

**AFFIDAVIT OF POSTING  
ORDINANCE CB-0-130-90**

STATE OF OREGON                    )  
  )  
COUNTIES OF CLACKAMAS        )  
  )  
  )  
  )  
  )  
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 the 31st day of January, 1990, I caused to be posted copies of the attached Ordinance CB-0-130-90, an Ordinance Adopting Findings and Designating the St. Francis of Assisi (Episcopal) Property as Primary Open Space and Public on the Wilsonville Comprehensive Plan Map and as Public Facility (PF) on the Wilsonville Zoning Map, in the following five public and conspicuous places of the City, to wit:

- WILSONVILLE CITY HALL
- WILSONVILLE POST OFFICE
- LOWRIE'S FOOD MARKET
- KOPPER KITCHEN
- WILSONVILLE PUBLIC LIBRARY

The notice remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 5th day of February, 1990.

  
\_\_\_\_\_  
VERA A. ROJAS, City Recorder

Subscribed and sworn to before me  
this 7<sup>th</sup> day of February, 1990.

  
\_\_\_\_\_  
NOTARY PUBLIC, STATE OF OREGON

My Commission expires: 8-23-93

ORDINANCE NO. 361

**AN ORDINANCE ADOPTING FINDINGS AND DESIGNATING THE ST. FRANCIS OF ASSISI (EPISCOPAL) PROPERTY AS PRIMARY OPEN SPACE AND PUBLIC ON THE WILSONVILLE COMPREHENSIVE PLAN MAP AND AS PUBLIC FACILITY (PF) ON THE WILSONVILLE ZONING MAP.**

WHEREAS, St. Francis of Assisi has requested that their property be planned and zoned in accordance with the City's Comprehensive Plan and zoning regulations; and

WHEREAS, the Portland Metropolitan Service District (Metro) has approved Resolution No. 89-1055 declaring their intent to amend the Urban Growth Boundary (UGB) to include the St. Francis of Assisi property; and

WHEREAS, Metro has scheduled public hearings on an Ordinance to formally amend the UGB; and

WHEREAS, the Portland Metropolitan Area Local Government Boundary Commission (Boundary Commission) has approved Boundary Change Proposal No. 2606 which annexed the St. Francis of Assisi property to Wilsonville; and

WHEREAS, the Planning Commission found that it is necessary and appropriate to apply the proper land use and zone designations to the subject property in accordance with state law and the statewide planning goals; and

WHEREAS, the Commission held a public hearing regarding this matter on November 13, 1989, at which time the Commission reviewed the Staff Report, accepted public testimony, duly considered the subject, and recommended that the annexed property be designated as "Public" on the Comprehensive Plan Map, except for the undeveloped drainageway, which shall be designated as "Primary Open Space" as shown on the attached map, Exhibit A. Additionally, the Planning Commission recommends that the annexed property be designated as Public Facility (PF) on the City's zoning map.

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

1. The City Council adopts the recommendation of the Wilsonville Planning Commission along with the findings and exhibits as set forth in the Commission's Resolution No. 88PC31 and attached hereto.

2. The Planning Director shall change the City's Comprehensive Plan Map to designate the St. Francis of Assisi (Episcopal) property as Primary Open Space and Public and shall change the City zoning map to designate the entire property as Public Facility (PF).


SUBMITTED to the Wilsonville City Council and read the first and second time at a regular meeting thereof on the 5th day of February, 1990, commencing at the hour of 7:30 o'clock p.m. at Wilsonville City Hall.

  
VERA J. ROJAS, City Recorder

ENACTED by the City Council on the 5th day of February, 1990, by the following votes: YEAS: 5 NAYS: 0.

  
VERA J. ROJAS, City Recorder

DATED and signed by the Mayor this 7<sup>th</sup> day of February, 1990.

