

**ORDINANCE NO. 543**

**AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A COMPREHENSIVE PLAN MAP AMENDMENT FROM *RURAL/NATURAL RESOURCE TO PUBLIC LANDS* AND APPROVING A ZONE MAP AMENDMENT FROM *AGRICULTURE FORESTRY-5 (AF-5) AND LAND EXTENSIVE INDUSTRIAL (MAE)* TO *PUBLIC FACILITY-CORRECTIONS (PF-C)* ZONE, ON TAX LOTS 500, 600, 700, 701, AND 702 OF SECTION 3AB; TAX LOTS 800, 900, AND 1000 OF SECTION 3AA; TAX LOTS 1300, 1301, 1400, 1500, 1600, and 1601 OF SECTION 3A, T3S-R1W, WASHINGTON COUNTY, WILSONVILLE OREGON, STATE OF OREGON. DEPARTMENT OF CORRECTIONS, APPLICANT.**

WHEREAS, the State of Oregon Department of Corrections has requested a Comprehensive Plan Map amendment and a Zone Map amendment of the property described in (Exhibit A); and

WHEREAS, the Wilsonville Planning Staff analyzed the request and prepared a staff report, with conditions, to the Development Review Board dated February 11, 2002 wherein they reported that the request is consistent with and meets requirements for approval of a Comprehensive Plan Map Amendment and Zone Map amendment and have recommended approval with conditions, and

WHEREAS, the Development Review Board Panel A held a hearing on this request and after taking testimony, gave full consideration to the matter and recommended approval of the request on February 11, 2002, and

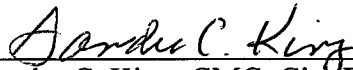
WHEREAS, the Wilsonville Planning Staff prepared a supplemental staff report to City Council dated February 21, 2002, attached hereto as (Exhibit B), and

WHEREAS, the Wilsonville City Council on February 21, 2002, held a public hearing regarding the above described matter, took testimony and concluded that the proposed Comprehensive Plan Map amendment and Zone Map amendment met the approval criteria as evidenced by Development Review Board action and staff report adopted February 11, 2002 (Exhibit C).

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

1. The City Council adopts the above-recited findings as findings of fact and incorporates them by reference and also adopts as findings the supplemental Planning Division staff report to the City Council dated February 21, 2002, attached hereto as (Exhibit B) and the Development Review Board's recommendation and adopted staff report dated February 11, 2002 attached hereto as (Exhibit C).
2. The Comprehensive Plan Land Use Map for the subject 116-acre parcel is hereby amended from Washington County Rural/Natural Resource to City of Wilsonville Public Lands on Tax Lots 500, 600, 700, 701, and 702 of Section 3AB; Tax Lots 800, 900, and 1000 of Section 3AA; Tax Lots 1300, 1301, 1400, 1500, 1600, and 1601 and associated roads of Section 3A, T3S-R1W, Washington County, Wilsonville, Oregon.
3. The official City of Wilsonville Zone Map for the subject 116-acres is hereby amended (Zoning Order 02DB04 attached hereto) on Tax Lots 500, 600, 700, 701, and 702 of Section 3AB; Tax Lots 800, 900, and 1000 of Section 3AA; Tax Lots 1300, 1301, 1400, 1500, 1600, and 1601 of Section 3A, T3S-R1W, Washington County, Wilsonville, Oregon, from Washington County Agriculture Forestry-5 (AF-5) and Land Extensive Industrial (MAE) to City of Wilsonville Public Facility-Corrections (PF-C) zone.
4. The Comprehensive Plan Map amendment and Zone Map amendment shall be effective on the date of the approval.
5. Affirms the condition of approval as follows: "The proposed improvements to Day Road shall be substantially complete by the end of October 2002 if an occupancy permit for phase 2 of the prison is to be approved."


SUBMITTED to the Wilsonville City Council and read for the first time at a special meeting thereof on the 21<sup>st</sup> day of February, 2002, at the hour of 7 p.m. at the Community Development Annex, and scheduled for second reading on the 4<sup>th</sup> day of March, 2002, at the hour of 7 p.m. at the Wilsonville Community Center.

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

ENACTED by the City Council on the 4<sup>th</sup> day of March, 2002, by the following  
votes: Yes: -3- No: -0-

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

DATED and signed by the Acting City Council Chair this 6<sup>TH</sup> day of March, 2002.

  
\_\_\_\_\_  
BRUCE BARTON,  
ACTING CITY COUNCIL CHAIR

SUMMARY OF VOTES:

|                  |         |
|------------------|---------|
| Mayor Lehan      | Excused |
| Councilor Helser | Excused |
| Councilor Barton | Yes     |
| Councilor Holt   | Yes     |
| Councilor Kirk   | Yes     |

Attachment: Zoning Order 02DB04

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

In the Matter of the Application of )  
**State of Oregon Department of**  
**Corrections** )  
for a rezoning of land and amendment of ) **ZONING ORDER 02DB04**  
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 State of Oregon Department of Corrections for a Zone Map Amendment 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:

Tax Lots 1300 (portion), 1301, and 1400 (portion) of Section 3A; Tax Lots 500 and 600 of Section 13AB T3S-R1W, Washington County, Oregon, and such property has heretofore appeared on the official Washington County Zoning Map as Land Extensive Industrial (MAE) Zone.

Tax Lots 800, 900, and 1000 of Section 3AA; Tax Lots 1300 (portion), 1400 (portion, 1500, 1600, and 1601 of Section 3A; Tax Lots 500, 600, 700, 701 and 702 of Section 3AB T3S-R1W, Washington County, Oregon, and such property has heretofore appeared on the official Washington County Zoning Map as Agricultural Forestry-5 (AF-5).

IT IS THEREFORE ORDERED that the property above described be hereby rezoned as follows:

Tax Lots 1300, 1301, 1400, 1500, 1600, and 1601 of Section 3A; Tax Lots 500 and 600 of Section 13AB; Tax Lots 800, 900, and 1000 of Section 3AA; Tax Lots 500, 600, 700, 701 and 702 of Section 3AB T3S-R1W, Washington County, Oregon, and associated roads is rezoned to **Public Facility – Corrections (PF-C)**.

and the Council having heard and considered all matters relevant to the application, including the Supplemental Staff Report to the City Council (Exhibit B) dated February 21, 2002 and the Development Review Board adopted resolution and staff report (Exhibit C) dated February 11, 2002, and minutes, including conditions of approval:

1. This action recommends approval of a Comprehensive Plan Map amendment and zone map amendment of the 116 acres described in the applicant's application. The entire site shall be "**Public Use**" in the **Comprehensive Plan** and "**Public Facilities Corrections**"(PF-C) on the **Zone Map**.
2. The proposed improvements to Day Road shall be substantially complete by the end of October 2002 if an occupancy permit for phase 2 of the prison is to be approved.

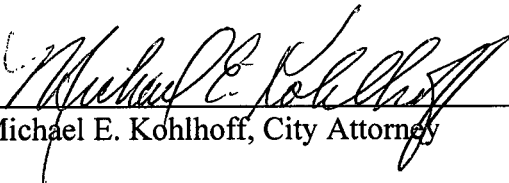
and further finds that the application shall be approved, and such rezoning be and the same is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102WC) and shall appear as such from and after entry of this Order.

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

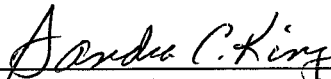
Dated: This 6<sup>th</sup> day of March, 2002.

  
\_\_\_\_\_  
**BRUCE BARTON**  
Acting City Council Chair

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael E. Kohlhoff, City Attorney

ATTEST:

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

## INDEX

02DB04 – State of Oregon Department of Corrections  
Coffee Creek Correctional Facility site  
Comprehensive Plan Map Amendment and Zone Map Amendment  
City Council, February 21, 2002

Ordinance No 543 and Zone Order 02DB04

1. (Exhibit A) Legal description and map of existing designations and proposed new designations
2. (Exhibit B) Planning Division Staff Report to City Council dated February 21, 2002
3. (Exhibit C) Development Review Board recommendation to City Council of February 11, 2002 including Exhibits
4. (Exhibit D) Minutes of February 11, 2002 Development Review Board meeting.

Exhibit A

www.mackaysposito.com

***MacKay & Sposito, Inc.***



**ENGINEERS      SURVEYORS      PLANNERS**  
**VANCOUVER      KENNEWICK**

1703 Main Street Vancouver, WA 98660 (360) 695-3411 (503) 289-6726 PTLD (360) 695-0833 FAX

**LEGAL DESCRIPTION**  
**WOMENS PRISON AND INTAKE CENTER ANNEXATION**  
**WASHINGTON COUNTY, OREGON**

Real property lying in Washington County, Oregon being a portion of the Northwest quarter and the Northeast quarter and the Southeast quarter of Section 2, Township 3 South, Range 1 West of the Willamette Meridian and a portion of the North half of Section 3, Township 3 South, Range 1 West of the Willamette Meridian described as follows:

Beginning at the point of intersection of the West right of way line of Southwest Boone's Ferry Road (Market Road No. 24) with the South line of Tax Lot No. 400 (Recording No. 93006245), Assessor's Plat 3S 1 2B; thence along said West right of way line of Southwest Boone's Ferry Road Northerly 524 feet, more or less, to the point of intersection with the South right of way line of Southwest Day Road (County Road No. 470); thence along said South right of way line of Southwest Day Road Westerly 2,857 feet, more or less, to the point of intersection with the East right of way line of Garden Acres Road (County Road No. 470); thence Westerly 51 feet, more or less, to the Northeast corner of Lot 16 of Cahalin Acres as shown on the plat thereof recorded in Book 15 of plats at Page 35, records of said county, said point being on the West right of way line of said Garden Acres Road; thence along the North line of said Lot 16 Westerly 18 feet, more or less, to the Northwest corner of said Lot 16, said point being on the Easterly right of way line of Southwest Graham's Ferry Road; thence along the West line of said Lot 16 and the Easterly right of way line of said Southwest Graham's Ferry Road Southwesterly 520 feet, more or less, to the Southwest corner of said Lot 16; thence along the prolongation of the West line of said Lot 16 Southwesterly 60 feet, more or less, to a point on the South right of way line of Southwest Cahalin Road (County Road No. 1100); thence along said South right of way line of Southwest Cahalin Road Westerly 1,888 feet, more or less, to the point of intersection with the East right of way line of the Southern Pacific Railroad; thence along said East right of way line of the Southern Pacific Railroad Northerly 2,030 feet, more or less, to the point of intersection with the centerline of Ninth Street (now vacated) as shown on the plat of Tonquin, recorded in Book 4 of plats at Page 1, records of said county; thence along said centerline of Ninth Street Easterly 300 feet, more or less, to the point of intersection with the Westerly right of way line of Southwest Clay Street as shown on the record of survey for Riedel Environment Services recorded under SN 23614, records of said county; thence along the Westerly right of way line of

Page 1 of 2

**FILE**

020804

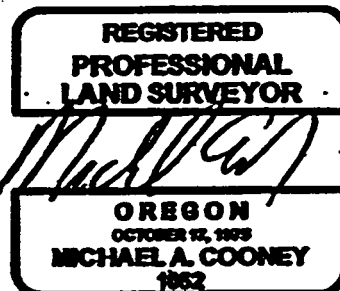
Exhibit A

(1095)



said Southwest Clay Street Northeasterly 103 feet, more or less, to the North right of way of said Southwest Clay Street; thence along the North right of way of said Southwest Clay Street Easterly 2,123 feet, more or less, to the point of intersection with the West right of way line of Southwest Graham's Ferry Road (County Road No. 844); thence along the prolongation of said North right of way line of Southwest Clay Street Easterly 40 feet, more or less, to a point on the East right of way line of said Southwest Graham's Ferry Road; thence along said East right of way line of Southwest Graham's Ferry Road Southerly 1,538 feet, more or less, to the point of intersection with the North right of way line of Southwest Day Road (County Road No. 470); thence along said North right of way line of Southwest Day Road Easterly 2,871 feet, more or less, to the point of intersection with the West right of way line of Southwest Boone's Ferry Road (Market Road No. 24); thence along said West right of way line of Southwest Boone's Ferry Road Northerly 112 feet; thence perpendicular to the centerline of said Southwest Boone's Ferry Road Easterly 60 feet, more or less, to a point on the East right of way line of said Southwest Boone's Ferry Road; thence along said East right of way line of Southwest Boone's Ferry Road Southerly 688 feet, more or less, to the point of intersection with the Easterly prolongation of the South property line of Tax Lot No. 400 (Recording No. 93006245), Assessor's Plat 3S 1 2B; thence along said Easterly prolongation Westerly 87 feet, more or less, to a point on the West right of way line of said Southwest Boone's Ferry Road, said point being the point of beginning.

Containing approximately 119.68 acres.



3/14/01

EXPIRES: 12-31-01

(2 of 5)

5  
8  
20  
W

WARRANTY DEED

93006245  
Washington County

JAN 26 1993

Dean A. Brown, Grantor, conveys and warrants to David C. Brown, Grantee, an undivided 1/6 interest in the following described real property in the County of Washington and State of Oregon:

Beginning at a point which is reached by running from the Northwest corner of the Northeast quarter of the Southwest quarter of Section 2, Township 3 South, Range 1 West, Willamette Meridian, in the County of Washington and State of Oregon, North 0° 17' West 451.7 feet; and thence North 89° 20' East 1240 feet to the Northwest corner of the tract herein described; thence continuing North 89° 20' East 341.0 feet to the center of Boone's Ferry Road; thence with said center of road, South 15° 46' East 546 feet; thence South 89° 20' West 486 feet; thence North 0° 17' West 527 feet to said place of beginning.

Prior to this deed, the subject property is owned by Grantee as to an undivided 5/6 interest and by Grantor as to an undivided 1/6 interest. This deed is intended to transfer the Grantor's entire 1/6 interest to Grantee. After this deed David C. Brown is the sole owner of the subject property.

