



FINDINGS REPORT

TOWN CENTER BUILDING HEIGHT WAIVER PROJECT – DEVELOPMENT CODE UPDATES

I. INTRODUCTION

This Findings Report (“Report”) provides findings supporting the City of Wilsonville adopting Wilsonville Development Code amendments related to building heights in the Wilsonville Town Center Zone – Case File LP26-0003 (the “Proposal”). The Proposal seeks to amend portions of Wilsonville Code (“WC”) 4.132(.06) C. and D. as part of the continued implementation of the Wilsonville Town Center Plan (the “Plan”) adopted via Ordinance No. 835 on May 6, 2019 and further amended via Ordinance No. 850 on October 18, 2021. Each Ordinance included findings, to which this Proposal will refer to, as the intent of this proposed legislative action is to support continued implementation of the Town Center Plan.

II. COMPLIANCE WITH STATEWIDE PLANNING GOALS

ORS 197.175(2)(a) and (b) require that, as cities and counties enact land use regulations to implement their comprehensive plans, findings are made that such proposed regulations comply with the Statewide Planning Goals. The following findings address the Proposal’s compliance with the applicable Statewide Planning Goals. Goals 3, 4, 15, 16-18 are not addressed as the Proposal only relates to land uses entirely within the Urban Growth Boundary and inside the Wilsonville city limits.

A. Goal 1, Citizen Involvement

To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

The Plan was found to be in compliance with Goal 1. The Proposal refines previously adopted Development Code provisions that implement the Plan. The project team, at the direction of

the Wilsonville City Council via Resolution No. 3244, established the Town Center Building Height Waiver Task Force to review and make recommendations to the Wilsonville Planning Commission and City Council regarding proposed refinements to the Development Code. The Task Force held 3 public meetings, the Planning Commission held 2 work sessions and the City Council held 2 work sessions. Public hearings are being held, following required legal notices, offering opportunity for additional public comment.

B. Goal 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.

The Plan was found to comply with Goal 2. The Proposal further supports Goal 2 by refining the Development Code consistent with the policy framework from the Plan and clarifying regulations for application to future land use actions in the Wilsonville Town Center.

As part of the adoption of the Plan, the City established a record that includes technical memoranda, studies, and analyses supporting each policy of the Plan that is the policy framework for the proposed refinements to the Development Code. During the planning process, the following affected governmental units participated or had the opportunity to participate via notices and project information provided to them:

- Metro
- ODOT
- TVF&R
- Clackamas County
- West Linn-Wilsonville School District
- SMART Transit

The proposed Code amendments are a continuation of the planning effort and are fully reflective of the factual basis and agency outreach in the Plan. Based on the foregoing, the City Council finds that the proposal satisfies Goal 2 with respect to having an adequate factual base and being coordinated with all affected governmental units.

C. Goal 5, Natural Resources, Scenic and Historical Areas, and Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces.

No significant natural resources were found to exist in the Plan area, and the Plan was found to comply with Goal 5. Furthermore, Wilsonville's Goal 5 policies in the Comprehensive Plan are implemented by the existing Development Code, specifically Section 4.139.00, the Significant

Resource Overlay Zone (SROZ). The proposed Code amendments do not change Goal 5 implementing Development Code sections.

D. Goal 6, Air, Water, and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

The Plan was found to be in compliance with Goal 6. Nothing in the proposed Development Code amendments would alter the ability of development in the Plan area to be built in compliance with the Plan and thus Goal 6.

E. Goal 7, Areas Subject to Natural Hazards

To protect people and property from natural hazards.

The proposal satisfies Goal 7 because the City has considered the risks of natural hazards during the planning process. There are no identified floodplains within the planning area. The City coordinated with Tualatin Valley Fire & Rescue to ensure land uses and transportation facilities provide for adequate emergency response. The proposed Development Code amendments do not alter any stormwater regulations implemented in response to the Plan, which was found to comply with this goal, thus the proposal also satisfies Goal 7.

