



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



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

Date: 01/14/2015
Jurisdiction: City of Wilsonville
Local file no.: DB14-0065
DLCD file no.: 005-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 01/08/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 36 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



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

FOR DLCD USE
005-14
File No.: { 22505 }
Received: 1/8/2014

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

Jurisdiction: City of Wilsonville

Local file no.: **DB14-0065**

Date of adoption: 01/05/2015

Date sent: 1/8/2015

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

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 10/06/2014

No

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

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

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

Phone: 503-682-4960

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

Street address: 29799 SW Town Center Loop East

City: Wilsonville

Zip: 97070-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

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

For a change to a comprehensive plan map:

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

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

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

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

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

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

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

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

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

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

For a change to a zoning map:

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

Change from RRFF-5	to V	Acres: 10
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

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

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 3S1W15_01100, 3S1W15_01101, 3S1W15_01503

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

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



PLANNING DIVISION

FAX: (503) 682-7025

(503) 570-1575

swhite@ci.wilsonville.or.us

Delivery via Email

Letter of Transmittal

TO: Attention: Plan Amendment Specialist

FROM: Shelley White

Department of Land Conservation & Development

Administrative Assistant

635 Capitol Street NE, Suite 150

DATE: January 8, 2015

Salem, Oregon 97301-2540

WE ARE TRANSMITTING THE FOLLOWING:

DB14-0065 – North Villebois City Property Zone Map Amendment

- DLCD Notice of Adoption Form 2 for DB14-0065
- Ordinance 764 and supporting documents (Zone Map Amendment)
- List of affected agencies

Please address questions and comments regarding this notice to:

Dan Pauly
Associate Planner
City of Wilsonville
503-570-1536
pauly@ci.wilsonville.or.us

ORDINANCE NO. 764

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE CLACKAMAS COUNTY RURAL RESIDENTIAL FARM FOREST 5 (RRFF5) ZONE TO THE VILLAGE (V) ZONE ON APPROXIMATELY 9.8 ACRES AT 11650 SW TOOZE ROAD AND A SMALL TRIANGULAR APPROXIMATELY 6315 SQUARE FOOT PROPERTY ACROSS SW GRAHAMS FERRY ROAD FROM 28333 SW GRAHAMS FERRY ROAD. COMPRISING TAX LOTS 1100, 1101, AND 1503 (FORMERLY 1591) OF SECTION 15, T3S, R1W, CLACKAMAS COUNTY, OREGON, CITY OF WILSONVILLE, APPLICANT.

RECITALS

WHEREAS, The City of Wilsonville owns certain real property within the Villebois Village Master Plan being annexed into the City; and

WHEREAS, The City of Wilsonville desires to have the properties zoned consistent with their Wilsonville Comprehensive Plan Map designation of "Residential-Village" rather than maintain the current Clackamas County zoning designations.

WHEREAS, the Zone Map Amendment is contingent on annexation of the Property to the City of Wilsonville, which annexation has been petitioned for concurrently with the Zone Map Amendment request; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on November 10, 2014;

WHEREAS, the Development Review Board Panel 'A' held a public hearing on the application for a Zone Map Amendment on November 10, 2014, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 292 which recommends that the City Council approve a request for a Zone Map Amendment (Case File DB14-0065), adopts the staff report with findings and recommendation, all as placed on the record at the hearing; and

WHEREAS, on December 1, 2014, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the

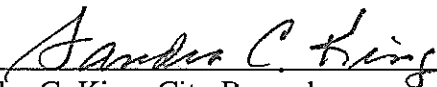
proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

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

Section 1. Findings. The City Council adopts, as findings and conclusions, the forgoing Recitals and the Zone Map Amendment Findings in Attachment 2, as if fully set forth herein.

Section 2. Order. The official City of Wilsonville Zone Map is hereby amended, upon finalization of the annexation of the Property to the City, by Zoning Order DB14-0065, attached hereto as Attachment 1, from the Clackamas County Rural Residential Farm Forest 5 (RRFF5) Zone to the Village (V) Zone.

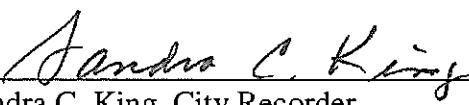
SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 1st day of December 2014, and scheduled for the second and final reading on December 15, 2014, commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR.



Sandra C. King, City Recorder

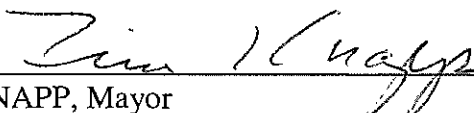
ENACTED by the City Council of the City of Wilsonville, on the 5th day of January 2015, by the following votes:

AYES: -5- NAYS: -0-



Sandra C. King, City Recorder

DATED and signed by the Mayor this 17th day of January, 2015.



TIM KNAPP, Mayor

SUMMARY OF VOTES:

Mayor Knapp	Yes
Councilor President Starr	Yes
Councilor Fitzgerald	Yes
Councilor Stevens	Yes
Councilor Lehan	Yes

Attachments:

Attachment 1: Zoning Order DB14-0065.

Attachment A: Legal Description and Sketch Depicting Land/Territory to be Rezoned

Attachment 2: Zone Map Amendment Findings,

Attachment 3: DRB Panel A Resolution No. 292 recommending approval of the Zone Map Amendment

ORD. NO. 764 ATTACHMENT 1

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

In the Matter of the Application of)
The City of Wilsonville)
for a Rezoning of Land and Amendment)
of the City of Wilsonville)
Zoning Map Incorporated in Section 4.102)
of the Wilsonville Code.)

ZONING ORDER DB14-0065


The above-entitled matter is before the Council to consider the application of DB14-0065, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached Attachment A, has heretofore appeared on the Clackamas County zoning map Rural Residential Farm Forest 5 (RRFF5).

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

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 9.8 acres at 11650 SW Tooze Road and a small triangular approximately 6315 square foot property across SW Grahams Ferry Road from 28333 SW Grahams Ferry Road comprising Tax Lots 1100, 1101, and 1503 (formerly 1591) of Section 15, as more particularly shown and described in the Legal Description and Sketch, Attachment A, is hereby rezoned to Village (V), subject to conditions detailed in this Order’s adopting Ordinance. The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 7th day of January 2015.


TIM KNAPP, MAYOR

APPROVED AS TO FORM:


Michael E. Kohlhoff, City Attorney

ATTEST:


Sandra C. King, MMC, City Recorder

Attachment A: Legal Description and Sketch Depicting Land/Territory to be Rezoned



EXHIBIT "A"

October 10, 2014

LEGAL DESCRIPTION

Job No. 103-005

Two parcels of land owned by the City of Wilsonville per Document No. 2006-085167, being Parcel 1 and Parcel 2 of Partition Plat No. 1994-182, Clackamas County Plat Records, being in the Northwest Quarter of Section 15, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, more particularly described as follows:

BEGINNING at the Northeast corner of said Parcel 1:

thence along the easterly line of said Parcel 1, South 00° 43'30" West, a distance of 888.82 feet to the Southeast corner of said Parcel 1;

thence along the northerly line of plat of "Tonquin Woods at Villebois No. 4", South 89° 59'58" West, a distance of 481.11 feet to the Southwest corner of said Parcel 2;

thence along the westerly line of said Parcel 2, North 00° 48'23" East, a distance of 888.82 feet to the Northwest corner of said Parcel 2;

thence along the southerly Right-of-Way line of SW Tooze Road (County Road No. 355), North 89° 59'50" East, a distance of 479.85 feet to the POINT OF BEGINNING.

Containing 9.81 acres, more or less.

Basis of bearings being Partition Plat No. 1994-182, Clackamas County Plat Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2015

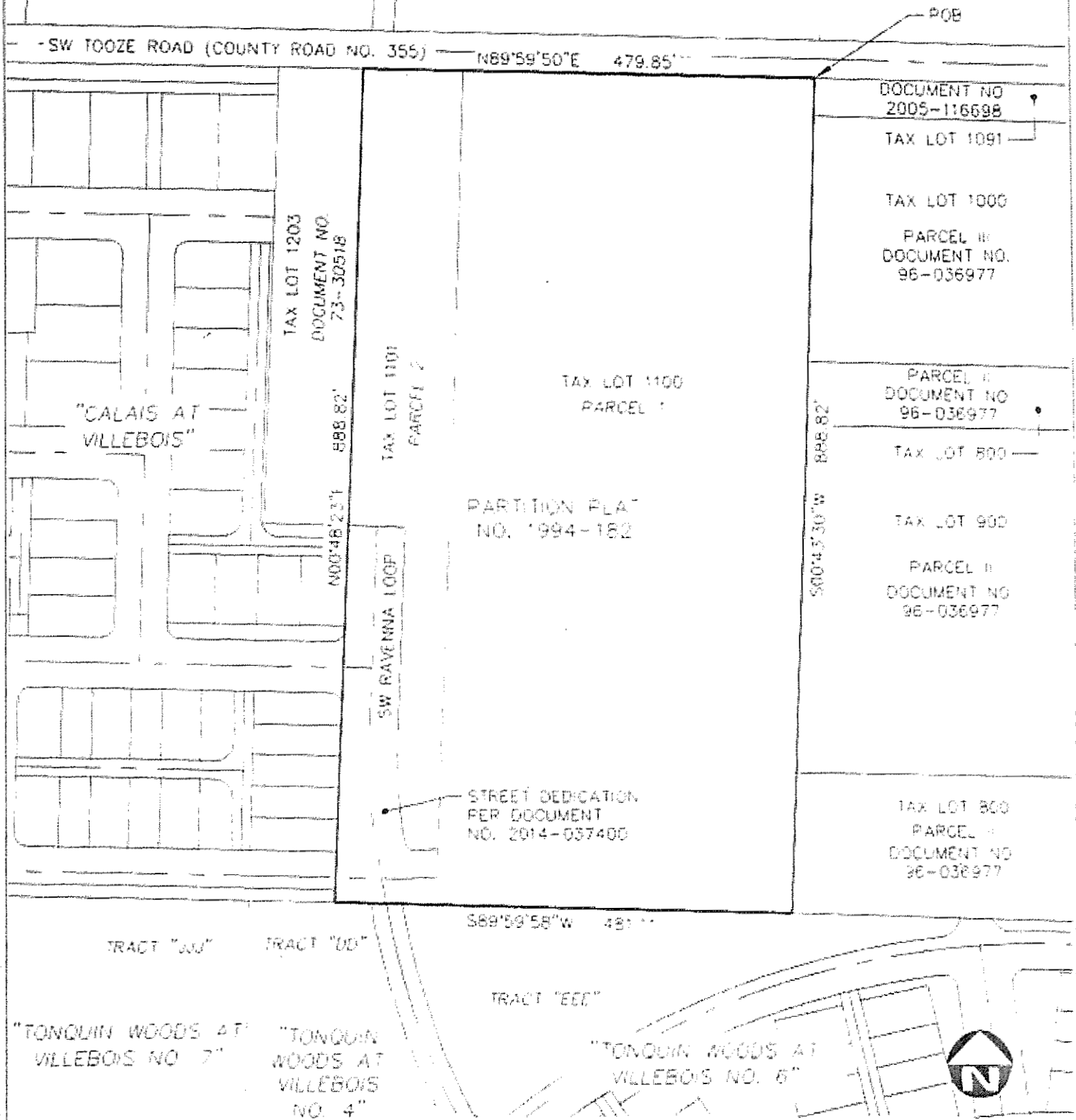


EXHIBIT "A"

DRAWN BY: BAA DATE: 10/10/2014
 REVIEWED BY: TCJ DATE: 10/10/2014
 PROJECT NO.: 103-005
 SCALE: 1"=150'



12564 SW Main St
 Tigard, OR 97223
 (T) 503-941-9484
 (F) 503-941-9485

EXHIBIT A



LEGAL DESCRIPTION Map 351W15 Tax Lot 1503

A parcel of land owned by the City of Wilsonville per Document No. 2014-037149, Clackamas County Deed Records, being in the Northwest Quarter of Section 15, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, more particularly described as follows:

BEGINNING at the Southwest corner of Tract "L", plat of "Calais at Villebois";

thence along the northerly line of Tract "III", plat of "Tonquin Woods at Villebois No. 7" and its extension, North 88°34'09" West, a distance of 77.14 feet to an angle point on the easterly Right-of-Way line of SW Grahams Ferry Road (County Road No. 13);

thence along said easterly Right-of-Way line, North 17°14'42" East, a distance of 170.17 feet to an angle point on the westerly plat line of "Calais at Villebois";

thence along said westerly plat line, South 09°12'39" East, a distance of 166.59 feet to the POINT OF BEGINNING.

