



# Oregon

Kate Brown, 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](http://www.oregon.gov/LCD)



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

Date: June 23, 2016  
Jurisdiction: City of Wilsonville  
Local file no.: DB16-0005 and DB16-0  
DLCD file no.: 003-16

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 06/22/2016. 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 less than 35 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](mailto:plan.amendments@state.or.us)



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

FOR DLCD USE

File No.: 003-16 {24374}

Received: 6/22/2016

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.: **DB16-0005 and DB16-0006**

Date of adoption: 6/20/2016

Date sent: 6/22/2016

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): 4/4/2016

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 FD-20 to Industrial 10 acres. A goal exception was required for this change.

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

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

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

Location of affected property (T, R, Sec., TL and address): 3S,1W,SEC.2C.TL 600.

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 FD-20	to PDI-RSIA	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): 3S,1W,SEC.2C.TL 600.

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

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



**PLANNING DIVISION**

FAX: (503) 682-7025  
(503) 570-1575  
[swhite@ci.wilsonville.or.us](mailto:swhite@ci.wilsonville.or.us)

**Delivery via Email**

**Letter of Transmittal**

TO: Attention: Plan Amendment Specialist  
\_\_\_\_\_  
Department of Land Conservation & Development  
\_\_\_\_\_  
635 Capitol Street NE, Suite 150  
\_\_\_\_\_  
Salem, Oregon 97301-2540  
\_\_\_\_\_

FROM: Tami Bergeron  
\_\_\_\_\_  
Administrative Assistant  
\_\_\_\_\_  
(For Shelley White)  
\_\_\_\_\_  
DATE: June 22, 2016

**WE ARE TRANSMITTING THE FOLLOWING:**

**DB16-0005 and DB16-0006 – Republic Services: Comprehensive Plan Map Amendment and Zone Map Amendment**

- DLCD Notice of Adoption Form 2 for DB16-0005 and DB16-0006
- Ordinance 792 and supporting documents (Annexation)
- Ordinance 793 and supporting documents (Comp Plan Map Amendment)
- Ordinance 794 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](mailto:pauly@ci.wilsonville.or.us)



**WILSONVILLE CITY COUNCIL  
NOTICE OF DECISION  
ORDINANCE NOS. 791, 793, AND 794**

**FILE NO: ORDINANCE NOS. 792, 793, AND 794**

**APPLICANT: WILLAMETTE RESOURCES INCORPORATED, APPLICANT/OWNER**

After conducting a public hearing on June 6, 2016 and second reading on June 20, 2016 the City Council voted to adopt Ordinance Nos. 792, 793, and 794 as submitted and adopted findings and conclusions to support their action.

This decision has been finalized in written forms entitled:

- A. **Ordinance No. 792**  
An Ordinance Of The City Of Wilsonville Annexing Approximately 10.2 Acres Of Territory Including A Segment Of SW Garden Acres Road Right-Of-Way And An Adjacent Parcel Of Land East Of SW Garden Acres Road North Of SW Ridder Road And The Current Republic Services Development Into The City Limits Of The City Of Wilsonville, Oregon. The Territory Is More Particularly Described As Tax Lot 600 Of Section 2C, T3S, R1W, Washington County, Oregon And Adjacent Right-Of-Way, Willamette Resource Incorporated, Petitioner. (staff – Pauly)
- B. **Ordinance No. 793**  
An Ordinance Of The City Of Wilsonville Approving A Comprehensive Plan Map Amendment From The Washington County Future Development – 20 (FD-20) District To The City Of Wilsonville Industrial Designation On Approximately 10.2 Acres Comprising Tax Lot 600 Of Section 2C, T3S, R1W, Washington County, Oregon And Adjacent Right-Of-Way, Willamette Resource Incorporated, Applicant/Owner. (staff – Pauly)
- C. **Ordinance No. 794**  
An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Washington County Future Development-20 (Fd-20) Zone To The Planned Development Industrial-Regionally Significant Industrial Area (PDI-RSIA) Zone On Approximately 10.2 Acres Comprising Tax Lot 600 Of Section 2C, T3S, R1W, Washington County, Oregon And Adjacent Right-Of-Way, Willamette Resource Incorporated, Applicant/Owner. (staff – Pauly)

And placed on file in the city records at the Wilsonville City Hall the 21<sup>st</sup> day of June 2016, and is available for public inspection. The date of filing is the date of decision. Any appeal(s) must be filed with the Land Use Board of Appeals (LUBA) in accordance with ORS Chapter 197, within twenty-one days from the date of decision. Copies of Ordinance No. 792, 793, and 794 may be obtained from the City Recorder, 29799 SW Town Center Loop East, Wilsonville, OR 97070, (503) 570-1506, or via email at [king@ci.wilsonville.or.us](mailto:king@ci.wilsonville.or.us)

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

**ORDINANCE NO. 792**

**AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING APPROXIMATELY 10.2 ACRES OF TERRITORY INCLUDING A SEGMENT OF SW GARDEN ACRES ROAD RIGHT-OF-WAY AND AN ADJACENT PARCEL OF LAND EAST OF SW GARDEN ACRES ROAD NORTH OF SW RIDDER ROAD AND THE CURRENT REPUBLIC SERVICES DEVELOPMENT INTO THE CITY LIMITS OF THE CITY OF WILSONVILLE, OREGON. THE TERRITORY IS MORE PARTICULARLY DESCRIBED AS TAX LOT 600 OF SECTION 2C, T3S, R1W, WASHINGTON COUNTY, OREGON AND ADJACENT RIGHT-OF-WAY, WILLAMETTE RESOURCE INCORPORATED, PETITIONER.**

**RECITALS**

WHEREAS, consistent with ORS 222.111 (2) a proposal for annexation was initiated by petition by the owner of real property in the territory to be annexed, a copy of the petition is on file with the City Recorder; and

WHEREAS, written consent has been obtained from the only owner of the territory and no electors reside within the territory proposed to be annexed, a copy of which is on file with the City Recorder; and

WHEREAS, the land to be annexed is within Wilsonville's Urban Growth Boundary and a copy of the legal description and sketch is attached as Attachment 1, and both are incorporated by reference as if fully set forth herein; and

WHEREAS, the territory to be annexed is contiguous to the City and can be served by City services; and

WHEREAS, ORS 227.125 authorizes the annexation of territory based on consent of the only owner of the land and a majority of electors, if any, within the territory and enables the City Council to dispense with submitting the question of the proposed annexation to the electors of the City for their approval or rejection; and

WHEREAS, annexing adjacent public right-of-way will allow for improvements consistent with the City's Transportation Systems Plan and Public Works Standards; and

WHEREAS, Panel A of the Development Review Board considered the annexation, and after a duly advertised public hearing held on May 9, 2016 recommended City Council approve the annexation; and

WHEREAS, on June 6, 2016, the City Council held a public hearing as required by Metro Code 3.09.050 and received testimony; and

WHEREAS, reports were prepared and considered as required by law; and notice was duly given, the Council finds that the annexation is not contested by any party, neither before the DRB or at the City Council hearing, therefore, the City Council finds that it is not necessary to submit the matter to the voters and does hereby favor the annexation of the subject tract of land based on findings and conclusions attached hereto as Attachment 3.

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

Section 1. The above recitals are fully incorporated herein. The territory legally described and depicted in Attachment 1 is declared annexed to the City of Wilsonville.

Section 2. The findings and conclusions and in Attachment 3 are adopted. The City Recorder shall immediately file a certified copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(g) and ORS 222.005. The annexation shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on June 6, 2016 and scheduled for the second reading on June 20, 2016 commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 Town Center Loop East, Wilsonville, OR.

ENACTED by the City Council on the 20th day of June 2016 by the following votes:

Yes: -4-

No: -0-

  
Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this 21<sup>st</sup> day of June, 2016.

  
TIM KNAPP, MAYOR



SUMMARY OF VOTES:

Mayor Knapp - Yes

Councilor Starr - Excused

Councilor Fitzgerald - Yes

Councilor Stevens - Yes

Councilor Lehan - Yes

Attachments:

Attachment 1: Legal Description and Sketch of Annexation Area

Attachment 2: Petition for Annexation

Attachment 3 Annexation Findings May 12, 2016

EXHIBIT "A"

A TRACT OF LAND SITUATE IN THE SOUTHWEST ONE-QUARTER OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, BEING LOT 12, OF THE PLAT OF "GARDEN ACRES", WASHINGTON COUNTY PLAT RECORDS AND A PORTION OF GARDEN ACRES ROAD, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF GARDEN ACRES ROAD, SAID POINT BEARS SOUTH 89°41'03" WEST, A DISTANCE OF 20.00 FEET AND SOUTH 00°18'57" EAST, A DISTANCE OF 1652.60 FEET FROM THE QUARTER CORNER COMMON TO SECTIONS 2 AND 3, THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE ALONG A WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 12 AND THE NORTH LINE OF SAID LOT 12 NORTH 89°28'40" EAST, A DISTANCE OF 1344.33 FEET TO A 5/8" IRON ROD MARKING THE NORTHEAST CORNER OF SAID LOT 12; THENCE LEAVING SAID NORTH LINE ALONG THE EAST LINE OF SAID LOT 12, SOUTH 00°19'54" EAST, A DISTANCE OF 330.43 FEET TO A 3 1/2" BRASS CAP STAMPED "BONNVILLE POWER ADMINISTRATION", MARKING THE SOUTHEAST CORNER OF SAID LOT 12; THENCE LEAVING SAID EAST LINE ALONG THE SOUTH LINE OF SAID LOT 12 AND A WESTERLY EXTENSION THEREOF SOUTH 89°28'40" WEST, A DISTANCE OF 1344.42 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY LINE OF GARDEN ACRES ROAD; SAID POINT BEARS SOUTH 89°41'03" WEST, A DISTANCE OF 20.00 FEET AND NORTH 00°18'57" WEST, A DISTANCE OF 661.31 FEET FROM THE SECTION CORNER COMMON TO SECTIONS 3, 2, 10 AND 11; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE NORTH 00°18'57" WEST, A DISTANCE OF 330.43 FEET TO THE POINT OF BEGINNING.

CONTAINS 444,223 SQUARE FEET OR 10.198 ACRES, MORE OR LESS.

