



Exhibit A1  
Staff Report  
Wilsonville Planning Division  
SMART Yard Expansion

Development Review Board Panel 'B'  
Quasi-Judicial Public Hearing  
Adopted September 23, 2024  
Added language ***bold italics underline***

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**Hearing Date:** September 23, 2024

**Date of Report:** September 16, 2024

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**Application Nos.:** DB24-0007 SMART Yard Expansion

- Stage 2 Final Plan Modification (STG224-0003)
- Site Design Review (SDR24-0004)
- Type C Tree Removal Plan (TLPN24-0004)

**Request/Summary:** The requests before the Development Review Board includes a Stage 2 Final Plan Modification, Site Design Review, and Type C Tree Removal Plan for site improvements and expansion at the SMART Facility. The proposed expansion includes storage for buses, an 1,800 Square foot wash building, security gate, associated landscaping and tree planting for the purpose of compliance with mitigation requirements from prior removals.

**Location:** 28879 SW Boberg Rd. The property is specifically known as Tax Lot 01600, Section 14A, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.

**Owner:** SMART – City of Wilsonville (Kelsey Lewis, SMART)

**Applicant:** Burke Wardle, PIVOT Architecture

**Comprehensive Plan Designation:** Industrial

**Zone Map Classification:** Planned Development Industrial (PDI)

**Staff Reviewers:** Georgia McAlister, Associate Planner  
Amy Pepper, Development Engineering Manager

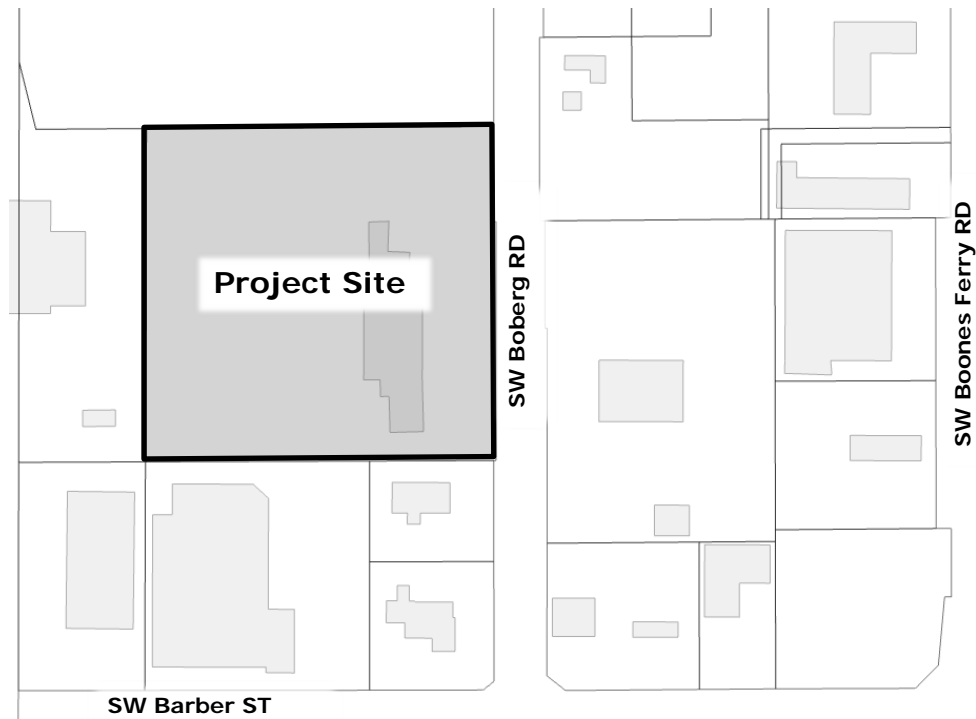
**Staff Recommendation:** **Approve with conditions** the requested Stage 2 Final Plan, Site Design Review, and Type C Tree Removal Plan .



**Applicable Review Criteria:**

<b><u>Development Code:</u></b>	
Section 4.001	Definitions
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.117	Standards Applying to Industrial Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.135	Planned Development Industrial (PDI) Zone
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.179	Mixed Solid Waste and Recycling
Sections 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.200 through 4.290	Land Divisions
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600 through 4.640.20	Tree Preservation and Protection
<b><u>Other Planning Documents:</u></b>	
Wilsonville Comprehensive Plan	
Previous Land Use Approvals	
Transportation System Plan	

## Vicinity Map



## Background:

The SMART Facility and Fleet Storage site was approved in 2011 under DB11-0036 et al. At the time of approval, it was anticipated an expansion would be necessary in the future as Wilsonville and therefore SMART grows. The proposed 30,730 square foot expansion will complete the vision for the facility with more room for the storage of buses and associated equipment, an 1800 square foot wash building and associated landscaping improvements. In addition to the storage area and wash building a new security gate will be installed at the entrance of the site.

At the time of the original approval stormwater was designed to accommodate future expansion. Due to a number of factors the stormwater facility landscaping has deteriorated over the years. In addition to the decline of the stormwater facility plantings, tree removal has occurred onsite without mitigation. This approval seeks to address these issues through replanting the stormwater facility to its original approved status and mitigating tree removal.

## Summary:

Stage 2 Final Plan (STG224-0003)

The Stage 2 Final Plan confirms the function of the expansion area aligns with the original intent and approval for the SMART facility. This review ensures the site continues to function as originally intended with the proposed improvements.

## Site Design Review (SDR224-0004)

Site Design Review focuses on the design of the 30,370 square foot expansion area, the 1,800 square foot wash building, retaining wall, storage and bus parking area as well as the associated landscaping and tree mitigation. The landscaping has been carefully designed to allow for the function of the site to continue while also screening the sites operations, restoring the stormwater facility and mitigating removed trees.

