

ORDINANCE NO. 853

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE RESIDENTIAL AGRICULTURAL-HOLDING (RA-H) ZONE (RENAMED BY ORDINANCE NO. 851 TO FUTURE DEVELOPMENT AGRICULTURAL-HOLDING (FDA-H) EFFECTIVE NOVEMBER 18, 2021) TO THE PLANNED DEVELOPMENT RESIDENTIAL-4 (PDR-4) ZONE ON APPROXIMATELY 2.39 ACRES COMPRISING TAX LOT 5500, SECTION 13AA, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. MERIDIAN UNITED CHURCH OF CHRIST, APPLICANT/OWNER.

WHEREAS, Meridian United Church of Christ (“Applicant”) has made a development application requesting, among other things, a Zone Map Amendment of the real property (“Property”) within the City of Wilsonville; and

WHEREAS, the development application form has been signed by Marsia Gunter, Moderator, on behalf of Meridian United Church of Christ, owner of the Property legally described and shown in Exhibit A, attached hereto and incorporated by reference herein; and

WHEREAS, the City of Wilsonville desires to have the Property zoned consistent with the Wilsonville Comprehensive Plan Map designation of “Residential 6-7 dwelling units per acre”; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board Panel ‘A’ on November 1, 2021, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment; and

WHEREAS, Development Review Board Panel 'A' held a public hearing on the application for a Zone Map Amendment, among other requests, on November 8, 2021, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 396, which recommends City Council approval of the Zone Map Amendment request (Case File DB21-0029) and adopts the staff report with findings and recommendation, all as placed on the record at the hearing; and

WHEREAS, on December 6, 2021, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board Panel ‘A’, including the Development Review Board Panel ‘A’ and City Council staff reports; took public testimony; and, upon deliberation, concluded

that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

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

Section 1. The City Council adopts, as findings and conclusions, the foregoing Recitals and the Zone Map Amendment Findings in Exhibit B, as if fully set forth herein.

Section 2. The official City of Wilsonville Zone Map is hereby amended by Zoning Order DB21-0029, attached hereto as Exhibit A, from the Residential Agricultural-Holding (RA-H) Zone (renamed by Ordinance No. 851 to Future Development Agricultural-Holding (FDA-H) effective November 18, 2021) to the Planned Development Residential-4 (PDR-4) Zone.

SUBMITTED to the Wilsonville City Council and read for the first time at a meeting thereof on the 6th day of December 2021, and scheduled for the second reading at a regular meeting of the Council on the 20th day of December, 2021, commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

DocuSigned by:
Kimberly Veliz
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Kimberly Veliz, City Recorder

ENACTED by the City Council on the 20th day of December 2021, by the following votes:

Yes: 4 No: 0

DocuSigned by:
Kimberly Veliz
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Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 20th day of December, 2021.

DocuSigned by:
Julie Fitzgerald
8A974AF3ADE042E...

Julie Fitzgerald Mayor

SUMMARY OF VOTES:

Mayor Fitzgerald	Yes
Council President Akervall	Abstain
Councilor Lehan	Yes
Councilor West	Yes
Councilor Linville	Yes

EXHIBITS:

- A. Ordinance No. 853 Exhibit A – Zoning Order DB21-0029 including legal description and sketch depicting Zone Map Amendment
- B. Ordinance No. 853 Exhibit B – Compliance findings
- C. Ordinance No. 853 Exhibit C – DRB Resolution No. 396 recommending approval of Zone Map Amendment

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

In the Matter of the Application of)
Meridian United Church of Christ, for)
a Rezoning of Land and Amendment of the) **ZONING ORDER DB21-0029**
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 DB21-0029, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached legal description and sketch, has heretofore appeared on the City of Wilsonville zoning map as Residential Agricultural-Holding (RA-H) Zone (renamed by Ordinance No. 851 to Future Development Agricultural-Holding (FDA-H) effective November 18, 2021).

The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, including the Development Review Board Panel ‘A’ record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that the Property, consisting of approximately 2.39 acres, comprising Tax Lot 5500, of Section 13AA, as more particularly shown and described in the attached legal description and sketch, is hereby rezoned to Planned Development Residential-4 (PDR-4), subject to conditions detailed in this Order’s adopting Ordinance. The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 20th day of December, 2021.