ANNEXATION CERTIFICATE

BY       *TV*      

NOV 16 2015

WASHINGTON COUNTY A & T  
CARTOGRAPHY

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Tod V. Kelso*

OREGON  
JULY 15, 2003  
TOD V. KELSO  
50701

EXPIRATION DATE: *6/30/17*

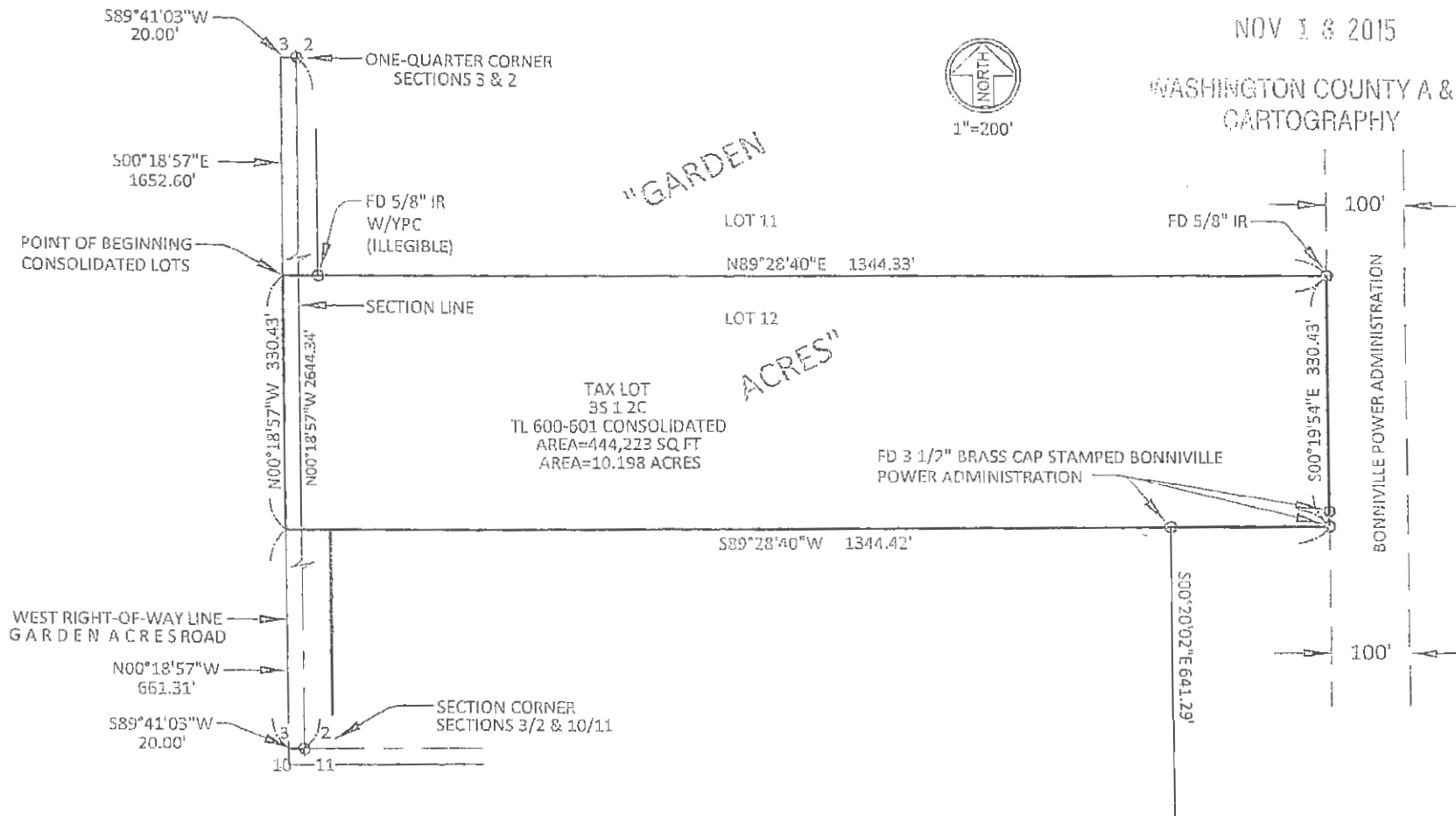
# LOT CONSOLIDATION EXHIBIT


ANNEXATION CERTIFIED

BY VF

NOV 18 2015

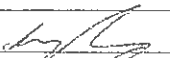
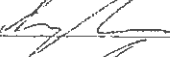
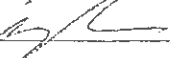
WASHINGTON COUNTY A & T  
CARTOGRAPHY



<p><b>Project</b> REP. SERV. ANNEXATION</p> <p><b>No.</b> 999-158B</p>	<p><b>Designed by</b> TVK    <b>Date</b> 2015-11-03</p> <p><b>Drawn by</b> TVK    <b>Date</b> 2015-11-09</p> <p><b>Horiz. Scale:</b> 1"=200'    <b>Vert. Scale:</b></p> <p>999-158B PH2 LLA EXHIBIT    <b>Type</b> EXHIBIT</p>	 <p>3129 SW WASHINGTON SQUARE RD SUITE 110 PORTLAND, OREGON 97217 503-443-8100 443-8103 www.pdg.com</p>	<p><b>Sheet</b> 2 of 2</p>
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### PETITION SIGNERS

**NOTE: This petition may be signed by qualified persons even though they may not know their property description or precinct**

SIGNATURE	PRINTED NAME	I AM A: *			PROPERTY ADDRESS	PROPERTY DESCRIPTION			
		PO	RV	OV		LOT #	¼ SEC	T	R
	Mike Huycke, VP WRI	X			25720 SW Garden Acres Road	601	2C	3S	1W
	Mike Huycke, VP WRI	X			None assigned	600	2C	3S	1W
	On Behalf of Willamette Resources, Inc.								

\* PO =Properly Owner  
 RV =Registered Voter  
 OV =Owner And Registered Voter

Ordinance No. 792  
Staff Report  
Wilsonville Planning Division

Republic Services Property Annexation

City Council  
Quasi-Judicial Public Hearing

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Hearing Date: June 6, 2016  
Date of Report: May 12, 2016

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Application No.: DB16-0004 Annexation

**Request:** The City Council is being asked to review annexation of approximately 10.2 acres of property owned by Republic Services to expand their campus and adjacent right-of-way.

**Location:** Segment of Garden Acres Road and a parcel east of Garden Acres Road north of current Republic Services buildings The property is specifically known as Tax Lots 600 , Section 2C, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon

**Owner/Petitioner:** Jason Jordan, Willamette Resources Inc.

**Applicants'**

**Representative:** Ben Altman, Pioneer Design Group

**Comprehensive Plan Designation (Current):** FD-20

**Comprehensive Plan Designation (Proposed):** Industrial

**Zone Map Classification (Current):** FD-20

**Zone Map Classification (Proposed):** PDI-RSIA

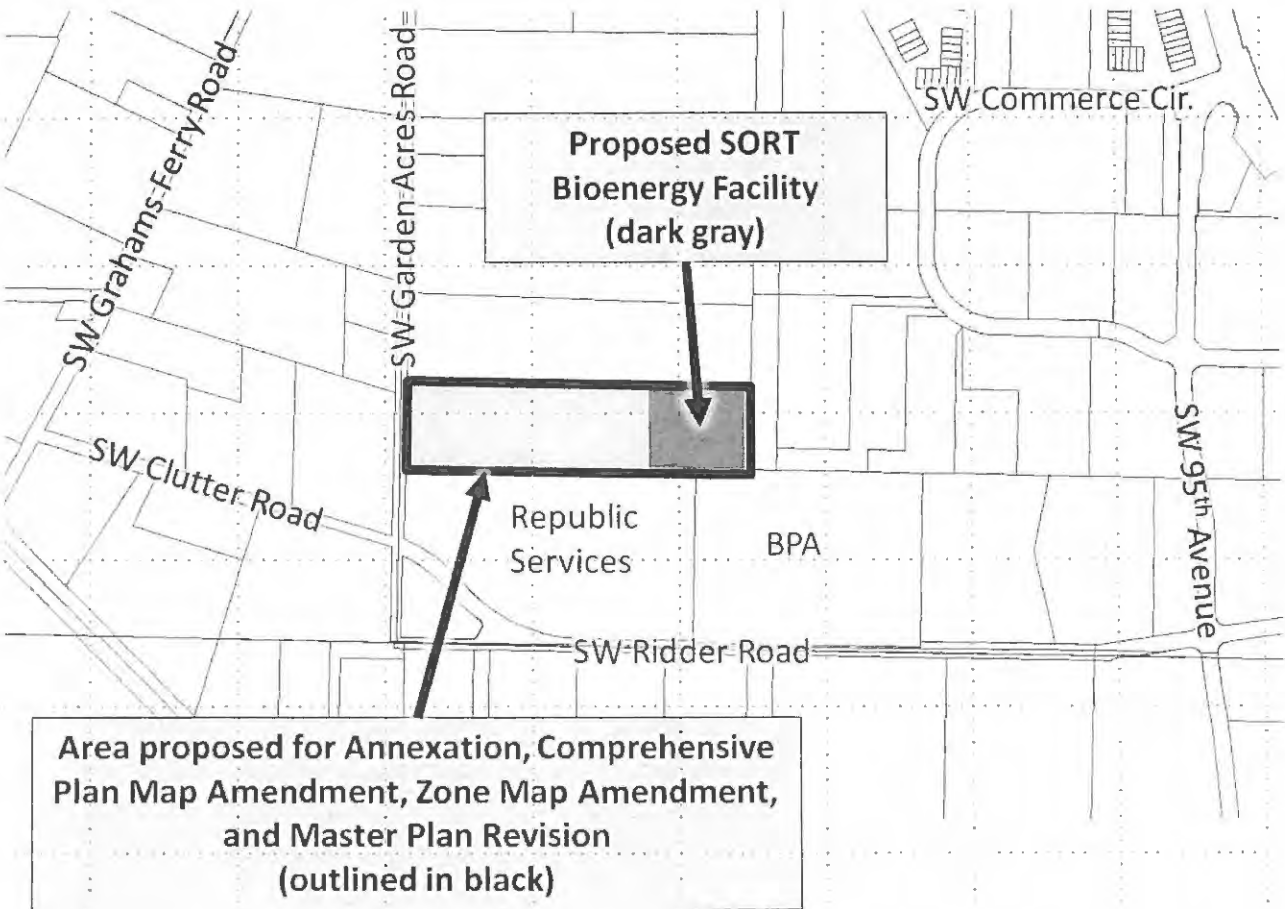
**Staff Reviewers:** Daniel Pauly AICP, Associate Planner

**Staff Recommendation:** Approve the requested Annexation.

**Applicable Review Criteria:**

<b>Development Code:</b>	
Section 4.700	Annexations and Urban Growth Boundary Amendments
<b>Other Planning Documents:</b>	
Wilsonville Comprehensive Plan	
Chapter 3.09 Metro Code	
ORS 222.111, 222.120, 222.125	
Oregon Statewide Planning Goals	

## Vicinity Map



## Summary:

Republic Services has a growing operation in Wilsonville. The Wilsonville campus currently includes a Materials Recovery Facility (MRF) for processing and sorting waste, collection operations offices, maintenance shop, and storage and support services. Republic Services and their predecessor companies have owned 10 acres north of their campus for many years, which currently sits outside Wilsonville City limits. In support of their continued growth, Republic Services wishes to annex the property into the City. Adjacent public right-of-way will also be annexed. The annexation follows all applicable regional and state rules and statutes. By bringing the land into the boundary of the City, the annexation sets the stage for the applicant to request other approvals from the City.

