

ORDINANCE NO. 569

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM EXCLUSIVE FARM USE (EFU) ZONE ON APPROXIMATELY 49 ACRES TO RESIDENTIAL AGRICULTURE – HOLDING (RA-H) ZONE ON TAX LOT 1490 OF SECTION 10, T3S-R1W AND TAX LOT 100 (northerly 1000 feet only) OF SECTION 15, T3S-R1W, WILSONVILLE, CLACKAMAS COUNTY, OREGON, AND DECLARING AN EMERGENCY. CITY OF WILSONVILLE, APPLICANT.

WHEREAS, the City of Wilsonville has requested a Zone Map Amendment of the property depicted in Attachment 1; and

WHEREAS, the Wilsonville Planning Staff analyzed the request and prepared a staff report, with conditions, to the Development Review Board dated June 11, 2004 wherein they reported that the request is consistent with and meets requirements for approval of a Zone Map Amendment; and

WHEREAS, the Development Review Board Panel 'A' held a public hearing on this request on June 14, 2004, and after taking testimony, gave full consideration to the matter and recommended approval of the request; and

WHEREAS, the Wilsonville Planning Staff prepared a supplemental staff report to City Council (Attachment 2) dated July 12, 2004; and

WHEREAS, the Wilsonville City Council on July 19, 2004, held a public hearing regarding the above described matter, took testimony, and, upon deliberation, concluded that the proposed Zone Map Amendment meets the approval criteria.

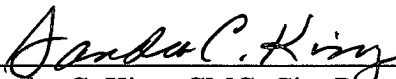
NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council adopts as findings and conclusions those documents labeled (Attachment 2) and (Attachment 3), attached hereto.

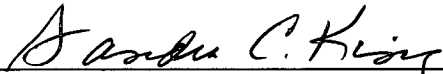
Section 2. Order. The official City of Wilsonville Zone Map is hereby amended in Zoning Order 04DB08B, attached hereto, from *Exclusive Farm Use (EFU)* zone to *Residential Agriculture - Holding (RA-H)* zone of Tax Lot 1490 of Section 10, T3S-R1W and Tax Lot 100 (northerly 1000 feet only) of Section 15, T3S, R1W, Wilsonville, Clackamas County, Oregon, depicted on the attached map (Attachment 1).

Section 3. Effective Date. The City Council hereby determines that the City of Wilsonville's timeline of construction of the Boeckman Road extension that would traverse the subject property, the time sensitive acquisition and the construction financing commitments, and the public benefits resulting from application of this legislation to pending applications and potential development within the remaining construction season, and the legal necessity that this Zone Change be effective prior to necessary development approvals, operate to make time of the essence. As such, an emergency exists and it is in the public interest that this Ordinance shall take effect immediately upon final reading and passage by the Council.

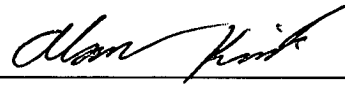
SUBMITTED to the Wilsonville City Council and read the first time at a regular meeting thereof on the 19th day of July, 2004, commencing at the hour of 7 p.m. at the Wilsonville Community Center, 7965 SW Wilsonville Road, Wilsonville, OR and scheduled for second reading on July 20, 2004 at the Wilsonville City Hall at 5:30 p.m.


Sandra C. King, CMC, City Recorder

ENACTED by the City Council on the 20th day of July, 2004, by the following votes:
Yes - 3 No - 0


Sandra C. King, CMC, City Recorder

DATED and signed by the City Council President this 20th day of July 2004.



Alan Kirk, City Council President

SUMMARY OF VOTES:

Mayor Lehan	Excused
Council President Kirk	Yes
Councilor Holt	Yes
Councilor Scott-Tabb	Excused
Councilor Knapp	Yes

**BEFORE THE CITY COUNCIL OF THE
CITY OF WILSONVILLE, OREGON**

In the Matter of the Application of)
City of Wilsonville)
for a rezoning of land and amendment of) **ZONING ORDER 04DB08B**
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 City of Wilsonville, 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 1490 of Section 10, T3S-R1W and Tax Lot 100 (northerly 1000 feet only) of Section 15, T3S-R1W, Wilsonville, Clackamas County, Oregon. Such property has heretofore appeared on the Clackamas County Zoning Map as *Exclusive Farm Use (EFU)*.

The Council has 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 49 acres of Tax Lot 1490 of Section 10, T3S-R1W and Tax Lot 100 (northerly 1000 feet only) of Section 15, T3S-R1W, Wilsonville, Clackamas County, Oregon, more particularly described in Attachment 1 to this order, is hereby rezoned to *Residential Agriculture – Holding (RA-H)* and such rezoning is hereby declared an amendment

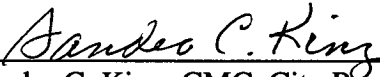
to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 20th day of July 2004.



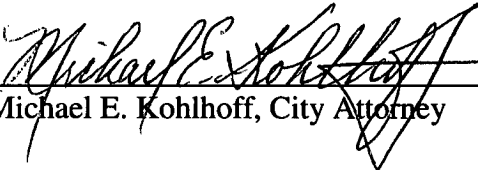
Alan Kirk, City Council President

ATTEST:



Sandra C. King, CMC, City Recorder

APPROVED AS TO FORM:



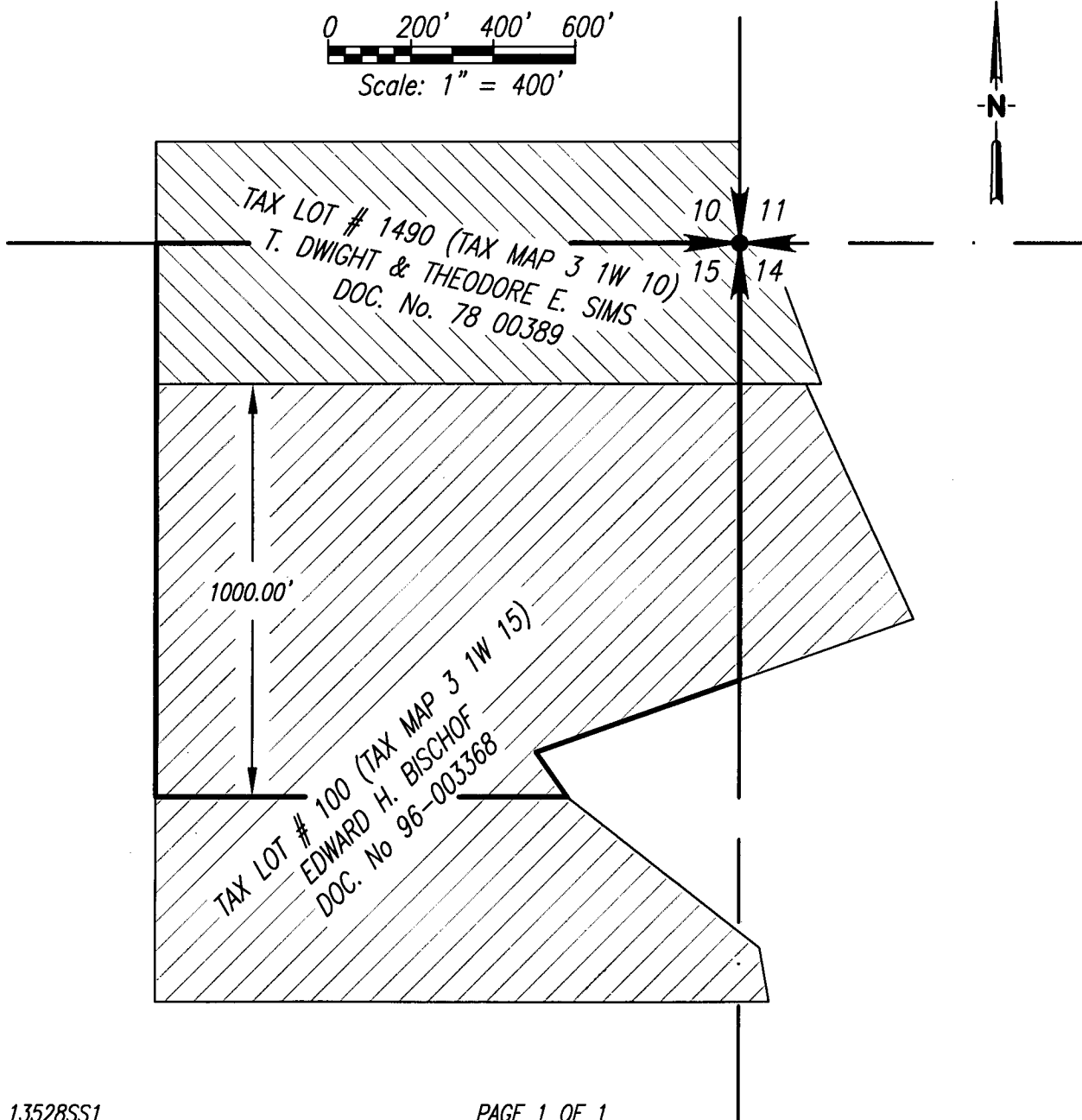
Michael E. Kohlhoff, City Attorney

MacKay & Sposito, Inc.



ENGINEERS SURVEYORS PLANNERS
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(360) 695-3411 (503) 289-6726 PTLD FAX (360) 695-0833

SKETCH SHOWING APPROXIMATE LOCATION OF THAT PARCEL CONVEYED TO T. DWIGHT & THEODORE E. SIMS BY WARRANTY DEED RECORDED UNDER DOC. No. 78 00389, RECORDS OF CLACKAMAS COUNTY, LYING WITHIN SECTION 15, T3S, R1W, OF THE WILLAMETTE MERIDIAN, TOGETHER WITH NORTH 1,000 FEET OF THAT PARCEL CONVEYED TO EDWARD H. BISCHOF BY DEED RECORDED UNDER DOC. No. 96-003368, RECORDS OF SAID COUNTY, LYING WITHIN SAID SECTION 15, CLACKAMAS COUNTY, OREGON, JULY, 2004



PLANNING DIVISION STAFF REPORT

Date of Report: July 12, 2004
Hearing Date: July 19, 2004
To: Honorable Mayor and City Council
Application No.: 04DB08B
Owners: Donald E. Bischof, Sharon L. Lund, Dwight and Theodore Simms
Applicant: Eldon Johansen for the City of Wilsonville
Staff Reviewer: Blaise Edmonds, Manager of Current Planning

SUMMARY: The City of Wilsonville is seeking approval of Zone Map Amendment from the Clackamas County Exclusive Farm Use (EFU) Zone to the City of Wilsonville Residential Agriculture–Holding Zone (RA-H) Zone for approximately 49 acres. This is a City initiated request. The property is generally bounded on the north by the City Urban Growth Boundary, west by 110th Avenue, south by the remainder of Tax Lot 100 (Northerly 1000 feet only), Section 15, T3S-R1W, and east by the current City western boundary; specifically, those properties identified in (Attachment 1).

RECOMMENDATION: The Development Review Board recommended that the City Council approve the requested Zone Map Amendment, to designate approximately 49 acres as RA-H on the Official City of Wilsonville Zone Map. Attachment 1 identifies the physical area of the request and the affected property owners.

BACKGROUND: The City has amended the Wilsonville Comprehensive Plan to include the Villebois Village Concept Plan and the Villebois Village Master Plan applicable to the former 520- acre Dammasch Hospital site located within the Metro Urban Growth Boundary. Planning Files 02PC07A (Ordinance No 553) authorized a new implementing Plan Map designation, “Residential-Village.” Ordinance No. 557 adopted a newly created “Village” Zone to implement the Plan designation of Residential-Village. The properties subject to this rezoning application are included in the Concept Plan, the Master Plan and the Residential-Village designation.

The City of Wilsonville is seeking approval of Zone Map Amendment from the Clackamas County Exclusive Farm Use (EFU) Zone to the City of Wilsonville Village Residential Agriculture–Holding Zone for the subject property. The Comprehensive Plan Map designation is Village Residential. The RA-H Zone is intended to serve as a holding zone to preserve the future urban level development potential as undeveloped property

designated for more intensive development. This zone has been applied to all urbanizable properties within the city which are planned for development and which have not previously received development approval in accordance with the Comprehensive Plan, and in this case, the Villebois Village Master Plan.

CRITERIA:

Wilsonville Comprehensive Plan: Policy 2.2.1 (Urbanization);
Villebois Village Concept Plan; Villebois Village Master Plan,
 Residential-Village Designation. Implementation Measures 4.1.4.a
 through 4.1.4dd: Residential Development.

Planning and Land Development Ordinance:

Section 4.008: Application Procedures in General;

Section 4.000: Who May Initiate Applications

Section 4.012: Public Hearing Notices;

Section 4.013: Hearing Procedures;

Section 4.029: Zoning to be Consistent with Comprehensive Plan;

Section 4.031: Authority of the Development Review Board

Section 4.120 RA-H Zone;

Significant Resource Overlay Zone (SROZ) Ordinance;

Section 4.197: Zone Changes and Amendments.

LAND USE: Wilsonville Comprehensive Plan Map Designations: “Residential Village.”

ZONING: Wilsonville Zone Map Classifications: Clackamas County Zone Map Classification: “Exclusive Farm Use” (EFU).

OWNERS:

Name	Address	Description
Donald E. Bischof, Sharon L. Lund	16300 SW 192 nd Av Sherwood OR 97140	Section 15 3S 1W Lot 100 First 1000 feet
Dwight and Theodore Simms	522 SW 5 th 1110 Yeon Bldg Portland, OR 97204	Section 10 3S1W Lot 1490

The RA-H zone designation is to be applied to the following properties:

Name	Address	Description
Donald E. Bischoff, Sharon L. Lund	16300 SW 192 nd Av Sherwood OR 97140	Section 15 3S 1W Lot 100
Dwight and Theodore Simms	522 SW 5 th 1110 Yeon Bldg Portland, OR 97204	Section 10 3S1W Lot 1490

FINDINGS

These Findings are derived from the review of applicable City, Metro, and State land use requirements for the proposed Zone Map amendment. It reviews the appropriate sections of the supporting documentation for this application (Villebois Concept Plan, Villebois Village Master Plan, revised Comprehensive Plan policies, amended Comprehensive Plan Map (Residential-Village designation) and RA-H Zone. It finds the proposed Zone Map amendment complements and is consistent with the support documents.

