



Oregon

Theodore R. Kubongoski, Governor

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

06/02/2014

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Wilsonville Plan Amendment
DLCD File Number 004-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, June 17, 2014

This amendment was not submitted to DLCD for review prior to adoption pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

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 Acknowledgment or 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 above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Daniel Pauly, City of Wilsonville
Gordon Howard, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE 004-14
(20381)
File No.: [17882]
Received: 5/27/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Wilsonville

Local file no.: **DB14-0004**

Date of adoption: May 19, 2014

Date sent: May 27, 2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): March 6, 2014

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Daniel Pauly AICP, Associate Planner

Phone: 503-682-4960

E-mail: pauly@ci.wilsonville.or.us

Street address: 29799 SW Town Center Loop E

City: Wilsonville

Zip: 97070

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Rezone land from PF (Public Facility) to V (Village) concurrently with other required land use approvals to develop a single-family subdivision and parks. Comprehensive Plan designates land as Residential-Village, for which (V) Village is the only zoning option for this comprehensive plan designation at time of development.

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from PF (Public Facility)	to V (Village)	Acres: 42.76
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 3S 1W 15 TL 2800 & 2890 29500 SW Grahams Ferry Rd.

List affected state or federal agencies, local governments and special districts: See attached list

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Any supplemental information that may be useful to inform DLCD or members of the public of the effect of the actual change

ORDINANCE NO. 741

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE PUBLIC FACILITY (PF) ZONE TO THE VILLAGE (V) ZONE ON APPROXIMATELY 42.76 - ACRES COMPRISING TAX LOTS 2800 AND 2890 OF SECTION 15, T3S, R1W, CLACKAMAS COUNTY, OREGON, POLYGON NORTHWEST COMPANY, APPLICANT.

RECITALS

WHEREAS, Polygon Northwest Company (“Applicant”) has made a development application requesting, among other things, a Zone Map Amendment of the Property; and

WHEREAS, the development application form has been signed by Northwest Wilsonville Properties LLC (“Owner”), as owner of the real property legally described and shown on Exhibits A and B, attached hereto and incorporated by reference herein (“Property”); and

WHEREAS, the City of Wilsonville Planning Staff analyzed the request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on April 14, 2014;

WHEREAS, the Development Review Board Panel 'A' held a public hearing on the application for a Zone Map Amendment on April 14, 2014, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 275 which recommends that the City Council approve a request for a Zone Map Amendment (Case File DB14-0004), adopts the staff report with modified findings and recommendation, all as placed on the record at the hearing, certain of which are contingent on City Council approval of the Zone Map Amendment and authorizes the Planning Director to issue approvals to the Applicant consistent with the amended staff report, as adopted by DRB Panel A; and

WHEREAS, on May 5, 2014, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and

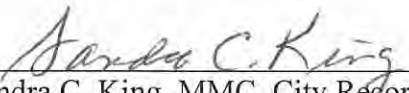
City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

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

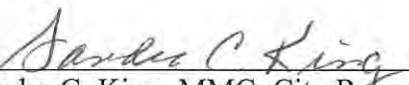
Section 1. Findings. The City Council adopts, as findings and conclusions, the forgoing Recitals and the Development Review Board staff report, as contained in the record of the above described DRB hearing and incorporates it by reference herein, as if fully set forth.

Section 2. Order. The official City of Wilsonville Zone Map is hereby amended by Zoning Order DB14-0004, attached hereto as Exhibit A, from the Public Facility (PF) Zone to the Village (V) Zone.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 5th day of May 2014, and scheduled for the second and final reading on May 19, 2014, 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 19th day of May, 2014, by the following votes:
Yes:4 No:-0-


Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this 20th day of May, 2014.


Tim Knapp, MAYOR

SUMMARY OF VOTES:

Mayor Knapp	Yes
Council President Starr	Yes
Councilor Goddard	Yes
Councilor Stevens	Yes
Councilor Fitzgerald	Excused

Attachments:

- Attachment A, Zoning Order DB14-0004.
- Attachment 1, Legal Description
- Attachment 2, Map Depicting Zone Amendment
- Attachment B Zone Map Amendment Findings, May 5, 2014.
- Attachment C DRB Resolution No. 275

EXHIBIT A

**BEFORE THE CITY COUNCIL OF
THE CITY OF WILSONVILLE,
OREGON POLYGON NORTHWEST
COMPANY**

In the Matter of the Application of)
Pacific Community Design, Inc., Agent)
for the Applicant, Polygon Northwest)
Company for a Rezoning of Land)
And Amendment of the City of Wilsonville)
Zoning Map Incorporated in)
Section 4.102 of the Wilsonville Code.)

ZONING ORDER DB14-0004

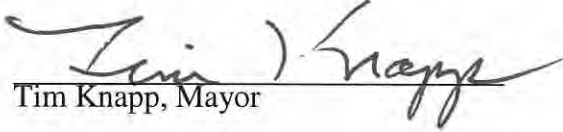
The above-entitled matter is before the Council to consider the application of DB14-0004, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached Exhibits 1 and 2, has heretofore appeared on the City of Wilsonville Zoning Map as Public Facility (PF).