Containing 6,315 square feet, more or less.

Basis of bearings being plat of "Calais at Villebois", Clackamas County Plat Records.

Property Vested in:

City of Wilsonville

Map 351W15 Tax Lot 1503

REGISTERED
PROFESSIONAL
LAND SURVEYOR

A handwritten signature in black ink, appearing to read "T. Jansen".

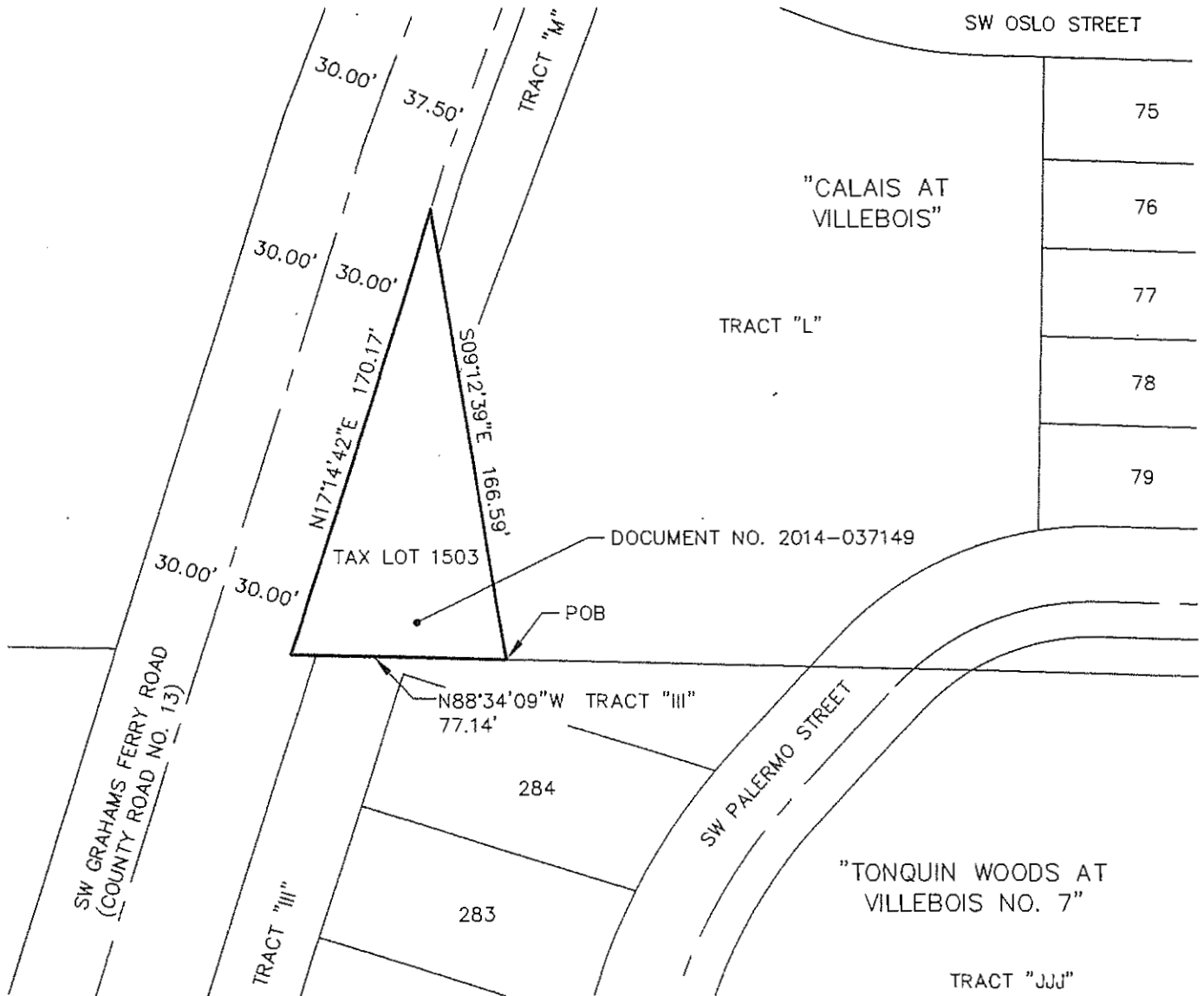
OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2015

EXHIBIT A



SKETCH TO ACCOMPANY LEGAL DESCRIPTION Map 3S1W15 Tax Lot 1503



SCALE



1 INCH = 60 FEET

Property Vested in:
City of Wilsonville
Map 3S1W15 Tax Lot 1503

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2015

Ord. No. 764 Attachment 2
STAFF REPORT
WILSONVILLE PLANNING DIVISION

North Villebois City Properties
Zone Map Amendment

CITY COUNCIL
QUASI-JUDICIAL PUBLIC HEARING

HEARING DATE	December 1, 2014
DATE OF REPORT:	November 24, 2014

APPLICATION NOS.: DB14-0065 Zone Map Amendment

REQUEST/SUMMARY: The City Council is being asked to review a Quasi-judicial Zone Map Amendment for City owned properties in the northwest portion of Villebois. No development is proposed concurrently with the zone map amendment.

LOCATION: Approximately 9.8 acres at 11650 SW Tooze Road and a small triangular approximately 6315 square foot property across SW Grahams Ferry Road from 28333 SW Grahams Ferry Road. Described as Tax Lots 1100, 1101, and 1503 (formerly 1591), Section 15, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, as depicted on the map below.

OWNER/APPLICANT/PETITIONER: City of Wilsonville

COMPREHENSIVE PLAN MAP DESIGNATION: Residential-Village

ZONE MAP CLASSIFICATION: RRFF5 (Clackamas County Rural Residential Farm Forest 5)

STAFF REVIEWER: Daniel Pauly AICP, Associate Planner

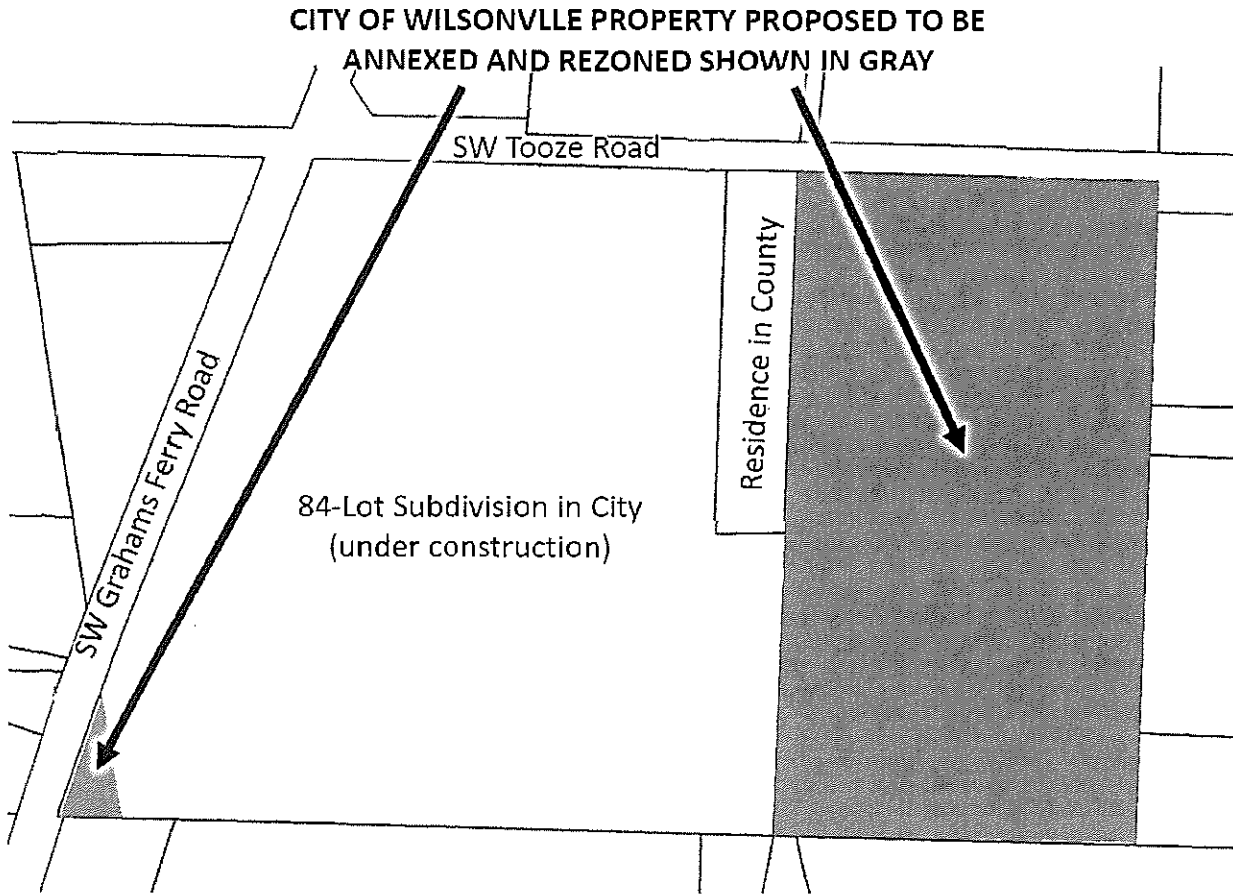
DRB RECOMMENDATION: Approve the requested Zone Map Amendment.