The property is conveyed free of encumbrances except zoning ordinances, building and use restrictions, the rights of the public in and to that portion of the premises lying within the limits of streets, roads and highways.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify any approved uses.

The true consideration for this conveyance is none.

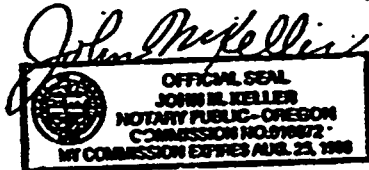
DATED this 20th day of January, 1993.

Dean A. Brown  
Dean A. Brown

STATE OF OREGON, County of Multnomah) ss.

Personally appeared the above named Dean A. Brown and acknowledged the foregoing instrument to be his voluntary act and deed.

After recording return to:  
Keller & Keller, P.C.  
P.O. Box 16788  
Portland, Oregon 97216  
  
Send tax statements to:  
David C. Brown  
2470 S.W. Bay Road  
Sherwood, OR 97139



STATE OF OREGON }  
County of Washington } SS

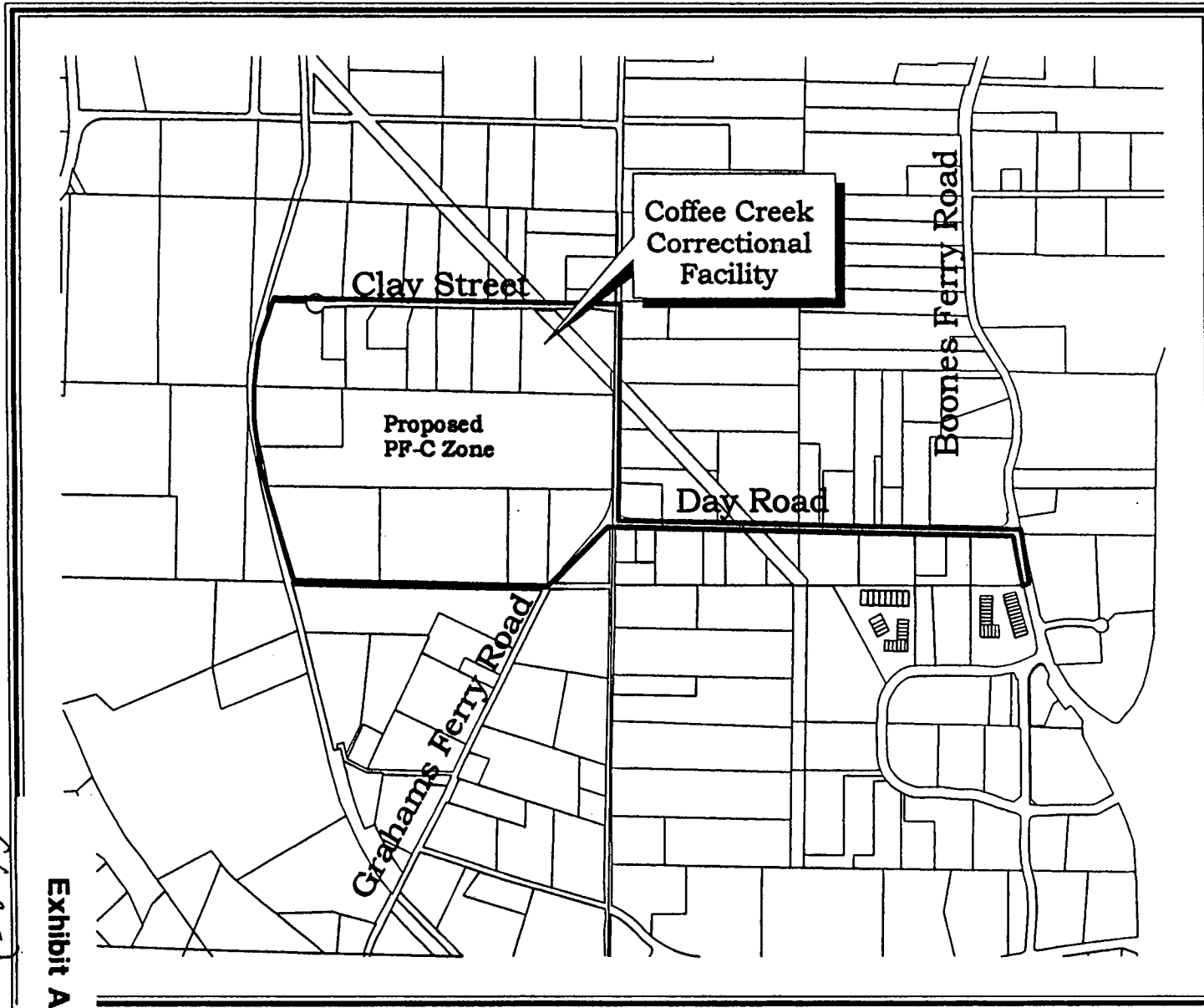
Jerry R. Hanson, Director of Assessment and Taxation and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

Jerry R. Hanson, Director of Assessment and Taxation, Ex-Officio County Clerk

Doc : 93006245  
Rect: 93023 33.00  
01/26/1993 04:16:42P

(3095)

# Proposals-December 14, 2001



Existing Washington County Land Use District:

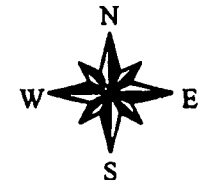
Agriculture and Forestry  
5 Acre Minimum (AF-5)  
and Land Intensive  
Industrial (MAE)

New City of  
Wilsonville  
Designations:

Comprehensive Plan:  
Public Lands

Zoning:  
Public Facilities-  
Corrections

 Tax Lots

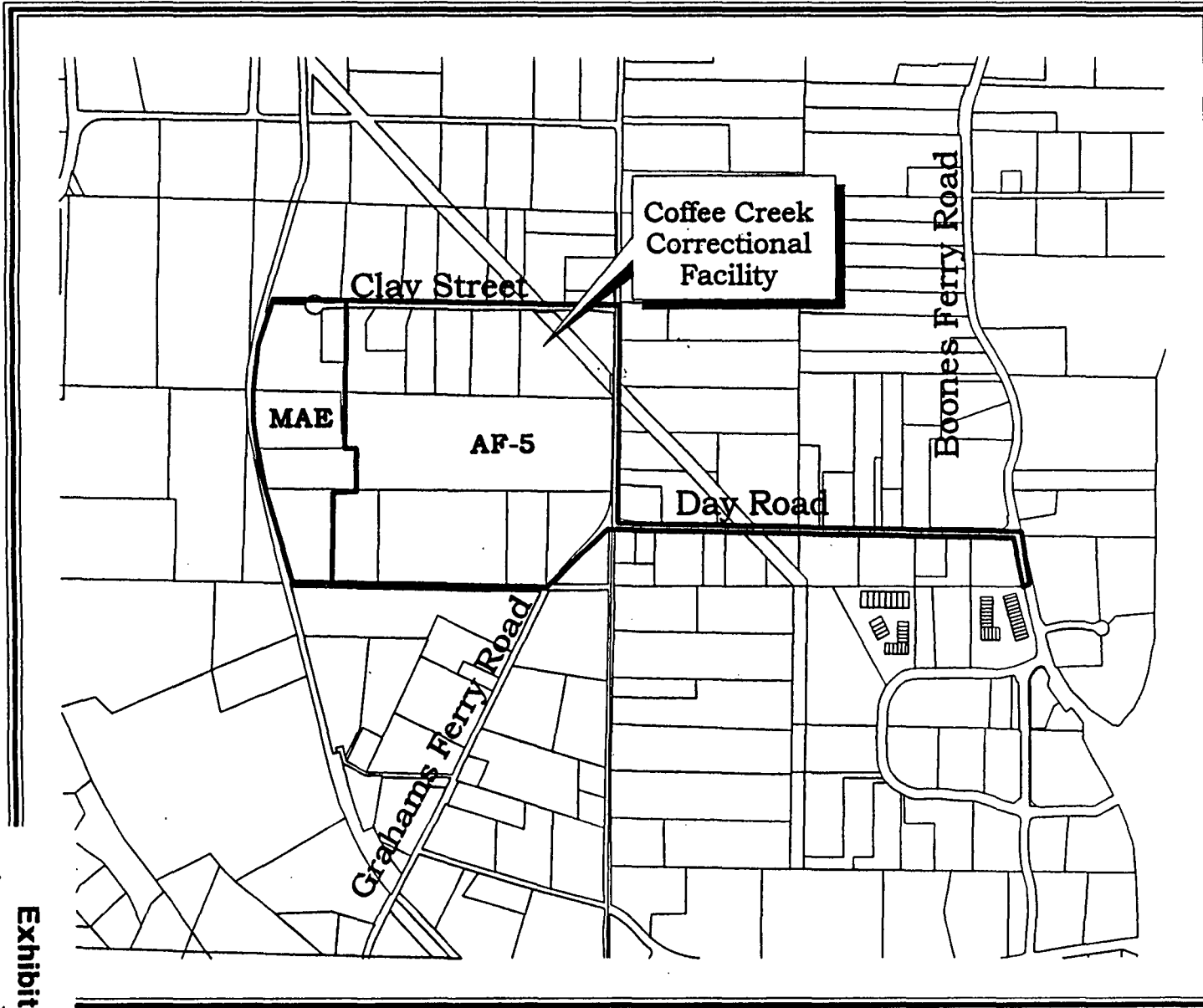


1000 0 1000 2000 3000 4000 5000 6000 Feet

(4 of 5)

Exhibit A

# Proposals-December 14, 2001



**Existing Washington County Land Use District:**

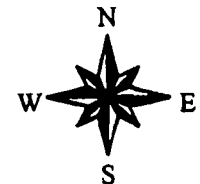
**Agriculture and Forestry  
5 Acre Minimum (AF-5)  
and Land Intensive  
Industrial (MAE)**

**New City of  
Wilsonville  
Designations:**

**Comprehensive Plan:  
Public Lands**

**Zoning:  
Public Facilities-  
Corrections**

 **Tax Lots**



1000 0 1000 2000 3000 4000 5000 6000 Feet

(5085)  
Exhibit A

Exhibit B

## PLANNING DIVISION STAFF REPORT

**DATE:** February 21, 2002

**PLANNING FILE:** 02DB04

**APPLICANT:** City of Wilsonville and the State of Oregon Department of Corrections.

**REQUEST:** Proposed Comprehensive Plan Map amendment and Zone Map amendment of entire Coffee Creek Correctional Facility site (116 acres). Request also includes adjacent roads, Day Road, and part of Boones Ferry Road. Also, a revision of one condition of approval of previous Washington County Conditional Use Approval.

**LOCATION:** Tax Lots 500, 600, 700, 701, and 702 of Section 3AB; Tax Lots 800, 900, and 1000 of Section 3AA; Tax Lots 1300, 1301, 1400, 1500, 1600, and 1601 of Section 3A, T3S-R1W, Washington County, Oregon, a total of 116 acres.

### **CRITERIA:**

#### **Wilsonville Comprehensive Plan**

Goal 1 – Citizen Involvement

Goal 2 – Urban Growth

Goal 3 – Quality Public Facilities

Policies 3.1.7 through 3.1.10

Land Use and Development, pages 50-56

Area of Special Concern H, page 91

#### **Other Wilsonville Planning Documents**

Ordinance No. 514 – Public Facilities Water Strategy

Ordinance No. 463 – Public Facilities Transportation Strategy

Ordinance No. 516 – Natural Resources Plan

Storm Water Master Plan

#### **Wilsonville Development Code**

Sections 4.013 – 4.034 – Hearing and Application Procedures

Section 4.136.5 – PF- C Public Facility – Corrections Zone

#### **Statewide Planning Goals**

**DEVELOPMENT REVIEW BOARD ACTION:**

On February 11, 2001, Panel A of the Development Review Board recommended approval of the proposed Comprehensive Plan Map amendment and proposed Zone Map amendment. The recommendation also included revising one condition of approval of the Washington County Conditional Use Approval of Coffee Creek Correctional Facility site construction. The Development Review Board adopted staff recommendations, findings and Conditions of Approval (Exhibit C) on February 11, 2002.

**STAFF RECOMMENDATION:** That the City Council adopt the Development Review Board recommendation to approve the request per the Development Review Board February 11, 2002 action. Appropriate Council action would be adoption of Ordinance No.543.

**BACKGROUND:**

1. The Development Review Board conducted its public hearing on File No. 02DB04 on February 11, 2002, at which time exhibits, together with findings and public testimony were entered into the public record. The DRB approved the application with condition of approval (Exhibit C).
2. The City of Wilsonville and the State of Oregon Department of Corrections are seeking to revise the Comprehensive Plan Map and Zone Map for approximately 116 acres at Day Road and Graham's Ferry Road. This application pertains to a recent annexation of the site of the prison. The annexation became final December 29, 2001. Metro amended its Urban Growth Boundary (UGB) and Jurisdictional Boundary on November 4, 2001 to include the prison site. The proposed amendments are: (1) Designation of the site as "Public Use" on the Comprehensive Plan Map; and (2) Designation of the site as "PF-C" Public Facility – Corrections on the Zone Map.
3. The new Significant Resource Overlay Zone (SROZ) was already in place on the Fir grove covering the Southeast corner of the subject property. On May 7, 2001, the City Council adopted Ordinance No. 516, which instituted the SROZ designation, protection and development standards. The adopted SROZ map designated the SROZ on significant resources on properties inside the City and outside the City. The recent City annexation of subject territory, by de-facto has confirmed the SROZ on the subject property.
4. The proposal meets the applicable goals and policies of the City of Wilsonville Comprehensive Plan, and the applicable requirements in the City Land Development Code.
5. Primary facilities, i.e., roadways, water and sanitary sewer, are or shortly will be available and are of adequate size to serve the subject territory. Thus, adequate facilities are provided. A condition is recommended to require substantial completion of the proposed Day Road improvements by October 2002 in order for temporary occupancy of the prison's second phase in April, 2002.