## Type C Tree Removal Plan (TPLN24-0004)

The applicant proposes the removal of eighteen (18) trees on the proposed development site. The tree species on site are a mix of native and non-native trees including Black cottonwood, Douglas fir, shore pine, willow and green ash. The trees proposed for removal are not high quality trees and removal is necessary for the development of the site. The applicant proposes replanting sixty-nine (69) new trees on the subject property, which will mitigate for the sixty-nine (69) previously unmitigated trees removed and a Condition of Approval will require the applicant to pay the equivalent cost to replace the additional eighteen (18) trees into the City Tree Fund. The mitigation is meets the 1:1 mitigation ratio as required by the development code.

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

#### Tree Removal Mitigation

The application under review is for the expansion of the existing SMART facility for the purpose of increasing storage capacity and the function of operations with the additional wash building. However, during the review process staff discovered a compliance issue regarding the removal and replacement of trees. Specifically, the inventory revealed a deficit of sixty-nine (69) trees in the project area compared to the 2011 inventory and landscape approval. Section 4.004 enables applicants to resolve compliance issues as a part of unrelated development applications, otherwise the application would be denied. The applicant, SMART, choose to resolve the violation as a part of the SMART yard expansion project.

While City records shows that sixteen (16) of the unaccounted-for trees were approved for removal in 2020, there is no record of the removal for the other fifty-three (53) trees. According to the applicant the landscaping and stormwater plantings required in the 2011 approval occurred but due to a number of factors the trees did not survive. The 2011 approval included a condition of approval that all installed plant materials must be maintained in a healthy, vital, and acceptable manner replacing all plants that die within one growing season. Similarly, the 2020 tree removal permit approval required the replacement of the sixteen (16) trees but the inventory indicated the mitigation never occurred. This application seeks to fulfill the requirements in both the 2011 condition of approval and 2020 tree removal application by replanting the site in accordance to the original 2011 and 2020 approvals.

## **Discussion Points – Discretionary Review:**

The Development Review Board may approve or deny items in this section based upon a review of evidence submitted by the applicant. There are no discretionary review requests included as part of the proposed application.

## Conclusion and Conditions of Approval:

Staff has reviewed the applicant's analysis of compliance with the applicable criteria. The staff report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this staff report, and information received from a duly advertised public hearing, staff recommends that the Development Review Board approve the proposed application (DB24-0007) with the following conditions:

### Planning Division Conditions:

#### Request A: Stage 2 Final Plan Modification (STG224-0003)

<p><b>PDA 1.</b> <b>General:</b> The approved final plan shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved final development plan may be approved by the Planning Director through the Class 1 Administrative Review Process if such changes are consistent with the purposes and general character of the development plan. Other changes may be approved through the Class 2 Administrative Review Process pursuant to the authority granted in Section 4.030. Modifications not eligible for administrative review shall be subject to review by the DRB.</p>
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#### Request B: Site Design Review (SDR24-0004)

<p><b>PDB 1.</b> <b>Ongoing:</b> Construction, site development, and landscaping shall be carried out in substantial accord with the DRB-approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding B15.</p>
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<p><b>PDB 2.</b> <b>Prior to Temporary Occupancy:</b> All landscaping required and approved by the DRB shall be installed prior to occupancy of the proposed development unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the DRB, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding B23.</p>
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<p><b>PDB 3.</b> <b>Ongoing:</b> The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or DRB, pursuant to the applicable sections of Wilsonville's Development Code. See Findings A36, B24 and B26.</p>
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PDB 4.	<b><u>Ongoing:</u></b> All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the DRB, unless altered as allowed by Wilsonville's Development Code. See Finding B25.
PDB 5.	<b><u>Prior to Temporary Occupancy:</u></b> All trees shall be balled and burlapped and conform in grade to "American Standards for Nursery Stock" current edition. Tree size shall be a minimum of 2-inch caliper. See Finding B33.
PDB 6.	<b><u>Prior to Temporary Occupancy:</u></b> The following requirements for planting of shrubs and ground cover shall be met: <ul style="list-style-type: none"> <li>• Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch.</li> <li>• Native topsoil shall be preserved and reused to the extent feasible.</li> <li>• Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings.</li> <li>• All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10- to 12-inch spread.</li> <li>• Shrubs shall reach their designed size for screening within 3 years of planting.</li> <li>• Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4-inch pot spaced 2 feet on center minimum, 2-1/4-inch pots spaced at 18 inches on center minimum.</li> <li>• No bare root planting shall be permitted.</li> <li>• Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within 3 years of planting.</li> <li>• Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.</li> <li>• Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding B32.</li> </ul>
PDB 7.	<b><u>Prior to Temporary Occupancy:</u></b> Plant materials shall be installed and irrigated to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. See Finding B36.
PDB 8.	<b><u>Prior to Public Works Permit Issuance:</u></b> Final review of the proposed stormwater planting for conformance with stormwater planting requirements will be determined at the time of Public Work Permit Issuance.
PDB 9.	<b><u>Prior to Building Permit Issuance:</u></b> Final review of the proposed building lighting's conformance with the Outdoor Lighting Ordinance will be determined at the time of Building Permit issuance. See Findings B 39.- B47.



Request C: Type C Tree Plan (TPLN24-0004)

PDC 1.	<b>General:</b> This approval for removal applies only to the 18 trees identified in the applicant’s submitted materials. All other trees on the property shall be maintained unless removal is approved through separate application.
PDC 2.	<b>Prior to Grading Permit Issuance:</b> The Applicant shall submit an application for a Type ‘C’ Tree Removal Permit on the Planning Division’s Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the applicant shall provide the City’s Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff.
PDC 3.	Prior to Issuance of Type C Tree Removal Permit Required in Condition of Approval PDC2: The applicant shall pay an amount of \$5,400 (\$300 per tree for 18 trees) into the City’s Tree Fund as mitigation for 18 of 87 total trees removed from the site for which insufficient space exists on site and another desirable off-site location is not currently available. See Findings C3, C13 and C14.
PDC 4.	<b>Prior to Temporary Occupancy / Ongoing:</b> The permit grantee or the grantee’s successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees for two (2) years after the planting date. A “guaranteed” tree that dies or becomes diseased during the two (2) years after planting shall be replaced.
PDC 5.	<b>Prior to Commencing Site Grading:</b> Prior to site grading or other site work that could damage trees, the applicant/owner shall install 6-foot-tall chain-link fencing around the drip line of preserved trees. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. Protective fencing shall not be moved or access granted within the protected zone without arborist supervision and notice of the City of the purpose of proposed movement of fencing or access. See Finding C6.