APPLICABLE REVIEW CRITERIA

DEVELOPMENT CODE	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Section 4.033	Authority of City Council
Section 4.197	Zone Changes and Amendments to Development Code-Procedures
OTHER CITY PLANNING DOCUMENTS	

Comprehensive Plan	
Villebois Village Master Plan	
SAP North Approval Documents	
<u>REGIONAL AND STATE PLANNING DOCUMENTS</u>	
Statewide Planning Goals	

Vicinity Map



BACKGROUND/SUMMARY:

Zone Map Amendment (DB14-0010)

The applicant requests to change the current Clackamas County zoning designation of Rural Residential Farm Forest 5 (RRFF5) to the City of Wilsonville zoning designation of Village (V) consistent with the Comprehensive Plan designation of Residential-Village and the Villebois Village Master Plan.

CONCLUSION AND CONDITIONS OF APPROVAL:

Staff and the DRB have reviewed the petition and facts regarding the request and recommends the DRB recommend approval of the zone map amendment (DB14-0065).

FINDINGS OF FACT:

1. The statutory 120-day time limit applies to this application. The application was received on October 15, 2014. On October 15, 2014, staff conducted a completeness review within the statutorily allowed 30-day review period, and determined the application to be complete. The City must render a final decision for the request, including any appeals, by February 12, 2015.
2. Surrounding land uses are as follows:

Tooze Road Properties

Compass Direction	Zone:	Existing Use:
North:	Clackamas County RRFF5	Tooze Road/ Rural Residential
East:	Clackamas County RRFF5	Vacant
South:	V	Vacant (Future Park)
West:	Clackamas County RRFF5/V	Single-family Residential (existing and under development)

Grahams Ferry Road Property

Compass Direction	Zone:	Existing Use:
Northeast	V	Single-family Residential (under development)
South:	V	Vacant (Future Open Space)
West:	Clackamas County RRFF5	Grahams Ferry Road/Rural Residential

3. Prior land use actions include:

Legislative:

- 02PC06 - Villebois Village Concept Plan
- 02PC07A - Villebois Comprehensive Plan Text
- 02PC07C - Villebois Comprehensive Plan Map
- 02PC07B - Villebois Village Master Plan
- 02PC08 - Village Zone Text
- 04PC02 – Adopted Villebois Village Master Plan
- LP-2005-02-00006 – Revised Villebois Village Master Plan

LP-2005-12-00012 – Revised Villebois Village Master Plan (Parks and Recreation)
LP10-0001 – Amendment to Villebois Village Master Plan (School Relocation from SAP North to SAP East)
LP13-0005 – Amendment to Villebois Village Master Plan (Future Study Area)

Quasi Judicial:

DB07-0054 et seq – SAP-North
DB07-0087 et seq – PDP-1N, Arbor at Villebois
DB11-0024 et seq – PDP-1N Modification, SAP North Amendment Polygon NW
DB12-0066 et seq – PDP-1N Modification, SAP North Amendment Polygon NW
DB13-0020 et seq – PDP-2N, SAP North Amendment Polygon NW
DB14-0009 et seq – PDP-3N, SAP North Amendment Polygon NW

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

CONCLUSIONARY FINDINGS:

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

GENERAL INFORMATION

Section 4.008 Application Procedures-In General

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

Finding: These criteria are met.

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

Section 4.009 Who May Initiate Application

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

Finding: This criterion is satisfied.

Explanation of Finding: The applications have been submitted on behalf of the sole property owner, City of Wilsonville.

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

Review Criterion: “City Council Resolution No. 796 precludes the approval of any development application without the prior payment of all applicable City liens for the subject property. Applicants shall be encouraged to contact the City Finance Department to verify that there are no outstanding liens. If the Planning Director is advised of outstanding liens while an application is under consideration, the Director

shall advise the applicant that payments must be made current or the existence of liens will necessitate denial of the application.”

Finding: This criterion is satisfied.

Explanation of Finding: No applicable liens exist for the subject property.

CONCLUSIONARY FINDINGS: DB14-0065 ZONE MAP AMENDMENT

Comprehensive Plan

Compact Urban Development-Implementation Measures

Implementation Measure 4.1.6.a

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

Implementation Measure 4.1.6.b.

2. **Review Criteria:** This implementation measure identifies the elements the Villebois Village Master Plan must contain.
Finding: These criteria are not applicable
Explanation of Finding: The subject area is part of the Villebois Village Master Plan and the plan contains all the elements listed in this implementation measure

Implementation Measure 4.1.6.c.

3. **Review Criterion:** “The “Village” Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation.”
Finding: This criterion is satisfied.
Explanation of Finding: The Village Zone zoning district is being applied to an area designated as Residential-Village in the Comprehensive Plan.

Implementation Measure 4.1.6.d.

4. **Review Criterion:** “The “Village” Zone District shall allow a wide range of uses that befit and support an “urban village,” including conversion of existing structures in the core area to provide flexibility for changing needs of service, institutional, governmental and employment uses.”
Finding: This criterion is satisfied.
Explanation of Finding: The proposed designation of the subject property as “Village” will allow development of uses supportive of an urban village consistent with the Villebois Village Master Plan.

Planning and Land Development Ordinance

Section 4.029 Zoning to be Consistent with Comprehensive Plan

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

Finding: This criterion is satisfied.

Explanation of Finding: The applicant is applying for a zone change prior to application for planned development applications, or the Villebois Equivalent which will make the zoning consistent with the Comprehensive Plan when future development is proposed.

Subsection 4.110 (.01) Base Zones

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

Finding: This criterion is satisfied.

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

Subsection 4.125 (.01) Village Zone Purpose

7. **Review Criteria:** “The Village (V) zone is applied to lands within the Residential Village Comprehensive Plan Map designation. The Village zone is the principal implementing tool for the Residential Village Comprehensive Plan designation. It is applied in accordance with the Villebois Village Master Plan and the Residential Village Comprehensive Plan Map designation as described in the Comprehensive Plan.”

Finding: These criteria are satisfied.

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

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

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

Finding: This criterion is satisfied.

Explanation of Finding: Staff understands this language to mean a PDP approval cannot be brought forward without the appropriate zoning in place but does not preclude a zone change consistent with the comprehensive plan prior to PDP approval, such as during SAP approval or earlier. This understanding is informed by the language in Section 4.029, seeing Finding B5 above, which states zoning must occur prior to a planned development. As the PDP is equivalent to a Stage II Final Plan in the Village Zone the same rationale would apply as for a Stage II Final Plan elsewhere in the City where the zoning at minimum must occur concurrently with the Stage II approval, but may occur prior.

Subsection 4.197 (.02) Zone Change Review

Subsection 4.197 (.02) A. Zone Change Procedures

9. **Review Criteria:** “That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125(.18)(B)(2), or, in the case of a Planned Development, Section 4.140;”
Finding: These criteria are satisfied.
Explanation of Finding: The request for a zone map amendment has been submitted as set forth in the applicable code sections.

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

10. **Review Criteria:** “That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text;”
Finding: These criteria are satisfied.
Explanation of Finding: The proposed zone map amendment is consistent with the Comprehensive Map designation of Residential-Village and as shown in Findings B1 through B4 comply with applicable Comprehensive Plan text.

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

11. **Review Criteria:** “In the event that the subject property, or any portion thereof, is designated as “Residential” on the City’s Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measure 4.1.4.b, d, e, q, and x of Wilsonville’s Comprehensive Plan text;”
Finding: These criteria are satisfied.
Explanation of Finding: Implementation Measure 4.1.6.c. states the “Village” Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation. Since the Village Zone must be applied to areas designated “Residential Village” on the Comprehensive Plan Map and is the only zone that may be applied to these areas, its application is consistent with the Comprehensive Plan.

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

12. **Review Criteria:** “That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized.”
Finding: These criteria are satisfied.
Explanation of Finding: While final design of public facilities will occur with a future PDP or PDPs, the subject property is part of the Villebois Village Master Plan where utilities have been planned to be adequate to serve the entire Master Plan area. Development requirements tied to future applications for PDP’s and other development approvals will further insure all necessary public facilities are provided.

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

13. **Review Criteria:** “That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/ or geologic hazard are located on or about the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone;”

Finding: These criteria are satisfied.

Explanation of Finding: No SROZ area is mapped on the subject properties.

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

14. **Review Criterion:** “That the applicant is committed to a development schedule demonstrating that the development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change.”

Finding: This criterion is satisfied.

Explanation of Finding: Development on the subject property will happen in a number of stages reasonably expected to commence on all included parcels within two (2) years. The limited improvements, including fencing and landscaping on Tax Lot 1503 (formerly 1591), is expected to occur together with the development of adjacent Tonquin Woods No. 7 and Calais subdivisions which are approved and under construction. Development on Tax Lot 1101 has already commenced to build public street improvements and associated landscaping. Part of Tax Lot 1100 is planned for a portion of Regional Park 5. The City is working with partners and adjacent property owners to plan the Regional Park and expect the park to be constructed within 2 years. The development of the remainder of Tax Lots 1100 and 1101 depends on market conditions and could very well commence within two years.

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

15. **Review Criteria:** “That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached to insure that the project development substantially conforms to the applicable development standards.”

Finding: These criteria are satisfied.

Explanation of Finding: Nothing about the zone change would prevent development on the subject properties from complying with applicable development standards.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 292**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO VILLAGE (V) FOR CITY OWNED PROPERTIES ALONG TOOZE ROAD AND GRAHAMS FERRY ROAD NEAR THE NORTHWEST CORNER OF VILLEBOIS. THE SUBJECT SITE IS LOCATED ON TAX LOTS 1100, 1101 AND 1503 (FORMERLY 1591), OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, 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 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated November 3, 2014, and

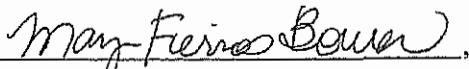
WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on November 10, 2014, at which time exhibits, together with findings and public testimony were entered into the public record, and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated November 3, 2014 recommending to City Council approval of the Annexation and Zone Map Amendment Requests (DB14-0064 and DB14-0065) for:

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 10th day of November, 2014 and filed with the Planning Administrative Assistant on November 13, 2014. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.


Mary Fierros Bower Chair, Panel A
Wilsonville Development Review Board

Attest:

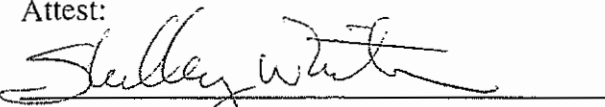

Shelley White, Planning Administrative Assistant

Exhibit A1
STAFF REPORT
WILSONVILLE PLANNING DIVISION

North Villebois City Properties Annexation and Zone Map Amendment

DEVELOPMENT REVIEW BOARD PANEL 'A'
QUASI-JUDICIAL PUBLIC HEARING
STAFF REPORT
ADOPTED NOVEMBER 10, 2014

HEARING DATE	November 10, 2014
DATE OF REPORT:	November 3, 2014

APPLICATION NOS.: DB14-0064 Annexation
DB14-0065 Zone Map Amendment

REQUEST/SUMMARY: The Development Review Board is being asked to review a Quasi-judicial Annexation and Zone Map Amendment for City owned properties in the northwest portion of Villebois. No development is proposed concurrently with these applications.

LOCATION: Approximately 9.8 acres at 11650 SW Tooze Road and a small triangular approximately 6315 square foot property across Grahams Ferry Road from 28333 SW Grahams Ferry Road. Described as Tax Lots 1100, 1101, and 1503 (formerly 1591), Section 15, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, as depicted on the map below.