6. The Coffee Creek Correctional Facility meets the Public Facilities Water Strategy (Ordinance #514).
7. The location, design, size, and uses are such that traffic generated by Coffee Creek Corrections Facility, including the prison's second phase, on the subject territory can be accommodated safely and without congestion on existing or immediately planned arterial or collector streets within the City. The Washington County Engineers have determined that the proposal is consistent with County plans and policies.
8. All applicable Statewide Goals have been addressed for this request. The proposed amendments are consistent with applicable Statewide Goals.
9. The proposal is consistent with the Washington County/City of Wilsonville Urban Growth Management Plan, which requires the City to notify Washington County of any major planning applications. This has been done.
10. The proposed Plan Map amendment and Zone Map amendment is consistent with the Wilsonville Comprehensive Plan, as well as the Washington County Comprehensive Plan. Specifically, the extensive notice requirement, particularly notice to owners and residents, is consistent with the Wilsonville Comprehensive Plan emphasis on citizen involvement. The correctional facility was sited under the State's Super-siting authority, which required extensive documentation of need. The recent annexation of the site sets the stage and need for Comprehensive Plan land use designation and rezone.
11. The public interest is best served by granting the Comprehensive Plan Map amendment and Zone Map amendment at this time since the recently annexed new Coffee Creek Correctional Facility will be formally recognized and included in the City's planning documents.
12. At a duly advertised public hearing the Development Review Board recommended that the City Council approve the requested Plan and Zone Map changes and with the following condition:

#### **Condition of Approval**

1. The proposed improvements to Day Road shall be substantially complete by the end of October 2002 if an occupancy permit for phase 2 of the prison is to be approved.

**Prepared by:** Blaise Edmonds, Manager of Current Planning



Exhibit C

City of

**WILSONVILLE**  
in OREGON



30000 SW Town Center Loop E  
Wilsonville, Oregon 97070  
(503) 682-1011  
(503) 682-1015 Fax  
(503) 682-0843 TDD

## RECOMMENDATION TO CITY COUNCIL

### DEVELOPMENT REVIEW BOARD PANEL A

Project Name: Coffee Creek Correctional Facility  
Comprehensive Plan Map Amendment and Zone Map Amendment

Case File No. 02DB04

Applicant/Owner: City of Wilsonville/State of Oregon Department of Corrections

- Proposed Action:
1. Amend the recently annexed Coffee Creek Correctional Facility site from Washington County Comprehensive Plan designation of Rural/Natural Resource designation to apply the City of Wilsonville Comprehensive Plan designation "*Public lands*" and rezone from the Washington County AF-5 and MAE (Agriculture & Forestry-5 acre minimum and Land Extensive Industrial) to apply the City of Wilsonville "*Public Facility-Corrections Zone*" designation. The subject property includes the entire Coffee Creek Correctional Facility site, adjacent roads, Day Road and part of Boones Ferry Road.
  2. Require that the Day Road improvements be substantially completed by the end of October, 2002 which requires adding a condition which is part of this review

Property Description: Tax Lots 500, 600, 700, 701 and 702 of Section 3AB;  
Tax Lots 800, 900 and 1000 of Section 3AA;  
Tax Lots 1300, 1301, 1400, 1500, 1600, and 1601 of Section 3A  
T3S-RIW, Washington County, Oregon

Location: Northwest section of the City of Wilsonville

On February 11, 2002, at the meeting of the Development Review Board the following action was granted on the above-referenced proposed development application:

- DRB recommends that the City Council approve the Zone Map Amendment and Comprehensive Plan Amendment from the Washington County designations to the City of Wilsonville designations and approve the condition that would require Day Road improvements be substantially completed by the end of October, 2002.
- The City Council hearing date is scheduled for February 21, 2002.

Written decision is attached.

For further information, please contact the Wilsonville Planning Division at the Community Development Building, 8445 SW Elligsen Road, Wilsonville Oregon 97070 or phone 503-682-4960

Attachments: DRB Resolution No. 02DB04 including  
Exhibit A – Adopted Staff Report and motion to approve

**Exhibit C**



"*Serving The Community With Pride*"

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 02DB04**

**A RESOLUTION OF THE WILSONVILLE DEVELOPMENT REVIEW BOARD RECOMMENDING THAT THE CITY COUNCIL ADOPT FINDINGS AND CONDITIONS OF APPROVAL TO APPLY A ZONE MAP AMENDMENT FROM *WASHINGTON COUNTY ZONING OF AGRICULTURE & FORESTRY-5 ACRE MINIMUM AND LAND EXTENSIVE INDUSTRIAL (AF-5 AND MAE)* TO *CITY OF WILSONVILLE PUBLIC FACILITY-CORRECTIONS ZONE (PF-C)* AND FROM THE *WASHINGTON COUNTY COMPREHENSIVE PLAN DESIGNATION OF RURAL/NATURAL RESOURCE DESIGNATION TO THE CITY OF WILSONVILLE COMPREHENSIVE PLAN DESIGNATION OF PUBLIC LANDS* FOR THE RECENTLY ANNEXED COFFEE CREEK CORRECTIONAL FACILITY SITE, ADJACENT ROADS, DAY ROAD AND PART OF BOONES FERRY ROAD. THE SITE IS 119.68 ACRES IN THE FAR NORTH WEST CORNER OF THE CITY OF WILSONVILLE ON TAX LOTS 500, 600, 700, 701 AND 702 OF SECTION 3AB; TAX LOTS 800, 900 AND 1000 OF SECTION 3AA; AND TAX LOTS 1300, 1301, 1400, 1500, 1600 AND 1601 OF SECTION 3A, T3S-R1W, WASHINGTON COUNTY, OREGON. CITY OF WILSONVILLE AND STATE OF OREGON DEPARTMENT OF CORRECTIONS, APPLICANT.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared reports on the above-captioned subject dated February 11, 2002, and

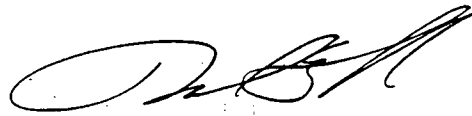
WHEREAS, said planning exhibits and staff reports were duly considered by the Development Review Board at regularly scheduled meeting conducted on February 11, 2002, at which time exhibits, together with findings and public testimony were entered into the public record, and

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.

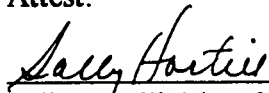
NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report with the findings, recommendations and conditions of approval contained therein (Exhibit A attached) and recommends that the City Council approve the proposed Zone Map Amendment and Comprehensive Plan Map amendment. The City Council has scheduled a public hearing on this item for February 21, 2002.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 11<sup>th</sup> day of February and filed with the Planning Secretary on February 14, 2002.



David Lake, Acting Chair Panel A  
Wilsonville Development Review Board

Attest:



Sally Hartill, Planning Secretary

**PLANNING DIVISION  
STAFF REPORT**

**DATE:** February 11, 2002

**TO:** Development Review Board Panel 'A'

**PREPARED BY:** Blaise Edmonds, Manager of Current Planning

**REQUEST:** 02DB04, City of Wilsonville and the State of Oregon Department of Corrections - Proposed Comprehensive Plan Land Use amendment and rezone of entire Coffee Creek Correctional Facility site (116 acres). Also, proposed is a revision of one condition of approval of Washington County Conditional Use Approval.

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**SUMMARY**

The City of Wilsonville and the State of Oregon Department of Corrections are seeking to revise the Comprehensive Plan Land Use and to rezone 116 acres at Day Road and Graham's Ferry Road. This application pertains to a recent annexation of the Coffee Creek Correctional Facility site. The proposed amendments are: (1) Designation of the site as "Public Use" in the Comprehensive Plan, (2) Designation of the site as "PF-C" in the Zoning Code.

The new Significant Resource Overlay Zone (SROZ) was already in place on the Fir grove covering the southeast corner of the subject property. On May 7, 2001, the City Council adopted Ordinance No. 516, which instituted the SROZ designation, protection and development standards. The adopted SROZ map designated this overlay on significant resources on properties inside the City and outside the City. The recent City annexation of subject site, included the SROZ area on the subject property.

The proposal meets the Comprehensive Plan and the applicable standards in the Planning and Land Development Ordinance and the goals, policies, and implementation measures of the City of Wilsonville Comprehensive Plan.

Primary facilities, i.e., roadways, water and sanitary sewer, are or shortly will be, available and are of adequate size to serve the subject site. Thus, adequate facilities are provided. A condition is recommended to require substantial completion of the proposed Day Road improvements by October 2002 in order for temporary occupancy of the prison's second phase in April 2002.

The Coffee Creek Correctional Facility meets the City's Public Facilities Water Strategy (Ordinance #514).

The location, design, size, and uses are such that traffic generated by Coffee Creek Corrections Facility, including the facility's second phase can be accommodated safely and without congestion on existing or immediately planned arterial or collector streets within the City. The Washington County Engineers have determined that the proposal is consistent with County plans and policies.

All applicable Statewide Goals have been met.

The proposal is consistent with the Washington County/City of Wilsonville Urban Growth Management Plan, which requires the City to notify Washington County of any major planning applications. This has been done.

The proposed plan amendment and rezone is consistent with the Wilsonville Comprehensive Plan, as well as the Washington County Comprehensive Plan. Specifically, the extensive notice requirement, particularly notice to owners and residents, is consistent with the Wilsonville Comprehensive Plan emphasis on citizen involvement. The correctional facility was sited under the State's Super-siting authority, which required extensive documentation of need. The recent annexation of the site sets the stage and need for Comprehensive Plan land use designation and rezone.

The public interest is best served by granting the Comprehensive Plan amendment and rezone at this time since the recently annexed new Coffee Creek Correctional Facility will be formally recognized and included in the City's planning documents.

### **RECOMMENDATION**

Approve the proposed plan amendment and rezone with conditions. The Development Review Board action is a recommendation to the City Council.

Note: Metro amended its Urban Growth Boundary (UGB) and Jurisdictional Boundary on November 4, 2001 to include the prison site. The annexation became final December 29, 2001.

## FINDINGS

### Site Information:

1. Proposed is a revision to the Comprehensive Plan Land Use of "Public Use" and rezone to "PF-C" of the entire Coffee Correctional Facility site (116 acres). The new Significant Resource Overlay Zone (SROZ) was already in place on the Fir grove (approximately 8.4 acres) covering the southeast corner of the subject property. On May 7, 2001, the City Council adopted Ordinance No. 516, which instituted the SROZ designation, protection and development standards. The adopted SROZ map designated the zone on significant resources properties inside and outside the City. The recent City annexation of the subject site followed the SROZ on the subject property. The subject property includes Tax Lots 500, 600, 700, 701, and 702 of Section 3AB; Tax Lots 800, 900, and 1000 of Section 3AA; Tax Lots 1300, 1301, 1400, 1500, 1600, and 1601 of Section 3A, T3S-R1W, Washington County, Oregon, a total of 116 acres (Exhibit ).
2. The subject property was annexed into the City of Wilsonville on November 21, 2001 by Ordinance No. 539.
3. The subject site is currently guided by the Washington County Comprehensive Plan and zoning requirements. Its Comprehensive Plan Map designation is Rural/Natural Resource; and its present zoning is Agriculture Forestry-5 (AF-5) and Land Extensive Industrial (MAE).

### Vicinity Information:

1. The site itself is the location of the Coffee Creek Correctional Facility. A significant treed area exists in the southeast corner of the site. To the west and north of the subject site are lands in industrial, residential and agricultural uses. To the south are residential and intensive industrial properties; and to the east are residential and industrial properties.

## CRITERIA – COMPREHENSIVE PLAN MAP CHANGE

**WC 4.198 (.01)** *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:*

**Approval Criterion A:** *"That the proposed amendment meets the public need that has been identified."*

1. **FINDING:** The public need is satisfied by placing the recently annexed Coffee Creek Correctional Facility property under City of Wilsonville Comprehensive Plan and implementing ordinances. The proposed Plan Map designation of "Public Use" is the category utilized in the Comprehensive Plan for identifying large institutional and governmental uses. The designation of the entire site as "Public Use" land use best meets the

City's need for a City land use designation. The Comprehensive Plan policies also need to reflect the recently adopted Significant Resource Overlay Zone map. The proposal meets Criterion A.

**Approval Criterion B:** *"That the proposed amendment meets the identified public need at least as well as any other amendment or change which could reasonably be made."*

2. FINDING: The proposed amendment of "Public Use" land use for the site is the Wilsonville Plan category to represent the intent of identifying the prison site. There is no "institutional" Plan designation. The other choices are: Residential, Commercial, Industrial, and Open Space land use. These are not appropriate for a large correctional facility. The 8.4-acre southeast corner of the site in SROZ is the only way to reflect the results of the City's Natural Resource Plan element. The proposal meets Criterion B.

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

3. FINDING: The relevant Statewide Goal is Goal 11, Public Facilities and Services: "To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural developments." The Coffee Creek Correctional Facility is the State's women's facility and intake center, which was sited under the Department of Correction's Needs Analysis and Plan. The subject site was approved by the Governor as the best site under the State's "Super-siting" authority. It is one of the State Department of Correction's primary corrections facilities. Also, Goal 5 is supported by the SROZ Designation for the southeast portion of the site. Designation of the site as "Public Use" supports this goal. The proposal meets Criterion C.

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

4. FINDING: The subject site is located northwest of the City limit line and has recently been annexed to the City (effective about December 29, 2001). The correctional facility, now constructed, already exists; it was sited under "Super-siting" authority; and recognizing the site as "Public Use" on the Wilsonville Comprehensive Plan is consistent with all previous actions. The Comprehensive Plan does not currently designate any other nearby land as "Public Use." Therefore, no conflicts exist with this designation. The nearest land uses designated in the City's Comprehensive Plan are "industrial" and "public (power facilities)." Designation of the southeast corner of the site as SROZ reflects the recent map adoption and annexation of the prison site.

