

**WILSONVILLE CODE
PLANNING AND LAND DEVELOPMENT**

**CHAPTER 4 SECTIONS 4.100 – 4.141
ZONING**

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WILSONVILLE CODE
CHAPTER 4 PLANNING
PLANNING AND LAND DEVELOPMENT ORDINANCE
ZONING

Section 4.100. Zoning - Purpose.

Sections 4.100 to 4.199 of this Code are enacted for the purpose of promoting public health, safety, comfort and general welfare; to encourage the most appropriate use of land; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to provide proper drainage; to facilitate adequate and economical provision of public improvements and services, and to conserve, stabilize, and protect property values; all in accordance with the Statewide Planning Goals and the City's Comprehensive Plan. The purpose is further to provide a method of administration and to prescribe penalties for violations of provisions hereafter described - all as authorized by the provisions of Oregon Revised Statutes.

Section 4.101. Zoning - Interpretation.

The provisions of Sections 4.100 to 4.199, shall be construed as the minimum requirements for the promotion of the public safety, health and general welfare. These Sections are not intended to interfere with or abrogate or annul any easements, covenants, or other agreements between parties; provided, however, that where these Sections impose a greater restriction upon the use of buildings or premises or upon the height of buildings, or require larger space than is imposed or required by other Code Sections, rules or regulation, or by easement, covenants or agreements, the provisions of these Sections shall govern.

Section 4.102. Zoning - Official Zoning Map.

- (.01) The City is hereby divided into base zones or zoning districts, and overlay zones, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Code.
- (.02) The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Recorder, together with the date of the adoption of this Code.
- (.03) No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Code. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Code and punishable as provided by law.
- (.04) Regardless of the existence of purported copies of the Official Zoning Map which may, from time to time, be made or published, the Official Zoning Map, which shall be located in the Office of the Planning Director, shall be the final authority as to the current zoning status of land and water areas, building, and other structures in the City.

Section 4.110. Zoning - Zones.

- (.05) The perimeter boundaries of the Official Zoning Map and the City are intended to be identical to each other at all times, except when properties have been annexed to the City and not yet zoned by the City. New developments in such areas shall require completion of the zone change process before proceeding.

Section 4.110. Zoning - Zones.

- (.01) The following Base Zones are established by this Code:
- A. Residential Agricultural H Holding, which shall be designated "RA-H".
 - B. Residential, which shall be designated "R".
 - C. Planned Development Residential, which shall be designated "PDR," and further divided into:
 - PDR-1
 - PDR-2
 - PDR-3
 - PDR-4
 - PDR-5
 - PDR-6
 - PDR-7.
 - D. Planned Development Commercial, which shall be designated "PDC," including PDC-TC (Town Center).
 - E. Planned Development Industrial, which shall be designated "PDI."
 - F. Public Facility, which shall be designated "PF."
 - G. Public Facility - Corrections, which shall be designated "PF-C."
 - H. Village, which shall be designated "V". (Added by Ord 557, adopted 9/5/03)
 - I. Residential Neighborhood, which shall be designated "RN". The RN zone is a Planned Development Residential zone. (Added by Ord _____, adopted _____/17)
- (.02) The following Overlay Zones, to be used in combination with the underlying base zones, are established by this Code.
- A. Solar-Friendly (S) overlay zone;
 - B. Screening and Buffering (SB) overlay zone;
 - C. Old Town (O) overlay zone;
- (.03) The use of any building or premises or the construction of any development shall be in conformity with the regulations set forth in this Code for each Zoning District in which it is located, except as provided in Sections 4.189 through 4.192.
- (.04) The General Regulations listed in Sections 4.150 through 4.199 shall apply to all zones unless the text indicates otherwise.

Section 4.111. Zoning - Zone Boundary Lines.

Section 4.113. Standards Applying To Residential Developments In Any Zone.

- (.01) Except where reference is made on said map to a street line, political boundary, section line, legal description, or other designated line by dimensions shown on said map or maps, the zone boundary lines are intended to follow property lines, lot lines, or centerlines of streets, private drives, alleys, streams, or railroads or the extension of such lines as they existed at the time of the adoption of this Code.
- (.02) Questions concerning the exact location of zone boundary lines shall be determined by the Planning Director, who may seek the advice of the City Attorney and/or Planning Commission in making the determination.
- (.03) Whenever any public way is vacated by official action as provided by law, the zone adjoining the side of such public way shall be automatically extended, depending on the side or sides to which such lands revert, to include the right-of-way thus vacated, which shall thenceforth be subject to all regulations of the extended zone or zones.

[Section 4.111 amended by Ord 682, 9/9/10]

Section 4.113. Standards Applying To Residential Developments In Any Zone.

(.01) Outdoor Recreational Area in Residential Developments.

A. Purpose. The purposes of the following standards for outdoor recreational area are to provide adequate light, air, open space and usable recreational facilities to occupants of each residential development. Unless otherwise provided for by this code or a legislative master plan, outdoor recreational area shall be:

Deleted: 0

1. Designed with a reasonable amount of privacy balanced between indoor and outdoor living areas. Such outdoor recreational area shall be provided consistent with the requirements of this Section.
2. Recreational areas shall be provided in keeping with the needs of the prospective tenants and shall not be located in required yards, parking, or maneuvering areas, or areas that are inaccessible. Standards for outdoor recreational areas may be waived by the Development Review Board upon finding that the recreational needs of the residents will be adequately met through the use of other recreational facilities that are available in the area.
3. In mixed-use developments containing residential uses, the Development Review Board shall establish appropriate requirements for outdoor recreational area, consistent with this Section.
4. The Development Review Board may establish conditions of approval to alter the amount of required outdoor recreation area, based on findings of projected need for the development. Multi-family developments shall provide at least the following minimum recreational area:
 - a. For ten (10) or fewer dwelling units, 1000 square feet of usable recreation area;
 - b. For eleven (11) through nineteen (19) units, 200 square feet per unit;
 - c. For twenty (20) or more units, 300 square feet per unit.
5. Outdoor recreational area shall be considered to be part of the open space required in the following subsection.

Section 4.113. Standards Applying To Residential Developments In Any Zone.

(.02) Open Space Area shall be provided in the following manner:

- A. In all residential subdivisions including subdivision portions of mixed use developments where (1) the majority of the developed square footage is to be in residential use or (2) the density of residential units is equal or greater than 3 units per acre, at least twenty-five percent (25%) of the area shall be in open space excluding streets and private drives. Open space must include, as a minimum natural areas that are preserved under the City's SROZ regulations and usable open space such as public park area, tot lots, swimming and wading pools, grass area for picnics and recreational play, walking paths, and other like space. For subdivisions with less than 25% SROZ lands and those with no SROZ lands, the minimum requirement shall be ¼ acre of usable park area for 50 or less lots, ½ acre of usable park area for 51 to 100 lots, and pro rata amounts based on this formula for subdivisions exceeding 100 lots. Front, side and rear yards of individual residential lots shall not be counted towards the 25% open space.

Provided, however, where SROZ is greater than 25% of the developable area for any development, the development must also provide ¼ acre of usable park area for a development of less than 100 lots, and ½ acre of usable park area for a development of 100 lots, and pro rata amounts based on this formula for subdivisions exceeding 100 lots. The Development Review Board may waive the usable open space requirement if there is substantial evidence in the record to support a finding that the intent and purpose of the requirement will be met in alternative ways. Irrespective of the amount of SROZ, a development may not use phasing to avoid the minimum usable space requirement.

Multi-family developments shall provide a minimum of 25% open space excluding streets and private drives. Open space must include, as a minimum natural areas that are preserved under the City's SROZ regulations, and outdoor recreational area as provided in 4.113(.01)(A)(1) through (5) [Amended by Ord. 589 8/15/05, Ord. 682, 9/9/10]

- B. Open space area required by this Section may, at the discretion of the Development Review Board, be protected by a conservation easement or dedicated to the City, either rights in fee or easement, without altering the density or other development standards of the proposed development. Provided that, if the dedication is for public park purposes, the size and amount of the proposed dedication shall meet the criteria of the City parks standards. The square footage of any land, whether dedicated or not, which is used for open space shall be deemed a part of the development site for the purpose of computing density or allowable lot coverage.
- C. The Development Review Board may specify the method of assuring the long-term protection and maintenance of open space and/or recreational areas. Where such protection or maintenance are the responsibility of a private party or homeowners' association, the City Attorney shall review any pertinent bylaws, covenants, or agreements prior to recordation.

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

Section 4.113. Standards Applying To Residential Developments In Any Zone.

- A. For lots over 10,000 square feet:
1. Minimum front yard setback: Twenty (20) feet.
 2. Minimum side yard setback: Ten (10) feet. In the case of a corner lot less than one hundred (100) feet in width, abutting more than one street or tract with a private drive, the side yard on the street or private drive side of such lot shall be not less than twenty percent (20%) of the width of the lot, but not less than ten (10) feet.
 3. In the case of a key lot, the front setback shall equal one-half (1/2) the sum of depth of the required yard on the adjacent corner lot along the street or tract with a private drive upon which the key lot faces and the setback required on the adjacent interior lot.
 4. No structure shall be erected within the required setback for any future street shown within the City's adopted Transportation Master Plan or Transportation Systems Plan.
 5. Minimum setback to garage door or carport entry: Twenty (20) feet. Except, however, in the case of an alley where garages or carports may be located no less than four (4) feet from the property line adjoining the alley.
 6. Minimum rear yard setback: Twenty (20) feet. Accessory buildings on corner lots must observe the same rear setbacks as the required side yard of the abutting lot.
- B. For lots not exceeding 10,000 square feet:
1. Minimum front yard setback: Fifteen (15) feet, with open porches allowed to extend to within ten (10) feet of the property line.
 2. Minimum side yard setback: One story: five (5) feet; Two or more stories: seven (7) feet. In the case of a corner lot, abutting more than one street or tract with a private drive, the side yard on the street side of such lot shall be not less than ten (10) feet.
 3. In the case of a key lot, the front setback shall equal one-half (1/2) the sum of depth of the required yard on the adjacent corner lot along the street or tract with a private drive upon which the key lot faces and the setback required on the adjacent interior lot.
 4. No structure shall be erected within the required setback for any future street shown within the City's adopted Transportation Master Plan or Transportation Systems Plan.
 5. Minimum setback to garage door or carport entry: Twenty (20) feet. Wall above the garage door may project to within fifteen (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 (4) feet from the property line adjoining the alley.
 6. Minimum rear yard setback: One story: fifteen (15) feet. Two or more stories: Twenty (20) feet. Accessory buildings on corner lots must observe the same rear setbacks as the required side yard of the abutting lot.

Section 4.113. Standards Applying To Residential Developments In Any Zone.

[Section 4.113(.03) amended by Ord. 682, 9/9/10]

- (.04) Height Guidelines: The Development Review Board may regulate heights as follows:
- A. Restrict or regulate the height or building design consistent with adequate provision of fire protection and fire-fighting apparatus height limitations.
 - B. To provide buffering of low density developments by requiring the placement of buildings more than two (2) stories in height away from the property lines abutting a low density zone.
 - C. To regulate building height or design to protect scenic vistas of Mt. Hood or the Willamette River from greater encroachments than would occur if developed conventionally.
- (.05) Residential uses for treatment or training.
- A. Residential Homes, as defined in Section 4.001, shall be permitted in any location where a single-family dwelling is permitted.
 - B. Residential Facilities, as defined in Section 4.001, shall be permitted in any location where multiple-family dwelling units are permitted.
- (.06) Off Street Parking: Off-street parking shall be provided as specified in Section 4.155.
- (.07) Signs: Signs shall be governed by the provisions of Sections 4.156.01 – 4.156.11.
- (.08) Fences:
- A. The maximum height of a sight-obscuring fence located in the required front yard of a residential development shall not exceed four (4) feet.
 - B. The maximum height of a sight-obscuring fence located in the side yard of a residential lot shall not exceed four (4) feet forward of the building line and shall not exceed six (6) feet in height in the rear yard, except as approved by the Development Review Board. Except, however, that a fence in the side yard of residential corner lot may be up to six (6) feet in height, unless a greater restriction is imposed by the Development Review Board acting on an application. A fence of up to six (6) feet in height may be constructed with no setback along the side, the rear, and in the front yard of a residential lot adjoining the rear of a corner lot as shown in the attached Figure.
 - C. Notwithstanding the provisions of Section 4.122(10)(a) and (b), the Development Review Board may require such fencing as shall be deemed necessary to promote and provide traffic safety, noise mitigation, and nuisance abatement, and the compatibility of different uses permitted on adjacent lots of the same zone and on adjacent lots of different zones.
 - D. Fences in residential zones shall not include barbed wire, razor wire, electrically charged wire, or be constructed of sheathing material such as plywood or flakeboard.

Section 4.113. Standards Applying To Residential Developments In Any Zone.

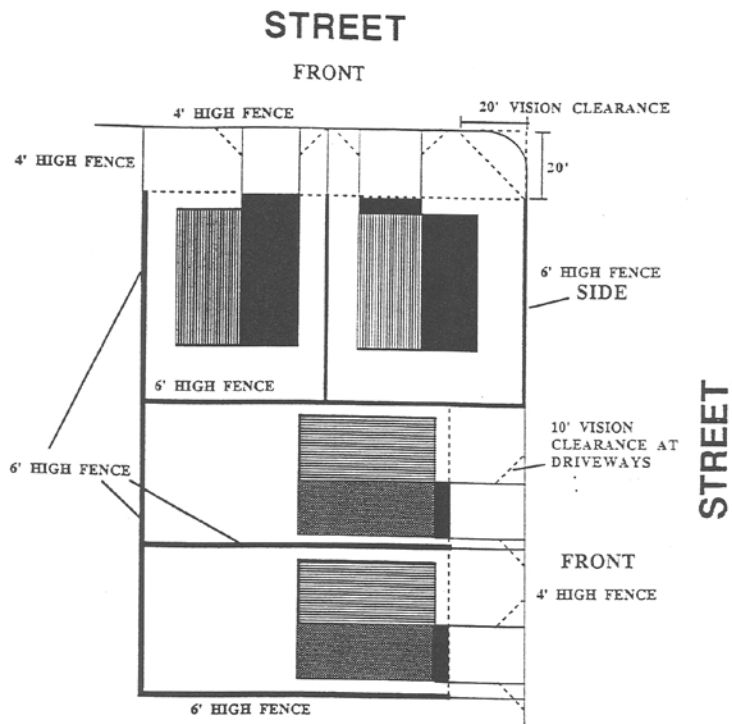


Figure 1 Fence Standards for Residential Development

Section 4.113. Standards Applying To Residential Developments In Any Zone.

- (.09) Corner Vision: Vision clearance shall be provided as specified in Section 4.177, or such additional requirements as specified by the City Engineer.
- (.10) Prohibited Uses:
- A. Uses of structures and land not specifically permitted in the applicable zoning districts.
 - B. The use of a trailer, travel trailer or mobile coach as a residence, except as specifically permitted in an approved RV park.
 - C. Outdoor advertising displays, advertising signs, or advertising structures except as provided in Sections 4.156.05, 4.156.07, 4.156.09, and 4.156.10.
- (.11) Accessory Dwelling Units.
- A. Accessory Dwelling Units, developed on the same lot as the detached or attached single-family dwelling to which it is accessory, shall be permitted outright, subject to the standards and requirements of this Section.
 - B. Standards
 - 1. One Accessory Dwelling Unit per lot shall be no greater than 800 square feet with not more than two bedrooms, unless the size and density of ADUs are otherwise provided in an adopted [legislative master plan or](#) Neighborhood Plan or Stage II Development Plans. Larger units shall be subject to standards applied to duplex housing.
 - 2. Accessory Dwelling Units may be either attached or detached, but are subject to all zone standards for setbacks, height, and lot coverage, unless those requirements are specifically waived through the Planned Development waiver or Variance approval processes.
 - 3. This Section applies to residential developments in PD-R, R, RA-H, or Village zones.
 - 4. 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. Application for duplex construction shall be subject to the density standards of the zone in which it is located, or as otherwise provided in a Neighborhood Plan or Stage II/Final Development Plan.
 - 5. 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.
 - 6. The Accessory Dwelling Unit must be of substantially the same exterior design and architecture (i.e. siding, windows, doors and roofing materials) as the primary dwelling unit on the property.

Section 4.113. Standards Applying To Residential Developments In Any Zone.

7. Parking:

- a. Each Accessory Dwelling Unit shall have one standard sized parking space on the same lot.
 - b. Where an off-street parking space is not available to serve the ADU, on-street parking may be considered to satisfy this requirement if all of the following are present:
 - i. On-street parking exists along the frontage of the lot, or within 100' of the front lot line of the lot.
 - ii. No more than 25% of the lots in a block will have ADUs.
8. 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.
9. Each Accessory Dwelling Unit must be accessible by street or driveway to fire and emergency vehicles, and for trash pick-up.

C. Neighborhood Density and Size Standards.

1. Canyon Creek Estates – up to 12 ADUs as per Resolution No. 95PC16.
[Section 4.133(11) amended by Ord. 677, 3/1/10]

(.12) Reduced Setback Agreements. The following procedure has been created to allow the owners of contiguous residential properties to reduce the building setbacks that would typically be required between those properties, or to allow for neighbors to voluntarily waive the solar access provisions of Section 4.137. Setbacks can be reduced to zero through the procedures outlined in this subsection.

A. Examples

1. First example: the owner of one house is allowed to build to the sideyard property line, with no setback, provided that the owner of the neighboring property agrees and that the agreements of both owners are recorded with the deed records for those properties.
2. Second example: the owner of one property is allowed to build a structure, or grow trees that are not solar friendly, shading an adjoining property beyond the amount that is permitted in Section 4.137.

B. Standards

1. The use of the Reduced Setback Agreement procedure does not waive Building Code requirements. The Building Code may require increased firewall standards or increased setbacks on one property as a means of assuring adequate fire separation from the adjoining property. Applicants are advised to work with the Building Division of the Community Development Department prior to filing for approval of a Reduced Setback Agreement.
2. The Reduced Setback Agreement procedure may be used to allow for the construction of common wall units.
3. Property owners using the Reduced Setback Agreement procedure have responsibility for notifying lien holders of the changes, for meeting all

Section 4.113. Standards Applying To Residential Developments In Any Zone.

requirements of utility providers, and for avoiding conflicts with established easements.

4. The Reduced Setback Agreement procedure shall require the approval of a Class I Administrative Review permit.
5. Owners must provide accurate metes and bounds descriptions of all areas to be covered by non-construction easements.
6. Nothing in this Section shall abrogate any easements or utility locations existing on the subject properties. The property owners are responsible for assuring that easements and utilities are not adversely affected by any construction that is anticipated.

(.13) Bed and Breakfasts.

- A. Purpose. The purpose of this subsection is to provide standards for the establishment of bed and breakfast facilities. These regulations are intended to allow for a more efficient use of large, older houses in residential areas where the neighborhood character is preserved to maintain both the residential neighborhood experience and the bed and breakfast experience. These regulations enable owners to maintain large residential structures in a manner that keeps them primarily in residential use. The proprietor can take advantage of the scale and often the architectural and historical significance of a residence. The regulations also provide an alternative form of lodging for visitors who prefer a residential setting.
- B. Description
 1. Bed and Breakfast Home. An operation conducted by the owner-occupant of a dwelling in an RA-H, R, or PDR zone, or of a one- or other district permitting residential uses, that provides not more than five (5) rooms for paying guests on an overnight basis. Guest occupancy periods shall not exceed fourteen (14) consecutive days. The occupancy of such a bed and breakfast home is limited to two (2) persons or one (1) family per lodging unit or guest room.
 2. Operations that would otherwise meet the standards listed above for Bed and Breakfast Homes, but which exceed either the number of rooms available or the length of stay allowed, shall be subject to the same standards as hotels or motels, listed elsewhere in this Code.
- C. Where These Regulations Apply. The regulations of Section 4.113(13) apply to bed and breakfast facilities in PDR, R, and RA-H zones.
- D. Conditional Use Review. Bed and breakfast facilities require a conditional use review, as specified in Section 4.184.
- E. Use-Related Regulations.
 1. Accessory Use. A bed and breakfast facility must be accessory to a household living use on the site. This means that the individual or family who operate the facility must occupy the house as their primary residence.

Section 4.113. Standards Applying To Residential Developments In Any Zone.

2. Maximum size. Bed and Breakfast facilities are limited to a maximum of five (5) bedrooms for guests and a maximum of six (6) guests per night. In PDR-1, PDR-2, PDR-3, AND PDR-4 zones, bed and breakfast facilities over these size limits are prohibited.
3. Services to guests.
 - a. Food services may only be provided to overnight guests of a bed and breakfast facility.
 - b. Serving alcohol to overnight guests is allowed. The proprietor may need Oregon Liquor Control Commission approval to serve alcohol at a bed and breakfast facility.
4. Meetings and Social Gatherings.
 - a. Commercial meetings. Activities including luncheons, banquets, parties, weddings, meetings, charitable fund raising, commercial or advertising activities, or other gatherings for direct or indirect compensation, are prohibited at a bed and breakfast facility.
 - b. Private social gatherings. The residents of bed and breakfast facilities are allowed to have only four (4) private social gatherings, parties, or meetings per year, for more than four (4) guests. The private social gatherings must be hosted by and for the enjoyment of the residents. The bed and breakfast operator must log the dates these social gatherings are held. Private social gatherings for four (4) or fewer guests are allowed without limit as part of a normal household living use at the site. All participants in the social gathering are counted as guests except for residents.

F. Site-Related Standards.

1. Development Standards. Bed and breakfast facilities must comply with the development standards of the base zone, overlay zones, and plan districts, if applicable.
2. Appearance. Bed and breakfast homes or inns in residential zones must be compatible with the surrounding residential neighborhood. No alterations to the exterior of the house shall be for the purpose of establishing a more commercial building appearance shall be permitted except for routine maintenance, alterations not requiring a building permit, restoration or requirements related to safety or handicapped accessibility. There shall be no exterior indication of a business except for the one (1) permitted sign.
3. No cooking facilities are permitted in the individual guest rooms.
4. Food service shall only be provided to guests taking lodging in the bed and breakfast home or inn.
5. In PDR-1, PDR-2, PDR-3 or PDR-4 zones, no bed and breakfast home may be located on a lot closer than five hundred (500) feet from any other lot containing a bed and breakfast home, with only one (1) such establishment permitted per block face.

Section 4.115. Standards Applying to Manufactured Housing in All Zones Where Manufactured Housing is Permitted.

6. There shall be no more than one (1) sign. Such sign shall not be self-illuminated and shall not exceed six (6) square feet in area. Additional sign requirements described in Sections 4.156.02 through 4.156.10 of this Code shall be met.
 7. Each such use must obtain a Certificate of Occupancy from the Building Official before it commences.
 8. Bed and Breakfast facilities must comply with the off-street parking standards for commercial development found in Section 4.155.
 9. Bed and Breakfast facilities must comply with the landscaping standards for commercial development found in Section 4.176.
- (.14) The Planning Director and Development Review Board shall, in making their determination of compliance in attaching conditions, consider the effects of this action on the availability and cost of needed housing. The provisions of this section shall not be used in such a manner that additional conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of housing or effectively excluding a needed housing type. However, consideration of these factors shall not prevent the Board or Planning Director from imposing conditions of approval necessary to meet the minimum requirements of the Comprehensive Plan and Code.

[Section 4.113 amended by Ord. No. 704, 6/18/12]

Section 4.115. Standards Applying to Manufactured Housing in All Zones Where Manufactured Housing is Permitted.

[Section 4.115 deleted by Ordinance No. 538, 2/21/02.]

Section 4.116. Standards Applying To Commercial Developments In Any Zone.

Any commercial use shall be subject to the applicable provisions of this Code and to the following:

- (.01) Commercial developments shall be planned in the form of centers or complexes as provided in the City's Comprehensive Plan. As noted in the Comprehensive Plan, Wilsonville's focus on centers or complexes is intended to limit strip commercial development.
- (.02) Where the land use map of Wilsonville's Comprehensive Plan calls for "Office Commercial" development, not less than 60% of the total square footage of the ground floors of buildings within the development shall be in office use. Total floor area dedicated to retail use shall not exceed 30%. On-site parking may be limited in order to control traffic generation.
- (.03) Where the land use map of Wilsonville's Comprehensive Plan calls for "Commercial/Industrial mixed use" development, not more than 50% of the total floor area of the development shall consist of retail space.
- (.04) Where the land use map of Wilsonville's Comprehensive Plan calls for "Residential/Commercial mixed use" development, not less than 50% of the total floor area of the development shall consist of residential units.

Section 4.116. Standards Applying To Commercial Developments In Any Zone.

- (.05) All businesses, service or processing, shall be conducted wholly within a completely enclosed building; except for:
- A. The sale of automotive fuel, lubricants, and fluids at service stations.
 - B. Car washes and car vacuum bays.
 - C. Off-street parking for customers and employees and off-street loading.
 - D. Outdoor seating areas associated with food and drink establishments on private property, or on public easements, provided the area and activities conform to ADA standards and do not interfere with public uses, safety, access or circulation.
 - E. Temporary staging of inventory, as shall be authorized through a site development permit, complying with the following additional minimum development and performance standards:
 1. The staging area shall be screened by a fully sight obscuring fence or planting, high wall, high berm or high screen landscape standard as specified in Section 4.176 - Landscaping Screening and Buffering;
 2. All parts of the staged inventory shall be completely concealed on all sides from public view at the right-of-way line; and
 3. The staged inventory shall be relocated into a completely enclosed structure of the primary retail operation within 48 hours of placement.
 - F. Exterior sales that are specifically authorized through temporary use permit approval, subject to conditions of approval. Exterior sales that may be permitted are those that are limited in time duration, such as sidewalk sales, grand openings, or farmers' markets. [Section 4.116(.05) amended by Ord. No. 580, 4/4/05.]
 - G. Exterior sales areas, complying with the following minimum development and performance standards:
 1. The sales area shall be accessory to, and shall not exceed 5% of the floor area of the primary retail operation.
 2. The sales area shall be completely covered by a permanent structure of a design, construction and architecture compatible with that of the structure of the primary retail operation.
 3. All required ADA and pedestrian access ways and circulation aisles shall remain clear at all times.
 4. For new development, the Development Review Board may grant a waiver to allow exterior sales area of up to 10% of the floor area of the primary retail operation, provided that findings can be made that:
 - a. The expanded covered area has received approval through a Stage II/Site Design Review process.
 - b. The expanded area does not detract from the overall character of the development or the surrounding neighborhood.
 - c. Partial walls are required for screening large or bulky items.
 5. For Development existing on December 21, 2005, the Planning Director, pursuant to a Class II Administrative Review Process, may grant a waiver to

Section 4.116. Standards Applying To Commercial Developments In Any Zone.

allow exterior sales areas of up to 10% of the floor area of the primary retail operation, provided that findings can be made that:

- a. The expanded area does not detract from the overall character of the area,
- b. Partial walls are required for screening large or bulky items.

[Section 4.116(.05) amended by Ord. 601, 11/21/05]

- (.06) In any Commercial Development directly across the street from any Residential District, the loading facilities shall be at least twenty (20) feet from the street, shall be sited whenever practicable at the rear or side, and if facing a residential area, shall be properly screened. Screening shall be provided in a manner that is compatible with the adjacent residential development in terms of quality of materials and design. Such screening shall effectively minimize light glare and noise levels to those of adjacent residential areas.
- (.07) Uses shall be limited to those which will meet the performance standards specified in Section 4.135(.05), with the exception of 4.135(.05)(M.)(3.).
- (.08) Corner lots shall conform to the vision clearance standards set forth in Section 4.177.
- (.09) Trailer, trailer houses, mobile coaches, or any altered variation thereof shall not be used for the purpose of conducting a trade or calling or for storage of material unless approved for such purpose as a temporary use.
- (.10) Commercial developments generally.
 - A. No structure shall be erected closer than the right-of-way line then existing or the officially planned right-of-way of any public, county, or state road.
 - B. Minimum Front Yard Setback: None required except when front yard abuts a more restrictive district. When front yard abuts a more restrictive district, setbacks shall be the same as the abutting district.
 - C. Minimum Rear Yard Setback: None required except when rear yard abuts a more restrictive district. When rear yard abuts a more restrictive district, setbacks shall be the same as for the abutting district.
 - D. Minimum Side Yard Setback: None required except when side yard abuts a more restrictive district. When side yard abuts a more restrictive district, setbacks shall be one and one-half (1 1/2) times the setback required for the abutting district.
 - E. Maximum Building Height: Thirty-five (35) feet, unless taller buildings are specifically allowed in the zone.
 - F. Minimum Lot Size: No limitation, save and except as may otherwise be affected by other provisions of this Code.
 - G. Maximum Lot Coverage: No limitation, save and except as may otherwise be affected by other provisions of this Code.
 - H. Minimum Street Frontage: No limitation, save and except as may be necessary to provide minimum access requirements.

Section 4.117. Standards Applying To Industrial Developments In Any Zone.

- (.11) Hotels or Motels.
 - A. Minimum Lot Size: One thousand (1,000) square feet for each unit.
 - B. Minimum Street Frontage: One hundred (100) feet.
 - C. Front Yard Setback: Thirty (30) feet, unless located in the Old Town overlay zone, in which case the standards of the overlay zone shall apply. Structures on corner lots shall observe the minimum setback on both streets or tracts with a private drive. [amended by Ord. 682, 9/9/10]
 - D. Minimum Rear Yard Setback: Thirty (30) feet.
 - E. Minimum Side Yard Setback: Twenty-four (24) feet.
- (.12) Off-Street Parking is to be as specified in Section 4.155.
- (.13) Signs are subject to the standards of Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]
- (.14) Prohibited Uses.
 - A. The use of a trailer, trailer house, or mobile coach as a residence is prohibited except where approved within an RV park or approved as a temporary use during construction.
 - B. Any use that violates the performance standards of Section 4.135(.05), other than 4.135(.05)(M).(3.) is prohibited within commercial developments.

Section 4.117. Standards Applying To Industrial Developments In Any Zone.

- (.01) All industrial developments, uses, or activities are subject to performance standards. If not otherwise specified in the Planning and Development Code, industrial developments, uses, and activities shall be subject to the performance standards specified in Section 4. 135 (.05) (PDI Zone).

Section 4.118. Standards applying to all Planned Development Zones:

- (.01) Height Guidelines: In “S” overlay zones, the solar access provisions of Section 4.137 shall be used to determine maximum building heights. In cases that are subject to review by the Development Review Board, the Board may further regulate heights as follows:
 - A. Restrict or regulate the height or building design consistent with adequate provision of fire protection and fire-fighting apparatus height limitations.
 - B. To provide buffering of low density developments by requiring the placement of three or more story buildings away from the property lines abutting a low density zone.
 - C. To regulate building height or design to protect scenic vistas of Mt. Hood or the Willamette River.

Section 4.118. Standards applying to all Planned Development Zones:

- (.02) Underground Utilities shall be governed by Sections 4.300 to 4.320. All utilities above ground shall be located so as to minimize adverse impacts on the site and neighboring properties.
- (.03) Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:

A. Waive the following typical development standards:

- 1. minimum lot area;
- 2. lot width and frontage;
- 3. height and yard requirements;
- 4. lot coverage;
- 5. lot depth;
- 6. street widths;
- 7. sidewalk requirements;
- 8. height of buildings other than signs;
- 9. parking space configuration and drive aisle design;
- 10. minimum number of parking or loading spaces;
- 11. shade tree islands in parking lots, provided that alternative shading is provided;
- 12. fence height;
- 13. architectural design standards;
- 14. transit facilities; and
- 15. On-site pedestrian access and circulation standards; and
- 16. Solar access standards, as provided in section 4.137.

17. Open space in the Residential Neighborhood zone.

18. Lot orientation

[Amended by Ord. #719, 6/17/13.]

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

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

Section 4.118. Standards applying to all Planned Development Zones:

- C. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways, and the action taken will not violate any applicable federal, state, or regional standards:
 - 1. maximum number of parking spaces;
 - 2. standards for mitigation of trees that are removed;
 - 3. standards for mitigation of wetlands that are filled or damaged; and
 - 4. trails or pathways shown in the Parks and Recreation Master Plan.
- D. Locate individual building, accessory buildings, off-street parking and loading facilities, open space and landscaping and screening without reference to lot lines; and
- E. Adopt other requirements or restrictions, inclusive of, but not limited to, the following:
 - 1. Percent coverage of land by buildings and structures in relationship to property boundaries to provide stepped increases in densities away from low-density development.
 - 2. Parking ratios and areas expressed in relation to use of various portions of the property and/or building floor area.
 - 3. The locations, width and improvement of vehicular and pedestrian access to various portions of the property, including portions within abutting street or private drive. [amended by Ord. 682, 9/9/10]
 - 4. Arrangement and spacing of buildings and structures to provide appropriate open spaces around buildings.
 - 5. Location and size of off-street loading areas and docks.
 - 6. Uses of buildings and structures by general classification, and by specific designation when there are unusual requirements for parking, or when the use involves noise, dust, odor, fumes, smoke, vibration, glare or radiation incompatible with present or potential development of surrounding property. Such incompatible uses may be excluded in the amendment approving the zone change or the approval of requested permits.
 - 7. Measures designed to minimize or eliminate noise, dust, odor, fumes, smoke, vibration, glare, or radiation which would have an adverse effect on the present or potential development on surrounding properties.
 - 8. Schedule of time for construction of the proposed buildings and structures and any stage of development thereof to insure consistency with the City's adopted Capital Improvements Plan and other applicable regulations.
 - 9. A waiver of the right of remonstrance by the applicant to the formation of a Local Improvement District (LID) for streets, utilities and/or other public purposes.
 - 10. Modify the proposed development in order to prevent congestion of streets and/or to facilitate transportation.

Section 4.118. Standards applying to all Planned Development Zones:

11. Condition the issuance of an occupancy permit upon the installation of landscaping or upon a reasonable scheduling for completion of the installation of landscaping. In the latter event, a posting of a bond or other security in an amount equal to one hundred ten percent (110%) of the cost of the landscaping and installation may be required.
 12. A dedication of property for streets, pathways, and bicycle paths in accordance with adopted Facilities Master Plans or such other streets necessary to provide proper development of adjacent properties.
- (.04) The Planning Director and Development Review Board shall, in making their determination of compliance in attaching conditions, consider the effects of this action on availability and cost. The provisions of this section shall not be used in such a manner that additional conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of development. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the minimum requirements of the Comprehensive Plan and Code.
- (.05) The Planning Director, Development Review Board, or on appeal, the City Council, may as a condition of approval for any development for which an application is submitted, require that portions of the tract or tracts under consideration be set aside, improved, conveyed or dedicated for the following uses:
- A. Recreational Facilities: The Director, Board, or Council, as the case may be, may require that suitable area for parks or playgrounds be set aside, improved or permanently reserved for the owners, residents, employees or patrons of the development consistent with adopted Park standards and Parks and Recreation Master Plan.
 - B. Open Space Area: Whenever private and/or common open space area is provided, the City shall require that an association of owners or tenants be established which shall adopt such Articles of Incorporation, By-Laws or other appropriate agreement, and shall adopt and impose such Declaration of Covenants and Restrictions on such open space areas and/or common areas that are acceptable to the Development Review Board. Said association shall be formed and continued for the purpose of maintaining such open space area. Such an association, if required, may undertake other functions. It shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessments levied to maintain said open space area for the purposes intended. The period of existence of such association shall be not less than twenty (20) years and it shall continue thereafter and until a majority vote of the members shall terminate it, and the City Council formally votes to accept such termination.
 - C. Easements: Easements necessary to the orderly extension of public utilities, and the protection of open space, may be required as a condition of approval. When required, such easements must meet the requirements of the City Attorney prior to recordation.

Section 4.120. Zones. RA-H Residential Agricultural - Holding Zone.

- (.06) Nothing in this Code shall prevent the owner of a site that is less than two (2) acres in size from filing an application to rezone and develop the site as a Planned Development. Smaller properties may or may not be suitable for such development, depending upon their particular sizes, shapes, locations, and the nature of the proposed development, but Planned Developments shall be encouraged at any appropriate location.
- (.07) Density Transfers. In order to protect significant open space or resource areas, the Development Review Board may authorize the transfer of development densities from one portion of a proposed development to another. Such transfers may go to adjoining properties, provided that those properties are considered to be part of the total development under consideration as a unit.
- (.08) Wetland Mitigation and other mitigation for lost or damaged resources. The Development Review Board may, after considering the testimony of experts in the field, allow for the replacement of resource areas with newly created or enhanced resource areas. The Board may specify the ratio of lost to created and/or enhanced areas after making findings based on information in the record. As much as possible, mitigation areas shall replicate the beneficial values of the lost or damaged resource areas.
- (.09) Habitat-Friendly Development Practices. To the extent practicable, development and construction activities of any lot shall consider the use of habitat-friendly development practices, which include:
- A. Minimizing grading, removal of native vegetation, disturbance and removal of native soils, and impervious area;
 - B. Minimizing adverse hydrological impacts on water resources, such as using the practices described in Part (a) of Table NR-2 in Section 4.139.03, unless their use is prohibited by an applicable and required state or federal permit, such as a permit required under the federal Clean Water Act, 33 U.S.C. §§1251 et seq., or the federal Safe Drinking Water Act, 42 U.S.C. §§300f et seq., and including conditions or plans required by such permit;
 - C. Minimizing impacts on wildlife corridors and fish passage, such as by using the practices described in Part (b) of Table NR-2 in Section 4.139.03; and
 - D. Using the practices described in Part (c) of Table NR-2 in Section 4.139.03.
[Section 4.118(.09) added by Ord. # 674 11/16/09]

Section 4.120. Zones. RA-H Residential Agricultural - Holding Zone.

- (.01) Purpose. It is the purpose of this zone to serve as a holding zone to preserve the future urban level development potential as undeveloped property designated for more intensive development. This zone has been applied to all urbanizable properties within the city which are planned for development and which have not previously received development approval in accordance with the Comprehensive Plan.
- (.02) Uses Permitted Outright:

Section 4.120. Zones. RA-H Residential Agricultural - Holding Zone.

- A. One single-family dwelling, with not more than one accessory dwelling unit per lot. Where the Comprehensive Plan calls for future non-residential zoning of the site, the building permit for any proposed residential development shall not be granted until a statement has been recorded applying to the title of the subject property, notifying any potential buyer that future development in the area is expected to be non-residential.
- B. Except for existing lots of record of less than two acres, recorded prior to the effective date of this Code, partitioning or subdivision of properties designated for development shall only be considered in conjunction with or following a zone change in conformance with the Comprehensive Plan. Said zoning shall confirm the adequate provision of public facilities and the protection of future urban development potentials.
- C. If the proposed development is for a less intensive interim density consisting of large lots, a pre-plat and Site Plan review shall be required that provides for future development of the property in accordance with the uses and densities shown in the Comprehensive Plan. Said plat shall be filed on the City's Lien Docket as an obligation toward the property, together with an agreement of non-remonstrance towards the formation of any local improvement district which may serve the subject site.
- D. For properties designated in the City's Comprehensive Plan for nonresidential use, the intensity of use shall be restricted to activities which do not require construction of a permanent structure and which will not tend to restrict, obstruct, or adversely affect the future development of the property for its designated use. Except, however, that the development of a single-family dwelling shall be permitted as specified in subsection (.02), above.
- E. Temporary structures or uses, subject to the procedures for temporary uses set forth in Section 4.163.
- F. Agriculture, horticulture, greenhouses, nurseries (provided that any commercial sales of products shall require the approval of a conditional use permit), timber growing, grazing, and the small scale raising of livestock and animals.
- G. Public parks, playgrounds, recreational and community buildings and grounds, public golf courses, tennis courts, and similar recreational uses, all of a non-commercial nature. Any principal building or public swimming pool shall be located not less than forty-five (45) feet from any other lot in a residential or RA-H district.
- H. Accessory Uses Permitted:
 - 1. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal uses permitted located on the same lot therewith.
 - 2. Home occupations.
 - 3. Signs, subject to the provisions of Sections 4.156.01 through 4.156.11.
[Amended by Ord. No. 704, 6/18/12]

(.03) Uses Permitted Subject to receiving approval of a Conditional Use Permit:

Section 4.120. Zones. RA-H Residential Agricultural - Holding Zone.

- A. Private parks, municipal and government buildings, public utilities, public information centers, semi-public buildings of a non-commercial nature, churches, attached family dwelling units limited to two (2) family maximum, public, private, and parochial schools as provided in Section 4.184 when approved by the Development Review Board at a Public Hearing as provided in Section 4.013.
- B. Roadside stands when located on the same property as the principal uses, selling only those products that are produced on the same property on which the stand is located, or on adjacent property.

(.04) Dimensional Standards:

- A. Minimum Lot Size: 30,000 square feet.
- B. Minimum Front and Rear Yard Setbacks: Thirty (30) feet. Minimum Side Yard Setback: Ten (10) feet.
 - 1. Legal, non-conforming RA-H lots in the Old Town Overlay Zone shall have the following setbacks:
 - a. Front: Ten (10) feet for single family dwellings, for all other uses: none;
 - b. Rear: Fifteen (15) feet;
 - c. Side: Five (5) feet.
 - 2. Minimum setback for residential garage or carport: At least five (5) feet behind the front of the nearest residential unit on the property. In no case shall the front of a garage or carport be located less than twenty (20) feet behind a sidewalk or a public right-of-way providing access to that garage or carport. Except, however, in the case of an alley where garages or carports are located within five (5) feet of the property line adjoining the alley.
[Amended by Ord. 682, 9/9/10]
- C. Minimum Street Frontage: Seventy-five (75) feet. A reduced street frontage may be approved, based on a finding that the proposed lot frontage will not hinder the future development of the site to densities proposed in the Comprehensive Plan.
- D. Maximum Height: thirty-five (35) feet.
- 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 (10) 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 (3) feet.

(.05) Off-Street Parking Requirements: As provided in Section 4.155.

(.06) Signs: As provided in Sections 4.156.01 through 4.156.11.
[Amended by Ord. No. 704, 6/18/12]

(.07) Corner Vision: As provided in Section 4.177.

(.08) Prohibited Uses:

Section 4.122. Residential Zone.

- A. Uses of structures and land not specifically listed as permitted or conditionally permitted in the zone, or substantially similar to those uses, are prohibited in all RA-H Zones.
 - B. The use of a trailer, travel trailer, or mobile coach as a residence.
 - C. Service stations for petroleum products.
- (.09) Block and access standards:
- 1. Maximum block perimeter: 1,800 feet.
 - 2. Maximum spacing between streets or private drives for local access: 530 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions meeting this standard. [Amended by Ordinance No. 538, 2/21/02; Ord. 682, 9/9/10.]
 - 3. Maximum block length without pedestrian and bicycle crossing: 330 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions meeting this standard.

Section 4.122. Residential Zone.

- (.01) Purpose: The purpose of this zone is to provide for standards and a simplified review process for small-scale urban low and medium density residential development. Developments in the 'R' zone are not intended to be Planned Developments.
- (.02) Residential Densities: Residential densities shall be governed by the density range designated by the City of Wilsonville Comprehensive Plan.
- (.03) Lot Size Qualifications:
- A. The owner or the owner's authorized agent shall not hold or cause to be held any interest in any adjacent property with the intent to avoid PDR regulations.
 - B. The lot or any part thereof shall not be an identified area of special concern as defined in the Comprehensive Plan.
 - C. The development area must be two (2) acres or less in size. Development of larger properties shall be reviewed through planned development procedures.
 - D. Not more than thirty percent (30%) of the lot shall be covered by buildings.
- (.04) Principal Uses Permitted:
- A. Single-Family Dwelling Units.
 - B. Attached-Family Dwelling Units.
 - C. Apartments.

Section 4.122. Residential Zone.