OWNER/APPLICANT/PETITIONER: City of Wilsonville

COMPREHENSIVE PLAN MAP DESIGNATION: Residential-Village

ZONE MAP CLASSIFICATION: RRF5 (Clackamas County Rural Residential Farm Forest 5)

STAFF REVIEWER: Daniel Pauly AICP, Associate Planner

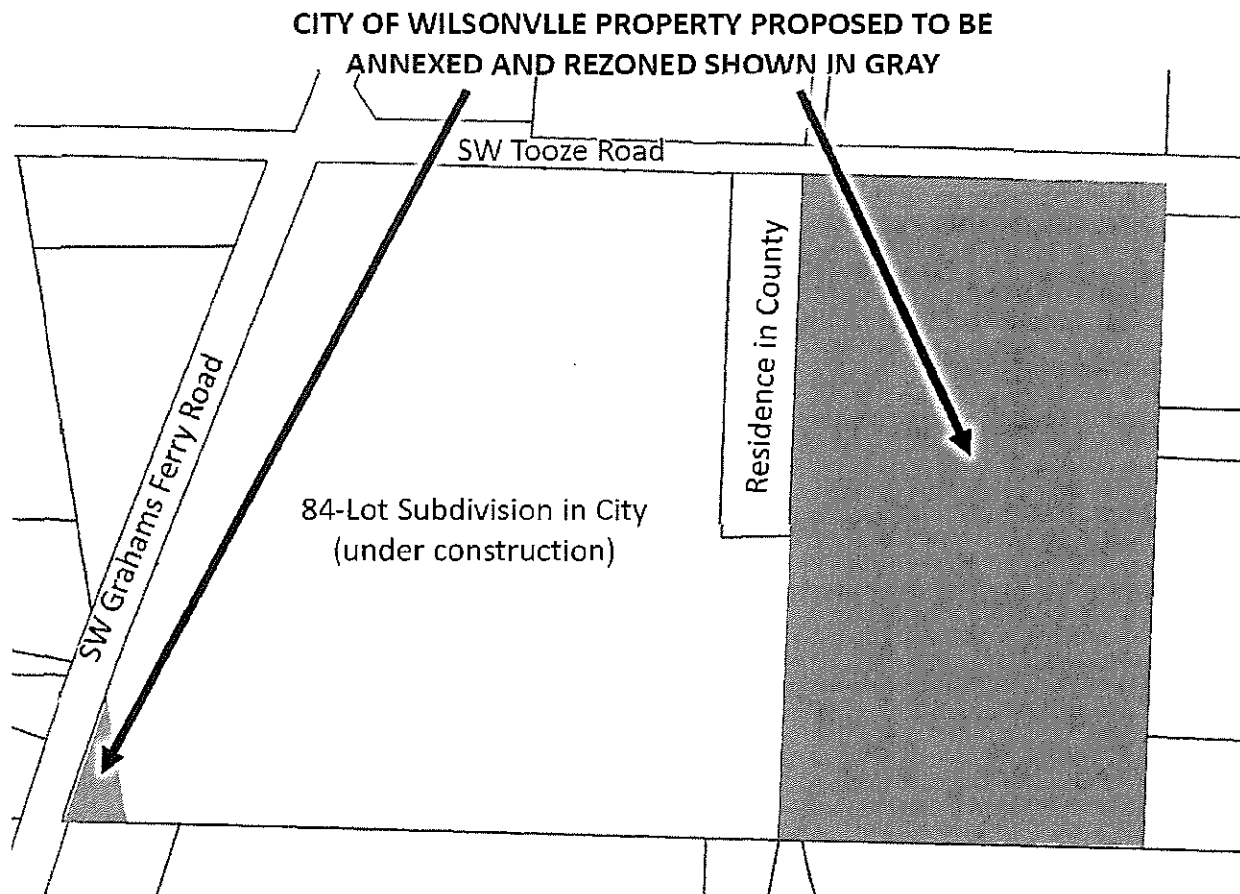
STAFF RECOMMENDATIONS: Recommend approval of the requested Annexation and Zone Map Amendment to City Council.

APPLICABLE REVIEW CRITERIA

<u>DEVELOPMENT CODE</u>	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Section 4.033	Authority of City Council
Section 4.197	Zone Changes and Amendments to Development Code-

	Procedures
Section 4.700	Annexation
<u>OTHER CITY PLANNING DOCUMENTS</u>	
Comprehensive Plan	
Villebois Village Master Plan	
SAP North Approval Documents	
<u>REGIONAL AND STATE PLANNING DOCUMENTS</u>	
Metro Code Chapter 3.09	Local Government Boundary Changes
Metro Function Plan Titles 1,2,3,6 and 7	
ORS 222.111	Authority and Procedures for Annexation
ORS 222.120	Procedure without Election by City Electors
ORS 222.125	Annexation by Consent of All Land Owners and Majority of Electors
ORS 22.170	Effect of Consent to Annexation by Territory
Statewide Planning Goals	

Vicinity Map



BACKGROUND/SUMMARY:

Annexation (DB14-0064)

Of the land covered by the Villebois Village Master Plan only the properties just south of Tooze Road between Grahams Ferry Road and 110th Avenue remain outside the City. The City’s Comprehensive Plan already designates these properties as “Residential-Village” in anticipation of annexation. Earlier in 2014 Polygon Homes petitioned for annexation of properties near the corner of Tooze Road and Grahams Ferry Road concurrent with a request to develop the property. The City wishes to now annex City owned property adjacent to the property annexed earlier this year.

Zone Map Amendment (DB14-0065)

The City requests to change the current Clackamas County zoning designation of Rural Residential Farm Forest 5 (RRFF5) to the City of Wilsonville zoning designation of Village (V) zone to make the newly annexed land’s zoning designation consistent with the comprehensive plan.

Discussion Points

Future Use of the Properties and Why the City is Pursuing Annexation at this time

Triangular Piece of Property along SW Grahams Ferry Road

The why for the annexation and zone map amendment for this property is to make this small parcel consistent with actions previously taken on adjacent property. The property is an approximate 6315 square foot triangular piece the along SW Grahams Ferry Road. The developer of the adjacent Calais at Villebois subdivision, Polygon Northwest, desired to purchase and annex and rezone this property along with Calais at Villebois. However, they were unable to obtain ownership due to some questions surrounding the ownership and proceeded with the annexation, zone map amendment, and development entitlements for the remainder of the project. The ownership was later clarified and the City purchased the property as part of plans to widen Grahams Ferry Road in accordance with a development agreement between the City and Polygon Northwest. The part of the property not used for right-of-way is expected to be used for a fence and open space consistent with Calais at Villebois.

Tooze Road Properties

The why for the annexation and rezoning of these properties is to begin laying the foundation for future development applications. The majority of the properties will likely be sold at some future time for private development. Prior to the main portion of the property developing the City anticipates the development of a portion of the public Villebois Regional Park 5 on the southern portion of the property within the next couple years. The present annexation will allow park land use entitlement to proceed more smoothly without working through Clackamas County jurisdiction and zoning. The City also anticipates having the annexation and zoning complete will make the property more marketable when, as anticipated, the majority of the property is sold for development.

CONCLUSION:

Staff has reviewed the petition and facts regarding the request and recommends the DRB recommend approval of the annexation and zone map amendment to City Council (DB14-0064 and DB14-0065).

REQUEST A: DB14-0064 ANNEXATION

This action recommends Annexation to the City Council for the subject properties. The Zone Map Amendment (DB14-0065) is contingent on annexation.

REQUEST B: DB14-0065 ZONE MAP AMENDMENT

This action recommends adoption of the Zone Map Amendment to the City Council for the subject properties. Adoption of the Zone Map Amendment is contingent of the properties being annexed to the City (DB14-0064).

MASTER EXHIBIT LIST:

The following exhibits are hereby entered into the public record by the Development Review Board as confirmation of its consideration of the application as submitted. This is the exhibit list that includes exhibits for Planning Case Files DB14-0064 and DB14-0065.

- A1. Staff report and findings (this document)
- A2. Slides and notes for Staff’s Public Hearing Presentation (*available at Public Hearing*)
- B1. Signed Application Form
- B2. Petition for Annexation, Including Map Exhibit

FINDINGS OF FACT:

1. The statutory 120-day time limit applies to this application. The application was received on October 15, 2014. On October 15, 2014, staff conducted a completeness review within the statutorily allowed 30-day review period, and determined the application to be complete. The City must render a final decision for the request, including any appeals, by February 12, 2015.
2. Surrounding land uses are as follows:

Tooze Road Properties

Compass Direction	Zone:	Existing Use:
North:	Clackamas County RRFF5	Tooze Road/ Rural Residential
East:	Clackamas County RRFF5	Vacant
South:	V	Vacant (Future Park)
West:	Clackamas County RRFF5/V	Single-family Residential (existing and under development)

Grahams Ferry Road Property

Compass Direction	Zone:	Existing Use:
Northeast	V	Single-family Residential (under development)
South:	V	Vacant (Future Open Space)
West:	Clackamas County RRFF5	Grahams Ferry Road/Rural Residential

3. Prior land use actions include:

Legislative:

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

Quasi Judicial:

- DB07-0054 et seq – SAP-North
- DB07-0087 et seq – PDP-1N, Arbor at Villebois
- DB11-0024 et seq – PDP-1N Modification, SAP North Amendment Polygon NW
- DB12-0066 et seq – PDP-1N Modification, SAP North Amendment Polygon NW
- DB13-0020 et seq – PDP-2N, SAP North Amendment Polygon NW
- DB14-0009 et seq – PDP-3N, Annexation, Zone Map Amendment, SAP North Amendment Polygon NW

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

CONCLUSIONARY FINDINGS:

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

GENERAL INFORMATION

Section 4.008 Application Procedures-In General

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

Finding: These criteria are met.

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

Section 4.009 Who May Initiate Application

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

Finding: This criterion is satisfied.

Explanation of Finding: The applications have been submitted on behalf of the sole property owner, City of Wilsonville.

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

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

Finding: This criterion is satisfied.

Explanation of Finding: No applicable liens exist for the subject property.

REQUEST A: ANNEXATION

Comprehensive Plan

Annexation and Boundary Changes

Implementation Measure 2.2.1.a.

- A1. **Review Criteria:** “Allow annexation when it is consistent with future planned public services and when a need is clearly demonstrated for immediate urban growth.”

Finding: These criteria are satisfied.

Explanation of Finding: The required consistency is fulfilled by being consistent with the Villebois Village Master Plan. The Villebois Village Master Plan was created and approved to address the jobs-housing imbalance and population growth within the City of Wilsonville. Therefore, as a portion of Villebois Village, the subject site addresses a demonstrated need for urban growth.

The Villebois Parks & Open Space Plan ensures adequate parks and open space opportunities, which include a range of experiences for residents and visitors. Chapter 4 of the Villebois Village Master Plan evaluates compliance of the planned sanitary sewer, storm drainage, and water systems with the City’s Wastewater Collections System Master Plan, Stormwater Master Plan, and Water System Master Plan. Chapter 5 of the Master Plan analyzes compliance of the Villebois circulation system with the City’s Transportation Systems Plan. The Master Plan includes implementation measures to ensure compliance with the City’s public facility master plans and Transportation Systems Plan.

