Section 4.197.  **Zone Changes and Amendments To This Code – Procedures.**

(01) The following procedure shall be followed in applying for an amendment to the text of this Chapter:

A. The Planning Commission shall conduct a public hearing on the proposed amendment at its earliest practicable meeting after it is proposed and shall, within forty (40) days after concluding the hearing, provide a report and recommendation to the City Council regarding the proposed amendment. The findings and recommendations of the Commission shall be adopted by resolution and shall be signed by the Chair of the Commission.

B. In recommending approval of a proposed text amendment, the Planning Commission shall, at a minimum, adopt findings relative to the following:

1. That the application was submitted in compliance with the procedures set forth in Section 4.008; and
2. The amendment substantially complies with all applicable goals, policies and objectives set forth in the Comprehensive Plan; and
3. The amendment does not materially conflict with, nor endanger, other provisions of the text of the Code; and
4. If applicable, the amendment is in compliance with Statewide Land Use Planning Goals and related administrative rules; and
5. If applicable, the amendment is necessary to ensure that the City's Land Use and Development Ordinance complies with mandated requirements of State or Federal laws and/or statutes.

(02) The following procedures shall be followed for zone map amendments.  [This section Amended by Ord. 682, 9/9/10]

A. When a requested quasi-judicial zone map amendment within the Coffee Creek Industrial Design Overlay District is consistent with the adopted or concurrently proposed Comprehensive Plan Map designation and only one option exists for a zone map amendment consistent with the Comprehensive Plan Map the amendment shall be reviewed by the City Council without prior review or recommendation by the Development Review Board or Planning Commission.

1. The Zoning Order adopting such zone map amendments shall state the zone map amendment expires 120 days from Council adoption unless a Stage II Final Plan receives final local approval for the area subject to the zone map amendment. In the event of a LUBA appeal of the final local approval, the 120-day expiration period will be tolled pending completion of the appeal process.

2. Notwithstanding the process described above an applicant may elect to have the zone map amendment reviewed by the Development Review Board for a recommendation to City Council concurrently with other land use applications for the subject property.
3. If the Planning Director anticipates that individuals other than the applicant can be expected to question the requested zone map amendment’s compliance with the Comprehensive Plan the Planning Director may require the zone map amendment be first reviewed by the Development Review Board to make a recommendation to City Council.

B. All other quasi-judicial zone map amendments shall be reviewed by the Development Review Board to make a recommendation to City Council and all legislative zone map amendments shall be reviewed by the Planning Commission to make a recommendation to City Council.

C. In recommending approval or denial of a proposed zone map amendment, the Planning Commission or Development Review Board shall at a minimum, adopt findings addressing the following criteria:

1. 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; and [Amended by Ord 557, adopted 9/5/03]

2. 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; and

3. In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measures 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text; and [Amended by Ordinance No. 538, 2/21/02.]

4. 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; and

5. 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 abut 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 and

6. That the applicant is committed to a development schedule demonstrating that development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change; and

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

8. Adequate public facilities, services, and transportation networks are in place, or are planned to be provided concurrently with the development of the property. The applicant shall demonstrate compliance with the Transportation Planning Rule, specifically by addressing whether the proposed amendment has a significant effect on the transportation system pursuant to OAR 660-012-0060. A Traffic Impact Analysis (TIA) shall be prepared pursuant to the requirements in Section 4.133.05.(01).

(.03) If affirmative findings cannot be made for all applicable criteria listed above the proposed text or map amendment, as the case may be, shall be denied.

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

(.05) In cases where a property owner or other applicant has requested a change in zoning 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 zoning shall be changed.
In the Matter of the Application of  

for a rezoning of land and amendment  
of the City of Wilsonville Zoning Map  
as incorporated in Section 4.102  
of the Wilsonville Code  

The above-entitled matter is before the Council to consider the application of  
for a zone change and an order amending the official Zoning Map as incorporated in Section 4.102 of  
the Wilsonville Code, and  

It appearing to the Council that the property which is the subject of this application is described  
as follows:  
(Legal Description)  
and such property has heretofore appeared on the official Zoning Map zoned as follows:  
and the Council having heard and considered all matters relevant to the application, including the  
Planning Commission and/or Development Review Board resolution and minutes, finds that the  
application should be (approved/denied), and it is therefore,  
(Incorporated Conditions)  
ORDERED that the property above-described is hereby rezoned as follows:  
and such rezoning be and the same 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.  

The property subject to this Zoning Order is also subject to the Order of the City Council in  
respect thereto made.  

DATED: This ______ day of ______, 19______.

- Mayor

Approved as to form:  
ATTEST:  
City Recorder  
City of Wilsonville, Oregon

by:  
City Recorder