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

### Engineering Division Findings and Conditions:

PFA 1.	Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1.
PFA 2.	<b><u>Prior to Issuance of Any Other Permits:</u></b> Applicant shall obtain a Local Erosion Control Permit from the City of Wilsonville. All erosion control measures shall be in place prior to starting any construction work, including any demolition work. Tree protection fencing shall be installed, inspected and approved prior to the installation of erosion control measures. Permits shall remain active until all construction work is complete and the site has been stabilized.
PFA 3.	<b><u>With the Building Permit Application:</u></b> The applicant shall submit an Industrial and Commercial Environmental survey that identifies all non-domestic sewer discharges, including all MSDS sheets for any chemical or additive that could be introduced to the sewer system. <b><u>Prior to the Issuance of the Building Permit:</u></b> The applicant shall submit plans showing any applicable pretreatment devices necessary to treat non-domestic wastes including oil/water separators, and/or sampling manholes. <b><u>Prior to Issuance of Certificate of Occupancy:</u></b> The applicant shall submit for review and approval any required Best Management Practice plans.
PFA 4.	<b><u>With the Building Permit Application:</u></b> The applicant shall show on the construction plans vehicle access to the south side of the existing storm facility. Additionally, the plans shall show the retaining wall footer location in relationship to the existing water line easement and show the angle of repose between the retaining wall footer and existing water main. The landscaping plans shall show that no trees are to be planted within the existing water line easement.

### Fire and Life Safety Conditions:

FD 1.	Minimum unobstructed width shall be not less than 20 feet (or the required roadway surface width).
FD 2.	Gates shall be set back at minimum of 30 feet from the intersecting roadway or as approved.
FD 3.	Electric gates shall be equipped with a means for operation by fire department personnel.
FD 4.	Electric automatic gates shall comply with ASTM F 2200 and UL 325.
FD 5.	<b><u>Prior to Issuance of Any Other Permits:</u></b> Applicant must obtain Service Provider Letter from TVF&R

**Master Exhibit List:**

Entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The list below includes exhibits for Planning Case File No. DB24-0007 and reflects the electronic record posted on the City’s website and retained as part of the City’s permanent electronic record. Any inconsistencies between printed or other electronic versions of the same exhibits are inadvertent and the version on the City’s website and retained as part of the City’s permanent electronic record shall be controlling for all purposes.

Planning staff Materials

- A1. Staff report and Findings (this document)
- A2. Staff’s Presentation Slides for Public Hearing (to be presented at Public Hearing)

Materials from Applicant

- B1. Applicant’s Narrative and Materials**
  - Signed Application Form
  - Narrative
  - Stormwater Report

- B2. Applicant’s Drawings and Plans

Development Review Team Correspondence

- C1. Public Works Plan Submittal Requirements and Other Engineering Requirements
- C2. TVF&R Requirements

**Procedural Statements and Background Information:**

1. The statutory 120-day time limit applies to this application. The application was received on June 13, 2024. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application incomplete on July 13, 2024. The applicant submitted additional materials on August 20, 2024. Staff conducted a second completeness review within the statutorily allowed 30-day review period and found the application to be complete on August 21, 2024. The City must render a final decision for the request, including any appeals, by November 7, 2024.
2. Surrounding land uses are as follows:

Compass Direction	Zone	Existing Use
North	PDI	Public Works Facility
East	PDI	WES Office
South	PDI	Grace Chaple and Manufacturing

West	PDI	Distribution Center
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3. Previous Planning Approvals:  
DB11-0036-DB11-0039 – Stage I Preliminary Plan, Stage 2 Preliminary Plan, Site Design Review, Type C Tree Removal Plan  
TR20-0043- Type B Tree Removal
4. The applicant has complied with Sections 4.008 through 4.011, 4.013-4.031, 4.034 and 4.035 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

## Findings:

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

### General Information

#### Application Procedures - In General

Section 4.008

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

#### Initiating Application

Section 4.009

The application has been submitted on by the property owner, SMART Transit (City of Wilsonville) and is signed by the owner's authorized representative and the applicant, Kelsey Lewis, SMART Transit.

#### Pre-Application Conference

Subsection 4.010 (.02)

A pre-application conference was held on May 2, 2024 (PRE24-00024) in accordance with this subsection.

#### Lien Payment before Approval

Subsection 4.011 (.02) B.

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

#### General Submission Requirements

Subsections 4.035 (.04) A. and 4.035 (.05)

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

#### Zoning - Generally

Section 4.110

The proposed development is in conformity with the applicable zoning district and City review uses the general development regulations listed in Sections 4.140 through 4.199.

**Request A: Stage 2 Final Plan Modification (STG224-0003)**

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

**Planned Development Regulations-Generally**

Planned Development Purpose & Lot Qualifications  
Subsection 4.140 (.01) and (.02)

**A1.** The proposed Stage 2 Final Plan for proposed improvements to the site is consistent with the Planned Development Regulations purpose statement.

Ownership Requirements  
Subsection 4.140 (.03)

**A2.** The property owner, SMART Transit (City of Wilsonville), represented by Kelsey Lewis, signed the application.

Professional Design Team  
Subsection 4.140 (.04)

**A3.** The design was led by credentialed professionals. Burke Wardle, PIVOT Architecture, is the architect for the project.