- D. Public parks, playgrounds, recreational and community buildings and grounds, tennis courts, and similar recreational uses, all of a non-commercial nature. Any principal building or public swimming pool shall be located not less than forty-five (45) feet from any other lot in a residential or RA-H zone.
- E. Manufactured homes. [Note: Section 4.115 Standards Applying to Manufactured Housing in All Zones Where Manufactured Housing is Permitted deleted per by Ord. 538, 2/21/02.]

(.05) Accessory Uses Permitted to Single Family Dwellings:

- A. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal permitted uses, located on the same lot therewith.
- B. Home occupations.
- C. A private garage or parking area.
- D. Temporary real estate signs, small announcement or professional signs, and subdivision signs, as provided in Sections 4.156.05, 4.156.07, 4.156.09, and 4.156.10. [Amended by Ord. No. 704, 6/18/12]
- E. Temporary buildings for uses incidental to construction work, which buildings shall be removed immediately upon completion or abandonment of the construction work. In no case shall such buildings remain on the premises longer than ten (10) days after the receipt of a Certificate of Occupancy or the expiration of construction permits.
- F. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses are detached and located behind the rear most line of the main buildings, at least one-half (1/2) of the side yard setback. In no case shall a setback less than three (3) feet be permitted unless a Reduced Setback Agreement has been approved and properly recorded, as provided in Section 4.113.
- G. Livestock and farm animals shall be permitted subject to the provisions of Section 4.162.

(.06) Accessory Uses Permitted for Attached Family Dwelling Units and Apartments:

- A. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal permitted uses, located on the same lot therewith.
- B. Home occupations.
- C. A private garage or parking area.
- D. Temporary buildings for uses incidental to construction work, which buildings shall be removed immediately upon completion or abandonment of the construction work. In no case shall such buildings remain on the premises longer than ten (10) days after the receipt of a Certificate of Occupancy or the expiration of construction permits.
- E. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses are detached and located behind

Section 4.124. Standards Applying To All Planned Development Residential Zones.

the rear most line of the main building, at least one-half (1/2) of the side yard setback is required.

- F. Livestock and farm animals shall be permitted, subject to the provisions of Section 4.162.

(.07) Other Standards:

- A. Minimum lot width at building line: Sixty (60) feet.
- B. Minimum street frontage of lot: Thirty (30) feet; however, no street frontage is required when the lot fronts on an approved, platted private drive.
- C. Minimum lot size: 5000 square feet.
- D. Minimum lot depth: Seventy (70) feet.
- E. Maximum building or structure height: Thirty-five (35) feet.
- F. Maximum lot coverage: Twenty percent (20%) for all residential dwelling units; thirty percent (30%) for all buildings.
- G. Block and access standards:
1. Maximum block perimeter in new land divisions: 1,800 feet.
 2. Maximum spacing between streets or private drives for local access: 530 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions meeting this standard.
 3. Maximum block length without pedestrian and bicycle crossing: 330 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions meeting this standard.

[Section 4.122(.07) amended by Ord. 538, 2/21/02; Ord 682, 9/9/10.]

Section 4.124. Standards Applying To All Planned Development Residential Zones.

(.01) Examples of principal uses that are typically permitted:

- A. Open Space.
- B. Single-Family Dwelling Units.
- C. Multiple-Family Dwelling Units, subject to the density standards of the zone.
- D. Public parks, playgrounds, recreational and community buildings and grounds, tennis courts, and similar recreational uses, all of a non-commercial nature, provided that any principal building or public swimming pool shall be located not less than forty-five (45) feet from any other lot.
- E. Manufactured homes, subject to the standards of Section 4.115 (Manufactured Housing).

Section 4.124. Standards Applying To All Planned Development Residential Zones.

(.02) Permitted accessory uses to single family dwellings:

- A. Accessory uses, buildings and structures customarily incidental to any of the principal permitted uses listed above, and located on the same lot.
- B. Living quarters without kitchen facilities for persons employed on the premises or for guests. Such facilities shall not be rented or otherwise used as a separate dwelling unless approved as an accessory dwelling unit or duplex.
- C. Accessory Dwelling Units, subject to the standards of Section 4.113 (.11).
- D. Home occupations.
- E. A private garage or parking area.
- F. Keeping of not more than two (2) roomers or boarders by a resident family.
- G. Temporary real estate signs, small announcement or professional signs, and subdivision signs, as provided in the provisions of Sections 4.156.05, 4.156.07, 4.156.09, and 4.156.10. [Amended by Ord. No. 704, 6/18/12]
- H. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
- I. 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 (10) 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 (3) feet.
- J. Livestock and farm animals, subject to the provisions of Section 4.162.

(.03) Permitted accessory uses for multiple-family dwelling units:

- A. Accessory uses, buildings, and structures customarily incidental to any of the aforesaid principal permitted uses, located on the same lot therewith.
- B. Home occupations.
- C. A private garage or parking area.
- D. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
- 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 (10) 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 (3) feet.
- F. Livestock and farm animals, subject to the provisions of Section 4.162.

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

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

Section 4.124. Standards Applying To All Planned Development Residential Zones.

- B. Public or private clubs, lodges or meeting halls. Public or private parks, playground, golf courses, driving ranges, tennis clubs, community centers and similar recreational uses.
- C. Churches, public, private and parochial schools, public libraries and public museums.
- D. Neighborhood Commercial Centers limited to the provisions of goods and services primarily for the convenience of and supported by local residents, and not requiring a zone change to a commercial designation:
 - 1. The site of a Neighborhood Commercial Center was proposed at the time of the original application.
 - 2. Such centers are of a scale compatible with the surrounding residential structures.
 - 3. Such centers shall be compatible with the surrounding residential uses.
 - 4. The site of a Neighborhood Commercial Center shall be at least one-quarter (1/4) mile from any other sites zoned for commercial uses.
 - 5. The site of a Neighborhood Commercial Center shall not exceed five percent (5%) of the total area or one (1) acre, whichever is less.
 - 6. The site of a Neighborhood Commercial Center shall have direct access to a street of a collector classification and shall have direct pedestrian access to the residential areas.
 - 7. The site of a Neighborhood Commercial Center shall not include more than one quadrant of an intersection and shall not result in traffic of a nature which causes a substantial adverse impact on the residential character of the planned development.
- E. Commercial Recreation which is compatible with the surrounding residential uses and promotes the creation of an attractive, healthful, efficient and stable environment for living, shopping or working. All such uses except golf courses and tennis courts shall conform to the requirements of subsection "D" (Neighborhood Commercial Centers), above.

(.05) Appropriate PDR zone based on Comprehensive Plan Density:

Comprehensive Plan Density	Zoning District
0-1 u/acre	PDR-1
2-3 u/acre	PDR-2
4-5 u/acre	PDR-3
6-7 u/acre	PDR-4
10-12 u/acre	PDR-5
16-20 u/acre	PDR-6
20 + u/acre	PDR-7

Table 1: PDR Zone based on Comprehensive Plan Density

Section 4.124.1.PDR-1:

[Section 4.124(.05) amended by Ordinance No. 538, 2/21/02.]

(.06) Block and access standards:

1. Maximum block perimeter in new land divisions: 1,800 feet.
2. Maximum spacing between streets or private drives for local access: 530 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions meeting this standard. [Amended by Ord. 682, 9/9/10]
3. Maximum block length without pedestrian and bicycle crossing: 330 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions meeting this standard.

[Section 4.124(.06) amended by Ordinance No. 538, 2/21/02.]

(.07) Signs. Per the requirements of Sections 4.156.01 through 4.156.11.
[Amended by Ord. No. 704, 6/18/12]

(.08) Parking. Per the requirements of Section 4.155.

(.09) Corner Vision Clearance. Per the requirements of Section 4.177.

Section 4.124.1. PDR-1:

The following standards shall apply in PDR-1 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

- (.01) Average lot size: 30,000 square feet.
- (.02) Minimum lot size: 25,000 square feet.
- (.03) Minimum density at build out: One unit per 37,500 square feet.

(.04) Other standards:

- A. Minimum lot width at building line: Eighty (80) feet.
- B. Minimum street frontage of lot: Eighty (80) feet.
- C. Minimum lot depth: One hundred (100) feet.
- D. Setbacks: per Section 4.113(.03)
- E. Maximum building or structure height: Thirty-five (35) feet.
- F. Maximum lot coverage: Twenty percent (20%) for all residential dwelling units; twenty-five percent (25%) for all buildings.

(.05) Examples of development that is typically permitted (hypothetical 10-acre site):

- A. Ten single-family dwellings (with or without accessory dwelling units) on individual lots, or

Section 4.124.2.PDR-2:

- B. Fourteen dwelling units (any combination of multiple family or single family units with or without accessory dwelling units).

Section 4.124.2. PDR-2:

The following standards shall apply in PDR-2 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

- (.01) Average lot size: 16,000 square feet.
- (.02) Minimum lot size: 12,000 square feet.
- (.03) Minimum density at build out: One unit per 20,000 square feet.
- (.04) Other Standards:
 - A. Minimum lot width at building line: Sixty (60) feet.
 - B. Minimum street frontage of lot: Thirty (30) feet; however, no street frontage is required when the lot fronts on an approved, platted private drive. [Amended by Ord. 682, 9/9/10]
 - C. Minimum lot depth: Seventy (70) feet.
 - D. Setbacks: per Section 4.113(.03).
 - E. Maximum building or structure height: Thirty-five (35) feet.
 - F. Maximum lot coverage: Twenty-five percent (25%) for all residential dwelling units; thirty percent (30%) for all buildings.
- (.05) Examples of development that is typically permitted (hypothetical 10-acre site):
 - A. Twenty single-family dwellings (with or without accessory dwelling units) on individual lots, or
 - B. Twenty-nine dwelling units (any combination of multiple family or single family units with or without accessory dwelling units).

Section 4.124.3. PDR-3:

The following standards shall apply in PDR-3 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

- (.01) Average lot size: 7,000 square feet.
- (.02) Minimum lot size: 5,000 square feet.
- (.03) Minimum density at build out: One unit per 8,000 square feet.
- (.04) Other standards:
 - A. Minimum lot width at building line: Forty (40) feet.
 - B. Minimum street frontage of lot: Forty (40) feet; however, street frontage may be reduced to twenty-four (24) feet when the lot fronts a cul-de-sac. No street frontage is required when the lot fronts on an approved, platted private drive. [Amended by Ord. 682, 9/9/10]

Section 4.124.4.PDR-4:

- C. Minimum lot depth: Sixty (60) feet.
 - D. Setbacks: per Section 4.113(.03).
 - E. Maximum building or structure height: Thirty-five (35) feet.
 - F. Maximum lot coverage: Fifty percent (50%) for lots containing less than 7000 square feet. Forty-five percent (45%) for lots between 7000 and 8000 square feet. Forty percent (40%) for lots exceeding 8000 square feet.
- (.05) Examples of development that is typically permitted (hypothetical 10-acre site):
- A. Fifty-four single-family dwellings (with or without accessory dwelling units) on individual lots, or
 - B. Sixty-two dwelling units (any combination of multiple-family or single-family units with or without accessory dwelling units).

Section 4.124.4. PDR-4:

The following standards shall apply in PDR-4 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

- (.01) Average lot size: 5,000 square feet.
- (.02) Minimum lot size: 4,000 square feet.
- (.03) Minimum density at build out: One unit per 6,000 square feet.
- (.04) Other standards:
 - A. Minimum lot width at building line: Thirty-five (35) feet.
 - B. Minimum street frontage of lot: Thirty-five (35) feet; however, street frontage may be reduced to twenty-four (24) feet when the lot fronts a cul-de-sac. No street frontage is required when the lot fronts on an approved, platted private drive. [Amended by Ord. 682, 9/9/10]
 - C. Minimum lot depth: Sixty (60) feet.
 - D. Setbacks: per Section 4.113(.03).
 - E. Maximum building height: Thirty-five (35) feet.
 - F. Maximum lot coverage: Seventy-five percent (75%) for all buildings.
- (.05) Examples of development that is typically permitted (hypothetical 10-acre site):
 - A. Seventy-two single-family dwellings (with or without accessory dwelling units) on individual lots, or
 - B. Eighty-seven dwelling units (any combination of multiple family or single family units with or without accessory dwelling units).

Section 4.124.5. PDR-5:

The following standards shall apply in PDR-5 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

Section 4.124.6.PDR-6:

- (.01) Average lot area per unit: 3,000 square feet.
- (.02) Minimum lot size: 2,500 square feet.
- (.03) Minimum density at build out: One unit per 4,000 square feet.
- (.04) Other Standards:
 - A. Minimum lot width at building line: Thirty (30) feet.
 - B. Minimum street frontage of lot: Thirty (30) feet.
 - C. Minimum Lot Depth: Sixty (60) feet.
 - D. Setbacks: per Section 4.113(.03).
 - E. Maximum height: Thirty-five (35) feet.
 - F. Maximum lot coverage: Seventy-five percent (75%) for all buildings.
- (.05) Examples of development that is typically permitted (hypothetical 10-acre site):
 - A. 108 town-house units on individual lots, or
 - B. 145 dwelling units (any combination of multiple-family or single-family units).

Section 4.124.6. PDR-6:

The following standards shall apply in PDR-6 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

- (.01) Average lot area per unit: 2,000 to 2,500 square feet.
- (.02) Minimum lot size: None.
- (.03) Minimum density at build out: One unit per 2,500 square feet.
- (.04) Other standards:
 - A. Minimum lot width at building line: Thirty (30) feet.
 - B. Minimum street frontage of lot: Thirty (30) feet.
 - C. Minimum lot depth: Sixty (60) feet.
 - D. Setbacks: per Section 4.113(.03).
 - E. Maximum height: Thirty-five (35) feet.
 - F. Maximum lot coverage: Seventy-five percent (75%) for all buildings.
- (.05) Examples of development that is typically permitted (hypothetical 10-acre site):
 - A. 174 condominium units, or
 - B. 217 multiple family-units.

Section 4.124.7. PDR-7:

The following standards shall apply in PDR-7 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

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- (.01) Average lot area per unit: 2,000 square feet.
- (.02) Minimum lot size: 1,500 square feet.
- (.03) Minimum density at build out: One unit per 2,400 square feet.
- (.04) Other standards:
 - A. Minimum lot width at building line: Thirty (30) feet.
 - B. Minimum street frontage of lot: Thirty (30) feet.
 - C. Minimum lot depth: Sixty (60) feet.
 - D. Setbacks: per Section 4.113(.03).
 - E. Maximum building height: Thirty-five (35) feet.
 - F. Maximum lot coverage: Seventy-five percent (75%) for all buildings.
- (.05) Examples of development that is typically permitted (hypothetical 10-acre site):
 - A. 174 condominium units, or
 - B. 217 multiple-family units.

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- (.01) Purpose.

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

 - A. The Village zone provides for a range of intensive land uses and assures the most efficient use of land.
 - B. The Village zone is intended to assure the development of bicycle and pedestrian-sensitive, yet auto-accommodating, communities containing a range of residential housing types and densities, mixed-use buildings, commercial uses in the Village Center and Neighborhood Centers, and employment opportunities.
 - C. The Village zone, together with the Architectural Pattern Book and Community Elements Book, is intended to provide quantitative and objective review guidelines.
- (.02) Permitted Uses. Examples of principle uses that are typically permitted:
 - A. Single Family Dwellings
 - B. Accessory Dwelling Units, subject to the standards of Section 4.113 (.11)
 - C. Duplexes
 - D. Row Houses

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- E. Multi-Family Dwellings
- F. Cluster Housing
- G. Residential Facilities, Residential Homes, and Community Housing developed to implement ORS 426.508
- H. Non-commercial parks, plazas, playgrounds, recreational facilities, community buildings and grounds, tennis courts, and other similar recreational and community uses owned and operated either publicly or by an owners association.
- I. Commercial uses within the Village Center, subject to the standards of (.06) Standards Applying to Commercial Uses and similar to the following:
 - 1. Sales and servicing of consumer goods:
 - Bicycle shop
 - Bookstore
 - Clothing store
 - Electronics and appliances store
 - Florist
 - Furniture store
 - Jeweler
 - Pet shop
 - 2. Food and sundries:
 - Bakery
 - Butcher shop
 - Convenience store
 - Delicatessen
 - Drugstore
 - Gifts Store
 - Hardware store
 - 3. Lifestyle and recreation:
 - Art gallery
 - Barbershop or hair salon
 - Boutique shops and other specialty retail
 - Coffee shops including outdoor eating areas
 - Health club or gymnasium
 - Restaurants and pubs including outdoor eating areas
 - Dance or martial arts studio
 - 4. Service Commercial:
 - Banking and investment services
 - Child day care
 - Custom tailoring
 - Dry cleaners
 - Photo processing
 - Postal service
 - Reproduction services
 - Laundromat
 - Locksmith

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Telecommunications services

Upholstery shop

5. General Office:

Computer and technology companies

Governmental services

Health services

Insurance agencies

Nonprofit organizations

Professional-type services

Real estate offices

Secretarial services

Travel agencies

J. Commercial uses within a Neighborhood Center, subject to the standards of (.06) Standards Applying to Commercial Uses, and similar to the following:

Bakery

Barbershop and/or hair salon

Bookstore

Coffee shop including outdoor eating areas

Convenience store

Dry cleaners

Florist

Newsstand

Postal services

Service oriented offices

Wine bar

K. Group Living Facility

(.03) Permitted Accessory Uses

A. Uses, buildings and structures customarily incidental to any of the principal permitted uses and located on the same lot

B. Home Occupations

C. Structured parking, garages, and parking areas

D. Temporary Uses per Section 4.163.

E. Signs subject to the standards of (.12) Signage and Wayfinding.

F. Temporary buildings for uses incidental to construction work, which buildings shall be removed immediately upon completion or abandonment of the construction work. In no case shall such buildings remain on the premises longer than ten (10) days after the receipt of a Certificate of Occupancy or the expiration of construction permits.

(.04) Conditional Uses Applications for the following conditional uses shall be processed in accordance with the procedures listed in Section 4.512:

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- A. Public and semi-public buildings and/or structures essential to the physical and economic welfare of an area, such as fire stations, utility sub-stations and pump stations
 - B. Public or private clubs, lodges or meeting halls
 - C. Public or private libraries and museums
 - D. Religious institutions.
 - E. Transit Stations
 - F. Community Centers
 - G. Conference Centers
 - H. Non-commercial community buildings and grounds, and other similar community uses, owned and operated either publicly or by an owners association.
 - I. Commercial parks, plazas, playgrounds, recreational facilities, community buildings and grounds, tennis courts, and other similar recreational and community uses owned and operated privately.
 - J. Schools (public, private, or commercial)
 - K. Theaters
 - L. Home Business
 - M. Commercial Parking Facility
 - N. Light Manufacturing / Research and Development located within the Village Center.
 - O. Overnight Lodging Facility
 - P. Grocery Store or Specialty Grocery Store
- (.05) Development Standards Applying to All Developments in the Village Zone. In addition to other applicable provisions of the Wilsonville Planning and Land Development Ordinance, all development in the Village zone shall be subject to Tables V-1 through V-4, and to the following. If there is a conflict between the provisions of the Village zone and other portions of the Code, then the provisions of this section shall apply.
- A. Block, Alley, Pedestrian and Bicycle Standards:
 - 1. Maximum Block Perimeter: 1,800 feet, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent a block perimeter from meeting this standard.
 - 2. Maximum spacing between streets or private drive for local access: 530 feet, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions from meeting this standard. Under such circumstances, intervening pedestrian and bicycle access shall be

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provided, with a maximum spacing of 330 feet from those local streets or private drives, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions from meeting this standard. [Amended by Ord. 682, 9/9/10]

- B. Access: All lots with access to a public street, and an alley, shall take vehicular access from the alley to a garage or parking area, except as determined by the City Engineer.
- C. Trailers, travel trailers, mobile coaches, or any altered variation thereof shall not be used for the purpose of conducting a trade or calling, or for storage of material, unless approved for such purpose as a temporary use.
- D. Fences:
 - 1. General Provisions:
 - a. Fencing in the Village Zone shall be in compliance with the Master Fencing Program in the adopted Architectural Pattern Book for the appropriate SAP. [Section 4.125(.09)(D)(1)(a) amended by Ord. No. 596, 10/3/05.]
 - b. When two or more properties with different setbacks abut, the property with the largest front yard setback requirement shall be used to determine the length and height of the shared side yard fence, as required by Section 4.125(.05)(D)(1)(a), above.

Example: Building 'A' has 20' front yard setback and Building 'B' has zero front yard setback. Since Building 'A' has the larger front yard setback, it shall be used to determine the height and length of the shared side yard fence. It is 6' tall, but is reduced to 3' in front of Building 'A's building line.
 - c. The Development Review Board may, in their discretion, require such fencing as deemed necessary to promote and provide traffic safety, noise mitigation, and nuisance abatement, and the compatibility of different uses permitted on adjacent lots of the same zone and on adjacent lots of different zones.
 - 2. Residential:
 - a. The maximum height of any fence located in the required front yard of a residential development shall not exceed three (3) feet.
 - b. Fences on residential lots shall not include chain link, barbed wire, razor wire, electrically charged wire, or be constructed of sheathing material such as plywood or flake board. Fences in residential areas that protect wetlands, or other sensitive areas, may be chain link.
- E. Recreational Area in Multi-family Residential and Mixed Use Developments
 - 1. The Recreational Area requirement is intended to provide adequate recreational amenities for occupants of multiple family developments and mixed use developments where the majority of the developed square footage is to be in residential use.

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2. Recreational Area is defined as the common area of all lawns, community gardens, play lots, plazas, court yards, interior and exterior swimming pools, ball courts, tennis courts, exercise rooms, health and exercise facilities, libraries, internet/electronic media rooms, decks and other similar areas for common recreational uses. Recreational Area may include Parks required under the Villebois Village Master Plan, and any usable park areas not shown in such plan. Private areas under this definition, defined as those areas that are accessible only by a single owner or tenant, or commercial or retail recreation facilities serving the general public, shall not constitute or contribute to the measurement of Recreational Area.
 3. A variety of age appropriate facilities shall be included in the mix of Recreational Area facilities.
 4. Recreational Area shall be calculated at the following ratios:
 - a. At the SAP Level – 195 square feet per residential unit.
 - b. At the PDP level – an additional 30 square feet per residential unit
 3. Outdoor Living Area shall be considered to be part of the Open Space requirement in Section 4.125(.08). [Section 4.125(.05)(E.) amended by Ord. 606, 4/3/06.]
- F. Fire Protection:
1. All structures shall include a rated fire suppression system (i.e., sprinklers), as approved by the Fire Marshal

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Table V-1: Development Standards

Building Type	Min. Lot Size (sq.ft.)	Min. Lot Width (ft.)	Min. Lot Depth (ft.)	Max. Lot Coverage (note)	Min. Frontage Width ^{10,12} (%age)	Max. Bldg. Height ⁹ (ft.)	Front Min. (ft.)	Setbacks ^{10, 13, 20}			Alley-Loaded Garage (note)	Street-Loaded Garage (note)
								Front Max. (ft.)	Rear Min. (ft.)	Side Min. (ft.)		
Commercial Buildings - Village Center ¹⁴	NR	NR	NR	¹	90	60	NR ³	5	NR	NR	NR	NA
Hotels - Village Center ¹⁴	NR	NR	NR	¹	80	60	NR ³	15	NR	NR	NR	NA
Mixed Use Buildings - Village Center ¹⁴	NR	NR	NR	¹	90	60	NR ³	8	NR	NR	NR	NA
Multi-Family Dwellings - Village Center ¹⁴	NR	NR	NR	¹	80	45	5 ⁴	15	NR	NR	NR	NA
Row Houses ¹¹ - Village Center ¹⁴	NR	NR	NR	¹	80	45	5 ⁴	10	NR	NR	NR	NA
Commercial Buildings	NR	NR	NR	¹	60	45	NR	15	NR	NR	NR	NA
Mixed Use Buildings	NR	NR	NR	¹	60	45	NR	15	NR	NR	NR	NA
Multi-Family Dwellings	NR	NR	NR	¹	60	45	8 ⁴	15	NR	NR	NR	NA
Row Houses ¹¹	NR	15	50	¹	80	45	8 ⁵	15	NR	NR	NR	NA
Duplexes	4,000	45	70	²	60 ¹⁶	35	12 ^{5,6}	20 ⁶	5	5 ¹⁵	⁷	^{8,17,18}
Single-Family Dwellings	2,250	35	50	²	60 ¹⁶	35	12 ^{5,6}	20 ⁶	5	5 ¹⁵	⁷	^{8,17}

Notes: NR No Requirement

NA Not Allowed

1 Lot < 8000sf: NR; Lot >8000sf: 80% (Max. Lot Coverage)

2 Small lots: 75%, Medium Lots: 65%, Standard and Large Lots: 55%, Estate Lots: 45% Maximum Lot Coverage

On lots where detached accessory buildings are built, maximum lot coverage may be increased by 10%.

3 Bay windows, balconies, and other structural building projections above 8 ft. may encroach up to 5 ft. into the Public Way; canopies, awnings, and other non-structural projections may encroach up to 8 ft. into the Public Way.

4 Porches, stairs, stoops, decks, canopies, balconies, bay windows, chimneys, awnings, and other building projections may encroach up to the Public Way.

5 Porches, stoops, decks, canopies, balconies, bay windows, chimneys, awnings, and other building projections may encroach to within 8 ft. of the Public Way. Stairs may encroach to the Public Way.

6 For Standard, or Large Lots on Collector Avenues, front setbacks are 20 ft. min., (13' setback to porch), side street setbacks are 15' (8' setback to porch). Pie-shaped lots or lots with significant trees or grade banks at frontage have no maximum front setback.

7 The garage setback from alley shall be between 3 and 5 foot or, when as optional parking space is located between the garage and the alley, shall be 16 ft. minimum. Lots with important trees, as identified in the Master Plan, or grade differences at the alley, affecting garage location shall be exempt from this requirement.

8 Street-loaded garages shall be a minimum 20 ft. front setback to face of garage, and located a minimum of 5 ft. behind main façade of the associated dwelling unit.

9 Vertical encroachments are allowed up to ten additional feet, for up to 10% of the building footprint; vertical encroachments shall not be habitable space.

10 For Village Center buildings with lots fronting two or more streets, at least two facades shall be subject to the minimum frontage width and front setback requirements.

11 Row Houses are typically attached, but may be detached within the Village Center Boundary. When attached, no more than ten units shall be contiguous along a street edge. When row houses are detached, the Minimum Frontage Width is 65%. The Minimum Frontage Width for detached row houses may be less than 65% on corner lots or to accommodate the curve radius of street frontage, public utility easements, important trees, grade differences, public open space requirements, or as otherwise approved by the DRB.

12 See Definitions, 4.125.01, for measurement of Minimum Frontage Width.

13 Front Setback is measured as the offset of the front lot line or a vehicular or pedestrian access easement line. On lots with alleys, Rear Setback shall be measured from the rear lot line abutting the alley.

14 See Figure 2A - Village Center Boundary & Land Use Plan in the Villebois Village Master Plan for areas included within the Village Center.

15 On Estate Lots and Large Lots with frontage 70 ft. or wider, the minimum combined side yard setbacks shall total 15 ft. with a minimum of 5 ft. On Small and Medium Lots, minimum side setback shall be 0 ft. or as required by Building Code.

16 For cluster housing with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right of way or a public pedestrian access easement linking the courtyard with the Public Way.

17 Dwellings on lots without alley access shall be at least 36 feet wide.

18 Duplexes with front-loaded garages are limited to one shared standard-sized driveway/apron.

19 Maximum setbacks may be increased as necessary to accommodate deeper porches, building code, public utility easements or public open space requirements.

20 Lots are categorized as small, medium, standard, large or estate as shown in the Pattern Book.

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

(.06) Standards Applying To Commercial Uses

- A. All commercial uses shall be subject to the following:
1. A Neighborhood Center shall only be located at a Neighborhood Commons
 2. The total area of all commercial uses in a Neighborhood Center shall not exceed 3,500 sq. ft. (excluding residential uses, home occupations, or home businesses).
 3. Commercial use shall not include “drive-through” facilities.
 4. A commercial use shall be adjacent to a street.
 5. All businesses, service or processing, shall be conducted wholly within a completely enclosed building; except for off-street parking and off-street loading. Except, however, that exterior displays, outdoor dining areas, or exterior sales may be specifically authorized through temporary use permit or development permit approval, subject to conditions of approval. Exterior sales that may be permitted are those that are limited in time duration, such as sidewalk sales, grand openings, or farmers’ markets. Said areas must maintain the minimum required clear space accessible to pedestrian movement on pathways and/or sidewalks. See the following figure:

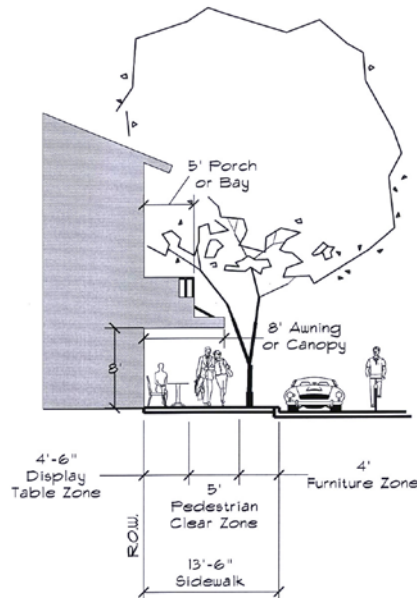


Figure V-1: Exterior Displays/Outdoor Dining

6. Except as may be approved through the processes noted in Section (.07)(A)(5), above, all commercial uses shall meet the performance standards specified in Section 4.135(.05).

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

A. General Provisions:

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

B. Minimum and Maximum Off-Street Parking Requirements:

1. Table V-2, Off-Street Parking Requirements, below, shall be used to determine the minimum and maximum parking standards for noted land uses. The minimum number of required parking spaces shown in Table V-2 shall be determined by rounding to the nearest whole parking space. For example, a use containing 500 square feet, in an area where the standard is one space for each 400 square feet of floor area, is required to provide one off-street parking space. If the same use contained more than 600 square feet, a second parking space would be required.
2. Minimum parking requirements may be met by dedicated off-site parking, including surfaced parking areas and parking structures.
3. Except for detached single-family dwellings and duplexes, on-street parking spaces, directly adjoining and on the same side of the street as the subject property, may be counted towards meeting the minimum off-street parking requirements.
4. Minimum parking requirements may be reduced under the following conditions:
 - a. When complimentary, shared parking availability can be demonstrated, or;
 - b. Bicycle parking may substitute for up to 25% of required Mixed-Use or Multi-Family Residential parking. For every five non-required bicycle parking spaces that meet the short or long-term bicycle parking standards, the motor vehicle parking requirement for compact spaces may be reduced by one space.

C. Minimum Off-Street Loading Requirements:

1. Loading facilities shall be sited at the rear or side whenever practicable, and if adjacent to a residential use, shall be screened. Screening shall match the adjacent residential development in terms of quality of materials and design. Such screening shall minimize light glare and noise levels affecting adjacent residential uses. See also Section 4.155(.03)(B).

D. Bicycle Parking Requirements:

- 1 Purpose: Bicycle parking is required for most use categories to encourage the use of bicycles by providing safe and convenient places to park bicycles for short and long stays.
 - a. Short-term bicycle parking is intended to encourage shoppers, customers, messengers, and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles.
 - b. Long-term bicycle parking is intended to provide employees, students, residents, commuters and others who generally stay at a site for several hours, a secure and weather-protected place to park bicycles. The intent of the long-term standards is to provide bicycle parking within a reasonable distance in order to encourage bicycle use.
2. General Provisions
 - a. Required Bicycle Parking:
 - i. The required minimum number of bicycle parking spaces for each use category is shown in Table V-2, Parking Requirements, below. Bicycle parking is not required for uses not listed.
 - ii. Bicycle parking spaces are not required for accessory uses. If a primary use is listed in Table V-2, bicycle parking is not required for the accessory use.
 - iii. When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.
3. Bicycle Parking Standards:
 - a. Short-term bicycle parking. Required short-term bicycle parking shall meet the following standards:
 - i. Short-term bicycle parking shall be provided in lockers or racks that meet the standards of this section.
 - ii. Short-term bicycle parking shall be located either within 30 feet of the main entrance to the building; or inside a building, in a location that is easily accessible for bicycles.
 - iii. If 10 or more short-term bicycle spaces are required, then at least 50 percent of the required short-term bicycle spaces shall be covered and meet the standards of this section.
 - b. Long-term bicycle parking. Required long-term bicycle parking shall meet the following standards:
 - i. Long-term bicycle parking shall be provided in racks or lockers that meet the standards of this section.
 - ii. Long-term bicycle parking shall be located on the site or in an area where the closest point is within 300 feet of the site
 - iii. At least 50 percent of required long-term bicycle parking shall be covered in compliance with the standards of this section
 - iv. To provide security, long-term bicycle parking shall be in at least one of the following locations:

- In a locked room or locker
 - In an area that is enclosed by a fence with a locked gate. The fence shall be either eight (8) feet high, or be floor-to-ceiling, subject to review and approval of a building permit;
 - In an area that is visible from employee work areas or within view of an attendant or security guard;
 - In a dwelling unit or dormitory unit. If long-term bicycle parking is provided in a dwelling unit or dormitory unit, neither racks nor lockers shall be required.
- c. Bicycle Lockers, Racks and Cover (Weather Protection):
- i. Where required bicycle parking is provided in lockers, the lockers shall be securely anchored.
 - ii. Covered bicycle parking, as required by this section, shall be provided inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures. Where required covered bicycle parking is not within a building or locker, the cover must be permanent, designed to protect the bicycle from rainfall and provide seven (7) foot minimum overhead clearance.

Table V-2: Off Street Parking Requirements

	Min. Vehicle Spaces	Max. Vehicle Spaces	Bicycle Short-term (Spaces)	Bicycle Long-term (Spaces)
Permitted or Conditional Use				
Permitted Uses				
Single-Family Detached Dwellings	1.0/DU	NR	NR	NR
Single-Family Accessory Dwelling Units*	1.0/DU	NR	NR	NR
Duplex	1.0/DU	NR	NR	NR
Row Houses	1.0/DU	NR	NR	NR
Multi-Family Dwellings	1.0/1 Bdr 1.5/2 Bdr 1.75/3 Bdr	NR	1 per 20 units Min. of 2	1 per 4 units Min. of 2
Community Housing	1 per 4 residents	1 per unit	None	1 per 8 residents Min. of 2
Commercial Uses				
Convenience Store	2/1000 sf	5/1000 sf	1 per 5000 sf Min. of 2	1 per 12,000 sf Min. of 2
Restaurant/Pub	2/1000 sf	10/1000 sf	1 per 5000 sf Min. of 2	1 per 12,000 sf Min. of 2
Child Day Care	0.2 per student/staff	0.3 per student/staff	None	1 per 10,000 sf Min. of 2
Medical/Dental	3/1000 sf	4/1000 sf	1 per 40,000 sf Min. of 2	1 per 70,000 sf Min. of 2
All other commercial uses	2/1000 sf	4/1000 sf	1 per 10,000 sf Min. of 2	1 per 40,000 sf Min. of 2
Conditional Uses				
Schools	0.2 per student/staff	0.3 per student/staff	0.3 per student/staff	0.2 per classroom
Recreational Facilities	3/1000 sf ¹	5/1000 sf ¹	1 per 3,000 sf Min. of 4	1 per 3000 sf Min. of 4
Conference Center	0.3 per seat	0.5 per seat	1 per 15 seats Min. of 2	1 per 40 seats Min. of 10
Library/Museum	2/1000 sf	4/1000 sf	1 per 1000 sf Min. of 6	1 per 1000 sf Min. of 6
Religious Institution	.25 per seat	.5 per seat	1 per 2,000 sf Min. of 2	1 per 4,000 sf Min. of 2
Theater	.25 per seat	.5 per seat	1 per 20 seats Min. of 2	1 per 50 seats Min. of 4
Overnight Lodging Facility	1 per room	1.5 per room	1 per 20 rooms Min. of 2	1 per 20 rooms Min. of 2
Light Manufacturing/Research and Development	2/1000 sf	4/1000 sf	1 per 10,000 sf Min. of 2	1 per 40,000 sf Min. of 2
All other Conditional Uses	2/1000 sf	4/1000 sf	1 per 10,000 sf Min. of 2	1 per 40,000 sf Min. of 2

Notes: ¹ 1/1000 sf min. for court facilities

NR No requirement

* See WC Section 4.113(.11) Assessor Dwelling Units

[Table 4-2 amended by Ord. 677, 3/1/10]

(.08) Open Space. Open space shall be provided as follows:

- A. In all residential developments and in mixed-use developments where the majority of the developed square footage is to be in residential use, at least twenty-five percent (25%) of the area shall be open space, excluding street pavement and surface parking. In multi-phased developments, individual phases are not required to meet the 25% standard as long as an approved Specific Area Plan demonstrates that the overall development shall provide a minimum of 25% open space. Required yard areas shall not be counted towards the required open space area.
- B. Open space area required by this Section may, at the discretion of the Development Review Board, be protected by a conservation easement or dedicated to the City, either rights in fee or easement, without altering the density or other development standards of the proposed development. Provided that, if the dedication is for public park purposes, the size and amount of the proposed dedication shall meet the criteria of the City of Wilsonville standards. The square footage of any land, whether dedicated or not, which is used for open space shall be deemed a part of the development site for the purpose of computing density or allowable lot coverage. See SROZ provisions, Section 4.139.10.
- C. The Development Review Board may specify the method of assuring the long-term protection and maintenance of open space and/or recreational areas. Where such protection or maintenance are the responsibility of a private party or homeowners' association, the City Attorney shall review and approve any pertinent bylaws, covenants, or agreements prior to recordation.

(.09) Street and Access Improvement Standards

- A. Except as noted below, the provisions of Section 4.177 shall apply within the Village zone:
 1. General Provisions:
 - a. All street alignment and access improvements shall conform to Figures 7, 8, 9A, and 9B of the Villebois Village Master Plan, or as refined in an approved Specific Area Plan, Preliminary Development Plan, or Final Development Plan, and the following standards:
 - i. All street improvements shall conform to the Public Works Standards and the Transportation Systems Plan, and shall provide for the continuation of streets through proposed developments to adjoining properties or subdivisions, according to the Master Plan.
 - ii. All streets shall be developed according to the Master Plan.
 2. Intersections of streets:
 - a. Angles: Streets shall intersect one another at angles not less than 90 degrees, unless existing development or topography makes it impractical.
 - b. Intersections: If the intersection cannot be designed to form a right angle, then the right-of-way and paving within the acute angle shall have a minimum of a thirty (30) foot centerline radius and said angle shall not be

less than sixty (60) degrees. Any angle less than ninety 90 degrees shall require approval by the City Engineer after consultation with the Fire District.

- c. Offsets: Opposing intersections shall be designed so that no offset dangerous to the traveling public is created. Intersections shall be separated by at least:
 - i. 1000 ft. for major arterials
 - ii. 600 ft. for minor arterials
 - iii. 100 ft. for collectors
 - iv. 50 ft. for local streets[Amended by Ord. #719, 6/17/13.]
- d. Curb Extensions:
 - i. Curb extensions at intersections shall be shown on the Specific Area Plans required in Subsection 4.125(.18)(C) through (F), below, and shall:
 - Not obstruct bicycle lanes on collector streets.
 - Provide a minimum 20 foot wide clear distance between curb extensions at all local residential street intersections, meet minimum turning radius requirements of the Public Works Standards, and shall facilitate fire truck turning movements as required by the Fire District.
3. Street Grades: Street grades shall be a maximum of 6% on arterials and 8% for collector and local streets. Where topographic conditions dictate, grades in excess of 8%, but not more than 12%, may be permitted for short distances, as approved by the City Engineer, where topographic conditions or existing improvements warrant modification of these standards.
4. Centerline Radius Street Curves: The minimum centerline radius street curves shall be as follows:
 - a. Arterial streets: 600 feet, but may be reduced to 400 feet in commercial areas, as approved by the City Engineer.
 - b. Collector streets: 600 feet, but may be reduced to conform with the Public Works Standards, as approved by the City Engineer.
 - c. Local streets: 75 feet
5. Rights-of-way:
 - a. See Section 4.125(.09)(A), above.
6. Access drives:
 - a. See Section 4.125(.09)(A), above.
 - b. 16 feet for two-way traffic
7. Clear Vision Areas
 - a. See Section 4.125(.09)(A), above.
8. Vertical Clearance:
 - a. See Section 4.125(.09)(A), above.
9. Interim Improvement Standard:

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a. See Section 4.125(.09)(A), above.

(.10) Sidewalk and Pathway Improvement Standards

A. The provisions of Section 4.154 and 4.177(.03) shall apply within the Village zone. [Amended by Ord. #719, 6/17/13.]

(.11) Landscaping, Screening and Buffering

A. Except as noted below, the provisions of Section 4.176 shall apply in the Village zone:

1. Streets in the Village zone shall be developed with street trees as described in the Community Elements Book.

(.12) Master Signage and Wayfinding

A. All signage and wayfinding elements within the Village Zone shall be in compliance with the adopted Signage and wayfinding Master Plan for the appropriate SAP.

B. Provisions of Sections 4.156.01 through 4.156.11 shall apply in the Village Zone except Sections 4.156.07 and 4.156.08. Portions of Section 4.156.08 pertaining to Town Center may be used for comparison purposes to assess conceptually whether signage is allowed in an equitable manner throughout the City. Sections 4.156.01 through 4.156.11 are not to be used for direct comparison of sign standards. [Amended by Ord. No. 704, 6/18/12]

C. The Master Signage and Wayfinding Plan is the Master Sign Plan for the applicable SAP.

D. In the event of conflict between the applicable standards of Sections 4.156.01 through 4.156.11 and this subsection or the applicable Master Signage and Wayfinding Plan, this subsection and the Master Signage and Wayfinding Plan shall take precedence. [Amended by Ord. No. 704, 6/18/12]

E. The following signs may be permitted in the Village Zone, subject to the conditions in this Section.

1. Site Signs

a. Signs that capture attention establishing a sense of arrival to Villebois and to areas within Villebois.

2. Site Directional

a. Permanent mounted signs informing and directing the public to major destinations within Villebois.

3. Retail Signs

a. Signs which identify the retail uses, including bulkhead signs, blade signs, temporary window signs and permanent window signs designed to identify storefronts and provide information regarding the retail uses.

4. Informational Signs

a. Permanent mounted signs located along and adjacent to travel ways providing information to residents and visitors traveling within Villebois.

5. Flags and Banners

- a. Permanent and temporary pole mounted signage intended to identify the graphic identity of Villebois and to identify seasonal events taking place within the Villebois Community.
- F. Dimensions and square footage of signs are defined in the Master Signage and Wayfinding Plan for the appropriate SAP.
- G. Signage locations are specified in the Master Signage and Wayfinding Plan for the appropriate SAP.
- H. The number of signs permitted is specified in the Master Signage and wayfinding Plan for the appropriate SAP.

[Section 4.125(.12) amended by Ord. No. 596, 10/3/05.]

(.13) Design Principles Applying to the Village Zone

- A. The following design principles reflect the fundamental concepts, and support the objectives of the Villebois Village Master Plan, and guide the fundamental qualities of the built environment within the Village zone.
 1. The design of landscape, streets, public places and buildings shall create a place of distinct character.
 2. The landscape, streets, public places and buildings within individual development projects shall be considered related and connected components of the Villebois Village Master Plan.
 3. The design of buildings shall functionally relate to adjacent open space, gateways, street orientation, and other features as shown in the Villebois Village Master Plan.
 4. The design of buildings and landscape shall functionally relate to sunlight, climate, and topography in a way that acknowledges these conditions as particular to the Willamette Valley.
 5. The design of buildings shall incorporate regional architectural character and regional building practices.
 6. The design of buildings shall include architectural diversity and variety in its built form.
 7. The design of buildings shall contribute to the vitality of the street environment through incorporation of storefronts, windows, and entrances facing the sidewalk.
 8. The design of streets and public spaces shall provide for and promote pedestrian safety, connectivity and activity.
 9. The design of buildings and landscape shall minimize the visual impact of, and screen views of off-street parking from streets.
 10. The design of exterior lighting shall minimize off-site impacts, yet enable functionality.