Implementation Measure 2.2.1.e.

- A2. **Review Criteria:** “Changes in the City boundary will require adherence to the annexation procedures prescribed by State law and Metro standards. Amendments to the City limits shall be based on consideration of:” Listed 1 through 5.

Finding: These criteria are satisfied.

Explanation of Finding: The requirements are fulfilled by being consistent with the Villebois Village Master Plan, as further explained below in this finding, or by compliance with state and regional policies as found in other findings supporting this request.

Orderly, Economic Provision of Public Facilities and Services: The Villebois Village Master Plan set forth implementation measures to ensure the orderly and economic provision of public facilities and services for this area. Adjacent development in Villebois is bringing needed and adequately sized public facilities adjacent to or onto the subject properties.

Availability of sufficient land for marketplace choice: The availability of sufficient land was demonstrated by the adoption of the Villebois Village Master Plan, which plans for the development of the 480-acre Villebois Village area. At the time of Master Plan approval, Villebois Village was found to have a wide range of residential choices.

Encouraging Development within City Limits prior to UGB: No development is proposed with this request, but the request does enable development initially associated with

adjacent development and subsequently development of the next logical area for build out of the Villebois Village Master Plan area. The action does not change the City's plan for orderly build out of the Villebois Village Master Plan area.

Compact Urban Development Implementation Measures

Implementation Measure 4.1.6.a. and c.

- A3. **Review Criteria:** "Development in the "Residential-Village" Map area shall be directed by the Villebois Village Concept Plan (depicting the general character of proposed land uses, transportation, natural resources, public facilities, and infrastructure strategies), and subject to relevant Policies and Implementation Measures in the Comprehensive Plan; and implemented in accordance with the Villebois Village Master Plan, the "Village" Zone District, and any other provisions of the Wilsonville Planning and Land Development Ordinance that may be applicable."

"The "Village" Zone District shall be applied in all areas that carry the Residential – Village Plan Map Designation."

Finding: These criteria are satisfied.

Explanation of Finding: The subject site is included in the "Residential-Village" Comprehensive Plan Map Designation (Area B). This Implementation Measure establishes precedence for the "Village" Zone to be applied to the subject property area. An application for a Zone Map Amendment to apply the V Zone to the properties has been included. The site must be brought into City limits before the V zone can be applied.

Development Code

Subsections 4.030 (.01) A, 11, 4.031 (.01) K, and 4.033 (.01) F. Authority to Review Annexation

- A4. **Review Criteria:** These subsections prescribe the authority of the Planning Director to determine whether an annexation request is legislative or quasi-judicial, the DRB does the initial review of quasi-judicial annexation, and the City Council takes final local action of quasi-judicial annexation.

Finding: These criteria are satisfied.

Explanation of Finding: The subject annexation request has been determined to be quasi-judicial and is being reviewed by the DRB and City Council consistent with these subsections.

Section 4.700 Annexation

- A5. **Review Criteria:** This section defines the criteria and process for annexation review within the City.

Finding: These criteria are satisfied.

Explanation of Finding: All the necessary materials defined by this section have been submitted for City review. The annexation is being considered quasi-judicial. Staff recommends the City Council, upon the DRB's recommendation, declare the subject property annexed.

Metro Code

Chapter 3.09 Local Government Boundary Changes

A6. **Review Criteria:** This chapter establishes hearing, notice, and decision requirements as well as review criteria for local government boundary changes in the Metro region.

Finding: These criteria are satisfied.

Explanation of Finding: The request is within the UGB, meets the definition of a minor boundary change as an annexation to a city, satisfies the requirements for boundary change petitions as the property owner, there are no electors, has submitted a petition with the required information, is consistent with the Comprehensive Plan, Villebois Village Concept Plan, and Villebois Village Master Plan.

Oregon Revised Statutes

ORS 222.111 Authority and Procedure for Annexation

A7. **Review Criteria:** ORS 222.111 establishes the authority and procedures for annexation by City's within the state of Oregon.

Finding: These criteria are satisfied.

Explanation of Finding: The applicable requirements in state statute are met including the facts that subject property is within the UGB, is contiguous to the City, the request has been initiated by the property owner of the land being annexed, and there are no electors in the area to be annexed.

ORS 222.120 Procedure Without Election by City Electors

A8. **Review Criteria:** ORS 222.111 establishes the authority and procedures for annexation by City's within the state of Oregon.

Finding: These criteria are satisfied.

Explanation of Finding: There is no City charter requirement for election for annexation, a public hearing process is being followed as defined in the Development Code, and the applicable requirements in state statute are met including the facts that the single owner of the subject properties is the petitioner and thus have consented in writing to annexation. There are no electors or residential dwellings within the territory to be annexed.

ORS 222.125 Annexation by Consent of All Owners of Land and Majority of Electors

A9. **Review Criteria:** "The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 (Procedure without election by city electors) when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation."

Finding: These criteria are satisfied.

Explanation of Finding: The territory to be annexed is all owned by the City of Wilsonville, and the City, as the owner, has petitioned and consented to annexation in writing. There are no electors or residential dwellings within the territory to be annexed. However, a public hearing process is being followed as prescribed in the City's Development Code concurrent with a Zone Map Amendment request.

Oregon Statewide Planning Goals

Goals 1, 2, 5, 6, 8, 9, 10, 11, 12, 13

A10. **Review Criteria:** The goals include: citizen involvement, land use planning, natural resources and open spaces, air water and land resource quality, recreational needs, economic development, housing, public facilities and services, transportation, and energy conservation.

Finding: These criteria are satisfied.

Explanation of Finding: The area requested to be annexed will be developed consistent with the City's Comprehensive Plan and the Villebois Village Master Plan, both which have been found to meet the statewide planning goals.

REQUEST B: ZONE MAP AMENDMENT

Comprehensive Plan

Compact Urban Development-Implementation Measures

Implementation Measure 4.1.6.a

B1. **Review Criteria:** "Development in the "Residential-Village" Map area shall be directed by the Villebois Village Concept Plan (depicting the general character of proposed land uses, transportation, natural resources, public facilities, and infrastructure strategies), and subject to relevant Policies and Implementation Measures in the Comprehensive Plan; and implemented in accordance with the Villebois Village Master Plan, the "Village" Zone District, and any other provisions of the Wilsonville Planning and Land Development Ordinance that may be applicable."

Finding: These criteria are satisfied.

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

Implementation Measure 4.1.6.b.

B2. **Review Criteria:** This implementation measure identifies the elements the Villebois Village Master Plan must contain.

Finding: These criteria are not applicable

Explanation of Finding: The subject area is part of the Villebois Village Master Plan and the plan contains all the elements listed in this implementation measure

Implementation Measure 4.1.6.c.

B3. **Review Criterion:** "The "Village" Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation."

Finding: This criterion is satisfied.

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

Implementation Measure 4.1.6.d.

B4. **Review Criterion:** “The “Village” Zone District shall allow a wide range of uses that befit and support an “urban village,” including conversion of existing structures in the core area to provide flexibility for changing needs of service, institutional, governmental and employment uses.”

Finding: This criterion is satisfied.

Explanation of Finding: The proposed designation of the subject property as “Village” will allow development of uses supportive of an urban village consistent with the Villebois Village Master Plan.

Planning and Land Development Ordinance

Section 4.029 Zoning to be Consistent with Comprehensive Plan

B5. **Review Criterion:** “If a development, other than a short-term temporary use, is proposed on a parcel or lot which is not zoned in accordance with the Comprehensive Plan, the applicant must receive approval of a zone change prior to, or concurrently with the approval of an application for a Planned Development.”

Finding: This criterion is satisfied.

Explanation of Finding: The applicant is applying for a zone change prior to application for planned development applications, or the Villebois Equivalent, which will make the zoning consistent with the Comprehensive Plan when future development is proposed.

Subsection 4.110 (.01) Base Zones

B6. **Review Criterion:** This subsection identifies the base zones established for the City, including the Village Zone.

Finding: This criterion is satisfied.

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

Subsection 4.125 (.01) Village Zone Purpose

B7. **Review Criteria:** “The Village (V) zone is applied to lands within the Residential Village Comprehensive Plan Map designation. The Village zone is the principal implementing tool for the Residential Village Comprehensive Plan designation. It is applied in accordance with the Villebois Village Master Plan and the Residential Village Comprehensive Plan Map designation as described in the Comprehensive Plan.”

Finding: These criteria are satisfied.

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

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

B8. **Review Criterion:** "... Application for a zone change shall be made concurrently with an application for PDP approval..."

Finding: This criterion is satisfied.

Explanation of Finding: Staff understands this language to mean a PDP approval cannot be brought forward without the appropriate zoning in place but does not preclude a zone change consistent with the comprehensive plan prior to PDP approval, such as during SAP approval or earlier. This understanding is informed by the language in Section 4.029, see Finding B5 above, which states zoning must occur prior to a planned development. As the PDP is equivalent to a Stage II Final Plan in the Village Zone the same rationale would apply as for a Stage II Final Plan elsewhere in the City where the zoning at minimum must occur concurrently with the Stage II approval, but may occur prior.

Subsection 4.197 (.02) Zone Change Review

Subsection 4.197 (.02) A. Zone Change Procedures

B9. **Review Criteria:** "That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125(.18)(B)(2), or, in the case of a Planned Development, Section 4.140;"

Finding: These criteria are satisfied.

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

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

B10. **Review Criteria:** "That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text;"

Finding: These criteria are satisfied.

Explanation of Finding: The proposed zone map amendment is consistent with the Comprehensive Map designation of Residential-Village and as shown in Findings B1 through B4 comply with applicable Comprehensive Plan text.

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

B11. **Review Criteria:** "In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measure 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text;"

Finding: These criteria are satisfied.

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

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

B12. **Review Criteria:** “That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized.”

Finding: These criteria are satisfied.

Explanation of Finding: No public facilities are required to serve the triangular piece of property along Grahams Ferry Road besides water for landscape irrigation which is readily available. For the Tooze Road properties the final design of public facilities will occur with a future PDP or PDPs, however the properties are part of the Villebois Village Master Plan where utilities have been planned to be adequate to serve the entire Master Plan area. Development requirements tied to future applications for PDP’s and other development approvals will further insure all necessary public facilities are provided.

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

B13. **Review Criteria:** “That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/ or geologic hazard are located on or about the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone;”

Finding: These criteria are satisfied.

Explanation of Finding: No SROZ area is mapped on the subject properties.

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

B14. **Review Criterion:** “That the applicant is committed to a development schedule demonstrating that the development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change.”

Finding: This criterion is satisfied.

Explanation of Finding: Development on the subject properties will happen in a number of stages reasonably expected to commence on all included parcels within two (2) years. The limited improvements, including fencing and landscaping on Tax Lot 1503 (formerly 1591), is expected to occur together with the development of adjacent Tonquin Woods No. 7 and Calais subdivisions which are approved and under construction. Development on Tax Lot 1101 has already commenced to build public street improvements and associated landscaping. Part of Tax Lot 1100 is planned for a portion of Regional Park 5. The City is working with partners and adjacent property owners to plan the Regional Park and expect the park to be constructed within 2 years. The development of the remainder of Tax Lots 1100 and 1101 depends on market conditions and could very well commence within two years.