**Stage 2 Final Plan Submission Requirements and Process**

Stage 2 Modification  
Subsection 4.140 (.10) A.

**A4.** Substantial modifications to the approved Stage 2 Final Plan shall be reviewed and approved by the Development Review Board for consistency with the approved Stage 1 Preliminary Plan and the intent and function of the approved Stage 2 Final Plan. The application for the proposed 30,730 square foot SMART Yard Expansion is being reviewed in accordance with this process.

Development Review Board Role  
Subsection 4.140 (.09) B.

**A5.** The Development Review Board is considering all applicable permit criteria set forth in the Wilsonville Development Code and staff is recommending the Development Review Board approve the application with Conditions of Approval.

Stage 2 Final Plan Detail  
Subsection 4.140 (.09) D.

**A6.** The applicant has provided sufficiently detailed information to indicate fully the ultimate operation and appearance of the development, including a detailed site plan and landscape plans.

Submission of Legal Documents  
Subsection 4.140 (.09) E.

A7. No additional legal documentation is required for dedication or reservation of public facilities.

Expiration of Approval  
Subsection 4.140 (.09) I. and Section 4.023

A8. The Stage 2 Final Plan Modification will be vested along with prior approvals for the surrounding development and will not expire.

Consistency with Plans  
Subsection 4.140 (.09) J. 1.

A9. The proposed project is consistent with the Industrial designation in the Comprehensive Plan and the site's zoning, Planned Development Industrial (PDI) that apply to the property. The proposed expansion does not propose a change of use or operations.

Traffic Concurrency  
Subsection 4.140 (.09) J. 2.

A10. The proposal is not anticipated to result in new p.m. peak traffic trips.

Facilities and Services Concurrency  
Subsection 4.140 (.09) J. 3.

A11. Facilities and services are available and sufficient to serve the existing development and proposed site improvements or will be with Conditions of Approval.

Adherence to Approved Plans  
Subsection 4.140 (.09) L.

A12. A Condition of Approval will ensure adherence to approved plans unless modified under the proper authority.

**Standards Applying to All Planned Development Zones**

Underground Utilities  
Subsection 4.118 (.02) and Sections 4.300-4.320

A13. All utilities on the property are undergrounded and no new utilities are proposed with the current application.

Waivers  
Subsection 4.118 (.03) A. through D.

A14. The applicant has not requested any waivers to the standards applying to all planned development zones.

Other Requirements or Restrictions  
Subsection 4.118 (.03) E.

**A15.** No additional requirements or restrictions are recommended pursuant to this subsection.

Impact on Development Cost  
Subsection 4.118 (.04)

**A16.** In staff's professional opinion, the determination of compliance or attached conditions of approval do not unnecessarily increase the cost of development and no evidence has been submitted to the contrary.

Dedications or Easements for Recreation Facilities, Open Space, Public Utilities  
Subsection 4.118 (.05)

**A17.** No dedications or easements are proposed or requested.

Habitat Friendly Development Practices  
Subsection 4.118 (.09)

**A18.** Grading will be limited to that needed for the proposed improvements, no significant native vegetation would be retained by an alternative site design, and no impacts on wildlife corridors or fish passages have been identified.

## **Planned Development Industrial (PDI) Zone**

Purpose of PDI Zone  
Subsection 4.135 (.01)

**A19.** The stated purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses. The proposed development includes storage for buses, fleet vehicles and a wash station that supports the already approved industrial use transit and operations facility, consistent with the approved Stage I Master Plan.

Typically Permitted Uses  
Subsection 4.135 (.03)

**A20.** The uses proposed in the Stage 2 Final Plan are consistent with the Stage 1 Master Plan. The proposed development consists of a storage area and wash building supporting current operations. These uses are consistent with the uses typically permitted and are allowed outright within the PDI zone.

Block and Access Standards  
Subsections 4.135(.04) and 4.131 (.03)

**A21.** No changes to blocks or street access are proposed or required.



## Industrial Performance Standards

### Industrial Performance Standards

Subsection 4.135 (.05)

**A22.** The proposed project meets the performance standards of this subsection as follows:

- Pursuant to standard A (enclosure of uses and activities), the proposed storage area is for storage and daily operations. All activities will be screened from the public meeting this standard.
- Pursuant to standard B (vibrations), there is no indication that the proposed development will produce vibrations detectable off site without instruments.
- Pursuant to standard C (emissions), there is no indication the proposed use would produce the odorous gas or other odorous matter.
- Pursuant to standard D (open storage), no outdoor storage of mixed solid waste and recycling is proposed.
- Pursuant to standard E (night operations and residential areas), the proposed use is proposed further than 100 feet from any residential area.
- Pursuant to standard F (heat and glare), the applicant proposes no exterior operations creating heat and glare.
- Pursuant to standard G (dangerous substances), there are no prohibited dangerous substances expected on the development site.
- Pursuant to standard H (liquid and solid wastes), staff has no evidence that the operations would violated standards defined for liquid and solid waste.
- Pursuant to standard I (noise), staff has no evidence that noise generated from the proposed operations would violate the City's Noise Ordinance and noises produced in violation of the Noise Ordinance would be subject to the enforcement procedures established in WC Chapter 6 for such violations.
- Pursuant to standard J (electrical disturbances), staff has no evidence that the proposed use would have any prohibited electrical disturbances.
- Pursuant to standard K (discharge of air pollutants), staff has no evidence that the proposed use would produce any prohibited discharge.
- Pursuant to standard L (open burning), the applicant proposes no open burning.
- Pursuant to standard M (outdoor storage), the storage area is adequality screened from the public and adjacent properties with the proposed retaining wall and landscaping meeting this standard.
- Pursuant to standard N (unused area landscaping), no unused areas will be bare.

## On-site Pedestrian Access and Circulation

### Continuous Pathway System

Subsection 4.154 (.01) B. 1.

**A23.** The proposed expansion does not impact the existing continuous pathway system and does not require additional connections and pathways.

