

AFFIDAVIT OF POSTING ORDINANCE NO. 55

STATE OF OREGON)
)
Counties of Clackamas)
and Washington)
)
City of Wilsonville)

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

On Monday the 9th day of February, 1976, I caused to be posted copies of the attached Ordinance No. 55, an ordinance amending and supplementing Article V of Ordinance No. 23, "Wilsonville, Oregon, Zoning Ordinance", to add thereto Section 5.035 establishing the "City Center District" to enable reclassification of lands in conformance with the Wilsonville General Comprehensive Plan; defining permitted, accessory and conditional uses; reclassifying lands within the said district to conform to the General Comprehensive Plan; fixing an effective date; and declaring an emergency, in the following three (3) public and conspicuous places of the City, to wit:

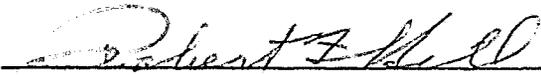
- 1) Lowries Food Market
- 2) Wilsonville Post Office
- 3) Kopper Kitchen

The notices remained posted for more than five (5) consecutive days prior to the time for final reading and passage of the Ordinance on the 17th day of February, 1976.

Dated at Wilsonville, State of Oregon, this 9th day of February, 1976


DEANNA THOM - City Recorder

Subscribed and sworn to before me this 9th day of February, 1976


NOTARY PUBLIC for OREGON

My Commission expires: 11-11-78

ORDINANCE NO. 55

AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE V OF ORDINANCE NO. 23, "WILSONVILLE, OREGON, ZONING ORDINANCE", TO ADD THERETO SECTION 5.035 ESTABLISHING THE "CITY CENTER DISTRICT" TO ENABLE RECLASSIFICATION OF LANDS IN CONFORMANCE WITH THE WILSONVILLE GENERAL COMPREHENSIVE PLAN; DEFINING PERMITTED, ACCESSORY AND CONDITIONAL USES; RECLASSIFYING LANDS WITHIN THE SAID DISTRICT TO CONFORM TO THE GENERAL COMPREHENSIVE PLAN; FIXING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1: The City Council finds that the General Comprehensive Plan of the City, as amended at a meeting of the City Council on September 25, 1972, designates certain areas for City Center purposes, and the Council further finds that after public hearing on June 28, 1973, the Planning Commission unanimously recommended to the Council City Center Commercial Zoning designation for ten (10) parcels of land in the Northeast quadrant of the intersection of I-5 and Wilsonville Road, and the Council further finds that after public hearing on July 23, 1973, the Council by Resolution approved and adopted the recommendation of the Planning Commission.

Section 2: The Council further finds that an Ordinance conforming the zone and use designation of said lands to the Comprehensive Plan has not heretofore been adopted and that pursuant to ORS 197.175(2) (b) and decisions of the Court of Appeals and Supreme Court of Oregon, it is required that the City enact zoning ordinances to implement the Comprehensive Plan and to bring the authorized land uses into conformity with the Comprehensive Plan.

Section 3: The City Council finds that the City of Wilsonville Zoning Ordinance No. 23 does not now include provisions for a "City Center" Zone District, and it is necessary, therefore, that the text and map of the City of Wilsonville Zoning Ordinance be amended and supplemented to give effect to the Comprehensive Plan.

Section 4: The Zoning Ordinance No. 23, commonly referred to as the City of Wilsonville Zoning Ordinance, adopted by the Council on the 1st day of June, 1971, as heretofore amended, be and the same is hereby amended and supplemented to add to Article V thereof a new Section reading as follows:

"Section 5.035. CC CITY CENTER DISTRICT:

1. PURPOSE:

- A. The purpose of this zone is to permit and encourage a City Center District, adhering to planned commercial and planned development concepts, including provision for commercial services, sales of goods and wares, business and professional offices, department stores, shopping centers and other customer-oriented uses to meet the needs of the Wilsonville community as well as to meet the general shopping and service needs on an area wide basis, together with such multiple family residential facilities, open space, recreational and park areas, and public use facilities as may be approved as part of the City Center District compatible with the Comprehensive Plan of the City.