Policy 2.2.1 (Urbanization)

The City of Wilsonville shall plan for the eventual urbanization of land within the local planning area, beginning with land within the Urban Growth Boundary.

Finding A-1. The Villebois Village Concept Plan and the Villebois Village Master Plan are urbanization plans for an area that is underdeveloped, on land that is within the City's Urban Growth Boundary. Application is for the proposed RA-H zone, which is a holding zone under Section 4.120WC until such time as owners or their agents submit applications for development approvals and zone change consistent with the Concept and Master Plans. This Policy has been met.

Wilsonville Comprehensive Plan and Plan Map

Finding A-2. Planning File 02PC07A replaced Area of Special Concern B with text, policy and implementing measures to implement the Residential-Village Comprehensive Plan designation for the approximately 482 acres of the former Dammasch Hospital site. The City Council then adopted a Village zone to implement the Plan designation of Residential-village. The proposed Zone Map amendment to RA-H is an interim zoning designation as directed by the Comprehensive Plan and Development Code until such time as the owners or their agents apply for development approvals and zone change from RA-H to Village zone.

**SECTION B
WILSONVILLE PLANNING AND LAND DEVELOPMENT ORDINANCE**

ZONE MAP AMENDMENT

The proposed Zone Map amendment would change the zoning from the Clackamas County EFU Zone Map Classification to the City of Wilsonville "Residential Agriculture-Holding" zone. Sections 4.120 and 4.197 of the Development Code is intended to serve as a procedure to evaluate the conversion of urbanizeable land to urban land consistent with the Comprehensive Plan. Because service levels vary throughout the City, the zoning process allows for a case-by-case analysis of the availability of public facilities and services and determination of specific conditions related to needed public facilities improvements. All land development proposals are reviewed for conformity with the Comprehensive Plan and specific standards set forth in the zoning ordinance. As set forth in Subsection 4.197.02 of the Wilsonville Code, the Development Review Board must at a minimum, adopt findings addressing Criteria A-G of this subsection in recommending approval or denial of a proposed zone map amendment. The purpose of the RA-H Zone is set forth in the 4.120 of the WC.

Criterion 'A': *Compliance of Application with Section 4.197 of the Development Code.*

1. Finding: The application included findings (Exhibit D) documenting compliance with the criteria of WC 4.197. This staff report reviews the findings submitted by the applicant and evaluates compliance with the Development Code's criteria for the zone map amendment, which meets Criterion A.

Criterion 'B': *Application Consistent with Applicable Plan Map and Text.*

2. Finding: The requested zoning map amendment is consistent with the direction of the Comprehensive Plan and Development Code for interim zoning map amendments not accompanied by development applications. This application is initiated only to facilitate the design and construction of Boeckman Road Extension. No other development is proposed. This criterion is met.

Criterion 'C': **.Comprehensive Plan – Residential Development**

Implementation Measure 4.1.4.b, d, q, and x: *Variety of Housing Types; Adequate Public Facilities.*

3. Finding: The subject application is proposing rezoning the land into the RA-H holding zone until such time it is rezoned to the Village Zone at the request of the owners or their agents. Any development application must be consistent with the approved Villebois Village Master Plan, which includes over 2300 units representing a wide range of housing types. No manufactured or mobile homes are included in the Master Plan. A Finance and Development Agreement for the provision of adequate public services has been approved for properties in Villebois west of 110th Avenue. Similar documents are

being negotiated for properties east of 110th Avenue within Villebois, including these properties. This implementation measure is met.

Criterion D: Public Facilities and Services

4. Finding: A Finance and Development Agreement for the provision of adequate public facilities and services has been approved for properties in Villebois west of 110th Avenue. Similar documents are being negotiated for properties east of 110th Avenue within Villebois, including these properties. This implementation measure is met.

Criterion E: Significant Natural Resources

5. Finding: Both parcels are located either wholly or partially in the SROZ zone. The potential alignment of the Boeckman Road Extension on these properties is undergoing a formal Environmental Assessment (EA) for ODOT and the Federal Highway Administration.

Included in the goals of the EA are:

- Preserve natural resources, including Coffee Lake Creek wetlands complex to the extent practicable
- Provide a context-sensitive design that accounts for the existing natural resources and aesthetics, as well as the planned uses of the area.
- Accommodate multiple modes of travel, including bicyclists, pedestrians and transit service.

Seven preliminary alignments were initially considered. A set of screening criteria was applied to the seven alternatives, reducing the possible alignments to be analyzed in detail to two alternatives plus the no-build option. The initial criteria included evaluation of the areas of the City's SROZ and floodplains included in the various alignments.

The draft EA then presents a detailed analysis of the Affected Environment and Environmental Consequences including analysis of geology and soils, land use, plants and wildlife, water resources and wetlands. The April 2004 draft Environmental Analysis states, on page 6, that:

" A major design consideration in development of the two build alternatives was the crossing of the Coffee Lake Creek wetlands complex. For each of the alternatives, multiple options for crossing Coffee Lake Creek were developed and evaluated. The primary considerations in development of the Coffee Lake Creek wetlands complex crossing were:

- *Hydraulics – The crossing of Coffee Lake Creek and its floodplain should not encroach on the regulatory floodplain and (should) result in no rise or a negligible rise in the 100 year floodplain.*
- *Wildlife – the crossing should allow the passing of wildlife.*

- *Wetlands – the crossing should minimize, to the extent practicable, fill in wetlands in the project area.*
- *Cost – Total conceptual costs of alternatives should be within the project’s programmed budget.”*

The draft EA is being reviewed by the affected agencies and partners. Following the finalization of the EA, an alignment will be chosen and preliminary engineering begun. This criterion has been met.

Criterion ‘F’: *Development Schedule – Development to Commence within Two Years of Initial Approval of Zone Change*

6. Finding: Construction on the Boeckman Road Extension is scheduled to begin in early summer 2005. The owners and their agents are expected to submit application for East SAP, PDP, Zone Change to Village zone and subdivision later this summer with development occurring as soon a practicable following approvals. This code criterion is met.

Criterion ‘G’: *Compliance of Development with Applicable Development Standards.*

7. Finding: This application is for a Zoning Map amendment only. No development, other than the Boeckman Road Extension, is proposed. The application meets all applicable criteria.

Subsection 4.197(.03): *If affirmative findings cannot be made for all applicable criteria listed above the Planning Commission or Development Review Board shall recommend that the proposed text or map amendment, as the case may be, be denied.*

8. Finding: Staff has made affirmative findings for subsection 4.197(.02)(A-G) above. Staff is also recommending conditions of approval for the Zone Map amendment to ensure compliance with the subject code criteria.

Subsection 4.197(.04): *City Council action approving a change in zoning shall be in the form of a Zoning Order.*

9. Finding: Staff is recommending approval of the proposed Zone Map amendment, with conditions of approval. A City Council Zoning Order will be required prior to development.

Subsection 4.197(.05): *Conditions of Approval Completed before Zone Change.*

10. Finding: Again, staff is recommending approval of the proposed Zone Map amendment, with conditions of approval. A City Council Zoning Order will be required prior to development.

This part of the staff report addresses the Wilsonville Planning and Land Development Ordinance. Staff finds that the following sections apply: Wilsonville Code Sections 4.008-4.020, 4.032(.01)(B), 4.033(.01), and 4.197(A through G).

Sections 4.008-4.020: These Sections contain procedures to be followed for hearing an quasi-judicial application.

11. Finding: All appropriate and required procedures have been followed and carried out for developing and hearing this quasi-judicial proposal by the Planning Commission. The application complies with these applicable Wilsonville Code Sections.

Section 4.031(.01): This Section states that the Development Review Board has authority to make recommendations to the City Council on legislative changes to, or adoption of new elements or sub-elements of the Comprehensive Plan.

12. Finding: The Development Review Board has the authority to recommend the proposed quasi-judicial change to the Official Zone Map. The standard is met.

Section 4.033(.01)(B): This Section states that the City Council has final decision-making authority on applications for amendments to, or adoption of new elements or sub-elements to the maps or text of the Comprehensive Plan, as authorized in Section 4.198.

13. Finding: The Development Review Board is not making a final decision but is making a recommendation on a proposed Zone Map amendment to the City Council for final decision. The standard is met.

14. Finding: The proposed Zone Map amendment facilitates the implementation of the Villebois Village Concept Plan (and subsequent Master Plan as required by the Concept Plan). The findings and conclusions in Planning File 02PC06A demonstrated that the Concept Plan met a public need that has been identified. The application complies with this subsection.

SECTION C STATEWIDE PLANNING GOALS

15. Finding: The request complies with applicable Statewide Planning Goals based on the following responses:

GOAL 1-CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

RESPONSE TO GOAL 1: The City's existing Comprehensive Plan and implementing regulations are in compliance with Goal 1 by providing a comprehensive public process for development and application of all land use regulations. The proposal for rezoning does not alter those provisions and the City's regulations therefore remain in compliance with Goal 1. The formal Zone Map amendment process includes duly noticed public hearings.

GOAL 2: LAND USE PLANNING PART I -- PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

RESPONSE TO GOAL 2: The City is currently in compliance with Goal 2 because it has an acknowledged Comprehensive Plan and regulations implementing the plan. The Zone Map amendment is being processed consistently with the planning policies in the Comprehensive Plan. Rezoning will allow implementation of the Villebois Village Master Plan, which is consistent with Goal 2 because it creates a more specific plan for a portion of the City that provides additional guidance for future regulations. Implementation of the Villebois Village Master Plan also would keep the City current on its planning obligation for this developing area.

GOAL 3: AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

RESPONSE TO GOAL 3: The area to be rezoned includes agricultural land. The Zone Map amendment would be consistent with the goal because it would concentrate development on lands within an existing UGB, where development should occur to avoid impacts on agricultural lands.

GOAL 4: FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

RESPONSE TO GOAL 4: The area to be rezoned does not include any forestlands, so this goal does not apply. If the goal applied, the annexation would be consistent with the Goal by concentrating development within an existing UGB and away from forestlands.

GOAL 5: NATURAL RESOURCES' SCENIC AND HISTORIC AREAS, AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.

RESPONSE TO GOAL 5: The City is already in compliance with Goal 5 as to all required inventories. The Zone Map amendment will allow implementation of the Villebois Village Master Plan' which is consistent with applicable Comprehensive Plan policies regarding natural resources, scenic and historic areas, and open spaces. The Villebois Village Master Plan furthers and is in compliance with Goal 5 by protecting the natural resources identified within the Plan Area and by protecting and providing scenic areas and large amounts of open space.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

RESPONSE TO GOAL 6: The City's Comprehensive Plan has been acknowledged as being in compliance with Goal 6. The Zone Map amendment will allow implementation of the Villebois Village Master Plan, which is consistent with the air, water and land resources policies of the Comprehensive Plan. The Village Master Plan will protect water and land resources by providing protection for natural resource areas and limiting development to areas that have less impact on natural resources. The Villebois Village Master Plan does not propose any lots within the 100-year floodplain. The Plan also calls for measures to use environmentally sensitive techniques for storm drainage. The Plan provides for a mixed-use compact, interconnected "Village" that will provide transportation benefits by reducing the need for lengthy vehicle trips and increase the opportunity for bicycle and pedestrian transportation. The Zone Map amendment would further implement a plan that furthers the purposes of Goal 6. The Zone Map amendment also is in compliance with Goal 6 by allowing development to occur within the UGB, thereby reducing potential impacts on valuable resources outside the

GOAL 7 AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

To protect life and property from natural disasters and hazards.

RESPONSE TO GOAL 7: The City's Comprehensive Plan is acknowledged to be in compliance with this Goal~ Annexation would allow implementation of the Villebois Village Master Plan, which is consistent with Comprehensive Plan policies. Rezoning by

itself will not result in any development in violation of this Goal. The Villebois Village Master Plan does not call for any lots within the 100-year floodplain, thereby substantially reducing the amount of development that can occur within floodplains. Any development that does occur within floodplains (parks' paths, roads) will be appropriate and take into account the need to not increase flood hazards. The Plan calls for appropriate storm drainage that will protect from soil stability problems associated with heavy rainfall.

GOAL 8: RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

The Destination Resort provisions of this Goal are not applicable.

GOAL 9: ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

RESPONSE TO GOAL 9: The Comprehensive Plan has been acknowledged to be consistent with Goal 9; and the proposed Zone Map amendment is consistent with Comprehensive Plan economic development policies. The Zone Map amendment furthers economic development by providing additional area for housing that will address the current imbalance between jobs and housing. Rezoning also will allow implementation of the Villebois Village Master Plan, which calls for a vibrant mixed-use development that will include commercial development as well as residential development.

GOAL 10: HOUSING

To provide for the housing needs of citizens of the state.

RESPONSE TO GOAL 10: The Comprehensive Plan has been acknowledged to be consistent with Goal 10, and the proposed Zone Map amendment is consistent with Comprehensive Plan. The City currently does not have sufficient housing to meet the demands created by employment within the City, and rezoning will provide areas for residential development. The Zone Map amendment will allow implementation of the Villebois Village Master Plan, which meets an identified need to provide more housing to improve the balance between housing and employment and to rectify a lack of housing for the Jobs provided in the City. The Village Master Plan complies with Goal 7 by providing for substantial amounts of residential development of various types and costs.