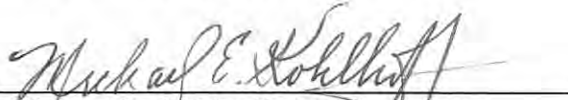
The Council having heard and considered all matters relevant to the application for a zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 42.76 acres comprising Tax Lots 2800 and 2890 of Section 15, as more particularly shown in the Zone Map Amendment Map, Attachment 2 and described in Attachment 1 is hereby rezoned to Village (V), subject to conditions detailed in this Order’s adopting Ordinance. The foregoing 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 19th day of May, 2014.


Tim Knapp, 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 Map Amendment



EXHIBIT "A"

July 9, 2013

LEGAL DESCRIPTION
Zone Change

Job No. 395-021

A tract of land in the Southwest quarter of Section 15 and the Southeast quarter of Section 16, Township 3 South, Range 1 West of the Willamette Meridian, in the City of Wilsonville, County of Clackamas and the State of Oregon, described as follows:

BEGINNING at the southwest corner of the plat of "Arbor Villebois No. 4";

thence along the southerly plat boundary line of "Arbor Villebois No. 4", South $88^{\circ}18'41''$ East, a distance of 804.79 feet to the northwest corner of Lot 181 of "Arbor Villebois No. 3";

thence along the westerly plat boundary line of "Arbor Villebois No. 3", South $01^{\circ}13'44''$ West, a distance of 603.57 feet to the southwest corner of the plat of "Arbor Villebois No. 3";

thence leaving said plat boundary line, South $02^{\circ}51'59''$ West, a distance of 744.00 feet;

thence South $75^{\circ}44'45''$ West, a distance of 266.08 feet;

thence South $75^{\circ}20'01''$ West, a distance of 969.44 feet;

thence North $64^{\circ}57'40''$ West, a distance of 323.02 feet;

thence North $45^{\circ}06'47''$ West, a distance of 256.11 feet to a point on the easterly right-of-way line of SW Grahams Ferry Road;

thence along said easterly right-of-way line, on a 2894.79 foot radius non-tangential curve, concave northwesterly, with a radius point bearing North $44^{\circ}41'37''$ West, arc length of 355.76 feet, central angle of $07^{\circ}02'29''$, chord bearing of North $41^{\circ}47'08''$ East, and chord distance of 355.53 feet to a point of tangency;

thence continuing along said easterly right-of-way line, North $38^{\circ}15'53''$ East, a distance of 678.81 feet to a point of tangential curvature;

thence continuing along said easterly right-of-way line, on a 1175.92 foot radius tangential curve to the left, arc length of 426.78 feet, central angle of $20^{\circ}47'40''$, chord bearing of North $27^{\circ}52'03''$ East, and chord distance of 424.44 feet to a point of tangency;

thence continuing along said easterly right-of-way line, North 17°27'18" East, a distance of 199.63 feet to the POINT OF BEGINNING.

Containing 42.75 acres, more or less.

Basis of bearings per plat of "Arbor Villebois No. 4",
Clackamas County Survey Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2015

115-2001-395-2
Drawing: 108 Survey: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100
Drawing: 108 Survey: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100
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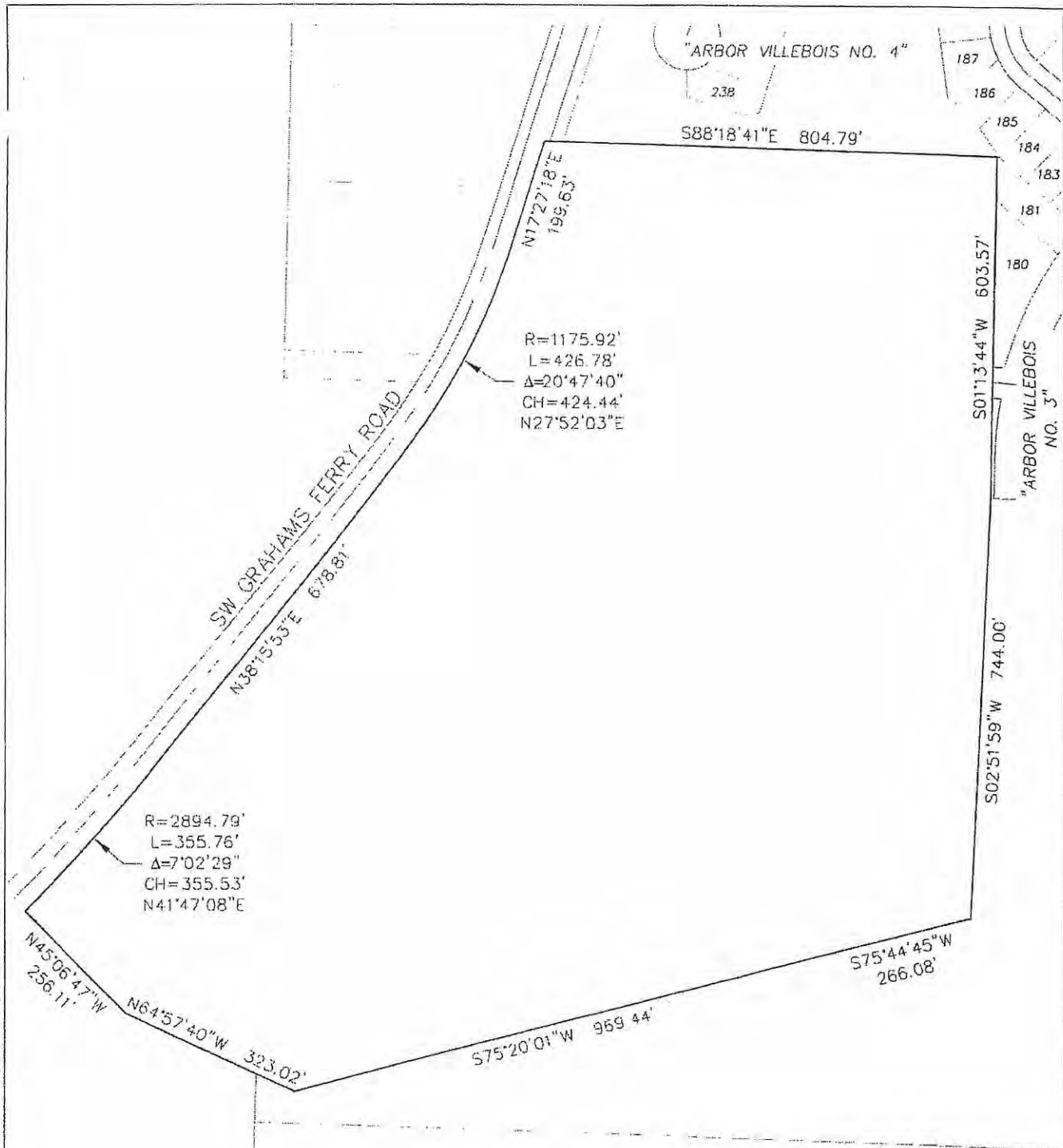