F. Goal 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.

The proposed Development Code amendments do not alter the open space elements in the Plan or current Development Code regulations governing land uses in the Wilsonville Town Center, which was found to comply with this goal, thus the proposal also satisfies Goal 8.

G. Goal 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.

The proposed Development Code amendments do not alter the outright permitted uses or building sizes in the Wilsonville Town Center Zone, which were adopted to implement the policies of the Plan. The Plan, and implementing Development Code, were found to comply with this goal, thus the proposal also satisfies Goal 9.

H. Goal 10, Housing

To provide for the housing needs of citizens of the state.

The proposed Development Code amendments do not alter the allowed land uses for mixed-use, multi-family, and middle housing residential development in the Wilsonville Town Center. These uses are components identified in the Plan, which was found to comply with this goal, thus the proposal also satisfies Goal 10.

I. 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 development.

The proposed Development Code amendments are consistent with the public utilities and services elements of the Plan; the Plan was found to comply with this goal, thus the proposal also satisfies Goal 11.

J. Goal 12, Transportation

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

The proposed Development Code amendments are consistent with the transportation element of the Plan; the Plan was found to comply with this goal, thus the proposal also satisfies Goal 12.

K. Goal 13, Energy Conservation

To conserve energy.

The proposed Development Code amendments are consistent with the Plan elements found to be supportive of Goal 13, thus the Proposal also satisfies Goal 13.

L. Goal 14, Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The proposed Development Code amendments are consistent with the Plan provisions supportive of Goal 14; the Plan was found to comply with this goal, thus the Proposal also satisfies Goal 14.

III. COMPLIANCE WITH METRO TITLE 6: CENTERS, CORRIDORS, STATION COMMUNITIES AND MAIN STREETS

Findings of compliance with Metro Code 3.07.610-650, Centers, Corridors, Station Communities, and Main Streets are listed below.

The proposed Development Code amendments related to the Plan refine implementation of the Plan and are consistent with the policies identified in the Plan. The Wilsonville Town Center boundaries were previously established and recognized by Metro's Urban Growth Management Functional Plan Title 6 Map of Centers, Corridors, Station Communities and Main Streets, Adopted Boundaries. As noted in the findings herein, nothing in the proposed Development Code amendments alter the purpose of the Plan, the Wilsonville Town Center boundary, or the outright permitted uses already allowed in the Town Center Zone.

A. 3.07.620 Actions and Investments in Centers, Corridors, Station Communities and Main Streets

(a) In order to be eligible for a regional investment in a Center, Corridor, Station Community or Main Street, or a portion thereof, a city or county shall take the following actions:

(1) Establish a boundary for the Center, Corridor, Station Community or Main Street, or portion thereof, pursuant to subsection (b);

(2) Perform an assessment of the Center, Corridor, Station Community or Main Street, or portion thereof, pursuant to subsection (c); and

(3) Adopt a plan of actions and investments to enhance the Center, Corridor, Station Community or Main Street, or portion thereof, pursuant to sub(d).

As noted, the Town Center boundaries have already been established and recognized by Metro's UGMFP Title 6 Map. The proposed Development Code amendments are consistent with the Plan provisions supportive of subsection (a); the Plan was found to comply with this regulation, thus the Proposal also satisfies subsection (a).

(b) The boundary of a Center, Corridor, Station Community or Main Street, or portion thereof, shall:

(1) Be consistent with the general location shown in the RFP except, for a proposed new Station Community, be consistent with Metro's land use final order for a light rail transit project;

(2) For a Corridor with existing high-capacity transit service, include at least those segments of the Corridor that pass through a Regional Center or Town Center;

(3) For a Corridor designated for future high-capacity transit in the RTP, include the area identified during the system expansion planning process in the RTP; and

(4) Be adopted and may be revised by the city council or county board following notice of the proposed boundary action to the Oregon Department of Transportation and to Metro in the manner set forth in subsection (a) of section 3.07.820 of this chapter.

The boundaries of the Wilsonville Town Center were adopted by the Wilsonville City Council in Ordinance No. 55. They are consistent with, and shown on, the 2040 Growth Concept Map of Metro's Regional Framework Plan. The Plan was found to comply with subsection (b) and the proposed Development Code amendments do not alter the boundary of the Wilsonville Town Center, and thus also comply with subsection (b).