  
JOHN M. LUDLOW, Mayor

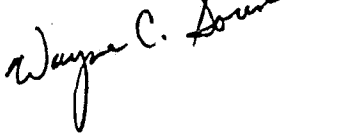
SUMMARY of Votes:

Mayor Ludlow	<u>AYE</u>
Councilor Edwards	<u>AYE</u>
Councilor Chandler	<u>AYE</u>
Councilor Clarke	<u>AYE</u>
Councilor Dant	<u>AYE</u>

City of  
**WILSONVILLE**  
in OREGON

30000 SW Town Center Loop E • PO Box 220  
Wilsonville, OR 97070  
(503) 682-1011

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Wayne Sorensen, Planning Director   
DATE: February 5, 1990  
RE: St. Francis of Assisi (Episcopal) - Request for a  
Comprehensive Plan Amendment and Zone Change (88PC31)

Background

Mr. Tom Cummins, representing St. Francis of Assisi, filed an application requesting annexation to the City on August 10, 1988. Concurrently, Mr. Cummins also filed an application with the Portland Metropolitan Service District (Metro) requesting an amendment of the Urban Growth Boundary (UGB).

Metro adopted Resolution No. 89-1055 in February, 1989, and declared their intent to approve the proposed UGB amendment once the property was annexed to the City. Metro has now adopted Ordinance No. 89-318 which formally amends the UGB.

The Wilsonville City Council initiated annexation of the St. Francis property by adopting Resolution No. 703 on March 6, 1989. Thereafter, the Portland Metropolitan Area Local Government Boundary Commission (aka PMALGBC, or, more simply, the Boundary Commission) adopted a Final Order approving Boundary Change Proposal No. 2606 on April 6, 1989. The actual Order was delayed for a few months because of an inadequate legal description for the property. The City received a copy of the Final Order on August 7, 1989.

It is apparent now that the St. Francis property has been annexed to the City and that Metro has enacted an ordinance formally amending the UGB. Therefore, it is appropriate and necessary for the City to apply the proper land use plan designations and zoning. The Planning Commission forwards a recommendation to the City Council that the appropriate plan and zone designation for the property would be as follows:

**Recommendation:**

The Commission recommends that the natural drainageway consisting of steep slopes, natural vegetation and stream be designated as Primary Open Space (POS) on the Comprehensive Plan Map. This area is generally located along the east property line of Tax Lot 2800 on the bank of the drainageway. The remainder of the annexed property should be designated as "Public" on the Plan Map as shown on the attached map - Exhibit A2.

Additionally, the Commission recommends that the property be zoned "Public Facility" (PF) on the Wilsonville zoning map. Churches are identified as a principle use and are allowed outright in the PF zone.

ws:jme

**PLANNING COMMISSION  
RESOLUTION NO. 88PC31**

**A RESOLUTION ADOPTING FINDINGS AND  
RECOMMENDING THAT THE ST. FRANCIS  
OF ASSISI PROPERTY BE DESIGNATED AS  
PRIMARY OPEN SPACE AND PUBLIC ON THE  
WILSONVILLE COMPREHENSIVE PLAN MAP AND  
BE ZONED PUBLIC FACILITY (PF), ST. FRANCIS  
OF ASSISI, APPLICANT, LOCATED ON TAX LOTS  
2800 AND 2900, T3S-R1W, SECTION 26.**

WHEREAS, St. Francis of Assisi has requested that their property be planned and zoned in accordance with the City's Comprehensive Plan and zoning regulations; and

WHEREAS, the Portland Metropolitan Service District (Metro) has approved Resolution No. 89-1055 declaring their intent to amend the Urban Growth Boundary (UGB) to include the St. Francis of Assisi property; and

WHEREAS, Metro has scheduled public hearings on an Ordinance to formally amend the UGB; and

WHEREAS, the Portland Metropolitan Area Local Government Boundary Commission (Boundary Commission) has approved Boundary Change Proposal No. 2606 which annexed the St. Francis of Assisi property to Wilsonville; and

WHEREAS, the Planning Commission finds that it is necessary and appropriate to apply the proper land use and zone designations to the subject property in accordance with state law and the statewide planning goals; and

WHEREAS, the Commission held a public hearing regarding this matter on November 13, 1989, at which time the Commission reviewed the Staff Report, accepted public testimony, and duly considered the subject.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Wilsonville recommends that the annexed property be designated as "Public" on the Comprehensive Plan Map, except for the undeveloped drainageway which shall be designated as "Primary Open Space" as shown on the attached map, Exhibit A. Additionally, the Planning Commission recommends that the annexed property be designated as Public Facility (PF) on the City's zoning map.