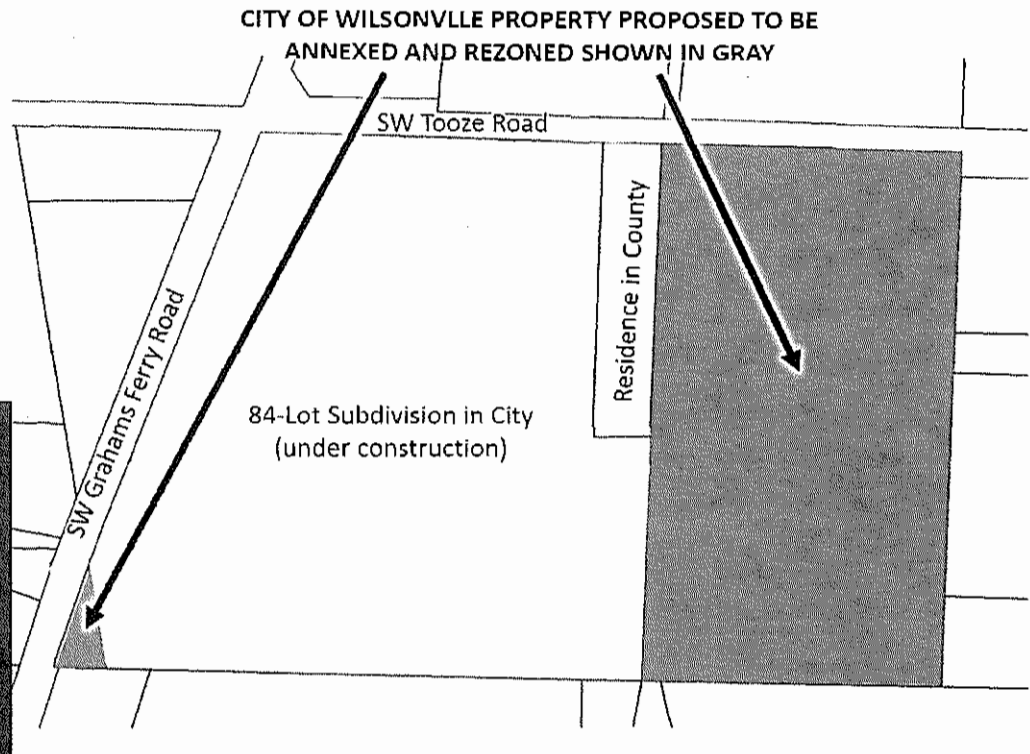
Subsection 4.197 (.02) G. Zone Change: Development Standards and Conditions of Approval

B15. **Review Criteria:** “That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached to insure that the project development substantially conforms to the applicable development standards.”

Finding: These criteria are satisfied.

Explanation of Finding: Nothing about the zone change would prevent development on the subject properties from complying with applicable development standards.

North Villebois City Properties Annexation and Zone Map Amendment



DRB Panel A Public Hearing

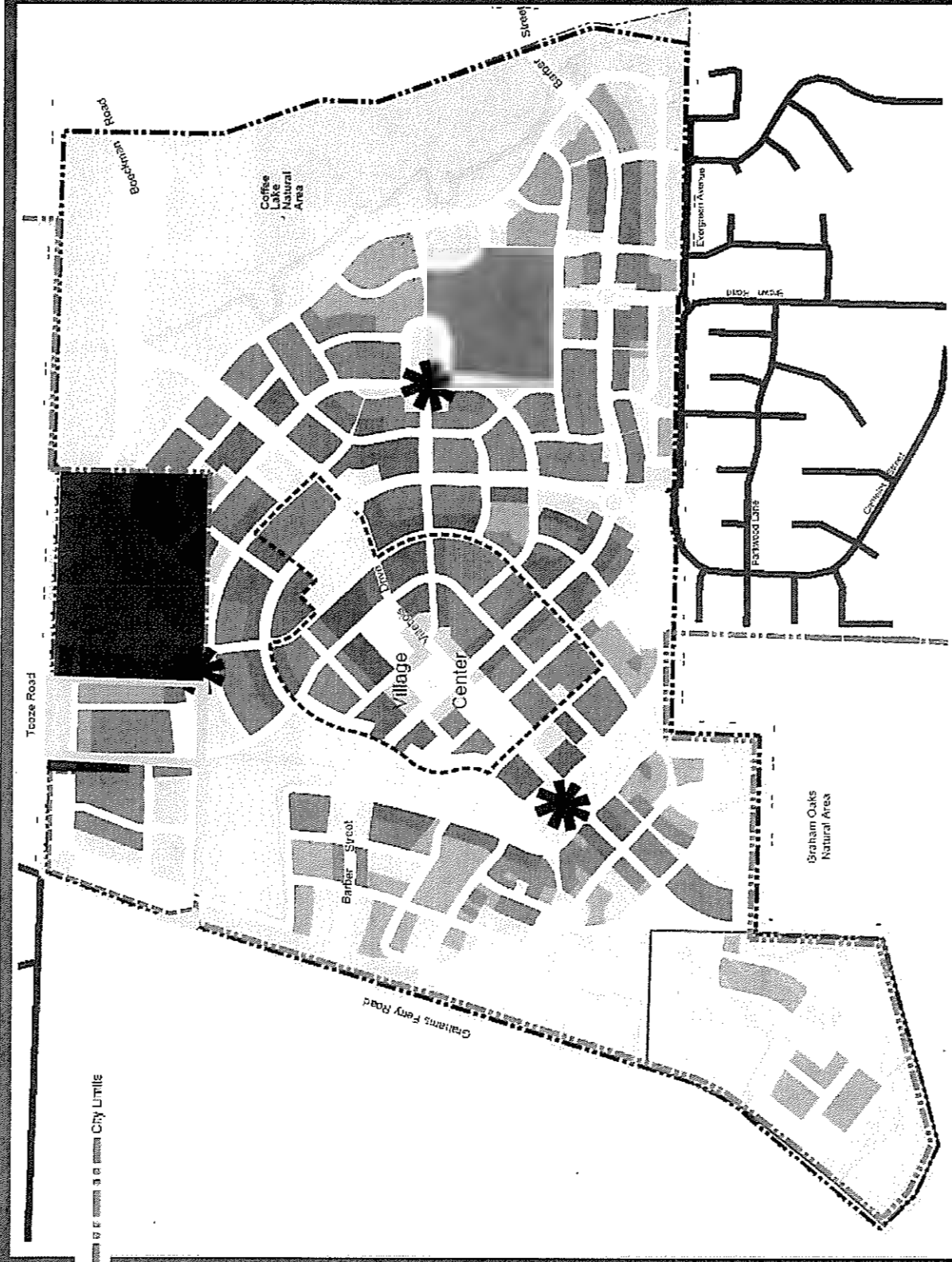
November 10, 2014

Presented by: Daniel Pauly AICP, Associate Planner



City of Wilsonville
Exhibit A2
DB14-0064
& DB14-0065

Annexation



City of Lytle

Annexation

Petition for Annexation to the City of Wilsonville

The City of Wilsonville, as sole owner of certain real property legally described and shown in Attached Exhibit A on which no persons or electors reside, does hereby petition said property be annexed into the boundaries of the City of Wilsonville.

