

Department of Land Conservation and Development

635 Capitol Street, Suite 150 Salem, OR 97301-2540 (503) 373-0050 Fax (503) 378-5518 www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

August 2, 2007

TO:

Subscribers to Notice of Adopted Plan or Land Use Regulation Amendments

FROM:

Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Wilsonville Plan Amendment

DLCD File Number 002-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: August 15, 2007

This amendment was submitted to DLCD for review prior to adoption with less than the required 45day notice. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE:

THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.

Cc:

Gloria Gardiner, DLCD Urban Planning Specialist Stacy Humphrey, DLCD Metro-Portland Regional Representative Mike Wheeler, City Of Wilsonville

<pa> ya/

£ 2

Mailed 1/25/07 DLCD Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

1	☐ In person ☐ electronic ☐ mailed
A	DEPT OF
2	JUL 26 2007
5 T A	LAND CONSERVATION AND DEVELOPMENT
MI	For DLCD Use Only

Jurisdiction: City of Wilsonville	Local file number: DB07-0008		
Date of Adoption: 7/16/2007	Date Mailed: 7/25/2007		
Was a Notice of Proposed Amendment (Form 1) ma	ailed to DLCD? YesDate:		
Comprehensive Plan Text Amendment			
☐ Land Use Regulation Amendment			
New Land Use Regulation	Other:		
Summarize the adopted amendment. Do not use to	echnical terms. Do not write "See Attached".		
Comprehensive Plan Map Amendment from Residential zone map amendment from Residential Agriculature Ho			
Does the Adoption differ from proposal? Please sel No	ect one		
Plan Map Changed from: Resi 0-1 du/ac	to: Resi 4-5 du/ac		
Zone Map Changed from: Resi Agriculture Holdin			
Location: Tax Lot 2400, Sec 13B, T3S-R1W, Clack			
Specify Density: Previous: 1.45 du/ac calc	New: 8.7 du/ac calc		
Applicable statewide planning goals:			
$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	12 13 14 15 16 17 18 19		
Was an Exception Adopted? ☐ YES ☒ NO			
Did DLCD receive a Notice of Proposed Amendmen	it		
45-days prior to first evidentiary hearing?	⊠ Yes □ No		
If no, do the statewide planning goals apply?	☐ Yes ☐ No iate adoption? ☐ Yes ☐ No		
If no, did Emergency Circumstances require immed	iate adoption?		
NIIN # 2003-07 (11-607			

Please list all affected State or Federal Agencies, Local Governments or Special Districts:							
None							
Local Contact: Mike Who	eler	Phone: (503) 682-4960	Extension: 1583				
Address: 29799 SW Town	Center Loop E	Fax Number: 503-682-7055					
City: Wilsonville	Zip: 97070-	E-mail Address: wheeler	@ci.wilsonville.or.us				

ADOPTION SUBMITTAL REQUIREMENTS

This form <u>must be mailed</u> to DLCD <u>within 5 working days after the final decision</u> per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT 635 CAPITOL STREET NE, SUITE 150 SALEM, OREGON 97301-2540

- 2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
- 3. <u>Please Note</u>: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
- 4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
- 5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE** (21) days of the date, the Notice of Adoption is sent to DLCD.
- 6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
- 7. Need More Copies? You can now access these forms online at http://www.lcd.state.or.us/. Please print on 8-1/2x11 green paper only. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to mara.ulloa@state.or.us ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 635

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A COMPREHENSIVE PLAN MAP AMENDMENT from RESIDENTIAL 0 – 1 du/ac to RESIDENTIAL 4 - 5 du/ac and a corresponding ZONE MAP AMENDMENT from the RESIDENTIAL AGRICULTURAL - HOLDING (RA-H) zone to the RESIDENTIAL (R) zone on approximately 0.69 Acres of Tax Lot 2400, Section 13B, T3S, R1W, Clackamas County, Oregon. SFA Design Group, LLC, acting as agent for the applicant, Mr. Chuck Knorr.

