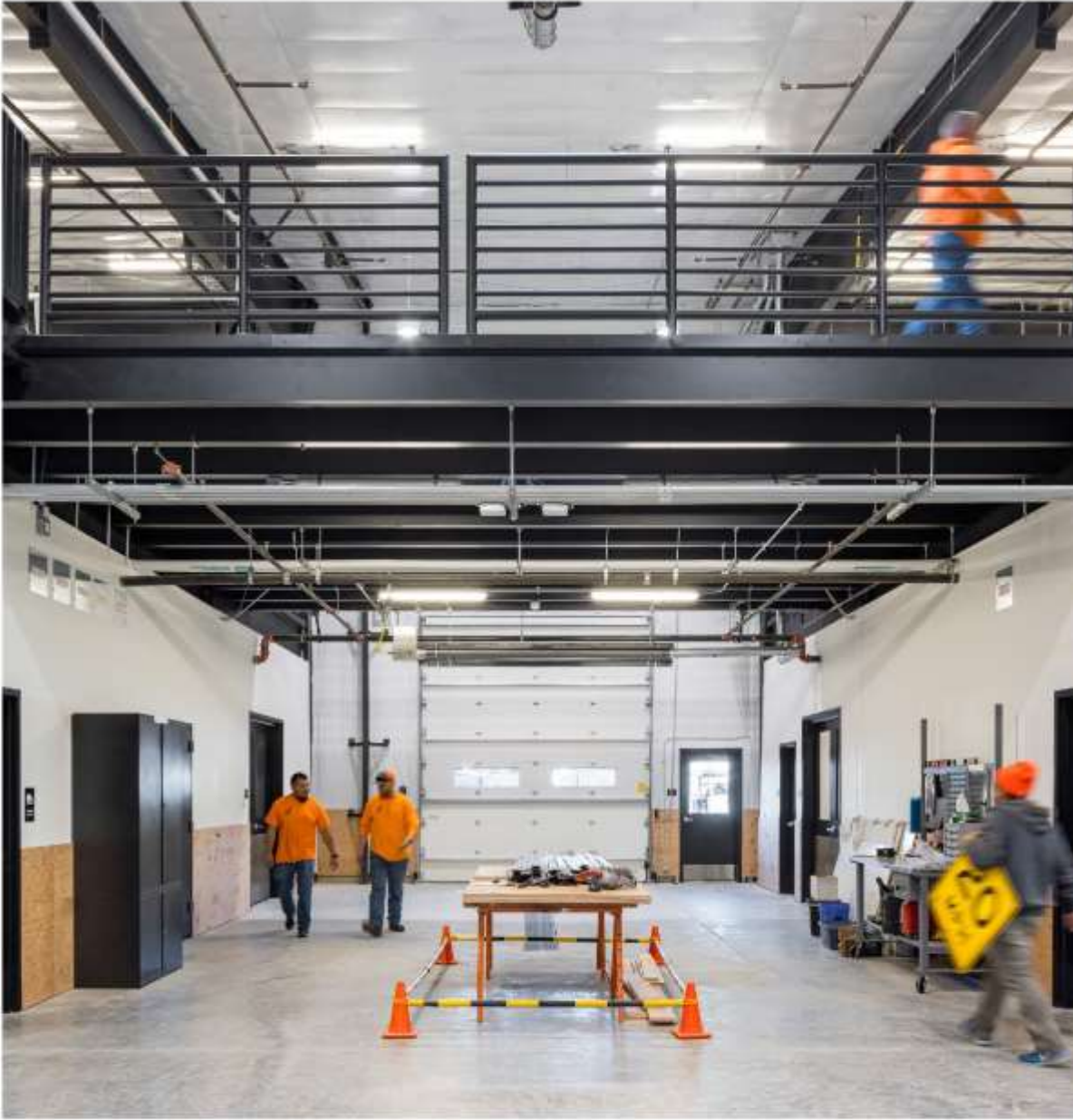


Each of the four crew rooms includes desks for crew members, an open meeting space, and a supervisor's office. Throughout the building, private offices are oriented around or placed near open collaboration areas to streamline efficiencies and promote connection.

The interior design and architecture create a cohesive design language through use of durable materials, simple geometry, and an elevated utilitarianism that implies and celebrates the important role public works serves in the Wilsonville community. The interior palette takes cues from the exterior by applying metal, wood, and concrete elements throughout. Wall treatments mimic textures and colors found in nature, and surfaces and furniture were selected to be durable and easy to maintain while still adding aesthetically to the space.

Across the courtyard from the administrative building is the warehouse, which has the sign, paint and wood shops, vehicle staging areas, crew storage areas, and fleet maintenance vehicles. Other buildings within the complex include a fleet vehicle wash station, chemical storage container, deicer/magnesium filling station, and a decant building. The connection between these buildings and the adjacent administrative building streamlines public works operations, a benefit to the efficiencies of providing services to the community.

The design of the warehouse thoughtfully incorporates staff, community, and environmental well-being, too. The warehouse is secured and climate-controlled both for staff comfort and to ensure vehicles and tools are safe and never too cold to hinder deployment—this feature facilitates prompt response times, minimizing public inconvenience. The project team’s decision to use a shed roof for the building’s architecture accommodates a mezzanine for additional storage and positions it to support a considerable PV solar array, a design solution that contributes to operational and sustainability goals.



Completion Date



The Wilsonville Public Works Complex experienced no changes in the contracted completion date despite the project enduring significant impacts from labor and material shortages and winter weather events. During construction, the Public Works Department initiated its emergency operations protocols to address a significant ice storm. During this event, the project weathered the impacts and any delays that occurred were resolved without affecting the final completion date. The project reached substantial completion mid December of 2023. The complex was fully operational by February of 2024.

Construction Schedule, Management, & Control Techniques

The Wilsonville Public Works project utilized numerous construction schedule, management, and control techniques to ensure efficient development. The design decision to specify the shop and site buildings as pre-engineered metal buildings allowed for efficient delivery of those structures. The project team used Procore, a construction management software, to streamline RFIs, Submittals, Change Order Requests, and communication between all team members. The project held weekly Owner/Architect/Contractor meetings reviewing four-week look-ahead schedules and sequencing of construction events along with a budget tracking log to track changes in costs, manage value engineering decisions, and summarize design change decisions, assuring alignment between elements. Additional control methods included the design team delivering weekly construction observation reports, maintaining constant communication with the general contractor field crew, and providing to the construction team a BIM model for the entire project, with the model enabling coordination between subcontractors and sequencing of events.

At the onset of the project the initial construction bid cost consumed the majority of the project's contingency funds. The Owner, Architect and Contractor (OAC) worked collaboratively to identify cost savings either in design, materials or construction methods to free up needed contingency funds. In all the OAC team was able to identify over \$700,000 in value engineering. This collaborative approach allowed the project to finish on time and under the overall project construction budget of \$19.7 million.

Safety Performance

To ensure safety during Wilsonville Public Works project construction phase, the construction team assigned a dedicated job site safety manager. The safety manager made routine visits to observe construction activities and through these observations, recommended and implemented adjustments to field activities. All sub-contractors and visitors were required to complete an on-site safety training. There were no lost-time injuries reported throughout the duration of the project.



Community Need

The Public Works Department provides services to 27,000 residents, 1,200 businesses, and daily visitors. The overall project consolidated services from seven different satellite locations to one central location. Additionally, it provided for a purpose-built warehouse to serve as the City's central warehouse facility, streamlining day-to-day operations and emergency situations.

As first responders, Public Works staff needed a facility that can be operational immediately following a seismic event. The administrative building is designed to Seismic Risk Category IV and includes an Incident Operations Center, storage space for emergency supplies, and backup power to maintain vital functions and support community response during events. The Incident Operations Center comprises two large conference rooms separated by an operable partition wall that can be retracted to create one large space, demonstrating the design's adaptability. This adaptability serves the community right now, by supporting public works operations in the day-to-day, and in the future, with consideration for how the space can be adjusted depending on need.

The design prioritized consideration for the future in other ways as well. The building is designed to accommodate future expansion of the department by building in workspace infrastructure in flex areas, so that should the area need to convert to staff workstations, the cost and effort to do so is minimal. Similarly, the administrative and warehouse buildings are designed for future build-outs if needed, again employing thoughtful and creative design to minimize future cost and effort.



Sustainable Practices

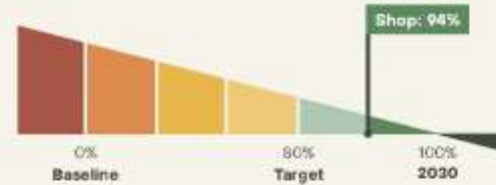
The Wilsonville Public Works Shop Building/Warehouse hosts a large photovoltaic array that offsets the majority of the building's energy use, generating approximately 107,273 kWh. Other sustainable measures include 100% LED lighting, Energy Star appliances, EV charging stations, a smoke-free campus, insulation 10-30% above code performance, and the receipt of \$12,684 in Energy Trust of Oregon incentives.

We selected materials that are durable and easy to maintain, maximizing the complex's longevity by mitigating the need to replace surfaces due to wear. When possible, we also made material selections as local to Wilsonville as possible, another project approach with sustainability in mind.

Carbon Emissions Reduction Goals

The American Institute of Architects (AIA) 2030 Commitment calls for architects to reduce building energy use emissions to net zero by 2030. The Wilsonville Public Works shop building meets the current AIA 2030 Commitment reduction target based on energy modeling. This equates to:

Shop Building 2030 Status



Shop Building Achievements

- 20,500 ft²**
Shop building
- 1.9 kBTU/ft²**
Predicted energy used per sf (EUI)
- 97 Tonnes**
Emissions avoided
- =**
- 23**
off the road each year

Sustainability Achievements

- Seismic Resiliency: **Category IV Building**
- 100%** LED Lighting
- Energy Star** Appliances
- EV** Charging Stations
- Smoke-free** Campus
- 97.8 kW** Solar Array
- Insulation **10-30% Above Code** Performance
- \$12,684** in ETO Incentives

Solar Energy Analysis

The solar PV array produces a majority of the energy required to power the Shop Building:

- 107,273 kWh**
energy per year
- 10 Homes**
energy use per year
- \$11,774**
saved per year

Environmental Considerations

The development site was a green field that included a sloping grade and a Significant Resource Overlay Zone that required a vegetative buffer from the operations yard. The design team limited the development area so as not to encroach upon the natural zone, and we used the site's sloped topography to limit the amount of cut and fill needed. The innovative design worked with the grade changes to create the two-story administrative building with daylight basement.

The administrative offices are located on the upper floor, with the locker room, drying room and below grade parking in the lower floor. This allowed the project to meet its parking requirements while reducing cost and schedule impacts. The courtyard with its associated rain garden helped achieve City code



2024 APWA Oregon Chapter • Project of the Year

requirements for green and open space as well as stormwater treatment. The courtyard and patio now serves as one of the focal points of the overall design.

Emerick implemented an extensive erosion control plan that began in the pre-construction phase and continued throughout the construction process. The erosion control plan was dynamic and adapted to each phase of the project. Since the site was a greenfield area during pre-construction, a thorough assessment of the site's conditions was conducted to determine the most suitable measures to be implemented.

The contractor utilized sediment fencing and wattle netting along the perimeter of the project site. On the uphill sloped areas, extensive wattle was used to prevent water run-off during the wet season. Additionally, the construction team created two large rectangular stockpiles of excavated earth for future use, which were stored along the site's South side. These stockpiles were wrapped in a plastic barrier and lined with straw wattle to provide further protection against water run-off.

To prevent debris from being tracked onto the local access road and the main public street, SW Boberg Rd, the contractor constructed the main entrance/exit of the site using large gravel, followed by a paved wheel washing station. A temporary entrance and road were constructed using a rock stockpile and lined with a fabric barrier and wattle. Additionally, Emerick installed multiple stormwater drains around the site and in the riparian buffer area. The construction team also implemented tree protection around existing trees and erosion control protection in the wetland area to ensure compliance with environmental regulations.

The contractor's Project Engineer, who was CECIL | Stormwater-certified, conducted daily inspections during all construction phases. Throughout the construction process, material debris piles were sorted into recyclable and non-recyclable materials and stored on-site until they could be safely removed.

Community Relations

Service to the Wilsonville community was top-of-mind throughout development and drove decision-making, including the decision to develop a public works complex, rather than house specific functions in different places. The complex's courtyard is a multi-functional outdoor area providing space for department training and public-facing events.

During construction, the site was fenced off to prevent entering the construction zone, ensuring the safety of the public. An informational sign was installed along the fencing informing the community of the project. The sign included schematic drawings of the soon-to-be constructed administration building helping illustrate this new community asset to those interested. Additionally, consistent project updates were presented in the monthly City Manager's Report that is distributed to the community through the City Council meeting packet.

After completion of the project, the City held a Public Works Complex Open House and Ribbon Cutting ceremony in conjunction with National Public Works week. Attendees received a brochure that summarized attributes of the complex and included a map to be used for a self-guided tour of the facility. Staff were stationed strategically around the complex to answer questions about the buildings and Public Works functions. Guests had an opportunity to take selfie photos with equipment, safety gear and a PW Paws (Public Works Mascot) cutout along with his dog, Chipper. Participants could spin the wheel of disaster and win a prize related to emergency preparedness and see equipment displays. This event was wonderful opportunity to strengthen relations between Public Works and the public.



Unusual Accomplishments

The site's slope presented an opportunity to design the administrative building to be two stories while remaining responsive to the neighborhood's one-story context. At the main street's level, the building appears to be one-story, and only as you move further into the building does the lower level reveal itself. The large breakroom is bright and inviting and offers seating and gathering spaces for staff to congregate. Large skylights and a windowed accordion door allow ample natural light to fill the space, and when opened, the door connects the breakroom directly to an outdoor balcony that overlooks the landscaped courtyard below.

The concrete tilt-up pour and lifting of the slab walls for the main building presented a challenge due to the nature of the walls and the tight window of

time to erect them. Emerick's team brought in extra crew members and two cranes to assist with the task. The coordination of the lift was carefully planned out between the Superintendent, Foreman, and Safety Coordinator. Precise timing was of the utmost importance when contending with a slab pour, weather conditions, and the final erection of the walls; one missed step had the potential to cause the whole process to fail and potentially posed a danger with the slabs hanging until secured in place.

The diligence of Emerick's Superintendent and Lead Specialist allowed the team the time needed to place the walls, and the crew worked double shifts to make it happen. The effort was successful and made possible through the high level of collaboration between the teams.



2024 APWA Oregon Chapter • Project of the Year

Wilsonville Public Works Complex 12

Additional Considerations

Item 7.

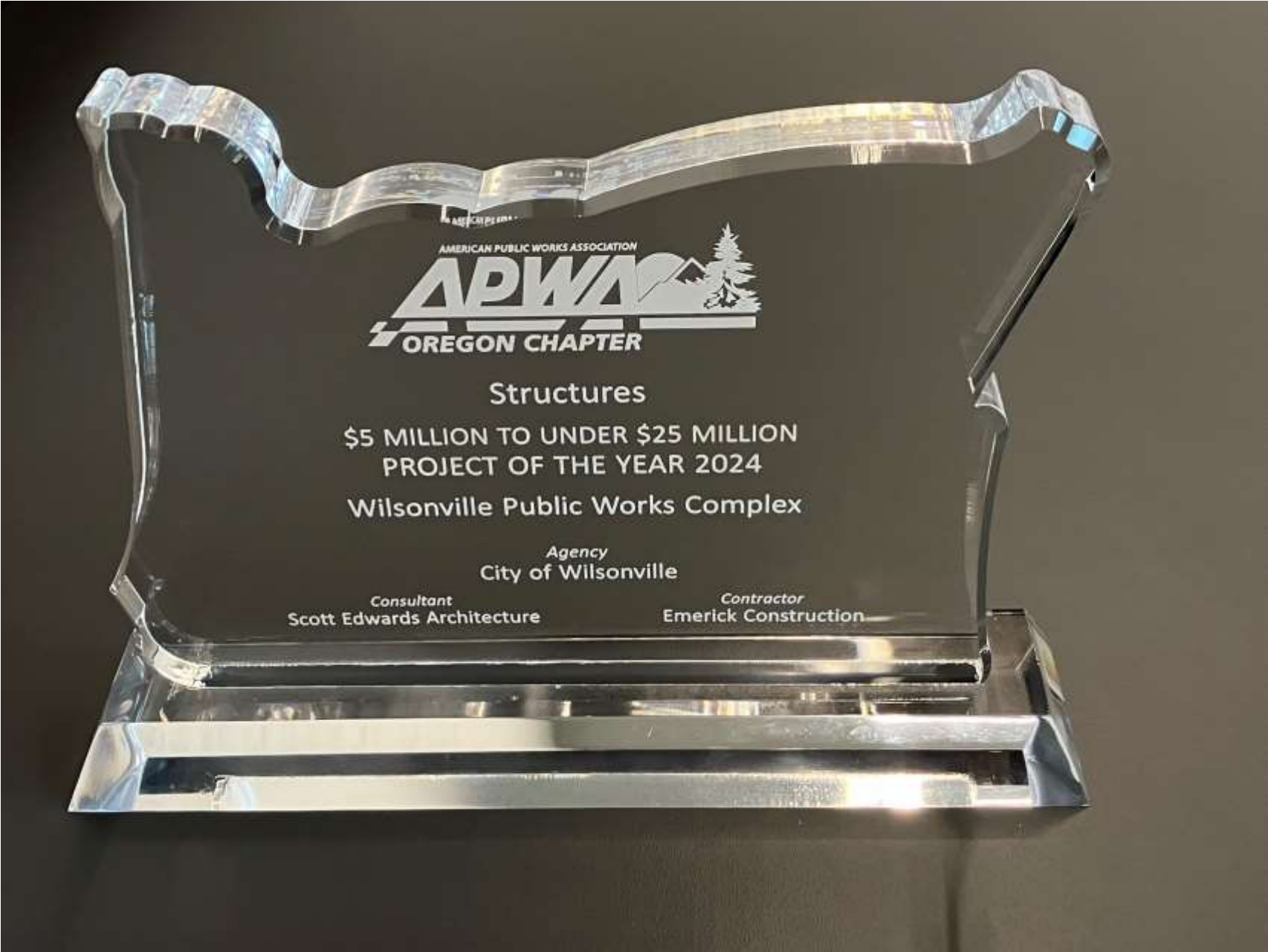


Consideration of future growth informed how the design developed—several collaboration spaces have the necessary electrical infrastructure to be used for additional desk space if needed, and what is currently an open parking garage on the 1st floor is designed to be closed in and converted into more office area. The building is designed to expand north if needed, with deliberate siting of the building to allow for this addition.

Wilsonville Public Works applied inclusive design principles throughout the project, including the gender-neutral restrooms and locker rooms to support the needs of a growingly diverse workforce. The architectural response incorporated and elevated essential amenity spaces supporting daily staff use and operations staff use during emergency events that require extended hours.

For example, the breakroom is designed like a residential kitchen, offering a space that is both comfortable and functional. The breakroom also connects to an outdoor area, a design decision recognizing that people benefit from nature-based reprieve.

The facility was designed to not only accommodate Public Works department needs, but other city department's uses as well. An example of this in practice is the placement of a conference room connecting directly to the lobby, rather than deeper within the building—this space can be accessed by other city officials for activities such as interviewing city candidates for hire, multi-department training programs, and external meetings.





WILSONVILLE
PUBLIC WORKS

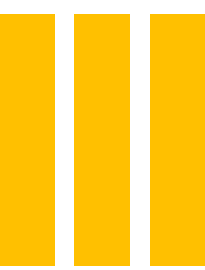
Outstanding Asset Management Award Link:

<https://www.youtube.com/watch?v=xRJAQ0iBxEQ>

Private Sector Partnership Award Link:

<https://www.youtube.com/watch?v=e68MFBs-NeU>

City Council Meeting—
December 2024



Natural Area Management Planning: City of Wilsonville



Background

The Natural Area Management Plan:

- Implements Objective 3.10 (maintain and improve Wilsonville's natural resources) of the Parks and Recreation Master Plan
- Incorporates the objectives of the Boeckman Creek Restoration Plan
- Supports the goals and actions of the Urban Forest Management Plan
- Implements the objectives and practices of the Integrated Pest Management Plan

Objectives and Guiding Principles



Create an over-arching management plan and recommend management objectives for the City's natural areas



Recommend management activities based on proven best practices and IPM practices



Promote long-term maintenance and enhancement of the City's natural areas



Recognize that natural spaces are a valuable resource for community resilience, public engagement/education, stewarding healthy habitats



Engage with the public to create an inclusive and transparent process



Recommend opportunities community engagement in management of the City's natural areas



Promote community appreciation for natural areas

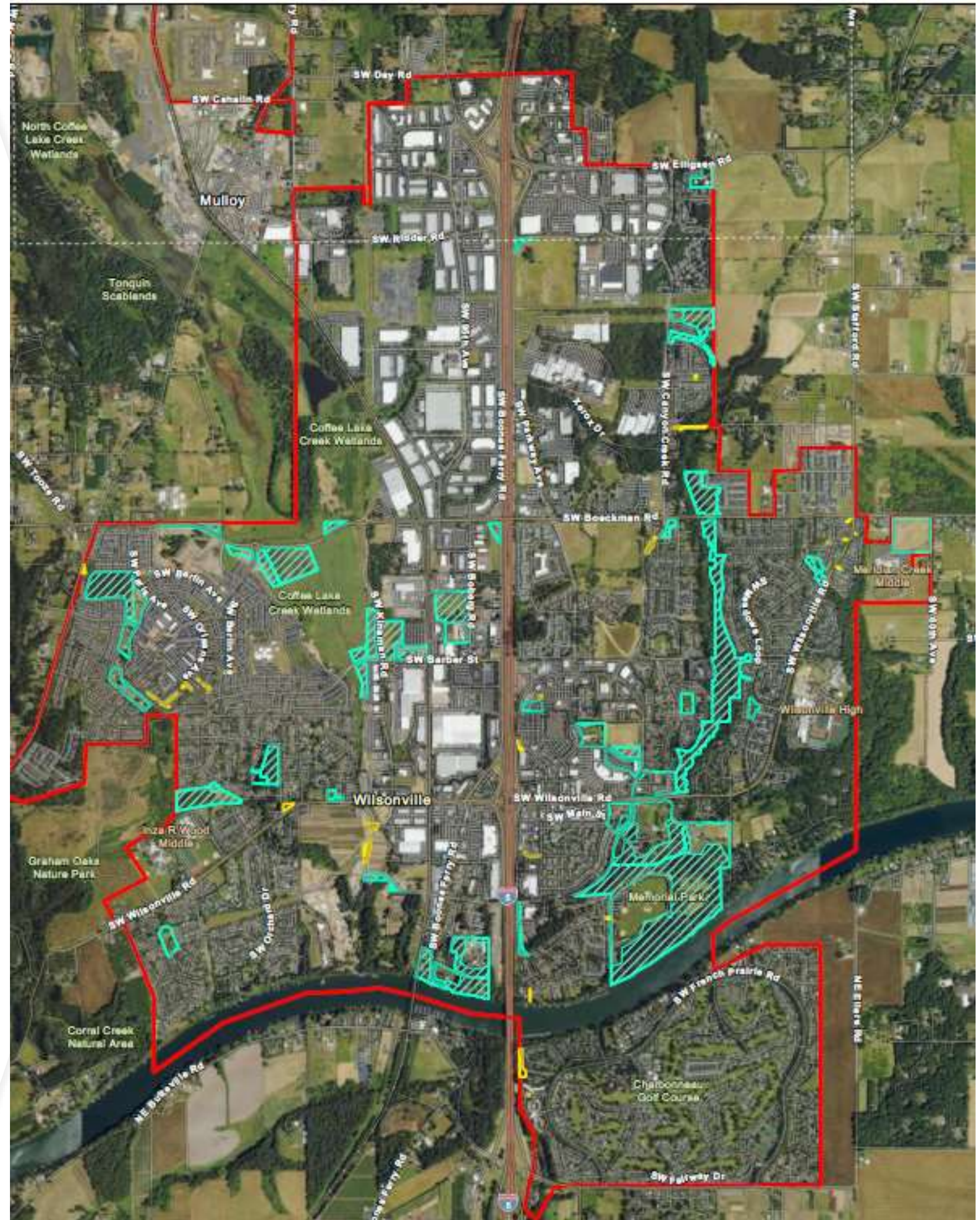
Notable Issues/Threats

- Climate change
 - Wildfire
 - Extreme weather
 - Invasive species and diseases
 - Emerald ash borer
 - Mediterranean oak borer
 - Sudden oak death
- Noxious/invasive plants
- Human and other impacts
 - Habitat fragmentation, development
 - Recreation
 - Pollution/runoff
- Encroachment (by invasive species or by urban growth)



Catalog of Natural Areas

- Larger than 0.5 acres
 - City-owned tax lots
 - Not included in the catalog:
 - Privately owned property
- Property owned by other entities such as Metro and TVWD
- Land use/management type: hybrid, urban, commercial/industrial, residential



Prioritization Framework

Proposed Natural Resource Function/Value Scoring System:

3 points

- Presence of fish bearing stream
- Presence of state or federally listed species (besides salmon)
- Overlap with Significant Resource Overlay Zones (SROZ) (City of Wilsonville, 2001)
- Overlap with ODFW Strategy Habitats
- Terrestrial Crucial Habitat Ranking 1 or 2 (ODFW, 2016)
- Aquatic Crucial Habitat Ranking of 1 or 2 (ODFW, 2016)
- Existing capital projects or restoration activities

2 points

- Presence of non-fish bearing stream
- Terrestrial Crucial Habitat Ranking of 3 or 4 (ODFW, 2016)
- Aquatic Crucial Habitat Ranking of 3 or 4 (ODFW, 2016)
- Plans for restoration or future capital projects
- Overlap with Conservation Opportunity Area (ODFW, 2016)
- Overlap with Priority Wildlife Conservation Areas (PWCA) (ODFW, 2016)

1 point

- Terrestrial Crucial Habitat Ranking of 5 or 6 (ODFW, 2016)
- Aquatic Crucial Habitat Ranking of 5 or 6 (ODFW, 2016)
- Active volunteer or stewardship activities

High Natural Resource Function/Value = high priority
Time and effort needed is lower



Low Natural Resource Function/Value = low priority
Time and effort needed is very high



Prioritization Framework

- Habitat condition assessments and delineations:
- Habitat assessments will help determine highest priority natural areas and identify management needs
 - Parameters
 - Noxious and/or exotic species cover
 - Native species cover
 - Total species richness
 - Canopy cover
- Habitat delineations will help identify best management practices based on habitat type
 - Examples include, mixed conifer/deciduous forest, oak woodland/oak savannah, wetland-emergent/scrub shrub

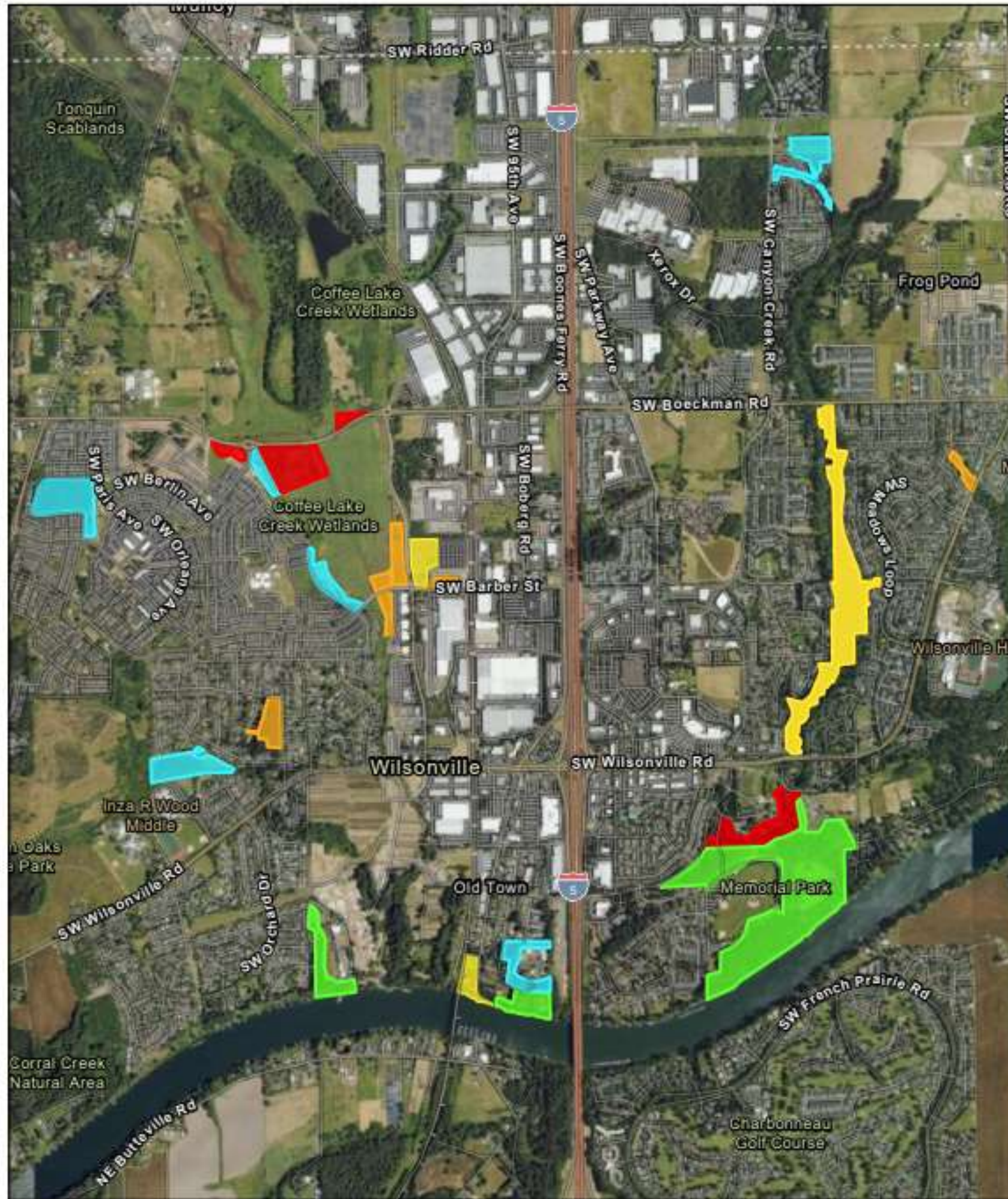
Survey Findings: City Wide

	Combined Native Stem count	Canopy Cover	Combined Native Cover	Noxious Weed Cover	Species Richness	Site Score
Memorial Park	15.4	55.0	24.1	35.6	9.7	0.73
Boeckman Creek	15.6	65.9	28.4	33.1	6.6	-0.56
Kinsman Road	2.8	3.1	11.9	12.4	7.1	-2.75
Boones Ferry Park	10.4	51.5	6.4	14.8	9.2	-1.25
Coffee Lake Wetlands	3.3	2.3	5.8	74.6	2.5	-9
Murase Plaza	5.3	25.3	8.6	55.7	9.3	-5
Edelweiss Park	71.7	70.0	32.2	14.3	11.5	5.33
Tivoli Park	11.0	2.5	19.8	3.9	13.5	4
Willow Creek	10.5	0.0	14.3	57.4	8.5	-4
Oulanka Park	3.3	0.0	9.6	54.8	5.5	-7
Park at Merryfield	14.5	84.0	62.9	9.3	11.5	8
Tranquil Park	20.0	89.0	14.3	74.8	10.5	0
Canyon Creek Park	51.3	42.5	29.1	20.6	13.3	8
Arrowhead Park	39.8	77.5	54.3	28.5	8.3	6

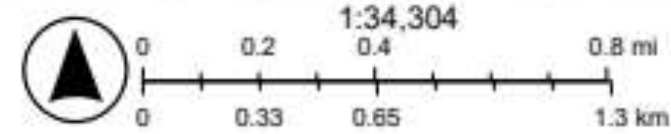
Color Legend

Bottom/0 Quartile	25%/2nd Quartile	Median Quartile	75%/3rd Quartile	Top/4th Quartile
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City of Wilsonville Natural Areas-Habitat Scores



11/26/2024



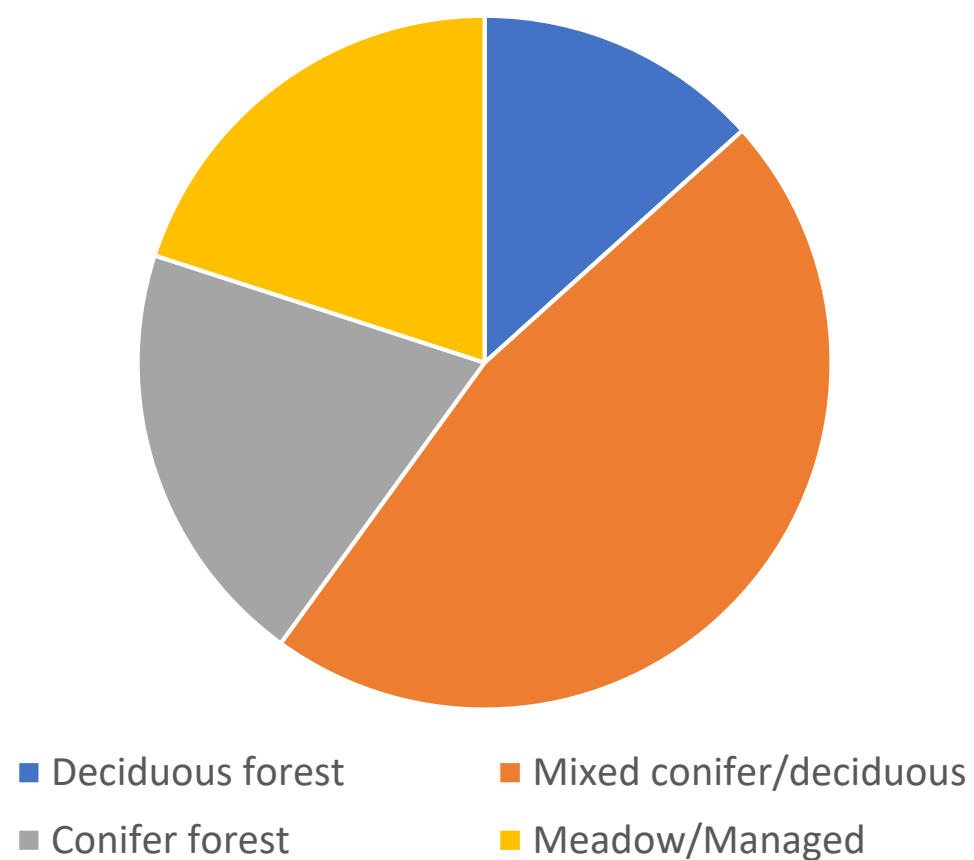
Source: Esri, USDA FSA, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Oregon Metro, Oregon State Parks, State of Oregon GEO, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS

Survey Findings Memorial Park

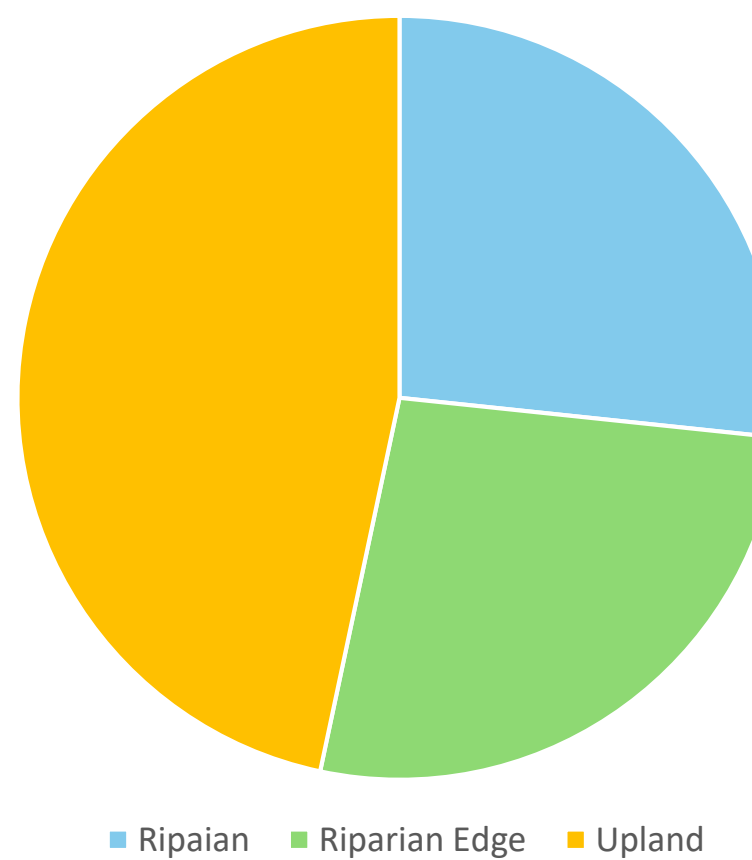
# Trees (stem count)		# Shrubs (stem count)		% Bare	Tree richness	Shrub richness	Canopy cover	Site Score
Native	Non N	Native	Non N					
6.9	6.4	8.5	29.3	0.0	2.6	2.5	60.7	0.73

% Graminoid		% Forb		% Shrub		% Bare	Graminoid + forb richness	Noxious weed cover
Native	Non N	Native	Non N	Native	Non N			
1.1	14.8	13.4	21.9	9.6	14.6	32.1	4.6	35.6

Habitat Types



Riparian Habitat



Community Outreach Objectives

- Goal: Provide open and transparent communication to community members about the project process, goals, and outcomes
- Objectives
 - Identify local and non-local individuals, community groups, organizations, and other entities that may have connections to the project area
 - Create communication pathways for people to be able to share their thoughts and opinions during the project
 - Online survey, In-person events (e.g. Earth Day/Arbor Day), social media updates, Let's Talk Wilsonville project page



Outreach Strategies

- Let's Talk Wilsonville
 - Publish general updates on the project
 - Gateway for community to submit questions and survey responses
 - Contact info for City and the ACFM Project Manager
- *Boones Ferry Messenger*
 - Announce upcoming public meetings
 - Press releases with project updates
- Social Media: City of Wilsonville's Instagram, Facebook
 - Announce upcoming public meetings
 - Highlight events and document the process of creating the NAMP

Planning Objectives and Approach

Complete:

- Review existing management plans, laws, regulations
- Identify and compile existing data related to natural resource value and function of natural areas
- Develop site catalog and prioritization frameworks
- Conduct vegetation assessments and habitat delineations
- Earth Day event, Boones Ferry Messenger article

Ongoing/Future:

- Finish analysis of field data
- Host townhall
- Develop management needs and key objectives for habitat types
- Identify key populations or individuals that are at risk from pests and/or disease and recommend preventative/reactive strategies
- Develop final Natural Area Management Plan

Deliverables

- Prioritization framework
- Catalog of all City natural areas
- Habitat delineations of all City natural areas
- Maps of up to 20 high priority natural areas
- Robust list of key community partners, summaries of outreach activities, and data on public input
- 2-3 press releases announcing the project, meetings, and project updates
- LTW Featured Project Page
- Management recommendations and strategies based on the data that is collected and compiled
- List of priority areas for reduction of wildlife hazards

Community Enhancement Program Projects Update

Monday December 2nd



Completed Projects

- Murase Arboretum
 - Completed Spring 2024
- Boones Ferry North Trail
 - Completed Summer 2024
- Murase Music Garden
 - Completed Fall 2024

Murase Arboretum

- Educational Arboretum
- \$13,000 Grant Funded
- A Community Space
- A Growing Space



Murase Arboretum



Boones Ferry Trail

- .15 Mile Connector Trail
- \$40,000 Grant Funded
- Improved Walkability and Restoration
- Complete Restoration & Add Connections

Boones Ferry Trail



Murase Music Garden

- Bring Music to the Murase Show Garden
- \$ 17,000
- Three Opportunities to Explore Music
- Ongoing Maintenance and Repairs



Murase Music Garden



Questions?



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: December 2, 2024		Subject: Resolution No. 3173 Authorizing the City Manager to Execute a Professional Services Agreement with Century West Engineering to provide Engineering Consulting Services for the FY25-28 Street Maintenance Project (Capital Improvement Project No. 4014)	
		Staff Member: Jason Rice, PE, Consulting Project Manager	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: N/A	
Staff Recommendation: Staff recommends Council adopt the Consent Agenda.			
Recommended Language for Motion: I move to adopt the Consent Agenda.			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities:	<input type="checkbox"/> Adopted Master Plan(s):	<input checked="" type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

A City of Wilsonville Resolution approving a Professional Services Agreement (PSA) with Century West Engineering in the amount of \$409,709.60 for engineering consulting services for the Fiscal Year 2025-2028 (FY25-28) Street Maintenance Projects (Capital Improvement Project No. 4014).

EXECUTIVE SUMMARY:

The Wilsonville Annual Street Maintenance Program funds the planning, design, and construction of street surface rehabilitation projects necessary to maintain a safe and reliable street network.

To accomplish the goals of this program, in the past, Staff had requested a design contract for each year of the Street Maintenance Program; however, to create efficiency and savings for the City, this year Staff combined the next four years of Street Maintenance Project design under a single engineering professional services contract. This contract will augment in-house efforts of crack and slurry sealing with the design of non-compliant ADA curb ramps and provide detailed design of roadway treatments such as grind and inlays. A map of the planned street maintenance locations is provided as **Attachment 1**.

A Request for Proposals (RFP) for engineering consulting services was issued on August 7, 2024. A total of two proposals were submitted by the September 10, 2024, deadline, and were subsequently evaluated by the City's selection review committee. Century West Engineering was identified as the successful proposer in accordance with City and State procurement requirements for professional services over \$100,000.

Century West Engineering will be responsible for delivering contract documents which will be used to request bids from qualified paving contractors for the construction phase of the Project. The engineering services scope of work is included with the Professional Services Agreement as **Exhibit A to Resolution No. 3173**. A contract amendment with Century West Engineering to add construction engineering services, to be defined and costs negotiated, will follow completion of the engineering design for each phase of the street maintenance work.

EXPECTED RESULTS:

Rehabilitation of the street surface will improve the smoothness of the roadway for drivers, extend the useful life of the existing pavement sections, and minimize the cost of future maintenance activities. Early rehabilitation will minimize the risk of a full replacement being required later, continuing to provide a safe, reliable City street network.

TIMELINE:

This design contract spans four years of Street Maintenance for the City. Final design of each year's work is scheduled to be completed by the end of March, with construction anticipated to begin each year in July and completed by November.

CURRENT YEAR BUDGET IMPACTS:

The amended budget for Fiscal Year 2024-25 (FY 24-25) includes funding for engineering design and overhead for the Project as summarized below.

CIP No.	Project Name	Funding Source	Amended FY25 Budget	Contract Amount
4014	Street Maintenance	Road Maintenance Fees	\$ 2,842,830	\$409,709.60

Construction of the 2024 Street Maintenance project is currently wrapping up and will expend approximately \$2,000,000 of the available FY24-25 budget. The contract amount for the FY25-28 Street Maintenance project design is within the remaining FY24-25 budgeted amount. The Street Maintenance Projects are included in the City’s five-year capital improvement plan and will carry into subsequent fiscal years.

COMMUNITY INVOLVEMENT PROCESS:

The 2016 update of the Wilsonville Annual Road Maintenance Program included outreach to rate payers and formation of a task force with representatives from residential and business interests tasked with making Program recommendations to the City Council.

During design, the project team will coordinate with affected property owners, residents, and businesses to plan for and accommodate access during construction. Prior to the start of construction, there will be a public outreach process to inform the community of the Project and potential impacts. The outreach will be conducted through the Boones Ferry Messenger, City project webpage, social media, project signage, door hangers, and mailers.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

The Project will provide improvements to streets throughout the City varying in functional classifications from residential local streets to major arterial roadways. Maintaining these streets will improve the safety and reliability of the roads through smoother road surfaces with less cracks and potholes and new, updated striping elements. Maintenance will extend the useful life of these street sections and prevent or delay larger, more costly, replacements in the future.

ALTERNATIVES:

During the design of this project, pavement treatment alternatives will be assessed and selected to ensure the longest extension of effective pavement life at the best value.

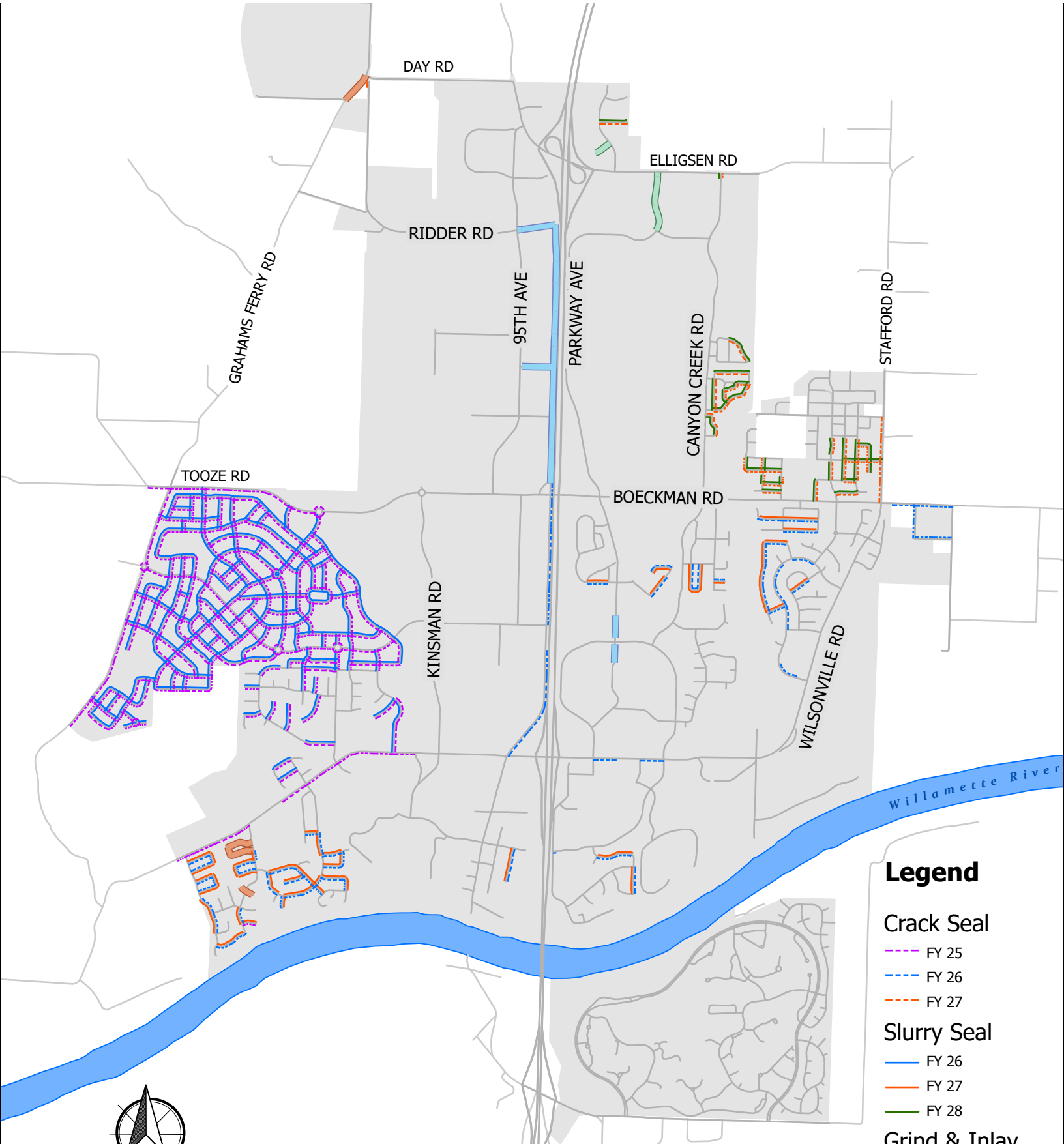
CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Vicinity Map
2. Resolution No. 3173
 - A. FY25-28 Street Maintenance Professional Services Agreement

**ATTACHMENT #1
RESOLUTION NO. 3173**



VICINITY MAP
NTS

**STREET MAINTENANCE
PROGRAM FY25-28**

Legend

Crack Seal

- FY 25 (purple dashed line)
- FY 26 (blue dashed line)
- FY 27 (orange dashed line)

Slurry Seal

- FY 26 (blue solid line)
- FY 27 (orange solid line)
- FY 28 (green solid line)

Grind & Inlay

- FY 26 (blue solid line)
- FY 27 (orange solid line)
- FY 28 (green solid line)

RESOLUTION NO. 3173

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH CENTURY WEST ENGINEERING FOR ENGINEERING CONSULTING SERVICES FOR THE FISCAL YEAR 2025-2028 (FY25-28) STREET MAINTENANCE PROJECT (CAPITAL IMPROVEMENT PROJECT NO. 4014).

WHEREAS, the City has planned and budgeted for engineering design for Capital Improvement Project No. 4014, known as the FY25-28 Street Maintenance project (the Project); and,

WHEREAS, the City solicited proposals from qualified consulting firms that duly followed State of Oregon Public Contracting Rules and the City of Wilsonville Municipal Code; and,

WHEREAS, Century West Engineering submitted a proposal on September 10, 2024, and was subsequently evaluated and determined to be the most qualified consultant to perform the work; and,

WHEREAS, following the qualifications based selection process and under the direction of the City, a detailed scope of work was prepared, and the fee for the scope was negotiated and found to be acceptable and appropriate for the services to be provided.

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

Section 1. The procurement process for the Project duly followed Oregon Public Contracting Rules, and Century West Engineering has provided a responsive and responsible proposal for engineering consulting services.

Section 2. The City Council, acting as the Local Contract Review Board, authorizes the City Manager to enter into and execute, on behalf of the City of Wilsonville, a Professional Services Agreement with Century West Engineering for a not-to-exceed amount of \$409,709.60, which is substantially similar to **Exhibit A** attached hereto.

Section 3. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 2nd day of December 2024 and filed with the Wilsonville City Recorder this date.

JULIE FITZGERALD, MAYOR

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBIT:

A. FY25-28 Street Maintenance Professional Services Agreement

**EXHIBIT A
RESOLUTION NO. 3173**

Contract No. 25281
CIP No. 4014

Item 16.

**CITY OF WILSONVILLE
PROFESSIONAL SERVICES AGREEMENT**

This Professional Services Agreement (“Agreement”) for the 2025-28 Street Maintenance Design Project (“Project”) is made and entered into on _____, 2024 (“Effective Date”) by and between the **City of Wilsonville**, a municipal corporation of the State of Oregon (hereinafter referred to as the “City”), and **Century West Engineering Corporation**, an Oregon corporation (hereinafter referred to as “Consultant”).

RECITALS

WHEREAS, the City requires services which Consultant is capable of providing, under terms and conditions hereinafter described; and

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

WHEREAS, Consultant is prepared to provide such services as the City does hereinafter require.

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

AGREEMENT

Section 1. Contract Documents

This Contract includes and incorporates by reference all of the foregoing Recitals, all of the following additional “Contract Documents,” and any and all terms and conditions set forth in such Contract Documents: Request for Proposals for the 2025-28 Street Maintenance Design Project, dated August 7, 2024, including Plans and Details bound separately; Contractor’s Proposal submitted in response thereto; 2017 City of Wilsonville Public Works Standards; City of Wilsonville Special Provisions; Project Specific Special Provisions; Oregon Department of Transportation 2018 Oregon Standard Specifications for Construction; Special Provisions to ODOT Standards; and the provisions of Oregon Revised Statutes (ORS) 279C, as more particularly set forth in this Contract. Contractor must be familiar with all of the foregoing and comply with them. Any conflict or inconsistency between the Contract Documents shall be called to the attention of the City by Contractor before proceeding with affected work. All Contract Documents should be read in concert and Contractor is required to bring any perceived inconsistencies to the attention of the City before executing this Contract. In the event a provision of this Contract conflicts with standards or requirements contained in any of the foregoing Contract Documents, the provision that is more favorable to the City, as determined by the City, will apply.

Section 2. Scope of Work

Consultant shall diligently perform the design services according to the requirements identified in the Scope of Work for the Project, attached hereto as **Exhibit A** and incorporated by reference herein (the “Services”).

Section 3. Term

The term of this Agreement shall be from the Effective Date until all Services required to be performed hereunder are completed and accepted, or no later than June 30, 2029, whichever occurs first, unless earlier terminated in accordance herewith or an extension of time is agreed to, in writing, by the City.

Section 4. Consultant’s Services

4.1. All written documents, drawings, and plans submitted by Consultant in conjunction with the Services shall bear the signature, stamp, or initials of Consultant’s authorized Project Manager. Any documents submitted by Consultant that do not bear the signature, stamp, or initials of Consultant’s authorized Project Manager, will not be relied upon by the City. Interpretation of plans and answers to questions regarding the Services or Scope of Work given by Consultant’s Project Manager may be verbal or in writing, and may be relied upon by the City, whether given verbally or in writing. If requested by the City to be in writing, Consultant’s Project Manager will provide such written documentation.

4.2. Consultant will not be deemed to be in default by reason of delays in performance due to circumstances beyond Consultant’s reasonable control, including but not limited to strikes, lockouts, severe acts of nature, or other unavoidable delays or acts of third parties not under Consultant’s direction and control (“Force Majeure”). In the case of the happening of any Force Majeure event, the time for completion of the Services will be extended accordingly and proportionately by the City, in writing, but the City will not be responsible for any additional costs as a result of the Force Majeure event. Lack of labor, supplies, materials, or the cost of any of the foregoing shall not be deemed a Force Majeure event.

4.3. The existence of this Agreement between the City and Consultant shall not be construed as the City’s promise or assurance that Consultant will be retained for future services beyond the Scope of Work described herein.

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

Section 5. Compensation

5.1. Except as otherwise set forth in this **Section 5**, the City agrees to pay Consultant on a time and materials basis, guaranteed not to exceed FOUR HUNDRED NINE THOUSAND SEVEN HUNDRED NINE DOLLARS AND SIXTY CENTS (\$409,709.60), for performance of the Services (“Compensation Amount”). Any compensation in excess of the Compensation Amount will require an express written Addendum to be executed between the City and Consultant. Consultant’s Rate Schedule is set forth in **Exhibit B**, attached hereto and incorporated by reference herein.

5.2. During the course of Consultant’s performance, if the City, through its Project Manager, specifically requests Consultant to provide additional services that are beyond the Scope of Work described on **Exhibit A**, Consultant shall provide such additional services and bill the City at the hourly rates outlined on Consultant’s Rate Schedule, as set forth in **Exhibit B**. Any additional services beyond the Scope of Work, or any compensation above the amount shown in **Subsection 5.1**, requires a written Addendum executed in compliance with the provisions of **Section 18**.

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

5.4. The City will be responsible for the direct payment of required fees payable to governmental agencies, including but not limited to plan checking, land use, zoning, permitting, and all other similar fees resulting from this Project, that are not specifically covered by **Exhibit A**.

5.5. Consultant’s Compensation Amount and Rate Schedule are all-inclusive and include, but are not limited to, all work-related costs, expenses, salaries or wages, plus fringe benefits and contributions, including payroll taxes, workers compensation insurance, liability insurance, profit, pension benefits and similar contributions and benefits, technology and/or software charges, licensing, trademark, and/or copyright costs, office expenses, travel expenses, mileage, and all other indirect and overhead charges, including, but not limited to, the Oregon Corporate Activity Tax (CAT).

Section 6. City’s Rights and Responsibilities

6.1. The City will designate a Project Manager to facilitate day-to-day communication between Consultant and the City, including timely receipt and processing of invoices, requests for information, and general coordination of City staff to support the Project.

6.2. Award of this contract is subject to budget appropriation. Funds are approved for Fiscal Year 2024-25. If not completed within this fiscal year, funds may not be appropriated for the next fiscal year. The City also reserves the right to terminate this contract early, as described in **Section 16**.

Section 7. City's Project Manager

The City's Project Manager is Jason Rice. The City shall give Consultant prompt written notice of any re-designation of its Project Manager.

Section 8. Consultant's Project Manager

Consultant's Project Manager is Joseph Jenkins. In the event that Consultant's designated Project Manager is changed, Consultant shall give the City prompt written notification of such re-designation. Recognizing the need for consistency and knowledge in the administration of the Project, Consultant's Project Manager will not be changed without the written consent of the City, which consent shall not be unreasonably withheld. In the event the City receives any communication from Consultant that is not from Consultant's designated Project Manager, the City may request verification by Consultant's Project Manager, which verification must be promptly furnished.

Section 9. Project Information

Except for confidential information designated by the City as information not to be shared, Consultant agrees to share Project information with, and to fully cooperate with, those corporations, firms, contractors, public utilities, governmental entities, and persons involved in or associated with the Project. No information, news, or press releases related to the Project, whether made to representatives of newspapers, magazines, or television and radio stations, shall be made without the written authorization of the City's Project Manager.

Section 10. Duty to Inform

If at any time during the performance of this Agreement or any future phase of this Agreement for which Consultant has been retained, Consultant becomes aware of actual or potential problems, faults, or defects in the Project or Scope of Work, or any portion thereof; or of any nonconformance with federal, state, or local laws, rules, or regulations; or if Consultant has any objection to any decision or order made by the City with respect to such laws, rules, or regulations, Consultant shall give prompt written notice thereof to the City's Project Manager. Any delay or failure on the part of the City to provide a written response to Consultant shall neither constitute agreement with nor acquiescence to Consultant's statement or claim, nor constitute a waiver of any of the City's rights.

Section 11. Subcontractors and Assignments

11.1. Unless expressly authorized in **Exhibit A** or **Section 12** of this Agreement, Consultant shall not subcontract with others for any of the Services prescribed herein. Consultant shall not assign any of Consultant's rights acquired hereunder without obtaining prior written approval from the City, which approval may be granted or denied in the City's sole discretion. Some Services may be performed by persons other than Consultant, provided Consultant advises the City of the names of such subcontractors and the work which they intend to perform, and the City specifically agrees in writing to such subcontracting. Consultant acknowledges such work will be provided to the City pursuant to a subcontract(s) between Consultant and subcontractor(s) and no privity of contract exists between the City and the subcontractor(s). Unless otherwise specifically provided by this Agreement,

the City incurs no liability to third persons for payment of any compensation provided herein to Consultant. Any attempted assignment of this Agreement without the written consent of the City shall be void. Except as otherwise specifically agreed, all costs for work performed by others on behalf of Consultant shall not be subject to additional reimbursement by the City.

11.2. The City shall have the right to enter into other agreements for the Project, to be coordinated with this Agreement. Consultant shall cooperate with the City and other firms, engineers or subcontractors on the Project so that all portions of the Project may be completed in the least possible time and within normal working hours. Consultant shall furnish other engineers, subcontractors and affected public utilities, whose designs are fitted into Consultant's design, detail drawings giving full information so that conflicts can be avoided.

11.3. Consultant shall include this Agreement by reference in any subcontract and require subcontractors to perform in strict compliance with this Agreement.

Section 12. Consultant Is Independent Contractor

12.1. Consultant is an independent contractor for all purposes and shall be entitled to no compensation other than the Compensation Amount provided for under **Section 5** of this Agreement. Consultant will be solely responsible for determining the manner and means of accomplishing the end result of Consultant's Services. The City does not have the right to control or interfere with the manner or method of accomplishing said Services. The City, however, will have the right to specify and control the results of Consultant's Services so such Services meet the requirements of the Project.

12.2. Consultant may request that some consulting services be performed on the Project by persons or firms other than Consultant, through a subcontract with Consultant. Consultant acknowledges that if such services are provided to the City pursuant to a subcontract(s) between Consultant and those who provide such services, Consultant may not utilize any subcontractor(s), or in any way assign its responsibility under this Agreement, without first obtaining the express written consent of the City, which consent may be given or denied in the City's sole discretion. For all Services performed under subcontract to Consultant, as approved by the City, Consultant shall only charge the compensation rates shown on the approved Rate Schedule (**Exhibit B**). Rate schedules for named or unnamed subcontractors, and Consultant markups of subcontractor billings, will only be recognized by the City as set forth in Consultant's Rate Schedule, unless documented and approved, in writing, by the City pursuant to a modification to Consultant's Rate Schedule, per **Section 18** of this Agreement. In all cases, processing and payment of billings from subcontractors is solely the responsibility of Consultant.

12.3. Consultant shall be responsible for, and defend, indemnify, and hold the City harmless against, any liability, cost, or damage arising out of Consultant's use of such subcontractor(s) and subcontractor's negligent acts, errors, or omissions. Unless otherwise agreed to, in writing, by the City, Consultant shall require that all of Consultant's subcontractors also comply with and be subject to the provisions of this **Section 12** and meet the same insurance requirements of Consultant under this Agreement.

Section 13. Consultant Responsibilities

13.1. Consultant must make prompt payment for any claims for labor, materials, or services furnished to Consultant by any person in connection with this Agreement as such claims become due. Consultant shall not permit any liens or claims to be filed or prosecuted against the City on account of any labor or material furnished to or on behalf of Consultant. If Consultant fails, neglects, or refuses to make prompt payment of any such claim, the City may, but shall not be obligated to, pay such claim to the person furnishing the labor, materials, or services and offset the amount of the payment against funds due or to become due to Consultant under this Agreement. The City may also recover any such amounts directly from Consultant.

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

13.3. No person shall be discriminated against by Consultant or any subcontractor in the performance of this Agreement on the basis of sex, gender, race, color, creed, religion, marital status, age, disability, sexual orientation, gender identity, or national origin. Any violation of this provision shall be grounds for cancellation, termination, or suspension of the Agreement, in whole or in part, by the City. References to "subcontractor" mean a subcontractor at any tier.

Section 14. Indemnity

14.1. Indemnification. Consultant acknowledges responsibility for liability arising out of the performance of this Agreement, and shall defend, indemnify, and hold the City harmless from any and all liability, settlements, loss, costs, and expenses in connection with any action, suit, or claim resulting or allegedly resulting from Consultant's negligent acts, omissions, errors, or willful or reckless misconduct pursuant to this Agreement, or from Consultant's failure to perform its responsibilities as set forth in this Agreement. The review, approval, or acceptance by the City, its Project Manager, or any City employee of documents or other work performed, prepared, or submitted by Consultant shall not be considered a negligent act, error, omission, or willful misconduct on the part of the City, and none of the foregoing shall relieve Consultant of its responsibility to perform in full conformity with the City's requirements, as set forth in this Agreement, and to indemnify the City as provided above and to reimburse the City for any and all costs and damages suffered by the City as a result of Consultant's negligent performance of this Agreement, failure of performance hereunder, violation of state or federal laws, or failure to adhere to the standards of performance and care described in **Subsection 14.2**. For those claims based on professional liability (as opposed to general liability or automobile liability), Consultant shall not be required to provide the City's defense

but will be required to reimburse the City for the City's defense costs incurred in any litigation resulting from the negligent acts, omissions, errors, or willful or reckless misconduct by Consultant.

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

Section 15. Insurance

15.1. Insurance Requirements. Consultant must maintain insurance coverage acceptable to the City in full force and effect throughout the term of this Agreement. Such insurance shall cover all risks arising directly or indirectly out of Consultant's activities or work hereunder. Any and all agents or subcontractors with which Consultant contracts for any portion of the Services must have insurance that conforms to the insurance requirements in this Agreement. Additionally, if a subcontractor is an engineer, architect, or other professional, Consultant must require the subcontractor to carry Professional Errors and Omissions insurance and must provide to the City proof of such coverage. The amount of insurance carried is in no way a limitation on Consultant's liability hereunder. The policy or policies maintained by Consultant shall provide at least the following minimum limits and coverages at all times during performance of this Agreement:

15.1.1. Commercial General Liability Insurance. Consultant and all subcontractors shall obtain, at each of their own expense, and keep in effect during the term of this Agreement, comprehensive Commercial General Liability Insurance covering Bodily Injury and Property Damage, written on an "occurrence" form policy. This coverage shall include broad form Contractual Liability insurance for the indemnities provided under this Agreement and shall be for the following minimum insurance coverage amounts: The coverage shall be in the amount of **\$2,000,000** for each occurrence and **\$3,000,000** general aggregate and shall include Products-Completed Operations Aggregate in the minimum amount of **\$2,000,000** per occurrence, Fire Damage (any one fire) in the minimum amount of **\$50,000**, and Medical Expense (any one person) in the minimum amount of **\$10,000**. All of the foregoing coverages must be carried and maintained at all times during this Agreement.

15.1.2. Professional Errors and Omissions Coverage. Consultant agrees to carry Professional Errors and Omissions Liability insurance on a policy form appropriate to the professionals providing the work hereunder with a limit of no less than **\$2,000,000** per claim. Consultant shall maintain this insurance for damages alleged to be as a result of errors, omissions, or negligent acts of Consultant. Such policy shall have a retroactive date effective before the commencement of any work by Consultant on the Services covered by this Agreement, and coverage will remain in force for a period of at least three (3) years after termination of this Agreement.

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

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

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

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

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

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

Section 16. Early Termination; Default

16.1. This Agreement may be terminated prior to the expiration of the agreed upon terms:

16.1.1. By mutual written consent of the parties;

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

16.1.3. By Consultant, effective upon seven (7) days’ prior written notice in the event of substantial failure by the City to perform in accordance with the terms through no fault of Consultant, where such default is not cured within the seven (7) day period by the City. Withholding of disputed payment is not a default by the City.