(.14) Design Standards Applying to the Village Zone

- A. The following Design Standards implement the Design Principles found in Section 4.125(.13), above, and enumerate the architectural details and design requirements applicable to buildings and other features within the Village (V) zone. The Design Standards are based primarily on the features, types, and details of the residential traditions in the Northwest, but are not intended to mandate a particular style or fashion. All development within the Village zone shall incorporate the following:
1. General Provisions:
 - a. Flag lots are not permitted.
 - b. The minimum lot depth for a single-family dwelling with an accessory dwelling unit shall be 70 feet.
 - c. Village Center lots may have multiple front lot lines.
 - d. For Village Center lots facing two or more streets, two of the facades shall be subject to the minimum frontage width requirement. Where multiple buildings are located on one lot, the facades of all buildings shall be used to calculate the Minimum Building Frontage Width.
 - e. Neighborhood Centers shall only be located within a Neighborhood Commons.
 - f. Commercial Recreation facilities shall be compatible with surrounding residential uses.
 - g. Convenience Stores within the Village zone shall not exceed 4,999 sq. ft., and shall provide pedestrian access.
 - h. Specialty Grocery Stores within the Village zone shall not be more 19,999 square feet in size.
 - i. A Grocery Store shall not be more than 40,000 square feet in size.
 2. Building and site design shall include:
 - a. Proportions and massing of architectural elements consistent with those established in an approved Architectural Pattern Book or Village Center Architectural Standards.
 - b. Materials, colors and architectural details executed in a manner consistent with the methods included in an approved Architectural Pattern Book, Community Elements Book or approved Village Center Architectural Standards.
 - c. Protective overhangs or recesses at windows and doors.
 - d. Raised stoops, terraces or porches at single-family dwellings.
 - e. Exposed gutters, scuppers, and downspouts, or approved equivalent.
 - f. The protection of existing significant trees as identified in an approved Community Elements Book.
 - g. A landscape plan in compliance with Sections 4.125(.07) and (.11), above.
 - h. Building elevations of block complexes shall not repeat an elevation found on an adjacent block.

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- i. Building elevations of detached buildings shall not repeat an elevation found on buildings on adjacent lots.
 - j. A porch shall have no more than three walls.
 - k. A garage shall provide enclosure for the storage of no more than three motor vehicles, as described in the definition of Parking Space.
3. Lighting and site furnishings shall be in compliance with the approved Architectural Pattern Book, Community Elements Book, or approved Village Center Architectural Standards.
 4. Building systems, as noted in Tables V-3 and V-4 (Permitted Materials and Configurations), below, shall comply with the materials, applications and configurations required therein. Design creativity is encouraged. The LEED Building Certification Program of the U.S. Green Building Council may be used as a guide in this regard.

[Section 4.125(.14) amended by Ord. No. 595, 12/5/05.]

Table V-3: Permitted Materials and Configurations		
All Single Family Detached, Duplexes, Row Houses - any location All Mixed-Use, Multi-Family, and Commercial Buildings - outside the Village Center*		
	Permitted Materials	Configuration and Application
Exterior Surfaces of Building Walls and Chimneys	<ul style="list-style-type: none"> ▪ Cedar siding and shingles ▪ Dimensional lumber elements ▪ Fiber-cement siding and shingles ▪ Stucco, cementitious ▪ Masonry: brick, stone, concrete, and faux-stone ▪ Exposed cast-in-place concrete ▪ Pre-cast concrete trim and veneer ▪ Plywood with battens (not primary façade) 	<ul style="list-style-type: none"> ▪ Materials can only be changed at horizontal lines or at an inside corner of two vertical planes ▪ Any material used on a front façade shall return a minimum of 16" on side wall ▪ Lap-siding shall not exceed 7" and drop-siding 10" to the weather ▪ Board and batten shall not exceed 10", and 2" running alternately ▪ Brick shall be laid in a true bonding pattern (no stack bond) ▪ Stucco shall be smooth sand finish ▪ Concrete block shall be split-faced or scored ▪ Cast concrete walls shall have a textured finish
Building Elements	<ul style="list-style-type: none"> ▪ Posts and columns shall be of stone masonry, brick, cast concrete, stucco, wood, built-up fiber-cement board, fiberglass, iron, or tubular steel ▪ Arches and piers shall be stone masonry, brick, cast concrete, or stucco ▪ Porches, balconies, decks, stoops, and stairs shall be of wood, wood polymer, stucco, concrete, brick, or stone ▪ Railings and balustrades shall be iron, welded steel, pre-cast concrete, stone, wood or wood polymer ▪ Trellises shall be iron, welded steel, or wood ▪ Walls and fences may be of permitted wall materials, and wood pickets, lattice, boards, or open painted metal 	<ul style="list-style-type: none"> ▪ All balconies, decks, and trellises - whether cantilevered or not - shall be visibly supported by columns, beams, or brackets ▪ Columns and posts shall be minimum 5" in section ▪ Masonry shall be terminated on a concrete base or carried to the ground ▪ The area under porches and decks shall be screened with wall or fencing material ▪ Landscape walls and fences shall match materials on buildings ▪ Concrete and masonry landscape walls shall be a minimum of 8" thick ▪ Stucco landscape walls shall be over concrete or block walls ▪ Metal fencing shall be of open nature and predominately vertical ▪ Fence heights may step up or down in one ft. increments but not at corners ▪ Ornamentation is only allowed to highlight or embellish a functional element ▪ Balconies shall extend no more than 36 inches beyond the furthestmost adjacent building face ▪ Fence boards must be stained or painted
Roofs	<ul style="list-style-type: none"> ▪ Architectural grade composition shingles ▪ Cedar shingles ▪ Concrete or clay tiles ▪ Slate ▪ Built-up flat roofs ▪ Standing seam metal, parallel to slope ▪ Eco/Green roofs ▪ Metal or wood gutters. Metal downspouts or (1) copper, brass or aluminum chain, (2) rope, or (3) freefall water, in lieu of metal downspouts. ▪ Fabric, steel, or glass awnings 	<ul style="list-style-type: none"> ▪ Principal sloped roofs shall have symmetrical 4:12 to 12:12 pitches ▪ Eaves shall overhang at least 12 inches or be tight to the wall and finished by a molding or stucco detail ▪ Eco/Green roofs are permitted on flat roofs or sloped roofs up to 6.9:12 pitch. ▪ Fascia gutters are not allowed ▪ Gutters shall have a half-round, ogee, or square profile ▪ Metal Downspouts shall be round or box and use standoffs instead of bending around trim boards or other elements. ▪ All roof-mounted components, such as mechanical equipment, solar equipment, antennas, satellites, etc., shall be screened from view. ▪ Chain or rope downspouts anchored at bottom, or gutter freefall, shall convey water to a no-splash basin. The basin and drainage conveyance away from the basin require City approval on a per design basis. ▪ Roof vents shall be minimized where visible from public areas ▪ Dormers shall be placed at least 36 inches from side building walls ▪ Flat roofs shall be enclosed by parapets
Windows & Doors	<ul style="list-style-type: none"> ▪ Wood, metal or vinyl-clad wood, vinyl or steel frames and sashes ▪ Clear or Low-E glass where visible from public areas ▪ Entry and garage doors of wood, fiberglass, or embossed metal ▪ Sliding glass doors are allowed only where screened from public areas ▪ Wood, fiber-cement, vinyl, or fiberglass shutters 	<ul style="list-style-type: none"> ▪ Individual windows shall be square or vertical in proportion ▪ Windows and doors shall be recessed at least 3" from the exterior wall surface or surrounded by trim ▪ Door and window shutters shall be sized to cover the window

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Table V-4: Permitted Materials and Configurations:

Commercial Buildings - Inside the Village Center* Educational Facilities (Schools) - any location Multi-Family Buildings - Inside the Village Center* Religious Institutions - any location Mixed-Use Buildings - Inside the Village Center*		
	Permitted Materials	Configuration and Application
Exterior Surfaces of Building Walls	<ul style="list-style-type: none"> ▪ Metal Panel ▪ Cedar siding and wood elements ▪ Fiber-cement siding ▪ Stucco, cementitious ▪ Masonry: brick, stone, concrete, concrete masonry units and faux-stone ▪ Exposed cast-in-place concrete ▪ Pre-cast concrete trim and veneer ▪ Plywood w/ battens (not primary façade) 	<ul style="list-style-type: none"> ▪ Materials may be changed at horizontal lines or at an inside corner of two vertical planes ▪ Lap-siding shall not exceed 7" and drop-siding 10" to the weather ▪ Board and batten shall not exceed 10", and 2" running alternately ▪ Brick shall be laid in a true bonding pattern (no stack bond) ▪ Concrete block shall be split-faced, ground-faced, or scored
Building Elements	<ul style="list-style-type: none"> ▪ Posts and columns shall be of stone, masonry, brick, cast concrete, stucco, wood, built-up fiber-cement board, fiberglass, or welded steel ▪ Arches and piers shall be stone masonry, brick, cast concrete, or stucco ▪ Porches, balconies, decks, stoops, and stairs shall be of wood, stucco, concrete, brick, stone, or welded steel ▪ Railings and balustrades shall be iron, welded steel, or wood ▪ Trellises shall be iron, welded steel, or wood ▪ Walls and fences may be of permitted materials, and wood pickets, lattice, boards, or open painted metal 	<ul style="list-style-type: none"> ▪ Balconies shall extend no more than 36 inches beyond the furthest adjacent building face ▪ Masonry shall be terminated on a concrete base or carried to the ground ▪ Columns and posts shall be minimum 5" in section ▪ The area under porches and decks shall be screened with wall or fencing material ▪ Concrete and masonry landscape walls shall be a minimum of 8" thick
Roofs	<ul style="list-style-type: none"> ▪ Architectural grade composition shingles ▪ Concrete or clay tiles ▪ Slate ▪ Built-up flat roofs ▪ Standing seam metal, parallel to slope ▪ Metal gutters and downspouts ▪ Eco/Green roofs ▪ Metal or wood gutters. Metal downspouts or (1) copper, brass or aluminum chain, (2) rope, or (3) freefall water, in lieu of metal downspouts. ▪ Fabric, steel, or glass awnings 	<ul style="list-style-type: none"> ▪ Principal sloped roofs shall have 4:12 to 12:12 pitches (excluding mansard roofs) ▪ Where eaves are used, rafter ends may be exposed or concealed by fascia ▪ Eco/Green roofs are permitted on flat roofs or sloped roofs up to 6.9:12 pitch. ▪ Fascia gutters are not allowed ▪ Gutters shall have a half-round, ogee, or square profile ▪ Downspouts shall be round or box and use standoffs instead of bending around trim boards or other elements ▪ Chain or rope downspouts anchored at bottom, or gutter freefall, shall convey water to a no-splash basin. The basin and drainage conveyance away from the basin require City approval on a per design basis. ▪ All roof-mounted components, such as mechanical equipment, solar equipment, antennas, satellites, etc., shall be screened from public streets ▪ Dormers shall be placed at least 36 inches from side building walls ▪ Flat roofs shall be enclosed by parapets or shall project horizontally a min. of 36 inches as an eave
Windows & Doors	<ul style="list-style-type: none"> ▪ Wood, metal or vinyl-clad wood, vinyl or steel frames and sashes ▪ Clear or Low-E glass where visible from public areas ▪ Entry and garage doors of wood, fiberglass, or embossed metal ▪ Wood, fiber-cement, vinyl, or fiberglass shutters 	<ul style="list-style-type: none"> ▪ Individual windows shall be square or vertical in proportion ▪ Hexagonal windows are not allowed ▪ Windows and doors shall be recessed at least 3" from the exterior wall surface or surrounded by trim ▪ Shutters shall be sized to cover the window or door

*Note: See Figure 2 of the Villebois Village Master Plan for boundaries of Village Center

(.15) Village Center Design Principles

- A. In addition to the design principles found in Section 4.125(.13), above, the following principles reflect the fundamental concepts, support the objectives of the Villebois Village Master Plan, and guide the fundamental qualities within the Village Center:
1. The buildings, streets and open spaces of the Village Center are intended to relate in such a way as to create an identifiable and related series of public and private spaces.

(.16) Village Center Design Standards

- A. In addition to the design standards found in Section 4.125(.14), above, the following Design Standards are applicable to the Village Center, exclusive of single-family detached dwellings and row houses:
1. Off-street parking areas shall not be located between buildings and the street.
 2. The design of off-street parking areas shall include pedestrian connections to the buildings they serve, sidewalks, and adjacent parking areas.
 3. The design of buildings and public spaces shall include interior (through-buildings) and exterior public pedestrian accessways, as required, to facilitate pedestrian connections.
 4. The design of buildings shall include rear and side entrances in addition to primary street front entrances when necessary to facilitate pedestrian connections.
 5. Building facades shall be broken into multiple vertical elements.
 6. Canopies and awnings should be provided as specified in the Village Center Architectural Standards. [Section 4.125(.16)(A)(6) amended by Ord. No. 595, 12/5/05.]
 7. The design of buildings and landscapes shall provide opportunities for public art at a minimum of one location per block.

(.17) Village Center Plaza Design Standards

- A. In addition to the design standards found in Section 4.125(.16), above, the following Design Standards are specific to the design of the Village Center Plaza:
1. The Village Center Plaza shall be measured as all space enclosed by the surrounding buildings.
 2. The Village Center Plaza landscape shall consist of textured paving differentiated from typical street pavement. Vehicular movement and on-street parking within the Village Center Plaza is encouraged to have similar paving treatments and occur at the same elevation as the sidewalk and the Village Center Plaza.
 3. The Village Center Plaza shall include the following:
 - a. Incorporation of existing significant trees, street furniture, bollards or similar elements, and exterior lighting.

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- b. One vertical tower element facing the Village Center Plaza with proportions, massing, and architectural elements consistent with the Village Center Architectural Standards.

[Section 4.125(.17) amended by Ord. No. 595, 12/5/05.]

(.18) Village Zone Development Permit Process. Except as noted below, the provision of Sections 4.140(.02) through (.06) shall apply to development in the Village zone.

- A. Purpose and Intent. It is the purpose of this subsection to describe the process by which development plans are proposed, reviewed and adopted and to provide the procedures and criteria for development permit application, review and approval.
- B. Unique Features and Processes of the Village (V) Zone: To be developed, there are three (3) phases of project approval. Some of these phases may be combined, but generally the approvals move from the conceptual stage through to detailed architectural, landscape and site plan review in stages. All development within the Village zone shall be subject to the following processes:

1. Specific Area Plan (SAP) approval by the Development Review Board, as set forth in Sections 4.125(.18)(C) through (F), below (Stage I equivalent). To be developed, a site must be included in an approved SAP.
2. Preliminary Development Plan (PDP) approval by the Development Review Board, as set forth in Sections 4.125(.18)(G) through (K) (Stage II equivalent), below. Following SAP approval, an applicant may file applications for Preliminary Development Plan approval (Stage II equivalent) for an approved phase in accordance with the approved SAP, and any conditions attached thereto. Land divisions may also be preliminarily approved at this stage. Except for land within the Central SAP or multi-family dwellings outside the Central SAP, application for a Zone Change and Final Development Plan (FDP) shall be made concurrently with an application for PDP approval. The SAP and PDP/FDP may be reviewed simultaneously when a common ownership exists.

Final Development Plan (FDP) approval by the Development Review Board or the Planning Director, as set forth in Sections 4.125(.18)(L) through (P) (Site Design Review equivalent), below, may occur as a separate phase for lands in the Central SAP or multi-family dwellings outside the Central SAP.

3. Administrative Review approvals, by the Planning Director, as set forth in Section 4.030. Prior to commencement of development, final approval for land divisions, tree removal permits, grading permits, and compliance with prior approvals must be received. Development permit issuance follows completion of the foregoing stages.

[Section 4.125(.18)(B) amended by Ord. No. 587, 5/16/05.]

- C. Specific Area Plan (SAP) Application Procedures.
 1. Purpose – A SAP is intended to advance the design of the Villebois Village Master Plan.
 2. If not initiated by the City Council, Planning Commission or Development Review Board, an application for SAP approval shall be submitted by the

Master Planner, or by landowners pursuant to subsection C.3 below. The application shall be accompanied by payment of a fee established in accordance with the City's fee schedule.

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

D. SAP Application Submittal Requirements:

1. Existing Conditions – An application for SAP approval shall specifically and clearly show the following features and information on maps, drawings, application form or attachments. The SAP shall be drawn at a scale of 1" = 100' (unless otherwise indicated) and may include multiple sheets depicting the entire SAP area, as follows:
 - a. Date, north arrow and scale of drawing.
 - b. The boundaries of the Specific Area Plan as may be refined and in keeping with the intent of the Villebois Village Master Plan's conceptual location of SAPs. (See Figure 3 "Conceptual Specific Area Plan Boundaries" of the Villebois Village Master Plan.) [Amended by Ord. 565, adopted 6/21/04.]
 - c. A vicinity map showing the location of the SAP sufficient to define its location and boundaries and Clackamas County Tax Assessor's map numbers of the tract boundaries. The vicinity map shall clearly identify the nearest cross streets.
 - d. An aerial photograph (at 1" = 500') of the proposed site and properties within 50 feet of the SAP boundary.
 - e. The size, dimensions, and zoning of each lot or parcel tax lot and Tax Assessor's map designations for the SAP and properties within 50 feet of the SAP boundary.
 - f. The location, dimensions and names, as appropriate, of existing and platted streets and alleys on and within 50 feet of the perimeter of the SAP, together with the location of existing and planned easements, sidewalks, bike routes and bikeways, trails and the location of other important features such as section lines, section corners, and City boundary lines. The plan shall also identify all trees 6 inches and greater d.b.h. on the project site only in that SAP .

- g. Contour lines shall relate to North American Vertical Datum of 1988 and be at minimum intervals as follows:
 - i. One (1) foot contours for slopes of up to five percent (5%);
 - ii. Two (2) foot contours for slopes of from six percent (6%) to twelve percent (12%);
 - iii. Five (5) foot contours for slopes of from twelve percent (12%) to twenty percent (20%). These slopes shall be clearly identified, and
 - iv. Ten (10) foot contours for slopes exceeding twenty percent (20%).
 - h. The location of areas designated Significant Resource Overlay Zone (SROZ), and associated 25-foot Impact Areas, within the SAP and within 50 feet of the SAP boundary, as required by Section 4.139.
2. SAP Development Information – The following information shall also be shown at a scale of 1" = 100' and may include multiple sheets depicting the entire SAP area:
- a. A site circulation plan showing the approximate location of proposed vehicular, bicycle and pedestrian access points and circulation patterns, and parking and loading areas.
 - b. The approximate location of all proposed streets, alleys, other public ways, curb extensions, sidewalks, bicycle and pedestrian accessways, neighborhood commons, and easements. The map shall identify existing subdivisions and development and un-subdivided land ownerships adjacent to the proposed SAP site.
 - c. The approximate project location, acreage, type, preliminary lot lines and density of the proposed development. For the residential portions of the SAP, the master planner shall identify: 1) the overall minimum and maximum number of housing units to be provided; and 2) the overall minimum and maximum number of housing units to be provided, by housing type.
 - d. The approximate locations of proposed parks, playgrounds or other outdoor play areas, outdoor common areas, usable open spaces, and natural resource areas or features proposed for preservation. This information shall include identification of areas proposed to be dedicated or otherwise preserved for public use and those open areas to be maintained and controlled by the owners of the property and their successors in interest for private use. This information shall be provided in tabular form, and shall reconcile all such areas as may have been adjusted through prior approvals.
 - e. A composite utility plan illustrating existing and proposed water, sanitary sewer, and storm drainage facilities necessary to serve the SAP.
 - f. A grading plan illustrating existing and proposed contours as prescribed previously in this section.
 - g. A development sequencing plan
 - h. A utilities sequencing plan
 - i. A bicycle and pedestrian circulation plan

- j. A tree removal, preservation and protection plan
 - k. A property ownership list, as required by Section 4.035(.04)(A)(6)(j).
 - l. At the applicant's expense, the City shall have a Traffic Impact Analysis prepared, as required by Section 4.030(.02)(B), to review the anticipated traffic impacts of the proposed development. This traffic report shall include an analysis of the impact of the SAP on the local street and road network, and shall specify the maximum projected average daily trips and maximum parking demand associated with buildout of the entire SAP, and it shall meet Subsection 4.140(.09)(J)(2).
 - m. A master signage and wayfinding plan
 - n. A rainwater management program
3. Architectural Pattern Book – An Architectural Pattern Book shall be submitted with a SAP application. The Architectural Pattern Book shall apply to all development outside of the Village Center Boundary, as shown on Figure 1 of the currently adopted Villebois Village Master Plan. An Architectural Pattern Book shall address the following: [Section 4.125(.18)(D)(3) was amended by Ord. No. 595, 12/5/05.]
- a. Illustrate areas within the Specific Area Plan covered by the Architectural Pattern Book.
 - b. An explanation of how the Architectural Pattern Book is organized, and how it is to be used.
 - c. Define specific standards for architecture, color, texture, materials, and other design elements.
 - d. Include a measurement or checklist system to facilitate review of development conformity with the Architectural Pattern Book.
 - e. Include the following information for all row houses, duplexes, and single-family detached housing inside and outside of the Village Center, and for all other buildings outside of the Village Center, including Neighborhood Center(s) within the SAP:
 - i. Illustrate and describe the Regional and Climatic conditions affecting the SAP, and the proposed building types including:
 - Relationship of indoor and outdoor spaces.
 - Design for rainwater paths including roof forms, gutters, scuppers and downspouts.
 - Design for natural day-lighting.
 - Massing and materials.
 - f. Illustrate and describe examples of appropriate architectural styles and how they would be applied to specific land use types, including the definitions (i.e., specifications) of the elements, massing, and facade composition for each style including:
 - i. Architectural precedent and/or historic relevance of each style.
 - ii. Massing, proportions, and roof forms, including details.
 - iii. Doors, windows and entrances showing trim types and details.
 - iv. Porches, chimneys and unique features and details.

- v. Materials, colors, light fixtures and accents.
 - vi. Downspouts and gutters.
 - g. Illustrate and describe examples of appropriate exterior lighting types, and how their design:
 - i. Minimizes glare.
 - ii. Minimizes emission of light beyond the boundaries of a development site.
 - iii. Conserves energy.
 - iv. Maintains nighttime safety, utility, security, and productivity.
 - v. Minimizes the unnatural brightening of the night sky.
 - h. A Master Fencing Program illustrating and describing the specifications and materials for fencing within the SAP. [Section 4.125(.18)(D)(3.)(h) added by Ord. No. 596, 10/305.]
4. Community Elements Book – A Community Elements Book shall be submitted, including the following:
- a. Lighting Master Plan and Specifications, which address the requirements of Section 4.125(.18)(D)(3)(g), above.
 - b. Lighting Master Plan and Specifications
 - c. Site Furnishings Master Plan and Specifications
 - d. Curb Extensions Master Plan and Specifications
 - e. Street Tree Master Plan and Specifications
 - f. Post Box Specifications
 - g. Bollard Specifications
 - h. Trash Receptacle Specifications
 - i. Recycling Receptacle Specifications
 - j. Bench Specifications
 - k. Bicycle Rack and Locker Specifications
 - l. Playground Equipment Specifications
 - m. Master Plant List and Specifications
 - n. For SAP Central, provide additional information regarding the elements within the Address Overlay Areas.
[Section 4.125(.18)(D)(4) amended by Ord. No. 595, 12/5/05.]
5. Rainwater Management Program – A Rainwater Management Program shall be submitted, addressing the following:
- a. Provision for opportunities to integrate water quality, detention, and infiltration into the SAP's natural features and proposed development areas;
 - b. Provision of methods reducing the increase in runoff from the 90th percentile of all rain events and meet pre-development hydrology to the greatest extent practicable;
 - c. Identification of guidelines and standards for the design of all Rainwater Management Systems within the SAP, that:
 - i. Manage the ¼-inch, 24-hour rainfall event at pre-development levels.

- ii. Mitigate 100% of impervious area from private areas within public areas and/or private areas (i.e., parks and open space areas, public street rights-of-way).
- iii. Mitigate 100% of impervious area from all public areas within public areas (i.e., parks and open space areas, public street rights-of-way).
- iv. Remove 70% of Total Suspended Solids (TSS) for ¼-inch, 24-hour storm event for all development areas.
- v. Remove 65% of Phosphorous for ¼-inch, 24-hour storm event for all development areas.
- vi. Integrate compost-amended topsoil in all areas to be landscaped to help detain runoff, reduce irrigation and fertilizer needs, and create a sustainable, low-maintenance landscape.
- vii. Treatment associated with stormwater runoff will be considered in meeting Total Suspended Solids (TSS) and Phosphorus removal requirements.

[Section 4.125(.18)(D)(5)(c) amended by Ord. No. 579, 3/7/05]

6. Master Signage and Wayfinding – A Master Signage and Wayfinding Plan shall be submitted with an SAP application and shall address the following:
 - a. Illustrate the boundaries of the SAP covered by the Master Signage and Wayfinding Plan.
 - b. An explanation of how the Master Signage and Wayfinding Plan is organized and how it is to be used.
 - c. Define specific standards for signage and wayfinding elements within the subject SAP.
 - d. Define specifications for logo, typography, symbols and color palette.
 - e. Narrative shall be submitted as part of the application to adopt the Master Signage and Wayfinding Plan showing how the proposed Master Signage and Wayfinding Plan meets the Purpose statement of W.C. Section 4.156.01 and how the proposed Plan is consistent with site signs, sited directional signs and information signs in other Villebois SAPs. Narrative shall also be provided describing how the proposed Master Signage and Wayfinding Plan compares conceptually with the signage allowed in the Wilsonville Town Center, as described in Section 4.156.08, to ensure that signage is allowed in an equitable manner throughout the City. Section 4.156.08 is not to be used for a direct comparison of sign standards.
[Section 4.125(18)(D)(6) added by Ord. No. 596, 10/3/05. Subsequent subsection numbering adjusted.] [Amended by Ord. No. 704, 6/18/12]
7. Village Center Architectural Standards – Village Center Architectural Standards shall be submitted with an application for the Central SAP. The Village Center Architectural Standards shall apply to the portion of SAP Central within the Village Center boundary. This area is shown on Figure 1 of the currently adopted Master Plan. The Village Center Architectural Standards shall address the following:

- a. Provide an explanation of how the Village Center Architectural Standards is organized, and how it is to be used.
 - b. Include a measurement or checklist system to facilitate review of development conformity with the Village Center Architectural Standards.
 - c. The Village Center Architectural Standards shall address Village Center Design Standards required by Sections 4.125(.16) and (.17), above.
 - d. Illustrate the boundaries of all Address Overlay Areas.
 - e. For each Address Overlay Area, the Village Center Architectural Standards shall include a narrative describing the intended characteristics.
 - f. The Village Center Architectural Standards shall include standards for all buildings regarding the following elements:
 - i. Building massing and proportions
 - ii. Roof forms, including typical components
 - iii. Building components, including but not limited to:
 - Doors and primary entrances
 - Canopies and awnings
 - Windows
 - Porches, balconies, bay windows.
 - iv. Exterior materials and color palette
 - g. The Village Center Architectural Standards shall work in coordination with the following SAP documents:
 - i. The Parks and Open Space Plan
 - ii. The Site Circulation Plan
 - iii. Composite Utility Plan
 - iv. The Master Signage and Wayfinding Plan
 - v. The Community Elements Book
 - vi. The Rainwater Management Program
[Section 4.125(.18)(D)(6) amended by Ord. No 595, 12/5/05.]
8. SAP Narrative Statement – A narrative statement shall be submitted, addressing the following:
- a. A description, approximate location and timing of each proposed phase of development within the SAP.
 - b. An explanation of how the proposed development complies with the applicable standards of this section.
 - c. A statement describing the impacts of the proposed development on natural resources within the SAP and how the proposed development complies with the applicable requirements of Chapter 4.
 - d. Includes a description of the goals and objectives of the Villebois Village Master Plan and the Design Principles of the V-Zone, and how they will be met for the specified land use area.
 - e. Includes information demonstrating how the Architectural Pattern Book satisfies the goals and concepts of the Villebois Village Master Plan, the Design Principles and Design Standards of the Village zone.

- f. Where applicable, a written description of the proposal’s conformance with the Village Center Design Principles and Standards.

E. SAP Approval Process and Review Criteria

- 1. An application for SAP approval shall be reviewed using the following procedures:
 - a. Notice of a public hearing before the Development Review Board regarding a proposed SAP shall be made in accordance with the procedures contained in Section 4.012.
 - b. The Development Review Board may approve an application for SAP approval only upon finding the following approval criteria are met:
 - i. That the proposed SAP:
 - Is consistent with the standards identified in this section.
 - Complies with the applicable standards of the Planning and Land Development Ordinance, and
 - Is consistent with the Villebois Village Master Plan. Those elements of the Village Master Plan with which the SAP must be consistent are the Plan’s Goals, Policies, and Implementation Measures, and, except as the text otherwise provides, Figures 1, 5, 6A, 7, 8, 9A, and 9B.
 - ii. If the SAP is to be phased, as enabled by Sections 4.125(.18)(D)(2)(g) and (h), that the phasing sequence is reasonable.
 - iii. The Development Review Board may require modifications to the SAP, or otherwise impose such conditions, as it may deem necessary to ensure conformance with the Villebois Village Master Plan, and compliance with applicable requirements and standards of the Planning and Land Development Ordinance, and the standards of this section.

F. Refinements to Approved Villebois Village Master Plan

- 1. In the process of reviewing a SAP for consistency with the Villebois Village Master Plan, the Development Review Board may approve refinements, but not amendments, to the Master Plan. Refinements to the Villebois Village Master Plan may be approved by the Development Review Board, upon the applicant’s detailed graphic demonstration of compliance with the criteria set forth in Section 4.125(.18)(F)(2), below. Amendments to the Villebois Village Master Plan may be approved by the Planning Commission as set forth in Section 4.032(.01)(B).
 - a. Refinements to the Master Plan are defined as:
 - i. Changes to the street network or functional classification of streets that do not significantly reduce circulation system function or connectivity for vehicles, bicycles or pedestrians.
 - ii. Changes to the nature or location of park type, trails, or open space that do not significantly reduce function, usability, connectivity, or overall distribution or availability of these uses in the Specific Area Plan.

- iii. Changes to the nature or location of utilities or storm water facilities that do not significantly reduce the service or function of the utility or facility.
 - iv. Changes to the location or mix of land uses that do not significantly alter the overall distribution or availability of uses in the affected SAP. For purposes of this subsection, “land uses” or “uses” are defined in the aggregate, with specialty condos, mixed use condos, urban apartments, condos, village apartments, neighborhood apartments, row houses and small detached uses comprising a land use group and medium detached, standard detached, large and estate uses comprising another.
 - v. A change in density that does not exceed ten percent, provided such density change does not result in fewer than 2,300 dwelling units in the Village.
 - vi. Changes that are significant under the above definitions, but necessary to protect an important community resource or substantially improve the function of collector or minor arterial streets. [Amended by Ord. 682, 9/9/10]
 - b. As used herein, “significant” means:
 - i. More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(F)(1)(a), above, or,
 - ii. That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(F)(1)(a), above.
2. Refinements meeting the above definition may be approved by the DRB upon the demonstration and finding that:
 - a. The refinements will equally or better meet the Goals, Policies and Implementation Measures of the Villebois Village Master Plan
 - b. The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the SAP and Village area, and
 - c. The refinement will not preclude an adjoining or subsequent SAP area from development consistent with the Master Plan.
 3. Amendments are defined as changes to elements of the Master Plan not constituting a refinement. Amendments to the Master Plan must follow the same procedures applicable to adoption of the Master Plan itself.
- G. Preliminary Development Plan Approval Process (Equivalent to Stage II):
1. An application for approval of a Preliminary Development Plan for a development in an approved SAP shall:
 - a. Be filed with the City Planning Division for the entire SAP, or when submission of the SAP in phases has been authorized by the Development Review Board, for a phase in the approved sequence.
 - b. Be made by the owner of all affected property or the owner's authorized agent; and

- c. Be filed on a form prescribed by the City Planning Division and filed with said division and accompanied by such fee as the City Council may prescribe by resolution; and
 - d. Set forth the professional coordinator and professional design team for the project; and
 - e. State whether the development will include mixed land uses, and if so, what uses and in what proportions and locations.
 - f. Include a preliminary land division (concurrently) per Section 4.200, as applicable.
 - g. Include a concurrent application for a Zone Map Amendment (i.e., Zone Change) for the subject phase.
2. The application for Preliminary Development Plan approval shall include conceptual and quantitatively accurate representations of the entire development sufficient to demonstrate conformance with the approved SAP and to judge the scope, size and impact of the development on the community and shall be accompanied by the following information:
- a. A boundary survey or a certified boundary description by a surveyor licensed in the State of Oregon.
 - b. Topographic information sufficient to determine direction and percentage of slopes, drainage patterns, and in environmentally sensitive areas, (e.g., flood plain, wetlands, forested areas, steep slopes or adjacent to stream banks). Contour lines shall relate to North American Vertical Datum of 1988 and be at minimum intervals as follows:
 - i. One (1) foot contours for slopes of up to five percent (5%);
 - ii. Two (2) foot contours for slopes of from six percent (6%) to twelve percent (12%);
 - iii. Five (5) foot contours for slopes of from twelve percent (12%) to twenty percent (20%). These slopes shall be clearly identified, and
 - iv. Ten (10) foot contours for slopes exceeding twenty percent (20%).
 - c. The location of areas designated Significant Resource Overlay Zone (SROZ), and associated 25-foot Impact Areas, within the PDP and within 50 feet of the PDP boundary, as required by Section 4.139.
 - d. A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre.
 - e. The location, dimensions and names, as appropriate, of existing and platted streets and alleys on and within 50 feet of the perimeter of the SAP, together with the location of existing and planned easements, sidewalks, bike routes and bikeways, trails, and the location of other important features such as section lines, section corners, and City boundary lines. The plan shall also identify all trees 6 inches and greater d.b.h. on the project site only.
 - f. Conceptual drawings, illustrations and building elevations for each of the listed housing products and typical non-residential and mixed-use buildings to be constructed within the Preliminary Development Plan

boundary, as identified in the approved SAP and where required, the approved Village Center Architectural Standards. [Section 4.125(.18)(G)(2)(f) amended by Ord. No. 595, 12/5/05.]

- g. A composite utility plan illustrating existing and proposed water, sanitary sewer, and storm drainage facilities necessary to serve the SAP.
- h. If it is proposed that the Preliminary Development Plan will be executed in phases, the sequence thereof shall be provided.
- i. A commitment by the applicant to provide a performance bond or other acceptable security for the capital improvements required by the project.
- j. At the applicant's expense, the City shall have a Traffic Impact Analysis prepared, as required by Section 4.030(.02)(B), to review the anticipated traffic impacts of the proposed development. This traffic report shall include an analysis of the impact of the SAP on the local street and road network, and shall specify the maximum projected average daily trips and maximum parking demand associated with buildout of the entire SAP, and it shall meet Subsection 4.140(.09)(J)(2).

H. PDP Application Submittal Requirements:

1. The Preliminary Development Plan shall conform with the approved Specific Area Plan, and shall include all information required by Sections 4.125(.18)(D)(1) and (2), plus the following:
 - a. The location of water, sewerage and drainage facilities;
 - b. Conceptual building and landscape plans and elevations, sufficient to indicate the general character of the development;
 - c. The general type and location of signs;
 - d. Topographic information as set forth in Section 4.035;
 - e. A map indicating the types and locations of all proposed uses; and
 - f. A grading and erosion control plan illustrating existing and proposed contours as prescribed previously in this section.
2. In addition to this information, and unless waived by the City's Community Development Director as enabled by Section 4.008(.02)(B), at the applicant's expense, the City shall have a Traffic Impact Analysis prepared, as required by Section 4.030(.02)(B), to review the anticipated traffic impacts of the proposed development. This traffic report shall include an analysis of the impact of the PDP on the local street and road network, and shall specify the maximum projected average daily trips and maximum parking demand associated with buildout of the entire PDP, and it shall meet Subsection 4.140(.09)(J)(2) for the full development of all five SAPs.
3. The Preliminary Development Plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the phase of development. However, approval of a Final Development Plan is a separate and more detailed review of proposed design features, subject to the standards of Section 4.125(.18)(L) through (P), and Section 4.400 through Section 4.450.

4. Copies of legal documents required by the Development Review Board for dedication or reservation of public facilities, or for the creation of a non-profit homeowner’s association, shall also be submitted.

I. PDP Approval Procedures

1. An application for PDP approval shall be reviewed using the following procedures:
 - a. Notice of a public hearing before the Development Review Board regarding a proposed PDP shall be made in accordance with the procedures contained in Section 4.012.
 - b. A public hearing shall be held on each such application as provided in Section 4.013.
 - c. After such hearing, the Development Review Board shall determine whether the proposal conforms to the permit criteria set forth in this Code, and shall approve, conditionally approve, or disapprove the application.

J. PDP Refinements to an Approved Specific Area Plan

1. In the process of reviewing a PDP for consistency with the approved Specific Area Plan, the DRB may approve refinements, but not amendments, to the SAP. Refinements to the SAP may be approved by the Development Review Board, upon the applicant's detailed graphic demonstration of compliance with the criteria set forth in Section (.18)(J)(2), below.
 - a. Refinements to the SAP are defined as:
 - i. Changes to the street network or functional classification of streets that do not significantly reduce circulation system function or connectivity for vehicles, bicycles or pedestrians.
 - ii. Changes to the nature or location of park type, trails, or open space that do not significantly reduce function, usability, connectivity, or overall distribution or availability of these uses in the Preliminary Development Plan.
 - iii. Changes to the nature or location of utilities or storm water facilities that do not significantly reduce the service or function of the utility or facility.
 - iv. Changes to the location or mix of land uses that do not significantly alter the overall distribution or availability of uses in the Preliminary Development Plan. For purposes of this subsection, “land uses” or “uses” are defined in the aggregate, with specialty condos, mixed use condos, urban apartments, condos, village apartments, neighborhood apartments, row houses and small detached uses comprising a land use group and medium detached, standard detached, large and estate uses comprising another.
 - v. A change in density that does not exceed ten percent, provided such density change has not already been approved as a refinement to the underlying SAP or PDP, and does not result in fewer than 2,300 dwelling units in the Village.

- vi. Changes that are significant under the above definitions, but necessary to protect an important community resource or substantially improve the functioning of collector or minor arterial streets. [Amended by Ord. 682, 9/9/10]
 - b. As used herein, “significant” means:
 - i. More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(J)(1)(a), above, or,
 - ii. That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(J)(1)(a), above.
 - 2. Refinements meeting the above definition may be approved by the DRB upon the demonstration and finding that:
 - a. The refinements will equally or better meet the conditions of the approved SAP, and the Goals, Policies and Implementation Measures of the Villebois Village Master Plan.
 - b. The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the PDP and Village area, and
 - c. The refinement will not preclude an adjoining or subsequent PDP or SAP areas from development consistent with the approved SAP or the Master Plan.
 - 3. Amendments to the SAP, not including SAP amendments for phasing, must follow the same procedures applicable to adoption of the SAP itself. Amendments are defined as changes to elements of the SAP not constituting a refinement.
 - 4. Amendments to the SAP for phasing will be processed as a Class II administrative review proposal. [Section 4.125(.18)(J)(1) amended by Ord. No. 587, 5/16/05.]
- K. PDP Approval Criteria. The Development Review Board may approve an application for a PDP only upon finding that the following approval criteria are met:
- 1. That the proposed PDP:
 - a. Is consistent with the standards identified in this section.
 - b. Complies with the applicable standards of the Planning and Land Development Ordinance, including Sections 4.140(.09)(J)(1) – (3).
 - c. Is consistent with the approved Specific Area Plan in which it is located.
 - d. Is consistent with the approved Architectural Pattern Book and, where required, the approved Village Center Architectural Standards. [Section 4.125(.18)(K)(1)(d) amended by Ord. No. 595, 9/19/05.]
 - 2. If the PDP is to be phased, that the phasing schedule is reasonable and does not exceed two years between commencement of development of the first, and completion of the last phase, unless otherwise authorized by the Development Review Board.

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3. Parks within each PDP or PDP phase shall be constructed prior to occupancy of 50% of the dwelling units in the PDP or PDP phase, unless weather or other special circumstances prohibit completion, in which case bonding for the improvements shall be permitted.
 4. In the Central SAP, parks shall be constructed within each PDP as provided above, and that pro rata portion of the estimated cost of Central SAP parks not within the PDP, calculated on a dwelling unit basis, shall be bonded or otherwise secured to the satisfaction of the city.
 5. The Development Review Board may require modifications to the PDP, or otherwise impose such conditions as it may deem necessary to ensure conformance with the approved SAP, the Villebois Village Master Plan, and compliance with applicable requirements and standards of the Planning and Land Development Ordinance, and the standards of this section. [Section 4.125(.18)(K.) amended by Ord. 607, 4/3/06]
- L. Final Development Plan Approval Procedures (Equivalent to Site Design Review):
1. Unless an extension has been granted by the Development Review Board as enabled by Section 4.023, an application for FDP approval on lands within the Central SAP or multi-family dwellings outside of the Central SAP shall be filed within two (2) years after the approval of a PDP. All applications for approval of a FDP shall:
 - a. Be filed with the City Planning Division for the entire FDP, or when submission of the PDP in phases has been authorized by the Development Review Board, for a phase in the approved sequence.
 - b. Be made by the owner of all affected property or the owner's authorized agent.
 - c. Be filed on a form prescribed by the City Planning Division and filed with said division and accompanied by such fee as the City Council may prescribe by resolution.
 - d. Set forth the professional coordinator and professional design team for the project. [Section 4.125(.18)(L) amended by Ord. No. 587, 5/16/05]
- M. FDP Application Submittal Requirements:
1. An application for approval of a FDP shall be subject to the provisions of Section 4.034.
- N. FDP Approval Procedures
1. An application for approval of a FDP shall be subject to the provisions of Section 4.421
- O. FDP Refinements to an Approved Preliminary Development Plan
1. In the process of reviewing a FDP for consistency with the underlying Preliminary Development Plan, the DRB may approve refinements, but not amendments, to the PDP. Refinements to the PDP may be approved by the Development Review Board, upon the applicant's detailed graphic

demonstration of compliance with the criteria set forth in Section 4.125(.18)(O)(2), below.

- a. Refinements to the PDP are defined as:
 - i. Changes to the street network or functional classification of streets that do not significantly reduce circulation system function or connectivity for vehicles, bicycles or pedestrians.
 - ii. Changes to the nature or location of park type, trails, or open space that do not significantly reduce function, usability, connectivity, or overall distribution or availability of these uses in the PDP.
 - iii. Changes to the nature or location of utilities or storm water facilities that do not significantly reduce the service or function of the utility or facility.
 - iv. Changes to the location or mix of land uses that do not significantly alter the overall distribution or availability of uses in the affected PDP. For purposes of this subsection, “land uses” or “uses” are defined in the aggregate, with specialty condos, mixed use condos, urban apartments, condos, village apartments, neighborhood apartments, row houses and small detached uses comprising a land use group and medium detached, standard detached, large and estate uses comprising another.
[Section 4.125(.18)(O)(1)(a)(iv) amended by Ord. No. 587, 5/16/05.]
 - v. Changes that are significant under the above definitions, but necessary to protect an important community resource or substantially improve the functioning of collector or minor arterial streets. [Amended by Ord. 682, 9/9/10]
- b. As used herein, “significant” means:
 - i. More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(O)(1)(a), above, or,
 - ii. That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(F)(1)(a), above.
2. Refinements meeting the above definition may be approved by the DRB upon the demonstration and finding that:
 - a. The refinements will equally or better meet the approved conditions of approval of the PDP
 - b. The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the PDP, the associated SAP, and
 - c. The refinement will not preclude adjoining or subsequent PDPs, associated or adjoining SAPs from development consistent with an approved SAP or the Villebois Village Master Plan.
3. Amendments to the PDP must follow the same procedures applicable to adoption of the PDP itself. Amendments are defined as changes to elements of the PDP not constituting a refinement.