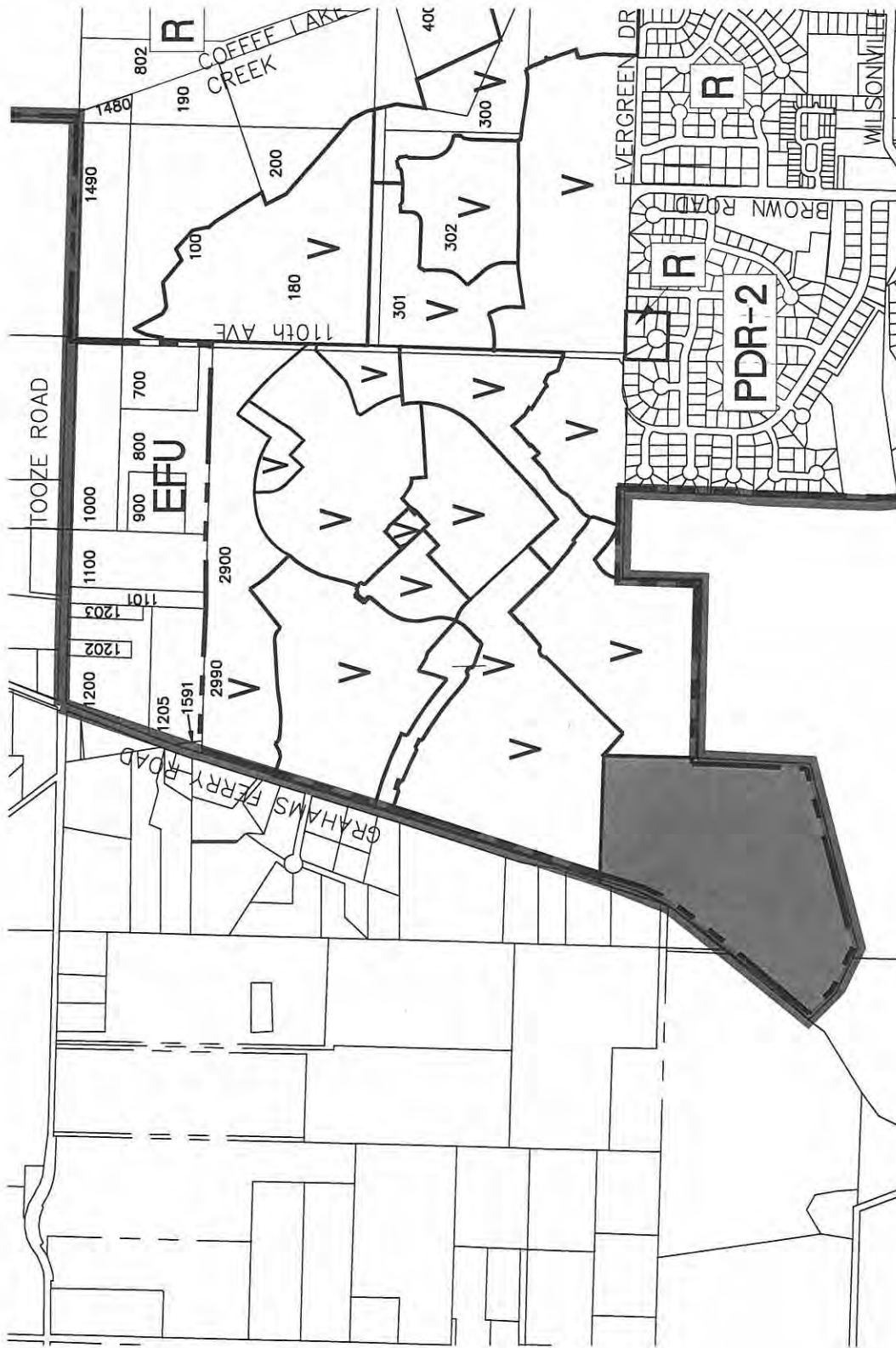
EXHIBIT "A"