## Conclusion and Conditions of Approval:

Staff and the DRB have reviewed the application and facts regarding the request and recommend the City Council approve the Annexation (DB16-0004).

## Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The application was received on February 5, 2016. On March 2, 2016 staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete. On March 21, 2016 the Applicant submitted new materials. On April 19, 2016 the application was deemed complete. The City must render a final decision for the request, including any appeals, by August 17, 2016.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	FD-20	Rural
East:	PDI	Industrial Development
South:	PDI/PF	Republic Services/BPA Substation
West:	FD-20	Rural

3. Previous Planning Approvals:  
Case File 91PC33 – Stage I Master Plan Willamette Resources  
Case File 94DR18 – Site Design Review Willamette Resources  
Case File 99DB03 – Site Design Review Keller Drop Box  
Case File DB14-0032 Stage I Master Plan Revision  
Case File DB14-0033 Stage II Final Plan for Maintenance Facility  
Case File DB14-0034 Site Design Review for Maintenance Facility  
Case File DB14-0035 Type C Tree Plan
4. The applicant has complied with Sections 4.008 through 4.011, 4.013-4.031, and 4.035 of the Wilsonville Code. Said sections pertain to review procedures and submittal requirements.

## Findings of Fact:

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

#### Application Procedures-In General Section 4.008

**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.

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

#### Initiating Application Section 4.009

**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.

**Details of Finding:** The application has been submitted on behalf of the property owner, Republic Services and is signed by an authorized representative.

#### Pre-Application Conference Subsection 4.010 (.02)

**Review Criteria:** This section lists the pre-application process

**Finding:** These criteria are satisfied.

**Details of Finding:** A Pre-application conferences were held on October 16, 2014 (PA14-0015) in accordance with this subsection.

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

**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.



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

General Submission Requirements  
Subsection 4.035 (.04) A.

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

**Finding:** These criteria are satisfied.

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

Zoning-Generally  
Section 4.110

**Review Criteria:** "The use of any building or premises or the construction of any development shall be in conformity with the regulations set forth in this Code for each Zoning District in which it is located, except as provided in Sections 4.189 through 4.192." "The General Regulations listed in Sections 4.150 through 4.199 shall apply to all zones unless the text indicates otherwise."

**Finding:** These criteria are satisfied.

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

## DB16-0004 Annexation

### Comprehensive Plan

Allowed Annexation  
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 land proposed for annexation is within the Coffee Creek Master Plan area, which is planned for industrial development within the City and for which public services are planned.

Annexation Review Standards  
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:** Necessary public facilities are available for the land proposed for annexation, is planned for industrial development as part of the City's Coffee Creek Master Plan. The land is within the Urban Growth Boundary and sufficient land for planned uses is not available on Republic Services land within the City. The annexation and development of the land is required to be consistent with Statewide Planning Goals and applicable Metro plans.

## **Development Code**

### Authority to Review Annexation

Subsections 4.030 (.01) A, 11, 4.031 (.01) K, and 4.033 (.01) F.

- A3. **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.

### Annexation

Section 4.700

- A4. **Review Criteria:** This section defines the criteria and process for annexation review within the City.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The applicant has met all submittal requirements and procedures described in this including submission of a petition, legal descriptions describing the land to be annexed, an analysis of the relationship with the Comprehensive Plan, state statutes, Statewide Planning Goals, and Metro plans.

## **Metro Code**

### Local Government Boundary Changes

Chapter 3.09

- A5. **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:** A public hearing will be held within 45 days of completeness. Notice has been mailed and posted on the property 20 days prior to the hearing and includes the required information. The decision will be mailed to Metro and other required parties. A petition has been submitted including property owner information, jurisdictional information, and a legal description of the property.

## Oregon Revised Statutes

### Authority and Procedure for Annexation ORS 222.111

A6. **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 owner of the property has initiated the annexation. An election is not required pursuant to ORS 222.120.

### Procedure Without Election by City Electors ORS 222.120

A7. **Review Criteria:** ORS 222.120 establishes the authority and procedures for annexation by City's within the state of Oregon without an election.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** A public hearing has been set between. Required notices have been or will be sent. The annexation is being adopted by Ordinance by the City Council. No electors reside on the property. All property owners have consented to annexation by signing the petition thus the ordinance can declare the property annexed with no votes by electors within the territory to be annexed.

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

A8. **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:** All property owners of territory proposed to be annexed have provided their consent in writing. No electors reside within the territory proposed to be annexed. However, a public hearing process is being followed as prescribed in the City's Development Code concurrent with a Comprehensive Plan Map and Zone Map Amendment request and other quasi-judicial land use applications.

## **Oregon Statewide Planning Goals**

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

**A9. 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 Coffee Creek Master Plan, both which have been found to meet the statewide planning goals.

**ORDINANCE NO. 793**

**AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A COMPREHENSIVE PLAN MAP AMENDMENT FROM THE WASHINGTON COUNTY FUTURE DEVELOPMENT – 20 (FD-20) DISTRICT TO THE CITY OF WILSONVILLE INDUSTRIAL DESIGNATION ON APPROXIMATELY 10.2 ACRES COMPRISING TAX LOT 600 OF SECTION 2C, T3S, R1W, WASHINGTON COUNTY, OREGON AND ADJACENT RIGHT-OF-WAY, WILLAMETTE RESOURCE INCORPORATED, APPLICANT/OWNER.**

**RECITALS**

WHEREAS, Willamette Resources Incorporated (“Applicant”) have made a development application requesting, among other things, a Comprehensive Plan Map Amendment of the Property; and

WHEREAS, the development application form has been signed by Jason Jordan, General Manager, on behalf of Willamette Resources Incorporated, owner of real property legally described and shown in Attachment 1, attached hereto and incorporated by reference herein (“Property”); and

WHEREAS, the City desires to also place a Comprehensive Plan designation on adjacent public right-of-way annexed into the City; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Comprehensive Plan Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Comprehensive Plan Map Amendment and recommending approval of the Comprehensive Plan Map Amendment, which staff report was presented to the Development Review Board on May 9, 2016;

WHEREAS, the Development Review Board Panel A held a public hearing on the application for a Comprehensive Plan Map Amendment on May 9, 2016, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 327 which recommends that the City Council approve a request for a Comprehensive Plan Map Amendment (Case File DB16-0005) contingent on the concurrent Annexation; and

WHEREAS, on June 6, 2016, 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

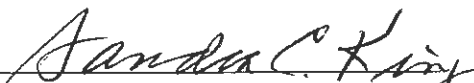
proposed Comprehensive Plan Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

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

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

Section 2. Order. The official City of Wilsonville Comprehensive Plan Map is hereby amended by Comprehensive Plan Map Order DB16-0008, attached hereto as Attachments 1, from Washington County FD-20 to Industrial.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 6th day of June 2016, and scheduled for the second and reading on June 20, 2016, commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR.

  
Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the 20<sup>th</sup> day of June, 2016, by the following

votes: Yes:-4- No:-0-

  
Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this 21<sup>st</sup> day of June, 2016.

  
TIM KNAPP, MAYOR

- SUMMARY OF VOTES:  
Mayor Knapp - Yes  
Councilor Starr - Excused  
Councilor Lehan - Yes  
Councilor Stevens - Yes  
Councilor Fitzgerald - Yes

Exhibits and Attachments:

Attachment 1 – Comprehensive Plan Map Order DB16-0005 including legal description and sketch depicting map amendment.

Attachment 2 – Comprehensive Plan Map Amendment Findings, May 12, 2016.

**ORDINANCE NO. 793– ATTACHMENT 1**

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

In the Matter of the Application of )  
Willamette Resources Incorporated )  
for an Amendment ) **COMPREHENSIVE PLAN MAP**  
of the City of Wilsonville ) **ORDER DB16-0005**  
Comprehensive Plan Map )

The above-entitled matter is before the Council to consider the application of DB16-0005, for a Comprehensive Plan Map Amendment and an Order, amending the official Comprehensive Plan Map of the City of Wilsonville.

The Council finds that the subject property (“Property”), legally described and shown in the attached legal description and sketch, has heretofore appeared on the Washington County Comprehensive Plan Map with a designation of FD-20.

The Property is being annexed into the City of Wilsonville by Ordinance No. 792.

The Council having heard and considered all matters relevant to the application for a Comprehensive Plan 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 10.2 including tax lot 600 of Section 2C, T3S, R1W, Washington County, Oregon and adjacent right-of-way known as SW Garden Acres Road, as more particularly shown and described in the attached legal description and sketch, is hereby designated as Industrial, subject to conditions detailed in this Order’s adopting Ordinance. The foregoing designation is hereby declared an amendment to the Wilsonville Comprehensive Plan Map and shall appear as such from and after entry of this Order.

Dated: June 20, 2016.

  
TIM KNAPP, MAYOR



APPROVED AS TO FORM:

  
Barbara A. Jacobson, City Attorney

ATTEST:

  
Sandra C. King, MMC, City Recorder

Attachment: Legal Description and Sketch Depicting Properties Subject to the Comprehensive Plan Map Amendment

# EXHIBIT "A"

A TRACT OF LAND SITUATE IN THE SOUTHWEST ONE-QUARTER OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, BEING LOT 12, OF THE PLAT OF "GARDEN ACRES", WASHINGTON COUNTY PLAT RECORDS AND A PORTION OF GARDEN ACRES ROAD, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF GARDEN ACRES ROAD, SAID POINT BEARS SOUTH 89°41'03" WEST, A DISTANCE OF 20.00 FEET AND SOUTH 00°18'57" EAST, A DISTANCE OF 1652.60 FEET FROM THE QUARTER CORNER COMMON TO SECTIONS 2 AND 3, THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE ALONG A WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 12 AND THE NORTH LINE OF SAID LOT 12 NORTH 89°28'40" EAST, A DISTANCE OF 1344.33 FEET TO A 5/8" IRON ROD MARKING THE NORTHEAST CORNER OF SAID LOT 12; THENCE LEAVING SAID NORTH LINE ALONG THE EAST LINE OF SAID LOT 12, SOUTH 00°19'54" EAST, A DISTANCE OF 330.43 FEET TO A 3 1/2" BRASS CAP STAMPED "BONNVILLE POWER ADMINISTRATION", MARKING THE SOUTHEAST CORNER OF SAID LOT 12; THENCE LEAVING SAID EAST LINE ALONG THE SOUTH LINE OF SAID LOT 12 AND A WESTERLY EXTENSION THEREOF SOUTH 89°28'40" WEST, A DISTANCE OF 1344.42 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY LINE OF GARDEN ACRES ROAD; SAID POINT BEARS SOUTH 89°41'03" WEST, A DISTANCE OF 20.00 FEET AND NORTH 00°18'57" WEST, A DISTANCE OF 661.31 FEET FROM THE SECTION CORNER COMMON TO SECTIONS 3, 2, 10 AND 11; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE NORTH 00°18'57" WEST, A DISTANCE OF 330.43 FEET TO THE POINT OF BEGINNING.