Section 4.125. V – Village Zone

P. FDP Approval Criteria

1. An application for approval of a FDP shall be subject to the provisions of Section 4.421.
2. An application for an FDP shall demonstrate that the proposal conforms to the applicable Architectural Pattern Book, Community Elements Book, Village Center Architectural Standards and any conditions of a previously approved PDP. [Section 4.125(.18)(P)(2) amended by Ord. No. 595, 9/19/05.]

(.19) Expiration of SAP, PDP and FDP Approvals

A SAP approval shall not expire. A PDP or FDP approval shall expire two years after its approval date, if substantial development has not occurred on the property prior to that time. Provided, however, that the Development Review Board may extend these expiration times for up to three (3) additional periods of not more than one (1) year each. Applicants seeking time extensions shall make their requests in writing at least thirty (30) days in advance of the expiration date. Requests for time extensions shall only be granted upon a showing that the applicant has in good faith attempted to develop or market the property in the preceding year or that development can be expected to occur within the next year. For purposes of this section, “substantial development” is deemed to have occurred if the subsequently-required development approval, building permit or public works permit has been submitted for the development, and the development has been diligently pursued, including the completion of all conditions of approval established for the permit.

- (.20) Adherence to Approved Plan and Modification Thereof: The applicant shall agree in writing to be bound, for her/himself and her/his successors in interest, by the conditions prescribed for approval of a FDP. The approved FDP and phase development sequence shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved FDP may be approved by the Planning Director if such changes are consistent with the purposes and general character of the approved development plan. All other modifications, excluding revision of the phase development sequence, shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. [Section 4.125(.20) amended by Ord. No. 587, 5/16/05.]

- (.21) In the event of a failure to comply with the approved FDP, or any prescribed condition of approval, including failure to comply with the phase development schedule, the Development Review Board may, after notice and hearing, revoke a FDP. General economic conditions that affect all in a similar manner may be considered as a basis for an extension of a development schedule.

[Section 4.125 V-Village Zone, added by Ord 557, adopted 9/5/03.]

Section 4.127 RN – Residential Neighborhood Zone

Placeholder for RN Zone text

Section 4.131. PDC - Planned Development Commercial Zone.

Section 4.131. PDC - Planned Development Commercial Zone.

The requirements of a PDC Zone shall be governed by Section 4.140, Planned Development Regulations, and as otherwise set forth in this Code.

(.01) The following shall apply to any PDC zone:

A. Uses that are typically permitted:

1. Retail business, goods and sales.
2. Wholesale showrooms.
3. Offices and clinics.
4. Service establishments.
5. Any use allowed in a PDR Zone or PDI Zone, provided the majority of the total ground floor area is commercial, or any other commercial uses provided that any such use is compatible with the surrounding uses and is planned and developed in a manner consistent with the purposes and objectives of Section 4.140. However, the uses listed as prohibited below shall not be permitted.
6. Accessory uses, buildings, and structures customarily incidental to any of the aforesaid principal permitted uses.
7. Temporary buildings or structures for uses incidental to construction work, which buildings or structures shall be removed upon completion or abandonment of the construction work.
8. Churches.
9. Those uses that are listed as typically permitted in Section 4.131.05(.03), as well as the following additional uses when conducted entirely within enclosed buildings:
 - a. Automotive machine shops
 - b. Automotive detail shops
 - c. Repair shops for:
 - i. electronics;
 - ii. boats;
 - iii. appliances;
 - iv. light equipment;
 - v. yard equipment;
 - vi. other related types of repair shops.
 - d. Fabrication shops including:
 - i. cabinets;
 - ii. sheet metal;
 - iii. counter tops;
 - iv. closet systems;
 - v. other related types of work.
 - e. Marine equipment – supply and repair

(.02) Prohibited uses.

Section 4.131. PDC - Planned Development Commercial Zone.

- A. No body/fender repair shops shall be permitted unless all operations are conducted entirely within enclosed buildings and meet the performance standards of Section 4.135(.05). The storage and parking of damaged vehicles shall be screened to assure that they are not visible off-site.
- B. No used car sales shall be permitted, except in conjunction with new car dealerships within enclosed buildings.
- C. No wrecking yards shall be permitted.
- D. Retail operations south of Boeckman Road and having more than 50,000 square feet of ground floor building area shall only be permitted where it is demonstrated to the satisfaction of the Development Review Board that the following standards will be met. For purposes of these standards, service activities, offices, and other non-retail commercial ventures shall not be considered to be "retail operations."
 - 1. That the majority of the customers for the proposed use can reasonably be expected to come from no further than five (5) miles from the proposed development site; and
 - 2. That the site design, architecture, landscaping, and pedestrian amenities are compatible with the surrounding neighborhood.
- E. Any use that violates the performance standards of Section 4.135(.05), other than 4.135(.05)(M).(3.).

(.03) Block and access standards:

- 1. The Development Review Board shall determine appropriate conditions of approval to assure that adequate connectivity results for pedestrians, bicyclists, and motor vehicle drivers. Consideration shall be given to the use of public transit as a means of meeting access needs.
- 2. Where a residential development, or mixed-use development including residential development, is proposed in a PDC zone, the Development Review Board shall assure that adequate connectivity is provided meeting the standards of Metro's Urban Growth Management Functional Plan.
- 3. Where a residential development, or mixed-use development including residential development, is proposed in a PDC zone, and the application includes a land division, the following standards shall be applied:
 - a. Maximum spacing between streets for local access: 530 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions meeting this standard. [Amended by Ordinance No. 538, 2/21/02.]
 - b. Maximum block length without pedestrian and bicycle crossing: 330 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions meeting this standard.

Section 4.131.05. PDC-TC (Town Center Commercial) Zone

- (.01) Purpose: The purpose of this zoning is to permit and encourage a Town Center, adhering to planned commercial and planned development concepts, including provision for commercial services, sales of goods and wares, business and professional offices, department stores, shopping centers and other customer-oriented uses to meet the needs of the Wilsonville community as well as to meet the general shopping and service needs on an area-wide basis, together with such multiple family residential facilities, open space, recreational and park areas, and public uses facilities as may be approved as part of the Town Center compatible with the Comprehensive Plan of the City.
- (.02) Examples of uses that are typically permitted:
 - A. Retail sales.
 - B. Planned development permitted commercial uses, including department stores and shopping centers.
 - C. Banking and investment services.
 - D. Public facilities complex, Governmental offices, and facilities, hospitals, health centers and office complex for the furnishing of professional services, including but not restricted to medical, legal, architectural and engineering.
 - E. Planned multiple-dwelling facilities, including motels, apartments and condominiums as may be approved by the Development Review Board.
 - F. Such other and further uses as may be approved by the Development Review Board compatible with the Comprehensive Plan.
- (.03) Examples of uses that are typically recommended:
 - A. Central Commercial:
 - Department Stores
 - Florist Shop
 - Interior Decorating or design Shops
 - Retail Stores
 - Banks, Loan Companies, other Financial Institutions
 - Bicycle sales and service
 - Bird Store, Pet Shop or Taxidermist
 - Blueprinting, Photostating, other Reproduction Process
 - Business Machines, retail sales & service
 - Car wash (automatic)
 - Cleaning and Pressing Establishments
 - Coffee shops
 - Commercial Schools, such as business colleges, music conservatories, trade schools, preschools
 - Custom Tailoring, Dressmaking or Millinery Shop
 - Day care for adults or children
 - Dentists or medical offices
 - Dry cleaning or laundries

Section 4.131.05. PDC-TC (Town Center Commercial) Zone

Electronics, retail sales and service
Employment agencies
Entertainment
Film Exchange
Furniture Store
Gunsmith or Locksmith
Household Machines, retail sales & service
Insurance agents
Investment, real estate and law offices
Jewelry store, watch and clock repair shops
Locksmiths, security systems
Office supplies
Photography and photo processing
Restaurants
Theaters, cinemas
Travel agencies
Title companies
Other uses similar in character of predominately retail or service establishments dealing directly with ultimate customers.

B. Service Commercial:

Building Materials, retail outlet only
Cabinet or Carpenter Shop
Car wash, automatic
Feed Store, retail only
Fuels, Solid, retail outlet only
Furniture Store
Upholstering Shop
Automobile Service Station
Bicycle, Motorcycle,
Trailer (other than house and truck trailers) retail sales, service, rental, if located in a fully enclosed building
Garage, Parking or Repair
Oilery (commercial oil change or quick-lube operations for cars)
Retail sales and service of New Automobiles and Trucks, if not more than one and one-half (1 1/2) tons capacity, and if located in a fully enclosed building
Tire sales and service
Self-service car wash
Building contractors and related subcontractors
Glass repair shop
Self-service laundry
Rental equipment companies
Studios:
* Dance;
* Photography;
* Artists;
* Craft;
* Other.

Section 4.131.05. PDC-TC (Town Center Commercial) Zone

C. Food and Sundries:

- Bakery, retail
- Banks, loan companies, other financial institutes
- Barber Shop
- Beauty Parlor, Nail salon
- Bicycle, retail sales & service
- Bookstores
- Clothes Cleaning Pick-up Agencies
- Clothes Pressing Establishment
- Coffee shop
- Confectionery
- Custom Dressmaking
- Dance or martial arts studio
- Delicatessen
- Dentist, medical and eye clinics, including drug testing and labs
- DMV (Department of Motor Vehicles office)
- Drug Store
- Dry Goods Store
- Electronics, retail sales & service
- Florist Shop
- Frame shop
- Furniture stores
- Gifts, stationery, card, party supplies
- Grocers, Fruit or Vegetable Store
- Hardware Store
- Health club, gym, personal trainer, tanning salon
- Insurance agencies
- Jewelry store, watch and clock repair shops
- Internet, sales & service
- Investment, real estate and law offices
- Locksmiths, security systems
- Mail, shipping and photocopying
- Meat Market
- Music, sales & service, including lessons
- Nail Salon
- Notions or Variety Store
- Office supplies
- Pet shop, bird store
- Photography, photo processing and film exchange
- Printing, blueprinting, other reproduction processes
- Restaurants
- Shoe Repair Shop
- Tanning Salon
- Telecommunication, sales & service
- Temporary employment and placement agencies
- Title companies
- Travel agencies
- Video, retail and rental
- Other uses in character of neighborhood food and services

[Section 4.131.05(.03)(C.) amended by Ordinance No. 538, 2/21/02.]

Section 4.131.05. PDC-TC (Town Center Commercial) Zone

D. Fast Food Service:

Free-standing fast food take-out type restaurant, with the uses being limited to that type of food service establishment catering to a take-out trade.

E. Office Professional and General Office:

Accountants
Architects
Artists
Attorneys
Authors and Writers
Banks and financial institutions
Collection agencies
Computer company, excluding manufacturing
Dentists
Designers
Engineers
Government offices
Insurance agencies
Investment Counselors
Landscape Architects
Management Consultants
Marketing firms
Ministers
Nonprofit organizations, "storefronts"
Physicians & Surgeons
Psychiatrists & Psychologists
Real estate or rental agencies
Secretarial services
Software Design
Temporary employment and placement agencies
Travel agencies
Title companies
Other professional and general office user

(.04) Accessory uses that are typically permitted:

- A. Any accessory use and structure not otherwise prohibited customarily accessory and incidental to any permitted principal use.
- B. Temporary buildings and uses incidental to the development of principal facilities, such temporary structures to be removed upon completion of the work or abandonment of the project. In no case shall such buildings remain on the premises longer than ten (10) days after the receipt of a Certificate of Occupancy or the expiration of construction permits.

(.05) Procedures, Regulations and Restrictions: The procedures, regulations and restrictions applicable to the Town Center District shall conform to those set forth in Section 4.140 of this Code as the Development Review Board may deem necessary to achieve the purposes of the zone.

(.06) The Town Center District consists of all those certain lands in the East Half (E1/2) of Section 14 and the West Half (W1/2) of Section 13, Township 3 South, Range I West,

Section 4.133.00. Wilsonville Road Interchange Area Management Plan (IAMP) Overlay Zone

Willamette Meridian, Clackamas County, Oregon. More particularly, those properties within the above-described area that are designated as Commercial on the land use map of the Wilsonville Comprehensive Plan.

(.07) Block and access standards:

The PDC-TC shall be subject to the same block and access standards as the remainder of the PDC zone.

Section 4.133.00. Wilsonville Road Interchange Area Management Plan (IAMP) Overlay Zone

Section 4.133.01. Purpose

The purpose of the IAMP Overlay Zone is the long-range preservation of operational efficiency and safety of the Wilsonville Road Interchange, which provides access from and to Interstate 5 for residents and businesses in south Wilsonville. The Wilsonville Road Interchange is a vital transportation link for regional travel and freight movement and provides connectivity between the east and west side of the community. Preserving capacity and ensuring safety of this interchange and the transportation system in its vicinity is essential to existing businesses and residents in the southern parts of the city and to the continued economic and community growth and development in the vicinity of Wilsonville Road and the interchange.

Section 4.133.02. Where These Regulations Apply

The provisions of this Section shall apply to land use applications subject to Section 4.004, Development Permit Required, for parcels wholly or partially within the IAMP Overlay Zone, as shown on Figure I-1. Any conflict between the standards of the IAMP Overlay Zone and those contained within other chapters of the Development Code shall be resolved in favor of the Overlay Zone.

Section 4.133.03. Permitted Land Uses

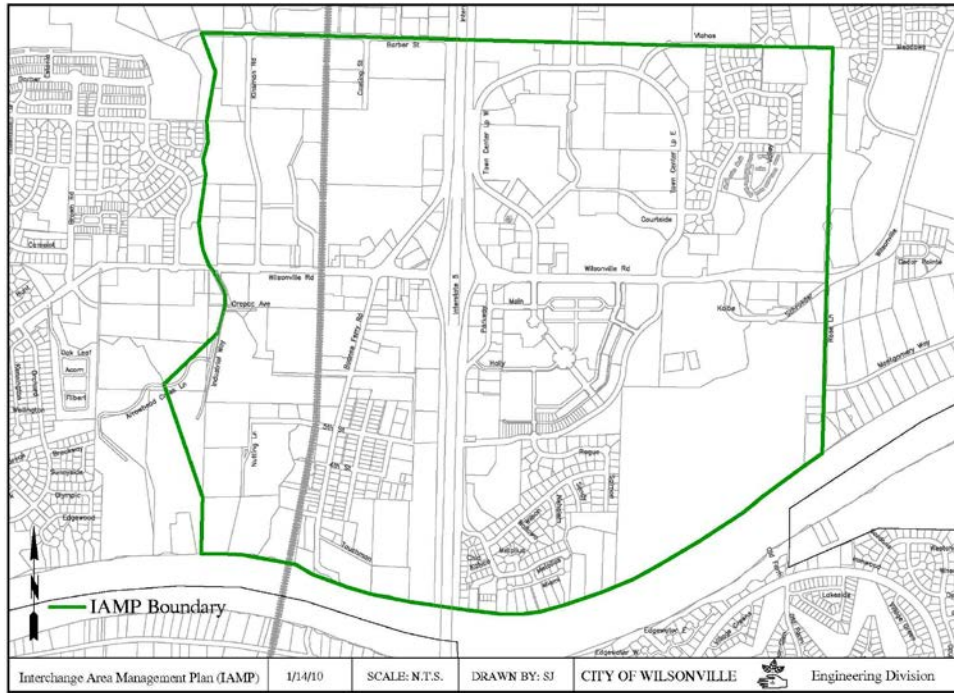


Figure I-1: Wilsonville Road Interchange Area Management Plan (IAMP) Overlay District Map

Section 4.133.03. Permitted Land Uses

Uses allowed in the underlying zoning districts are allowed subject to other applicable provisions in the Code and this Section.

Section 4.133.04. Access Management

In addition to the standards and requirements of Section 4.237 for land divisions and Street Improvement Standards in Section 4.177, parcels wholly or partially within the IAMP Overlay Zone are governed by the Access Management Plan in the Wilsonville Road Interchange Area Management Plan. The following applies to land use and development applications subject to Sections 4.133.02 Applicability. The provisions of Section 4.133.04 apply to:

- (.01) Development or redevelopment proposals for parcels two (2) acres or less that are subject to the requirements of Section 4.004 Development Permit.
- (.02) Planned Development applications, pursuant to Section 4.140, as part of Preliminary Approval (Stage One).
- (.03) Final Approval (Stage Two) Planned Development applications, pursuant to Section 4.140, to the extent that subsequent phases of development differ from the approved preliminary development plan, or where one or more of the following elements are not identified for subsequent phases:

Section 4.133.04. Access Management

- A. Land uses.
- B. Building location.
- C. Building size.
- D. Internal circulation.

(.04) Access Approval.

- A. Access to public streets within the IAMP Overlay Zone shall be reviewed for consistency with the IAMP Access Management Plan.
- B. Approval of access to City streets within the IAMP Overlay Zone shall be granted only after joint review by the City and the Oregon Department of Transportation (ODOT). Coordination of this review will occur pursuant to Section 4.133.05(.02).
- C. Access approval is a Class II decision, pursuant to Section 4.030, and is based on the standards contained in this Section, the provisions in Section 4.177 and Section 4.237 of this Code, and the Access Management Plan in the Wilsonville Road Interchange Area Management Plan.
 - 1. Where the recommendations of the Access Management Plan conflict with other access and spacing requirements in Section 4.177 of this Code, the IAMP Access Management Plan shall govern.
 - 2. Where development proposals are inconsistent with the Access Management Plan, modifications to the Access Management Plan are required pursuant to (.03) in this Section.

(.05) Cross-access easements.

- A. Prior to approving access for tax lots that are identified in the Access Management Plan (see Table 3 and Figure 5 in the Wilsonville Road Interchange Area Management Plan), the City shall require that:
 - 1. The applicant demonstrate how cross access can be accomplished for sites contiguous to the subject property or properties, consistent with the circulation and planned local street network shown in the Interchange Area Management Plan;
 - 2. If access across an adjacent parcel or parcels is necessary for the development of the subject site, a signed cross-access agreement is submitted with the application; and,
 - 3. For applications reviewed as part of a subdivision approval process, necessary cross-access easements are shown and recorded on the final plat. Access widths shall consistent with City Public Works standards unless based on a Transportation Impact Analysis, developed pursuant to Section 4.133.05(.01) and approved by the City Engineer.

(.06) Access Management Plan Modifications.

- A. Recommended actions in the Access Management Plan are based on property configurations development application approvals and ownership existing at the

Section 4.133.05. Administration

time of the Wilsonville Road Interchange Area Management Plan's adoption. Lot consolidation and other land use actions may necessitate an amendment to the Access Management Plan. Modifications to the Access Management Plan:

1. May occur through agreement by the City of Wilsonville and ODOT and require an amendment to the Wilsonville Road Interchange Area Management Plan; and
2. Will only be allowed if the proposed modifications meet, or move in the direction of meeting, the adopted access management spacing requirements in the Wilsonville Road Interchange Area Management Plan.

Section 4.133.05. Administration

Section 4.133.05 delineates the responsibilities of the City, in coordination with ODOT, to monitor and evaluate vehicle trip generation impacts on the Wilsonville Road Interchange from development approved under this Section.

(.01) Traffic Impact Analysis.

- A. Purpose. The purpose of this section of the code is to implement Section 660-012-0045 (2) (e) of the State Transportation Planning Rule that requires the City to adopt a process to apply conditions to development proposals in order to minimize adverse impacts to and protect transportation facilities. This section establishes the standards for when a proposal in the IAMP Overlay Zone must be reviewed for potential traffic impacts; when a Traffic Impact Analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a Traffic Impact Study; and who is qualified to prepare the Study.
- B. Typical Average Daily Trips. The latest edition of the Trip Generation Manual, published by the Institute of Transportation Engineers (ITE) shall be used as standards by which to gauge average daily vehicle trips, unless a specific trip generation study is approved by the City Engineer. A trip generation study could be used to determine trip generation for a specific land use which is not well represented in the ITE Trip Generation Manual and for which a similar facility is available to count.
- C. When required, a Traffic Impact Analysis shall be required to be submitted to the City with a land use application, when the following conditions apply:
 1. The development application involves one or more of the following actions:
 - a. A change in zoning or a plan amendment designation; or
 - b. The development requires a Development Permit pursuant to Section 4.004; or
 - c. The development may cause one or more of the following effects to access or circulation, which can be determined by site observation, traffic impact analysis or study, field measurements, and information and studies provided by the local reviewing jurisdiction and/or ODOT:
 - i. The location of the access driveway does not meet minimum intersection sight distance requirements, or is located where vehicles

Section 4.133.05. Administration

entering or leaving the property are restricted, or such vehicles queue or hesitate, creating a safety hazard; or

- ii. The location of the access driveway does not meet the access spacing standard of the roadway on which the driveway is located; or
- iii. The location of the access driveway is inconsistent with the Wilsonville Road Interchange Area Management Plan Access Management Plan.
- iv. A change in internal traffic patterns that may cause safety problems, such as back up onto the highway or traffic crashes in the approach area.

D. Traffic Impact Analysis Requirements.

- 1. Preparation. A Traffic Impact Analysis shall be prepared by a professional engineer under retainer to the city. The traffic analysis will be paid for by the applicant.
- 2. Transportation Planning Rule Compliance. The traffic impact analysis shall be sufficient in detail to determine compliance with Oregon Administrative Rule (OAR) 660-012-0060.
- 3. Traffic Impact Analysis Scoping. The applicant will coordinate with the Wilsonville City Engineer prior to submitting an application that requires a Traffic Impact Analysis. The City has the discretion to determine the required elements of the TIA and the level of analysis expected. Coordination with ODOT is advisable and is at the City's discretion.

E. Approval Criteria.

- 1. Criteria. When a Traffic Impact Analysis is required, approval of the development proposal requires satisfaction of the following criteria:
 - a. The Traffic Impact Analysis was prepared by a professional engineer selected by the City; and
 - b. If the proposed development meets the criteria in Section C, above, or other traffic hazard or negative impact to a transportation facility, the Traffic Impact Analysis shall include mitigation measures that meet the City's performance standards (i.e. Level-of-Service and/or Volume/Capacity ratio) and are satisfactory to the City Engineer and ODOT; and
 - c. The proposed site design and traffic and circulation design and facilities, for all transportation modes, including any mitigation measures, are designed to:
 - i. Have the least negative impact on all applicable transportation facilities; and
 - ii. Accommodate and encourage non-motor vehicular modes of transportation to the extent practicable; and
 - iii. Make the most efficient use of land and public facilities as practicable; and

Section 4.133.06. Comprehensive Plan and Zoning Map Amendments

- iv. Provide the most direct, safe and convenient routes practicable between on-site destinations, and between on-site and off-site destinations; and
 - v. Otherwise comply with applicable requirements of the City of Wilsonville's Development Code.
- F. Conditions of Approval. The City may deny, approve, or approve a development proposal with appropriate conditions.
- 1. Where the existing transportation system will be impacted by the proposed development, dedication of land for streets, transit facilities, sidewalks, bikeways, paths, or access ways may be required to ensure that the transportation system is adequate to handle the additional burden caused by the proposed use.
 - 2. Where the existing transportation system is shown to be burdened by the proposed use, improvements such as paving, curbing, installation or contribution to traffic signals, construction of sidewalks, bikeways, access ways, paths, or streets that serve the proposed use may be required.
 - 3. Where planned local street connectivity is required to improve local circulation for the betterment of interchange function, local street system improvements will be required.

(.02) Land Use Review Coordination.

- A. The City shall not deem the land use application complete unless it includes a Traffic Impact Analysis prepared in accordance with the requirements of this Section.
- B. The City shall provide written notification to ODOT when the application within ten (10) calendar days of receiving a complete Class II Permit application.
- C. ODOT shall have at least 20 calendar days, measured from the date completion notice was mailed, to provide written comments to the City. If ODOT does not provide written comments during this 20-day period, the City staff report will be issued without consideration of ODOT comments.

Section 4.133.06. Comprehensive Plan and Zoning Map Amendments

This Section applies to all Comprehensive Plan Map and Zoning Map amendments to parcels wholly or partially within the IAMP Overlay Zone.

- (.01) IAMP Amendment. If the proposed land use is inconsistent with the current Comprehensive Plan Map or Zoning Map land use designation the applicant will be required to undertake a legislative process to amend and update the Wilsonville Road Interchange Area Management Plan in order to demonstrate that the proposed amendment will be consistent with the planned improvements in the Overlay Zone.
- (.02) Transportation Planning Rule Requirements.
 - A. Review of Applications for Effect on Transportation Facilities. A proposed comprehensive plan amendment, zone change or land use regulation change

Section 4.134. Day Road Design Overlay District

pertaining development within the IAMP Overlay Zone, whether initiated by the City or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – “TPR”). “Significant” means the proposal would:

1. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 2. Change standards implementing a functional classification system; or
 3. As measured at the end of the planning period identified in the adopted transportation system plan:
 - a. Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - b. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or
 - c. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.
- B. Amendments That Affect Transportation Facilities. Amendments to the comprehensive plan and land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP. This shall be accomplished by one or a combination of the following:
1. Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
 2. Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of Section -0060 of the TPR.
 3. Altering land use designations, densities, or design requirements to reduce demand for vehicle travel and meet travel needs through other modes of transportation.
 4. Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
- C. Traffic Impact Analysis. A Traffic Impact Analysis shall be submitted with a plan amendment or zone change application. [See Section 4.133.05(.01) Traffic Impact Analysis]. [Section 4.133.00 – 4.133.06 added by Ord. 672, 11/16/09]

Section 4.134. Day Road Design Overlay District

- (.01) Purpose. The Day Road Design Overlay District (DOD) is an overlay district within the larger Planned Development Industrial - Regionally Significant Industrial Area (RSIA) Zone. It is the purpose of the Day Road DOD to establish standards for site

Section 4.134. Day Road Design Overlay District

design and exterior architecture of all structures located in the Day Road DOD in order to ensure high quality design of development and redevelopment at the Day Road gateway to the City of Wilsonville. These standards are intended to create an aesthetically pleasing aspect for properties abutting Day Road by ensuring:

- A. Coordinated design of building exteriors, additions and accessory structure exteriors
- B. Preservation of trees and natural features
- C. Minimization of adverse impacts on adjacent properties from development that detracts from the character and appearance of the area
- D. Integration of the design of signage into architectural and site design, and
- E. Minimization of the visibility of vehicular parking, circulation and loading areas.

It is the intent to create improved pedestrian linkages and to provide for public transit. It is also the intent of this section to encourage architectural design in relationship to the proposed land use, site characteristics and interior building layout.

- (.02) Applicability. The Day Road DOD shall apply to all properties abutting Day Road. The provisions of this section shall apply to:

- A. All new building construction
- B. Any exterior modifications to existing, non-residential buildings
- C. All new parking lots
- D. All outdoor storage and display areas
- E. All new signage
- F. All building expansions greater than 1,250 square feet.

- (.03) Exceptions. This section does not apply to the following activities:

- A. Maintenance of the exterior of an existing industrial/employment structure such as painting to the approved color palette, reroofing, or residing with the same or similar materials
- B. Industrial/employment building expansions less than 1,250 square feet
- C. Interior remodeling
- D. Essential public facilities
- E. Existing dwellings and accessory buildings
- F. Agricultural buildings

- (.04) Review Process.

- A. Compliance with the Day Road DOD shall be reviewed as part of Stage One – Preliminary Plan, Stage Two - Final Approval and Site Design Review. Such review shall be by the Development Review Board. Building expansions less

Section 4.134. Day Road Design Overlay District

than 2500 square feet and exterior building modifications less than 2500 square feet may be reviewed under Class II Administrative procedures.

- B. Waivers. Under City Code [4.118(.03)], waivers to several development standards may be approved, including waivers to height and yard requirements, and architectural design standards, provided that the proposed development is equal to or better than that proposed under the standards to be waived. For example, a height waiver might be granted on a smaller site if the façade presentation was significantly enhanced, additional landscaping or open space is provided and site modifications are necessary to preserve significant trees. Waivers to the additional front yard setback for future improvements on Day Road may not be granted. [4.134(.05)(C)(1)]

(.05) Design Review Standards. The DRB shall use the standards in this section together with the standards in Sections 4.400 – 4.421 to ensure compliance with the purpose of the Day Road DOD. These standards shall apply on all Day Road frontages, and on the frontage of corner lots abutting both Day Road and either Boones Ferry Road, Kinsman Road, Garden Acres Road or Grahams Ferry Road.

- A. Natural Features. Buildings shall be sited in compliance with WC 4.171, Protection of Natural Features and Other Resources and with WC 4.600, Tree Preservation and Protection.
- B. Building Location and Orientation: New buildings shall have at least one principal building entrance oriented towards the Day Road frontage. All building elevations fronting on Day Road or on the frontage on corner lots as described in (.05) above, shall have at least 20% glazing.
- C. Setbacks:
1. Front Yard: For public health and safety reasons, the front yard setback shall be 30' plus additional setback (15' minimum) to accommodate future improvements to Day Road.
 2. Side and rear setbacks shall be 30'. Side and rear yard setbacks may be reduced from the 30' minimum setback requirement where the setback is adjacent to industrial development subject to meeting other requirements of this section and Building Code requirements.
- D. Building Height: A minimum building height of three stories, 48' is required. on the Day Road frontage and on frontages described in (.05) above. Sites may contain a combination of taller building space abutting the identified street frontages together with 1 or 2-story lab, R&D, and/or manufacturing building space on the remainder of the site. The 1 and 2-story portions of the buildings will be designed to be compatible with the taller structure's design, building materials and colors. Increased building height is encouraged, particularly in combination with site amenities such as under-structure parking, preservation of significant trees rated good or better in the arborist's report, and/or provision of trail segments or of open space areas open to the public.

E. Building Design:

1. Buildings shall be planned and designed to incorporate green building techniques wherever possible.
2. Exterior Building Design: Buildings with exterior walls greater than 50 feet in horizontal length shall be constructed using a combination of architectural features and a variety of building materials and landscaping near the walls. Walls that can be viewed from public streets or public spaces shall be designed using architectural features for at least 60% of the wall. Other walls shall incorporate architectural features and landscaping for at least 30% of the wall. Possible techniques include:
 - a. Vary the planes of the exterior walls in depth and/or direction.
 - b. Vary the height of the building, so that it appears to be divided into distinct massing elements.
 - c. Articulate the different parts of a building's facade by use of color, arrangement of facade elements, or a change in materials.
 - d. Avoid blank walls at the ground-floor levels. Utilize windows, trellises, wall articulation, arcades, change in materials—textured and/or colored block or similar finished surface, landscape, or other features to lessen the impact of an otherwise bulky building.
 - e. Define entries within the architecture of the building.
 - f. Incorporate, if at all possible, some of the key architectural elements used in the front of the building into rear and side elevations where seen from a main street or residential district.
3. Building Color: All colors shall be harmonious and compatible with colors of other structures in the development and the natural surroundings. Concrete finishes must be painted. The general overall atmosphere of color must be natural tones. Stained wood, natural stone, brick, dark aluminum finishes, etc. shall be used as background colors. The use of corporate colors is permitted provided that such colors are not patterned so as to compete for visual attention. The use of corporate colors shall not create an advertisement of the building itself. Corporate colors shall not violate any other color or design limitations within the Code.
4. Building façade articulation: Both vertical and horizontal articulation is required. If a building is at a corner, all facades must meet the requirement. Incorporation of several of the techniques is the preferred option. The purpose is not to create a standard rigid solution but rather to break up the mass in creative ways.
 - a. Horizontal articulation: Horizontal facades shall be articulated into smaller units. Appropriate methods of horizontal façade articulation include two or more of the following elements:
 - i. change of façade materials
 - ii. change of color
 - iii. façade planes that are vertical in proportion
 - iv. bays and recesses

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- v. breaks in roof elevation, or other methods as approved

Building facades shall incorporate design features such as offsets, projections, reveals, and/or similar elements to preclude large expanses of uninterrupted building surfaces. Articulation shall extend to the roof.

- b. Vertical Facade Articulation: The purpose is to provide articulation, interest in design and human scale to the façade of buildings through a variety of building techniques. Multi-story buildings shall express a division between base and top. Appropriate methods of vertical façade articulation for all buildings include two or more of the following elements:
 - i. Change of material
 - ii. Change of color, texture, or pattern of similar materials
 - iii. Change of structural expression (for example, pilasters with storefronts spanning between at the base and punched openings above)
 - iv. Belt course
 - v. The division between base and top shall occur at or near the floor level of programmatic division
 - vi. Base design shall incorporate design features such as recessed entries, shielded lighting, and/or similar elements to preclude long expanses of undistinguished ground level use
 - vii. Differentiation of a building's base shall extend to a building's corners but may vary in height
5. Building Materials:
- a. No less than 50% of the exterior exposed walls of any new building, or any expansion over 1,250 square feet, shall be constructed of noncombustible, non-degradable and low maintenance construction materials such as face brick, architectural or decorative block, natural stone, specially designed pre-cast concrete panels, concrete masonry units, concrete tilt panels, or other similar materials. Metal roofs may be allowed if compatible with the overall architectural design of the building. Where an elevation of the building is not currently, or will not likely in the future, be exposed to public view, the above standard does not apply.
 - b. Accessory structures visible to the public shall be constructed of materials similar to or the same as the principal building(s) on the site.
6. Roof Design:
- a. Roofs shall be designed to reduce the apparent exterior mass of a building, add visual interest and be appropriate for the architectural design of the building. Variations within an architectural style are highly encouraged. Visible rooflines and roofs that project over the exterior wall of buildings, and especially over entrances, are highly encouraged.
 - b. Mechanical Equipment and Service Areas: Mechanical equipment and service areas shall be screened from adjacent properties, from Day Road and on Day Road corner properties abutting SW Boones Ferry Road, Kinsman Road, Garden Acres Road and Grahams Ferry Road. The

Section 4.134. Day Road Design Overlay District

architectural design of the building shall incorporate design features which screen, contain and conceal all heating, ventilation, air conditioning units, trash enclosures, dumpsters, loading docks and service yards. Such screening shall blend visually with the related structure.

7. Pedestrian Walkways:
 - a. A continuous pedestrian walkway shall be provided from the primary entrance to the sidewalk along Day Road for access to building entrances and to transit facilities.
 - b. Walkways from parking areas to building entrances shall be at least six (6) feet in width, and shall be separated from moving vehicles. Walkways shall be distinguished from vehicular areas through the use of special pavers, bricks, scored concrete or similar materials providing a clear demarcation between pedestrian and vehicular traffic.
 - c. Buildings shall be connected with onsite walkways at least six (6) feet in width.
 8. Community Amenities: Community amenities such as patio seating, water features, art work or sculpture, clock towers, pedestrian plazas with park benches, connections to area trails, parks and open spaces, and similar amenities are strongly encouraged.
 9. Lighting and Flag Poles: All lighting shall be shielded and directed interior to the site, including parking lot lighting. Lighting shall not spill over onto adjacent properties. Light poles, light fixtures and flagpoles shall conform to the City's Outdoor Lighting Standards. Flagpoles shall not exceed 40' in height.
 10. Signage: Signage shall include a monument sign on the Day Road frontage identifying the industrial/business park and buildings therein. Each building may have wall signage, and such other directional and informational signage as allowed by WC 4.156.05, 4.156.08, and 4.156.09. Pole signs are prohibited. The design of signage must be integrated into the overall architectural and site design for the project. [Amended by Ord. No. 704, 6/18/12]
 11. Parking: Employee parking shall be located at the rear of the building, or in courtyard parking areas between buildings. If no other option is available due to site limitations, then employee parking may be located to the side of buildings. Time and number limited visitor parking is allowed at the front of the building. Within a Stage I master plan, employee parking may be combined in a shared facility or facilities with mutual use agreements. Any parking areas visible from Day Road shall be screened from view with broadleaf evergreen or coniferous shrubbery and/or architectural walls or berms.
- (.06) Infill construction. The following general rules shall be followed when constructing a new building adjacent to existing industrial/employment buildings built under the Day Road DOD. Adjacent includes buildings north of Day Road built under the Day Road DOD.

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- A. Proportions and Façade: The average height and width of the surrounding buildings determines a general set of proportions for an infill structure or the bays of a larger structure. The infill building shall fill the entire space and reflect the characteristic rhythm of facades along Day Road. If the site is large, the mass of the façade must be broken into a number of smaller bays to maintain a rhythm similar to the surrounding buildings.
- B. Composition: The composition of the infill façade (i.e. the organization of its parts) shall be similar to surrounding buildings. Rhythms that carry throughout the block, such as window and door spacing, shall be similar to those on surrounding facades.
- C. Detailing/Textures: Infill architecture shall reflect some of the detailing of surrounding buildings in window shapes, cornice lines, brick or stone work, etc. Textures of exterior surfaces shall be reflected in the design of new buildings.
- D. Materials: An infill façade shall be composed of materials similar to adjacent facades. The new building(s) shall not stand out from existing buildings.
- E. Color: All colors shall be harmonious and compatible with colors of other structures in the development and the natural surroundings.
- F. Setbacks: Setbacks for new buildings shall be an average of the setbacks of the two adjacent buildings built under the Day Road DOD, or if none exist, shall meet the setback requirements of the Day Road DOD. Rear yard setbacks may be reduced from the 30' minimum setback requirement in Section 4.135(.06)(D) where the setback is adjacent to industrial development subject to meeting Building Code requirements. Front yard setbacks must include additional setback (15' minimum) to accommodate future improvements to Day Road.
- G. Building Height: A minimum building height of three stories, 48' is required on the Day Road frontage and on frontages described in (.05) above. Sites may contain a combination of taller building space abutting the identified street frontages together with 1 or 2-story lab, R&D, and/or manufacturing building space on the remainder of the site. The 1 and 2-story portions of the buildings will be designed to be compatible with the taller structure's design, building materials and colors. Increased building height is encouraged, particularly in combination with site amenities such as under-structure parking, preservation of significant trees rated good or better in the arborist's report, and/or provision of trail segments or of open space areas open to the public.
- H. Lighting and Flag Poles: All lighting shall be shielded and directed interior to the site, including parking lot lighting. Lighting shall not spill over onto adjacent properties. Light poles, light fixtures and flagpoles shall conform to the City's Outdoor Lighting Standards. Flagpoles shall not exceed 40' in height.

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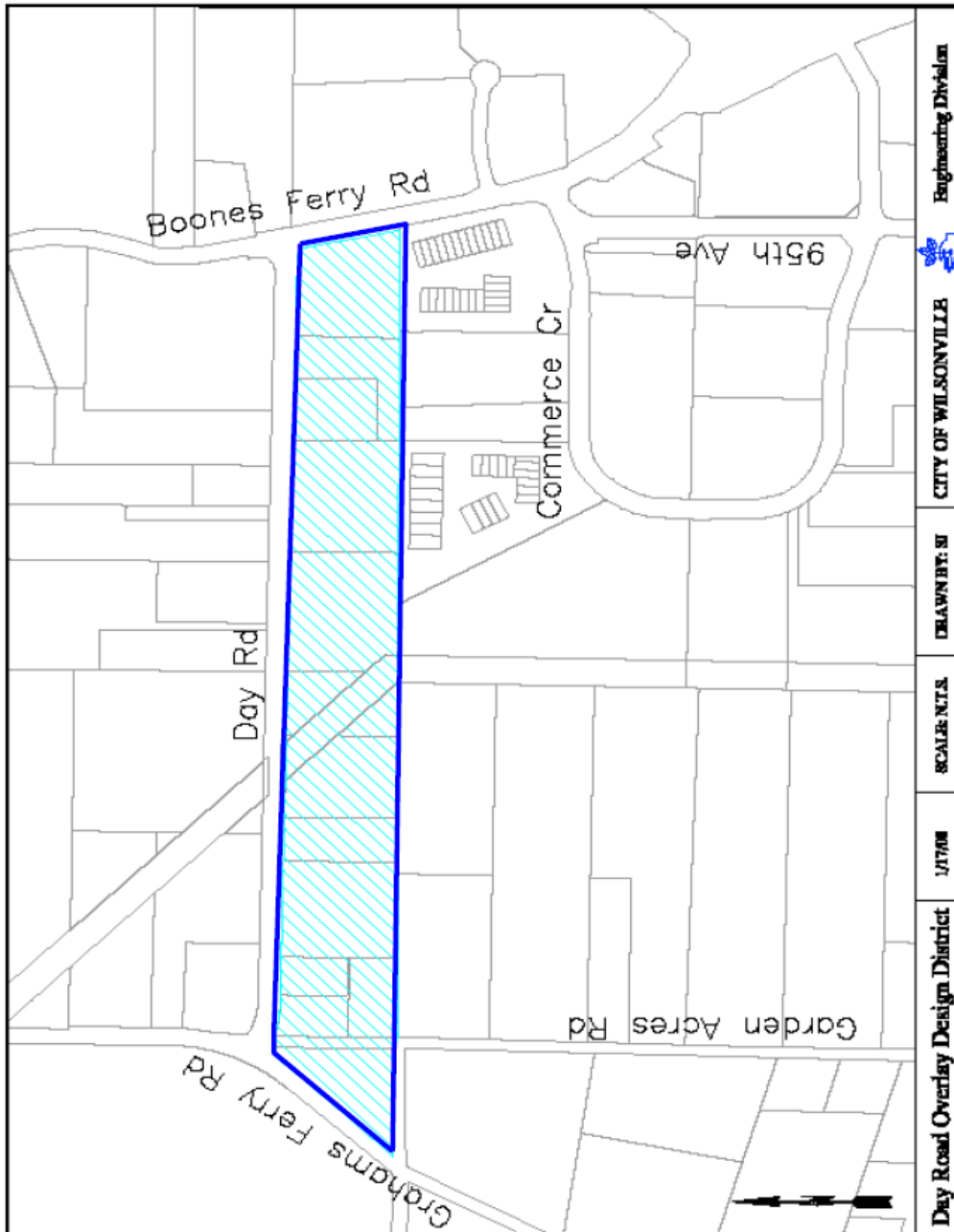


Figure D-1: Day Road Design Overlay District Area Map

Section 4.135. PDI- Planned Development Industrial Zone.

Section 4.135. PDI- Planned Development Industrial Zone.

- (.01) Purpose: The purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses.
- (.02) The PDI Zone shall be governed by Section 4.140, Planned Development Regulations, and as otherwise set forth in this Code.
- (.03) Uses that are typically permitted:
 - A. Warehouses and other buildings for storage of wholesale goods, including cold storage plants.
 - B. Storage and wholesale distribution of agricultural and other bulk products, provided that dust and odors are effectively contained within the site.
 - C. Assembly and packing of products for wholesale shipment
 - D. Manufacturing and processing
 - E. Motor vehicle services, or other services complementary or incidental to primary uses, and which support the primary uses by allowing more efficient or cost-effective operations
 - F. Manufacturing and processing of electronics, technical instrumentation components and health care equipment.
 - G. Fabrication
 - H. Office complexes - Technology
 - I. Corporate headquarters
 - J. Call centers
 - K. Research and development
 - L. Laboratories
 - M. Repair, finishing and testing of product types manufactured or fabricated within the zone.
 - N. Industrial services
 - O. Any use allowed in a PDC Zone, subject to the following limitations:
 - 1. Service Commercial uses (defined as professional services that cater to daily customers such as financial, insurance, real estate, legal, medical or dental offices) not to exceed 5000 square feet of floor area in a single building, or 20,000 square feet of combined floor area within a multi-building development.
 - 2. Office Complex Use (as defined in Section 4.001) shall not exceed 30% of total floor area within a project site.
 - 3. Retail uses, not to exceed 5000 square feet of indoor and outdoor sales, service or inventory storage area for a single building and 20,000 square feet

Section 4.135. PDI- Planned Development Industrial Zone.

of indoor and outdoor sales, service or inventory storage area for multiple buildings.