DocuSigned by:
Julie Fitzgerald
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Julie Fitzgerald, MAYOR

APPROVED AS TO FORM:

DocuSigned by:
Ryan Adams
09ABDFEC3EB84EC
Ryan Adams, Assistant City Attorney

ATTEST:

DocuSigned by:
Kimberly Veliz
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Kimberly Veliz, City Recorder

Attachment: Legal Description and Sketch Depicting Land/Territory to be Rezoned

LEGAL DESCRIPTION

MERIDIAN UNITED CHURCH OF CHRIST PROPERTY
6750 SW BOECKMAN ROAD, WILSONVILLE, OREGON

A PORTION OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON, THE BOUNDARY OF SAID PORTION MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN ANGLE POINT IN THE SOUTH RIGHT-OF-WAY LINE OF SW BOECKMAN ROAD WHICH BEARS NORTH 00°03'53" EAST, 1.00 FEET FROM THE NORTHWEST CORNER OF LOT 86 IN "LANDOVER NO. 2";

THENCE SOUTH 00°03'53" WEST ALONG THE BOUNDARY OF "LANDOVER NO. 2", THE WEST LINE OF SAID LOT 86 AND THE NORTHERLY EXTENSION THEREOF, 28.83 FEET TO A POINT OF CURVATURE;

THENCE CONTINUING ALONG THE BOUNDARY OF "LANDOVER NO. 2" THE FOLLOWING COURSES:

122.70 FEET ALONG THE ARC OF A NON-TANGENT 220.99 FOOT RADIUS CURVE CONCAVE EASTERLY, SAID CURVE HAVING A CENTRAL ANGLE OF 31°48'42" AND A CHORD BEARING SOUTH 17°29'17" WEST, 121.13 FEET;

THENCE SOUTH 01°28'51" WEST, 310.91 FEET;

THENCE SOUTH 89°45'31" WEST, 217.56 FEET TO THE BOUNDARY OF "WILSONVILLE MEADOWS NO. 7";

THENCE LEAVING THE BOUNDARY OF "LANDOVER NO. 2", NORTH 00°13'14" WEST ALONG THE BOUNDARY OF "WILSONVILLE MEADOWS NO. 7", 455.11 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SW BOECKMAN ROAD;