16.2. If the City terminates this Agreement, in whole or in part, due to default or failure of Consultant to perform Services in accordance with the Agreement, the City may procure, upon reasonable terms and in a reasonable manner, services similar to those so terminated. In addition to any other remedies the City may have, both at law and in equity, for breach of contract, Consultant shall be liable for all costs and damages incurred by the City as a result of the default by Consultant, including, but not limited to all costs incurred by the City in procuring services from others as needed to complete this Agreement. This Agreement shall be in full force to the extent not terminated by written notice from the City to Consultant. In the event of a default, the City will provide Consultant with written notice of the default and a period of ten (10) days to cure the default. If Consultant notifies the City that it wishes to cure the default but cannot, in good faith, do so within the ten (10) day cure period provided, then the City may elect, in its sole discretion, to extend the cure period to an agreed upon time period, which agreed upon extension must be in writing and signed by the parties prior to the expiration of the cure period. Unless a written, signed extension has been fully executed by the parties, if Consultant fails to cure prior to expiration of the cure period, the Agreement is automatically terminated.

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

16.4. Termination under any provision of this Section shall not affect any right, obligation, or liability of Consultant or the City that accrued prior to such termination. Consultant shall surrender to the City items of work or portions thereof, referred to in **Section 20**, for which Consultant has received payment or the City has made payment.

Section 17. Suspension of Services

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

Section 18. Modification/Addendum

Any modification of the provisions of this Agreement shall not be enforceable unless reduced to writing and signed by both the City and Consultant. A modification is a written document, contemporaneously executed by the City and Consultant, which increases or decreases the cost to the City over the agreed Compensation Amount in **Section 5** of this Agreement, or changes or modifies the Scope of Work or the time for performance. No modification shall be binding or effective until executed, in writing, by both Consultant and the City. In the event Consultant receives any communication of whatsoever nature from the City, which communication Consultant contends gives rise to any modification of this Agreement, Consultant shall, within five (5) days after receipt, make a written request for modification to the City's Project Manager in the form of an Addendum. Consultant's failure to submit such written request for modification in the form of an Addendum shall be the basis for refusal by the City to treat said communication as a basis for modification or to allow such modification. In connection with any modification to this Agreement affecting any change in price, Consultant shall submit a complete breakdown of labor, material, equipment, and other costs. If Consultant incurs additional costs or devotes additional time on Project tasks, the City shall be responsible for payment of only those additional costs for which it has agreed to pay under a signed Addendum. To be enforceable, the Addendum must describe with particularity the nature of the change, any delay in time the Addendum will cause, or any increase or decrease in the Compensation Amount. The Addendum must be signed and dated by both Consultant and the City before the Addendum may be implemented.

Section 19. Access to Records

The City shall have access, upon request, to such books, documents, receipts, papers, and records of Consultant as are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts during the term of this Agreement and for a period of four (4) years after termination of the Agreement, unless the City specifically requests an extension. This clause shall survive the expiration, completion, or termination of this Agreement.

Section 20. Property of the City

All documents, reports, and research gathered or prepared by Consultant under this Agreement, including but not limited to spreadsheets, charts, graphs, drawings, tracings, maps, surveying records, mylars, modeling, data generation, papers, diaries, inspection reports, photographs, and any originals

or certified copies of the original work forms, if any, shall be the exclusive property of the City and shall be delivered to the City prior to final payment. Any statutory or common law rights to such property held by Consultant as creator of such work shall be conveyed to the City upon request without additional compensation.

Section 21. Notices

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

To City: City of Wilsonville
Attn: Jason Rice, P.E., Consulting Project Manager
29799 SW Town Center Loop East
Wilsonville, OR 97070

To Consultant: Century West Engineering
Attn: Joseph Jenkins
5500 Meadows Road, Suite 250
Lake Oswego, OR 97035

Section 22. Miscellaneous Provisions

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

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

22.3. No Assignment. Consultant may not assign this Agreement, nor delegate the performance of any obligations hereunder, unless agreed to in advance and in writing by the City.

22.4. Adherence to Law. In the performance of this Agreement, Consultant shall adhere to all applicable federal, state, and local laws (including the Wilsonville Code and Public Works Standards), including but not limited to laws, rules, regulations, and policies concerning employer and employee relationships, workers compensation, and minimum and prevailing wage requirements. Any certificates, licenses, or permits that Consultant is required by law to obtain or maintain in order to perform the Services described on **Exhibit A**, shall be obtained and maintained throughout the term of this Agreement.

22.5. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Oregon, regardless of any conflicts of laws. All contractual provisions required by ORS Chapters 279A, 279B, 279C, and related Oregon Administrative Rules to be included in public agreements are hereby incorporated by reference and shall become a part of this Agreement as if fully set forth herein.

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

22.7. Legal Action/Attorney Fees. If a suit, action, or other proceeding of any nature whatsoever (including any proceeding under the U.S. Bankruptcy Code) is instituted in connection with any controversy arising out of this Agreement or to interpret or enforce any rights or obligations hereunder, the prevailing party shall be entitled to recover attorney, paralegal, accountant, and other expert fees and all other fees, costs, and expenses actually incurred and reasonably necessary in connection therewith, as determined by the court or body at trial or on any appeal or review, in addition to all other amounts provided by law. If the City is required to seek legal assistance to enforce any term of this Agreement, such fees shall include all of the above fees, whether or not a proceeding is initiated. Payment of all such fees shall also apply to any administrative proceeding, trial, and/or any appeal or petition for review.

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

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

22.10. Modification. This Agreement may not be modified except by written instrument executed by Consultant and the City.

22.11. Time of the Essence. Time is expressly made of the essence in the performance of this Agreement.

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

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

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

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

22.16. Other Necessary Acts. Each party shall execute and deliver to the other all such further instruments and documents as may be reasonably necessary to carry out this Agreement in order to provide and secure to the other parties the full and complete enjoyment of rights and privileges hereunder.

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

22.18. Entire Agreement. This Agreement and all documents attached to this Agreement represent the entire agreement between the parties.

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

[Signatures on following page]

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

The Consultant and the City hereby agree to all provisions of this Agreement.

CONSULTANT:

CITY:

Century West Engineering Corporation

City of Wilsonville

By: _____

By: _____

Print Name: _____

Print Name: _____

As Its: _____

As Its: _____

EIN/Tax I.D. No. _____

APPROVED AS TO FORM:

Stephanie Davidson, Assistant City Attorney
City of Wilsonville, Oregon

EXHIBIT A SCOPE OF WORK

PROJECT UNDERSTANDING

The City of Wilsonville (City) requested the assistance of Century West Engineering (Century West/CWE) Team, including Central Geotechnical Services, to provide project management; survey; pavement investigation and recommendations; plans, estimates, and specifications (PS&E) for pavement rehabilitation and other improvements as part of the City's Fiscal Year (FY) 2025-2028 Street Maintenance (please see attached project map).

Various roadway segments throughout the City will be maintained through grind and inlay. The roadway segments are listed below and shown in the attached project map. ADA curb ramp retrofits will be triggered as a part of this work.

- FY 2026
 - SW Parkway Ct, cul-de-sac/Town Center Park to Town Center Loop intersection
 - SW Parkway Ave, SW Thunderbird Dr to Town Center Loop intersection
 - SW Boones Ferry Rd, SW Ridder Rd to Boeckman Rd Connector
 - SW Nike Dr, SW 95th Ave to SW Boones Ferry Rd
 - SW Ridder Rd, SW 95th Ave to SW Boones Ferry Rd
- FY 2027
 - SW Chantilly, entire length
 - SW McKenzie Ct, entire length
 - SW Grahams Ferry Rd, SW Day Rd to Cahalin Rd
- FY 2028
 - SW Parkway Center Dr, SW Elligsen Rd to SW Burns Way
 - SW Sun Pl, entire length

The CWE Team will evaluate the pavement conditions and provide recommendations to the City. Pavement striping will be replaced along all corridors within the project limits. Traffic signal loop detection will be replaced on streets that require grind and inlay or full-depth reconstruction treatments. ADA ramps along the project corridors will be inspected and retrofitted/replaced to follow current ADA/PROWAG standards.

The scope and fee for the slurry and crack seal limits shown on the attached project map will include a limited windshield-level assessment from the CWE Team. The City will create and administer the PS&E and bidding for these locations, separate from this scope of work. Construction Services by the CWE Team are provided in this scope of work for slurry and crack seal limits.

TASK 1 – PROJECT MANAGEMENT

This task includes the overall planning, monitoring, and control of project efforts to meet the technical work efforts, quality control, project deliverables, cost, schedule, and communication objectives. Century West assumes that the project duration for the Management/Administration duties will be no longer than forty-eight (48) calendar months. The work will be accomplished under the following subtasks:

1.1 Administration

- a. Maintain project records, budgets, and communications for the project's duration.

Century West Engineering
November 14, 2024

Page 1

- b. Brief weekly email reports on project status as needed.
- c. Manage all sub-consultants.
- d. Process and submit monthly billing with a summary of project status by task.
- e. Create, monitor, and maintain project schedule.

1.2 Meetings

- a. Kickoff Meeting (Virtual): Century West will organize and attend a project kickoff meeting to accomplish the items below. Attendees will include CWE PM, CWE PE, Geotechnical PM, and City PM. The meeting is assumed to be up to one (1) hour in duration.
 - i. Establish clear lines of communication and procedures to be followed.
 - ii. Confirm understanding of project scope, schedule, level of plan detail, etc.
 - iii. CWE will provide meeting notes and action items following the meeting.
- b. Milestone Review Meetings (Virtual): Century West will coordinate with City of Wilsonville for post-milestone review meetings to discuss any redline comments or general project feedback. CWE has budgeted to attend up to twelve (12), one (1) hour meetings to discuss the project. CWE attendees will include CWE PM, CWE PE, and Geotechnical PM as needed.
- c. Biweekly Meetings (Virtual): CWE PM will organize and conduct project meetings biweekly with City PM. Geotechnical PM will attend these meetings as needed. Meetings are assumed to be up to thirty (30) minutes.

TASK 2 – SURVEY & DATA GATHERING

2.1 ADA Ramp Topographic Survey

- a. Establishing a horizontal and vertical survey control network
- b. Reference the network and all mapping to City of Wilsonville approved vertical datum, NAVD 88.
- c. NOTE: for ADA Ramp Improvements, survey shall include:
 - i. 3D surface to extend from 10' behind sidewalk to 25' out from face of curb.
 - ii. 3D line work for top of curb, gutter, sidewalks, walls etc.
 - iii. Any structures in the street within 6' of curb (valves, manholes, catch basins, etc.)
 - iv. Any structures or utilities within 2' of back of walk including walls, junction boxes, water meters, fire hydrants, stop signs, streetlights, power poles, etc.).
 - v. Limits of line work shall extend to at least 20' past curb returns.
 - vi. Topographic survey data packages will be gathered for fiscal years 2026, 2027, and 2028 simultaneously to reduce mobilization costs.
- d. Prepare 3D drawing - survey information is to be given to the City in current AutoCAD (DWG) format.
- e. NOT included in this scope of work (these can be added if required)
 - i. Underground utilities outside of ROW
 - ii. Wetland mapping
 - iii. Boundary or right-of-way surveying
 - iv. Easement mapping
 - v. Trees: Mapping individual trees
- f. DATUM:
 - i. Horizontal: Oregon State Plane
 - ii. Vertical: NAVD88

2.2 Monument Preservation

- a. Locate all monuments that will be disturbed by Grind/Overlay, Grind/Inlay operations, and by ADA Ramp Improvement Construction
 - iii. Assumption: fifty-eight (58) monuments will potentially be disturbed throughout all three fiscal years
- b. Referenced to the Oregon North State Plane Coordinates
- c. Establish control points in each of the above-mentioned area(s) with GPS and/or Conventional Surveying Techniques – minimum of three (3) control points per area
- d. Double occupy all monuments
- e. Report Grid Coordinate Values of each found monument
- f. Draft & File Survey Record(s):
 - iv. Survey to be drafted to County standards and filed with Clackamas County or Washington County
- g. S&F will reset found monuments at previously reported position (if monument disturbed)
 - v. Set 5/8" Iron Rods w/ yellow plastic caps where applicable.

TASK 3 – PAVEMENT INVESTIGATION & RECOMMENDATIONS

3.1 Field Investigation

3.2 Analysis, Recommendations, Project Management

Pavement rehabilitation design recommendations will be provided based on analysis and the City's pavement design standards. The scope of work will be separated into two sections, one is crack seal and slurry seal street windshield pavement condition review and the second is project-level pavement rehabilitation analysis streets slated for grind and inlay.

The proposed scope of work for slurry seal and crack seal projects is as follows:

- a. Complete a windshield survey of each street on the project list and provide the following:
 - i. An opinion of any road sections which may not be appropriate for crack and slurry treatment.
 - ii. An estimation of total pavement area which may require patching or additional maintenance prior to global rehabilitation.
- b. Provide a summary of our findings in a short memorandum.

Our proposed scope of work for grind and inlay rehabilitation streets is as follows:

- a. Complete a generalized distress survey of the road sections. Provide recommendations for pavement areas that may require repair prior to rehabilitation.
- b. Provide traffic control and traffic control plans when required for testing. It is assumed permitting requirements and fees will be managed by City personnel.
- c. Complete ground penetrating radar (GPR) testing for each street segment in the outside wheel track of the main travel lanes.
- d. Complete falling weight deflectometer (FWD) testing in the outside wheel track of the main travel lanes on the following collector and arterial streets:
 - i. SW Parkway Ct
 - ii. SW Parkway Ave
 - iii. SW Boones Ferry Rd

- iv. SW Ridder Rd
 - v. SW Grahams Ferry Rd
 - vi. SW Parkway Center Dr
- e. Explore subsurface conditions in the proposed sections by completing pavement borings to depths of up to three (3) feet below ground surface (BGS). The following number of explorations for each road section are recommended:
- i. SW Parkway Ct – 2 explorations
 - ii. SW Parkway Ave – 2 explorations
 - iii. SW Boones Ferry Rd – 5 explorations
 - iv. SW Nike Dr – 1 exploration
 - v. SW Ridder Rd – 1 exploration
 - vi. SW Chantilly – 4 explorations
 - vii. SW McKenzie Ct – 2 explorations
 - viii. SW Grahams Ferry Rd – 3 explorations
 - ix. SW Parkway Center Dr – 4 explorations
 - x. SW Sun Pl – 1 exploration
- f. Maintain a detailed log of the explorations. Obtain samples of the pavement, base, and subgrade materials encountered and perform laboratory testing including up to 20 moisture content tests, up to 8 tests for Atterberg limits, and up to 8 tests for material passing a U.S. Standard No. 200 sieve. Total assumed
- g. Patch pavement borings with polymer modified asphalt patch.
- h. Obtain 48-hour traffic classification counts through subcontractor at a total of seven locations: one at SW Parkway Center Drive, one at SW Parkway Avenue, one at SW Grahams Ferry Road, one at SW Parkway Court, one at SW Ridder Road, and two at SW Boones Ferry Road.
- i. Evaluate pavement thickness and distress based GPR and pavement core data.
- j. Provide a summary of the GPR data results within the report.
- k. Estimate pavement thickness from a review of subsurface explorations and GPR data analysis.
- l. Analyze FWD, GPR, and subsurface data to estimate existing pavement capacity.
- m. Calculate estimated pavement equivalent single axle loads (ESAL) based on the traffic classification count data.
- n. Provide recommendations for pavement preservation based on existing pavement condition, pavement capacity, and required pavement capacity based on ESAL results.
- o. Provide a DRAFT and FINAL Pavement Design Report summarizing our findings and recommendations.

TASK 4 – ENGINEERING & DESIGN (60%, 90%, 100%/FINAL & BID DOCUMENTS)

4.1 60% Design & Estimate

Unless otherwise noted, the following items shall be completed for each fiscal year.

- a. **Field Reconnaissance:**
 - i. Conduct field reconnaissance of roadway rehabilitation locations. The team will verify existing conditions and provide photo documentation of pavement conditions prior to design efforts.
 - ii. CWE will not assess ramps that are clearly out of compliance based on visual observation. CWE will limit curb ramp assessment to those facilities that the field team determines, based on visual observation, have the potential to be compliant. Assessment information will be collected in accordance with ODOT standard forms.
- b. Provide layouts for pavement improvements based on the DRAFT Pavement Design Report, Field

Reconnaissance, and discussions with City staff.

- i. Pavement reconstruction and grind/inlay limits.
 - ii. Pavement section details.
 - iii. Roadway and driveway grading are not included.
 - iv. Design/improvements will be shown in plan view on Metro aerials only. It is assumed that no profiles will be developed/provided.
 - v. It is assumed no walls will be impacted by the design/no wall design will be needed.
 - vi. The striping will not be modified on these segments; it will only be replaced in the same configuration.
- c. Provide designs and layouts for proposed ADA curb ramps (twenty (20) corners/medians, twenty-seven (27) ramps total, are assumed to be retrofitted).
- d. Prepare construction drawings at each milestone using AutoCAD Civil 3D 2022 or later software, including the following estimated sheets (22x34):
- i. FY 25/26
 - i. Cover (1 sheet)
 - ii. Sheet Layout (1 sheet)
 - iii. General Notes & Legend (1 sheet)
 - iv. Erosion and Sediment Control Notes (1 sheet)
 - v. Typical Sections (2 sheets)
 - vi. Pavement Improvement & Erosion Control Plan (13 sheets)
 - vii. Grading Details 1:10 Scale (3 sheets)
 - viii. Signing and Striping Plans 1:20 Scale (13 sheets)
 - ix. Standard Details (4 sheets)
 - ii. FY 26/27
 - i. Cover (1 sheet)
 - ii. Sheet Layout (1 sheet)
 - iii. General Notes & Legend (1 sheet)
 - iv. Erosion and Sediment Control Notes (1 sheet)
 - v. Typical Sections (1 sheet)
 - vi. Pavement Improvement & Erosion Control Plan (4 sheets)
 - vii. Grading Details 1:10 Scale (16 sheets)
 - viii. Signing and Striping Plans 1:20 Scale (4 sheets)
 - ix. Standard Details (4 sheets)
 - iii. FY 27/28
 - i. Cover (1 sheet)
 - ii. Sheet Layout (1 sheet)
 - iii. General Notes & Legend (1 sheet)
 - iv. Erosion and Sediment Control Notes (1 sheet)
 - v. Typical Sections (1 sheet)
 - vi. Pavement Improvement & Erosion Control Plan (3 sheets)
 - vii. Grading Details 1:10 Scale (8 sheets)
 - viii. Signing and Striping Plans 1:20 Scale (3 sheets)
 - ix. Standard Details (4 sheets)
- e. Prepare engineer's estimate of the project construction cost at each milestone submittal.
- f. Assumptions:

- i. No additional exhibits and materials are necessary to support the City with notification/coordination of adjacent homeowners and businesses.
- ii. No coordination with other agencies nor other project stakeholders will be necessary.
- iii. No Traffic Control Plans are included in this scope. Traffic Control Plans to be provided by Contractor.
- iv. The striping will not be modified on these segments; it will only be replaced in the same configuration.
- v. Any permitting will be managed by the City of Wilsonville.
- vi. Clackamas County will review any impacted loops and provide feedback.
- vii. Oregon DEQ permit will be handled by the Contractor.

4.2 90% PS&E

- a. Incorporate any comments received during the 60% milestone review meeting.
- b. Prepare draft specifications and project special provisions based on ODOT 2018 Standard Specifications and the latest City Public Works Standards. City to provide standard Special Provisions for inclusion in the project special provisions. The project special provision shall clearly document deletions from, additions to, and modifications to the ODOT standard specifications. City to provide/complete "front end" specifications.
- c. Prepare bid schedule and bid item descriptions.
- d. Prepare and provide 90% plans, estimate, bid schedule and descriptions, and project special provisions for City review.

4.3 100%/Final PS&E and Bid Documents

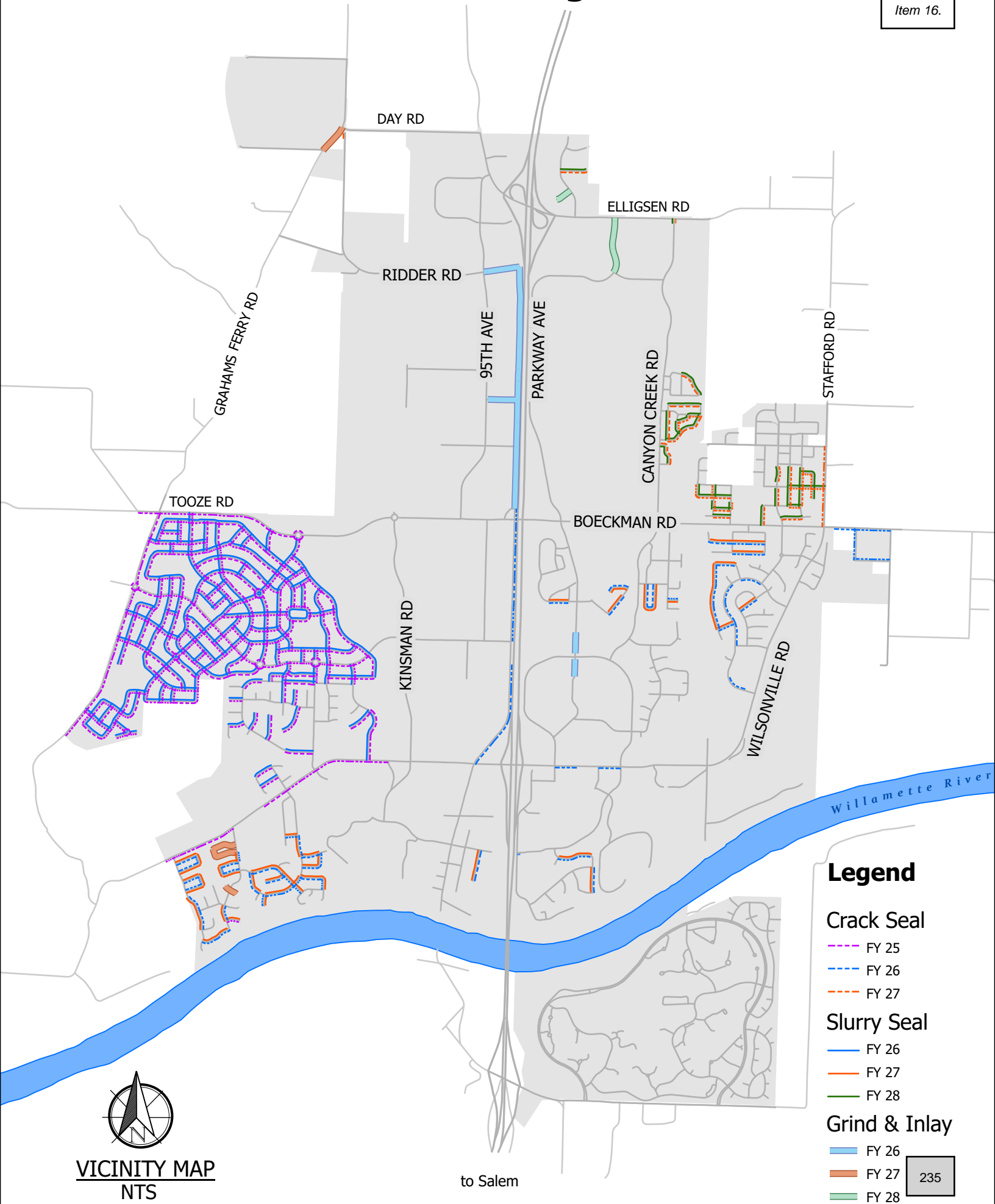
- a. Incorporate any comments received during the 90% milestone review meeting.
- b. Prepare and provide final plans, estimate, bid schedule and descriptions, and project special provisions.
- c. Prepare ADA Design Exceptions on City standard forms.

Escalation Clause—The CWE Team reserves the right to increase hourly rates as shown in the fee schedule each fiscal year based on the Consumer Price Index (CPI) or on the negotiated on-call hourly rates with the City of Wilsonville, whichever is greater, and increase the budget accordingly.

Bidding Assistance and Construction Support are not included in this scope and fee.

Street Maintenance Program FY 25-28

Item 16.



Legend

Crack Seal

- FY 25 (Purple dashed line)
- FY 26 (Blue dashed line)
- FY 27 (Orange dashed line)

Slurry Seal

- FY 26 (Blue solid line)
- FY 27 (Orange solid line)
- FY 28 (Green solid line)

Grind & Inlay

- FY 26 (Blue solid line)
- FY 27 (Orange solid line)
- FY 28 (Green solid line)

235

EXHIBIT B

City of Wilsonville 2025-2028 Street Maintenance Engineering Fee		Century West Engineering (CWE)				Central Geotechnical Services (CGS)						S&F Land Services	Budgeted Cost		
Task Code	Task Description	QAOC \$265.00	Project Manager \$205.00	Project Engineer \$155.00	EIT II \$120.00	Project Coordinator \$97.00	Principal Engineer \$265.00	Associate Engineer \$232.00	Project Manager I \$198.00	Engineering/ Geologic Staff III \$170.00	Engineering/ Geologic Staff II \$154.00	Engineering/ Geologic Staff I \$139.00	Administrative Assistant \$102.00	Subconsultant Fees	
1	PROJECT MANAGEMENT														
1.1	Administration		96			48	3	15	15				15		\$ 29,631.00
1.2	Meetings		61	13			20	20							\$ 23,780.00
		0	157	13	0	48	23	0	35	0	0	0	15		\$ 53,411.00
2	SURVEY & DATA GATHERING														
2.1.1	ADA Ramp Topographic Survey, FY 2026													\$ 4,610.00	\$ 4,610.00
2.1.2	ADA Ramp Topographic Survey, FY 2027													\$ 13,650.00	\$ 13,650.00
2.1.3	ADA Ramp Topographic Survey, FY 2028													\$ 8,370.00	\$ 8,370.00
2.2.1	Monument Preservation, FY 2026													\$ 10,100.00	\$ 10,100.00
2.2.2	Monument Preservation, FY 2027													\$ 14,720.00	\$ 14,720.00
2.2.3	Monument Preservation, FY 2028													\$ 11,020.00	\$ 11,020.00
		0	0	0	0	0	0	0	0	0	0	0	0	\$ 62,470.00	\$ 62,470.00
3	PAVEMENT INVESTIGATION & RECOMMENDATIONS														
3.1	Field Investigation						15	3	15						\$ 22,271.00
3.2	Analysis, Recommendations, Project Management						20	25	50	5	25		2		\$ 25,904.00
3.3	Field Windshield Survey and Memo (Crack & Slurry)						5	5	5	5	40		2		\$ 10,689.00
		0	0	0	0	0	40	33	70	10	160	0	4		\$ 58,864.00
4	ENGINEERING & DESIGN (60%, 90%, 100%/FINAL & BID DOCUMENTS)														
4.1	60% Design & Estimate		80	160	220										\$ 69,985.00
4.2	90% PS&E		80	200	200										\$ 73,785.00
4.3	100%/Final PS&E and Bid Documents		60	120	120										\$ 46,095.00
		21	220	480	540	0	0	0	0	0	0	0	0		\$ 189,865.00
	Expenses	Units	Unit	Rate	Total	Units	Unit	Rate	Total	Units	Unit	Rate	Total		
	Vehicle Mileage	300	mile	\$0.67	\$201.00	80	mile	\$0.67	\$53.60						\$254.60
	Metro Aerials	8	each	\$40.00	\$320.00										\$320.00
	Global Positioning Unit -(Geotechnical Field Investigation 3.1)					7	day	\$125.00	\$875.00						\$ 875.00
	Falling Weight Deflectometer-(Geotechnical Field Investigation 3.1)					2	day	\$2,450.00	\$4,900.00						\$ 4,900.00
	Ground Penetrating Radar-(Geotechnical Field Investigation 3.1)					1	day	\$1,750.00	\$1,750.00						\$ 1,750.00
	Sub: Traffic Counts-(Geotechnical Field Investigation 3.1)					7	per item	\$750.00	\$5,250.00						\$ 5,250.00
	Sub: Drilling-(Geotechnical Field Investigation 3.1)					1	lump sum	\$10,500.00	\$10,500.00						\$ 10,500.00
	Sub: Locates-(Geotechnical Field Investigation 3.1)					1	lump sum	\$3,300.00	\$3,300.00						\$ 3,300.00
	Sub: Traffic Control-(Geotechnical Field Investigation 3.1)					1	lump sum	\$14,000.00	\$14,000.00						\$ 14,000.00
	Laboratory -(Geotechnical Field Investigation 3.1)					1	lump sum	\$3,950.00	\$3,950.00						\$ 3,950.00
	Expenses Subtotal				\$521.00				\$44,578.60					\$	
	Hour Subtotals:	21	377	493	540	63	33	105	10	160	0	19			
	Labor Cost Subtotals	\$5,565.00	\$77,285.00	\$76,415.00	\$64,800.00	\$16,695.00	\$7,656.00	\$20,790.00	\$1,700.00	\$24,640.00	\$0.00	\$1,938.00		\$62,470.00	
	Company Subtotal, Incl. Expenses	\$229,029.00				\$117,997.60								\$62,470.00	
															Total Cost
															\$409,709.60

RESOLUTION NO. 3181

A RESOLUTION ADOPTING THE CANVASS OF VOTES OF NOVEMBER 5, 2024 GENERAL ELECTION.

WHEREAS, at the General Election held on November 5, 2024, the electorate of the City of Wilsonville cast ballots for two City Councilor positions; and

WHEREAS, the terms for the City Council positions are four-year terms; and

WHEREAS, the General Election of the registered voters of Clackamas and Washington Counties was conducted by mail; and

WHEREAS, the County Clerks of Clackamas and Washington Counties, respectively, are by statute in charge of conducting all elections, and both counties have filed an abstract of the tally of votes cast at the election, which tally for Clackamas County and Washington County was duly received by the City Recorder on December 2, 2024, copies of which are attached hereto and incorporated for reference.

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

1. The City Council of the City of Wilsonville does hereby adopt the votes of the November 5, 2024, General Election as follows, listed in the same order as the County provided:

FOR THE POSITION OF MAYOR

Clackamas County:	Precinct 201	Precinct 202	Precinct 203	Precinct 204	Totals
Shawn O’Neil	1,713	1,820	1,092	923	5,548
Glenn Lancaster	878	1,154	599	746	3,377
Rob Candrian	892	1,032	201	430	2,555
Write-In	13	16	2	10	41
Cast Votes	3,483	4,006	1,892	2,099	11,480
Under Votes	598	710	302	398	2,008
Over Votes	1	1	0	0	2
Totals	4,095	4,733	2,196	2,507	13, 531

Washington County:	Precinct 432
Shawn O’Neil	140
Glenn Lancaster	64
Rob Candrian	54
Write-In	2
Under Votes	46
Over Votes	0
Totals	260

TOTAL VOTES CAST IN BOTH COUNTIES

Shawn O’Neil	5,688
Glenn Lancaster	3,441
Rob Candrian	2,609

FOR THE POSITIONS OF CITY COUNCIL

Clackamas County:	Precinct 201	Precinct 202	Precinct 203	Precinct 204	Totals
Elizabeth Peters	1,346	1,582	558	929	4,415
Adam Cunningham	1,419	1,729	703	1,028	4,879
Ginger Fitch	1,276	1,464	585	707	4,032
Anne Shevlin	1,428	1,497	1,289	727	4,941
Write-In	25	22	5	13	65
Cast Votes	5,469	6,272	3,135	3,391	18,267
Under Votes	2,694	3,172	1,252	1,610	8,728
Over Votes	1	0	0	0	1
Totals	4,095	4,733	2,196	2,507	13,531

Washington County:	Precinct 432
Elizabeth Peters	102
Adam Cunningham	104
Ginger Fitch	93
Anne Shevlin	99
Write-In	2
Under Votes	212
Over Votes	0
Totals	400

TOTAL VOTES CAST IN BOTH COUNTIES

Elizabeth Peters	4,517
Adam Cunningham	4,983
Ginger Fitch	4,125
Anne Shevlin	5,040

2. Based upon the adopted canvass of votes, the City Council affirms that:
 - a. **Shawn O’Neil** has been elected to the position of Mayor for a four-year term beginning January 1, 2025.
 - b. **Anne Shevlin** and **Adam Cunningham** have been elected to the position of City Councilor for four-year terms beginning January 1, 2025.

3. The City Recorder shall file the Certificates of Election in accordance with the above.

4. This Resolution shall be effective upon its adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting this 2nd day of December 2024, and filed with the Wilsonville City Recorder this date.

 Julie Fitzgerald, Mayor

ATTEST:

 Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

ATTACHMENTS:

1. Certificate of Election

A. Abstract of Vote – Clackamas and Washington Counties

**City of Wilsonville
Certificate of the November 5, 2024
General Election Results**

State of Oregon)
)
Counties of Clackamas)
And Washington)
)
City of Wilsonville)

I, Kimberly Veliz, do hereby certify that I am the City Recorder and the Election Official for the City of Wilsonville, Clackamas and Washington Counties, Oregon, and I state:

1. A regular election was held November 5, 2024 for the electorate of the City of Wilsonville to cast ballots for the position of Mayor and for two City Councilor positions.
2. The November 5, 2024 General Election was conducted by mail by the Clackamas and Washington County Elections Division.
3. The County Clerks of Clackamas and Washington Counties, who by statute, are in charge of conducting all elections, have tallied the votes cast for this election and delivered to the City a final copy of the Abstract of Votes, a copy of which is attached as Exhibit A, and incorporated herein.

I hereby certify the results of the November 5, 2024 General Election voted upon by the qualified voters of the City of Wilsonville as follows:

Attachment 1

- a. That **Shawn O'Neil** is elected to the office of Mayor, for a four-year term commencing January 1, 2025.
- b. That **Anne Shevlin** is elected to the office of City Councilor, for a four-year term commencing January 1, 2025.
- c. That **Adam Cunningham** is elected to the office of City Councilor, for a four-year term commencing January 1, 2025.

Dated this 2nd day of December 2024.

Kimberly Veliz, City Recorder

Canvass Results Report

Official Ballots

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Run Date 12/02/2024

Clackamas County

November 5, 2024 General Election

11/5/2024
Page 120

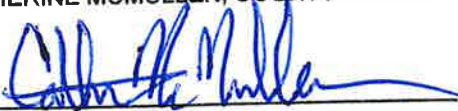
Official Item 17.

Registered Voters
248910 of 319822 = 77.83%
Precincts Reporting
119 of 119 = 100.00%

City of Wilsonville, Mayor - Vote for one

Precinct	Shawn O'Neil	Glenn Lancaster	Rob Candrian	Cast Votes	Undervotes	Overvotes	Miscellaneous Write-In	Vote by Mail Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
201	1,713	878	892	3,483	598	1	13	4,095	4,095	5,085	80.53%
202	1,820	1,154	1,032	4,006	710	1	16	4,733	4,733	6,324	74.84%
203	1,092	599	201	1,892	302	0	2	2,196	2,196	2,450	89.63%
204	923	746	430	2,099	398	0	10	2,507	2,507	3,262	76.85%
Totals	5,548	3,377	2,555	11,480	2,008	2	41	13,531	13,531	17,121	79.03%

CERTIFIED COPY OF THE ORIGINAL
CATHERINE MCMULLEN, COUNTY CLERK

BY: 



Canvass Results Report

Official Ballots

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Run Date 12/02/2024

Clackamas County

November 5, 2024 General Election

11/5/2024
Page 121

Official **Item 17.**

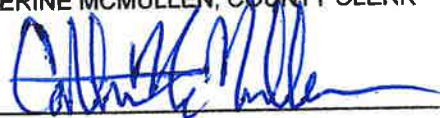
Registered Voters
248910 of 319822 = 77.83%

Precincts Reporting
119 of 119 = 100.00%

City of Wilsonville, Councilor - Vote for two

Precinct	Elizabeth Peters	Adam Cunningham	Ginger Fitch	Anne Shevlin	Cast Votes	Undervotes	Overvotes	Miscellaneous Write-In	Vote by Mail Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
201	1,346	1,419	1,276	1,428	5,469	2,694	1	25	4,095	4,095	5,085	80.53%
202	1,582	1,729	1,464	1,497	6,272	3,172	0	22	4,733	4,733	6,324	74.84%
203	558	703	585	1,289	3,135	1,252	0	5	2,196	2,196	2,450	89.63%
204	929	1,028	707	727	3,391	1,610	0	13	2,507	2,507	3,262	76.85%
Totals	4,415	4,879	4,032	4,941	18,267	8,728	1	65	13,531	13,531	17,121	79.03%

CERTIFIED COPY OF THE ORIGINAL
CATHERINE MCMULLEN, COUNTY CLERK

BY: 



Ballots Cast per Contest - Accumulative Summary
 Washington County November 5, 2024 General Election
 All Precincts, All Districts, All Counter Groups, All ScanStations, All Contests, All Boxes
 Official Results

Page
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Total Ballots Cast: 301105, Registered Voters: 400012, Overall Turnout: 75.27%

Choice	Votes	Vote %
Total	43489	100.00%
Overvotes	614	
Undervotes	16925	

City of Tigard, Council Members (Vote for 3)

30514 ballots (10 over voted ballots, 30 overvotes, 29279 undervotes), 39585 registered voters, turnout 77.08%

Maureen Wolf	18280	29.37%
Bret A Lieuallen	9196	14.78%
Jake Schlack	16555	26.60%
Jeanette Shaw	17677	28.40%
Write-in	341	0.55%
Write-in	129	0.21%
Write-in	55	0.09%
Total	62233	100.00%
Overvotes	30	
Undervotes	29279	

City of Tualatin, Council Member, Position 2 (Vote for 1)

12415 ballots (2 over voted ballots, 2 overvotes, 4846 undervotes), 16423 registered voters, turnout 75.60%

Christen Sacco	7419	98.04%
Write-in	148	1.96%
Total	7567	100.00%
Overvotes	2	
Undervotes	4846	

City of Tualatin, Council Member, Position 4 (Vote for 1)

12415 ballots (0 over voted ballots, 0 overvotes, 2399 undervotes), 16423 registered voters, turnout 75.60%

Danny O'Neal	3397	33.92%
Cyndy Hillier	6568	65.58%
Write-in	51	0.51%
Total	10016	100.00%
Overvotes	0	
Undervotes	2399	

City of Tualatin, Council Member, Position 6 (Vote for 1)

12415 ballots (0 over voted ballots, 0 overvotes, 4798 undervotes), 16423 registered voters, turnout 75.60%

Valerie Pratt	7514	98.65%
Write-in	103	1.35%
Total	7617	100.00%
Overvotes	0	
Undervotes	4798	

City of Wilsonville, Mayor (Vote for 1)

306 ballots (0 over voted ballots, 0 overvotes, 46 undervotes), 401 registered voters, turnout 76.31%

Shawn O'Neil	140	53.85%
Glenn Lancaster	64	24.62%
Rob Candrian	54	20.77%
Write-in	2	0.77%
Total	260	100.00%
Overvotes	0	
Undervotes	46	

City of Wilsonville, Councilor (Vote for 2)

306 ballots (0 over voted ballots, 0 overvotes, 212 undervotes), 401 registered voters, turnout 76.31%

Elizabeth Peters	102	25.50%
Adam Cunningham	104	26.00%
Ginger Fitch	93	23.25%
Anne Shevlin	99	24.75%
Write-in	2	0.50%
Write-in	0	0.00%

Ballots Cast per Contest - Accumulative Summary
 Washington County November 5, 2024 General Election
 All Precincts, All Districts, All Counter Groups, All ScanStations, All Contests, All Boxes
 Official Results

Page: 2024-12-02
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Total Ballots Cast: 301105, Registered Voters: 400012, Overall Turnout: 75.27%



Choice	Votes	Vote %
Total	400	100.00%
Overvotes	0	
Undervotes	212	

Tualatin Soil & Water Conservation Dis, Dir, At-Large, Pos 1 (Vote for 1)

299538 ballots (1 over voted ballots, 1 overvotes, 127156 undervotes), 399406 registered voters, turnout 75.00%

Steve M Vangrunsven	170501	98.91%
Write-in	1880	1.09%
Total	172381	100.00%
Overvotes	1	
Undervotes	127156	

Tualatin Soil & Water Conservation Dis, Dir, Zone 1 (Vote for 1)

299538 ballots (34 over voted ballots, 34 overvotes, 99965 undervotes), 399406 registered voters, turnout 75.00%

Jerry Ward	68229	34.19%
Elaine M Stewart	130141	65.22%
Write-in	1169	0.59%
Total	199539	100.00%
Overvotes	34	
Undervotes	99965	

Tualatin Soil & Water Conservation Dis, Dir, Zone 2 (Vote for 1)

299538 ballots (2 over voted ballots, 2 overvotes, 136115 undervotes), 399406 registered voters, turnout 75.00%

Eldon Jossi	161382	98.75%
Write-in	2039	1.25%
Total	163421	100.00%
Overvotes	2	
Undervotes	136115	

West Multnomah SWCD, Director, At Large, Pos. 1 (Vote for 1)

475 ballots (0 over voted ballots, 0 overvotes, 207 undervotes), 606 registered voters, turnout 78.38%

Michael Oliver	267	99.63%
Write-in	1	0.37%
Total	268	100.00%
Overvotes	0	
Undervotes	207	

West Multnomah SWCD, Director, Zone 1 (Vote for 1)

475 ballots (0 over voted ballots, 0 overvotes, 208 undervotes), 606 registered voters, turnout 78.38%

Jan Robert Hamer	267	100.00%
Write-in	0	0.00%
Total	267	100.00%
Overvotes	0	
Undervotes	208	

West Multnomah SWCD, Director, Zone 2 (Vote for 1)

475 ballots (0 over voted ballots, 0 overvotes, 457 undervotes), 606 registered voters, turnout 78.38%

Write-in	18	100.00%
Total	18	100.00%
Overvotes	0	
Undervotes	457	

West Multnomah SWCD, Director, Zone 3 (Vote for 1)

475 ballots (0 over voted ballots, 0 overvotes, 207 undervotes), 606 registered voters, turnout 78.38%

George A Sowder	267	99.63%
Write-in	1	0.37%
Total	268	100.00%
Overvotes	0	
Undervotes	207	



CITY COUNCIL MINUTES

September 16, 2024, at 7:00 PM

Wilsonville City Hall & Remote Video Conferencing

CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, Month Date, 2024. The Mayor called the meeting to order at 7:01 p.m., followed by roll call and the Pledge of Allegiance.

PRESENT

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

STAFF PRESENT

Amanda Guile-Hinman, City Attorney
Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Kimberly Veliz, City Recorder
Mark Ottenad, Public/Government Affairs Director
Zoe Mombert, Assistant to the City Manager

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

Motion: Moved to approve following order of the agenda.

Motion made by Councilor Akervall Seconded by Councilor Dunwell.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Dunwell

Vote: Motion carried 4-0.

MAYOR'S BUSINESS

4. Upcoming Meetings

The Mayor reported on the following events and meetings.

Washington County Coordinating Committee (WCC)

- The Mayor reported about the WCC meeting on September 16, 2024, where transportation funding and needs were discussed.
- In addition, there were discussions about the housing production bills and the many requirements.

West Linn – Wilsonville School District

- The Mayors of Wilsonville and West Linn met with the Superintendent of the West Linn - Wilsonville School District on September 13, 2024.
- School District budget concerns were discussed.
- The School District was convening two committees, one would be the Frog Pond Boundary Setting Committee and the other a Task Force made up of parents and community members.

Twist Bioscience Event

- The Council President and the Mayor along with other elected officials and business leaders celebrated Twist Bioscience's first full year in operation in Wilsonville.
- Twist expanded from San Francisco to Wilsonville due to the City's innovative Wilsonville Investment Now (WIN) economic development incentive program.
- The WIN Program incentivizes leading businesses to operate in Wilsonville by providing limited-duration, partial property-tax rebates for qualifying development projects that create family-wage jobs and substantial new assessed value.
- Twist, a leading global synthetic biology and genomics company, is the first company to participate in our City's economic development program.
- Twist Bioscience invested over \$100 million in their Wilsonville facility, and now employs over 270 employees with family-wage jobs.

Emergency Preparedness Fair

- The City's held its annual Emergency Preparedness Fair which was well attended.
- The City Public Works Department was joined by partner agencies which included Tualatin Valley Fire and Rescue (TVF&R), Portland General Electric (PGE), American Red Cross, Wilsonville Police Department, and the Charbonneau Emergency Preparedness Committee.

Boeckman Interceptor and Trail Project Open House

- The City hosted a public open house for the Boeckman Interceptor and Trail Project.
- The project would increase the City's sewer capacity to support development of Frog Pond East and South neighborhoods and provides access for crews to clean and maintain sewer pipes.
- The project added a long-envisioned regional trail link that connects the Frog Pond West area neighborhoods along Boeckman Rd. to Memorial Park, enabling people to safely walk, run and bicycle along the connected trail system.

ODOT Open House

- On September 18, 2024, the Oregon Department of Transportation would hold an Open House at Wilsonville City Hall on the I-5 Boone Bridge project.
- ODOT had been conducting both federal- and state-required studies in the lead-up to a final federal National Environmental Policy Act or NEPA study and potential funding for the Boone Bridge project.
- It was shared that ODOT had to study the potential impacts of the proposed southbound auxiliary lane, as well as the best alternative transportation facility for bike/ped access.
- In terms of bike-ped facilities, ODOT had looked at either having an on-highway sidewalk separated a concrete barrier from traffic, or the City's long proposed French Prairie Bridge.
- At ODOT's open house in November 2023, over two-thirds of participants preferred the French Prairie Bridge as the I-5 Boone Bridge's bike/ped facility.
- The Open House event would allow the public to hear about these studies and express their thoughts and preferences.

City Council Meeting

- Next City Council meeting was scheduled for Monday, October 7, 2024.
5. Council consideration of adoption of Clackamas Communities Statement on 2025 State Transportation Package and Wilsonville/SMART 2025 Legislative Priorities.

The Mayor announced at the Work Session prior to the regular meeting the City Council discussed a number of 2025 legislative issues.

The 2025 legislative session was a regular, approximately six-month-long session of the Oregon Legislature that is scheduled to consider a number of important issues, including a major Transportation Funding package and Housing Infrastructure Financing.

In addition, the City Council provided direction to staff on a League of Oregon Cities ballot for top issues in the 2025 legislative session.

Council also reviewed a document entitled "Joint Values and Outcomes for the 2025 State Legislative Transportation Package by the Communities of Clackamas County."

This set of statements was developed over the summer by the multi-jurisdictional Clackamas County Coordinating Committee, which is composed of the County, cities, special districts, and transit agencies.

The document describes general values and outcomes that Clackamas County Coordinating Committee members seek to come from a State Legislative Transportation Funding Package, without endorsing any funding mechanism or specific project.

The City Council also considered and discussed a set of 2025 legislative session priorities for the City and our transit agency SMART.

The deadline for legislators to submit pre-session bill drafts was September 27, 2024, and Wilsonville legislators—Senator Aarron Woods and Representative Courtney Neron—had requested information about Wilsonville’s 2025 legislative priorities.

It was noted the legislative priorities would also be reviewed by the new City Council in January 2026.

The Mayor requested a motion and a second to adopt the “Joint Values and Outcomes for the 2025 State Legislative Transportation Package by the Communities of Clackamas County” and the “Wilsonville/SMART 2025 Legislative Session Priorities”.

Motion: Moved to adopt the Joint Values and Outcomes for the 2025 State Legislative Transportation Package by the Communities of Clackamas County and the “2025 Legislative Session Priorities SMART and City of Wilsonville.

Motion made by Councilor Akervall Seconded by Councilor Linville.

The discussion following the motion revolved around emphasizing the importance of equity in the proposed transportation initiatives and ensuring strategic alignment with community priorities. The Council reiterated key points from their earlier work session, highlighting the necessity of engaging the community to address the region's critical infrastructure needs effectively. They underscored how priorities were developed with community feedback in mind, ensuring that resources were allocated to maximize beneficial outcomes for transportation, specifically focusing on improvements like the I-5 Boone Bridge and expanding road and transit resources. The discussion also stressed that these initiatives were structured to support both current needs and future growth, ensuring sustainability and accessibility for all community members.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Dunwell

Vote: Motion carried 4-0.

COMMUNICATIONS

6. Republic Services Annual Report Presentation

Cindy Rogers, Municipal Relationship Manager and Travis Comfort, Municipal Contract Administrator presented on the Republic Services 2023 Annual Report. The PowerPoint and report have been added to the record.

The Republic Services staff were thanked for their presentation and answered clarifying questions of the Council.

The City Attorney stated that the Rotary had a limited number of spaces available to handle bulky waste pickup on Bulky Waste Day for individuals who met certain requirements.

In closing, Councilor Linville shared the following information regarding the upcoming Bulky Waste Day:

- The City and Republic Services would host the Fall Bulky Waste Day on Saturday, October 5, 2024, between 9:00 a.m. and 1:00 p.m. at the Republic Services on Ridder Road.
- There is no charge to dispose of bulky waste items, but proof of residence is required.
- In lieu of payment, organizers request that participating residents make cash donations on-site via cash, check or Venmo to help Wilsonville Community Sharing's food bank and social services non-profit provide critical assistance to local families in need.
- Vehicles would be weighed and guided to disposal bays. Occupants must unload all bulky waste and leave it near the vehicle as instructed on site. Please do not arrive with materials that cannot be removed from your vehicle without assistance.
- Bulky Waste Day accepts many items otherwise hard to dispose of, including dishwashers, televisions, refrigerators, computers, monitors, stoves, dryers, water heaters, couches, mattresses, scrap metal, tables and chairs, and clean, untreated wood.
- The program does not accept construction debris of any type, propane bottles or canisters, paint, batteries, solvents, thinners, household garbage or car tires.

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS

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

The following individuals provided public comment:

Elizabeth Peters	George Dunn	Glenn Lancaster	Bill Bagnall
Owen Bridge	Cornelia Gibson	Adam Cunningham	Tim Knapp

Elisabeth Garcia-Davidson submitted a speaker card however passed on providing public comment.

Following the public comment, the Mayor responded to a few of the questions presented and stated that she or staff would follow up on others after the meeting.

The Mayor asked staff to pull up *Table 3.1 Potential Future Development by Land Use Type in Town Center*, an excerpt from the Town Center Plan, which she then requested to be appended to the minutes. The Mayor elaborated on the Town Center Plan, providing detailed clarification on housing projections, the process for development, and past and future community engagement.

The City Manager clarified funding and strategic planning regarding the bike/pedestrian bridge project, noting funding sources.

The City Attorney addressed the question about the three-minute speaking limit, explaining its commonality and purpose in public meetings to facilitate orderly conduct and decision-making within the available timeframe.

The Assistant to the City Manager introduced the Civics Academy, inviting community members and business owners to participate in the free program offered once a year. The application period was open until November 8, 2024. The academy would occur once a month for seven months, lasting about three hours each. These sessions offer participants direct interaction with key staff and insight into various projects and programs.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

7. Council President Akervall

The Council President reported on the following meetings and events:

- Party in the Park on August 24, 2024
- Wood Middle School Door Decoration Contest on September 5, 2024
- Twist Bioscience Event on September 6, 2024
- Hispanic Heritage Month from September 15 to October 15, 2024
- Diversity, Equity and Inclusion (DEI) Committee Speaker Series event on September 17, 2024
- Childcare Survey open until November 30, 2024

8. Councilor Linville

The Councilor Linville reported on the following meetings and events:

- The Greater Portland Inc. (GPI) meeting for September was cancelled.
- Opioid Settlement Prevention, Treatment and Recovery (OSPTR) Board meetings on September 4, and October 2, 2024
- State Aviation Board meeting on September 5, 2024
- Aurora Airport Planning Advisory Committee (PAC) meeting rescheduled from September 17 to October 15, 2024
- Shred Day scheduled for October 5, 2024

9. Councilor Berry - Excused

10. Councilor Dunwell

Councilor Dunwell emphasized the significance of civic engagement opportunities and the crucial role of public involvement in work sessions. She highlighted the transparency and interactive nature of these sessions, encouraging residents to participate actively or review the recordings on platforms like YouTube. This ensures community members have insights into the discussions and deliberations that shape city decisions.

The Councilor Dunwell reported on the following events:

- Emergency Preparedness Fair on September 14, 2024
- Oregon Department of Transportation Open House on September 18, 2024
- Gallery Reception for local Wilsonville Artist Toni Avery on September 18, 2024
- Toni Avery art available for viewing at City Hall until November 12, 2024

CONSENT AGENDA

The City Attorney explained the reasoning for the Consent Agenda.

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

11. **Resolution No. 3177**

A Resolution Of The City Of Wilsonville Amending The Intergovernmental Agreement Between The City Of Wilsonville, Tualatin Valley Water District, And The Willamette Water Supply Commission For The Raw Water Facilities Project.

12. Minutes of July 15, 2024, City Council Meeting.

Motion: Moved to adopt the Consent Agenda as read.

Motion made by Councilor Linville Seconded by Councilor Akervall.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Dunwell

Vote: Motion carried 4-0.

NEW BUSINESS

There was none.

CONTINUING BUSINESS

13. **Ordinance No. 893** - 2nd Reading (*Legislative Non-Land Use*)

An Ordinance Of The City Of Wilsonville Adding Sections 2.380 Through 2.386 To The Wilsonville Code Concerning The Diversity, Equity And Inclusion Committee.

The City Attorney read the title of Ordinance No. 893 into the record on second reading.

The Mayor read the second reading script.

There was no further input from staff.

The Mayor then requested a motion on Ordinance No. 893.

Motion: Moved to approve Ordinance No. 893 on second reading an ordinance of the City of Wilsonville adding section 2.380 through 2.386 to the Wilsonville Code concerning the Diversity, Equity and Inclusion Committee.

Motion made by Councilor Dunwell, Seconded by Councilor Akervall.

Following the motion, Councilors emphasized the importance of creating a standing committee to ensure ongoing focus and action on diversity, equity, and inclusion initiatives within the City. They discussed the significance of the DEI Committee's recent and future events, such as the well-attended Juneteenth celebration, and how sponsorships from local businesses support these efforts. It was reiterated that the transition from an ad hoc committee to a standing one marks an essential step in formalizing the City's commitment to inclusivity.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Dunwell

Vote: Motion carried 4-0.

PUBLIC HEARING

There was none.

CITY MANAGER'S BUSINESS

There was none.

LEGAL BUSINESS

There was none.

ADJOURN

Mayor Fitzgerald adjourned the meeting at 9:06 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor

DRAFT

TABLE 3.1 POTENTIAL FUTURE DEVELOPMENT BY LAND USE TYPE IN TOWN CENTER

	COMMERCIAL (SQ. FT.)	RETAIL (SQ. FT.)	OFFICE (SQ. FT.)	RESIDENTIAL (UNITS)
EXISTING	299,240	321,340	178,950	80
NET NEW DEVELOPMENT (20 YEAR)	130,230	31,860	297,440	880
NET NEW DEVELOPMENT (40 YEAR)	204,595	50,000	541,050	1,600
NET TOTAL	503,835	371,340	720,000	1,680
PROJECTED EMPLOYEES	1,000	740	2,880	n/a

Note: Commercial land uses includes a broad category of real estate. For this analysis, commercial land uses are typically larger types of development, such as grocery stores, restaurants, larger retail (non-main street type uses) and entertainment uses. Retail, as defined for Town Center, are typically smaller scale uses typical of a main street development pattern. Residential unit calculations assume units of approximately 750 square feet, although the expectation is that a variety of housing unit sizes (studio, one, two and three bedroom) would be constructed over time. Square footage and housing units were determined using GIS analysis, market feasibility, and proposed zoning district density allowances. Approximately 40 percent of the square footage of developable parcels was removed to accommodate for landscaping, new streets, off-street parking (including loading and circulation), public spaces, stormwater retention and treatment.

THE FUTURE TOWN CENTER

Town Center’s evolution will take time and there are many steps to reach the ultimate vision the Wilsonville community has developed. Land uses, transportation connections, and parks described in this chapter are all pieces in creating a walkable hub and heart of the community. The focus should always be on achieving the vision and goals of the Plan, while acknowledging that many of these transformational steps are incremental, both publicly and privately funded, and complex in nature.





CITY COUNCIL MINUTES

October 07, 2024, at 7:00 PM

Wilsonville City Hall & Remote Video Conferencing

CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

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

PRESENT

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

STAFF PRESENT

Amanda Guile-Hinman, City Attorney
Bryan Cosgrove, City Manager
Cindy Luxhoj, Associate Planner
Dan Pauly, Planning Manager
Jeanna Troha, Assistant City Manager
Jim Cartan, Environmental Specialist
Katherine Smith, Assistant Finance Director
Keith Katko, Finance Director
Kerry Rappold, Natural Resources Manager
Kimberly Veliz, City Recorder
Zach Weigel, Capital Projects Engineering Manager
Zoe Mombert, Assistant to the City Manager

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

Motion: Moved to approve the following order of the agenda.

Motion made by Akervall, Seconded by Linville.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Dunwell

Vote: Motion carried 4-0.

MAYOR'S BUSINESS

4. Upcoming Meetings

The Mayor reported on the following events and meetings.

LUBA Ruling on Land-Use Appeal

- City Attorney would present on the recent Oregon Land Use Board of Appeals ruling in favor of the City of Wilsonville during Legal Business

Representative Neron's Town Hall

- The Mayor attended a Town Hall at Wilsonville Library held by Representative Courtney Neron on October 5, 2024.
- The Representative presented on the 2024 legislative session.

Joint Committee on Transportation Roadshow

- On September 16, 2024, the Mayor had the opportunity to participate along with SMART Transit Director Dwight Brashear in the Oregon legislature's Joint Committee on Transportation Statewide Roadshow event.
- Members of the Joint Committee on Transportation, which included Wilsonville State Senator Aaron Woods, had been touring the state the summer of 2024 to hear about transportation issues in various communities. This statewide roadshow included visits to a dozen cities around the state.
- The Mayor thought the Roadshow was in response to the many discussions about tolling. Therefore, the committee was touring the state to hear what people wanted and to figure out how the state was going to pay for the road systems.
- In late September the Joint Committee on Transportation held a tour, roundtable discussion, and a public hearing in the Clackamas County City of Happy Valley.
- The Mayor and SMART Transit Director were invited to participate in the Roundtable discussion with a total of about forty elected officials, business leaders, transit agencies and nonprofit organizations.

- The SMART Transit Director, as an expert in public transit policy, was also invited to participate in the Washington County Joint Committee Roundtable held in Hillsboro on September 27, 2024.
- The Roundtable event provided an excellent opportunity discuss a range of transportation-funding solutions, including indexing Oregon Department of Transportation (ODOT) taxes and fees to inflation and moving from a declining gas-tax source of revenue to a Vehicles Miles Traveled or VMT tax.
- After the Roundtable, the Mayor testified along with leaders of the Charbonneau neighborhood, where the Mayor stated that the State should leverage federal funds to advance I-5 Boone Bridge Project and WES Wilsonville-to-Salem extension study for a high-capacity transit alternative to driving I-5.

Oregon Vascular Open House

- On October 11, 2024, the Mayor attended the Oregon Vascular open house.
- The Mayor explained that the new Wilsonville business provides medical care for wounds, vein treatments, and vascular ultrasounds. Some of which procedures are done as day treatments and surgeries done in bigger hospital chains.
- Wilsonville is the company's first office in the Portland area.

Oregon Tech Recognition

- The Mayor recognized Oregon Tech, the state's polytechnic university, as it again had been named one of the best colleges in the U.S. News and World Report review.
- Oregon Tech was recognized as the second-best public college in the West, the fourth best among Western regional colleges, and recognized for its outstanding undergraduate engineering program.
- The Mayor was proud to host the Portland metro campus of Oregon Tech in Wilsonville.

Senator Wyden's 2024 Clackamas Town Hall

- On Tuesday, October 8, 2024, Senator Ron Wyden is hosting a Clackamas Town Hall event at Camp Withycombe in Happy Valley.
- The Mayor noted that would be Senator Wyden's 1,100th town hall since he took office in 1996.

Consul General of Japan Visit

- On Wednesday, October 9, 2024, the City and members of our Kitakata Sister Committee will host Consul General Yuzo Yoshioka of Japan for a visit to Wilsonville.
- City Councilors Berry and Linville planned to join as the tour of City Hall, and then the Wilsonville campus of Clackamas Community College (CCC), where State Senator Aaron Woods who was also a CCC board member will join the group.
- The next visit on the tour would be Wilsonville High School to visit the Japanese Language Class, where Representative Courtney Neron would join the group.
- The day would end with a traditional gift exchange, a Japanese custom.

Cambria Ribbon-Cutting Event

- On Thursday, October 10, 2024, the Mayor would be participating with other members of the City Council for the ribbon cutting event for a family-owned company called Cambria, which made quartz countertops.
- The Mayor stated this was another great opportunity to celebrate a business opening and expansion in the City of Wilsonville. The Wilsonville location on Commerce Circle would be a showroom of many styles of quartz countertops.

Gyu-Kaku Restaurant

- The Mayor announced Gyu-Kaku, a Japanese barbecue chain, was coming to Wilsonville.

Community Planning Month Proclamation

- Noted that in the City Council meeting packet was Proclamation recognizing October as Community Planning Month.
- The Mayor recalled that the City of Wilsonville had a deep history with community planning and planning practices that had shaped the City and residents' daily lives.
- The Mayor appreciated the Planning staff for all their efforts.

City Council Meeting

- The next City Council meeting was scheduled for Monday, October 21, 2024.

COMMUNICATIONS

5. Boeckman Creek Primary Community Enhancement Program (CEP) Project Update

Kerry Rappold, Natural Resources Manager shared insights into the Community Enhancement Program funded project initiated at Boeckman Creek Primary school. The project encompassed watershed management learning activities and impactful student projects. A highlight of the presentation was the creation of a 3D topographic model painted by high students depicting local water features and elevation changes. The student's art pieces were showcased emphasizing the watershed's ecology and preservation. The art was exhibited at the Wilsonville Library, reflecting substantial educational engagement and stewardship.

The PowerPoint displayed was added to the record.

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS

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

The following Wilsonville residents provided public comment:

- Elizabeth Peters
- Doris Wehler
- Glenn Lancaster
- Anne Shevlin

Following the citizen input, the Mayor addressed several points raised by the speakers:

- The Mayor acknowledged remarks about the challenges faced by local businesses, emphasizing the importance of engaging dialogue between the City and business community. The Mayor mentioned ongoing efforts and collaborations with the Economic Development Manager to conduct business roundtables and explore solutions to streamline processes.
- In response to comments on street naming related to Town Center development, the Mayor clarified that the Town Center plan had been previously adopted and emphasized the procedural aspect of the street naming. The Mayor also referenced past planning efforts that outlined the strategy for infrastructure and development in the area.
- On request for financial assistance programs for seniors, the Mayor indicated existing resources, such as programs facilitated through Wilsonville Community Sharing, and offered to share more detailed information via email.
- The Mayor acknowledged the speaker's appreciation of pathway maintenance efforts, recognized the unique challenges of older infrastructure and continued cooperation for improved pedestrian pathways in Charbonneau. The Mayor highlighted the City's commitment to ongoing improvement discussions and budget allocations for further pathway studies.

The Mayor requested that some documents be added to the City Council packet. In response the staff added *Year 2000 Plan History*, *Year 2000 Plan Information Sheet*, *Westside Plan Information Sheet*, *Urban Renewal Strategic Plan*, and the *Wilsonville Town Center Urban Renewal Feasibility Study*.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

6. Council President Akervall

The Council President provided a detailed report of the following items:

- Regional Solutions Advisory Committee meeting
- DEI Cultural Calendar Events for October:
 - Hispanic Heritage Month
 - Disability Heritage Month
 - Rosh Hashanah
 - Yom Kippur
 - World Mental Health Day
 - National Coming Out Day
 - Indigenous Peoples Day
- Fall Harvest Fest on October 19, 2024

7. Councilor Linville

Clarified that her and Council President Akervall decisions not to run had nothing to do with term limits. As they both qualify for reelection, however, decided not to run. Therefore, two of the three vacancies had nothing to do with term limits.

Councilor Linville provided a detailed report on the following:

- Oregon Department of Transportation Boone Bridge Open House on September 16, 2024
- Boones Ferry Playground Grand Opening on September 28, 2024
- Wilsonville-Metro Community Enhancement Committee meeting on September 30, 2024
- Bulky Waste Day on October 6, 2024
- Shred Day on October 6, 2024
- Consul General Yoshioka Visit on October 9, 2024
- Charbonneau Festival of the Arts on October 11, 2024
- Aurora Airport Planning Advisory Committee (PAC) meeting on October 15, 2024
- Charbonneau Festival of the Arts October 11 - 13, 2024
- Aurora State Airport Planning Advisory Committee (PAC) meeting on October 15, 2024

8. Councilor Berry – Excused

9. Councilor Dunwell

Councilor Dunwell provided a detailed report on the following:

- Oregon Department of Transportation Boone Bridge Open House on September 16, 2024
- French Prairie Forum
- Tualatin Valley Fire and Rescue (TVF&R) Training for Public Officials
 - Photos shown of the training have been added to the record.

CONSENT AGENDA

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

10. **Resolution No. 3166**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Goods and Services Contract With Andersen Pacific Inc., For Replacement And Maintenance Of City Water Features.

11. **Resolution No. 3170**

A Resolution Of The City Of Wilsonville Acting In Its Capacity As The Local Contract Review Board Authorizing The City Manager To Execute A Contract With Tyler Technologies For Converting To A Cloud Based Install Of The City's Enterprise Resource Planning (ERP) Software.

12. Resolution No. 3171

A Resolution Of The City Of Wilsonville Amending Resolution No. 1924 And Adopting A Street Naming Policy For Wilsonville Town Center.

13. Minutes of the August 5, 2024, City Council Meeting.

Motion: Moved to approve the Consent Agenda as read.

Motion made by Councilor Akervall, Seconded by Councilor Linville.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Dunwell

Vote: Motion carried 4-0.

