

AFFIDAVIT OF POSTING ORDINANCE NO. 106


STATE OF OREGON        )  
                                  )  
COUNTIES OF CLACKAMAS)  
    AND WASHINGTON     )  
                                  )  
CITY OF WILSONVILLE )

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:

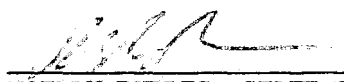
On the 11th day of July, I caused to be posted copies of the attached Ordinance No. 106, an Ordinance Amending the Zoning Map of the City of Wilsonville (Application of E. JEAN YOUNG), in the following four public and conspicuous places of the City, to wit:

Wilsonville Post Office  
Wilsonville City Hall  
Lowrie's Food Market  
Kopper Kitchen

The notices remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 17th day of July, 1978.

  
DEANNA J. THOM, City Recorder

Subscribed and sworn to before me  
this 11th day of July, 1978.

  
\_\_\_\_\_  
NOTARY PUBLIC, STATE OF OREGON  
My Commission Expires:  
My Commission Expires February 14, 1981

ORDINANCE NO. 106

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WILSONVILLE. (Application of E. Jean Young)

WHEREAS, an application was filed with the Wilsonville City Recorder, by Phillip R. Balsiger on behalf of E. Jean Young, owner of the hereinafter described property, for the purpose of changing the classification of the zone in which the real property is located from RA-1 (rural agricultural) to I-1 (industrial park district). The application fee as required by Section 17.01 of Ordinance No. 23 (the city's zoning ordinance) has been paid. The following is a description of the real property, consisting of approximately 4.0 acres for which the application for a zone change was filed, to-wit:

Part of the East one-half of the Southeast quarter of Section 11, T. 3S., R. 1W. of the W.M., in Clackamas County, described as follows:

Beginning at a point on the East line of the West Portland Hubbard Highway that intersects the South line of the North one-half of the Southeast quarter of the Southeast quarter of Section 11, said point also being the Northwest corner of that tract of land conveyed to Sam L. Amato, et ux, by Deed Book 641, Page 613; thence North along the East line of said Highway 500 feet to the Southwest corner of Parcel I as described in Deed Book 662, Page 608, conveyed to Raymond A. Town, Jr., et al, thence East along the South line of the Town Tract to a point on the West line of the East Frontage Road; thence Southerly along said road, to a point on the North line of aforementioned Amato Tract; thence West along said North line to the point of beginning.

WHEREAS, the Wilsonville City Planning Commission, before taking final action on said application, and the proposed amendment, scheduled and held a public hearing on the matter as required by Section 11.02 of the Zoning Ordinance No. 23, and said hearing was held on May 8, 1978, and Notice of the time, place and purpose of the said hearing was duly and regularly given by publishing in the Tigard Times, a newspaper of general circulation in the City of Wilsonville, not less than five days prior to the date of hearing and by written notice mailed by the City Recorder to all

owners of property within 250 feet of the exterior boundaries of the property affected not less than ten days prior to the date of hearing as required by Section 14.01(1)(A) and (B) of the Zoning Ordinance No. 23, and the Newspaper's Affidavit of publication and the City Recorder's Affidavit of mailing are on file in the City Recorder's records and file of this zone change matter; and

WHEREAS, the City of Wilsonville Planning Commission at the time and place of public hearing on such matters, i.e. May 8, 1978, heard and considered testimony regarding the proposed zone change, and upon conclusion of the hearing, by motion duly made, seconded and carried, recommended to the Wilsonville City Council that the proposed zone change be allowed, so as to change the zoning of the property from RA-1 (rural agricultural) to I-1 (industrial park district); and

WHEREAS, the Wilsonville City Council considered the matter and the recommendations of the Planning Commission at a public hearing which was duly and legally called and held on June 5, 1978, after proper notice thereof was first duly given in the manner and for the time required by Section 14.01 of the Zoning Ordinance and proof of the mailing of notice by the City Recorder to the property owners within 250 feet of the exterior boundaries of the affected property and by publication of notice of said hearing in the Tigard Times, a newspaper of general circulation in Wilsonville, Oregon, is on file in the office of Wilsonville City Recorder at the Wilsonville City Hall and is a part of the records and file of this matter; and

WHEREAS, proponents and opponents were given an opportunity to be heard regarding the proposed zone change, and after further consideration of the matter and due deliberation on the report and recommendations of the City Planning Commission, the Wilsonville City Council by motion duly made, seconded and carried, determined as follows:

1. The proposed zone change is in accordance with the existing zoning ordinance and comprehensive plan.

2. There is a public need for the change.

3. The public need is better served by the proposed zone change on the subject property rather than on other property.

4. The change will preserve and protect the health, safety and general welfare of the residents in the area.

5. The proposed zone change conforms to the goals and guidelines of the Land Conservation and Development Commission (LCDC).

The Wilsonville City Council made the aforesaid findings based upon the following facts:

1. The parcel size of 4 acres is in compliance with the lot area standards as set forth in the I-1 zone (Section 5.04--5A) of the Zoning Ordinance.

2. A 10" sewer main runs along the property on Parkway Avenue and a 14" water main fronts along the property on Parkway Avenue so that the property is well served by utilities.

3. The configuration of the lot is conducive to industrial land use and subdivision of the property is allowable through the zoning procedures and subdivision regulations to insure a coordinated system of site development for the property in question.