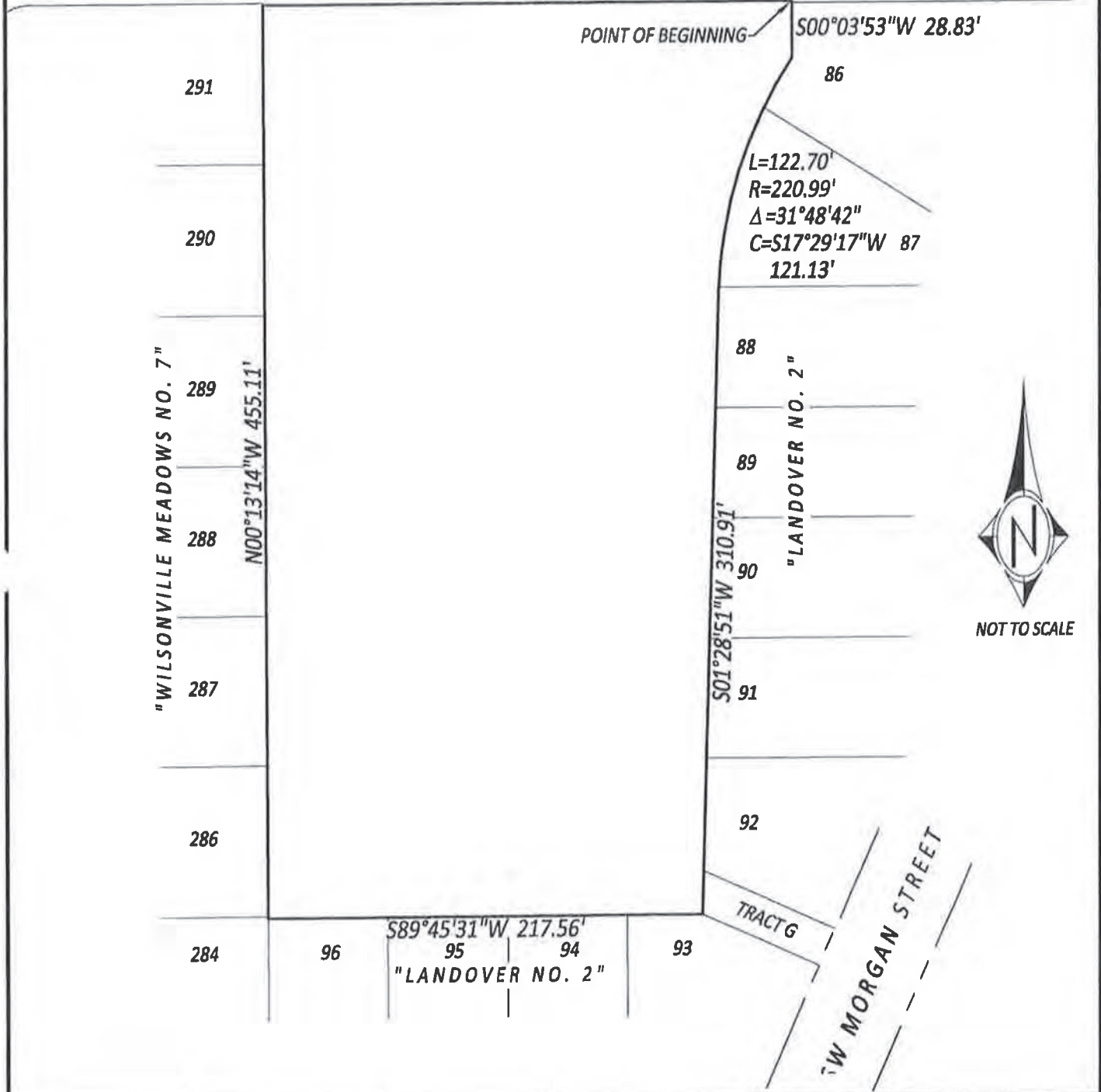
THENCE NORTH 89°47'16" EAST ALONG SAID RIGHT-OF-WAY LINE, 263.78 FEET TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 104,271 SQUARE FEET.

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

SW BOECKMAN ROAD

N89°47'16"E 263.78'



NOT TO SCALE

PDG JOB NO.:
999-255

DATE:
05/04/21

SCALE:
NTS

ZONE CHANGE RA-H TO PDR-4



PIONEER DESIGN GROUP, INC.

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SUITE 170
PORTLAND, OREGON 97223
p 503.643.8288
www.pd-grp.com

MERIDIAN UNITED CHURCH OF CHRIST
6750 SW BOECKMAN ROAD, WILSONVILLE, OREGON
LOCATED IN THE NORTHEAST QUARTER OF SECTION 13,
TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE WILLAMETTE
MERIDIAN, CLACKAMAS COUNTY, OREGON



Ordinance No. 853 Exhibit B
Zone Map Amendment Compliance Findings

Meridian United Church of Christ (Frog Pond Church)
Zone Map Amendment

City Council
Quasi-Judicial Public Hearing

Hearing Date: December 6, 2021
Date of Report: November 8, 2021

Application Nos.: DB21-0029 Zone Map Amendment

Request/Summary: The request before the City Council is a Zone Map Amendment for approximately 2.39 acres.

Location: 6750 SW Boeckman Road. The property is specifically known as Tax Lot 5500, Section 13AA, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.

