

**ORDINANCE NO. 785**

**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 8.72 - ACRES COMPRISING TAX LOTS 400, 500 AND 501 OF SECTION 2B, T3S, R1W, WASHINGTON COUNTY, OREGON, UNIVERSAL HEALTH SERVICES, INC., WILLAMETTE VALLEY BEHAVIORAL HEALTH, APPLICANT.**

**RECITALS**

WHEREAS, Universal Health Services, Inc. – Willamette Valley Behavioral Health Facility (“Applicant”) has made a development application requesting, among other things, a Comprehensive Plan Map Amendment for the Property; and

WHEREAS, the development application form has been signed by David C. Brown, Trustee for David C. Brown Revocable Living Trust, as Owner of the real property legally described and shown on Attachments 1 and 2, attached hereto and incorporated by reference herein (“Property”); and

WHEREAS, the Comprehensive Plan Map Amendment approval is contingent on annexation of the Property to the City of Wilsonville, which annexation has been petitioned for concurrently with the Comprehensive Plan Map Amendment request; 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 January 25, 2016; and

WHEREAS, the Development Review Board Panel B held a public hearing on the application for a Comprehensive Plan Map Amendment on January 25, 2016, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 322 which recommends that the City Council approve a request for a Comprehensive Plan Map Amendment (Case File DB15-0092), adopts the staff report with findings and recommendations, all as placed on the record at the hearing, certain of which are contingent on City Council approval of the Comprehensive Plan Map Amendment and authorizes the Planning Director to issue approvals to the Applicant consistent with the staff report, as adopted by DRB Panel B; and

WHEREAS, on February 18, 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's Comprehensive Plan Findings, Exhibit A; DRB Resolution No. 322, Exhibit B; Staff Report and DRB Recommendation and Application on Compact Disc, Exhibit C, DRB Meeting Minutes, Exhibit D, all the exhibits are attached hereto and incorporated by reference as if fully set forth herein; and received a City Council staff report on file with the City Recorder; 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 in particular, the Development Review Board staff report, as contained in the record of the above described DRB hearing, together with the City Council staff report, and incorporates them by reference as fully set forth herein.

Section 2. Order. Upon adoption of Ordinance No. 784, which is the proposed annexation of the property which is being considered contemporaneously herewith, and the filing of Ordinance No. 784 with the required agencies to finalize the annexation of the Property to the City, which property is described in Attachments 1 and 2, the Comprehensive Plan designation for the property shall be changed from Washington County's Future Development - 20 District to Industrial on Wilsonville's Comprehensive Plan Map.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on February 18, 2016 and scheduled for the second reading on March 7, 2016 commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 Town Center Loop East, Wilsonville, OR.

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Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the 7th day of March, 2016 by the following

votes:                      Yes: \_-4-                      No: -0-

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

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

\_\_\_\_\_  
Tim Knapp, Mayor

ATTEST:

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

SUMMARY OF VOTES:

Mayor Knapp - Yes

Councilor Starr - Excused

Councilor Fitzgerald - Yes

Councilor Lehan - Yes

Councilor Stevens - Yes

Exhibits and Attachments:

Attachment 1, Legal Description and Survey Map

Attachment 2, Map Depicting Comp. Plan Map Amendment

Exhibit A – Comp Plan Map Amendment Findings, January 26, 2016.

Exhibit B - DRB Resolution No. 322

Exhibit C - Adopted Staff Report and DRB Recommendation (Exhibit A1), dated January 25, 2016 and the application on compact disk.