GOAL 11: PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

RESPONSE TO GOAL 11: The Comprehensive Plan has been acknowledged to be consistent with Goal 11 and the proposed Zone Map amendment is consistent with Comprehensive Plan. Rezoning will allow Implementation of the Villebois Village Master Plan, which proposes to coordinate development with the development of the public facility infrastructure in the area. The Plan complies with this goal by providing a plan for development that is coordinated with the plan for providing public services in the area.

GOAL 12: TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

RESPONSE TO GOAL 12: The Zone Map amendment would allow Implementation of the Villebois Village Master Plan, which complies with Goal 12 by providing incorporating a plan for transportation system development for the Village that is Integrated with the transportation system in the City and surrounding area. The Village Master Plan also complies with this goal by providing a compact mixed-use development that will allow the number of vehicle trips to be reduced and the length of trips shortened by bringing commercial and employment uses within walking and bicycling distance of residential development.

GOAL 13 ENERGY CONSERVATION

To conserve energy.

RESPONSE TO GOAL 13: The Comprehensive P/an has been acknowledged to be consistent with Goal 13, and the proposed Zone Map amendment is consistent with the Comprehensive Plan. Rezoning would allow implementation of the Villebois Village Master Plan, which provides for a compact mixed-use development that will conserve energy by reducing the amount of and length of vehicle trips by making bicycle and pedestrian transportation viable alternatives for many trips. The Village Master Plan also provides for a substantial number of energy-efficient smaller sized and attached residential units.

GOAL 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use.

RESPONSE TO GOAL 14: The Comprehensive Plan has been acknowledged to be consistent with Goal 14, and the proposed Zone Map amendment is consistent with the acknowledged Comprehensive Plan. Rezoning is proposed only of land that is already within the IJGB. Rezoning would allow implementation of the Villebois Village Master Plan, which complies with and furthers the intent of Goal 14 by providing a coordinated

plan for urbanization of the Village area that coordinates development of the area with development of public facilities, including the transportation system, and protects natural resources. The Village Master Plan provides more detailed plans for urbanizing an area already determined to be within the City's urban growth boundary.

GOAL 15 WILLAMETTE RIVER GREENWAY

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

RESPONSE TO GOAL 15: This Goal is not applicable to this proposed Zone Map amendment because the subject area is not within the Willamette River Greenway area.

GOAL 16: ESTUARINE RESOURCES

RESPONSE TO GOAL 16: This Goal is not applicable to this proposed Zone Map amendment because the subject area is not in or near an estuary.

GOAL 17: COASTAL SHORELANDS

RESPONSE TO GOAL 17: This Goal is not applicable to this proposed Zone Map amendment because the subject area is not in or near a coastal shoreland.

GOAL 18: BEACHES AND DUNES

RESPONSE TO GOAL 18: This Goal is not applicable to this proposed Zone Map amendment because the subject area being is not within a coastal beach or dune area.

GOAL 19: OCEAN RESOURCES

RESPONSE TO GOAL 19: This Goal is not applicable to this proposed Zone Map amendment because the subject area is not in or near the ocean.

SECTION D METRO URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

Wilsonville's planning programs are required to support Metro's 2040 Regional Framework Plan and the Functional Plan that was formally adopted by the Metro Council. The Functional Plan directs the region's urban growth and development. The regional policies of the Functional Plan are formulated from, and are consistent with, the Regional Urban Growth Goals and Objectives, including the Metro 2040 Growth Concept. The overall principles of the Greenspaces Master Plan are also incorporated in the Functional Plan.

- 16. Finding:** Planning File 02PC07A (Ordinance 553) amended the Wilsonville Comprehensive plan by adding enabling language for the *Villebois Village Concept Plan* (an ancillary City document) and the subject properties has the associated enabling Comprehensive Plan Map designation. The various sections (Titles) more readily address regional issues and concerns. Within the process established by the City for review of Villebois Village, and in consultation with Metro, the analysis of compliance with the Metro Functional Plan was more appropriate for the adopted Villebois Village Master Plan (Planning File 02PC07B). Consequently, Metro Functional Plan Analysis will not be done for this Zone Map amendment.

Oregon Revised Statute

ORS 426.508(3): *Sale of F. H. Dammasch State Hospital; redevelopment of property; property reserved for community housing*

Redevelopment of the real property formerly occupied by the F. H. Dammasch State Hospital shall be consistent with Dammasch Area Transportation Efficient Land Use Plan developed by Clackamas County, the City of Wilsonville, the Oregon Department of Administrative Services, the Department of Land Conservation and Development, the Department of Transportation, the State Housing Council, the Mental Health and Developmental Disability Services Division, and the Division of State Lands.

- 17. Finding:** The Dammasch Area Transportation-Efficient Land Use Plan (DATELUP) was developed to interrelate the Dammasch Hospital site with the surrounding area covering a total of approximately 520 acres. This area was to become known as "Area of Special Concern B" in the City's Comprehensive Plan in 1996. Any development within Area B was required to conform to DATELUP, as it may be amended. The Villebois Village Concept Plan updates and refines DATELUP and becomes the concept plan for the area. Comprehensive text amendments (Planning File 02PC07A) and the proposed Plan Map amendment facilitate implementation of the Concept Plan and are consistent with its provisions. Therefore, the application is consistent with ORS 426.508.

CONCLUSIONARY FINDING: All efforts have been made to review the proposed Zone Map amendment for consistency with the applicable sections of the Wilsonville Comprehensive Plan and Zoning Code that might apply. The review has been coordinated with all affected bodies and agencies. The application has been duly considered and responded to through the public involvement and testimony process. The proposed Zone Map amendment furthers the City's responsibility to plan comprehensively for Area of Special Concern B in a manner that is responsive to a variety of factors identified in the Villebois Village Concept Plan. All state, regional, and local concerns have been accommodated to the best level possible and the Plan Map amendment meets all applicable criteria which staff feel apply at this time.

**ZONE MAP AMENDMENT
04DB08**

This action approves a Zone Map amendment of approximately 49 acres and the adjacent street right-of-ways (110th Avenue), described in the Exhibit "D" into the City of Wilsonville.

EXHIBITS

The following Exhibits are hereby entered into the public record by the Planning Commission as confirmation of its consideration of the application as submitted.

- | | |
|---------------|--|
| Attachment 1: | Map of area to be annexed |
| Attachment 2: | Legal Description |
| Attachment 3: | Staff Report to City Council dated July 12, 2004 |
| Attachment 4: | Development Review Board record and recommendation to City Council including DRB Resolution 04DB08(B) and Adopted Staff Report |

INDEX
ORDINANCE NO. 569 – CASE FILE 04B08(B) – CITY OF WILSONVILLE
ZONE MAP AMENDMENT

1. Draft Ordinance No. 569
2. Attachment 1: Map of area to be rezoned
3. Attachment 2: Staff Report to City Council dated July 12, 2004
4. Attachment 3: Development Review Board recommendation to City Council including DRB Resolution 04DB08(B) and Adopted Staff Report and exhibits.

ORDINANCE NO. 569

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM *EXCLUSIVE FARM USE (EFU)* ZONE ON APPROXIMATELY 49 ACRES TO *RESIDENTIAL AGRICULTURE – HOLDING (RA-H)* ZONE ON TAX LOT 1490 OF SECTION 10, T3S-R1W AND TAX LOT 100 (northerly 1000 feet only) OF SECTION 15, T3S-R1W, WILSONVILLE, CLACKAMAS COUNTY, OREGON, AND DECLARING AN EMERGENCY. CITY OF WILSONVILLE, APPLICANT.

WHEREAS, the City of Wilsonville has requested a Zone Map Amendment of the property depicted in Attachment 1; and

WHEREAS, the Wilsonville Planning Staff analyzed the request and prepared a staff report, with conditions, to the Development Review Board dated June 11, 2004 wherein they reported that the request is consistent with and meets requirements for approval of a Zone Map Amendment; and

WHEREAS, the Development Review Board Panel 'A' held a public hearing on this request on June 14, 2004, and after taking testimony, gave full consideration to the matter and recommended approval of the request; and

WHEREAS, the Wilsonville Planning Staff prepared a supplemental staff report to City Council (Attachment 2) dated July 12, 2004; and

WHEREAS, the Wilsonville City Council on July 19, 2004, held a public hearing regarding the above described matter, took testimony, and, upon deliberation, concluded that the proposed Zone Map Amendment meets the approval criteria.

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

Section 1. Findings. The City Council adopts as findings and conclusions those documents labeled (Attachment 2) and (Attachment 3), attached hereto.

Section 2. Order. The official City of Wilsonville Zone Map is hereby amended in Zoning Order 04DB08B, attached hereto, from *Exclusive Farm Use (EFU)* zone to *Residential Agriculture - Holding (RA-H)* zone of Tax Lot 1490 of Section 10, T3S-R1W and Tax Lot 100 (northerly 1000 feet only) of Section 15, T3S, R1W, Wilsonville, Clackamas County, Oregon, depicted on the attached map (Attachment 1).

Section 3. Effective Date. The City Council hereby determines that the City of Wilsonville's timeline of construction of the Boeckman Road extension that would traverse the subject property, the time sensitive acquisition and the construction financing commitments, and the public benefits resulting from application of this legislation to pending applications and potential development within the remaining construction season, and the legal necessity that this Zone Change be effective prior to necessary development approvals, operate to make time of the essence. As such, an emergency exists and it is in the public interest that this Ordinance shall take effect immediately upon final reading and passage by the Council.

SUBMITTED to the Wilsonville City Council and read the first time at a regular meeting thereof on the 19th day of July, 2004, commencing at the hour of 7 p.m. at the Wilsonville Community Center, 7965 SW Wilsonville Road, Wilsonville, OR.

Sandra C. King, CMC, City Recorder

ENACTED by the City Council on the 19th day of July, 2004, by the following

votes:

Sandra C. King, CMC, City Recorder

DATED and signed by the Mayor this 19th day of July 2004.

CHARLOTTE LEHAN, MAYOR

SUMMARY OF VOTES:

Yes: No:

**BEFORE THE CITY COUNCIL OF THE
CITY OF WILSONVILLE, OREGON**

In the Matter of the Application of)
City of Wilsonville)
for a rezoning of land and amendment of) **ZONING ORDER 04DB08B**
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 City of Wilsonville, 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 1490 of Section 10, T3S-R1W and Tax Lot 100 (northerly 1000 feet only) of Section 15, T3S-R1W, Wilsonville, Clackamas County, Oregon. Such property has heretofore appeared on the Clackamas County Zoning Map as *Exclusive Farm Use (EFU)*.

The Council has 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 49 acres of Tax Lot 1490 of Section 10, T3S-R1W and Tax Lot 100 (northerly 1000 feet only) of Section 15, T3S-R1W, Wilsonville, Clackamas County, Oregon, more particularly described in Attachment 1 to this order, is hereby rezoned to *Residential Agriculture – Holding (RA-H)* 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 19th day of July 2004.

CHARLOTTE LEHAN, MAYOR

ATTEST:

Sandra C. King, CMC, City Recorder

APPROVED AS TO FORM:

Michael E. Kohlhoff, City Attorney

PLANNING DIVISION STAFF REPORT

Date of Report: July 12, 2004
Hearing Date: July 19, 2004
To: Honorable Mayor and City Council
Application No.: 04DB08B
Owners: Donald E. Bischof, Sharon L. Lund, Dwight and Theodore Simms
Applicant: Eldon Johansen for the City of Wilsonville
Staff Reviewer: Blaise Edmonds, Manager of Current Planning

SUMMARY: The City of Wilsonville is seeking approval of Zone Map Amendment from the Clackamas County Exclusive Farm Use (EFU) Zone to the City of Wilsonville Residential Agriculture–Holding Zone (RA-H) Zone for Approximately 49 acres. This is a City initiated request. The property is generally bounded on the north by the City Urban Growth Boundary, west by 110th Avenue, south by the remainder of Tax Lot 100 (Northerly 1000 feet only), Section 15, T3S-R1W, and east by the current City western boundary; specifically, those properties identified in (Attachment 1).

RECOMMENDATION: The Development Review Board recommended that the City Council approve the requested Zone Map Amendment, to designate approximately 49 acres as RA-H on the Official City of Wilsonville Zone Map. Attachment 1 identifies the physical area of the request and the affected property owners.

BACKGROUND: The City has amended the Wilsonville Comprehensive Plan to include the Villebois Village Concept Plan and the Villebois Village Master Plan applicable to the former 520- acre Dammasch Hospital site located within the Metro Urban Growth Boundary. Planning Files 02PC07A (Ordinance No 553) authorized a new implementing Plan Map designation, “Residential-Village.” Ordinance No. 557 adopted a newly created “Village” Zone to implement the Plan designation of Residential-Village. The properties subject to this rezoning application are included in the Concept Plan, the Master Plan and the Residential-Village designation.

The City of Wilsonville is seeking approval of Zone Map Amendment from the Clackamas County Exclusive Farm Use (EFU) Zone to the City of Wilsonville Village Residential Agriculture–Holding Zone for the subject property. The Comprehensive Plan Map designation is Village Residential. The RA-H Zone is intended to serve as a holding zone to preserve the future urban level development potential as undeveloped property

designated for more intensive development. This zone has been applied to all urbanizable properties within the city which are planned for development and which have not previously received development approval in accordance with the Comprehensive Plan, and in this case, the Villebois Village Master Plan.

CRITERIA:

Wilsonville Comprehensive Plan: Policy 2.2.1 (Urbanization);
Villebois Village Concept Plan; Villebois Village Master Plan,
Residential-Village Designation. Implementation Measures 4.1.4.a
through 4.1.4dd: Residential Development.

Planning and Land Development Ordinance:

Section 4.008: Application Procedures in General;

Section 4.000: Who May Initiate Applications

Section 4.012: Public Hearing Notices;

Section 4.013: Hearing Procedures;

Section 4.029: Zoning to be Consistent with Comprehensive Plan;

Section 4.031: Authority of the Development Review Board

Section 4.120 RA-H Zone;

Significant Resource Overlay Zone (SROZ) Ordinance;

Section 4.197: Zone Changes and Amendments.