5. FINDING: The text of Area of Special Concern "H" of the Comprehensive Plan states that a Master Plan for the Day Road area will be needed to address property owner concerns and mitigate the effects of the prison (Exhibit B). Designation of the prison site as "Public Use" land use will not be in conflict with this policy since the master plan can still be prepared for the larger area. The proposal meets Criterion D.



6. CONCLUSIONARY FINDING – COMPREHENSIVE PLAN MAP AMENDMENT: The above analysis demonstrates that all approval criteria can be met for a proposed Comprehensive Plan Map amendment from Washington County “Rural/Natural Resources” to City of Wilsonville “Public Use” for 116 acres identified as the Coffee Creek Correctional Facility.

## CRITERIA – ZONE CHANGE

Proposed is a rezone to “PF-C” (Public Facility—Corrections), of the entire Coffee Creek Correctional Facility site. The subject site of the rezone is 116 acres and is identified as TL 500, 600, 700, 701, 720 of Sec. 3AB; TL 800, 900 and 1000 of Sec. 3AA; and TL 1300, 1301, 1400, 1500, 1600 and 1601 of Sec. 3A, T3S-R1W, Washington County, Oregon. The recently adopted Significant Resource Overlay Zone (SROZ) is already in place on the southeast corner of the subject property. This resource is a Douglas fir forest and is 8.39 acres with Site 1D Number URA #42U1.

**WC 4.197 (.02)** *“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:”*

**Approval Criterion A:** *“That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, or in the case of Planned Development, Section 4.140.”*

1. FINDING: The subject application was submitted in accordance with the provisions of Sections 4.008 through 4.024. The application was deemed to be complete. A letter by the Department of Corrections authorizing the City to represent the State as site owner was part of the application (Exhibit C). A pre-application conference was held with the applicant on November 28, 2001. Hearing notices have been sent; and the application has been processed as required. Criterion A has been met.

**Approval Criterion B:** *“That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with all applicable goals, policies, and objectives set forth in the Comprehensive Plan text.”*

2. FINDING: As previously discussed, the proposed Comprehensive Plan Map designation, as a part of this application, is consistent with correctional facility use. The proposed rezone is from Washington County MAE and AF-5 to Wilsonville “Public Facility—Corrections (PF-C)” and meets the intent as a zone district to be applied to lands that have been or are being, acquired for use and development of corrections facilities and related accessory uses and facilities.” The proposed rezone to “PF-C” is consistent with a Comprehensive Plan use of “Public Use” as proposed. The SROZ is a “Significant Resource Overlay Zone” which was recently adapted in order to protect natural resources. There are no known conflicts with other adopted Comprehensive Plan goals, policies, or objectives. Approval Criterion B is met.

**Approval Criterion C:** *“If any part is residential on the Comprehensive Plan map, certain findings are required.”*

3. FINDING: No part of the proposed area to be rezoned is deemed to be residential in the Wilsonville Comprehensive Plan. The category of “Public Use” land use in the City’s Comprehensive Plan is proposed as part of this application. Approval Criterion C is met.

**Approval Criterion D:** *“That all primary facilities (sewer, water, roads) are available and of adequate size to serve the proposed development; or that adequate facilities can be provided in conjunction with project development, or will become available with the development.”*

4. FINDING: Sewer and water and first stage road improvements are already available (Exhibit D). Regarding the second phase of the correctional facility, proposed to open in April 2002, adequate and safe roads, sewers and water facilities will be available. A Traffic Management Plan for safe operation will be in place, and Day Road improvements are scheduled in the City’s Capital Improvement Plan to be made this year.

Implementation Measure 3.1.2.b of the Comprehensive Plan provides that temporary occupancy of the second stage prison, the minimum security portion, can be allowed even though needed facilities have not been completed but are in process (Exhibit E). The current proposal is that the Day Road improvements adequate for the second phase will be substantially complete by the end of October 2002. Budget for the project is available. A condition of the County’s Conditional Use approval is hereby proposed to be amended to allow occupancy of the second phase (the minimum security section) in April 2002 and the Day Road improvement to be complete in October 2002 – provided this can be accomplished in a safe and effective manner. The Washington County engineers have determined that the proposal is consistent with County plans and policies. Approval Criterion D is met provided a condition is adopted requiring substantial completion of Day Road improvements by October 2002 and a certification be given by the City Engineer that serving the traffic from the opening of the minimum security section in April 2002 can be done safely and effectively.

**Approval Criterion E:** *“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.....”*

5. FINDING: The Significant Resource Overlay Zone (SROZ), is an identified natural treed area in the southeast corner of the subject property, which will not be affected by the proposed rezone. That treed area and a small wetlands area have been protected as part of the approved site plan. This 8.4-acre area is currently shown on the adopted SROZ map with the recent annexation. Approval Criterion E is met.

**Approval Criterion F:** *“The applicant is committed to a development schedule demonstrating that development can reasonably be expected to occur within 2 years.”*

6. FINDING: The subject site is partially developed under Washington County MAE zone conditions of approval. The criterion for major development of the subject site has been demonstrated through fulfillment of Criterion E. The Approval Criterion F is met.

**Approval Criteria G:** *“That the proposed development and use(s) can be developed in compliance with applicable development standards or with conditions meeting such standards.”*

7. FINDING: To date, the correctional facility development has been accomplished under Super-siting with Washington County Conditional Use approval. The requested City zone of PF-C will allow the city to fully participate in appropriate future development stages on the property. It is fully expected that any changes to the existing development schedule can be accomplished within applicable City development standards. Approval Criterion G is met.

8. CONCLUSIONARY FINDING – ZONING MAP AMENDMENT: The above analysis demonstrates that all approval criteria can be met for a zone change from Washington County MAE/AF-5 to Wilsonville “PF-C” (Public Facility – Corrections) for 116 acres identified as the “Coffee Creek Correctional Facility” provided a condition is adopted requiring that Day Road improvements be substantially complete by October 2002 and a safe traffic management plan is adopted and implemented.

Further, it is found that that the City’s SROZ District is reconfirmed for TL 1300, 1500, 1600 and 1601 of Section 3A, T3S-R1W, Washington County, Oregon.

#### **ADDITIONAL FINDINGS:**

1. FINDING. The existing Coffee Creek Correctional Facility was approved under the State's Super-siting laws and processes. This included the County processing the prison application as a Conditional Use and with Design Review. It was approved with numerous conditions. Once the property has been rezoned to “PF-C”, the recently adopted SROZ reflected in the plan, and the Comprehensive Plan amended to propose the site as a “Public Use” land use, changes to the site and any changes in design and use will be reviewed under those designations. After the effective date of approval of file 02DB04, any changes to the site will be reviewed under Wilsonville's Code and processes. The original plan approvals stand until amended under the “PF-C” district, which includes a Site Design Review. The recently adopted Significant Resource Overlay Zone map has a text description that says it applies to areas within the City limits. With the recent annexation of the prison site with its 8.4-acre resource area, the SROZ is already in place to the prison site as well on this specific portion of the subject site.

2. **FINDING – TRANSPORTATION:** The primary transportation provider in this vicinity will be the City. Washington County plans to turn over the roads to Wilsonville early in 2002. This includes responsibility for improving and maintaining streets in the vicinity, as well as the provision of transit services through South Metro Area Rapid Transit (SMART), a city operation. Transportation services are coordinated with Washington County (with continuing responsibility for the road surrounding the subject site) and with the Oregon Dept. of Transportation (I-5/Stafford Interchange). The prison traffic is on surrounding streets, Day Road, SW Boones Ferry Road and at the Stafford/1-5 interchange. With adjacent street improvements, all City standards will be met.

3. **FINDING – STREETS:** The subject site currently is not included within the Wilsonville Comprehensive Plan. The Master Street System and Function Classification Map in the 1991 City Transportation Master Plan identifies Day Road and SW Boones Ferry Road serving the subject site as major collectors. Day Road will be improved to meet the City Public Works Standards with curbs and sidewalk. The primary streets adjacent to the subject site are fully improved. The transportation plan for the subject area and vicinity will need to be ultimately revised after a Master Plan study. Washington County engineers have determined that the proposals are consistent with County plans and policies.

4. **FINDING – TRANSIT:** Transit service will be provided by Wilsonville - Southern Metro Area Rapid Transport (SMART), making connections to Tri Met and Salem.

5. **FINDING - PEDESTRIAN AND BICYCLE ROUTES:** The sidewalk and pathway system in the general Northwest Wilsonville area, including planned improvements, will provide good connections between the site and surrounding neighborhoods. On-street bike lanes and separate bicycle routes are planned in the area to serve both commuting and recreational purposes. The subject site will be linked with the pedestrian and bike route system.

6. **FINDING – URBAN LEVEL SERVICES:** The applicant has worked with City staff and representatives from service agencies to determine the adequacy of all service and facilities needed to support the subject site. As indicated above, all services can be provided efficiently. Upon annexation by the City of Wilsonville, the urban service providers will be as follows:

Water: Wilsonville  
Sanitary sewer: Wilsonville  
Storm sewer: Wilsonville  
Police: Clackamas County Sheriff, under contract with Wilsonville  
Fire: Tualatin Valley Fire and Rescue, under contract with Wilsonville  
School District: Sherwood School District  
Parks: Wilsonville  
Library/Government Services: Wilsonville

7. **FINDING – URBAN LEVEL SERVICES-WATER:** The City has made special arrangements with the State Department of Corrections to assure that adequate water will be available. A major public water line was recently extended to serve the subject site as part of

the development of the corrections facility. The City is working to resolve water capacity shortages for landscape irrigation until the Wilsonville Water Treatment Plant is operational. The City has approved the use of potable water for the Coffee Creek Correction Facility. The City fully expects that the new water treatment facility on the Willamette River will be delivering water as early as April 2002.

8. **FINDING – URBAN LEVEL SERVICES-SANITARY SEWER:** A major public sanitary sewer line was recently extended to serve the subject site as part of the development of the corrections facility. Collection system improvements were constructed at the facility. The City has recently expanded and improved its wastewater treatment plant to accommodate community growth.

9. **FINDING – URBAN LEVEL SERVICES-STORM DRAINAGE:** The subject property is served by a storm water drainage system. A combination of on-site storm water detention and use of the natural drainage ways is expected to meet the storm drainage needs.

10. **FINDINGS - STATE LAND USE GOALS:**

1. **Citizen Involvement:** To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

**GOAL ANALYSIS:** This notice, hearing and review process, and numerous meetings fully meet the intent of the State Goal of encouraging citizen involvement in land use processes.

2. **Land Use Planning:** To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

**GOAL ANALYSIS:** The plan amendment and rezoning process is mainly concerned about orderly and efficient development patterns and adequate provision of public services and facilities. Since the correctional facility was sited and developed under the Super-siting laws, has already been approved under the Washington County Development Code, and is already built with full provisions of public services and facilities by the County and the City, the Land Use Goal has been met by the processes to date.

3. **Agricultural Lands:** To preserve and maintain agricultural lands.

**GOAL ANALYSIS:** No agricultural lands are involved in this plan amendment and rezone. The correctional facility already exists on the annexation site. The Washington County and the Metro Hearings Officer made findings that concluded that agricultural lands are not adversely affected. These lands are designated as "exception lands" for urbanization purposes.

4. Forest Lands: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use of forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

GOAL ANALYSIS: The Comprehensive Plan amendment and rezone to PF-C and new SROZ overlay do not affect any forest lands under the Goal 4 definitions, but will protect the 8.4 acres left on the site. The Goal has been met. These lands are exception lands for urbanization purposes.

5. Natural Resources, Scenic and Historic Areas, and Open Spaces: To conserve open space and protect natural and scenic resources.

GOAL ANALYSIS: The plan amendment and rezone requests and reviews do not involve a Goal 5 request. However, a stand of trees is being protected, the storm water system is improved, and the berms surrounding the facility are being fully landscaped and will be a major visual feature of the area. None of these areas will be adversely affected by the granting of City land use designations and zoning. A portion of the site, 8.4 acres, is indicated on the recently adopted Natural Resource Overlay Zone as deserving protection. Recognizing the SROZ for a portion of the site will accomplish that purpose. The goal is met.

6. Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state.

GOAL ANALYSIS: The Plan amendment and rezone by themselves do not affect any of these resources, but the development of the correctional facility has been done in such a way as to give adequate protection. The State's Super-siting approval and land use approval by Washington County included the necessary findings and conclusions to give this protection. The goal is met.

7. Areas Subject to Natural Disasters and Hazards: To protect life and property from natural disasters and hazards.

GOAL ANALYSIS: No natural disaster or hazardous areas have been identified regarding the correctional facility or involved roads. The goal is met.

8. Recreational Needs: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

GOAL ANALYSIS: The subject application itself does not affect recreational needs. However, the correctional facility has been designed and built with a full complement of recreational facilities for its inmates and employees. The goal is met.

9. Economic Development: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

GOAL ANALYSIS: The subject applications will not directly affect economic development, since the correctional facility already exists and will fully develop with or without plan changes. However, the land between the site and the City will eventually be easier to develop since the roads, sewers, and water facilities will all be available. The correctional facility will employ directly over 600 people, and the inmates will be available under the new State law for certain types of employment by adjacent businesses. The goal is met.

10. Housing: To provide for the housing needs of the citizens of the state.

GOAL ANALYSIS: The subject application itself will not directly affect any housing. No housing goals or policies appear to be affected.

11. Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

GOAL ANALYSIS: The subject application itself will not affect any public facilities or services since they already exist, and agreements to serve the prison are in place between the Department of Corrections and the City. A full complement of service facilities will be available for more efficient and effective land use between the prison and the current City. They will become the major network for further growth and development.