Owner/Applicant: Meridian United Church of Christ (Contact: Marsia Gunter)

Applicant's Rep.: Pioneer Design Group (Contact: Ben Altman)

Comprehensive Plan Designation: Residential 6-7 dwelling units per acre (du/ac)

Zone Map Classification: Current: RA-H (Residential Agricultural-Holding)
(renamed by Ordinance No. 851 to Future Development Agricultural-Holding (FDA-H) effective November 18, 2021)
Proposed: Planned Development Residential-4 (PDR-4)

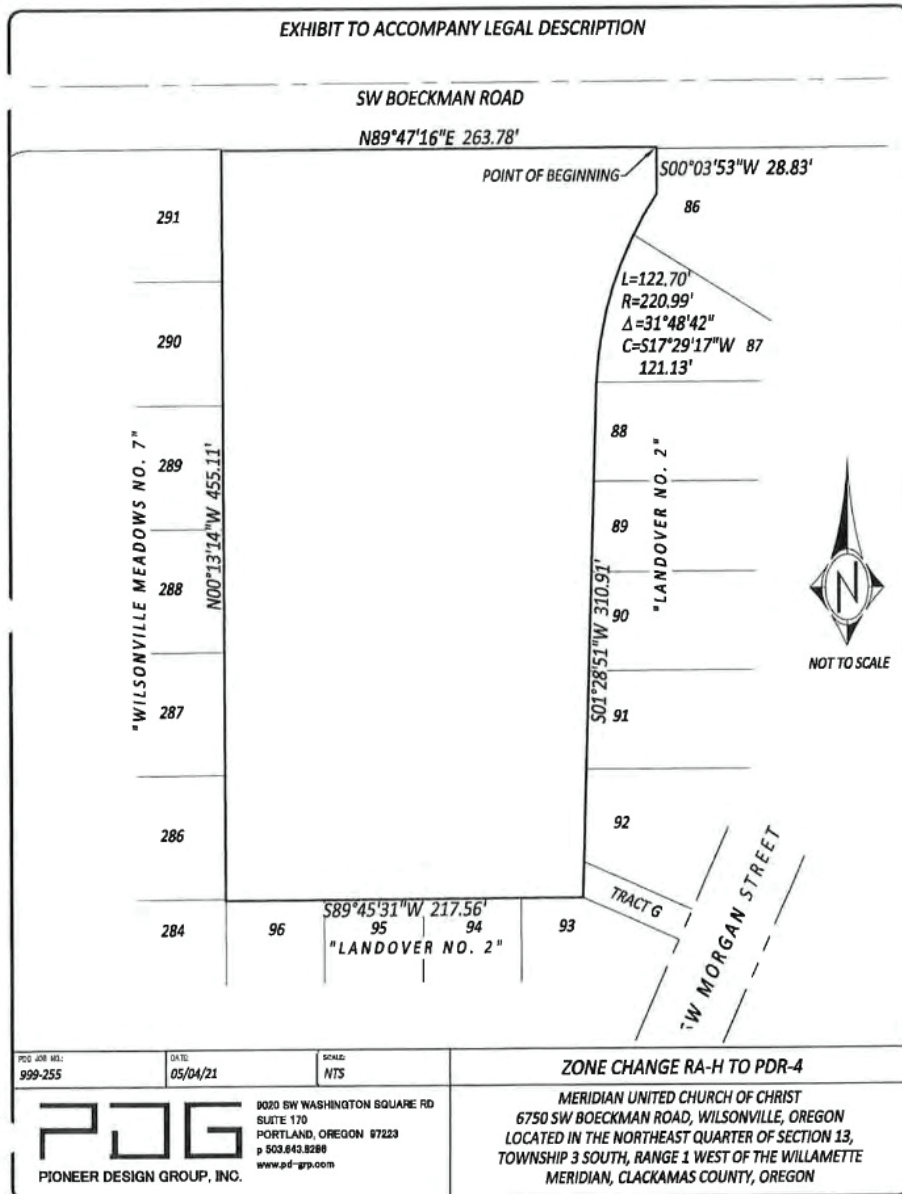
Staff Reviewers: Cindy Luxhoj AICP, Associate Planner
Matt Palmer, PE, Associate Engineer
Kerry Rappold, Natural Resources Program Manager

DRB/Staff Recommendation: Adopt the requested Zone Map Amendment

Applicable Review Criteria:

Development Code:	
Section 4.110	Zones
Section 4.124.4	Planned Development Residential (PDR-4) Zone
Section 4.197	Zone Changes
Other City Planning Documents:	
Wilsonville Comprehensive Plan	
Previous Land Use Approvals	

Vicinity Map:



Summary:

Zone Map Amendment (DB21-0029)

The proposed Zone Map Amendment is to rezone the subject 2.39-acre property from the Residential Agricultural-Holding (RA-H) Zone (renamed by Ordinance No. 851 to Future Development Agricultural-Holding (FDA-H) effective November 18, 2021) to the Planned Development Residential-4 (PDR-4) Zone. The rezone is required to allow partition of the subject property as proposed by the applicant.

Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

General Information

Application Procedures-In General Section 4.008

The application is being processed in accordance with the applicable general procedures of this Section.

Who May Initiate Application Section 4.009

The application has been submitted on behalf of the property owner, Meridian United Church of Christ, and is signed by an authorized representative, Marsia Gunter.

Request: DB21-0029 Zone Map Amendment

As described in the Findings below, the applicable criteria for this request are met or will be met by Conditions of Approval.

Comprehensive Plan

Diversity of Housing Types Implementation Measure 4.1.4.b. and d.

- A1. Based on data used for the City of Wilsonville 2020 Annual Housing Report, the City has 11,275 housing units in the following mix:
- 45.2% Apartments
 - 40.7% Single-Unit Dwellings
 - 7.8% Middle Housing (including duplexes, attached single-family homes, ADUs and cottage-style homes)
 - 4.6% Condominiums
 - 1.3% Mobile Homes

The City has approved hundreds of new residential lots, mainly in Villebois and Frog Pond West, for development over the next few years. The proposal will provide additional residential development options outside of Villebois and Frog Pond West within the existing City limits.

Safe, Convenient, Healthful, and Attractive Places to Live
Implementation Measure 4.1.4.c.

- A2. The proposed Planned Development Residential-4 (PDR-4) zoning allows the use of planned development to enable development of safe, convenient, healthful, and attractive places to live.

Residential Density
Implementation Measure 4.1.4.u.

- A3. The subject property is proposed to be zoned PDR-4, consistent with the existing Comprehensive Plan designation of Residential 6-7 du/ac.

Development Code

Zoning Consistent with Comprehensive Plan
Section 4.029

- A4. The applicant requests a zone change concurrently with a Stage I Master Plan, Stage II Final Plan, and other related development approvals. The proposed zoning designation of PDR-4 is consistent with the existing Comprehensive Plan designation of Residential 6-7 du/ac. The Zone Map Amendment is contingent on City Council approval.

List of Base Zones
Subsection 4.110 (.01)

- A5. The requested zoning designation of PDR-4 is among the base zones identified in this Subsection.

Standards for All Planned Development Residential Zones

Typically Permitted Uses
Subsection 4.124 (.01)

- A6. The list of typically permitted uses includes residential building lots for development of allowed residential uses, open space, and churches (subject to a Conditional Use Permit), covering all existing and proposed uses on the subject property.

Appropriate PDR Zone
Subsection 4.124 (.05)

- A7. PDR-4 is the appropriate PDR designation based on the Comprehensive Plan designation of Residential 6-7 du/ac.

Zone Change Procedures

Subsection 4.197 (.02) A.

A8. The applicant submitted the request for a Zone Map Amendment as set forth in the applicable code sections.

Conformance with Comprehensive Plan Map, etc.

Subsection 4.197 (.02) B.

A9. The proposed Zone Map Amendment is consistent with the Comprehensive Plan designation of Residential 6-7 du/ac. As shown in Findings A1 through A3, the request complies with applicable Comprehensive Plan text.

Specific Comprehensive Plan Findings for Residential Designated Lands

Subsection 4.197 (.02) C.

A10. Findings A1 through A3 under this request provide the required specific findings for Implementation Measures 4.1.4.b, d, e, q, and x.

Public Facility Concurrency

Subsection 4.197 (.02) D.

A11. The applicant's materials and plan set demonstrate the existing primary public facilities are available or can be provided in conjunction with the project.

Impact on SROZ Areas

Subsection 4.197 (.02) E.