ADOPTED by the Wilsonville Planning Commission at its regularly scheduled meeting held this 13th day of November, 1989, and filed with the City Recorder on November 20, 1989.

*Michael Williams*

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Mike Williams, Chairman  
Planning Commission

Attest:

*Judith F. Wilson*

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**BEFORE THE CITY COUNCIL  
OF THE CITY OF WILSONVILLE**

In the Matter of the )  
Comprehensive Plan and )  
Zone Designations for St. )  
Francis of Assisi Episcopal )  
Church )

St. Francis of Assisi (88PC31)

Adoption of Findings

**I. Basic Findings About the Subject Property and Surrounding Area**

**A. Location**

1. The land that was annexed (the Subject Property), is situated east of and adjoining the Interstate 5 highway and south of and adjoining Miley Road in Clackamas County. It is separated from the City limits of Wilsonville and the UGB by Miley Road.
2. Metro staff amended the Annexation petition to include a portion of Miley Road in the petition so that the Subject Property would be contiguous to the UGB and City limits.

**B. Legal Description**

The Subject Property is Tax Lots 2800 and 2900, Section 26, T3S-R1W, WM, Clackamas County, and the Miley Road right-of-way bounded by Interstate 5 and by the northward extension of the east property line of the Subject Property.

**C. Size, Shape and Physical Characteristics**

1. The Subject Property is an irregularly-shaped parcel about 200 to 500 feet wide (east-west) and about 700 feet deep (north-south). It contains about four acres, including the adjoining Miley Road right-of-way.
2. The Subject Property consists generally of Willamette silt loam soils with slopes of three to eight percent. But the east and south edges of the site are sloped more than 15%, and end along a creek situated 40 feet or more below the developable area of the site. These steep slopes are heavily vegetated. Steep creekside slopes on the Subject Property will be designated as open space and protected from development. The remainder of the site contains a mix of landscaping and natural vegetation around developed areas.



D. Plan Designation and Zoning

The Subject Property and adjoining land to the east, south and west are designated Agricultural on the Clackamas County Comprehensive Plan Map and are zoned GAD (General Agricultural District). Property to the north, across Miley Road is designated Residential and zoned Planned Development Residential on the City's Comprehensive Plan and zoning maps.

E. Existing and Proposed Uses

1. The Subject Property is developed with a church, an historic schoolhouse, and a parking lot and associated vehicle maneuvering area. The Subject Property contains the only Episcopal church in the Wilsonville area. In addition to being used for religious worship and instruction, the Subject Property is used for a variety of social services for the Wilsonville community. For instance, the church parking lot is used as a Tri-Met Park and Ride lot; the parish hall accommodates meetings of Alcoholics Anonymous for the Wilsonville area; and several political and social service groups meet in the church. It, therefore, provides a center for social services in the Wilsonville area. A site for similar services is not located conveniently nearby.
2. Existing use and development was reviewed and approved by Clackamas County. In 1982, the County approved a Conditional Use Permit (file 913-81-C) to allow use of the existing building on the site for a church and accessory uses. In 1983, the County approved a design review plan (file 613-82-D, Phase I) and a Building Permit authorizing development of a church building. In 1986, the County approved a Variance (file 59-86-V) allowing relocation of an existing building to within five feet of a rear property line. In 1988, the County approved a design review plan for expansion of the church building and accessory facilities. While nonfarm use of land in the GAD district generally is not allowed, because it is an exclusive farm use zone, ORS 215.213(1)(b) allows a church in such a zone, and Clackamas County land use regulations allow a church in the GAD zone as a conditional use.
3. The majority of the developable area of the site is built on, and no further development is planned on the Subject Property, except connection to the public water system, whether or not the petition is granted. A petition for annexation has been approved by the City and forwarded to the Portland Metropolitan Area Local Government Boundary Commission for appropriate action. The Boundary Commission approved the proposed annexation in April, 1989.