NEW BUSINESS

There was none.

CONTINUING BUSINESS

There was none.

PUBLIC HEARING**14. Resolution No. 3172 (Legislative Hearing)**

A Resolution Of The City Of Wilsonville Authorizing A Supplemental Budget Adjustment For Fiscal Year 2024-25.

The City Attorney read the title of Resolution No. 3172 into the record.

The Mayor provided the public hearing format and opened the public hearing at 8:22 p.m.

Katherine Smith, Assistant Finance Director summarized the staff report.

The Council asked clarifying questions.

Zach Weigel, City Engineer provided a description of the rollover projects.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing on Resolution No. 3172 at 8:33 p.m.

The Mayor then requested a motion on Resolution No. 3172.

Motion: Moved to adopt Resolution No. 3172.

Motion made by Linville, Seconded by Dunwell.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Dunwell

Vote: Motion carried 4-0.

Next, the City Attorney read the title of Ordinance Nos. 894 and 895 into the record on first reading.

The Mayor provided the public hearing format and opened the public hearing at 8:36 p.m.

No Councilor declared a conflict of interest, bias, or conclusion from information gained outside the hearing. No member of the audience challenged any of the Councilor's participation.

The Mayor stated she had driven past the site however, had no conversation regarding it.

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

Council asked clarifying questions.

The City Attorney stated there was no legal comment.

Sid Hariharan Godt, Land Use Planner for Mackenzie Architecture shared the intent of the application was in anticipation of future development. However, none was scheduled at this time.

Councilors then asked clarifying questions of the applicant's representative.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing on Ordinance Nos. 894 and 895 at 8:50 p.m.

The Mayor then requested a motion on Ordinance No. 894.

15. Ordinance No. 894 - 1st Reading (Quasi-Judicial Land Use Hearing)

An Ordinance Of The City Of Wilsonville Declaring And Authorizing The Vacation Of Approximately 0.35 Acre (15,275 Square Feet) Of Public Right-Of-Way That Is No Longer Needed For Westward Extension of SW Bailey Street from Old Town Wilsonville To SW Kinsman Road In The Central Part Of The OrePac Property.

Motion: Moved to adopt Ordinance No. 894 on first reading.

Motion made by Linville, Seconded by Akervall.

The Mayor acknowledged the work done to bring the property to compliance, supporting OrePac in considering its future growth opportunities.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Dunwell

Vote: Motion carried 4-0.

16. Ordinance No. 895 - 1st Reading (Quasi-Judicial Land Use Hearing)

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The City Of Wilsonville Future Development Agricultural-Holding (FDA-H) Zone To The Planned Development Industrial (PDI) Zone On Approximately 8.66 Acres At The OrePac Properties Located At 9655 SW 5th Street.

Motion: Moved to adopt Ordinance No. 895 on first reading.

Motion made by Dunwell, Seconded by Akervall.

Councilor Dunwell remarked on OrePac's long-standing presence and continued interest in expanding within Wilsonville. This assurance of expansion capability demonstrated businesses' confidence in Wilsonville's environment and infrastructure.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Dunwell

Vote: Motion carried 4-0.

CITY MANAGER'S BUSINESS

The City Manager announced he would be attending the League of Oregon Cities conference the following week.

LEGAL BUSINESS

The City Attorney updated that on October 1, 2024, the Land Use Board of Appeals (LUBA) issued its opinion and order in the appeal filed by the Home Depot against the City of Wilsonville. The Home Depot filed 2 applications with the City seeking confirmation of the existing non forming use, occurring at 29400 Southwest Town Center Loop, and one seeking a determination that Home Depot's proposed use is a continuation of the existing non-conforming use. Home Depot appealed to LUBA both Council's determination of the existing non-conforming use occurring at the location as of June 2019, and the Council's determination that Home Depot's proposed use was not a continuation of the existing non-conforming use. The Land Use Board of Appeals affirmed both City Council's decisions and denied each of the Home Depot's two assignments of error.

It was noted that Home Depot had not filed a development application with the City that would allow the City to consider any merits as to Home Depot's presence on the site. The City was limited to considering the applications that were filed.

Lastly, the City Attorney informed Council about her recent involvement in a panel discussion at the International Municipal Lawyers Association (IMLA) annual conference, where she was unexpectedly called to participate in discussions surrounding legal frameworks and ramifications of camping ordinances. Additionally, she mentioned her upcoming participation in the Oregon City Attorneys Association Annual Conference in Newport, where she would be presenting about the benefits and implications of integrating law student programs into municipal legal practices.

ADJOURN

The Mayor adjourned the meeting at 8:58 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor



CITY COUNCIL MINUTES

October 21, 2024, at 7:30 PM

Wilsonville City Hall & Remote Video Conferencing

CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:30 p.m. on Monday, October 21, 2024. The Mayor called the meeting to order at 7:47 p.m., followed by roll call and the Pledge of Allegiance.

PRESENT

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

STAFF PRESENT

Amanda Guile-Hinman, City Attorney
Bryan Cosgrove, City Manager
Jeanna Troha, Assistant City Manager
Kimberly Veliz, City Recorder
Mark Ottenad, Public/Government Affairs Director
Stephanie Davidson, Assistant City Attorney
Zach Weigel, Capital Projects Engineering Manager
Zoe Mombert, Assistant to the City Manager

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

Motion: Moved to approve the following order of the agenda.

Motion made by Councilor Berry, Seconded by Councilor Linville.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry

Vote: Motion carried 4-0.

MAYOR'S BUSINESS

4. Upcoming Meetings

The Mayor reported on the following events and meetings.

Consul General Yuzo Yoshioka of Japan Visit

- On October 9, 2024, the City and members of our Kitakata Sister Committee hosted Consul General Yuzo Yoshioka of Japan.
- City Councilors Akervall and Linville and the City Manager joined the tour which included visiting City Hall, and the Kitakata Conference Room.
- There was also a visit to the Wilsonville campus of Clackamas Community College (CCC), where the group was joined by State Senator Aaron Woods, who is also a CCC board member and Dr. Tim Cook, president of the Wilsonville campus.
- The tour continued with a stop at Wilsonville High School to visit the Japanese Language Class, where Representative Courtney Neron joined the group.
- Wilsonville was one of the few schools in Oregon that still had a Japanese language program.
- The day ended with a traditional gift exchange, a Japanese custom.

Cambria Ribbon Cutting

- The Mayor attended a ribbon cutting for a new business in town called The Cambria Showroom.
- It is in Commerce Circle, and this is a showroom for quartz countertops offered by a Minnesota-based family business.
- They have customers all over the northwest and Canada.
- One of the companies they collaborate with is Wilsonville's Precision Countertops that is just now building their new building in Wilsonville.
- People from far and wide attended this grand opening, and they really appreciated the location of Wilsonville to make it easy for their customers to visit the showroom and decide what products they want.

Charbonneau Festival of the Arts

- Charbonneau Arts Association held its annual Festival of the Arts. It was a great opportunity to see artwork produced by local artists, including high school students.
- Proceeds from the Festival of the Arts benefited both Wilsonville and Canby High School's art programs.
- This was the 40th anniversary of the Festival of the Arts, which was produced by volunteers.

Aurora State Airport Planning Advisory Committee (PAC)

- The Mayor attended the Aurora State Airport PAC meeting which was the committee's seventh meeting.
- Councilor Linville was the City's representative for this body, which was scheduled to complete their master planning by the end of 2024.

League of Oregon Cities (LOC) Conference

- The Mayor, several staff and City Councilors, attended the annual LOC Conference.
- The LOC was an organization that represented all of Oregon's 242 cities at the legislature.
- LOC had been very helpful in addressing Wilsonville's needs, researching services, and advocating for all Oregon cities.
- The Mayor participated on a panel that included the Mayors of Bend and Hillsboro to talk about "Hate Speech and Civility."
- Numerous workshops were held on a range of topics important to cities, including transportation funding, infrastructure funding, and legislative priorities.

Fall Harvest Festival

- The City hosted the annual Fall Harvest Festival on October 21, 2024.
- The event included 35 craft vendor booths with various activities and live music from Redwood Review of the Old Time Fiddlers Association.

Diversity, Equity and Inclusion (DEI) Speaker Series

- The City's Diversity, Equity and Inclusion Speaker Series sponsored by the DEI Committee continued October 29, 2024.
- Staff from Wilsonville Police Department's Behavioral Health Unit and Clackamas County's Mobile Crisis Team would be present.
- The presentation would focus on understanding youth development, identifying signs of mental health and conditions in youth, and developing strategies for empathizing and connecting with youth in distress.
- Presenters would discuss community resources and assistance available to youth and their families in the area and encouraged audience questions.

IHOP Restaurant Grand Opening

- November 6, 2024, the local IHOP restaurant, which had just opened in the Old Town Square, would host a grand opening with prizes and a generous donation to Wilsonville Community Sharing.

Other Businesses News

- New businesses that were in the process of remodeling but not yet ready to open, included:
 - Gyu-Kaku, a Japanese barbecue restaurant that would occupy a large space in the Old Town Shopping Center.
 - Standard TV and Appliance was finishing their remodel and almost ready to open.
 - Elka Bee's Coffee was coming soon.
- Shari's restaurants in Oregon were closing, as well as the one located in Wilsonville.

DEI Committee Cultural Calendar

- Día de los Muertos
 - A traditional Mexican holiday on November 1st, where families welcomed back the souls of their deceased relatives for a brief reunion that included food, drink and celebration.
 - Wilsonville High School would host a Día de los Muertos celebration, to include food, dancing, and face painting.
 - The Wilsonville Library would be playing "*The Book of Life*" at the First Friday Film event.
- Diwali
 - Celebrated October 31st to November 1st, was the Hindu festival of lights with variations also celebrated in other Indian religions.
 - The event symbolizes the spiritual "victory of light over darkness, good over evil, and knowledge over ignorance."

Veterans Day

- On November 11, 2024, the Korean War Veterans Association Oregon Trail Chapter, in partnership with Wilsonville Parks and Recreation, would sponsor a Veterans Day Remembrance Ceremony.
- The event would be held at the Oregon Korean War Memorial, located at Town Center Park.
- The Mayor reminded the audience that the Korean War Interpretive Center was now open and encouraged all to visit.
- It was noted that City facilities are closed on November 11, 2024, in observation of Veterans Day. However, SMART buses would operate normally.

Leaf Drop-Off Day

- The City, in partnership with Republic Services, would host the annual Leaf Drop-Off Day on November 23, 2024.
- Wilsonville residents were invited to drop-off leaves only — and no other yard debris, please!
- City Public Works employees would be on hand to assist residents with disposing of leaves in large dumpsters provided by Republic Services.
- While no fee was charged for dropping-off leaves, the City suggested that participants bring a cash or check donation for Wilsonville Community Sharing, operator of the community food bank and social-services referral agency.
- The City recommended that residents use large paper bags available from local hardware stores that can be recycled with leaves — rather than using plastic bags that are not recyclable.
- The leaf-collection event was a component of Republic Services' franchise agreement for solid-waste collection and disposal services with the City of Wilsonville.
- Resident's efforts to keep leaves out of streets help to improve roadway safety, prevent flooding and protect the aquatic habitat.
- Residents were reminded to avoid raking or blowing fall leaves, grass clippings or any other yard debris onto streets, as these items cannot be removed effectively by street sweepers.
- The accumulation of leaves on streets endangers motorists and bike riders, whose tires may slip on wet leaves.

City Council Meeting

- Next City Council meeting was scheduled for November 18, 2024.

COMMUNICATIONS

There was none.

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS

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

Wilsonville resident Randal Wortman provided public testimony. The handouts submitted by the speaker have been added to the record.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

5. Council President Akervall

The Council President provided a detailed report on the following items:

- Regional Water Providers Consortium Board meeting on October 9, 2024
- 2024 Child Care Consortium Survey

6. Councilor Linville

Councilor Linville reported on the following meetings and events:

- Consul General Yuzo Yoshioka of Japan visit on October 9, 2024
- Aurora Airport Planning Advisory Committee (PAC) meeting on October 15, 2024
- Opioid Settlement Prevention, Treatment and Recovery Board meeting on November 6, 2024

7. Councilor Berry

Councilor Berry reported on the following:

- League of Oregon Cities (LOC) Annual conference on October 2 - 4, 2025
- Tourism Promotion Committee on October 11, 2024
- Clackamas County Coordinating Committee (C4) Metro Subcommittee on October 16, 2024
- Finance Department's Award / Special Recognition: For the 27th consecutive year, the City has been awarded the following two awards from the Government Finance Officers Association (GFOA):
 - Certificate of Achievement for Excellence in Financial Reporting
 - Distinguished Budget Presentation Award

8. Councilor Dunwell - Excused

CONSENT AGENDA

There was none.

NEW BUSINESS

9. Resolution No. 3169

A Resolution Of The City Of Wilsonville Approving The I-5 Boone Bridge Replacement Project Climate-Friendly And Equitable Communities (CFEC) Enhanced Investment Scenario Review Report And Requesting Advancement Of The Authorization Report Supporting An I-5 Southbound Auxiliary Lane.

The City Attorney read the title of Resolution No. 3169 into the record.

Mark Ottenad, Public/Government Affairs Director displayed a PowerPoint, which had been made a part of the record, summarizing the staff report.

The City Attorney re-read the title of Resolution No. 3169 into the record to ensure that the correct title was provided. The Mayor confirmed the title read matched the title included in the packet.

The Mayor called for a motion on Resolution No. 3169.

Motion: Moved to adopt Resolution No. 3169.

Motion made by Councilor Akervall, Seconded by Councilor Berry.

The Council expressed support for the motion to adopt Resolution No. 3169, addressing the I-5 Boone Bridge Replacement Project and the related Climate-Friendly and Equitable Communities review report. The extensive advocacy and continuous efforts required for substantial infrastructure projects were highlighted. And previous Councils' groundwork was appreciated, and it was emphasized that tangible results require sustained engagement. The Council reiterated the long-standing prioritization of the project by City officials and mentioned previous efforts by local representatives to bring transportation committee hearings to Wilsonville. The Council wished for a fast implementation but acknowledged the necessary diligence in inching forward step by step. In closing, prior Councils, City staff, and residents were thanked for their ongoing support over the many years of negotiations. In addition, the necessity of communication with state officials to actualize significant projects was mentioned, noting that patience and strategic advocacy was vital.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry

Vote: Motion carried 4-0.

CONTINUING BUSINESS

The City Attorney read the title of Ordinance Nos. 894 and 895 into the record on second reading.

The Mayor read the second reading script for Ordinance Nos. 894 and 895.

No members of the City Council wished to abstain, declare a conflict of interest, or report any ex parte contact or any information gained outside of the hearing.

There was no further input from staff or applicants.

The Mayor called for the motion on Ordinance No. 894.

10. **Ordinance No. 894** - *2nd Reading (Quasi-Judicial Land Use)*

An Ordinance Of The City Of Wilsonville Declaring And Authorizing The Vacation Of Approximately 0.35 Acre (15,275 Square Feet) Of Public Right-Of-Way That Is No Longer Needed For Westward Extension of SW Bailey Street from Old Town Wilsonville To SW Kinsman Road In The Central Part Of The OrePac Property.

Motion: Moved to adopt Ordinance No. 894 on second reading.

Motion made by Councilor Akervall, Seconded by Councilor Berry.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry

Vote: Motion carried 4-0.

The Mayor read the appeal statement stating that if anyone desired to appeal this decision to the Oregon Land Use Board of Appeals (LUBA), they must file a notice of intent to appeal, stating the grounds of the appeal, in the form and within the time prescribed by State law.

The Mayor called for the motion on Ordinance No. 895.

11. **Ordinance No. 895** - *2nd Reading (Quasi-Judicial Land Use)*

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The City Of Wilsonville Future Development Agricultural-Holding (FDA-H) Zone To The Planned Development Industrial (PDI) Zone On Approximately 8.66 Acres At The OrePac Properties Located At 9655 SW 5th Street.

Motion: Moved to adopt Ordinance No. 895 on second reading.

Motion made by Councilor Akervall, Seconded by Councilor Berry.

Voting Yea:

Mayor Fitzgerald, Councilor Akervall, Councilor Linville, Councilor Berry

Vote: Motion carried 4-0.

The Mayor read the appeal statement stating that if anyone desired to appeal this decision to the Oregon Land Use Board of Appeals (LUBA), they must file a notice of intent to appeal, stating the grounds of the appeal, in the form and within the time prescribed by State law.

PUBLIC HEARING

There was none.

CITY MANAGER’S BUSINESS

The City Manager reported that Harvest Fest had a high attendance, with lots of costumes, live music, story time, face painting, horse and carriage rides, petting zoo, and over 30 vendors.

LEGAL BUSINESS

12. Public Contracts Quarterly Report

The City Attorney Informed Council that included in the packet was the public contracts quarterly report. This was an information only item and no Council action was needed.

ADJOURN

The Mayor adjourned the meeting at 8:49 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor



CITY COUNCIL AGENDA

November 18, 2024, at 7:00 P.M.

Wilsonville City Hall & Remote Video Conferencing

CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

A regular meeting of the Wilsonville City Council was held at the Wilsonville City Hall beginning at 7:00 p.m. on Monday, November 18, 2024. The Mayor called the meeting to order at 7:06 p.m., followed by roll call and the Pledge of Allegiance.

PRESENT:

Mayor Fitzgerald
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

STAFF PRESENT:

Amanda Guile-Hinman, City Attorney
Amy Pepper, Engineering Manager
Bryan Cosgrove, City Manager
Dan Pauly, Planning Manager
Jeanna Troha, Assistant City Manager
Kerry Rappold, Natural Resources Manager
Kimberly Veliz, City Recorder
Stephanie Davidson, Assistant City Attorney
Zach Weigel, City Engineer
Zoe Mombert, Assistant to the City Manager

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

Motion: Moved to approve the following order of the agenda.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

MAYOR'S BUSINESS

4. Upcoming Meetings

The Mayor reported on past and upcoming events.

Child Care Consortium

- The Mayor reflected on the work of the council and city staff on the Wilsonville Area Child Care Consortium.
- This was discussed in the work session with thanks to Council President Akervall for leading the initiative, which was one of the City Council Goals.

Opioid Settlement Prevention, Treatment and Recovery (OSPTR)

- The Mayor praised the work of Councilor Linville who served on the OSPTR Board as a small cities' representative. The board makes decisions and plans on how the opioid settlement funds are to be handled.

Clackamas County Coordinating Committee(C4) Meeting

- On November 7, 2024, the Mayor attended the Clackamas City Coordinating Committee (C4) meeting regarding matters within Clackamas County.
- It includes cities, special districts, and other jurisdictions. There was a detailed panel discussion about housing production strategies by Happy Valley, Lake Oswego, Milwaukee, and Tualatin.
- In Wilsonville, we are undertaking our own housing production strategy work. The name of our housing production strategy is "Housing Our Future". Led by our Planning Division, it is an opportunity for residents to get engaged in what the future of housing will look like in our community over the next 20+ years.

Joint Committee on Transportation

- The Joint Committee on Transportation is representing this area for the 2025 legislative session.
- Would be highlighted the need to continue the push for funding for the Boone Bridge project.
- When House Bill 2017 passed, it included only one project from each county. The Boone Bridge was not named as one of those projects.
- When House Bill 3055 passed, the Boone Bridge was named a mega project. As the City looks at how the State of Oregon is deciding how to fund things, the Council wanted to make sure that the mega projects retained the same level of priority as all the projects that were named in House Bill 2017.

Veterans Day

- The City, the Korean War Veterans Association, along with the Oregon Trail Chapter sponsored a Veterans Day ceremony on November 11, 2024.
- The community along with the Mayor, Councilor Berry, and Councilor Akervall were in attendance and honored to have the opportunity to thank the veterans and present a commemorative wreath.
- The Interpretive Center was now complete at the Town Center, and all were encouraged to visit.

Small Business Saturday

- The Mayor read into the record a proclamation declaring November 30, 2024, the Saturday after Thanksgiving as “Small Business Saturday in Wilsonville.”

City Council Meeting

- Next City Council meeting was scheduled for Monday, December 2, 2024.
5. Boards/Commission Appointments/Reappointments – Placeholder

Budget Committee – Appointment

Appointment of Larisa Manuel Beyer to the Budget Committee for a term beginning 1/1/2025 to 12/31/2027.

Motion: Moved to ratify the appointment of Larisa Manuel Beyer to the Budget Committee for a term beginning 1/1/2025 to 12/31/2027.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Budget Committee – Reappointment

Reappointment of Christopher Moore to the Budget Committee for a term beginning 1/1/2025 to 12/31/2027.

Motion: Moved to ratify the reappointment of Christopher Moore to the Budget Committee for a term beginning 1/1/2025 to 12/31/2027.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Development Review Board – Appointment

Appointment of Dana Crocker to the Development Review Board for a term beginning 1/1/2025 to 12/31/2026.

Motion: Moved to ratify the appointment of Dana Crocker to the Development Review Board for a term beginning 1/1/2025 to 12/31/2026.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Development Review Board – Appointment

Appointment of Janis Sanford to the Development Review Board for a term beginning 1/1/2025 to 12/31/2026.

Motion: Moved to ratify the appointment of Janis Sanford to the Development Review Board for a term beginning 1/1/2025 to 12/31/2026.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Development Review Board – Reappointment

Reappointment of Rob Candrian to the Development Review Board for a term beginning 1/1/2025 to 12/31/2026.

Motion: Moved to ratify the reappointment of Rob Candrian to the Development Review Board for a term beginning 1/1/2025 to 12/31/2026.

Motion made by Councilor Akervall Seconded by Councilor Dunwell.

Voting Yea:

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

Vote: Motion carried 5-0.

Development Review Board – Reappointment

Reappointment of Jordan Herron to the Development Review Board for a term beginning 1/1/2025 to 12/31/2026.

Motion: Moved to ratify the reappointment of Jordan Herron to the Development Review Board for a term beginning 1/1/2025 to 12/31/2026.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Development Review Board – Reappointment

Reappointment of John (Clark) Hildum to the Development Review Board for a term beginning 1/1/2025 to 12/31/2026.

Motion: Moved to ratify the reappointment of John (Clark) Hildum to the Development Review Board for a term beginning 1/1/2025 to 12/31/2026.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Development Review Board– Reappointment

Reappointment of Rachelle Barrett to the Development Review Board for a term beginning 1/1/2025 to 12/31/2026.

Motion: Moved to ratify the reappointment of Rachelle Barrett Development Review Board for a term beginning 1/1/2025 to 12/31/2026.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Development Review Board – Reappointment

Reappointment of Alice Galloway Neely to the Development Review Board for a term beginning 1/1/2025 to 12/31/2026.

Motion: Moved to ratify the reappointment of Alice Galloway Neely to the Development Review Board for a term beginning 1/1/2025 to 12/31/2026.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Diversity, Equity and Inclusion Committee – Appointment

Appointment of Anthony Reyes to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2025 to 12/31/2027.

Motion: Moved to ratify the appointment of Anthony Reyes to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2025 to 12/31/2027.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Diversity, Equity and Inclusion Committee – Appointment

Appointment of Sarah Spoon to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2025 to 12/31/2027.

Motion: Moved to ratify the appointment of Sarah Spoon to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2025 to 12/31/2027.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Diversity, Equity and Inclusion Committee – Reappointment

Reappointment of Diane Imel to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2025 to 12/31/2027.

Motion: Moved to ratify the reappointment Diane Imel of to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2025 to 12/31/2027.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Diversity, Equity and Inclusion Committee – Reappointment

Reappointment of Justin Brown to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2025 to 12/31/2027.

Motion: Moved to ratify the reappointment of Justin Brown to the Diversity, Equity and Inclusion Committee for a term beginning 1/1/2025 to 12/31/2027.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Kitakata Sister City Advisory Board – Appointment

Appointment of Matt Brown to the Kitakata Sister City Advisory Board for a term beginning 1/1/2025 to 12/31/2027.

Motion: Moved to ratify the appointment of Matt Brown to the Kitakata Sister City Advisory Board for a term beginning 1/1/2025 to 12/31/2027.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Kitakata Sister City Advisory Board – Appointment

Appointment of Joshua Dalglish to the Kitakata Sister City Advisory Board for a term beginning 1/1/2025 to 12/31/2027.

Motion: Moved to ratify the appointment of Joshua Dalglish to the Kitakata Sister City Advisory Board for a term beginning 1/1/2025 to 12/31/2027.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Kitakata Sister City Advisory Board – Reappointment

Reappointment of Samuel Scarpone to the Kitakata Sister City Advisory Board for a term beginning 1/1/2025 to 12/31/2027.

Motion: Moved to ratify the reappointment of Samuel Scarpone to the Kitakata Sister City Advisory Board for a term beginning 1/1/2025 to 12/31/2027.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Parks & Recreation Advisory Board – Appointment

Appointment of Grace Richards to the Parks & Recreation Advisory Board for a term beginning 1/1/2025 to 12/31/2028.

Motion: Moved to ratify the appointment of Grace Richards to the Parks & Recreation Advisory Board for a term beginning 1/1/2025 to 12/31/2028.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Parks & Recreation Advisory Board – Reappointment

Reappointment of Amanda Harmon to the Parks & Recreation Advisory Board for a term beginning 1/1/2025 to 12/31/2028.

Motion: Moved to ratify the reappointment of Amanda Harmon to the Parks & Recreation Advisory Board for a term beginning 1/1/2025 to 12/31/2028.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Tourism Promotion Committee – Appointment

Appointment of Libby Crawford to the Tourism Promotion Committee for a term beginning 1/1/2025 to 6/30/2025.

Motion: Moved to ratify the appointment of Libby Crawford to the Tourism Promotion Committee for a term beginning 1/1/2025 to 6/30/2025.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Tourism Promotion Committee – Appointment

Appointment of Jared Firby to the Tourism Promotion Committee for a term beginning 1/1/2025 to 6/30/2026.

Motion: Moved to ratify the appointment of Jared Firby to the Tourism Promotion Committee for a term beginning 1/1/2025 to 6/30/2026.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

Tourism Promotion Committee – Appointment

Appointment of Noelle Craddock to the Tourism Promotion Committee for a term beginning 1/1/2025 to 6/30/2026.

Motion: Moved to ratify the appointment of Noelle Craddock to the Tourism Promotion Committee for a term beginning 1/1/2025 to 6/30/2026.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

COMMUNICATIONS

6. Wilsonville Historical Society Community Enhancement Program (CEP) Project Update

Megan Oldenstadt, President of the Wilsonville Historical Society presented updates on their recent history and preservation project, funded through the Community Enhancement Program grant. The project focused on digitizing and preserving oral history interviews, tackling aging physical archives, and making them accessible for public engagement and educational outreach. Collaborations with local entities like the library and media centers were highlighted.

The Council expressed appreciation for their endeavors and advancement in capturing community stories.

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS

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

There were none.

COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

7. Council President Akervall

The Council President reported on the following events:

- Veterans Day Ceremony on November 11, 2024
- Regional Solutions Advisory Committee Meeting on November 13, 2024
- Leaf Drop Off Day on November 23, 2024

8. Councilor Linville

Councilor Linville reported on the following meetings and events:

- Fireside Chat “Charbonneau’s History: A Landing at the Crossroads” on October 30, 2024
- Opioid Settlement Prevention, Treatment and Recovery (OSPTR) Board meeting on November 6, 2024, and cancelled meeting on December 4, 2024
- 2024 Small Cities Consortium Meeting on November 21, 2024

9. Councilor Berry

Councilor Berry congratulated recently elected members of Council.

The Councilor then reported on the following meetings and events:

- Housing Our Future Task Force meeting on November 6, 2024
- Clackamas County Coordinating Committee (C4) Metro meeting on November 7, 2024
- Wilsonville School District and First Responder meeting on November 7, 2024
- Veterans Day Ceremony on November 11, 2024
- C4 Subcommittee meeting on November 20, 2024

In closing, the Councilor informed the audience about the Boones Ferry Messenger, which was a valuable communication tool between the City and the community.

10. Councilor Dunwell

Councilor Dunwell reported on the following meetings and events:

- Native American Heritage Month was recognized in November 2024
- Dia de Los Muertos and Diwali on November 1; 2024
- Transgender Day of Remembrance on November 20, 2024
- Willamette Intake Facilities (WIF) meeting on October 28, 2024
- Housing Our Future Task Force meeting on November 6, 2024
- Wilsonville School District and First Responder meeting on November 7, 2024
- Washington County Coordinating Committee meeting on November 18, 2024

In closing, the Councilor congratulated recent election winners, emphasizing the importance of diverse community representation.

It was noted that the City had not yet received certified election results from the County.

CONSENT AGENDA

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

11. Resolution No. 3030

A City Of Wilsonville Resolution Approving The Public Bid Process, Accepting The Lowest Responsible Bidder, And Awarding A Construction Contract With Jesse Rodriguez Construction LLC In The Amount Of \$877,500 For The Construction Of The Priority 1B Water Distribution Improvements Project (Capital Improvement Project 1148).

12. Resolution No. 3168

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Third Amendment To The Professional Services Agreement With Consor North America, Inc. To Provide Engineering Consulting Services For The Boeckman Creek Interceptor And Trail Project (Capital Improvement Project No. 2107).

13. Resolution No. 3174

A Resolution Of The City Of Wilsonville Adopting The Arts, Culture, And Heritage Commission (ACHC) FY 2024/25 Five-Year Action Plan And Annual One-Year Implementation Plan.

14. Resolution No. 3179

A Resolution Of The City Of Wilsonville Adopting The South Metro Area Regional Transit Public Transportation Agency Safety Plan.

15. Resolution No. 3180

A Resolution Of The City Of Wilsonville Approving A Funding Plan Forecast For The Stafford Road Improvements – Phase I (CIP Nos. 1158, 2111, And 4219).

16. Minutes of the September 5, 2024 City Council Meeting.

Motion: Moved to adopt the Consent Agenda as read.

Motion made by Councilor Berry Seconded by Councilor Akervall.

Voting Yea:

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

Vote: Motion carried 5-0.

NEW BUSINESS**17. Resolution No. 3183**

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Enter Into An Intergovernmental Agreement Between Clackamas County And City Of Wilsonville To Fund City-Led Initiatives Addressing Homelessness.

The City Attorney read the title of Resolution No. 3183 into the record.

Then the City Attorney along with Leigh Crosby of Wilsonville Community Sharing, and Lyn Whelchel of Heart of the City presented a PowerPoint summarizing the staff report on Resolution No. 3183. The PowerPoint has been added to the record.

Following the presentation Council asked clarifying questions.

The Mayor then requested a motion on Resolution No. 3183.

Motion: Moved to adopt Resolution No. 3183.

Motion made by Councilor Linville Seconded by Councilor Akervall.

After the motion to adopt Resolution No. 3183, Councilors expressed appreciation for the collaboration among the City staff, Wilsonville Community Sharing, and Heart of the City. They acknowledged the partnerships that have developed to address homelessness and noted the remarkable achievements. Councilors commended the City Attorney for her effort in crafting the proposal and emphasized the importance of community involvement and shared responsibility. They stressed the innovative nature of this city-county partnership and its potential as a model for similar future efforts. Ensuing discussions appreciated the alignment of the initiative with broader supportive housing services objectives. Councilors recognized the urgent need for such programs due to escalating demands on local resources, while reinforcing the commitment to enhancing services despite budget constraints.

Voting Yea:

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

Vote: Motion carried 5-0.

18. Resolution No. 3121

A Resolution Of The City Of Wilsonville Adopting The Frog Pond East And South Infrastructure Funding Plan.

The City Attorney read the title of Resolution No. 3121 into the record.

Dan Pauly, Planning Manager and Amy Pepper, Engineering Manager summarized the staff report in a PowerPoint which has been added to the record.

Staff answered clarifying questions.

The Mayor requested a motion on Resolution No. 3121.

Motion: Moved to adopt Resolution No. 3121.

Motion made by Councilor Linville Seconded by Councilor Berry.

Following the motion on Resolution No. 3121, Councilors shared their perspectives on the infrastructure funding plan for the Frog Pond East and South developments. Council highlighted the complexity and foresight involved in planning infrastructure that meets the future needs of the community up to the year 2045, noting that such foresight ensures neighborhoods develop with essential amenities and integrate seamlessly into the City. The Council appreciated the detailed planning and stakeholder engagement that informed the strategy, reinforcing the City's commitment to equitably rolling out developments while integrating sustainable infrastructure investments. Also mentioned was how careful coordination in planning discussions supports creating varied housing solutions tailored to the City's long-term objectives. Additional comments underscored the critical need for maintaining affordability and accessibility for residents, ensuring the expanding areas harmonize well with Wilsonville's overall community values and quality of life expectations.

The Planning Commission, staff and the development community were acknowledged for working together to bring forth the Frog Pond East and South Infrastructure Funding Plan.

Voting Yea:

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

Vote: Motion carried 5-0.

CONTINUING BUSINESS

There was none.

PUBLIC HEARING

19. Ordinance No. 892 - 1st Reading (Legislative Land Use Hearing)

An Ordinance Of The City Of Wilsonville Adopting Amendments To Chapter 4, Chapter 6, And Chapter 8 Of The Wilsonville City Code To Implement The Frog Pond East And South Master Plan And Make Related Updates To Residential Development Regulations Citywide.

The City Attorney read the title of Ordinance No. 892 into the record on first reading.

The Mayor provided the public hearing format and opened the public hearing at 9:01 p.m.

Dan Pauly, Planning Manager, and Amy Pepper, Engineering Manager provided the staff report and PowerPoint, which has been made a part of the record.

The Council asked clarifying questions.

The Mayor invited public testimony, seeing none the Mayor closed the public hearing on Ordinance No. 892 at 9:25 p.m.

The Mayor then requested a motion on Ordinance No. 892.

Motion: Moved to adopt Ordinance No. 892 on first reading.

The Council shared their gratitude for the extensive work and effort put into developing the ordinance. It was noted that the significant number of meetings and dedicated work sessions provided thorough deliberation on the ordinance, ensuring a clear understanding of the proposed code amendments spanning hundreds of pages. Council appreciated how insights gained in planning Frog Pond East and South also informed improvements throughout the City code, underscoring a thoughtful approach to integrating the newly developed areas harmoniously with Wilsonville's community planning. Collectively, Council recognized the contributions from staff, planning commissions, and stakeholders in crafting a comprehensive code ensuring sustainable growth and high-quality residential development for Wilsonville.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

20. **Ordinance No. 896** - *Request to Continue*

An Ordinance Of The City Of Wilsonville Annexing Approximately 9.00 Acres Of Property Located At 7400 SW Frog Pond Lane For Development Of A 28-Lot Residential Subdivision.

21. **Ordinance No. 897** - *Request to Continue*

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Clackamas County Rural Residential Farm Forest 5-Acre (RRFF-5) Zone To The Residential Neighborhood (RN) Zone On Approximately 9.00 Acres Located At 7400 SW Frog Pond Lane For Development Of A 28-Lot Residential Subdivision.

The City Attorney read the titles of Ordinance Nos. 896 and 897 into the record .

Dan Pauly, Planning Manager shared staff was requesting these items to be continued.

The City Attorney stated the motion would be to continue the item to a date certain of January 6, 2025. Furthermore, it was explained that the public hearing would not be opened at this meeting but instead when the item returned in January,

The Mayor requested a motion on Ordinance Nos. 896 and 897.

Motion: Moved to continue the public hearing for Ordinance Nos. 896 and 897 to a date certain of January 2025 at 7:00 p.m.

Motion made by Councilor Akervall Seconded by Councilor Linville.

Voting Yea:

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

Vote: Motion carried 5-0.

CITY MANAGER’S BUSINESS

The City Manager advised the audience to refer to the City Manager's monthly reports included in the Council packet for comprehensive updates and wished everyone a Happy Thanksgiving.

LEGAL BUSINESS

No report.

The continuation of the Executive Session to follow the City Council Meeting.

ADJOURN

The Mayor adjourned the meeting at 9:34 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Mayor



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: December 2, 2024		<p>Subject: Adoption of Resolution No. 3162, “A Resolution of the City of Wilsonville Adopting the Findings and Recommendations of the <i>Solid Waste Collection Rate Report, November 2024</i>, and Modifying the Republic Services Rate Schedule for Collection and Disposal of Solid Waste, Recyclables, Organics and Other Materials, Effective February 1, 2025.”</p> <p>Staff Member: Mark Ottenad, Public/Government Affairs Director</p> <p>Department: Administration</p>	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable <p>Comments: Report modified as requested by Council during October 21 work session and subsequently, providing three options for Council consideration and selection. Upon selecting the preferred Rate Modification Option, the Report and Rate Scheduled are to be modified as directed by Council.</p>	
<p>Staff Recommendation: City Council adopts Resolution No. 3162 with Rate Modification Option Number ____.</p>			
<p>Recommended Language for Motion: I move to adopt Resolution No. 3162 with Rate Modification Option Number ____.</p>			
<p>Project / Issue Relates To:</p>			
<input type="checkbox"/> Council Goals/Priorities:	<input checked="" type="checkbox"/> Adopted Master Plan(s): Solid-Waste Franchise Ordinance No. 883 (2024)	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

City Council adoption of Resolution No. 3162 that approves the *Solid Waste Collection Rate Report, November 2024*, (“Report”) and the accompanying “Republic Services Rate Schedule for Collection and Disposal of Solid Waste, Recyclables, Organics and Other Materials, Effective February 1, 2025.” The effect of the resolution is to increase overall rates that contribute to franchisee Republic Services margin or rate-of-return by the CPI rate of inflation of 2.6%.

In order to act on the Resolution, the City Council must first select a residential and condominium rate preference of three scenarios or options as listed in 2025 Solid Waste Rate Modification Options, Exhibit A to Resolution No. 3162.

EXECUTIVE SUMMARY:

Solid-Waste Franchise Ordinance No. 883, effective Jan. 1, 2024, (“Franchise Agreement”), provides that collection rates are established to generate for franchisee Republic Services an operating margin of 10% on allowable expenses; however, rates are recalibrated by the City if the margin falls below 8% or above 12%. Article VIII of Ordinance No. 883 provides that if the operating margin, or Rate of Return (“ROR”), is 8% up to, but not including, 10%, then 100% of the CPI will be applied to the service rates.

The applicable CPI inflation rate is 2.6%. As detailed in the Report, the projected ROR is 9.7%, which would justify applying 100% of the CPI (2.6%) to the service rates, pursuant to the terms of the Franchise Agreement, Ordinance No. 883, Article VIII, Section 2, Subsection c, that calls for “If the expected Operating Margin in the next calendar year is equal to or greater than eight percent (8%) but less than ten percent (10%) of Gross Revenues, Service Rates will be adjusted to reflect one hundred percent (100%) of the percentage increase, if any, in the CPI.”

At the October 16 City Council work session to review the Draft Report, the City Council considered proposals to evaluate whether, in addition to the standard CPI, the City should consider factoring the projected impact of pending disposal cost increases into the service rate review. The City Council provided direction to staff to implement Ordinance No. 883 such that service rates are to be adjusted to reflect one hundred percent (100%) of the percentage increase in the CPI of 2.6%. However, subsequently, Council members indicated a concern over a uniform, across-the-board rate increase that did not take into account issues of rate equity and seeking to reward residents that generate less garbage for disposal on a per-pound basis.

Overview of Solid Waste Collection Rate Report

In addition to analyzing franchisee Republic Services’ financial data, consultant Bell & Associates and city staff conducted an on-site review of accounting practices.

Specific line item expenses from the adjusted 2023 report were escalated to project the results for 2024-25 using assumptions based on the February 2024 adopted rate increase, increased disposal, labor agreement between Republic and the union drivers, administrative wages, health insurance, and estimated inflation rate.

Table 2 on page 2 summarizes the key expense assumptions for 2024:

- Union Driver Wages: 1.70% increase
- Health Insurance: 4.00% increase
- Waste Disposal: 6.02% increase
- CPI Inflation Rate: 2.60% increase
- Yard Debris Disposal: 2.60% increase

Table 3 on page 2, “Projected 2024 Financial Performance for Wilsonville,” illustrates adjusted and projected changes in revenue and expenses.

Composite revenue ROR is the combined ROR of Republic Services’ three lines or classes of business:

1. Roll Cart: Residential
2. Container: Commercial
3. Drop Box: Industrial

The Report finds that solid waste franchisee Republic Services operating margin adjusted for projected 2024 financial performance had a composite ROR of 9.7%, which is below the allowable range of 8% to 12%, with a target of 10% ROR; see Report page 3, Table 4, “Estimated 2024 Financial Results for Collection Services in Wilsonville.” Specifically, two of three lines or classes of business — Roll Cart Residential and Industrial Drop Box — fall below the 10% ROR target. Thus a general rate increase of 2.6% CPI is calculated into proposed 2025 rates in the Report.

Table 5 on page 3 compares the disposal costs at Willamette Resources, Inc. (WRI), a wholly-owned subsidiary of Republic Services, to the Metro disposal fee over the last three years.

Table 6 on page 4, “Proposed Rate Increase for Residential Collection Service” is blank, awaiting City Council direction on which 2025 Solid Waste Rate Modification Options (Exhibit A to Resolution No. 3162) that City Council has chosen. While City Council provided direction to staff on October 21 work session to provide for the 2.6% increase in rates as called for in Ordinance No. 883, Council members subsequently indicated trepidations over a uniform across-the-board rate increase over equity concerns and instead sought to see a differentiated rate increase that rewards residents that utilize smaller-size garbage carts.

Thus, 2025 Solid Waste Rate Modification Options (Exhibit A to Resolution No. 3162) provides three scenarios or options for Council consideration: a 2.6% uniform across-the-board CPI rate increase and two options for differentiated rate increases based on the size of the cart. Once the City Council agrees on a given option, the Report and Rate Schedule are to be amended to reflect Council’s preference.

The 2025 Solid Waste Rate Modification Options includes both the rate per gallon (Rate Per Gal) for just the specific Garbage cart size and the rate per all gallons (Rate Per ALL) of service, which includes a set size garbage cart (20, 35, 65, 90 gallon), as well as 65 gallon recycling cart and 18 gallon glass recycling bin, with some services including 65 gallon yard debris/organics cart service.

Table 7 on page 4, “Proposed Rate Increases for Commercial Container Service,” proposes rate increases of 2.6%.

Two new cost-recovery fees are proposed that require City Council approval; City Council members indicated during the October 16 work session that these fees provide for cost-recovery so that other classes of customers are not subsidizing these costs:

- A Drop Box Distance Fee is proposed to supplement the Haul Fee on page 5 of the Report. When collected waste material requires disposal at distant locations, such as Coffin Butte Landfill near Corvallis or the Hillsboro Landfill, the drive time exceeds the allotted time embedded in the haul fee. For 2025, the proposed mileage fee for Wilsonville is \$4.70 (after the first 12 miles). The fee would be assessed for drop box/compactor hauls exceeding 12 miles from the point of collection to the disposal facility.
- Similarly, a Landfill Fee is proposed on page 5 when disposal is required at a landfill, the time expended on-site ranges from 20 to 30 minutes compared to an average dump time at WRI of 10 minutes. Because the drop box rate is calculated on average times, the cost of the additional time expended on site at the landfill over the average time at WRI is to be recovered by assessing a Landfill Fee of \$48.00.

Table 8 on page 5, “Proposed Rate Increase for Drop Box / Roll-Off Compactor,” proposes a \$5.00 to the Haul Rate to accommodate a projected \$5.14 increase in the cost per haul.

Recent Prior Results of Solid Waste Collection Rate Reviews

Since adoption of a modern Solid Waste Franchise in 2019 as Ordinance No. 814, and modified effective Jan. 1, 2024, as Ordinance No. 883, the City has conducted five prior rate reviews (2019, 2020, 2021, 2022 and 2023).

In December 2023, City Council adoption of Resolution No. 3091 for the 2023 solid waste rate review report resulted in an extraordinary rate increase with residential rates increasing an average 9.2% (range of 8.8% to 9.5%, depending on size of the cart), commercial rates increasing an average of 7.5% (range of 6.7% to 8.0%, depending on size of the container), and industrial drop-box rates increasing an average of 5.0%, effective Feb. 1, 2024. Subsequently, City Council adoption of Resolution No. 3124 corrected a scrivener’s error to the solid waste rate review report rates appendix that had the effect of reducing certain commercial rates, as amended on Feb. 22, 2024.

In November 2022, City Council adoption of Resolution No. 3004 for the 2022 solid waste rate review report resulted in no modification of rates – all rates maintained the same as the prior year.

In November 2021, City Council adoption of Resolution No. 2931 for the 2021 solid waste rate review report resulted in elimination of the temporary recycling surcharge and across-the-board rate reductions for all classes of customers, with Residential Roll Cart service rates decreased an

average of 4.7%, Commercial Container service rates reduced an average of 7.6%, and Industrial Roll Off / Drop Box service rates lowered an average of 10.1%, effective Jan. 1, 2022.

In December 2020, City Council adoption of Resolution No. 2865 for the 2020 solid waste rate review report resulted in no modification of rates – all rates maintained the same as the prior year.

In December 2019, City Council adoption of Resolution No. 2775 for the 2019 solid waste rate review report resulted in a 50% reduction of a temporary recycling surcharge, introduction of new recycling services, and no modification of rates – all rates maintained the same as the prior year.

EXPECTED RESULTS:

Prospective adoption on Dec. 2, 2024, of Resolution No. 3162 has the effect of modifying current solid waste collection and disposal rates for all classes of customers effective Feb. 1, 2025.

TIMELINE:

- Oct. 21, 2024: City Council reviews *Draft Solid Waste Collection Rate Report, October 2024*
- Dec. 2, 2024: Prospective Council adoption of Resolution No. 3162, which adopts the *Solid Waste Collection Rate Report, November 2024*, and modifies the current “Republic Services Rate Schedule for Collection and Disposal of Solid Waste, Recyclables, Organics and Other Materials,” Effective February 1, 2025.
- Feb. 1, 2025: New rates become effective.

CURRENT YEAR BUDGET IMPACTS:

The Report, Exhibit B to Resolution No. 3162 – Projected 2024 Results, page 7, projects City solid waste franchise-fee revenue (at 5% of franchisee revenue) for calendar year 2024 of \$837,558.

COMMUNITY INVOLVEMENT PROCESS:

Adoption of the Solid-Waste Franchise Ordinance No. 883 in 2023 and prior Ordinance No. 814 in 2018 followed standard City public-outreach practices of public notices for an ordinance adoption. The 2024 Report is a by-product of the solid-waste franchise Ordinance No. 883, effective Jan. 1, 2024.

City information on solid waste matters may be found online at www.ci.wilsonville.or.us/garbage or www.ci.wilsonville.or.us/recycling, including information about recycling services, the current rate sheet and a customer service complaint/issue form.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

The community benefits by continuing to receive Republic Services solid waste collection and disposal services. The City benefits with a standard 5% franchise fee as general fund revenue to account for administration expenses of the franchise.

ALTERNATIVES:

City Council could not adopt the resolution.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Resolution No. 3162, "A Resolution of the City of Wilsonville Adopting the Findings and Recommendations of the *Solid Waste Collection Rate Report, November 2024*, and Modifying the Republic Services Rate Schedule for Collection and Disposal of Solid Waste, Recyclables, Organics and Other Materials, Effective February 1, 2025."

Exhibits:

- A. 2025 Solid Waste Rate Modification Options
- B. Solid Waste Collection Rate Report, November 2024
- C. Republic Services Rate Schedule for Collection and Disposal of Solid Waste, Recyclables, Organics and Other Materials, Effective February 1, 2025

RESOLUTION NO. 3162

A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING THE FINDINGS AND RECOMMENDATIONS OF THE “SOLID WASTE COLLECTION RATE REPORT, NOVEMBER 2024” AND MODIFYING THE CURRENT REPUBLIC SERVICES RATE SCHEDULE FOR COLLECTION AND DISPOSAL OF SOLID WASTE, RECYCLABLES, ORGANICS AND OTHER MATERIALS, EFFECTIVE FEBRUARY 1, 2025.

WHEREAS, "Solid Waste Management Ordinance," Ordinance No. 814 adopted on May 21, 2018, and succeeded by Ordinance No. 883, adopted on November 6, 2023, effective January 1, 2024, created a new solid-waste franchise agreement with franchisee Republic Services; and

WHEREAS, Ordinance No. 883, Article VIII, Establishment and Modification of Service Rates, Section 1, provides that “Amendments to Service Rates must be approved by Council, and may be a by approved by resolution”; and

WHEREAS Article VIII, Section 2, provides for an “Annual Service Rate Adjustment” to provide “Franchisee with a target Operating Margin of ten percent (10%) of Gross Revenues, but no less than eight percent (8%) and no greater than twelve percent (12%). Except as provided in Section 3 of this Article, the Service Rate will be adjusted annually under the following circumstances:”

“c. If the expected Operating Margin in the next calendar year is equal to or greater than eight percent (8%) but less than ten percent (10%) of Gross Revenues, Service Rates will be adjusted to reflect one hundred percent (100%) of the percentage increase, if any, in the CPI”; and

WHEREAS, Article VIII, Subsection i, provides that the “City has the authority to commission reviews or analysis of Franchisee's Annual Franchise Reports and other documents supporting a Service Rate adjustment to validate submissions. The City has further authority to review Franchisee's books, records, and accounts to verify the accuracy of Franchise Fees paid to the City, Franchisee's Operating Margin, and/or any Extraordinary Rate Increases as provided in Article XI herein;” and

WHEREAS, the City contracted with Chris Bell, CPA, of Bell and Associates of Camas, WA, to undertake a solid waste franchise rate review of Republic Services’ 2023 financial operations in order to make a determination the franchisee’s operating margin and recommend any rate

modifications in order to achieve the target operating margin of ten percent 10% for the next following calendar year of 2024; and

WHEREAS, the “Solid Waste Collection Rate Report, November 2024,” attached herein as Exhibit B, found for the following:

- CPI Inflation Rate of 2.6%
- Adjusted 2023 Wilsonville Results:
 - 1.1% margin for residential Roll-Cart service;
 - 16.8% margin for commercial Container service;
 - 3.5% margin for industrial Drop Box service;
 - Cumulatively resulting in a Composite margin of 7.5%
- Estimated 2024 Financial Results for Collection Services in Wilsonville:
 - 5.5% margin for residential Roll-Cart service;
 - 19.1% margin for commercial Container service;
 - 4.0% margin for industrial Drop Box service;
 - Cumulatively resulting in a Composite margin of 9.7%
- Proposed a Drop Box Distance Fee and Landfill Fee for industrial collection disposal when certain kinds of materials require disposal at locations other than franchisee’s local transfer station in Wilsonville operated by franchisee’s subsidiary Willamette Resources, Inc. (WRI); and

WHEREAS, during the October 21, 2024, City Council meeting the City Council reviewed the “Draft Solid Waste Collection Rate Report, October 2024” and directed staff to implement the CPI Inflation increase of 2.6% called for by Ordinance No. 883 with the addition of a Drop Box Distance Fee and Landfill Fee; and

WHEREAS, subsequent to the October 21, 2024, work session, City Council members indicated an equity concern based on the cost or rate per gallon of residential carts and sought to see rate options that would more greatly differentiate rates that provide a lower increase in the cost for smaller carts; and

WHEREAS, in order to respond to City Council members rate modifications, a set of three different 2025 Solid Waste Rate Modification Options were presented to City Council for consideration on December 2, 2024, and Council members indicated a preference for Option number 3.

WHEREAS, the “Solid Waste Collection Rate Report, November 2024,” finds that the Franchisee’s composite operating margin for all customer classes of service is lower than the franchise target margin of ten percent (10%) and higher than the minimum eight percent (8%) acceptable rate-of-return, and therefore recommends modifying the current rate schedule by CPI Inflation Rate of 2.6% effective February 1, 2025;

NOW THEREFORE:

- 1) The Wilsonville City Council selects Option number 3 as listed in the 2025 Solid Waste Rate Modification Options, attached hereto as Exhibit A; and
- 2) The Wilsonville City Council hereby accepts and adopts the findings and recommendations of the “Solid Waste Collection Rate Report, November 2024,” as modified by Option number 3, including the addition of Drop Box Distance Fee and Landfill Fee, attached hereto as Exhibit B; and
- 3) The Wilsonville City Council hereby modifies the “Republic Services Rate Schedule for Collection and Disposal of Solid Waste, Recyclables, Organics and Other Materials,” as modified by Option number 3, effective February 1, 2025, attached hereto as Exhibit C.

ADOPTED by the Wilsonville City Council at a regular meeting on December 2, 2024, and filed with the Wilsonville City Recorder on this date.

JULIE FITZGERALD, MAYOR

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Councilor Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

EXHIBITS:

Exhibit A: "2025 Solid Waste Rate Modification Options"

Exhibit B: "Solid Waste Collection Rate Report, November 2024"

Exhibit C: "Republic Services Rate Schedule for Collection and Disposal of Solid Waste,
Recyclables, Organics and Other Materials, Effective: January 1, 2025"

EXHIBIT A TO RESOLUTION NO. 3162

2025 Solid Waste Rate Modification Options

This worksheet provides three options for Council consideration. Variances (Δ) are comparisons to current rates.

- Option 1** 2.6% uniform across-the-board CPI rate increase
- Option 2** Differentiated rate increase by size of cart, with smallest size having smallest increase
- Option 3** Differentiated rate increase by size of cart, with smallest size having no increase

SERVICE	Current Rate/Mo	OPTION 1 - Rate Per Month					OPTION 2 - Rate Per Month					OPTION 3 - Rate Per Month				
		% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL	% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL	% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL
Residential																
20 gallon	\$23.20	2.6%	\$0.60	\$23.80	\$1.19	\$0.14	0.9%	\$0.20	\$23.40	\$1.17	\$0.14	0.0%	\$0.00	\$23.20	\$1.16	\$0.14
35 gallon	\$30.56	2.6%	\$0.79	\$31.35	\$0.90	\$0.17	2.6%	\$0.80	\$31.41	\$0.90	\$0.17	2.9%	\$0.90	\$31.46	\$0.90	\$0.17
65 gallon	\$39.75	2.6%	\$1.03	\$40.78	\$0.63	\$0.19	2.9%	\$1.15	\$40.85	\$0.63	\$0.19	2.9%	\$1.15	\$40.90	\$0.63	\$0.19
90 gallon	\$44.90	2.6%	\$1.17	\$46.07	\$0.51	\$0.19	2.9%	\$1.30	\$46.15	\$0.51	\$0.19	3.0%	\$1.35	\$46.25	\$0.51	\$0.19
Charbonneau																
20 gallon	\$20.21	2.6%	\$0.53	\$20.74	\$1.04	\$0.20	1.0%	\$0.20	\$20.41	\$1.02	\$0.20	0.0%	\$0.00	\$20.21	\$1.01	\$0.20
35 gallon	\$23.95	2.6%	\$0.62	\$24.57	\$0.70	\$0.21	3.5%	\$0.85	\$24.80	\$0.71	\$0.21	3.8%	\$0.90	\$24.85	\$0.71	\$0.21
65 gallon	\$33.67	2.6%	\$0.88	\$34.55	\$0.53	\$0.23	3.3%	\$1.10	\$34.77	\$0.54	\$0.24	3.4%	\$1.15	\$34.82	\$0.54	\$0.24
Add 65 gallon organics cart	\$8.52	2.6%	\$0.22	\$8.74			2.6%	\$0.22	\$8.74			2.6%	\$0.22	\$8.74		
Condominium																
20 gallon	\$23.20	2.6%	\$0.60	\$23.80	\$1.19	\$0.14	0.9%	\$0.20	\$23.40	\$1.17	\$0.14	0.0%	\$0.00	\$23.20	\$1.16	\$0.14
35 gallon	\$30.56	2.6%	\$0.79	\$31.35	\$0.90	\$0.17	2.8%	\$0.85	\$31.41	\$0.90	\$0.17	2.9%	\$0.90	\$31.46	\$0.90	\$0.17
65 gallon	\$39.75	2.6%	\$1.03	\$40.78	\$0.63	\$0.19	2.8%	\$1.10	\$40.85	\$0.63	\$0.19	2.9%	\$1.15	\$40.90	\$0.63	\$0.19
90 gallon	\$44.90	2.6%	\$1.17	\$46.07		\$0.19	2.9%	\$1.30	\$46.15	\$0.50	\$0.19	3.0%	\$1.35	\$46.25	\$0.50	\$0.19

- Residential** ALL Residential Single-Family Dwelling Garbage Cart service includes a set size garbage cart (20, 35, 65, 90 gallon), 65 gallon recycling cart, 18 gallon glass recycling bin, and 65 gallon yard debris/organics cart service.
- Charbonneau** ALL Charbonneau Single-Family Dwelling Garbage Cart service includes a set size garbage cart (20, 35, 65 gallon), 65 gallon recycling cart, 18 gallon glass recycling bin; Charbonneau District only is yard debris/organics exempt due to privately-paid district-wide landscaping debris removal service; optional add-on for 65 gallon organics cart service.
- Condominium** ALL Condominium Garbage Cart service includes a set size garbage cart (20, 35, 65, 90 gallon), 65 gallon recycling cart, 18 gallon glass recycling bin, and 65 gallon yard debris/organics cart service.



City of Wilsonville

2024 Solid Waste Collection Rate Report

Bell & Associates / November 2024



City of Wilsonville

2024 Solid Waste Collection Rate Report

Bell & Associates / November 2024

Table of Contents

Background of Solid Waste Review..... 1

Annual Cost Report 1

Adjusted Report for 2023..... 1

Projected Results for 2024 2

Projected 2024 Expenses..... 2

Solid Waste Disposal Cost 3

Rate Recommendations 4

Attachment A – Adjusted 2023 Results 6

Attachment B – Projected 2024..... 7

Attachment C – Rate Sheet Comparison of Current Rates and Proposed New Rates..... 8

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Background of Solid Waste Review

The City of Wilsonville (City) contracted with Bell & Associates, a consulting firm with expertise in solid waste collection operations, to provide the City with solid waste and recycling consulting services. Republic Services (Republic) submitted the annual detailed cost report to their franchised jurisdictions, including Wilsonville.

Annual Cost Report

Waste and recycling collection within Wilsonville is accomplished under an exclusive franchise agreement between Republic and the City. An annual cost report is submitted to City managers by Republic to account for the adequacy of the collection rates. Collection rates are established to generate an operating margin of 10% on allowable expenses; however, rates are recalibrated by the City if the margin falls below 8% or above 12%. The annual report provides line-item costs and revenues associated with providing service within the City and financial information for their non-Wilsonville operations. The format of the report furnishes the capacity to calculate the cost of service for each line of business (cart, container, and drop box). Cart collection is primarily for residential customers, whereas business customers are serviced with a container. Reported results were analyzed by Bell & Associates, and the following tasks were completed:

- a. Analyze reported route collection hours to the reported customer counts for each line of business.
- b. Using a predictive test of revenue for each line of business, ensure the reported revenues are reasonable for the number of reported customers.
- c. By thoroughly reviewing the reported direct cost line items, determine if the expense is reasonable in relation to the customer and operational data entered from the detailed cost report.
- d. Utilize a predictive test of disposal to determine if the reported disposal expense is reasonable.
- e. Using the reported administrative line items, determine if the expense is reasonable compared to the operational data entered from the detailed cost report.
- f. Review the costs between Wilsonville and Republic's other franchised collection operations to determine reasonable allocations.
- g. Compare reported revenues and expenses to results from previous years' review.

Report adjustments were made to the submission by Republic from the application of the tasks above that reduced the reported costs and increased the profitability of services provided to Wilsonville customers.

Adjusted Report for 2023

Table 1 details the return for each collection service provided within the Wilsonville franchise collection system.

Table 1: Adjusted 2023 Wilsonville Results

Description	Roll Cart	Container	Drop Box	Composite
Revenues	\$2,175,941	\$2,825,024	\$3,095,244	\$8,096,209
Allowable Costs for Rates	\$2,151,671	\$2,350,075	\$2,988,418	\$7,490,164
Franchise Income	\$24,270	\$474,949	\$106,826	\$606,045
Margin (Income / Revenue)	1.1%	16.8%	3.5%	7.5%

Projected Results for 2024

Specific line item expenses from the adjusted 2023 report were escalated to project the results for 2024-25 using assumptions based on the February rate increase, increased disposal, labor agreement between Republic and the union drivers, administrative wages, health insurance, and estimated inflation. Table 2 summarizes the assumptions.

The assumptions used for the 2024 projection include:

- Two unions represent Republic drivers. The Teamsters represent Keller Drop Box, the union operating in Wilsonville. Keller's contract was renewed in 2024. Hourly wages increased from \$29.29 in December 2023 to \$30.29 in June 2024 and another increase to \$31.54 in December 2024.
- Union Health insurance will increase by 4%.
- The disposal fee for Republic will increase on January 1, 2025, due to contractual increases. Additionally, fees and taxes assessed by Metro increased by \$2.88 per ton on July 1, 2024. The total increase for disposal is calculated at 6.02% for 2024.
- CPI Inflation increased by 2.60% during the first eight months of 2024. Management and administrative labor costs are projected to grow at the inflation rate.
- Yard debris expense was increased by the rate of inflation, which is 2.60%.

Expense	Change
Union Driver Wages	1.70%
Health Insurance	4.00%
Waste Disposal	6.02%
CPI Inflation	2.60%
Yard Debris Disposal	2.60%

Projected 2024 Expenses

The estimated increases noted above were applied to the 2023 expenses and summarized in Table 3 for all operations. Table 4 on the next page summarizes the impact of the increased expenses.

Table 3: Projected 2024 Financial Performance for Wilsonville

Revenue / Expense Description	Adjusted	Projected	\$ ▲	% ▲
Collection Revenue	\$8,096,209	\$8,622,813	\$526,604	6.5%
SW and Yard Debris Disposal	\$3,583,676	\$3,763,462	\$179,786	5.0%
Recycling Processing	\$323,763	\$323,763	\$0	0.0%
Labor Expenses	\$1,540,865	\$1,574,910	\$34,045	2.2%
Truck, Fuel, and Repair	\$783,609	\$794,596	\$10,987	1.4%
Equipment and Containers	\$115,409	\$126,536	\$11,127	9.6%
Franchise Fees	\$379,529	\$431,141	\$51,612	13.6%
Other Direct Expense	\$148,890	\$149,847	\$957	0.6%
Management & Administration	\$614,423	\$623,604	\$9,181	1.5%
Total	\$7,490,164	\$7,787,859	\$297,695	4.0%
Franchise Income	\$606,045	\$834,954	\$228,909	37.8%
Margin	7.5%	9.7%		2.2%

Table 4: Estimated 2024 Financial Results for Collection Services in Wilsonville

Description	Roll Cart	Container	Drop Box	Composite
Revenues	\$2,361,114	\$3,015,996	\$3,245,703	\$8,622,813
Allowable Costs for Rates	\$2,231,678	\$2,438,754	\$3,117,427	\$7,787,859
Franchise Income	\$129,436	\$577,242	\$128,276	\$834,954
Return on Revenues	5.5%	19.1%	4.0%	9.7%

Solid Waste Disposal Cost

The Metro regional government controls the flow and cost of disposal within the Portland metropolitan service area. Metro has increased the disposal cost by \$55.32 per ton from \$98.35 per ton in 2020 to \$153.67 on July 1. The 56.2% increase has averaged 14.5% annually. The rise in waste disposal for customers with a 35 gallon is an additional \$3.10 to their monthly invoice since July 2020. The total cost of garbage disposal for a 35 gallon customer is \$8.61 per month at \$153.67. Unfortunately, Metro leadership has not provided accountability to local jurisdictions to explain the reasons for the increases.

Disposal in the current rates was calculated with a disposal cost of \$137.69 per ton. The estimated disposal cost in January 2025 will be the same as the Metro disposal fee at \$153.67 plus the transaction fee. Table 5 compares the disposal costs at WRI to the Metro disposal fee over the last three years.

Table 5: Metro Disposal Fee Compared to WRI Disposal Fee

Disposal Facility	Metro South			WRI Wilsonville		
	FY23	FY24	FY25	CY23	CY24	Jan 2025
Tonnage Fee	\$78.39	\$89.72	\$104.37	\$91.63	\$98.04	\$104.37
RSF	\$29.37	\$31.41	\$31.72	\$30.39	\$31.57	\$31.72
Excise Tax	\$12.80	\$13.28	\$14.69	\$13.04	\$13.99	\$14.69
Host Fee	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00
DEQ Fees	\$1.89	\$1.89	\$1.89	\$1.89	\$1.89	\$1.89
Disposal Fee	\$123.45	\$137.30	\$153.67	\$137.95	\$146.49	\$153.67
Scale house Fee	\$4.25	\$6.75	\$7.25	\$3.00	\$3.00	\$3.00
Per Ton (7 ton load)	\$0.61	\$0.96	\$1.04	\$0.43	\$0.43	\$0.43
Total \$ per Ton	\$124.06	\$138.26	\$154.71	\$138.38	\$146.92	\$154.10

Rate Recommendations

The Wilsonville Solid Waste Management Ordinance No. 883, Article VIII, Section 2, Subsection c states:

If the expected Operating Margin in the next calendar year [2024] is equal to or greater than eight percent (8%) but less than ten percent (10%) of Gross Revenues, Service Rates will be adjusted to reflect one hundred percent (100%) of the percentage increase, if any, in the CPI.

The results of collection operations for the current year are estimated to generate a return of 9.7% (Table 4); therefore, all rates will be increased by the CPI inflation rate of 2.6%.

Residents are the primary customers with a roll cart for waste, recycling, and yard debris collection services. The proposed rates in Table 6 the current rates to the rates increased by the CPI for the three sizes of garbage carts in Wilsonville.