DRAWN BY: CLL DATE: 7/9/13
REVIEWED BY: TCJ DATE: 7/9/13
PROJECT NO.: 395-021
SCALE: 1" = 250'
PAGE 3 OF 3


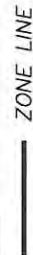
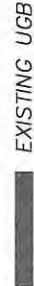


12564 SW Main St
Tigard, OR 97223
[T] 503-941-9484
[F] 503-941-9485



1" = 1000'

LEGEND

-  SUBJECT AREA - PROPOSED VILLAGE (V) ZONE (42.76 AC)
-  ZONE LINE
-  EXISTING UGB
-  EXISTING CITY BOUNDARY
- PF** EXISTING ZONING DESIGNATION

PROPOSED ZONE MAP
AMENDMENT

Exhibit B
STAFF REPORT
WILSONVILLE PLANNING DIVISION

Polygon Northwest Company
“Grande Pointe at Villebois”
Zone map amendment

CITY COUNCIL
QUASI-JUDICIAL PUBLIC HEARING

HEARING DATE May 5, 2014

DATE OF REPORT April 28, 2014

APPLICATION NOS.: DB14-0004 Zone Map Amendment

REQUEST/SUMMARY: The City Council is being asked to review a Zone Map Amendment that will enable the development of a 100-lot residential subdivision, and associated parks and open space and other improvements.

LOCATION: 29500 SW Grahams Ferry Road. East side of road ¼ miles south of SW Tooze Road. Southwest of current Villebois development, northwest of Graham Oaks Nature Park.. The property is specifically known as Tax Lots 2800 and 2890, Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.

PROPERTY OWNER: Bo Oswald, Northwest Wilsonville Properties LLC

APPLICANT: Fred Gast, Polygon NW Company

APPLICANT’S REP.: Stacy Connery AICP, Pacific Community Design, Inc.

COMPREHENSIVE PLAN MAP DESIGNATION: Residential-Village

ZONE MAP CLASSIFICATIONS: PF (Public Facility)

STAFF REVIEWERS: Daniel Pauly AICP, Associate Planner

DRB RECOMMENDATIONS: Approve the requested Zone Map Amendment.

APPLICABLE REVIEW CRITERIA

DEVELOPMENT CODE	
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 4.033	Authority of City Council

Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.125	V-Village Zone
Sections 4.139.00 through 4.139.11 as applicable	Significant Resource Overlay Zone (SROZ)
Section 4.177	Street Improvement Standards
Section 4.197	Zone Changes and Amendments to Development Code-Procedures
COMPREHENSIVE PLAN	
Implementation Measure 4.1.6.a.	
Implementation Measure 4.1.6.b.	
Implementation Measure 4.1.6.c.	
Implementation Measure 4.1.6.d.	
OTHER PLANNING DOCUMENTS	
Comprehensive Plan	
Villebois Village Master Plan	
SAP South Approval Documents	