F. Surrounding Uses

The 58-acre parcel south and east of the Subject Property is used for agriculture. The adjoining land to the west is the I-5 freeway. Adjoining property to the north, across Miley Road, is to be developed for residential purposes as a part of the Charbonneau development to be known as SpringRidge.

G. Public Services and Facilities

1. Sewer. The Subject Property is served by a public sewer which extends north-south along the west edge of the church property between the Wilsonville sewer treatment plant and a "rest stop" about a quarter-mile south along I-5. The sewer system plant has unused capacity of about fifty percent. Extraterritorial sewer service to the church was authorized in 1983 by the PMALGBC and connection was made in 1988.
2. Water. The existing church is served by a private well which is approved as a community water system, including an on-site underground reservoir. The nearest public water line is situated about one-half mile north of the Subject Property at the intersection of I-5 and the ramp to Charbonneau. The petitioner plans to connect to the public water system when the land to the north across Miley Road is developed. Development of the land across Miley Road to the north will include a looped water system that has capacity for service to the Subject Property.
3. Storm Drainage. The Subject Property is not served by an improved public storm water drainage system, other than roadside ditches and the adjoining creek. Storm water drains generally from the Subject Property to the creek to the east and south.
4. Transportation. The Subject Property abuts Miley Road, a rural public street with a 20-foot wide paved surface between gravel shoulders. It adjoins Exit 282B from I-5; the exit ramp is north-northwest of the Subject Property. It is not within one-quarter mile of a regional transit corridor designated by Metro, although the Subject Property does contain a Park and Ride Lot and is served by Tri-Met.
5. Fire Protection. The Subject Property was in the Aurora Rural Fire Protection District and received service from that district. Now that the property is annexed, it is served by the Consolidated Fire Protection District. An on-site underground reservoir provides adequate water for fire-fighting purposes, and can augment public water supplies after the Subject Property is annexed to Wilsonville and connects to its water system.
6. Schools. The Subject Property is in Canby High School District no.1 and Elementary School District No. 86. Granting the petition would not affect school services, because the site is not used for a residential purpose. No change in school district boundaries are planned or reasonably expected as a result of granting the petition.

II. Applicable Approval Standards

A. Comprehensive Plan Amendment Standards

1. The proposed amendment is in conformance with the text portions of the Plan not being considered for amendment.

- A. Planning staff has reviewed the Comprehensive Plan text and has not found any conflict between the proposed amendment and the plan text. As of this hearing date, no objector, nor any other party, has identified any conflict between the Comprehensive Plan and this amendment.
2. The granting of the amendment is in the public interest.
  - A. The City needs to plan and zone the property in accordance with state law and the statewide planning goals. It is in the public interest to do so in a timely fashion as soon as the property is annexed and the Urban Growth Boundary amendment has been granted.
3. The public interest is best served by granting the amendment at this time.
  - A. As stated in Finding 2 above, the Commission and Council find that it is appropriate to grant the amendment upon annexation of the Subject Property. The public interest would not be served by a delay in granting this amendment.
4. The factors in ORS 227 were consciously considered. These factors include the various characteristics of the areas in the City; the suitability of the various areas for particular land uses and improvements; the land uses and improvements in the areas, 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.
  - A. Water. The site is served by an approved community water system. This service is adequate to accommodate the needs of the church; therefore, water can be provided to the site in a timely and efficient manner. The public water system to be developed north of the site provides an alternative means of water service that can be extended to the site in a timely and efficient manner. Inclusion of the Subject Property in the UGB allows it to be connected to the public water system to the north, facilitating its development and more efficient use.
  - B. Sewer. The site is served by a public sewer system with capacity to accommodate it. Therefore, the site can be served by sewers in a timely and efficient manner. Inclusion of the Subject Property in the UGB has no effect on the efficient delivery of sewer services inside the UGB.
  - C. Storm drainage. Storm water from the site drains into the adjoining creek. The creek provides a timely and efficient route for that water. Including the Subject Property in the UGB does not affect the efficiency or availability of storm drainage in the vicinity.
  - D. Transportation. The site adjoins Miley Road. That road has capacity to serve traffic from the church, and has convenient access to the region from I-5 and I-205. Inclusion of the Subject Property in

the UGB facilitates its use as a Park and Ride facility and increasing the efficiency of Miley Road by using some of the capacity of that road.