CONTAINS 444,223 SQUARE FEET OR 10.198 ACRES, MORE OR LESS.

ANNEXATION CERTIFIED

BY VF

NOV 16 2015

WASHINGTON COUNTY A & T  
CARTOGRAPHY

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Tod V. Kelso*  
OREGON  
JULY 15, 2003  
TOD V. KELSO  
50701

EXPIRATION DATE: 7/30/17

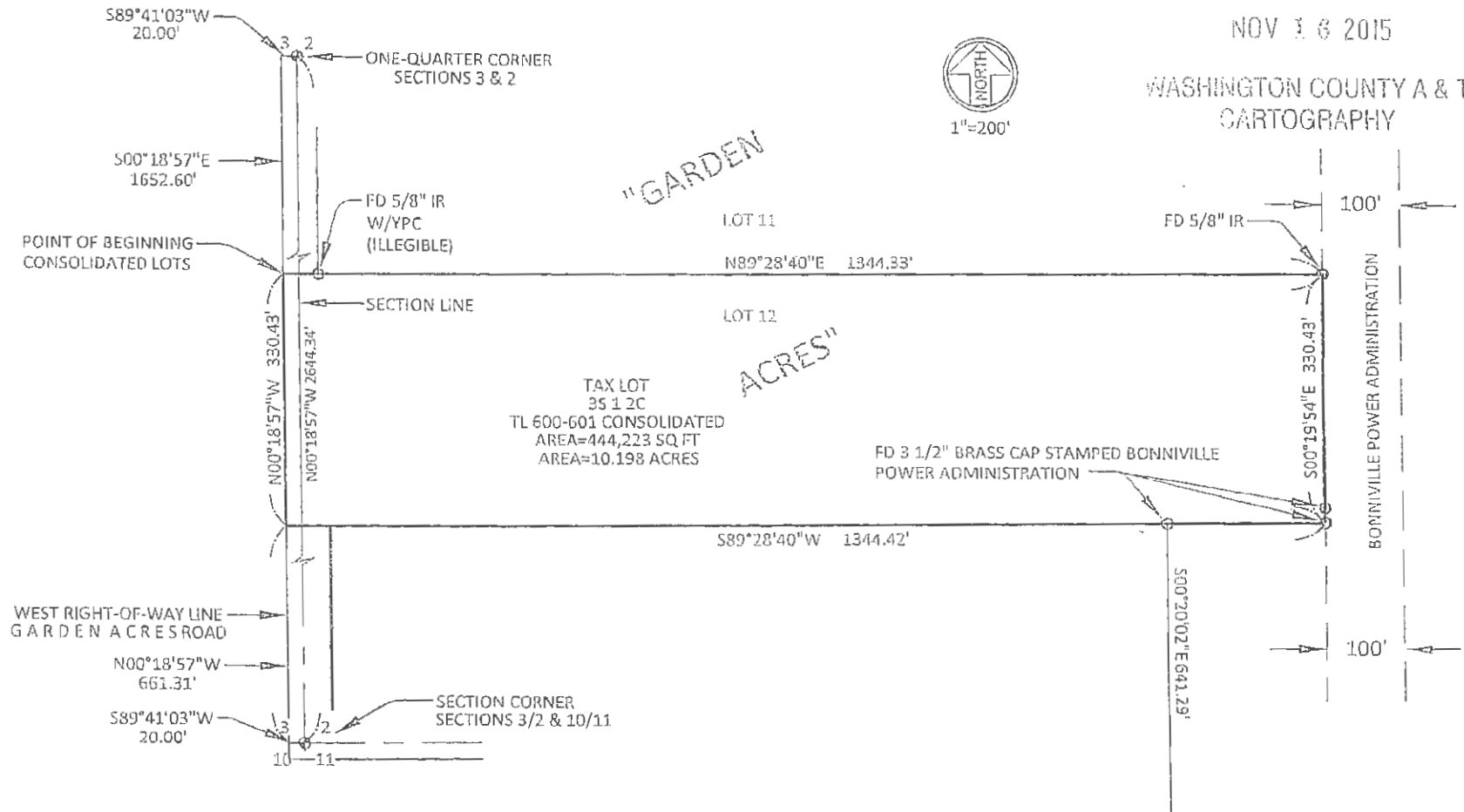
# LOT CONSOLIDATION EXHIBIT

ANNEXATION CERTIFIED

BY 

NOV 16 2015

WASHINGTON COUNTY A & T  
CARTOGRAPHY



**Project**  
REP. SERV. ANNEXATION  
**No.**  
999-158B

**Designed by** TVK **Date** 2015-11-03  
**Drawn by** TVK **Date** 2015-11-09  
**Horiz. Scale:** 1"=200' **Vert. Scale:**  
999-158B PH2 LLA EXHIBIT **Type** EXHIBIT



3023 SW WASHINGTON SQUARE RD.  
SUITE 170  
PORTLAND, OREGON 97223  
P 503.443.8205  
F 503.415.4743  
www.pdg-oregon.com

**Sheet**  
2  
of  
2

Ordinance No. 793  
Staff Report  
Wilsonville Planning Division

Republic Services Expansion  
Comprehensive Plan Map Amendment

City Council  
Quasi-Judicial Public Hearing

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**Hearing Date:** June 6, 2016  
**Date of Report:** May 12, 2016

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**Application Nos.:** DB16-0005 Comprehensive Plan Map Amendment

**Request:** The City Council is being asked to review a Comprehensive Plan Map Amendment from Washington County FD-20 to City of Wilsonville Industrial on approximately 10.2 acres of property owned by Republic Services to expand their campus and adjacent right-of-way.

**Location:** Segment of Garden Acres Road and a parcel east of Garden Acres Road north of current Republic Services buildings The property is specifically known as Tax Lots 600, Section 2C, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon

**Owner/Petitioner:** Jason Jordan, Willamette Resources Inc.

**Applicants'**

**Representative:** Ben Altman, Pioneer Design Group

**Comprehensive Plan Designation (Current):** FD-20

**Comprehensive Plan Designation (Proposed):** Industrial

**Staff Reviewers:** Daniel Pauly AICP, Associate Planner

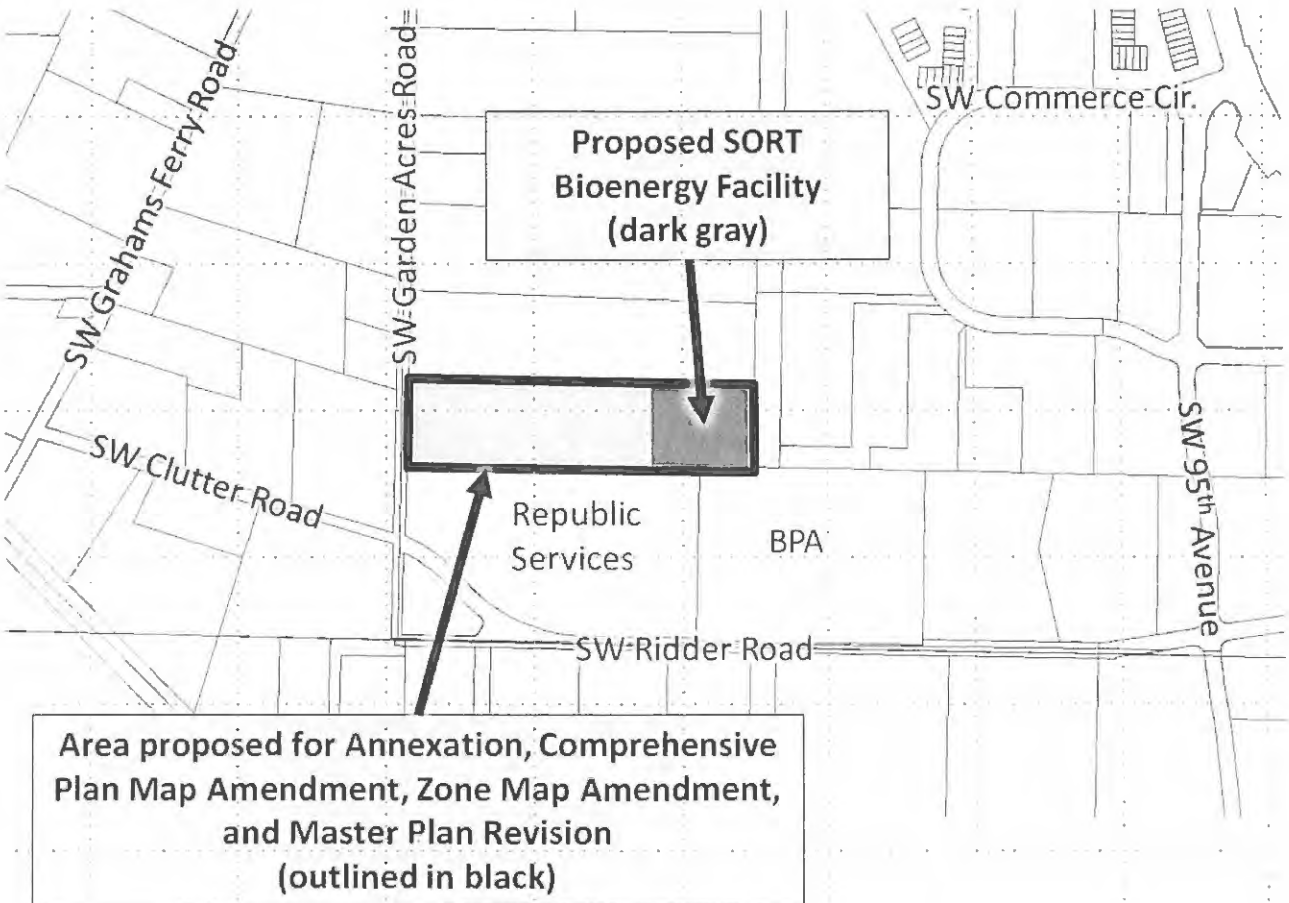
**Staff Recommendation:** Approve the requested Comprehensive Plan Map Amendment.

**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
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement

Section 4.198	Comprehensive Plan Changes
<b>Other Documents:</b>	
Comprehensive Plan	
Oregon Statewide Planning Goals	

**Vicinity Map**



## Background/Summary:

Republic Services has a growing operation in Wilsonville. The Wilsonville campus currently includes a Materials Recovery Facility (MRF) for processing and sorting waste, collection operations offices, maintenance shop, and storage and support services. Republic Services and their predecessor companies have owned 10 acres north of their campus for many years, which currently sits outside Wilsonville City limits. In support of their continued growth and requested annexation, Republic Services requests the City adopt an appropriate Comprehensive Plan designation.