WHEREAS, SFA Design Group, LLC has requested a Comprehensive Plan Map Amendment and a Zone Map Amendment described in attached Zoning Order DB07-0008; and

WHEREAS, the Wilsonville Planning Staff analyzed the request and prepared a staff report, with conditions, to the Development Review Board dated June 4, 2007, wherein it reported that the request is consistent with and meets requirements for approval of a Comprehensive Plan Map Amendment and a Zone Map Amendment, and

WHEREAS, the Development Review Board Panel 'A' held a public hearing on this request on June 11, 2007, and after taking testimony, gave full consideration to the matter and recommended approval of the request; and

WHEREAS, the Wilsonville Planning Staff prepared a memo to City Council dated July 2, 2007; and

WHEREAS, on July 2, 2007, the Wilsonville City Council held a public hearing regarding the above described matter, considered the record before the Development Review Board and staff report, took testimony, and, upon deliberation, has concluded that the proposed Comprehensive Plan Map Amendment and Zone Map Amendment meets the applicable approval criteria under the City's land development code and Comprehensive Plan,

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

Section 1. <u>Findings</u>. The City Council adopts as findings and conclusions the forgoing recitals and the staff report in this matter dated June 4, 2007, which Exhibit A is attached hereto and incorporated herein as if fully set forth.

Section 2. Order. The official City of Wilsonville Zone Map is hereby amended in Zoning Order: DB07-0008, attached hereto, from Residential Agricultural – Holding (RA-H) to Residential (R) on Tax Lot 2400 Section 13B, T3S, R1W, Clackamas County, Oregon, depicted

on the attached map (Attachment 2), and in the attached Legal Description (Attachment 1), Clackamas County, Wilsonville, Oregon.

Section 3. Order. The official City of Wilsonville Comprehensive Plan Map is hereby amended from Residential (0 – 1 du/ac) to Residential (4 - 5 du/ac) from *Residential Agricultural* on Tax Lot 2400, Section 13B, T3S, R1W, Clackamas County, Oregon, as depicted on the attached map (Attachment 2), and in the attached Legal Description (Attachment 1), Clackamas County, Wilsonville, Oregon.

SUBMITTED to the Wilsonville City Council and read the first time at a regular meeting thereof on the 2nd day of July, 2007, commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR.

Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the 16th day of July, 2007, by the following votes:

Yes: 5

No: 0

Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this

day of July, 2007.

CHARLOTTE LEHAN, MAYOR

SUMMARY OF VOTES:

Mayor Lehan Yes
Councilor Knapp Yes
Councilor Ripple Yes
Councilor Kirk Yes
Councilor Núñez Yes

Attachments.

- Zoning Order DB07-0008
 Attachment 1 Legal Description
 Attachment 2: Map depicting zone change and comprehensive map change
- 2. Planning Division Staff Report to the City Council, June 4, 2007, labeled Exhibit A



Legal Description:

June 21, 2007

Zone Change DB07-0008

Basis of Bearings:

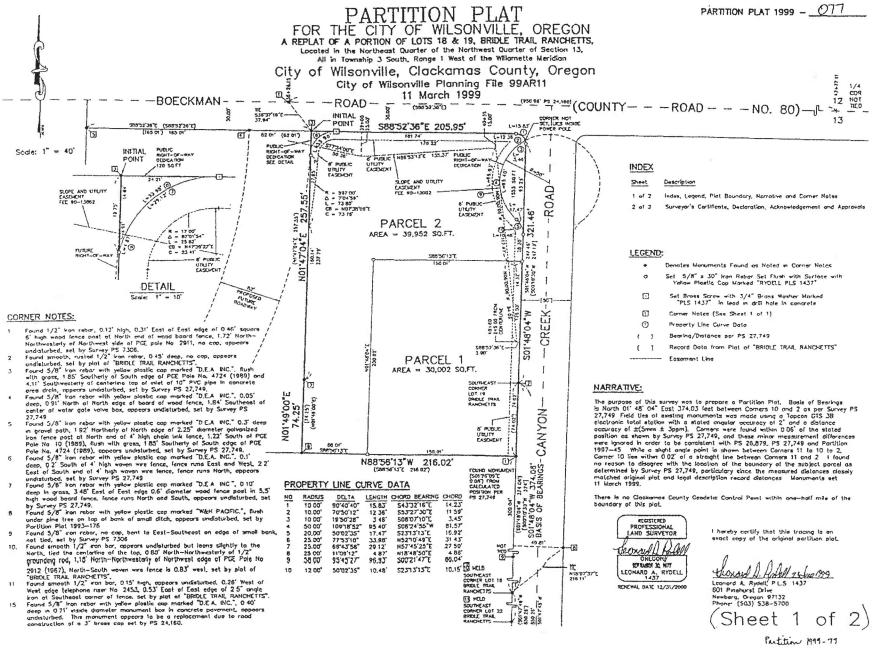
The bearings noted hereon are based upon Partition Plat 1999-077, a plat of record in Clackamas County, a copy attached hereto as Exhibit 1.