- E. Fire Protection. The Consolidated and Aurora Rural Fire Protection Districts serve the vicinity. Miley Road is the dividing line between these districts. The Aurora District serves the area south of Miley Road, and the Consolidated District serves the area north of the road. The Willamette River used to be the dividing line between the district service areas, but the dividing line was moved when Charbonneau was created. The two fire districts have mutual aid agreements to help one another with emergency services near their common boundary. At this time, the Consolidated District serves the site.
- F. Schools. Granting the amendment will not affect school services, because the subject site is not used for residences.
- G. Granting the amendment would be consistent with promoting the maximum efficiency of land uses by classifying as urban a site that is fully developed with an urban use. Thereafter the site can be regulated as such, rather than trying to continue to force it into being a square peg in a round hold. The adjoining land is developed or approved for development consistent with its applicable plan map designation and zoning. Because the use on the Subject Property provides social services to the adjoining urban community, it facilitates development and stability of that community.
- H. Granting the amendment will provide land use stability for the use of the Subject Property, and therefore facilitates the continued delivery of social services by that use. The Subject Property supports a variety of social services, including a Park and Ride Lot, counseling, group meeting facilities, and political and social consciousness activities. The majority of the users of the Subject Property are residents of Wilsonville. Including the Subject Property in the UGB helps cement that relationship. Granting the petition does not have environmental, energy or economic consequences.

### III. ADDITIONAL FINDINGS AND RECOMMENDATION

The Planning Commission recommends, based on the evidence and findings, that the St. Francis of Assisi property be designated as "Public" and "Primary Open Space" on the Wilsonville Comprehensive Plan Map (see attached Exhibit for Plan designation).

Additionally, the Planning Commission recommends that the City Council designate the Subject Property as "Public Facility" on the City's zoning map. This zone designation would permit the existing use of the property as a permitted use and is a proper designation to implement the proposed Comprehensive Plan designation.

# ST. FRANCIS of ASSISI

## 88PC31

INTERSTATE HWY

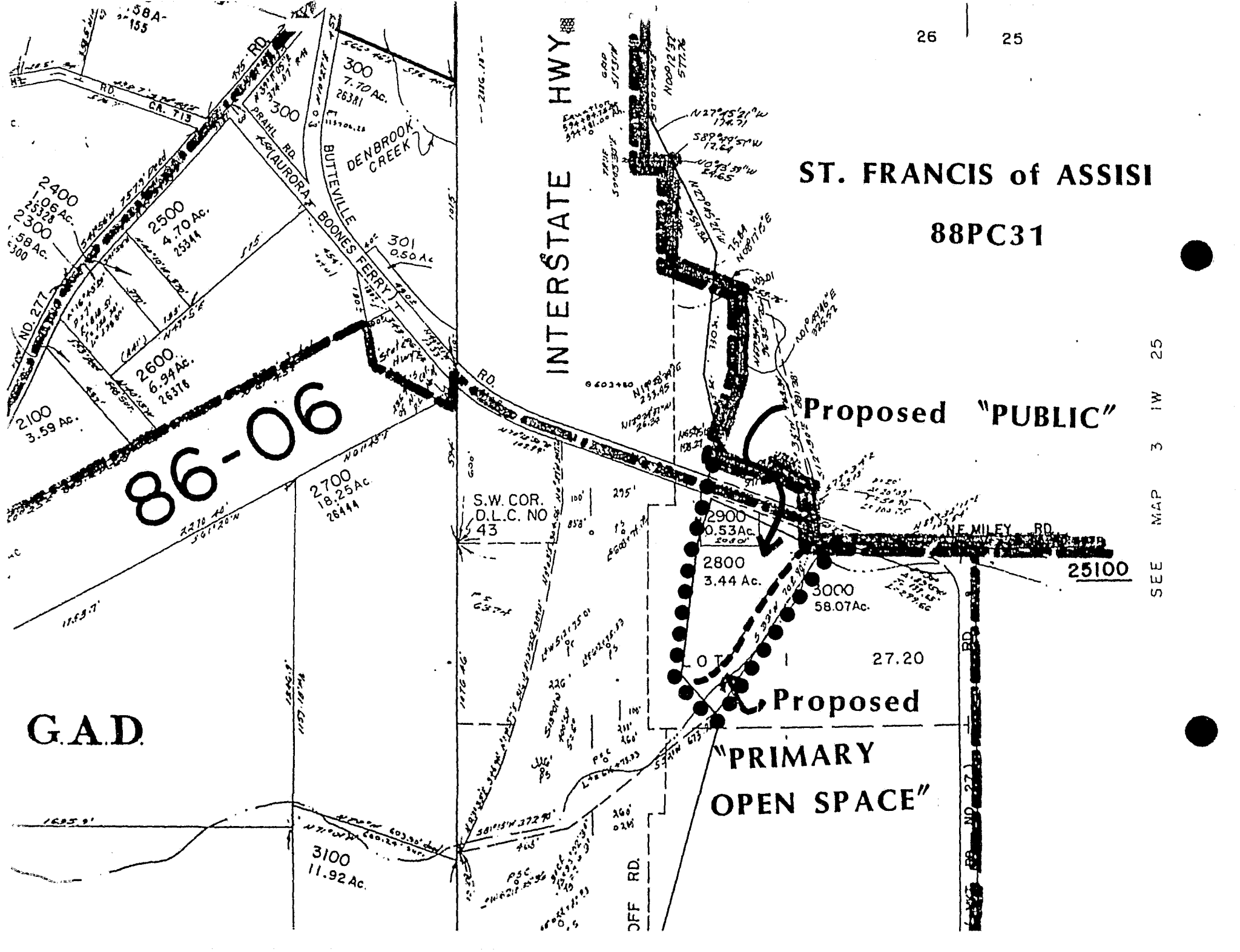
Proposed "PUBLIC"