## Safe, Direct, Convenient Pathways

Subsection 4.154 (.01) B. 2.

**A24.** Existing pedestrian pathways are flat, paved, ADA compliant sidewalks. Where crossing the parking area, the applicant proposes a 5-foot wide concrete sidewalk. The pathways provide direct access to the building from the parking area on all sides of the site. Pathways connect to all primary (and secondary) building entrances.

## Vehicle/Pathway Separation-Vertical or Horizontal

Subsection 4.154 (.01) B. 3.

**A25.** No changes to the pedestrian pathway system are proposed and this standard will continue to be met.

## Crosswalks Clearly Marked

Subsection 4.154 (.01) B. 4.

**A26.** No changes to the existing crosswalks are proposed and this standard will continue to be met.

## Parking

### Parking Design Standards

Section 4.155 (.02) and (.03)

**A27.** No parking is proposed or required for the proposed storage area and wash building.

## Bicycle Parking

### Required Bicycle Parking

Section 4.155 (.04) A. 1.

**A28.** No bicycle parking is proposed or required for the proposed storage area and wash building.

## Other Development Standards

### Access, Ingress, and Egress

Section 4.167

**A29.** The site is accessed off Boberg Road and no changes to street access is proposed .

### Natural Features and Other Resources

Section 4.171

**A30.** A small portion of the site is located within the Significant Resource Overlay Zone (SROZ). The proposed expansion area is to the south of the SROZ and no impact to the SROZ is anticipated. The replanting plan will restore the sites stormwater facility and enhance the

overall function of the site. Additional trees will offer cooling and aesthetic benefits. A retaining wall will help ensure grading is limited where possible. The applicant will follow development practices that align with the protection of natural features.

### Outdoor Lighting

Sections 4.199.20 through 4.199.60

**A31.** The outdoor lighting standards apply to the proposal is required to meet the Outdoor Lighting Standards. See Request B, Findings B39 through B47.

### Underground Installation of Utilities

Sections 4.300-4.320

**A32.** All utilities are required to be underground.

## Public Safety and Crime Prevention

### Design for Public Safety, Surveillance and Access

Subsections 4.175 (.01) and (.03)

**A33.** The proposed development is designed to a reasonable extent to deter crime and ensure public safety. The proposed development includes lighting throughout the storage area with secure fencing and a gate at the access. The site has been designed in such a way that visibility is clear throughout the site.

### Addressing and Directional Signing

Subsection 4.175 (.02)

**A34.** No directional signs are proposed at this time. The building permit process will ensure conformance.

### Lighting to Discourage Crime

Subsection 4.175 (.04)

**A35.** Lighting design is in accordance with the City's outdoor lighting standards, which will provide sufficient lighting to discourage crime.

## Landscaping Standards

### Landscaping Standards Purpose

Subsection 4.176 (.01)

**A36.** In complying with the various landscape standards in Section 4.176 the applicant has demonstrated the Stage 2 Final Plan is in compliance with the landscape purpose statement by enhancing the visual character, screening storage and operations activities, mitigating for the loss of native vegetations, promoting reestablishment of vegetation and improve the overall function of the site.

### Landscape Code Compliance

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Development Review Board Panel 'B' Staff Report, September 16, 2024

Adopted September 23, 2024

Exhibit A1

DB24-0007 SMART Yard Expansion

Page 19 of 34

Subsection 4.176 (.02) B.

**A37.** The applicant requests no waivers or variances to landscape standards. All landscaping and screening must comply with standards of this section.

#### Intent and Required Materials

Subsections 4.176 (.02) C. through I.

**A38.** The applicant's planting plan implements the landscaping standards and integrates general landscaping throughout the site, consistent with professional landscaping and design best practices. Plantings meeting the low screen standard will be utilized along perimeters of the stage area providing screening in conjunction with the retaining wall.

#### Landscape Area and Locations

Subsection 4.176 (.03)

**A39.** The proposed expansion area development will exceed the 15% landscaping requirement. The expansion area is 30,730 square feet and provides 8,040 square feet of landscaping which is 41% of the development area. Landscaping is distributed throughout the site within stormwater swales and along the north, south and west property lines providing ample screening of the storage and operations area. The landscaping will include a mix of native and non-native trees, shrubs, ground cover and grasses.

#### Buffering and Screening

Subsection 4.176 (.04)

**A40.** The subject property is zoned PDI and borders PDI zoning along all sides. High-screen standards will be met on the perimeter of the storage area by either the retaining wall or a combination of trees and shrubs shielding the storage area from neighboring properties.

#### Landscape Plan Requirements

Subsection 4.176 (.09)

**A41.** The applicant's submitted landscape plans are drawn to scale and show the type, installation size, number and placement of materials. Plans include a plant material list identifying plants by both their scientific and common names. A note on the landscape plan indicates the irrigation method.

### **Mixed Solid Waste and Recyclables Storage**

#### DRB Review of Adequate Storage Area, Minimum Storage Area

Subsections 4.179 (.01)

**A42.** The existing development includes one 675 square ft combined solid waste and recyclable storage area. The 1,800 square foot wash building will not require the addition of storage as the 675 square foot storage area is appropriately sized for the expansion



Review by Franchise Garbage Hauler  
Subsection 4.179 (.07).

A43. The applicant proposes no changes to storage and waste collection and as such the existing approval from Republic Services meets this requirement.

### Request B: Site Design Review (SDR24-0004)

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

#### Site Design Review

Open Space Requirements Objectives and Design  
Subsection 4.400 (.01), 4.400 (.02) and Subsection 4.421 (.03)

B1. Staff summarizes the compliance with this subsection as follows:

**Excessive Uniformity:** The proposed development is unique to the particular development context and does not create excessive uniformity.

**Inappropriate or Poor Design of the Exterior Appearance of Structures:** The proposed wash building is designed to integrate seamlessly with the existing structures onsite.