Exhibit D – January 25, 2016 DRB Minutes

**EXHIBIT "A"**

Annexation to the City of Wilsonville  
 Washington County, Oregon  
 Portion of Tax Lots 400, 500 and 501, 3S 1 2B  
 December 2, 2015  
 Project No. 2542-001

**PROPERTY DESCRIPTION**

Real property lying in Washington County, Oregon being a portion of Section 2, Township 3 South, Range 1 West of the Willamette Meridian described as follows:

Beginning at a 5/8 inch iron rod with yellow plastic cap marked "PLS 53760" set in Washington County Survey Number 29,223 on the west right of way line of S.W. Boone's Ferry Road 50.00 feet from the centerline thereof measured at a right angle, said point also being 63.42 feet southerly of the centerline of S.W. Day Road measured at a right angle;  
 thence along said west right of way line as conveyed to the State of Oregon by Document Number 96053177 through the following three courses:  
 South 13°53'24" East, 134.77 feet, South 16°12'41" East, 247.33 feet, and South 13°53'39" East, 96.96 feet to the easterly extension of the north line of the plat "Riverwood Industrial Campus Condominium";  
 thence along said north line and the north line of that property conveyed to "R & R Property Holdings Inc" by Document Number 2013-104658, South 89°36'39" West, 841.93 feet;  
 thence along the east line of that property conveyed to "Hill" by Document Number 2005-130325, North 00°13'04" West, 489.97 feet to the south right of way line of S.W. Day Road being 37.00 feet from the centerline thereof measured at a right angle;  
 thence along said south right of way line as conveyed to the State of Oregon by Document Numbers 2002-035075 and 2001-124306, North 89°37'54" East, 691.58 feet to a 5/8 inch iron rod with yellow plastic cap marked "PLS 53760" set in Washington County Survey Number 29,223;  
 thence along the right of way lines at the southwest corner of the intersection of S.W. Day Road and S.W. Boones Ferry Road for the following two courses: South 58°21'35" East, 18.34 feet, and South 35°36'46" East, 20.45 feet to the Point of Beginning.

Containing 8.728 acres more or less.

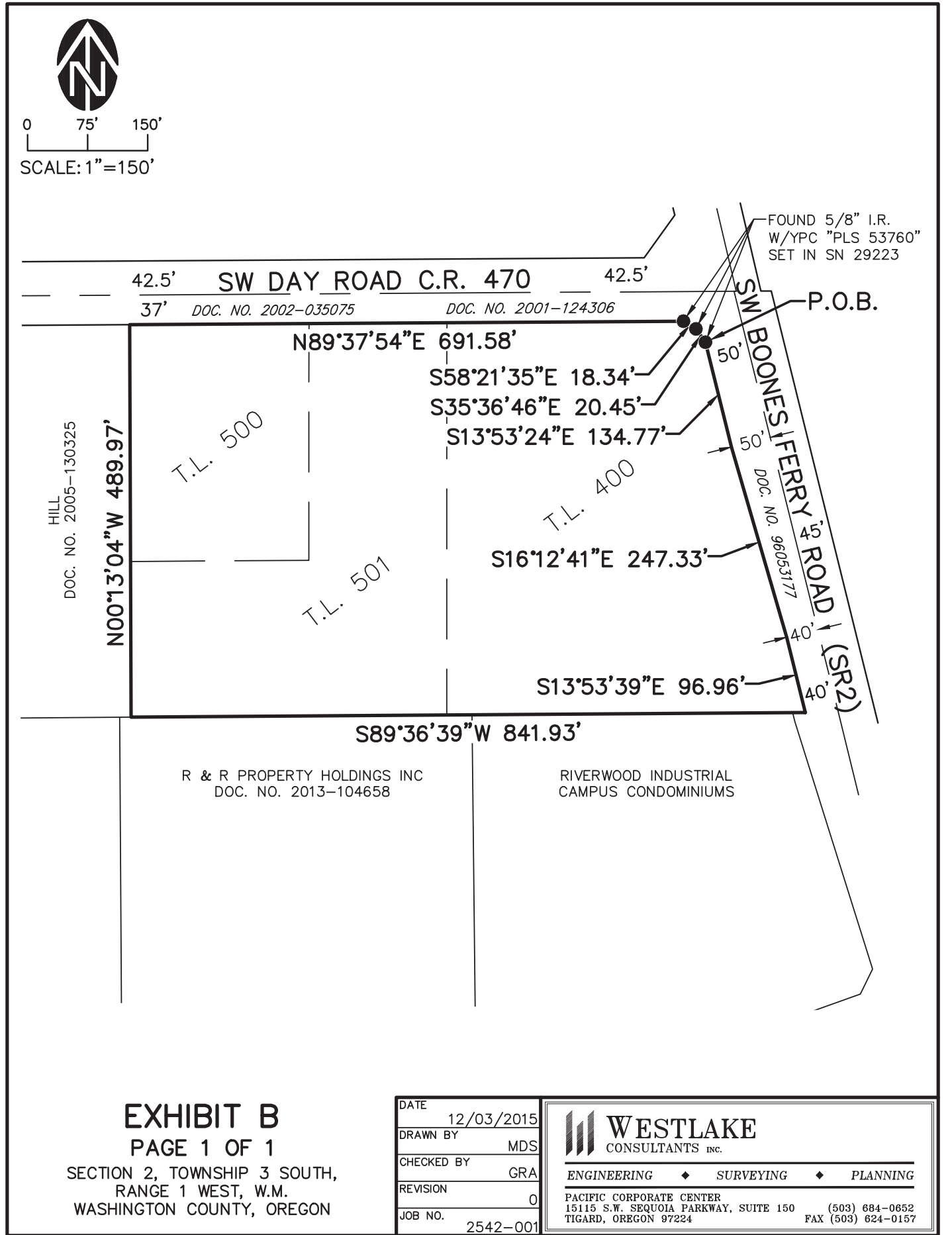
Bearings shown per Washington County Survey Number 17,450.

**REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR**

*Michael D. Spelts*

**OREGON  
 NOVEMBER 12, 2013  
 MICHAEL D. SPELTS  
 87475PLS**

**RENEWS: 06-30-2016**



DRAWING NAME: J:\2542-001.15\Survey\CAD\DWG\2542-001E.DWG DEC 03, 2015 - 7:30AM - MDS

**EXHIBIT B  
 PAGE 1 OF 1**

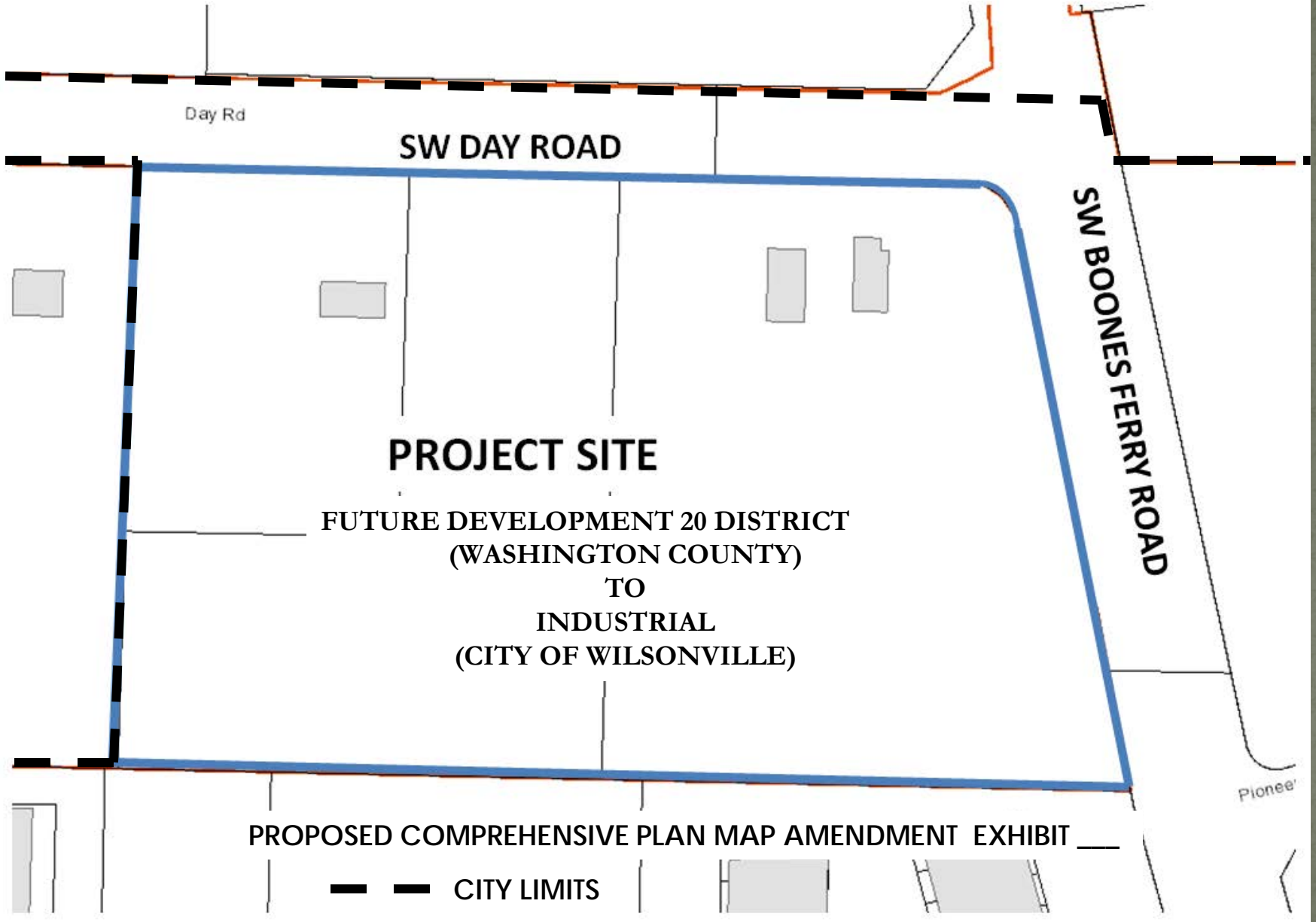
SECTION 2, TOWNSHIP 3 SOUTH,  
 RANGE 1 WEST, W.M.  
 WASHINGTON COUNTY, OREGON

DATE	12/03/2015
DRAWN BY	MDS
CHECKED BY	GRA
REVISION	0
JOB NO.	2542-001

**WESTLAKE**  
 CONSULTANTS INC.

ENGINEERING ♦ SURVEYING ♦ PLANNING

PACIFIC CORPORATE CENTER  
 15115 S.W. SEQUOIA PARKWAY, SUITE 150 TIGARD, OREGON 97224  
 (503) 684-0652 FAX (503) 624-0157



Day Rd

SW DAY ROAD

PROJECT SITE

FUTURE DEVELOPMENT 20 DISTRICT  
(WASHINGTON COUNTY)  
TO  
INDUSTRIAL  
(CITY OF WILSONVILLE)

SW BOONES FERRY ROAD

Pioneer

PROPOSED COMPREHENSIVE PLAN MAP AMENDMENT EXHIBIT

--- CITY LIMITS

**Ordinance No. 785  
City Council Exhibit A**

**STAFF REPORT  
WILSONVILLE PLANNING DIVISION**

**Universal Health Services Inc., Willamette Valley Behavioral Health  
*Comprehensive Plan Map Amendment*  
CITY COUNCIL  
QUASI-JUDICIAL PUBLIC HEARING**

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<b>HEARING DATE</b>	February 18, 2016
<b>DATE OF REPORT:</b>	January 26, 2016

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**REQUEST:** DB15-0092 Comprehensive Plan Map Amendment

**SUMMARY:** The City Council is being asked to review Ordinance 785 to amend the Comprehensive Plan Map from Washington County ‘Future Development - 20 District’ (FD-20) to the City ‘Industrial’ Designation contingent on the approval of annexation with Ordinance 784. Concurrently proposed are a Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Site Design Review, Type ‘C’ Tree Removal Plan and Class III signs to enable development of an approximately 62,000 square foot behavioral health facility.