4. Combined uses under Subsections 4.135(.03)(O.)(1.) and (3.) shall not exceed a total of 5000 square feet of floor area in a single building or 20,000 square feet of combined floor area within a multi-building development.
 - P. Training facilities whose primary purpose is to provide training to meet industrial needs.
 - Q. Public facilities.
 - R. Accessory uses, buildings and structures customarily incidental to any permitted uses.
 - S. Temporary buildings or structures for uses incidental to construction work. Such structures to be removed within 30 days of completion or abandonment of the construction work.
 - T. Other similar uses, which in the judgment of the Planning Director, are consistent with the purpose of the PDI Zone.
- (.04) Block and access standards:
The PDI zone shall be subject to the same block and access standards as the PDC zone, Section 4.131(.02) and (.03).
- (.05) Performance Standards. The following performance standards apply to all industrial properties and sites within the PDI Zone, and are intended to minimize the potential adverse impacts of industrial activities on the general public and on other land uses or activities. They are not intended to prevent conflicts between different uses or activities that may occur on the same property.
- A. All uses and operations except storage, off-street parking, loading and unloading shall be confined, contained, and conducted wholly within completely enclosed buildings, unless outdoor activities have been approved as part of Stage II, Site Design or Administrative Review.
 - B. Vibration: Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any boundary line of the property on which the use is located.
 - C. Emission of odorous gases or other odorous matter in quantities as detectable at any point on any boundary line of the property on which the use is located shall be prohibited.
 - D. Any open storage shall comply with the provisions of Section 4.176, and this Section.
 - E. No building customarily used for night operation, such as a baker or bottling and distribution station, shall have any opening, other than stationary windows or required fire exits, within one hundred (100) feet of any residential district and any space used for loading or unloading commercial vehicles in connection with

Section 4.135. PDI- Planned Development Industrial Zone.

such an operation shall not be within one hundred (100) feet of any residential district.

F. Heat and Glare:

1. Operations producing heat or glare shall be conducted entirely within an enclosed building.
2. Exterior lighting on private property shall be screened, baffled, or directed away from adjacent residential properties. This is not intended to apply to street lighting.

G. Dangerous Substances: Any use which involves the presence, storage or handling of any explosive, nuclear waste product, or any other substance in a manner which would cause a health or safety hazard for any adjacent land use or site shall be prohibited.

H. Liquid and Solid Wastes:

1. Any storage of wastes which would attract insects or rodents or otherwise create a health hazard shall be prohibited.
2. Waste products which are stored outside shall be concealed from view from any property line by a sight-obscuring fence or planting as required in Section 4.176.
3. No connection with any public sewer shall be made or maintained in violation of applicable City or State standards.
4. No wastes conveyed shall be allowed to or permitted, caused to enter, or allowed to flow into any public sewer in violation of applicable City or State standards.
5. All drainage permitted to discharge into a street gutter, caused to enter or allowed to flow into any pond, lake, stream, or other natural water course shall be limited to surface waters or waters having similar characteristics as determined by the City, County, and State Department of Environmental Quality.
6. All operations shall be conducted in conformance with the City's standards and ordinances applying to sanitary and storm sewer discharges.

I. Noise: Noise generated by the use, with the exception of traffic noises from automobiles, trucks, and trains, shall not violate any applicable standards adopted by the Oregon Department of Environmental Quality and W.C. 6.204 governing noise control in the same or similar locations. [Amended by Ord. 631, 7/16/07]

J. Electrical Disturbances. Except for electrical facilities wherein the City is preempted by other governmental entities, electrical disturbances generated by uses within the PDI zone which interfere with the normal operation of equipment or instruments within the PDI Zone are prohibited. Electrical disturbances which routinely cause interference with normal activity in abutting residential use areas are also prohibited.

K. Discharge Standards: There shall be no emission of smoke, fallout, fly ash, dust, vapor, gases, or other forms of air pollution that may cause a nuisance or injury to

Section 4.135. PDI- Planned Development Industrial Zone.

human, plant, or animal life, or to property. Plans of construction and operation shall be subject to the recommendations and regulations of the State Department of Environmental Quality. All measurements of air pollution shall be by the procedures and with equipment approved by the State Department of Environmental Quality or equivalent and acceptable methods of measurement approved by the City. Persons responsible for a suspected source of air pollution upon the request of the City shall provide quantitative and qualitative information regarding the discharge that will adequately and accurately describe operation conditions.

L. Open burning is prohibited.

M. Storage:

1. Outdoor storage must be maintained in an orderly manner at all times.
2. Outdoor storage area shall be gravel surface or better and shall be suitable for the materials being handled and stored. If a gravel surface is not sufficient to meet the performance standards for the use, the area shall be suitably paved.
3. Any open storage that would otherwise be visible at the property line shall be concealed from view at the abutting property line by a sight obscuring fence or planting not less than six (6) feet in height.

N. Landscaping:

1. Unused property, or property designated for expansion or other future use, shall be landscaped and maintained as approved by the Development Review Board. Landscaping for unused property disturbed during construction shall include such things as plantings of ornamental shrubs, lawns, native plants, and mowed, seeded fieldgrass.
2. Contiguous unused areas of undisturbed fieldgrass may be maintained in their existing state. Large stands of invasive weeds such as Himalayan blackberries, English ivy, cherry Laurel, reed canary grass or other identified invasive plants shall be removed and/or mowed at least annually to reduce fire hazard. These unused areas, located within a phased development project or a future expansion cannot be included in the area calculated to meet the landscape requirements for the initial phase(s) of the development.
3. Unused property shall not be left with disturbed soils that are subject to siltation and erosion. Any disturbed soil shall be seeded for complete erosion cover germination and shall be subject to applicable erosion control standards.

(.06) Other Standards:

- A. Minimum Individual Lot Size: No limit save and except as shall be consistent with the other provisions of this Code (e.g., landscaping, parking, etc.).
- B. Maximum Lot Coverage: No limit save and except as shall be consistent with the other provisions of this Code (e.g., landscaping, parking, etc.).
- C. Front Yard Setback: Thirty (30) feet. Structures on corner or through lots shall observe the minimum front yard setback on both streets. Setbacks shall also be

Section 4.135.5: Planned Development Industrial – Regionally Significant Industrial Area

maintained from the planned rights-of-way shown on any adopted City street plan.

- D. Rear and Side Yard Setback: Thirty (30) feet. Structures on corner or through lots shall observe the minimum rear and side yard setbacks on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.
- E. No setback is required when side or rear yards abut on a railroad siding.
- F. Corner Vision: Corner lots shall have no sight obstruction to exceed the vision clearance standards of Section 4.177.
- G. Off-Street Parking and Loading: As provided in Section 4.155.
- H. Signs: As provided in Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]

[Section 4.135 amended by Ordinance No. 574, 11/1/04.]

Section 4.135.5: Planned Development Industrial – Regionally Significant Industrial Area

- (.01) Purpose. The purpose of the PDI-RSIA Zone is to provide opportunities for regionally significant industrial operations along with a limited and appropriate range of related and compatible uses; to provide the flexibility to accommodate the changing nature of industrial employment centers, to protect industrially zoned lands for industrial uses, primarily in those areas near significant transportation facilities for the movement of freight and to facilitate the redevelopment of under-utilized industrial sites.
- (.02) The PDI-RSIA Zone shall be governed by Section 4.140, Planned Development Regulations, and as otherwise set forth in this Code.
- (.03) Uses that are typically permitted:
 - A. Wholesale houses, storage units, and warehouses.
 - B. Laboratories, storage buildings, warehouses, and cold storage plants.
 - C. Assembly of electrical equipment, including the manufacture of small parts.
 - D. The light manufacturing, simple compounding or processing packaging, assembling and/or treatment of products, cosmetics, drugs, and food products, unless such use is inconsistent with air pollution, excess noise, or water pollution standards.
 - E. Office Complexes-Technology (as defined in Section 4.001).
 - F. Experimental, film or testing laboratories.
 - G. Storage and distribution of grain, livestock feed, provided dust and smell is effectively controlled.
 - H. Motor vehicle service facilities complementary or incidental to permitted uses.

Section 4.135.5: Planned Development Industrial – Regionally Significant Industrial Area

- I. Any use allowed in a PDC Zone or any other light industrial uses provided that any such use is compatible with industrial use and is planned and developed in a manner consistent with the purposes and objectives of Sections 4.130 to 4.140 and is subject to the following criteria:
 - 1. Service Commercial (defined as professional services that cater to daily customers such as financial, insurance, real estate, legal, medical or dental offices) shall not exceed 3000 square feet of floor space in a single building or 20,000 square feet of combined floor area within a multiple building development.
 - 2. Office Use (as defined in Section 4.001) shall not exceed 20% of total floor area within a project site.
 - 3. Retail uses not to exceed 3000 square feet of indoor and outdoor sales, service, or inventory storage area for a single building or 20,000 square feet of indoor and outdoor sales, service or inventory storage area for multiple buildings.
 - 4. Combined uses under I.1 and 3. above shall not exceed a total of 3000 square feet of floor area in a single building or 20,000 square feet of combined floor area within a multi-building development.
- J. Residential uses shall not exceed 10% of total floor area.
- K. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal permitted uses.
- L. Temporary buildings or structures for uses incidental to construction work, which buildings or structures shall be removed upon completion or abandonment of the construction work.
- M. Expansion of a building, structure or use approved prior to October 25, 2004 of up to 20% additional floor area and/or 10% additional land area.
- N. Other similar uses which in the judgment of the Planning Director are consistent with the purpose of the PDI-RSIA Zone.

(.04) Prohibited uses.

- A. Retail operations exceeding 3,000 square feet of area for sales, service area or storage area for retail inventory in a single building, or 20,000 square feet of sales, service or storage area for multiple buildings, except training facilities whose primary purpose is to provide training to meet industrial needs.
- B. Any use or activity that violates the performance standards specified in Subsection 4.135.5(.06), below.

(.05) Block and Access Standards. The PDI-RSIA Zone shall be subject to the same block and access standards as the PDC Zone [Section 4.131(.02) and (.03)].

(.06) Performance Standards. The following performance standards apply to all industrial properties and sites within the PDI-RSIA Zone, and are intended to minimize the

Section 4.135.5: Planned Development Industrial – Regionally Significant Industrial Area

potential adverse impacts of industrial activities on the general public and on other land uses or activities. They are not intended to prevent conflicts between different uses or activities that may occur on the same property or site.

- A. All uses and operations except storage, off-street parking, loading and unloading shall be confined, contained and conducted wholly within completely enclosed buildings, unless outdoor activities have been approved as part of Stage II, Site Design or Administrative Review.
- B. Vibration: Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any boundary line of the property or site on which the use is located.
- C. Emission of odorous gases or other odorous matter in quantities detectable at any time and at any point on any boundary line of the property or site on which the use is located are prohibited.
- D. Any open storage shall comply with the provisions of Section 4.176 and this Section.
- E. No building customarily used for night operation, such as a bakery, bottling and distribution plant or other similar use, shall have any opening, other than stationary windows or required fire exits, within one hundred (100) feet of any residential district and any space used for loading or unloading commercial vehicles in connection with such an operation shall not be within one hundred (100) feet of any residential district.
- F. Heat and Glare.
 - 1. Operations producing heat or glare shall be conducted entirely within an enclosed building.
 - 2. Exterior lighting on private property shall be screened, baffled, or otherwise directed away from adjacent residential properties. This is not intended to apply to street lighting.
- G. Dangerous Substances: Any use which involves the presence, storage or handling of any explosive, nuclear waste product or any other substance in a manner which would cause a health or safety hazard on any adjacent land use or site shall be prohibited.
- H. Liquid and Solid Wastes:
 - 1. Any storage of wastes which would attract rodents or insects or otherwise create a health hazard shall be prohibited.
 - 2. Waste products which are stored outside shall be concealed from view from any property line by a sight-obscuring fence or planting as required by Section 4.176.
 - 3. No connection with any public sewer shall be made or maintained in violation of applicable City or State standards.

Section 4.135.5: Planned Development Industrial – Regionally Significant Industrial Area

4. No wastes conveyed shall be allowed to or permitted, caused to enter, or allowed to flow into any public sewer in violation of applicable City or State standards.
 5. All drainage permitted to discharge into a street gutter, caused to enter or allowed to flow into any pond, lake, stream or other natural water course shall be limited to surface waters or waters having similar characteristics as determined by the City, County, and State Department of Environmental Quality.
 6. All operations shall be conducted in conformance with the city's standards and ordinances applying to sanitary and storm sewer discharges.
- I. Noise: Noise generated by the use, with the exception of traffic uses from automobiles, trucks and trains, shall not violate any applicable standards adopted by the Oregon Department of Environmental Quality and W.C. 6.204 governing noise control in the same or similar locations. [Amended by Ord. 631, 7/16/07]
- J. Electrical Disturbances. Except for electrical facilities wherein the City is pre-empted by other governmental entities, electrical disturbances generated by uses within the PDI-RSIA Zone which interfere with the normal operation of equipment or instruments within the PDI-RSIA Zone are prohibited. Electrical disturbances which routinely cause interference with normal activity in abutting residential uses are also prohibited.
- K. Discharge Standards: There shall be no emission of smoke, fallout, fly ash, dust, vapors, gases or other forms of air pollution that may cause a nuisance or injury to human, plant or animal life or to property. Plans for construction and operation shall be subject to the recommendations and regulations of the State Department of Environmental Quality. All measurements of air pollution shall be by the procedures and with equipment approved by the State Department of Environmental Quality or equivalent and acceptable methods of measurement approved by the City. Persons responsible for a suspected source of air pollution upon request of the City shall provide quantitative and qualitative information regarding the discharge that will adequately and accurately describe operation conditions.
- L. Open burning is prohibited.
- M. Storage.
1. Outdoor storage must be maintained in an orderly manner at all times.
 2. Outdoor storage areas shall be gravel surfaced or better and shall be sufficient for the materials being handled and stored. If a gravel surface is not sufficient to meet the performance standards for the use, the area shall be suitably paved.
 3. Any open storage that would otherwise be visible at the property line shall be concealed from view at the abutting property line by a sight obscuring fence or planting not less than 6' in height.

N. Landscaping.

1. Unused property, or property designated for expansion or other future use shall be landscaped and maintained as approved by the Development Review Board. Landscaping for unused property disturbed during construction shall include such materials as plantings of ornamental shrubs, lawns, native plants, and mowed, seeded fieldgrass.
2. Contiguous unused areas of undisturbed fieldgrass may be maintained in their existing state. Large stands of invasive weeds such as Himalayan blackberry, English ivy, cherry laurel, reed canary grass or other identified invasive species shall be removed and/or mowed at least annually to reduce fire hazard. These unused areas, located with a phased development project or a future expansion cannot be included in the area calculated to meet the landscape requirements for the initial phase(s) of the development.
3. Unused property shall not be left with disturbed soils that are subject to siltation and erosion. Any disturbed soil shall be seeded for complete erosion cover germination and shall be subject to applicable erosion control standards.

(.07) Other Standards.

A. Lot Size:

1. Parcels less than 50 acres in size at the time of adoption of this amended Section: Land divisions may occur in conformance with an approved Master Plan consistent with the requirements of this section. No lot size limit, save and except as shall be consistent with the other provisions of this code.
2. Parcels 50 acres or greater in size existing on October 25, 2004 may be divided into any number of parcels or lots pursuant to an approved Master Plan provided that at least one lot or parcel of at least 50 acres in size remains. Provided further however, at least forty percent (40%) of the lot or parcel so created has been developed or planned for industrial uses and associated accessory uses and no portion has been developed or planned for the uses listed in Section 4.135.5(03)(I).(1.) through (3).
3. Uses not subject to the foregoing lot size provisions:
 - a. Public facilities and services
 - b. Separation of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by DEQ pursuant to ORS 465.225.
 - c. Separation of a lot or parcel containing a nonconforming use from the remainder of the site in order to improve the utility of the remainder site for the intended industrial uses
 - d. Separation for the purposes of financing when the new lot or parcel is consistent with the approved Master Plan.
 - e. Division of lots or parcels consistent with a Master Plan approved by the City prior to July 1, 2004.

Section 4.136. PF - Public Facility Zone.

- B. Maximum Lot Coverage. No limit save and except as shall be consistent with the other provisions of this code.
- C. Front Yard Setback. Thirty (30) feet. Structures on corner or through lots shall observe the minimum front yard setback on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.
- D. Rear and Side Yard Setback. Thirty (30) feet. Structures on corner or through lots shall observe the minimum rear and side yard setback on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.
- E. No setback is required when rear or side yards abut a railroad siding.
- F. Corner Vision. Corner lots shall have no lot obstruction to exceed the vision clearance standards of Section 4.177.
- G. Off-street Parking and Loading. As required in Section 4.155.
- H. Signs. As required in Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]

[Section 4.135.5 added by Ordinance No. 574, 11/1/04.]

Section 4.136. PF - Public Facility Zone.

- (.01) Purpose: The PF zone is intended to be applied to existing public lands and facilities; including quasi-public lands and facilities which serve and benefit the community and its citizens. Typical uses permitted in the PF Zone are schools, churches, public buildings, hospitals, parks and public utilities. Not all of the uses permitted in this zone are expected to be publicly owned.
- (.02) Uses Permitted Outright:
 - A. Municipal or Governmental Service Building
 - B. Churches
 - C. Hospital
 - D. Marina, public
 - E. Recreational and community buildings and grounds, playgrounds, swimming pools, tennis courts and similar recreational uses
 - F. Parking facilities
 - G. Public utilities and buildings
 - H. Library
 - I. Trails and pathways
 - J. Parks
 - K. Public Schools

Section 4.136. PF - Public Facility Zone.

L. Kindergartens or day care centers

M. Accessory Uses

(.03) Uses subject to a Conditional Use:

A. Picnic grounds

B. Sewerage Treatment Plant

C. Water treatment plant and storage reservoir

D. Storage yard, stockpiles and materials

E. Zoo

F. Cemetery

G. Private or Parochial School, College or University

H. Military bases or offices, including armories.

(.04) Dimensional Standards:

A. Minimum Lot Size: One (1) Acre The minimum lot area may be reduced upon a finding that the resulting parcel is compatible with the adjoining property in that it does not impair the development of any adjoining property, does not adversely affect the value of adjoining property, and does not adversely affect the public health, safety, or welfare.

B. Minimum front and rear yard setbacks: Thirty (30) feet. Minimum sideyard setback: ten (10) feet.

C. Minimum street frontage: Seventy-five (75) feet.

D. Maximum height: thirty five (35) feet.

(.05) Off-Street Parking Requirements: As provided in Section 4.155.

(.06) Signs: As provided in Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]

(.07) Corner Vision: As provided in Section 4.176

(.08) Special Regulations:

A. All principal and conditional uses shall be subject to Section 4.400 through 4.450 (Site Design Review) of the Wilsonville Code.

B. As part of either a permitted or conditional use, the Planning Commission may review and approve a Master Plan for an entire development or area subject to Section 4.140 (Planned Development Regulations) of the Wilsonville Code. Approval of a Master Plan would allow all uses provided in the Master Plan without further review. Minor changes which do not have off-site impact or increase visitor capacity may be reviewed by the Planning Director. [Amended by Ordinance No. 538, 2/21/02.]

C. Prisons, other than minimum-security mental institutions, are hereby prohibited.

Section 4.136.5. PF-C – Public Facility – Corrections Zone.

D. Development within Public Facility zones shall comply with applicable provisions of adopted legislative master plans.

(.09) Block and access standards:

The PF zone shall be subject to the same block and access standards as the PDC zone, Section 4.131(.03).

Section 4.136.5. PF-C – Public Facility – Corrections Zone.

(.01) Purpose: The PF-C zone is intended to be applied to lands that have been, or are being, acquired for use and development of corrections facilities and related accessory uses and facilities.

(.02) Uses Permitted Outright

A. Municipal or Governmental Service Building, subject to the site design review standards of Section 4.400.

B. Prisons and other correctional facilities, subject to the site design review standards of Section 4.400.

(.03) Uses subject to a the granting of a Conditional Use Permit:

A. Public parks, trails, or pathways.

B. Water treatment plant and storage reservoir.

C. Military bases or offices, including armories.

(.04) Dimensional Standards:

A. Minimum Lot Size: One (1) Acre. The minimum lot area may be reduced upon a finding that the resulting parcel is compatible with the adjoining property in that it does not impair the development of any adjoining property, does not adversely affect the value of adjoining property, and does not adversely affect the public health, safety, or welfare.

B. Minimum building setbacks, all sides: One hundred (100) feet.

C. Maximum height: Forty-five (45) feet.

(.05) Off-Street Parking Requirements: As provided in Section 4.155.

(.06) Signs: As provided in Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]

(.07) Corner Vision: As provided in Section 4.177

(.08) Special Regulations:

A. All principal and conditional uses shall be subject to Section 4.400 through 4.450 (Site Design Review) of the Wilsonville Code.

B. As part of either a permitted or conditional use, the Development Review Board may review and approve a Master Plan for an entire development or area subject to Section 4.140 (Planned Development Regulations) of the Wilsonville Code.

Section 4.137. Solar Access For New Residential Development.

Approval of a Master Plan would allow all uses provided in the Maser Plan without further review. Minor changes which do not have off-site impact or increase visitor capacity may be reviewed by the Planning Director.

- (.09) Block standards: None required.

Section 4.137. Solar Access For New Residential Development.

(.01) Solar Access (S) Overlay Zone

- A. An “S” (solar access) Overlay Zone is hereby created. It may be used in conjunction with any underlying residential base zone (e.g., PDR-S, R-S, etc.) to further refine land-use regulations in the interest of protecting solar access.
- B. The City Council may, through the zone change process, apply the “S” Overlay Zone to any area or development where protecting long-term solar access is of particular concern, and is specifically requested by the developer or owner of the site.
- C. The Solar Access (S) Overlay Zone shall not be applied to existing development unless substantial redevelopment is anticipated in the near future.

- (.02) Purpose. The purposes of Section 4.137 are to ensure that land is divided or developed so that structures can be oriented to maximize solar access and to minimize shade on adjoining properties from structures and trees. The intent of applying the “S” overlay zone is not to create a loop-hole which will allow a developer to clear-cut a site.

- (.03) Applicability. The solar design standard in Section 4.137(.05) shall apply to applications for a development to create lots or building sites in those base zones that have an “S” (solar access) Overlay Zone.

- (.04) Exemptions or Adjustments. An applicant may adjust or be exempt from the provisions of this section to the extent the Development Review Board finds that the applicant has shown one or more of the conditions listed in Sections 4.137(.06) and (.07) exist, and exemptions or adjustments provided for therein are warranted.

- (.05) Design Standard. At least 80 percent of the lots or building sites in a development subject to the “S” overlay zone shall comply with one or more of the options in this section provided, however, that a development may, but is not required to, use the options in subsections 4.137(.05)(B) or 4.137(.05)(C) to comply with Section 4.137(.05).

- A. Basic Requirement (see Figure 10: Solar Lot Option 1: Basic Requirements). A lot complies with Section 4.137(.05) if it:
 - 1. Has a north-south dimension of 90 feet or more; and
 - 2. Has a front lot line that is oriented within 30 degrees of a true east-west axis.
- B. Protected Solar Building Line Option (see Figure 11: Solar Lot Option 2: Protected Solar Building Line). In the alternative, a lot complies with Section 4.137(.05) if a solar building line is used to protect solar access as follows:

Section 4.137. Solar Access For New Residential Development.

1. A protected solar building line is designated on the subdivision or partition plat or in documents recorded with the plat; and
 2. The protected solar building line is oriented within 30 degrees of a true east-west axis; and
 3. There is at least 70 feet between the protected solar building line and the middle of the north-south dimension of the lot to the south, measured along a line perpendicular to the protected solar building line; and
 4. There is at least 45 feet between the protected solar building line and the northern edge of the buildable area of the lot, or habitable structures are situated so that at least 80 percent of their south-facing wall will not be shaded by structures or vegetation.
- C. Performance Option. In the alternative, a lot complies with Section 4.137(.05) if:
1. Habitable structures built on that lot will have their long axis oriented within 30 degrees of a true east-west axis, and at least 80% of their ground floor south wall will be protected from shade by structures and trees using appropriate deed restrictions; or
 2. Habitable structures built on that lot will have at least 32% of their glazing and at least 500 square feet of their roof area within 30 degrees east or west of true south, and that glazing and roof areas are protected from shade by structures and trees using appropriate deed restrictions.

(.06) Exemptions from Design Standard. A development is exempt or partially exempt from Section 4.137(.05) if the Development Review Board finds that the applicant has shown that one or more of the following conditions apply to the site. If a partial exemption is granted for a portion of a given development, the remainder of the development shall comply with Section 4.137(.05).

- A. Slopes. The site, or a portion of the site for which the exemption is sought, is sloped 20 percent or more in a direction greater than 45 degrees east or west of true south, based on a topographic survey by a licensed professional land surveyor, USGS data, or other officially recognized topographic information.
- B. Off-site shade. The site, or a portion of the site for which the exemption is sought, is within the shadow pattern of off-site features, such as but not limited to structures, topography, or vegetation, which will remain after development occurs on the site from which the shade is originating.
 1. Shade from an existing or approved off-site dwelling in a residential zone, and from topographic features, is assumed to remain after development of the site.
 2. Shade from an off-site structure in a zone other than a residential zone is assumed to be the shadow pattern of the existing or approved development thereon or the shadow pattern that would result from the largest structure allowed at the closest setback on adjoining land, whether or not that structure now exists.
 3. Shade from off-site vegetation is assumed to remain after development of the site if: the trees that cause shade are situated in a required setback or they are

Section 4.137. Solar Access For New Residential Development.

part of a developed area, public park, or are a part of an approved development or Significant Resource Overlay Zone; or they are in or separated from the developable remainder of a parcel by an undevelopable area or feature; or they are part of landscaping required pursuant to the Wilsonville Code.

4. Shade from other off-site sources is assumed to be shade that exists or that will be cast by development for which applicable local permits have been approved on the date a complete application for the development is filed.
- C. On-site shade. The site, or a portion of the site for which the exemption is requested, is:
1. Within the shadow pattern of on-site features such as, but not limited to structures and topography which will remain after the development occurs; or
 2. Contains trees at least 30 feet tall and more than 6 inches in diameter measured 4 feet above the ground which have a crown cover over at least 80% of the site, or the relevant portion of the site. The applicant can show such crown cover exists using a scaled survey or an aerial photograph. If granted, the exemption shall be approved subject to the condition that the applicant preserve at least 50% of the crown cover that causes the shade that warrants the exemption. The applicant shall file a note on the plat or other documents in the Office of the County Recorder binding the applicant to comply with this requirement.
- D. Completion of phased subdivision. The site is part of a phased subdivision, none of which was subject to Section 4.137, and the site and the remainder of the unplatted portion of the phased subdivision contain no more than 20 percent of the lots in all phases of the subdivision.
- (.07) Adjustments to Design Standard. The Development Review Board shall reduce the percentage of lots that must comply with Section 4.137(.05) to the minimum extent necessary if it finds the applicant has shown it would cause or is subject to one or more of the following conditions.
- A. Adverse impacts on density, cost, or amenities.
1. If the design standard in Section 4.137(.05)(A) is applied, either the resulting density is less than that proposed, or on-site development costs (e.g., grading, water, storm drainage and sanitary systems, and road) and solar related off-site development costs are at least 5% more per lot than if the standard is not applied. The following conditions, among others, could constrain the design of a development in such a way that compliance with Section 4.137(.05)(A) would reduce density or increase per lot costs in this manner. The applicant shall show which, if any, of these or other similar site characteristics apply in an application for a development.
 - a. The portion of the site for which the adjustment is sought has a natural grade that is sloped 10 percent or more and is oriented greater than 45 degrees east or west of true south based on a topographic survey of the site

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by a professional land surveyor, USGS data, or other officially recognized topographic information.

- b. There is a significant natural feature on the site, identified as such in the comprehensive plan or development code, that prevents given streets, private drives, or lots from being oriented for solar access, and it will exist after the site is developed.
- c. Existing road patterns must be continued throughout the site or must terminate on-site to comply with applicable road standards or public road plans in a way that prevents given streets, private drives, or lots in the development from being oriented for solar access.
- d. An existing public easement or right-of-way prevents given streets, private drives, or lots in the development from being oriented for solar access.

[Section 4.137(.07)(A).(1.) amended by Ord. 682, 9/9/10]

2. If the design standard in Section 4.137(.05)(A) applies to given lot(s), significant development amenities that would otherwise benefit the lot(s) will be lost or impaired. Evidence that a significant diminution in the market value of the lot(s) would result from having the lot(s) comply with Section 4.137(.05)(A) is relevant to whether a significant development amenity is lost or impaired.
- B. Impacts of existing shade. The shadow pattern from trees cover at least 80% of the lot and at least 50% of the shadow pattern will remain after development of the lot. The applicant shall show the shadow pattern using a scaled survey of trees on the site or using an aerial photograph.
1. Shade from trees is assumed to remain if: the trees are situated in a required setback or they are part of an existing or proposed park, open space, or recreational amenity; or they are separated from the developable remainder of their parcel by an undevelopable area or feature; or they are part of landscaping required pursuant to Wilsonville Code; and they do not need to be removed for a driveway or other development.
 2. Also, to the extent the shade is caused by on-site trees or off-site trees on land owned by the applicant, such shade is assumed to remain if a written description of the retained trees causing the shade of the affected lots is titled with the pertinent land partition or subdivision plat.
- (.08) Protection from future shade. Structures and vegetation must comply with the Solar Balance Point Standards [WC section 4.137.2] on all lots in a development subject to the Solar Overlay Zone for New Development, including lots for which exemptions or adjustments to Section 4.137 have been granted. The applicant shall file a note on the plat or other documents in the office of the County Recorder binding the applicant and subsequent purchasers to comply with the future shade protection standards in Section 4.137(.08).
- (.09) Application. An application for approval of a development subject to this section shall include:

Section 4.137.2. Solar Balance Point Standards

- A. Maps and text sufficient to show that the development complies with the solar design standard of Section 4.137(.05), except for lots for which an exemption or adjustment from Section 4.137(.05) is requested, including at least:
 - 1. The north-south lot dimension and front lot line orientation of each proposed lot.
 - 2. Protected solar building lines and relevant building site restrictions, if applicable.
 - 3. For the purpose of identifying trees exempt from Section 4.137(.08), a map showing existing trees at least 30 feet tall and over 6 inches diameter at a point 4 feet above grade, indicating their height, diameter and species, and stating that they are to be retained and are exempt.
 - 4. Copies of all private restrictions relating to solar access.
 - B. If an exemption or adjustment to Section 4.137(.05) is requested, maps and text sufficient to show that given lots or areas in the development comply with the standards for such an exemption or adjustment in Sections 4.137(.06) or (.07), respectively.
- (.10) Process. The general application procedures listed in Sections 4.008 through 4.024 apply to this section.

Section 4.137.2. Solar Balance Point Standards

- (.01) Purpose. The purposes of these standards are to promote the use of solar energy, to minimize shading of structures by other structures, and, where applicable, to minimize shading of structures by trees. Decisions related to these standards are intended to be ministerial.
- (.02) Applicability. This section applies to an application for a building permit for all structures in an “S” (solar access) Overlay Zone. In addition, vegetation planted or growing on lots subject to the provisions of Section 4.137(.08)(Protection from future shade) shall comply with the shade point height standards as provided in Sections 4.137.2(.05) and (.06).
- (.03) Exemptions or Adjustments. An applicant may adjust or be exempt from the provisions of Section 4.137.2 to the extent the Development Review Board finds the applicant has shown that one or more of the conditions listed in sections 4.137.2(.06) or (.07) exists, and exemptions or adjustments provided for there are warranted.
- (.04) Solar Site Plan required. An applicant for a building permit for a structure subject to this section shall submit a site plan that shows:
 - A. The maximum shade point height allowed under Section 4.137.2(.05);
 - B. If the maximum shade point height is adjusted pursuant to Section 4.137.2(.05)(A)(2), the average elevation of the rear property line;

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- C. The location of the shade point, its height relative to the average elevation of the front lot line or the elevation at the midpoint of the front lot line, and its orientation relative to true south; and, if applicable,
 - D. The solar balance point for the structure as provided in Section 4.137.2(.09).
- (.05) Maximum Shade Point Height Standard. The height of the shade point shall comply with either subsection A or B, below.
- A. Basic Requirement.
 - 1. The height of the shade point shall be less than or equal to the height specified in Table 2 or computed using the following formula. The height of the shade point shall be measured from the shade point to either the average elevation at the front lot line or the elevation at the midpoint of the front lot line. If necessary, interpolate between the 5-foot dimensions listed in Table 2.

$$H = \frac{(2 \times \text{SRL}) - N + 150}{5}$$

Where:

- H = the maximum allowed height of the shade point (see Figures 5: Height of the Shade Point of the Structure and Figure 6: Shade Point Height);
 - SRL = shade reduction line (the distance between the shade point and the northern lot line, (see Figure 7 Shade Reduction Line); and
 - N = The north-south lot dimension, provided that a north-south lot dimension more than 90 feet shall use a value of 90 feet for this section.
- 2. Provided, the maximum allowed height of the shade point may be increased one foot above the amount calculated using the formula or Table 2 for each foot that the average grade at the rear property line exceeds the average grade at the front property line.

TABLE 2: MAXIMUM PERMITTED SHADE POINT HEIGHT (In Feet)													
North-South lot dimension (in feet)													
Distance to Shade Reduction Line from northern lot line (in feet)	100+	95	90	85	80	75	70	65	60	55	50	45	40
70	40	40	40	41	42	43	44						
65	38	38	38	39	40	41	42	43					
60	36	36	36	37	38	39	40	41	42				
55	34	34	34	35	36	37	38	39	40	41			
50	32	32	32	33	34	35	36	37	38	39	40		
45	30	30	30	31	32	33	34	35	36	37	38	39	
40	28	28	28	29	30	31	32	33	34	35	36	37	38

Section 4.137.2. Solar Balance Point Standards

35	26	26	26	27	28	29	30	31	32	33	34	35	36
30	24	24	24	25	26	27	28	29	30	31	32	33	34
25	22	22	22	23	24	25	26	27	2	29	30	31	32
20	20	20	20	21	22	23	24	25	26	27	28	29	30
15	18	18	18	19	20	21	22	23	24	25	26	27	28
10	16	16	16	17	18	19	20	21	22	23	24	25	26
5	14	14	14	15	16	17	18	19	20	21	22	23	24

B. Performance Option. The proposed structure, or applicable vegetation, will shade not more than 20 percent of the south-facing glazing of existing habitable structure(s), or, where applicable, the proposed structure or vegetation comply with Section 4.137(.05)(B) or (C) of Section 4.137. If Section 4.137(.05)(B), Protected Solar Building Line, is used, trees and the shade point of structures shall be set back from the protected solar building line 2.5 feet for every 1 foot of height of the structure or of the mature height of vegetation over 2 feet.

(.06) Exemption from the Maximum Shade Point Height Standard. The Development Review Board shall exempt a proposed structure or vegetation from Sections 4.137.2(.04) and (.05) if the applicant shows that one or more of the conditions in this section exist, based on plot plans or plats, corner elevations or other topographical data, shadow patterns, suncharts or photographs, or other substantial evidence submitted by the applicant.

A. Exempt Lot. When created, the lot was subject to Section 4.137 (Solar Access for New Development) and was not subject to the provisions of Section 4.137(.08).

B. Pre-existing shade. The structure or applicable vegetation will shade an area that is already shaded by one or more of the following:

1. An existing or approved building or structure;
2. A topographic feature; or
3. A tree that will remain after development of the site. It is assumed a tree will remain after development if it: is situated in a building setback required by Wilsonville Code; is part of a developed area or landscaping required by Wilsonville Code; a public park or landscape strip, or are a part of an approved development or Significant Resource Overlay Zone; is in or separated from the developable remainder of a parcel by an undevelopable area or feature; or is on the applicant's property and not affected by the development. A duly executed covenant also can be used to preserve trees causing such shade.

C. Slope. The site has an average slope that exceeds 20 percent in a direction greater than 45 degrees east or west of true south based on a topographic survey by a licensed professional land surveyor, USGS data, or other officially recognized topographic information.

D. Insignificant benefit. The proposed structure or vegetation shades on or more of the following:

Section 4.137.2. Solar Balance Point Standards

1. An undevelopable area;
 2. The wall of an unheated space, such as a typical garage;
 3. Less than 20 square feet of south-facing glazing; or
 4. An undeveloped lot, other than a lot that was subject to the Section 4.137, where:
 - a. There are at least four single family detached or attached homes within 250 feet of the lot within the same subdivision or a phase of the subdivision; and
 - b. A majority of the homes identified in subsection 4.a., above, have an average of less than 20 square feet of south-facing glazing.
- E. Public involvement. The proposed structure is a publicly owned improvement.

- (.07) Adjustments to the Maximum Shade Point Height Standard. The Development Review Board shall increase the maximum permitted height of the shade point determined using section 4.137.2(.05) to the extent it finds the applicant has shown one or more of the following conditions exist, based on plot plans or plats, corner elevations or other topographical data, shadow patterns, suncharts or photographs, or other substantial evidence submitted by the applicant.
- A. Physical conditions. Physical conditions preclude development of the site in a manner that complies with section 4.137.2(.05), due to such things as a lot size less than 3000 square feet, unstable or wet soils, or a drainage way, public or private easement, or right-of-way.
 - B. Conflict between the Maximum Shade Point Height and Allowed Shade on the Solar Feature Standards. A proposed structure may be sited to meet the solar balance point standard described in Section 4.137.2(.09) or be sited as near to the solar balance point as allowed by Section 4.137.2(.09), if:
 1. When the proposed structure is sited to meet the maximum shade point height standard determined using Section 4.137.2(.05), its solar feature will potentially be shaded as determined using Section 4.137.2(.08); and
 2. The application includes a form provided for that purpose by the City that:
 - a. Releases the applicant from complying with Section 4.137.2(.05) and agrees that the proposed structure may shade an area otherwise protected by section 4.137.2(.05).
 - b. Releases the City from liability for damages resulting from the adjustment; and
 - c. Is signed by the owner(s) of the properties that would be shaded by the proposed structure more than allowed by the provisions of Section 4.137.2(.05).
 3. Before the City issues a permit for a proposed structure for which an adjustment has been granted pursuant to Section 4.137.2(.07)(B), the applicant shall file the form provided for in subsection 4.137.2(.07)(B)(2) above in the office of the County Recorder with the deeds to the affected properties.

(.08) Analysis of Allowed Shade on Solar Feature

Section 4.137.2. Solar Balance Point Standards

- A. An applicant may, but is not required to, perform the calculations in or comply with the standards of Section 4.137.2(.08).
- B. Applicants are encouraged to design and site a proposed habitable structure so that the lowest point of any solar feature(s) will not be shaded by building or trees on lot(s) to the south. The applicant will need to complete the following calculation procedure to determine if solar feature(s) of the proposed structure will be shaded. To start, the applicant should choose which of the following sources of shade originating from adjacent lot(s) to the south to use to calculate the maximum shade height at the north property line:
 - 1. Existing structure(s) or trees; or
 - 2. The maximum shade that can be cast from future buildings or trees, based on Table 4. If the lot(s) to the south can be further divided, then the north-south dimension is assumed to be the minimum lot width required for a new lot in that zone.
- C. The height of the lowest point of any solar feature of the proposed structure is calculated with respect to either the average elevation or the elevation at the midpoint of the front lot line of the lot to the south.
- D. The applicant can determine the height of the shadow that may be cast upon the applicant’s solar feature by the source of shade selected in subsection B by using the following formula or Table 3.

$$\text{SFSH} = \text{SH} - (\text{SGL}/2.5)$$

Where:

SFSH = the allowed shadow height on the solar feature (see Figure 9: Solar Balance Point Standard).

SH = the height of the shade at the northern lot line of lot(s) to the south as determined in Section 4.137.2(.08)(B)

SGL = the solar gain line (the distance from the solar feature to the northern lot line of adjacent lot(s) to the south (see Figure 8: Solar Gain Line).

Table 3: Maximum Permitted Height Of Shadow At Solar Feature (Feet)											
Distance from Solar Gain Line to lot line (feet)	Allowed Shade Height at Northern Lot line of Adjacent Lot(s) to the South (In feet)										
	22	21	20	19	18	17	16	15	14	13	12
50	2	1									
45	4	3	2	1							
40	6	5	4	3	2	1					
35	8	7	6	5	4	3	2	1			
30	10	9	8	7	6	5	4	3	2	1	
25	12	11	10	9	8	7	6	5	4	3	2
20	14	13	12	11	10	9	8	7	6	5	4

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15	16	15	14	13	12	11	10	9	8	7	6
10	18	17	16	15	14	13	12	11	10	9	8
5	20	19	18	17	16	15	14	13	12	11	10

Table 4 may be used to determine (SH) in the above formula.

TABLE 4: Table to Determine Shade Height													
North-south lot dimension of adjacent lot(s) to the south	100	95	90	85	80	75	70	65	60	55	50	45	40
Allowed shade height at the north property line of adjacent lot(s) to south	12	12	12	13	14	15	16	17	18	19	20	21	22

E. If the allowed shade height on the solar feature calculated in Subsection D is higher than the lowest point of the solar feature calculated in Subsection C, the applicant shall be encouraged to consider changes to the house design or location which would make it practical to locate the solar feature so that it will not be shaded in the future.

- (.09) **Solar Balance Point.** If a structure does not comply with maximum shade point height standard in Section 4.137.2(.05) and the allowed shade on a solar feature standard in Section 4.137.2(.08), then the solar balance point of the lot shall be calculated (see Figure 9: Solar Balance Point Standard). The solar balance location on the lot is where a structure would be an equal distance between the locations required by the maximum shade point height standard and the allowed shade on a solar feature standard.
- (.10) **Yard Setback Adjustment.** The City shall grant an adjustment to the side, front and/or rear yard setback requirement(s) by up to 50% if necessary to build a proposed structure so it complies with either the shade point height standard in Section 4.137.2(.05), the allowed shade on a solar feature standard in Section 4.137.2(.08), or the solar balance point standard in section 4.137.2(.09) as provided herein (see Figure 9: Solar Balance Point Standard). This adjustment is not intended to encourage reductions in available solar access or unnecessary modification of setback requirements, and shall apply only if necessary for a structure to comply with the applicable provisions of this chapter. [The following list illustrates yard adjustments permitted under this Section:]
 - A. PDR-7-S Zone(s):
 1. A front yard setback may be reduced to not less than 12.5 feet.
 2. A rear yard setback may be reduced to not less than 7.5 to 12.5 feet, depending on building height.
 3. A side yard setback may be reduced to not less than 2.5 to 5.5 feet, depending on building height.

Section 4.137.3. Solar Access Permit Standards.

B. PDR-4-S Zone(s):

1. A front yard setback may be reduced to not less than 7.5 feet.
2. A rear yard setback may be reduced to not less than 7.5 feet.
3. A side yard setback may be reduced to not less than 2.5 or 3.5 feet, depending on building height.

C. PDR-1-S Zone(s):

1. A front yard setback may be reduced to not less than 15 feet.
2. A rear yard setback may be reduced to not less than 15 feet.
3. A side yard setback may be reduced to not less than 5 feet.

- (.11) Review process. The general application procedures listed in Sections 4.008 through 4.024 apply to this section.

Note: Worksheets to calculate the solar balance point standards are available from the City Planning Department.

Section 4.137.3. Solar Access Permit Standards.