LAND USE: Wilsonville Comprehensive Plan Map Designations: "Residential Village."

ZONING: Wilsonville Zone Map Classifications: Clackamas County Zone Map Classification: "Exclusive Farm Use" (EFU).

OWNERS:

Name	Address	Description
Donald E. Bischof, Sharon L. Lund	16300 SW 192 nd Av Sherwood OR 97140	Section 15 3S 1W Lot 100 First 1000 feet
Dwight and Theodore Simms	522 SW 5 th 1110 Yeon Bldg Portland, OR 97204	Section 10 3S1W Lot 1490

The RA-H zone designation is to be applied to the following properties:

Name	Address	Description
Donald E. Bischoff, Sharon L. Lund	16300 SW 192 nd Av Sherwood OR 97140	Section 15 3S 1W Lot 100
Dwight and Theodore Simms	522 SW 5 th 1110 Yeon Bldg Portland, OR 97204	Section 10 3S1W Lot 1490

FINDINGS

These Findings are derived from the review of applicable City, Metro, and State land use requirements for the proposed Zone Map amendment. It reviews the appropriate sections of the supporting documentation for this application (Villebois Concept Plan, Villebois Village Master Plan, revised Comprehensive Plan policies, amended Comprehensive Plan Map (Residential-Village designation) and RA-H Zone. It finds the proposed Zone Map amendment complements and is consistent with the support documents.

Policy 2.2.1 (Urbanization)

The City of Wilsonville shall plan for the eventual urbanization of land within the local planning area, beginning with land within the Urban Growth Boundary.

Finding A-1. The Villebois Village Concept Plan and the Villebois Village Master Plan are urbanization plans for an area that is underdeveloped, on land that is within the City's Urban Growth Boundary. Application is for the proposed RA-H zone, which is a holding zone under Section 4.120WC until such time as owners or their agents submit applications for development approvals and zone change consistent with the Concept and Master Plans. This Policy has been met.

Wilsonville Comprehensive Plan and Plan Map

Finding A-2. Planning File 02PC07A replaced Area of Special Concern B with text, policy and implementing measures to implement the Residential-Village Comprehensive Plan designation for the approximately 482 acres of the former Dammasch Hospital site. The City Council then adopted a Village zone to implement the Plan designation of Residential-village. The proposed Zone Map amendment to RA-H is an interim zoning designation as directed by the Comprehensive Plan and Development Code until such time as the owners or their agents apply for development approvals and zone change from RA-H to Village zone.

SECTION B
WILSONVILLE PLANNING AND LAND DEVELOPMENT ORDINANCE

ZONE MAP AMENDMENT

The proposed Zone Map amendment would change the zoning from the Clackamas County EFU Zone Map Classification to the City of Wilsonville "Residential Agriculture-Holding" zone. Sections 4.120 and 4.197 of the Development Code is intended to serve as a procedure to evaluate the conversion of urbanizeable land to urban land consistent with the Comprehensive Plan. Because service levels vary throughout the City, the zoning process allows for a case-by-case analysis of the availability of public facilities and services and determination of specific conditions related to needed public facilities improvements. All land development proposals are reviewed for conformity with the Comprehensive Plan and specific standards set forth in the zoning ordinance. As set forth in Subsection 4.197.02 of the Wilsonville Code, the Development Review Board must at a minimum, adopt findings addressing Criteria A-G of this subsection in recommending approval or denial of a proposed zone map amendment. The purpose of the RA-H Zone is set forth in the 4.120 of the WC.

Criterion 'A': *Compliance of Application with Section 4.197 of the Development Code.*

1. Finding: The application included findings (Exhibit D) documenting compliance with the criteria of WC 4.197. This staff report reviews the findings submitted by the applicant and evaluates compliance with the Development Code's criteria for the zone map amendment, which meets Criterion A.

Criterion 'B': *Application Consistent with Applicable Plan Map and Text.*

2. Finding: The requested zoning map amendment is consistent with the direction of the Comprehensive Plan and Development Code for interim zoning map amendments not accompanied by development applications. This application is initiated only to facilitate the design and construction of Boeckman Road Extension. No other development is proposed. This criterion is met.

Criterion 'C': .Comprehensive Plan – Residential Development

Implementation Measure 4.1.4.b, d, q, and x: *Variety of Housing Types; Adequate Public Facilities.*

3. Finding: The subject application is proposing rezoning the land into the RA-H holding zone until such time it is rezoned to the Village Zone at the request of the owners or their agents. Any development application must be consistent with the approved Villebois Village Master Plan, which includes over 2300 units representing a wide range of housing types. No manufactured or mobile homes are included in the Master Plan. A Finance and Development Agreement for the provision of adequate public services has been approved for properties in Villebois west of 110th Avenue. Similar documents are

being negotiated for properties east of 110th Avenue within Villebois, including these properties. This implementation measure is met.

Criterion D: Public Facilities and Services

4. **Finding:** A Finance and Development Agreement for the provision of adequate public facilities and services has been approved for properties in Villebois west of 110th Avenue. Similar documents are being negotiated for properties east of 110th Avenue within Villebois, including these properties. This implementation measure is met.

Criterion E: Significant Natural Resources

5. **Finding:** Both parcels are located either wholly or partially in the SROZ zone. The potential alignment of the Boeckman Road Extension on these properties is undergoing a formal Environmental Assessment (EA) for ODOT and the Federal Highway Administration.

Included in the goals of the EA are:

- Preserve natural resources, including Coffee Lake Creek wetlands complex to the extent practicable
- Provide a context-sensitive design that accounts for the existing natural resources and aesthetics, as well as the planned uses of the area.
- Accommodate multiple modes of travel, including bicyclists, pedestrians and transit service.

Seven preliminary alignments were initially considered. A set of screening criteria was applied to the seven alternatives, reducing the possible alignments to be analyzed in detail to two alternatives plus the no-build option. The initial criteria included evaluation of the areas of the City's SROZ and floodplains included in the various alignments.

The draft EA then presents a detailed analysis of the Affected Environment and Environmental Consequences including analysis of geology and soils, land use, plants and wildlife, water resources and wetlands. The April 2004 draft Environmental Analysis states, on page 6, that:

“ A major design consideration in development of the two build alternatives was the crossing of the Coffee Lake Creek wetlands complex. For each of the alternatives, multiple options for crossing Coffee Lake Creek were developed and evaluated. The primary considerations in development of the Coffee Lake Creek wetlands complex crossing were:

- *Hydraulics – The crossing of Coffee Lake Creek and its floodplain should not encroach on the regulatory floodplain and (should) result in no rise or a negligible rise in the 100 year floodplain.*
- *Wildlife – the crossing should allow the passing of wildlife.*

- *Wetlands – the crossing should minimize, to the extent practicable, fill in wetlands in the project area.*
- *Cost – Total conceptual costs of alternatives should be within the project's programmed budget."*

The draft EA is being reviewed by the affected agencies and partners. Following the finalization of the EA, an alignment will be chosen and preliminary engineering begun. This criterion has been met.

Criterion 'F': *Development Schedule – Development to Commence within Two Years of Initial Approval of Zone Change*

6. Finding: Construction on the Boeckman Road Extension is scheduled to begin in early summer 2005. The owners and their agents are expected to submit application for East SAP, PDP, Zone Change to Village zone and subdivision later this summer with development occurring as soon a practicable following approvals. This code criterion is met.

Criterion 'G': *Compliance of Development with Applicable Development Standards.*

7. Finding: This application is for a Zoning Map amendment only. No development, other than the Boeckman Road Extension, is proposed. The application meets all applicable criteria.

Subsection 4.197(.03): *If affirmative findings cannot be made for all applicable criteria listed above the Planning Commission or Development Review Board shall recommend that the proposed text or map amendment, as the case may be, be denied.*

8. Finding: Staff has made affirmative findings for subsection 4.197(.02)(A-G) above. Staff is also recommending conditions of approval for the Zone Map amendment to ensure compliance with the subject code criteria.

Subsection 4.197(.04): *City Council action approving a change in zoning shall be in the form of a Zoning Order.*

9. Finding: Staff is recommending approval of the proposed Zone Map amendment, with conditions of approval. A City Council Zoning Order will be required prior to development.

Subsection 4.197(.05): *Conditions of Approval Completed before Zone Change.*

10. Finding: Again, staff is recommending approval of the proposed Zone Map amendment, with conditions of approval. A City Council Zoning Order will be required prior to development.

This part of the staff report addresses the Wilsonville Planning and Land Development Ordinance. Staff finds that the following sections apply: Wilsonville Code Sections 4.008-4.020, 4.032(.01)(B), 4.033(.01), and 4.197(A through G).

Sections 4.008-4.020: These Sections contain procedures to be followed for hearing an quasi-judicial application.

11. Finding: All appropriate and required procedures have been followed and carried out for developing and hearing this quasi-judicial proposal by the Planning Commission. The application complies with these applicable Wilsonville Code Sections.

Section 4.031(.01): This Section states that the Development Review Board has authority to make recommendations to the City Council on legislative changes to, or adoption of new elements or sub-elements of the Comprehensive Plan.

12. Finding: The Development Review Board has the authority to recommend the proposed quasi-judicial change to the Official Zone Map. The standard is met.

Section 4.033(.01)(B): This Section states that the City Council has final decision-making authority on applications for amendments to, or adoption of new elements or sub-elements to the maps or text of the Comprehensive Plan, as authorized in Section 4.198.

13. Finding: The Development Review Board is not making a final decision but is making a recommendation on a proposed Zone Map amendment to the City Council for final decision. The standard is met.

14. Finding: The proposed Zone Map amendment facilitates the implementation of the Villebois Village Concept Plan (and subsequent Master Plan as required by the Concept Plan). The findings and conclusions in Planning File 02PC06A demonstrated that the Concept Plan met a public need that has been identified. The application complies with this subsection.

SECTION C STATEWIDE PLANNING GOALS

15. Finding: The request complies with applicable Statewide Planning Goals based on the following responses:

GOAL 1-CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

RESPONSE TO GOAL 1: The City's existing Comprehensive Plan and implementing regulations are in compliance with Goal 1 by providing a comprehensive public process for development and application of all land use regulations. The proposal for rezoning does not alter those provisions and the City's regulations therefore remain in compliance with Goal 1. The formal Zone Map amendment process includes duly noticed public hearings.

GOAL 2: LAND USE PLANNING PART I -- PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

RESPONSE TO GOAL 2: The City is currently in compliance with Goal 2 because it has an acknowledged Comprehensive Plan and regulations implementing the plan. The Zone Map amendment is being processed consistently with the planning policies in the Comprehensive P/an. Rezoning will allow implementation of the Villebois Village Master Plan, which is consistent with Goal 2 because it creates a more specific plan for a portion of the City that provides additional guidance for future regulations. Implementation of the Villebois Village Master Plan also would keep the City current on its planning obligation for this developing area.

GOAL 3: AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

RESPONSE TO GOAL 3: The area to be rezoned includes agricultural land. The Zone Map amendment would be consistent with the goal because it would concentrate development on lands within an existing UGB, where development should occur to avoid impacts on agricultural lands.

GOAL 4: FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

RESPONSE TO GOAL 4: The area to be rezoned does not include any forestlands, so this goal does not apply. If the goal applied, the annexation would be consistent with the Goal by concentrating development within an existing UGB and away from forestlands.

GOAL 5: NATURAL RESOURCES' SCENIC AND HISTORIC AREAS, AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.

RESPONSE TO GOAL 5: The City is already in compliance with Goal 5 as to all required inventories. The Zone Map amendment will allow implementation of the Villebois Village Master Plan' which is consistent with applicable Comprehensive Plan policies regarding natural resources, scenic and historic areas, and open spaces. The Villebois Village Master Plan furthers and is in compliance with Goal 5 by protecting the natural resources identified within the Plan Area and by protecting and providing scenic areas and large amounts of open space.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

RESPONSE TO GOAL 6: The City's Comprehensive Plan has been acknowledged as being in compliance with Goal 6. The Zone Map amendment will allow implementation of the Villebois Village Master Plan, which is consistent with the air, water and land resources policies of the Comprehensive Plan. The Village Master Plan will protect water and land resources by providing protection for natural resource areas and limiting development to areas that have less impact on natural resources. The Villebois Village Master Plan does not propose any lots within the 100-year floodplain. The Plan also calls for measures to use environmentally sensitive techniques for storm drainage. The Plan provides for a mixed-use compact, interconnected "Village" that will provide transportation benefits by reducing the need for lengthy vehicle trips and increase the opportunity for bicycle and pedestrian transportation. The Zone Map amendment would further implement a plan that furthers the purposes of Goal 6. The Zone Map amendment also is in compliance with Goal 6 by allowing development to occur within the UGB, thereby reducing potential impacts on valuable resources outside the

GOAL 7 AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

To protect life and property from natural disasters and hazards.

RESPONSE TO GOAL 7: The City's Comprehensive Plan is acknowledged to be in compliance with this Goal~ Annexation would allow implementation of the Villebois Village Master Plan, which is consistent with Comprehensive Plan policies. Rezoning by

itself will not result in any development in violation of this Goal. The Villebois Village Master Plan does not call for any lots within the 100-year floodplain, thereby substantially reducing the amount of development that can occur within floodplains. Any development that does occur within floodplains (parks' paths, roads) will be appropriate and take into account the need to not increase flood hazards. The Plan calls for appropriate storm drainage that will protect from soil stability problems associated with heavy rainfall.

GOAL 8: RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

The Destination Resort provisions of this Goal are not applicable.