Vicinity Map

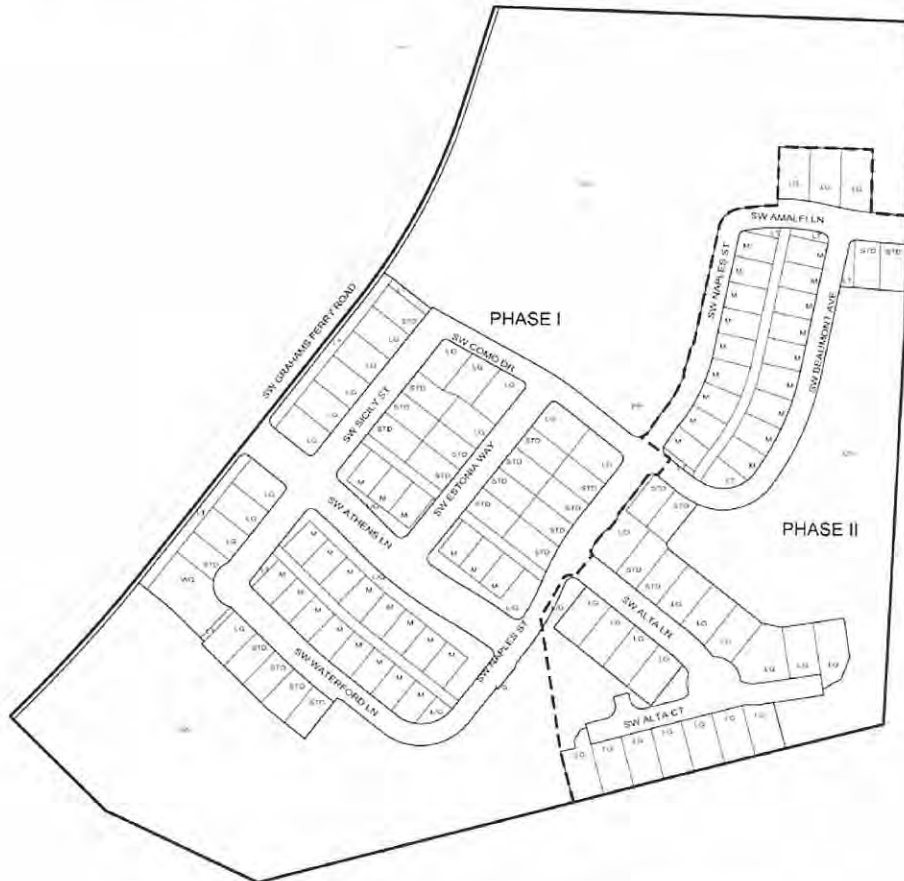


BACKGROUND/SUMMARY:

PDP 7S Preliminary Development Plan (DB14-0003)

The proposed Preliminary Development Plan 7 of Specific Area Plan South (also known as Grande Pointe at Villebois) comprises 42.76 acres. The applicant proposes a variety of larger single-family housing types totaling 100 units, 24.06 acres of parks and open space, 6.83 acres of public streets, and associated infrastructure improvements. The front of all the houses will face

tree lined streets, parks and green spaces. The applicant plans on building the project in two phases, Phase I being 56 homes in the western portion of the project, Pocket Park 16 and the northern and southern open space, and Phase II being 44 homes on the eastern portion of the project and the remaining open space and linear greens.



Proposed Housing Type	Number of Units
Large Size Single Family	35
Standard Size Single Family	25
Medium Size Single Family	40
Total	100

Zone Map Amendment (DB14-0004)

The zoning proposal is to change the current PF zone, a remnant of the former uses, to the Village (V) zone. The proposed residential and park uses are permitted in the Village zone. The Village zone has been applied to all of Villebois as it has developed.

CONCLUSION AND CONDITIONS OF APPROVAL:

Staff and the DRB have reviewed the applicant’s analysis of compliance with the applicable criteria. This Staff report adopts the applicant’s responses as Findings of Fact except as noted in the Findings.

FINDINGS OF FACT:

- 1. The statutory 120-day time limit applies to this application. The application was received on January 17, 2014. On February 13, 2014, staff conducted a completeness review within the statutorily allowed 30-day review period, and, on February 21, 2014, the Applicant submitted new materials. On February 26, 2014 the application was deemed complete. The City must render a final decision for the request, including any appeals, by June 26, 2014.

- 2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	V	Single-family residential
East:	V	Single-family residential/ Graham Oaks Nature Park
South:	PF/V	Graham Oaks Nature Park
West:	--	Unincorporated Rural Residential

- 3. Prior land use actions include:

Legislative:

- 02PC06 - Villebois Village Concept Plan
- 02PC07A - Villebois Comprehensive Plan Text
- 02PC07C - Villebois Comprehensive Plan Map
- 02PC07B - Villebois Village Master Plan
- 02PC08 - Village Zone Text
- 04PC02 – Adopted Villebois Village Master Plan
- LP-2005-02-00006 – Revised Villebois Village Master Plan
- LP-2005-12-00012 – Revised Villebois Village Master Plan (Parks and Recreation)
- LP10-0001 – Amendment to Villebois Village Master Plan (School Relocation from SAP North to SAP East)
- LP13-0005 – Amendment to Villebois Village Master Plan (Future Study Area)

Quasi-Judicial:

- 03DB21 - SAP-South

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

GENERAL INFORMATION

Section 4.008 Application Procedures-In General

Review Criteria: This section lists general application procedures applicable to a number of types of land use applications and also lists unique features of Wilsonville's development review process.

Finding: These criteria are met.

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

Section 4.009 Who May Initiate Application

Review Criterion: "Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply."

Finding: This criterion is satisfied.

Explanation of Finding: The application has been submitted on behalf of contract purchaser Polygon Homes, and is signed by Bo Oswald, an authorized member of the current owner, Northwest Wilsonville Properties, LLC.

Subsection 4.010 (.02) Pre-Application Conference

Review Criteria: This section lists the pre-application process

Finding: These criteria are satisfied.

Explanation of Finding: A pre-application conference was held on May 2, 2013 in accordance with this subsection.

Subsection 4.011 (.02) B. Lien Payment before Application Approval

Review Criterion: "City Council Resolution No. 796 precludes the approval of any development application without the prior payment of all applicable City liens for the subject property. Applicants shall be encouraged to contact the City Finance Department to verify that there are no outstanding liens. If the Planning Director is advised of outstanding liens while an application is under consideration, the Director shall advise the applicant that payments must be made current or the existence of liens will necessitate denial of the application."

Finding: This criterion is satisfied.

Explanation of Finding: No applicable liens exist for the subject property. The application can thus move forward.

Subsection 4.035 (.04) A. General Site Development Permit Submission Requirements

Review Criteria: "An application for a Site Development Permit shall consist of the materials specified as follows, plus any other materials required by this Code." Listed 1. through 6. j.