**LOCATION:** Approximately 8.72 acres at the southwest corner of SW Day Road and SW Boones Ferry Road. Described Tax Lots 400, 500 and 501, Section 2B, Township 3 South, Range 1W, Willamette Meridian, Washington County, Oregon.

**OWNER:** Mr. David C. Brown, of the David C. Brown Revocable Living Trust U/T/A

**APPLICANT:** Universal Health Services Inc. – Willamette Valley Behavioral Health

**PETITIONER FOR ANNEXATION:** Mr. David C. Brown

**APPLICANT’S REPRESENTATIVE:** Mr. Kenneth Sandblast – Westlake Consultants

**COMPREHENSIVE PLAN MAP DESIGNATION:** ‘Future Development - 20 District’ (FD-20) (Washington County)

**PROPOSED PLAN MAP DESIGNATION:** Industrial – Area H (City of Wilsonville)

**STAFF REVIEWER:** Blaise Edmonds, Manager of Current Planning.

**DEVELOPMENT REVIEW BOARD RECOMMENDATION:** In Resolution No. 322 DRB Panel B Recommended approval of the requested Comprehensive Plan Amendment to City Council.

**APPLICABLE REVIEW CRITERIA:**

<b><u>DEVELOPMENT CODE</u></b>	
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 4.029	Zoning to be consistent with Comp. Plan
Section 4.031	Authority of the Development Review Board
Section 4.033	Authority of the City Council
Section 4.198	Comprehensive Plan Map Amendments
<b><u>OTHER CITY PLANNING DOCUMENTS</u></b>	
<b>Comprehensive Plan:</b> <b>Policy 4.1.3</b> <b>Implementation Measure 4.3.1.a.</b> <b>Implementation Measure 4.1.3.b.</b> <b>Implementation Measure 4.1.3.c.</b> <b>Implementation Measure 4.1.3.d.</b> <b>Implementation Measure 4.1.3.e.</b> <b>Implementation Measure 4.1.3.f.</b> <b>Implementation Measure 4.1.3.g.</b> <b>Implementation Measure 4.1.3.h.</b> <b>Implementation Measure 4.1.3.i.</b> <b>Implementation Measure 4.1.3.j.</b>	Industrial
<b>REGIONAL AND STATE PLANNING DOCUMENTS</b>	
Statewide Planning Goals	
Transportation Systems Plan Stormwater Master Plan	
State Transportation Planning Rule	OAR 660-012-0060 Transportation Planning Rule for Plan and Land Use Regulation Amendment.

Staff: The subject property and adjacent SW Day Road and SW Boones Ferry Road are within the City's UGB.



**Vicinity Map**

**Comprehensive Plan Map Amendment (DB15-0092).** The applicant is requesting to change the current Washington County Comprehensive Plan Map designation ‘Future Development - 20 District’ (FD-20) to the City of Wilsonville Comprehensive Plan Map designation ‘Industrial’ which is the appropriate designation for the 8.72 acre site.

**REQUEST B: DB15-0092 COMPREHENSIVE PLAN MAP AMENDMENT**

**GENERAL INFORMATION**

**Section 4.008 Application Procedures-In General**

**Review Criterion:** 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:** This criterion is met.

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

**Section 4.009 Who May Initiate Application**

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



**Finding:** This criterion is satisfied.

**Explanation of Finding:** The application has been submitted on behalf of Universal Health Services Inc. – Willamette Valley Behavioral Health.