The subject property is within the Coffee Creek Master Plan area. The Coffee Creek Master Plan calls for industrial development. Consistent with the Coffee Creek Master Plan Republic Services proposes the subject property be designated as "Industrial" on the City's Comprehensive Plan Map.

## Conclusion and Conditions of Approval:

Staff and the DRB have reviewed the application and facts regarding the request and recommend the City Council approve the Comprehensive Plan Map Amendment (DB16-0005).

## Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The application was received on February 5, 2016. On March 2, 2016 staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete. On March 21, 2016 the Applicant submitted new materials. On April 19, 2016 the application was deemed complete. The City must render a final decision for the request, including any appeals, by August 17, 2016.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	FD-20	Rural
East:	PDI	Industrial Development
South:	PDI/PF	Republic Services/BPA Substation
West:	FD-20	Rural

3. Previous Planning Approvals:  
Case File 91PC33 – Stage I Master Plan Willamette Resources  
Case File 94DR18 – Site Design Review Willamette Resources  
Case File 99DB03 – Site Design Review Keller Drop Box  
Case File DB14-0032 Stage I Master Plan Revision  
Case File DB14-0033 Stage II Final Plan for Maintenance Facility  
Case File DB14-0034 Site Design Review for Maintenance Facility  
Case File DB14-0035 Type C Tree Plan

4. The applicant has complied with Sections 4.008 through 4.011, 4.013-4.031, and 4.035 of the Wilsonville Code. Said sections pertain to review procedures and submittal requirements.

### **Findings of Fact:**

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**

### Application Procedures-In General Section 4.008

**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.

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

### Initiating Application Section 4.009

**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.

**Details of Finding:** The application has been submitted on behalf of the property owner, Republic Services and is signed by an authorized representative.

### Pre-Application Conference Subsection 4.010 (.02)

**Review Criteria:** This section lists the pre-application process

**Finding:** These criteria are satisfied.

**Details of Finding:** A Pre-application conferences were held on October 16, 2014 (PA14-0015) in accordance with this subsection.

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

**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.

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

#### General Submission Requirements Subsection 4.035 (.04) A.

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

**Finding:** These criteria are satisfied.

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

#### Zoning-Generally Section 4.110

**Review Criteria:** “The use of any building or premises or the construction of any development shall be in conformity with the regulations set forth in this Code for each Zoning District in which it is located, except as provided in Sections 4.189 through 4.192.” “The General Regulations listed in Sections 4.150 through 4.199 shall apply to all zones unless the text indicates otherwise.”

**Finding:** These criteria are satisfied.

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

### **Request: DB16-0005 Comprehensive Plan Map Amendment**

#### **Zoning and Land Development Ordinance**

#### **Comprehensive Plan Amendment Process**

##### Procedures and Criteria in Comprehensive Plan Subsection 4.198 (.01)

B1. **Review Criteria:** “Proposals to amend the Comprehensive Plan, or to adopt new elements or sub-elements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan.”

**Finding:** These criteria are satisfied.

**Details of Finding:** The proposed map amendment is being reviewed against applicable Comprehensive Plan criteria, and procedures described in the Comprehensive Plan are being followed.



Review Bodies  
Subsection 4.198 (.02)

- B2. Review Criteria:** "Following the adoption and signature of the Resolution by the Development Review Board or Planning Commission, together with minutes of public hearings on the proposed Amendment, the matter shall be shall be scheduled for public hearing before the City Council."  
**Finding:** These criteria are satisfied.  
**Details of Finding:** The DRB and City Council are considering the matter as described.

Applicant Agreeing to Conditions of Approval  
Subsection 4.198 (.05)

- B3. Review Criteria:** "In cases where a property owner or other applicant has requested an amendment to the Comprehensive Plan map and the City Council has approved the change subject to conditions, the owner or applicant shall sign a statement accepting, and agreeing to complete the conditions of approval before the Comprehensive Plan map shall be changed."  
**Finding:** These criteria are satisfied.  
**Details of Finding:** The owner will be required to sign a statement accepting any conditions.

### **Comprehensive Plan Amendment Required Findings**

Meets Identified Public Need  
Subsection 4.198 (.01) A.

- B4. Review Criteria:** "Each such amendment shall include findings in support of the following: That the proposed amendment meets a public need that has been identified;"  
**Finding:** These criteria are satisfied.  
**Details of Finding:** The Coffee Creek Master Plan has identified the subject territory as industrial land for needed employment land for the City and the region. Changing the Comprehensive Plan designation from Washington County's current designation of FD-20 to the City designation of "Industrial" reflects the need established in the Coffee Creek Master Plan.

Meets Identified Public Need As Well As Reasonable Alternative  
Subsection 4.198 (.01) B.

- B5. Review Criteria:** "Each such amendment shall include findings in support of the following: That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;"  
**Finding:** These criteria are satisfied.  
**Details of Finding:** As part of the Coffee Creek Master Plan, the subject land is identified for industrial development, thus no other City Comprehensive Plan Map designation is feasible upon annexation.

Supports Statewide Planning Goals  
Subsection 4.198 (.01) C.

**B6. Review Criteria:** “Each such amendment shall include findings in support of the following: That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate;”

**Finding:** These criteria are satisfied.

**Details of Finding:** The City of Wilsonville’s Comprehensive Plan and the Coffee Creek Master Plan have been found to be consistent with Statewide Planning Goals. By being consistent with the Comprehensive Plan and Coffee Creek Master Plan, the proposed Comprehensive Plan Map Amendment is also consistent with the Statewide Planning Goals.

No Conflict with Other Portions of Plan  
Subsection 4.198 (.02) D.

**B7. Review Criteria:** “Each such amendment shall include findings in support of the following: That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.”

**Finding:** These criteria are satisfied.

**Details of Finding:** The applicant is requesting an amendment of the Comprehensive Plan Map for the subject properties. The applicant does not propose to modify or amend any other portion of the Comprehensive Plan or Plan Map. The “Industrial” designation reflects the Coffee Creek Master Plan, an adopted sub-element of the Comprehensive Plan.

### **Comprehensive Plan and Plan Components**

For a majority of Comprehensive Plan Goals, Policies, and Implementation Measures compliance is ensured by the development code standards applied to any development on the proposed property. The following findings are limited to procedural language and Comprehensive Plan language without a clear relationship to implementing development code standards.

### **Initiating, Applying for, and Considering Plan Amendments**

#### Who May Initiate Plan Amendments Introduction Page 7 “Plan Amendments” 1.

**B8. Review Criteria:** “An Amendment to the adopted Plan may be initiated by: a. The City Council, b. The Planning Commission (for legislative amendments) or Development Review Board (for quasi-judicial amendments); or c. Application of property owner(s) or contract purchaser(s) affected or their authorized agents, as specified in #2 below.”

**Finding:** These criteria are satisfied.

**Details of Finding:** The property owner of the subject property initiated the proposed

amendment.

### How to Make Application

Introduction Page 7 "Plan Amendments" 2.

**B9. Review Criteria:** "An application for an amendment to the Plan maps or text shall be made on forms provided by the City. The application, except when initiated by the City Council, DRB, or Planning Commission, as noted in #1, above, shall be accompanied by a Plan Amendment Fee.

**Finding:** These criteria are satisfied.

**Details of Finding:** The proposed amendment has been initiated by the property owner of the subject property who has submitted a signed application form provided by the City and paid the required application fee.

### Consideration of Plan Amendments

Introduction Page 7 "Plan Amendments" 3.

**B10. Review Criteria:** This language specifies how the City should consider a plan amendment including: requiring the City Council consider a plan amendment only after receiving findings and recommendation from the Planning Commission or Development Review Board; having sufficient time before the first evidentiary hearing for public notice and staff report preparation, considering compliance with Statewide Planning Goals and applicable Metro Plans.

**Finding:** These criteria are satisfied.

**Details of Finding:** The City Council will consider the plan amendment only after receiving a recommendation from the Development Review Board.

## Standards for Approval of Plan Amendments

### Conformance with Other Portions of the Plan

Introduction Page 7 "Plan Amendments" 4. a.

**B11. Review Criterion:** "The proposed amendment is in conformance with those portions of the Plan that are not being considered for amendment."

**Finding:** This criterion is satisfied.

**Details of Finding:** The designation of newly annexed land consistent with the Coffee Creek Master Plan, an adopted sub-element of the Comprehensive Plan, does not create any conflicts with the portions of the plan not being considered for amendment.

### Public Interest

Introduction Page 7 "Plan Amendments" 4. b.

**B12. Review Criterion:** "The granting of the amendment is in the public interest."

**Finding:** This criterion is satisfied.

**Details of Finding:** A public interest is being met by bringing industrial land into the City consistent with the Coffee Creek Master Plan. See also Finding B4.

Public Interest Best Served by Timing of Amendment  
Introduction Page 7 "Plan Amendments" 4. c.

**B13. Review Criterion:** "The public interest is best served by granting the amendment at this time."

**Finding:** This criterion is satisfied.

**Details of Finding:** The timing of the amendment is appropriate. See Finding B5.

Factors to Address in Amendment  
Introduction Page 7 "Plan Amendments" 4. d.

**B14. Review Criterion:** "The following factors have been adequately addressed in the proposed amendment:

- the suitability of the various areas for particular land uses and improvements;
- the land uses and improvements in the area;
- trends in land improvement;
- density of development;
- property values;
- the needs of economic enterprises in the future development of the area;
- transportation access;
- natural resources; and
- the public need for healthful, safe and aesthetic surroundings and conditions.

**Finding:** This criterion is satisfied.

**Details of Finding:** All of the listed items were considered in the Coffee Creek Master Plan, an industrial use is appropriate for the subject land consistent with the master plan.

Conflict with Metro Requirements  
Introduction Page 7 "Plan Amendments" 4. e.

**B15. Review Criterion:** "Proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements."

**Finding:** This criterion is satisfied.

**Details of Finding:** No conflicts with Metro requirements have been identified.

Public Notice Requirements  
Introduction Page 8 "Plan Amendments" 5.

**B16. Review Criterion:** This language describes the noticing requirements implemented by the City's noticing requirements for quasi-judicial review.

**Finding:** This criterion is satisfied.

**Details of Finding:** Public hearing notices have or will be sent as required.

## Land Use and Development

### Balance of Different Land Uses

#### Goal 4.1 and Policy 4.1.1

**B17. Review Criterion:** “The City of Wilsonville shall make land use and planning decisions to achieve Goal 4.1: To have an attractive, functional, economically vital community with a balance of different types of land uses.”

**Finding:** This criterion is satisfied.

**Details of Finding:** The designation of newly annexed land as “Industrial” consistent with the Coffee Creek Master Plan, an adopted sub-element of the Comprehensive Plan, maintains the mix of land uses planned and for the City.