Table 6: Proposed Rate Increase for Residential Collection Service

Garbage Cart Volume	20 gallon	35 gallon	65 gallon
Current Rate	Final Report to be Amended with Rates to be Determined by City Council at time of adoption on Dec. 2, 2024; see Resolution No. 3162 Exhibit A. 2025 Solid Waste Rate Modification Options		
CPI Increase			
Proposed Rate			
% Increase			

Table 7 summarizes the commercial collection increase for some of Wilsonville's most popular service levels.

Table 7: Proposed Rate Increases for Commercial Container Service

	2 yd. weekly	4 yd. weekly	6 yd. weekly	8 yd. weekly
Current Rate	\$196.96	\$347.36	\$482.51	\$635.55
CPI Increase	\$5.12	\$9.03	\$12.55	\$16.52
Proposed Rates	\$202.08	\$356.39	\$495.06	\$652.07
% Increase	2.6%	2.6%	2.6%	2.6%

Drop Box and Roll Off Compactor Service

Drop Box Distance Fee

The current and proposed fees for drop box service were set assuming that waste would be disposed of at Willamette Resources on Ridder Road in Wilsonville. When the collected waste material requires disposal at distant locations, such as Coffin Butte Landfill near Corvallis or the Hillsboro Landfill, the drive time exceeds the allotted time embedded in the haul fee.

Therefore, many local jurisdictions, such as Clackamas County, have a mileage charge to supplement the haul fee. For 2025, the proposed mileage fee for Wilsonville is **\$4.70**. The fee would be assessed for drop box / compactor hauls exceeding 12 miles from the point of collection to the disposal facility. For example, a customer requiring disposal at Coffin Butte Landfill would be assessed a mileage fee of \$206.80, which the calculation is detailed as follows:

Miles from Wilsonville to Coffin Butte - One-way miles	56
Less the 12 base miles in the rate:	12
Net Miles for Mileage Fee	44
Mileage Calculation – 44 miles x \$4.70	\$206.80

Landfill Fee

When disposal is required at a landfill, the time expended on-site ranges from 20 to 30 minutes compared to an average dump time at WRI of 10 minutes. Because the drop box rate is calculated on average times, the cost of the additional time expended on site at the landfill over the average time at WRI will be recovered by assessing a Landfill Fee of \$48.00.

Drop Box Haul Costs

Drop box and roll off compactor rates used primarily by industrial firms are established on the average time expended hauling the drop box or compactor. The proposed increase for the haul fee is detailed in Table 8.

Table 8: Proposed Rate Increase for Drop Box / Roll-Off Compactor Haul Rates

Container Size	Current Rate	% Increase	\$ Increase	2025 Rate
10-29 yard drop box	\$131.00	2.60%	\$3.41	\$134.41
30 yard drop box	\$147.00	2.60%	\$3.82	\$150.82
40 yard drop box	\$166.00	2.60%	\$4.32	\$170.32
10-19 yard compactor	\$131.00	2.60%	\$3.41	\$134.41
20-29 yard compactor	\$147.00	2.60%	\$3.82	\$150.82
30-39 yard compactor	\$204.00	2.60%	\$5.30	\$209.30
40+ yard compactor	\$271.00	2.60%	\$7.05	\$278.05

Attachment A – Adjusted 2023 Results

**Adjusted
Return on Revenues
City of Wilsonville January 1 to December 31, 2023**

	Residential Service			Yard Debris			Commercial Service			Drop Box	Grand Totals								
	Solid Waste	Recycling		Solid Waste	Recycling		Solid Waste	Recycling											
Collection & Service Revenues	2,175,941						2,825,024			3,095,244		8,096,209							
Direct Costs of Operations	1,119,537	Monthly \$ per Can/Cart		434,312	Monthly \$ per Can/Cart		429,815	Monthly \$ per Can/Cart		1,608,218	Monthly \$ per Yard		451,673	Monthly \$ per Yard		2,832,186	\$ per pull		6,875,741
Disposal Expense	485,622	6.84		146,297	2.06		186,878	3.56		965,117	6.82		177,466	1.25		1,946,059	313.27		3,907,439
Labor Expense	320,860	4.52		175,065	2.47		163,259	3.11		300,139	2.12		160,111	1.13		421,431	67.84		1,540,865
Truck Expense	163,091	2.30		88,983	1.25		62,694	1.19		151,427	1.07		90,168	0.64		227,246	36.58		783,609
Equipment Expense	22,278	0.31		12,155	0.17		5,970	0.11		23,172	0.16		14,922	0.11		36,912	5.94		115,409
Franchise Fees	95,294	1.34		0	-		0	-		137,655	0.97		0	-		146,580	23.60		379,529
Other Direct Expense	32,392	0.46		11,812	0.17		11,014	0.21		30,708	0.22		9,006	0.06		53,958	8.69		148,890
Indirect Costs of Operations	168,753									291,147						156,791			616,691
Management Expense	15,872	0.22		7.8%						14,076	0.10		10.3%			10,250	1.65		40,198
Administrative Expense	74,201	1.05								65,808	0.47					47,925	7.71		187,934
Other Overhead Expenses	78,680	1.11			\$ 789.00					211,263	1.49					98,616	15.88		388,559
Total Cost	2,152,417									2,351,038						2,988,977			7,492,432
Less Unallowable Costs	746	(0.01)								963						559			2,268
Allowable Costs	2,151,671									2,350,075						2,988,418			7,490,164
Franchise Income	24,270									474,949						106,826			606,045
Carts/ Yards/ Drop Box Pulls	5,917			4,372			141,492			129,584		6,212							
Revenues	2,175,941						2,825,024			3,095,244									8,096,209
		% of revenue									% of revenue								
Direct Costs of Operations	1,983,664	91%								2,059,891	73%					2,832,186			6,875,741
Indirect Costs of Operations	168,753	8%								291,147	10%					156,791			616,691
Total Cost	2,152,417									2,351,038						2,988,977			7,492,432
Less Unallowable Costs	746	0%								963	0%					559			2,268
Allowable Costs	2,151,671									2,350,075						2,988,418			7,490,164
Franchise Income	24,270									474,949						106,826			606,045
Return on revenues	1.12%						16.81%			3.45%									7.49%

Attachment B – Projected 2024

Projected 2024 Results
Return on Revenues
City of Wilsonville

	Residential Service			Commercial Service			Drop Box	Grand Totals					
	Solid Waste	Recycling	Yard Debris	Solid Waste	Recycling								
		% ▲ from prior year			% ▲ from prior year		% ▲ from prior year						
Collection & Service Revenues	2,361,114	8.5%	0	0	3,015,996	6.8%	0	4.8%	8,620,057				
Surcharge Overage													
Direct Costs of Operations	1,180,286		439,539	439,547	1,686,987		456,564		7,158,895				
Disposal / Processing Expense	514,031	5.9%	146,297	191,737	2.6%	1,021,576	5.8%	177,466	0.0%	2,030,896	4.4%	4,082,003	
Labor Expense	327,956	2.2%	178,938	2.2%	166,869	2.2%	306,774	2.2%	163,650	2.2%	430,723	2.2%	1,574,910
Truck Expense	165,285	1.3%	90,180	1.3%	63,811	1.8%	153,644	1.5%	91,351	1.3%	230,325	1.4%	794,596
Equipment Expense	22,331	0.2%	12,184	0.2%	5,997	0.5%	23,305	0.6%	14,995	0.5%	47,724	29.3%	126,536
Franchise Fees	118,056	23.9%	0	0	150,800	9.5%	0	0	162,147	10.6%	431,003		
Other Direct Expense	32,627	0.7%	11,940	1.1%	11,133	1.1%	30,888	0.6%	9,102	1.1%	54,157	0.4%	149,847
Indirect Costs of Operations	172,227				294,525				159,120		625,872		
Management Expense	16,285	2.6%			14,442	2.6%			10,517	2.6%	41,244		
Administrative Expense	76,173	2.7%			67,557	2.7%			49,198	2.7%	192,928		
Other Overhead Expenses	79,769	1.4%			212,526	0.6%			99,405	0.8%	391,700		
Less Unallowable Costs	746				963				559		2,268		
Revenues	2,361,114				3,015,996				3,242,947		8,620,057		
		% ▲ from prior year				% ▲ from prior year							
Direct Costs of Operations	2,059,372	3.8%			2,143,551	4.1%			2,955,972		7,158,895		
Indirect Costs of Operations	172,227	2.1%			294,525	1.2%			159,120		625,872		
Total Cost	2,231,599	3.7%			2,438,076	3.7%			3,115,092		7,784,767		
Less Unallowable Costs	746				963				559		2,268		
Allowable Costs	2,230,853				2,437,113				3,114,533		7,782,499		
Franchise Income	130,261				578,883				128,414		837,558		
Projected Return on Revenues	5.52%				19.19%				3.96%		9.72%		
2023 Return on Revenues	1.12%				16.81%				3.45%		7.49%		

Attachment C – Rate Sheet Comparison of Current Rates and Proposed New Rates

	Current Rate	% Variance	\$ Variance	New Rate
Residential Single-Family Dwelling Garbage Cart	Rate per			
Includes 65 gallon recycling cart, 18 gallon glass recycling bin, and 65 gallon yard debris/organics cart service	Month			
20 gallon	\$23.20	2.60%	\$0.60	\$ 23.80
35 gallon	\$30.56	2.60%	\$0.79	\$ 31.35
65 gallon	\$39.75	2.60%	\$1.03	\$ 40.78
Charbonneau Garbage Cart	Rate per			
Charbonneau District only is yard debris/organics exempt due to privately-paid district-wide landscaping debris removal service	Month			
Includes optional 65 gallon recycling cart and 18 gallon glass recycling bin service				
20 gallon	\$20.21	2.60%	\$0.53	\$ 20.74
35 gallon	\$23.95	2.60%	\$0.62	\$ 24.57
65 gallon	\$33.67	2.60%	\$0.88	\$ 34.55
Add Optional 65 gallon yard debris/organics cart service	\$8.52	2.60%	\$0.22	\$ 8.74
Condominium Garbage Cart	Rate per			
Includes 65 gallon recycling cart, 18 gallon glass recycling bin, and 65 gallon yard debris/organics cart service	Month			
20 gallon	\$23.20	2.60%	\$0.60	\$ 23.80
35 gallon cart	\$30.56	2.60%	\$0.79	\$ 31.35
65 gallon cart	\$39.75	2.60%	\$1.03	\$ 40.78
Recycle+ Opt-In Additional Recycling Collection Service	Rate			
Base Charge * (billed monthly)	\$2.50	2.60%	\$0.06	\$ 2.57
Curbside Collection placed within 3 feet of street (each time/occurrence)	\$9.25	2.60%	\$0.24	\$ 9.49
Non-Curbside Collection* placed 5-150 feet from street (each time/occurrence)	\$11.70	2.60%	\$0.30	\$ 12.00
Non-Curbside Collection * placed over 150 feet from street (each time/occurrence)	\$13.00	2.60%	\$0.34	\$ 13.34
* Non-Curbside Collection Receptacle is placed in mutually agreed-upon location, such as the door step next to the garage, on the front porch by door, etc.				
Alternative and Special Collection Services	Rate			
On Call (per each pick-up/service)	\$12.87	2.60%	\$0.33	\$ 13.20
Recycling Only (monthly fee; 1-month minimum service)	\$11.53	2.60%	\$0.30	\$ 11.83
Yard Debris/Organics Only (monthly fee; 1 month minimum service)	\$8.52	2.60%	\$0.22	\$ 8.74
Recycling & Yard Debris/Organics Only (monthly fee; 1-month minimum service)	\$17.58	2.60%	\$0.46	\$ 18.04

Residential Single-Family Dwellings and Condominium Communities				
Continued from Prior Page				
	Current Rate	% Variance	\$ Variance	New Rate
Additional / Extra Service	Rate			
Lost or damaged garbage cart (new replacement cart)	\$72.53	2.60%	\$1.89	\$ 74.42
Lost or damaged yard debris cart (new replacement cart)	\$76.01	2.60%	\$1.98	\$ 77.99
Lost or damaged recycling cart (new replacement cart)	\$76.01	2.60%	\$1.98	\$ 77.99
Lost or damaged recycling bin (new replacement cart)	\$12.32	2.60%	\$0.32	\$ 12.64
Return-trip fee outside of normally scheduled route	\$24.30	2.60%	\$0.63	\$ 24.93
All occasional extras (extra box/bag/can per extra item per service/occasion)	\$6.72	2.60%	\$0.17	\$ 6.89
Over-full can/cart charge (per can/cart per service/occasion)	\$6.72	2.60%	\$0.17	\$ 6.89
Yard debris/organics contaminated with garbage (per can/cart per service/occasion)	\$14.55	2.60%	\$0.38	\$ 14.93
Gate opening/roll-out container (monthly)	\$18.13	2.60%	\$0.47	\$ 18.60
Special container (medical waste; per month fee)	\$18.13	2.60%	\$0.47	\$ 18.60
Temporary Clean-Up Container	Rate			
• 3 Yards Maximum Volume for 4 Days of Use				
Delivery & Removal of Container	\$133.32	2.60%	\$3.47	\$136.79
Extra Dump	\$95.94	2.60%	\$2.49	\$ 98.43
Daily Container Rental Charge Past 4 Days (per day fee)	\$6.49	2.60%	\$0.17	\$ 6.66

COMMERCIAL RATES					
Commercial Container Services – Rate per Month					
New Rates (2.6% Increase) Effective January 1, 2025					
1	2	3	4	5	6
119.28	232.19	335.79			
119.28	232.19	335.79			
156.60	299.02	439.73			
156.60	299.02	439.73			
202.08	386.39	570.31	764.92	957.72	1,153.76
202.08	386.39	570.31	764.92	957.72	1,153.76
274.86	531.19	789.00	1,067.58	1,343.66	1,619.18
274.86	531.19	789.00	1,067.58	1,343.66	1,619.18
356.39	697.73	1,038.21	1,406.57	1,771.53	2,135.71
356.39	697.73	1,038.21	1,406.57	1,771.53	2,135.71
432.69	839.14	1,257.21	1,704.26	2,147.58	2,589.25
432.69	839.14	1,257.21	1,704.26	2,147.58	2,589.25
495.06	965.80	1,456.36	1,975.59	2,489.92	3,003.35
495.06	965.80	1,456.36	1,975.59	2,489.92	3,003.35
652.07	1,273.95	1,922.53	2,611.29	3,292.89	3,973.06
652.07	1,273.95	1,922.53	2,611.29	3,292.89	3,973.06

COMMERCIAL RATES								
Commercial Container Services – Rate per Month								
Container Size	Rate - 1 stop per week	% Increase	\$ Increase	Jan 1, 2025 Rate	Rate - 2 stops per week	% Increase	\$ Increase	Jan 1, 2025 Rate
1 yard	\$116.26	2.60%	\$ 3.02	\$ 119.28	\$226.31	2.60%	\$ 5.88	\$ 232.19
1.5 yard	\$152.63	2.60%	\$ 3.97	\$ 156.60	\$291.44	2.60%	\$ 7.58	\$ 299.02
2 yard	\$196.96	2.60%	\$ 5.12	\$ 202.08	\$376.60	2.60%	\$ 9.79	\$ 386.39
3 yard	\$267.89	2.60%	\$ 6.97	\$ 274.86	\$517.73	2.60%	\$ 13.46	\$ 531.19
4 yard	\$347.36	2.60%	\$ 9.03	\$ 356.39	\$680.05	2.60%	\$ 17.68	\$ 697.73
5 yard	\$421.73	2.60%	\$ 10.96	\$ 432.69	\$817.88	2.60%	\$ 21.26	\$ 839.14
6 yard	\$482.51	2.60%	\$ 12.55	\$ 495.06	\$941.33	2.60%	\$ 24.47	\$ 965.80
8 yard	\$635.55	2.60%	\$ 16.52	\$ 652.07	\$1,241.67	2.60%	\$ 32.28	\$ 1,273.95
Container Size	Rate - 3 stops per week	% Increase	\$ Increase	Jan 1, 2025 Rate	Rate - 4 stops per week	% Increase	\$ Increase	Jan 1, 2025 Rate
1 yard	\$327.28	2.60%	\$ 8.51	\$ 335.79				
1.5 yard	\$428.59	2.60%	\$ 11.14	\$ 439.73				
2 yard	\$555.86	2.60%	\$ 14.45	\$ 570.31	\$745.54	2.60%	\$ 19.38	\$ 764.92
3 yard	\$769.01	2.60%	\$ 19.99	\$ 789.00	\$1,040.53	2.60%	\$ 27.05	\$ 1,067.58
4 yard	\$1,011.90	2.60%	\$ 26.31	\$ 1,038.21	\$1,370.93	2.60%	\$ 35.64	\$ 1,406.57
5 yard	\$1,225.35	2.60%	\$ 31.86	\$ 1,257.21	\$1,661.07	2.60%	\$ 43.19	\$ 1,704.26
6 yard	\$1,419.45	2.60%	\$ 36.91	\$ 1,456.36	\$1,925.53	2.60%	\$ 50.06	\$ 1,975.59
8 yard	\$1,873.81	2.60%	\$ 48.72	\$ 1,922.53	\$2,545.12	2.60%	\$ 66.17	\$ 2,611.29
Container Size	Rate - 5 stops per week	% Increase	\$ Increase	Jan 1, 2025 Rate	Rate - 6 stops per week	% Increase	\$ Increase	Jan 1, 2025 Rate
2 yard	\$933.45	2.60%	\$ 24.27	\$ 957.72	\$1,124.52	2.60%	\$ 29.24	\$ 1,153.76
3 yard	\$1,309.61	2.60%	\$ 34.05	\$ 1,343.66	\$1,578.15	2.60%	\$ 41.03	\$ 1,619.18
4 yard	\$1,726.64	2.60%	\$ 44.89	\$ 1,771.53	\$2,081.59	2.60%	\$ 54.12	\$ 2,135.71
5 yard	\$2,093.16	2.60%	\$ 54.42	\$ 2,147.58	\$2,523.64	2.60%	\$ 65.61	\$ 2,589.25
6 yard	\$2,426.82	2.60%	\$ 63.10	\$ 2,489.92	\$2,927.24	2.60%	\$ 76.11	\$ 3,003.35
8 yard	\$3,209.44	2.60%	\$ 83.45	\$ 3,292.89	\$3,872.38	2.60%	\$ 100.68	\$ 3,973.06

Extra Commercial Pick-Up Rates				
	Current Rate	% Variance	\$ Variance	New Rate
Container Size	Rate per Pick-up			
1 yard	\$25.05	2.60%	\$ 0.65	\$ 25.70
1.5 yard	\$35.07	2.60%	\$ 0.91	\$ 35.98
2 yard	\$45.84	2.60%	\$ 1.19	\$ 47.03
3 yard	\$66.52	2.60%	\$ 1.73	\$ 68.25
4 yard	\$87.31	2.60%	\$ 2.27	\$ 89.58
5 yard	\$108.10	2.60%	\$ 2.81	\$110.91
6 yard	\$128.78	2.60%	\$ 3.35	\$132.13
8 yard	\$169.19	2.60%	\$ 4.40	\$173.59

Extra Commercial Pick-Up Rates for additional container dumps (return trips).
 Container Compactor rate is 2.2 times the regular rate.
 Customers subject to Metro Ordinance No. 18-1418 Business Food Waste Requirement contact Republic Services.
 Extra material beyond the capacity of the container is charged \$28.28 per yard. Contamination fee of \$14.55 is assessed for recycling contamination.

Multi-Family Communities / Commercial Cart Service

Includes collection of mixed recyclables and glass; by special arrangement may include collection of yard debris/organics.

	Current Rate	% Variance	\$ Variance	New Rate
Size	Rate per Month			
35 gallon cart	\$23.15	2.60%	\$0.60	\$ 23.75
65 gallon cart	\$35.80	2.60%	\$0.93	\$ 36.73
90 gallon cart	\$44.90	2.60%	\$1.17	\$ 46.07

Recycling Rates for Multi-Family Communities with Compactors or Train Systems

	Current Rate	% Variance	\$ Variance	New Rate
Number of Units	Rate per Month			
1-99 *	\$146.18	2.60%	\$3.80	\$149.98
100-199 **	\$2.56	2.60%	\$0.07	\$ 2.63
200-299 **	\$2.02	2.60%	\$0.05	\$ 2.07
300-399 **	\$1.77	2.60%	\$0.05	\$ 1.82
400+ **	\$1.73	2.60%	\$0.04	\$ 1.77

* minimum

** per unit

Additional Recycling Services – Drop Box and Commercial Customers					
		Current	%	\$	New
		Rate	Variance	Variance	Rate
Container Size	Rate per Month Per Container				
65 gallon *	\$16.90		2.60%	\$0.44	\$ 17.34
90 gallon *	\$20.50		2.60%	\$0.53	\$ 21.03
Metal Tote **	\$26.53		2.60%	\$0.69	\$ 27.22
Cardboard Container for customers that have less than 4 cubic yards of flattened cardboard per month	\$26.53		2.60%	\$0.69	\$ 27.22
* includes pick up					
** plus hourly rate					

Miscellaneous Service Rates – Hourly Hauling Rate					
		Current	%	\$	New
		Rate	Variance	Variance	Rate
Service	Rate per Hour				
1 truck + 1 driver	\$111.15		2.60%	\$2.89	\$114.04
1 truck + 1 driver + 1 helper	\$140.37		2.60%	\$3.65	\$144.02

INDUSTRIAL DROP BOX AND ROLL OFF COMPACTOR SERVICE RATES				
	Current Rate	% Variance	\$ Variance	New Rate
Drop Box / Compactor Rates Haul Rates				
Container Size	Haul Rate			
10-29 yard drop box	\$131.00	2.60%	\$3.41	\$134.41
30 yard drop box	\$147.00	2.60%	\$3.82	\$150.82
40 yard drop box	\$166.00	2.60%	\$4.32	\$170.32
10-19 yard compactor	\$131.00	2.60%	\$3.41	\$134.41
20-29 yard compactor	\$147.00	2.60%	\$3.82	\$150.82
30-39 yard compactor	\$204.00	2.60%	\$5.30	\$209.30
40+ yard compactor	\$271.00	2.60%	\$7.05	\$278.05
Additional Drop Box Fees				
Service	Rate			
Drop Box Delivery Fee	\$59.50	2.60%	\$1.55	\$ 61.05
Fee for less than 1 haul per month	\$22.00	2.60%	\$0.57	\$ 22.57
Round-trip box (per haul)	\$39.50	2.60%	\$1.03	\$ 40.53
Drop Box Rental Fees				
Drop Box Size	Rate/Day			
10 yard - After 48 hours	\$9.50	2.60%	\$0.25	\$ 9.75
20 yard - After 48 hours	\$9.50	2.60%	\$0.25	\$ 9.75
30 yard - After 48 hours	\$10.45	2.60%	\$0.27	\$ 10.72
40 yard - After 48 hours	\$12.50	2.60%	\$0.32	\$ 12.83
Drop Box Size	Rate/ Month			
10 yard - Monthly	\$89.00	2.60%	\$2.31	\$ 91.31
20 yard - Monthly	\$89.00	2.60%	\$2.31	\$ 91.31
30 yard - Monthly	\$94.00	2.60%	\$2.44	\$ 96.44
40 yard - Monthly	\$99.00	2.60%	\$2.57	\$101.57
Rent charged is the lesser of the daily or monthly rent total.				
Mileage Fee (after 12 miles) *	\$4.70			
Landfill Fee **	\$48.00			
* Mileage Fee is assessed for drop box / compactor hauls exceeding 12 miles from the point of collection to the disposal facility.				
** Landfill Fee is assessed when disposal is required at a landfill. The fee is to offset the additional time expended on-site.				



CITY OF WILSONVILLE, OREGON

**Republic Services Rate Schedule for Collection and Disposal of
Solid Waste, Recyclables, Organics and Other Materials**

Effective February 1, 2025

Adopted by the Wilsonville City Council on December 2, 2024, via
Resolution No. 3162 pursuant to the Solid Waste Franchise Ordinance No. 883 (2024)

City of Wilsonville Online Information:

www.ci.wilsonville.or.us/garbage

www.ci.wilsonville.or.us/recycling

REPUBLIC SERVICES OF CLACKAMAS AND WASHINGTON COUNTY

Sign-up for Services: www.republicservices.com/shop

Customer Service Hours:

Monday - Friday: 8:00 am to 5:00 pm

Saturday: 8:00 am to 12:00 pm

Customer Service Phone Numbers:

503-682-3900

1-800-700-8610 (with Spanish language option)

Hours of Operation:

Monday - Friday

8:00 am - 5:00 pm

Facility Address:

10295 Ridder Rd

Wilsonville, OR 97070

EXHIBIT C TO RESOLUTION NO. 3162

City of Wilsonville, Oregon
 Republic Services Rate Schedule

Effective February 1, 2025
 Adopted December 2, 2024

Item 19.

ROLL CART SERVICE RATES
Residential Single-Family Dwellings and Condominium Communities

Residential Single-Family Dwelling Garbage Cart	Rate per Month
<ul style="list-style-type: none"> Includes 65 gallon recycling cart, 18 gallon glass recycling bin, and 65 gallon yard debris/organics cart service that includes food waste 	<p align="center">Final Rate Schedule to be Amended with Rates to be Determined by City Council at time of adoption on Dec. 2, 2024; see Resolution No. 3162 Exhibit A. 2025 Solid Waste Rate Modification Options</p>
20 gallon cart	
35 gallon cart	
65 gallon cart	
90 gallon cart	
Charbonneau District Garbage Cart	
<ul style="list-style-type: none"> Charbonneau District only is yard debris/organics exempt due to privately-paid district-wide landscaping debris removal service Includes optional 65 gallon recycling cart and 18 gallon glass recycling bin service 	
20 gallon cart	
35 gallon cart	
65 gallon cart	
Add optional 65 gallon yard debris/organics food waste cart service	
Condominium Garbage Cart	
<ul style="list-style-type: none"> Includes 65 gallon recycling cart, 18 gallon glass recycling bin, and 65 gallon yard debris/organics cart service that includes food waste 	
20 gallon cart	
35 gallon cart	
65 gallon cart	
90 gallon cart	
Recycle+ Opt-In Additional Recycling Collection Service	Rate
Base Charge (billed monthly)	\$2.57
Curbside Collection placed within 3 feet of street (each time/occurrence)	\$9.49
Non-Curbside Collection* placed 5-150 feet from street (each time/occurrence)	\$12.00
Non-Curbside Collection * placed over 150 feet from street (each time/occurrence)	\$13.34
* Non-Curbside Collection Receptacle is placed in mutually agreed-upon location, such as the door step next to the garage, on the front porch by door, etc.	
Alternative and Special Collection Services	Rate
On Call (per each pick-up/service)	\$13.20
Recycling Only (monthly fee; 1 month minimum service)	\$11.83
Yard Debris/Organics Only that includes food waste (monthly fee; 1 month minimum service)	\$8.74
Recycling & Yard Debris/Organics Only that includes food waste (monthly fee; 1 month minimum service)	\$18.04

Continued on Next Page

EXHIBIT C TO RESOLUTION NO. 3162

City of Wilsonville, Oregon
 Republic Services Rate Schedule

Effective February 1, 2025
 Adopted December 2, 2024

Item 19.

Residential Single-Family Dwellings and Condominium Communities

Continued from Prior Page

Additional / Extra Service	Rate
Additional roll cart washout/exchange per cart (one free washout/exchange per cart per year for any type or size of cart)	\$13.20
Lost or damaged garbage cart (new replacement cart)	\$74.42
Lost or damaged yard debris cart (new replacement cart)	\$77.99
Lost or damaged recycling cart (new replacement cart)	\$77.99
Lost or damaged recycling bin (new replacement bin)	\$12.64
Return-trip fee outside of normally scheduled route	\$24.93
All occasional extras (extra box/bag/can per extra item per service/occasion)	\$6.89
Over-full can/cart charge (per can/cart per service/occasion)	\$6.89
Yard debris/organics contaminated with garbage (per can/cart per service/occasion)	\$14.93
Gate opening/roll-out container (monthly)	\$18.60
Special container (medical waste; per month fee)	\$18.60
Temporary Clean-Up Container	Rate
• 3 Yards Maximum Volume for 4 Days of Use	
Delivery & Removal of Container	\$136.79
Extra Dump	\$98.43
Daily Container Rental Charge Past 4 Days (per day fee)	\$6.66

EXHIBIT C TO RESOLUTION NO. 3162

City of Wilsonville, Oregon
 Republic Services Rate Schedule

Effective February 1, 2025
 Adopted December 2, 2024

Item 19.

COMMERCIAL RATES

Commercial Container Services – Rate per Month

Container Size	Rate - 1 stop per week	Rate - 2 stops per week	Rate - 3 stops per week	Rate - 4 stops per week	Rate - 5 stops per week	Rate - 6 stops per week
1 yard	\$119.28	\$232.19	\$335.79			
1.5 yard	\$156.60	\$299.02	\$439.73			
2 yard	\$202.08	\$386.39	\$570.31	\$764.92	\$957.72	\$1,153.76
3 yard	\$274.86	\$531.19	\$789.00	\$1,067.58	\$1,343.66	\$1,619.18
4 yard	\$356.39	\$697.73	\$1,038.21	\$1,406.57	\$1,771.53	\$2,135.71
5 yard	\$432.69	\$839.14	\$1,257.21	\$1,704.26	\$2,147.58	\$2,589.25
6 yard	\$495.06	\$965.80	\$1,456.36	\$1,975.59	\$2,489.92	\$3,003.35
8 yard	\$652.07	\$1,273.95	\$1,922.53	\$2,611.29	\$3,292.89	\$3,973.06

Extra Commercial Pick-Up Rates

Container Size	Rate per Pick-up
1 yard	\$25.70
1.5 yard	\$35.98
2 yard	\$47.03
3 yard	\$68.25
4 yard	\$89.58
5 yard	\$110.91
6 yard	\$132.13
8 yard	\$173.59

Extra Commercial Pick-Up Rates for additional container dumps (return trips).

Container Compactor rate is 2.2 times the regular rate.

Customers subject to Metro Ordinance No. 18-1418 Business Food Waste Requirement contact Republic Services.

Extra material beyond the capacity of the container is charged \$29.02 per yard. Contamination fee of \$14.93 is assessed for recycling contamination with garbage.

Multi-Family Communities / Commercial Cart Service

Includes collection of mixed recyclables and glass; by special arrangement may include collection of yard debris/organics that includes food waste.

Size	Rate per Month
35 gallon cart	\$23.75
65 gallon cart	\$36.73
90 gallon cart	\$46.07

Recycling Rates for Multi-Family Communities with Compactors or Train Systems

Number of Units	Rate per Month
1-99 *	\$149.98
100-199 **	\$2.63
200-299 **	\$2.07
300-399 **	\$1.82
400+ **	\$1.77

* minimum amount
 ** rate per unit

Additional Recycling Services – Drop Box and Commercial Customers

Container Size	Rate per Month
65 gallon (rate per cart; includes pick up)	\$17.34
90 gallon (rate per cart; includes pick up)	\$21.03
Metal Tote (monthly rent, plus hourly rate)	\$27.22
Cardboard Container (rate per month for customers that have less than 4 cubic yards of flattened cardboard per month)	\$27.22

Miscellaneous Service Rates – Hourly Hauling Rate

Service	Rate per Hour
1 truck + 1 driver	\$114.04
1 truck + 1 driver + 1 helper	\$144.02

EXHIBIT C TO RESOLUTION NO. 3162

City of Wilsonville, Oregon
 Republic Services Rate Schedule

Effective February 1, 2025
 Adopted December 2, 2024

Item 19.

INDUSTRIAL DROP BOX AND ROLL OFF COMPACTOR SERVICE RATES

Drop Box / Compactor Rates Haul Rates

Container Size	Haul Rate
10-29 yard drop box	\$134.41
30 yard drop box	\$150.82
40 yard drop box	\$170.32
10-19 yard compactor	\$134.41
20-29 yard compactor	\$150.82
30-39 yard compactor	\$209.30
40+ yard compactor	\$278.05

Additional Drop Box / Compactor Fees

Service	Rate
Drop Box Delivery Fee	\$61.05
Fee for less than 1 haul per month	\$22.57
Round-trip box (per haul)	\$40.53
Return Trip Fee (fee assessed when customer is not ready at appointed date/time, requiring a second, return trip to customer)	\$24.01
Drop Box Distance Fee (a mileage fee of \$4.70/mile is assessed for drop box / compactor hauls exceeding 12 miles from the point of collection to the disposal facility)	\$4.70
Landfill Fee (fee is assessed when disposal is required at a specific landfill; the fee is to offset the additional time expended on-site)	\$48.00

Drop Box Rental Fees

Drop Box Size	Rate Per Day
10 yard - After 48 hours	\$9.75
20 yard - After 48 hours	\$9.75
30 yard - After 48 hours	\$10.72
40 yard - After 48 hours	\$12.83
Drop Box Size	Rate Per Month
10 yard - Monthly	\$91.31
20 yard - Monthly	\$91.31
30 yard - Monthly	\$96.44
40 yard - Monthly	\$101.57

Rent charged is the lesser of the daily or monthly rent total.

EXHIBIT C TO RESOLUTION NO. 3162

City of Wilsonville, Oregon
 Republic Services Rate Schedule

Effective February 1, 2025
 Adopted December 2, 2024

Item 19.

SUPPLEMENTAL SERVICES RATES

Type of Service	Rate
Special Services Not Listed: Hauler will charge the reasonable cost of collection and disposal; charge to be related to a similar schedule fee where possible.	Cost of Collection/ Disposal
Appliances:	
Large appliances that contain Freon (accessible at curb)	\$53.97
Large appliances without Freon (accessible at curb, Freon removal certificate required for pick up)	\$30.99
Bathtub / Sink / Toilet:	
Fiberglass tub/shower	\$47.97
Sinks without cabinet	\$18.01
Toilet	\$24.01
Carpets:	
Rug	\$18.01
E-Waste (Electronic Devices) Removal:	
TV under 25", PC monitor, laptop	\$18.01
TV over 25"	\$36.01
TV console, TV projector, copiers	\$47.97
Furniture:	
Hide-a-bed	\$47.97
Small furniture – recliner chair, office chair, crib, coffee table, patio table, cabinets, etc.	\$24.01
Large furniture – full sized couch, dining table, dresser, etc.	\$36.01
Mattresses:	
Twin mattress/box spring (set)	\$24.01
Double/queen mattress/box spring (set)	\$36.01
King mattress/box spring (set)	\$42.07
Miscellaneous / Other:	
Basketball hoop	\$47.97
Bicycle	\$18.01
Christmas tree	\$11.49
Entertainment center	\$59.71
Hot tub cover	\$59.71
Hot water heater	\$47.97
Treadmill, door, furnace, barbeque, satellite dish, lawnmower	\$30.01
Waterbed bag	\$18.01
Windows (per window)	\$18.01
Tires:	
Tires with rims – Passenger or light truck	\$24.01
Tires without rims – Passenger or light truck	\$18.01
Tires – Heavy equipment, semi, etc. charged per ton at current disposal facility gate rate	Gate Rate
Return Trip Fee (fee assessed when customer is not ready at appointed date/time, requiring a second, return trip to customer)	\$24.01
Minimum Charge	\$18.01

Resolution No. 3162: Adoption of the 2024 Solid Waste Collection Rate Report and 2025 Solid Waste Rate Schedule

Wilsonville City Council Meeting
Dec 2, 2024

Mark Ottenad, Public/Government Affairs Director
Chris Bell, CPA, Bell & Associates



Resolution No. 3162: Adoption of the 2024 Solid Waste Collection Rate Report and 2025 Solid Waste Rate Schedule

Three Exhibits:

1. 2025 Solid Waste Rate Modification Options
2. 2024 Rate Report (to be amended)
3. 2025 Rate Schedule (to be amended)



2024 Solid Waste Collection Rate Report

- October 21 City Council Work Session Review of Draft Solid Waste Collection Rate Report
- City Council direction to advance Solid Waste Franchise Ordinance No. 883 requirements
- City Council members' concerns over residential rate equity for smaller size carts

2024 Solid Waste Collection Rate Report

2024 Rate Review Process and Results

- Annual Cost Report - Adjusted Results for 2023
- Projected Results for 2024
- Rate Recommendations and Options for 2025

2024 Solid Waste Collection Rate Report

Republic Services' Three Lines of Business:

1. Roll Cart: Residential customers
2. Container: Commercial business customers
3. Drop Box: Industrial business customers

Total of all three equals Composite Revenue



2024 Rate Review Process and Results

Item 19.

2023 Republic Services Financial Performance

Table 1: Adjusted 2023 Wilsonville Results

Description	Roll Cart	Container	Drop Box	Composite
Revenues	\$2,175,941	\$2,825,024	\$3,095,244	\$8,096,209
Allowable Costs for Rates	\$2,151,671	\$2,350,075	\$2,988,418	\$7,490,164
Franchise Income	\$24,270	\$474,949	\$106,826	\$606,045
Margin (Income / Revenue)	1.1%	16.8%	3.5%	7.5%

2024 Rate Review Process and Results

Item 19.

2024 Projected Primary Expense Increases

Table 2: Line Item Inflation Assumptions for 2024

Expense	Change
Union Driver Wages	1.70%
Health Insurance	4.00%
Waste Disposal	6.02%
CPI Inflation	2.60%
Yard Debris Disposal	2.60%

2024 Rate Review Process and Results

Item 19.

2024 Projected Financial Performance

Table 4: Estimated 2024 Financial Results for Collection Services in Wilsonville

Description	Roll Cart	Container	Drop Box	Composite
Revenues	\$2,361,114	\$3,015,996	\$3,245,703	\$8,622,813
Allowable Costs for Rates	\$2,231,678	\$2,438,754	\$3,117,427	\$7,787,859
Franchise Income	\$129,436	\$577,242	\$128,276	\$834,954
Return on Revenues	5.5%	19.1%	4.0%	9.7%

2024 Rate Review Process and Results

Item 19.

Solid Waste Franchise Ordinance No. 883 – Operating Margin

- Franchise allows standard rate-of-return (ROR) margin range of 8% to 12%, with target of 10%
- Projected 2024 results are below ROR range and target rate-of-return with 9.7% margin

2024 Rate Review Process and Results

Item 19.

Solid Waste Franchise Ordinance No. 883 – Operating Margin

- Article VIII of Ordinance No. 883 provides that if the operating margin (ROR), is 8% up to, but not including, 10%, then 100% of the CPI will be applied to the service rates.
- Franchise indicates CPI 2.6% inflation rate increase

2024 Rate Review Process and Results

Item 19.

2025 Solid Waste Rate Modification Options

Three Residential Rate Options for Consideration:

1. 2.6% uniform across-the-board CPI rate increase
2. Differentiated rate increase by size of cart, with smallest size having *smallest increase*
3. Differentiated rate increase by size of cart, with smallest size having *no increase*

2024 Rate Review Process and Results

Item 19.

2025 Solid Waste Rate Modification Options

- All Three Residential Rate Options Maintain Overall 2.6% CPI Inflation Rate Increase for Composite Revenue
- City Council Selected Option to Amend Content of both 2024 Rate Report and 2025 Rate Schedule, with effective date of Feb. 1, 2025

2024 Rate Review Process and Results

Item 19.

2025 Solid Waste Rate Modification Options

Residential Solid Waste Service includes all services:

- *Garbage*: 20, 35, 65 or 90 gallon cart
- *Mixed Recycling*: 65 gallon cart
- *Glass Recycling*: 18 gallon bin
- *Yard Debris/Organics/Food Waste*: 65 gallon cart
(Charbonneau District exempt/optional)



2024 Rate Review Process and Results

2025 Solid Waste Rate Modification Options

SERVICE	Current Rate/Mo	OPTION 1 - Rate Per Month					OPTION 2 - Rate Per Month					OPTION 3 - Rate Per Month				
		% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL	% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL	% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL
Residential																
20 gallon	\$23.20	2.6%	\$0.60	\$23.80	\$1.19	\$0.14	0.9%	\$0.20	\$23.40	\$1.17	\$0.14	0.0%	\$0.00	\$23.20	\$1.16	\$0.14
35 gallon	\$30.56	2.6%	\$0.79	\$31.35	\$0.90	\$0.17	2.6%	\$0.80	\$31.41	\$0.90	\$0.17	2.9%	\$0.90	\$31.46	\$0.90	\$0.17
65 gallon	\$39.75	2.6%	\$1.03	\$40.78	\$0.63	\$0.19	2.9%	\$1.15	\$40.85	\$0.63	\$0.19	2.9%	\$1.15	\$40.90	\$0.63	\$0.19
90 gallon	\$44.90	2.6%	\$1.17	\$46.07	\$0.51	\$0.19	2.9%	\$1.30	\$46.15	\$0.51	\$0.19	3.0%	\$1.35	\$46.25	\$0.51	\$0.19
Charbonneau																
20 gallon	\$20.21	2.6%	\$0.53	\$20.74	\$1.04	\$0.20	1.0%	\$0.20	\$20.41	\$1.02	\$0.20	0.0%	\$0.00	\$20.21	\$1.01	\$0.20
35 gallon	\$23.95	2.6%	\$0.62	\$24.57	\$0.70	\$0.21	3.5%	\$0.85	\$24.80	\$0.71	\$0.21	3.8%	\$0.90	\$24.85	\$0.71	\$0.21
65 gallon	\$33.67	2.6%	\$0.88	\$34.55	\$0.53	\$0.23	3.3%	\$1.10	\$34.77	\$0.54	\$0.24	3.4%	\$1.15	\$34.82	\$0.54	\$0.24
Add 65 gallon organics cart	\$8.52	2.6%	\$0.22	\$8.74			2.6%	\$0.22	\$8.74			2.6%	\$0.22	\$8.74		
Condominium																
20 gallon	\$23.20	2.6%	\$0.60	\$23.80	\$1.19	\$0.14	0.9%	\$0.20	\$23.40	\$1.17	\$0.14	0.0%	\$0.00	\$23.20	\$1.16	\$0.14
35 gallon	\$30.56	2.6%	\$0.79	\$31.35	\$0.90	\$0.17	2.8%	\$0.85	\$31.41	\$0.90	\$0.17	2.9%	\$0.90	\$31.46	\$0.90	\$0.17
65 gallon	\$39.75	2.6%	\$1.03	\$40.78	\$0.63	\$0.19	2.8%	\$1.10	\$40.85	\$0.63	\$0.19	2.9%	\$1.15	\$40.90	\$0.63	\$0.19
90 gallon	\$44.90	2.6%	\$1.17	\$46.07		\$0.19	2.9%	\$1.30	\$46.15	\$0.50	\$0.19	3.0%	\$1.35	\$46.25	\$0.50	\$0.19

2024 Rate Review Process and Results

Item 19.

SERVICE		OPTION 1 - Rate Per Month					OPTION 2 - Rate Per Month					OPTION 3 - Rate Per Month					
		Current Rate/Mo	% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL	% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL	% Δ	\$ Δ	New Rate	Per Gal Garbage	Per Gal ALL
Residential																	
20 gallon	\$23.20	2.6%	\$0.60	\$23.80	\$1.19	\$0.14	0.9%	\$0.20	\$23.40	\$1.17	\$0.14	0.0%	\$0.00	\$23.20	\$1.16	\$0.14	
35 gallon	\$30.56	2.6%	\$0.79	\$31.35	\$0.90	\$0.17	2.6%	\$0.80	\$31.41	\$0.90	\$0.17	2.9%	\$0.90	\$31.46	\$0.90	\$0.17	
65 gallon	\$39.75	2.6%	\$1.03	\$40.78	\$0.63	\$0.19	2.9%	\$1.15	\$40.85	\$0.63	\$0.19	2.9%	\$1.15	\$40.90	\$0.63	\$0.19	
90 gallon	\$44.90	2.6%	\$1.17	\$46.07	\$0.51	\$0.19	2.9%	\$1.30	\$46.15	\$0.51	\$0.19	3.0%	\$1.35	\$46.25	\$0.51	\$0.19	
Charbonneau																	
20 gallon	\$20.21	2.6%	\$0.53	\$20.74	\$1.04	\$0.20	1.0%	\$0.20	\$20.41	\$1.02	\$0.20	0.0%	\$0.00	\$20.21	\$1.01	\$0.20	
35 gallon	\$23.95	2.6%	\$0.62	\$24.57	\$0.70	\$0.21	3.5%	\$0.85	\$24.80	\$0.71	\$0.21	3.8%	\$0.90	\$24.85	\$0.71	\$0.21	
65 gallon	\$33.67	2.6%	\$0.88	\$34.55	\$0.53	\$0.23	3.3%	\$1.10	\$34.77	\$0.54	\$0.24	3.4%	\$1.15	\$34.82	\$0.54	\$0.24	
Add 65 gallon organics cart	\$8.52	2.6%	\$0.22	\$8.74			2.6%	\$0.22	\$8.74			2.6%	\$0.22	\$8.74			
Condominium																	
20 gallon	\$23.20	2.6%	\$0.60	\$23.80	\$1.19	\$0.14	0.9%	\$0.20	\$23.40	\$1.17	\$0.14	0.0%	\$0.00	\$23.20	\$1.16	\$0.14	
35 gallon	\$30.56	2.6%	\$0.79	\$31.35	\$0.90	\$0.17	2.8%	\$0.85	\$31.41	\$0.90	\$0.17	2.9%	\$0.90	\$31.46	\$0.90	\$0.17	
65 gallon	\$39.75	2.6%	\$1.03	\$40.78	\$0.63	\$0.19	2.8%	\$1.10	\$40.85	\$0.63	\$0.19	2.9%	\$1.15	\$40.90	\$0.63	\$0.19	
90 gallon	\$44.90	2.6%	\$1.17	\$46.07		\$0.19	2.9%	\$1.30	\$46.15	\$0.50	\$0.19	3.0%	\$1.35	\$46.25	\$0.50	\$0.19	

2024 Rate Review Process and Results

Item 19.

Proposed 2025 Commercial Rates: 2.6% CPI Inflation Rate Increase

Table 7: Proposed Rate Increases for Commercial Container Service

	2 yd. weekly	4 yd. weekly	6 yd. weekly	8 yd. weekly
Current Rate	\$196.96	\$347.36	\$482.51	\$635.55
CPI Increase	\$5.12	\$9.03	\$12.55	\$16.52
Proposed Rates	\$202.08	\$356.39	\$495.06	\$652.07
% Increase	2.6%	2.6%	2.6%	2.6%

2024 Rate Review Process and Results

Item 19.

Proposed 2025 Industrial Rates : 2.6% CPI Inflation Rate Increase

Table 8: Proposed Rate Increase for Drop Box / Roll-Off Compactor Haul Rates

Container Size	Current Rate	% Increase	\$ Increase	2025 Rate
10-29 yard drop box	\$131.00	2.60%	\$3.41	\$134.41
30 yard drop box	\$147.00	2.60%	\$3.82	\$150.82
40 yard drop box	\$166.00	2.60%	\$4.32	\$170.32
10-19 yard compactor	\$131.00	2.60%	\$3.41	\$134.41
20-29 yard compactor	\$147.00	2.60%	\$3.82	\$150.82
30-39 yard compactor	\$204.00	2.60%	\$5.30	\$209.30
40+ yard compactor	\$271.00	2.60%	\$7.05	\$278.05

2024 Rate Review Process and Results

Item 19.

2025 Proposed Rates New Fees

Two New Cost-Recovery Fees Proposed that Require City Council Approval for Industrial Customers that Request Special Disposal:

1. Drop Box Distance Fee
2. Landfill Fee

2024 Rate Review Process and Results

Item 19.

2025 Proposed Rates New Fees

1. Drop Box Distance Fee:

- When collected waste material requires disposal at distant locations, such as Coffin Butte Landfill near Corvallis or the Hillsboro Landfill, the drive time exceeds the allotted time embedded in the haul fee.

2024 Rate Review Process and Results

Item 19.

2025 Proposed Rates New Fees

1. Drop Box Distance Fee:

- For 2025, the proposed mileage fee is \$4.70. The fee would be assessed for drop box / compactor hauls exceeding 12 miles from the point of collection to the disposal facility.

2024 Rate Review Process and Results

Item 19.

2025 Proposed Rates New Fees

2. Landfill Fee:

- When disposal is required at a landfill, the time expended on-site ranges from 20 to 30 minutes compared to an average dump time at WRI of 10 minutes.

2024 Rate Review Process and Results

Item 19.

2025 Proposed Rates New Fees

2. Landfill Fee:

- Because the drop box rate is calculated on average times, the cost of the additional time expended on site at the landfill over the average time at WRI will be recovered by assessing a Landfill Fee of \$48.00.

2024 Rate Review Process and Results

Item 19.

Summary of Net Results

- Cumulative overall rate increase at CPI inflation rate of 2.6%
- Two new cost-recovery fees (Drop Box Distance Fee and Landfill Fee) for industrial customers that request special disposal
- Rate Schedule change effective Feb. 1, 2025



2024 Rate Review Process and Results

Item 19.

Public and Customer Notification

- Republic Services notice to all customers
 - Direct contact with industrial customers on new fees
- City news release for *Wilsonville Spokesman*
- Notice to subscribers of City's eNotify service
- Articles in *The Boones Ferry Messenger* all-city newsletter



Resolution No. 3162: Adoption of the 2024 Solid Waste Collection Rate Report and 2025 Solid Waste Rate Schedule

Wilsonville City Council Meeting
Dec 2, 2024

Mark Ottenad, Public/Government Affairs Director
Chris Bell, CPA, Bell & Associates





2024 Rate Review Process and Results

Item 19.

Special Recycling Services Introduced in 2024

- **Recycle + New Program:**
 - Opt-in service for hard-to-recycle products like clamshells and old linens not collected as part of regular recycling service
- **Batteries Recycling:**
 - Placed in plastic bags in glass recycling bin



2024 Rate Review Process and Results

Item 19.

Metro Business Food Waste Program:

- Gradual expansion over 3 years of “back of the house” food-scrap composting service for smaller businesses
- All major Wilsonville businesses participate
- Clackamas County Sustainability staff and City Ec-Dev Manager works with businesses





**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: December 2, 2024		Subject: Resolution No. 3178 A Resolution Of The City Of Wilsonville Authorizing And Approving A DEQ State Revolving Fund Loan To Finance Wastewater System Improvement Projects Staff Member: Keith Katko, Finance Director Department: Finance	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments:	
Staff Recommendation: Staff recommends Council adopt the Consent Agenda.			
Recommended Language for Motion: I move to adopt the Consent Agenda.			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities:	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Resolution to authorize staff to establish a revolving loan of up to \$29,000,000 from the State of Oregon Department of Environmental Quality (DEQ) Clean Water State Revolving Fund (CWSRF) to finance wastewater system capital improvements.

EXECUTIVE SUMMARY:

The Clean Water State Revolving Fund (CWSRF) functions as an environmental infrastructure bank, offering below-market loans to public agencies at favorable interest rates for the planning, design, and construction of water pollution control facilities.

This program presents a valuable opportunity for the City by providing flexible, low-interest financing for two sewer-related capital projects over the next two fiscal years. The City can borrow up to a \$29 million limit, on an as needed basis throughout the allocated projects respective durations. Current interest rates are 2.14% for a 20-year term or 2.64% for a 30-year term, with repayment typically beginning six (6) months after project completion. To cover the required payback, City sewer system development fees (SDCs) will be adjusted to include debt servicing. The Sewer SDC nexus ensures that growth and benefiting developments contribute their fair share to infrastructure costs through SDC collections.

The \$29 million financing would be allocated as follows between two City sewer projects:

1. **\$18 million** for the construction phase of the Boeckman Creek Interceptor Project (CIP 2107). This project aims to upsize the sewer line along the Boeckman Creek corridor, increasing capacity to serve existing and planned residential areas on the east side of Wilsonville by replacing 12-to-18 inch pipelines with 18-to-24 inch pipelines. The project is currently in the design phase.
2. **\$11 million** for the planning and construction of the Waste Water Treatment Plant (WWTP) Aeration Basin Expansion. This project will enhance capacity, modernize operations, and ensure compliance with National Pollutant Discharge Elimination System (NPDES) limitations as the City continues to grow. The additional capacity is projected to be necessary by 2027.

Additionally, the CWSRF program offers the possibility of up to \$4 million in principal forgiveness (\$2 million for each project). To qualify, projects must meet specific criteria, and funds must be available at the time the loan is signed. There is no guarantee of receiving principal forgiveness, as the amount is determined when the loan agreement is executed. Criteria is based on borrowers with rate payer hardships, those offering rate reduction programs, or based on the green/sustainability of the project

The resolution before the Council this evening will authorize the Finance Director or the City Manager to execute a CWSRF loan agreement and any other necessary documents for closing the loan.

EXPECTED RESULTS:

Funds will be available for use July 1, 2025.

TIMELINE:

N/A

CURRENT YEAR BUDGET IMPACTS: Not applicable for current year. Both projects will be budgeted for in the upcoming Fiscal Year 2025-2026.

COMMUNITY INVOLVEMENT PROCESS:

N/A

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

The financing will allow for the construction of a needed sewer infrastructure upgrades.

ALTERNATIVES:

The City could issue revenue bonds or general obligation bonds. Revenue bonds are repaid from the income generated by the sewer system, whereas general obligation bonds are secured by the city's overall credit and can be repaid through property taxes. Both options present disadvantages for the city regarding cost, flexibility, and the burden they impose on current system users in the case of revenue bonds, or on taxpayers for general obligation bonds.

CITY MANAGER COMMENT:

N/A

ATTACHMENT:

1. Resolution No. 3178

RESOLUTION NO. 3178**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING AND APPROVING A DEQ STATE REVOLVING FUND LOAN TO FINANCE WASTEWATER SYSTEM IMPROVEMENT PROJECTS.**

WHEREAS, the City of Wilsonville has entered into negotiations with the State of Oregon Department of Environmental Quality (DEQ) for a loan and intends to fund the Boeckman Creek Interceptor Wastewater System Improvement Project and the Wastewater Treatment Plant Basin Expansion Project with these funds; and

WHEREAS, the City does authorize and approve the SRF loan agreement for the loan amount of \$18 million for the Boeckman Creek Interceptor Project; and

WHEREAS, the City does authorize and approve the SRF loan agreement for the loan amount of \$11 million for the Wastewater Treatment Plan Basin Expansion Project; and

WHEREAS, the City intends to dedicate revenue from the Sewer Systems Development (SDC) Fund to cover the debt service and to establish any loan reserve requirement for the SRF loan agreement;

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS: Upon legal review, the City does authorize and direct the City Manager, the Finance Director, or the person designated by either of those individuals (each of whom is referred to herein as a "City Official") to execute the final SRF loan agreement and such other additional document as may reasonably be required for the consummation and closing of the loan.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 2nd day of December 2024 and filed with the Wilsonville City Recorder this date.

JULIE FITZGERALD, MAYOR

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Linville

Councilor Berry

Councilor Dunwell

The City has a financing need for two sewer related capital improvement projects:

- a) **Boeckman Creek Interceptor** – Construction phase to upsize line running along the Boeckman Creek corridor. Currently under design CIP2107

- b) **WWTP Aeration Basin Expansion** - Add capacity, modernize, and allow the WWTP to operate within National Pollutant Discharge Elimination System (NPDES) limitations as the City continues to grow.

FIVE YEAR SEWER CIP FORECAST

Project Name	Funding Source	2024-25	2025-26	2026-27	2027-28	2028-29
Construction Projects						
Boeckman Road Sanitary Improvements	Sewer SDC/Frog Pond Dev.	\$ 772,000	\$ -	\$ -	\$ -	\$ -
Charbonneau Lift Station Rehabilitation	Sewer Ops	1,112,605	-	-	-	-
Boeckman Creek Interceptor	Sewer Ops/Sewer SDC	2,723,725	8,291,971	8,291,971	-	-
WWTP UV Disinfection Replacement	Sewer Ops	244,025	1,362,000	-	-	-
Coffee Creek Interceptor Railroad Undercrossing	Sewer Ops/Sewer SDC	-	194,800	615,000	-	-
WWTP Aeration Basin Expansion	Sewer SDC	-	2,805,720	8,417,160	-	-
WWTP Clarifier Mechanism Replacement	Sewer Ops	-	443,785	1,331,355	-	-
Coffee Creek - Day Road Sewer Extension	Coffee Creek Urban Renewal	-	1,080,000	3,050,000	-	-
Willamette Way West Sewer Rehabilitation	Sewer Ops	-	-	-	308,720	930,700
Town Center Pump Station Replacement	Sewer Ops	-	-	-	174,200	903,160
Day Dream Sewer Rehabilitation Phase I	Sewer Ops	-	-	-	-	341,870
Master Plan and Studies						
Sewer Rate and SDC Study Update	Sewer Ops/Sewer SDC	35,876	-	-	-	-
Public Works Standards Update	Sewer Ops	10,000	-	-	-	-
Wastewater Collection System Master Plan	Sewer Ops/Sewer SDC	-	462,250	-	-	-
Annual Maintenance Projects						
Annual - Miscellaneous Small Sewer Projects	Sewer Ops	103,500	103,500	103,500	103,500	103,500
Sewer Operations Allocation to Charbonneau	Sewer Ops	-	-	2,096,345	264,115	611,084
Miscellaneous Projects						
Annual - CD Department Support for Miscellaneous Projects	Sewer Ops	10,800	11,124	11,458	11,801	12,155
Annual - Sewer CIP's Final Closeout	Sewer Ops/Sewer SDC	3,000	3,090	3,183	3,278	3,377
Annual - Early Planning - Future Sewer Projects	Sewer Ops/Sewer SDC	10,800	11,124	11,458	11,801	12,155
Annual - 5 Year and Annual Budget Development	Sewer Ops/Sewer SDC	8,200	8,446	8,699	8,960	9,229
Annual - Project Design and Development	Sewer Ops/Sewer SDC	65,000	66,950	68,959	71,027	73,158
		<u>\$ 5,099,531</u>	<u>\$ 14,844,760</u>	<u>\$ 24,009,087</u>	<u>\$ 957,404</u>	<u>\$ 3,000,389</u>
Funding Sources						
Sewer Ops		\$ 1,826,773	\$ 3,067,608	\$ 4,707,606	\$ 889,088	\$ 2,930,024
Sewer SDC		2,500,758	10,697,152	16,251,481	68,315	70,365
Coffee Creek Urban Renewal*		-	1,080,000	3,050,000	-	-
Interfund Loan		772,000	-	-	-	-
Total Funding Sources		<u>\$ 5,099,531</u>	<u>\$ 14,844,760</u>	<u>\$ 24,009,087</u>	<u>\$ 957,404</u>	<u>\$ 3,000,389</u>

SEWER SDC FUND:

Description	FY 2023-24	FY 2024-25 (est)
Beginning Fund Balance	\$1,424,665	\$1,373,726
REVENUES	868,475	581,500
EXPENSES	(918,414)	(1,930,561)
Ending Fund Balance	\$1,373,726	\$24,665

CWSRF acts like an environmental infrastructure bank by providing *below-market* rate loans; with a principal forgiveness component. Specifically:

- a) Interest Rate: 2.14% / 20-year term; 3.14% / 30-year *(current rate through loans executed before December 31, 2024)*
- b) Flexibility: The City can borrow only as needed up to the \$29M credit limit:
 - a) \$18M – Boeckman *Interceptor* (\$16M with principal forgiveness)
 - b) \$11M – WWTP Aeration Basin Expansion (\$9M with principal forgiveness)
- c) Repayment: Begins six-months after project completion:
 - a) Beginning FY 2028/29 *(at least 2.5 years out)*
 - b) Debt Service - \$1.4M *(on average over 30 years)*
- d) Payback Structure: Through Sewer SDC collections. Ensures growth and benefiting development contribute its fair share to infrastructure costs through Sewer SDC collections.
- e) City is eligible to receive principal forgiveness. Not guaranteed yet as it is determined when the loan agreement is signed. Criteria based on borrowers with rate payer hardship or rate reduction programs, green/sustainability of the project. Up to \$4 million, reducing financed amount to \$25 million



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: December 2, 2024		Subject: Ordinance No. 892 – 2nd Reading Frog Pond East and South Master Plan Code Amendments	
		Staff Member: Daniel Pauly, Planning Manager	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: November 18, 2024, continued from August 5, 2024 <input checked="" type="checkbox"/> Ordinance 1 st Reading Date: November 18, 2024 <input checked="" type="checkbox"/> Ordinance 2 nd Reading Date: December 2, 2024 <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable	
		Comments: At their October 9 meeting Planning Commission held a public hearing and unanimously recommended the City Council approve the proposed amendments.	
Staff Recommendation: Staff recommends Council adopt Ordinance No. 892 on second reading.			
Recommended Language for Motion: I move to adopt Ordinance No. 892 on second reading.			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Expand home ownership		<input checked="" type="checkbox"/> Adopted Master Plan(s): Frog Pond East and South Master Plan	

ISSUE BEFORE COUNCIL

City Council will consider a recommendation from the Planning Commission and related proposals to amend the City’s Code to support implementation of the Frog Pond East and South Master Plan and residential development citywide.

EXECUTIVE SUMMARY:

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

In addition to the Development Code standards recommended by approval by the Planning Commission (Exhibits A and B), the City Council is also considering amendments to Chapters 6 (Exhibit C) and 8 (Exhibit D) of the City Code. The Chapter 6 amendments align with new Development Code language regarding fencing and access through narrow side yards by specifically calling out that it is a public nuisance violation to allow vegetation or junk to block through access in narrow side yards. The Chapter 8 amendments make clear that waivers to stormwater standards are a technical review by the City Engineer rather than a waiver granted by the Development Review Board.

Housing is the focus of the Frog Pond East and South Master Plan and implementing Development Code amendments. The Master Plan and implementing Development Code intend to create **a variety of housing options**. The housing efforts reflected in the Master Plan and proposed Code amendments intend to provide more **attainable housing options** for households making moderate to low incomes, including purchasing options. This housing focus is a key action (Action 1C) from the 2020 Equitable Housing Strategic Plan. It also follows up on the 2021 Middle Housing in Wilsonville project by including strategies and regulations to deliver a variety of middle housing types in Frog Pond East and South. The Master Plan and implementing Development Code address housing affordability in two specific ways.

First, they require development of specific housing types expected to provide market-rate options for households making between 80 percent and 120 percent of median family income (MFI) with potentially some market-rate units for households between 60 percent and 80 percent MFI. These specific housing types include middle housing such as townhouses and small units such as cottages and Accessory Dwelling Units (ADUs). Second, the Master Plan and implementing Development Code remove regulatory barriers to development of housing affordable for households making less than 80 percent of MFI. Examples of removing barriers include allowing different housing types throughout the Master Plan area and allowing ADUs to be built with all townhouses. However, realization of these lower-cost units for residents earning less than 80 percent will require other actions that go beyond regulations and zoning.

Beyond housing, the Frog Pond East and South Master Plan and the proposed implementing Development Code intend to carry forward key elements of the Frog Pond Area Plan including:

- **Great neighborhoods** that are a connected part of Wilsonville.
- **A cohesive place** where individual private development and public realm improvements fit seamlessly together in a coordinated whole.
- **Neighborhoods with walkable and active streets**, extensive walking and biking routes, quality parks, open spaces, and natural areas.
- **Quality development and community design** that is an attractive and valued addition to the City.
- **Easy access to nature, parks and open spaces** for all neighborhood residents.

The proposed Code Amendments support and enable the transportation system called for in the Master Plan by requiring certain public realm amenities, defining block size and street spacing, and addressing potential design conflicts. Proposed language requires the parks and open space envisioned in the Master Plan, including the Green Focal Points throughout the neighborhoods. Proposed clear and objective design standards support quality and attractive development, including both siting standards like setbacks and architectural standards.

While most of the proposed amendments are specific to development in Frog Pond East and South, a number of them also apply to the entirety of the Residential Neighborhood (RN) zone or to residential land citywide as follows:

- Updating the review authority, review process, and design standards for apartments and other multi-family housing, making them more consistent with the review authority, review process, and design standards for other types of housing.
- Clarifying that the City's general Site Design Review standards and process do not apply where residential design standards apply.
- Preventing future private covenants, like CC&Rs, from restricting housing types any more than City zoning, consistent with State law.
- Establishing stormwater design standards for residential development consistent with the City's Public Works Standards.
- Expanding the allowance of Accessory Dwelling Units to all townhouses, rather than just townhouses on larger lots and detached single-family homes.
- Establishing specific requirements regarding maintenance of and access to narrow residential side yards.

The City Council has held 11 work sessions, and the Planning Commission held 13, on the proposed Development Code amendments, and the feedback, as well feedback from other stakeholders, has been incorporated into the proposed amendments included in Exhibits A and B to the Ordinance. In Exhibit A, staff has included information boxes for each amendment or group of amendments to help the Council and interested parties navigate the amendment package. The example below includes an explanation of what each field in the box is intended to portray.

Amendment Description:	A short description of the proposed amendment for reference and orientation of the reader
Applicability:	Provides clarity to whether the proposed amendment applies to citywide residential development, Frog Pond West, and/or Frog Pond East and South.
Impacted Code Section(s):	Provides a reference to the code section, and any applicable subsection, in which the amendment is proposed. Where the section or subsection is new, “(new)” is added after the reference.
Relationship to Frog Pond East and South Master Plan:	Explains how the proposed amendment relates to implementation of the Frog Pond East and South Master Plan. The vast majority relate, with a couple unrelated minor amendments included because it is more efficient than going through a separate code amendment process.
Rationale for Amendment Text:	Provides a summary of the why and how of the chosen code text.
Impact on Housing Cost:	This field was added since the City Council’s last work session. The information explains, as applicable, how the proposed amendment complies with State rules regarding impacts on housing cost as well as less formally discusses potential impact on the cost of housing.
Compliance Notes:	This field was added since the City Council’s last work session. The information calls out any notable statute, rules, or other regulations that the proposed amendment seeks to comply with.
Recent Edits:	<p>This field calls attention to recent edits.</p> <p><u>Edits between June work session and July public hearing:</u> Under this heading edits are described that occurred between the draft amendments published June 5, 2024 for the June 12 Planning Commission work session (which was the same version included in the City Council’s June 17, 2024 work session packet) and the version of the proposed amendments published July 3, 2024 for the July 10 Planning Commission hearing.</p> <p><u>Since July public hearing:</u> Under this heading edits are described that occurred after the July 3 publication of the proposed amendments for Planning Commission, including those made since the City Council’s last work session.</p>

Summary of Additional Edits Since Council's Final Work Session.