Finding: These criteria are satisfied.

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

Section 4.110 Zoning-Generally

Review Criteria: “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.” “The General Regulations listed in Sections 4.150 through 4.199 shall apply to all zones unless the text indicates otherwise.”

Finding: These criteria are satisfied.

Explanation of Finding: This proposed development is in conformity with the Village zoning district and general development regulations listed in Sections 4.150 through 4.199 have been applied in accordance with this Section.

CONCLUSIONARY FINDINGS, REQUEST C: DB14-0004 ZONE MAP AMENDMENT

Comprehensive Plan

Compact Urban Development-Implementation Measures

Implementation Measure 4.1.6.a

1. **Review Criteria:** “Development in the “Residential-Village” Map area shall be directed by the Villebois Village Concept Plan (depicting the general character of proposed land uses, transportation, natural resources, public facilities, and infrastructure strategies), and subject to relevant Policies and Implementation Measures in the Comprehensive Plan; and implemented in accordance with the Villebois Village Master Plan, the “Village” Zone District, and any other provisions of the Wilsonville Planning and Land Development Ordinance that may be applicable.”

Finding: These criteria are satisfied.

Explanation of Finding: Development in this area is being guided by all the listed plans and codes.

Implementation Measure 4.1.6.b.

2. **Review Criteria:** This implementation measure identifies the elements the Villebois Village Master Plan must contain.

Finding: These criteria are not applicable

Explanation of Finding: The concurrent proposal for a preliminary development plan implements the procedures as outlined by the Villebois Village Master Plan, as previously approved.

Implementation Measure 4.1.6.c.

3. **Review Criterion:** “The “Village” Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation.”

Finding: This criterion is satisfied.

Explanation of Finding: The Village Zone zoning district is being applied to an area designated as Residential-Village in the Comprehensive Plan.

Implementation Measure 4.1.6.d.

4. **Review Criterion:** “The “Village” Zone District shall allow a wide range of uses that befit and support an “urban village,” including conversion of existing structures in the core area to provide flexibility for changing needs of service, institutional, governmental and employment uses.”

Finding: This criterion is satisfied.

Explanation of Finding: The area covered by the proposed zone change is proposed for residential uses, parks and open space, and sanitary sewer lift station as shown in the Villebois Village Master Plan.

Planning and Land Development Ordinance

Section 4.029 Zoning to be Consistent with Comprehensive Plan

5. **Review Criterion:** “If a development, other than a short-term temporary use, is proposed on a parcel or lot which is not zoned in accordance with the Comprehensive Plan, the applicant must receive approval of a zone change prior to, or concurrently with the approval of an application for a Planned Development.”

Finding: This criterion is satisfied.

Explanation of Finding: The applicant is applying for a zone change concurrently with a Preliminary Development Plan, which is equivalent to a Stage II Final Plan for a planned development.

Subsection 4.110 (.01) Base Zones

6. **Review Criterion:** This subsection identifies the base zones established for the City, including the Village Zone.

Finding: This criterion is satisfied.

Explanation of Finding: The requested zoning designation of Village “V” is among the base zones identified in this subsection.

Subsection 4.125 (.01) Village Zone Purpose

7. **Review Criteria:** “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.”

Finding: These criteria are satisfied.

Explanation of Finding: The subject lands are designated Residential-Village on the Comprehensive Plan map and are within the Villebois Village Master Plan area and the zoning designation thus being applied is the Village “V”.

Subsection 4.125 (.02) Village Zone Permitted Uses

8. **Review Criteria:** This subsection lists the uses permitted in the Village Zone.

Finding: These criteria are satisfied.

Explanation of Finding: The proposed residential, park and open space, and utility uses are consistent with the Village Zone designation and Villebois Village Master Plan.

Subsection 4.125 (.18) B. 2. Zone Change Concurrent with PDP Approval

9. **Review Criterion:** “... Application for a zone change shall be made concurrently with an application for PDP approval...”

Finding: This criterion is satisfied.

Explanation of Finding: A zone map amendment is being requested concurrently with a request for PDP approval. See Request B.

Subsection 4.197 (.02) Zone Change Review

Subsection 4.197 (.02) A. Zone Change Procedures

10. **Review Criteria:** “That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125(.18)(B)(2), or, in the case of a Planned Development, Section 4.140;”

Finding: These criteria are satisfied.

Explanation of Finding: The request for a zone map amendment has been submitted as set forth in the applicable code sections.

Subsection 4.197 (.02) B. Zone Change: Conformance with Comprehensive Plan Map, etc.

11. **Review Criteria:** “That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text;”

Finding: These criteria are satisfied.

Explanation of Finding: The proposed zone map amendment is consistent with the Comprehensive Map designation of Residential-Village and as shown in Findings C1 through C4 comply with applicable Comprehensive Plan text.

Subsection 4.197 (.02) C. Zone Change: Specific Findings Regarding Residential Designated Lands

12. **Review Criteria:** “In the event that the subject property, or any portion thereof, is designated as “Residential” on the City’s Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measure 4.1.4.b, d, e, q, and x of Wilsonville’s Comprehensive Plan text;”

Finding: These criteria are satisfied.