- (.01) Purpose. The purpose of these standards is to protect solar access to solar features on lots designated or used for a single-family detached dwelling under some circumstances. It authorizes owners of such lots to apply for a permit that, if granted, prohibits solar features from being shaded by certain future vegetation on and off the permittee's site.
- (.02) Applicability. An owner or contract purchaser of property may apply for and/or be subject to a solar access permit for a solar feature if that property is in any residential zone that is or will be developed with a single-family dwelling. The City's decision whether or not to grant a solar access permit is intended to be ministerial.
- (.03) Approval standards for a solar access permit. The Planning Director shall approve an application for a solar access permit if the record shows:
- A. The application is complete;
 - B. The information it contains is accurate;
 - C. Vegetation on the applicant's property does not shade the solar feature;
 - D. No objection has been raised by an affected property owner;
 - E. That the permit, if issued, does not conflict with other sections of the Wilsonville Code; and
 - F. That the permit, if issued, would not restrict any lot which has an average slope of fifteen (15) percent in the northerly direction.
- (.04) Duties created by solar access permit.
- A. A party to whom the city grants a solar access permit shall:

Section 4.137.3. Solar Access Permit Standards.

1. Record the permit, legal descriptions of the properties affected by the permit, the solar access height limit, and the site plan required in Section 4.137.3(.05)(C). with such modifications as required by the responsible official in the office of the county recorder with the deeds to the properties affected by it, indexed by the names of the owners of the affected properties, and pay the fees for such filing;
 2. Install the solar feature in a timely manner as provided in Section 4.137.3(.08); and
 3. Maintain vegetation on the site so it does not shade the solar feature.
- B. An owner of property burdened by a solar access permit shall be responsible and pay all costs for keeping vegetation from exceeding the solar access height limit. However, vegetation identified as exempt on the site plan required in Section 4.137.3(.05)(C), vegetation an owner shows was in the ground on the date an application for a solar access permit is filed, and solar friendly vegetation are exempt from the solar access permit.
- (.05) Application contents. In addition to the application requirements pursuant to Section 4.035(.05), an application for a solar access permit shall contain the following information:
- A. A legal description of the applicant's lot and legal description, owners' names, and owners' addresses for lots all or a portion of which are within 250 feet of the applicant's lot and 54 degrees east and west of true south measured from the east and west corners of the applicant's south lot line. The services of a title company shall be used to determine who owns property for purposes of an application. The failure of a property owner to receive notice shall not invalidate the action if a good faith attempt was made to notify all persons who may be affected.
 - B. A scaled plan of the applicant's property showing:
 1. Vegetation in the ground s of the date of the application, if when mature, that vegetation could shade the solar feature.
 2. The approximate height above the grade of the soar feature, its location, and its orientation relative to true south.
 - C. A scaled plan of the properties on the list required in subsection A, above, showing:
 1. Their approximate dimensions; and
 2. The approximate location of all existing vegetation on each property that could shade the solar feature(s) on the applicant's property.
 - D. For each affected lot, the requested solar access height limit. The solar access height limit is a series of contour lines establishing the maximum permitted height for vegetation on lots affected by a Solar Access Permit (see Figure 12: Solar Access Height Limit). The contour lines begin at the bottom edge of a solar feature for which a permit is requested and rise in five foot increments at an angle to the south not less than 21.3 degrees from the horizon and extend not more that 54 degrees east and west of true south. Notwithstanding the preceding, the solar

Section 4.137.3. Solar Access Permit Standards.

access height limit at the northern lot line of any lot burdened by a solar access permit shall allow vegetation on that lot whose height causes not more shade on the benefited property than could be caused by a structure that complies with Section 4.137.2 for existing lots.

- E. A fee, as required for Class II Administrative Review.
 - F. If available, a statement signed by the owner(s) of some or all of the property(ies) to which the permit will apply if granted verifying that the vegetation shown on the plan submitted pursuant to Section 4.137.3(.05)(C) above accurately represents vegetation in the ground on the date of the application. The signed statements provided for herein are permitted but not required for a complete application.
- (.06) Application review process. Application for a solar access permit shall be reviewed under Section 4.035 Class II – Administrative Review.
- A. A Pre-Application Conference may be held in accordance with Section 4.010(.02).
 - B. After the pre-application meeting is held or waived, the applicant may file an application containing the information required in Section 4.137.3(.05) above.
 - C. After filing the application in accordance with Section 4.011(.01) the Planning Director or his or her designate shall determine whether the application is complete in accordance with Section 4.011(.02).
 - D. Within ten (10) calendar days of receiving a complete application, the Planning Director shall mail notice of the proposed application, pursuant to Section 4.035(.03)A. The notice shall invite persons to submit information within ten (10) calendar day, relevant to the standards pertinent to the proposal and giving reasons why the application should or should not be approved or proposing conditions the person believes are necessary for approval according to the standards.
 - 1. The notice shall include the plot plans required in Sections 4.137.3(.05)(B) and (C) above, the proposed solar access height limits, and duties created by the permit.
 - 2. The notice shall request recipients to verify that the plot plan shows all vegetation on the recipient's property, and to send the Planning Director comments in writing within (ten) 10 calendar days after the notice is mailed if the recipient believes the applicant's plot plan is inaccurate.
 - E. Within ten (10) calendar days of the final response date, the Planning Director shall consider responses received from affected parties and/or an inspection of the site, modify the plot plan and the permit to be consistent with the accurate information, and make a final decision pursuant to Section 4.035(.03)(C.)
 - 1. If the final decision is to deny the permit, the Planning Director shall mail a copy of the decision to the applicant.
 - 2. If the final decision is to approve the permit, and the owners of all affected properties did verify the accuracy of the plot plan as permitted under Section

Section 4.137.3. Solar Access Permit Standards.

4.137.3(.05)(F), the Planning Director shall mail a copy of the decision to the applicant and affected parties. The notice to affected parties shall include information that the solar access permit exists and that it may affect the ability of the property owner to grow vegetation, and that it imposes certain obligations the property owner to trim vegetation.

3. If the final decision is to approve the permit, and the owners of all affected properties did not verify the accuracy of the plot plan as permitted under Section 4.137.3(.05)(F), the Planning Director shall send a copy of the final decision to the applicant and to the owners of affected properties (including those who did not sign the verification statement pursuant to Section 4.137.3(.05)(F)). The notice to affected parties shall include information that the solar access permit exists and that it may affect the ability of the property owner to grow vegetation, and that it imposes certain obligations the property owner to trim vegetation.

- F. If the application is approved, the permit is not effective until the applicant records the permit, associated solar access height limits, legal descriptions for the affected properties (including the property where the solar feature is to be located), any special exceptions or exemptions from the usual affects of a solar access permit, and the site plan required in section 4.137.3(.05)(C) (with such modifications as required by the responsible official in the office of the county recorder) with the deeds to the properties affected by the permit.

(.07) Permit enforcement process.

- A. Enforcement request. A solar access permittee may request the city to enforce the solar access permit by providing the following information to the Planning Director:
 1. A copy of the solar access permit and the plot plans submitted with the permit; and
 2. The legal description of the lot(s) on which alleged vegetation is situated, the address of the owner(s) of that property, and a scaled site plan of the lot(s) showing the vegetation; and
 3. Evidence the vegetation violates the solar access permit, such as sunchart photograph, shadow pattern, and/or photographs.
- B. Enforcement process. If the Planning Director determines the request for enforcement is complete, he or she shall initiate an enforcement action pursuant to WC section 4.025 and 4.026. Provided the Planning Director shall not enforce the permit against vegetation the owner of which shows was in the ground on the date the permit application was filed with the city.

(.08) Expiration and extension of a solar access permit.

- A. Expiration. Every permit issued by the Planning Director under the provisions of this section shall expire if the construction of the solar feature protected by such permit is not commenced within 180 days form the date of such permit; if the construction of the solar feature protected by such permit is suspended or

Section 4.137.3. Solar Access Permit Standards.

abandoned at any time after the work is commenced for a period of 180 days; or the use of the solar feature is discontinued for more than twelve (12) consecutive months. The applicant may reapply for a solar access permit in accordance with Section 4.137.3. The fee shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. If the permittee does not show construction of the solar feature will be started within 180 days of the date of the permit or the extension, or if the solar feature is removed, the Planning Director shall terminate the permit by recording a notice of expiration in the office of the county recorder with the deeds to the affected properties.

- B. Extensions. Any permittee holding an unexpired permit may apply for an extension of the time within which he or she may commence work under that permit when he or she is unable to commence work within the time required by this section for good and satisfactory reasons. The Planning Director may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

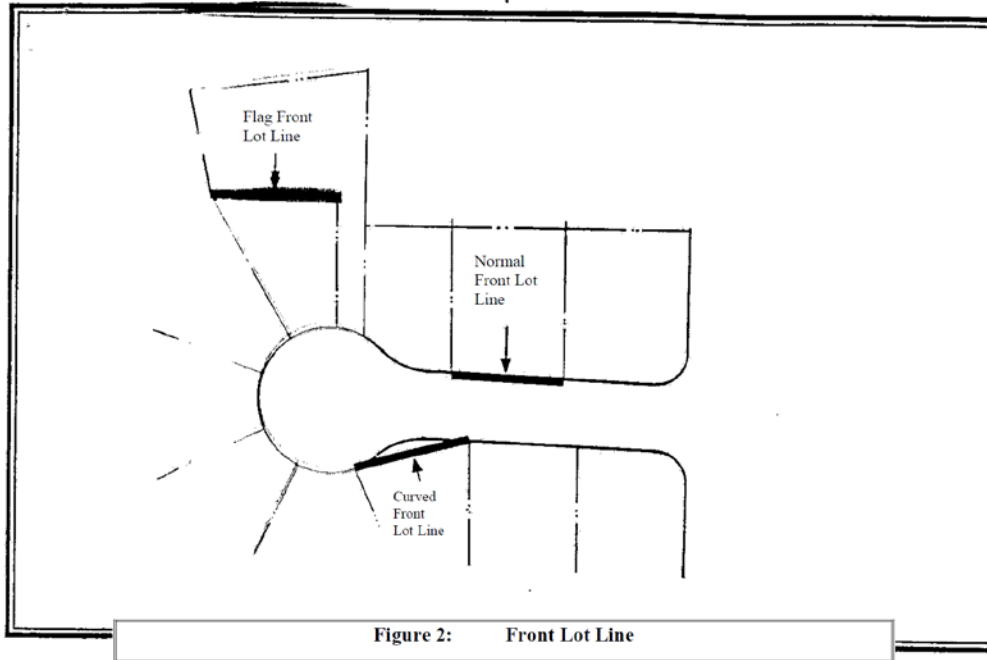
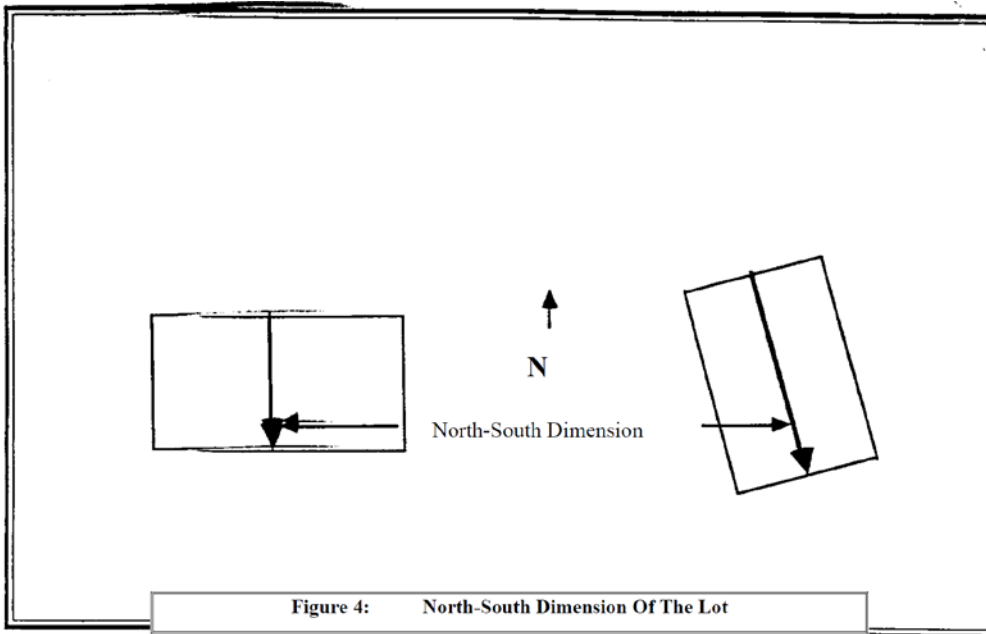
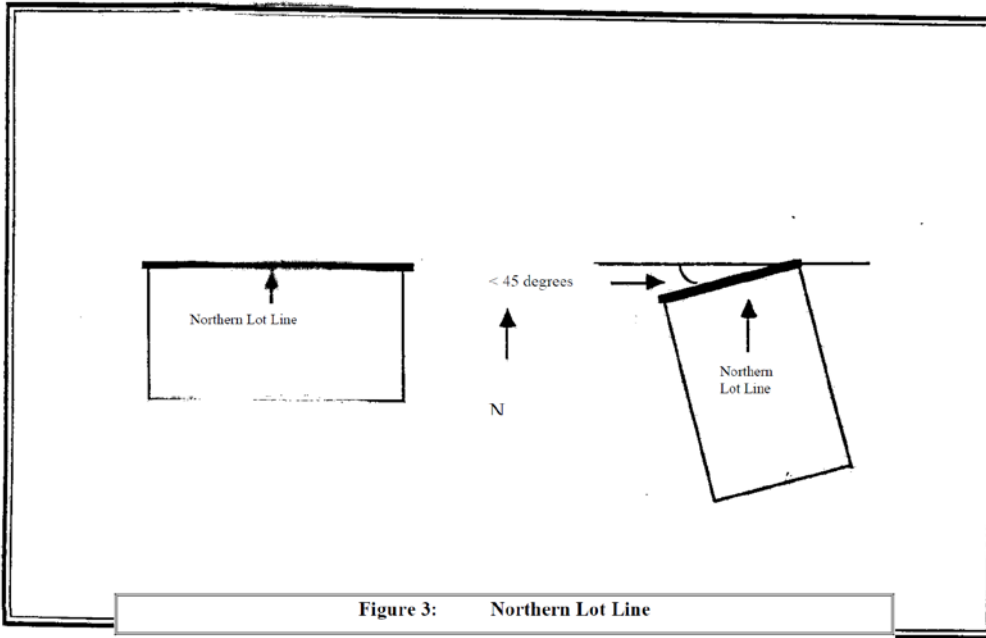
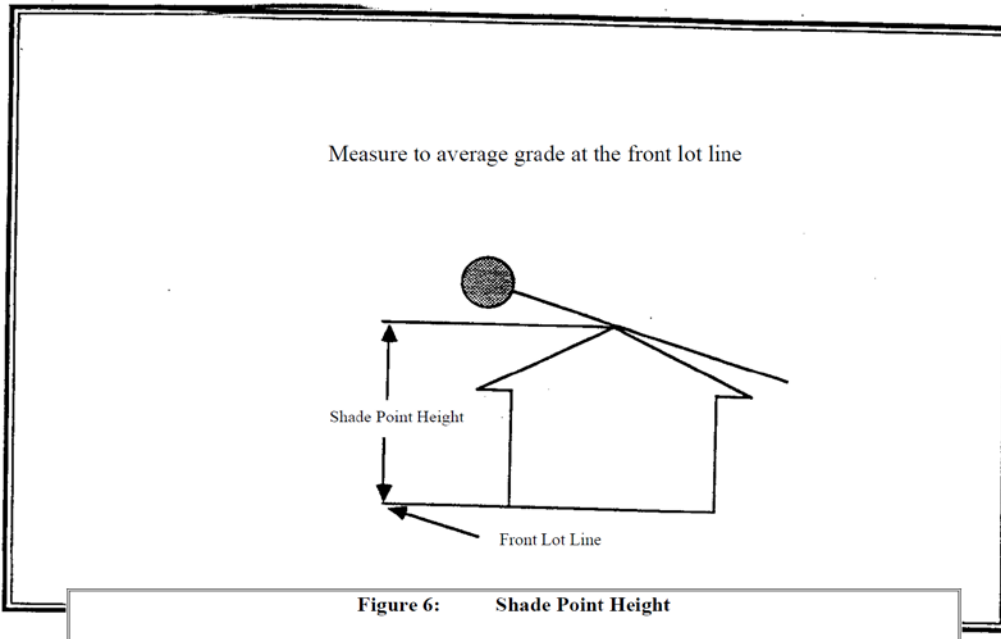
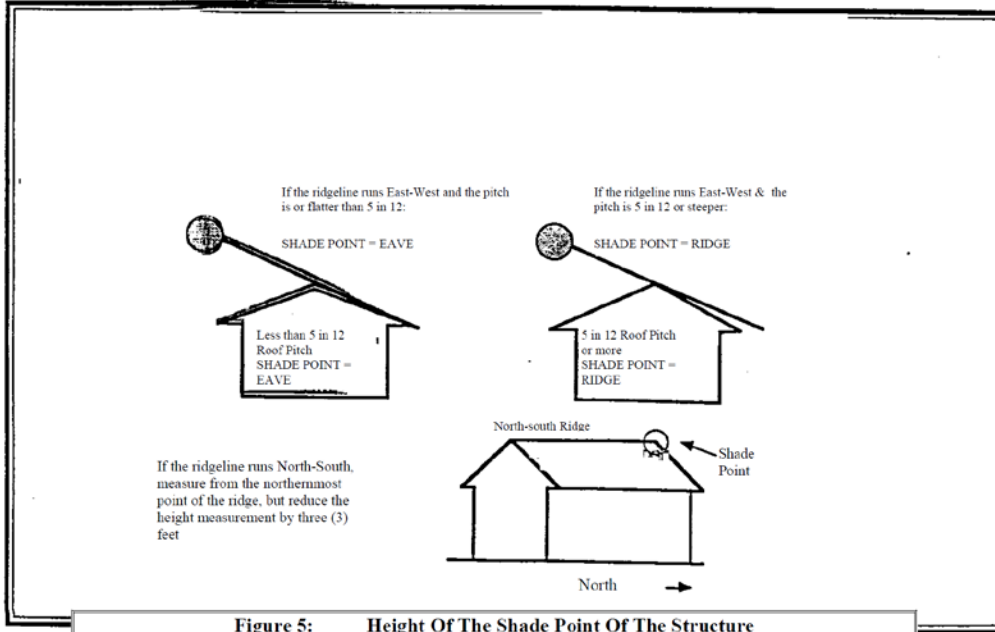


Figure 2: Front Lot Line

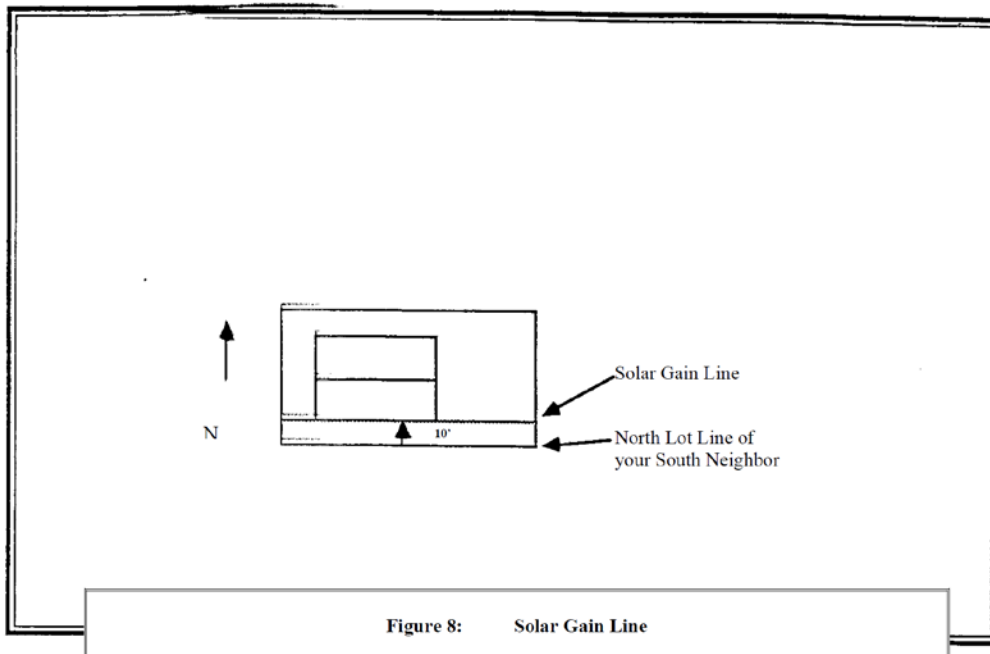
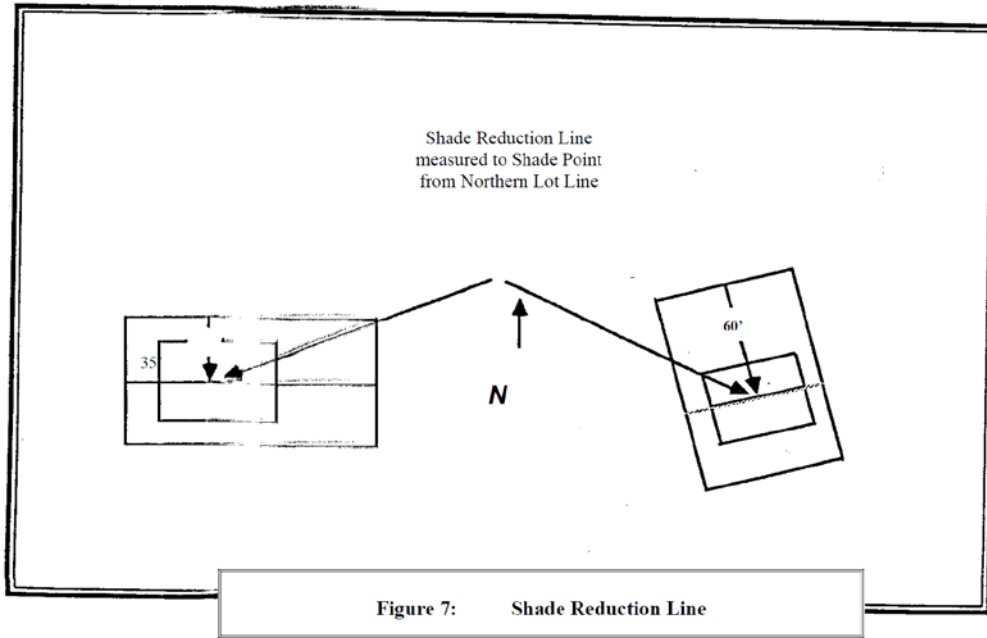
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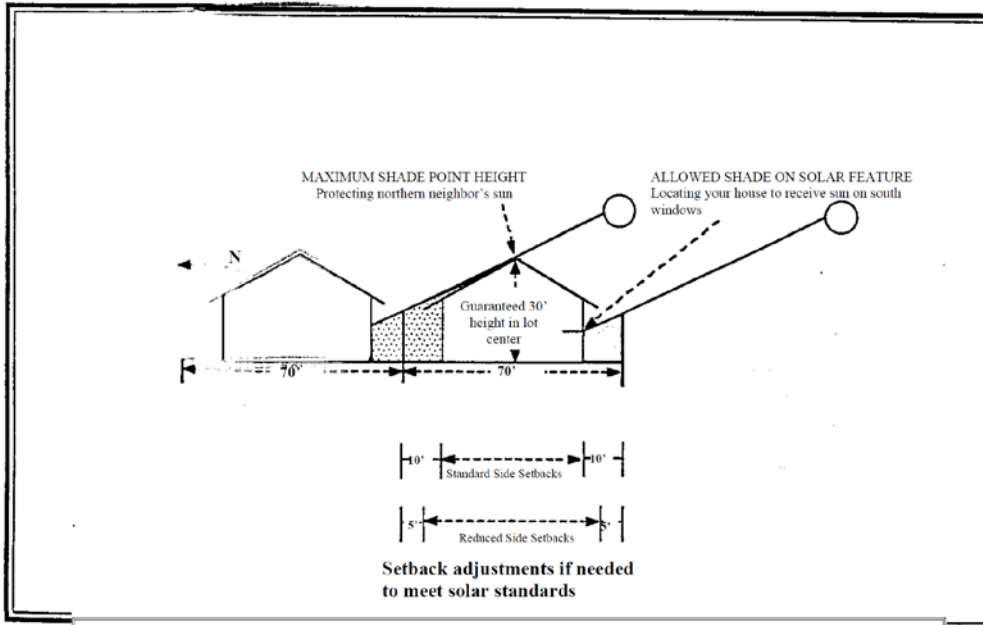


Figure 9: Solar Balance Point Standard

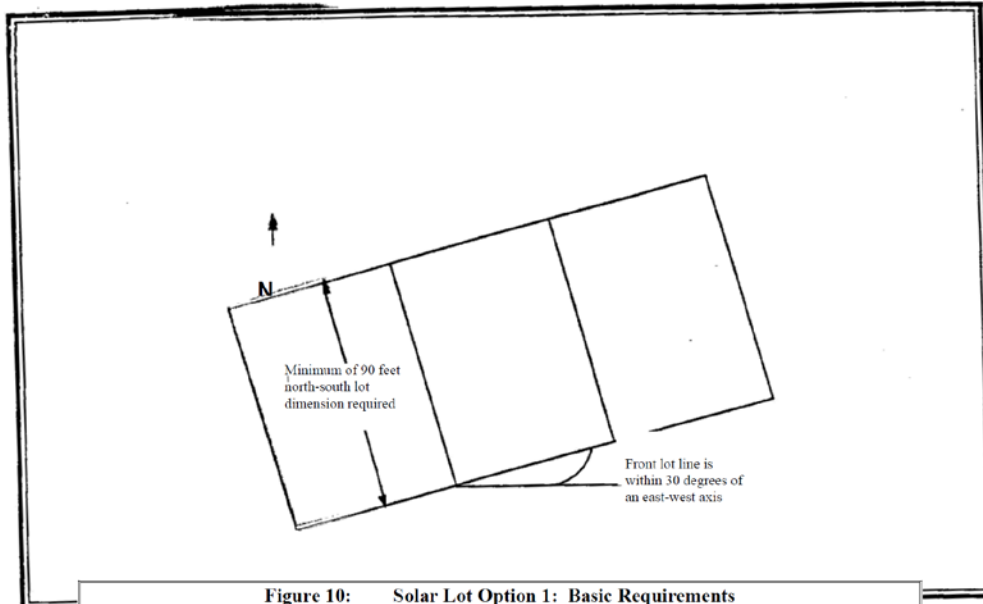


Figure 10: Solar Lot Option 1: Basic Requirements

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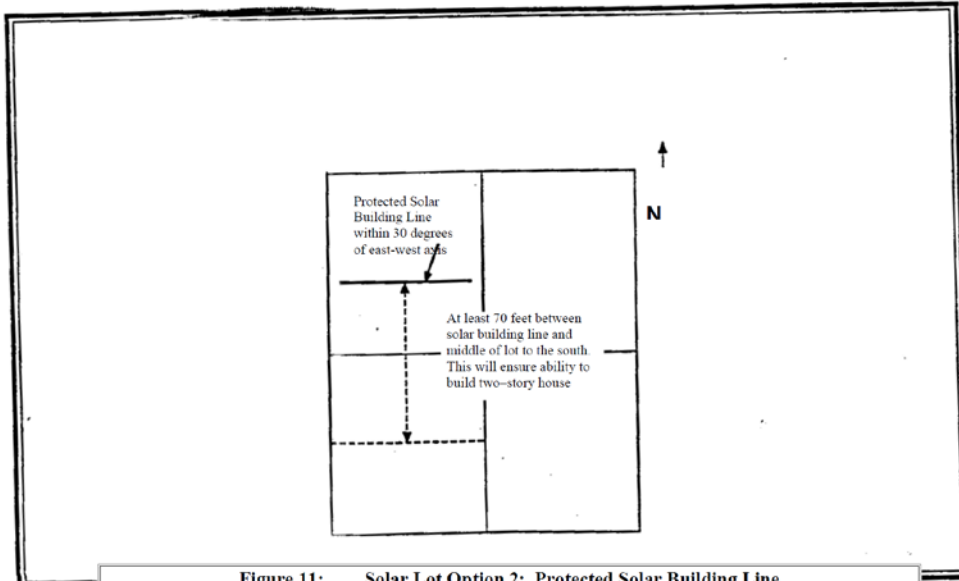


Figure 11: Solar Lot Option 2: Protected Solar Building Line

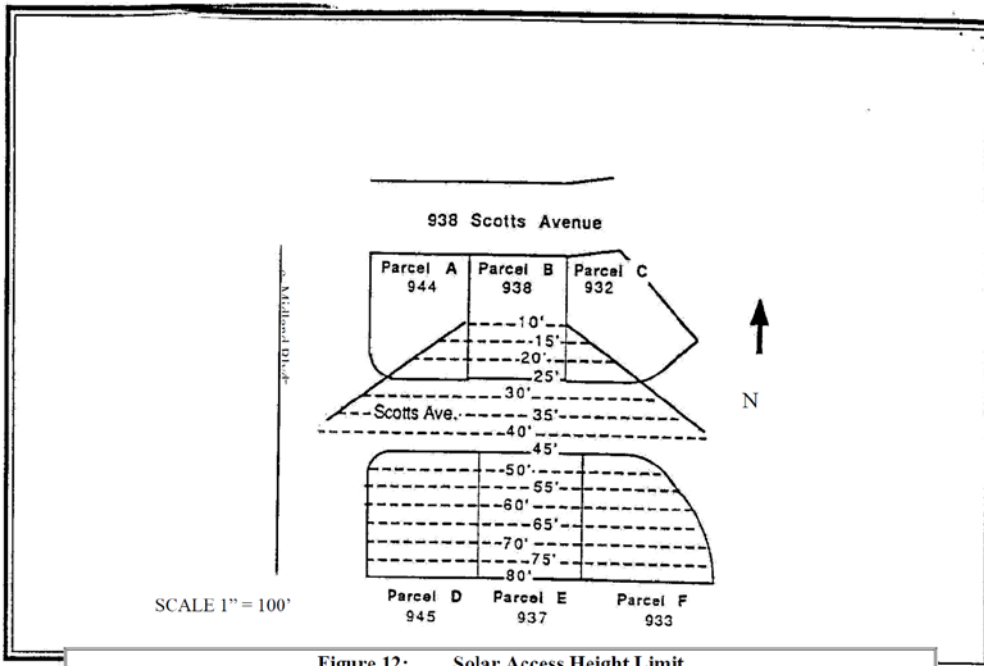
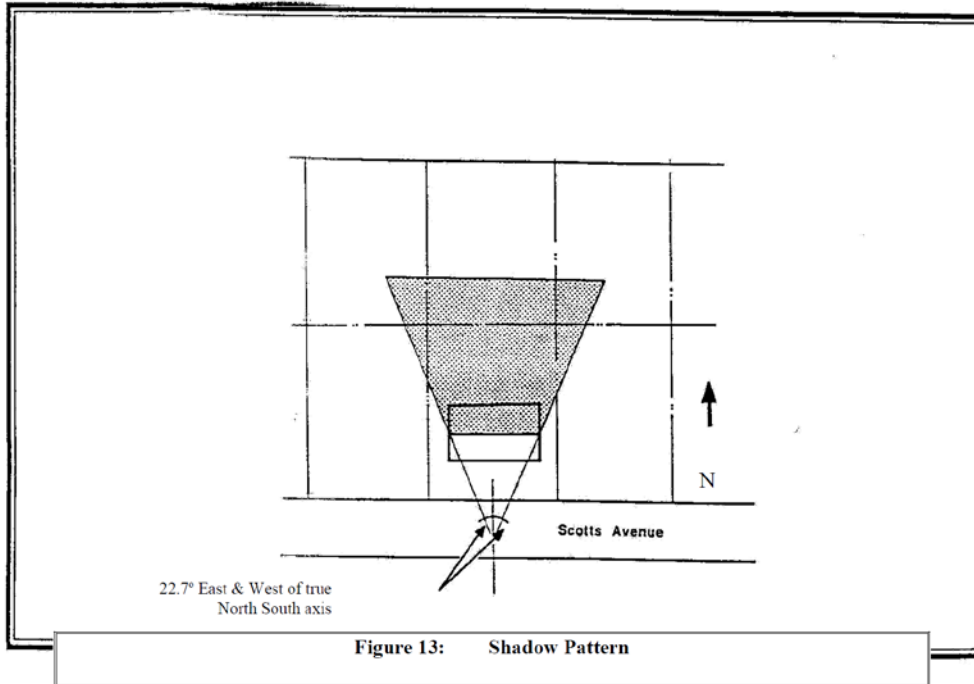


Figure 12: Solar Access Height Limit

Section 4.137.3. Solar Access Permit Standards.



Section 4.137.5. Screening and Buffering (SB) Overlay Zone

- (.01) **Purpose.** The Screening and Buffering Overlay Zone is intended to be used with any underlying base zone to specify appropriate screening and buffering standards for areas where residential and nonresidential uses abut. The "SB" Overlay Zone is used to assure that there is adequate separation and screening between potentially conflicting land uses. The buffering is achieved by restricting access, increasing setbacks, requiring additional landscaping, restricting signs, and, in some cases, by requiring additional information and proof of mitigation for uses that may otherwise cause off-site impacts or nuisances.
- (.02) **Where the "SB" Overlay Zone is to be Applied.** The Screening and Buffering Overlay Zone is to be applied primarily along the edge of nonresidential zones abutting, or located directly across the street from, residential zones. As with any zoning, the "SB" Overlay Zone is only applied where established by action of the City Council.
- (.03) **Landscaped Areas.** The following landscape requirements apply to the "SB" Overlay Zone. Structures, exterior storage and exterior display of merchandise are prohibited in these landscaped areas.
 - A. **Commercial Properties.** For land zoned PDC, a ten (10) foot deep area landscaped to at least the L-3 standard, specified in Section 4.176, must be provided along all street frontages across from properties zoned or designated in the Comprehensive Plan for residential use. (See Figure 23: High Screen Landscaping.) A ten (10) foot deep landscaped area shall also be provided at any point where the property adjoins a property that is planned or zoned for residential use.

Section 4.137.3. Solar Access Permit Standards.

- B. Industrial Properties. For land zoned PDI, a twenty (20) foot deep area landscaped to at least the L-3 standard, or a ten (10) foot deep area landscaped to at least the L-4 standard, shall be provided along all property lines where the “SB” Overlay Zone is applied. (See Figures 23: High Screen Landscaping and Figure 24: High Wall Landscaping.)
- (.04) Ingress and Egress. Motor vehicle access shall be limited through any landscaped area required in the “SB” Overlay Zone. The Development Review Board may impose additional landscape requirements to minimize the visual impacts of any vehicle access points that are approved.
- (.05) Exterior Work. No exterior manufacturing, storage, sales, or other similar work shall be performed within the “SB” Overlay Zone.
- (.06) Signs. No signs, other than approved monument signs, shall be permitted within the “SB” Overlay Zone.
- (.07) Performance Standards and Off-Site Impacts. Many of Wilsonville’s base zones contain performance standards to limit impacts on surrounding properties and the overall community. Developers shall be encouraged to utilize the standards of the “SB” Overlay Zone to help assure compliance with the performance standards.

Section 4.137.3. Solar Access Permit Standards.

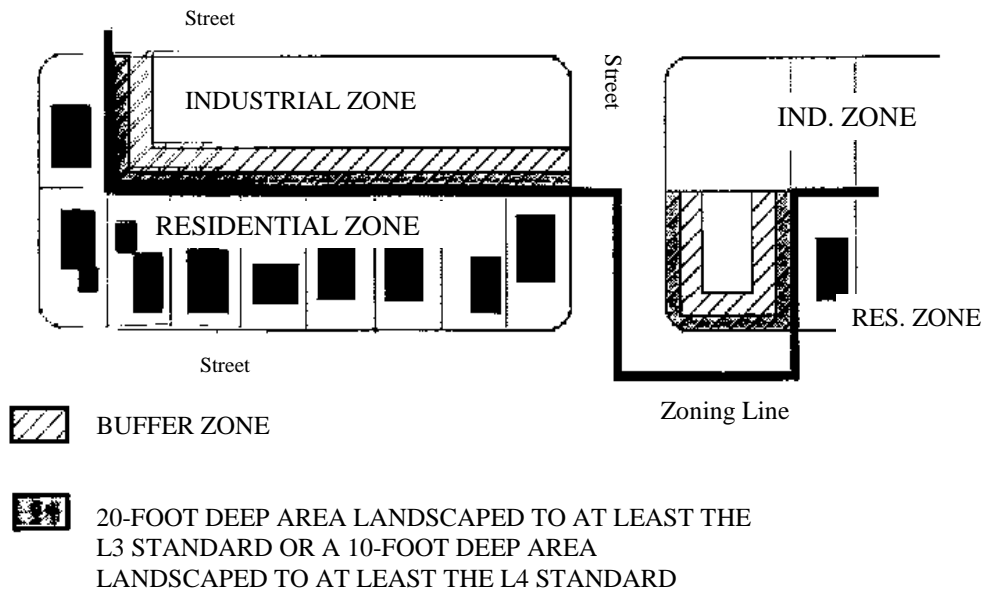
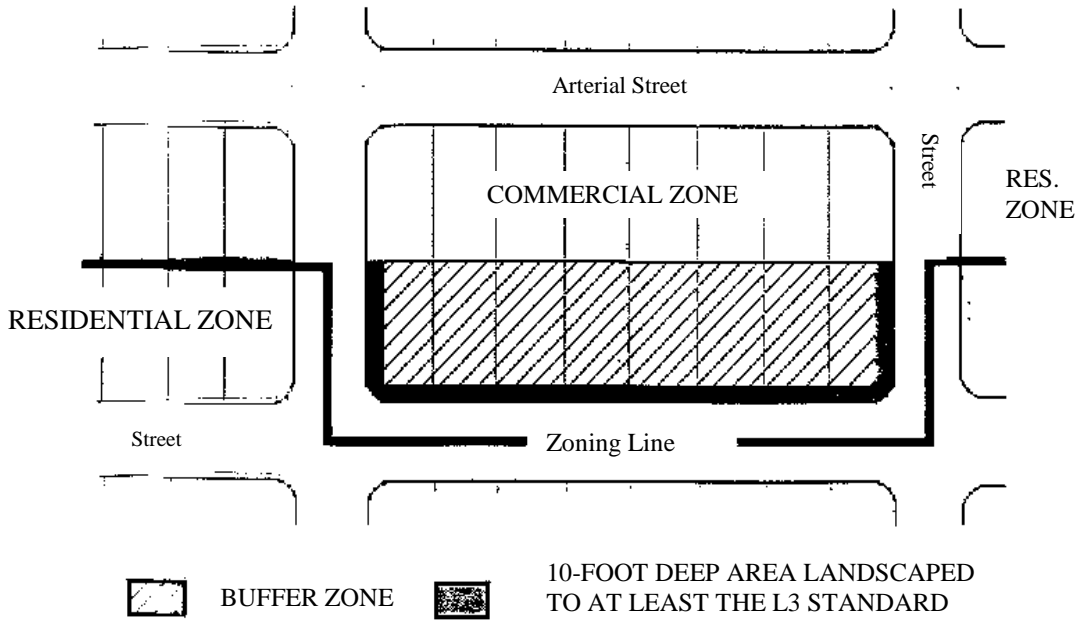


Figure 14: Example Of Screening And Buffering

Section 4.138. Old Town (O) Overlay Zone.

Section 4.138. Old Town (O) Overlay Zone.

- (.01) Purpose. The purpose of this overlay zone is to establish the design standards that will be applied to developments within the Old Town neighborhood, mapped as the Boones Ferry District in the City's West Side Master Plan. The following purpose statement is not intended as a set of additional permit criteria. Rather, it is a description of the desired outcome as development occurs incrementally, over time. This overlay district is intended to create a modern interpretation of a traditional old town Main Street and mixed use neighborhood. It is recognized that the Old Town neighborhood is of unique significance because of its existing pattern of mixed uses, its access to the Willamette River and because it was the original center of housing and commerce for the community.
- A. The standards of the "O" overlay zone are intended to assure that, through the appropriate use of architectural details, windows, building orientation, facades, and construction materials, new structures, and major alterations of existing structures, create a pleasing and pedestrian-friendly environment.
 - B. It is the desire of the City to have buildings in the "O" overlay zone reflect a range of architectural types and styles that were popular in the Willamette Valley from approximately 1880 to 1930. The following design standards are intended to further define those characteristics that will convey the desired architecture.
 - C. These standards are intended to encourage quality design, to enhance public safety, and to provide a comfortable and attractive street environment by providing features and amenities of value to pedestrians. Quality design will result in an arrangement of buildings that are in visual harmony with one-another, leading to a neighborhood that is vital, interesting, attractive, and safe. These qualities contribute to the health and vitality of the overall community.
 - D. These standards shall be used by the City's Planning Department and Development Review Board in reviewing development applications within the Old Town neighborhood.
- (.02) The "O" Overlay zone shall be applied in conjunction with the underlying base zones in the Old Town neighborhood.
- A. The following shall require site design review for conformance with these standards:
 - 1. New building construction and the substantial redevelopment of existing buildings, including the construction of new single family dwellings; and
 - 2. Any exterior remodeling that requires a building permit, when that remodeling is visible from a public street (other than an alley).
 - B. Except, however, that exterior remodeling of residential units other than those facing Boones Ferry Road shall be reviewed through the Class I Administrative Review procedures of Sections 4.009 through 4.012. This review will be applied only to the portions of buildings that are visible from public streets (not including alleys) and is intended to assure that the design of the portion of the building

Section 4.138. Old Town (O) Overlay Zone.

being remodeled will either match the standards of the Old Town Overlay Zone or be consistent with the existing design of the structure.

- C. Those proposing to build or remodel the exterior of any building in the area are encouraged to contact the City about the availability of funds for historic façade treatment.

(.03) Development standards.

- A. Lot area, width, depth - As specified in the underlying base zone. Single family and two-family dwelling units, other than those on lots fronting Boones Ferry Road, shall be subject to the following minimum setbacks:
 - 1. Front and rear yard: 15 feet;
 - 2. Street side of corner lots: 10 feet;
 - 3. Other side yards: 5 feet.
- B. Building Setbacks - Buildings fronting Boones Ferry Road shall abut the public sidewalk except where public plazas, courtyards, approved landscaping, or other public pedestrian amenities are approved. Except, however, that residential garages or carports shall be set back a minimum of twenty (20) feet from any sidewalk or traveled portion of a street across which access to the garage or carport is taken. The Development Review Board may approve other setbacks to accommodate sidewalks, landscaping, or other streetscape features located between the street right-of-way and the building.
- C. Landscaping - Not less than fifteen (15) percent of the development site shall be landscaped. In the event that a building is set back from a street side property line, along Boones Ferry Road, Bailey Street, or 5th Street, the intervening area shall be landscaped. In reviewing proposals for parking lots in locations between buildings and streets, the Development Review Board may require special landscaping treatments or designs to screen the view of the parking lot from the public right-of-way.
- D. Building height - As specified in the underlying base zone.
- E. Street access to Boones Ferry Road. Ingress and egress points along Boones Ferry Road shall be designed and constructed such that access points on one side of the road shall coordinate with access points on the other side of the road. New developments along Boones Ferry Road and north of Bailey Street will have access points designed and constructed in a pattern that replicates the shape of Main Street blocks.

(.04) Pedestrian environment. In order to enhance the pedestrian scale of the neighborhood:

- A. Special attention shall be given to the primary building entrances, assuring that they are both attractive and functional.
- B. The pedestrian environment shall be enhanced by amenities such as street furniture, landscaping, awnings, and movable planters with flowers, as required by the Development Review Board.

Section 4.138. Old Town (O) Overlay Zone.