12. Transportation: To provide and encourage a safe, convenient and economic transportation system.

GOAL ANALYSIS: The subject application will include all immediately surrounding roads and sidewalks of the correctional facility, Day Road, and Boones Ferry Road, to connect to the City and Interstate networks. These roads will become the framework for further growth and development. The roads are in the process of widening and development. The City's transportation system, including SMART, will service the correctional facility and connect to other areas. The goal is met.

13. Energy Conservation: To conserve energy.

GOAL ANALYSIS: The subject application does not directly affect energy conservation. The correctional facility and roads exist, and plan amendment and rezoning will not affect energy conservation. However, eventually the roads and utility connections will make it possible to develop the intervening lands between

the site and existing Wilsonville at urban type densities and standards, and can be more effective and efficient than otherwise would be the case. The goal is met.

14. Urbanization: To provide for the orderly and efficient transition from rural to urban land use.

GOAL ANALYSIS: This goal is related to efficient and effective utilization of lands. The correctional facility exists. The recent Annexation to the City ensures that the service provisions and agreements involving the facility between the City and the Department of Corrections will continue long into the future. In his August 31, 2000 report and recommendation to METRO, the Hearing's Officer in UGB Case 01-3: City of Wilsonville states that the land is an "exception land" under State Goals 3 and 4 for urbanization purposes, as are most of the lands between the site and Wilsonville. An island has not been created, as it is contiguous with the City. Urban services to the surrounding area will be easier to provide ultimately. The goal is met.

15. Willamette River Greenway
16. Estuarine Resources
17. Coastal Shorelands
18. Beaches and Dunes
19. Ocean Resources

GOAL ANALYSIS: The proposed plan amendment and rezone is not near the Willamette River, Estuarine areas, coastal shorelands, beaches and dunes or the ocean, and, therefore, these goals are not affected by the proposed annexation.

#### 11. FINDING - CITY OF WILSONVILLE COMPREHENSIVE PLAN:

1. Citizen Involvement: This annexation process includes notices, hearings and meetings and reports. Coordination with all agencies is part of this process. Citizen involvement has been accomplished. This goal has been met.
2. Urban Growth Boundaries: Metro has recently amended its Urban Growth Boundary and Jurisdictional Boundary to include the area of this proposed plan amendment and rezone. Thus, the subject property amendments and its planning will be consistent with Metro's revised boundaries. Public services and facilities to service the annexation are in place or will shortly be in place. State laws and Metro regulations are being followed. Washington County and service providers have reviewed the proposal and do not object. The City's goal and policies have been met.
3. Public Facilities and Services: Public facilities and services have been extended by the City under the state's Super-siting legislation and County approval processes and, thus, are adequate to service the subject area. The correction facility is built through the State's Super-siting authority and Washington County Land Use processes. The State has paid for the facilities and will pay for the



services. The City is using City development standards for all facilities. All City systems capacities are being followed. These requirements can be met.

4. Land Use and Development: The plan amendment and rezone process in this case does not directly affect land use and development of the site – the State’s Coffee Creek Correctional Facility and surrounding roads and access roads – unless there is a major expansion. The facility and roads already exist and were developed under the State’s Super-siting authority and County development review processes. However, annexing the site and roads provides the City with increased federal and state taxes because of inmate population, but will also make it more possible to eventually develop the intervening area between the correctional facility and the northwestern portion of Wilsonville with more business and industrial development to complement the businesses already existing there. Further, detailed studies involving the current owners and residents will be needed and are planned by the City in the future for this intervening area. Further urban growth boundary, comprehensive plan, and zoning amendments will be needed for this area. The prison site area is involved in the subject application with notices, hearings, and meetings regarding the Comprehensive Plan land use amendment and rezoning. The site itself is being planned as a “Public Use” Land Use and rezoned to Public Facility-Corrections Zone (PF-C). An 8.4 acre portion of the Southeast corner of the site is indicated on the recently adopted Significant Resource Overlay Zone map as a significant resource. With the site’s recent annexation, the City’s policies need to clearly reflect this resource as deserving of protection, and the SROZ designation accomplishes that. “Special Area H” in the Comprehensive Plan on pg. 95 reads as follows:

AREA H:

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. This language indicates the City’s commitment to eventually “master plan” the area between the prison and the current City limits.

The proposed Plan Amendment and Rezone are consistent with City Land Use Goals and Policies, as shown above.

**City of Wilsonville  
And  
State of Oregon Department of Corrections  
Proposed Plan Amendment & Rezone**

**02DB04  
Conditions of Approval**

1. This action recommends approval of a Comprehensive Plan amendment and rezone of the 116 acres described in the applicant's application into the City of Wilsonville. The entire site shall be "Public Use" in the Comprehensive Plan Map and "PF-C" on the Zone Map.
2. The proposed improvements to Day Road shall be substantially complete by the end of October 2002 if an occupancy permit for phase 2 of the prison is to be approved.

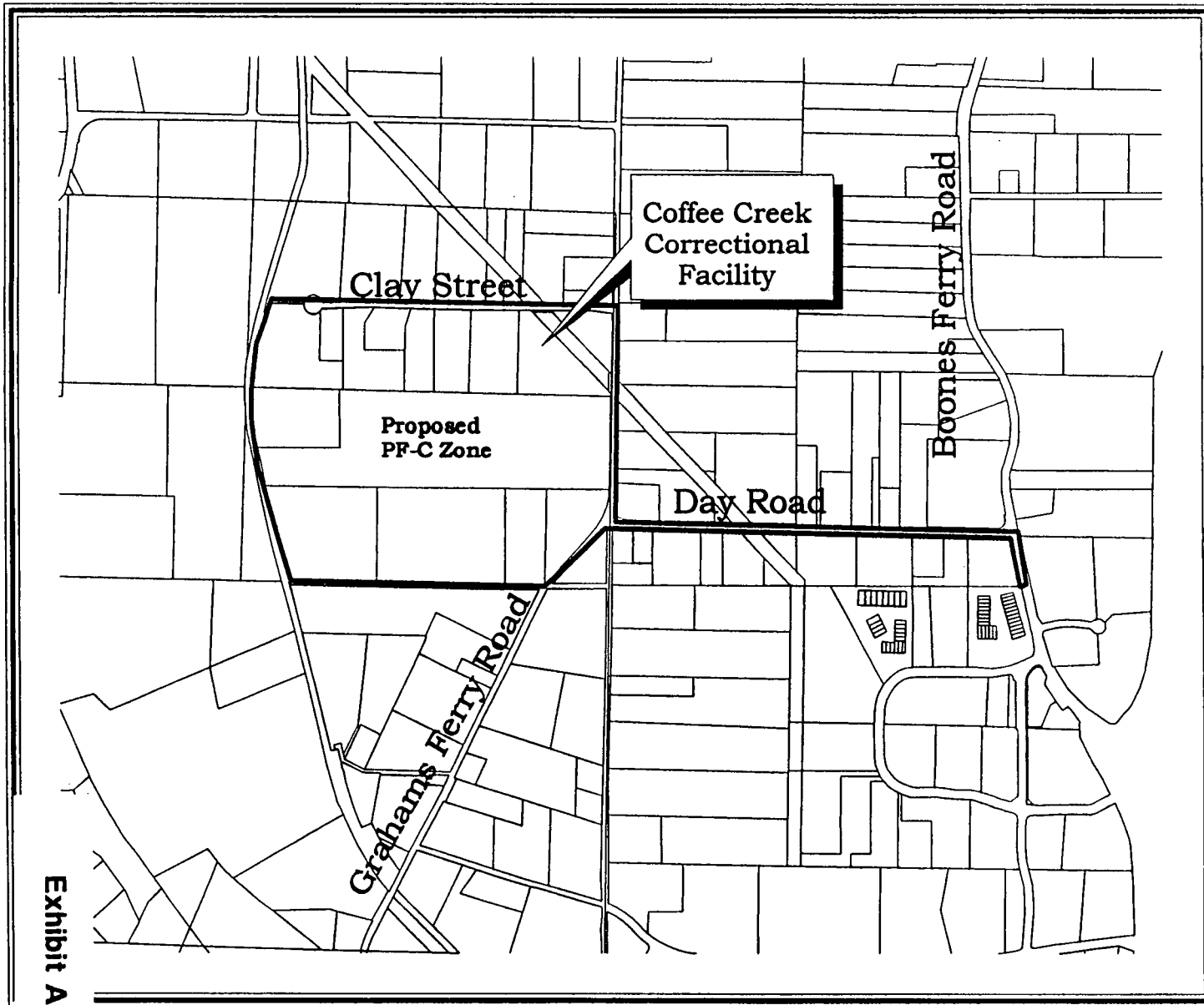
**EXHIBITS  
02DB04**

- Exhibit A: Proposed zoning for Coffee Creek Correctional Facility property (map dated December 14, 2001) and Existing Washington County land use districts for Coffee Creek Correctional Facility (map dated December 14, 2001).
- Exhibit B: From Wilsonville Comprehensive Plan Areas of Special Concern, Page 91 "AREA H"
- Exhibit C: A letter dated December 13, 2001, from Robert Hoffman, regarding Coffee Creek Correctional Facility (Rezone and Amend Comprehensive Plan); with attached letter dated November 29, 2001 from David S. Cook of the Oregon Department of Corrections, regarding Rezoning and Comprehensive Plan Amendment Coffee Creek Correctional Facility.
- Exhibit D: A letter dated March 13, 2001, addressed to Tim O'Brien of Metro, from Eldon Johansen, regarding Service provision for UGB expansion and a letter from Mike Stone, City Engineer, regarding provision of public services dated March 12, 2001.

New Exhibits 2/11/02

- Exhibit E: Letter dated February 8, 2002 from David Cooke, Oregon Department of Corrections addressing the Significant Resource Overlay Zone
- Exhibit F: Display board showing subject area and roads, with the SROZ indicated in yellow
- Exhibit G: Revised recommended conditions of approval submitted by staff
- Exhibit H: Review criteria as published in the hearing notice (with criteria not applicable struck)

# Proposals-December 14, 2001



Existing Washington  
County Land Use District:

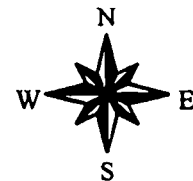
Agriculture and Forestry  
5 Acre Minimum (AF-5)  
and Land Intensive  
Industrial (MAE)

New City of  
Wilsonville  
Designations:

Comprehensive Plan:  
Public Lands

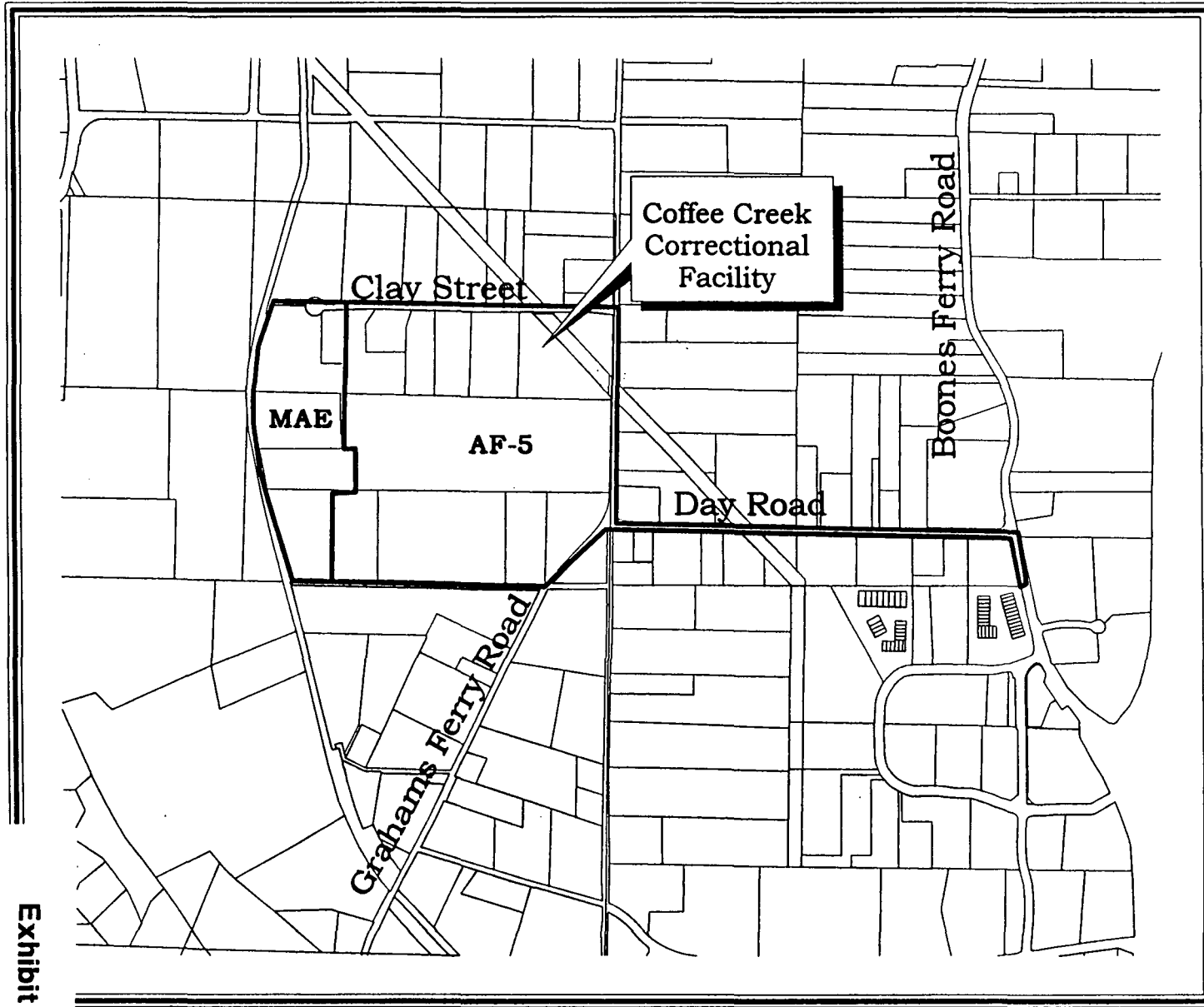
Zoning:  
Public Facilities-  
Corrections

 Tax Lots



1000 0 1000 2000 3000 4000 5000 6000 Feet

# Proposals-December 14, 2001



Existing Washington  
County Land Use District:

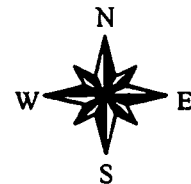
Agriculture and Forestry  
5 Acre Minimum (AF-5)  
and Land Intensive  
Industrial (MAE)

New City of  
Wilsonville  
Designations:

Comprehensive Plan:  
Public Lands

Zoning:  
Public Facilities-  
Corrections

 Tax Lots



1000 0 1000 2000 3000 4000 5000 6000 Feet

Exhibit A

## AREA H

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.