### Favoring Capital Intensive Industries

#### Implementation Measure 4.1.3.c.

**B18. Review Criterion:** “Favor capital intensive, rather than labor intensive, industries within the City.

**Finding:** This criterion is satisfied.

**Details of Finding:** While it is unclear the mechanism to favor such industries, in accompanying applications the subject land is planned for capital intensive waste processing and support facilities.

## Areas of Special Concern

### Area H

**B19. Review Criterion:** “Note: the previous Area 8 has been replaced with Area H, dealing with the Day Road area, northwest of the current City limits, including the new State prison. This area is bordered by Clay and Day Roads on the north and railroad tracks on the west.

A master plan for this neighborhood will be needed to address property-owner concerns and mitigate the effects of the 110-acre prison development. The City is providing urban services to the prison prior to annexation, and expects to provide services to the entire area when it has been master planned and annexed.”

**Finding:** This criterion is satisfied.

**Details of Finding:** Area H has been further implemented by the Coffee Creek Master Plan of which the subject property is a part.

## Coffee Creek Master Plan

### Land Use

#### Table 1 Master Plan Summary, Page 2

**B20. Review Criteria:** This table identifies the land use for the Coffee Creek Master Plan as “Regionally Significant Industrial Area, allows light industrial with strict limits on non-industrial uses.”

**Finding:** These criteria are satisfied.

**Details of Finding:** The proposed Comprehensive Plan Map designation of “Industrial” allows for development of land uses consistent with the Coffee Creek Master Plan.

## **Metro Urban Growth Managements Functional Plan**

### Industrial and Other Employment Areas

#### Title 4

**B21. Review Criteria:** This title establishes the regional requirements for industrial and other employment areas including protection of regionally significant industrial areas for industrial development especially on large lots, and limits to retail uses in all industrial and employment areas.

**Finding:** These criteria are satisfied.

**Details of Finding:** Conformance with Title 4 is ensured by the development code standards applied to any development on the proposed property. The proposed Comprehensive Plan designation of “Industrial” and concurrent rezone to Planned Development Industrial Regionally Significant Industrial Area allowed the appropriate implementing development code standards to apply.

## ORDINANCE NO. 794

**AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE WASHINGTON COUNTY FUTURE DEVELOPMENT-20 (FD-20) ZONE TO THE PLANNED DEVELOPMENT INDUSTRIAL-REGIONALLY SIGNIFICANT INDUSTRIAL AREA (PDI-RSIA) ZONE ON APPROXIMATELY 10.2 ACRES COMPRISING TAX LOT 600 OF SECTION 2C, T3S, R1W, WASHINGTON COUNTY, OREGON AND ADJACENT RIGHT-OF-WAY, WILLAMETTE RESOURCE INCORPORATED, APPLICANT/OWNER.**

### RECITALS

WHEREAS, Willamette Resources Incorporated (“Applicant”) have made a development application requesting, among other things, a Zone Map Amendment of the Property; and

WHEREAS, the development application form has been signed by Jason Jordan, General Manager, on behalf of Willamette Resources Incorporated, owner of real property legally described and shown in Attachment 1, attached hereto and incorporated by reference herein (“Property”); and

WHEREAS, the City desires to also place a Zone Map designation on adjacent public right-of-way annexed into the City; and

WHEREAS, concurrently with the Zone Map Amendment the Applicant is requesting a change of the Comprehensive Plan Map designation to “Industrial”; and

WHEREAS, the City of Wilsonville desires to have the properties zoned consistent with the Comprehensive Plan Map designation of “Industrial” and the Metro Title 4 Map Designation of Regionally Significant Industrial Area, upon approval the requested Comprehensive Plan Map designation; 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 May 9, 2016;

WHEREAS, the Development Review Board Panel A held a public hearing on the application for a Zone Map Amendment on May 9, 2016, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 327 which recommends that the

City Council approve a request for a Zone Map Amendment (Case File DB16-0006) contingent on the concurrent Comprehensive Plan Map Amendment and Annexation; and

WHEREAS, on June 6, 2016, 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 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 by Zoning Order DB16-0006, attached hereto as Attachments 1, from the Washington County Future Development 20 (FD-20) Zone to Planned Development Industrial-Regionally Significant Industrial Area (PDI-RSIA) Zone.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 6<sup>th</sup> day of June 2016, and scheduled for the second and final reading on June 20, 2016, commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR.

ENACTED by the City Council on the 20<sup>th</sup> day of June, 2016, by the following

votes:

Yes:-4- No:-0-

  
Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this \_\_\_\_ day of June, 2016.

  
TIM KNAPP, MAYOR



SUMMARY OF VOTES:

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

Exhibits and Attachments:

- Attachment 1 – Zoning Order DB16-0006 including legal description and sketch depicting map amendment.
- Attachment 2 – Zone Map Amendment Findings, May 12, 2016.

**ORDINANCE NO. 794– ATTACHMENT 1**

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

In the Matter of the Application of )  
Willamette Resources Incorporated )  
for a Rezoning of Land and Amendment ) **ZONING ORDER DB16-0006**  
of 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 DB16-0006, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

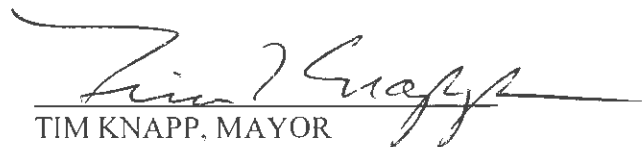
The Council finds that the subject property (“Property”), legally described and shown in the attached legal description and sketch, has heretofore appeared on the Washington County Zoning Map as Future Development-20 (FD-20).

The Property is being annexed into the City of Wilsonville by Ordinance No. 792.

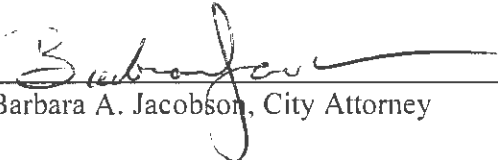
The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 10.2 including tax lot 600 of Section 2C, T3S, R1W, Washington County, Oregon and adjacent right-of-way known as SW Garden Acres Road, comprising tax lot 600 of Section 2C, T3S, R1W, Washington County, Oregon, as more particularly shown and described in the attached legal description and sketch, is hereby rezoned to Planned Development Industrial-Regionally Significant Industrial Area (PDI-RSIA), 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: June 20, 2016.

  
TIM KNAPP, MAYOR

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Barbara A. Jacobson, City Attorney

ATTEST:

  
\_\_\_\_\_  
Sandra C. King, MMC, City Recorder

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

# EXHIBIT "A"

A TRACT OF LAND SITUATE IN THE SOUTHWEST ONE-QUARTER OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, BEING LOT 12, OF THE PLAT OF "GARDEN ACRES", WASHINGTON COUNTY PLAT RECORDS AND A PORTION OF GARDEN ACRES ROAD, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF GARDEN ACRES ROAD, SAID POINT BEARS SOUTH 89°41'03" WEST, A DISTANCE OF 20.00 FEET AND SOUTH 00°18'57" EAST, A DISTANCE OF 1652.60 FEET FROM THE QUARTER CORNER COMMON TO SECTIONS 2 AND 3, THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE ALONG A WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 12 AND THE NORTH LINE OF SAID LOT 12 NORTH 89°28'40" EAST, A DISTANCE OF 1344.33 FEET TO A 5/8" IRON ROD MARKING THE NORTHEAST CORNER OF SAID LOT 12; THENCE LEAVING SAID NORTH LINE ALONG THE EAST LINE OF SAID LOT 12, SOUTH 00°19'54" EAST, A DISTANCE OF 330.43 FEET TO A 3 1/2" BRASS CAP STAMPED "BONNIVILLE POWER ADMINISTRATION", MARKING THE SOUTHEAST CORNER OF SAID LOT 12; THENCE LEAVING SAID EAST LINE ALONG THE SOUTH LINE OF SAID LOT 12 AND A WESTERLY EXTENSION THEREOF SOUTH 89°28'40" WEST, A DISTANCE OF 1344.42 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY LINE OF GARDEN ACRES ROAD; SAID POINT BEARS SOUTH 89°41'03" WEST, A DISTANCE OF 20.00 FEET AND NORTH 00°18'57" WEST, A DISTANCE OF 661.31 FEET FROM THE SECTION CORNER COMMON TO SECTIONS 3, 2, 10 AND 11; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE NORTH 00°18'57" WEST, A DISTANCE OF 330.43 FEET TO THE POINT OF BEGINNING.

CONTAINS 444,223 SQUARE FEET OR 10.198 ACRES, MORE OR LESS.

ANNEXATION CERTIFICATE

BY VF

NOV 16 2015

WASHINGTON COUNTY A & T  
CARTOGRAPHY

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Tod V. Kelso*  
OREGON  
JULY 15, 2003  
TOD V. KELSO  
50701