- C. Sidewalk width may vary from block to block, depending upon the nature of adjacent land uses and the setbacks of existing buildings. Provided, however, that a continuity of streetscape design is maintained along Boones Ferry Road, generally following the pattern that has been started with the 1996 approval for Old Town Village on the west side of Boones Ferry Road from Fourth Street to Fifth Street. [Amended by Ordinance No. 538, 2/21/02.]
 - 1. North of Bailey Street, where the most intense commercial development is anticipated, the widest sidewalks and most mature landscaping are required.
 - 2. In situations where existing buildings are located at the right-of-way line, special sidewalk designs may be necessary to assure pedestrian access.
- D. When practicable, buildings along Boones Ferry Road shall occupy 100% of the street frontage between block segments. Up to 25% of street frontage may be in public plazas, courtyards, and similar landscape or streetscape features that provide public spaces adjacent to the sidewalk. For smaller lots, which may not have functional alternatives for parking, up to 40% of lot frontage may be used for parking, provided that appropriate screening and visual enhancement is created between the parking area and the sidewalk. Appropriate pedestrian connections shall be constructed between such parking lots and sidewalks.

(.05) Building compatibility.

- A. The design and materials of proposed buildings shall reflect the architectural styles of the Willamette Valley during the period from 1880 to 1930.
- B. Commercial and manufacturing buildings shall be designed to reflect the types of masonry or wood storefront buildings that were typical in the period from 1880 to 1930. Larger modern buildings shall be designed with facades that are divided to give the appearance of a series of smaller buildings or distinctive store fronts, and/or multi-storied structures with, at least, the appearance of second stories.
- C. Residential buildings shall be designed to reflect the size and shape of traditional dwellings from the period from 1880 to 1930. Where larger multiple family residential buildings are proposed, their building facades shall be divided into units that give the appearance of a series of smaller dwellings.
- D. Manufactured housing units and mobile homes, if located outside of approved manufactured or mobile home parks, shall meet the design standards applied to other single family dwellings in the area.

(.06) Building materials.

- A. Facades shall be varied and articulated to provide visual interest to pedestrians. Within larger developments, variations in facades, floor levels, architectural features, and/or exterior finishes shall be used to create the appearance of a series of smaller buildings.
- B. Exterior building materials shall be durable, and shall convey a visual impression of durability. Materials such as masonry, stone, stucco, and wood will generally provide such an appearance. Other materials that replicate the appearance of those durable materials may also be used.

Section 4.138. Old Town (O) Overlay Zone.

- C. Where masonry is to be used for exterior finish, varied patterns are to be incorporated to break up the appearance of larger surfaces.
- D. Wood siding is to be bevel, shingle siding or channel siding or the equivalent. T-111 and similar sheathed siding shall not be used unless it is incorporated with batten treatment to give the appearance of boards.
- E. Exterior materials and colors are to match the architecture of the period.

(.07) Roof materials, roof design and parapets.

- A. Pitched roof structures shall have a minimum pitch of 4:12.
- B. Roofs with a pitch of less than 4:12 are permitted, provided that they have detailed, stepped parapets or detailed masonry coursing.
- C. Parapet corners are to be stepped. Parapets are to be designed to emphasize the center entrance or primary entrance(s).
- D. Sloped roofs that will be visible from the adjoining street right-of-way shall be of a dark, non-ornamental color.
- E. Preferred roofing materials that are visible from a public street include wood or architectural grade composition shingle, tile, or metal with standing or batten seams. Metal roofs without raised seams shall not be used in visible locations.
- F. All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes, wireless communication equipment, and vent pipes are to be completely screened from public view by parapets, walls or other approved means; or, alternatively, may be effectively camouflaged to match the exterior of the building.
 - 1. "Public view" is intended to mean the view from the sidewalk directly across the street from the site.
 - 2. Roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes, wireless communication equipment, and vent pipes that are visible from Interstate-5 shall be effectively camouflaged to match the exterior of the building

(.08) Building entrances. If visible from the street, entrances to commercial, industrial, or multi-family residential buildings are to be architecturally emphasized, with coverings as noted in subsection (.09), below.

- A. The Development Review Board may establish conditions concerning any or all building entrances, especially where such entrances are adjacent to parking lots. For buildings fronting on Boones Ferry Road, at least one entrance shall be from the sidewalk.
- B. Secondary building entrances may have lesser architectural standards than primary entrances.

(.09) Building facades.

- A. Ornamental devices, such as moldings, entablature, and friezes, are encouraged at building roof lines. Where such ornamentation is to be in the form of a linear molding or board, it shall match or complement the architecture of the building.
- B. Commercial, industrial, and multi-family residential buildings are to incorporate amenities such as alcoves, awnings, roof overhangs, porches, porticoes, and/or arcades to protect pedestrians from the rain and sun. Awnings and entrances may be designed to be shared between two adjoining structures. (See subsection (.08), above.)
- C. Commercial and manufacturing buildings with frontage on Boones Ferry Road shall incorporate the following traditional storefront elements:
 - 1. Building fronts to be located at the right-of-way line for streets, except in cases where an approved sidewalk or other streetscape features are located between the street right-of-way and the building. Intervening areas are to be attractively landscaped.
 - 2. Upper and lower facades are to be clearly delineated.
 - 3. Lower facades shall include large windows, as specified in subsection "(.10)," below, and recessed entries.
 - 4. Tops of facades shall have decorative cornices.
- D. Buildings are to have variations in relief, including such things as cornices, bases, fenestration, fluted masonry, and other aesthetic treatments to enhance pedestrian interest.

(.10) Windows in buildings adjacent to Boones Ferry Road.

- A. Windows shall include amenities such as bottom sills, pediments, or awnings. Glass curtain walls, highly reflective glass, and painted or darkly tinted glass are not permitted other than stained or leaded glass.
- B. Ground-floor windows on commercial or industrial buildings shall include the following features:
 - 1. Windows shall be designed to allow views into interior activity areas and display areas along street frontages.
 - 2. Sills shall be no more than four (4) feet above grade, unless a different design is necessitated by unusual interior floor levels.
 - 3. At least twenty percent (20%), of ground floor wall area along Boones Ferry Road, Bailey Street, or 5th Street shall be in windows or entries. No blank walls shall be permitted abutting any street other than an alley.
- C. Upper-floor windows on commercial, industrial, or multi-family residential buildings shall include the following features:
 - 1. Glass dimensions shall not exceed five (5) feet wide by seven (7) feet high.
 - 2. Windows shall be fully trimmed with molding that is at least two (2) inches wide.

Section 4.138. Old Town (O) Overlay Zone.

3. Multiple-light windows or windows with grid patterns may be required by the Development Review Board when architecturally consistent with the building.

(.11) Landscapes and streetscapes.

- A. The street lights to be used in the area shall be of a standardized design throughout the Old Town Overlay District.
- B. Benches, outdoor seating, and trash receptacles are to be designed to match the architecture in the area.
- C. Benches and other streetscape items placed within the public right-of-way must not block the free movement of pedestrians, including people with disabilities. A minimum pedestrian walkway of five (5) feet shall be maintained at all times. Standards of the Americans with Disabilities Act (ADA) shall be observed.

(.12) Lighting.

- A. All building entrances and exits shall be well-lit. The minimum lighting level for commercial, industrial, or multi-family residential building entrances is to be four (4) foot-candles. The maximum standard is to be ten (10) foot-candles. A lighting plan shall be submitted for review by the Development Review Board.
- B. Exterior lighting is to be an integral part of the architectural design and must complement the street lighting of the area, unless it is located at the side or rear of buildings in locations that are not facing a public street that is not an alley.
- C. In no case is lighting to produce glare on neighboring properties or public rights-of-way such that a nuisance or safety hazard results.

(.13) Exterior storage.

- A. Exterior storage of merchandise or materials shall be subject to the fencing or screening standards of Section 4.176 of the Wilsonville Code. The Development Review Board may prescribe special standards for landscaping or other screening of walls or fences.
- B. Temporary outdoor displays of merchandise shall be permitted, subject to the conditions of the development permit or temporary use permit for the purpose. Where pedestrian access is provided, a minimum walkway width of five (5) feet shall be maintained at all times.

(.14) Storage of Trash and Recyclables. Storage areas for trash and recyclables shall meet the applicable City requirements of Sections 4.179 and 4.430 of the Wilsonville Code.

(.15) Signs. Signs shall match the architecture of buildings in the area, and shall be subject to the provisions of Sections 4.156.01 through 4.156.11 of the Wilsonville Code.
[Amended by Ord. No. 704, 6/18/12]

Section 4.139.00 Significant Resource Overlay Zone (SROZ) Ordinance

Definitions:

1. Area of Limited Conflicting Uses: An Area of Limited Conflicting Uses is either:
 - A. An area located between the riparian corridor boundary, riparian impact area or the Urban Growth Management Functional Plan (UGMFP) Metro Title 3 Water Quality Resource Area boundary, whichever is furthest away from the wetland or stream, and the outside edge of the SROZ; or
 - B. An isolated significant wildlife habitat (upland forest) resource site.
2. Bankful Stage: The stage or elevation at which water overflows the natural banks of streams or other waters of the state and begins to inundate upland areas. In the absence of physical evidence, the two-year recurrence interval flood elevation may be used to approximate the bankful stage. [Added by Ord. # 674 11/16/09]
3. Emergency: Any human-caused or natural event or circumstances causing or threatening loss of life, injury to person or property, and includes, but is not limited to fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills or releases of hazardous material, contamination, utility or transportation disruptions, and disease. [Added by Ord. # 674 11/16/09]
4. Encroachment Area: An area within the Area of Limited Conflicting Uses where development may be permitted.
5. Impact Area: The area adjacent to the outer boundary of a Significant Resource within which development or other alteration activities may be permitted through the review of a Significant Resource Impact Report (SRIR) or where an SRIR has been waived in accordance with this ordinance. The impact area is 25 feet wide unless otherwise specified in this ordinance or by the decision making body.
6. Riparian Corridor: Is a Goal 5 resource that includes the water areas, fish habitat, adjacent riparian areas, and wetlands within the riparian area boundary. The “riparian area” is the area adjacent to a river, lake, stream, consisting of lands that include the area of transition from aquatic ecosystem to a terrestrial ecosystem. The Riparian Corridor is diagrammatically defined in Section 4.139.00.
7. Riparian Corridor Cross Sections: Riparian corridor significance for the City of Wilsonville is based on assessment of several factors:
 - a. The presence of habitat used by species listed as threatened or endangered by the Endangered Species Act. The resource is considered significant if ESA-listed salmonid fish species utilize portions of the resource area.
 - b. The protection of ESA listed species habitat both on - or off-site. The resource is considered significant if it provides functions that protect the habitat of ESA-listed species, either on- or off-site. Riparian corridors can protect water quality parameters such as temperature, suspended sediment and contaminants of downstream waters that are ESA-listed species habitat.

Section 4.139.00 Significant Resource Overlay Zone (Sroz) Ordinance

- c. The inclusion of other significant Goal 5 resource areas. Riparian corridor resources that contain significant wetlands and/or wildlife habitat are considered significant.
- d. The provision of habitat continuity for wildlife. Riparian corridor resources that provide a link or continuity for wildlife movement between significant wildlife habitat areas are considered significant.
- e. Headwater areas, including intermittent streams, can be important for fish and wildlife resources. These areas can provide good quality water, protection of water quality, insect and organic materials, and other factors for habitat areas downstream.

Generalized riparian corridor types are shown on the following pages.

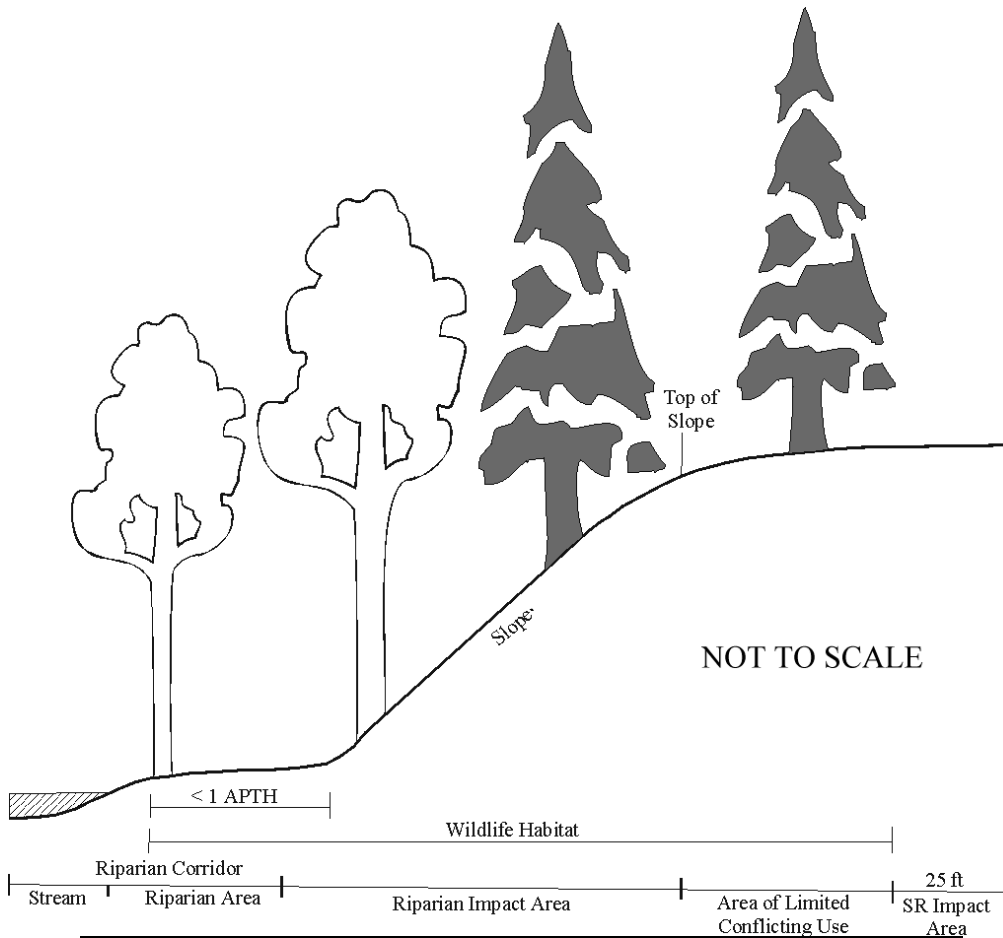


Figure NR - 1: Riparian Corridor Type NR -1 (stream-riparian ecosystem)

Riparian area adjacent to the stream is less than one APTH wide, and has an adjacent slope. The adjacent slope is designated as riparian impact area, based on the potential for activities on the slope to have direct impacts on riparian area functions.

Notes for all riparian figures: (1) The “area of limited conflicting use” and “SR Impact Area” are regulatory areas defined in the proposed City of Wilsonville Significant Resource Overlay Zone (4.139.00). The SR Impact Area is always 25 feet wide from the edge of the significant resource (SR).

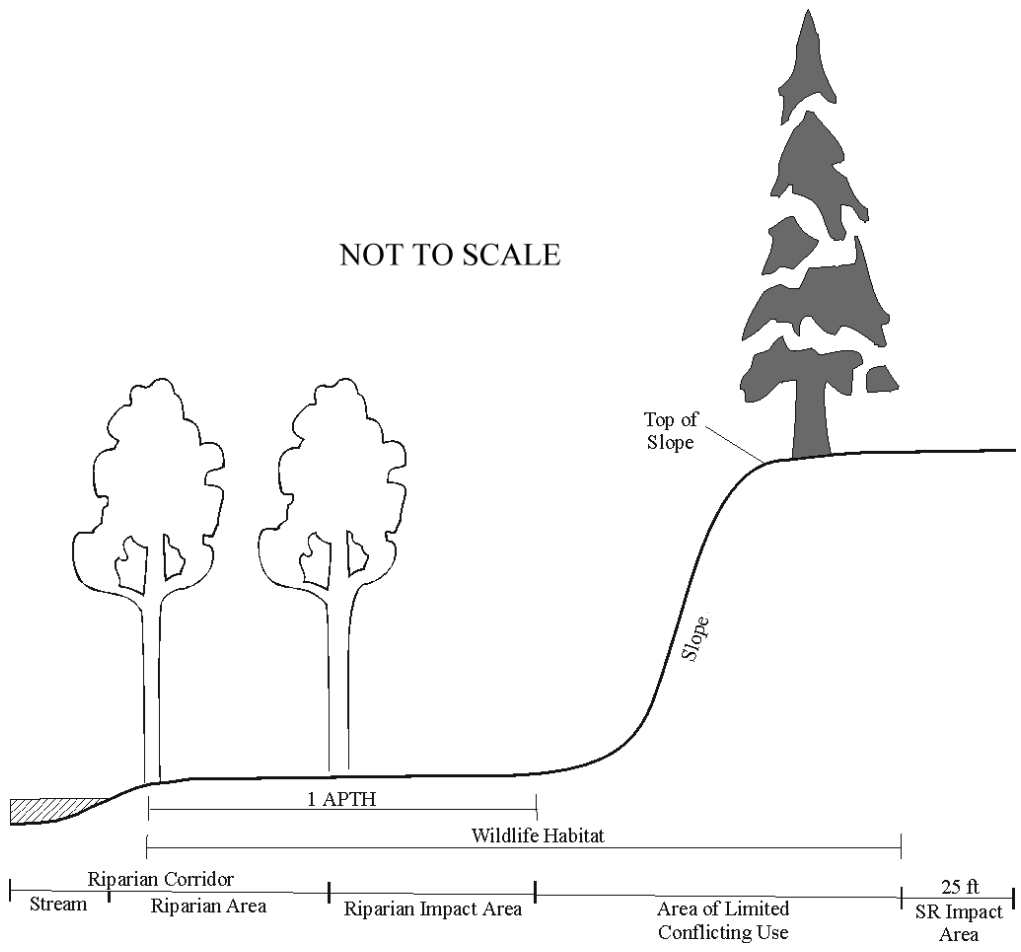


Figure NR - 2: Riparian Corridor Type NR - 2 (stream-riparian ecosystem)

Riparian area adjacent to the stream is less than the width of the streamside terrace or bench, and the base of the adjacent slope is a distance greater than one APTH from the stream bank. If the riparian area is less wide than the distance of one APTH, then the remaining APTH distance is the riparian impact area.

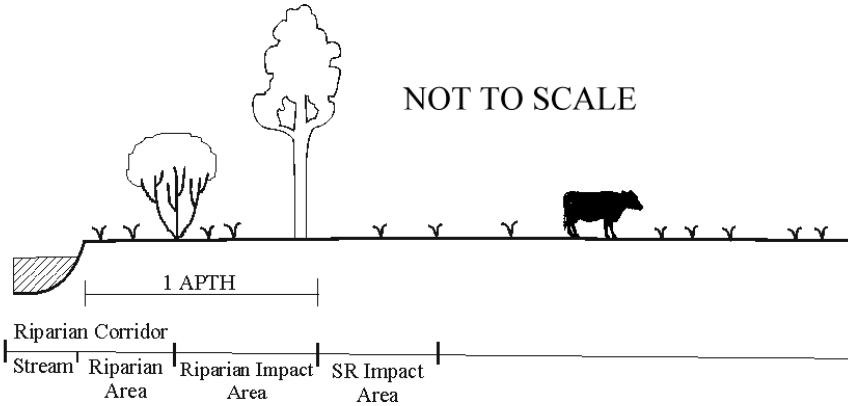


Figure NR – 3: Riparian Corridor Type NR - 3 (stream-riparian ecosystem)

Riparian area adjacent to the stream is upland, forested wetland, or a mosaic of upland and wetland, and does not have adjacent steep slopes within 200 ft. If the riparian area, including wetlands adjacent to the stream, is less wide than one APTH, the riparian impact area extends to a distance of one APTH from the top of the stream bank.

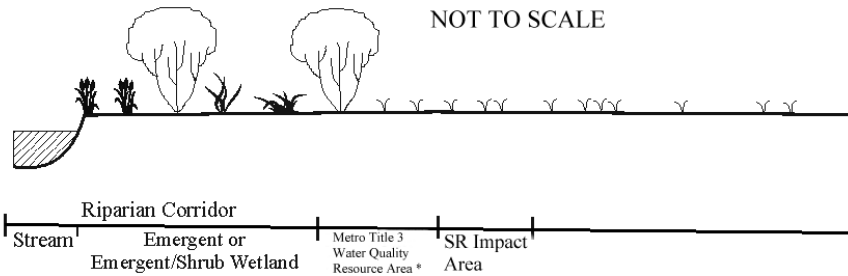
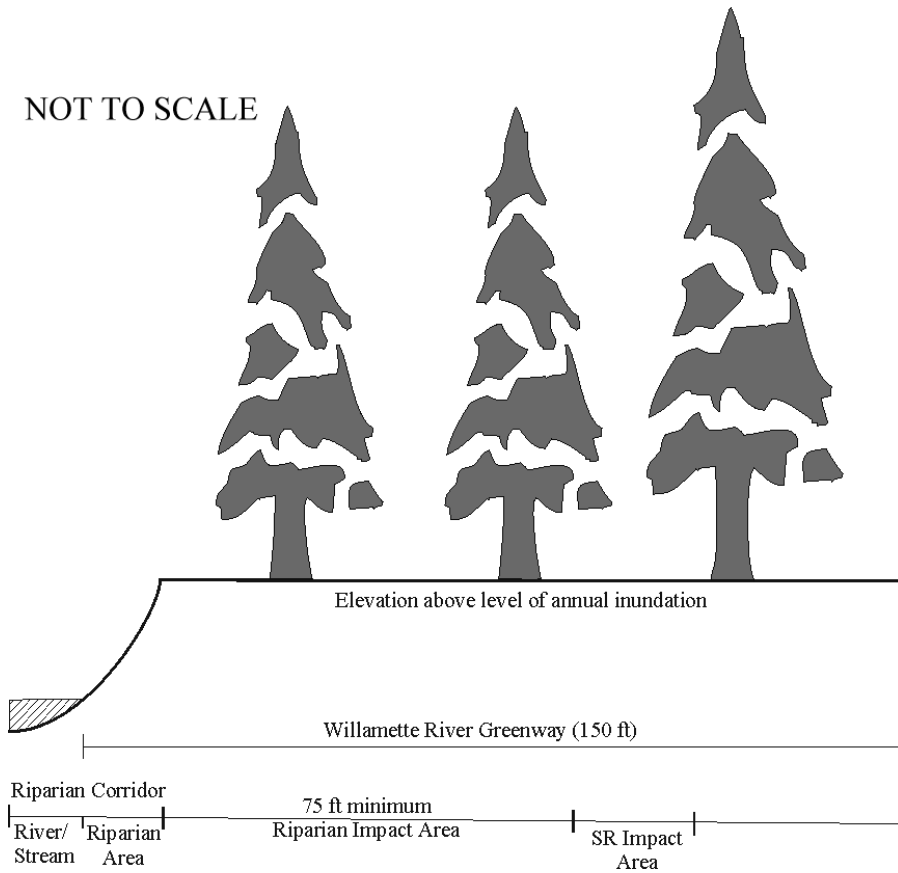


Figure NR – 4: Riparian Corridor Type NR - 4 (stream-riparian ecosystem)

Riparian area is emergent or emergent/shrub wetland, and does not have adjacent steep slopes within 200 ft. The wetland is the riparian corridor. The potential impacts of human activities adjacent to the wetland/riparian area do not warrant placing a riparian impact area on this corridor type.



**Figure NR-5: Riparian Corridor Type NR - 5
(River-Floodplain Ecosystem: Willamette River)**

Riparian area is confined to a portion of the river bank where the adjacent land is not inundated annually (i.e. not an operational floodplain). The riparian impact area is a minimum 75 feet wide from the top of the stream bank.

For any areas along the Willamette River that have an operational floodplain (i.e. flooded annually), the riparian area is the extent of the operational floodplain.

8. Riparian Impact Area: An area within which human activities could have adverse impacts on functions of adjacent riparian corridor resources.
9. Significant Resource Impact Report (SRIR): A report that delineates specific resource boundaries and analyzes the impacts of development on significant natural resources. It outlines measures to prevent negative impacts, and also provides mitigation and enhancement plans.
10. Significant Resource Overlay Zone (SROZ): The delineated outer boundary of a significant natural resource that includes: a significant Goal 5 natural resource, lands protected under Metro's Urban Growth Management Functional Plan Title 3 (Water Quality Resource Areas), riparian corridors, and significant wildlife habitat.
11. Starting Point for Measurement: Is the edge of the defined channel (bankful stage) for streams/rivers, delineated wetland boundary, delineated spring boundary, and/or average high water for lakes or ponds, whichever offers greatest resource protection. Intermittent springs located more than 15 feet from streams/rivers or wetlands shall not serve as a starting point for measurement. [Amended by Ord. # 674 11/16/09]

Table NR – 1: Metro Water Quality Resource Area Slope Calculations

Protected Water Feature Type (See definitions)	Slope Adjacent to Protected Water Feature	Starting Point for Measurements from Water Feature	Width of Vegetated Corridor (Setback)
Primary Protected Water Features ¹	<25%	-Edge of bankful stage or 2-year storm level; -Delineated edge of Title 3 wetland	50 feet
Primary Protected Water Features ¹	≥25% for 150 feet or more ⁵	-Edge of bankful stage or 2-year storm level; -Delineated edge of Title 3 wetland	200 feet
Primary Protected Water Features ¹	≥25% for less than 150 feet ⁵	Edge of bankful stage or 2-year storm level; -Delineated edge of Title 3 wetland	Distance from starting point of measurement to top of ravine (break in ≥25% slope) ³ , plus 50 feet ⁴
Secondary Protected Water Features ²	<25%	Edge of bankful stage or 2-year storm level; - Delineated edge of Title 3 wetland	15 feet
Secondary Protected Water Features ²	≥25% ⁵	Edge of bankful stage or 2-year storm level; -Delineated edge of Title 3 wetland	50 feet

[Amended by Ord. # 674 11/16/09]

¹Primary Protected Water Features include: all perennial streams and streams draining greater than 100 acres, Title 3 wetlands, natural lakes and spring.

²Secondary Protected Water Features include intermittent streams draining 50-100 acres.

³Where the protected Water Feature is confined by a ravine or gully, the top of ravine is the break in the ≥25% slope

⁴A maximum reduction of 25 feet may be permitted in the width of vegetated corridor beyond the slope break if a geotechnical report demonstrates that slope is stable. To establish the width of the vegetated corridor, slope should be measured in 25-foot increments away from the water feature until slope is less than 25% (top of ravine).

⁵Vegetated corridors in excess of 50-feet from primary protected features, or in excess of 15-feet from secondary protected features, apply on steep slopes only in the *uphill* direction from the protected water feature.

Section 4.139.01 SROZ - Purpose

The Significant Resource Overlay Zone (SROZ) is intended to be used with any underlying base zone as shown on the City of Wilsonville Zoning Map. The purpose of the Significant Resource Overlay Zone is to implement the goals and policies of the Comprehensive Plan relating to natural resources, open space, environment, flood hazard, and the Willamette River Greenway. In addition, the purposes of these regulations are to achieve compliance with the requirements of the Metro Urban Growth Management Functional Plan (UGMFP) relating to Title 3 Water Quality Resource Areas, and Title 13 Habitat Conservation Areas, and that portion of Statewide Planning Goal 5 relating to significant natural resources. It is not the intent of this ordinance to prevent development where the impacts to significant resources can be minimized or mitigated. [Amended by Ord. # 674 11/16/09]

Section 4.139.02 Where These Regulations Apply

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

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

The SROZ represents the area within the outer boundary of all inventoried significant natural resources. The Significant Resource Overlay Zone includes all land identified and protected under Metro's UGMFP Title 3 Water Quality Resource Areas and Title 13 Habitat Conservation Areas, as currently configured, significant wetlands, riparian corridors, and significant wildlife habitat that is inventoried and mapped on the Wilsonville Significant Resource Overlay Zone Map. [Amended by Ord. # 674 11/16/09]

Section 4.139.03 Administration

- (.01) Resources. The text provisions of this section shall be used to determine whether applications may be approved within the Significant Resource Overlay Zone. The following maps and documents may be used as references for identifying areas subject to the requirements of this Section:
 - A. Metro's UGMFP Title 3 Water Quality Resource Area maps.
 - B. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM)

- C. The Wilsonville Local Wetland Inventory (LWI) (1998)
 - D. The Wilsonville Riparian Corridor Inventory (RCI) (1998)
 - E. Locally adopted studies or maps
 - F. City of Wilsonville slope analysis maps
 - G. Clackamas and Washington County soils surveys
 - H. Metro's UGMFP Title 13 Habitat Conservation Area Map [Added by Ord. # 674 11/16/09]
- (.02) Impact Area. The "Impact Area" is the area adjacent to the outer boundary of a Significant Resource within which development or other alteration activities may be permitted through the review of an SRIR (Significant Resource Impact Report). Where it can be clearly determined by the Planning Director that development is only in the Impact Area and there is no impact to the Significant Resource, development may be permitted without SRIR review. The impact area is 25 feet wide unless otherwise specified in this ordinance or by the decision making body. Designation of an Impact Area is required by Statewide Planning Goal 5. The primary purpose of the Impact Area is to ensure that development does not encroach into the SROZ.
- (.03) Significant Resource Impact Report (SRIR). For proposed non-exempt development within the SROZ, the applicant shall submit a Significant Resource Impact Report (SRIR) as part of any application for a development permit.
- (.04) Prohibited Activities. New structures, development and construction activities shall not be permitted within the SROZ if they will negatively impact significant natural resources. Gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by DEQ, domestic animal waste, dumping of materials of any kind, or other activities shall not be permitted within the SROZ if they will negatively impact water quality.
- Unauthorized land clearing or grading of a site to alter site conditions is not allowed, and may result in the maximum requirement of mitigation/enhancement regardless of pre-existing conditions.
- (.05) Habitat-Friendly Development Practices. To the extent practicable, development and construction activities that encroach within the Significant Resource Overlay Zone and/or Impact Area shall be designed, located and constructed to:
- A. Minimize grading, removal of native vegetation, disturbance and removal of native soils, and impervious area;
 - B. Minimize adverse hydrological impacts on water resources, such as using the practices described in Part (a) of Table NR-2, unless their use is prohibited by an applicable and required state or federal permit, such as a permit required under the federal Clean Water Act, 33 U.S.C. §§1251 et seq., or the federal Safe Drinking Water Act, 42 U.S.C. §§300f et seq., and including conditions or plans required by such permit;

Section 4.139.03 Administration

- C. Minimize impacts on wildlife corridors and fish passage, such as by using the practices described in Part (b) of Table NR-2; and
- D. Consider using the practices described in Part (c) of Table NR-2.
[Section 4.139.03(.05) added by Ord. # 674 11/16/09]

Table NR-2: Habitat-Friendly Development Practices

Part (A) Design and Construction Practices to Minimize Hydrologic Impacts

1. Amend disturbed soils to original or higher level of porosity to regain infiltration and stormwater storage capacity.
2. Use pervious paving materials for residential driveways, parking lots and walkways.
3. Incorporate stormwater management in road right-of ways.
4. Landscape with rain gardens to provide on-lot detention, filtering of rainwater and groundwater re-charge.
5. Use green roofs for runoff reduction, energy savings, improved air quality, and enhanced aesthetics.
6. Disconnect downspouts from roofs and direct the flow to vegetated infiltration/filtration areas such as rain gardens.
7. Retain rooftop runoff in a rain barrel for later on-lot use in lawn and garden watering.
8. Use multi-functional open drainage systems in lieu of more conventional curb and gutter systems.
9. Use bioretention cells as rain gardens in landscaped parking lot islands to reduce runoff volume and filter pollutants.
10. Apply a treatment train approach to provide multiple opportunities for storm water treatment and reduce the possibility of system failure.
11. Reduce sidewalk width and grade them such that they drain to the front yard of a residential lot or retention area.
12. Reduce impervious impacts of residential driveways by narrowing widths and moving access to the rear of the site.
13. Use shared driveways.
14. Reduce width of residential streets, depending on traffic and parking needs.
15. Reduce street length, primarily in residential areas, by encouraging clustering and using curvilinear designs.
16. Reduce cul-de-sac radii and use pervious vegetated islands in center to minimize impervious effects, and allow them to be utilized for truck maneuvering/loading to reduce need for wide loading areas on site.
16. Minimize car spaces and stall dimensions, reduce parking ratios, and use shared parking facilities and structured parking.
17. Minimize the number of stream crossings and place crossing perpendicular to stream channel, if possible.
18. Allow narrow street right-of-ways through stream corridors whenever possible to reduce adverse impacts of transportation corridors.

Part (B) Design and Construction Practices to Minimize Impacts on Wildlife Corridors and Fish Passage

1. Carefully integrate fencing into the landscape to guide animals toward animal crossings under, over, or around transportation corridors.
2. Use bridge crossings rather than culverts, wherever possible.
3. If culverts are utilized, install slab, arch or box type culverts, preferably using bottomless designs that more closely mimic stream bottom habitat.

4. Design stream crossings for fish passage with shelves and other design features to facilitate terrestrial wildlife passage.

5. Extend vegetative cover through the wildlife crossing in the migratory route, along with sheltering areas.

Part (C) Miscellaneous Other Habitat Friendly Design and Construction Practices

1. Use native vegetation throughout the development.

2. Locate landscaping adjacent to SROZ.

3. Reduce light spill-off into SROZ areas from development.

4. Preserve and maintain existing trees and tree canopy coverage, and plant trees, where appropriate, to maximize future tree canopy coverage.

[Added by Ord. # 674 11/16/09]

Section 4.139.04 Uses and Activities Exempt from These Regulations

A request for exemption shall be consistent with the submittal requirements listed under Section 4.139.06(.01)(B – I), as applicable to the exempt use and activity. [Added by Ord. # 674 11/16/09]

- (.01) Emergency procedures or emergency activities undertaken which are necessary for the protection of public health, safety, and welfare. Measures to remove or abate hazards and nuisances. Areas within the SROZ that are disturbed because of emergency procedures or activities should be repaired and mitigated.
- (.02) Maintenance and repair of buildings, structures, yards, gardens or other activities or uses that were in existence prior to the effective date of these regulations.
- (.03) Alterations of buildings or accessory structures which do not increase building coverage.
- (.04) The following agricultural activities lawfully in existence as of the effective date of this ordinance:
 - A. Mowing of hay, grass or grain crops.
 - B. Tilling, disking, planting, seeding, harvesting and related activities for pasture, tree crops, commercial woodlots, food crops or business crops, provided that no additional lands within the SROZ are converted to these uses after the effective date of this ordinance.
- (.05) Operation, maintenance, and repair of irrigation and drainage ditches, constructed ponds, wastewater facilities, stormwater detention or retention facilities, and water facilities consistent with the Stormwater Master Plan or the Comprehensive Plan.
- (.06) Maintenance and repair of streets and utility services within rights-of way, easements, access drives or other previously improved areas. [Amended by Ord. 682, 9/9/10]
- (.07) Normal and routine maintenance and repair of any public improvement or public recreational area regardless of its location.
- (.08) The construction of new roads, pedestrian or bike paths into the SROZ in order to provide access to the sensitive area or across the sensitive area, provided the location of the crossing is consistent with the intent of the Wilsonville Comprehensive Plan. Roads and paths shall be constructed so as to minimize and repair disturbance to existing vegetation and slope stability.
- (.09) Maintenance and repair of existing railroad tracks and related improvements.
- (.10) The removal of invasive vegetation such as Himalayan Blackberry, English Ivy, Poison Oak, Scots (Scotch) Broom or as defined as invasive in the Metro Native Plant List.
- (.11) The planting or propagation of any plant identified as native on the Metro Native Plant List. See Wilsonville Planning Division to obtain a copy of this list.

Section 4.139.04 Uses and Activities Exempt from These Regulations

- (.12) Grading for the purpose of enhancing the Significant Resource as approved by the City.
- (.13) Enhancement of the riparian corridor or wetlands for water quality or quantity benefits, fish, or wildlife habitat as approved by the City and other appropriate regulatory authorities.
- (.14) Flood control activities pursuant to the Stormwater Master Plan, save and except those stormwater facilities subject to Class II Administrative Review, as determined by the Planning Director, to ensure such facilities meet applicable standards under federal, state and local laws, rules and regulations.
- (.15) Developments that propose a minor encroachment into the Significant Resource Overlay Zone. The purpose of this adjustment would be to allow for minor encroachments of impervious surfaces such as accessory buildings, eave overhangs, building appurtenances, building access and exiting requirements or other similar feature. The total adjustment shall not exceed 120 square feet in cumulative area.
- (.16) The expansion of an existing single family dwelling not exceeding 600 square feet in area. The expansion of an existing single family dwelling or structures that are accessory to a single family dwelling inside the SROZ, provided that the following criteria have been satisfied. An SRIR is not required to evaluate and reach a decision on the issuance of a permit to expand a single-family residence under this paragraph.
 - A. The expansion of a single family structure or improvement (including decks and patios) shall not be located any closer to the stream or wetland area than the existing structure or improvement; and
 - B. The coverage of all structures within the SROZ on the subject parcel shall not be increased by more than 600 square feet, based on the coverage in existence prior to the effective date of this ordinance; and,
 - C. The applicant must obtain the approval of an erosion and sediment control plan from the City's Building and Environmental Services Divisions; and,
 - D. No part of the expansion is located within the Metro UGMFP Title 3 Water Quality Area.
- (.17) New Single-Family Dwelling. The construction of a new single family dwelling is exempt unless the building encroaches into the Impact Area and/or the SROZ.
 - A. If the proposed building encroaches only into the Impact Area then an abbreviated SRIR may be required as specified in Section 4.139.05, unless it can be clearly determined by the Planning Director that the development proposal will have no impact on the Significant Resource. The primary purpose of the Impact Area is to insure that development does not encroach into the SROZ. Development otherwise in compliance with the Planning and Land Development Ordinance may be authorized within the Impact Area.
 - B. If the proposed building encroaches into the SROZ, then a complete or abbreviated SRIR report is required.

Section 4.139.05 Significant Resource Overlay Zone Map Verification

- (.18) Private or public service connection laterals and service utility extensions.
- (.19) A Stage II development permit or other development permits issued by the City and approved prior to the effective date of this ordinance.
- (.20) The installation of public streets and utilities specifically mapped within a municipal utility master plan, the Transportation Systems Plan or a capital improvement plan.
- (.21) Structures which are non conforming to the standards of this Section may be re-built in the event of damage due to fire or other natural hazard subject to Sections 4.189 – 4.192 of the Planning and Land Development Ordinance, provided that the structure is placed within the same foundation lines (See Figure NR-6.). An SRIR is not required to evaluate and reach a decision on the issuance of a permit to replace a structure subject to this paragraph.

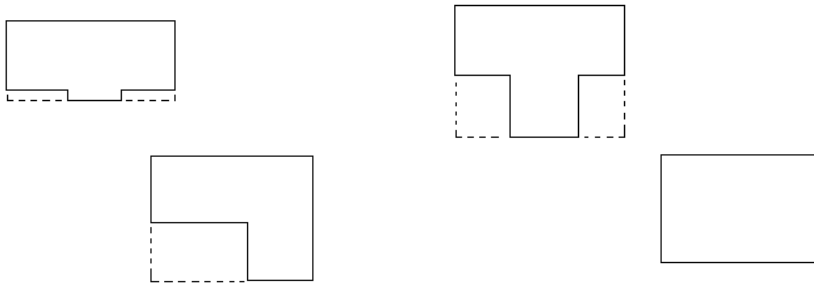


Figure NR-6. Building Line Examples

- (.22) Any impacts to resource functions from the above excepted activities, such as gravel construction pads, erosion/sediment control materials or damaged vegetation, shall be mitigated using appropriate repair or restoration/enhancement techniques.

Section 4.139.05 Significant Resource Overlay Zone Map Verification

The map verification requirements described in this Section shall be met at the time an applicant requests a building permit, grading permit, tree removal permit, land division approval, or other land use decision. Map verification shall not be used to dispute whether the mapped Significant Resource Overlay Zone boundary is a significant natural resource. Map refinements are subject to the requirements of Section 4.139.10(.01)(D).

- (.01) In order to confirm the location of the Significant Resource Overlay Zone, map verification shall be required or allowed as follows:
 - A. Development that is proposed to be either in the Significant Resource Overlay Zone or less than 100 feet outside of the boundary of the Significant Resource Overlay Zone, as shown on the Significant Resource Overlay Zone Map.

Section 4.139.06 Significant Resource Impact Report (SRIR) and Review Criteria

- B. A lot or parcel that:
 - 1. Either contains the Significant Resource Overlay Zone, or any part of which is less than 100 feet outside the boundary of the Significant Resource Overlay Zone, as shown on the Significant Resource Overlay Zone Map; and
 - 2. Is the subject of a land use application for a partition, subdivision, or any land use application that the approval of which would authorize new development on the subject lot or parcel.
- (.02) An application for Significant Resource Overlay Zone Map Verification may be submitted even if one is not required pursuant to Section 4.139.05(.01).
- (.03) If a lot or parcel or parcel is subject to Section 4.139.05(.01), an application for Significant Resource Overlay Zone Map Verification shall be filed concurrently with the other land use applications referenced in Section 4.139.05(.01)(B)(2) unless a previously approved Significant Resource Overlay Zone Map Verification for the subject property remains valid.
- (.04) An applicant for Significant Resource Overlay Zone Map Verification shall use one or more of the following methods to verify the Significant Resource Overlay Zone boundary:
 - A. The applicant may concur with the accuracy of the Significant Resource Overlay Zone Map of the subject property;
 - B. The applicant may demonstrate a mapping error was made in the creation of the Significant Resource Overlay Zone Map;
 - C. The applicant may demonstrate that the subject property was developed lawfully prior to June 7, 2001.
- (.05) The Planning Director shall determine the location of any Significant Resource Overlay Zone on the subject property by considering information submitted by the applicant, information collected during any site visit that may be made to the subject property, information generated by Significant Resource Overlay Zone Map Verification that has occurred on adjacent properties, and any other relevant information that has been provided.
- (.06) For applications filed pursuant to Section 4.139.05(.04)(A) and (C), a Significant Resource Overlay Zone Map Verification shall be consistent with the submittal requirements listed under Section 4.139.06(.01)(B-H).
- (.07) For applications filed pursuant to Section 4.139.05(.04)(B), a Significant Resource Overlay Zone Map Verification shall be consistent with the submittal requirements listed under Section 4.139.06(.02)(D)(1).
[Section 4.139.05 added by Ord. # 674 11/16/09]

Section 4.139.06 Significant Resource Impact Report (SRIR) and Review Criteria

A Significant Resource Impact Report (SRIR) is a report that delineates specific resource boundaries and analyzes the impacts of development within mapped significant resource areas

based upon the requirements of this Section. An SRIR is only required for non-exempt development that is located within the Significant Resource Overlay Zone and/or its associated 25 foot Impact Area.

The Significant Resource Overlay Zone Map identifies areas that have been classified as significant natural resources. The preparation of the Significant Resource Overlay Zone Map did not include specific field observations of every individual property. These maps are designed to be specific enough to determine whether further environmental review of a development proposal is necessary. If any portion of the development or alteration of the land (except those exempted by this Section) is located within the Significant Resource Overlay Zone boundary or the identified Impact Area, then an SRIR is required before any development permit can be issued. Where it can be clearly determined by the Planning Director that development is only in the Impact Area and there is no impact to the Significant Resource, development may be permitted without SRIR review.

The Planning Director may consult with a professional with appropriate expertise to evaluate an applicant's SRIR prepared under this Section or may rely on appropriate staff expertise, in order to properly evaluate the report's conclusions.

- (.01) Abbreviated SRIR Requirements. It is the intent of this subsection to provide a user-friendly process for the applicant. Only the materials necessary for the application review are required. At the discretion of the Planning Director, an abbreviated SRIR may be submitted for certain small-scale developments such as single family dwellings, additions to single family dwellings, minor additions and accessory structures. The following requirements shall be prepared and submitted as part of the abbreviated SRIR evaluation:
- A. A Site Development Permit Application must be submitted in compliance with the Planning and Land Development Ordinance;
 - B. Outline of any existing features including, but not limited to, structures, decks, areas previously disturbed and existing utility locations*;
 - C. Location of any wetlands or water bodies on the site and the location of the stream centerline and top-of-bank;
 - D. Within the area proposed to be disturbed, the location, size and species of all trees that are more than six (6) inches in diameter at breast height (DBH). Trees outside the area proposed to be disturbed may be individually shown or shown as drip line with an indication of species type or types;
 - E. The location of the SROZ and Impact Area boundaries*;
 - F. A minimum of three slope cross-section measurements transecting the site, equally spaced at no more than 100-foot increments. The measurements should be made perpendicular to the stream*;
 - G. A map that delineates the Metro UGMFP Title 3 Water Quality Resource Area boundary (using Metro Title 3 field observed standards)*;
 - H. Current photos of site conditions shall be provided to supplement the above information*.