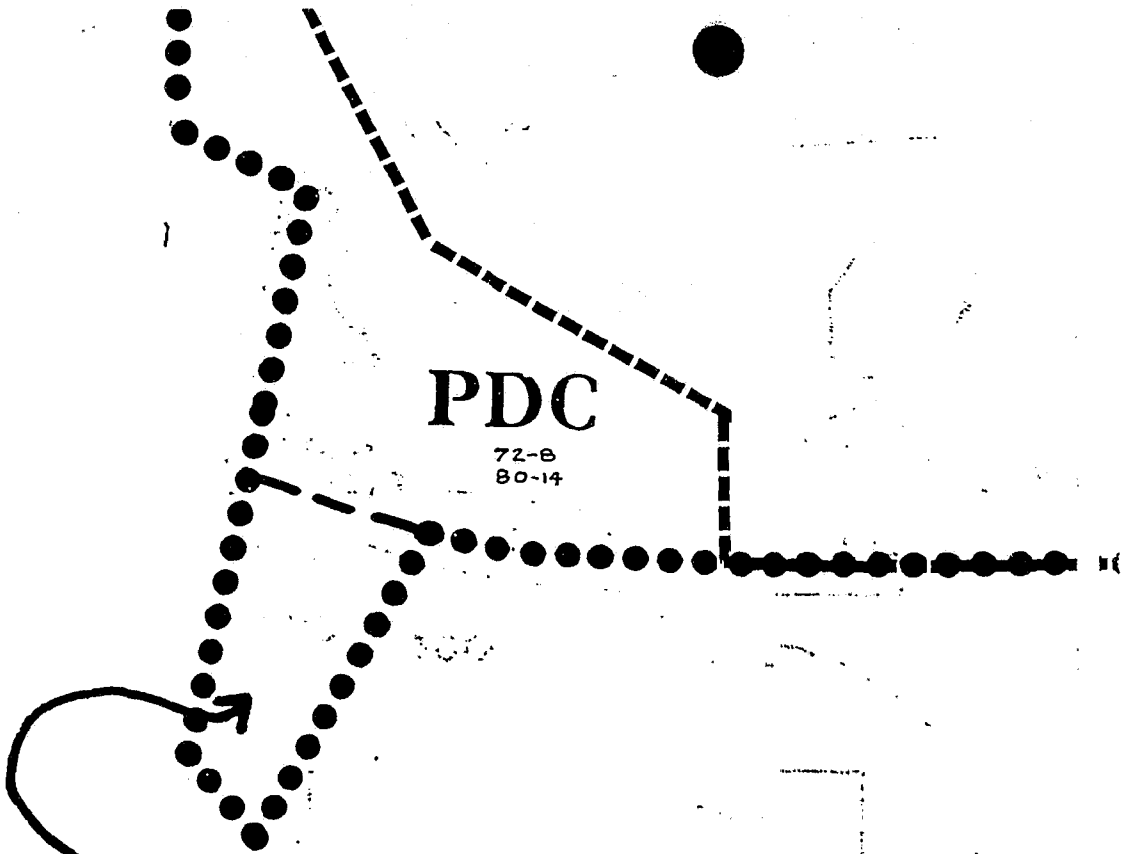
Proposed "PRIMARY OPEN SPACE"