Since the last City Council work session on this topic, the project team has made the following additional edits to the proposed Development Code amendments, which are reflected in the version recommended for adoption by the Planning Commission:

Section 4.001 Definitions:

- Modified the existing definition of “Dwelling Unit” to better define what “housekeeping facilities are” by replacing “housekeeping facilities” with “living and sleeping space as well as sanitary, bathing, and food preparation facilities”. Also, the word “family” was updated to “household”. Both changes are more consistent with definitions in State statute and rules related to housing.
- Updated proposed definition of “Mobility-Ready Unit” to be consistent with the language used in the modified definition of “Dwelling Unit”.
- Corrected prior scrivener’s error wherein “Dwelling Unit, Detached” was exactly the same as “Dwelling Unit”. New definition states it is a dwelling unit that does not meet the existing definition of “Dwelling Unit, Attached.”

Section 4.118 Standards for all Planned Development Zones:

- Staff discovered waiver language in this section that specifically relates to open space waivers in the Residential Neighborhood (RN) Zone. The existing language is intended for Frog Pond West where a specific approach to open space was used. Frog Pond East and South open space requirements function the same as other residential areas in the City. The language in this section was updated to state that the existing RN Zone reference only applies to the Frog Pond West Neighborhood.
- Added language to identify where housing variety standards land within the waiver process. They are most like density waivers, so they have been grouped accordingly, requiring any waiver to show the intent of the standards are met in an alternative way.

Subsection 4.113 (.05) Residential Stormwater Standards:

- The following are updates to the residential stormwater standards based on continued staff and stakeholder review:
 - Added language to the purpose statement to further clarify the intent of mimicking predevelopment hydrology;
 - Added language to prioritize use of low impact development (LID)
 - Added the allowance of ponds as a priority facility type with a clear and objective size limitation of being sized to serve 4 acres;
 - Consolidated and simplified conflicting use language; and
 - Added language to be clearer about stormwater design waiver process and authority to refer to updated language in Chapter 8.

Section 4.127 (.22) Waivers for Frog Pond East and South:

- Language is added to allow earlier granting of certain waivers during review of Stage I Preliminary Plan prior to some of the Stage II Final Plan and associated applications being filed. The earlier granting of waivers for land use standards that substantially alter site design and layout can give developers more certainty as they invest money in design and engineering. This modification was recommended by a development stakeholder and staff supports. Language is also added to be clear about what criteria to consider from the Master Plan when reviewing waiver applications. Exhibit B to the Ordinance in a memo describing an additional edit presented at the Planning Commission public hearing to clarify how being complementary and compatible to a given Urban Form Type is determined when considering a waiver request.

In addition to the Exhibits containing the proposed Code amendments (Exhibits A through D), the Ordinance includes Exhibit E, which provides findings of compliance with applicable Federal, State, Metro, and City law, and Exhibits F and G which are the approved Planning Commission Resolution and the record the Planning Commission considered in their recommendation to City Council.

EXPECTED RESULTS:

Adoption of Ordinance No. 892, adopting City Code amendments to support implementation of the Frog Pond East and South Master Plan and related updates to residential development regulations Citywide.

TIMELINE:

The City has been working on the proposed City Code amendments since adoption of the Frog Pond East and South Master Plan in December of 2022. Land use applications using the new Code standards are anticipated in Frog Pond East within the next couple years as supporting infrastructure gets completed with the first homes in Frog Pond East and South being completed in approximately 2028.

CURRENT YEAR BUDGET IMPACTS:

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

COMMUNITY INVOLVEMENT PROCESS:

During this implementation phase the primary focus is on honoring past input. However, the project team continued to engage key stakeholders for input on draft Development Code amendments. Public notice was provided for the hearing enabling added public input and awareness. The notice included a link to the proposed amendments on the City's *Let's Talk, Wilsonville!* website with a space to provide feedback.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

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

ALTERNATIVES:

A number of different alternative Code amendments are possible, and many were considered. After careful consideration the proposed amendments are the alternatives recommended for adoption.

CITY MANAGER COMMENTS:

N/A

ATTACHMENTS:

1. Ordinance No. 892:

Exhibit A: Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

Exhibit B: October 9, 2024 Memorandum from Daniel Pauly AICP, Planning Manager to Planning Commission RE: Additional Edits to Frog Pond East and South Master Plan Implementing Development Code Amendments, Resolution No. LP24-0003

Exhibit C: Proposed Nuisance Code amendments (July 3, 2024)

Exhibit D: Proposed Stormwater Code amendments (October 2, 2024)

Exhibit E: Findings Report (October 15, 2025)

Exhibit F: Adopted Planning Commission Resolution No. LP24-0003

Exhibit G: Frog Pond East and South Development City Code Amendments Planning Commission Record

ORDINANCE NO. 892**AN ORDINANCE OF THE CITY OF WILSONVILLE ADOPTING AMENDMENTS TO CHAPTER 4, CHAPTER 6, AND CHAPTER 8 OF THE WILSONVILLE CITY CODE TO IMPLEMENT THE FROG POND EAST AND SOUTH MASTER PLAN AND MAKE RELATED UPDATES TO RESIDENTIAL DEVELOPMENT REGULATIONS CITYWIDE.**

WHEREAS, The City adopted the Frog Pond Area Plan in 2015 setting a vision for urban growth on the east side of Wilsonville; and

WHEREAS, at the time of adoption a portion of the land covered by the Area Plan was within the Urban Growth Boundary (UGB) and a portion was designated as Urban Reserve; and

WHEREAS, in 2017 the City adopted the Frog Pond West Master Plan for the area within the UGB; and

WHEREAS, both the Frog Pond Area Plan and Frog Pond West Master Plan set a foundation for future master planning of the Urban Reserve land not yet in the UGB; and

WHEREAS, in 2018 Metro, through Ordinance 18-1427, expanded the UGB to include the Urban Reserve area covered by the Area Plan; and

WHEREAS, a condition of approval of the 2018 UGB expansion was that the City adopt a Master Plan for the area added to the UGB within four years; and

WHEREAS, the area added to the UGB in 2018 became known as Frog Pond East and South; and

WHEREAS, on December 19, 2022 the City Council adopted a Master Plan for Frog Pond East and South via Ordinance No. 870; and

WHEREAS, the Master Plan provides the guiding principles and policies for future land uses, public realm development, and provision of necessary infrastructure; and

WHEREAS, the Master Plan focused on the provision of a variety of housing throughout the Master Plan area, including lower-cost options; and

WHEREAS, the Master Plan directs addressing housing affordability in two specific ways: first, it requires development of specific housing types expected to provide market-rate options for households making between 80 percent and 120 percent of median family income "MFI" with potentially some units for households between 60 percent and 80 percent MFI; and second, it

removes regulatory barriers to development of housing affordable for households making less than 80 percent of MFI; and

WHEREAS, Ordinance No. 870 added Implementation Measure 4.1.7.D. to the City's Comprehensive Plan Text that includes specific requirements for implementation of the Master Plan, specifically with Development Code amendments; and

WHEREAS, the Master Plan contains other language providing specific direction for implementing Development Code amendments, including, but not limited to, those under *Coding For Variety and Priority Housing Types* and *Coding for Main Street* in Chapter 8 of the Master Plan; and

WHEREAS, in Chapter 8 of the Master Plan, *Coding For Variety and Priority Housing Types* includes six specific strategies: 1. Permit a wide variety of housing types, 2. Define "categories" of housing units to be used for implementing variety standards, 3. Establish minimum dwelling unit requirements, 4. Create development standards for lots and structures that regulate built form according to the mapped Type 1, Type 2, and Type 3 urban form typologies, 5. Establish minimum housing variety standards by subdistrict and development area, and 6. Encourage variety at the block level; and

WHEREAS, Chapter 8 of the Master Plan, *Coding for Main Street*, includes specific design and development strategies of: permitting neighborhood-scale retail, services, mixed-use, and multi-family residential, prohibiting drive-through uses and facilities, and adopting development and design standards that emphasize the "main street" design through standards setbacks, entrances, pedestrian amenities like weather coverings, and small plazas; and

WHEREAS, the City desires to fully implement the Development Code amendments as directed by the Master Plan; and

WHEREAS, a number of Development Code amendments necessary for and supportive of implementation of the Master Plan can be applied similarly to the entirety of the Residential Neighborhood (RN) Zone or all residential land in Wilsonville, as applicable; and

WHEREAS, the City finds it prudent where amendments can be applied similarly to residential land beyond Frog Pond East and South to adopt amendments in a manner that make

such regulations apply more broadly, either to the entirety of the Residential Neighborhood (RN) Zone or Citywide; and

WHEREAS, the City desires to ensure that residential development can be reviewed using clear and objective criteria; and

WHEREAS, the City is obligated to satisfy requirements related to stormwater in its National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit “NPDES MS4 Permit” and the City desires and is required to take a stormwater management approach that prioritizes a low impact development in addition to using green infrastructure; and

WHEREAS, low impact development stormwater management approach is best served by having standards integrated into the Development Code in addition to being in the Public Works Standards to support clear consideration and integration during land use planning and site planning; and

WHEREAS, the City finds that waivers to the residential stormwater design standards are best handled based on technical considerations, as evaluated by the City Engineer or their designee under authority granted in Chapter 8 of the City Code; and

WHEREAS, to correspond with amendments to new fencing and access standards for side yards in Subsection 4.113 (.07) it is prudent to add nuisance regulations to Chapter 6 of the City Code specific to maintaining the side yards in a manner to allow the access required by Subsection 4.113 (.07); and

WHEREAS, this additional nuisance language in Section 6.221 provides for orderly development and maintenance of residential property in a manner that protects the public health and welfare by preventing derelict and inaccessible narrow, fenced areas; and

WHEREAS, the Planning Commission held thirteen public work sessions and the City Council eleven work sessions to review the proposed Code amendments; and

WHEREAS, interested parties have been afforded the opportunity to participate and inform the development of the proposed Development Code amendments; and

WHEREAS, required notice of a public hearing has been provided to affected property owners and nearby properties as well as published in the *Wilsonville Spokesman*, posted on the City’s website, and posted in a variety of public areas in City buildings, all in accordance with the

public hearing and notice procedures that are set forth in Sections 4.012, and 4.197 of the Wilsonville Code; and

WHEREAS, the Planning Commission held a public hearing on July 10, 2024 meeting to review the proposed Development Code amendments at which time the Planning Commission continued the public hearing to October 9, 2024; and

WHEREAS, the Planning Commission held the continued public hearing on October 9, 2024; and

WHEREAS, the Planning Commission, at the October 9, 2024 public hearing, afforded all interested parties an opportunity to be heard, duly considered the subject, including the staff recommendations and all the exhibits and testimony introduced and offered by all interested parties, and adopted Planning Commission Resolution No. LP24-0003, recommending adoption of the proposed Development Code amendments to City Council; and

WHEREAS, the City Council held a public hearing at their August 5, 2024 meeting to review the proposed Development Code amendments and recommendations from Planning Commission, at which time the City Council, due to lack of a Planning Commission Recommendation, continued the public hearing to November 18, 2024; and

WHEREAS, the City Council held the continued public hearing on November 18, 2024; and

WHEREAS, the City Council, during the November 18, 2024 public hearing, duly considered the Planning Commission's recommendation, information and recommendations regarding the amendment to Chapter 6, Nuisance Code, and Chapter 8, Stormwater Code, not under the Planning Commission's purview, and other available information, including the staff recommendation and all the exhibits and testimony introduced and offered by all interested parties.

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

- Section 1. The City Council does hereby adopt the Exhibits to this Ordinance, as presented at the November 18, 2024, public hearing, including the findings in Exhibit E.
- Section 2. Chapter 4 of the Wilsonville City Code is hereby amended as shown in Exhibits A and B.

- Section 3. Chapter 6 of the Wilsonville City Code is hereby amended as shown in Exhibit C.
- Section 4. Chapter 8 of the Wilsonville City Code is hereby amended as shown in Exhibit D.
- Section 5. The City Recorder and other City staff designated by the City Recorder is hereby authorized to make numbering edits, capitalization edits, formatting edits, and other grammatical edits, not changing the meaning of the text, prudent in their judgement to incorporate the amendments into the City Code and ensure they correlate with existing code text, definitions, and numbering.
- Section 6. Effective Date. This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED by the Wilsonville City Council at a regular meeting thereof this 18th day of November 2024, and scheduled the second reading on December 2, 2024, commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

 Kimberly Veliz, City Recorder

ENACTED by the City Council on the 2nd day of December 2024, by the following votes:

Yes: _____ No: _____

 Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 2nd day of December 2024

JULIE FITZGERALD MAYOR

SUMMARY OF VOTES:

Mayor Fitzgerald

Council President Akervall

Councilor Berry

Councilor Dunwell

Councilor Linville

EXHIBITS:

- A. Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)
- B. Memorandum RE: additional edits to proposed Development Code amendments (October 9, 2024)
- C. Proposed Nuisance Code amendments (July 3, 2024)
- D. Proposed Stormwater Code amendments (October 2, 2024)
- E. Findings Report (October 15, 2024)
- F. Adopted Planning Commission Resolution No. LP24-0003
- G. Frog Pond East and South Code Update Planning Commission Record

Frog Pond East and South Development Code Amendments

- Text proposed for deletion is ~~struckthrough~~
- Text proposed for addition is **bolded and underlined**
- Figures proposed for deletion have a red "X" over them
- Existing text not proposed for amendments is in plain text
- Staff notes to reviewers for navigation or clarification is *(italicized text is in parathesis)*
- Any other italics is existing or proposed formatting and is not an indicator of amendments

Section 4.001 Definitions

Amendment Description:	Define Net Development Area. Applies Citywide.
Applicability:	Citywide
Impacted Code Section(s):	4.001 Definitions
Relationship to Frog Pond East and South Master Plan:	Net area is a component for implementation of variety standards called for in the Master Plan.
Rationale for Amendment Text:	The language builds on the existing definition of Gross Development Area, and identifies what specifically is excluded from the Gross Development Area to calculate the Net Development Area.
Impact on Housing Cost:	No direct impact noted
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Added additional language clarifying yard space is limited to that on individual lots rather than common tracts, etc. <u>Since July public hearing:</u> None

(.XXX) Development Area, Net: The portion of Gross Development Area that is not required for open space in tracts, stormwater facilities in tracts, other similar common-use tracts, or public right-of-way. Net Development Area includes areas used for off-street parking, alleyways and off-street circulation areas, areas covered by primary and accessory structures, private and semi-private yard space on individual lots, and landscaping and hardscape not otherwise excluded by this definition.

Amendment Description:	Refining terms used in definition of “ Dwelling Unit ”. Also correcting prior scribner error wherein the definition of “ Dwelling unit, Detached ” is a word for word repeat of the “ Dwelling Unit ” definition.
Applicability:	Citywide
Impacted Code Section(s):	4.001 Definitions
Relationship to Frog Pond East and South Master Plan:	None, technical edits
Rationale for Amendment Text:	The revised code text provides consistency across definitions with language used in State statute and rules and provides more clarity than “ housekeeping facilities ”
Impact on Housing Cost:	No direct impact noted
Compliance Notes:	Not directly driven by any compliance standards, however improves consistency with definitions in State law and provides additional clarity in support of clear and objective standards.
Recent Edits:	<u>Between June work session and July public hearing:</u> None <u>Since July public hearing:</u> Edits to these definitions added.

- (.XXX) *Dwelling Unit:* A building or portion thereof providing ~~complete housekeeping facilities~~ **living and sleeping space as well as sanitary, bathing, and food preparation facilities** for one ~~family household, including a kitchen and bathroom,~~ but not a trailer house or other recreational vehicle.
- (.XXX) *Dwelling Unit, Attached:* A dwelling unit which (1) shares one or more common or abutting wall, floor, or ceiling with one or more dwelling units and/or (2) has a shared roof structure with or a roof without a spatial gap between one or more dwelling units. The common or abutting walls, floors, ceilings, and roofs includes those of attached garages, storage areas, or other accessory uses. When a dwelling unit is attached only to an accessory dwelling unit and the accessory dwelling unit is not attached to any other dwelling unit, the dwelling unit is not "Attached" under this definition while the accessory dwelling unit is "Attached" under this definition.
- (.XXX) *Dwelling Unit, Detached:* ~~A building or portion thereof providing complete housekeeping facilities for one household, including a kitchen and bathroom, but not a trailer house or other recreational vehicle.~~ **A dwelling unit not meeting the definition of Dwelling Unit, Attached.**

Amendment Description:	Definition of Frog Pond Neighborhoods
Applicability:	All of Frog Pond
Impacted Code Section(s):	4.001 Definitions
Relationship to Frog Pond East and South Master Plan:	Some proposed Residential Neighborhood (RN) Zone regulations apply differently to Frog Pond West than Frog Pond East and South. These definitions provide for clear delineation in applying the regulations.
Rationale for Amendment Text:	The language clearly defines the geographic extent of each Frog Pond neighborhood.
Impact on Housing Cost:	No direct impact noted
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Definitions added to provide additional clarity to the proposed Code standards as suggested by City legal staff. <u>Since July public hearing:</u> None

(.XXX) Frog Pond West Neighborhood: The geographic area covered by the Frog Pond West Master Plan. The area is bounded on the south by SW Boeckman Road, on the west by Boeckman Creek, on the north by a line extending directly west from the intersection of SW Stafford Road and SW Kahle Road, and on the east by SW Stafford Road.

(.XXX) Frog Pond East Neighborhood: The portion of the geographic area covered by the Frog Pond East and South Master Plan north of SW Advance Road. The area is bounded on the south by SW Advance Road, on the west by SW Stafford Road, on the north by east-west portion SW Kahle Road and a line extending directly east from the point where SW Kahle road turns to the north, and on the east by the eastern boundary of the Urban Growth Boundary established by Metro Ordinance No. 18-1427.

(.XXX) Frog Pond South Neighborhood: The portion of the geographic area covered by the Frog Pond East and South Master Plan south of SW Advance Road, including park land owned by the City of Wilsonville south of Advance Road between SW 63rd Avenue and SW 60th Avenue and Meridian Creek Middle School and surrounding land owned by the West Linn-Wilsonville School District. The area is bounded on the north by SW Advance Road, on the west by a line extending directly south of the intersection of SW Stafford Road and SW Advance Road, excluding land that is part of the 1995 Landover Subdivision Plat, on the south by SW Kruse Road east of SW 60th Avenue and west of SW 60th Avenue by an east-west property line approximately 314 feet south of SW Kruse Road, and on the east by property lines paralleling SW 60th Avenue approximately 863 feet to the east (also, the southern and eastern boundaries of the Urban Growth Boundary established by Metro Ordinance No. 18-1427).

Amendment Description:	Clean up and clarify definitions regarding lots, lot lines, and yards
Applicability:	Citywide
Impacted Code Section(s):	4.001 Definitions
Relationship to Frog Pond East and South Master Plan:	Ensures development standards such as setbacks function as intended in all development scenarios contemplated.
Rationale for Amendment Text:	To clean up and clarify certain definitions around lots, lot lines, and yards based on questions that have arisen in implementation of the current code. No policy change.
Impact on Housing Cost:	Moving potential unintended setbacks limit need for custom design and similar cost-increasing design actions.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor typographical and clarifying word choice edits. <u>Since July public hearing:</u> None

- (.XXX) **Lot, Corner: A lot either (1) where two intersecting lot lines each abut a street or private drive or (2) where the shortest lot line abuts a tract with a non-vehicular pathway and an intersecting lot line abuts a street or private drive. Private drives which are bounded on two opposite sides by a single lot shall not be considered in determining if a lot is a corner lot.**
- (.XXX) **Lot, Through: A lot where multiple non-intersecting lot lines abut a street, other than a freeway, or private drive.** Any lot, except a corner lot, that abuts two or more streets or private drives other than a freeway. Private drives which are bounded on two sides by a single lot shall not be considered in determining if a lot is a through lot.
- ~~(.XXX) **Lot, Front: The boundary line of a lot abutting a street, other than a boundary line along a side or rear yard. If the lot does not abut a street, the narrowest boundary line shall be considered to be the front.**~~
- (.XXX) **Lot Line, Front: Except for Corner Lots and Through Lots, the boundary line of a lot abutting a street or private drive, other than a boundary line along a side or rear yard. If no boundary lines of a lot abut a street or private drive, but do abut a tract with a non-vehicular pathway with vehicle access to the lot provided via an alley, then the boundary line abutting the tract with a pathway is the Front Lot Line.** the narrowest boundary line shall be considered to be the front. In the Village zone: the case of an interior lot, the lot line separating the lot from the public space, street or private drive, other than an alley. In the case of a corner lot **Corner Lot**, the shortest lot line along a public space **tract with a pathway**, street, or private drive **is the front lot line**, other than an alley. **In the case of a Through Lot, the narrowest boundary line abutting a street or private drive, and if multiple boundary lines abutting a street or private drive are of the same length, the boundary line on the lower classification street, and if both of equal length and on the same street classification, the boundary line indicated as the front on a final plat.** A private drive bounded on two sides by a single lot shall not be considered in determining lot lines.

Amendment Description:	Define live-work
Applicability:	Citywide
Impacted Code Section(s):	4.001 Definitions
Relationship to Frog Pond East and South Master Plan:	Clarifies allowance of live-work units as it relates to implementation of the Commercial Main Street.
Rationale for Amendment Text:	Establishes a clear definition for this type of use allowed in the Frog Pond East Commercial Main Street and elsewhere in the City. The definition is adapted from one from Oregon City with feedback from City staff who have worked with approval of other live-work units in Villebois and Town Center.
Impact on Housing Cost:	Provides flexibility to provide additional units in areas not directly zoned for residential, which increases supply which generally is understood to support the reduction of housing cost.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor clarifying edits. <u>Since July public hearing:</u> None

(.XXX) Live-Work Dwelling Unit (LWDU): A dwelling unit where (1) the ground-level front façade has a commercial-type store front determined by having at least sixty percent glazing and a permanent architectural cover over the entry (2) the interior along the building frontage is designed for workspace and no kitchen, bathroom, bedroom, closet, or storage is adjacent to the front façade and (3) all or a portion of the dwelling unit meets the commercial building code to support an accessory commercial or light industrial use. This is differentiated from a home occupation or home business in that the dwelling unit is specifically designed to accommodate a commercial or light industrial use, whereas a home occupation or home business takes place in a residential structure without such specific design. This is differentiated from a Business-Integrated Dwelling Unit in that in a Live-Work Dwelling Unit the residential and commercial uses are not required to be fully divided physically.

(.XXX) Business-Integrated Dwelling Unit(s) (BIDU): A dwelling unit integrated with a non-residential use where (1) the dwelling unit is the secondary use to the non-residential use, (2) the dwelling unit consists of a ground floor footprint less than or equal to 40 percent of the ground floor non-residential use, (3) the dwelling unit is separated from the non-residential use by a demising wall, and (4) the dwelling unit has direct interior entry from the non-residential use. This is differentiated from a Live-Work Dwelling Unit in that the dwelling unit must be fully divided from the non-residential use and that the space designed to be non-residential cannot be used for residential.

Amendment Description:	Mobility-Ready Definition
Applicability:	Citywide, but primarily Frog Pond East and South at this time
Impacted Code Section(s):	4.001 Definitions
Relationship to Frog Pond East and South Master Plan:	Mobility-ready units is one of the “target” unit types identified to require a minimum of to help ensure accessible housing is available within the planned variety in Frog Pond East and South.
Rationale for Amendment Text:	The definition seeks to define a unit that can be adaptable for use of individuals with limited mobility without getting into details that would be under the jurisdiction of the building code like counter heights, doorway widths, and bathroom grab bars.
Impact on Housing Cost:	No direct impact noted for definition. See addition discussion of requiring this type of unit in Section 4.127.
Compliance Notes:	Definition not driven by any compliance standards. See addition discussion of requiring this type of unit in Section 4.127.
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor clarifying edits. <u>Since July public hearing:</u> Additional minor clarifying edit to be consistent with definition of dwelling unit.

(.XXX) Mobility-Ready Unit: A dwelling unit with living and sleeping space as well as sanitary, bathing, and food preparation facilities on one level and that level is accessible from a parking space or public sidewalk without the use of stairs or with up to two stairs with space to add a wheelchair accessible ramp.

Amendment Description:	Urban Form Type definitions
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.001 Definitions
Relationship to Frog Pond East and South Master Plan:	Key definitions to implement the different residential urban forms identified in the Master Plan.
Rationale for Amendment Text:	Detailed definitions consistent with the language and intent in the Master Plan.
Impact on Housing Cost:	No direct impact noted for definition. See addition discussion of requiring this type of unit in Section 4.127.
Compliance Notes:	Definitions not driven by any compliance standards. See addition discussion of requiring this type of unit in Section 4.127.
Recent Edits:	<u>Between June work session and July public hearing:</u> Removed unnecessary reference to the RN Zone from definitions. <u>Since July public hearing:</u> None

(.XXX) Urban Form: The physical characteristics of an area determined by the bulk, placement, and spacing of buildings and related site improvements.

(.XXX) Urban Form Type: A categorization between different planned Urban Forms with Type 1 having the most urban look and feel and Type 3 having the least urban look and feel.

(.XXX) Urban Form Type Designation: A designation applied to land that determines Urban Form Type and what lot and structure standards apply to guide Urban Form.

Amendment Description:	Administrative review of multi-family structures
Applicability:	Citywide
Impacted Code Section(s):	4.030
Relationship to Frog Pond East and South Master Plan:	Reflects the allowance of a wide variety of housing types, including various types of multi-family, throughout the Master Plan area.
Rationale for Amendment Text:	<p>The language intends to provide clarity that all residential buildings are subject to administrative review. The primary policy change is making multi-family housing (apartments) throughout the City subject to administrative review consistent with other residential structures subject to clear and objective standards, rather than subject to Site Design Review like commercial and industrial buildings. Multi-family buildings with seven or more units will require Class II Administrative Review, which requires public notice.</p> <p>The new process for multi-family applies only to the building and the immediately surrounding site improvements like landscaping. Site design and layout for apartment complexes remains subject to Development Review Board review.</p>
Impact on Housing Cost:	Reduces process and provides more certainty for multi-family housing, reducing cost in the development process
Compliance Notes:	Ensures clear and objective standards for a needed housing type as required in ORS 197.307 (4).
Recent Edits:	<p><u>Between June work session and July public hearing:</u> Added “previously” to lots that had been legally created to be clearer the new Class II process only applies where the multi-family building is going on an existing lot.</p> <p><u>Since July public hearing:</u> None</p>

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

- (.01) *Authority of Planning Director.* The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:
- A. A Class I application shall be processed as a ministerial action without public hearing, shall not require public notice, and shall not be subject to appeal or call-up, except as noted below. Pursuant to Class I procedures set forth in Section 4.035, and upon finding that a proposal is consistent with the provisions of this Code and any applicable Conditions of Approval, shall approve the following, with or without conditions:
 - 4. Building permits for **residential structures in residential zones not subject to Site Design Review, except for multi-family structures with seven or more units**, ~~single family dwellings, middle housing, and in the Village zone, row houses or apartments~~, meeting clear and objective zoning, siting, and design requirements standards and located on lots that have been legally created. The Planning Director's approval of such plans shall apply only to Development

Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.

- B. A Class II application shall be processed as an administrative action, with or without a public hearing, shall require public notice, and shall be subject to appeal or call-up, as noted below. Pursuant to Class II procedures set forth in Section 4.035, the Director shall approve, approve with conditions, deny, or refer the application to the Development Review Board for a hearing:
12. **Architectural and site plans, including modifications and remodels, for multi-family residential structures in residential zones with seven or more units not subject to Site Design Review, meeting clear and objective zoning, siting, and design standards, and located on lots that have previously been legally created. This does not include review of Stage I and Stage II Planned Development Master Plans and Site Design Review of open space and other common improvements, which are subject to review by the Development Review Board.**

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

Amendment Description:	Clarify exceptions to open space requirements for multi-family development
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.01)
Relationship to Frog Pond East and South Master Plan:	Supports the broader code amendments allowing multi-family development to be reviewed similar to middle housing and detached single-family homes, which in turn supports the variety of housing throughout Frog Pond East and South called for in the Master Plan.
Rationale for Amendment Text:	These code edits avoid applying open space requirements to multi-family development twice, once when a subdivision or complex is approved, and once when a building permit is applied for. The new Subsection 2.c. makes clear that no additional open space requirements are applicable when a multi-family building is proposed in a previously approved subdivision or complex.
Impact on Housing Cost:	Ensures development does not have to meet the open space requirement both at a master plan level and an individual development level, ensuring the cost of providing open space is not inadvertently increased.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

(.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 and Review.*
 - 1. The open space standards of this subsection shall apply to all residential development with the following exceptions:
 - a. Partitions for non-Multi-family development. However, serial or adjacent partitions shall not be used to avoid the open space requirements.
 - b. Development **within a previously approved Stage II Planned Development area so long as the Gross Development Area of the Stage II Planned Development area does not increase, the land being developed was previously designated for residential development, and there is no decrease in area of the previously approved required open space.**
 - 2. **The amount and location of open space required in this subsection is determined at the time of Stage II Final Plan review.**
 - 3. **The design of required open space is reviewed through Site Design Review.**

...

D. *Required Open Space Characteristics:*

...

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

...

Amendment Description:	Clarify stormwater facilities in the right-of-way do not count as required open space
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.01)
Relationship to Frog Pond East and South Master Plan:	None, except that it will ensure required open space planned is provided consistent with this citywide update.
Rationale for Amendment Text:	Minor edit to be clear that stormwater facilities in the right-of-way do not count as required open space, which is the same approach to other landscaped areas within the public right-of-way.
Impact on Housing Cost:	No direct impact, just increasing clarity of existing standard.
Compliance Notes:	Not driven by any compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

- c. Non-fenced vegetated stormwater features outside the public right-of-way.

...

Amendment Description:	Consistent setback allowance for ADUs
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.02)
Relationship to Frog Pond East and South Master Plan:	Supports the Master Plan direction of removing barriers to development of ADUs.
Rationale for Amendment Text:	Ensures larger rear yard setbacks are not a barrier to ADU development everywhere they are permitted by establishing that a 10-foot rear setback is allowed in zones otherwise requiring a larger rear yard setback for purposes of constructing an ADU. The language also applies to other setbacks, including front and side. However, side setbacks are generally already 10-feet or less, and ADUs have historically not been built frequently in front yards.
Impact on Housing Cost:	Removes additional barriers to ADUs, which can be a lower cost housing option.
Compliance Notes:	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. The City is expanding similar changes throughout the City to remove barriers to ADU development.
Recent Edits:	<u>Between June work session and July public hearing:</u> Added text addressing relationship between ADU and garage setbacks where an ADU is either built over a garage or is a garage conversion. <u>Since July public hearing:</u> None

(.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.

A. *For lots over 10,000 square feet:*

...

5. Minimum setback to garage door or carport entry: 20 feet. Except, however, in the case of an alley where garages or carports may be located no less than four feet from the property line adjoining the alley

...

7. Cottage Cluster **and ADU** Setbacks: Setbacks in 1.—3. and 6. above do not apply to cottage clusters **and ADUs**. For cottage clusters **and ADUs**, minimum front, rear, and side setbacks are ten (10) feet. **Where an ADU is adjacent to an alley, it may meet the same setback as a garage taking alley access as established in 5. above. Garage setbacks in 5. above continue to apply regardless of relationship to a Cottage Cluster or ADU.**

B. *For lots not exceeding 10,000 square feet:*

...

5. Minimum setback to garage door or carport entry: 20 feet. Wall above the garage door may project to within 15 feet of property line, provided that clearance to garage door is maintained. Where access is taken from an alley, garages or carports may be located no less than four feet from the property line adjoining the alley.

...

7. Cottage Cluster **and ADU** Setbacks: Any minimum setback in 1.—3. or 6. above that would exceed ten feet for a cottage cluster **or ADU** shall be ten feet. **Where an ADU is adjacent to an alley, it may meet the same setback as a garage taking alley access as established in 5. above. Garage setbacks in 5. above continue to apply regardless of relationship to a Cottage Cluster or ADU.**

Amendment Description:	Remove redundant parking standards reference
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.05) existing parking language removed and replaced with stormwater standards.
Relationship to Frog Pond East and South Master Plan:	None
Rationale for Amendment Text:	The language is redundant.
Impact on Housing Cost:	No direct impact, as State rules remove parking requirements regardless of what is in the code, but removing parking does reduce the potential over consumption of land by parking, thus reducing the cost of the associated housing.
Compliance Notes:	Reflects compliance with CFEC rules.
Recent Edits:	None

Amendment Description:	Establish residential stormwater design standards
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.05) existing language replaced in its entirety.
Relationship to Frog Pond East and South Master Plan:	Consistent with the stormwater component of the Master Plan and the assumption of land area dedicated to stormwater in the calculations for minimum unit and variety requirements (in 4.127 (.06) Table 6B).
Rationale for Amendment Text:	The language aims to clearly express the City’s stormwater design requirements within the Development Code to provide greater clarity to the development community on the City’s stormwater policy and how it interacts with residential development.
Impact on Housing Cost:	Some stormwater infrastructure required by these standards may cost more than alternative designs without the same standards. The cost includes both construction costs and long term maintenance costs. The standards however are applied consistently to all unit types, as well as all development types, not showing in prejudice towards increasing housing costs. The stormwater standards have been carefully crafted to meet legally defensible and reasonable policy objectives as laid out in PW Standards and Stormwater Permits to meet the objectives and offering flexibility in type of facility in a manner that meets the specific policy objectives in a reasonable and flexible manner without unnecessary standards that do not specifically relate to policy objectives.

Compliance Notes:

Not driven by any land use compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).

Recent Edits:

Between June work session and July public hearing:

- Established clear and objective measurement of what Maximum Extent Practicable is, which is 10 percent of new and redeveloped impervious area. This measurement is consistent with the definition of Maximum Extent Practicable in the Public Works Standards.
- Addition of areas that qualify as high priority locations, including areas on private lots.
- Added clear threshold of 12 feet in width to be considered a high priority linear facility.
- Additional edits to add clarity and direction on how to prioritize conflicting uses with stormwater management facilities.
- Added language reflecting existing policy that stormwater management facilities are to be maintained by homeowners associations or similar entities.
- Simplification of the waiver language.

Since July public hearing:

- Added language to the purpose statement to further clarify the intent of mimicking predevelopment hydrology
- Added the allowance of swales or ponds as a priority facility type with a clear and objective size limitation of being sized to serve a typical larger block (4 acres).
- Consolidated and simplified conflicting use language
- Added language to provide the appropriate code reference and clarify waivers to Residential Stormwater Design Standards are reviewed by the City Engineer and not the Development Review Board. All waiver criteria applicable to stormwater standards are now in Section 8.310, which will be adopted with City Council concurrent with Development Code amendments.

(.05) Off-Street Parking. Off-street parking shall be provided as specified in Section 4.155 Residential Stormwater Design Standards:

- A. Purpose.** The purpose of these standards is to protect the public health and welfare by appropriate management of stormwater to prevent flooding and property damage, and the pollution of streams, groundwater, wetlands, and other natural water features through the use of low impact development design and decentralized stormwater treatment and flow control as required by the City's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit. The purpose of these standards, further, is to thoughtfully integrate the design of stormwater management facilities into the overall design of neighborhoods in a manner that mimics the predevelopment hydrology by treating and controlling the stormwater as close to the source as practicable. These standards work in concert with related Public Works Standards and intend to better integrate the Public Works Standards requirements with land use planning and site layout.

- B. Low Impact Development.** All stormwater management facilities for treatment and flow control related to residential development shall follow low impact development design standards as described herein and in the City's Public Works Standards.
- C. Ownership and Maintenance.** All stormwater management facilities shall be owned and maintained by a homeowners association or similar entity and are subject to ownership and maintenance agreements with the City.
- D. Sizing.** Stormwater management facility sizing requirements shall be determined in accordance with the City's Public Works Standards. Use of impervious area reduction strategies in the Public Works Standards, including pervious hard surfaces and green roofs and tree credits, is encouraged.
- E. Locating.** Stormwater management facilities are required to be dispersed and integrated with development in order for stormwater to be managed and treated close to the source mimicking predevelopment hydrology. Stormwater management facilities shall be located pursuant to 1. and 2. below while considering conflicting uses pursuant to 3. below. See also Subsection (.01) D. for the extent stormwater management facilities can be counted as required open space. No stormwater management facilities shall be counted as required usable open space in (.01) D. 3 unless a waiver is granted pursuant to Subsection G.
- 1. High Priority Locations.** Stormwater management facilities at locations listed a. through h. in no particular order shall, at minimum, have a combined surface area equal to the required sizing pursuant to Subsection D or 10 percent of new and redeveloped impervious surface in the development, whichever is less.
- a. Street medians;
 - b. Planter strips;
 - c. Curb extensions or bulb outs on streets;
 - d. Shoulder/planter areas up to 12 feet wide, as measured from the top of the facility, along midblock bike and pedestrian connections, and along other off-street trails;
 - e. Facilities up to 12 feet wide, as measured from the top of the facility, around the edges of or within parks and open space;
 - f. Separate tracts for stormwater management facilities that are either:
 - i. No more than 12 feet in width, as measured from the top of the facility; or
 - ii. Sized to serve an area no larger than four acres.
 - g. Private yard areas on lots so long as all the following criteria are met:
 - i. A stormwater management facility is not more than 12 feet wide, as measured from the top of the facility;
 - ii. Foundations of habitable structures are not within five feet of a stormwater management facility; and
 - iii. The yard area with the stormwater management facility is unfenced is visible and accessible from the street.
- 2. Low priority.** If additional stormwater management facilities are needed after meeting the minimum surface area requirement in 1. above, the following locations can also be used:
- a. Landscaped areas within five feet of multi-family residential and commercial building foundations; and
 - b. Separate tracts for stormwater facilities besides those considered high priority under 1. f. above.

- 3. Conflicting Uses To Be Located Prior to Stormwater Facilities.** When locating stormwater facilities, particularly in locations 1. a.-b. above, the locating of the following uses, according to established standards, shall occur prior to locating stormwater facilities on land not occupied by one of these uses.
- a. Street lights and other required lighting, including a buffer around the base of the light as required by Portland General Electric;
 - b. Street trees and other required landscape trees, including associated mounds as established in the Public Works standards;
 - c. Driveways and associated curb cuts; and
 - d. Pedestrian walkways and bicycle paths.
- 4.** While not required to be located prior to stormwater facilities, the applicant is encouraged to plan for locating other potential conflicting uses when locating stormwater facilities to avoid later design changes to stormwater facilities. Such potential conflicting uses include but are not limited to: fire hydrants and fire department connections (FDCs); mailboxes; utility access structures, clean outs, pedestals, and vaults for public and franchise utilities; and public utility easements for gas, electricity, and communication.
- F. Prohibited Design Elements.** To support the integration of stormwater facilities into site design, the following design elements are prohibited unless they are approved by the City Engineer, or designee, as part of a waiver request;
- 1. Fences
 - 2. Retaining walls over two feet in height as measured from the bottom of the footing to the top of the wall.
- G. Waivers to the Standards of this Subsection.** Waivers to the Residential Stormwater Design Standards in this Subsection shall be processed by the City Engineer, or designee, pursuant to Wilsonville Code Section 8.130 and are not subject to waiver review by the Development Review Board as established in Sections 4.118.

(.07) Fences:

...

Amendment Description:	Special requirements for narrow fenced areas.
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.07)
Relationship to Frog Pond East and South Master Plan:	Accommodates a variety of housing configurations as called for in the Master Plan.
Rationale for Amendment Text:	This language, together with new language in Chapter 6, nuisances, provides a simple means to ensure narrow fenced areas are maintained and do not become nuisance areas. The concept is that ensuring access will increase use and with increased use there is a greater propensity for maintenance.
Impact on Housing Cost:	Minimal increase in cost to meet a specific policy objective.
Compliance Notes:	Not driven by any compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

E. When fences create an enclosed side yard area five feet or less in width, gates or other openings shall be provided creating a through connection to either a rear yard or alley.

...

Amendment Description:	Removing additional barriers to ADU development
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.10)
Relationship to Frog Pond East and South Master Plan:	Frog Pond East and South included ADU-focused work to better facilitate construction of these units that can provide a lower cost housing alternative throughout the city. The Master Plan work included identification of specific code edits that can further remove barriers to ADU development. Removing these barriers, together with variety requirements in Frog Pond East and South, will very likely result in ADU development at a higher level than elsewhere in the City.
Rationale for Amendment Text:	The specific changes to remove barriers to ADU development identified as part of the Frog Pond East and South Master Plan include: allowing ADUs for all townhouses, not just those on larger lots; exempting ADUs from maximum lot coverage requirements, which is a common regulatory barrier; and removing any special review process, making their review the same as detached homes or middle housing.
Impact on Housing Cost:	Removing additional barriers to ADU development supports the development of a lower cost housing option.
Compliance Notes:	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. The City is expanding similar changes throughout the City to remove barriers to ADU development.
Recent Edits:	<u>Between June work session and July public hearing:</u> Removed redundant process language to be more consistent with how process is described in code for other residential development such as detached homes. Other minor renumbering and typographical edits. <u>Since July public hearing:</u> None

(.10) *Accessory Dwelling Units:*

- A. Accessory Dwelling Units, are permitted subject to standards and requirements of this Subsection.
- B. *Standards:*
 - 1. Number Allowed.
 - a. For detached single-family dwelling units and for townhouses ~~on lots meeting the minimum lot size for detached single family in the zone:~~ One per dwelling unit.
 - b. For all other dwelling units: None.
 - 2. Maximum Floor Area: per definition in Section 4.001, 800 square feet of habitable floor area. Per Subsection 4.138(.04)C.1., in the Old Town Overlay Zone the maximum is 600 square feet of habitable floor area. Larger units shall be subject to standards applied to duplex housing.

3. Accessory dwelling units shall be on the same lot as the dwelling unit to which they are subordinate.
4. Accessory Dwelling Units may be either attached or detached, but are subject to ~~all zone~~ standards for **the underlying zone except that ADUs are exempt from lot coverage maximums setbacks, height, and lot coverage, unless those requirements are specifically waived through the Planned Development waiver or Variance approval processes.**
5. *Design Standards:*
 - a. Roof pitch shall be 4:12 to 12:12. No flat roofs allowed.
 - i. Where the primary dwelling unit has a roof pitch of less than 4:12 the minimum roof pitch does not apply.
 - b. Roof and siding materials shall match the respective material of one or more of the following: (1) the primary dwelling unit on the same lot, (2) a primary dwelling unit on an immediately adjacent lot, or (3) a primary dwelling unit within the same subdivision.
 - i. For the purpose of the requirement to match material, fiber cement siding made to appear like wood, stucco, or masonry may be used to match wood, stucco, or masonry respectively.
 - c. Where design standards established for a zone or overlay zone are more restrictive and/or extensive than a. and b. above the more restrictive and/or extensive design standards shall apply. This includes design standards for the Village (V) Zone, the Residential Neighborhood (RN) Zone, and the Old Town Overlay Zone.
- ~~6. Where an Accessory Dwelling Unit is proposed to be added to an existing residence and no discretionary land use approval is being sought (e.g., Planned Development approval, Conditional Use Permit approval, etc.) the application shall require the approval of a Class I Administrative Review permit.~~
- 6.** Authorization to develop Accessory Dwelling Units does not waive Building Code requirements. Increased firewalls or building separation may be required as a means of assuring adequate fire separation from one unit to the next. Applicants are encouraged to contact, and work closely with, the Building Division of the City's Community Development Department to assure that Building Code requirements are adequately addressed.
- 7.** Each accessory dwelling unit shall provide complete, independent permanent facilities for living, sleeping, eating, cooking, bathing and sanitation purposes, and shall have its own separate secure entrance.
- ~~8. Reserved.~~
- 9.** Accessory dwelling units may be short-term rentals, but the owner/local operator must be in compliance with Chapter 7 of Wilsonville Code, which may include an active business license with the City of Wilsonville for a short-term rental business and payment of all applicable lodging and other taxes.

(.14) Design Standards for Detached Single-family and Middle Housing.

Amendment Description:	Clarify applicability of certain residential design standards by zone
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.14) A.
Relationship to Frog Pond East and South Master Plan:	Relates to the applicability of design standards for the variety of housing types called for in Frog Pond East and South in the Master Plan.
Rationale for Amendment Text:	The minor edits provide more clarity to where alternative design standards are provided and thus the citywide standards do not apply. This includes being clear of all the standards that do apply in Frog Pond East and South.
Impact on Housing Cost:	Clarifying edit, no change to how standards apply to any specific housing.
Compliance Notes:	Not driven by any compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits for readability and clarity. <u>Since July public hearing:</u> None

- A. The standards in this subsection apply in all zones, except as indicated in 1.—~~2~~ **3.** below:
1. The Façade Variety standards in Subsection C.1. do not apply in the Village Zone or **the area regulated by the Frog Pond West Master Plan zoned Residential Neighborhood Zone**, as these zones/**areas** have their own variety standards, except that the **variety** standards do apply to middle housing development with multiple detached units on a single lot for which the **variety** standards of these zones/**areas** do not address.
 2. The entry orientation ~~and window standards~~ for triplexes, quadplexes, and townhouses in Subsections D.1-2. and E. 2-3. do not apply in the Village Zone or Residential Neighborhood Zone as these zones have their own related standards applicable to all single-family and middle housing.
 - 3. The window standards for triplexes, quadplexes, and townhouses in Subsection D. 2. And E. 3. do not apply in the Village Zone or the Frog Pond West neighborhood in the Residential Neighborhood Zone as these zones/areas have their own related standards applicable to all single-family and middle housing.**

...

D. Standards applicable to Triplexes and Quadplexes except as noted in I. below.

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Amendment Description:	Clarify measurement of garage doors
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.14)
Relationship to Frog Pond East and South Master Plan:	None, but ensures consistency in implementing similar standards throughout the City, including Frog Pond East and South.
Rationale for Amendment Text:	These minor edits provide consistency with similar proposed amendments in the RN Zone (Section 4.127) text.
Impact on Housing Cost:	Reduces construction cost by enabling the wider use of lower cost standard-sized garage doors rather than custom-sized garage doors.
Compliance Notes:	Not driven by any compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

3. *Garages and Off-Street Parking Areas.* The combined width of all garages **(measured from the interior of the garage door frame)** and outdoor on-site parking and maneuvering areas shall not exceed a total of 50 percent of any street frontage (other than an alley) (see Figure 6. Width of Garages and Parking Areas).

...

F. Standards applicable to Cottage Clusters.

...

12. *Parking Design (see Figure 15. Cottage Cluster Parking Design Standards).*

...

d. *Garages and carports.*

...

iv. Garage doors for attached and detached individual garages must not exceed 20 feet in width **as measured from the interior of the garage door frame.**

G. Standards applicable to Cluster Housing besides Cottage Clusters.

...

4. *Garages and Off-Street Parking Areas.* The combined width of all garages **(measured from the interior of the garage door frame)** and outdoor on-site parking and maneuvering areas shall not exceed a total of 50 percent of any street frontage (other than an alley). Garages and off-street parking areas that are separated from the street property line by a dwelling are not subject to this standard. (See Figure 6. Width of Garages and Parking Areas).

...

Amendment Description:	Clarify process for alternative discretionary review of residential design standards
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.14) J.
Relationship to Frog Pond East and South Master Plan:	Consistent with language in the RN Zone (4.127) related to the Master Plan language regarding alternative discretionary review.
Rationale for Amendment Text:	Minor edits provide clarity for process to require alternative discretionary review of residential design standards.
Impact on Housing Cost:	Clarifying process can reduce time, and thus permitting costs, for approving housing. The alternative process allows a path for relief where any individual standard does have a unique undesired impact on a specific project.
Compliance Notes:	Reflects alternative standards to clear and objective standards allowed in ORS 197.307 (4).
Recent Edits:	None

- J. Alternative Discretionary Review: As an alternative to meeting one or more design standards of this subsection an applicant may request **a waiver as part of** Site Design Review by the Development Review Board of a proposed design. In addition to the **waiver criteria in Sections 4.118 and 4.140 and applicable** Site Design Review Standards, affirmative findings shall be made that the following standards are met:
1. The request is compatible with existing surrounding development in terms of placement of buildings, scale of buildings, and architectural design;
 2. The request is due to special conditions or circumstances that make it difficult to comply with the applicable Design Standards, or the request would achieve a design that is superior to the design that could be achieved by complying with the applicable Design Standards; ~~and~~
 3. The request continues to comply with and be consistent with State statute and rules related to Middle Housing, including being consistent with State definitions of different Middle Housing types; and
 4. **The request remains substantially consistent with any legislative master plan the property is included within.**

Amendment Description:	Design standards for multi-family housing
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.15) (new)
Relationship to Frog Pond East and South Master Plan:	Relates to the applicability of design standards for the variety of housing types called for in Frog Pond East and South in the Master Plan.
Rationale for Amendment Text:	The detailed design standards allow for the administrative review of multi-family development consistent with how other residential development is reviewed. The standards below were adapted by expert consultants from the design standards for buildings of similar bulk in the City’s existing design standards, particularly townhouses. In addition, consideration was given for typical larger parking areas for multi-family development.
Impact on Housing Cost:	Having clear and objective design standards to be used as part of an administrative process reduces review timelines and uncertainty during review, thus reducing design and permitting cost for housing. The established standards are based on model code in Oregon Administrative Rules for middle housing of similar bulk. These model code standards have been found by the State to be reasonable requirements that do not unduly increase the cost of housing.
Compliance Notes:	Establishes clear and objective standards for a needed housing type as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Clarification that standards do not apply to buildings with ground floor live-work units, which are subject to Site Design Review the same as other mixed-use buildings. Other minor edits to increase clarity. <u>Since July public hearing:</u> None

(.15) Design Standards for Multi-Family Housing:

- A. Purpose and Intent.** The purpose of the multi-family design standards is to create and maintain street frontages that are varied and attractive, create an environment that is conducive to walking, and provide natural surveillance of public spaces. The standards will also promote building details in multi-family development that provide visual interest, contribute to a high-quality living environment for residents, give a sense of quality and permanence, and enhance compatibility with the surrounding community. The design standards also aim to create consistency with design standards for other residential unit types that multi-family housing may be built adjacent to.
- B. Applicability.** These standards apply to all multi-family development except for the following:
 - 1. Mixed-use buildings that include ground floor non-residential uses or live-work units and multi-family residential above.**
 - 2. Multi-family buildings in the Village and Town Center Zones which are subject to zone-specific standards in Section 4.125 or 4.132, respectively.**

- C. Entrance Orientation.**
- 1. At least one main entrance for each multi-family structure must either meet the standards in subsections a. and b. below, or must meet the alternative standard in subsection C.2.**
 - a. The entrance must be within eight feet of the longest street-facing exterior wall of the structure; and**
 - b. The entrance must either:**
 - i. Face the street;**
 - ii. Be at an angle of up to 45 degrees from the street; or**
 - iii. Open onto a porch. The porch must:**
 - a. Be at least 25 square feet in area; and**
 - b. Have at least one entrance facing the street or have a roof.**
 - 2. Alternative standard. As an alternative to subsection 1., a main entrance to a multi-family structure may face a courtyard if the courtyard-facing entrance is located within 60 feet of a street and the courtyard meets the following standards:**
 - a. The courtyard must be at least 15 feet in width;**
 - b. The courtyard must abut a street; and**
 - c. The courtyard must be landscaped or hard-surfaced for use by pedestrians.**
- D. Windows. A minimum of 15 percent of the area of all public-facing façades must consist of windows or entrance doors, including associated frames and trim. Façades separated from the street or public space by a dwelling are exempt from meeting this standard. Required windows shall be clear glass and not mirrored or frosted, except for bathrooms.**
- E. Articulation.**
- 1. Minimum Articulation. All public-facing façades shall incorporate a selection of the following design elements at a minimum interval of every 30 feet. The minimum number of design elements from this list that will be required is determined by dividing the façade length (in feet) by 30 and rounding up to the nearest whole number.**
 - a. Varying rooflines.**
 - b. Offsets of at least 12 inches.**
 - c. Balconies.**
 - d. Projections of at least 12 inches and width of at least three feet.**
 - e. Porches.**
 - f. Entrances that are recessed at least 24 inches or covered.**
 - g. Dormers at least three feet wide.**
 - 2. Articulation Element Variety. Different articulation design elements shall be used as provided below, based on the length of the facade. For the purpose of this standard, a "different element" is defined as one of the following: a completely different element from the list in subsection E.1. above; the same element but at least 50 percent larger; or varying rooflines that are vertically offset by at least three feet.**
 - a. Where two to four elements are required on a façade by E.1., at least two different elements shall be used.**
 - b. Where more than four elements are required on a façade by E.1., at least three different elements shall be used.**
- F. Pedestrian Access and Circulation. The following standards are intended to ensure safe and efficient circulation for pedestrians within multi-family development.**
- 1. Each multi-family development shall contain an internal pedestrian circulation system that makes connections between individual units and parking areas, green focal points and other common open space areas, children’s play areas, and public rights-of-way. All pedestrian connections (walkways) shall meet the following standards:**
 - a. Except as required for crosswalks, per subsection 3., where a walkway abuts a vehicle circulation area, it shall be physically separated by a curb that is raised at least six inches or by bollards.**

- b. Walkways shall be constructed of concrete, asphalt, brick or masonry pavers, or other hard surface, and not less than five feet wide.
2. All walkways shall comply with the requirements of the Americans with Disabilities Act.
3. In order to provide safe crossings of driveways and parking areas, crossings shall be clearly marked with either contrasting paving materials (such as pavers, light-color concrete inlay between asphalt, or similar contrasting material) or reflective striping that emphasizes the crossing under low light and inclement weather conditions.
4. Pedestrian connections shall be provided between buildings within the development, and between the development and adjacent rights-of-way, transit stops, parks, schools, and commercial developments. At least one connection shall be made to each adjacent street and sidewalk for every 200 linear feet of street frontage. Sites with less than 200 linear feet of street frontage shall provide at least one connection to the street and/or sidewalk.
- G. Off-Street Parking Location and Design. The following standards are intended to support a pedestrian-friendly street environment and to minimize the visual impacts of parking areas and garages.
1. Off-street parking spaces and drive aisles shall not be located in the Front Yard.
2. Off-street parking areas shall not occupy more than 50% of the total length of each street frontage as measured 20 feet from the street property line. Drive aisles are only counted as parking areas if:
- a. parking spaces adjacent to the drive aisle are provided; and
- b. the drive aisle is between a building and street.
3. Off-street parking spaces shall not be located within ten feet of any property line, except alley property lines. Driveways and drive aisles necessary to connect to the street are permitted within ten feet of property lines.
4. Landscaping, fencing, or walls at least three feet tall shall separate parking areas from useable open space, green focal points, and public streets (except alleys).
5. If garages are attached to a street-facing facade, they may not be located closer to the street property line than the building facade.
6. Driveways associated with attached garages that take direct individual access from a public or private street must meet the townhouse driveway and access standards in Subsection 4.113 (.14) E. 5. For the purpose of those standards, each individual multi-family garage shall meet the standards applicable to a townhouse or townhouse lot.

Amendment Description:	Clarify that residential design and variety standards are among the standards subject to waivers
Applicability:	Citywide
Impacted Code Section(s):	4.118
Relationship to Frog Pond East and South Master Plan:	Supports the allowance for alternative discretionary review called for in the Master Plan.
Rationale for Amendment Text:	Residential design standards did not exist in the way they do now when this code language in Section 4.118 was created. This provides clarity that an applicant can apply for a waiver for residential design standards.
Impact on Housing Cost:	Makes clear that even if a residential design standard increases cost in a manner that makes a project unfeasible, that a clear process exists to waive it to remove the barrier.
Compliance Notes:	Reflects alternative standards to clear and objective standards allowed in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> None <u>Since July public hearing:</u> Clarified that variety standards are most like density standards rather than other standards, and a similar level of review applies. Previously it was unclear what language in 4.118 applied to variety standards, which is allowed to be waived consistent with language in 4.127 (.22)

4.118 Standards Applying to all Planned Development Zones

- (.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:
 - ...
 - 13. Architectural design standards, **including residential design standards;**
 - 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:
 - ...
 - 2. Minimum density standards and **housing variety standards in** ~~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

Amendment Description:	Clarifying existing special waiver process for open space in the RN Zone
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.118
Relationship to Frog Pond East and South Master Plan:	Supports implementation of open space consistent with the Master Plan.
Rationale for Amendment Text:	In Frog Pond West open space requirements were primarily met by specific spaces planned as part of the Master Plan, and the Master Plan area is exempt from open space standards applicable to other residential areas in the City. See Subsection 4.127 (.09). As such specific waiver language related to open space in Section 4.118 states it is not applicable to the RN zone. While this is accurate for Frog Pond West, it is not for Frog Pond East and South. Frog Pond East and South are subject to the open space requirements applicable citywide, therefore this existing exemption in 4.118 should not apply to the plan area.
Impact on Housing Cost:	None, the edit keeps consistency with other code language and does not change policy.
Compliance Notes:	None, edit is for consistency.
Recent Edits:	<u>Between June work session and July public hearing:</u> None <u>Since July public hearing:</u> Recently discovered additional reference to the RN zone and the need for the additional edit.

4.118 Standards Applying to all Planned Development Zones

- (.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:
 - ...
 - 17. Open space in the **Frog Pond West Neighborhood in the** Residential Neighborhood zone; and;
 - ...
 - 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 **Frog Pond West Neighborhood in the** Residential Neighborhood zone. Waivers in compliance with [Section] 4.127(.08)(B)(2)(d);

Amendment Description:	Consistent setback allowance for ADUs
Applicability:	Citywide
Impacted Code Section(s):	4.120 and 4.123
Relationship to Frog Pond East and South Master Plan:	Supports the Master Plan direction of removing barriers to development of ADUs.
Rationale for Amendment Text:	Ensures larger rear yard setbacks are not a barrier to ADU development everywhere they are permitted by establishing that a 10-foot rear setback is allowed in zones otherwise requiring a larger rear yard setback for the purposes of constructing an ADU.
Impact on Housing Cost:	Further removes barriers to building ADUs, which can be an affordable housing option.
Compliance Notes:	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. The City is expanding similar changes throughout the City to remove barriers to ADU development.
Recent Edits:	<u>Between June work session and July public hearing:</u> Additional language addresses relationship between ADU and garage setbacks where an ADU is either built over a garage or is a garage conversion. <u>Since July public hearing:</u> None

Section 4.120 (.05) FDA-H Dimensional Standards

- E. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses do not exceed 120 square feet or ten feet in height, and they are detached and located behind the rear-most line of the main buildings, the side and rear yard setbacks may be reduced to three feet. **Minimum front and rear setback for ADUs is 10 feet. Where an ADU is adjacent to an alley, it may meet the same setback as a garage taking alley access in B.1. above. Garage setbacks in B.1. above continue to apply regardless of relationship to an ADU.**

Old Town Residential Design Standards footnote (noted by *) on page 19

For Cottage Clusters **and ADUs**, minimum front and rear setbacks are 10'. **Where an ADU is adjacent to an alley, it may meet the same setback as a garage taking alley access. Garage setbacks continue to apply regardless of relationship to a Cottage Cluster or ADU.**

Section 4.127. Residential Neighborhood (RN) Zone.

...

(.02) Permitted uses:

A. Open Space.

Amendment Description:	Updated residential permitted uses for RN Zone
Applicability:	The entirety of Frog Pond, however there is no change to permitted uses in Frog Pond West
Impacted Code Section(s):	4.127 (.02)
Relationship to Frog Pond East and South Master Plan:	Reflects the variety of residential unit types encouraged in the Master Plan
Rationale for Amendment Text:	Rather than the prior allowed unit types one by one, this revised language reflects that the entire array of unit type are allowed, and then addresses certain limitations including: existing restrictions in Frog Pond West from the Frog Pond West Master Plan, the variety standards for Frog Pond East, and the commercial nature of the Commercial Main Street area.
Impact on Housing Cost:	No policy change, thus no impact on housing cost. However, it does reflect the wide allowance of a variety of housing including lower-cost options.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits to increase clarity and remove a typographical error. <u>Since July public hearing:</u> None

B. Residential dwelling units with the following limitations:

1. Frog Pond West Neighborhood:

a. During initial development:

i. a maximum of two townhouses may be attached, except on corner lots, a maximum of three townhouses may be attached.

ii. triplexes are permitted only on corner lots, and quadplexes are not permitted.

iii. only two-unit cluster housing is permitted except on corner lots where three-unit cluster housing is permitted.

b. Multi-family dwelling units are not permitted within the Frog Pond West Neighborhood, consistent with the Frog Pond West Master Plan.

2. In the Frog Pond East and South Neighborhoods, the extent and mix of different types of dwelling units is limited and controlled by the variety standards in Subsection (.06) C. – E. and related standards.

- 3. Multi-family dwelling units are only allowed in the Commercial Main Street Area in the Frog Pond East Neighborhood if contained within a mixed-use development. The Commercial Main Street Area is as described in Subsection (.07) A. 1. and shown in Figure A-7.**
- C. Public or private 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.

Amendment Description:	Define permitted uses for the Commercial Main Street in Frog Pond East
Applicability:	Commercial Main Street area of Frog Pond East
Impacted Code Section(s):	4.127 (.02)
Relationship to Frog Pond East and South Master Plan:	Implements the Commercial Main Street requirement from the Master Plan
Rationale for Amendment Text:	The language intends to clearly layout the amount of the ground floor space for the Commercial Main Street that must be commercial and what is a permitted commercial use that counts toward that minimum amount requirement.
Impact on Housing Cost:	This is a Commercial Area meant to serve housing, rather than an area meant to provide housing. However, like other commercial areas of the City housing is allowed. The requirement that some commercial be provided does increase the overall cost of a mixed-use building versus a residential only building. If commercial space does not lease up the cost of the space has to be carried by the residential portion. To limit the impact of the cost of adding commercial while still honoring the policy choice of providing commercial space in the Master Plan, flexibility for the allowance of ground floor live-work units and Business Integrated Dwelling Units is provided.
Compliance Notes:	No State or Regional requirements drive the inclusion of commercial. The inclusion reflects the Frog Pond Area Plan and Frog Pond East and South Master Plan, and the resulting Commercial Comprehensive Plan Designation previously adopted for the subject land.
Recent Edits:	<u>Between June work session and July public hearing:</u> Updated numbering, removed unnecessary code reference to 4.127 (.02) B. 3. <u>Since July public hearing:</u> None

D. For the Commercial Main Street area described in Subsection (.07) A. 1. and shown in Figure A-7, the ground floor allows commercial uses listed under 1.-9. below. Drive-through commercial uses are prohibited. A minimum of 50% of the building frontage along SW Brisband Street must be occupied by these uses with the remainder of the frontage allowed to be Live-Work Dwelling Units.

- 1. Retail sales and service of retail products, under a footprint of 30,000 square feet per tenant.**
- 2. Office, including medical facilities.**
- 3. Personal and professional services.**
- 4. Child and/or day care.**
- 5. Food or Beverage service (e.g., restaurants, cafes, brewpubs, bars).**
- 6. Community services and community centers.**
- 7. Commercial recreation.**
- 8. Religious institutions.**

9. Business-Integrated Dwelling Units accessory to uses listed 1.-9. above.

(.05) *Residential Neighborhood Zone Sub-districts:*

- A. RN Zone sub-districts may be established to provide area-specific regulations that implement legislative master plans.
 - 1. For the Frog Pond West Neighborhood, the sub-districts are listed in Table 1 of this Code and mapped on Figure 6 of the Frog Pond West Master Plan. The Frog Pond West Master Plan Sub-District Map serves as the official sub-district map for the Frog Pond West Neighborhood.

Amendment Description:	Clear and Objective Identification of the Subdistrict Boundaries
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.05)
Relationship to Frog Pond East and South Master Plan:	Subdistricts are a key regulatory and design component identified in the Master Plan. This language provides the necessary detail to ensure there is clarity in the boundaries of the subdistricts, which in turn is the basis for housing variety requirements and other standards.
Rationale for Amendment Text:	Initially, only a map was planned. However, feedback received indicated that only a map is likely to still leave too much unclarity for specific boundaries. Text was added to supplement the map to clearly define the boundaries for the subdistricts.
Impact on Housing Cost:	On their own subdistricts are neutral on housing costs. However, a number of regulations are applied on a sub-district level that can impact housing cost. See discussion elsewhere in this Section.
Compliance Notes:	The concept of regulating housing variety and other standards by subdistrict is not driven by State or Regional requirements. It reflects the neighborhood within a neighborhood similar to the Villebois SAP concept. The implementation measures adopted into the Comprehensive Plan with the Frog Pond East and South Master Plan do specifically require mapping of subdistricts and their use for regulations including minimum number of units, housing variety, and min and max of target units. See Implementation Measure 4.1.7.D. 1. and 2.
Recent Edits:	None

2. The area of the Frog Pond East and South Master Plan is divided into subdistricts described below, as shown for reference in Figure A-5:

- a. Subdistrict E1. The area south of SW Kahle Road and the BPA Easement, east of SW Stafford Road, and north of an existing east-west property line approximately 1,232 feet north of SW Advance Road and 1,315 south of SW Kahle Road.**
- B. Sudistrict E2. The area outside the SROZ south of SW Kahle Road, north of the BPA Easement, and west of a creek intersecting SW Kahle Road approximately 1,580 feet east of SW Stafford Road.**
- C. Subdistrict E3. The area outside the SROZ south of SW Kahle Road, north of the BPA Easement, east of Subdistrict E2, and west of and abutting the eastern edge of the Master Plan area.**
- D. Subdistrict E4. The area south of Subdistrict E1, east of SW Stafford Road, north of SW Advance Road, and west of future 63rd Avenue extension from the intersection of SW Advance Road and SW 63rd Avenue north to Subdistrict 1.**

E. Subdistrict E5. The area south of Subdistrict E1 and the BPA Easement, east of Subdistrict E4, north of SW Advance Road, and west of future 60th Avenue extension from the intersection of SW Advance Road and SW 60th Avenue north to the BPA Easement.