GOAL 9: ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

RESPONSE TO GOAL 9: The Comprehensive Plan has been acknowledged to be consistent with Goal 9; and the proposed Zone Map amendment is consistent with Comprehensive Plan economic development policies. The Zone Map amendment furthers economic development by providing additional area for housing that will address the current imbalance between jobs and housing. Rezoning also will allow implementation of the Villebois Village Master Plan, which calls for a vibrant mixed-use development that will include commercial development as well as residential development.

GOAL 10: HOUSING

To provide for the housing needs of citizens of the state.

RESPONSE TO GOAL 10: The Comprehensive Plan has been acknowledged to be consistent with Goal 10, and the proposed Zone Map amendment is consistent with Comprehensive Plan. The City currently does not have sufficient housing to meet the demands created by employment within the City, and rezoning will provide areas for residential development. The Zone Map amendment will allow implementation of the Villebois Village Master Plan, which meets an identified need to provide more housing to improve the balance between housing and employment and to rectify a lack of housing for the Jobs provided in the City. The Village Master Plan complies with Goal 7 by providing for substantial amounts of residential development of various types and costs.

GOAL 11: PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

RESPONSE TO GOAL 11: The Comprehensive Plan has been acknowledged to be consistent with Goal 11 and the proposed Zone Map amendment is consistent with Comprehensive Plan. Rezoning will allow Implementation of the Villebois Village Master Plan, which proposes to coordinate development with the development of the public facility infrastructure in the area. The Plan complies with this goal by providing a plan for development that is coordinated with the plan for providing public services in the area.

GOAL 12: TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

RESPONSE TO GOAL 12: The Zone Map amendment would allow Implementation of the Villebois Village Master Plan, which complies with Goal 12 by providing incorporating a plan for transportation system development for the Village that is Integrated with the transportation system in the City and surrounding area. The Village Master Plan also complies with this goal by providing a compact mixed-use development that will allow the number of vehicle trips to be reduced and the length of trips shortened by bringing commercial and employment uses within walking and bicycling distance of residential development.

GOAL 13 ENERGY CONSERVATION

To conserve energy.

RESPONSE TO GOAL 13: The Comprehensive Plan has been acknowledged to be consistent with Goal 13, and the proposed Zone Map amendment is consistent with the Comprehensive Plan. Rezoning would allow implementation of the Villebois Village Master Plan, which provides for a compact mixed-use development that will conserve energy by reducing the amount of and length of vehicle trips by making bicycle and pedestrian transportation viable alternatives for many trips. The Village Master Plan also provides for a substantial number of energy-efficient smaller sized and attached residential units.

GOAL 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use.

RESPONSE TO GOAL 14: The Comprehensive Plan has been acknowledged to be consistent with Goal 14, and the proposed Zone Map amendment is consistent with the acknowledged Comprehensive Plan. Rezoning is proposed only of land that is already within the IJGB. Rezoning would allow implementation of the Villebois Village Master Plan, which complies with and furthers the intent of Goal 14 by providing a coordinated

plan for urbanization of the Village area that coordinates development of the area with development of public facilities, including the transportation system, and protects natural resources. The Village Master Plan provides more detailed plans for urbanizing an area already determined to be within the City's urban growth boundary.

GOAL 15 WILLAMETTE RIVER GREENWAY

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

RESPONSE TO GOAL 15: This Goal is not applicable to this proposed Zone Map amendment because the subject area is not within the Willamette River Greenway area.

GOAL 16: ESTUARINE RESOURCES

RESPONSE TO GOAL 16: This Goal is not applicable to this proposed Zone Map amendment because the subject area is not in or near an estuary.

GOAL 17: COASTAL SHORELANDS

RESPONSE TO GOAL 17: This Goal is not applicable to this proposed Zone Map amendment because the subject area is not in or near a coastal shoreland.

GOAL 18: BEACHES AND DUNES

RESPONSE TO GOAL 18: This Goal is not applicable to this proposed Zone Map amendment because the subject area being is not within a coastal beach or dune area.

GOAL 19: OCEAN RESOURCES

RESPONSE TO GOAL 19: This Goal is not applicable to this proposed Zone Map amendment because the subject area is not in or near the ocean.

SECTION D METRO URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

Wilsonville's planning programs are required to support Metro's 2040 Regional Framework Plan and the Functional Plan that was formally adopted by the Metro Council. The Functional Plan directs the region's urban growth and development. The regional policies of the Functional Plan are formulated from, and are consistent with, the Regional Urban Growth Goals and Objectives, including the Metro 2040 Growth Concept. The overall principles of the Greenspaces Master Plan are also incorporated in the Functional Plan.

16. **Finding:** Planning File 02PC07A (Ordinance 553) amended the Wilsonville Comprehensive plan by adding enabling language for the *Villebois Village Concept Plan* (an ancillary City document) and the subject properties has the associated enabling Comprehensive Plan Map designation. The various sections (Titles) more readily address regional issues and concerns. Within the process established by the City for review of Villebois Village, and in consultation with Metro, the analysis of compliance with the Metro Functional Plan was more appropriate for the adopted Villebois Village Master Plan (Planning File 02PC07B). Consequently, Metro Functional Plan Analysis will not be done for this Zone Map amendment.

Oregon Revised Statute

ORS 426.508(3): *Sale of F. H. Dammasch State Hospital; redevelopment of property; property reserved for community housing*

Redevelopment of the real property formerly occupied by the F. H. Dammasch State Hospital shall be consistent with Dammasch Area Transportation Efficient Land Use Plan developed by Clackamas County, the City of Wilsonville, the Oregon Department of Administrative Services, the Department of Land Conservation and Development, the Department of Transportation, the State Housing Council, the Mental Health and Developmental Disability Services Division, and the Division of State Lands.

17. **Finding:** The Dammasch Area Transportation-Efficient Land Use Plan (DATELUP) was developed to interrelate the Dammasch Hospital site with the surrounding area covering a total of approximately 520 acres. This area was to become known as "Area of Special Concern B" in the City's Comprehensive Plan in 1996. Any development within Area B was required to conform to DATELUP, as it may be amended. The Villebois Village Concept Plan updates and refines DATELUP and becomes the concept plan for the area. Comprehensive text amendments (Planning File 02PC07A) and the proposed Plan Map amendment facilitate implementation of the Concept Plan and are consistent with its provisions. Therefore, the application is consistent with ORS 426.508.

CONCLUSIONARY FINDING: All efforts have been made to review the proposed Zone Map amendment for consistency with the applicable sections of the Wilsonville Comprehensive Plan and Zoning Code that might apply. The review has been coordinated with all affected bodies and agencies. The application has been duly considered and responded to through the public involvement and testimony process. The proposed Zone Map amendment furthers the City's responsibility to plan comprehensively for Area of Special Concern B in a manner that is responsive to a variety of factors identified in the Villebois Village Concept Plan. All state, regional, and local concerns have been accommodated to the best level possible and the Plan Map amendment meets all applicable criteria which staff feel apply at this time.

**ZONE MAP AMENDMENT
04DB08**

This action approves a Zone Map amendment of approximately 49 acres and the adjacent street right-of-ways (110th Avenue), described in the Exhibit "D" into the City of Wilsonville.

EXHIBITS

The following Exhibits are hereby entered into the public record by the Planning Commission as confirmation of its consideration of the application as submitted.

- | | |
|---------------|--|
| Attachment 1: | Map of area to be annexed |
| Attachment 2: | Legal Description |
| Attachment 3: | Staff Report to City Council dated July 12, 2004 |
| Attachment 4: | Development Review Board record and recommendation to City Council including DRB Resolution 04DB08(B) and Adopted Staff Report |



RECOMMENDATION TO CITY COUNCIL

DEVELOPMENT REVIEW BOARD PANEL A

Project name: Zone Map Amendment of selected property relative to Villebois Village

Case File No.: 04DB08(B)

Applicant/Owner: City of Wilsonville

Proposed Action: A Zone Map Amendment from the Clackamas County Zone of *Exclusive Farm Use (EFU)* to the City of Wilsonville Zone of *Residential Agriculture-Holding (RA-H)* for approximately 49 acres.

Property Description: The site is located on Tax Lot 1490 (those portions inside of the Metro Urban Growth Boundary) of Section 10, T3S-R1W and Tax Lot 100 (northerly 1000 feet only) of Section 15, T3S-R1W, Clackamas County, Oregon.

On June 14, 2004, at the meeting of the Development Review Board, Panel A, the following action was granted on the above-referenced proposed development application.

- The DRB recommends that the City Council approve a Zone Map Amendment for approximately 49 acres from the Clackamas County Zone of *Exclusive Farm Use (EFU)* to the City of Wilsonville Zone of *Residential Agriculture-Holding (RA-H)* as shown on Exhibit D.
- A City Council hearing date is scheduled for July 19, 2004.

Written decision is attached.

For further information, please contact the Wilsonville Planning Division at the Community Development Building, 8445 SW Elligsen Road, Wilsonville, Oregon 97070 or phone 503 682-4960.

Attachments: DRB Resolution No. 04DB08(B) including Exhibit A – Adopted Staff Report

Attachment 3



**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 04DB08(B)**

A RESOLUTION APPROVING A RECOMMENDATION TO CITY COUNCIL TO APPROVE A ZONE MAP AMENDMENT FROM THE CLACKAMAS COUNTY ZONE: *EXCLUSIVE FARM USE (EFU)* TO THE CITY OF WILSONVILLE ZONE: *RESIDENTIAL AGRICULTURE - HOLDING (RA-H)*, AND ADOPTING FINDINGS. THE SITE IS LOCATED ON TAX LOT 1490 (THOSE PORTIONS INSIDE THE METRO UGB) OF SECTION 10, T3S, R1W AND TAX LOT 100 (NORTHERLY 1000 FEET ONLY) OF SECTION 15, T3S-R1W, CLACKAMAS COUNTY, OREGON. CITY OF WILSONVILLE, 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(.01) of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared reports on the above-captioned subject dated June 11, 2004, and

WHEREAS, said planning exhibits and staff reports were duly considered by the Development Review Board at a regularly scheduled meeting conducted on June 14, 2004, 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 attached hereto as Exhibit A with findings and recommendations placed on the record herein, and recommends that the City Council approve a Zone Map Amendment from *Exclusive Farm Use (EFU)* to *Residential Agricultural Holding (RA-H)* for approximately 49 acres.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 14th day of June 2004, and filed with the Planning Administrative Assistant on 6-16-04.

Diane Seeley

Diane Seeley, Panel A
Wilsonville Development Review Board

Attest:

Sally Hartill

Sally Hartill, Planning Assistant II

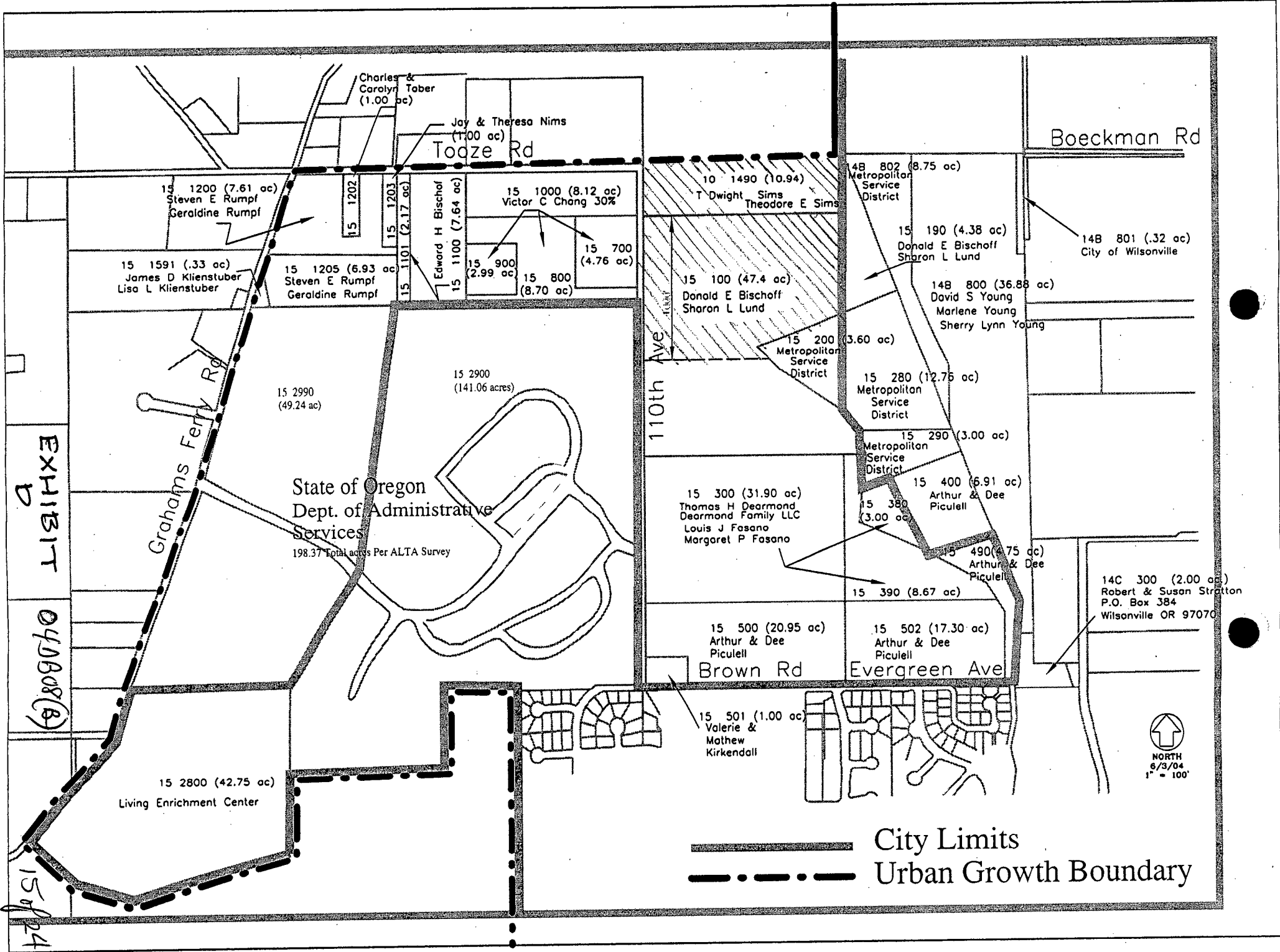


EXHIBIT D 040808(B)