**Inappropriate or Poor Design of Signs:** No signs are proposed with the expansion.

**Lack of Proper Attention to Site Development:** The expansion area is designed to function for the storage and washing of fleet vehicles with clear separation of the storage and wash station. Attention has been paid to the connection with the existing development improving the overall function of the site by providing adequate space and additional area to service vehicles.

**Lack of Proper Attention to Landscaping:** The applicant proposes landscaping on all sides of the proposed storage area to serve the purpose of screening, stormwater, and aesthetic enhancement. A 6 foot tall retaining wall along the north and west side of the storage area is located interior to the proposed plantings to create sufficient screening meeting the high-screen landscape standard. To the south of the storage area is a dense stormwater planting including ample trees and shrubs that will also adequately screen the storage area. The landscaping includes a variety of plant materials, both native and non-native. To the maximum extent possible, the existing landscaping is proposed to be preserved on the project site, and mitigation planting will be provided where required. In addition to the required landscaping, the applicant proposes to retain eighteen (18) trees within the project area.

#### Objectives and Standards of Site Design Review

Proper Functioning of the Site  
Subsection 4.400 (.02) A. and Subsection 4.421 (.03)

B2. The professionally designed site demonstrates significant thought to make the site functional and safe. A two-way drive aisle, standard size parking stalls, a complete

pathway network, and access meeting City standards are among the site design features contributing to functionality and safety.

#### High Quality Visual Environment

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

- B3.** The project includes a professionally building, landscaping and a professional, site specific, layout supporting a quality visual environment. Landscaping is thoughtfully shielding the storage area from adjacent properties and enhancing the stormwater management onsite.

#### Encourage Originality, Flexibility, and Innovation

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

- B4.** The applicant proposes a 1,800 square foot wash building, storage area, retaining wall and, landscaping designed specifically for the site. The development balances natural resource preservation and enhancement and function of the storage area by centering the storage area with landscaping enveloping all sides and seamlessly integrating with the existing site to the east. Sufficient flexibility exists to fit the planned development within the site.

#### Discourage Inharmonious Development

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

- B5.** As indicated in Findings B1, B3, and B8 the design of the proposed project while focused on function offers aesthetic value thus preventing monotonous, drab, unsightly, dreary development. The proposed wash building is designed to blend with the existing development and therefore the grey color pallet is appropriate with landscaping providing the visual interest.

#### Proper Relationships with Site and Surroundings

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

- B6.** The applicant prepared site-specific design that carefully considers the relationship of the building, landscaping, and other improvements with the existing SMART facility. The existing building uses grey and beige for the majority of the façade with green and natural wood uses as accents. The grey concrete blocks and metal roof will fit with the color pallet and industrial feel of the existing building.

#### Regard to Natural Aesthetics

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

- B7.** The applicant has designed the development to be in harmony with the environment with 41% of the expansion area dedicated to landscaping. In addition to the mitigation planting that will enhance both the upland and wetland habitat, the applicant proposes the preservation of eighteen (18) trees onsite.

### Attention to Exterior Appearances

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

- B8.** The applicant used appropriate professional services to design the exterior of the wash building as described in finding B6.

### Protect and Enhance City's Appeal

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

- B9.** The expansion of the SMART facility will ensure SMART's efficient transit system continues to function supporting Wilsonville's residents and visitors enhancing the City's appeal. The landscaping will offer great aesthetic benefits.

### Stabilize Property Values/Prevent Blight

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

- B10.** The expansion allows for the continued use of the SMART facility thus preventing blight.

### Adequate Public Facilities

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

- B11.** As found in the Stage 2 Final Plan Modification review, see Request A, adequate public facilities serve the site or will with conditions of approval.

### Pleasing Environments and Behavior

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

- B12.** The site has been thoughtfully designed by professional and licensed engineers to provide a functional layout that prioritizes public safety and easy surveillance of the site.

### Civic Pride and Community Spirit

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

- B13.** The project supports Wilsonville's SMART system which provides convenient and free transportation to community members and visitors building community spirit and pride.

### Favorable Environment for Residents

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

- B14.** The proposed development will serve both residents and those visiting Wilsonville by supporting the transit system for years to come which both support residents with transportation and employment needs.



## **Jurisdiction and Power of the DRB for Site Design Review**

### Development Must Follow DRB Approved Plans Section 4.420

- B15.** A condition of approval ensures construction, site development, and landscaping are carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents.

## **Design Standards**

### Harmony of Proposed Buildings to Environment Subsection 4.421 (.01) B.

- B16.** The proposed site design preserves eighteen (18) existing trees in the development area and includes the addition of sixty-nine (69) trees throughout the landscaping. In addition to general landscaping the project includes restoring the existing stormwater facility. Care has been taken to support the health of the environment while allowing the continued and expanded use of the site. Landscaping throughout the site helps to blend the proposed development with the surrounding natural area to the north and screen the storage area from surrounding properties.

### Design Standards Apply to All Buildings, Structures, Signs, and Features Subsection 4.421 (.02)

- B17.** The proposed wash building is an accessory structure to the main SMART facility and attention has been paid to design as described in the above findings.

### Conditions of Approval to Ensure Proper and Efficient Function Subsection 4.421 (.05)

- B18.** Staff does not recommend any additional conditions of approval to ensure the proper and efficient functioning of the development.

### Color or Materials Requirements Subsection 4.421 (.06)

- B19.** The applicant is proposing one 1,800 square foot wash building constructed of concrete blocks with a metal roof which is appropriate for the use and site.

## **Standards for Mixed Solid Waste and Recycling Areas**

### Mixed Solid Waste and Recycling Areas Colocation Subsection 4.430 (.02) A.

- B20.** No changes to waste storage are proposed and the existing storage area meets these standards.

## Site Design Review Submission Requirements

### Submission Requirements Section 4.440

- B21.** The applicant submitted a site plan drawn to scale and digital materials board illustrating proposed finishes and paint colors.