## AREA I

Note: the previous Area 9 has been replaced with Area I, dealing with the land along Elligsen Road, north of the current City limits. This area includes the Pheasant Ridge RV facility, a City water reservoir, and another 50 or more acres that are still in agricultural use. Interesting development proposals have been discussed for this area, including an amphitheater for outdoor concerts. However, the City has not yet approved a master plan for the area, and future uses are uncertain.

The development of Area I will need to be coordinated with the redevelopment of the old Burns Brothers property, south of Elligsen Road, because of traffic issues in close proximity to freeway interchange #286.

## AREA J

The City has long viewed the Boeckman Road crossing of I-5 as a suitable location for construction of an interchange with I-5. However, the City also recognizes that I-5, being an interstate freeway, has state and national functions which may have to be balanced with local interests. The Oregon Department of Transportation (ODOT) has authority along with the Federal Highway Administration for the design, construction, and operation of I-5. Only recently has ODOT agreed to work with the City to study the feasibility of a Boeckman Road interchange.

The land between the Wilsonville Road / I-5 and the North Wilsonville-Stafford Road / I-5 Interchanges was planned initially with a transportation system which included an interchange at Boeckman Road. The City and ODOT will be evaluating all aspects of need, as well as preliminary interchange design for Boeckman Road at I-5. There are many potential impacts on surrounding land use patterns and other aspects of the local transportation network that will depend on the outcome of the study of interchange feasibility for Boeckman Road at I-5.

As viewed by the City, the rationale for an interchange at this location is at least threefold. (1) Interchange congestion could be reduced by distributing the number of trips among three rather than two interchanges, (2) traffic associated with development allowed by the Wilsonville Comprehensive Plan in the vicinity of Boeckman Road (and especially the Dammasch area, noted

City of

**WILSONVILLE**  
in OREGON



30000 SW Town Center Loop E  
Wilsonville, Oregon 97070  
(503) 682-1011  
(503) 682-1015 Fax  
(503) 682-0843 TDD

December 13, 2001

Mayor and City Council  
Development Review Board  
City of Wilsonville  
30000 Town Center Loop E.  
Wilsonville, Oregon

Re: Coffee Creek Correctional Facility  
(Rezone and Amend Comprehensive Plan)

Mayor and Council and Board Members:

Included with this letter is an application for a Rezone and Comprehensive Plan Amendment. Specifically, for the City of Wilsonville, I am hereby requesting that the land use designations for the recently annexed Coffee Creek Correctional Facility be amended to show on the Comprehensive Land Use Map that the site be designated as a "Public Use" and on the Zone Map the site be designated as "PF-C, Public Facility - Correctional" District category. The annexation of the site becomes effective about December 29, 2001 so it becomes appropriate to now recognize the site as a correctional facility in the City's planning and policy documents. The Washington County land use designations are no longer appropriate as they still propose the site be used for rural residential and agricultural use.

The entire proposed amendment site is owned by the State of Oregon and is administered by the State Department of Corrections as a Correctional Facility. David Cook, Director of the Department of Corrections, has authorized the City of Wilsonville to represent the State in this matter. The 116-acre site has already been developed under supersiting legislation and County Conditional Use approval. A traffic study was carried out under this supersiting process and is included with this application. The conditional use approval concludes that the site can be developed as proposed with a few conditions including traffic improvements. We are proposing that one of those conditions be slightly modified regarding timing of construction.

The unique public need to be served by these amendments is to amend the County rural designations with appropriate urban designations that are intended to recognize the Correctional Facility that has been developed on the site. The site has recently been added to Metro's Jurisdictional Boundary and Urban Growth Boundary with the understanding that the site would be added to Wilsonville's boundary and Wilsonville's land use policy and regulatory system. The UGB and annexation will have been accomplished by the end of December. The designations hereby proposed for the site, "Public Use" and "Public Facility- Correctional" are the only appropriate categories

since they were specifically designed for and adopted in the City's recent Comprehensive Plan and Development Code text as the category of uses intended for the new Correctional Facility. There are no other categories of land use or zoning which better recognize the State's newest Correctional Facility and provide appropriate minimum regulation of any future development of the site. The use is not Industrial or Residential and a Planned Development (PD) Designation would require duplication of the Supersiting and Conditional Use process and is not intended to be used for an existing facility. It is far too complex.

The existing Conditional Use approval by Washington County does not provide for opening the Minimum Security section while construction of Day Road improvements are underway even though a safe construction and operational plan is in place. Therefore we are hereby proposing to add to this set of amendments a condition that would require that the proposed Day Road improvements be substantially complete by the end of October 2002. The City Engineer and Community Development Director have provided certifications that all sewer, water and road facilities are or will be in place to provide adequate, safe and effective service for all primary services.

After reviewing the State, Regional, County and City plans and policies we believe that the proposed amendments are consistent with such plans and policies and we have not found any conflicts with such plans and policies. Regarding "Timing-Concurrency" we draw your attention to Comprehensive Plan Implementation Measure 3.1.2a, which provides that planning approvals may be granted when evidence, including listing in the City's Capital Improvement Program, supports the finding that the facilities/services will be available within two years. This has been accomplished. The proposed amended condition will ensure that requirement will be met. A Traffic Management Plan will be in place to guide traffic and construction to ensure safety during construction of improvements.

Sincerely,

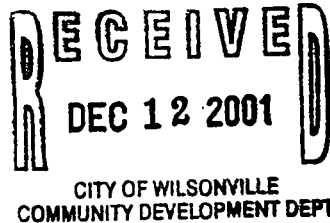
  
Robert G. Hoffman AICP

cc: David Cook, Department of Corrections  
Richard Ross, Department of Corrections  
Department of Land Conservation and Development  
Washington County Planning Department  
City of Tualatin Planning Department

Oregon

DEPARTMENT OF  
CORRECTIONS

OFFICE OF  
THE DIRECTOR



November 29, 2001

City of Wilsonville  
Mayor Lehan and City Council  
Development Review Board  
30000 SW Town Center Loop E  
Wilsonville OR 97070

Re: Rezoning and Comprehensive Plan Amendment  
Coffee Creek Correctional Facility

Dear Mayor Lehan, City Councilors and Board Members:

This letter will serve as an attachment to the application for a Wilsonville Rezoning and Comprehensive Plan land use designation for properties owned by the State of Oregon Department of Corrections (DOC), known as the Coffee Creek Correctional Facility (CCCF). As part of this matter an amendment to our Conditional Use approval (COA) is also being requested. The amendment will require that construction of the Day Road improvements be substantially complete by the end of October 2002. We are requesting the City of Wilsonville to represent the DOC before the Development Review Board or City Council. With the approval of this amendment and the rezoning and transfer of road authority, the annexation to the City of Wilsonville the assignment of land use jurisdiction of the correctional facility property will be complete.

We understand that the elected City Council and the Development Review Board will review the application in accordance with Oregon Revised Statutes and the Wilsonville Planning and Land Development Ordinance. We support this action through our commitment under the IGA, supporting the City's requirement for extending water, sanitary sewer and storm drainage services to the CCCF site. We expect however, that the City would not impose additional requirements on the CCCF above what had been previously stated in the Inter-governmental Agreement (IGA) between the City and the DOC or what had been additionally required under the Washington County COA.

We continue to appreciate the City's efforts in providing the necessary services in a timely manner to allow the operation of the CCCF as scheduled. City staff has been professional and detailed in their work to follow the IGA requirements.

Sincerely,

David S. Cook, Director

CC Richard Ross  
Mark Brown, Washington County

John A. Kitzhaber  
Governor



2575 Center Street NE  
Salem, OR 97310  
(503) 945-0920  
FAX (503) 373-1173

Exhibit C

(3 of 3)



March 13, 2001



30000 SW Town Center Loop  
Wilsonville, Oregon 97070  
(503) 682-1011  
(503) 682-1015 Fax  
(503) 682-0843 TDD

Tim O'Brien  
Associate Regional Planner  
Metro  
600 NE Grand  
Portland, OR 97232

**Re: Service provision for UGB expansion**

Dear Mr. O'Brien:

I have been asked to comment on the provision of urban services to territory around, and including, the State's new Coffee Creek Correctional Facility, northwest of Wilsonville. This is in response to a petition being filed by property owner Keith Taylor, represented by Gary Shepherd and Bill Cox.

Please be advised that the City of Wilsonville is prepared to provide a full range of urban services to the area when it has been annexed to Metro's jurisdictional boundary, added to the regional Urban Growth Boundary (UGB), and annexed to the City of Wilsonville. It should be noted that the basic infrastructure in the area is being constructed to serve the prison and will require service extensions and connections at the expense of the property owner or developer. The City also requires the payment of systems development charges at the time of development.

It should also be noted that the City of Wilsonville is currently operating under a Public Facilities Strategy (PFS) relative to municipal water service. Under the terms of the Intergovernmental Agreement between the City and the Oregon Department of Corrections, Phase I of the prison will begin receiving City water on October 15, 2001. The PFS effectively limits other new water service connections until the City's water treatment plant on the Willamette River is fully operational (anticipated to be in the summer of 2002). The PFS is no longer seen as a significant constraint to development because of the relatively short time remaining until water is available.

Other than the current limitations on water service noted above, the City of Wilsonville is prepared to provide a full range of urban services (including municipal water, sanitary sewer, storm sewer, transit service, comprehensive planning, and police protection) to the subject properties when they have been added to the UGB and brought into the City limits through annexation.

Exhibit D




Serving The Community with Pride

(1043)

04/03/01 TUE 15:47 [TX/RX NO 6016]

If you have any questions about any of this information, please feel free to call on me or members of my staff.

Sincerely,



Eldon R. Johansen  
Community Development Director

cc: Mayor Lehan and City Council  
Arlene Loble, City Manager  
Mike Kohlhoff, City Attorney  
Mike Stone, City Engineer  
Stephan Lashbrook, Planning Director  
Linda Floyd, SMART Director  
Bob Hoffman, Senior Planner  
Gary Shepherd, Attorney

(2 of 3)

**ENGINEERING DEPARTMENT  
MEMORANDUM**

City of  
**WILSONVILLE**  
in OREGON

(503) 682-1011  
(503) 682-1015 Fax  
(503) 682-0843 TDD

**DATE: MARCH 12, 2001**

**FROM: MICHAEL A. STONE, CITY ENGINEER** *MAS*

**SUBJECT: PROVISION OF PUBLIC SERVICES ASSOCIATED WITH THE  
COFFEE CREEK CORRECTIONAL FACILITY ANNEXATION**

---

I have been asked to comment of the availability of public services associated with the construction of the Coffee Creek Correctional Facility currently under construction on parcels of land located outside the City of Wilsonville in Washington County. In December of 1999, the City of Wilsonville entered into an Intergovernmental Agreement with the Oregon Department of Corrections to extend public services to the subject site. A general outline of the public services that will be provided follows:

**Domestic Water**

Extensions to the prison site from the City's existing waterlines along SW Boones Ferry Road and SW Garden Acres Road have been completed and provide fully redundant domestic and fire suppression service for the Facility.

**Sanitary Sewer**

Extensions to the prison site from the City's existing lines have been completed and provide full sanitary sewer service for the Facility.

**Storm Water**

A new conveyance and retention/detention system has been completed and provides full storm water service for the Facility.

**Streets**

Construction contracts for half-street improvements fronting SW Clay Street, SW Cahalin Street and SW Grahams Ferry Road and intersection improvements at SW Grahams Ferry Road/SW Day Road are scheduled to be awarded by the Wilsonville City Council April 2, 2001 with an anticipated completion date of October 2001. Full Street improvements along SW Day Road and intersection improvements at SW Day Road/SW Boones Ferry Road are scheduled for completion in October 2002.

**FILE**

010832



Serving The Community

Attachment 5

(53 of 126)

(3043)

Oregon Department of Corrections  
Facilities Services

02080  
2/11/02

Address:  
1793 13<sup>th</sup> ST SE  
Salem OR 97302-

Phone (503) 373-1572

Fax (503) 378-6536

FACSIMILE COVER SHEET

DATE: 2/8/02 2:57 PM

PAGES: 2 (including cover)

*Maggie Collins*  
*Chris Neamtzu*

*Carolyn Patton*

TO: *Blaise Edmonds*

FROM: *Project Assistant*

FAX: 503-682-7025

FAX: (503) 378-6536

PHONE: \_\_\_\_\_

PHONE: (503) 373-1572 x 7102

MESSAGE OR COMMENTS:

*From Richard Ros, New Prison Constructions*

**CONFIDENTIALITY NOTICE:** This facsimile transmission contains information, which is legally privileged and intended only for the above-named recipient. If you have received this transmission and you are not (I) the individual named above or the employee responsible for delivering this transmission to the recipient or (II) a representative of the entity named above you may not read, disseminate, copy or distribute the information contained in this transmission. If you have received this transmission in error, please immediately call the verification number and inform the operator of the mis-transmission. In addition, please return or destroy all erroneously transmitted information at your earliest convenience. Thank You.