# 86-06

### G.A.D.

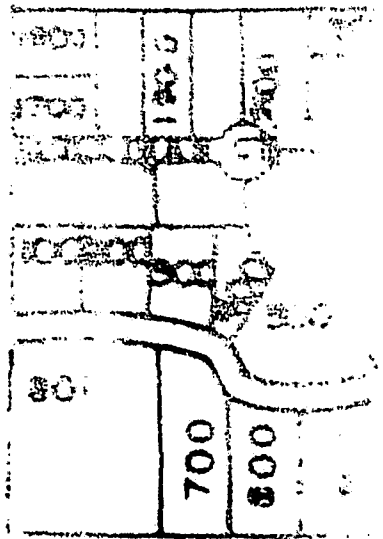
SEE MAP 3 1W 25





Proposed  
"PUBLIC FACILITY"

3100



ST. FRANCIS  
of ASSISI

88PC31

REVISED

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- 8-80
- 1-81
- 5-81
- 9-81
- 3-82
- 4-82 - ROB
- 6-17-82 ROB
- 4-28-82 ROB
- 6-27-89 R6
- 10-89 R6

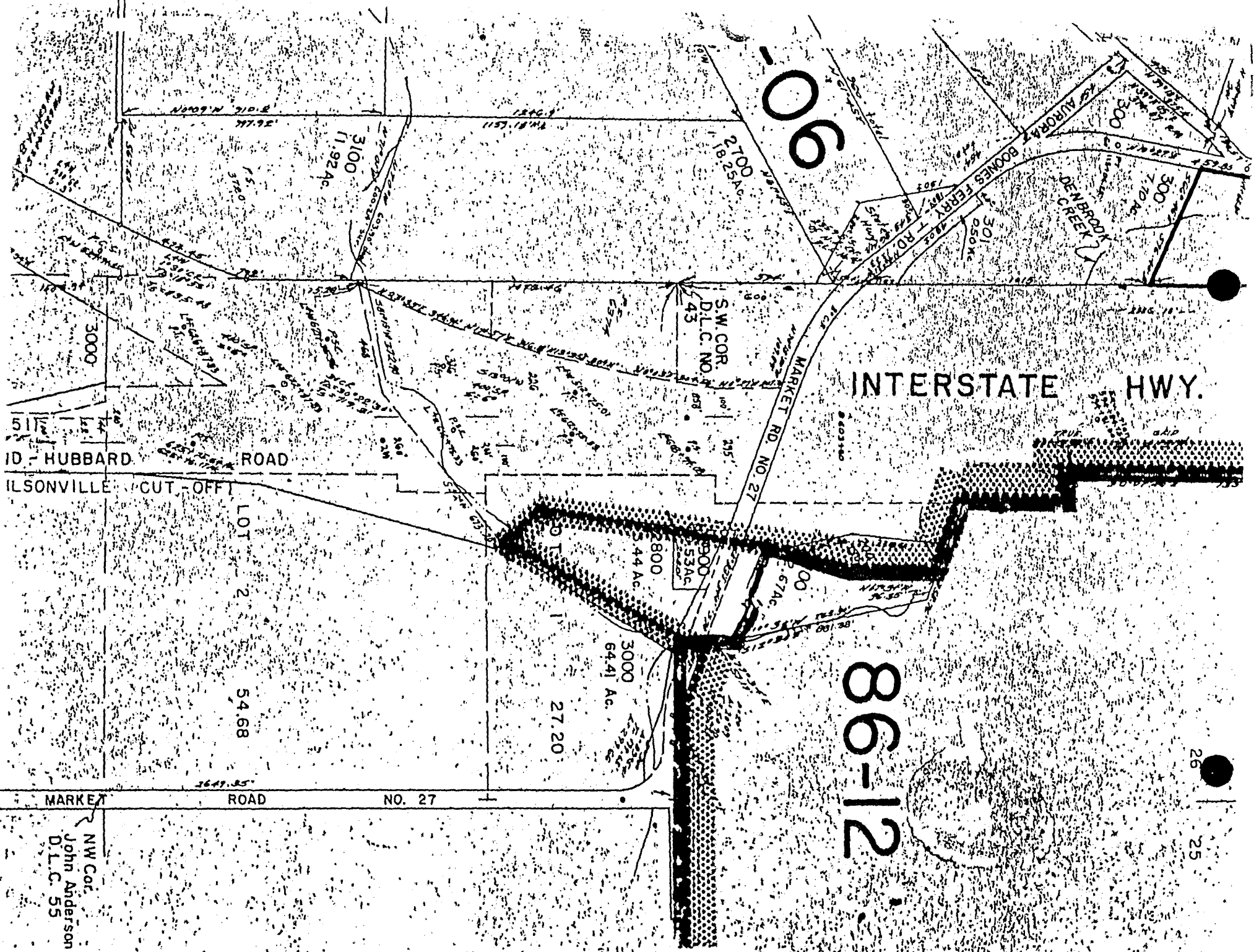
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29, 1980