## Time Limit on Site Design Review Approvals

### Void after 2 Years Section 4.442

- B22.** The applicant plans to develop the proposed project within two (2) years and understands that the approval will expire after two (2) years unless the City grants an extension.

## Installation of Landscaping

### Landscape Installation or Bonding Subsection 4.450 (.01)

- B23.** A condition of approval will assure installation or that appropriate security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy.

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

- B24.** A condition of approval will ensure that substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan will not be made without official action of the Planning Director or DRB and provide ongoing assurance the criterion is met.

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

- B25.** A condition of approval will ensure landscaping is continually maintained in accordance with this subsection.

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

- B26.** A condition of approval will provide ongoing assurance that this criterion is met by preventing modification or removal of landscaping without appropriate City review.

## Natural Features and Other Resources

### Protection

Section 4.171

**B27.** The proposed design of the site provides for protection of natural features and other resources with the restoration of the existing storm water facility and additional landscape plantings surrounding the expansion area. The project includes the retention of eighteen (18) trees and planting of sixty-nine (69). The planting includes a diverse mix of native trees, shrubs, and ground cover for a complete and complex landscaped site.

## Landscaping

### Landscape Standards Code Compliance

Subsection 4.176 (.02) B.

**B28.** No variances to the landscaping standards are requested and the proposed development meets and exceeds the required screening and landscaping requirements.

### Intent and Required Materials

Subsections 4.176 (.02) C. through I.

**B29.** The minimum or higher standard has been applied throughout different landscape areas of the site and landscape materials are proposed to meet each standard in the different areas. Site Design Review is being reviewed concurrently with the Stage 2 Final Plan, which includes a thorough analysis of the functional application of the landscaping standards.

### Landscape Area and Locations

Subsection 4.176 (.03)

**B30.** As indicated in the applicant's narrative and plan set the site contains 41% landscaped area exceeding the 15% requirement. Screening is provided on all sides of the storage area meeting the high screen standard with a combination of trees, shrubs, ground cover and 6 foot retaining wall.

### Buffering and Screening

Subsection 4.176 (.04)

**B31.** Consistent with the proposed Stage 2 Final Plan Modification, adequate screening is proposed.

### Shrubs and Groundcover Materials

Subsection 4.176 (.06) A.

**B32.** All of the proposed shrubs in the applicant's landscape plans (Exhibit B3) meet the required 2-gallon minimum. A condition of approval will require that the detailed requirements of this subsection are met.



Plant Materials-Trees  
Subsection 4.176 (.06) B.

- B33.** As stated on the applicant's landscape plans, the plant material requirements for landscape trees will be met as follows:
- Trees are B&B (Balled and Burlapped)
  - Tree are 2" caliper.
  - A mix of trees to be planted throughout the site in appropriate locations

Types of Plant Species  
Subsection 4.176 (.06) E.

- B34.** The applicant has provided sufficient information in their plans showing the proposed landscape design meets the standards of this subsection.

Exceeding Plant Standards  
Subsection 4.176 (.06) G.

- B35.** The selected landscape materials do not violate any height or vision clearance requirements.

Landscape Installation and Maintenance  
Subsection 4.176 (.07)

- B36.** Conditions of approval ensure that installation and maintenance standards are or will be met including that plant materials be installed to current industry standards and properly staked to ensure survival, and that plants that die are required to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. The applicant's plan set includes a note indicating plans for an irrigation system.

Landscape Plans  
Subsection 4.176 (.09)

- B37.** The applicant's landscape plan shows all existing and proposed landscape areas. The to-scale plans show the type, installation size, number and placement of materials. Plans include a plant material list. Plants identification is by both their scientific and common names.

Completion of Landscaping  
Subsection 4.176 (.10)

- B38.** The applicant has not requested to defer installation of plant materials.

## Outdoor Lighting

### Applicability

Sections 4.199.20 and 4.199.60

**B39.** An exterior lighting system is being installed for the proposed new development. The Outdoor Lighting standards thus apply.

### Outdoor Lighting Zones

Section 4.199.30

**B40.** The project site is within LZ 2 and the proposed outdoor lighting systems will be reviewed under the standards of this lighting zone.

### Optional Lighting Compliance Methods

Subsection 4.199.40 (.01) A.

**B41.** The applicant has elected to comply with the performance option.

### Wattage and Shielding

Subsection 4.199.40 (.01) C. 1.

**B42.** Based on the applicant's submitted materials the proposed lighting will meet the maximum light level at property line for both the horizontal and vertical plane measurements. A condition of approval will ensure that the requirements of the Outdoor Lighting Ordinance are met at the time of building permit issuance.

Table 9: Performance Method			
Lighting Zone	Maximum percentage of direct upright lumens	Maximum Light Level at Property Line	
		Horizontal plane at grade (foot candles fc)	Vertical plane facing the site in question, from grade to mounting height of highest mounted luminaire (foot candles - fc)
LZ 2	5%	0.2 fc	0.4 fc

### Compliance with Oregon Energy Efficiency Specialty Code

Subsection 4.199.40 (.01) B. 2.

**B43.** The applicant is complying with the Oregon Energy Efficiency Specialty Code.

### Mounting Height

Subsection 4.199.40 (.01) B. 3.

**B44.** All exterior mounted lighting on the building and pole-mounted lighting is less than 40 feet high, and thus complies with Table 8. A condition of approval will ensure the requirements of the Outdoor Lighting Ordinance are met at the time of building permit issuance.

Table 8: Maximum Lighting Mounting Height In Feet			
Lighting Zone	Lighting for private drives, driveways, parking, bus stops and other transit facilities	Lighting for walkways, bikeways, plazas and other pedestrian areas	All other lighting
LZ 2	40	18	8

**Luminaire Setback**

Subsection 4.199.40 (.01) B. 4.