EXPIRATION DATE: 6/30/18

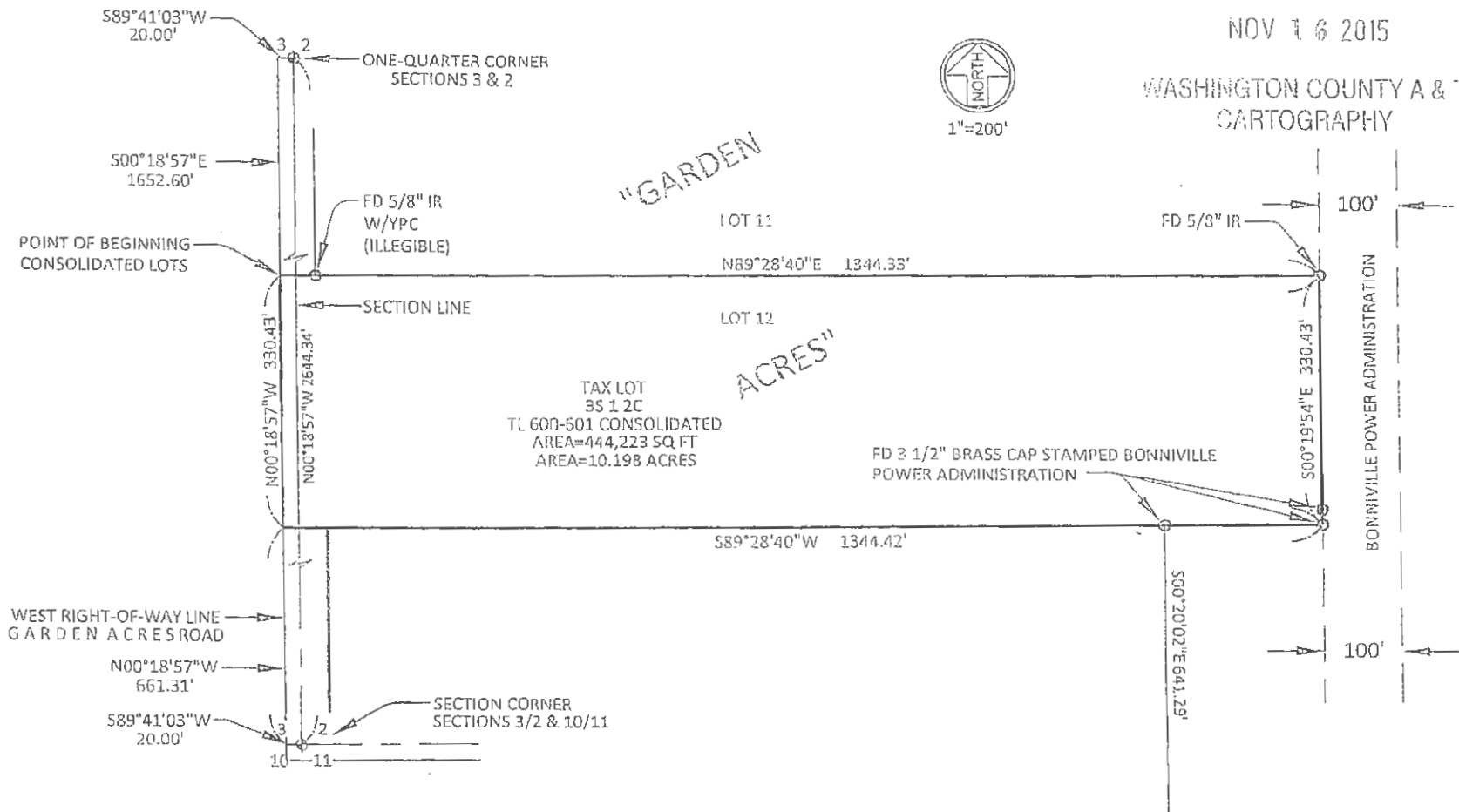
# LOT CONSOLIDATION EXHIBIT

ANNEXATION CERTIFIED

BY 

NOV 16 2015

WASHINGTON COUNTY A & T  
CARTOGRAPHY



**Project**  
REP. SERV. ANNEXATION  
**No.**  
999-158B

**Designed by** TVK **Date** 2015-11-03  
**Drawn by** TVK **Date** 2015-11-09  
**Horiz. Scale:** 1"=200' **Vert. Scale:**  
999-158B PH2 LLA EXHIBIT **Type** EXHIBIT

**P D G**  
PIIONEER DESIGN GROUP, INC.  
3920 SW WASHINGTON SQUARE RD.  
SUITE 170  
PORTLAND, OREGON 97223  
503.443.8225  
1164315433  
11/16/2015

**Sheet**  
2  
of  
2

Ordinance No. 794  
Staff Report  
Wilsonville Planning Division

Republic Services Expansion  
Comprehensive Plan Map Amendment

City Council  
Quasi-Judicial Public Hearing

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**Hearing Date:** June 20, 2016  
**Date of Report:** May 12, 2016

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**Application No.:** DB16-0006 Zone Map Amendment

**Request:** The City Council is being asked to review a Zone Map Amendment from Washington County FD-20 to City of Wilsonville Planned Development Industrial-Regionally Significant Industrial Area (PDI-RSIA) on approximately 10.2 acres of property owned by Republic Services to expand their campus and adjacent right-of-way.

**Location:** Segment of Garden Acres Road and a parcel east of Garden Acres Road north of current Republic Services buildings. The property is specifically known as Tax Lots 600, Section 2C, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon and adjacent right-of-way.

**Owner/Applicant:** Jason Jordan, Willamette Resources Inc.

**Applicants' Representative:** Ben Altman, Pioneer Design Group

**Comprehensive Plan Designation (Current):** FD-20  
**Comprehensive Plan Designation (Proposed):** Industrial

**Zone Map Classification (Current):** FD-20  
**Zone Map Classification (Proposed):** PDI-RSIA

**Staff Reviewers:** Daniel Pauly AICP, Associate Planner

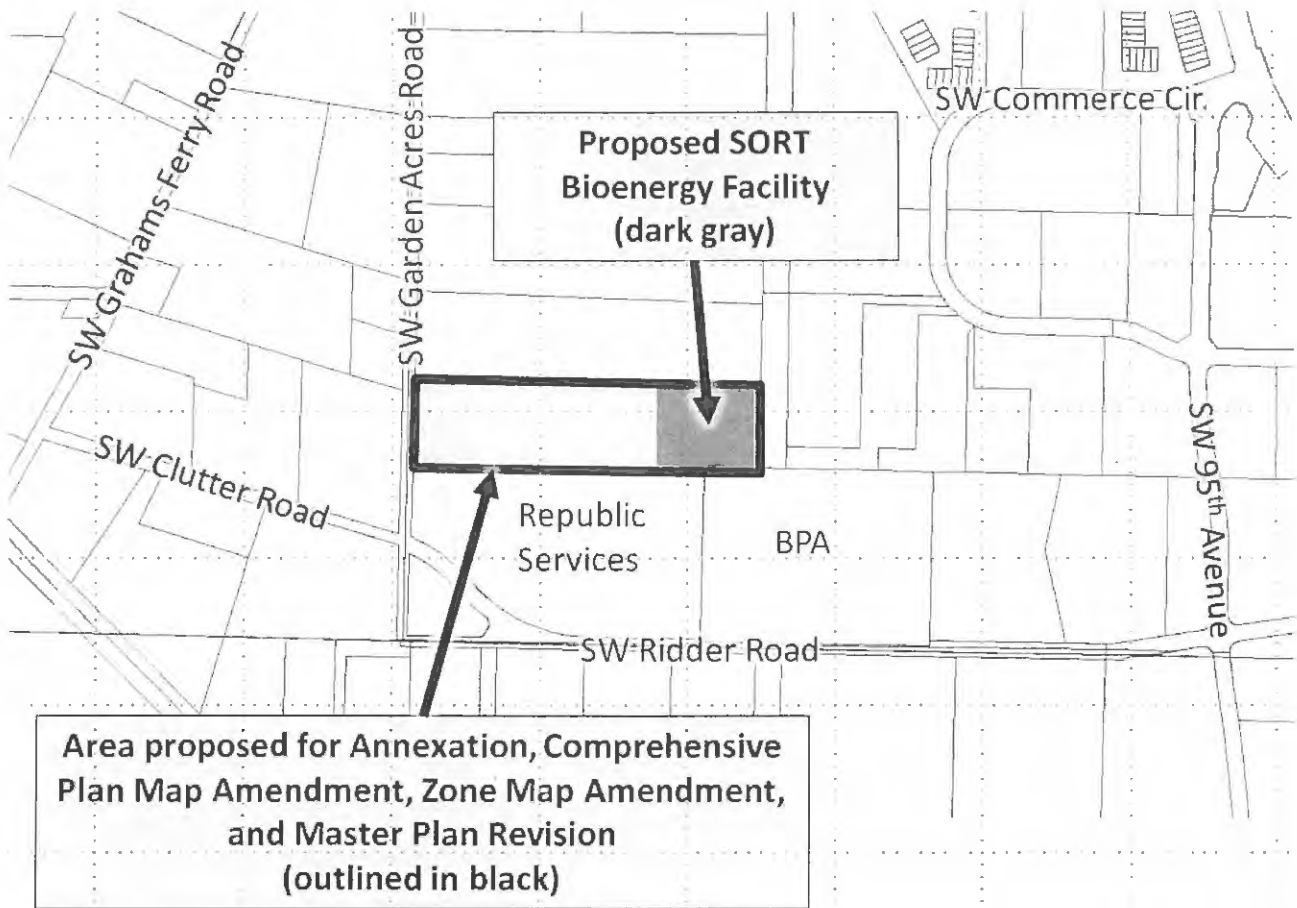
**Staff Recommendation:** Approve the requested Zone Map Amendment.

**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
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.117	Standards Applying to Industrial Development in Any Zone
Section 4.118	Standards Applying to Planned Development Zones
Section 4.135.5	PDI-RSIA Zone
Section 4.197	Zone Changes and Amendments to the Development Code
<b>Other Documents:</b>	
Comprehensive Plan	
Oregon Statewide Planning Goals	

**Vicinity Map**



**Background/Summary:**

Republic Services has a growing operation in Wilsonville. The Wilsonville campus currently includes a Materials Recovery Facility (MRF) for processing and sorting waste, collection operations offices, maintenance shop, and storage and support services. Republic Services and their predecessor companies have owned 10 acres north of their campus for many years, which currently sits outside Wilsonville City limits. In support of their continued growth and requested annexation, Republic Services request the City adopt an appropriate Zone Map designation.

Republic Services requests a zoning designation consistent with the proposed Comprehensive Plan Map designation of "Industrial". In addition to the Comprehensive Plan Map designation of "Industrial", Metro's Title 4, Industrial and Other Employment Areas Map shows the property as a "Regionally Significant Industrial Area." Consistent with this designation Republic Services proposes the property be designation as Planned Development Industrial-Regionally Significant Industrial Area (PDI-RSIA).

**Conclusion and Conditions of Approval:**

Staff and the DRB have reviewed the application and facts regarding the request and recommend the City Council approve the Zone Map Amendment (DB16-0006).

**Procedural Statements and Background Information:**

1. The statutory 120-day time limit applies to this application. The application was received on February 5, 2016. On March 2, 2016 staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete. On March 21, 2016 the Applicant submitted new materials. On April 19, 2016 the application was deemed complete. The City must render a final decision for the request, including any appeals, by August 17, 2016.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	FD-20	Rural
East:	PDI	Industrial Development
South:	PDI/PF	Republic Services/BPA Substation
West:	FD-20	Rural

3. Previous Planning Approvals:  
 Case File 91PC33 – Stage I Master Plan Willamette Resources  
 Case File 94DR18 – Site Design Review Willamette Resources  
 Case File 99DB03 – Site Design Review Keller Drop Box  
 Case File DB14-0032 Stage I Master Plan Revision  
 Case File DB14-0033 Stage II Final Plan for Maintenance Facility



Case File DB14-0034 Site Design Review for Maintenance Facility  
Case File DB14-0035 Type C Tree Plan

4. The applicant has complied with Sections 4.008 through 4.011, 4.013-4.031, and 4.035 of the Wilsonville Code. Said sections pertain to review procedures and submittal requirements.

### **Findings of Fact:**

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**

#### Application Procedures-In General Section 4.008

**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.

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

#### Initiating Application Section 4.009

**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.

**Details of Finding:** The application has been submitted on behalf of the property owner, Republic Services and is signed by an authorized representative.

#### Pre-Application Conference Subsection 4.010 (.02)

**Review Criteria:** This section lists the pre-application process

**Finding:** These criteria are satisfied.

**Details of Finding:** A Pre-application conferences were held on October 16, 2014 (PA14-0015) in accordance with this subsection.