F. Subdistrict E6. The area south of the BPA Easement, east of Subdistrict E5, north of SW Advance Road, and west of and abutting the eastern edge of the Master Plan area.

G. Subdistrict S1. The area south of SW Advance Road, east of and abutting the western edge of the Master Plan area, north of the Meridian Creek Middle School property, and west of SW 63rd Avenue.

H. Subdistrict S2. The area south of SW Advance Road, east of SW 60th Avenue, and north of an existing property line approximately 956 feet south of SW Advance Road, and west of and abutting the eastern edge of the Master Plan area.

I. Subdistrict S3. The area south of Subdistrict S2, east of SW 60th Avenue, north of SW Kruse Road, and west of and abutting the eastern edge of the Master Plan area.

J. Subdistrict S4. The area south of the Meridian Creek Middle School property, east of and abutting the western edge of the Master Plan area, north of and abutting the southern edge of the Master Plan area, and west of SW 60th Avenue.



Figure A-5. Frog Pond East and South Land Uses and Subdistrict Boundaries

Amendment Description:	Clarification that certain existing code language relates only to Frog Pond West.
Applicability:	Frog Pond West
Impacted Code Section(s):	4.127 (.06) A.
Relationship to Frog Pond East and South Master Plan:	Ensures existing language applicable to Frog Pond West is clearly separate from new language for Frog Pond East and South implementing the Master Plan.
Rationale for Amendment Text:	Insert the necessary references clarifying what language only applies to the Frog Pond West neighborhood.
Impact on Housing Cost:	This is a clarification of applicability of standards that does not impact housing cost.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

(.06) *Development Allowances:*

- A. The minimum and maximum number of residential lots approved shall be consistent with this Code and applicable provisions of an approved legislative master plan.
 - 1. For initial development of **the Frog Pond West Neighborhood, Table 6A** in this Code and Frog Pond West Master Plan Table 1 establish the minimum and maximum number of residential lots for the sub-districts.
 - 2. For areas that are a portion of a sub-district **in the Frog Pond West Neighborhood**, the minimum and maximum number of residential lots are established by determining the proportional gross acreage **outside of the SROZ** and applying that proportion to the minimums and maximums listed in Table 1. The maximum density of the area may be increased, up to a maximum of ten percent of what would otherwise be permitted, based on an adjustment to an SROZ boundary that is consistent with 4.139.06.
- B. The City may allow a reduction in the minimum density for a sub-district **in the Frog Pond West Neighborhood** when it is demonstrated that the reduction is necessary due to topography, protection of trees, wetlands and other natural resources, constraints posed by existing development, infrastructure needs, provision of non-residential uses and similar physical conditions.

Area Plan Designation	Frog Pond West Sub-district	Minimum Lots in Sub-district ^{a,b}	Maximum Lots in Sub-district ^{a,b}
R-10 Large Lot	3	26	32
	7	24	30
	8	43	53
R-7 Medium Lot	2	20	25
	4	86	107
	5	27	33
	9	10	13
	11	46	58

R-5 Small Lot	1	66	82
	6	74	93
	10	30	38
Civic	12	0	7 ^a
Public Facilities (PF)	13	0	0

- a. Each lot must contain at least one dwelling unit but may contain additional units consistent with the allowance for ADUs and middle housing.
- b. For townhouses, the combined lots of the townhouse project shall be considered a single lot for the purposes of the minimum and maximum of this table. In no case shall the density of a townhouse project exceed 25 dwelling units per net acre.
- c. These metrics apply to infill housing within the Community of Hope Church property, should they choose to develop housing on the site. Housing in the Civic sub-district is subject to the R-7 Medium Lot Single Family regulations.

Amendment Description:	Minimum Unit Table
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C.
Relationship to Frog Pond East and South Master Plan:	<p>Ensures minimum of 1325 units are built consistent with a Metro Condition of Approval. Establishes minimum amounts of certain target unit types consistent with Implementation Measure 4.1.7.D 2. c. and d. to require minimum amounts of target unit types and middle housing. The table sets the minimums at the subdistrict and tax lot level consistent with Implementation Measure 4.1.7.D. 2. a, which ensures this variety is achieved throughout the planning area.</p>
Rationale for Amendment Text:	<p>Table 6B incorporates a number of requirements into a single table for ease of reference of different requirements, with minimums listed by the smaller of subdistrict or tax lot as directed in the Master Plan.</p> <p>The minimum unit count of 1325 is proportioned to each subdistrict or tax lot based on the amount of assumed net area in each Urban Form Type, with subdistricts or tax lots with Urban Form Type 1 receiving proportionally the most and Urban Form Type 3 receiving proportionally the least.</p> <p>Rather than establish formulas that could cause future uncertainty, the table does the math and just states the answer of the formula. The minimum required of middle housing, small units, and mobility-ready units are listed as numbers, calculated from an assumed moderate buildout, and rounded up to the next whole number. Moderate buildout represents 125% of the minimum buildout. The set percentage for middle housing is 20%, small units is 5%, and mobility-ready units is 10%. These percentages are as recommended by the project team and reviewed by the Planning Commission and City Council in work sessions.</p>
Impact on Housing Cost:	<p>While the Table does require a development level and variety that will produce lower-cost housing options, this analysis focuses on how the variety required by the table may increase housing costs. Housing Variety requirements indicated by the minimums in the table do require additional unit types than might otherwise be built, which can increase certain design and construction costs. Care was taken in drafting the standards to establish standards that did not create too granular of standards as to unduly decrease the ability to use standard industry efficiencies in design and construction. See examples of how care was taken below. When weighed with the variety standards ensuring production of lower cost unit types, the potential for added costs of producing more types of units leading to higher housing costs is off-set. It is better to have relatively higher design and construction costs on lower cost units than only have larger higher-cost housing that may</p>

be more cost-efficient to design and build, but do not provide lower cost unit types to the market. The following are specific steps the proposed requirements take to balance the variety requirements with the potential to increase cost of a given housing unit to do less design and construction efficiency.

- Not generally requiring variety within a block, but allowing “block level variety” as required in the Master Plan to be substantially met with variety on adjacent blocks and “across the street.”
- Thoughtfully choosing geographic size and number of units per certain geographic size that ensure variety throughout the plan area but do not unduly increase the number of unit types to be designed and built.
- Exempting small developments from requirements such as small unit and mobility-ready unit minimums to avoid forcing too many unit types in small areas.
- Allowing each variety requirement to be met by different unit types, thus providing flexibility and reducing the likelihood a new custom home design will be needed to meet a given standard.
- Allowing a single unit to be counted against meeting multiple requirements. For example, a cottage in a cottage cluster could meet middle housing, small unit, and mobility-ready requirements. This allows more land to be used by other units as well as if a developer does create a new home design for the development, they are able to maximize its use and not have to create multiple new home designs.

Beyond the variety-related concerns, the mobility-ready unit requirement does have potential to increase costs as a similarly square foot unit on a single floor takes up more land and has more roof area (an expensive portion of the construction) than a multi-floor unit. However, the regulations allow multiple ways for the requirement to be met minimizing this impact on cost by allowing more units, such as ADUs and ground floor apartments, as well as primary-on-main units that have an upstairs portion, to help meet the requirement. The requirement is tailored to be directly responsive to a policy goal of more mobility-friendly units while minimizing impact on costs.

Compliance Notes:

The minimum of 1325 units is required Metro Condition of Approval F. 1. In Ordinance No. 18-1427.

Metro Condition of Approval A. 2. Requires the City allow middle housing throughout, similar to what is required in House Bill 2001 (2019) and implementing rules. The requirement that 20% of likely build out is middle housing is not required by the State or Region, nor does the Master Plan establish a specific amount. 20% is similar to what was built in

Villebois, and where possible the City relied on precedents in the City and from comparable cities when establishing numeric standards.

The minimum amounts of certain target unit types are required by Implementation Measure 4.1.7.D 2. c. and d.. The table sets the minimums at the subdistrict and tax lot level consistent with Implementation Measure 4.1.7.D. 2. a, which ensures this variety is achieved throughout the planning area. The definition of small unit, mobility-ready unit, and the percent required by each of these are not driven by State or Regional requirements nor are they defined or specified in the Master Plan. The definitions and requirements were determined in consultation with the Planning Commission and City Council after looking for similar precedents, sales data from Zillow, and testing for feasibility. The numbers were chosen to balance having in impactful amount of the target unit types and market feasibility.

Recent Edits:

None

- C. Table 6B establishes the minimum number of housing units that must be developed within each subdistrict and tax lot in the Frog Pond East and South neighborhoods. This includes the minimum number of units of various housing types needed to ensure a variety of housing options throughout the neighborhoods consistent with the Frog Pond East and South Master Plan. Housing unit types are defined in Section 4.001 and the footnotes to Table 6B.**

Table 6B. Minimum Number of Units in Frog Pond East and South Sub-districts				
<u>Sub-Districts</u>	<u>Minimum Total Number of Units</u>	<u>Minimum Number of Middle Housing Units</u> ^{A, B, G}	<u>Minimum Number of Small Units</u> ^{B, C, D, G}	<u>Minimum Number of Mobility-Ready Units</u> ^{B, C, E, F, H}
<u>E1</u>	<u>104</u>	<u>26</u>	<u>7</u>	<u>13</u>
<u>E2</u>	<u>110</u>	<u>28</u>	<u>7</u>	<u>14</u>
<u>E3</u>	<u>133</u>	<u>34</u>	<u>9</u>	<u>17</u>
<u>E4^H</u>	<u>211</u>			
<u>E4 TL 1101 (portion)^I</u>	<u>185</u>	<u>15</u>	<u>4</u>	<u>8</u>
<u>E4 TL 1200</u>	<u>24</u>	<u>6</u>	<u>2</u>	<u>3</u>
<u>E4 TL 1000</u>	<u>2</u>	<u>1^J</u>	<u>1^J</u>	<u>0</u>
<u>E5</u>	<u>227</u>	<u>57</u>	<u>15</u>	<u>29</u>
<u>E6</u>	<u>141</u>	<u>36</u>	<u>9</u>	<u>18</u>
<u>S1</u>	<u>25</u>	<u>7</u>	<u>2</u>	<u>4</u>
<u>S2^E</u>	<u>91</u>			
<u>S2 TL 1000 28050 SW 60th Ave</u>	<u>6</u>	<u>2^J</u>	<u>1^J</u>	<u>1^J</u>
<u>S2 TL 800 5890 SW Advance Rd</u>	<u>6</u>	<u>2^J</u>	<u>1^J</u>	<u>1^J</u>
<u>S2 TL 500 5780 SW Advance Rd</u>	<u>5</u>	<u>2^J</u>	<u>1^J</u>	<u>1^J</u>
<u>S2 TL 300 5738 SW Advance Rd</u>	<u>5</u>	<u>2^J</u>	<u>1^J</u>	<u>1^J</u>
<u>S2 TL 100 5696 SW Advance Rd</u>	<u>5</u>	<u>2^J</u>	<u>1^J</u>	<u>1^J</u>
<u>S2 TL 900</u>	<u>5</u>	<u>2^J</u>	<u>1^J</u>	<u>1^J</u>
<u>S2 TL 700</u>	<u>33</u>	<u>9</u>	<u>3</u>	<u>5</u>
<u>S2 TL 400</u>	<u>4</u>	<u>1^J</u>	<u>1^J</u>	<u>0</u>
<u>S2 TL 200</u>	<u>4</u>	<u>1^J</u>	<u>1^J</u>	<u>0</u>
<u>S2 TL 1100 28152 SW 60th Ave</u>	<u>5</u>	<u>2^J</u>	<u>1^J</u>	<u>1^J</u>
<u>S2 TL 1200</u>	<u>5</u>	<u>2^J</u>	<u>1^J</u>	<u>1^J</u>

<u>S2 TL 1300</u> <u>28300 SW</u> <u>60th Ave</u>	<u>8</u>	<u>2^J</u>	<u>1^J</u>	<u>1^J</u>
<u>S3^E</u>	<u>125</u>			
<u>S3 TL 1400</u> <u>28424 SW</u> <u>60th Ave</u>	<u>25</u>	<u>7</u>	<u>2^J</u>	<u>4</u>
<u>S3 TL 1500</u> <u>28500 SW</u> <u>60th Ave</u>	<u>25</u>	<u>7</u>	<u>2^J</u>	<u>4</u>
<u>S3 TL 1600</u>	<u>8</u>	<u>2^J</u>	<u>1^J</u>	<u>1^J</u>
<u>S3 TL 1800</u> <u>28668 SW</u> <u>60th Ave</u>	<u>8</u>	<u>2^J</u>	<u>1^J</u>	<u>2^J</u>
<u>S3 TL 1700</u> <u>28580 SW</u> <u>60th Ave</u>	<u>10</u>	<u>3</u>	<u>1^J</u>	<u>2^J</u>
<u>S3 TL 1900</u> <u>5899 SW</u> <u>Kruse Rd</u>	<u>33</u>	<u>9</u>	<u>3</u>	<u>5</u>
<u>S3 TL 2000</u> <u>5691 SW</u> <u>Kruse Rd</u>	<u>16</u>	<u>4</u>	<u>1^J</u>	<u>2^J</u>
<u>S4^D</u>	<u>158</u>			
<u>S4 TL 2600</u>	<u>35</u>	<u>9</u>	<u>3</u>	<u>5</u>
<u>S4 TL 2700</u> <u>28901 SW</u> <u>60th Ave</u>	<u>123</u>	<u>31</u>	<u>8</u>	<u>16</u>

Notes: (see following pages with explanatory information)

Amendment Description:	Table 6B Note Re: Clarification that certain middle housing that is substantially the same as detached single-family homes does not count as middle housing for the purpose of Table 6B.
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C. Table 6B Note A.
Relationship to Frog Pond East and South Master Plan:	Relates to Implementation Measure 4.1.7.D 2. d. to require middle housing. Without the clarification, a loophole would exist to allow units that are substantially the same as detached single-family homes to be counted toward the middle housing requirement.
Rationale for Amendment Text:	The language is drafted to clarify that a certain type of middle housing called cluster housing can be substantially similar to detached single-family homes and, while technically middle housing by definition, should not be counted for middle housing for the purpose of the middle housing requirement in Table 6B due to its similarity to detached single-family units.
Impact on Housing Cost:	Without this clarification the standards meant to require lower cost middle housing may be used to build homes that are substantially similar to detached single-family homes on their own lots. This language ensures the requirement actually produces middle housing types expected to be lower cost than detached homes on their own lot.
Compliance Notes:	Not driven by any compliance standards.
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits. <u>Since July public hearing:</u> None

A Cluster Housing is among the housing types defined as Middle Housing in Section 4.001, but only Cluster Housing meeting at least one of the criteria in this footnote shall be counted as Middle Housing for the purpose of meeting the minimum number of Middle Housing units in Table 6B. The purpose of this requirement is to prevent Cluster Housing that is substantially the same as Single-family Dwelling Units from being counted.

Criteria to Determine if Cluster Housing can be counted towards the minimum number of Middle Housing units in Table 6B:

Criterion 1: No Middle Housing Land Division is dividing the lot on which the Cluster Housing is placed. A future land division is not considered if it occurs at least three years after occupancy is granted for the last dwelling unit on the lot.

Criterion 2: A Middle Housing Land Division is proposed but at least of half of the resulting Middle Housing Land Division Units do not front on a street, tract with a private drive, or open space tract.

Criterion 3: A Middle Housing Land Division is proposed, but more than half of the dwelling units on the lot on which the Cluster Housing unit or units are placed are attached Middle Housing units or Cottage Cluster units.

Amendment Description:	Table 6B Note Re: Counting a single unit to meet multiple requirements in Table 6B.
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C. Table 6B Note B.
Relationship to Frog Pond East and South Master Plan:	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types. Also, encourages certain desired housing types such as ADUs and cottages because they can be counted in multiple categories.
Rationale for Amendment Text:	The language is drafted to clarify that when a unit happens to meet the definition of multiple of the target unit types it can be counted towards meeting each one for which it qualifies. For example, a single-level 900 square foot cottage in a cottage cluster would qualify to be counted as a middle housing unit, a small unit, and a mobility-ready unit. The language intends to incentivize units that represent a small portion of the existing housing supply, are much needed, and can meet multiple categories, such as ADUs.
Impact on Housing Cost:	The ability to double count units helps encourage ADUs and cottages, which would be lower cost housing options. It also offers flexibility in meeting the variety standards helping to minimize the impact of variety standards on design and construction efficiencies discussed under the analysis of Table 6B.
Compliance Notes:	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. The double counting of ADUs helps encourage them.
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edit. <u>Since July public hearing:</u> None

B. A single dwelling unit may be counted to meet the minimum requirement in multiple categories. For example, a 900 square foot cottage in a cottage cluster could be counted as a middle housing unit, a small unit, and a mobility-ready unit.

Amendment Description:	Table 6B Note Re: Defining Small Unit.
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C. Table 6B Note C.
Relationship to Frog Pond East and South Master Plan:	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types.
Rationale for Amendment Text:	“Small unit” is not defined elsewhere in the Code, while both middle housing and mobility-ready are. Rather than clutter the Table 6B heading with specifics about what qualifies as a “small unit” the definition is added as a footnote. The 1200 square feet was found to be a threshold at which there has been a notable historic under production.
Compliance Notes:	The threshold is not driven by compliance. Rather after careful review of data such as Zillow sales data and discussion with the Planning Commission and City Council, 1,200 square feet was chosen as the threshold for a small unit that meets the intent of it being a target unit type from the Master Plan.
Impact on Housing Cost:	Setting the threshold for small unit at 1,200 square feet ensures it is substantially different than a typical detached home and having limited size will ensure the small units are lower cost than large units.
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits. <u>Since July public hearing:</u> None

C. Small dwelling units must be 1,200 square feet or less of Habitable Floor Area, as defined in Section 4.001.

Amendment Description:	Table 6B Note Re: Certain minimum requirements are only required for larger lots and when there is lot consolidation during development
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C. Table 6B Notes D. E. and J.
Relationship to Frog Pond East and South Master Plan:	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types.
Rationale for Amendment Text:	The notes clarifies and acknowledges that for certain small lots or developments minimum targets would be difficult to meet, but are less difficult when the lot area is combined with a larger development area.
Impact on Housing Cost:	These footnotes remove certain variety requirements when a development of a certain small size. This footnote specifically removes the impact of variety standards on design and construction efficiencies discussed under the analysis of Table 6B.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edit. <u>Since July public hearing:</u> None

- D. _____ Only required if the Net Development Area for the Stage I Master Plan area is greater than 2 acres
- E. _____ Only required if the Net Development Area for the Stage I Master Plan area is greater than 5 acres
- J. _____ Only required if a tax lot is combined with another tax lot in a Stage I Master Plan. Multiple Stage I Master Plans for adjacent tax lots with the same owner or related owners (i.e. LLCs with the same ownership interest) shall not be allowed concurrently or within 12 months.

Amendment Description:	Table 6B Note Re: Flexibility to have an upstairs portion for a certain percentage of required mobility-ready units.
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C. Table 6B Note F.
Relationship to Frog Pond East and South Master Plan:	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types
Rationale for Amendment Text:	Note added to give flexibility for developers to have units with an upstairs count as mobility-ready as long as the portion of the unit not accessed by stairs has everything to qualify as an independent mobility-ready unit. The allowance is limited to one third of mobility-ready units to ensure there is a healthy amount of smaller and fully mobility-ready units.
Impact on Housing Cost:	This footnote limits the potential added cost of mobility-ready requirements by allowing a portion of mobility-ready units to be primary on main type units that do have an upstairs, thus increasing the flexibility to use unit types the developer may already be building to meet this requirement supporting efficiency in design and construction.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits. <u>Since July public hearing:</u> None

F. Up to 33% of the minimum number of mobility-ready units, or up to 1 unit where only 1 or 2 units are required, may have portions of the habitable floor area accessible by stairs so long as the dwelling unit would still otherwise meet the definition of mobility-ready unit without the habitable floor area accessed by stairs.

Amendment Description:	Table 6B Note Re: Flexibility to blend certain minimum requirements over subdistrict boundaries
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C. Table 6B Note G. and H.
Relationship to Frog Pond East and South Master Plan:	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types. The variety throughout the Master Plan and block-level variety called for in Strategy 6 under Coding for Variety and Priority Housing Types.
Rationale for Amendment Text:	Note added to give flexibility for developers to blend requirements along subdistrict lines when the development includes all or portions of multiple subdistricts while not allowing a level of flexibility that would substantially decrease the variety throughout, including block-level type variety, called for in the Master Plan.
Impact on Housing Cost:	These footnotes allow flexibility that limit potential cost impact variety standards can have on design and construction efficiencies discussed under the analysis of Table 6B.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits. <u>Since July public hearing:</u> None

G. Where a Stage I Master Plan area covers portions of multiple subdistricts, one of either the middle housing OR small dwelling unit requirement for a subdistrict may be partially or fully met by excess dwelling units meeting the requirement from a neighboring subdistrict within the same Stage I Master Plan so long as the following eligibility requirements are met:

1. the dwelling unit category variety in Subsection (.06) E. will continue to be met for each Subdistrict or portion thereof.
2. the minimum for the requirement in the subdistrict from which the excess is credited is exceeded by at least the same amount as is being counted in the receiving subdistrict so as to ensure no dwelling unit is counted towards meeting the minimum in both subdistricts.
3. the number and type of dwelling units equal to the amount credited are adjacent to the receiving subdistrict determined by being across a proposed shared property line at a subdistrict boundary or across and fronting the street where a street forms the subdistrict boundary.

H. Where a Stage I Master Plan area covers portions of multiple subdistricts, the mobility-ready requirement for a subdistrict may be partially or fully met by counting excess mobility-ready dwelling units from a neighboring subdistrict within the same Stage I Master Plan so long as the following eligibility requirements are met:

1. the minimum for the requirement in the subdistrict from which the excess is credited is exceeded by at least the same amount as is being counted in the receiving subdistrict so as to ensure no dwelling unit is counted towards meeting the minimum in both subdistricts.
2. the number of mobility-ready dwelling units equal to the amount credited are near the receiving subdistrict determined by being within a block of the subdistrict boundary.

Amendment Description:	Table 6B Note Re: Clarification concerning geography in which minimums must be met
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C. Table 6B Note I.
Relationship to Frog Pond East and South Master Plan:	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types. The variety throughout the Master Plan and block-level variety called for in Strategy 6 under Coding for Variety and Priority Housing Types.
Rationale for Amendment Text:	This footnote is drafted to clarify that the minimum standards of multiple tax lots can be combined together as long as they are within the same subdistrict. This adds necessary flexibility and clarifies the intent is for the minimums to be focused on the subdistrict geography and are only provided for tax lot level out of necessity as some tax lots may develop independently.
Impact on Housing Cost:	These footnotes allow flexibility that limit potential cost impact variety standards can have on design and construction efficiencies discussed under the analysis of Table 6B.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

I. Where an application includes two or more adjacent tax lots within the same subdistrict, the minimum does not need to be met on each individual tax lot so long as the total number of units proposed for all the included tax lots within the same subdistrict is equal to or greater than the sum of the minimums in this table for the included tax lots.

Amendment Description:	Adjusting Table 6B minimums when the development does not include as much net area as assumed.
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C.
Relationship to Frog Pond East and South Master Plan:	Supports housing variety implementation in Table 6B
Rationale for Amendment Text:	In order to establish the clear and objective numerical requirements in Table 6B some assumptions had to be made. This included an assumption that the Net Development Area of each subdistrict and tax lot is equal to 70% of the Gross Development Area. The 30% non-net area includes 20% for public right-of-way and 10% for stormwater facilities. For most development the net area is expected to be 70% or more of gross. However, there may be unanticipated situations where the net is less than 70%, especially for smaller developments. This language is drafted to provide a clear calculation of what to do when the net is less than anticipated, thus providing less land for residential development making it difficult to meet the minimums. The simple calculation provided should be abundantly clear and prevent any uncertainty.
Impact on Housing Cost:	The flexibility in this Subsection ensure the minimum unit count requirements in Table 6B are applied as intended and that they are proportionately reduced if the amount of land is less. This maintains the housing cost balance designed into the regulations as discussed under the analysis of Table 6B.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

1. As an alternative to Table 6B when the Net Development Area is less than 70% of the Gross Development Area, the applicant may adjust the minimum requirements in Table 6B using the following steps:

Step 1. Determine the Reduction Ratio. Divide the Net Development Area by a number equal to 70% of the Gross Development Area, round to the nearest 100th. This is the Reduction Ratio.

Step 2. Multiply each applicable minimum in Table 6B by the Reduction Ratio determined in Step 1. Round each result up to the nearest whole number. These are the new alternative minimum requirements.

Amendment Description:	Establishing housing unit categories and types for Frog Pond East and South
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) D. (new)
Relationship to Frog Pond East and South Master Plan:	Relates to strategies for Coding for Variety and Priority Housing Types in Chapter 8, Implementation, including Strategy 1 to permit a wide variety of housing types and Strategy 2 to categorize types of housing.
Rationale for Amendment Text:	The new subsection establishes the purpose of the housing variety standards and creates a table that clearly establishes the different categories and types of housing to be used in the variety standards
Impact on Housing Cost:	Establishing these categories supports the variety requirements that ensure lower-cost housing types are built. At the same time the organization of the housing types support the ability to use a variety of unit types to meet variety standards ensuring options are available for developers to develop units responsive to the market and that provide a reasonable level of design and construction efficiency.
Compliance Notes:	Not required by State or Regional policy, but specifically called out in the Master Plan.
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits to increase clarity. <u>Since July public hearing:</u> None

D. Housing Unit Types for Frog Pond East and South Neighborhoods

1. Purpose: As further expressed in the Frog Pond East and South Master Plan, the variety requirements create opportunities for a variety of housing choices in each neighborhood and subdistrict focusing on mixing and integrating different housing choices throughout the Frog Pond East and South Neighborhoods rather than having separate areas for separate housing unit categories.

2. Housing Unit Types and Categories for Housing Variety Standards are in Table 6C.

Table 6C Housing Unit Categories and Types

<u>Multi-family Category</u>
<u>Multi-family Types:</u>
<ul style="list-style-type: none"> • <u>Elevator-served attached multi-family</u> • <u>Other attached multi-family (10 or more units per building)</u> • <u>Other attached multi-family (5-9 units per building)</u>
<u>Middle Housing Category</u>
<u>Middle Housing Types:</u>
<ul style="list-style-type: none"> • <u>Townhouses and side by side duplex, triplex, quadplex</u> • <u>Stacked duplex, triplex, quadplex</u> • <u>Cluster housing, excluding cottage cluster, or mix of attached and detached middle housing. Does not include Cluster Housing classified as Other Detached Units^A.</u> • <u>Cottage cluster</u>
<u>Accessory Dwelling Units (ADUs) Category</u>

ADU Types: <ul style="list-style-type: none">• All ADUs
Other Detached Units Category
Other Detached Units Types: <ul style="list-style-type: none">• All other detached units including detached single-family homes, cluster housing that looks and functions similar to single-family detached units^A, and detached multi-family

Notes:

^A For the purpose of this table and related variety requirements, when a lot with cluster housing is divided using a Middle Housing Land Division and a resulting Land Division Unit has frontage on a street, tract with a private drive, or open space tract, the housing unit on the resulting land division unit shall be classified the same as a detached dwelling unit on its own lot. To qualify as a Middle Housing Unit, there must not be a Middle Housing Land Division or the resulting land division unit is a configuration dissimilar to a lot for a detached single-family home, determined by the resulting land division unit not having frontage on a street, tract with a private drive, or open space tract. A future middle housing land division would not alter the housing unit type as long as such middle housing land division is applied for at least 24 months after occupancy is granted for the dwelling unit.

Amendment Description:

Establishing housing variety standards for Frog Pond East and South, including required number of unit types and maximum for any single unit type.

Applicability:

Frog Pond East and South

Impacted Code Section(s):

4.127 (.06) E. (new)

Relationship to Frog Pond East and South Master Plan:

Relates to strategies for Coding for Variety and Priority Housing Types in Chapter 8, Implementation, particularly Strategy 5 regarding minimum housing variety that includes the concept of a minimum number of unit types and a maximum of a single unit type. Also specific language relates to incentivizing ADUs.

Rationale for Amendment Text:

The new subsection clearly defines the number of unit types required, generally three, with practical flexibility added for smaller development were it may be infeasible to have the three unit types. The 60% maximum of net area is anticipated to enable about half of the units to be a single unit type and prevent any one unit type to dominate any area, consistent with the Master Plan.

The language relating to how net area is calculated with two unit types on a lot intends to incentivize ADUs by allowing them to count as half the net area of the lot.

Impact on Housing Cost:

The minimum housing variety standards can lead to more house types in a given geography than the market would otherwise deliver. While this supports housing variety, there is expense tied to each new unit type introduced because of added costs in design and engineering different units and loss in efficiency during construction as construction laborers need to understand different plans and use different size elements and potentially use different construction methods. Care was taken in drafting the standards to establish standards that did not create too granular of standards as to unduly decrease the ability to use standard industry efficiencies in design and construction. Geographic size and number of units per certain geographic size were chosen that ensure variety throughout the plan area but do not unduly increase the number of unit types to be designed and built. When weighed with the variety standards ensuring production of lower cost unit types, the potential for added costs of producing more units, which has been carefully limited, leading to higher housing costs is off-set. It is better to have relatively higher design and construction costs on lower cost units than only have larger higher-cost housing that may be relatively cheaper to design and build, but do not provide lower cost unit types to the market. In regards to the variety of units provided to the market, the proposed variety standards will result in similar variety as other master-planned communities, including Villebois in Wilsonville.

Compliance Notes:

Not required by State and Regional policy, however directly called out in the Master Plan. Also supports Metro Condition of Approval regarding the encouraging of ADUs by allowing ADUs to count for more land area than they take up.

Recent Edits:

Between June work session and July public hearing: Minor edits.
Since July public hearing: None

E. Unit Type Variety for East and South Neighborhoods:

1. Required Number of Unit Types in a Development. To ensure variety throughout the Master Plan area, while accommodating efficient site planning for smaller developments, the following is the number of Unit Types, listed in Table 6C, required based on the Net Development Area in the smaller of a Stage I Master Plan Area or Subdistrict. To be counted towards the minimum Unit Type requirement, the applicable dwelling units must represent, at a minimum, either 5% of the Net Development Area or 10% of the planned units within the development.

2 Acres or less - 1 Unit Type Required

More than 2 acres up to 5 acres - 2 Unit Types Required

More than 5 acres - 3 Unit Types Required

2. Maximum Net Area for A Single Unit Type. These standards help ensure no single housing unit type dominates any Subdistrict or large portion thereof. Except for small developments requiring only 1 Unit Type under E.1. above, no more than 60% of the Net Development Area of the smaller of a Stage I Master Plan Area or Subdistrict shall be planned for the development a single Unit Type listed in Table 6C.

a. Where an individual lot in a development has multiple unit types (e.g. ADU on same lot as Detached Unit Type), the Net Development Area shall be assigned by dividing the net area of the lot and adjacent area (i.e. alleys) proportionally based on number of each unit type. For example, for an ADU on a detached home lot, 50% of the net area would be assigned to the ADU and 50% of the net area would be assigned to the detached home regardless of the relative percent of the lot they each occupy.

3. In Subdistrict E4, Net Development Area (parking, drive aisles, landscaping) associated with the Commercial Main Street does not count towards Net Development Area for the purpose of these standards, but the building footprint of the mixed-use buildings does.

Amendment Description:	Ensuring Variety Standards Comply with State Middle Housing Law
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) F. (new)
Relationship to Frog Pond East and South Master Plan:	Relates to the State requirement to include middle housing.
Rationale for Amendment Text:	The language directly clarifies and reflects the State statute and rules that any land zoned or designated for detached single-family homes must also allow middle housing. If the Master Plan allowed designation of land for detached single-family homes without this clarification the code would be out of compliance with State law.
Impact on Housing Cost:	Minimal to no impact anticipated, including for compliance purposes.
Compliance Notes:	<p>Directly driven to comply with HB 2001 (2019) Middle Housing requirements and implementing OARs.</p> <p>OAR 660-046-0205(2)(b)(A) identifies options for regulating Middle Housing within Master Planned Communities (MPC) adopted after January 1, 2021. Frog Pond East and South qualifies as an MPC under these provisions. The OAR identifies three regulatory options within MPCs: (i) plan to provide infrastructure that accommodates at least 20 dwelling units per net acre; (ii) plan to provide infrastructure based on the implementation of a variable rate infrastructure fee or system development charge or impact fee; or (iii) require applications for residential development within an MPC to develop a mix of residential types, including at least two Middle Housing types other than Duplexes. In addition, the OAR allows MPC to meet the general requirements of OAR 660-046-0205(2) by allowing for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, in areas zoned for residential use that allow for the development of detached single-family dwellings. The City is electing to comply with this general requirement. The proposed Code specifically includes the proposed WC Subsection 4.127 (.06) F. which states, "Pursuant to ORS 197A.420 and OAR 660-046-0205, any lot identified for single-family development in the Stage I or II Master Plan can also be developed or redeveloped as middle housing even if the maximum percentage of a Middle Housing Unit Type, as listed in Table 6C, is exceeded. However, this does not allow the maximum for a single Middle Housing Unit Type to be exceeded in initial planning or compliance verification. This would only apply at the time of future building permit issuance or replat of individual lots."</p>
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edit to reference state law by title rather than by ORS and OAR reference.

Since July public hearing: None

F. Pursuant to State of Oregon middle housing statute and administrative rules, any lot identified for single-family development in the Stage I or II Master Plan can also be developed or redeveloped as middle housing even if the maximum percentage of a Middle Housing Unit Type, as listed in Table 6C, is exceeded. However, this does not allow the maximum for a single Middle Housing Unit Type to be exceeded in initial planning or compliance verification. This would only apply at the time of future building permit issuance or replat of individual lots.

Amendment Description:	Clear and Objective Identification of the Urban Form Type Boundaries
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.07) all text is new, this Subsection was previously “Development Standards Generally” which language has now been consolidated into Subsection (.08)
Relationship to Frog Pond East and South Master Plan:	Urban Form Type Designations are a key regulatory and design component identified in the Master Plan. This language provides the necessary detail to ensure there is clarity in the boundaries of the different Urban Forms, which in turn is the basis for a number of development standards.
Rationale for Amendment Text:	Initially, only a map was planned. However, feedback received indicated that only a map is likely to still leave lack of clarity for specific boundaries. Text was added to supplement the map to clearly define the boundaries for the Urban Form Type Designations. Language is also added to state the purpose of Urban Form Types overall and the purpose of each different Urban Form Type.
Impact on Housing Cost:	The added clarity can reduce the time and cost of the land use review process., which contributes to lower development costs.
Compliance Notes:	Establishes clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

(.07) Frog Pond East and South Urban Form Types:

- A. The Frog Pond East and South Neighborhoods are divided into different Urban Form Type designations whose boundaries are described by Subdistrict in B. below and illustrated for reference in Figure A-7 below. Applicability of development standards are based on these designations. The designations and their purpose are as follows:**
- 1. Commercial Main Street: This urban form is for a limited area along SW Brisband Street between SW Stafford Road and the extension of SW 63rd Avenue. Its purpose is to create a pedestrian-oriented, mixed-use commercial street feel.**
 - 2. Urban Form Type 1: The purpose of this Urban Form Type is to create the most compact and urban of the three residential forms. This is primarily represented by larger buildings, including full block width, with less setbacks than other residential Urban Form Types.**
 - 3. Urban Form Type 2: The purpose of this Urban Form Type is to create a moderately compact and urban look and feel between Urban Form Type 1 and Type 3. This is primarily represented by allowing moderate building widths, including not allowing buildings to be block length as allowed in Urban Form Type 1, and requiring moderate setbacks.**
 - 4. Urban Form Type 3: The purpose of this Urban Form is to create a less compact and urban look and feel. This is primarily represented by limiting the width of buildings, encouraging shorter building height, and providing for larger setbacks.**
- B. Urban Form area boundary descriptions:**
- 1. Subdistrict E1:**

- a. Urban Form Type 1: The area of the Subdistrict east of the framework street that is an extension of SW 63rd Avenue and connecting to the framework street crossing the BPA easement.
- b. Urban Form Type 2: The area of the Subdistrict west and south of the framework street(s) that are an extension of SW 63rd Avenue and SW Frog Pond Lane.
- c. Urban Form Type 3: The area of the Subdistrict west of the framework street connecting across the BPA easement and north of the framework street that is an extension of SW Frog Pond Lane, except for the Frog Pond Grange area described in Subsection (.24) A. below.

2. Subdistrict E2:

- a. Urban Form Type 2: A contiguous area of between 6 and 6.5 gross development acres, as proposed by the developer based on the location of non-framework local streets, extending the south to north extent of the Subdistrict from the BPA easement to SW Kahle Road, and located immediately to the east of and adjacent to the framework street connecting across the BPA easement.
- b. Urban Form Type 3: The far west and east area of the Subdistrict that is not Urban Form Type 2.

3. Subdistrict E3:

- a. Urban Form Type 2: A contiguous area of between 8 and 8.5 gross development acres, as proposed by the developer based on the location of non-framework local streets, centered in the Subdistrict immediately south of and adjacent to SW Kahle Road, and not being within 125 feet of the eastern edge of the Subdistrict or the SROZ.
- b. Urban Form Type 3: The surrounding area of the Subdistrict that is not Urban Form Type 2.

4. Subdistrict E4:

- a. Commercial Main Street: The area of existing Tax Lot 1101 centered on SW Brisband Street extending east to west across the Subdistrict and extending between 125 feet and 160 feet both north and south of SW Brisband Street. The exact boundary north and south of SW Brisband Street will be proposed by the developer.
- b. Urban Form Type 1:
 - i. The eastern half of the Subdistrict area north of the Commercial Main Street area.
 - ii. The eastern half of the Subdistrict area (east of the SROZ) south of the Commercial Main Street area extending south to within approximately 250 feet of SW Advance Road. The exact southern limit will be proposed by the developer based on the location of any local streets, and if no local street, based on proposed property lines. The southern limits must be between 235 feet and 265 feet north of SW Advance Road. If at time of development of this area a local street is established in Subdistrict E5 serving as a boundary between Urban Form Type 1 and Urban Form Type 2 in that Subdistrict, then the boundary for this area shall be the closest street or property line to the centerline of that street measured at the intersection of SW 63rd Avenue.
- c. Urban Form Type 2:
 - i. The western half of the Subdistrict area north of the Commercial Main Street area.

- ii. The western half of the Subdistrict area south of the Commercial Main Street area and west of the SROZ.
- iii. The eastern half of the Subdistrict area south of the Commercial Main Street area, east of the SROZ, and south of the Urban Form Type 1 area that is south of the Commercial Main Street area.

5. Subdistrict E5:

- a. Urban Form Type 1: the northern portion of the Subdistrict extending south to within approximately 250 feet of SW Advance Road and extending east to west across the entire Subdistrict. The exact southern limit will be proposed by the developer based on the location of an east-west local street which would be the boundary between Urban Form Type Areas. The centerline of this boundary street must be between 230 feet and 270 feet north of SW Advance Road and is encouraged to be as close as possible to 250 feet north.
- b. Urban Form Type 2: The southern portion of the Subdistrict south of the Urban Form Type 1 area and north of SW Advance Road.

6. Subdistrict E6:

- a. Urban Form Type 2: the western portion of the Subdistrict extending east approximately 680 feet east from SW 60th Avenue. The exact eastern limit will be proposed by the developer based on the location of a local street or property lines which would be the boundary between Urban Form Type Areas. The boundary must be between 660 feet and 700 feet east of SW 60th Avenue and is encouraged to be as close as possible to 680 feet.
- b. Urban Form Type 3: The eastern portion of the Subdistrict east of the Urban Form Type 2 area, north of SW Advance Road and south of the BPA Easement.

7. Subdistrict S1:

- a. Urban Form Type 2: The entire Subdistrict is Urban Form Type 2.

8. Subdistrict S2:

- a. Urban Form Type 2: The western portion of the Subdistrict, extending east of SW 60th Avenue approximately 360 feet east from the northern boundary of SW Advance Road to a point 340 feet south of SW Advance Road and approximately 500 feet east of SW 60th Avenue from that point to the southern boundary of the Subdistrict. The exact limits will be proposed by the developer based on the location of a local streets or property lines which would be the boundary between Urban Form Type areas. The east boundary must be, respectively, between 480 feet and 520 feet east of SW 60th Avenue and is encouraged to be as close as possible to 500 feet in the southern portion, and between 320 and 360 feet east of SW 60th Avenue and is encouraged to be as close as possible to 340 feet in the northern portion of the Subdistrict.
- b. Urban Form Type 3: The eastern portion of the Subdistrict, east of the Urban Form Type 2 area.

9. Subdistrict S3:

- a. Urban Form Type 1: a west central portion of the Subdistrict extending approximately 220 feet east of SW 60th Avenue between a point directly east of the northern boundary of Subdistrict S4 (the southern property line of the Meridian Creek Middle School property) and a point approximately 320 feet north of SW Kruse Road. The exact limits will be proposed by the developer based on the location of local streets or property lines which would be the boundary between Urban Form Type areas. The east

boundary must be between 200 feet and 240 feet east of SW 60th Avenue and is encouraged to be as close as possible to 220 feet. The north boundary must be within 20 feet of the northern boundary of Subdistrict S4 and is encourage to be as close as possible to that boundary. The south boundary must be between 300 feet and 340 feet north of SW Kruse Road and is encouraged to be as close as possible to 320 feet.

b. Urban Form Type 2: The description is broken into a northern and southern area, with the boundary between northern and southern area being a line extending east from the northern boundary of Subdistrict S4 (the southern property line of the Meridian Creek Middle School property).

i. For the northern area of the Subdistrict: The western portion of the Subdistrict extending from SW 60th Avenue to the east approximately 500 feet. The exact limits will be proposed by the developer based on the location of a local streets or property lines which would be the boundary between Urban Form Type areas. The east boundary must be, respectively, between 480 feet and 520 east of SW 60th Avenue and is encouraged to be a close as possible to 500 feet

ii. For the southern area of the Subdistrict: The western portion of the Subdistrict, excluding the Urban Form Type 1 area, extending from SW 60th Avenue to the east approximately 340 feet The exact limits will be proposed by the developer based on the location of a local streets or property lines which would be the boundary between Urban Form Type areas. The east boundary must be between 320 and 360 feet east of SW 60th Avenue and is encouraged to be as close as possible to 340 feet.

c. Urban Form Type 3: The eastern portion of the Subdistrict, east of the Urban Form Type 2 areas.

10. Subdistrict S4:

a. Urban Form Type 1: The northeastern portion of the Subdistrict extending west of SW 60th Avenue approximately 380 feet and south to approximately 320 feet north of SW Kruse Road. The exact western and southern limit will be proposed by the developer based on the location of local streets or property lines which would be the boundary between Urban Form Type areas. The west boundary must be between 360 feet and 400 feet west of SW 60th Avenue and is encouraged to be as close as possible to 380 feet. The south boundary must be between 300 feet and 340 feet north of SW Kruse Road and is encouraged to be as close as possible to 320 feet.

b. Urban Form Type 2: The northeastern portion of the Subdistrict west and south of the Urban Form Type 1 area, extending west from the Urban Form Type 1 boundary to approximately 570 feet west of SW 60th Avenue and south to a future local street extension of SW Kruse Road. The exact western limit will be proposed by the developer based on the location of a local streets or property lines which would be the boundary between Urban Form Type areas. The west boundary must be between 550 feet and 590 feet west of SW 60th Avenue and is encouraged to be as close as possible to 570 feet.

c. Urban Form Type 3: The western and southern portions of the Subdistrict, west and south of the Urban Form Type 2 area.

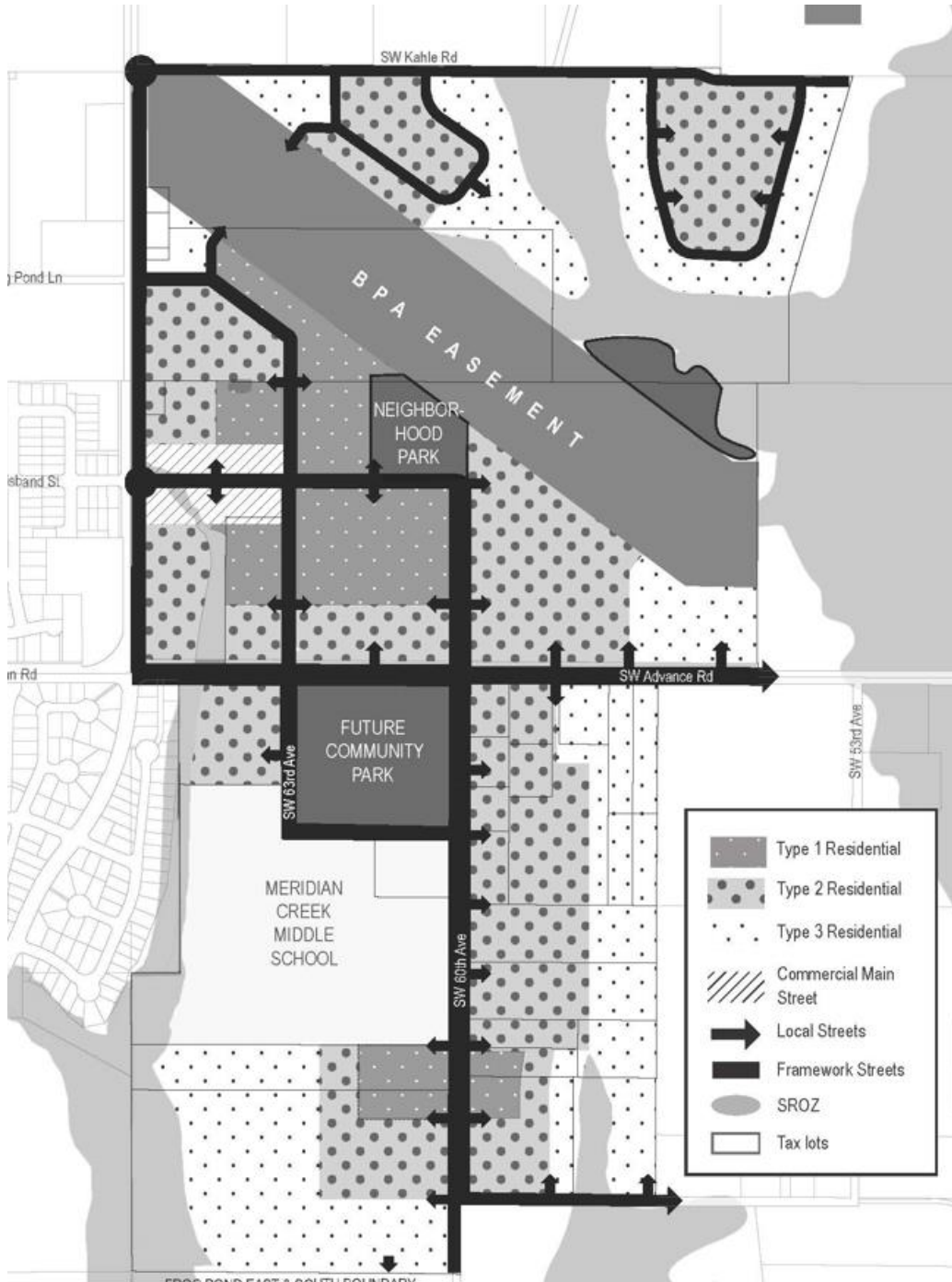


Figure A-7 Urban Form Type Land Use Designation Boundaries

(.08) Development Standards:

Amendment Description:	Clarifications of existing Development Standards Language
Applicability:	Frog Pond West and Frog Pond East and South
Impacted Code Section(s):	4.127 (.08)
Relationship to Frog Pond East and South Master Plan:	Relates to strategies for Coding for Variety and Priority Housing Types in Chapter 8, Implementation, including Strategy 4 to development standards based on the Urban Form Type designations.
Rationale for Amendment Text:	<p>This language includes technical edits to:</p> <ul style="list-style-type: none"> • Consolidate existing language in Subsection (.07) into this subsection • Provide for differentiation between development standards for Frog Pond West and Frog Pond East and South <p>Make language generally more clear and concise</p>
Impact on Housing Cost:	The added clarity can reduce the time and cost of the land use review process., which contributes to lower development costs.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<p><u>Between June work session and July public hearing:</u> Minor edits.</p> <p><u>Since July public hearing:</u> None</p>

- A. **Unless otherwise specified by the regulations in this Residential Neighborhood (RN) Zone section, all development must comply with Section 4.113, Standards Applying to Residential Development in Any Zone.**
- B. ~~Lot and~~ Development shall be consistent with this Code and applicable provisions of an approved legislative master plan.
- C. ~~Lot Standards Generally. For the Frog Pond West Neighborhood, Table 2 establishes the lot development standards.~~ **Unless superseded or supplemented by other provisions of the Development Code the lot and development standards for the Frog Pond West Neighborhood are established by Table 28A and lot and development standards for the Frog Pond East and South Neighborhoods are established by Table 8B.**
- D. Lot Standards for Small Lot Sub-districts **in the Frog Pond West Neighborhood**. The purpose of these standards is to ensure that development in the Small Lot Sub-districts includes varied design that avoids homogenous street frontages, creates active pedestrian street frontages and has open space that is integrated into the development pattern.

Standards. Planned developments in the Small Lot Sub-districts shall include one or more of the following elements on each block:

1. Alleys.
2. Residential main entries grouped around a common green or entry courtyard (e.g. cluster housing).

3. Four or more residential main entries facing a pedestrian connection allowed by an applicable legislative master plan.
4. Garages recessed at least four feet from the front façade or six feet from the front of a front porch.

Table 8A: Frog Pond West Neighborhood Zone Lot Development Standards										
Neighborhood Zone Sub-District	Min. Lot Size (sq. ft.) ^{A,B}	Min. Lot Depth (ft.)	Max. Lot Coverage (%)	Min. Lot Width ^{J,N} (ft.)	Max. Bldg. Height ^H (ft.)	Setbacks ^{K,L,M}				
						Front Min. (ft.)	Rear Min. (ft.)	Side Min. (note)	Garage Min Setback from Alley (ft.)	Garage Min Setback from Street ^{O,P} (ft.)
R-10 Large Lot	8,000	60'	40% ^E	40	35	20 ^F	20	^M	18 ^G	20
R-7 Medium Lot	6,000 ^C	60'	45% ^E	35	35	15 ^F	15	^M	18 ^G	20
R-5 Small Lot	4,000 ^{C,D}	60'	60% ^E	35	35	12 ^F	15	^M	18 ^G	20

Notes:

- A. Minimum lot size may be reduced to 80% of minimum lot size for any of the following three reasons: (1) where necessary to preserve natural resources (e.g. trees, wetlands) and/or provide active open space, (2) lots designated for cluster housing (Frog Pond West Master Plan), (3) to increase the number of lots up to the maximum number allowed so long as for each lot reduced in size a lot meeting the minimum lot size is designated for development of a duplex or triplex.
- B. For townhouses the minimum lot size in all sub-districts is 1,500 square feet.
- C. In R-5 and R-7 sub-districts the minimum lot size for quadplexes and cottage clusters is 7,000 square feet.
- D. In R-5 sub-districts the minimum lot size for triplexes is 5,000 square feet.

Amendment Description:	Clarifications of bonus lot coverage for Frog Pond West and larger Frog Pond East and South detached home lots where multiple buildings are proposed.
Applicability:	Frog Pond West and Frog Pond East and South
Impacted Code Section(s):	4.127 (.08)
Relationship to Frog Pond East and South Master Plan:	Relates generally to the acknowledgement of variety of housing allowed.
Rationale for Amendment Text:	Change mirrors similar language in PDR zone that states bonus is when multiple buildings are on a lot rather than just when one is accessory to another. This comes into play on larger lots with lower lot coverage when multiple units of a similar size are proposed.
Impact on Housing Cost:	Removes a potential barrier to lower-cost middle housing development.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

- E. On lots where ~~detached accessory~~ **multiple** buildings are built, maximum lot coverage may be increased by 10%. Cottage clusters are exempt from maximum lot coverage standards.
- F. Front porches may extend 5 feet into the front setback.
- G. The garage setback from alley shall be minimum of 18 feet to a garage door facing the alley in order to provide a parking apron. Otherwise, the rear or side setback shall be between 3 and 5 feet.
- H. Vertical encroachments are allowed up to ten additional feet, for up to 10% of the building footprint; vertical encroachments shall not be habitable space.
- I. For townhouses in all sub-districts minimum lot width is 20 feet.
- J. May be reduced to 24' when the lot fronts a cul-de-sac. No street frontage is required when the lot fronts on an approved, platted private drive or a public pedestrian access in a cluster housing (Frog Pond West Master Plan) development.
- K. Front Setback is measured as the offset of the front lot line or a vehicular or pedestrian access easement line. On lots with alleys, Rear Setback shall be measured from the rear lot line abutting the alley.

Amendment Description:	Limit of setbacks required for ADUs
Applicability:	Frog Pond West and Frog Pond East and South
Impacted Code Section(s):	4.127 (.08)
Relationship to Frog Pond East and South Master Plan:	Relates to removing barriers to ADUs and encouraging them as a desired unit type.
Rationale for Amendment Text:	Where a larger lot has a setback, especially rear setback, greater than 10 feet, it allows ADUs to have a reduced setback of 10 feet. This removes a barrier to potentially locating an ADU. It makes the requirement the same as the existing allowed setback for cottage clusters which are a similar size.
Impact on Housing Cost:	Reduces potential barriers to ADU development, which are a lower cost housing type.
Compliance Notes:	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. This code amendment reduces a potential barrier to ADU construction thus helping encourage.
Recent Edits:	None

- L. For cottage clusters and ADUs all setbacks otherwise greater than 10 feet for other housing types are reduced to 10 feet
- M. On lots greater than 10,000 SF with frontage 70 ft. or wider, the minimum combined side yard setbacks shall total 20 ft. with a minimum of 10 ft. On other lots, minimum side setback shall be 5 ft. On a corner lot, minimum side setbacks are 10 feet.
- N. For cluster housing (Frog Pond West Master Plan) with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right-of-way or a public pedestrian access easement linking the courtyard with the Public Way.
- O. All lots with front-loaded garages are limited to one shared standard-sized driveway/apron per street regardless of the number of units on the lot.
- P. The garage shall be setback a minimum of 18 feet from any sidewalk easements that parallels the street.

Amendment Description:

Tables 8B and 8C Development Standards for Frog Pond East and South

Applicability:

Frog Pond East and South

Impacted Code Section(s):

4.127 (.08)

Relationship to Frog Pond East and South Master Plan:

Relates to strategies for Coding for Variety and Priority Housing Types in Chapter 8, Implementation, Strategy 4 create development standards based on the Urban Form Type designations.

Rationale for Amendment Text:

Wherever appropriate, and where not otherwise noted, the standards are mirrored after similar standards in other residential zones in Wilsonville or Frog Pond West and precedent unit examples shared during the Master Planning and Code development process. Special attention was paid to ensure standards create meaningful differentiation between the different residential Urban Form Type Designations. In addition, consideration was given to the wide array of housing types allowed throughout Frog Pond East and South and the desired variety. Notable unique standards include:

- An independent numerical lot size requirement is not established, rather lot size must be of sufficient size to meet other applicable development standards. This simplifies the code, removes barriers to proposed housing variety, and prevents complexities and likely contradictions in the standards.
- Front setbacks that are uniform on any given street to create a more consistent streetscape. See Table 8C.
- Creating a maximum building width that becomes a key standard controlling building bulk and differentiating between different Urban Form Types.
- Creating a minimum distance between buildings when multiple buildings are on a lot that mirror required setbacks to create consistency in built form regardless of lot patterns.

Impact on Housing Cost:

Development standards have the potential to significantly increase housing costs because of less efficient use of land or driving to more expensive construction methods and materials. In general, the proposed standards for Frog Pond East and South are similar to or less restrictive than other residential zones which have been deemed acceptable as not unduly increasing housing costs. Examples of less standards less restrictive than other residential zones include lot size, allowed building height, and lot coverage.

One notable standard that does not exist in other residential zones is maximum building width. Care was taken to establish these widths to mirror the type of development anticipated in the different urban forms while creating differentiation between the different urban forms. Designing to enable the anticipated development in each Urban Form will prevent this

Compliance Notes:

standard from being a barrier or increasing costs as a vast majority of development will easily meet it. The standard is applied equally to all unit types, which is a consideration in State rules to determine if a standard unduly increases cost.

The table establishes clear and objective standards for housing as required in ORS 197.307 (4).

Recent Edits:

None

<u>Land Use Map Urban Form Type Designation</u>	<u>Lot size requirements</u>	<u>Min. lot width/ street frontage per lot (ft.)</u>	<u>Max height (ft.)</u>	<u>Front Setbacks</u>	<u>Maximum Building Width Facing Street, or park when front of lot faces a park (ft.)</u>	<u>Rear Min. (ft.)</u>	<u>Garages (note)</u>	<u>Side Min. (ft.)^{A B}</u>	<u>Min. distance Between multiple Buildings on same lot along street frontages and public viewsheds</u>	<u>Max. Lot Coverage (percent)^{C D}</u>
<u>Urban Form Type 1</u>	<u>Lots sized to accommodate at least a one-unit residential building meeting building code requirements as well as setbacks and lot coverage requirements.</u>	<u>10</u>	<u>50, 4 story</u>	<u>See Table 8C.</u>	<u>None</u>	<u>10</u>	<u>E</u>	<u>5^F</u>	<u>Double the min. side yard setback that would be required for the larger of the two buildings on its own lot.</u>	<u>80 except for detached homes on lots with an area 4,000 square feet or greater.^J</u>
<u>Urban Form Type 2</u>		<u>15</u>	<u>40, 3-story</u>		<u>125 except that buildings over 100 feet cannot occupy entire block face.^G</u>	<u>10</u>		<u>5^F</u>		
<u>Urban Form Type 3</u>		<u>15</u>			<u>100</u>	<u>15^I</u>		<u>5 for structures up to 25 feet in height, 10 for structures over 25 feet in height.</u>		

Notes:

- A.** On corner lots, minimum side setbacks facing the street are the same as minimum front setback. Maximum setbacks equivalent to front maximums also apply. See Table 8C.
- B.** Side setbacks do not apply to shared walls at property lines between townhouse units.
- C.** Cottage clusters and ADUs are exempt from maximum lot coverage standards.

Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

Item 21.

- D. For townhouses maximum lot coverage is calculated for the combined lots on which a single townhouse building sits rather than for each townhouse lot.
- E. Setbacks for residential garages are as follows:
1. Front (street loaded): minimum 20 feet.
 2. Alley loaded with exterior driveway: minimum 18 feet or as necessary to create a 18 foot deep parking space not including alley curb.
 3. Alley loaded without exterior driveway: minimum 3 feet and maximum 5 feet.
- F. For Urban Form Type 1 and 2, side setbacks may be reduced to either: (1) down to a minimum of 3.5 feet for residential structures less than 70 feet wide, or (2) down to a minimum of five percent of the building width at the front building line for buildings greater than 70 feet and less than 100 feet wide.
- G. For Urban Form Type 2, in lieu of meeting the maximum building width, an applicant may elect to articulate the facade and roof in a manner to create architectural separation of building masses. Such articulation shall include a minimum 2-foot setback of the wall from the primary façade as well as interruption of the roof plane. The setback articulation shall, at a minimum, be equal in width to the building separation required. The depth and width of articulation is not adjustable or subject to waiver or administrative relief under local or state law as it is an optional compliance method in lieu of meeting the standard maximum building width and separation standards. For the purpose of applying other articulation standards in Section 4.113, the portions of a building on either side of the articulation in lieu of building separation shall be considered separate buildings.
- I. The minimum rear setback for a cottage cluster and Accessory Dwelling Unit (ADU) is 10 feet.
- J. For lots 4,000 square feet in area or more with only units classified as “Other Detached Units” in Table 6C, the following lot coverage standards from Table 8A shall apply: 4,000 square feet or more but less than 6,000 square feet: standards of R-5 Small Lot; 6,000 square feet or more but less than 8,000 square feet: standards for R-7 Medium Lot; 8,000 square feet or more, standards for R-10 Large Lot.

Table 8C. Frog Pond East and South Neighborhoods Development Standards - Front Setbacks including Special Front Setbacks For Uniformity on Framework Streets		
	Front Min. (ft.)^A	Front Max.^C (ft.)
<ul style="list-style-type: none"> • <u>Lot frontages along east-west oriented portion of SW Brisband Street between SW 63rd Avenue and its eastern most point. Setbacks for SW Brisband Street between SW Stafford Road and SW 63rd Avenue can be found in Table 23A.</u> • <u>Lot frontages along SW 63rd Avenue from southern edge of Subdistrict E1 to SW Advance Road</u> • <u>Lot frontages on lots with Urban Form Type 1 Designation not fronting a framework street listed in this table</u> 	6^B	10^D
<ul style="list-style-type: none"> • <u>Lot frontages along SW 60th Avenue</u> • <u>Lot frontages along SW 63rd Avenue south of SW Advance Road</u> • <u>Lot frontages along SW Stafford Road except the Brisband Main Street buildings</u> • <u>Lot frontages along SW Advance Road</u> • <u>Lot frontages along SW Kahle Road</u> • <u>Lot frontages along framework street in Subdistrict E1 extending SW Frog Pond Lane and SW 63rd Avenue</u> • <u>Lot frontages along Framework Street connecting across the BPA easement area from SW Kahle Road to SW Frog Pond Lane extension</u> • <u>Lot frontages on lots with Urban Form Type 2 Designation not fronting a framework street listed in this table</u> 	10	25^E
<ul style="list-style-type: none"> • <u>Lot frontages on lots with Urban Form Type 3 Designation not fronting a framework street listed in this table</u> 	10^E	No max

Notes:

A. Where a front (street) loaded garage exists, the minimum garage setback in Table 8B takes precedence over the minimums in this table.

B. Where the minimum front setback is 6 feet it is intended to accommodate a public utility easement (PUE) for franchise utilities. If the City requires a wider PUE the minimum setback shall increase to accommodate the PUE. If a finding can be made that no PUE is necessary and access stairs or ramps can be accommodated without impeding on the public right of way, no setback is required.

C. Where a maximum setback exists, and the property line it is measured from is either curvilinear or intersects with a connecting property line at anything besides a right angle, the maximum setback need only be met at one point along the property line.

D. This maximum assumes no front (street loaded) garage, which is anticipated to be the typical condition in Urban Form Type 1. However, if a front facing garage is proposed, the front maximum may be exceeded to accommodate the minimum garage setback of 20 feet from Table 8B.

E. In Urban Form 3, buildings or portions thereof greater than either 2 stories or 25 feet in height shall have a minimum front setback of 20 feet.

E. Development Standards Specific to Relationships with Collectors and Arterial Streets.

Amendment Description:	Clarification that existing language applies to Frog Pond West
Applicability:	Frog Pond West
Impacted Code Section(s):	4.127 (.08) E.
Relationship to Frog Pond East and South Master Plan:	None
Rationale for Amendment Text:	Direct language to differentiate between Frog Pond West and the subsequent new language regarding Frog Pond East and South.
Impact on Housing Cost:	Clarifies applicability, does not change policy that would impact housing cost.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

1. Frog Pond West Neighborhood:

- a. Lots adjacent to SW Boeckman Road and SW Stafford Road shall meet the following standards:
 - i. Rear or side yards adjacent to SW Boeckman Road and SW Stafford Road shall provide a wall and landscaping consistent with the standards in Figure 10 of the Frog Pond West Master Plan.
- b. Lots adjacent to the collector-designated portions of SW Willow Creek Drive and SW Frog Pond Lane shall not have driveways accessing lots from these streets, unless no practical alternative exists for access. Lots in Large Lot Sub-districts are exempt from this standard.