15 of 24

State of Oregon
Dept. of Administrative
Services
198.37 Total acres Per ALTA Survey

City Limits
Urban Growth Boundary



- Charles & Carolyn Taber (1.00 ac)
- Joy & Theresa Nims (1.00 ac)
- 15 1200 (7.61 ac) Steven E Rumpf Geraldine Rumpf
- 15 1202
- 15 1203
- 15 1101 (2.17 ac)
- Edward H Bischof
- 15 1100 (7.64 ac)
- 15 1000 (8.12 ac) Victor C Chang 30%
- 15 900 (2.99 ac)
- 15 800 (8.70 ac)
- 15 700 (4.76 ac)
- 10 1490 (10.94) T Dwight Sims Theodore E Sims
- 48 802 (8.75 ac) Metropolitan Service District
- 15 190 (4.38 ac) Donald E Bischof Sharon L Lund
- 148 801 (.32 ac) City of Wilsonville
- 15 1591 (.33 ac) James D Klienstuber Lisa L Klienstuber
- 15 1205 (6.93 ac) Steven E Rumpf Geraldine Rumpf
- 15 100 (47.4 ac) Donald E Bischof Sharon L Lund
- 148 800 (36.88 ac) David S Young Marlene Young Sherry Lynn Young
- 15 200 (3.60 ac) Metropolitan Service District
- 15 290 (49.24 ac)
- 15 2900 (141.06 acres)
- 15 280 (12.75 ac) Metropolitan Service District
- 15 290 (3.00 ac) Metropolitan Service District
- 15 300 (31.90 ac) Thomas H Dearmond Dearmond Family LLC Louis J Fosano Margaret P Fosano
- 15 400 (6.91 ac) Arthur & Dee Piculell
- 15 380 (3.00 ac)
- 15 490 (4.75 ac) Arthur & Dee Piculell
- 15 390 (8.67 ac)
- 14C 300 (2.00 ac) Robert & Susan Stratton P.O. Box 384 Wilsonville OR 97070
- 15 2800 (42.75 ac) Living Enrichment Center
- 15 500 (20.95 ac) Arthur & Dee Piculell
- 15 502 (17.30 ac) Arthur & Dee Piculell
- 15 501 (1.00 ac) Valerie & Mathew Kirkendall

STAFF REPORT
WILSONVILLE PLANNING DIVISION

Hearing Date: June 14, 2004
Date of Report: June 7, 2004
Revised: June 11, 2004
Application No.: 04DB08B

~~Strike~~ = deleted

Bold/italic = revised

Request: The City of Wilsonville is seeking approval of Zone Map Amendment from the Clackamas County Exclusive Farm Use (EFU) Zone to the City of Wilsonville Residential Agriculture-Holding Zone (RA-H) Zone for Approximately 49 acres. This is a City initiated request.

LOCATION: Approximately 49 acres generally bounded on the north by the City Urban Growth Boundary, west by 110th Avenue, south by the remainder of Tax Lot 100 (Northerly 1000 feet only), Section 15, T3S-R1W, and east to the current City western boundary; specifically, those properties identified in Exhibit B.

CRITERIA: Wilsonville Comprehensive Plan: Policy 2.2.1 (Urbanization); *Villebois Village Concept Plan*; Villebois Village Master Plan, Residential-Village Designation. Implementation Measures 4.1.4.a through 4.1.4dd: Residential Development.

Planning and Land Development Ordinance:

Section 4.008: Application Procedures in General;

Section 4.000: Who May Initiate Applications

Section 4.012: Public Hearing Notices;

Section 4.013: Hearing Procedures;

Section 4.029: Zoning to be Consistent with Comprehensive Plan;

Section 4.031: Authority of the Development Review Board

Section 4.120 RA-H Zone;

Significant Resource Overlay Zone (SROZ) Ordinance;

Section 4.197: Zone Changes and Amendments.

LAND USE: Wilsonville Comprehensive Plan Map Designations: "Residential Village."

ZONING: Wilsonville Zone Map Classifications: Clackamas County Zone Map Classification: "Exclusive Farm Use" (EFU).

APPLICANT: City of Wilsonville

OWNERS:

Name	Address	Description
Donald E. Bischof, Sharon L. Lund	16300 SW 192 nd Av Sherwood OR 97140	Section 15 3S 1W Lot 100
Dwight and Theodore Simms	522 SW 5 th 1110 Yeon Bldg Portland, OR 97204	Section 10 3S1W Lots 1480 and 1490

STAFF REVIEWER: Blaise Edmonds, Manager of Current Planning

DESCRIPTION OF ACTION:

The City of Wilsonville proposes to designate approximately 49 acres as RA-H on the Official City of Wilsonville Zone Map. Exhibit D identifies the physical area of the request and the affected property owners.

BACKGROUND:

The City has amended the Wilsonville Comprehensive Plan to include the Villebois Village Concept Plan and the Villebois Village Master Plan applicable to the former 520 acre Dammasch Hospital site located within the Metro Urban Growth Boundary. Planning Files 02PC07A (Ordinance No 553) authorized a new implementing Plan Map designation, "Residential-Village." Ordinance No. 557 adopted a newly created "Village" Zone to implement the Plan designation of Residential-Village. The properties subject to this rezoning application are included in the Concept Plan, the Master Plan and the Residential-Village designation.

The City of Wilsonville is seeking approval of Zone Map Amendment from the Clackamas County Exclusive Farm Use (EFU) Zone to the City of Wilsonville Village Residential Agriculture-Holding Zone for the subject property. The Comprehensive Plan Map designation is Village Residential. The RA-H Zone is intended to serve as a holding zone to preserve the future urban level development potential as undeveloped property designated for more intensive development. This zone has been applied to all urbanizable properties within the city which are planned for development and which have not

previously received development approval in accordance with the Comprehensive Plan, and in this case, the Villebois Village Master Plan.

STAFF RECOMMENDATION:

Staff recommends that the City Council adopt the Development Review Board recommendation applying the Zone Map designation of RA-H to the subject properties. The recommended zone map change allows the owners to continue to be eligible for farm use tax deferral while facilitating the permitting process for the Boeckman Road Extension.

The RA-H zone designation is to be applied to the following properties:

Name	Address	Description
Donald E. Bischoff, Sharon L. Lund	16300 SW 192 nd Av Sherwood OR 97140	Section 15 3S 1W Lot 100
Dwight and Theodore Simms	522 SW 5 th 1110 Yeon Bldg Portland, OR 97204	Section 10 3S1W Lots 1480 and 1490

FINDINGS

These Findings are derived from the review of applicable City, Metro, and State land use requirements for the proposed Zone Map amendment. It reviews the appropriate sections of the supporting documentation for this application (Villebois Concept Plan, Villebois Village Master Plan, revised Comprehensive Plan policies, amended Comprehensive Plan Map (Residential-Village designation) and RA-H Zone. It finds the proposed Zone Map amendment complements and is consistent with the support documents.

Policy 2.2.1 (Urbanization)

The City of Wilsonville shall plan for the eventual urbanization of land within the local planning area, beginning with land within the Urban Growth Boundary.

Finding A-1. The Villebois Village Concept Plan and the Villebois Village Master Plan are urbanization plans for an area that is underdeveloped, on land that is within the City's Urban Growth Boundary. Application is for the proposed RA-H zone, which is a holding zone under Section 4.120WC until such time as owners or their agents submit applications for development approvals and zone change consistent with the Concept and Master Plans. This Policy has been met.

Wilsonville Comprehensive Plan and Plan Map

Finding A-2. Planning File 02PC07A replaced Area of Special Concern B with text, policy and implementing measures to implement the Residential-Village Comprehensive Plan designation for the approximately 482 acres of the former Dammasch Hospital site. The City Council then adopted a Village zone to implement the Plan designation of Residential-village. The proposed Zone Map amendment to RA-H is an interim zoning designation as directed by the Comprehensive Plan and Development Code until such time as the owners or their agents apply for development approvals and zone change from RA-H to Village zone.

SECTION B WILSONVILLE PLANNING AND LAND DEVELOPMENT ORDINANCE

ZONE MAP AMENDMENT

The proposed Zone Map amendment would change the zoning from the Clackamas County EFU Zone Map Classification to the City of Wilsonville "Residential Agriculture-Holding" zone. Sections 4.120 and 4.197 of the Development Code is intended to serve as a procedure to evaluate the conversion of urbanizeable land to urban land consistent with the Comprehensive Plan. Because service levels vary throughout the City, the zoning process allows for a case-by-case analysis of the availability of public facilities and services and determination of specific conditions related to needed public facilities improvements. All land development proposals are reviewed for conformity with the Comprehensive Plan and specific standards set forth in the zoning ordinance. As set forth in Subsection 4.197.02 of the Wilsonville Code, the Development Review Board must at a minimum, adopt findings addressing Criteria A-G of this subsection in recommending approval or denial of a proposed zone map amendment. The purpose of the RA-H Zone is set forth in the 4.120 of the WC.

Criterion 'A': *Compliance of Application with Section 4.197 of the Development Code.*

1. **Finding:** The application included findings (Exhibit D) documenting compliance with the criteria of WC 4.197. This staff report reviews the findings submitted by the applicant and evaluates compliance with the Development Code's criteria for the zone map amendment, which meets Criterion A.

Criterion 'B': *Application Consistent with Applicable Plan Map and Text.*

2. **Finding:** The requested zoning map amendment is consistent with the direction of the Comprehensive Plan and Development Code for interim zoning map amendments not accompanied by development applications. This application is initiated only to facilitate

the design and construction of Boeckman Road Extension. No other development is proposed. This criterion is met.

Criterion 'C': .Comprehensive Plan – Residential Development

Implementation Measure 4.1.4.b, d, q, and x: Variety of Housing Types; Adequate Public Facilities.

3. **Finding:** The subject application is proposing rezoning the land into the RA-H holding zone until such time it is rezoned to the Village Zone at the request of the owners or their agents. Any development application must be consistent with the approved Villebois Village Master Plan which includes over 2300 units representing a wide range of housing types. No manufactured or mobile homes are included in the Master Plan. A Finance and Development Agreement for the provision of adequate public services has been approved for properties in Villebois west of 110th Avenue. Similar documents are being negotiated for properties east of 110th Avenue within Villebois, including these properties. This implementation measure is met.

Criterion D: Public Facilities and Services

4. **Finding:** A Finance and Development Agreement for the provision of adequate public facilities and services has been approved for properties in Villebois west of 110th Avenue. Similar documents are being negotiated for properties east of 110th Avenue within Villebois, including these properties. This implementation measure is met.

Criterion E: Significant Natural Resources

5. **Finding:** Both parcels are located either wholly or partially in the SROZ zone. The potential alignment of the Boeckman Road Extension on these properties is undergoing a formal Environmental Assessment (EA) for ODOT and the Federal Highway Administration.

Included in the goals of the EA are:

- Preserve natural resources, including Coffee Lake Creek wetlands complex to the extent practicable
- Provide a context-sensitive design that accounts for the existing natural resources and aesthetics, as well as the planned uses of the area.
- Accommodate multiple modes of travel, including bicyclists, pedestrians and transit service.

Seven preliminary alignments were initially considered. A set of screening criteria was applied to the seven alternatives, reducing the possible alignments to be analyzed in detail to two alternatives plus the no-build option. The initial criteria included evaluation of the areas of the City's SROZ and floodplains included in the various alignments.

The draft EA then presents a detailed analysis of the Affected Environment and Environmental Consequences including analysis of geology and soils, land use, plants and wildlife, water resources and wetlands. The April 2004 draft Environmental Analysis states, on page 6, that:

“ A major design consideration in development of the two build alternatives was the crossing of the Coffee Lake Creek wetlands complex. For each of the alternatives, multiple options for crossing Coffee Lake Creek were developed and evaluated. The primary considerations in development of the Coffee Lake Creek wetlands complex crossing were:

- *Hydraulics – The crossing of Coffee Lake Creek and its floodplain should not encroach on the regulatory floodplain and (should) result in no rise or a negligible rise in the 100 year floodplain.*
- *Wildlife – the crossing should allow the passing of wildlife.*
- *Wetlands – the crossing should minimize, to the extent practicable, fill in wetlands in the project area.*
- *Cost – Total conceptual costs of alternatives should be within the project’s programmed budget.”*

The draft EA is being reviewed by the affected agencies and partners. Following the finalization of the EA, an alignment will be chosen and preliminary engineering begun. This criterion has been met.

Criterion ‘F’: *Development Schedule – Development to Commence within Two Years of Initial Approval of Zone Change*

6. Finding: Construction on the Boeckman Road Extension is scheduled to begin in early summer 2005. The owners and their agents are expected to submit application for East SAP, PDP, Zone Change to Village zone and subdivision later this summer with development occurring as soon a practicable following approvals. This code criterion is met.

Criterion ‘G’: *Compliance of Development with Applicable Development Standards.*

7. Finding: This application is for a Zoning Map amendment only. No development, other than the Boeckman Road Extension, is proposed. The application meets all applicable criteria.

Subsection 4.197(.03): *If affirmative findings cannot be made for all applicable criteria listed above the Planning Commission or Development Review Board shall recommend that the proposed text or map amendment, as the case may be, be denied.*

8. Finding: Staff has made affirmative findings for subsection 4.197(.02)(A-G) above. Staff is also recommending conditions of approval for the Zone Map amendment to ensure compliance with the subject code criteria.