Signed on behalf of the City of Wilsonville, petitioner,



Bryan Cosgrove, City Manager

Date 10/16/14

Zone Map Amendment



AREA B
RE-DESIGN - VILLAGE

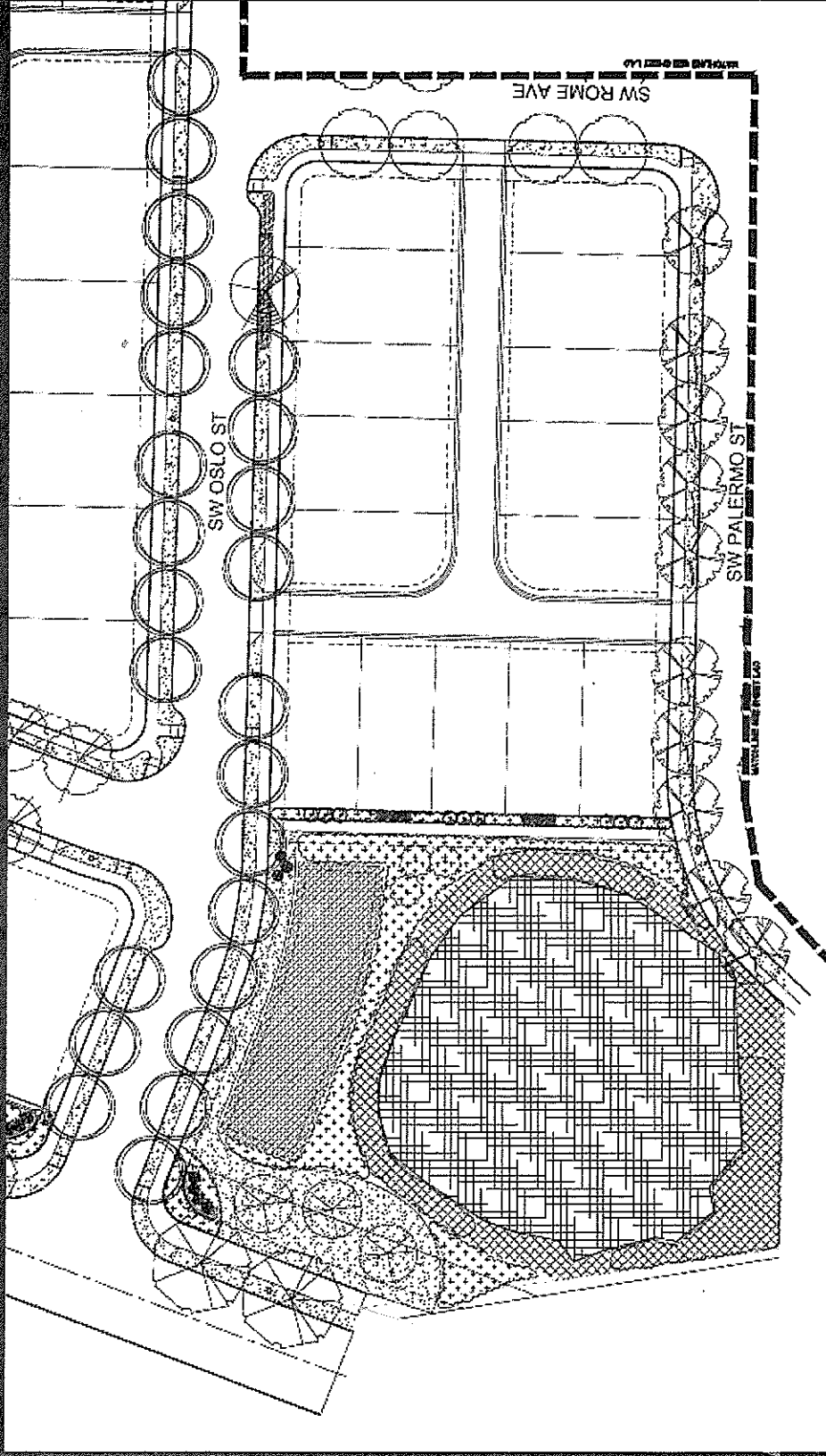


Proposed Zoning

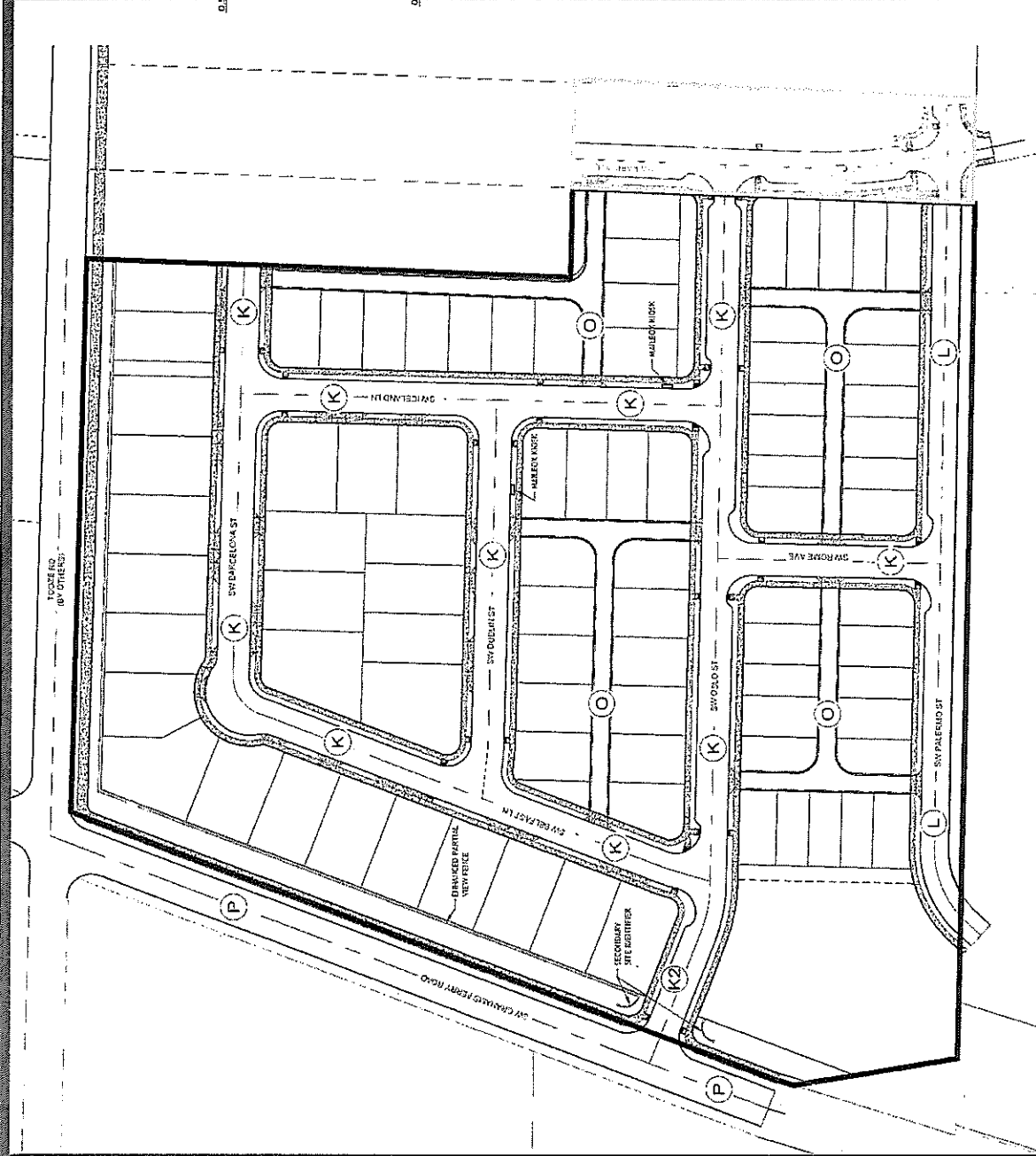
Village (V)

Comprehensive Plan

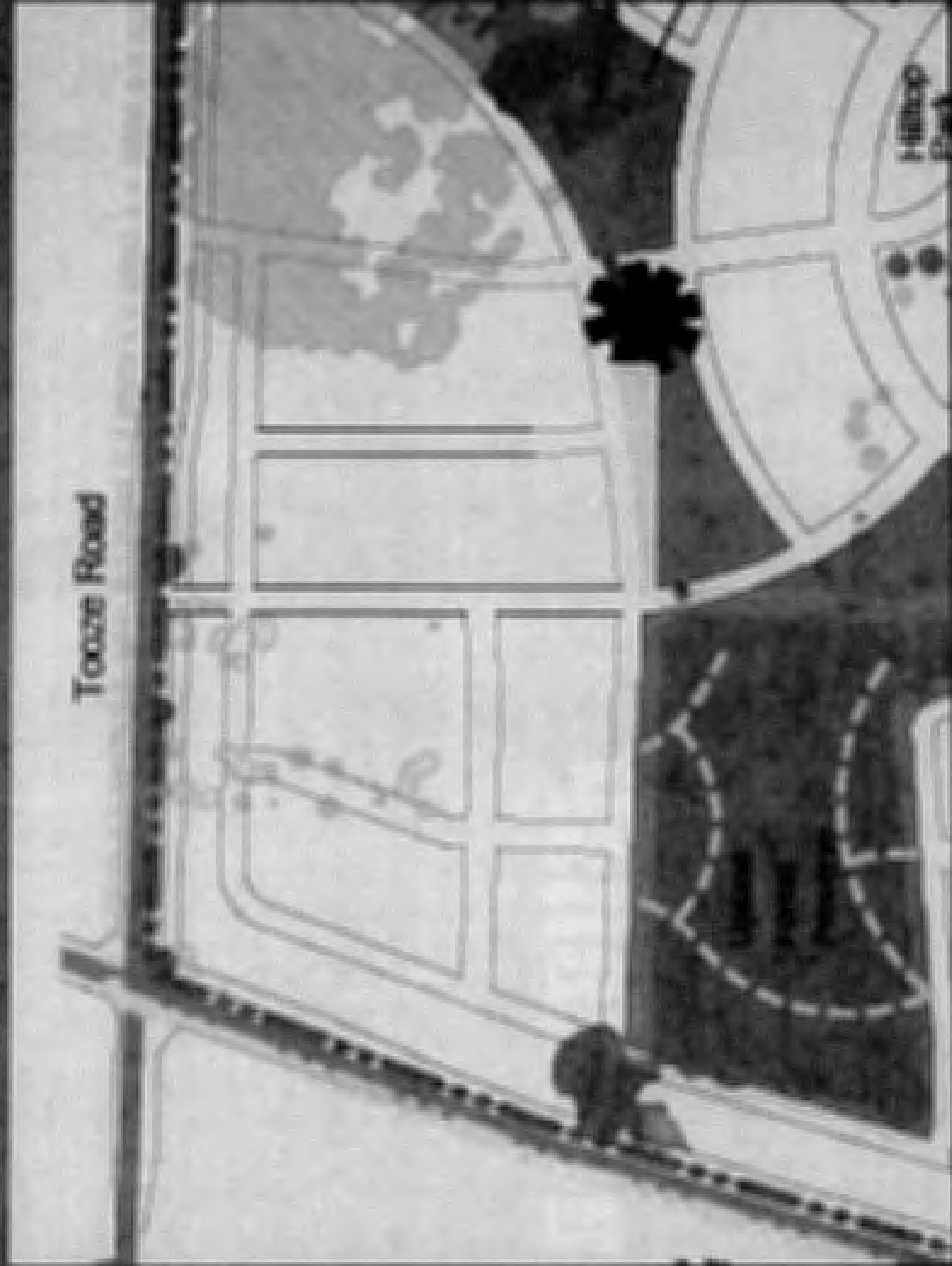
Zone Map Amendment



Zone Map Amendment



Zone Map Amendment



Questions?

CITY OF WILSONVILLE

29799 SW Town Center Loop East
Wilsonville, OR 97070
Phone: 503.682.4960
Fax: 503.682.7025

Web: www.ci.wilsonville.or.us

Pre-Application meeting date:

Planning Division Development Permit Application

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175

A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements

Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.

TO BE COMPLETED BY APPLICANT:

Please PRINT legibly

Applicant:

City of Wilsonville

Address: 29799 SW Town Center Loop E.

Phone: 503-682-1011

Fax:

E-mail:

Authorized Representative:

Address:

Phone:

Fax:

E-mail:

Property Owner:

City of Wilsonville

Address: 29799 SW Town Center Loop E.

Phone: 503-682-1011

Fax:

E-mail:

Property Owner's Signature:

Printed Name: Bryan Cosgrove

Date: 10/16/14

Applicant's Signature (if different from Property Owner):

[Signature]

Printed Name: Bryan Cosgrove

Date: 10/16/14

Site Location and Description:

Project Address if Available: 11650 SW Tooze Road (TL 1100 and 1101)

Suite/Unit

Project Location: south side of SW Tooze Road west of Grahams Ferry, west side of SW Grahams Ferry south of Tooze

Tax Map #(s): 15

Tax Lot #(s): 1100, 1101, 1591

County:

Washington

Clackamas

Request:

Annexation and Zone Map Amendment to "Village" for City owned property in the northwestern portion of Villebois.

Project Type: Class I Class II Class III

Residential

Commercial

Industrial

Other (describe below)

Application Type:

Annexation

Appeal

Comp Plan Map Amend

Conditional Use

Final Plat

Major Partition

Minor Partition

Parks Plan Review

Plan Amendment

Planned Development

Preliminary Plat

Request to Modify Conditions

Request for Special Meeting

Request for Time Extension

Signs

Site Design Review

SROZ/SRIR Review

Staff Interpretation

Stage I Master Plan

Stage II Final Plan

Type C Tree Removal Plan

Tree Removal Permit (B or C)

Temporary Use

Variance

Villebois SAP

Villebois PDP

Villebois PDP

Waiver

Zone Map Amendment

Other



City of Wilsonville

EXHIBIT B1 DB14-0064 et seq

Petition for Annexation to the City of Wilsonville

The City of Wilsonville, as sole owner of certain real property legally described and shown in Attached Exhibit A on which no persons or electors reside, does hereby petition said property be annexed into the boundaries of the City of Wilsonville.