**B45.** The subject property is bordered by the same base zoning and the same lighting zone on all sides. Staff understands the three times mounting height setback to only apply where the property abuts a lower lighting district. A condition of approval will ensure the requirements of the Outdoor Lighting Ordinance are met at the time of building permit issuance.

**Lighting Curfew**

Subsection 4.199.40 (.02) D.

**B46.** As stated by the applicant, it is feasible to install an automatic device or system meeting the lighting curfew requirements. Compliance is assured through an appropriate condition of approval.

**Standards and Submittal Requirements**

Sections 4.199.40 and 4.199.50

**B47.** All required materials have been submitted.

**Request C: Type C Tree Removal Plan (TPLN24-0004)**

**Type C Tree Removal-General**

**Tree Related Site Access**

Subsection 4.600.50 (.03) A.

**C1.** It is understood the City has access to the property to verify information regarding trees.

**Review Authority**

Subsection 4.610.00 (.03) B.

**C2.** The requested removal is connected to site plan review by the Development Review Board for new development. The tree removal is thus being reviewed by the Development Review Board.

Conditions of Approval  
Subsection 4.610.00 (.06) A.

- C3. Condition of Approval PDC 3. requires the applicant to pay the equivalent cost to replant eighteen (18) of the removed trees into the City Tree Fund to satisfy the 1:1 mitigation requirement.

Completion of Operation  
Subsection 4.610.00 (.06) B.

- C4. It is understood the tree removal will be completed prior to construction of the proposed building, which is a reasonable time frame for tree removal.

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

- C5. No bond is anticipated to be required to ensure compliance with the tree removal plan as a bond is required for overall landscaping.

Tree Removal Standards  
Subsection 4.610.10 (.01)

- C6. The standards of this subsection are met as follows:
- Standard for the Significant Resource Overlay Zone: No trees proposed for removal are located in the SROZ.
  - Preservation and Conservation. The arborist report inventoried fifty-six (56) trees located on the subject property within and adjacent to the project area. The tree species on site are a mix of native and non-native trees including Black cottonwood, Douglas fir, shore pine, willow and green ash. The applicant proposes to preserve eighteen (18) of the existing trees onsite which are a combination of green ash trees and Douglas fir trees. The preserved trees are incorporated within the proposed landscaping. Eighteen (18) trees onsite are proposed for removal. In addition to the trees proposed for removal the inventory identified sixty-nine (69) missing trees based on the 2011 inventory. Sixteen (16) of the missing trees were approved for removal in 2020 but never replaced. The other fifty-three (53) missing trees have been removed or died since the 2011 inventory. The applicant proposed to mitigate the trees removed and the unaccounted-for trees by replanting a total of sixty-nine (69) trees throughout the landscape area and paying the equivalent cost to replant eighteen (18) trees into the City Tree Fund meeting the 1:1 mitigation requirement. Condition of approval PDD 4 will ensure that protective fencing is placed around the drip line of preserved trees prior to site grading or other site work that could damage the trees.
  - Development Alternatives: The proposed tree removal has been minimized to the extent possible in order to redevelop the subject property. Preserved trees are incorporated within the screening and landscaping.
  - Land Clearing: Land clearing and grading is proposed and will be limited to areas necessary for construction of the proposed building and other site improvements.



- Compliance with Statutes and Ordinances: The necessary tree replacement and protection is planned according to the requirements of the tree preservation and protection ordinance.
- Limitation: Tree removal is limited to where it is necessary for construction (as discussed in Development Alternatives above) or to address nuisances or where the health of the trees warrants removal.
- Additional Standards: A tree survey has been provided, and no utilities are proposed to be located where they would cause adverse environmental consequences.

#### Review Process

Subsection 4.610.40 (.01)

**C7.** The plan is being reviewed concurrently with the Stage 2 Final Plan.

#### Tree Maintenance and Protection Plan

Section 4.610.40 (.02)

**C8.** The applicant has provided information on tree maintenance and protection in Exhibit B1 sheet L100. The tree protection fencing is required to be shown on all construction plans to ensure retained trees are protected.

### **Replacement and Mitigation**

#### Tree Replacement Requirement

Subsection 4.620.00 (.01)

**C9.** The applicant proposes removing eighteen (18) trees and replanting sixty-nine (69) trees as mitigation and pay the equivalent cost to replant eighteen (18) trees into the City Tree Fund for both the trees removed for construction and the previously removed trees onsite, exceeding a one-to-one ratio and the requirements of this subsection.

#### Basis for Determining Replacement and Replacement

Subsection 4.620.00 (.02) and (.03)

**C10.** Replacement trees will meet the minimum caliper and other replacement requirements. Tree species selected for replacement include red alder, Douglas fir and hogan cedar. This mix of evergreen and deciduous trees are compatible for the function of the site while maintaining a diversity of species and providing adequate screening.

#### Replacement Tree Stock Requirements

Subsection 4.620.00 (.04)

**C11.** The planting notes on the applicant's Sheet L302 in Exhibit B2 indicate the appropriate quality.

## Replacement Trees Locations

Subsection 4.620.00 (.05) A

**C12.** The applicant proposes to mitigate for sixty-nine (69) trees onsite and in the appropriate locations for the proposed development including surrounding the storage area and within the stormwater planting area. The remaining eighteen (18) trees required for mitigation will be mitigated by paying the equivalent cost for replacement into the City Tree Fund.

## Payment to City Tree Fund

Subsection 4.620.00 (.06)

**C13.** The applicant proposes to mitigate for sixty-nine (69) trees onsite. Due to limited replanting locations the remaining eighteen (18) trees required for replacement will be mitigated by paying the equivalent cost to replant eighteen (18) trees into the City Tree Fund. See Condition of Approval PDC 3.

## Protection of Preserved Trees

### Tree Protection During Construction

Section 4.620.10

**C14.** Condition of Approval PDC 5 ensures the applicable requirements of this section will be met.