Subsection 4.197(.04): *City Council action approving a change in zoning shall be in the form of a Zoning Order.*

9. **Finding:** Staff is recommending approval of the proposed Zone Map amendment, with conditions of approval. A City Council Zoning Order will be required prior to development.

Subsection 4.197(.05): *Conditions of Approval Completed before Zone Change.*

10. **Finding:** Again, staff is recommending approval of the proposed Zone Map amendment, with conditions of approval. A City Council Zoning Order will be required prior to development.

This part of the staff report addresses the Wilsonville Planning and Land Development Ordinance. Staff finds that the following sections apply: Wilsonville Code Sections 4.008-4.020, 4.032(.01)(B), 4.033(.01), and 4.197(A through G).

Sections 4.008-4.020: These Sections contain procedures to be followed for hearing an quasi-judicial application.

11. **Finding:** All appropriate and required procedures have been followed and carried out for developing and hearing this quasi-judicial proposal by the Planning Commission. The application complies with these applicable Wilsonville Code Sections.

Section 4.031(.01): This Section states that the Development Review Board has authority to make recommendations to the City Council on legislative changes to, or adoption of new elements or sub-elements of the Comprehensive Plan.

12. **Finding:** The Development Review Board has the authority to recommend the proposed quasi-judicial change to the Official Zone Map. The standard is met.

Section 4.033(.01)(B): This Section states that the City Council has final decision-making authority on applications for amendments to, or adoption of new elements or sub-elements to the maps or text of the Comprehensive Plan, as authorized in Section 4.198.

13. **Finding:** The Development Review Board is not making a final decision but is making a recommendation on a proposed Zone Map amendment to the City Council for final decision. The standard is met.

14. **Finding:** The proposed Zone Map amendment facilitates the implementation of the Villebois Village Concept Plan (and subsequent Master Plan as required by the Concept Plan). The findings and conclusions in Planning File 02PC06A demonstrated that the Concept Plan met a public need that has been identified. The application complies with this subsection.

SECTION C
STATEWIDE PLANNING GOALS

15. Finding: The request complies with applicable Statewide Planning Goals based on the following responses:

GOAL 1-CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

RESPONSE TO GOAL 1: The City's existing Comprehensive Plan and implementing regulations are in compliance with Goal 1 by providing a comprehensive public process for development and application of all land use regulations. The proposal for rezoning does not alter those provisions and the City's regulations therefore remain in compliance with Goal 1. The formal Zone Map amendment process includes duly noticed public hearings.

GOAL 2: LAND USE PLANNING
PART I -- PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

RESPONSE TO GOAL 2: The City is currently in compliance with Goal 2 because it has an acknowledged Comprehensive Plan and regulations implementing the plan. The Zone Map amendment is being processed consistently with the planning policies in the Comprehensive P/an. Rezoning will allow implementation of the Villebois Village Master Plan, which is consistent with Goal 2 because it creates a more specific plan for a portion of the City that provides additional guidance for future regulations. Implementation of the Villebois Village Master Plan also would keep the City current on its planning obligation for this developing area.

GOAL 3: AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

RESPONSE TO GOAL 3: The area to be rezoned includes agricultural land. The Zone Map amendment would be consistent with the goal because it would concentrate development on lands within an existing UGB, where development should occur to avoid impacts on agricultural lands.

GOAL 4: FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

RESPONSE TO GOAL 4: The area to be rezoned does not include any forestlands, so this goal does not apply. If the goal applied, the annexation would be consistent with the Goal by concentrating development within an existing UGB and away from forestlands.

GOAL 5: NATURAL RESOURCES' SCENIC AND HISTORIC AREAS, AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.

RESPONSE TO GOAL 5: The City is already in compliance with Goal 5 as to all required inventories. The Zone Map amendment will allow implementation of the Villebois Village Master Plan' which is consistent with applicable Comprehensive Plan policies regarding natural resources, scenic and historic areas, and open spaces. The Villebois Village Master Plan furthers and is in compliance with Goal 5 by protecting the natural resources identified within the Plan Area and by protecting and providing scenic areas and large amounts of open space.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

RESPONSE TO GOAL 6: The City's Comprehensive Plan has been acknowledged as being in compliance with Goal 6. The Zone Map amendment will allow implementation of the Villebois Village Master Plan, which is consistent with the air, water and land resources policies of the Comprehensive Plan. The Village Master Plan will protect water and land resources by providing protection for natural resource areas and limiting development to areas that have less impact on natural resources. The Villebois Village Master Plan does not propose any lots within the 100-year floodplain. The Plan also calls for measures to use environmentally sensitive techniques for storm drainage. The Plan provides for a mixed-use compact, interconnected "Village" that will provide transportation benefits by reducing the need for lengthy vehicle trips and increase the opportunity for bicycle and pedestrian transportation. The Zone Map amendment would

further implement a plan that furthers the purposes of Goal 6. The Zone Map amendment also is in compliance with Goal 6 by allowing development to occur within the UGB, thereby reducing potential impacts on valuable resources outside the

GOAL 7 AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

To protect life and property from natural disasters and hazards.

RESPONSE TO GOAL 7: The City's Comprehensive Plan is acknowledged to be in compliance with this Goal. Annexation would allow implementation of the Villebois Village Master Plan, which is consistent with Comprehensive Plan policies. Rezoning by itself will not result in any development in violation of this Goal. The Villebois Village Master Plan does not call for any lots within the 100-year floodplain, thereby substantially reducing the amount of development that can occur within floodplains. Any development that does occur within floodplains (parks' paths, roads) will be appropriate and take into account the need to not increase flood hazards. The Plan calls for appropriate storm drainage that will protect from soil stability problems associated with heavy rainfall.

GOAL 8: RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

The Destination Resort provisions of this Goal are not applicable.

GOAL 9: ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

RESPONSE TO GOAL 9: The Comprehensive Plan has been acknowledged to be consistent with Goal 9; and the proposed Zone Map amendment is consistent with Comprehensive Plan economic development policies. The Zone Map amendment furthers economic development by providing additional area for housing that will address the current imbalance between jobs and housing. Rezoning also will allow implementation of the Villebois Village Master Plan, which calls for a vibrant mixed-use development that will include commercial development as well as residential development.

GOAL 10: HOUSING

To provide for the housing needs of citizens of the state.

RESPONSE TO GOAL 10: The Comprehensive Plan has been acknowledged to be consistent with Goal 10, and the proposed Zone Map amendment is consistent with

Comprehensive Plan. The City currently does not have sufficient housing to meet the demands created by employment within the City, and rezoning will provide areas for residential development. The Zone Map amendment will allow implementation of the Villebois Village Master Plan, which meets an identified need to provide more housing to improve the balance between housing and employment and to rectify a lack of housing for the Jobs provided in the City. The Village Master Plan complies with Goal 7 by providing for substantial amounts of residential development of various types and costs.

GOAL 11: PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

RESPONSE TO GOAL 11: The Comprehensive Plan has been acknowledged to be consistent with Goal 11 and the proposed Zone Map amendment is consistent with Comprehensive Plan. Rezoning will allow Implementation of the Villebois Village Master Plan, which proposes to coordinate development with the development of the public facility infrastructure in the area. The Plan complies with this goal by providing a plan for development that is coordinated with the plan for providing public services in the area.

GOAL 12: TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

RESPONSE TO GOAL 12: The Zone Map amendment would allow Implementation of the Villebois Village Master Plan, which complies with Goal 12 by providing incorporating a plan for transportation system development for the Village that is Integrated with the transportation system in the City and surrounding area. The Village Master Plan also complies with this goal by providing a compact mixed-use development that will allow the number of vehicle trips to be reduced and the length of trips shortened by bringing commercial and employment uses within walking and bicycling distance of residential development.

GOAL 13 ENERGY CONSERVATION

To conserve energy.

RESPONSE TO GAOL 13: The Comprehensive P/an has been acknowledged to be consistent with Goal 13, and the proposed Zone Map amendment is consistent with the Comprehensive Plan. Rezoning would allow implementation of the Villebois Village Master Plan, which provides for a compact mixed-use development that will conserve energy by reducing the amount of and length of vehicle trips by making bicycle and pedestrian transportation viable alternatives for many trips. The Village Master Plan also provides for a substantial number of energy-efficient smaller sized and attached residential units.

GOAL 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use.

RESPONSE TO GOAL 14: The Comprehensive Plan has been acknowledged to be consistent with Goal 14, and the proposed Zone Map amendment is consistent with the acknowledged Comprehensive Plan. Rezoning is proposed only of land that is already within the IJGB. Rezoning would allow implementation of the Villebois Village Master Plan, which complies with and furthers the intent of Goal 14 by providing a coordinated plan for urbanization of the Village area that coordinates development of the area with development of public facilities, including the transportation system, and protects natural resources. The Village Master Plan provides more detailed plans for urbanizing an area already determined to be within the City's urban growth boundary.

GOAL 15 WILLAMETTE RIVER GREENWAY

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

RESPONSE TO GOAL 15: This Goal is not applicable to this proposed Zone Map amendment because the subject area is not within the Willamette River Greenway area.

GOAL 16: ESTUARINE RESOURCES

RESPONSE TO GOAL 16: This Goal is not applicable to this proposed Zone Map amendment because the subject area is not in or near an estuary.

GOAL 17: COASTAL SHORELANDS

RESPONSE TO GOAL 17: This Goal is not applicable to this proposed Zone Map amendment because the subject area is not in or near a coastal shoreland.

GOAL 18: BEACHES AND DUNES

RESPONSE TO GOAL 18: This Goal is not applicable to this proposed Zone Map amendment because the subject area being is not within a coastal beach or dune area.

GOAL 19: OCEAN RESOURCES

RESPONSE TO GOAL 19: This Goal is not applicable to this proposed Zone Map amendment because the subject area is not in or near the ocean.

SECTION D
METRO URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

Wilsonville's planning programs are required to support Metro's 2040 Regional Framework Plan and the Functional Plan that was formally adopted by the Metro Council. The Functional Plan directs the region's urban growth and development. The regional policies of the Functional Plan are formulated from, and are consistent with, the Regional Urban Growth Goals and Objectives, including the Metro 2040 Growth Concept. The overall principles of the Greenspaces Master Plan are also incorporated in the Functional Plan.

- 16. Finding:** Planning File 02PC07A (Ordinance 553) amended the Wilsonville Comprehensive plan by adding enabling language for the *Villebois Village Concept Plan* (an ancillary City document) and the subject properties has the associated enabling Comprehensive Plan Map designation. The various sections (Titles) more readily address regional issues and concerns. Within the process established by the City for review of Villebois Village, and in consultation with Metro, the analysis of compliance with the Metro Functional Plan was more appropriate for the adopted Villebois Village Master Plan (Planning File 02PC07B). Consequently, Metro Functional Plan Analysis will not be done for this Zone Map amendment.

Oregon Revised Statute

ORS 426.508(3): *Sale of F. H. Dammasch State Hospital; redevelopment of property; property reserved for community housing*

Redevelopment of the real property formerly occupied by the F. H. Dammasch State Hospital shall be consistent with Dammasch Area Transportation Efficient Land Use Plan developed by Clackamas County, the City of Wilsonville, the Oregon Department of Administrative Services, the Department of Land Conservation and Development, the Department of Transportation, the State Housing Council, the Mental Health and Developmental Disability Services Division, and the Division of State Lands.

- 17. Finding:** The Dammasch Area Transportation-Efficient Land Use Plan (DATELUP) was developed to interrelate the Dammasch Hospital site with the surrounding area covering a total of approximately 520 acres. This area was to become known as "Area of Special Concern B" in the City's Comprehensive Plan in 1996. Any development within Area B was required to conform to DATELUP, as it may be amended. The Villebois Village Concept Plan updates and refines DATELUP and becomes the concept plan for the area. Comprehensive text amendments (Planning File 02PC07A) and the proposed Plan Map amendment facilitate implementation of the Concept Plan and are consistent with its provisions. Therefore, the application is consistent with ORS 426.508.

CONCLUSIONARY FINDING: All efforts have been made to review the proposed Zone Map amendment for consistency with the applicable sections of the Wilsonville

Comprehensive Plan and Zoning Code that might apply. The review has been coordinated with all affected bodies and agencies. The application has been duly considered and responded to through the public involvement and testimony process. The proposed Zone Map amendment furthers the City's responsibility to plan comprehensively for Area of Special Concern B in a manner that is responsive to a variety of factors identified in the Villebois Village Concept Plan. All state, regional, and local concerns have been accommodated to the best level possible and the Plan Map amendment meets all applicable criteria which staff feel apply at this time.

**ZONE MAP AMENDMENT
04DB08**

This action approves a Zone Map amendment of approximately 49 acres and the adjacent street right-of-ways (110th Avenue), described in the Exhibit "D" into the City of Wilsonville.

EXHIBITS

The following Exhibits are hereby entered into the public record by the Planning Commission as confirmation of its consideration of the application as submitted.

- A. Findings and Conditions of Approval
- B. City of Wilsonville Comprehensive Plan
- C. Chapter 4 of the Wilsonville Code
- D. Project narrative and map of area to be rezoned
- E. Engineering Department Memorandum

APPLICATION FOR ZONING MAP AMENDMENT FROM COUNTY EXCLUSIVE FARM USE (EFU) TO CITY RESIDENTIAL AGRICULTURAL HOLDING ZONE (RA-H) FOR PROPERTIES GENERALLY EAST OF 110TH AVENUE, SOUTH OF BOECKMAN ROAD AND NORTH OF EVERGREEN AVENUE.