Verification Phone: (503) 373-1572

Return Fax Number: (503) 378-6536

Attachment D

# Oregon

DEPARTMENT OF  
CORRECTIONS

OFFICE OF  
THE DIRECTOR

February 8, 2002

City of Wilsonville  
Mayor Lehan and City Council  
Development Review Board  
30000 SW Town Center Loop E  
Wilsonville OR 97070

Re: Rezoning and Comprehensive Plan Amendment  
Coffee Creek Correctional Facility - Significant Resource Overlay Zone (SROZ)

Dear Mayor Lehan, City Councilors and Board Members:

This letter will serve as an additional attachment to the application for a Wilsonville Rezoning and Comprehensive Plan land use designation for properties owned by the State of Oregon Department of Corrections (DOC), known as the Coffee Creek Correctional Facility (CCCF). In our previous letter, dated November 29, 2001, we requested the City of Wilsonville to represent the DOC in the rezoning action before the Development Review Board or City Council, however, we were unaware at that time that the application made reference to a SROZ designation for a portion of the CCCF property. Our records do not indicate that the City's intent for a SROZ designation were part of the pre-application conference held on November 28, 2001. We have reviewed the process, the conditions and assumptions made in the "Planning Division Staff Report" and do not support the conclusions that the SROZ is appropriate for the CCCF property.

We understand that the elected City Council and the Development Review Board will review the application in accordance with Oregon Revised Statutes and the Wilsonville Planning and Land Development Ordinance. We submit this letter, as part of the public record, to assert that the SROZ designation places an unreasonable condition on the CCCF which may interfere with the Department's ability to complete the prison facility to its full build-out of 1,600 inmate beds. We also believe that an SROZ designation does not meet the public need as it restricts the DOC's ability to comply with its mandate under Oregon Statutes to take steps necessary for the preservation of public peace, health and safety long-term. Further, we believe that an SROZ designation is contrary to the requirements of ORS 421.635 to 421.657, which supercedes State and local government planning goals requirements and other processes relating to the CCCF.

Our previous letter stated: "We expect however, that the City would not impose additional requirements on the CCCF above what had been previously stated in the Inter-governmental Agreement (IGA) between the City and the DOC or what had been additionally required under the Washington County COA." We now, however, find that the SROZ designation does impose additional requirements on the successful completion of the CCCF, and it restricts the DOC's ability, now and in the future, to meet the public need by taking whatever steps are necessary to ensure public safety through the continued modifications to our facilities and grounds.

Judi A. Kitzhaber  
Governor

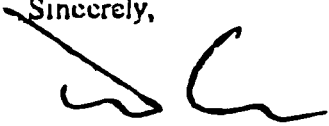


2575 Center Street NE  
Salem, OR 97310  
(503) 945-0920  
FAX (503) 373-1173

Page two of two  
Rezoning and Comprehensive Plan Amendment  
Coffee Creek Correctional Facility

We continue to support the City's goal to appropriately apply a zone designation to the CCCF property in accordance with the City's requirements under State law and in accordance with the Inter-governmental Agreement (IGA) between the City and the DOC. However we do not recognize any restrictions or conditions that could hinder our future development and operations of the CCCF.

Sincerely,



David S. Cook, Director

CC Richard Ross  
Mark Brown, Washington County

2/11/02  
02DB04

**City of Wilsonville  
And  
State of Oregon Department of Corrections  
Proposed Plan Amendment & Rezone**

**02DB04  
Proposed Conditions of Approval**

1. This action recommends approval of a Comprehensive Plan amendment and rezone of the 116 acres described in the applicant's application into the City of Wilsonville. The entire site shall be "Public Use" in the Comprehensive Plan and "PF-C" on the Zone Map
2. The proposed improvements to Day Road shall be substantially complete by the end of October 2002 if an occupancy permit for phase 2 of the prison is to be approved.

02DB04  
2/11/02

**NOTICE OF PUBLIC HEARINGS  
CITY OF WILSONVILLE**

**DEVELOPMENT REVIEW BOARD PANEL A  
AND  
WILSONVILLE CITY COUNCIL**

Notice is hereby given that the **DEVELOPMENT REVIEW BOARD – PANEL A**, will hold a **PUBLIC HEARING** on **FEBRUARY 11, 2002 AT 7:00 P.M. AT THE CITY HALL ANNEX, 8445 SW ELLIGSEN ROAD, WILSONVILLE, OR**, or to such other place to which the Development Review Board may adjourn.

And notice is further given that the **WILSONVILLE CITY COUNCIL** will hold a **PUBLIC HEARING** on **FEBRUARY 21, 2002 AT 7:00 P.M. AT THE CITY HALL ANNEX, 8445 SW ELLIGSEN ROAD, WILSONVILLE, OR**, or to such other place to which the City Council may adjourn, to consider the land use issues in connection with the following matters:

**APPLICANT:** Robert G. Hoffman for City of Wilsonville and State of Oregon Department of Corrections

- REQUEST:**
1. Amend the recently annexed **Coffee Creek Correctional Facility** site from Washington County Comprehensive Plan designation of Rural/Natural Resource designation to apply the City of Wilsonville Comprehensive Plan designation "**Public lands**" and rezone from the Washington County AF-5 and MAE (Agriculture & Forestry-5 acre minimum and Land Extensive Industrial) to apply the City of Wilsonville "**Public Facility-Corrections Zone**" designation. The subject property includes the entire Coffee Creek Correctional Facility site, adjacent roads, Day Road and part of Boones Ferry Road.
  2. Review the Significant Resource Overlay Zone classification (SROZ) on the southwest corner of the subject property.
  3. Require that the Day Road improvements be substantially completed by the end of October, 2002 which requires adding a condition which is part of this review

The DRB action will be a recommendation to the City Council for final action.

**LOCATION:** 119.68 acres in the far north west corner of the City of Wilsonville  
**TAX LOTS:** 500, 600, 700, 701, and 702 of Section 3AB; 800, 900, and 1000 of Section 3AA; 1300, 1301, 1400, 1500, 1600, 1601 of Section 3A, T3S-R1W, Washington County, Oregon  
**FILE NO.:** 02DB04  
**STAFF:** Blaise Edmonds, Manager of Current Planning

**CRITERIA: City of Wilsonville Development Code**

|                            |   |
|----------------------------|---|
| Section 4.013:             | Hearing procedures.   |
| Section 4.015:             | Findings and conditions                                       |
| Section 4.031:             | Authority of the Development Review Board                     |
| Section 4.033:             | Authority of the City Council                                 |
| Section 4.034:             | Application procedures-general.                               |
| Section 4.136.5:           | PF-C Public Facility Zone Corrections Zone                    |
| Section 4.139:             | Significant Resource Overlay Zone (SROZ)                      |
| Subsection 4.140.09(J)(2): | <del>Planned Development Regulations, Traffic</del>           |
| Subsection 4.140.09(J)(3): | <del>Planned Development Regulations, Public Facilities</del> |
| Section 4.189 4.191:       | <del>Non-conforming Uses, Structures, Site Conditions</del>   |
| Section 4.197:             | Zone Map Amendments   |



**Comprehensive Plan:**

Introduction – Plan Amendment pg 7, 8, 9

Goal 1.1: Citizen involvement

Implementation Measure 1.3.1.b: Coordinate planning activities with affected public agencies.

Goal 2.1: Urban growth

Implementation Measure 2.1.1.f: Timely, orderly and efficient use of public facilities.

Goal 3.1: To assure good quality public facilities.

Implementation Measure 3.1.2.b: Adequate public utilities.

Implementation Measure 3.1.4.b: Manage growth consistent with the capacity of sanitary sewer facilities.

Implementation Measure 3.1.5.d: Water lines shall be installed in accordance with the City’s urban growth policies and Public Works Standards.

Implementation Measure 3.1.6.c: Streets designed and developed in accordance with the Master

Policy 3.1.7: Provide adequate storm drainage.

Policy 3.1.8: Coordinate planning for adequate fire protection.

Policy 3.1.9: Provide adequate police protection.

Policy 3.1.10: Coordinate planning for educational facilities

~~Policy 3.1.11: Conserve and create open space~~

~~Policy 3.1.12: Acknowledge Metro’s legislative authority for regional solid waste management and landfill siting.~~

~~Policy 3.1.13: Coordinate planning activities with utility companies~~

~~Policy 3.1.14: Maintain adequate qualified staff to support various service functions of the City of Wilsonville~~

~~Policy 3.1.15: Monitor availability of adequate health and social services  
Plan and street standards.~~

~~Goal 4.1: To have an attractive, functional, economically vital community with a balance of different types of land uses.~~

~~Implementation Measure 4.1.5.d, e, f and ee:~~

Land Use and Development pg 50-56

Areas of Special Concern – Area H pg 91

~~Washington County Zoning:~~

~~Manufacturing Agriculture Forestry (MAF)~~

~~Agriculture Forestry 5 (AF-5)~~

**Other Planning Documents:**

Ordinance No. 514: Public Facilities Water Strategy.

Ordinance No. 463: Public Facilities Transportation Strategy.

Ordinance No. 516: Natural Resources Plan

Storm Water Master Plan

~~Metro Code Title III: Planning; Section 3.07, Urban Growth Management Functional Plan~~

~~Title 1 Metro Code 3.07.110-3.07.170 (Requirements for Housing and Employment Accommodation) and~~

~~Title 8 Metro Code 3.07.810-3.07.860 (Compliance Procedures)~~

**Statewide Planning Goals**

Copies of the criteria are available from the Planning Department at 8445 SW Elligsen Road. All testimony and evidence shall be directed to the applicable criteria or the person providing testimony shall state which other criteria they believe applies to this application. The presiding officer at the public hearing may limit the time of testimony by individuals. Robert's Rules of Order are generally followed.

Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the Development Review Board or the City Council to respond to the issue precludes an action for damages in circuit court.

A complete copy of the application, all documents and evidence submitted by or on behalf of the applicant and including the staff report and recommendations, is available for inspection at no cost prior to the hearings. Copies may be provided at the cost of ten cents per page. The staff report is available seven days prior to the hearings under the same conditions. Public testimony, oral and written, regarding this application will be accepted at the hearings. Written statements are encouraged and may be submitted prior to the hearing dates. Written statements may be hand delivered to the Planning Division at 8445 SW Elligsen Road or mailed to City of Wilsonville, Planning Division, 30000 S.W. Town Center Loop E., Wilsonville, OR 97070 or hand delivered or mailed to the City Recorder at 30000 SW Town Center Loop E, Wilsonville, OR 97070.

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for these meetings. The City will also endeavor to provide qualified sign language interpreters and/or qualified bilingual interpreters, without cost, if requested at least 48 hours prior to the meeting. To obtain such services, please call Sally Hartill, Planning Secretary at (503) 682-4960.

Inquiries pertaining to these hearings may be made by contacting Blaise Edmonds, Manager of Current Planning in the Planning Division, (503) 682-4960.

In response to question by **David Lake** regarding the SROZ and timing of implementation of that overlay which was approved on May 7, 2001, he asked if the Department of Corrections had taken a stand at the time of the adoption of that SROZ. Bob Hoffman stated they were given notice, but they did not submit any comments.

**Chair Lake** confirmed that this application is a rezoning, a redefinition of the land, no other uses or conditions are being applied except that the performance of the City of Wilsonville will be mandated and that Day Road will be completed.

**Ms. Kelsey** referred to the review criteria as printed on the hearing notice. She eliminated criteria that did not apply to this review: Subsection 4.140.09(J)(2) and (3); Section 4.189 – 4.191; Policy 3.1.11; 3.1.12; 3.1.13; 3.1.14; 3.1.15; Goal 4.1; Implementation Measure 4.1.5.d,e,f and ee; Washington County Zoning and Metro Code Title III

**Chair Lake** called for anyone in the audience who wished to testify. (None) Board discussion on the conditions of approval followed.

**Diane Seeley** stated she is relieved, but bewildered, that there are not more citizens at this hearing; the applicant must have done a good job communicating with the neighbors. She feels more comfortable that the neighbors have been given the information necessary to satisfy their concerns.

**Chair Lake** closed the public hearing at 7:52 p.m. A motion was called for.

**Bill George** moved to recommend that the City Council approve 02DB04 for State of Oregon Department of Corrections, adopting the changes noted by **Ms. Kelsey** to the criteria, and adopting the amended conditions of approval that were distributed during this meeting. **Bryan Smith** seconded the motion which passed unanimously, 4-0.

Exhibit D

DRAFT

City of Wilsonville  
Development Review Board – Panel A

Community Development Building  
8445 SW Elligsen Road  
Wilsonville, Oregon 97070

MINUTES– February 11, 2002 7:00 P.M.

I. Call to order

II. Chairman's Remarks

- A. Conduct of Hearing
- B. Statement of Public Notice

III. Roll Call

Michael Cooke, Chair

David Lake

Bryan Smith

William George, Substitute from Panel B

Bart Mills, Vice-chair

Diane Seeley

Alan Kirk, City Council liaison

IX. New Business – Public Hearings:

A. **02DB04 - City of Wilsonville/State of Oregon Department of Corrections.**

Applicant requests a revision of the Wilsonville Comprehensive Plan land use to "**Public**" and rezoning to "**Public Facility-Corrections (PF-C)**" of the entire Coffee Creek Correctional Facility site, adjacent roads, Day Road and part of Boones Ferry Road, a review of the Significant Resource Overlay Zone classification (SROZ) on the southwest corner of the subject property and also a requirement that the Day Road improvements be substantially completed by the end of October, 2002. The site is 119.68 acres north and west of the City of Wilsonville on Tax Lots 500, 600, 700, 701, and 702 of Section 3AB; 800, 900 and 1000 of Section 3AA; 1300, 1301, 1400, 1500, 1600, 1601 of Section 3A, T3S-R1W, Washington County, Oregon.