Explanation of Finding: Implementation Measure 4.1.6.c. states the “Village” Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation. Since the Village Zone must be applied to areas designated “Residential Village” on the Comprehensive Plan Map and is the only zone that may be applied to these areas, its application is consistent with the Comprehensive Plan.

Subsection 4.197 (.02) D. Zone Change: Public Facility Concurrency

13. **Review Criteria:** “That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized.”

Finding: These criteria are satisfied.

Explanation of Finding: The Preliminary Development Plan compliance report and the plan sheets demonstrate that the existing primary public facilities are available or can be

provided in conjunction with the project. Section IIC of the applicant's notebook, Exhibit B3, includes supporting utility and drainage reports. In addition, the applicant has provided a Traffic Impact Analysis, which is in Section IID of the applicant's notebook, Exhibit B3.

Subsection 4.197 (.02) E. Zone Change: Impact on SROZ Areas

14. **Review Criteria:** "That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/ or geologic hazard are located on or about the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone;"
- Finding:** These criteria are satisfied.
- Explanation of Finding:** A portion of the subject property is within the SROZ. Request G is reviewing SROZ regulations and ensuring the development does not have a significant adverse effect on natural resources. The proposed development is being focused on areas of the site previously disturbed by the development.

Subsection 4.197 (.02) F. Zone Change: Development within 2 Years

15. **Review Criterion:** "That the applicant is committed to a development schedule demonstrating that the development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change."
- Finding:** This criterion is satisfied.
- Explanation of Finding:** The applicant has provided information stating they reasonably expect to commence development within two (2) years of the approval of the zone change, beginning construction in 2014. However, in the scenario where the applicant or their successors due not commence development within two (2) years allow related land use approvals to expire, the zone change shall remain in effect.

Subsection 4.197 (.02) G. Zone Change: Development Standards and Conditions of Approval

16. **Review Criteria:** "That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached to insure that the project development substantially conforms to the applicable development standards."
- Finding:** These criteria are satisfied.
- Explanation of Finding:** As can be found in the findings for the accompanying requests, the applicable development standards will be met either as proposed or as a condition of approval.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 275**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL OF A ZONE MAP AMENDMENT FROM PUBLIC FACILITIES (PF) TO VILLAGE (V) AND ADOPTING FINDINGS AND CONDITIONS APPROVING AN AMENDMENT TO SAP SOUTH TO ADD PLAN AREA 2, A PRELIMINARY DEVELOPMENT PLAN FOR SAP-SOUTH PDP-7, A TENTATIVE SUBDIVISION PLAT, A TYPE C TREE PLAN, A FINAL DEVELOPMENT PLAN FOR PARKS AND OPEN SPACE, A SROZ MAP REFINEMENT, A SRIR REVIEW AND A SROZ BOUNDARY VERIFICATION FOR A 100-LOT SINGLE FAMILY SUBDIVISION IN VILLEBOIS AND ASSOCIATED IMPROVEMENTS. THE SUBJECT SITE IS LOCATED AT 29500 SW GRAHAMS FERRY ROAD ON TAX LOTS 2800 AND 2890, OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. STACY CONNERY, AICP, PACIFIC COMMUNITY DESIGN, INC. – REPRESENTATIVE FOR FRED GAST, POLYGON NW COMPANY- APPLICANT.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated April 7, 2014, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on April 14, 2014, at which time exhibits, together with findings and public testimony were entered into the public record, and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated April 7, 2014, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations, subject to City Council approval of the Zone Map Amendment Request (DB14-0004) as applicable, for:

DB14-0002, DB14-0003, DB14-0005 through DB14-0007, and SI14-0002 SAP Amendment, Preliminary Development Plan, Tentative Subdivision Plat, Type C Tree Plan, Final Development Plan, SROZ Map Refinement, Significant Resource Impact Report Review, and SROZ Boundary Verification for a 100-lot single-family residential subdivision, and associated parks and open space and other improvements..

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 14th day of April, 2014 and filed with the Planning Administrative Assistant on April 17, 2014. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.


Mary Fierres Bower Chair, Panel A
Wilsonville Development Review Board

Attest:


Shelley White, Planning Administrative Assistant



29799 SW Town Center Loop East
Wilsonville, OR 97070
Phone 503-682-0411
Fax 503-682-1015
TDD 503-682-0843
Web www.ci.wilsonville.or.us

**WILSONVILLE CITY COUNCIL
NOTICE OF DECISION
ORDINANCE NO. 741**

FILE NO: ORDINANCE NO. 741

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Public Facility (Pf) Zone To The Village (V) Zone On Approximately 42.76 - Acres Comprising Tax Lots 2800 And 2890 Of Section 15, T3S, R1W, Clackamas County, Oregon, Polygon Northwest Company, Applicant.

APPLICANT: Polygon Northwest Company

After conducting a public hearing on May 5, 2014 and second reading on May 19, 2014 the City Council voted to adopt Ordinance No. 741 as submitted and adopted findings and conclusions to support their action.