2. PRINCIPAL USES PERMITTED (As part of the City Center District):
- A. As part of planned development, all principal uses permitted outright in C-1 limited commercial district.
 - B. As part of planned development, all principal uses permitted in C-2 commercial district.
 - C. Planned commercial uses, shopping center development, including department stores and shopping centers.
 - D. Banking and investment services.
 - E. Public facilities complex, Governmental offices and facilities, hospitals, health centers and office complex for the furnishing of professional services, including but not restricted to medical, legal, architectural and engineering.
 - F. Planned multiple dwelling facilities, including motels, apartments and condominiums as may be approved by the Planning Commission.
 - H. Such other and further uses as may be approved by the Planning Commission compatible with the Comprehensive Plan.

3. RECOMMENDED USES: (As shown for the areas on the attached Zoning Diagram Exhibit "A")

CENTRAL COMMERCIAL (CC)

Typical Recommended Uses:

Department Stores
 Florist Shop
 Interior Decorating Shop
 Retail Stores
 Banks, Loan companies, other financial institutions
 Bird store, pet shop or taxidermist
 Blueprinting, photostating, other reproduction process
 Business machines, retail sales & service
 Cleaning and pressing establishments
 Commercial schools, such as business colleges, music conservatories, trade schools
 Custom tailoring, dressmaking or millinery shop
 Film Exchange
 Furniture Store
 Gunsmith or Locksmith
 Household Machines, retail sales and service
 Photographer
 Radio or Television studio
 Watch and clock repair shop

Other uses similar in character of predominantly retail or service establishments dealing directly with ultimate customers.

SERVICE COMMERCIAL (SC)

Typical Recommended Uses:

Building materials, retail outlet only
Cabinet or carpenter shop
Feed store, retail only
Fuels, solid, retail outlet only
Furniture store
Upholstering shop
Automobile Service Station
Bicycle, Motorcycle, trailer - (other than house and
truck trailers) retail sales and service, rental
Garage, parking or repair
New automobiles and trucks, if not more than 1½ tons
capacity, retail sales and service
Tire sales and service
Self-service car wash
Building contractors and related subcontractors

FOOD AND SUNDRIES (FS)

Typical Recommended Uses:

Bakery, retail
Barber shop
Beauty parlor
Bookstores
Clothes Cleaning Pick-Up Agencies
Clothes Pressing establishment
Confectionary
Custom dressmaking
Delicatessen
Drug store
Dry goods store
Florist shop
Grocers, fruit or vegetable store
Hardware store
Meat market
Notions or Variety Store
Shoe repair shop

Other uses in character of neighborhood food and services.

FAST FOOD SERVICE (FF)

Typical Recommended Uses:

Free-standing fast food take-out type restaurant, with
the uses being limited to that type of food service
establishment catering to a take-out trade.

OFFICE PROFESSIONAL (OP)

Typical Recommended Uses:

Accountants
Architects
Artists
Attorneys
Authors and writers

Dentists
Designers
Engineers
Investment Counselors
Landscape Architects
Management Consultants
Ministers
Physicians & Surgeons
Psychiatrists

OFFICES FOR GENERAL USE (OG)

Typical Recommended Uses:

Title Insurance
General Insurance
Secretarial Services
Collection Agency
Rental Agency

HIGH DENSITY APARTMENTS (APT)

Typical Recommended Uses:

Apartment, condominium townhouse, or any other multiple density housing use at 25 units per acre.

4. ACCESSORY USES PERMITTED:

- A. Any accessory use and structure not otherwise prohibited customarily accessory and incidental to any permitted principal use.
- B. Temporary buildings and uses incidental to the development of principal facilities, such temporary structures to be removed upon completion of the work or abandonment of the project.

5. CONDITIONAL USES PERMITTED:

- A. Any use compatible with the principal uses hereunder permitted which may be approved by the Planning Commission pursuant to Article VIII, Section 8.01 of the Wilsonville, Oregon Zoning Ordinance.