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

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

**Finding:** This criterion is satisfied.

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

<b>COMPREHENSIVE PLAN MAP AMENDMENT</b>
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#### **Comprehensive Plan – Comprehensive Plan Changes**

**The City of Wilsonville’s Comprehensive Plan, provide the following procedure for amending the Comprehensive Plan:**

**B1. Review Criteria: Who May Initiate Plan Amendments**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The owner through their authorized agent (Mr. Kenneth Sandblast, AICP) has made application to modify the Comprehensive Plan map designation for the subject property from the Washington County Comprehensive Plan designation FD-20 to City Comprehensive Plan designation ‘Industrial’.

#### **Application for Comprehensive Plan Amendment**

The applicant has met all applicable filing requirements for a Comprehensive Plan Map amendment.

**B2. Review Criteria: Consideration of Plan Amendment**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The Planning Division received the application on November 16, 2015. Staff met with the applicant subsequent to the submittal of the application to discuss the completeness of the application and perceived deficiencies of the application. The application was deemed complete on January 11, 2016. The findings and recommended conditions of approval adopted by the Development Review Board in review of the

application to modify the Comprehensive Plan Map designation will be forwarded as a recommendation to the City Council.

- B3. Review Criteria:** Standards for Development Review Board and City Council Approval of Plan Amendments (page 8 of the Comprehensive Plan): The proposed amendment is in conformance with those portions of the Plan that are not being considered for amendment.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Findings B1 through B29, which satisfy these Plan policies.

- B4. Review Criteria:** b. The granting of the amendment is in the public interest.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied. The public interest is served by providing a behavioral health facility.

- B5. Review Criteria:** c. The public interest is best served by granting the amendment at this time.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** UHS plans to construct the site over 2016 in preparation for opening in 2017. The applicant has satisfied requirements of citizen involvement and public notice requirements.

- B6. Review Criteria:** d. The following factors have been adequately addressed in the proposed amendment:

Suitability of the various areas for particular land uses and improvements;

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The subject 8.72 acre property has two existing houses and land with moderate slopes at the southerly side but is suitable for the specific planned use and associated improvements. Existing houses and accessory structures will be razed for the development of the UHS facility. The subject property has direct frontage on SW Day Road for temporary access until the westerly adjoining property is developed and a joint permanent access would be required. The City Engineering Division has indicated through Public Facilities (PF) conditions of approval found in this staff report that public utilities, i.e., water, sanitary sewer, storm sewer and street improvements can be accomplished to serve the subject property.

- B7. Review Criteria:** Land uses and improvements in the area;

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Adjacent uses to the west are primarily rural residential but for future urban development.

- B8. **Review Criteria:** Trends in land improvement;  
**Finding:** This criterion is satisfied.  
**Explanation of Finding:** The proposal is for a behavioral health facility which is responding to a public need.
- B9. **Review Criteria:** Density of development:  
**Finding:** This criterion is not applicable.  
**Explanation of Finding:** The proposal does not plan for residential development.
- B10. **Review Criteria:** Property values:  
**Finding:** This criterion is satisfied.  
**Explanation of Finding:** A professional analysis of property values has not been shared with staff.
- B11. **Review Criteria:** Needs of economic enterprises in the future development of the area;  
**Finding:** This criterion is satisfied.  
**Explanation of Finding:** The subject property is within the City UGB and would involve capital projects for public infrastructure improvements.
- B12. **Review Criteria:** Transportation access:  
**Finding:** This criterion is satisfied.  
**Explanation of Finding:** The DKS Transportation Impact Analysis (Exhibit P of Exhibit B1) proposes several transportation mitigation recommendations for the subject property. The City Engineering Division has considered the mitigation recommendations and has factored them in the proposed Public Facilities (PF) conditions of approval for the Stage II Final Plan.
- B13. **Review Criteria:** Natural resources; and Public need for healthful, safe and aesthetic surroundings and conditions:  
**Finding:** This criterion is satisfied.  
**Explanation of Finding:** The subject property does not have Metro Title 3/13 and Statewide Planning Goal 5 natural resource areas.