PROPOSAL

Applicant: City of Wilsonville

Properties included in the application:

Section 10 3S 1W, Tax Lots 1480, 1490 (those portions inside the Metro UGB)
Section 15 3S 1W, Tax Lot 100 (northerly 1000 feet only)

Present zoning: Clackamas County Exclusive Farm Use (EFU)

Proposed zoning: City of Wilsonville Residential Agricultural Holding Zone (RA-H)

Applicable Criteria:

W.C. 4008
W.C. 4009
City of Wilsonville Comprehensive Plan
WC 4.029
W.C. 4.197.02

NARRATIVE:

Under the procedures of the Wilsonville Code, zoning map amendments are most often proposed by property owners or authorized agents together with application for Stage I and Stage II Site Development Plan approvals. The agent (Matrix Development) for much of the property involved in this application has submitted an application for annexation and a request for a pre-application for a Specific Area Plan (SAP). The proposed development plan appears to be generally consistent with the approved Villebois Village Master Plan.

At the same time, the design and permitting of the Boeckman Road Extension to Tooze Road is proceeding. Permitting issues have arisen as part of the environmental assessment, particularly permitting of a new street within EFU designated lands. The City has determined that the most expeditious way to eliminate the EFU permitting issues is to facilitate a zoning map amendment from County EFU to RA-H subsequent to the approval of the annexation request.

The DRB hearing on annexation is scheduled for June 14, 2004. The annexation application is for all lands within the Villebois Village Master Plan east of 110th Avenue that are located within the Metro UGB and outside the city limits except for Tax Lot

1490. Under the double majority method of annexation, the city may, and is, including Tax Lot 1490 within the annexation. According to Metro, the present UGB is located at the north right-of-way line of Tooze Road and extends east from the corner of Tooze and 110th to a westerly extension of the Boeckman Road right-of-way within the city boundary.

The City's Comprehensive Plan designates these lands as Residential Village District, which is the designation for all lands included in the Villebois Village Master Plan. The proposed RA-H Zone is an interim holding zone which still allows farm use deferral of property taxes on these lands while development plans are being prepared and approved. Matrix and other property owners will be requesting a subsequent zoning map amendment from RA-H to Residential Village Zone together with their application for East SAP, PDP 1, and subdivision plat later this summer.

COMPLIANCE WITH APPLICABLE CODE REQUIREMENTS AND STANDARDS

W.C. 4008: W. C. 4.008 requires quasi-judicial zone change applications to be prepared under the requirements of W. C. 4.197.

Findings: Findings on compliance with WC 4.197 are included in a subsequent section of this document.

W.C. 4.009: W.C. 4.009 determines who may initiate applications. WC 4.009 (.01) states that applications involving specific sites maybe filed by the owner of the subject property, his/her authorized agent, or by a unit of government that is in the process of acquiring the property, or by the City Council, Planning Commission or Development Review Board acting by motion. WC 4.009(.04) states that, in the event the City of Wilsonville is the applicant, the City Manager may authorize any city employee or consultant to act as the City's agent.

Findings: This application was noticed for the approximately 150 acres which comprise all lands east of 110th Avenue that are included in the Villebois Master Plan. At the same time, negotiations were proceeding between the owners of these properties and the City on the terms of the Development Agreement. The Development Agreement between the city and properties west of 110th Avenue has been approved and signed. The Development Agreement for properties east of 110th Avenue is still in negotiation. At the time of this writing, staff has been authorized to proceed with rezoning of only the Simms and Bischoff properties.

The reduction in size of the area subject to the zone change and in the number of affected owners makes this application a quasi-judicial application. Neither the property owners nor their agent have initiated this zone change application. This application is being submitted by the City as the potential owner of the portions of these properties that will comprise the right-of-way of the planned extension of Boeckman Road to Tooze

Road. The exact alignment is not yet known, so this application is for rezoning of the entire Simms property (Tax Lots 1480, 1490) and the northerly 1000' of the Bischoff property (Tax Lot 100).

W.C. 4.197: W.C. 4.197(.02) applies to zoning map amendments and requires findings as detailed in A through G below.

A. The application be 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.

Findings:

This application is not part of a Planned Development, so Section 4.140 is not applicable. Section 4.008(.01) requires compliance with the requirements of Section 4.197. Those findings are found later in this document. Section 4.125 applies to the Residential Village Zone Development Permit Process. This section is not applicable, since this is not an application for development in the Residential Village Zone.

Section 4.008(.02)A states that most of Wilsonville's vacant land (without active approved projects) is zoned RA-H, a residential-agricultural holding zone with a large lot size minimum. Properties in this holding zone must be rezoned to conform with the Comprehensive Plan as part of the planned development process.

Findings: This application requests a zoning map amendment for recently annexed properties from County EFU to City RA-H consistent with this requirement. The area is designated Residential Village District on the Comprehensive Plan. At such time as the owners move forward with East Specific Area Plan, and PDP applications, they will include an application for a Zoning Map amendment to Village Zone.

Section 4.008.(B) through (L) are applicable to Planned Development applications.

Findings: This is not an application for Planned Development approval, so criteria (B) through (L) are not applicable.

B. City of Wilsonville Comprehensive Plan

Comprehensive Plan Map: The subject properties are designated Residential Village District on the Comprehensive Plan Map.

Findings: The proposed RA-H zone is a holding zone utilized on vacant lands within the City boundaries until such time as Planned Development Stage 1, Stage 11 and zone change applications are received from a property owner or his/her agent. The owners of these properties, through their agent, will be submitting application for planned development approvals consistent with the Comprehensive Plan Map designation later this summer.

Comprehensive Plan Policies and Implementing Measures:

The Comprehensive Plan was amended in 2003 to include a section titled: Compact Urban Development. This section is applicable to lands designated Residential Village on the Plan Map. It incorporates City Ordinance No.533, the adoption of the Villebois Village Concept Plan. Implementation Measure 4.1.6.a states that, "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 the 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.

Findings: The proposed Zoning Map amendment to RA-H is an interim holding zone designation as contemplated by the Comprehensive Plan until property owners within the Residential Village Map area present application to the City for development approvals consistent with the Villebois Village Master Plan and the Village Zone. The Purpose Statement for the RA-H zone reads as follows: "It is the purpose of this zone to serve as a holding zone to preserve the future urban level development potential as undeveloped property designated for more intensive development. This zone has been applied to all urbanizable properties within the city which are planned for development and which have not previously received development approval in accordance with the Comprehensive Plan." The proposed zone map change from EFU to RA-H is consistent with the purpose of the zoning district. Uses without approval of a development plan, are limited to one single family dwelling and one accessory dwelling unit.

Implementation Measure 4.1.4.r. All development, except as indicated in the lowest density districts, will coincide with the provision of adequate streets, water and sanitary sewage and storm drainage facilities, as specified in the Public Facilities and Services Section of this Plan.

Finding: No development, except for the construction of the Boeckman Road Extension to Tooze Road, is proposed as part of this application for zoning map amendment. The road project is part of the City's Transportation Systems Plan and Capital Improvement Program, and is included in the terms of the Villebois Development Agreements. The provision of adequate streets, water, sanitary sewage and storm water facilities is included in the application and approvals of Specific Area Plans, Preliminary and Final Development Plans consistent with the Villebois Village Master Plan and Villebois Village Development Agreements.

- C. For properties designated as "Residential" on the Comprehensive Plan, specific findings shall be made addressing substantial compliance with Implementation Measure (IM) 4.1.4.b, d, e, q and x of the Comprehensive Plan text.**

IM 4.1.4.b requires that the City plan for and permit a variety of housing types consistent with the objectives and policies set forth under this section of the comprehensive plan, while maintaining a reasonable balance between the economies of building and the cost of supplying public services.

Findings: This application proposes no residential development. The RA-H Zone allows only one single family residence and one accessory unit per lot. Most of the area of these parcels is within the SROZ. The Villebois Village Master Plan, which will govern future development of these parcels has an approved housing mix of over 2300 units, ranging from single family detached to high density apartment and condo complexes.

IM 4.1.4.d requires the city to encourage the construction and development of diverse housing types, but maintain a general balance according to housing type and geographic distribution, both presently and in the future. Such housing types may include, but shall not be limited to: apartments, single family detached, single family common-wall, manufactured and modular homes, mobile homes, and condominiums in various structural forms.

Finding: This application for zoning map amendment from EFU to RA-H does not propose the addition of any housing units. However, the Villebois Village Master Plan, under which these properties will develop includes a mix of 523 condo units, 413 apartments, 544 attached single family units, and 910 detached single family units, all of varying types and sizes. Design within Villebois will be governed by approved pattern books containing architectural and community amenity details.

IM 4.1.4.e requires that the City set targets in order to meet the city's goals for housing and assure compliance with state and regional standards.

Findings: The City has not yet set those targets, pending completion of the residential needs analysis later this year. The City meets and exceeds Metro Title 1 requirements for both dwelling unit and job capacity. The City also has over 700 units of affordable housing, but has not added new units during the Metro target period of 2001 – 2006. This application is for an interim holding zone until property owners prepare and submit development applications. The projected sale and rental costs within the Villebois Master Plan have been analyzed. It appears that ownership by households earning less than 80% of median will be unlikely, but that households earning 60% of median or better will be able to afford rental housing in Villebois.

IM 4.1.4.q requires that the City continue to allow for mobile homes and manufactured dwellings, subject to development review processes that are similar to those used for other forms of housing.

Findings: This application does not include a development plan, since no development except for the construction of the Boeckman Road Extension is planned. The Villebois Village Master Plan, under which these properties will eventually develop, includes no manufactured, modular or mobile homes, and none were applied for during the approval process for the Master Plan.

IM 4.1.4. x requires that apartments and mobile homes be located to produce an optimum living environment for the occupants and surrounding residential areas. Several criteria regarding buffering, compatibility of design, on-site recreation facilities and bike and pedestrian paths are included.

Finding: This implementation measure is not applicable since no development is being proposed as part of this application.

D. Existing primary public facilities are available and are of adequate size to serve the proposed development or adequate facilities can be provided in conjunction with proposed development.

Finding: This application is for a zoning map amendment to RA-H and includes no development proposal. Development of these parcels will be subject to the approved Villebois Village Master Plan and associated Development Agreements between the City and the developers governing the provision of public facilities. The requested zoning map amendment will facilitate the permitting

E. The proposed development does not have a significant adverse effect on the SROZ areas, natural hazard areas, or geologic hazard areas.

Finding: Both parcels are located either wholly or partially in the SROZ zone. The potential alignments of the Boeckman Road Extension on these properties is undergoing a formal Environmental Assessment (EA) for ODOT and the Federal Highway Administration.

Included in the goals of the EA are:

- Preserve natural resources, including Coffee Lake Creek wetlands complex to the extent practicable
- Provide a context-sensitive design that accounts for the existing natural resources and aesthetics, as well as the planned uses of the area.
- Accommodate multiple modes of travel, including bicyclists, pedestrians and transit service.

Seven preliminary alignments were initially considered. A set of screening criteria was applied to the seven alternatives, reducing the possible alignments to be analyzed in detail to two alternatives plus the no-build option. The initial criteria included evaluation of the areas of the City's SROZ and floodplains included in the various alignments.

The draft EA then presents a detailed analysis of the Affected Environment and Environmental Consequences including analysis of geology and soils, land use, plants and wildlife, water resources and wetlands. The April 2004 draft Environmental Analysis states, on page 6, that

" A major design consideration in development of the two build alternatives was the crossing of the Coffee Lake Creek wetlands complex. For each of the alternatives, multiple options for crossing Coffee Lake Creek were developed and evaluated. The primary considerations in development of the Coffee Lake Creek wetlands complex crossing were:

- *Hydraulics – The crossing of Coffee Lake Creek and its floodplain should not encroach on the regulatory floodplain and (should) result in no rise or a negligible rise in the 100 year floodplain.*
- *Wildlife – the crossing should allow the passing of wildlife.*
- *Wetlands – the crossing should minimize, to the extent practicable, fill in wetlands in the project area.*
- *Cost – Total conceptual costs of alternatives should be within the project’s programmed budget.”*

The draft EA is being reviewed by the affected agencies and partners. Following the finalization of the EA, an alignment will be chosen and preliminary engineering begun.

F. The applicant is committed to a development schedule demonstrating that development of the property is reasonably expected to commence within 2 years of the approval of the zone change.

Finding: The schedule for the Boeckman Extension Project has construction beginning in early Summer 2005. The property owners/agents of properties east of 110th are expected to submit application for the East Specific Area Plan, Zone Change to Village Zone, together with Preliminary Development Plan and preliminary subdivision plan for the first phases of development this summer.

G. The proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions attached to ensure that the projected development substantially conforms to the applicable development standards.

Findings: No development is proposed as part of this application. The RA-H zone allows one single family unit and one accessory unit on each lot subject to the requirements of the zone and the SROZ Overlay Zone.

(.03) If affirmative findings cannot be made for all applicable criteria listed above, the hearing body shall recommend that the map amendment be denied.

Findings: The findings above demonstrate that all applicable criteria are met.

(.04) Applicable to Council action.

(.05) Requires the applicant, in this case the city, to sign a statement accepting, and agreeing to any conditions of approval attached to the zoning map amendment.

Finding: The City, as the applicant, can certainly do this.

WC 4.029 Zoning to be Consistent with the Comprehensive Plan

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.

Findings: This application is for a short term interim zoning designation from County EFU to City RA-H Holding Zone to facilitate the construction of Boeckman Road Extension. The property owners or their agents will be submitting a subsequent zoning map amendment from RA-H to Village Zone together with the application for East SAP, PDP, and subdivision plat later this summer.

City of

WILSONVILLE
in OREGON



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ENGINEERING DEPARTMENT
MEMO

DATE: May 27, 2004

TO: Blaise Edmonds, Manager of Current Planning

FROM: 
Laurel E. Byer PE, Assistant City Engineer

RE: *Engineering Division Comments for the proposed Costa Pacific
Communities and Matrix Development Corporation Annexations
(04DB07 and 04DB08)*

The Engineering Division has reviewed the subject application and has no objection to the proposed annexations. Conditions of approval for infrastructure requirements related to the development of the properties will be addressed at a later date, when the appropriate applications are received.

EXHIBIT
E

24 of 24



"Serving The Community With Pride"