Amendment Description:	Fence treatments along Stafford and Advance Roads
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.08) E.
Relationship to Frog Pond East and South Master Plan:	The Master Plan calls for treatments consistent with the walls used in Frog Pond West but adapted for units primarily facing the streets. It also has specific requirements regarding building orientation towards the subject roads.
Rationale for Amendment Text:	For Stafford Road the wall is half the height and same materials as Frog Pond West, as directed in the Master Plan. For Advance Road a similar style is continued, but it is more open with metal to create semi-private front yards consistent with Advance Road being a collector rather than an arterial like Stafford Road and Boeckman Road. This also creates an enhanced interface with the community park across SW Advance Road.
Impact on Housing Cost:	These standards increase the cost of materials and construction for fencing associated with residential development. However, they are narrowly tailored to meet prescribed policy objectives and use materials and styles extensively used in Villebois and Frog Pond West where no note of unduly increasing housing cost was noted.
Compliance Notes:	Not driven by any compliance standards, however establishes clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Added detail to graphics, minor edits. <u>Since July public hearing:</u> None

2. Frog Pond East and South Neighborhoods:

a. Special Design Standards for east side of SW Stafford Road as well as the north side of SW Advance Road from SW Stafford Road to the wetland approximately 250 feet east of SW Stafford Road:

i. Courtyard Walls and Pedestrian Access Points:

- 1. Except for pedestrian access points, the frontage of each lot or tract (not counting any landscape tract running parallel with the road) shall have a wall/fence matching Figure A-8. below.**

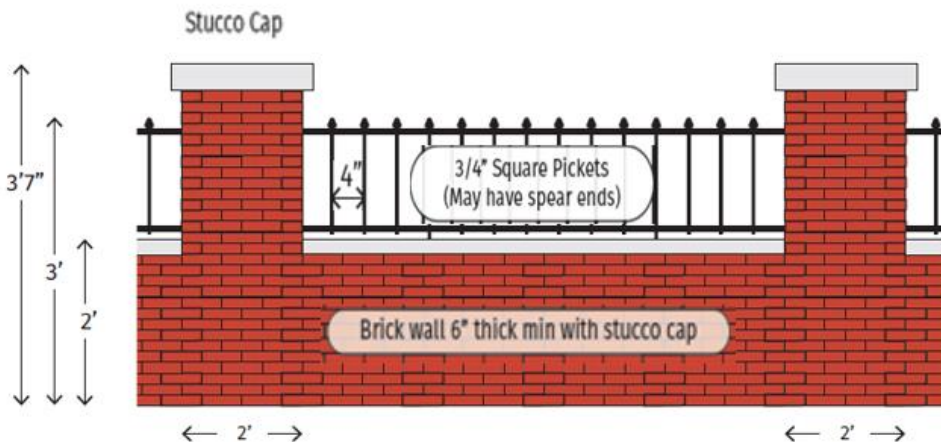


Figure A-8. Wall/Fence Along SW Stafford Road

2. Except for corner lots at the intersection of SW Stafford Road and SW Brisband Street, each lot shall have at least one paved walkway extending from the lot to the Stafford Road sidewalk providing a pedestrian access point. Any gates at pedestrian access points shall have a black “iron style” gate matching the style shown in Figure B-8. below.



Figure B-8. Gate for Pedestrian Access Points along SW Stafford Road

- ii. Structure and Entry Orientation: Except for corner lots at the intersection of SW Stafford Road and SW Brisband Street, the facades of structures facing SW Stafford Road shall meet all design standards for front facades. Generally this will be the front façade of the structure, but if it is the side or rear façade, the façade must still meet front façade standards including having at least one building entrance oriented towards SW Stafford Road.
- b. Special Design Standards for SW Advance Road, except for the portion on the north side included in the SW Stafford Road special design standards in a. above:

- i. Only front yards shall be oriented towards SW Advance Road with front entrances facing the street, except for corner lots at intersecting streets where side yards and side facades may front SW Advance Road, as necessary.
- ii. Lots shall have courtyard fencing matching Figure C-8. including any side yards for lots oriented on intersecting streets.

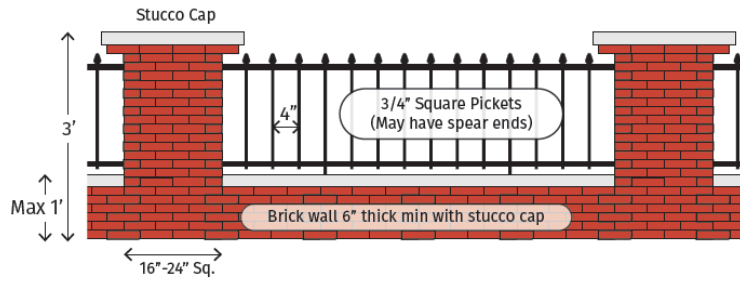


Figure C-8.

- iii. No motor vehicle access is allowed directly to a lot or tract from SW Advance Road except for emergency access requested by the Fire District and approved by the City Engineer.
- iv. Lots directly adjacent to SW Advance Road shall be considered to front SW Advance Road even if a landscape tract exists between the lot and the SW Advance Road right-of-way.

Amendment Description:	Public Realm Elements
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.08) F. (new)
Relationship to Frog Pond East and South Master Plan:	Chapter 7 Public Realm
Rationale for Amendment Text:	The Master Plan provides clear and detailed language regarding the public realm. The language intends to direct the reader back to these specifics in the Master Plan.
Impact on Housing Cost:	These standards can increase the cost of materials and construction for the public realm associated with residential development. However, they are narrowly tailored to meet prescribed policy objectives and are of a similar level of other developments such as Frog Pond West and Villebois where such standards have not been noted to unduly increase the cost of housing.
Compliance Notes:	Not driven by any compliance standards, however creates clear and objective standards for housing as required in ORS 197.307 (4). Less clear and objective language regarding gateway treatment is in Commercially zoned land and does not directly relate to needed housing.
Recent Edits:	<u>Between June work session and July public hearing:</u> Incorporation of specifics about East Neighborhood Park. Removal of Arts, Heritage, and Cultural review requirement for gateway feature due to lack of clear criteria and timeline for their consideration. Language encourages consultation. Added flexibility to gateway feature height as long as it remains clearly and prominently visible 1,000 feet away. Other minor edits. <u>Since July public hearing:</u> None

F. Public Realm Requirements for Frog Pond East and South Master Plan area

- 1. Development in Frog Pond East and South shall conform with the public realm element in Chapter 7 of the Frog Pond East and South Master Plan in the following ways with the referenced figures, tables, and text from the Frog Pond East and South Master Plan incorporated into this Subsection by reference as if fully stated herein:**
 - a. Active transportation connections shall be provided as shown in Figure 20.**
 - b. Street trees shall be provided consistent with Figure 26 and the text on pages 91 through 94.**
 - c. Public lighting shall be provided consistent with Figure 27 and the text on pages 95 through 99.**
 - d. Gateway treatment and monument signs shall be provided consistent with and limited to what is shown and described in Figure 28, Table 6, and the text on page 102.**

e. Sign toppers or “sign caps” shall be provided on street signs as described on page 102 and shown in Figure D-8 below consistent with the City’s Public Works Standards.



Figure D-8. Frog Pond Street Sign Topper

f. Consistent with Figure 18 and the text on page 77, the East Neighborhood Park shall be a minimum of three acres in size, not including the BPA easement area, and located directly adjacent to the BPA easement in Subdistricts E5 and/or E6. The park shall also have frontage on SW Brisband Street. Park location shall provide a terminal vista on the north end of SW 60th Avenue and may provide a terminal vista on the east end of SW Brisband Street. Park features and amenities shall be consistent with the description on Page 78.

g. A “Main Street Gateway” feature shall be provided on SW Brisband Street at SW Stafford Road. The feature shall:

- i. be at least 20 feet in height so as to be visible from a distance, the Development Review Board may approve height shorter than 20 feet upon the finding that the gateway feature remains clearly and prominently visible from 1,000 feet away;
- ii. be at least 3 feet in width and length, on average;
- ii. incorporate both sides of SW Brisband Street or be centered within the round-a-bout;
- iii. include materials and other design elements representative of Frog Pond East and South as outlined and depicted in the Frog Pond East and South Master Plan; and
- iv. be professionally designed by a professional(s) with experience designing such gateway features. An affidavit of such professional’s credentials shall be included in the development application material.
- v. The “Main Street Gateway” design is subject to Site Design Review. Additionally, the design is encouraged, but not required, to be coordinated with and reviewed by the Arts, Cultural, and Heritage Commission. Any review comments by the Arts, Cultural, and Heritage Commission shall be forwarded to the Development Review Board as part of the record for Site Design Review.

(.09) *Open Space:*
...

Amendment Description:	Frog Pond East and South open space requirements, including green focal points.
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.09)
Relationship to Frog Pond East and South Master Plan:	Implements the green focal points identified in the Master Plan including in Chapter 9, Public Realm, Parks and Open Space and Figure 18.
Rationale for Amendment Text:	Generally the standard open space requirements that apply to most residential development in Wilsonville. Beyond the general open space requirements specific green focal point requirements reflecting the Master Plan language are added.
Impact on Housing Cost:	Open space requirements do use land that could otherwise be housing and the cost of their development does increase the cost of associated housing. However, open space and parks are generally accepted as reasonable amenity in residential development to be required of development when the primary purpose of parks or open space are to serve the immediate nearby residents. The open space requirements are consistent with the general requirements in the City and do not add atypical cost to this development. The standards do require Green Focal Points even if open space requirements are otherwise met, but with a required minimum size of 2,000 square feet for an entire subdistrict the added cost per unit is minimal.
Compliance Notes:	Green focal points are identified in Chapter 9 of the Master Plan, and well as Figure 18 of the Master Plan. Implementation Measure 3.1.11.p. of the Comprehensive Plan further states, "New developments shall be responsible for providing specified amounts of usable on-site open space depending on the density characteristics and location of the development, <i>considering the provisions of applicable legislative Master Plans.</i> " (emphasis added)
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor reordering for clarity. Added reference to standards for East Neighborhood Park in Subsection (.08). <u>Since July public hearing:</u> None

C. Within the Frog Pond East and South Master Plans open space shall be provided consistent with the requirements in Subsection 4.113 (.01) C. - F., and designed and located according to the following criteria:

- 1. Green Focal Points. For the East and South Neighborhoods, Green Focal Points are intended to serve as central neighborhood destinations or gathering places that contribute to neighborhood character and identity. Green Focal Points can take a variety of forms, including community garden plots, small playgrounds or splash pads, nature play areas, pocket parks or plazas, and central green courtyards within housing developments. As part of meeting the open space**

requirements in Subsection 4.113 (.01) C. – F. for a Stage I Master Plan Area, each Subdistrict in Frog Pond East and South shall have at least one Green Focal Point meeting the 2,000 square foot size requirement in Subsection 4.113 (.01) D. 1. Even if the usable open space requirement is otherwise met, each subdistrict shall still have the minimum 2,000 square foot Green Focal Point. In addition to the standards in Subsection 4.113 (.01) C.-F., the following requirements apply:

a. Location requirements by Subdistrict:

- Subdistrict E1: Green Focal Point to be located north of the Frog Pond Grange building or in the tree grove near the existing home at 27480 SW Stafford Road.
- Subdistrict E3: A Green Focal Point to be located at trailhead adjacent to SROZ leading to the south.
- Subdistrict E4: A plaza space to be integrated with the Brisband Street Main Street mixed-use development.
- Subdistrict S2: A Green Focal Point to be located and aligned with terminus of future extension of SW Hazel Street.
- Subdistrict S3: A Green Focal Point to be located near northern end of Kruse Creek.
- If Subdistrict is not listed above, a Green Focal Point is still required, but there is no special locational requirement.

b. Direct access to one or more Green Focal Points shall be provided from each residential lot in the neighborhood. Direct access, for the purpose of this requirement, means: a pedestrian would need to travel on no more than two different streets to reach a green focal point from the lot frontage of the home to an open space frontage.

2. East Neighborhood Park. See Subsection 4.127 (.08) F. 1. f. above.

(.10) *Block, access and connectivity standards:*

- A. *Purpose.* These standards are intended to regulate and guide development to create: a cohesive and connected pattern of streets, pedestrian connections and bicycle routes; safe, direct and convenient routes to schools and other community destinations; and, neighborhoods that support active transportation and Safe Routes to Schools.
- B. *Blocks, access and connectivity shall comply with adopted legislative master plans:*
...

Amendment Description:	Block and access standards for Frog Pond East and South
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.10) B.
Relationship to Frog Pond East and South Master Plan:	Reflects no specific block and access standards in the Master Plan beyond identifying framework streets.
Rationale for Amendment Text:	Provides reference to general citywide block and access standards for applicability to Frog Pond East and South.
Impact on Housing Cost:	The block and access standards are typical of other residential areas of the City and do not impose any atypical costs.
Compliance Notes:	Not driven by any compliance standards, however creates clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

2. **In the Frog Pond East and South Neighborhoods, or** if a legislative master plan does not provide sufficient guidance for a specific development or situation, ~~the Development Review Board shall use the block and access standards in Section 4.124(.06.09) as the applicable standards~~ **apply.**

...

(.14) *Main Entrance Standards:*

...

Amendment Description:	Removal of little utilized entrance distance from grade requirement
Applicability:	Frog Pond West and Frog Pond East and South
Impacted Code Section(s):	4.127 (.14) C.
Relationship to Frog Pond East and South Master Plan:	Generally to housing variety.
Rationale for Amendment Text:	Removal prevents a barrier to second floor entries which may be used for unit configurations like townhouses on top of an ADU.
Impact on Housing Cost:	The added flexibility for placement of ADUs on the ground floor with stair access to a second floor unit adds flexibility that can add to construction of more lower-cost unit types.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

~~C. — *Distance from grade.* Main entrances meeting the standards in subsection B., above, must be within four feet of grade. For the purposes of this Subsection, grade is the average grade measured along the foundation of the longest street-facing wall of the dwelling unit.~~

(.15) *Garage Standards:*

...

B. *Street-Facing Garage Walls:*

...

3. *Standards:*

Amendment Description:	Simplification of garage standards
Applicability:	Frog Pond West and Frog Pond East and South
Impacted Code Section(s):	4.127 (.15) B.
Relationship to Frog Pond East and South Master Plan:	None
Rationale for Amendment Text:	The proposal simplifies the language used for garage frontages in Frog Pond West to apply throughout Frog Pond. It also addresses a frequent issue encountered in Frog Pond West development were the existing standards required non-standard width garage doors which unnecessarily increased expenses and created more lead-time for custom fabrication.
Impact on Housing Cost:	The modification of the garage standard is anticipated to allow for the wider use of standard-sized garage doors which are less expensive than custom-sized garage doors, thus helping reduce the construction cost.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

- ~~a. The length of the garage wall facing the street may be up to 50 percent of the length of the street facing building façade. For middle housing, this standard applies to the total length of the street facing façades. For detached single family and accessory structures, the standards apply to the street facing façade of each unit. For corner lots, this standard applies to only one street side of the lot. For lots less than 50 feet wide at the front lot line, the standard in (b) below applies.~~
- ~~b. For lots less than 50 wide at the front lot line, the following standards apply:~~
 - a. The width of the garage door may be up to 50 percent of the length of the street-facing façade **as measured from the interior of the frame surrounding the garage door.**
 - b. The garage door must be recessed at least four feet from the front façade or six feet from the front of a front porch.
 - c. The maximum driveway width is 18 feet.
 - d. Where a dwelling abuts a rear or side alley or a shared driveway, the garage shall orient to the alley or shared drive.
 - e. Where three or more contiguous garage parking bays are proposed facing the same street, the garage opening closest to a side property line shall be recessed at least two feet behind the adjacent opening(s) to break up the street facing elevation and diminish the appearance

of the garage from the street. Side-loaded garages, i.e., where the garage openings are turned away from the street, are exempt from this requirement.

- f. A garage entry that faces a street may be no closer to the street than the longest street facing wall of the dwelling unit. There must be at least 20 feet between the garage door and the sidewalk. This standard does not apply to garage entries that do not face the street.



(.16) Residential Design Standards:

...

Amendment Description:	Applicability of existing residential design standards for RN zone
Applicability:	Frog Pond West and Frog Pond East and South
Impacted Code Section(s):	4.127 (.16)
Relationship to Frog Pond East and South Master Plan:	Generally to housing variety as current RN residential design standards do not address all of the allowed residential unit types in Frog Pond East and South.
Rationale for Amendment Text:	When the RN zone residential design standards were adopted, there were no residential design standards in the City except for ones specific to Villebois. Since that time, as part of the Middle Housing in Wilsonville project, citywide design standards were established for various unit types. These standards can be found in Subsection 4.113 (.14). In addition, this current package of code amendments includes new design standards for multi-family development. The decision was made to allow the citywide design standards covering all unit types be applied in Frog Pond East and South rather than the Frog Pond West standards geared towards single-family detached homes.
Impact on Housing Cost:	Applying the simpler Citywide design standards contributes to the ability for design standards to not unduly increase the cost of housing. The Citywide design standards mirror model design standards in State Administrative Rules that are a safe harbor for design standards to be considered not to be an undue cost burden.
Compliance Notes:	Not driven by any compliance standards, however creates clear and objective standards for housing as required in ORS 197.307 (4). The standards being applied were found to be compliant with State rules during the City's Middle Housing in Wilsonville Code Update in 2021. They reflect State Model Code from OAR 660-046 or are equally applied to all housing types, allowing them to qualify as safe harbor under State rules.
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits to consistently reference the different Frog Pond neighborhoods. <u>Since July public hearing:</u> None

- B. *Applicability.* These **In the Frog Pond West Neighborhood** standards **C. through G.** apply to all façades facing streets, pedestrian connections, parks, open space tracts, the Boeckman Trail, or elsewhere as required by this Code or the Development Review Board. Exemptions from these standards include: (1) Additions or alterations adding less than 50 percent to the existing floor area of the structure; and, (2) Additions or alterations not facing a street, pedestrian connection, park, or open space tract. **In the Frog Pond East and South Neighborhoods, the standards in C. through G. do not apply. Rather, design**

standards in 4.113 (.14) apply to all public-facing facades in the Frog Pond East and South Neighborhoods.

...

(.17) Fences:

Amendment Description:	Applicability of existing fence requirements
Applicability:	Frog Pond West and Frog Pond East and South
Impacted Code Section(s):	4.127 (.17)
Relationship to Frog Pond East and South Master Plan:	Consistent with specific fencing standards for Stafford Road and Advance Road.
Rationale for Amendment Text:	This existing language regarding fencing for Frog Pond West makes sense to be applicable to Frog Pond East and South as well. The proposed strikeout allows these standards to apply to all Frog Pond neighborhoods.
Impact on Housing Cost:	This specific standard is anticipated to have minimal to any impact on housing cost as it does not require additional materials or construction.
Compliance Notes:	Not driven by any compliance standards, however creates clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

- A. ~~Within Frog Pond West,~~ fences shall comply with standards in 4.113 (.07) except as follows:
1. Columns for the brick wall along Boeckman Road and Stafford Road shall be placed at lot corners where possible.
 2. A solid fence taller than four feet in height is not permitted within eight feet of the brick wall along Boeckman Road and Stafford Road, except for fences placed on the side lot line that are perpendicular to the brick wall and end at a column of the brick wall.
 3. Height transitions for fences shall occur at fence posts.

...

Amendment Description:	Waivers for Frog Pond East and South
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.22) (new)
Relationship to Frog Pond East and South Master Plan:	Directly implements Implementation Measure 4.1.7.D. 3. regarding an alternative discretionary path for approval.
Rationale for Amendment Text:	Maintains the City’s existing discretionary waiver path but adds specific waiver criteria related to consistency with designated Urban Form Types and housing variety.
Impact on Housing Cost:	Where an applicant has a plan that does not meet one or more standard but overall meets the intent of the standard, this allows a clear alternative approval path. Certain waivers could reduce the cost of certain units by removing the cost of complying with waived standards.
Compliance Notes:	Reflects alternative standards to clear and objective standards allowed in ORS 197.307 (4). As noted above, directly implements Implementation Measure 4.1.7.D. 3. from Master Plan regarding an alternative discretionary path for approval.
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor typographical edits. <u>Since July public hearing:</u> Added ability to apply for certain early waivers concurrent with a Stage I Master Plan. Further clarified the applicability of the number on which to base the calculation of the 5 unit or 20% limit for housing variety.

(.22) Consideration of Waivers in the Frog Pond East and South Neighborhoods.

- A. Applicants for development in the Frog Pond East and South Neighborhoods may request waivers to applicable development and design standards in Section 4.127 pursuant to Section 4.118 (.03), provided the criteria in subsection B. are met. Waivers are typically applied for with a Stage II final plan. However, when a Stage I approval is requested prior to submission of a Stage II final plan in the Frog Pond East and South Neighborhoods, the applicant may elect to request a waiver or waivers related to standards impacting lot size or dimension, housing variety, the size or location of parks or open space, or the location of streets or pathways in conjunction with the Stage I approval, if the applicant can demonstrate each requested waiver would directly impact site layout. In such case, a Stage II final plan for the same development area may not be applied for until there is a final decision on the Stage I and associated waivers. Each approved Stage I waiver shall expire unless a Stage II final plan consistent with the approved Stage I waiver is submitted within two years.**
- B. In addition to the waiver criteria in Sections 4.118 and 4.140 and applicable Site Design Review standards, when reviewing a waiver for development within the Frog Pond East and South Neighborhoods the Development Review Board’s decision shall be based on the following criteria, which reflects guidance in the Frog Pond East and South Master Plan:**
 - 1. The development enabled by the waiver is complementary and compatible with development that would typically be built within the subject Urban Form Type as described in Chapter 6 of the Frog Pond East and South Master Plan.**

- 2. The waiver continues to support a wide variety of housing throughout the Frog Pond East and South Neighborhoods including not reducing the Minimum Number of Units of any requirement in Table 6B by the greater of 5 units or 20 percent.**
- a. Except as indicated in b. and c. below, the number on which the greater of 5 units or 20 percent is calculated shall be the number as written in Table 6B and shall not include any modification, combination, or summation of the number.**
 - b. Where an application includes two or more adjacent tax lots within the same subdistrict, the number on which the greater of 5 units or 20 percent is calculated shall be the sum of the requirements for those tax lots, as allowed in Footnote I. of Table 6B.**
 - c. Where a requirement in Table 6B is adjusted pursuant to Subsection, 4.127 (.06) C. 1., the number on which the greater of 5 units or 20 percent is calculated shall be the adjusted number.**

Amendment Description:	Development Standards for the Commercial Main Street
Applicability:	Commercial Main Street Area of Frog Pond East
Impacted Code Section(s):	4.127 (.23) (new)
Relationship to Frog Pond East and South Master Plan:	Directly implements the portion of Chapter 9, Implementation, relating to Coding for Main Street
Rationale for Amendment Text:	The standards are a simplified adaptation of Town Center Zone development standards to support the development of similar types of mixed-use buildings along SW Brisband Street.
Impact on Housing Cost:	Generally these should not be read to impact housing costs as they are applicable to commercial development. However, the plans are for mixed use development that includes residential units. Care was taken to model these standards after existing standards in the Planned Development Commercial Zone and Town Center Zone that also allow for mixed use development. While design standards do generally increase costs of development, the standards are reasonable and the associated costs are not atypical from other similar areas in Wilsonville.
Compliance Notes:	Helps implement the Commercial Main Street consistent with the Master Plan. No State or Regional requirements involved.
Recent Edits:	<u>Between June work session and July public hearing:</u> Additional clarity of what is not allowed in front setback in terms of delivery and collection service. Edited Figure B-23 for pedestrian connection spacing to be consistent with Code text. Other minor edits. <u>Since July public hearing:</u> None

(.23) Residential Neighborhood Zone - Commercial Main Street Development

- A. Applicability.** These standards apply to the Commercial Main Street area described in Subsection (.07) A. 1. and shown in Figure A-7.
- B. Allowed Uses.** See Subsection (.02) above.
- C. Development Standards.** The following development standards apply to all development within the Commercial Main Street area of Frog Pond East.

<u>Table 23A. Commercial Main Street Development Standards</u>	
<u>STANDARD</u>	
<u>Front setback</u>	
<u>Minimum</u>	<u>0 ft.</u>
<u>Maximum</u>	<u>20 ft.</u>
<u>Side facing street on corner</u>	
<u>Minimum</u>	<u>0 ft.</u>
<u>Maximum</u>	<u>10 ft.</u>
<u>Side yard</u>	
<u>Minimum</u>	<u>0 ft.</u>
<u>Maximum</u>	<u>10 ft.</u>
<u>Rear setback</u>	

<u>Minimum</u>	<u>0 ft.</u>
<u>Building height (stories) ^A</u>	
<u>Minimum</u>	<u>two</u>
<u>Maximum</u>	<u>four</u>
<u>Ground floor height minimum</u>	<u>12 ft.</u>
<u>Building site coverage maximum</u>	<u>90%</u>
<u>Minimum landscaping</u>	<u>10%</u>
<u>Minimum building frontage ^B</u>	
<u>On SW Brisband Street</u>	<u>70%</u>
<u>On SW Stafford Road</u>	<u>None</u>
<u>On other streets</u>	<u>None</u>

^A Second stories or higher in buildings must be usable. No false front buildings are permitted.

^B To meet the minimum building frontage requirement, the ground level street-facing façade must meet the maximum setback standard for a minimum of 70% of the lot length on SW Brisband Street.

D Design Standards:

- 1. Purpose and Intent.** The purpose of the design standards is to provide high quality design within the Commercial Main Street area that creates a place of distinct character. The design of buildings and other site features shall functionally relate to adjacent streets and open spaces; shall include architectural diversity and variety in their built form; shall contribute to the vitality of the street environment through incorporation of storefronts, windows, and entrances facing the sidewalk; and shall minimize the visual impact of off-street parking from streets.
- 2. Building and Entry Placement.** Buildings shall meet the following standards:
 - a.** Development shall meet the minimum building frontage standards in Table 23A.
 - b.** At least one entrance door is required for each business, including live-work units, with a ground floor frontage.
 - c.** All primary ground-floor common entrances shall be oriented to the street or a public space directly facing the street, or placed at an angle up to 45 degrees from an adjacent street. Primary ground-floor common entrances shall not be oriented to the interior or to a parking lot.
 - d.** The primary entrance shall orient to SW Brisband Street or SW Stafford Road.
 - f.** Each entrance shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided.
- 3. Building Setbacks.** Development shall meet the minimum and maximum setback standards in subsection Table 23A. No off-street vehicle parking, loading, delivery, or collection service is permitted within the setback. Bicycle parking is permitted within the setback.
- 4. Front Yard Setback Design.** If front yard setbacks are provided, they shall be designed to encourage pedestrian activity and active ground floor uses. Landscaping, water quality treatment, seating areas, an arcade, or a hard-surfaced expansion of the pedestrian path must be provided between a structure and a public street or accessway. If a building abuts more than one street, the required improvements shall be provided on all streets. Hard-surfaced areas shall be constructed with scored concrete or modular paving materials. Benches and other street furnishings are encouraged.

5. Walkway Connection to Building Entrances. A walkway connection is required between a building's primary entrance and a public street or accessway. This walkway must be at least six feet wide and be paved with concrete or modular paving materials.

6. Parking Location and Landscape Design:

a. Parking must be located to the rear of buildings.

7. Building Design Standards:

a. General Provisions:

i. The first-floor façade of all buildings shall be designed to encourage and complement pedestrian-scale interest and activity through the use of elements such as windows, awnings, and other similar features.

ii. Building entrances shall be clearly marked, provide weather covering, and incorporate architectural features of the building.

iii. Architectural features and treatments shall not be limited to a single façade. All public-facing facades shall display a similar level of quality and architectural interest, with elements such as windows, awnings, murals, a variety of exterior materials, reveals, and other similar features.

b. Design Standards. All buildings shall comply with the following design standards:

i. Windows:

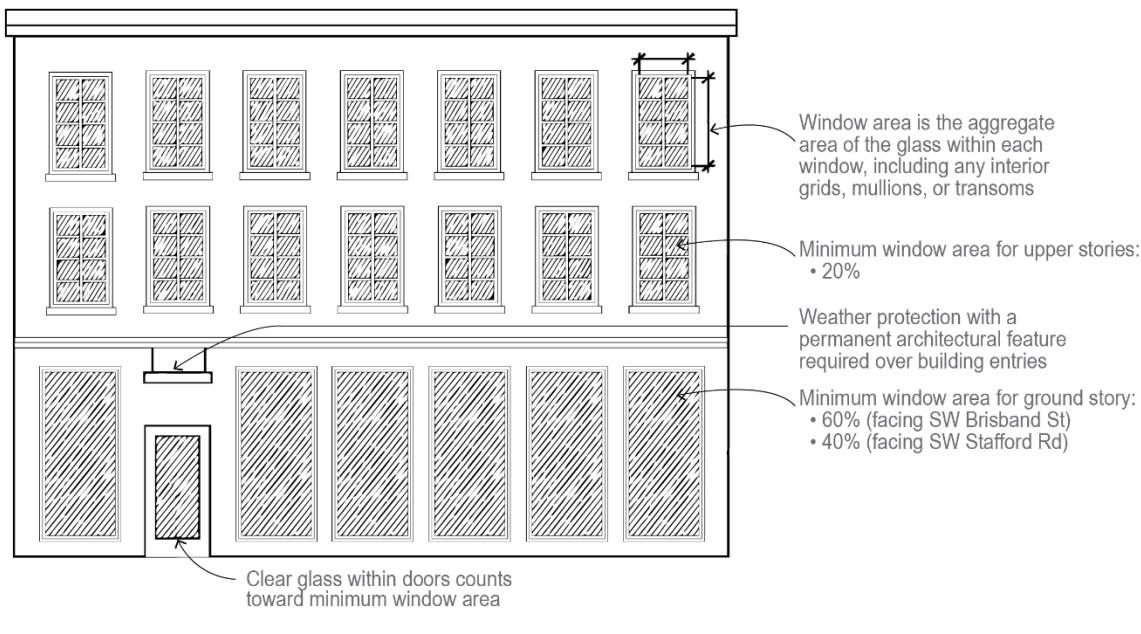
- Building facade windows are required on all facades facing SW Brisband Street or SW Stafford Road (see Figure A-23), as follows:

<u>Ground Story facing SW Brisband Street</u>	<u>60% of ground floor wall area</u>
<u>Ground Story facing SW Stafford Road or SW 63rd Avenue</u>	<u>40% of ground floor wall area</u>
<u>Upper Stories facing SW Brisband Street, SW Stafford Road, or SW 63rd Avenue</u>	<u>20% of facade</u>
<u>Other facades</u>	<u>No minimum</u>

- Window area is the aggregate area of the glass within each window, including any interior grids, mullions, or transoms. Facade area is the aggregate area of each street-facing vertical wall plane.
- Required windows shall be clear glass and not mirrored or frosted, except for bathrooms. Clear glass within doors may be counted toward meeting the window coverage standard.
- Ground floor windows. For facades facing SW Brisband Street, SW Stafford Road, and SW 63rd Avenue elevations within the building setback shall include a minimum percentage of the ground floor wall area with windows, display areas or doorway openings. The ground floor wall area shall be measured from two feet above grade to ten feet above grade for the entire width of the street-facing elevation. The ground floor window requirement shall be met within the ground floor wall area; glass

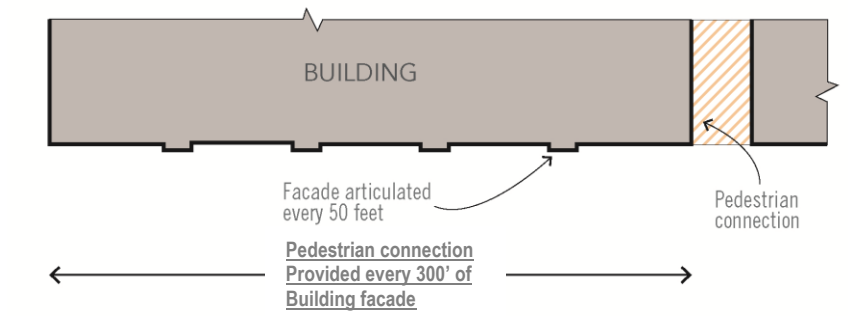
doorway openings to ground level may be counted toward meeting the requirement.

Figure A-23. Window Placement and Percentage of Facade



ii. **Building Facades: Public-facing facades shall extend no more than 50 feet without providing at least one of the following features: (a) a variation in building materials; (b) a building off-set of at least one foot; (c) a wall area that is entirely separated from other wall areas by a projection, such as an arcade; or (d) by other design features that reflect the building's structural system (See Figure B-23). No building façade shall extend for more than 300 feet without a pedestrian connection between or through the building.**

Figure B-23. Building Facade Articulation



iii. Weather Protection: Building facades facing SW Brisband Street shall provide weather protection as follows:

- **A projecting facade element (awning, canopy, arcade, or marquee) must be provided along at least 50 percent of the façade.**
- **All weather protection must comply with the Oregon Structural Specialty Code in effect at the time of application for projections or encroachments into the public right-of-way.**
- **Weather protection shall be maintained and in good condition.**
- **Weather protection features shall project at least five feet from the building façade.**
- **Marquees shall have a minimum ten-foot clearance from the bottom of the marquee to the sidewalk. Canopies and awnings shall have a minimum eight-foot clearance from the bottom of the awning or canopy to the sidewalk.**
- **The projecting façade element shall not conflict with street lights. If the projecting façade element blocks light shed from adjacent street lights, exterior lighting shall be located on the building.**
- **Awnings shall match the width of storefronts or window openings.**
- **Internally lit awnings are not permitted.**
- **Awnings shall be made of glass, metal, or a combination of these materials. Fabric awnings are not permitted.**

iv. Building Materials. Plain concrete block, plain concrete, T-111 or similar sheet materials, corrugated metal, plywood, sheet press board or vinyl siding may not be used as exterior finish materials. Foundation material may be plain concrete or plain concrete block where the foundation material is not revealed for more than two feet. Use of brick and natural materials (wood) is encouraged.

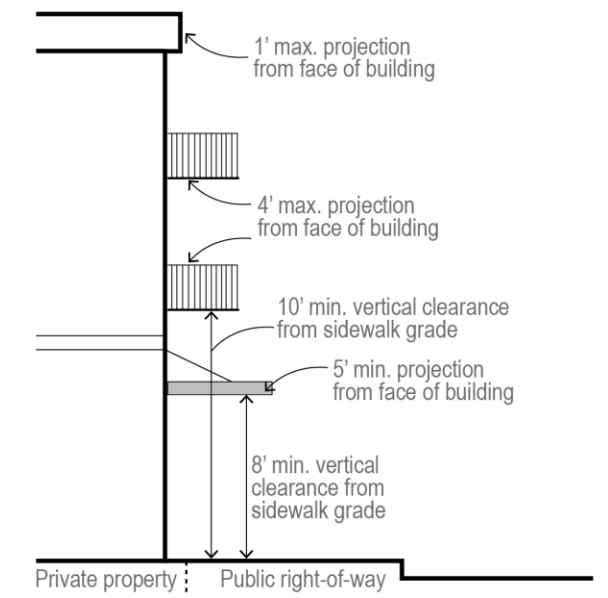
v. Roofs and roof lines. Except in the case of a building entrance feature, roofs shall be designed as an extension of the primary materials used for the building and should respect the building's structural system and architectural style. False fronts and false roofs are not permitted.

vi. Rooftop features/equipment screening:

- **The following rooftop equipment does not require screening:**
 - **Solar panels, wind generators, and green roof features;**
 - **Equipment under two feet in height.**
- **Elevator mechanical equipment may extend above the height limit a maximum of 16 feet provided that the mechanical shaft is designed to match or be complementary to the architecture of the building.**
- **Satellite dishes and other communications equipment shall be limited to ten feet in height from the roof, shall be set back a minimum of five feet from the roof edge and screened from public view to the extent possible.**

- All other roof-mounted mechanical equipment shall be limited to ten feet in height, shall be set back a minimum of five feet from the roof edge and screened from ground-level public view and from views from adjacent buildings.
 - On all structures exceeding 35 feet in height, roofs shall have drainage systems that are designed to match or be complementary to the architecture of the building.
 - Any external stairwells, corridors and circulation components of a building shall be architecturally compatible with the overall structure, through the use of similar materials, colors, and other building elements.
 - Required screening shall not be included in the building's maximum height calculation.
- vii. General Screening. Utility meters shall be located on the back or side of a building, screened from view from a public street to the greatest extent possible, and shall be painted a color to blend with the building façade.
- viii. Building projections. Building projections are allowed as follows (see Figure C-23):
- Architectural elements such as eaves and cornices may project up to one foot from the face of the building.
 - Bay windows and balconies may project up to four feet from the face of the building. Balconies that project into the right-of-way shall have a minimum vertical clearance of 10 feet from sidewalk grade or be mounted at the floor elevation, whichever is greater.

Figure C-23. Building Projections

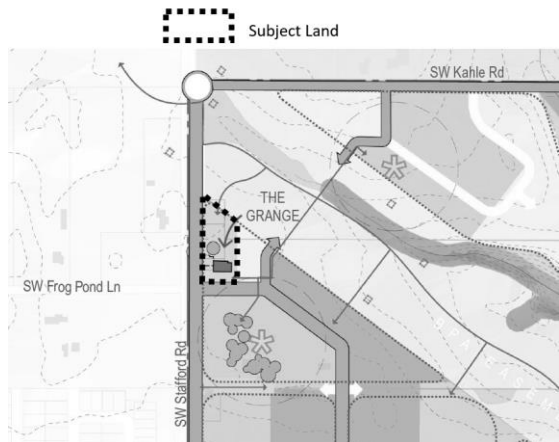


Amendment Description:	Specific Land Use Considerations for Frog Pond East and South
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.24) (new)
Relationship to Frog Pond East and South Master Plan:	Directly implements Implementation Measure 4.1.7.D. 5. And 10. regarding treatment of these specific areas.
Rationale for Amendment Text:	Directly reflects the direction given in the Master Plan with identifying location description and map.
Impact on Housing Cost:	No impacted on housing cost anticipated.
Compliance Notes:	Does not relate to State or Regional regulations. As mentioned above, directly implements Implementation Measure 4.1.7.D. 5. And 10. from the Master Plan regarding treatment of these specific areas.
Recent Edits:	<u>Between June work session and July public hearing:</u> Added code reference to SROZ Map Verification process for Treed area on the south side of SW Kahle Road. <u>Since July public hearing:</u> None

(.24) Special, Specific Land Use Considerations

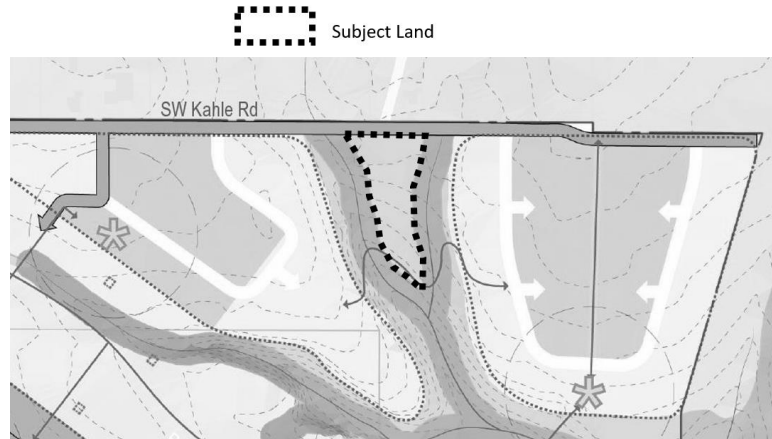
A. Frog Pond Grange Property. This special consideration pertains to an area described as: **the western half of the area of Subdistrict E1 north of the framework street that is an extension of SW Frog Pond Lane and west of the framework street extending across the BPA easement. See Figure A-24 for locational reference. The community supports preservation, reuse, and adjacent uses supportive of the current Frog Pond Grange building. The Frog Pond East and South Master Plan identifies the long-term use of the subject area as maintaining the existing civic/meeting/event space use or substantially similar use with surrounding open space. Any substantial change of use shall require an amendment to the Frog Pond East and South Master Plan. Preservation of the existing building, substantially similar in design to that existing as of the 2022 adoption of the Frog Pond East and South Master Plan, is required on the site unless approved by the Development Review Board with findings providing substantial evidence that preservation is not feasible due to structural issues with the building that are not feasible, either economically or technically, to repair.**

Figure A-24



B. Treed area on south side of SW Kahle Road. This special consideration pertains to an area described as a treed area south of SW Kahle Road between Subdistricts E2 and E3 and bounded on both side by creeks. See Figure B-24 for locational reference. An applicant may request the subject area not be included in the SROZ based on findings made, as part of a SROZ Map Verification pursuant to Section 4.139.05, that the area does not meet the standard to be included in the SROZ. If it is found the area is not to be in the SROZ the Urban Form Type 3 shall apply. There is no minimum unit count and the area would not be considered part of a subdistrict. There would be no housing variety requirement applied.

Figure B-24



Amendment Description:	Remove buffering language for multi-family development
Applicability:	Citywide
Impacted Code Section(s):	4.176 (.04)
Relationship to Frog Pond East and South Master Plan:	Supports the mix of residential types called for in the Master Plan, including multi-family, throughout the Master Plan, by not requiring screening between different unit types.
Rationale for Amendment Text:	Frog Pond East and South focuses on a mix of residential types throughout, rather than segregation of residential types. This legacy language being deleted reflects a development era dominated by separated single-family and multi-family areas without middle housing. Removing this language better reflects the current approach of integration of housing types.
Impact on Housing Cost:	Removes a buffering and screening cost that would apply to multi-family development, reducing cost.
Compliance Notes:	Not driven by any compliance standards.
Recent Edits:	None

Subsection 4.176 (.04) Buffering and Screening

B. Activity areas on commercial and industrial sites shall be buffered and screened from adjacent residential areas. ~~Multi-family developments shall be screened and buffered from single-family areas.~~

Amendment Description:	Deed restriction cannot restrict housing types allowed by zoning
Applicability:	Citywide
Impacted Code Section(s):	4.210 and 4.220
Relationship to Frog Pond East and South Master Plan:	Supports the mix of residential types called for in the Master Plan, but not allowing any to be disallowed by private covenant or deed restriction.
Rationale for Amendment Text:	House Bill 2001 (2019) established that from January 1, 2020, private deed restrictions and covenants, including CC&Rs, could not be written to exclude middle housing. These edits reflects this law and further clarify that any housing type allowed under City zoning cannot be limited by private deed restrictions and covenants.
Impact on Housing Cost:	Removes ability to place barrier to more affordable housing types.
Compliance Notes:	Necessary to comply with a prohibition on CC&R restriction on housing type from House Bill 2001 (2019).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor typographical edits. <u>Since July public hearing:</u> None

Section 4.210 Application Procedure (Tentative Plat)

(.01) C. 4.

Limitations on Deed Restrictions. ~~Board~~ **The City** may limit content of deed restrictions in order to promote local, regional and state interests in affordable housing **and/or comply with applicable statute, rules, and policies;** the Board may limit the content that will be accepted within proposed deed restrictions or covenants. In adopting conditions of approval for a residential ~~subdivision or condominium development~~ **land division**, the Board **or Planning Director may** prohibit such things as mandatory minimum construction costs, minimum unit sizes, prohibitions of manufactured housing, etc. **The City shall, in all cases, ensure no deed restrictions or covenants limit construction of any housing allowed by City zoning for the subject land.**

Section 4.220. Final Plat Review

(.02) C.

Deed restrictions. A copy of all protective deed restrictions proposed for the area shall accompany the final Plat and specifications of all easements and dedications as required by the Development Review Board. The Planning Director shall not sign the final plat if the proposed deed restrictions fail to provide for the on-going maintenance of common areas ~~or,~~ **violate established conditions of approval for the development, or violate other statutes, rules, or standards the City has responsibility to enforce, including those related to not allowing deeds or covenants to limit housing types allowed by the City's zoning for a given property(ies).**

Amendment Description:	Clarify applicability of DRB Site Design Review for housing
Applicability:	Citywide
Impacted Code Section(s):	4.420
Relationship to Frog Pond East and South Master Plan:	Reflects the allowance of a wide variety of housing types, including various types of multi-family, throughout the Master Plan area. Supports the allowance for alternative discretionary review called for in the Master Plan.
Rationale for Amendment Text:	The amendments to this section clarify that residential structures reviewed under clear and objective residential design standards are not subject to Site Design Review by the Development Review Board. Besides providing additional clarity for single-family and middle housing, this proposed change supports the change allowing administrative review of multi-family buildings (apartments). Site Design Review will continue to apply to commercial and industrial buildings, mixed-use residential buildings, and required open space landscaping. The language also allows the option for residential developers to seek Site Design Review as an alternative to following the clear and objective residential design standards.
Impact on Housing Cost:	Supports a simpler review process for housing that helps reduce development costs.
Compliance Notes:	Supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

Section 4.420. ~~Jurisdiction and Powers of the Board~~ **Review Authority for Site Design Review**

- (.01) ~~Application of Section. Except for single-family and middle housing dwellings in any residential zoning district, and apartments in the Village zone,~~
- A. **Unless exempt as noted in 1.-2. below, no building permit shall be issued for a new building or major exterior remodeling of an existing building unless the building architecture and siting is approved by the Development Review Board (Board) through Site Design Review.**
 - 1. **Residential structures in residential zones are exempt from Site Design Review as long as they meet established clear and objective design and siting standards or any allowed adjustments. This exemption does not apply to mixed-use residential structures. However, an applicant may elect to have residential structures approved by the Board through Site Design Review in association with waivers from specific standards.**
 - 2. **Minor building modifications to non-residential structures are reviewed under the authority of the Planning Director as established is Section 4.030.**
 - B. **Unless exempt as noted in 1.-2. below, no building permit within an area covered by a Stage II Planned Development, or PDP in the Village Zone, shall be granted unless landscaping plans are reviewed and approved by the Board through Site Design review, or FDP in the Village Zone.**

1. Landscaping on residential lots in residential zones is exempt from Site Design Review unless it is part of the open space required under Subsection 4.113 (.01).
 2. Minor modifications to landscape plans subject to Site Design are reviewed under the authority of the Planning Director as established in Section 4.030..
- C. No Sign Permit, except as permitted in Sections 4.156.02 and 4.156.05, shall be issued for the erection or construction of a sign relating to such new building or major remodeling, until the plans, drawings, sketches and other documents required for a Sign Permit application have been reviewed and approved by the Board.



Memorandum

From: Daniel Pauly AICP, Planning Manager
To: Planning Commission
Date: October 9, 2024
RE: Additional Edits to Frog Pond East and South Master Plan Implementing Development Code Amendments, Resolution No. LP24-0003

Below are additional edits recommended by staff after additional review and discussion of waiver language specific to Frog Pond East and South. These edits, if recommended by the Planning Commission, will be part of the recommendation to City Council and incorporated into the draft going forward to City Council.

Edits to Proposed Subsection 4.127 (.22) B. 1., add additional specifics about how Chapter 6 of the Master Plan will be used to evaluate waivers in Frog Pond East and South. Added language is highlighted.

(.22) Consideration of Waivers in the Frog Pond East and South Neighborhoods.

- A. Applicants for development in the Frog Pond East and South Neighborhoods may request waivers to applicable development and design standards in Section 4.127 pursuant to Section 4.118 (.03), provided the criteria in subsection B. are met. Waivers are typically applied for with a Stage II final plan. However, when a Stage I approval is requested prior to submission of a Stage II final plan in the Frog Pond East and South Neighborhoods, the applicant may elect to request a waiver or waivers related to standards impacting lot size or dimension, housing variety, the size or location of parks or open space, or the location of streets or pathways in conjunction with the Stage I approval, if the applicant can demonstrate each requested waiver would directly impact site layout. In such case, a Stage II final plan for the same development area may not be applied for until there is a final decision on the Stage I and associated waivers. Each approved Stage I waiver shall expire unless a Stage II final plan consistent with the approved Stage I waiver is submitted within two years.**
- B. In addition to the waiver criteria in Sections 4.118 and 4.140 and applicable Site Design Review standards, when reviewing a waiver for development within the Frog Pond East and South Neighborhoods the Development Review Board's decision shall be based on the following criteria, which reflects guidance in the Frog Pond East and South Master Plan:**
- 1. The development enabled by the waiver is complementary and compatible with development that would typically be built within the subject Urban Form Type as described in Chapter 6 of the Frog Pond East and South Master Plan including structures that match the relevant urban form descriptions on pages 57-59 of the Master Plan and maintaining the transect of urban form shown in Figure 15. Land Use and Urban Form Plan.**

- a. In making findings regarding the waiver criteria in Section 4.140, further direction from Chapter 6 of the Master Plan to be considered includes, but is not limited to, increasing opportunities for affordable housing choices with a focus on exceeding minimum requirements for middle housing, mobility-ready units, and small units as established in Table 6B; improving transitions between different urban forms; and maximizing amenities available to residents and visitors (e.g., additional plazas, active recreation spaces, green focal points, and other gathering opportunities).**
- 2. The waiver continues to support a wide variety of housing throughout the Frog Pond East and South Neighborhoods including not reducing the Minimum Number of Units of any requirement in Table 6B by the greater of 5 units or 20 percent.**
- a. Except as indicated in b. and c. below, the number on which the greater of 5 units or 20 percent is calculated shall be the number as written in Table 6B and shall not include any modification, combination, or summation of the number.**
- b. Where an application includes two or more adjacent tax lots within the same subdistrict, the number on which the greater of 5 units or 20 percent is calculated shall be the sum of the requirements for those tax lots, as allowed in Footnote I. of Table 6B.**
- c. Where a requirement in Table 6B is adjusted pursuant to Subsection, 4.127 (.06) C. 1., the number on which the greater of 5 units or 20 percent is calculated shall be the adjusted number.**

Rationale for Additional Text: Since publication of the packet City staff has continued to look for ways to increase clarity about applicable waiver criteria and factors within the scope of the current project and published notice.

Without the additional text Subsection 4.127 (.22) B. 1. generally points an applicant to Chapter 6 of the Master Plan for what to consider to remain complementary compatible with mapped urban forms. However, Chapter 6 covers land use in general and not just urban form. The added language in B. 1. provides specific reference to key urban form language to reference in determining compatibility, which is a required criterion for proposed waivers in Frog Pond East and South

In addition, the new text acknowledges Chapter 6 does have other key information that would be helpful to consider during waiver listed in Section 4.140. Section 4.140 includes a variety of broad purpose statement type language which serve as factors to consider during a waiver request rather than mandatory criteria. Examples include allowing a development better than one that would result without the waiver and more efficient use of a site due to size and shape. New Subsection B. 1. a. calls out specific items in Chapter 6, beyond the required urban form findings, that applicants should consider in making findings for whichever factors they are using from Section 4.140 to support a waiver request.

Note: The following Development Code language is included for context and reflects what is included in the Development Code amendment package.

4.113 Residential Development in Any Zone

(.07) Fences:

...

E. When fences create an enclosed side yard area five feet or less in width, gates or other openings shall be provided creating a through connection to either a rear yard or alley.

Amendment Description:	Special nuisance regulations for narrow side yards
Applicability:	Citywide, including existing development
Impacted Code Section(s):	6.221 (new)
Relationship to Frog Pond East and South Master Plan:	Accommodates a variety of housing configurations as called for in the Master Plan and associated side yard configurations.
Rationale for Amendment Text:	This language, together with new language in Chapter 4, Subsection 4.113 (.07), above, provides a simple means to ensure narrow fenced areas are maintained and do not become nuisance areas. The concept is that ensuring access will increase use and with increased use there is a greater propensity for maintenance, and if maintenance does not happen there is a specific code provision to address the issue.
Impact on Housing Cost:	Adding a gate creates a minimal cost increase while supporting a clear public policy objective. The requirement applies to all residential types the same.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

6.221. Maintenance of Side Yards in Residential Areas

(1) In addition to nuisances applicable generally to vegetation, junk, and rubbish in residential areas in Sections 6.208, 6.210, 6.216 and 6.220, side yards in residential areas shall be kept clear of overgrown vegetation, excessive rubbish or junk, and any other material that would substantially obstruct the pedestrian passage through the side yard to a rear yard or alley, where such passage is required or otherwise enabled by lack of fencing or provision of gates.

8.310. Compliance with Local, State, and Federal Laws and Regulations.

(1) All users of the Public Stormwater System and any Person or entity whose actions may affect the system shall comply with all applicable local, State and Federal laws and regulations. Compliance with the requirements of this Chapter shall in no way substitute for or eliminate the necessity for compliance with applicable local, State and Federal laws and regulations.

(2) **Waivers to the Stormwater Standards. The City Engineer, or designee, may waive the requirements in the Wilsonville Code and/or Public Works Standards subject to substantial evidence being provided in the record to support an alternative design and demonstrating due to the technical infeasibility and site constraints, including one or more of the following, in a technical report prepared by a Professional Engineer. Pursuant to the City's stormwater permitting requirements, cost is not considered in granting waivers.**

(a) Conditions limiting LID facilities, as established in the Public Works Standards, including steep slopes, contaminated soils, and high groundwater exist.

(b) An innovative design better meets the purpose as established in Subsection A. above.

(c) The minimum unit count required by zoning cannot be met and other clear and objective relief is not available.

(3) Appeals. Any appeal of a decision rendered on a waiver request under Section 8.310(2) must follow the procedures outlined in Section 8.336(12).

ORDINANCE NO. 892 FROG POND EAST AND SOUTH MASTER PLAN IMPLEMENTING DEVELOPMENT CODE – FINDINGS REPORT

October 15, 2024

INTRODUCTION

This Findings Report provides findings supporting the City of Wilsonville’s adoption of Development Code amendments related to the Frog Pond East and South Master Plan in Ordinance No. 892. The proposal includes amendments to the Wilsonville Development Code to implement the Frog Pond East and South Master Plan, adopted as a component of the City’s Comprehensive Plan through City Ordinance No. 870 on December 19, 2022. Ordinance No. 870 included findings, to which this proposal will refer to, as the intent of this proposed legislative action is to help implement the Master Plan.

COMPLIANCE WITH STATEWIDE PLANNING GOALS

ORS 197.175(2)(a) requires that as cities and counties amend and revise land use regulations, such as those in the Development Code, findings are made that they are in compliance with the Statewide Planning Goals. The following findings address the proposal’s compliance with the applicable Statewide Planning Goals. The following Statewide Planning Goals are not applicable because the proposal is entirely within the Urban Growth Boundary or outside of the boundaries of the referenced goal (e.g., Willamette River Greenway):

- Goal 3 – Agricultural Lands
- Goal 4 – Forest Lands
- Goal 15: Willamette River Greenway
- Goals 16-18, the coastal goals

GOAL 1, CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The Frog Pond East and South Master Plan was found to be in compliance with Goal 1. The proposed Development Code directly implements the adopted Master Plan. Being in an implementation stage the focus was on honoring past input rather than seeking new input. The project team did still meet with stakeholders to seek input. The Planning Commission held 14 public work sessions during which public comment and input was accepted. The City Council also held 11 public work sessions. Public hearings are being held, following broad notice, offering opportunity for additional public input.

 GOAL 2, LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

The Frog Pond East and South Master Plan was found to comply with Goal 2. The proposed Development Code further supports Goal 2 by taking the policy framework from the Master Plan and establishing detailed regulations for application to all future land use actions in the Frog Pond East and South UGB expansion area. Having the implementing Development Code in place will provide for a clear process and standards on which all future land use actions in the area will be based, and coupled with existing Development Code will require and ensure adequate factual base for future land use decisions. This includes clear provision on minimum number of dwelling units, the location and provision of parks and open space, and siting and design standards for private development.

As part of the adoption of the Frog Pond East and South Master Plan, the City established a record that includes technical memoranda, studies, and analyses supporting each policy of the Master Plan that is the policy framework for the proposed Development Code.

During the Master Planning process, the following affected governmental units participated or had the opportunity to participate via notices and project information provided to them:

- ODOT
- Metro
- Clackamas County
- West Linn-Wilsonville School District
- TVF&R
- SMART Transit
- The Bonneville Power Administration

The proposed Code amendments are a continuation of the Master Planning effort and are fully reflective of the factual basis and agency outreach in the Master Plan. Based on the foregoing, the City Council finds that the proposal satisfies Goal 2 with respect to having an adequate factual base and being coordinated with all affected governmental units.

 GOAL 5, NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.

Wilsonville's Goal 5 policies in the Comprehensive Plan are implemented by the existing Development Code, specifically Section 4.139.00, the Significant Resource Overlay Zone (SROZ). The proposed Code amendments do not change Goal 5 implementing Development Code sections. The existing SROZ regulations will apply to the Master Plan area the same as elsewhere in the City that has been found to be in compliance with Goal 5.

GOAL 6, AIR, WATER AND LAND RESOURCES***To maintain and improve the quality of the air, water and land resources of the state.***

The Frog Pond East and South Master Plan was found to be in compliance with Goal 6. Nothing in the proposed Development Code would alter the ability of development in the Master Plan area to be built in compliance with the Master Plan and thus Goal 6.

GOAL 7, AREAS SUBJECT TO NATURAL HAZARDS***To protect people and property from natural hazards.***

The proposal satisfies Goal 7 because the City has considered the risks of natural hazards during the planning process. There are no identified floodplains within the planning area. Potential erosion hazards have been addressed through the planned use of the SROZ along the steep slopes of the Meridian Creek and Newland Creek corridors. The City coordinated with Tualatin Valley Fire & Rescue to ensure land uses and transportation facilities provide for adequate emergency response.

The proposed Code amendments continue to protect the same slopes and natural area as the Master Plan, which was found to comply with this goal, thus the proposal also satisfies Goal 7.

GOAL 8, RECREATIONAL NEEDS***To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.***

The proposed Code amendments enable and reflect the same parks and open space elements in the Master Plan, which was found to comply with this goal, thus the proposal also satisfies Goal 8.

GOAL 9, ECONOMIC DEVELOPMENT***To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.***

The proposed Code amendments enable the commercial space in the Master Plan, which was found to comply with this goal, thus the proposal also satisfies Goal 9.

GOAL 10, HOUSING***To provide for the housing needs of citizens of the state.***

The proposed Code amendments directly implement the residential component of the Master Plan, which was found to comply with this goal, thus the proposal also satisfies Goal 10. For additional detail see findings below compliance with Metro Code (beginning on pages 5 and 13 below), compliance with the Wilsonville Comprehensive Plan and Frog Pond East and South Master Plan (beginning on page 21 below).

 GOAL 11, PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The proposed Code amendments do not conflict with and are consistent with the public utilities and services elements of the Master Plan, which was found to comply with this goal, thus the proposal also satisfies Goal 11.

 GOAL 12, TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

The proposed Code amendments do not conflict with and are consistent with the transportation element of the Master Plan, which was found to comply with this goal, thus the proposal also satisfies Goal 12.

 GOAL 13, ENERGY CONSERVATION

To conserve energy.

The proposed Code amendments directly implement of the Master Plan elements found to be supportive of Goal 13, thus the proposal also satisfies Goal 13.

 GOAL 14, URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The proposed Code amendments directly implement the components of the Master Plan supportive of Goal 14, which was found to comply with this goal, thus the proposal also satisfies Goal 14.

 COMPLIANCE WITH METRO TITLE 11: PLANNING FOR NEW URBAN AREAS

 INTRODUCTION

The Frog Pond East and South Neighborhoods were added to the Metro UGB in 2018 by Metro Ordinance No 18-1427. Metro Code 3.07.1120, Planning for Areas Added to the UGB, establishes the requirements for UGB expansion areas such as Frog Pond East and South. Each criterion within 3.07.1120 is stated below in bold italics type, followed by findings of compliance.

The proposed Code amendments related to the Frog Pond East and South Master Plan implement the Master Plan, which in turns implements the City's concept plan for the larger area, known as the Frog Pond Area Plan. Findings of compliance with Metro Code 3.07.1110, Planning For Areas Designated Urban Reserve, were adopted by the City when the Area Plan was approved. They are referenced below.

COMPLIANCE WITH METRO CODE 3.07.1120 PLANNING FOR AREAS ADDED TO THE UGB

A. The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement adopted pursuant to section 3.07.1110(c)(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address the requirements of subsection (c) by the date specified by the ordinance or by section 3.07.1455(b)(4) of this chapter.

The Frog Pond East and South area was added to the regional UGB through Metro's adoption of Ordinance 18-1427. The ordinance refers to the East and South neighborhoods as the "Advance Road Expansion Area." The general conditions state that Title 11 planning should be completed within four years from adoption of the ordinance (December 13, 2018). The City adopted comprehensive plan provisions through Ordinance No. 870 in December 2022 meeting compliance requirements. This proposal adopts the related development code regulations.

B. If the concept plan developed for the area pursuant to section 3.07.1110 assigns planning responsibility to more than one city or county, the responsible local governments shall provide for concurrent consideration and adoption of proposed comprehensive plan provisions unless the ordinance adding the area to the UGB provides otherwise.

The adopted Area Plan assigns planning responsibility solely to the City of Wilsonville; therefore, this section does not apply.

2. Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection;

Frog Pond East and South will be annexed to the City of Wilsonville concurrent with development proposals consistent with this language.

3. Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to section 3.07.1455(b)(2) of this chapter;

The general conditions of Metro Ordinance 18-1427 require the City to "allow, at a minimum, single family attached housing, including townhomes, duplexes, triplexes, and fourplexes, in all zones that permit single family housing in the expansion areas." The requirements specific to Wilsonville also require that the City "plan for at least 1,325 homes in the Advance Road expansion area."

Proposed WC Subsection 4.127 (.02) B. of the proposed amended Residential Neighborhood (RN) Zone standards allows the uses listed in the condition of approval in Frog Pond East and South.

In accordance with relevant implementation language in the Master Plan, the proposed regulations plan for a minimum of 1325 units. Table 6B (copied below) in WC Subsection 4.127 (.06) assigns the minimum by the smaller of subdistrict, a sub geography of the Master Plan area, or existing tax lot. 125 units are assigned to the mixed-use Commercial Main Street, and the remainder are spread across the remaining buildable areas of the Master Plan area based on assigned Urban Form Type and an assumed net residential density for each Urban Form Type. Urban Form Type 1 has an assumed net density of 14.5 units per acre, Urban Form Type 2 has 12.5 units per net acre, and Urban Form Type 3 has 9 units per net acre.

Table 6B. Minimum Number of Units in Frog Pond East and South Sub-districts				
Sub-Districts	Minimum Total Number of Units	Minimum Number of Middle Housing Units ^{A, B, G}	Minimum Number of Small Units ^{B, C, D, G}	Minimum Number of Mobility-Ready Units ^{B, C, E, F, H}
E1	104	26	7	13
E2	110	28	7	14
E3	133	34	9	17
E4 ^H	211			
E4 TL 1101 (portion) ^I	185	15	4	8
E4 TL 1200	24	6	2	3
E4 TL 1000	2	1 ^J	1 ^J	0
E5	227	57	15	29
E6	141	36	9	18
S1	25	7	2	4
S2 ^E	91			
S2 TL 1000 28050 SW 60 th Ave	6	2 ^J	1 ^J	1 ^J
S2 TL 800 5890 SW	6	2 ^J	1 ^J	1 ^J

Advance Rd				
S2 TL 500 5780 SW Advance Rd	5	2 ^J	1 ^J	1 ^J
S2 TL 300 5738 SW Advance Rd	5	2 ^J	1 ^J	1 ^J
S2 TL 100 5696 SW Advance Rd	5	2 ^J	1 ^J	1 ^J
S2 TL 900	5	2 ^J	1 ^J	1 ^J
S2 TL 700	33	9	3	5
S2 TL 400	4	1 ^J	1 ^J	0
S2 TL 200	4	1 ^J	1 ^J	0
S2 TL 1100 28152 SW 60 th Ave	5	2 ^J	1 ^J	1 ^J
S2 TL 1200	5	2 ^J	1 ^J	1 ^J
S2 TL 1300 28300 SW 60 th Ave	8	2 ^J	1 ^J	1 ^J
S3 ^E	125			
S3 TL 1400	25	7	2 ^J	4

28424 SW 60 th Ave				
S3 TL 1500 28500 SW 60 th Ave	25	7	2 ^J	4
S3 TL 1600	8	2 ^J	1 ^J	1 ^J
S3 TL 1800 28668 SW 60 th Ave	8	2 ^J	1 ^J	2 ^J
S3 TL 1700 28580 SW 60 th Ave	10	3	1 ^J	2 ^J
S3 TL 1900 5899 SW Kruse Rd	33	9	3	5
S3 TL 2000 5691 SW Kruse Rd	16	4	1 ^J	2 ^J
S4 ^D	158			
S4 TL 2600	35	9	3	5
S4 TL 2700 28901 SW 60 th Ave	123	31	8	16
MASTER PLAN	1325	288-313*	72-92*	145-162*

AREA TOTAL				
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*varies because only required on smaller tax lots if tax lot consolidated with others in a development application (indicated by J in table above)

In addition to allowing all product types, the proposed Code amendments, consistent with the Master Plan, require certain target unit types including a minimum of 288-313 middle housing units, 72-92 units that are 1200 square feet or less, and 145-162 units with single-level living that require no to minimum stairs to access.

These provisions of the proposed Code meet the minimum housing types and housing unit counts required by Metro Ordinance 18-1427; therefore, this criterion is met.

4. Provision for affordable housing consistent with Title 7 of this chapter if the comprehensive plan authorizes housing in any part of the area.

Metro’s Title 7 requires that cities “ensure that their comprehensive plans and implementing ordinances:

“A. Include strategies to ensure a diverse range of housing types within their jurisdictional boundaries.

“B. Include in their plans actions and implementation measures designed to maintain the existing supply of affordable housing as well as increase the opportunities for new dispersed affordable housing within their boundaries.

“C. Include plan policies, actions, and implementation measures aimed at increasing opportunities for households of all income levels to live within their individual jurisdictions in affordable housing.”¹

On a citywide basis, the City of Wilsonville complies with the above-cited provisions of Metro Title 7 through the policies and implementation measures of the Comprehensive Plan and the housing analysis and recommendations contained in the City’s 2014 Residential Lands Study. In addition, the City’s 2020 Equitable Housing Strategic Plan (EHSP) provides policy guidance for affordable housing in Wilsonville and calls for the Frog Pond East and South Master Plan to establish achievable goals/targets for affordable housing in the area and integrate affordable housing into the master plan.