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

**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.

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

#### General Submission Requirements Subsection 4.035 (.04) A.

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

**Finding:** These criteria are satisfied.

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

#### Zoning-Generally Section 4.110

**Review Criteria:** "The use of any building or premises or the construction of any development shall be in conformity with the regulations set forth in this Code for each Zoning District in which it is located, except as provided in Sections 4.189 through 4.192." "The General Regulations listed in Sections 4.150 through 4.199 shall apply to all zones unless the text indicates otherwise."

**Finding:** These criteria are satisfied.

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

### **Request: DB16-0006 Zone Map Amendment**

#### **Development Code**

#### Zoning Consistent with Comprehensive Plan Section 4.029

C1. **Review Criterion:** "If a development, other than a short-term temporary use, is proposed on a parcel or lot which is not zoned in accordance with the Comprehensive Plan, the applicant must receive approval of a zone change prior to, or concurrently with the approval of an application for a Planned Development."

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The applicant is applying for a zone change concurrently with a Stage I Master Plan revision for the entirety of the subject property and Stage II Final Plan for a planned development on the eastern portion of the property.

#### Base Zones

Subsection 4.110 (.01)

**C2. 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 Planned Development Industrial-Regionally Significant Industrial Area "PDI-RSIA" is among the base zones identified in this subsection.

### **Standards for Planned Development Industrial-Regionally Significant Industrial Area Zone**

#### Purpose of PDI-RSIA

Subsection 4.135.5 (.01)

**C3. Review Criteria:** The purpose of the PDI-RSIA Zone is to provide opportunities for regionally significant industrial operations along with a limited and appropriate range of related and compatible uses; to provide the flexibility to accommodate the changing nature of industrial employment centers, to protect industrially zoned lands for industrial uses, primarily in those areas near significant transportation facilities for the movement of freight and to facilitate the redevelopment of under-utilized industrial sites.

**Finding:** These criteria are satisfied.

**Details of Finding:** The zoning will allow only industrial uses consistent with the purpose stated in this subsection.

#### Uses Typically Permitted

Subsection 4.135.5 (.03)

**C4. Review Criteria:** Uses that are typically permitted:

- A. Wholesale houses, storage units, and warehouses.
- B. Laboratories, storage buildings, warehouses, and cold storage plants.
- C. Assembly of electrical equipment, including the manufacture of small parts.
- D. The light manufacturing, simple compounding or processing packaging, assembling and/or treatment of products, cosmetics, drugs, and food products, unless such use is inconsistent with air pollution, excess noise, or water pollution standards.
- E. Office Complexes-Technology (as defined in Section 4.001).
- F. Experimental, film or testing laboratories.
- G. Storage and distribution of grain, livestock feed, provided dust and smell is effectively controlled.

- H. Motor vehicle service facilities complementary or incidental to permitted uses.
- I. Any use allowed in a PDC Zone or any other light industrial uses provided that any such use is compatible with industrial use and is planned and developed in a manner consistent with the purposes and objectives of Sections 4.130 to 4.140 and is subject to the following criteria:
  1. Service Commercial (defined as professional services that cater to daily customers such as financial, insurance, real estate, legal, medical or dental offices) shall not exceed 3000 square feet of floor space in a single building or 20,000 square feet of combined floor area within a multiple building development.
  2. Office Use (as defined in Section 4.001) shall not exceed 20% of total floor area within a project site.
  3. Retail uses not to exceed 3000 square feet of indoor and outdoor sales, service, or inventory storage area for a single building or 20,000 square feet of indoor and outdoor sales, service or inventory storage area for multiple buildings.
  4. Combined uses under I.1 and 3. above shall not exceed a total of 3000 square feet of floor area in a single building or 20,000 square feet of combined floor area within a multi-building development.
- J. Residential uses shall not exceed 10% of total floor area.
- K. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal permitted uses.
- L. Temporary buildings or structures for uses incidental to construction work, which buildings or structures shall be removed upon completion or abandonment of the construction work.
- M. Expansion of a building, structure or use approved prior to October 25, 2004 of up to 20% additional floor area and/or 10% additional land area.
- N. Other similar uses which in the judgment of the Planning Director are consistent with the purpose of the PDI-RSIA Zone.

**Finding:** These criteria are satisfied.

**Details of Finding:** The proposed zoning will allow only uses consistent with the list established in this subsection.

**Zone Change Procedures**  
 Subsection 4.197 (.02) A.

**C5. 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.

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

- C6. **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 proposed Comprehensive Map designation of "Industrial".

Public Facility Concurrency  
Subsection 4.197 (.02) D.

- C7. **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:** As part of Stage II Final Plan reviews, concurrency standards are or will be applied to projects in the area being rezoned. Based on existing nearby utilities and utility master plans, the transportation master plan, and the Coffee Creek Master Plan, necessary facilities are or can be made available for development of the subject property consistent with the proposed zoning.

Impact on SROZ Areas  
Subsection 4.197 (.02) E.

- C8. **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 is within the area to be rezoned.

Development within 2 Years  
Subsection 4.197 (.02) F.

- C9. **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:** Concurrently submitted land use approvals for SORT Bioenergy expire after 2 years, so requesting the land use approvals assumes development would commence within two (2) years. However, in the scenario where the applicant or their successors due not commence development within two (2) years allowing related land use approvals to expire, the zone change shall remain in effect.

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

C10. **Review Criteria:** "That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached to insure that the project development substantially conforms to the applicable development standards."

**Finding:** These criteria are satisfied.

**Explanation of Finding:** As can be found in the findings for the accompanying requests, the applicable development standards will be met either as proposed or as a condition of approval.

DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 327

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF ANNEXATION, A COMPREHENSIVE PLAN MAP AMENDMENT FROM WASHINGTON COUNTY – FUTURE DEVELOPMENT (FD-20) DESIGNATION TO CITY – INDUSTRIAL (I) DESIGNATION, AND A ZONE MAP AMENDMENT FROM WASHINGTON COUNTY – FUTURE DEVELOPMENT (FD-20) ZONE TO CITY PLANNED DEVELOPMENT INDUSTRIAL – REGIONAL SIGNIFICANT INDUSTRIAL AREA (PDI-RSIA) ZONE, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I MASTER PLAN REVISION FOR AN EXPANDED REPUBLIC SERVICES CAMPUS, A STAGE II FINAL PLAN FOR SORT BIOENERGY, SITE DESIGN REVIEW FOR SORT BIOENERGY, A SETBACK WAIVER FOR SORT BIOENERGY AND TYPE C TREE PLAN FOR SORT BIOENERGY TO ALLOW FOR FUTURE EXPANSION OF REPUBLIC SERVICES OPERATIONS AND ALLOW FOR THE DEVELOPMENT OF FACILITIES TO CONVERT COMMERCIAL FOOD WASTE INTO BIOGAS AND USE THE BIOGAS TO GENERATE ELECTRICITY AMONG OTHER USES. THE SUBJECT SITE IS LOCATED ON TAX LOT 600 OF SECTION 2C, TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, WASHINGTON COUNTY, OREGON. THE STAGE I MASTER PLAN REVISION ALSO AFFECTS TAX LOT 1400 OF THE SAME SECTION. BEN ALTMAN, PIONEER DESIGN GROUP, LLC – REPRESENTATIVE FOR JASON JORDAN, REPUBLIC SERVICES AND PAUL WOODS, SORT BIOENERGY - APPLICANTS.

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 May 2, 2016, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on May 9, 2016, 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

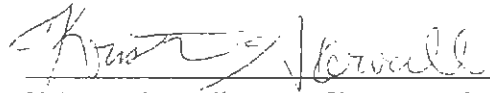
WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated May 2, 2016, attached hereto as Exhibit A1, with findings and recommendations contained therein, and recommends approval of Annexation (DB16-0004), a Comprehensive Plan Map Amendment (DB16-0005) and a Zone Map Amendment (DB16-0006) to City Council and authorizes the Planning Director to issue permits consistent with said recommendations, contingent on City Council approval of the Annexation (DB16-0004),

Comprehensive Plan Map Amendment (DB16-0005) and Zone Map Amendment Requests (DB16-0006) and certain Transportation Plan Amendments (LP16-0001) for:

- DB16-0007 Stage I Preliminary Plan Revision for SORT Bioenergy
- DB16-0008 Stage II Final Plan for SORT Bioenergy
- DB16-0009 Site Design Review for SORT Bioenergy
- DB16-0010 Setback Waiver for SORT Bioenergy
- DB16-0011 Type C Tree Removal Plan for SORT Bioenergy

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 9<sup>th</sup> day of May, 2016 and filed with the Planning Administrative Assistant on May 10, 2016. 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).



Kristin Akervall – Vice-Chair, Panel A  
Wilsonville Development Review Board

Attest:

  
\_\_\_\_\_  
Shelley White, Planning Administrative Assistant



Mike Strauch  
ODOT Region 2A  
9200 SE Lawnfield Road  
Clackamas, OR 97015

Attn: Development Review  
ODOT Region 1  
123 NW Flanders Street  
Portland, OR 97209

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

Brian Harper  
Metro  
600 NE Grand Avenue  
Portland, OR 97232

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

Doug Young  
Department of Corrections  
2575 Center Street NE  
Salem, OR 97310

Jon Kloor, Govern & Political Relations  
Coordinator  
Home Builders Associations  
15555 SW Bangy Road, Suite 301  
Lake Oswego, OR 97035

Marah Danielson  
ODOT, Region 1  
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Portland, OR 97209

Paulette Copperstone  
Metro  
600 NE Grand Avenue  
Portland, OR 97232

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Sherwood, OR 97140

Andy Back  
Wash. County Long Range Planning  
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Hillsboro, OR 97124

Ben Baldwin  
Tri-Met Project Planning Dept  
4012 SE 175th Avenue  
Portland, OR 97202

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

NW Natural Gas  
Engineering Dept.  
220 NW 2<sup>nd</sup> Ave  
Portland, OR 97209

Columbia Cable of Oregon  
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Beaverton, OR 97005

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

Justin Wood, Assoc. Dir of Govern & Bldr  
Relations  
Home Builders Associations  
15555 SW Bangy Road, Suite 301  
Lake Oswego, OR 97035

Mike McCallister  
Planning Director, Development Services  
150 Beavercreek Road  
Oregon City, OR 97045

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

Tualatin Valley Fire and Rescue  
South Division  
8445 SW Elligsen Road  
Wilsonville, OR 97070

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

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

Brian Buswell  
Portland General Electric  
9480 SW Boeckman Road  
Wilsonville, OR 97070

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

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

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

Anthony Buczek  
Metro  
600 NE Grand Avenue  
Portland, OR 97232

Oregon Dept of Environ Quality  
811 SW Sixth Avenue  
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Tualatin Valley Water District  
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