6. PROCEDURES, REGULATIONS AND RESTRICTIONS:

- A. The procedures, regulations and restrictions applicable to the City Center District shall conform to those set forth in Article XIII of Zoning Ordinance No. 23 as the Planning Commission may deem necessary to achieve the purposes of the zone.

7. CITY CENTER DISTRICT DESCRIBED:

- A. Pursuant to ORS 197.175(2) (b) and appellate court decisions of the State of Oregon, all those certain lands in the East Half (E-1/2) of Section 14 and the West Half (W-1/2) of Section 13, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, more particularly described on

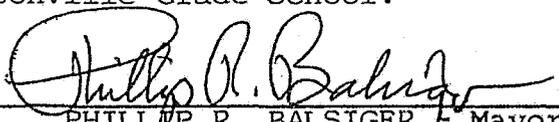
Exhibit "B" headed Description, and by this reference made a part hereof, are hereby reclassified to City Center Zone (CC) to conform to the Comprehensive Plan of the City of Wilsonville. The zone boundaries are shown on the attached "Control Map" also identified as Exhibit "C." "

The Planning Commission shall first approve all uses of property in the CITY CENTER DISTRICT, and in doing so, shall follow as closely as possible the recommended uses and types of use as specified in this Section 4 (3) and for each of the various areas in the District as shown on the attached Zoning Diagram which is marked Exhibit "A" for identification purposes and expressly made a part of this Ordinance. Any change of a recommended use or similar type of recommended use or of an approved use from one area to another in the CITY CENTER DISTRICT shall first be passed upon by the Planning Commission.

Section 5: Amendment to Zoning Map. The Zoning Map of the City of Wilsonville dated June 1, 1971, and adopted as a part of the City Zoning Ordinance No. 23 adopted on the same date, shall be and the same is hereby amended and changed so that the zone boundaries of this newly created City Center Zone (CC) shall include all of the lands as described in the attached Exhibit "B," and appropriate changes are to be made on and to said Zoning Map.

Section 6: Effective Date. Inasmuch as it is necessary for the peace, health and safety of the people of the City of Wilsonville, and to comply with statutory directives to thereby maintain the legislative integrity of the City's Comprehensive Plan and Zoning Ordinances, an emergency is hereby declared to exist, and this Ordinance shall be effective immediately upon its final reading and passage by the Council.

Passed on first reading of the Wilsonville City Council at a regular meeting of the Council on the 19th day of January, 1976, ordered posted as provided by the Wilsonville City Charter; and to come up for final reading and action of the Wilsonville City Council at a regular meeting thereof to be held on Tuesday, the 17th day of February, at the hour of 7:30 p.m. at the Wilsonville Grade School.


PHILLIP R. BALSIGER Mayor

ATTEST:


DEANNA J. THOM - City Recorder

Passes on final reading of the Wilsonville City Council at a regular meeting thereof held on this 17th day of February, 1976, by the following vote; Yeas 4. Nays 1.


PHILLIP R. BALSIGER Mayor

ATTEST:


DEANNA J. THOM - City Recorder

EXHIBIT "B"
WILSONVILLE CITY CENTER DISTRICT
Description

All those certain lands lying in the Southwest Quarter of Section 13 and in the Southeast Quarter of Section 14, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, bounded and described as follows:

Bounded on the West by the East line of Highway I-5;

Bounded on the South by the South lines of Sections 13 and 14, Township 3 South, Range 1 West, Willamette Meridian;

Bounded on the East by the East line of that certain tract contracted to be conveyed by Melvin F. Stangel to Jack E. Wright, et al by instrument dated July 18, 1974 and recorded as Document No. 74-21707, Deed Records of Clackamas County, Oregon, and the said East line extended North 1200 feet from the northeast corner of said Stangel tract to a point of intersection with the North line of the Southwest Quarter of Section 13, Township 3 South, Range 1 West, Willamette Meridian;

Bounded on the North by the North line of the Southeast Quarter of Section 14 and the North line of the Southwest Quarter of Section 13, Township 3 South, Range 1 West, Willamette Meridian, said line extending from the East boundary of Highway I-5 easterly 2400 feet, more or less, to the point of intersection with the East line of the lands hereby described.