**Note: The DRB action will be a recommendation to the City Council for final action. The City Council public hearing on this item is scheduled for February 21, 2002.**

Staff: Blaise Edmonds

Acting Chair, David Lake, called the public hearing on application 02DB04 – City of Wilsonville/State of Oregon Department of Corrections to order at 7:10 pm. The conduct of public hearing format was read into the record. David Lake stated that on prison related hearings he declares for the record that he was the treasurer and board member for Oregonians for Responsible Prison Siting during the discussions about where to locate the prison. He stated that he does not feel that participation will bias him in this discussion. Diane Seeley stated she has driven by the site but has formed no conclusions. No board member participation was challenged. Staff report was called for.

Blaise Edmonds presented the staff report. The review criteria was read into the record, as follows:

|                             |  |
|-----------------------------|--|
| Section 4.013:              | Hearing procedures.                                |
| Section 4.015:              | Findings and conditions                            |
| Section 4.031:              | Authority of the Development Review Board          |
| Section 4.033:              | Authority of the City Council                      |
| Section 4.034:              | Application procedures-general.                    |
| Section 4.136.5:            | PF-C Public Facility Zone Corrections Zone         |
| Section 4.139:              | Significant Resource Overlay Zone (SROZ)           |
| Subsection 4.140.09(J)(.2): | Planned Development Regulations, Traffic           |
| Subsection 4.140.09(J)(.3): | Planned Development Regulations, Public Facilities |
| Section 4.189 – 4.191:      | Non-conforming Uses, Structures, Site Conditions   |
| Section 4.197:              | Zone Map Amendments                                |
| Section 4.198:              | Comprehensive Plan Changes                         |

**Comprehensive Plan:**

Introduction – Plan Amendment pg 7, 8, 9

Goal 1.1: Citizen involvement

Implementation Measure 1.3.1.b: Coordinate planning activities with affected public agencies.

Goal 2.1: Urban growth

Implementation Measure 2.1.1.f: Timely, orderly and efficient use of public facilities.

Goal 3.1: To assure good quality public facilities.

Implementation Measure 3.1.2.b: Adequate public utilities.

Implementation Measure 3.1.4.b: Manage growth consistent with the capacity of sanitary sewer facilities.

Implementation Measure 3.1.5.d: Water lines shall be installed in accordance with the City's urban growth policies and Public Works Standards.

Implementation Measure 3.1.6.c: Streets designed and developed in accordance with the Master

Policy 3.1.7: Provide adequate storm drainage.

Policy 3.1.8: Coordinate planning for adequate fire protection.

Policy 3.1.9: Provide adequate police protection.

Policy 3.1.10: Coordinate planning for educational facilities

Policy 3.1.11: Conserve and create open space

Policy 3.1.12: Acknowledge Metro's legislative authority for regional solid waste management and landfill siting.

Policy 3.1.13: Coordinate planning activities with utility companies

Policy 3.1.14: Maintain adequate qualified staff to support various service functions of the City of Wilsonville

Policy 3.1.15: Monitor availability of adequate health and social services  
Plan and street standards.

Goal 4.1: To have an attractive, functional, economically vital community with a balance of different types of land uses.

Implementation Measure 4.1.5.d, e, f and cc:

Land Use and Development pg 50-56

Areas of Special Concern – Area H pg 91

**Washington County Zoning:**

Manufacturing Agriculture Forestry (MAF)

Agriculture Forestry-5 (AF-5)

**Other Planning Documents:**

Ordinance No. 514: Public Facilities Water Strategy.  
Ordinance No. 463: Public Facilities Transportation Strategy.  
Ordinance No. 516: Natural Resources Plan  
Storm Water Master Plan

**Metro Code Title III: Planning; Section 3.07, Urban Growth Management Functional Plan**  
Title 1 Metro Code 3.07.110-3.07.170 (Requirements for Housing and Employment Accommodation) and  
Title 8 Metro Code 3.07.810-3.07.860 (Compliance Procedures)

**Statewide Planning Goals**

**New Exhibits: 2/11/02**

- E. Letter received from Department of Corrections on 2/8/02 signed by David S. Cook, Director**
- F. Map showing SROZ in yellow**
- G. Proposed amendment to Condition of Approval #1**
- H. Copy of public hearing notice, review criteria**

**Blaise Edmonds** referred to exhibit board showing enlarged copy of map with SROZ shown in yellow (new Exhibit F). The 116 acres including Clay Street, Day Road and part of Boones Ferry Road have been processed into Metro's Urban Growth Boundary and into the City of Wilsonville through annexation. This hearing is to change from the Washington County zoning of AF-5 and MAE (Agriculture & Forestry 5-acre minimum and Land Extensive Industrial) to the City's zoning of Public Facility-Corrections Zone and from Washington County designation of Rural/Natural Resource to City of Wilsonville Comprehensive Plan Map designation of Public Lands.

Blaise referred to the letter (new Exhibit E), stating that staff analyzed it as that the Department of Corrections (DOC) would like to successfully complete the City's housekeeping of the rezoning and Comprehensive Plan map amendment. This board action will be a recommendation to the City Council who will make the final decision. The DOC are not in opposition to this, however, they do express a concern about the Significant Resource Overlay Zone (SROZ) that has been imposed on the very southeast corner of the 116 acre site. The City's position is that the overlay zone is already in effect and this is not a review of the application of that SROZ zone on that part of the property, but that it is already in effect and it applies to this property. This review is on the rezoning of the property and a comprehensive plan map amendment and staff recommends that the Department of Correction's letter about their concern on the SROZ standards and zoning be put into the record to give them legal standing.

Blaise submitted revised proposed conditions of approval (new Exhibit G), stating that the last sentence in Condition #1 should be deleted which references the Significant Resource Area. The City's position is that this zone is already in effect and that last sentence is not necessary.

Blaise stated that this application meets all of the decision criteria that was read into the record. There is adequate water and storm drainage. The roads are adequate; Day Road will be reconstructed this summer. A condition of the Washington County Hearings Officer will be modified, as a part of this approval, to allow timing of reconstruction of Day Road so that DOC can have occupancy of the medium security portion of this facility sooner.

The approval criteria as printed in the hearing notice was entered into the record (new Exhibit H)..

Bob Hoffman, testified, representing the applicant who is the City of Wilsonville and the Department of Corrections who had submitted a letter authorizing the City to represent them in this matter.

**Bob Hoffman** stated that this application is to designate the site as public use on the Comprehensive Plan map and public facilities – corrections on the zoning map. Additionally, a condition (Condition #2) is needed which would requires substantial completion of the Day Road improvements by end of October 2002, in order that a temporary occupancy permit for the second phase of the prison can be allowed by April of 2002. As the site has been annexed into the City, the City of Wilsonville is responsible for administering the legal documents. The City has the right to amend the previous Washington County conditions of approval.

Bob reviewed the criteria for a **Comprehensive Plan Map Change** as published on Page 3 of 14 of the staff report, stating that all of the criteria has been met, summarized below:

- Approval criterion A: *“That the proposed amendment meets the public need that has been identified.”* **Finding:** The public need is that the site has recently been annexed. It currently has the county zoning which does not refer to the correctional facility that is present; the designation in the comprehensive plan as a public use would be appropriate as specifying that it is in use and we expect it to continue in the use as a public correctional facility.
- Approval criterion B: *“That the proposed amendment meets the identified public need at least as well as any other amendment or change which could reasonably be made.”* **Finding:** The proposed amendment of “Public Use” land use for the site is the Wilsonville Plan category to represent the intent of identifying the prison site. There is no “institutional” plan designation and the other choices are not appropriate for a large correctional facility.
- Approval criterion C: *“That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate.”* **Finding:** The primary relevant Statewide Goal is Goal 11, Public Facilities and Services. This correctional facility is the State’s primary women’s correctional facility and intake center for the entire State, approved by the Governor and State Legislature under the State’s “Super-siting” authority.
- 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:** Staff could not find any conflicts. Since it has been annexed it is appropriate that the area be designated as public use. **Finding:** Designation of the prison site as “Public Use” land use will not be in conflict with a master plan for the Day Road area, “text of Area of Special Concern H since the master plan can still be prepared for the larger area.

**Conclusionary Finding – Comprehensive Plan Map Amendment:** All approval criteria can be met for a Comprehensive Plan Map amendment.

Bob reviewed the Criteria for a Zone Change as published on Page 5 of 14.

- Approval criterion A: *“...the application before the..board was submitted in accordance with the procedures set forth in Section 4.008....”* **Finding:** The application was processed as required as indicated by documentation in the file. The Department of Corrections authorized the City to represent the State as the owner of the property.
- Approval criterion B. *“...the proposed amendment is consistent with the Comprehensive Plan map designation and.....complies with applicable goals, policies and objectives set forth in the Comprehensive Plan text.”* **Finding:** The proposed rezone from Washington County MAE and AF-5 to Wilsonville “Public Facility-Corrections (PF-C) meets the intent as a zone district to be applied to lands that have been or are being acquired for use and development of corrections facilities and related accessory uses and facilities. The rezone to PF-C is consistent with a Comprehensive Plan use of “Public Use” as proposed. The SROZ was recently adopted in order to protect natural resources.



- Approval criterion C: *"If any part is residential on the Comprehensive Plan map, certain findings are required"* **Finding:** No part of the proposed area is deemed to be residential in the Comprehensive Plan.
- Approval criterion D: *"all primary facilities (sewer, water, roads) are available and adequate size to serve the proposed development...or ....can be provided ...or will become available..."* **Finding:** Sewer and water and first stage road improvements are already available (Exhibit D). Adequate and safe roads, sewers and water facilities will be available in April 2002 to accommodate Phase 2. A traffic management plan for safe operation will be in place and Day Road improvements are scheduled in the City's Capital Improvement Plan to be made this year. This criterion is met provided a condition is adopted requiring substantial completion of Day Road improvements by October 2002 and a certification be given by the City Engineer that serving traffic from the opening of the minimum security section in April 2002 can be done safely and effectively.
- Approval criterion E: *"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...."* **Finding:** The SROZ is an identified natural treed area in the southeast corner of the property and will not be affected by the rezone. That treed area and a small wetlands area have been protected as part of the approved site plan. This 8.4 acre area is currently shown on the adopted SROZ map with the recent annexation.
- Approval criterion F: *"The applicant is committed to a development schedule demonstrating that development can reasonably be expected to occur within 2 years."* **Finding:** The subject site is partially developed under Washington County MAE zone conditions of approval.
- Approval criterion G: *"That the proposed development and uses can be developed in compliance with applicable development standards or with conditions meeting such standards."* **Finding:** To date the development has been accomplished under Super-siting with a Washington County Conditional Use approval. The requested City zone of PF-C will allow the City to fully participate in appropriate future development stages on the property. Further changes to the existing development schedule can be accomplished within applicable City development standards.

**Conclusionary Finding – Zone Map Amendment:** The above analysis demonstrates that all approval criteria can be met for a zone change to Wilsonville Public Facility-Corrections for 116 acres identified as the Coffee Creek Correctional Facility provided a condition is adopted requiring that Day Road improvements be substantially complete by October 2002 and a safe traffic management plan is adopted and implemented. Further, it is found that the City's SROZ District is reconfirmed for TL 1300, 1500, 1600 and 1601 of Section 3A, T3S-R1W, Washington County, Oregon.

Additional findings 1 through 11 are printed in the February 11, 2002 staff report.

Bob Hoffman stated that the neighbors in the vicinity all received notice of this application hearing.

**John Michael, City Engineering Staff** stated that in his attendance at the Prison Advisory Committee meetings, he has not heard any neighbor express concern about the timing of the road reconstruction. This has been discussed thoroughly with Washington County staff. The City's concern is safety of the entire roadway. The intersections will be under construction or under signage before the medium security section opens up for service. He stated that at the recent Prison Advisory Committee meeting the timing of the road improvements was announced and no questions were raised on the issue.

In response to **Diane Seeley's** concern about the timing of the road improvements, she asked if the notice that went out to the neighbors clearly spelled out the road improvements and the opening of the medium security facility. Bob Hoffman read from the notice, "Require that the Day Road improvements be substantially completed by the end of October 2002 which requires adding a condition which is part of this review."

In response to question by **David Lake** regarding the SROZ and timing of implementation of that overlay which was approved on May 7, 2001, he asked if the Department of Corrections had taken a stand at the time of the adoption of that SROZ. Bob Hoffman stated they were given notice, but they did not submit any comments.

**Chair Lake** confirmed that this application is a rezoning, a redefinition of the land, no other uses or conditions are being applied except that the performance of the City of Wilsonville will be mandated and that Day Road will be completed.

**Ms. Kelsey** referred to the review criteria as printed on the hearing notice. She eliminated criteria that did not apply to this review: Subsection 4.140.09(J)(.2) and (3); Section 4.189 – 4.191; Policy 3.1.11; 3.1.12; 3.1.13; 3.1.14; 3.1.15; Goal 4.1; Implementation Measure 4.1.5.d,e,f and ee; Washington County Zoning and Metro Code Title III

**Chair Lake** called for anyone in the audience who wished to testify. (None) Board discussion on the conditions of approval followed.

**Diane Seeley** stated she is relieved, but bewildered, that there are not more citizens at this hearing; the applicant must have done a good job communicating with the neighbors. She feels more comfortable that the neighbors have been given the information necessary to satisfy their concerns.

**Chair Lake** closed the public hearing at 7:52 p.m. A motion was called for.

**Bill George** moved to recommend that the City Council approve 02DB04 for State of Oregon Department of Corrections, adopting the changes noted by Ms. Kelsey to the criteria, and adopting the amended conditions of approval that were distributed during this meeting. Bryan Smith seconded the motion which passed unanimously, 4-0.