4. The property is adjacent to I-5 on the west and fronts on Parkway Avenue on the east, which provides a high level of access to industrial oriented property.

5. The adjacent zoning pattern consists of I-1 and PC&I zoning, thus reflecting a consistent and compatible system of industrial development within the immediate area.

6. There is a demonstrated need for industrial development within the City of Wilsonville to establish a balance between the residential development and the need for employment within the corporate city limits.

7. The Wilsonville sewage treatment plant is currently being expanded to increase capacity for waste water treatment and will be completed prior to the development of the property.

8. The City of Wilsonville is currently in the process of increasing its water capacity through the improvement of a new water site and the construction of an additional water reservoir, which should be completed prior to the development of the project.

9. The industrial development of the property in question will have minimal impact on the City's utility system, including roadways, schools and existing parks.

10. The traffic generated from the property in question will be served by Parkway Avenue, an existing thoroughfare identified on the Comprehensive General Plan as an arterial.

11. The intent of the Zoning Ordinance #23 is to fully utilize property to its fullest investment, which will be accomplished through the use of the property for I-1 purposes.

12. The property in question does qualify for industrial development rather than any other use due to its size and proximity to existing industrial uses, freeway access and natural site characteristics which allow for an economical development of the property for industrial uses.

13. The purpose of Goal #9 of LCDC is to diversify and improve the economy of the State, which will be achieved through the industrial use of the property and thereby increasing the number of jobs for Wilsonville residents.

14. The taxable value of the property will increase thus adding value to the West Linn School District tax base, which will thereby increase the possibility of improved school facilities for the Wilsonville school attendance area.

15. The development as proposed is compatible with LCDC Goals for utilizing urbanizable land for urban (industrial) purposes; now therefore,

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1: That the zoning map of the City of Wilsonville dated June 11, 1971, and adopted as a part of the city's Zoning Ordinance No. 23 adopted on the same date, shall be and the same is hereby amended and changed so that the zone boundaries of the I-1 (industrial park district) shall now include the real property heretofore described, and upon the adoption of this ordinance, said property shall thereupon be classified as I-1 (industrial park district) and not as an RA-1 (rural agricultural) zone, subject however to those conditions hereinafter set forth in Section 2 of this ordinance.

Section 2:

A. Additional right-of-way equal to 1/2 of the amount required for a total right-of-way shall be dedicated for future widening of Parkway Avenue according to the standards of an arterial thoroughfare as identified on the Comprehensive General Plan; and the additional right-of-way to be dedicated shall be consistent with the requirements of and according to the standards to be set by the City's Traffic Engineer.

B. Any required storm drainage system shall be improved in accordance with the provisions as established by the City's storm drainage plan currently under preparation by consulting engineers.

C. Any proposed subdivision of the land under the provisions of Ordinance #16 shall be submitted to the City of Wilsonville within a period of one year from the date of the zone change. It is understood by the City and the applicant that there is authority for the City to review and approve lot sizes of less than three acres; and there is no obligation on the part of the City to approve either minor partitioning of the premises or the subdivision of the property in question.

D. The review of the development plans pursuant to the provisions of Ordinance #38 shall be for final development only and that no preliminary plans will be submitted to the Design Review Board for consideration.

E. The scale of development shall be consistent with surrounding land uses and be so designed as to create an esthetic view of the development from both I-5 and Parkway Avenue and buildings and uses should be oriented towards the frontage road and not the freeway.

F. Access to the property shall be coordinated with adjacent land uses to achieve the highest safety factor as proposed by the City's traffic engineer in relation to neighboring driveways, site distance from the intersection of Boeckman Road and Parkway Avenue and other factors which may influence the movement of vehicular traffic to and from the property in question.

G. All building plans shall be subject to review and approval of the fire marshal representing the Tualatin Rural Fire Protection District and shall be coordinated through the building department.

H. In addition to meeting the requirements of Ordinance #38, all signing visible from the freeway shall be for the purpose of identification only and not advertising.

I. There shall be no outdoor storage or display.

J. Any new development being put on any part of this property shall be required to come back before the Planning Commission for review before going to Design Review Board.

Section 3: The Mayor, attested by the City Recorder, is hereby authorized and directed to make the appropriate changes on the City's zoning map in compliance with the dictates of Section 1 of this ordinance.

Section 4: It being deemed by the Wilsonville City Council that an emergency exists, this ordinance shall take effect immediately upon its final reading and passage by the Wilsonville City Council.

Passed on first reading of the Wilsonville City Council at a special meeting thereof on the 19th day of June, 1978; ordered posted in three (3) public and conspicuous places in the City of Wilsonville for a period of five (5) consecutive days as required by the Wilsonville City Charter, and to come up for final reading and action of the Wilsonville City Council at a regular meeting thereof on the 17th day of July, 1978 commencing at the hour of 7:30 o'clock p.m., at Tektronics Meeting Room S-1.

  
WILLIAM G. LOWRIE - Mayor

ATTEST:

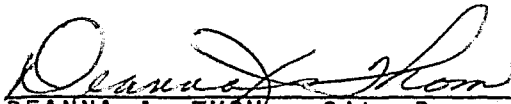
  
DEANNA J. THOM - City Recorder

Passed on final reading at a regular meeting of the Wilsonville City Council this 17th day of July, 1978, by the following vote:

Yeas 4. Nays 0.

  
WILLIAM G. LOWRIE - Mayor

ATTEST:

  
DEANNA J. THOM - City Recorder