

**RESOLUTION NO. 1259**

**A RESOLUTION TO AFFIRM AND ADOPT THE PLANNING COMMISSION'S INTERPRETATION REGARDING PRIMARY OPEN SPACE LOCATED ON TAX LOTS 100 AND 200, SECTION 23DB, T3S, R1W, ALSO KNOWN AS THE CITY OF WILSONVILLE WASTEWATER TREATMENT PLANT.**

WHEREAS, the City of Wilsonville has submitted an application for a Conditional Use Permit to allow the expansion and upgrade of the city's wastewater treatment plant within a RA-1 Zone; and,

WHEREAS, the Wilsonville Planning Commission opened the public hearing on March 11, 1996, to review the staff report, consider planning exhibits, and gather public testimony concerning the application; and,

WHEREAS, during the public hearing of March 11, 1996, staff raised the concern of an ambiguity between the plan map designation on a portion of the premises and text designation of standards for primary open space and requested the Commission review the matter and make a recommendation to the City Council concerning an interpretation; and

WHEREAS, the Planning Commission found the staff report and the applicant demonstrated that a conflict existed between the Comprehensive Plan map and the Comprehensive Plan text and policies concerning the designated Primary Open Space on the subject property and the proposed location of the new Operations Building; and,

WHEREAS, the Planning Commission applied the Comprehensive Plan standard that the text description of primary open space takes precedence over the Plan Map designation and found that the portion of land proposed for the Operation Building has less than 20% slope and should be designated as Secondary Open Space, and that the wooded area to the southwest has a significant stand of trees and should be converted from Secondary Open Space to Primary Open Space, along with the steep slope area in excess of 20% to the northeast of the proposed Operations Building; and noted for the record that the designation and conversion netted a greater amount of primary open space; and

WHEREAS, the City Council held a public hearing on March 18, 1996, to review staff reports and receive public testimony regarding the interpretation of the Primary Open Space boundary and staff has further recommended consideration of the future clarifier site to be removed from Primary Open Space; and,

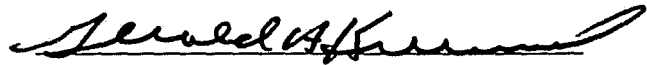
WHEREAS, the City Council has the final authority for the interpretation of the Comprehensive Plan text and/or map.

NOW, THEREFORE, BE IT RESOLVED, that the Wilsonville City Council does hereby affirm and adopt the findings and recommended interpretation of the Planning Commission regarding the Primary Open Space shown to be located on Tax Lots 100 and 200, Section 23DB T3S, R1W, to wit:

That the areas sited for the Operations Building and future clarifier meet the definition of secondary open space and is hereby designated as secondary open space; and the area designated to the southwest with the significant stand of trees, and the areas to the northeast and adjacent to the north property line with slopes in excess of twenty percent meet the definition of primary open space, and are hereby designated as primary open space.

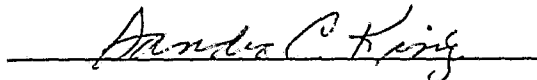
The Planning staff is directed to correct the Comprehensive Plan map designation of primary and secondary open space for this site to conform with the plan text and with this interpretation, which corrections are located on the applicants aerial site map attached hereto and identified as Exhibit C, and made a part of the record exhibits.

ADOPTED, by the City Council of the City of Wilsonville at a regular meeting thereof this 18th day of March, 1996, and filed with the Wilsonville City Recorder this same date.



Gerald A. Krummel, Mayor

ATTEST:



Sandra C. King, City Recorder

Summary of Votes:

Mayor Krummel	Yes
Councilor Lehan	Yes
Councilor Hawkins	Yes
Councilor Leo	Yes
Councilor Leahy	Absent

# PROPOSED OPEN SPACE