A12. There is no SROZ area on the property; therefore, this standard does not apply.

Development within 2 Years

Subsection 4.197 (.02) F.

A13. Related land use approvals will expire after 2 years, therefore, requesting the land use approvals assumes development would commence within two (2) years. However, in the scenario where the applicant or their successors do not commence development within two (2) years, thus allowing related land use approvals to expire, the zone change shall remain in effect.

Development Standards and Conditions of Approval

Subsection 4.197 (.02) G.

A14. As can be found in the Findings for the accompanying requests, the proposal meets the applicable development standards either as proposed or through a condition of approval.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 396**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF A ZONE MAP AMENDMENT FROM RESIDENTIAL AGRICULTURAL-HOLDING (RA-H) TO PLANNED DEVELOPMENT RESIDENTIAL-4 (PDR-4) AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I MASTER PLAN, STAGE II FINAL PLAN, TENTATIVE PARTITION PLAT, AND SETBACK WAIVER FOR MERIDIAN UNITED CHURCH OF CHRIST (FROG POND CHURCH). THE SUBJECT SITE IS LOCATED AT 6750 SW BOECKMAN ROAD ON TAX LOT 5500, SECTION 13AA, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. BEN ALTMAN, PIONEER DESIGN GROUP INC. – REPRESENTATIVE FOR MERIDIAN UNITED CHURCH OF CHRIST – OWNER/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 staff report on the above-captioned subject dated November 1, 2021, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on November 8, 2021, 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 dated November 1, 2021, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations, subject to approval of the Zone Map Amendment Request (DB21-0029) on properties proposed for rezoning, for:

DB21-0030 through DB21-0033, Stage I Master Plan, Stage II Final Plan, Tentative Partition Plat, and Setback Waiver a three-parcel partition and associated site improvements.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 8th day of November 2021 and filed with the Planning Administrative Assistant on Nov. 9, 2021. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per WC Sec 4.022(.09) unless appealed per WC Sec 4.022(.02) or called up for review by the council in accordance with WC Sec 4.022(.03).



Daniel McKay, Chair, Panel A
Wilsonville Development Review Board

Attest:

A handwritten signature in cursive script, appearing to read "Shelley White", written over a horizontal line.

Shelley White, Planning Administrative Assistant



**WILSONVILLE CITY COUNCIL
NOTICE OF DECISION
ORDINANCE NO. 853**

FILE NO:

Ordinance No. 853

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Residential Agricultural-Holding (RA-H) Zone (Renamed By Ordinance No. 851 To Future Development Agricultural-Holding (FDA-H) Effective November 18, 2021) To The Planned Development Residential-4 (PDR-4) Zone On Approximately 2.39 Acres Comprising Tax Lot 5500, Section 13aa, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Meridian United Church Of Christ, Applicant/Owner.

APPLICANT: Meridian United Church of Christ

After conducting a public hearing on December 6, 2021 and second reading on December 20, 2021, the City Council voted to adopt as submitted and adopted findings and conclusions to support their action.

This decision has been finalized in written form as entitled:

Ordinance No. 853

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Residential Agricultural-Holding (RA-H) Zone (Renamed By Ordinance No. 851 To Future Development Agricultural-Holding (FDA-H) Effective November 18, 2021) To The Planned Development Residential-4 (PDR-4) Zone On Approximately 2.39 Acres Comprising Tax Lot 5500, Section 13aa, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Meridian United Church Of Christ, Applicant/Owner.

And placed on file in the city records at the Wilsonville City Hall the 20th day of December, 2021, and is available for public inspection. The date of filing is the date of decision. Any appeal(s) must be filed with the Land Use Board of Appeals (LUBA) in accordance with ORS Chapter 197, within twenty-one days from the date of decision. Copies of may be obtained from the City Recorder, 29799 SW Town Center Loop East, Wilsonville, OR 97070, (503) 570-1506, or via email at cityrecorder@ci.wilsonville.or.us.

For further information, please contact the Wilsonville Planning Division, City Hall, 29799 SW Town Center Loop East, Wilsonville, OR 97070 or telephone (503) 682-4960.