

ORDINANCE NO. 462

AN ORDINANCE REGARDING SYSTEM DEVELOPMENT CHARGE CREDITS FROM CANYON CREEK ROAD NORTH LOCAL IMPROVEMENT DISTRICT NO. 12 FOR MENTOR GRAPHICS CORPORATION.

WHEREAS, as a condition for development Mentor Graphics Corporation was required to participate in improvement of Canyon Creek Road North; and

WHEREAS, Mentor Graphics is satisfying this condition as a participant in the Canyon Creek Road North Local Improvement District No. 12; and

WHEREAS, as a result of Mentor Graphics participation in LID No.12 they are eligible for street systems development charge (SDC) credits; and

WHEREAS, Mentor Graphics previously developed much of their property within LID No. 12 and may not pursue additional permits for construction within the improvement district; and

WHEREAS, the credits from LID No. 12 therefore will not be able to be used by Mentor Graphics solely within the LID No. 12 project area; and

WHEREAS, Mentor Graphics is entitled to systems development charge credits for the costs that will be assessed against Mentor Graphics for work that is of general public benefit and which has been used as a base for establishing systems development charges; and

WHEREAS, Mentor Graphics retains ownership of real property contiguous to the LID No. 12 benefited tax lot and to the continuous Canyon Creek road alignment bisected by Boeckman Road; and

WHEREAS, Mentor Graphics desires to apply SDC credits, for which they are eligible as a result of participating in the LID No. 12 project improvements, to their

contiguous tax lots 31W11-203 and 31W12-506, and to their property south of Boeckman Road identified as tax lots 31W13B-2691 and 2601; and

WHEREAS, ORS 223.207 through 223.314 provide for System Development Charges; and

WHEREAS, ORS 223.304(4)(b) specifically allows for the transferability of SDC credits; and

WHEREAS, the requested application could possibly be construed as an amendment to Ordinance 386; and

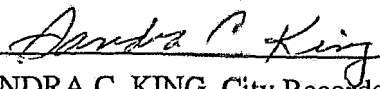
WHEREAS, the City desires to treat Mentor Graphics fairly and equitably ; and

WHEREAS, following analysis of the issues city staff believe the unique configuration of property held by Mentor Graphics Corporation along the Canyon Creek Road corridor requires that a one time exception be considered.

NOW, THEREFORE THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

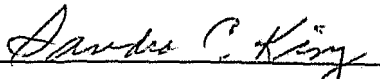
1. The City Council finds that Mentor Graphics Corporation has unique geography along the Canyon Creek Road alignment as their property is bisected by Boeckman Road.
2. Mentor Graphics shall have the right to transfer System Development Charge credits for which they are eligible as a participant of LID NO. 12 from tax lot 31W12-501, which is a benefited property in Local Improvement District No. 12-95-ST, to tax lots 31W11-203, 31W12-506, 31W13B-2691 & - 2601.
3. For all other purposes Ordinance 386 defines eligibility, applicability, and administration of SDC credits.

Submitted to the Wilsonville City Council and read the first time at a regular meeting thereof the 15th day of July, 1996, and scheduled for a second reading at a regular City Council meeting on the 19th day of August, 1996, commencing at the hour of 7 p.m. at the Wilsonville Community Development Hearings Room.


SANDRA C. KING, City Recorder

Enacted by the City Council on the 19th day of August, 1996, by the following votes:

AYES: 4 NAYS: 0


SANDRA C. KING, City Recorder

Dated and signed by the Mayor this 19th day of August, 1996.


GERALD A. KRUMMEL, Mayor

SUMMARY of Votes:

Mayor Krummel	Yes
Councilor Lehan	Yes
Councilor Hawkins	Absent
Councilor Leahy	Yes
Councilor MacDonald	Yes