This decision has been finalized in written form as Ordinance No. 741, An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Public Facility (Pf) Zone To The Village (V) Zone On Approximately 42.76 - Acres Comprising Tax Lots 2800 And 2890 Of Section 15, T3S, R1W, Clackamas County, Oregon, Polygon Northwest Company, Applicant.

And placed on file in the city records at the Wilsonville City Hall the 21st day of May, 2014, and is available for public inspection. The date of filing is the date of decision. Any appeal(s) must be filed with the Land Use Board of Appeals (LUBA) in accordance with ORS Chapter 197, within twenty-one days from the date of decision. Copies of may be obtained from the City Recorder, 29799 SW Town Center Loop East, Wilsonville, OR 97070, (503) 570-1506, or via email at king@ci.wilsonville.or.us

For further information, please contact the Wilsonville Planning Division, City Hall, 29799 SW Town Center Loop East, Wilsonville, OR 97070 or telephone (503) 682-4960.

Affected State or Federal Agencies, Local Governments or Special Districts

Name	Company	Address	City	State	Zip
Columbia Cable of Oregon		14200 SW Brigadoon Ct.	Beaverton	OR	97005
Tualatin Valley Water District		1850 SW 170 th Ave.	Beaverton	OR	97005-4211
Planning Director	City of Sherwood	22560 SW Pine Street	Sherwood	OR	97140
City Planner	City of Canby	182 N. Holly	Canby	OR	97013
Mike McCallister	Clackamas Cty Planning Manager	150 Beaver creek Road	Oregon City	OR	97045
William Graffi	Unified Sewerage Agency	155 N. First Avenue, Room 270	Hillsboro	OR	97124
Andy Back	Wash. County Long Range Planning	155 N. First Avenue	Hillsboro	OR	97124
Wendy Buck	Portland General Electric	121 SW Salmon 1 WTC3	Portland	OR	97204
Shelley Fenton	BPA, Realty Department	PO Box 3621	Portland	OR	97208
Tom Simpson	NW Natural Gas	220 NW 2nd Avenue	Portland	OR	97209
Ryan Truair	NW Natural Gas	19200 SW Teton Ave	Tualatin	OR	97062
Ben Baldwin	Tri-Met Project Planning Dept	4012 SE 17th Avenue	Portland	OR	97202
Oregon Dept of Environ Quality		811 SW Sixth Avenue	Portland	OR	97204
Ray Valone	Metro	600 NE Grand Avenue	Portland	OR	97232
Caleb Winter	Metro	600 NE Grand Avenue	Portland	OR	97232
Brian Harper	Metro	600 NE Grand Avenue	Portland	OR	97232
Manager, Community Development	Metro Growth Management Services	600 NE Grand Avenue	Portland	OR	97232
Attn: Development Review	ODOT	123 NW Flanders Street	Portland	OR	97209
Gail Curtis	ODOT, Region 1	123 NW Flanders Street	Portland	OR	97209
Marah Danielson	ODOT, Region 1	123 NW Flanders Street	Portland	OR	97209
Lidwien Rahman	ODOT, Region 1	123 NW Flanders Street	Portland	OR	97209
Jane Estes	ODOT Region 2A	6000 SW Raab Road	Portland	OR	97221
John Lilly	Department of State Lands	775 Summer Street, NE	Salem	OR	97301-1279
Richard Ross	Department of Corrections	2575 Center Street NE	Salem	OR	97310
Bobbi Burton	Community Coordinator, Facilities Division	2575 Center Street, NE	Salem	OR	97310
Bill Ferber, Region Manager	Oregon Water Resources Department	725 Summer Street, NE, Suite A	Salem	OR	97301
Sherwood School Dist Admin Office		23295 SW Main Street	Sherwood	OR	97140
Aquilla Hurd-Ravich	City of Tualatin	18880 SW Martinazzi Avenue	Tualatin	OR	97062

Bill Rhoades	West Linn/Wilsonville School District 3JT	22210 SW Stafford Rd.	Tualatin	OR	97062
Saskia Dresler	West Linn/Wilsonville School District 3JT	22210 SW Stafford Rd.	Tualatin	OR	97062
Brian Tietsort	United Disposal Services	10295 SW Ridder Road	Wilsonville	OR	97070
Brian Moore	Portland General Electric	9540 SW Boeckman Road	Wilsonville	OR	97070
Tualatin Valley Fire and Rescue	South Division	7401 SW Washo Court	Tualatin	OR	97062-8350
Tualatin Valley Fire and Rescue		29875 SW Kinsman Road	Wilsonville	OR	97070



PLANNING DIVISION

FAX: (503) 682-7025

(503) 570-1575

swhite@ci.wilsonville.or.us

Delivery via Email

Letter of Transmittal

TO: Attention: Plan Amendment Specialist

FROM: Shelley White

Department of Land Conservation & Development

Administrative Assistant

635 Capitol Street NE, Suite 150

DATE: May 27, 2014

Salem, Oregon 97301-2540

WE ARE TRANSMITTING THE FOLLOWING:

- DLCD Notice of Adoption for Zone Map Amendment for Grande Pointe at Villebois, with the following attachments:
 - Wilsonville City Council Notice of Decision, Ordinance 741
 - Ordinance 741, including Zoning Order DB14-0004 and supporting documents
 - List of affected agencies