That tract of land situated in the NE ¼ of the NW ¼ of Section 13, Township 3 South, Range 1 West, of the Willamette Meridian, City of Wilsonville, Clackarnas County, Oregon, being more particularly described as follows:

Parcel 1 of Partition Plat 1999-077, a duly recorded plat in Clackamas County, Oregon.

Containing 30,002 SQ. FT.

ATTACHMENT 1



PARTITION PLAT
FOR THE CITY OF WILSONVILLE, OREGON
A REPLAT OF A PORTION OF LOTS 18 & 19, BRIDLE TRAIL RANCHETTS,
Locoted in the Northeast Quorter of Section 13,
All in Township 3 South, Range 1 West of the Writannette Meridian City of Wilsonville, Clackamas County, Oregon City of Wilsonville Planning File 99AR11

DECLARATION

KNOW ALL MEN BY PLEXE PRESENTS that the City of Watconville being the owner of the fond described in the Surveyor's Celficial harmon mode, do thereby mode, establish and excident his the efficial person mode all public right-order plat thereof, and for the public depth-order ways and essential being the demonstors shown thereof, asid City of Wilconville control to a control to the control to the public forever all public replications and public replications and described to a definite to the use of the public forever all public for restrictives an only the public to another.

MATHESS WHEREOF, we have set our hand: Kallite Ella

Sondro C King, City Recorder City of Misonville

ACKNOWLEDGEMENTS:

State of Oregon

county of Clackenson

On this 27 day of Learn Major, and Sandra C. King, City Recorder, for the City of Wiscordie, who being that day some off say that they are the city of Wiscordie, who being that day some off say that they are the cultonized saylors of the City of Wiscordie, owner of the that described in the Surveyor's certificate herein, and that the instrument was signed in behalf of between City of Wiscordie, by outbenty of 1st City Counce, and acknowledged the between 1 to be 1st valuntary out and deed



NOTES:

1. The "Stope and Utility Ensember!" recorded 28 March 1990 by Fee No. 90-11562 refers to Exhibit "A" for exampled no exampled mosted on the contenter of Breschman Read 14-77-11 of the comment of \$50-610 at 13 may had for Station 14-77-11 of the comment of \$50-610 at 13 may had for Station 14-77-11 of the comment of \$50-610 at 13 may had been compared to \$24-160 from Comment 1. Exhibit "A" contens to example only the Reschman Road centerful enforce the reference therefore the comment of the Reschman shown on this polit. Exhibit "A" dos contains an Exhibit was the season of sometiment and the respectively and the respective of the comment of the formation and therefore a not location to the right form the information provided.

This pile is isosted within the boundaries of the Urban Reneral Plan Neighbornood Development Project as revealed by instrument precised 12 Cetober 1990, Recorder's Fee No 90-001076. The Lemps and provided 10 his traphoment reversing the modified by nationant recorded 16 July 1991.

CITY OF WISONVILLE APPROVALS:

1999 Approved the 29TH day of Jish B.

My 24 2me- 2 City of Wilsonville Planning Director Approved this 29th 60y of June

City of Wilsonville Community Davelopment Director 8, Com 45, Ocha.

CLACKAMAS COUNTY APPROVALS

25 60y 01 5 was Approved this __

Dockamas County Surveyor

All taxes, fees, assessments or other charges as provided by O R. S. 92 095 have been poid through Dun. 30

Row Endo 1
Gockames County Assessed and Tax Collector Jun 30 Cm lifted

and Williams By Deputy Crai Fares

State of Oregon
State of Clackamas
Ss State of Oregon

on the factor carilly that the attached partition plat was received for record on the factor cay of June. . . 1899 or June. and recorded in the County Derk Records

John Kauffman Cockens County Box

By My Liosal Lyline

(Sheet 2 of 2

RVEYOR'S CERTIFICATE

kecood A (New I) Organ Registered Proleadord and Surveyor No. 1817.

Part of the Commission of the Com

Beganing at the hillid Pohlt, a 5/8-high from rebor with a yebor picatte, an inchined TULA MC on the North Ties of soid Lot 18 at 6 BRINGE 18 35, WHORETTS, and and rebor being South 01'46' of the North Ties of 18 at 18 at

old tract containing 1,5443 ocres.

