

RESOLUTION NO. 2440

A RESOLUTION OF THE CITY COUNCIL APPROVING A MINOR AMENDMENT TO THE YEAR 2000 PLAN, AN URBAN RENEWAL PLAN OF THE CITY OF WILSONVILLE, RELATED TO URBAN RENEWAL DISTRICT BOUNDARIES.

WHEREAS, The Year 2000 Plan, an Urban Renewal Plan and Program of the City of Wilsonville (hereinafter "Plan") Section 1200 "Procedures for Changes or Amendments in the Approved Urban Renewal Plan" states that,

"The Plan will be reviewed and analyzed periodically and will continue to evolve during the course of project execution and on-going planning. It is anticipated that this Plan will be changed or modified from time to time; or amended as development potential and conditions warrant, as planning studies are completed, as financing becomes available, or as local needs dictate."; and

WHEREAS, Sections 1201 and 1202 of the Plan provide that the Agency and the City Council can approve Minor Amendments to the Plan by resolution; and

WHEREAS, the removal of acreage from the Plan boundary that does not significantly alter the Goals and Objectives of the Plan is considered a Minor Amendment under Section 1202 of the Plan; and

WHEREAS, Section 1204 of the Plan considers additions of land "not more than one percent (1%) of the existing area of the Urban Renewal Area" to be a Minor Amendment rather than a Substantial Amendment; and

WHEREAS, ORS 457.220(3) states that "No land equal to more than 20 percent of the total land area of the original plan shall be added to the urban renewal areas of a plan by amendments"; and.

WHEREAS, there have been numerous changes in the residential, industrial and commercial development of the community and the Plan area since adoption of the Plan by Ordinance No. 373 in 1990; and

WHEREAS, Minor Amendments approved under URA Resolutions 32 and 59 have added a total of 11.22 acres to the Plan area, which equals 1.3% of the original Plan area; , and

WHEREAS, Minor Amendments approved under URA Resolutions 99, 102, 118 and 176 have removed acreage from the Plan area, resulting in current acreage of 629 acres; and

WHEREAS, the Agency found, determined and recommended to the Council that it is in the best interest of the public to further reduce the size of the Plan area to reduce acreage to remain under the City-wide 25% urban renewal acreage cap required under ORS 457; and

WHEREAS, tax lot 31W13 00100 is 60.5 +/- acres and is the site of Wilsonville High School; and

WHEREAS, this tax lot is publicly owned and produces no tax increment; and

WHEREAS, Section 601(A)(2) of the Plan describes the Canyon Creek South road project from “Boeckman Road, south to Wilsonville Road. Includes intersection with Town Center Loop East, modifications to Vlahos Drive and storm drain; and

WHEREAS, this section was amended by URA Resolution No. 117 on August 30, 2004 to include “Necessary activities required to carry out the Plan may occur immediately outside of the Urban Renewal Area”; and

WHEREAS, the legal description for the Plan does not include that section of the road alignment between Canyon Creek Road South at its current southern terminus at the south end of the Renaissance Homes development to the east and Vlahos Drive; and

WHEREAS, it has been established that this area was never included in the original legal description and map for the Plan; and

WHEREAS, due to the specific text reference in the Plan, the absence of this area from the Plan’s original legal description and map is determined to be a scrivener’s error; and

WHEREAS, the Canyon Creek Road South project to Vlahos Drive and Town Center Loop will be designed in Fiscal Year 2013/14 and is included in the City of Wilsonville 2013/14 adopted budget as Project 4184; and

WHEREAS, the Agency found, determined and recommended to the Council that it is in the best interest of the public to further amend the Plan area to correct this scrivener’s error and include the area needed for the Canyon Creek South project as described in Section 601(A)(2) of the Plan; and

WHEREAS, this addition to the area contains 1.72 acres +/- which is .27% of the existing Plan area making the addition of this area to the Plan a Minor Amendment; and

WHEREAS, the addition of these 1.72 acres in conjunction with the 11.22 acres added to the Plan under URA Resolutions 32 and 59 total 12.94 acres or 1.5% of the original Plan area;

WHEREAS, these adjustments to the Plan area as described in Exhibit A and shown in Exhibit B, attached hereto and incorporated by will reduce the district's acreage from 629 acres to 570 acres; and

WHEREAS, the proposed acreage reduction from Plan boundary will not adversely affect Agency debt service and will not impair the Agency's ability to carry out Plan projects; and

WHEREAS, on October 7, 2013 the Urban Renewal Agency of the City of Wilsonville approved URA Resolution 235, attached hereto and incorporated herein as Exhibit C, recommending this Minor Amendment.

NOW, THEREFORE, THE WILSONVILLE CITY COUNCIL RESOLVES AS FOLLOWS:

1. The City Council adopts and incorporates by reference herein the above Recitals as findings and determinations of the Council.

2. The Year 2000 Urban Renewal Plan legal description (Exhibit 1 to The Year 2000 Urban Renewal Plan) as previously amended by Urban Renewal Agency Resolution Nos. 32, 59, 99, 102, 115, 118 and 176 shall be amended as described in Exhibit A of this Resolution, attached hereto and incorporated herein by this reference and shall be titled "Exhibit 1" of The Year 2000 Plan and made part of The Year 2000 Plan. The Plan Area is reduced in accordance with Exhibit A.

3. The existing Year 2000 Urban Renewal Plan Exhibit 2, "Urban Renewal Boundary Map," previously amended by Urban Renewal Agency Resolution Nos. 32, 59, 99, 102, 115, 118, and 176 shall be amended and replaced by the map which is Exhibit B of this Resolution entitled "East Side Urban Renewal Boundary Revised per URA Resolution Nos. 32, 59, 99, 102, 115, 118, and 176. Exhibit B is attached hereto and incorporated herein by this reference and is made a part of The Year 2000 Plan. The map boundaries conform to the legal description in Exhibit A.

4. The existing Plan area includes a total land area of 629 acres. The area removed and added by this proposed Minor Amendment to the Plan area leaves a total of 570 acres in Plan Area. The Council finds and determines that this reduction and addition of land to the Plan area by a Minor Amendment to the Plan is not a substantial amendment to the Plan as the term "substantial amendment" is defined in ORS 457.085 (2) (1) and is approved by the City Council.

5. The effective date of this Resolution is October 21, 2013.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 21st day of October 2013, and filed with the Wilsonville City Recorder this date.

TIM KNAPP, MAYOR

ATTEST:

Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp	Yes
Councilor Goddard	Yes
Councilor Starr	Yes
Councilor Fitzgerald	Yes
Councilor Stevens	Yes

Attachments:

Exhibit A - Amended Legal Description of the Wilsonville Year 2000 Plan Urban Renewal Area
Exhibit B - Amended Year 2000 Plan Urban Renewal Area Boundary Map
Exhibit C – URA Resolution 235