(c) An assessment of a Center, Corridor, Station Community or Main Street, or portion thereof, shall analyze the following:

(1) Physical and market conditions in the area;

(2) Physical and regulatory barriers to mixed-use, pedestrian-friendly and transit-supportive development in the area;

(3) The city or county development code that applies to the area to determine how the code might be revised to encourage mixed-use, pedestrian-friendly and transit-supportive development;

(4) Existing and potential incentives to encourage mixed-use pedestrian friendly and transit-supportive development in the area; and

(5) For Corridors and Station Communities in areas shown as Industrial Area or Regionally Significant Industrial Area under Title 4 of this chapter, barriers to a mix and intensity of uses sufficient to support public transportation at the level prescribed in the RTP.

The Plan included an Existing Conditions Report of and Development Feasibility Analysis for the Wilsonville Town Center and was found to comply with subsection (c). The proposed Development Code amendments do not change the allowed uses or outright permitted design standards for development in the Wilsonville Town Center and so also complies with subsection (c).

(d) A plan of actions and investments to enhance the Center, Corridor, Station Community or Main Street shall consider the assessment completed under subsection (c) and include at least the following elements:

(1) Actions to eliminate, overcome or reduce regulatory and other barriers to mixed-use, pedestrian-friendly and transit-supportive development;

(2) Revisions to its comprehensive plan and land use regulations, if necessary, to allow:

(A) In Regional Centers, Town Centers, Station Communities and Main Streets, the mix and intensity of uses specified in section 3.07.640; and

(B) In Corridors and those Station Communities in areas shown as Industrial Area or Regionally Significant Industrial Area in Title 4 of this chapter, a mix and intensity of uses sufficient to support public transportation at the level prescribed in the RTP;

(3) Public investments and incentives to support mixed-use pedestrian friendly and transit-supportive development; and

(4) A plan to achieve the non-SOV mode share targets, adopted by the city or county pursuant to subsections 3.08.230(a) and (b) of the RTP, that includes:

(A) The transportation system designs for streets, transit, bicycles and pedestrians consistent with Title 1 of the RTP;

(B) A transportation system or demand management plan consistent with section 3.08.160 of the RTP; and

(C) A parking management program for the Center, Corridor, Station Community or Main Street, or portion thereof, consistent with section 3.08.410 of the RTP.

The Plan included an implementation plan, which included regulatory actions and amendments to reduce and overcome regulatory barriers within the Wilsonville Comprehensive Plan and Development Code. The implementation plan was found to comply with subsection (d). Nothing in the proposed Development Code amendments alters or changes such implementation strategies, and thus also complies with subsection (d). The proposed Development Code amendments offer additional certainty to development and the Wilsonville community regarding the size of buildings that can be constructed in the Wilsonville Town Center.

(e) A city or county that has completed all or some of the requirements of subsections (b), (c), and (d) may seek recognition of that compliance from Metro by written request to the COO.

As identified in the responses above, the City has completed all requirements of subsections (b), (c) and (d). The City is not seeking recognition of that compliance by Metro.

(f) Compliance with the requirements of this section is not a prerequisite to:

(1) Investments in Centers, Corridors, Station Communities or Main Streets that are not regional investments; or

(2) Investments in areas other than Centers, Corridors, Station Communities and Main Streets.

As identified in the findings for the Plan, the Plan guides and directs investments in the Wilsonville Town Center. The proposed Development Code amendments are consistent with the Plan's implementation strategies and so also complies with subsection (f).

B. 3.07.630 Eligibility Actions for Lower Mobility Standards and Trip Generation Rates

(a) A city or county is eligible to use the higher volume-to-capacity standards in Table 7 of the 1999 Oregon Highway Plan when considering an amendment to its comprehensive plan or land use regulations in a Center, Corridor, Station Community or Main Street, or portion thereof, if it has taken the following actions:

(1) Established a boundary pursuant to subsection (b) of section 3.07.620; and

(2) Adopted land use regulations to allow the mix and intensity of uses specified in section 3.07.640.