The City studied issues and opportunities for affordable housing development in Frog Pond East and South in an Affordable Housing Analysis (Technical Appendix to the Frog Pond East and South Master Plan, Appendix B). This analysis recommended a range of strategies (building off the recommendations in the EHSP) that are likely to have the greatest impact in supporting development of affordable and mixed-income housing in Frog Pond East and South. Several of these strategies are carried forward in the Frog Pond East and South Master Plan As the implementation step of strategies from the Master Plan, the proposed Development Code also comply with this Metro Code provision. See Findings below under Frog Pond East and South Master Plan Compliance for detailed findings how each of these policies are further implemented by the proposed Development Code amendments.

¹ Metro Code 3.07.730.

Based on the foregoing, this criterion is met.

5. Provision for the amount of land and improvements needed, if any, for public school facilities sufficient to serve the area added to the UGB in coordination with affected school districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110;

The City of Wilsonville has coordinated with the West Linn-Wilsonville School District throughout the planning processes for the Frog Pond area, including in the East and South Master Plan area. The Meridian Creek Middle School property was the first Frog Pond land to annex and develop after inclusion in the Urban Growth Boundary in 2013, and opened its doors in 2017. The School District is currently planning a new school in the Frog Pond West neighborhood. The School District also has land capacity for another school adjacent to the middle school in the South neighborhood, should additional school capacity be needed in the future. At this time, there are no additional schools being planned by the District in the Frog Pond area; the school needs of future Frog Pond residents will be met by the above-cited facilities and land holdings, in addition to existing schools in Wilsonville. The proposed Code does not include any provision that would prevent compliance consistent with the Master Plan, which was found to be in compliance with this provision of Metro Code. This criterion is met.

6. Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers.

The City of Wilsonville is the parks provider for the Master Plan area. The Master Plan includes a series of parks and open spaces of different sizes to be located centrally and distributed equitably throughout the East and South neighborhoods. Figure 19 in the Master Plan illustrates the Park and Open Space Plan, which provides for the siting of recreational facilities in the following ways:

- The proposed 3-acre East Neighborhood Park, which is centrally located to the East Neighborhood.
- Designation of the 10-acre Future Community Park as a key destination, and siting of walking, biking, and vehicular routes to connect it to the surrounding neighborhoods.
- Planning for the BPA power line easement for a variety of open space uses, including trails and potential recreational uses.
- Planning for the area northeast of the BPA powerline easement as open space.
- Planning for the Frog Pond Grange as a civic and community amenity.
- Providing a network of trails that will serve both recreational and transportation needs.
- Planning Green Focal Points that will establish small open spaces in the subdistricts and opportunities for informal community gathering and play.
- Planning for active transportation (bike lanes, buffered bike lanes, sharrows, and trails) as shown on Master Plan Figure 21, Active Transportation Plan.

The proposed Code does not include any provision that would prevent compliance consistent with the Master Plan, which was found to be in compliance with this provision of Metro Code. The proposed Development Code also furthers the implementation as shown in the Master Plan by establishing provisions that require open space and specific requirement for Green Focal Points. This criterion is met.

7. A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan;

The Street and Block Demonstration Plan (Master Plan, Figure 20) illustrates a potential layout of streets, blocks, and multi-use paths that would achieve the intent of providing connected, convenient, safe, and low-stress transportation options for Frog Pond East and South. The location of framework streets either exists today or will be a direct continuation of existing streets in adjacent urban areas, as shown on the Street and Block Demonstration Plan. The remaining street locations are shown in Figure 19 for demonstration purposes and actual street layout beyond the framework streets will be determined at the time of development review, based on standards contained in the Development Code and Public Works Standards.

A clear hierarchy of street connections is established with SW Stafford Road as a major arterial, SW Advance Road and SW 60th Avenue acting as collector streets, SW Brisband Street as a Main Street (local street), and all other streets as local streets. The spacing standards for street connections in the Regional Transportation Functional Plan (major arterial streets at a one-mile spacing and minor arterial streets or collector streets at a half-mile spacing²) are met by the plan.

The Demonstration Plan's network of local streets provides a local street system at a spacing of approximately 200-450 feet, depending on the presence of pedestrian connections, alleys, etc. These metrics comply with Metro's local street spacing standard of 10 streets per mile or one street every 530 feet. The Demonstration Plan's local street network also provides direct public right-of-way routes and limits closed-end street designs, which is consistent with Metro's connectivity requirements.

The proposed Code provides provisions that would enable and require a street layout consistent with the Master Plan, which was found to be in compliance with this provision of Metro Code. The standards require access spacing and block size consistent with other Planned Development areas of Wilsonville, which include the 530-foot maximum street spacing standard. This criterion is met.

9. A strategy for protection of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.

There are no existing or planned state highway interchanges in the Frog Pond East and South Area. Operations at the nearest highway interchanges at Wilsonville Road and Elligsen Road were evaluated as part of the transportation analysis for the Master Plan. (Master Plan Technical Appendix, Appendix I). This analysis concluded that the interchange ramps will continue to function acceptably through the planning horizon after accounting for the full build-out of the Frog Pond East and South Neighborhoods, which includes up to 1,800 housing units and up to 44,000 square feet of commercial space.

The proposed Code does not include any provision that would prevent compliance consistent with the Master Plan, which was found to be in compliance with this provision of Metro Code. This criterion is met.

D. The county or city responsible for comprehensive planning of an area shall submit to Metro a determination of the residential capacity of any area zoned to allow dwelling units, using a method consistent with a Goal 14 analysis, within 30 days after adoption of new land use regulations for the area.

The proposed Code does not include any provision that would prevent meeting this capacity consistent with the Master Plan, which was found to be in compliance with this provision of Metro Code upon adoption in December 2022. Specifically, the Code does not set any residential maximum densities that would be a barrier to this capacity. This criterion is met.

SUMMARY OF COMPLIANCE WITH METRO ORDINANCE 18-1427

The following findings summarize the City's compliance with Metro Ordinance 18-1427 as of the adoption of the Frog Pond East & South Master Plan.

A.1 – The City amended its Comprehensive Plan to adopt the Master Plan on December 19, 2022, within four years of the Ordinance adoption date of December 13, 2018. Work has continued to adopt the Development Code and Infrastructure Funding Plan, both being adopted in late summer/fall of 2024.

A.2 – The City has completed its compliance with and implementation of HB 2001 for Middle Housing. The City allows townhomes, duplexes, triplexes, and fourplexes in all zones that permit single family housing in its base zones and in the planned application of the Residential Neighborhood zone in Frog Pond East and South. Consistent with the Mater Plan, the proposed Code allows and even encourages and requires middle housing in Frog Pond East and South. See especially, proposed WC Subsection 4.127 (.02) B. and Table 6B in WC Subsection 4.127 (.06).

A.3 – Consistent with the Master Plan, the proposed Code encourages ADUs. This includes siting requirements that would reduce barriers, allowing ADUs with all townhouses, and encouraging them by allowing them to count for multiple required categories of units in Table 6B of WC Subsection 4.127 (.06). In addition, for calculating of maximum land dedicated to one type of unit, the code incentivizes ADUs to count as half the area of a lot, even if it only occupies a small portion. The incentive works by allowing additional land to be dedicated to detached homes or townhouses over the otherwise limit by allowing ADUs to count as larger than occupied share of the land and towards a second or third unit type. This incentivizes ADUs over another additional unit type that would not get the larger than occupied benefit. See proposed Subsection 4.127 (.06) D. and E.

A.4 – The Master Plan incorporates recommendations consistent with Metro's Climate Smart Strategy in the following ways:

- The Master Plan includes a mixed-use Main Street.
- The Master Plan includes about 24% of its housing in the Type 1 urban form, estimated at a minimum density of 14.5 du/net ac. The Master Plan includes about 56% of its housing in the Type 2 urban form, estimated at a minimum density of 12.5 du/net ac. In the Wilsonville

context, these are higher density housing types and a significant proportion of attached and middle housing choices.

- The Master Plan recommends a transit loop for the local SMART bus that will connect key destinations (Meridian Creek Middle School, the future Community Park, the central Type 1 housing area of Frog Pond East, and Main Street) and provide local bus service within a few blocks for most homes in the two neighborhoods.
- The Master Plan includes an extensive Active Transportation Plan.

The proposed Code does not include any provision that would prevent compliance consistent with the Master Plan, which was found to comply with this Condition of Approval. In fact, the proposed Development Code sets policies and requirements that will well exceed the minimum requirements, particularly by having transit access in excess of what would be typically expected at an edge suburban location, and well-planned infrastructure for biking and walking.

A.5 - The City has coordinated with Metro Planning and Development staff during the planning process for the Master Plan and implementing Development Code.

A-6 – During the Development Code implementation work, the City focused on implementing the Master Plan developed through extensive public engagement. The City has continued to engage with stakeholders, held a substantial number of public work sessions, and completed the required notice of Public Hearings.

F.1 – The Ordinance requires planning for at least 1325 homes. In accordance with relevant implementation language in the Master Plan, the proposed Code adopts clear and objectives standards requiring a minimum of 1325 units. Table 6B (copied below) in WC Subsection 4.127 (.06) assigns the minimum by the smaller of subdistrict, a sub geography of the Master Plan area, or existing tax lot. 125 units are assigned to the mixed-use Commercial Main Street, and the remainder are spread across the remaining building areas of the Master Plan areas based on assigned Urban Form Type and an assumed net residential density for each Urban Form Type. Urban Form Type 1 has an assumed net density of 14.5 units per acre, Urban Form Type 2 has 12.5 units per net acre, and Urban Form Type 3 has 9 unites per net acre.

Table 6B. Minimum Number of Units in Frog Pond East and South Sub-districts				
Sub-Districts	Minimum Total Number of Units	Minimum Number of Middle Housing Units ^{A, B, G}	Minimum Number of Small Units ^{B, C, D, G}	Minimum Number of Mobility-Ready Units ^{B, C, E, F, H}
E1	104	26	7	13
E2	110	28	7	14
E3	133	34	9	17

E4 ^H	211			
E4 TL 1101 (portion) ¹	185	15	4	8
E4 TL 1200	24	6	2	3
E4 TL 1000	2	1 ^J	1 ^J	0
E5	227	57	15	29
E6	141	36	9	18
S1	25	7	2	4
S2 ^E	91			
S2 TL 1000 28050 SW 60 th Ave	6	2 ^J	1 ^J	1 ^J
S2 TL 800 5890 SW Advance Rd	6	2 ^J	1 ^J	1 ^J
S2 TL 500 5780 SW Advance Rd	5	2 ^J	1 ^J	1 ^J
S2 TL 300 5738 SW Advance Rd	5	2 ^J	1 ^J	1 ^J
S2 TL 100 5696 SW	5	2 ^J	1 ^J	1 ^J

Advance Rd				
S2 TL 900	5	2 ^J	1 ^J	1 ^J
S2 TL 700	33	9	3	5
S2 TL 400	4	1 ^J	1 ^J	0
S2 TL 200	4	1 ^J	1 ^J	0
S2 TL 1100 28152 SW 60 th Ave	5	2 ^J	1 ^J	1 ^J
S2 TL 1200	5	2 ^J	1 ^J	1 ^J
S2 TL 1300 28300 SW 60 th Ave	8	2 ^J	1 ^J	1 ^J
S3 ^E	125			
S3 TL 1400 28424 SW 60 th Ave	25	7	2 ^J	4
S3 TL 1500 28500 SW 60 th Ave	25	7	2 ^J	4
S3 TL 1600	8	2 ^J	1 ^J	1 ^J
S3 TL 1800 28668 SW 60 th Ave	8	2 ^J	1 ^J	2 ^J

S3 TL 1700 28580 SW 60 th Ave	10	3	1 ^J	2 ^J
S3 TL 1900 5899 SW Kruse Rd	33	9	3	5
S3 TL 2000 5691 SW Kruse Rd	16	4	1 ^J	2 ^J
S4 ^D	158			
S4 TL 2600	35	9	3	5
S4 TL 2700 28901 SW 60 th Ave	123	31	8	16
MASTER PLAN AREA TOTAL	1325	288-313*	72-92*	145-162*

*varies because only required on smaller tax lots if tax lot consolidated with others in a development application (indicated by J in table above)

COMPLIANCE WITH OREGON REVISED STATUTES AND ADMINISTRATIVE RULES

DEVELOPMENT OF MIDDLE HOUSING

ORS 197.758 and OAR 660-046

ORS 197.758(2) is the implementing statute for House Bill 2001 (HB 2001). The statute requires Oregon cities with populations over 25,000 and those within the Portland Metro boundary (collectively referred to as "Large Cities") to adopt development code regulations and comprehensive plan amendments to allow for the development of: (1) all Middle Housing types (duplexes, triplexes, quadplexes, townhouses, and cottage clusters) in areas zoned for residential use that allow for the development of detached single-family dwellings; and (2) a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings. The City of Wilsonville came into

compliance with these regulations in 2021 through adoption of Ordinance No. 851, which amended the Comprehensive Plan and Development Code to allow all Middle Housing types in all residential zones, in compliance with the statute. This included amendments to the RN zone, which will be the implementing zone for the Frog Pond East and South Master Plan. Consistent with the Master Plan, the proposed Code allows and even encourages and requires middle housing in Frog Pond East and South. See especially, proposed WC Subsection 4.127 (.02) B. and Table 6B in WC Subsection 4.127 (.06). In Table 6B between 288 and 313 middle housing units are required at a minimum, approximately 20% of the anticipated build out. The number varies on whether certain smaller existing tax lots are consolidated for development. If not, they are too small to meet variety requirements on their own.

ORS 197.758(5) and ORS 197A.420 state that local governments may regulate siting and design of Middle Housing provided that the regulations do not, individually or cumulatively, discourage the development of all Middle Housing types permitted in the area through unreasonable costs or delay. OAR 660-046-0210(3) provides specific standards limiting which siting standards comply with this ORS requirement (See also OAR 660-046-0215, 0220, 0225). The OAR's standards are incorporated into the Development Code text amendments and all proposed standards fall into one of two "safe harbors" in the OAR. The two "safe harbors" are (1) standards being applied the same as or less restrictive than detached single-family homes to middle housing and (2) housing-type specific model code and specific provisions included in the OAR. A more complicated "alternative design standards" process is also laid out in OAR. OAR 660-046-0235 identifies the type of analysis that would be needed for these "alternative design standards". This analysis is not needed for the proposed code amendments as all applicable amendments fall under the "safe harbors". Specifically, the proposed siting and design standards in Frog Pond East and South are consistent with those in the existing RN zone and elsewhere in the City previously found to be OAR-compliant with the adoption of Ordinance No. 851. All design standards for Middle Housing in Frog Pond East and South as well as new standards applicable to middle housing citywide, such as stormwater design standards, are clear and objective and either the same as (or less restrictive than) the Model Code for Large Cities, or are the same as those applied to single-family detached dwellings in the same zone.

OAR 660-046-0205(2)(b)(A) identifies options for regulating Middle Housing within Master Planned Communities (MPC) adopted after January 1, 2021. Frog Pond East and South will qualify as an MPC under these provisions. The OAR identifies three regulatory options within MPCs: (i) plan to provide infrastructure that accommodates at least 20 dwelling units per net acre; (ii) plan to provide infrastructure based on the implementation of a variable rate infrastructure fee or system development charge or impact fee; or (iii) require applications for residential development within an MPC to develop a mix of residential types, including at least two Middle Housing types other than Duplexes. In addition, the OAR allows MPC to meet the general requirements of OAR 660-046-0205(2) by allowing for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, in areas zoned for residential use that allow for the development of detached single-family dwellings. The City is electing to comply with this general requirement. The proposed Code specifically includes the proposed WC Subsection 4.127 (.06) F. which states, "Pursuant to ORS 197A.420 and OAR 660-046-0205, any lot identified for single-family development in the Stage I or II Master Plan can also be developed or redeveloped as middle housing even if the maximum percentage of a Middle Housing Unit Type, as listed in Table 6C, is exceeded. However, this does not allow the maximum for a single Middle Housing Unit Type to be exceeded in initial planning or compliance verification. This would only apply at the time of future building permit issuance or replat of individual lots." Notably, by its compliance method selection, the City provides more flexibility than OAR authorizes. The City could require at least two middle housing

types besides duplexes, but allows flexibility to meet middle housing with fewer unit types, including primarily by townhouses. Also, the City increases flexibility related to the requirements by not mapping areas that are required to be certain unit types. Allowing developers to do the site planning under the proposed standards adds substantial flexibility both in choosing unit types and where to place them. Alternatively, the City could have mapped areas for apartments, multiple types of middle housing, with a note that areas that are mapped for detached single-family homes also must allow middle housing. This mapping approach is similar to what occurred in Villebois, but the City recommends the proposed approach to increase flexibility while having the intended housing variety outcomes.

Senate Bill 458 (SB 458), which is added to ORS 92.010 to 92.192, requires local governments subject to HB 2001 to allow land divisions for any middle housing type permitted in accordance with code provisions adopted under ORS 197.758. The City incorporated the middle housing land division requirements of SB 458 into the Development Code as part of Ordinance No. 851. This included revisions to definitions, review procedures, and land division regulations, among others. No changes to those provisions will be proposed as part of the proposed Code amendments.

COMPLIANCE WITH WILSONVILLE COMPREHENSIVE PLAN AND DEVELOPMENT CODE AMENDMENT STANDARDS

INTRODUCTION

Finding of conformance with the Comprehensive Plan are required pursuant to WC Subsection 4.197 (.01) B. 2. The standards for amendments are listed below in bold, italic type, followed by FINDINGS.

WILSONVILLE COMPREHENSIVE PLAN-PUBLIC INVOLVEMENT

Public Involvement-In General

Goal 1.1, Policy 1.1.1

By following the applicable implementation measures, see findings below, the City provided opportunities for public involvement encouraging, and providing means for, involvement of interested parties. This includes numerous public work sessions, the public hearing process, including the notice, engaging stakeholders, and making information available on Let's Talk, Wilsonville! with the opportunity to provide feedback.

Early Involvement

Implementation Measure 1.1.1.a.

The Planning Commission and City Council and community members have had opportunity to comment on the proposed Master Plan in public work sessions and other public events while still in draft form. The City held 14 Planning Commission work sessions and 11 City Council work sessions between January 2023 and June 2024. For all these meetings the opportunity was available to the public to view and participate remotely or in-person. The meeting recordings were made available for viewing afterwards on the City's YouTube channel. City staff also held numerous meetings with interested developers. Specific examples of how input received from public input, including from developers during the process was incorporated and impacted the proposed Code text is as follows:

- Rewording definition of Net Development Area
- Allowing 1/3 of Mobility-Ready Units to include a stair-accessed portion (i.e. primary on main type design)

- Removing the maximum amount of stormwater that can go to one facility and a maximum size of stormwater facilities
- Simplifying the approach to side yard fences
- Making garage width based on door width from frame
- Allowing articulation to be used in lieu of actual building separation for multi-family building maximum building width in Urban Form Type 2
- Where commercial is required for ground-floor mixed use, allowing Business-Integrated Dwellings Units for additional flexibility.
- Ensuring standards allow multi-family in Urban Form Type 3 to accommodate multi-family in an area that could be a private sewer pump station
- Allowing flexibility on building height in Urban Form Type 3 to allow three-story townhouses
- Providing a clear number of unit minimums for each subdistrict, rather than using formulas, as seen in proposed Table 6B in Subsection 4.127 (.06)
- Optimizing flexibility for different types of units to count towards target units, including middle housing, small units, and mobility-ready units
- Allowing flexibility across subdistrict lines to help them meet the minimum standards
- Adding language allowing minimum requirements to be proportionately reduced if net development area is lower than expected
- Providing special language about calculating net area in Subdistrict E4, which has the Commercial Main Street, to remove commercial parking area from the net area
- Expressing flexibility on neighborhood park location in Frog Pond East as long as the design standards / features outlined in Master Plan can be met
- Incorporating stakeholder feedback into the proposed stormwater design standards

Encourage Participation of Certain Individuals, Including Residents and Property Owners

Implementation Measure 1.1.1.e.

The City encouraged residents, property owners, and other interested parties impacted by the proposed Code amendments through notice and ample opportunity to provide input. The City also included projects information on the City's Let's Talk, Wilsonville! website.

Procedures to Allow Interested Parties to Supply Information

Implementation Measure 1.1.1.f.

The City afforded interested parties the opportunity to provide oral input and testimony during the public hearings. Throughout the work sessions and extended period of work, the City also encouraged and afforded opportunity for comments either in writing or in-person or virtually at Planning Commission meetings.

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

Implementation Measure 1.1.1.g.

Prior to the scheduled public hearing on the proposed Code amendments, the Planning Commission held a series of 14 work sessions open to the public from January 2023 to June 2024, during which the Planning Commission considered public input and provided feedback, which was incorporated into the current draft.

Public Notices for Planning Commission Meetings

Implementation Measure 1.1.1.h.

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

User Friendly Information for Public***Policy 1.2.1, Implementation Measures 1.2.1.a., b., c.***

The published notecard mailings and notices provided user-friendly information about the purpose, location, and nature of the meetings as has been standardized by the City. The mailings widely publicized different ways for impacted parties to participate, access additional information about the proposal, and staff contact information for questions they may have. The notice to impacted parties provided the necessary information for them to access to the draft Code and staff report on which the Planning Commission will base their decision. Staff provided contact information and links to these files via the Let's Talk, Wilsonville! webpage.

Coordinate Planning Activities with Affected Agencies***Implementation Measure 1.3.1.b.***

The Master Plan was coordinated with other agencies including with the West Linn-Wilsonville School district on both future school needs and property they own in the area, TFV&R, on right-of-way design, and Clackamas County on road jurisdiction and impact on intersections that will remain county responsibility. Nothing in the proposed Code edits changes the Master Plans ability to be implemented consistent with the prior coordination.

WILSONVILLE COMPREHENSIVE PLAN-HOUSING AND RESIDENTIAL AREAS

Variety and Diversity of Housing***Policy 4.1.4, Implementation Measures 4.1.4.b.,d.,j.,o.***

Consistent with the Master Plan, the proposed Code amendments strongly supports Wilsonville's policies and implementation measures related to providing a variety of housing options to meet diverse housing preferences and needs. The Code first allows a variety by zoning not by housing type or density but by urban form. It adds to this minimum unit requirements that a variety of housing types be built and that the variety be integrated spatially throughout the planning area.

The proposed regulatory approach to housing variety and diversity is different than previously used in the City. The approach is different out of necessity due to updated State statute and rules. While the approach is different, it is clear and objective and results in similar variety and diversity requirements as Villebois. It also aligns with other master-planned areas in the region being planned, and emerging regulatory requirements.

Villebois has been successful with a variety of housing types and gives the City confidence in the feasibility of the variety requirements for Frog Pond East and South. Below is a comparison of variety in Villebois and proposed in Frog Pond East and South.

	Total Units	Middle Housing	Mobility-Ready	Detached single-family
Villebois built/approved	2593	524 (20.2%) Townhouses	421+ (16%+)	1538 (59.3%)
Frog Pond East and South	1325 min. 1625 assumed	313 (19.3%) Min.	160 (9.8%) Min.	792 (48.7%) Estimated Max.

- The Frog Pond East and South Master Plan actually requires many fewer housing types than Villebois. The Master Plan could be built with as few as three housing types, where the Villebois Village Master Plan had 13, 11 of which were built.

The City has reviewed a number of similar contemporary plans in the Portland Metro area and see similar variety themes, this includes River Terrace 2.0 in Tigard, Cooper Mountain North in Beaverton, and Witch Hazel Village South in Hillsboro.

- All plans include a housing mix/middle housing
- All plans avoid type separation and encourage block-level mix of housing types
- Some have 30+% middle shown in models or proposed requirements
- Some require multiple housing types in development

Initial draft OHNA (Oregon Housing Need Analysis) “safe harbor” requirements are looking at zoning for 50% MFR and 25% Middle Housing; locational safe harbors are still being drafted (with the intent that housing types are integrated).

Recent Urban Growth Report data from Metro for growth capacity includes middle housing assumptions from 26-34 percent of total new housing, varying depending on low, medium, and high growth assumptions.

Based on this information, the City finds the proposed variety requirements are reasonable, feasible, and appropriate.

Public Services and Facilities

Implementation Measure 4.1.4.b.,h.,i.,o.,r.

The adopted Master Plan includes components to provide the necessary infrastructure and services. Future development proposals will need to follow the plans to ensure provision of adequate public services and facilities. Nothing in the proposed Code edits changes the Master Plans ability to implement the planned public services and facilities.

Safe, Convenient, Healthful, Attractive Residential Areas; Compatibility with Adjacent Areas

Implementation Measure 4.1.4.c.,t.

The adopted Master Plan carries forward the vision of the Frog Pond Area Plan to “create great neighborhoods that are a connected part of Wilsonville” and create “cohesive design where individual private development and public realm improvements fit seamlessly together into a coordinated whole”. Examples of how this is done include carrying forward a number of the public realm design elements from Frog Pond West and being thoughtful about how the urban form interacts with adjacent development. The proposed Code amendments carries forward the vision of the Master Plan by providing detailed requirements of the public realm design and implementing the urban forms along the edges. The proposed Development Code supports the implementation of the connectivity plans and active transportation components of the Master Plan, including implementing street and pathway spacing.

Housing Needs

Implementation Measure 4.1.4.f.-g.,k.-m.,p.

The adopted Master Plan was found to be implementing housing need building on the 2014 HNA and 2020 Equitable Housing Strategic Plan, with an overall focuses on housing. The proposed Code mirrors and implements the Master Plan. The Master Plan compliance findings are below.

FROG POND EAST AND SOUTH MASTER PLAN COMPLIANCE

Ordinance No. 870 adopted amendments to the text of the Comprehensive Plan related to Frog Pond East and South as well as the Frog Pond East and South Master Plan as a supporting document of the Comprehensive Plan. The findings below first respond to Comprehensive Plan text and then to the Master Plan text. The responses to the Master Plan focus on Chapter 8, Implementation, which lays out the implementation steps for the remaining Chapters. Responses to other Chapters will be limited to specific Public Realm language from Chapter 7, Public Realm, not referenced in Chapter 8.

Designation and Mapping of Subdistricts

Implementation Measure 4.1.7.D.1.

Subdistrict boundaries were thoughtfully considered during Master Planning and are not arbitrary. Page 47 of the Master Plan specifically addresses the purpose of the subdistricts as a community design concept to promote “neighborhoods within neighborhoods”. The Master Plan directs further that a number of standards, including minimum unit type, housing variety, and green focal point requirements are applied at a subdistrict level based on the “neighborhoods within neighborhoods” concept. This additionally ensures housing variety is throughout the development rather than segregated and ensures close by gathering places for all residents in Frog Pond East and South. The subdistrict approach mirrors a similar approach in Villebois that used “Specific Areas” for neighborhoods within neighborhoods design. Subdistricts are carefully defined by existing and planned edges and boundaries such as the BPA corridor, riparian corridors, and framework streets. They are generally designed to have approximately 20 acres.

Subdistricts are implemented in a clear and objective manner by proposed WC Subsection 4.127 (.05) A. 2. The proposed language provides the necessary detail to ensure there is clarity in the boundaries of the subdistricts.

Initially, only a map was planned to guide Subdistrict boundary implementation. However, feedback received indicated that only a map is likely to still leave too much unclarity for specific boundaries. Text was added to supplement the map to clearly define the boundaries for the subdistricts.

Clear and Objective Standards-Minimum number of units at subdistrict or tax lot level

Implementation Measure 4.1.7.D.2.a.

This is implemented by Table 6B in WC Subsection 4.127 (.06). The table establishes a minimum for each subdistrict and tax lot. The minimums established in the table include minimums for three priority housing types or “target housing types” called for in the Master Plan. These include middle housing, small units 1200 square feet or less, and mobility-ready units. The total is summed in table below. Middle housing represents approximately 20 percent of anticipated build out, small units (1200 square feet or less) five percent of anticipated build out, and mobility-ready units ten percent of anticipated build out. These minimum standards require a certain amount of these unit types to provide lower cost and accessible housing options throughout the Master Plan area.

Minimum Total Number of Units	Minimum Number of Middle Housing Units	Minimum Number of Small Units	Minimum Number of Mobility-Ready Units
1325	288-313*	72-92*	145-162*

*varies because only required on smaller tax lots if tax lot consolidated with others in a development application

Clear and Objective Standards-Development standards based on urban form types

Implementation Measure 4.1.7.D.2.b.

This is implemented by Tables 8B and 8C in WC Subsection 4.127 (.08). Wherever appropriate, and where not otherwise noted, the standards are mirrored after similar standards in other residential zones in Wilsonville or Frog Pond West and precedent unit examples shared during the Master Planning and Code development process. Special attention was paid to ensure standards create meaningful differentiation between the different residential Urban Form Type Designations. In addition, consideration was given to the wide array of housing types allowed throughout Frog Pond East and South and the desired variety. Notable unique standards include:

- An independent numerical lot size requirement is not established, rather lot size must be of sufficient size to meet other applicable development standards. This simplifies the code, removes barriers to proposed housing variety, and prevents complexities and likely contradictions in the standards.
- Front setbacks that are uniform on any given street to create a more consistent streetscape. See Table 8C.
- Creating a maximum building width that becomes a key standard controlling building bulk and differentiating between different Urban Form Types.
- Creating a minimum distance between buildings when multiple buildings are on a lot so they mirror required setbacks to create consistency in built form regardless of lot patterns.

Clear and Objective Standards-Require a variety of housing and minimum and maximum of specific housing types

Implementation Measure 4.1.7.D.2.c.

This is implemented by a combination of Table 6B in WC Subsection 4.127 (.06) and WC Subsection 4.127(.06) E. Table 6B sets minimums for priority or “target” unit types including middle housing, small units 1200 square feet or less, and mobility-ready units that having living facilities on the ground floor. Rather than establish formulas that could cause future uncertainty, the table does the math and just states the answer of the formula. The minimum required of middle housing, small units, and mobility-ready units are listed as numbers, calculated from an assumed moderate buildout, and rounded up to the next whole number for each. Moderate buildout represents 125% of the minimum buildout (this mimics historic regional zoning approaches of setting a maximum density and minimum density at 80% of that max; the vast majority of developers exceeded minimums and hit the maximum allowed unit counts; thus, we have assumed developers will continue to exceed minimum unit counts). The set

percentage for middle housing is 20% (288-313 total units throughout Frog Pond East and South) , small units is 5% (72-92 total units throughout Frog Pond East and South), and mobility-ready units is 10% (145-162 total units throughout Frog Pond East and South). The range for each percentage exists because they are only required on smaller tax lots if the tax lot is consolidated with others during development.

These percentages are as recommended by the project team and reviewed by the Planning Commission and City Council in work sessions. The Frog Pond East and South Master Plan do not establish what the percentage of the priority or “target” units should be. Determining the appropriate percentage was among the decisions of Planning Commission and City Council during the drafting of the proposed Development Code amendments. Guiding principles used in the determination of the percentages include looking at local precedent, other precedent, considering market feasibility, and avoiding unintended consequences, especially inadvertently requiring a housing type either directly or indirectly. For middle housing, 20 percent is very close to the amount of middle housing built in the precedent-setting Villebois Village Master Plan area, which has 20.2 percent middle housing. The small unit percentage of five percent was solidified after reviewing sales data of small units in Clackamas and Washington County and set at a level that provided an impactful number of units, but did not push too aggressively on the market. For the mobility-ready units Villebois was compared, which has approximately 16 percent mobility-ready units. However, many of these mobility-ready units in Villebois are multi-family units that are not required to be built at the same scale in Frog Pond East and South making the number in Frog Pond East and South likely lower. The City also examined data from the American Community Survey and other sources to establish that approximately 7.1 percent of current Wilsonville residents have mobility limitations. Considering a good portion of mobility-ready units may be occupied by residents without mobility limitations, increasing the requirement to 10 percent was determined to create a reasonable likelihood that a unit would be available to the residents that do have mobility limitations.

WC Subsection 4.127(.06) E. clearly defines the number of unit types required in each development proposal, generally three, with practical flexibility added for smaller development where it may be infeasible to have the three unit types. The sixty percent maximum of net area for any single housing unit type is anticipated to prevent any single unit type to dominate any area by enabling only about half of the units to be a single unit type, which is consistent with the Master Plan housing variety policy objectives. Sixty percent was solidified as the best choice during work sessions as it is near half, but adds some flexibility and reduces the percentage of “gap units” not covered by a maximum or minimum requirement while not allowing a single unit category to dominate. It also avoids a scenario that may occur with a fifty percent requirement where multiple housing categories are on the verge of meeting the maximum and limit future flexibility.

In establishing the variety of standards, care was taken to not unreasonably increase cost to development.

The City analyzed the impact of the variety standards on cost. Housing Variety requirements indicated by the minimums in the table do require additional unit types than might otherwise be built, which can increase certain design and construction costs. Care was taken in drafting the standards to establish standards that did not create too granular of standards as to unduly decrease the ability to use standard industry efficiencies in design and construction. See examples of how care was taken below. When weighed with the variety standards ensuring production of lower cost unit types, the potential for added costs of producing more types of units is off-set. The City finds when weighing the considerations, it is

better to have relatively higher design and construction costs on lower-cost units than only have more higher-cost housing that may be more cost-efficient to design and build, but do not provide lower-cost unit types to the market. The following are specific steps the proposed variety requirements take to balance the potential to increase cost of a given housing unit due to less design and construction efficiency.

- Not generally requiring variety within a block, but allowing “block level variety” as required in the Master Plan to be substantially met with variety on adjacent blocks and across the street.
- Thoughtfully choosing geographic size and number of units per certain geographic size that ensure variety throughout the plan area but do not unduly increase the number of unit types to be designed and built.
- Exempting small developments from requirements such as small unit and mobility-ready unit minimums to avoid forcing too many unit types in small areas.
- Allowing each variety requirement to be met by different unit types, thus providing flexibility and reducing the likelihood a new custom home design will be needed to meet a given standard. Each variety requirement can be met by at least 2-3 housing types or configurations. Each requirement can be met by commonly built suburban housing types, which have historically been built in Wilsonville, including detached homes, town houses, and apartments.
- Allowing a single unit to be counted against meeting multiple requirements. For example, a cottage in a cottage cluster could meet middle housing, small unit, and mobility-ready requirements. This allows more land to be used by other units as well as if a developer does create a new home design for the development, they are able to maximize its use and not have to create multiple new home designs.

Beyond the variety-related concerns, the mobility-ready unit requirement does have potential to increase costs as a similarly square foot unit on a single floor takes up more land and has more roof area (an expensive portion of the construction) than a multi-floor unit. However, the regulations allow multiple ways for the requirement to be met minimizing this impact on cost by allowing more units, such as ADUs and ground floor apartments, as well as primary-on-main units that have an upstairs portion, to help meet the requirement. The requirement is tailored to be directly responsive to a policy goal of more mobility-friendly units while minimizing impact on costs.

The proposed regulatory approach to housing variety is different than previously used in Master Planned communities in Wilsonville like Villebois, but it offers similar outcomes to Villebois. It also aligns with other master-planned areas in the region being planned, and emerging regulatory requirements. The approach is different out of necessity due to updated Statute and rules. Villebois has been successful with a variety of housing types and gives the City confidence in the feasibility of the variety requirements for Frog Pond East and South. Below is a comparison of variety in Villebois and Frog Pond East and South.

	Total Units	Middle Housing	Mobility-Ready	Detached single-family
Villebois built/approved	2593	524 (20.2%) Townhouses	421+ (16%+)	1538 (59.3%)
Frog Pond East and South	1325 min. 1625 assumed	313 (19.3%) Min.	160 (9.8%) Min.	792 (48.7%) Estimated Max.

- In regards to different types of housing, the Frog Pond East and South Master Plan actually requires many fewer housing types than Villebois. The Master Plan could be built with as few as three housing types, where the Villebois Village Master Plan had 13, 11 of which were built.
- The City has reviewed a number of similar contemporary plans in the Portland Metro area and see similar variety themes, this includes River Terrace 2.0 in Tigard, Cooper Mountain North in Beaverton, and Witch Hazel Village South in Hillsboro.
 - All plans include a housing mix/middle housing
 - All plans avoid type separation and encourage block-level mix of housing types
 - Some have 30+% middle shown in models or proposed requirements
 - Some require multiple housing types in development
 - Some use a “transect” concept
- Initial draft OHNA (Oregon Housing Need Analysis) “safe harbor” requirements are looking at zoning for 50% MFR and 25% Middle Housing; locational safe harbors are still being drafted (with the intent that housing types are integrated).
- Recent Urban Growth Report data from Metro for growth capacity includes middle housing assumptions from 26-34 percent of total new housing, varying depending on low, medium, and high growth assumptions.

Clear and Objective Standards-Require middle housing Implementation Measure 4.1.7.D.2.d.

Table 6B in the proposed WC Subsection 4.127 (.06) establishes the required middle housing in each subdistrict and tax lot. The minimum required amount of middle housing is calculated from an assumed moderate buildout and rounded up to the next whole number. Moderate buildout represents 125% of the minimum buildout. The set percentage for middle housing is 20% of units.

The proposed regulatory approach to middle housing is different than previous integration of middle housing into master-planned communities in Wilsonville, particularly Villebois. The approach is different

out of necessity due to updated Statute and rules. While the approach is different, it brings similar amount of middle housing as Villebois. It also aligns with other master-planned areas in the region being planned, and emerging regulatory requirements. Villebois has been successful with middle housing and gives the City confidence in the feasibility of the middle housing requirements for Frog Pond East and South. Below is a comparison of middle housing in Villebois and Frog Pond East and South.

	Total Units	Middle Housing
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 - Some have 30+% middle housing shown in models or proposed requirements

OAR 660-046-0205(2)(b)(A) identifies options for regulating Middle Housing within Master Planned Communities (MPC) adopted after January 1, 2021. Frog Pond East and South will qualify as an MPC under these provisions. The OAR identifies three regulatory options within MPCs: (i) plan to provide infrastructure that accommodates at least 20 dwelling units per net acre; (ii) plan to provide infrastructure based on the implementation of a variable rate infrastructure fee or system development charge or impact fee; or (iii) require applications for residential development within an MPC to develop a mix of residential types, including at least two Middle Housing types other than Duplexes. In addition, the OAR allows MPC to meet the general requirements of OAR 660-046-0205(2) by allowing for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, in areas zoned for residential use that allow for the development of detached single-family dwellings. The City is electing to comply with this general requirement. The proposed Code specifically includes the proposed WC Subsection 4.127 (.06) F. which states, "Pursuant to ORS 197A.420 and OAR 660-046-0205, any lot identified for single-family development in the Stage I or II Master Plan can also be developed or redeveloped as middle housing even if the maximum percentage of a Middle Housing Unit Type, as listed in Table 6C, is exceeded. However, this does not allow the maximum for a single Middle Housing Unit Type to be exceeded in initial planning or compliance verification. This would only apply at the time of future building permit issuance or replat of individual lots." Notably, by selecting the compliance method the City provides more flexibility for middle housing than OAR authorizes. The City could require at least two

middle housing types besides duplexes, but allows flexibility to meet middle housing with fewer unit types, including primarily by townhouses.

Alternative discretionary path

Implementation Measure 4.1.7.D.3.

New proposed WC Subsection 4.127 (.22) addresses consideration of waivers in Frog Pond East and South allowing the alternative discretionary path prescribed by this implementation measure.

Define categories of housing for housing variety

Implementation Measure 4.1.7.D.4.

Proposed new WC Subsection 4.127 (.06) D. and Table 6C establish the housing categories for housing variety. The proposed text and table establish the purpose of the categories and clearly establish the category for each expected unit type. Four broad categories are established, multi-family, middle housing, accessory dwelling units, and other detached units including detached single-family. Some housing types that could be considered as one unit type are considered separately for the purpose of housing variety. The primary driver of the categorization and separation is encouraging a variety a built form, both in relation to the overall structure and individual units. For multi-family, elevator-served apartments have fewer exterior entrances and individual units are all accessible without stairs. The 5-9 unit multi-family have a built form more similar to middle housing than large multi-family buildings. For middle housing, townhouses and similar plexes that are side by side are a single unit type, while plexes that have units stacked are a separate unit type. Cluster housing and cottage clusters are detached middle housing types and have different layouts on lots from each other. The Other Detached Units category puts detached homes and other similar units as one type because they have a similar design and layout on sites, though sizes may vary. Of note, in some instances, the categorization and delineation of unit type makes it easier to meet the variety standards. For example, the consideration of elevator-served apartments, which are likely to be built along the Brisband Main Street, will also make it considerably easier for Subdistrict E4 to meet housing variety requirements if walk up apartments are also built in the subdistrict, as it counts as a separate unit type, reducing the number of types that would otherwise need to be built. The categorization and delineation of unit types also supports the inclusion of target unit types reflective in Table 6B including a variety of middle housing types, small units, and accessible units by allowing more types of units that meet these categories to be classified as separate unit types consistent with their varying urban forms.

Frog Pond Grange a community destination

Implementation Measure 4.1.7.D.5.

Proposed WC Subsection 4.127(.24) addresses special, specific land use coordination. Subsection A. under (.24) addresses the Frog Pond Grange property pursuant to this implementation measure. The language encourages it to be maintained for a similar use as it is used today. It lays out that preservation of the building is required unless there is substantial evidence that it is unfeasible.

Coordinate with BPA on easement area

Implementation Measure 4.1.7.D.6.

The proposed Code does not require or encourage any use in the BPA easement area that would conflict with this implementation measure to coordinate future development in the easement area with BPA.

Future study of design options for creek crossings***Implementation Measure 4.1.7.D.7.***

Specific design for creek crossings will be addressed during development review. The proposed Code does not create any barrier to these future specific designs.

Design and implementation of SW Brisband Main Street***Implementation Measure 4.1.7.D.8.***

The Master Plan envisions the SW Brisband Main Street as a gathering place and destination. Public input summarized in the Master Plan focused on the Main Street focused on eating and drinking establishments and convenience services where they could gather. A green focal point is also planned to encourage supporting gathering.

Using the precedence for similar mixed commercial/residential development planned for Wilsonville's Town Center, specific Code language is proposed to implement a Main Street design along SW Brisband Street between SW Stafford Road and SW 63rd Avenue. The proposed Code language in WC Subsection 4.127(.23) is a simplified version of the Town Center standards removing any language that would not be applicable to the relatively small application of the standards in this context. It should be noted, the proposed Code elects to integrate components of commercial zoning into the Residential Neighborhood (RN) Zone rather than establish separate zoning for the SW Brisband Main Street.

An important consideration for the SW Brisband Main Street is what percent of the ground floor to allow to be residential rather than commercial. The City finds it reasonable to allow up to 50% of the ground floor to be residential, consistent with the allowance in the City's Planned Development Commercial (PDC) Zone. The vast majority of the City with a Commercial Comprehensive Plan designation like the subject property is zoned PDC, so having consistent standards with this zone is reasonable. The primary reason for preparing for the subject land to be zoned RN over PDC is to allow implementation of specific clear and objective design standards that don't exist for PDC-zoned land, not to allow different uses. In relation to allowed uses this area of the RN zone should be consistent with the PDC zone. The proposed allowance of residential is also consistent with the ground floor mix allowed under the Vertical Housing Development Zone (VHDZ) program which supports similar type of development. Note, the area is not currently designated for as a VHDZ.

For additional flexibility along the SW Brisband Main Street, the City is allowing Business-Integrated Dwelling Units (BIDUs) to count as commercial space accessory to the primary commercial use.

Special provisions for public realm along Stafford, Advance, and East Neighborhood Park***Implementation Measure 4.1.7.D.9.***

Proposed WC Subsection 4.127(.08) E. 2. establishes special design standards for both the SW Stafford Road and SW Advance Road frontages specific to this implementation measure. This includes having entrances front the streets and context specific fencing that uses similar materials and complements the design of the Frog Pond West wall along SW Stafford Road and SW Boeckman Road. The East Neighborhood parks is required to have active sides of homes towards the park, the same as existing standards for parks in Frog Pond West.

Treed area off Kahle Road***Implementation Measure 4.1.7.D.10.***

Proposed WC Subsection 4.127 (.24) addresses special, specific land use coordination. Subsection B. under (.24) addresses the treed area off SW Kahle Road. The language requires further study to

determine if it should be preserved as SROZ, and if not clarifies that Urban Form Type 3 applies with no minimum unit count.

Usable yard spaces for closely-spaced detached homes

Implementation Measure 4.1.7.D.11.

Language is proposed under the City's general residential fencing standards in WC Subsection 4.113 (.07). to address through-access of narrow yard areas to ensure access. In addition, new maintenance requirements are proposed to be added to the City's nuisance code.

Zoning Implementation-Zone Map Amendments and Implementation

Table 7 of the Master Plan lists the implementing zone for each Comprehensive Plan Designation. While no Zone Map amendments are proposed, the proposed Code language enables the RN Zone to be applied to the residential areas with clear standards that implement necessary components of the Frog Pond East and South Master Plan. The previously adopted RN Zone standards, developed to implement the Frog Pond West Master Plan, were written in a modular format that enabled future addition of specific requirements for Frog Pond East and South. The proposed updated RN Zone standards clearly delineate which standards apply throughout all Frog Pond neighborhoods and which ones apply respectively to Frog Pond West and to Frog Pond East and South. Examples of standards applying only to Frog Pond East and South are the density and minimum housing and variety requirement, siting and design standards, and public realm design standards.

In addition, rather than adding Frog Pond East-specific language to the Planned Development Commercial (PDC) Zone, aspects of the PDC Zone and Town Center (TC) Zone were incorporated into the RN Zone text to enable similar regulations of the PDC Zone to be applied to the Commercially designated land on SW Brisband Street in Frog Pond East. This includes use limitations consistent with the PDC Zone, notably the requirement of a minimum of fifty percent ground floor commercial, as well as design standards generally consistent with the Main Street standards in the TC Zone, though simplified to remove unnecessary standards for the limited application in Frog Pond East.

The Significant Resource Overlay Zone (SROZ) will be implemented where applicable. The City's SROZ map will be amended to apply the overlay where natural resource conditions warrant including wetlands, riparian areas, and significant upland habitat. The Public Facility (PF) zone remains available for any uses allowed in that zone, consistent with the Master Plan, but is not anticipated to be used beyond the previously annexed and zoned school and park land in Frog Pond South.

Coding for Variety and Priority Housing Types-General

The proposed Code implements coding for variety and priority housing types as established by this Master Plan text. See findings above for Implementation Measures 4.1.7.D.1., 2.a-2.d., and 4.

Coding for Variety and Priority Housing Types-Strategy 1: Permit a wide variety of housing types

The proposed standards permit the full spectrum of housing types in Frog Pond East and South including all housing types listed under Strategy 1 in the Master Plan. Permitting of all housing types is strategically limited by housing variety standards. The variety standards are specific and targeted to outcomes directed by Master Plan. The proposed code does offer a variety of ways to meet each variety requirement, allowing more flexibility than a prescriptive mapped Master Plan like the City has used before, such as in Villebois. At least 2-3 housing types/configurations can meet each variety requirement, including types that have historically been built in suburban Portland markets (detached homes, row houses, traditional multi-family).

Coding for Variety and Priority Housing Types-Strategy 2: Define “categories” of housing units

See finding above for Implementation Measure 4.1.7.D.4.

Coding for Variety and Priority Housing Types-Strategy 3: Establish minimum dwelling unit requirements

This is implemented by Table 6B in WC Subsection 4.127 (.06). The table establishes a minimum for each subdistrict and tax lot. See finding above for Implementation Measure 4.1.7.D.2.a.

Coding for Variety and Priority Housing Types-Strategy 4: Development Standards based on built form and urban form typologies.

See finding above for Implementation Measure 4.1.7.D.2.b.

Coding for Variety and Priority Housing Types-Strategy 5: Establish minimum housing variety standards by subdistrict and development areas.

WC Subsection 4.127 (.06) E. of the proposed Code establishes variety for the East and South neighborhoods consistent with this Master Plan language. The variety is calculated based on the smaller of a subdistrict or Stage I Master Plan area consistent with this language. The language includes the minimum number of types, which varies based on size, a maximum of 60% of net area dedicated to one unit type which ensures no single-one dominates consistent with this language.

Table 6B in WC Subsection 4.127 (.06) sets minimums for target unit types including middle housing, small units 1200 square feet or less, and mobility-ready units that have living facilities on the ground floor. Rather than establish formulas that could cause future uncertainty, the table does the math and just states the answer of the formula. The minimum required of middle housing, small units, and mobility-ready units are listed as numbers, calculated from an assumed moderate buildout, and rounded up to the next whole number for each. Moderate buildout represents 125% of the minimum buildout. The set percentage for middle housing is twenty percent, small units is 5 percent, and mobility-ready units is 10 percent. The percentages are applied to the smaller of a subdistrict or tax lot ensuring variety is achieved throughout the East and South neighborhoods, rather than concentrated. The percentages in the draft Development Code are as recommended by the project team and reviewed by the Planning Commission and City Council in work sessions.

Coding for Variety and Priority Housing Types-Strategy 6: Encourage variety at block level

A combination of housing variety standards and the geographic extent used to apply the standards ensure that there is variety on each block or the adjacent block consistent with this language without implementing an independent standard. A demonstration plan prepared by Walker Macy, and presented in the February 14, 2024 Planning Commission Work Session, shows how the different layered regulations substantially create block-level variety.

Coding for Main Street

Consistent with this language in the Master Plan, the City looked at regulations for precedent mixed-use commercial areas in Wilsonville including the Villebois Village Center and Town Center. After reviewing the language, the Town Center language was found to present the best language on which to base the regulations for the Frog Pond East Main Street along SW Brisband Street between SW Stafford Road and the future SW 63rd Avenue. The Code text proposed is an adaptation of the Town Center regulations simplified and adapted for a smaller area. The proposed Code includes allowance of neighborhood-scale retail and other commercial uses, prohibition of drive-through uses, shallow setbacks to the sidewalk

and up to four-stories in height, tall ground floors, requirements for high percentage of block face with building frontage, primary entrances oriented towards SW Brisband Street, parking to the side or behind buildings, provision of small plazas, awnings, and building articulation.

Chapter 7, Public Realm-Green Focal Points

Proposed WC Subsection 4.127 (.09) C. 1. requires green focal points consistent with this language in Chapter 7. This includes mirroring the language about flexibility in design and these spaces serving as community gathering spaces.

Chapter 7, Public Realm-Street and Block Layout

Consistent with this language in the Master Plan, block spacing is as established generally in the Development Code. Framework streets remain as shown and adopted in the City's Transportation System Plan. See proposed WC Subsection 4.127 (.10) B. 2. Regarding street spacing and blocks.

Chapter 7, Public Realm Generally Including: Active transportation connections, street trees, public lighting, gateways and signs.

Proposed WC Subsection 4.127 (.08) F. directly references and incorporates pertinent details in Chapter 7 of the Master Plan related the Public Realm into the proposed implementing Development Code. This includes active transportation connections, street trees, public lighting, gateways and signs.

WILSONVILLE DEVELOPMENT CODE COMPREHENSIVE PLAN AMENDMENT STANDARDS

Public Hearing and Recommendation to City Council from Planning Commission

Subsection 4.197 (.01) A.

The Planning Commission is holding a public hearing on July 10, 2024 after which they will provide a recommendation to City Council.

Compliance with Applicable Goals, Policies, and Objectives of Comprehensive Plan including Frog Pond East and South Master Plan

Subsection 4.197 (.01) B. 2.

The above findings for the Comprehensive Plan, including the Frog Pond East and South Master Plan confirm compliance with these documents satisfying the requirement of this subsection.

Conflicts with Other Code Provisions

Subsection 4.197 (.01) B. 3.

Staff has not identified nor has any evidence been presented that any conflict with other Development Code provisions. Care was taken to potential conflicts and to correlate the language in various Code sections.

Compliance with Statewide Planning Goals and Implementing Rules

Subsection 4.197 (.01) B. 4.

The findings for the Statewide Planning Goals above confirm compliance with the goals satisfying the requirement of this subsection.

***Compliance with Statewide Planning Goals and Implementing Rules
Subsection 4.197 (.01) B. 5.***

The findings regarding the middle housing rules above confirm compliance with the applicable laws satisfying the requirement of this subsection.

NPDES MS4 PERMIT AND RELATED PUBLIC WORKS STANDARDS

National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Phase 1 Individual Permit Issued Pursuant to ORS 468B.050 and Section 402 of the Federal Clean Water Act Effective May 5, 2023 to September 30, 2026

The City's NPDES MS4 Permit requires the City to maintain adequate legal authority to implement and enforce the conditions of the Permit through adopting ordinance, local code, or other mechanisms, which must occur by December 1, 2024. See Schedule A.2.b. Furthermore, the Permit also requires that, for post-construction site runoff for new development and redevelopment activities, the City, by December 1, 2024, "develop and implement enforceable post-construction stormwater management requirements in ordinance or other regulatory mechanism that, at a minimum, prioritize onsite retention of stormwater and pollutant removal...." Schedule A.3.e.ii.

The City's post-construction stormwater requirements for development have historically been provided in the City's Public Works Standards. However, the City finds that incorporating post-construction stormwater requirements for development into the City of Wilsonville Development Code is justified due to the Permit's required prioritization of onsite stormwater infrastructure (discussed herein), the potential implications of land needed for the infrastructure and related land use laws, and the Permit's requirement for adequate legal authority to implement and enforce its conditions.

Schedule A.3.e. Post-Construction Site Runoff for New Development and Redevelopment

(i.) Use of Ordinances and Other Regulatory Mechanisms within the Constraints of Land Use and Zoning Regulations to Ensure Stormwater Compliance

As stated above, the City has previously primarily relied on the Public Works Standards to implement stormwater requirements, which generally occurs after land use approval for development. The standards incorporated into the Development Code seek to better integrate the regulations with land use and zoning regulations as well as ensure those standards applicable to residential development are clear and objective, as required by Oregon law.

(A) The use of stormwater controls for all qualifying sites

The proposed standards provide clear and objective criteria for integrating stormwater controls into development. By incorporating the proposed standards into the development code, developers are able to better integrate the stormwater requirements into site design. The proposed standards support ensuring all residential sites meet stormwater standards, consistent with the City's NPDES MS4 Permit.

(B) Site-specific stormwater management approach that targets natural surface or predevelopment hydrological function through the installation of long-term operation and maintenance of stormwater controls,

The proposed standards provide clear and objective criteria for providing dispersed, smaller facilities that manage stormwater close to the source. Use of larger regional facilities, that are farther away from the source, are discouraged. The proposed standards support ensuring all residential sites meet stormwater standards, consistent with the City's NPDES MS4 Permit.

(C) Long-term operation and maintenance of stormwater controls at projects that are under the ownership of a private entity.

The proposed standards support that operation and maintenance of stormwater management facilities are properly maintained by homeowner's associations. This is not a new standard. The Public Works Standards already require private ownership of new facilities installed to serve new development. The City does not have the resources available to maintain facilities the Permit requires (i.e., LID/GI facilities) that are required to serve new development.

(ii) Prioritization of Low Impact Development and Green Infrastructure.

The City was previously required to encourage the use of low-impact development in managing stormwater runoff. The City is now *required* to prioritize onsite retention, infiltration, and evapotranspiration in order to make low impact development and green infrastructure the preferred and commonly used approach to site development. The Permit explicitly requires the City to implement a strategy "to require to the maximum extent feasible, the use of Low Impact Development and Green Infrastructure (LID/GI) design, planning, and engineering strategies intended to minimize effective impervious area or surfaces and reduce the volume of stormwater discharge and the discharge of pollutants in stormwater runoff from development and redevelopment projects." EPA considers LID to be a management approach and set of practices that can reduce runoff and pollutant loadings by managing runoff as close to its source(s) as possible. LID includes overall site design approaches and individual small-scale stormwater management practices that promote the use of natural systems (Source: *Terminology of Low Impact Development*. <https://www.epa.gov/sites/default/files/2015-09/documents/bbfs2terms.pdf>).

The Permit further states that onsite retention of stormwater is the first priority, but if it cannot be met "due to technical infeasibility and/site constraints," the City must specify the required treatment for the offsite stormwater. The Permit also states that economic considerations are an "insufficient reason for not requiring adherence to the retention or treatment standards" of LID/GI infrastructure. Of note, the Permit does not use the term "decentralized", as used in the proposed Development Code purpose statement language. The use of the term "decentralized" is intended to implement small-scale stormwater management practices as close to the source as possible. See also the City's MS4 Phase I NPDES permit fact sheet (Section 3.3.5, page 27)

The proposed standards provide clear and objective criteria outlining areas where a development is required to prioritize locating low impact development facilities in areas where landscaping is already planned to be installed. Additionally, the proposed standards provide criteria for when smaller detention sized facilities are acceptable. In utilizing areas where landscaping is already planned to be installed, additional land will be available for development or to meet other code requirements.

Additionally, the proposed standards provide criteria for when smaller detention facilities are acceptable. In prioritizing low impact development, the expectations from DEQ and EPA is that smaller, more localized facilities are installed, and larger regional facilities are avoided. The Development Code is written to restrict the area draining to a detention facility to 4 acres.

As described in the purpose statement, in compliance with the NPDES MS4 permit, the aim is to mimic predevelopment hydrology, which pushes for storm facilities as close to the source as practicable. In this spirit, ideally facilities would be located immediately at the source at each lot. However, the City finds this impractical due to smaller lot space constraints. At the other extreme would be to construct one large facility to serve an entire basin. This does not meet the Permit language that the City “require, to the maximum extent feasible,” LID/GI facilities, and only consider alternatives when LID/GI is “technically infeasible” (as opposed to financial considerations). Some clear and objective criteria are needed that balance the City obligation to prioritize LID/GI with known technical and site constraints.

The City finds a focus on block level size is practical and maintains proximity to the source mimicking predevelopment hydrology. Studying residential block size both anticipated in Frog Pond East and South and already built in Frog Pond West, and other residential development in the last decade in Wilsonville, the City found typical block size ranges between 2.5 and 3.5 acres, with most in the 2.5 to 3 acre range. To be accommodating of the vast majority of anticipated residential blocks along with adjoining sidewalks and streets, the City set the allowed maximum area on which to base the design of an individual detention pond at 4 acres.

Beyond the 4 acres size limitation, the standards limit width of storm facilities to 12 feet wide. The 12 feet limit is a reasonable and prudent clear and objective standard for two primary reasons. First, it allows flexibility for facility design. The minimum width of swales that accommodates treatment area plus side slopes is eight feet. The twelve feet allows flexibility to have a wider treatment area. Second, this standard is intended to create linear facilities and 12 feet is a typical maximum width of other linear features in a neighborhood, including mixed use paths. Keeping a similar proportion with other linear features will ensure linear features stay “linear” and don’t get wider than other typical linear features in a development.

**PLANNING COMMISSION
RESOLUTION NO. LP24-0003**

A RESOLUTION OF THE CITY OF WILSONVILLE PLANNING COMMISSION RECOMMENDING ADOPTION OF DEVELOPMENT CODE AMENDMENTS TO IMPLEMENT THE FROG POND EAST AND SOUTH MASTER PLAN AND MAKE RELATED UPDATES TO RESIDENTIAL DEVELOPMENT REGULATIONS CITYWIDE.

WHEREAS, The City adopted the Frog Pond Area Plan in 2015 setting a vision for urban growth on the East side of Wilsonville; and

WHEREAS, at the time of adoption a portion of the land covered by the Area Plan was within the Urban Growth Boundary (UGB) and a portion was designated as Urban Reserve; and

WHEREAS, in 2017 the City adopted the Frog Pond West Master Plan for the area within the UGB; and

WHEREAS, both the Frog Pond Area Plan and Frog Pond West Master Plan set a foundation for future master planning of the Urban Reserve land not yet in the UGB; and

WHEREAS, in 2018 Metro, through Ordinance 18-1427, expanded the UGB to include the Urban Reserve area covered by the Area Plan; and

WHEREAS, a condition of approval of the 2018 UGB expansion was that the City adopt a Master Plan for the area added to the UGB within four years;

WHEREAS, the area added to the UGB in 2018 became known as Frog Pond East and South; and

WHEREAS, on December 19, 2022 the City Council adopted a Master Plan for Frog Pond East and South in Ordinance No. 870; and

WHEREAS, the Master Plan provides the guiding principles and policies for future land uses, public realm development, and provision of necessary infrastructure; and

WHEREAS, the Master Plan focused on the provision of a variety of housing throughout the Master Plan area, including lower-cost options; and

WHEREAS, the Master Plan directs addressing housing affordability in two specific ways, first, by requiring development of specific housing types expected to provide market-rate options for households making between 80 percent and 120 percent of MFI with potentially some units for households between 60 percent and 80 percent MFI, and second, by removing regulatory

barriers to development of housing affordable for households making less than 80 percent of MFI; and

WHEREAS, Ordinance No. 870 added Implementation Measure 4.1.7.D. to the City's Comprehensive Plan Text, which includes specific requirements for implementation of the Master Plan, specifically with Development Code amendments; and

WHEREAS, the Master Plan contains other language providing specific direction for implementing Development Code amendments, including, but not limited to, those under *Coding For Variety and Priority Housing Types* and *Coding for Main Street* in Chapter 8 of the Master Plan; and

WHEREAS, the City desires to fully implement the Development Code amendments as directed by the Master Plan; and

WHEREAS, a number of Development Code amendments necessary for and supportive of implementation of the Master Plan can be applied similarly to the entirety of the Residential Neighborhood (RN) Zone or all residential land in Wilsonville, as applicable; and

WHEREAS, the City finds it prudent where amendments can be applied similarly to residential land beyond Frog Pond East and South to adopt amendments in a manner that make such regulations apply more broadly, either to the entirety of the Residential Neighborhood (RN) Zone or Citywide; and

WHEREAS, the City desires to ensure that residential development can be reviewed using clear and objective criteria; and

WHEREAS, the City is obligated to satisfy requirements related to stormwater in its NPDES MS4 Permit issued in 2021, and modified May 5, 2023 and effective until September 30, 2026; and

WHEREAS, the City desires and is required to take a stormwater management approach that prioritizes a low impact development in addition to using green infrastructure; and

WHEREAS, low impact development stormwater management approach is best served by having standards integrated into the Development Code in addition to being in the Public Works Standards to support clear consideration during land use planning and site planning; and

WHEREAS, the standards aim to mimic predevelop hydrology by installing stormwater management facilities as close to the source as practicable; and

WHEREAS, managing stormwater as close to the source as practicable can reduce the cost of piping stormwater and reduce the amount of land used by larger stormwater facilities; and

WHEREAS, the City finds the lifecycle cost of stormwater facilities, including vegetation management and irrigation, is not substantially different than or less than other public, semi-public, or private irrigated landscaping, particularly considering stormwater facilities require use of native plants that need less maintenance and irrigation than turf grass and other formal landscaping; and

WHEREAS, the Planning Commission held thirteen public work sessions from January 2023 to June 2024, to review the proposed Development Code amendments; and

WHEREAS, interested parties have been afforded the opportunity to participate and inform the development of the proposed Development Code amendments; and

WHEREAS, required notice of a public hearing has been provided to affected property owners and nearby properties as well as published in the *Wilsonville Spokesman*, posted on the City's website, and posted in a variety of public areas in City buildings, all in accordance with the public hearing and notice procedures that are set forth in Sections 4.012, and 4.197 of the Wilsonville Code; and

WHEREAS, the Planning Commission held a public hearing on July 10, 2024 meeting to review the proposed Development Code amendments and which time the Planning Commission continued the public hearing to a time and date certain of October 9, 2024; and

WHEREAS, the Planning Commission held the continued public hearing on October 9, 2024; and

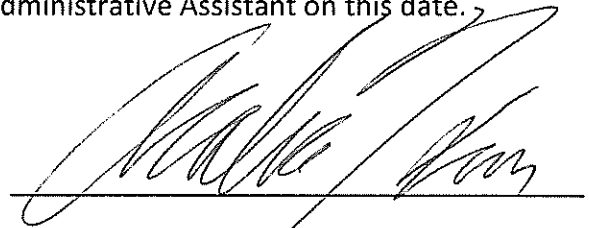
WHEREAS, the Commission afforded all interested parties an opportunity to be heard on this subject and has entered all available evidence and testimony into the public record of their proceeding; and

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

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

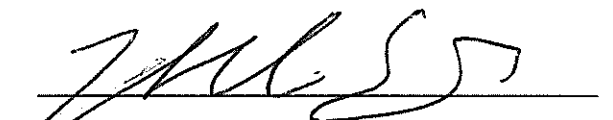
- Section 1. The Wilsonville Planning Commission does hereby adopt the Planning Staff Report and Attachments (attached hereto as Exhibit A and Exhibit B), as presented at the public hearing, including the findings and recommendations contained therein.
- Section 2. The Planning Commission does hereby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

ADOPTED by the Wilsonville Planning Commission at a regular meeting thereof this 9th day of October, 2024, and filed with the Planning Administrative Assistant on this date.



PLANNING COMMISSION CHAIR KARR

ATTEST:



Mandi Simmons, Administrative Assistant III

SUMMARY OF VOTES:

- Andrew Karr, Chair *Yes*
- Ronald Heberlein, Vice-Chair *Yes*
- Matt Constantine *Yes*
- Nicole Hendrix *Yes*
- Samuel Scull *Yes*
- Yana Semenova *Yes*
- Jennifer Willard *Absent*

EXHIBITS:

- A. LP24-0003 Staff Report and Attachments
- B. October 9, 2024 Memorandum from Daniel Pauly AICP, Planning Manager to Planning Commission RE: Additional Edits to Frog Pond East and South Master Plan Implementing Development Code Amendments, Resolution No. LP24-0003

Ordinance No. 892

Exhibit G: Frog Pond East and South Development City
Code Amendments Planning Commission Record

Link:

https://www.ci.wilsonville.or.us/sites/default/files/fileattachments/city_council/meeting/125134/09_ord_no_892_exhibit_g_lp24-0003_record_final.pdf