Signed on behalf of the City of Wilsonville, petitioner,



Bryan Cosgrove, City Manager

Date 10/16/14

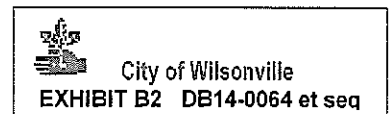




EXHIBIT "A"

October 10, 2014

LEGAL DESCRIPTION

Job No. 103-005

Two parcels of land owned by the City of Wilsonville per Document No. 2006-085167, being Parcel 1 and Parcel 2 of Partition Plat No. 1994-182; Clackamas County Plat Records, being in the Northwest Quarter of Section 15, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, more particularly described as follows:

BEGINNING at the Northeast corner of said Parcel 1;

thence along the easterly line of said Parcel 1, South 00° 43'30" West, a distance of 888.82 feet to the Southeast corner of said Parcel 1;

thence along the northerly line of plat of "Tonquin Woods at Villebois No. 4", South 89° 59'58" West, a distance of 481.11 feet to the Southwest corner of said Parcel 2;

thence along the westerly line of said Parcel 2, North 00° 48'23" East, a distance of 888.82 feet to the Northwest corner of said Parcel 2;

thence along the southerly Right-of-Way line of SW Tooze Road (County Road No. 355), North 89° 59'50" East, a distance of 479.85 feet to the POINT OF BEGINNING.

Containing 9.81 acres, more or less.

Basis of bearings being Partition Plat No. 1994-182, Clackamas County Plat Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWALS: 6/30/2015

PGB

-SW TOOZE ROAD (COUNTY ROAD NO. 355) N89°59'50"E 479.85'

DOCUMENT NO
2005-116698

TAX LOT 1091

TAX LOT 1000

PARCEL II
DOCUMENT NO.
96-036977

PARCEL II
DOCUMENT NO
96-036977

TAX LOT 800

TAX LOT 900

PARCEL II
DOCUMENT NO
96-036977

TAX LOT 800
PARCEL II
DOCUMENT NO
96-036977

TAX LOT 1203
DOCUMENT NO.
73-30518

888.82'

N00°46'23"E

TAX LOT 1101
PARCEL 2

SW RAVENNA LOOP

TAX LOT 1100
PARCEL 1

PARTITION PLAN
NO. 1994-182

STREET DEDICATION
PER DOCUMENT
NO. 2014-037400

S00°43'30"W 886.82'

S88°59'58"W 481.11'

TRACT "AJ"

TRACT "DB"

TRACT "EE"

"TONQUIN WOODS AT
VILLEBOIS NO. 7"

"TONQUIN
WOODS AT
VILLEBOIS
NO. 4"

"TONQUIN WOODS AT
VILLEBOIS NO. 8"



EXHIBIT "A"

DRAWN BY: BAA DATE: 10/10/2014
 REVIEWED BY: TCJ DATE: 10/10/2014
 PROJECT NO: 103-005
 SCALE: 1"=150'



12564 SW Main St
 Tigard, OR 97223
 (T) 503-941-9484
 (F) 503-941-9485

EXHIBIT A



LEGAL DESCRIPTION Map 351W15 Tax Lot 1503

A parcel of land owned by the City of Wilsonville per Document No. 2014-037149, Clackamas County Deed Records, being in the Northwest Quarter of Section 15, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, more particularly described as follows:

BEGINNING at the Southwest corner of Tract "L", plat of "Calais at Villebois";

thence along the northerly line of Tract "III", plat of "Tonquin Woods at Villebois No. 7" and its extension, North 88° 34'09" West, a distance of 77.14 feet to an angle point on the easterly Right-of-Way line of SW Grahams Ferry Road (County Road No. 13);

thence along said easterly Right-of-Way line, North 17° 14'42" East, a distance of 170.17 feet to an angle point on the westerly plat line of "Calais at Villebois";

thence along said westerly plat line, South 09° 12'39" East, a distance of 166.59 feet to the POINT OF BEGINNING.

Containing 6,315 square feet, more or less.

Basis of bearings being plat of "Calais at Villebois", Clackamas County Plat Records.

Property Vested in:

City of Wilsonville

Map 351W15 Tax Lot 1503

REGISTERED
PROFESSIONAL
LAND SURVEYOR

A handwritten signature in black ink, appearing to read "T. Jansen", is written over the signature line of the surveyor's stamp.

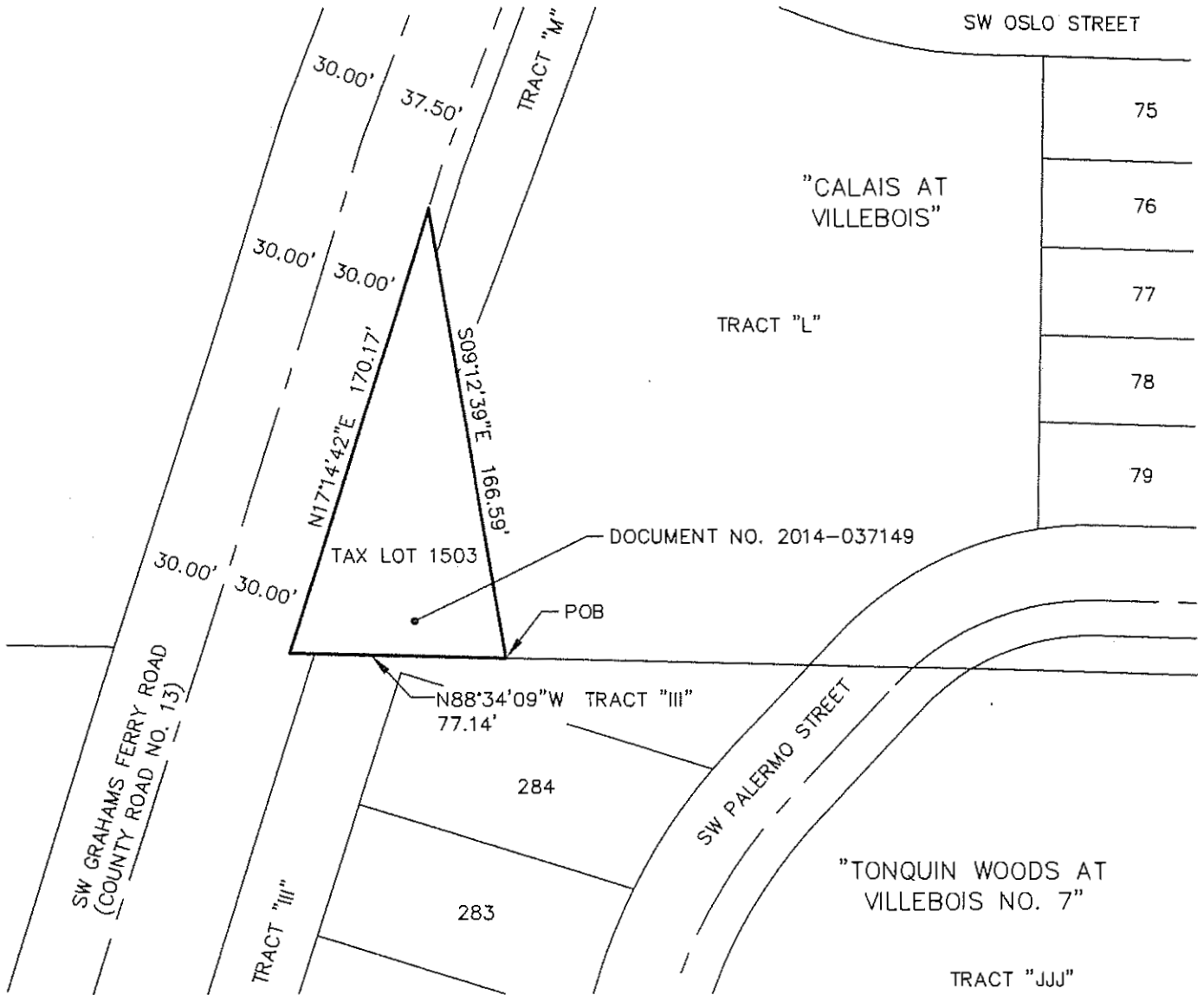
OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2015

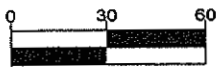
EXHIBIT A



SKETCH TO ACCOMPANY LEGAL DESCRIPTION Map 3S1W15 Tax Lot 1503



SCALE



1 INCH = 60 FEET

Property Vested in:
City of Wilsonville
Map 3S1W15 Tax Lot 1503

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2015

Columbia Cable of Oregon
14200 SW Brigadoon Ct.
Beaverton, OR 97005

City Planner
City of Canby
182 N. Holly
Canby, OR 97013

Andy Back
Wash. County Long Range Planning
155 N. First Avenue
Hillsboro, OR 97124

Tom Simpson
NW Natural Gas
220 NW 2nd Avenue
Portland, OR 97209

Oregon Dept of Environ Quality
811 SW Sixth Avenue
Portland, OR 97204

Brian Harper
Metro
600 NE Grand Avenue
Portland, OR 97232

Gail Curtis
ODOT, Region 1
123 NW Flanders Street
Portland, OR 97209

Mike Strauch
ODOT District 2A
9200 SE Lawnfield Road
Clackamas, OR 97015-8685

Bobbi Burton
Community Coordinator, Facilities Division
2575 Center Street, NE
Salem, OR 97310

Aquilla Hurd-Ravich
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062

Tualatin Valley Water District
1850 SW 170th Ave.
Beaverton, OR 97005-4211

Mike McCallister
Clackamas Cty Planning Manager
150 Beaver Creek Road
Oregon City, OR 97045

~~Wendy Buck
Portland General Electric
121 SW Salmon 1 WTC3
Portland, OR 97204~~

Brian Kelley
NW Natural Gas
20285 SW Cipole Road
Sherwood, OR 97140

Ray Valone
Metro
600 NE Grand Avenue
Portland, OR 97232

Manager, Community Development
Metro Growth Management Services
600 NE Grand Avenue
Portland, OR 97232

Marah Danielson
ODOT, Region 1
123 NW Flanders Street
Portland, OR 97209

John Lilly
Department of State Lands
775 Summer Street, NE
Salem, OR 97301-1279

Bill Ferber, Region Manager
Oregon Water Resources Department
725 Summer Street, NE, Suite A
Salem, OR 97301

Bill Rhoades
West Linn/Wilsonville School District 3JT
22210 SW Stafford Rd.
Tualatin, OR 97062

Planning Director
City of Sherwood
22560 SW Pine Street
Sherwood, OR 97140

Diane Taniguchi-Dennis
Deputy General Manager
Clean Water Services
2550 SW Hillsboro Hwy.
Hillsboro, OR 97123

Shelley Fenton
BPA, Realty Department
PO Box 3621
Portland, OR 97208

Ben Baldwin
Tri-Met Project Planning Dept
4012 SE 17th Avenue
Portland, OR 97202

Caleb Winter
Metro
600 NE Grand Avenue
Portland, OR 97232

Attn: Development Review
ODOT
123 NW Flanders Street
Portland, OR 97209

Brian Buswell
Portland General Electric
94800 SW Boeckman Road
Wilsonville, OR 97070

Richard Ross
Department of Corrections
2575 Center Street NE
Salem, OR 97310

Sherwood School Dist Admin Office
23295 SW Main Street
Sherwood, OR 97140

Saskia Dresler
West Linn/Wilsonville School District 3JT
22210 SW Stafford Rd.
Tualatin, OR 97062

Brian Tietsort
United Disposal Services
10295 SW Ridder Road
Wilsonville, OR 97070

Tualatin Valley Fire and Rescue
29875 SW Kinsman Road
Wilsonville, OR 97070

Tualatin Valley Fire & Rescue
South Division
8445 SW Elligsen Rd
Wilsonville, OR 97070