(b) A city or county is eligible for an automatic reduction of 30 percent below the vehicular trip generation rates reported by the Institute of Traffic Engineers when analyzing the traffic impacts, pursuant to OAR 660-012-0060, of a plan amendment in a Center, Corridor, Main Street or Station Community, or portion thereof, if it has taken the following actions:

(1) Established a boundary pursuant to subsection (b) of section 3.07.620;

(2) Revised its comprehensive plan and land use regulations, if necessary, to allow the mix and intensity of uses specified in section 3.07.640 and to prohibit new auto-dependent uses that rely principally on auto trips, such as gas stations, car washes and auto sales lots; and

(3) Adopted a plan to achieve the non-SOV mode share targets adopted by the city or county pursuant to subsections 3.08.230 (a) and (b) of the RTFP, that includes:

(A) Transportation system designs for streets, transit, bicycles and pedestrians consistent with Title 1 of the RTFP;

(B) A transportation system or demand management plan consistent with section 3.08.160 of the RTFP; and

(c) A parking management program for the Center, Corridor, Station Community or Main Street, or portion thereof, consistent with section 3.08.410 of the RTFP.

The Plan found that subsections (a) and (b) were not applicable. The Plan includes implementation strategies for parking. The Proposal is consistent with and does not alter such strategies and so complies with subsection (c).

C. 3.07.640 Activity Levels for Centers, Corridors, Station Communities and Main Streets

(a) A Centers, Corridors, Station Communities and Main Streets need a critical number of residents and workers to be vibrant and successful. The following average number of residents and workers per acre is recommended for each:

- (1) Central City - 250 persons*
- (2) Regional Centers - 60 persons*
- (3) Station Communities - 45 persons*
- (4) Corridors - 45 persons*
- (5) Town Centers - 40 persons*
- (6) Main Streets - 39 persons*

The Plan was found to comply with subsection (a) by projecting, at full project buildout in the 40-year planning horizon to meet the town center average. The proposed Development Code amendments are consistent with the Plan as they do not alter the allowed land uses or outright permitted design standards for development in the Town Center Zone.

(b) Centers, Corridors, Station Communities and Main Streets need a mix of uses to be vibrant and walkable. The following mix of uses is recommended for each:

- (1) The amenities identified in the most current version of the State of the Centers: Investing in Our Communities, such as grocery stores and restaurants;*
- (2) Institutional uses, including schools, colleges, universities, hospitals, medical offices and facilities;*
- (3) Civic uses, including government offices open to and serving the general public, libraries, city halls and public spaces.*

(c) Centers, Corridors, Station Communities and Main Streets need a mix of housing types to be vibrant and successful. The following mix of housing types is recommended for each:

- (1) The types of housing listed in the “needed housing” statute, ORS 197.303(1);*

(2) The types of housing identified in the city's or county's housing need analysis done pursuant to ORS 197.296 or statewide planning Goal 10 (Housing); and

(3) Accessory dwellings pursuant to section 3.07.120 of this chapter.

The Plan, and implementing Development Code, offers a variety of land uses and promotes multimodal infrastructure throughout, and thus were found to comply with subsections (b) and (c). The Proposal is consistent with and does not alter the allowed land uses or multimodal requirements in the Plan and Town Center Zone regulations.

D. 3.07.650 Centers, Corridors, Station Communities and Main Streets Map

(a) The Centers, Corridors, Station Communities and Main Streets Map is incorporated in this title and is Metro's official depiction of their boundaries. The map shows the boundaries established pursuant to this title.

(b) A city or county may revise the boundary of a Center, Corridor, Station Community or Main Street so long as the boundary is consistent with the general location on the 2040 Growth Concept Map in the RFP. The city or county shall provide notice of its proposed revision as prescribed in subsection (b) of section 3.07.620.

(c) The COO shall revise the Centers, Corridors, Station Communities and Main Streets Map by order to conform the map to establishment or revision of a boundary under this title.