### **Wilsonville Development Code (WC) – Comprehensive Plan Changes**

**Subsection 4.198(.01) of the Development Code stipulates, “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. Each such amendment shall include findings in support of the following:**

- B14. **Review Criteria:** Approval Criterion A: “That the proposed amendment meets a public need that has been identified;”  
**Finding:** This criterion is satisfied.  
**Explanation of Finding:** See the applicant’s response finding on page 9 of the project

narrative in Exhibit B1 meeting this criterion. "The proposed use of the site as a behavioral health facility will produce jobs and increase the economics of the state."

- B15. Review Criteria:** Approval Criterion B: "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:** This criterion is satisfied.

**Explanation of Finding:** The current Washington County Zoning Map identifies the subject property as FD-20. It is appropriate to designate these properties as Industrial.

- B16. Review Criteria:** Approval Criterion C: "That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate;"

**Finding:** This criterion is satisfied.

**Explanation of Finding:** With the implementation of the proposed conditions of approval, the proposed amendment supports the applicable Statewide Planning Goals. Findings to the Statewide Planning Goals were prepared by the applicant in the response findings of Exhibit B1.

- B17. Review Criteria:** Approval Criterion D: "That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended."

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The applicant is requesting an amendment to the Comprehensive Plan Map for the subject property referenced herein. The applicant does not propose to modify or amend any other portion of the City of Wilsonville Comprehensive Plan.

## INDUSTRIAL DEVELOPMENT

### Policy 4.1.3 City of Wilsonville shall encourage light industry compatible with the residential and urban nature of the City.

- B18. Review Criteria: Implementation Measure 4.1.3.a** Develop an attractive and economically sound community.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposed UHS project is being designed by professional architects, engineers and land use planners. Site design must adhere to the Day Road Design Overlay District (DOD) design standards to assure high-quality industrial development that would help develop an attractive and economically sound community.

- B19. Review Criteria: Implementation Measure 4.1.3.b** Maintain high-quality industrial development that enhances the livability of the area and promotes diversified economic growth and a broad tax base.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposed UHS project is being designed by professional architects, engineers and land use planners. Site design must adhere to the Day Road Design Overlay District (DOD) design standards to assure high-quality industrial development that would enhance the livability of the area and would promote economic growth and a broad tax base. See request G of this staff report for detailed analysis of the building, site and design plans.

**B20. Review Criteria: Implementation Measure 4.1.3.c** Favor capital intensive, rather than labor intensive, industries within the City.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposed project is estimated to cost over 25 million dollars and employ people with family wage jobs.

**B21. Review Criteria: Implementation Measure 4.1.3.d** Encourage industries interested in and willing to participate in development and preservation of a high-quality environment. Continue to require adherence to performance standards for all industrial operations within the City.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposed UHS project is being designed by professional architects, engineers and land use planners with the goal in mind to preserve as many significant trees along the west side and northeast corner of the property.

**B22. Review Criteria: Implementation Measure 4.1.3.e** Site industries where they can take advantage of existing transportation corridors such as the freeway, river, and railroad.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The subject property is in close proximity to Interstate 5 via SW Day Road and SW Boones Ferry Road to the Stafford Interchange.

**B23. Review Criteria: Implementation Measure 4.1.3.f** Encourage a diversity of industries compatible with the Plan to provide a variety of jobs for the citizens of the City and the local area.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** See the applicant's response finding on page 21 of Exhibit B1.

**B24. Review Criteria: Implementation Measure 4.1.3.g** Encourage energy-efficient, low-pollution industries.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposed UHS project is being designed by professional architects and engineers including an energy-efficient hospital type building with no pollution.