- I. A narrative describing the possible and probable impacts to natural resources and a plan to mitigate for such impacts*.

*Indicates information that City Staff may have readily available to assist an applicant.

- (.02) Application Requirements for a Standard SRIR. The following requirements must be prepared and submitted as part of the SRIR evaluation for any development not included in paragraph A above:
 - A. A Site Development Permit Application must be submitted in compliance with the Planning and Land Development Ordinance.
 - B. The SRIR shall be conducted and prepared by a natural resource professional knowledgeable and qualified to complete such a report.
 - C. The qualifications of the person or persons preparing each element of the analysis shall be included with the SRIR.
 - D. The SRIR shall include the following:
 1. Physical Analysis. The analysis shall include, at a minimum:
 - a. Soil types;
 - b. Geology;
 - c. Hydrology of the site;
 - d. Outline of any existing features including, but not limited to, structures, decks, areas previously disturbed, and existing utility locations;
 - e. Location of any wetlands or water bodies on the site and the location of the stream centerline and top-of-bank.
 - f. Within the area proposed to be disturbed, the location, size and species of all trees that are more than six (6) inches DBH. Trees outside the area proposed to be disturbed may be individually shown or shown as drip line with an indication of species type or types;
 - g. A property survey together with topography shown by contour lines prepared at two-foot vertical intervals. Five-foot vertical intervals may be allowed for steep sloped areas. The survey shall be prepared by an Oregon Registered Land Surveyor or Civil Engineer.
 - h. The location of the SROZ and Impact Area boundaries;
 - i. A minimum of three slope cross-section measurements transecting the site, equally spaced at no more than 100-foot increments. The measurements should be made perpendicular to the stream;
 - j. A map that delineates the Metro UGMFP Title 3 Water Quality Resource Area boundary (using Metro Title 3 field observed standards);
 - k. A map that delineates the Goal 5 safe harbor boundary (using the standards found within the Oregon Administrative Rule OAR 660-23(1996));
 - l. The existing site significant resource conditions shall be determined and identified by a natural resource professional; and

- m. Current photos of site conditions shall be provided to supplement the above information.
- 2. The analysis shall include development recommendations including grading procedures, soil erosion control measures, slope stabilization measures, and methods of mitigating hydrologic impacts. For projects that affect possible wetlands, a copy of the Local Wetland Inventory (LWI) map pertaining to the site shall be provided. Notice of the proposal shall be given to the Oregon Division of State Lands and the Army Corp of Engineers.
- 3. Ecological Analysis. The Ecological Analysis shall include a map, using the Physical Analysis map as a base, showing the delineated boundaries and coverage of wetlands, riparian corridors, and wildlife habitat resources identified on the site.
 - a. Wetland boundaries shall be delineated using the method currently accepted by the Oregon Division of State Lands and the US Army Corps of Engineers. Riparian boundaries shall be delineated using the riparian corridor descriptions in this ordinance. Boundaries of mapped Goal 5 wildlife habitat shall be verified by field observation.
 - b. The analysis shall include an inventory that lists and describes the native and ornamental dominant and sub-dominant groundcover, shrub and tree species occurring on the site and wildlife observed during at least one site visit (specify date). The report shall also include recommended measures for minimizing the adverse impacts of the proposed development on unique and/or significant features of the ecosystem. The analysis shall include a report that discusses the ecological functions and values of the SROZ area, discussing each parameter listed below. The discussion shall be based on actual field observations and data obtained by a natural resource professional.
 - c. Wetlands (based on evaluation criteria in the Oregon Freshwater Wetlands Assessment Methodology (OFWAM), Oregon Division of State Lands)
 - i. wildlife habitat diversity
 - ii. fish habitat
 - iii. water quality protection
 - iv. hydrologic control
 - d. Wildlife Habitat (includes riparian corridors and upland forested areas)¹
 - i. wildlife habitat diversity
 - ii. water quality protection
 - iii. ecological integrity
 - iv. connectivity
 - v. uniqueness
 - e. Riparian Corridors 1

¹Based on criteria developed for the City of Wilsonville by Fishman Environmental Services, in the *Natural Resources Inventory and Goal 5/Title 3/ESA Compliance and Protection Plan: Inventory Update, 1999-2000*

Stream-riparian ecosystems:

- i. Presence and abundance of Large Woody Debris (LWD) in and adjacent to stream
 - ii. Tree/shrub canopy stream shade production (water temperature and aquatic plant growth control)
 - iii. Erosion and sediment control by riparian vegetation
 - iv. Water quality protection by riparian vegetation
 - v. River-floodplain ecosystem (Willamette River)
 - vi. Presence of functional floodplain (inundated annually)
 - vii. Type and condition of functional floodplain vegetation
 - viii. Use of river-floodplain by ESA-listed species
 - ix. Role as wildlife corridor connecting significant wildlife habitat areas
4. Mitigation and Enhancement Proposal. The applicant must propose a Significant Resource mitigation and enhancement plan as part of the SRIR. The mitigation and enhancement shall increase the natural values and quality of the remaining Significant Resource lands located on the site or other location as approved by the City. The mitigation and enhancement proposal shall conform to the mitigation standards identified in this Section.
5. Waiver of Documentation: The Planning Director may waive the requirement that an SRIR be prepared where the required information has already been made available to the City, or may waive certain provisions where the Director determines that the information is not necessary to review the application. Such waivers may be appropriate for small-scale developments and shall be processed under Administrative Review. Where such waivers are granted by the Planning Director, the Director shall clearly indicate the reasons for doing so in the record, citing the relevant information relied upon in reaching the decision.

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

- A. Except as specifically authorized by this code, development shall be permitted only within the Area of Limited Conflicting Use (see definition) found within the SROZ;
- B. Except as specifically authorized by this code, no development is permitted within Metro's Urban Growth Management Functional Plan Title 3 Water Quality Resource Areas boundary;
- C. No more than five (5) percent of the Area of Limited Conflicting Use (see definition) located on a property may be impacted by a development proposal. On properties that are large enough to include Areas of Limited Conflicting Use on both sides of a waterway, no more than five (5) percent of the Area of Limited Conflicting Use on each side of the riparian corridor may be impacted by a

development proposal. This condition is cumulative to any successive development proposals on the subject property such that the total impact on the property shall not exceed five (5) percent;

- D. Mitigation of the area to be impacted shall be consistent with Section 4.139.06 of this code and shall occur in accordance with the provisions of this Section;
- E. The impact on the Significant Resource is minimized by limiting the degree or magnitude of the action, by using appropriate technology or by taking affirmative steps to avoid, reduce or mitigate impacts;
- F. The impacts to the Significant Resources will be rectified by restoring, rehabilitating, or creating enhanced resource values within the “replacement area” (see definitions) on the site or, where mitigation is not practical on-site, mitigation may occur in another location approved by the City;
- G. Non-structural fill used within the SROZ area shall primarily consist of natural materials similar to the soil types found on the site;
- H. The amount of fill used shall be the minimum required to practically achieve the project purpose;
- I. Other than measures taken to minimize turbidity during construction, stream turbidity shall not be significantly increased by any proposed development or alteration of the site;
- J. Appropriate federal and state permits shall be obtained prior to the initiation of any activities regulated by the U.S. Army Corps of Engineers and the Oregon Division of State Lands in any jurisdictional wetlands or water of the United States or State of Oregon, respectively.

Section 4.139.07 Mitigation Standards

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

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

- A. The Mitigation Plan shall contain an assessment of the existing natural resource function ratings at the time of the proposed encroachment for the site compared to the function ratings recorded in the Compliance and Protection Plan.
- B. The Mitigation Plan shall contain an assessment of the anticipated adverse impacts to significant wildlife habitat resources. The impact assessment shall discuss impacts by resource functions (as listed in the Compliance and Protection Plan, May 2000) for each resource type, and shall map the area of impact (square feet or acres) for each function.
- C. The Mitigation Plan shall present a proposed mitigation action designed to replace the lost or impacted resource functions described in Subsection B, above. The mitigation plan shall be designed to replace lost or impacted functions by enhancement of existing resources on, or off the impact site, or creation of new resource areas.
- D. For mitigation projects based on resource function enhancement, the area ratios presented in Table NR - 2 shall be applied. These ratios are based on the resource function ratings at the time of the proposed action, as described in Subsection A, above. The mitigation action shall be conducted on the appropriate size area as determined by the ratios in Table NR - 2.
- E. The Mitigation Plan shall include a planting plan containing the following elements:
 - 1. Required Plants and Plant Densities. All trees, shrubs and ground cover shall be native vegetation. An applicant shall comply with Section 4.139.06(.02)(E)(1)(a) or (b), whichever results in more tree plantings, except where the disturbance area is one acre or more, the applicant shall comply with Section 4.139.06(.02)(E)(1)(b).
 - a. The mitigation requirement shall be calculated based on the number and size of trees that are removed from the site. Trees that are removed from the site shall be replaced as shown in Table NR – 3. Conifers shall be replaced with conifers. Bare ground shall be planted or seeded with native grasses or herbs.

Table NR – 3: Tree Replacement Requirements	
Size of Tree to be Removed (inches in diameter at breast height)	Number of Trees and Shrubs to be Planted
6 to 12	2 trees and 3 shrubs
over 12 to 18	3 trees and 6 shrubs
over 18 to 24	5 trees and 12 shrubs
over 24 to 30	7 trees and 18 shrubs
over 30	10 trees and 30 shrubs

- b. The mitigation requirement shall be calculated based on the size of the disturbance within the Significant Resource Overlay Zone. Native trees

and shrubs shall be planted at a rate of five (5) trees and twenty-five (25) shrubs per every 500 square feet of disturbance area (calculated by dividing the number of square feet of disturbance area by 500, and then multiplying that result times five (5) trees and twenty-five (25) shrubs, and rounding all fractions to the nearest whole number of trees and shrubs; for example, if there will be 330 square feet of disturbance area, then 330 divided by 500 equals 0.66, and 0.66 times five equals 3.3, so three (3) trees shall be planted, and 0.66 times twenty-five (25) equals 16.5, so seventeen (17) shrubs shall be planted). Bare ground shall be planted or seeded with native grasses or herbs.

2. Plant Size. Replacement trees and shrubs shall be at least one-gallon in size and shall be at least twelve (12) inches in height.
3. Plant Spacing. Trees shall be planted between eight (8) and twelve (12) feet on center, and shrubs shall be planted between four (4) and five (5) feet on center, or clustered in single species groups of no more than four (4) plants, with each cluster planted between eight (8) and ten (10) feet on center. When planting near existing trees, the drip line of the existing tree shall be the starting point for plant spacing measurements.
4. Plant Diversity. Shrubs shall consist of at least two (2) different species. If five (5) trees or more are planted, then no more than fifty (50) percent of the trees may be of the same genus.
5. Invasive Vegetation. Invasive non-native or noxious vegetation shall be removed within the mitigation area prior to planting, and shall be removed or controlled for five (5) years following the date that the mitigation planting is completed.
6. Mulching and Browse Protection. Mulch shall be applied around new plantings at a minimum of three inches in depth and eighteen inches in diameter. Browse protection shall be installed on trees and shrubs. Mulching and browse protection shall be maintained during the two-year plant establishment period.
7. Tree and Shrub Survival. Trees and shrubs that die shall be replaced in kind to the extent necessary to ensure that a minimum of eighty (80) percent of the trees and shrubs initially required shall remain alive on the fifth anniversary of the date that the mitigation planting is completed.

[Section 4.139.07(.02)(E.) added by Ord. # 674 11/16/09]

- (.03) Proposals for mitigation action where new natural resource functions and values are created (i.e. creating wetland or wildlife habitat where it does not presently exist) will be reviewed and may be approved by the Development Review Board or Planning Director if it is determined that the proposed action will create natural resource functions and values that are equal to or greater than those lost by the proposed impact activity.
- (.04) Mitigation actions shall be implemented prior to or at the same time as the impact activity is conducted.

- (.05) Mitigation plans shall have clearly stated goals and measurable performance standards.
- (.06) All mitigation plans shall contain a monitoring and maintenance plan to be conducted for a period of five years following mitigation implementation. The applicant shall be responsible for ongoing maintenance and management activities, and shall submit an annual report to the Planning Director documenting such activities, and reporting progress towards the mitigation goals. The report shall contain, at a minimum, photographs from established photo points, quantitative measure of success criteria, including plant survival and vigor if these are appropriate data. The Year 1 annual report shall be submitted one year following mitigation action implementation. The final annual report (Year 5 report) shall document successful satisfaction of mitigation goals, as per the stated performance standards. If the ownership of the mitigation site property changes, the new owners will have the continued responsibilities established by this section.
- (.07) The Mitigation Plan document shall be prepared by a natural resource professional.
- (.08) Prior to any site clearing, grading or construction, the SROZ area shall be staked, and fenced per approved plan. During construction, the SROZ area shall remain fenced and undisturbed except as allowed by an approved development permit.
- (.09) For any development which creates multiple parcels intended for separate ownership, the City shall require that the SROZ areas on the site be encumbered with a conservation easement or tract.
- (.10) The City may require a conservation easement over the SROZ that would prevent the owner from activities and uses inconsistent with the purpose of this Section and any easements therein. The purpose of the conservation easement is to conserve and protect resources as well as to prohibit certain activities that are inconsistent with the purposes of this section. Such conservation easements do not exclude the installation of utilities.
- (.11) At the Planning Directors discretion, mitigation requirements may be modified based on minimization of impacts at the impact activity site. Where such modifications are granted by the Planning Director, the Director shall clearly indicate the reasons for doing so in the record, citing the relevant information relied upon in reaching the decision.
- (.12) The Director may study the possibility of a payment-in-lieu-of system for natural resource impact mitigation. This process would involve the public acquisition and management of natural resource properties partially funded by these payments.

TABLE NR – 4: NATURAL RESOURCE ENHANCEMENT MITIGATION RATIOS

Existing Function* Rating at Impact Site	Existing Function* Rating at Mitigation Site	Proposed Function* Rating at Mitigation Site	Area Ratio (Mitigation:Impact)
L	L	M	2:1
L	L	H	1 ½ : 1
L	M	H	2 : 1
M	L	M	3 : 1
M	L	H	2 : 1
M	M	H	2 ½ : 1
H	L	M	4 : 1
H	L	H	3 : 1
H	M	H	2 ½ : 1
H	H	H+	5 : 1

* mitigation function (i.e water quality, ecological integrity) shall be the same as impacted function + improve on a H rating

NOTE: These mitigation ratios were created by specifically for the Natural Resources Plan by Fishman Environmental Services.

Examples for using Table NR - 4 – the Doe Property

The Doe property (fictitious) was rated as a significant wildlife habitat site in the 2000 Compliance and Protection Plan report with the following function ratings: wildlife habitat, L (low plant diversity); water quality protection, M (adjacent to the Willamette River); ecological integrity, L (a planted woodland); connectivity, M (adjacent to larger forest unit); and uniqueness, L (no sensitive species or unique natural features). In 2015, the function ratings were determined to be the same, except for wildlife habitat, which increased to M and ecological integrity, which rated M, both due to an increase in native plant species diversity and a reduction in Himalayan blackberry resulting from good stewardship practices by the Doe family. A project proposed by the Does would remove 0.2 acre of trees, shrubs and ground cover plants in the Area of Limited Conflicting Uses having an impact on wildlife habitat function. The Does propose to mitigate for the impact by enhancing another area of their property that has continuing invasive plant problems. By removing blackberry, instituting a 5-year blackberry control program, and planting/maintaining native shrubs, they will improve the mitigation site ratings for wildlife habitat and ecological integrity from L to M. Using Table NR - 2, they determine that a 3:1 ratio will be required, and they plan to enhance 0.6 acres of the mitigation site.

Section 4.139.08 Activities Requiring a Class I Administrative Review Process

Calculation summary: existing function rating at impact site = M
existing function rating at mitigation site = L
proposed function rating at mitigation site = M
Table NR - 4 required ration = 3:1
Impact area X 3 = 0.2 acre X 3 = 0.6 acre.
Note: both impacted functions are mitigated by the same action.

Calculation summary:

Wildlife Habitat function:

existing function rating at impact site = H
existing rating at mitigation site = H
proposed function rating at mitigation site = H+
Table NR - 4 required ratio = 5:1
Impact area X 5 = 0.04 acre X 5 = 0.2 acre

Water Quality Protection function:

existing function rating at impact site = H
existing rating at mitigation site = M
proposed function rating at mitigation site = H
Table NR - 4 required ratio = 2½:1
Impact area X 2½ = 0.04 acre X 2½ = 0.1 acre

Section 4.139.08 Activities Requiring a Class I Administrative Review Process

- (.01) Class I Procedure for Amending the Significant Resource Overlay Zone Boundary. The Director may authorize an adjustment to the SROZ by a maximum of 2% (two percent) of the Area of Limited Conflicting Use. On properties that are large enough to include Areas of Limited Conflicting Use on both sides of a waterway or wetland, no more than 2% of the Area of Limited Conflicting Use on each side of the riparian corridor may be adjusted, provided the applicant demonstrates that the following standards are met:
- A. The proposed adjustment is located in an Area of Limited Conflicting Use as determined through a site assessment and SRIR;
 - B. The area within the Significant Resource Overlay Zone is not reduced to less than the requirements of Metro's UGMFP Title 3 Water Quality Resource Areas for the site;
 - C. The adjustment shall be located in the outermost 10% of the significant resource area as it runs near or parallel to a riparian corridor. Where no riparian corridor exists on the site, the adjustment shall be made in a manner which protects the highest resource values on the site;
 - D. The conclusions of the SRIR confirm that the area where the project is proposed does not significantly contribute to the protection of the remaining Significant Resource for water quality, storm water control and wildlife habitat;

Section 4.139.09 Activities Requiring a Class II Administrative Review Process

- E. The line to be adjusted has not been previously adjusted from the boundary location originally adopted as part of this Section; and
 - F. The land proposed to be removed through the use of this adjustment process do not contain more than three healthy trees, as determined by an arborist, that are greater than 6 inches DBH.
 - G. Any change to the SROZ boundary authorized through this Section shall be noted on the official zoning map of the City.
- (.02) Applications that do not meet all of the above criteria shall be processed as a Class II Administrative Review.

Section 4.139.09 Activities Requiring a Class II Administrative Review Process

- (.01) The review of any action requiring an SRIR except:
- A. Activities and uses exempt under this Section;
 - B. Adjustments permitted as a Class I Administrative Review.
 - C. Adjustments permitted as part of a Development Review Board public hearing process.
- (.02) Single family dwelling or the expansion of a single family dwelling on lots with limited buildable land. Single family dwelling or the expansion of a single family dwelling which meet all of the following requirements:
- A. The lot was legally created and has less than 5,000 square feet of buildable land located outside the SROZ; and
 - B. No more than one single family house is permitted on the property and no more than 3,000 square feet of land is to be developed by impervious improvements within the SROZ; and
 - C. The single-family structure shall be sited in a location, which reduces the impacts to the Significant Resources.
 - D. An Abbreviated SRIR is required to be submitted.
- (.03) The expansion of an existing single family dwelling or structures that are accessory to a single-family dwelling located inside Metro's UGMFP Title 3 Water Quality Resource Areas.
- A. The expansion of a single family structure or improvement is located no closer to the stream or wetland area than the existing structures, roadways, driveways or accessory uses and development; and
 - B. The coverage of all structures shall not be increased by more than 600 square feet, based on the coverage in existence as of the effective date of this ordinance; and
 - C. The applicant must obtain the approval of an erosion and sediment control plan from the City's Building and Environmental Services Divisions.
 - D. In determining appropriate conditions of approval, the applicant shall:

Section 4.139.10 Development Review Board (DRB) Process

1. Demonstrate that no reasonably feasible alternative design or method of development exists that would have a lesser impact on the Water Quality Resource Area than the one proposed; and
2. If no such reasonably feasible alternative design or method of development exists, the project shall be conditioned to limit its disturbance and impact on the Water Quality Resource to the minimum extent necessary to achieve the proposed addition, alteration, restoration, replacement or rehabilitation; and
3. Provide mitigation consistent with Section 4.139.06 to ensure that impacts to the functions and values of the Water Quality Resource Area will be mitigated or restored to the extent practicable.

Section 4.139.10 Development Review Board (DRB) Process

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

- (.01) Exceptions. The following exceptions may be authorized through a Development Review Board quasi-judicial review procedure.
- A. Unbuildable Lot. For existing non-developed lots that are demonstrated to be unbuildable by the provisions of this Section, the SROZ shall be reduced or removed to assure the lot will be buildable by allowing up to 3,000 square feet of land to be developed by impervious improvements for residential use, or 5,000 square feet of impervious improvements for non-residential uses, while still providing for the maximum protection of the significant resources, if not in conflict with any other requirements of the Planning and Land Development Ordinance. This section shall not apply to lots created after the effective date of this ordinance.
 - B. Large Lot Exception. An exception under this paragraph is authorized and may allow impact into wetlands, riparian corridors and wildlife habitat areas, and shall not be limited to locations solely within the Area of Limited Conflicting Use. Mitigation is required, and for wetland impacts, state and federal permit requirements shall be followed. An exception to the standards of this Section may be authorized where the following conditions apply:
 1. The lot is greater than one acre in size; and
 2. At least 85 percent of the lot is located within the SROZ based on surveyed resource and property line boundaries; and
 3. No more than 10 percent of the area located within the SROZ on the property may be excepted and used for development purposes; and
 4. Through the review of an SRIR, it is determined that a reduction of the SROZ does not reduce the values listed on the City of Wilsonville Natural Resource Function Rating Matrix for the resource site; and
 5. The proposal is sited in a location that avoids or minimizes impacts to the significant resource to the greatest extent possible.

6. For purposes of this subsection, “lot” refers to an existing legally created lot of record as of the date of the adoption of the SROZ.
 - C. Public. If the application of this Section would prohibit a development proposal by a public agency or public utility, the agency or utility may apply for an exception pursuant to this Section. The hearing body shall use the SRIR review criteria identified within this section.
 - D. Map Refinement process. The applicant may propose to amend the SROZ boundary through a Development Review Board quasi-judicial zone change where more detailed information is provided, such as a state approved wetland delineation. The criteria for amending the SROZ are as follows:
 1. Any map refinement must be evaluated by considering the riparian corridor types contained in this ordinance.
 2. Other supporting documents to be considered in evaluating a proposal to refine a map include, but are not limited to:
 - a. Natural Resources Inventories (LWI/RCI);
 - b. The Economic, Social, Environmental and Energy (ESEE) Analysis;
 - c. Metro Functional Plans;
 - d. Wilsonville Comprehensive Plan;
 - e. State approved wetland delineations;
 - f. Detailed slope analysis
 3. An SRIR must be prepared by the applicant in conformance with the provisions of this Section.
 4. The Hearing Body (including City Council) may amend the Significant Resource Overlay Zone (in or out) upon making a determination that the land area in question is or is not a significant resource. The criteria for determining that land is significant shall be based on finding that the site area has at least one rating of “high” using the function criteria listed in the Natural Resource Function Rating Matrices.
- (.02) Adding Wetlands. Except for water quality or storm water detention facilities, the City shall initiate amendments to the Significant Resource Overlay Zone maps to add wetlands when the City receives significant evidence that a wetland meets any one of the following criteria:
- A. The wetland is fed by surface flows, sheet flows or precipitation, and has evidence of flooding during the growing season, and has 60 percent or greater vegetated cover, and is over one-half acre in size; or the wetland qualifies as having intact water quality function under the 1996 Oregon Freshwater Wetland Assessment Methodology; or
 - B. The wetland is in the Metro Title 3 Flood Management Area as corrected by the most current FEMA Flood Insurance Rate Maps, and has evidence of flooding during the growing season, and is five acres or more in size, and has a restricted outlet or no outlet; or the wetland qualifies as having intact hydrologic control

Section 4.139.11 Special Provisions

function under the 1996 Oregon Freshwater Wetland Assessment Methodology;
or

- C. The wetland or a portion of the wetland is within a horizontal distance of less than one - fourth mile from a water body which meets the Department of Environmental Quality definition of water quality limited water body in OAR Chapter 340, Division 41 (1996).
 - D. Created or restored wetlands that meet the requirements of Section 4.139.10(.02) shall be added to the Significant Resource Overlay Zone. [Added by Ord. # 674 11/16/09]
- (.03) Development of structures, additions and improvements that relate to uses other than single family residential.
- (.04) Variances. A variance may be taken to any of the provisions of this Section per the standards of Section 4.196 of the Planning and Land Development Ordinance.

Section 4.139.11 Special Provisions

- (.01) Reduced front, rear and side yard setback. Applications on properties containing the SROZ may reduce the front, rear and side yard setback for developments or additions to protect the significant resource, as approved by the Development Review Board.
- (.02) Density Transfer. For residential development proposals on lands which contain the SROZ, a transfer of density shall be permitted within the development proposal site. The following formula shall be used to calculate the density that shall be permitted for allowed residential use on the property:
- A. Step 1. Calculate Expected Maximum Density. The Expected Maximum Density (EMD) is calculated by multiplying the acreage of the property by the maximum density permitted in the Wilsonville Comprehensive Plan.
 - B. Step 2. The density that shall be permitted on the property shall be equal to the EMD obtained in Step 1, provided:
 - 1. The density credit can only be transferred to that portion of the development site that is not located within the designated Significant Resource; and
 - 2. 50% of the maximum number of dwelling units that are within the SROZ are allowed to be transferred to the buildable portion of the proposed development site provided that the standards for outdoor living area, landscaping, building height and parking shall still be met. Applicants proposing a density transfer must demonstrate compatibility between adjacent properties as well as satisfy the setback requirements of the zone in which the development is proposed or meet Section 4.139.10 A. above; and
 - 3. The types of residential uses and other applicable standards permitted in the zone shall remain the same; and
 - 4. Land area within the Significant Resource Overlay Zone may be used to satisfy the requirements for outdoor recreation/open space area consistent with

Section 4.140. Planned Development Regulations.

the provisions found in Section 4.113 of the Planning and Land Development Ordinance.

- (.03) Alteration of constructed drainageways. Alteration of constructed drainageways may be allowed provided that such alterations do not adversely impact stream flows, flood storage capacity and in stream water quality and provide more efficient use of the land as well as provide improved habitat value through mitigation, enhancement and/or restoration. Such alterations must be evaluated through an SRIR and approved by the City Engineer and Development Review Board.

Section 4.140. Planned Development Regulations.

(.01) Purpose.

- A. The provisions of Section 4.140 shall be known as the Planned Development Regulations. The purposes of these regulations are to encourage the development of tracts of land sufficiently large to allow for comprehensive master planning, and to provide flexibility in the application of certain regulations in a manner consistent with the intent of the Comprehensive Plan and general provisions of the zoning regulations and to encourage a harmonious variety of uses through mixed use design within specific developments thereby promoting the economy of shared public services and facilities and a variety of complimentary activities consistent with the land use designation on the Comprehensive Plan and the creation of an attractive, healthful, efficient and stable environment for living, shopping or working.
- B. It is the further purpose of the following Section:
1. To take advantage of advances in technology, architectural design, and functional land use design;
 2. To recognize the problems of population density, distribution and circulation and to allow a deviation from rigid established patterns of land uses, but controlled by defined policies and objectives detailed in the comprehensive plan;
 3. To produce a comprehensive development equal to or better than that resulting from traditional lot land use development.
 4. To permit flexibility of design in the placement and uses of buildings and open spaces, circulation facilities and off-street parking areas, and to more efficiently utilize potentials of sites characterized by special features of geography, topography, size or shape or characterized by problems of flood hazard, severe soil limitations, or other hazards;
 5. To permit flexibility in the height of buildings while maintaining a ratio of site area to dwelling units that is consistent with the densities established by the Comprehensive Plan and the intent of the Plan to provide open space, outdoor living area and buffering of low-density development.

Section 4.140. Planned Development Regulations.

6. To allow development only where necessary and adequate services and facilities are available or provisions have been made to provide these services and facilities.
7. To permit mixed uses where it can clearly be demonstrated to be of benefit to the users and can be shown to be consistent with the intent of the Comprehensive Plan.
8. To allow flexibility and innovation in adapting to changes in the economic and technological climate.

(.02) Lot Qualification.

- A. Planned Development may be established on lots which are suitable for and of a size to be planned and developed in a manner consistent with the purposes and objectives of Section 4.140.
- B. Any site designated for development in the Comprehensive Plan may be developed as a Planned Development, provided that it is zoned "PD" or specifically defined as a PD zone by this code. All sites which are greater than two (2) acres in size, and designated in the Comprehensive Plan for commercial, residential, or industrial use shall be developed as Planned Developments, unless approved for other uses permitted by the Development Code. Smaller sites may also be developed through the City's PD procedures, provided that the location, size, lot configuration, topography, open space and natural vegetation of the site warrant such development.

(.03) Ownership.

- A. The tract or tracts of land included in a proposed Planned Development must be in one (1) ownership or control or the subject of a joint application by the owners of all the property included. The holder of a written option to purchase, with written authorization by the owner to make applications, shall be deemed the owner of such land for the purposes of Section 4.140.
- B. Unless otherwise provided as a condition for approval of a Planned Development permit, the permittee may divide and transfer units or parcels of any development. The transferee shall use and maintain each such unit or parcel in strict conformance with the approval permit and development plan.

(.04) Professional Design.

- A. The applicant for all proposed Planned Developments shall certify that the professional services of the appropriate professionals have been utilized in the planning process for development.
- B. Appropriate professionals shall include, but not be limited to the following to provide the elements of the planning process set out in Section 4.139:
 1. An architect licensed by the State of Oregon;
 2. A landscape architect registered by the State of Oregon;
 3. An urban planner holding full membership in the American Institute of Certified Planners, or a professional planner with prior experience

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representing clients before the Development Review Board, Planning Commission, or City Council; or

4. A registered engineer or a land surveyor licensed by the State of Oregon.
- C. One of the professional consultants chosen by the applicant from either 1, 2, or 3, above, shall be designated to be responsible for conferring with the planning staff with respect to the concept and details of the plan.
- D. The selection of the professional coordinator of the design team will not limit the owner or the developer in consulting with the planning staff.

(.05) Planned Development Permit Process.

- A. All parcels of land exceeding two (2) acres in size that are to be used for residential, commercial or industrial development, shall, prior to the issuance of any building permit:
 1. Be zoned for planned development;
 2. Obtain a planned development permit; and
 3. Obtain Development Review Board, or, on appeal, City Council approval.
- B. Zone change and amendment to the zoning map are governed by the applicable provisions of the Zoning Sections, inclusive of Section 4.197
- C. Development Review Board approval is governed by Sections 4.400 to 4.450
- D. All planned developments require a planned development permit. The planned development permit review and approval process consists of the following multiple stages, the last two or three of which can be combined at the request of the applicant:
 1. Pre-application conference with Planning Department;
 2. Preliminary (Stage I) review by the Development Review Board. When a zone change is necessary, application for such change shall be made simultaneously with an application for preliminary approval to the Board; and
 3. Final (Stage II) review by the Development Review Board
 4. In the case of a zone change and zone boundary amendment, City Council approval is required to authorize a Stage I preliminary plan.

(.06) Staff Report:

- A. The planning staff shall prepare a report of its findings and conclusions as to whether the use contemplated is consistent with the land use designated on the Comprehensive Plan. If there is a disagreement as to whether the use contemplated is consistent, the applicant, by request, or the staff, may take the preliminary information provided to the Development Review Board for a use interpretation.
- B. The applicant may proceed to apply for Stage I - Preliminary Approval - upon determination by either staff or the Development Review Board that the use contemplated is consistent with the Comprehensive Plan.

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(.07) Preliminary Approval (Stage One):

- A. Applications for preliminary approval for planned developments shall:
1. Be made by the owner of all affected property or the owner's authorized agent; and
 2. Be filed on a form prescribed by the City Planning Department and filed with said Department.
 3. Set forth the professional coordinator and professional design team as provided in subsection (.04), above.
 4. State whether the development will include mixed land uses, and if so, what uses and in what proportions and locations.
- B. The application shall include conceptual and quantitatively accurate representations of the entire development sufficient to judge the scope, size, and impact of the development on the community; and, in addition to the requirements set forth in Section 4.035, shall be accompanied by the following information:
1. A boundary survey or a certified boundary description by a registered engineer or licensed surveyor.
 2. Topographic information as set forth in Section 4.035
 3. A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre. Developments within the RN zone shall show how the proposed number of units complies with the applicable maximum and minimum provisions of the RN zone.
 4. A stage development schedule demonstrating that the developer intends receive Stage II approval within two (2) years of receiving Stage I approval, and to commence construction within two (2) years after the approval of the final development plan, and will proceed diligently to completion; unless a phased development schedule has been approved; in which case adherence to that schedule shall be considered to constitute diligent pursuit of project completion.
 5. A commitment by the applicant to provide in the Final Approval (Stage II) a performance bond or other acceptable security for the capital improvements required by the project.
 6. If it is proposed that the final development plan will be executed in stages, a schedule thereof shall be provided.
 7. Statement of anticipated waivers from any of the applicable site development standards.
- C. An application for a Stage I approval shall be considered by the Development Review Board as follows:
1. A public hearing as provided in Section 4.013.
 2. After such hearing, the Board shall determine whether the proposal conforms to the permit criteria set forth in this Code, and may approve or disapprove the application and the accompanying preliminary development plan or require

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such changes therein or impose such conditions of approval as are in its judgment, necessary to ensure conformity to said criteria and regulations. In so doing, the Board may, in its discretion, authorize submission of the final development plan in stages, corresponding to different units or elements of the development. It shall do so only upon evidence assuring completion of the entire development in accordance with the preliminary development plan and stage development schedule.

3. A final decision on a complete application and preliminary plan shall be rendered within one hundred and twenty (120) days after the application is deemed complete unless a continuance is agreed upon by the applicant and the appropriate City decision-making body.
4. The determination of the Development Review Board shall become final at the end of the appeal period for the decision, unless appealed to the City Council in accordance with Section 4.022 of this Code.

(.09) Final Approval (Stage Two):

[Note: Outline Number is incorrect.]

- A. Unless an extension has been granted by the Development Review Board, within two (2) years after the approval or modified approval of a preliminary development plan (Stage I), the applicant shall file with the City Planning Department a final plan for the entire development or when submission in stages has been authorized pursuant to Section 4.035 for the first unit of the development, a public hearing shall be held on each such application as provided in Section 4.013.
- B. After such hearing, the Development Review Board shall determine whether the proposal conforms to the permit criteria set forth in this Code, and shall approve, conditionally approve, or disapprove the application.
- C. The final plan shall conform in all major respects with the approved preliminary development plan, and shall include all information included in the preliminary plan plus the following:
 1. The location of water, sewerage and drainage facilities;
 2. Preliminary building and landscaping plans and elevations, sufficient to indicate the general character of the development;
 3. The general type and location of signs;
 4. Topographic information as set forth in Section 4.035;
 5. A map indicating the types and locations of all proposed uses; and
 6. A grading plan.
- D. The final plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the development or phase of development. However, Site Design Review is a separate and more detailed review of proposed design features, subject to the standards of Section 4.400.

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- E. Copies of legal documents required by the Development Review Board for dedication or reservation of public facilities, or for the creation of a non-profit homeowner's association, shall also be submitted.
- F. Within thirty (30) days after the filing of the final development plan, the Planning staff shall forward such development plan and the original application to the Tualatin Valley Fire and Rescue District, if applicable, and other agencies involved for review of public improvements, including streets, sewers and drainage. The Development Review Board shall not act on a final development plan until it has first received a report from the agencies or until more than thirty (30) days have elapsed since the plan and application were sent to the agencies, whichever is the shorter period.
- G. Upon receipt of the final development plan, the Development Review Board shall conduct a public hearing and examine such plan and determine:
 - 1. Whether it conforms to all applicable criteria and standards; and
 - 2. Whether it conforms in all substantial respects to the preliminary approval; or
 - 3. Require such changes in the proposed development or impose such conditions of approval as are in its judgment necessary to insure conformity to the applicable criteria and standards.
- H. If the Development Review Board permits the applicant to revise the plan, it shall be resubmitted as a final development plan within sixty (60) days. If the Board approves, disapproves or grants such permission to resubmit, the decision of the Board shall become final at the end of the appeal period for the decision, unless appealed to the City Council, in accordance with Sections 4.022 of this Code.
- I. All Stage II Site Development plan approvals shall expire two years after their approval date, if substantial development has not occurred on the property prior to that time. Provided, however, that the Development Review Board may extend these expiration times for up to three (3) additional periods of not more than one (1) year each. Applicants seeking time extensions shall make their requests in writing at least thirty (30) days in advance of the expiration date. Requests for time extensions shall only be granted upon (1) a showing that the applicant has in good faith attempted to develop or market the property in the preceding year or that development can be expected to occur within the next year, and (2) payment of any and all Supplemental Street SDCs applicable to the development. Upon such payment, the development shall have vested traffic generation rights under 4.140 (.10), provided however, that if the Stage II approval should expire, the vested right to use trips is terminated upon City repayment, without interest, of Supplemental Street SDCs. For purposes of this Ordinance, "substantial development" is deemed to have occurred if the required building permits or public works permits have been issued for the development, and the development has been diligently pursued, including the completion of all conditions of approval established for the permit. [Amended by Ord 561, adopted 12/15/03.]

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- J. A planned development permit may be granted by the Development Review Board only if it is found that the development conforms to all the following criteria, as well as to the Planned Development Regulations in Section 4.140:
1. The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.
 2. That the location, design, size and uses are such that traffic generated by the development at the most probable used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D, as defined in the Highway Capacity Manual published by the National Highway Research Board, on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets. Immediately planned arterial and collector streets are those listed in the City's adopted Capital Improvement Program, for which funding has been approved or committed, and that are scheduled for completion within two years of occupancy of the development or four year if they are an associated crossing, interchange, or approach street improvement to Interstate 5.
 - a. In determining levels of Service D, the City shall hire a traffic engineer at the applicant's expense who shall prepare a written report containing the following minimum information for consideration by the Development Review Board:
 - i. An estimate of the amount of traffic generated by the proposed development, the likely routes of travel of the estimated generated traffic, and the source(s) of information of the estimate of the traffic generated and the likely routes of travel; [Added by Ord. 561, adopted 12/15/03.]
 - ii. What impact the estimate generated traffic will have on existing level of service including traffic generated by (1) the development itself, (2) all existing developments, (3) Stage II developments approved but not yet built, and (4) all developments that have vested traffic generation rights under section 4.140(.10), through the most probable used intersection(s), including state and county intersections, at the time of peak level of traffic. This analysis shall be conducted for each direction of travel if backup from other intersections will interfere with intersection operations. [Amended by Ord 561, adopted 12/15/03.]
 - b. The following are exempt from meeting the Level of Service D criteria standard:
 - i. A planned development or expansion thereof which generates three (3) new p.m. peak hour traffic trips or less;
 - ii. A planned development or expansion thereof which provides an essential governmental service.
 - c. Traffic generated by development exempted under this subsection on or after Ordinance No. 463 was enacted shall not be counted in determining

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levels of service for any future applicant. [Added by Ord 561, adopted 12/15/03.]

- d. Exemptions under 'b' of this subsection shall not exempt the development or expansion from payment of system development charges or other applicable regulations. [Added by Ord 561, adopted 12/15/03.]
 - e. In no case will development be permitted that creates an aggregate level of traffic at LOS "F". ([Added by Ord 561, adopted 12/15/03.]
3. That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.
- K. Mapping: Whenever a Planned Development permit has been granted, and so long as the permit is in effect, the boundary of the Planned Development shall be indicated on the Zoning Map of the City of Wilsonville as the appropriate "PD" Zone.
 - L. Adherence to Approved Plan and Modification Thereof: The applicant shall agree in writing to be bound, for her/himself and her/his successors in interest, by the conditions prescribed for approval of a development. The approved final plan and stage development schedule shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved preliminary or final development plan may be approved by the Director of Planning if such changes are consistent with the purposes and general character of the development plan. All other modifications, including extension or revision of the stage development schedule, shall be processed in the same manner as the original application and shall be subject to the same procedural requirements.
 - M. In the event of a failure to comply with the approved plan or any prescribed condition of approval, including failure to comply with the stage development schedule, the Development Review Board may, after notice and hearing, revoke a Planned Development permit. General economic conditions that affect all in a similar manner may be considered as a basis for an extension of a development schedule. The determination of the Board shall become final thirty (30) days after the date of decision unless appealed to the City Council.
- (.10) Early Vesting of Traffic Generation. Applicants with Stage I or Master Plan approvals occurring after June 2, 2003 may apply to vest the right to use available transportation capacity at the intersections of Wilsonville Road with Boone's Ferry Road and with Town Center Loop West, and/or the I-5 interchange. Vesting for properties with such approvals shall occur upon execution of a vesting agreement satisfactory to the city, which agreement shall include a proposed development schedule or phasing plan and either provide for the payment of any and all Supplemental Street SDCs or provide other means of financing public improvements. Vesting for properties pending such approvals shall occur upon such agreement and the date the approvals are final.
- The number of trips vested is subject to modification based upon updated traffic analysis associated with subsequent development approvals for the property. A reduction in vested

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trips shall attend repayment of vesting fees by the City. An increase in available vested trips shall occur upon payment of necessary vesting fees.

Vesting shall remain valid and run with the property, unless an approval that is necessary for vesting to occur is terminated or a vesting agreement is terminated. If the vested right to use certain trips is lost or terminated, as determined by the Community Development Director with the concurrence of City Council, such trips shall be made available to other development upon City repayment, without interest, of associated vesting fees. [Added by Ord. 561, adopted 12/15/03.]

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- (.01) Except as otherwise specified in this Code, an approved land-use or existing non-conforming use may be changed to another use, subject to the standards of this Section.
 - A. Conversion to a use that is listed as permitted outright in the zone shall be permitted without discretionary review, provided that the existing use was not specifically approved through a Planned Development review process. If the existing use is a non-conforming use, is within a non-conforming structure, or is non-conforming as to site conditions, the conversion shall be subject to the applicable standards and procedures of Sections 4.189 through 4.191.
 - B. Conversion to a use that is listed as typically permitted in the zone, where the existing use was approved through a Planned Development review process, or conversion to a use that is found by the Planning Director to be substantially similar to a typically permitted use, shall be approved by the Planning Director, unless the Director determines that the proposed use will result in adverse impacts on neighboring properties that exceed those that would typically be permitted in the zone, in which case the Director shall require that the request be reviewed through the Class II Administrative Review process specified in Section 4.035.
 - C. Conversion to a use that is listed as conditional in the zone, or conversion to a use that is found by the Planning Director to be substantially similar to a listed conditional use, may be approved through the Conditional Use Permit process specified in Section 4.184. In reviewing the proposed Conditional Use Permit, the Development Review Board may approve the application only if the Board agrees with the Director's determination that the proposed use is substantially similar to one or more of the listed conditional uses of the zone.
 - D. If a change of use is proposed in a situation where "A" through "C," above, do not apply, the use may be changed only after the site has been zoned in conformance with the Comprehensive Plan and the applicant completes the PD approval or other development permit process specified in this Code.
- (.02) The conversion of apartments or other rental units to condominiums shall be subject to the standards and procedures for land divisions specified in Section 4.200, et seq.
- (.03) The conversion of any building into a dwelling, or the conversion of a dwelling so as to accommodate an increased number of dwelling units or families, shall be permitted

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only within a zone in which a new building of similar occupancy would be permitted under this Code, and only when the resulting occupancy will comply with the requirements governing new construction and use in such zone.