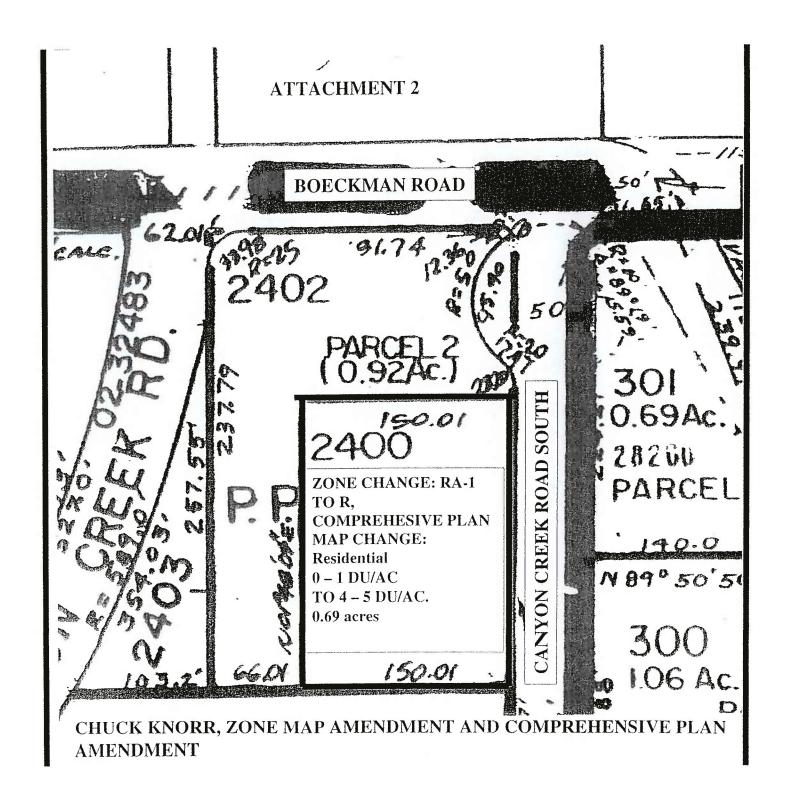
tby certify that the occompanying plat occurately depicts the above back track, is drown to accor and all points are manamented in accordance propon Survey Low

144 [1] Hallel 25 for 1999 for A British P L S. No. 1437 Inchust Done 97132 (303) 538-5500

LLONARD H. HOPEL ENCWAL DATE 12/31/2000 PROFESSIONAL LAND SURVEYOR

y certify that this tracing is an capy of the original portition plat.

ACULA I. HARLE 29 three 1929 to bright Prise 1437 to Dream 2014 to Dream 2700



BEFORE THE CITY COUNCIL OF THE CITY OF WILSONVILLE, OREGON

In the Matter of the Application of)	
SFA Design Group, LLC, acting as agent for		
the applicant,)	
for a Rezoning of Land and Amendment of)	ZONING ORDER DB07-0008
the City of Wilsonville Zoning Map)	
Incorporated in Section 4.102 of the)	
Wilsonville Code.)	

The above-entitled matter is before the Council to consider the application of *SFA Design Group, LLC*, acting as agent for the applicant, *Mr. Chuck Knorr*, for a Zone Map Amendment and an order amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

It appears to the Council that the property, which is the subject of this application, is described as follows: Tax Lot 2400 in Section 13B, T3S R1W, Clackamas County, Wilsonville, Oregon, and such property has heretofore appeared on the Wilsonville Zoning Map as *Residential Agricultural – Holding (RA-H)*.

The Council having heard and considered all matters relevant to the application, including the Development Review Board record and recommendation, finds that the application should be approved, and it is therefore,

ORDERED that approximately 0.69 acres of Tax Lot 2400 in Section 13B, T3S R1W, Wilsonville, Clackamas County, Oregon, more particularly described in Attachment 1 to this order, is hereby rezoned to *Residential (R)*, and such rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 2nd day of July, 2007.

CHARLOTTE LEHAN, MAYOR

APPROVED AS TO FORM.

Michael E. Kohlhoff, City Attorney

ATTEST:

Sandra C. King, MMC, City Recorder

Attachment 1 Legal Description

Attachment 2: Map depicting zone change and comprehensive map change