**B25. Review Criteria: Implementation Measure 4.1.3.h** The City, in accordance with Title 4 of the Metro Urban Growth Management Functional Plan, supports appropriate retail development within Employment and Industrial Areas. Employment and Industrial areas are expected to include some limited retail commercial uses, primarily to serve the needs of people working or living in the immediate Employment or Industrial Areas, as well as office complexes housing technology-based industries. Where the City has already designated land for commercial development within Metro's employment areas, the City has been exempted from Metro development standards.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposed UHS project does not include retail uses so this criterion is not applicable.

**B26. Review Criteria: Implementation Measure 4.1.3.i** The City shall limit the maximum amount of square footage of gross leasable retail area per building or business in areas designated for industrial development. In order to assure compliance with Metro's standards for the development of industrial areas, retail uses with more than 60,000 square feet of gross leasable floor area per building or business shall not be permitted in areas designated for industrial development.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposed UHS project does not include retail uses so this criterion is not applicable.

**B27. Review Criteria: Implementation Measure 4.1.3.j** All industrial areas will be developed in a manner consistent with industrial planned developments in Wilsonville. Non-industrial uses may be allowed within a Planned Development Industrial Zone, provided that those non-industrial uses do not limit the industrial development potential of the area.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** In Requests D and E of this staff report the proposed UHS facility is being reviewed by the applicable Planned Development Code criteria within the PDI-RSIA zone. The project location at the southwest corner of SW Day Road and SW Boones Ferry Road would not limit industrial development potential of properties west of the UHS property.

***OAR 660-012-0060 Transportation Planning Rule for Plan and Land Use Regulation Amendment***

**B28. Review Criteria: Review Criteria:** Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. This shall be accomplished by either:

- (a) Limiting allowed land uses to be consistent with the planned function, capacity, and performance standards of the transportation facility;
  - (b) Amending the TSP to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division;
  - (c) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes; or
  - (d) Amending the TSP to modify the planned function, capacity and performance standards, as needed, to accept greater motor vehicle congestion to promote mixed use, pedestrian friendly development where multimodal travel choices are provided.
- (2). A plan or land use regulation amendment significantly affects a transportation facility if it:
- (a) Changes the functional classification of an existing or planned transportation facility;
  - (b) Changes standards implementing a functional classification system;
  - (c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
  - (d) Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The City's TSP was approved by the City Council on June 17, 2013. The applicant's proposal would not significantly affect transportation facilities identified in the City's Transportation System Plan (TSP). The proposed PF conditions of approval would mitigate any impacts in Request F for the Stage II Final Plan. The Comprehensive Plan Amendment and Zone Map Amendment do not propose any new amendments to the TSP. The proposed Comprehensive Plan Map and Zone Map Amendments do not propose to change the functional classification of an existing City street facility or one planned in the TSP. Furthermore the proposed Comprehensive Plan Map and Zone Map Amendments legislative do not propose to change standards implementing a functional classification system. Finally, the City has adopted traffic concurrency standards which will be applied to development in the subject property UGB area during subsequent development review to ensure levels of travel and access are not inconsistent with the functional classification of a transportation facility and maintain performance standards adopted in the TSP.

DKS Associates has prepared a Transportation Impact Analysis for this application in Exhibit P of Exhibit B1. The on-site circulation system proposed in the Stage II Final Plan, Plan Sheet C100 in Exhibit B1 is designed to reflect the principles of smart growth encouraging alternatives to the automobile while accommodating all travel modes, including car pool, SMART dial-a-ride, bicycles and pedestrians.

**TPR 0060:** ODOT received the public notice for the Universal Health Services, Inc., application. See Exhibit C8. The property is located at the intersection of SW Day Rd and SW Boones Ferry Rd which is an ODOT intersection. On page 23 of the DKS TIA in Exhibit B1 contains the TPR findings of “no significant effect” based on consistency with the City Comprehensive Plan and Transportation Systems Plan (TSP).

## **SUMMARY FINDING**

The proposed Comprehensive Plan Map Amendment meets all applicable requirements and can be approved by the City Council.