As to subsection (a), the Wilsonville Town Center boundaries are identified in the current Centers, Corridors, Station Communities and Main Streets Map. Subsections (b) and (c) are not applicable.

IV. COMPLIANCE WITH WILSONVILLE COMPREHENSIVE PLAN

As identified in the Findings Reports accompanying the Plan, the Plan complies with applicable Wilsonville Comprehensive Plan requirements. This Report is consistent with the Plan regarding compliance with the Wilsonville Comprehensive Plan and does not alter the Plan or Town Center Zone regulations that would render the Plan or Development Code inconsistent with the Comprehensive Plan, and thus also complies with applicable Wilsonville Comprehensive Plan policies.

This Report makes additional findings as to Citizen Involvement and Land Use and Development policies in the Wilsonville Comprehensive Plan.

A. Citizen Involvement

Policy 1.1.1 The City of Wilsonville shall provide opportunities for a wide range of public involvement in City planning programs and processes.

Policy 1.2.1 The City of Wilsonville shall provide user-friendly information to assist the public in participating in City planning programs and processes.

Policy 1.3 The City of Wilsonville shall coordinate with other agencies and organizations involved with Wilsonville's planning programs and policies.

Please see the findings for Statewide Planning Goal 1, Citizen Involvement in Section II(A) above.

B. Land Use and Development

Policy 4.1.1 The City of Wilsonville shall make land use and planning decisions to achieve Goal 4.1.

Policy 4.1.4 The City of Wilsonville shall provide opportunities for a wide range of housing types, sizes, and densities at prices and rent levels to accommodate people who are employed in Wilsonville.

Please see the findings for Statewide Planning Goal 10, Housing in Section II(H) above. The Proposal does not alter allowed land uses, including mixed use, multifamily, and middle housing, in the Town Center Zone.

C. Other Standards Related to Comprehensive Plan Compliance

1. Granting the Amendment Is in the Public Interest

The Proposal addresses community members concerns that building heights in the Wilsonville Town Center lack certainty and may be significantly taller than the maximum of 3-to-5 stories in

the various subdistricts. The Proposal also aligns with the original intent of the building height waiver provision to allow flexibility for single-user anchor tenants to promote additional development in the Wilsonville Town Center.

2. The Public Interest Is Best Served by Granting the Amendment at this Time

The Wilsonville City Council adopted Council Goal 4: Communication and Engagement as part of its 2025-27 Council Goals, and a component of that goal was to better understand the excitement, confusion, and concerns community had regarding the Plan. As a result of that public engagement and communication, this Proposal was brought forward for consideration. More certainty as to expected development size in the Wilsonville Town Center is anticipated to address some of community members' concerns regarding building heights in the Town Center and reignite excitement for revitalization of the Town Center.

3. The Following Factors Have Been Adequately Addressed in the Proposed Amendment

- the suitability of the various areas for particular land uses and improvements;
- the land uses and improvements in the area;
- trends in land improvement;
- density of development;
- property values;
- the needs of economic enterprises in the future development of the area;
- transportation access;
- natural resources; and
- the public need for healthful, safe and aesthetic surroundings and conditions.

The above factors have generally been addressed by the Plan and implementing Development Code provisions, and the Proposal is consistent with these previously adopted policies and regulations. Additionally, the Proposal seeks to create some additional certainty regarding density of development by limiting building heights to the maximums currently outright permitted in the Town Center Zone.

4. Proposed Changes or Amendments Do Not Result in Conflicts with Applicable Metro Requirements

Please see findings provided in Section III above.

V. COMPLIANCE WITH WILSONVILLE DEVELOPMENT CODE PROCEDURAL REQUIREMENTS

Section 4.197 of the Wilsonville zoning code establishes the criteria for amendment of the zoning text. Those criteria are:

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

All procedures required by the Development Code have been filed. The compliance with the Comprehensive Plan is documented in this Report. A comprehensive review of the Wilsonville text has been conducted and there are no conflicts. The proposal's compliance with the Statewide Planning Goals is also documented in this Report. Other than Oregon's land use statutes, no other State or Federal laws or statutes have been identified as applicable.