06

INTERSTATE HWY.

86-12



ID - HUBBARD ROAD  
ILSONVILLE CUT-OFF

MARKET ROAD NO. 27

NW Cor.  
John Anderson  
D.L.C. 55

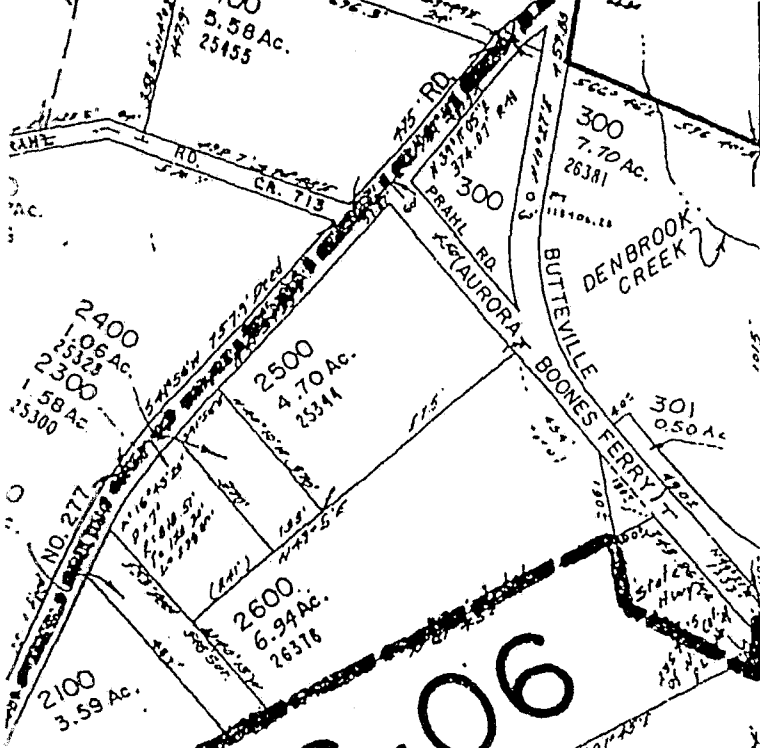
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# ST. FRANCIS of ASSISI 88PC31

INTERSTATE HWY.

Proposed "PUBLIC"

Proposed  
"PRIMARY  
OPEN SPACE"



## 86-06

### G.A.D.

2700  
18.25 Ac.  
26444

S.W. COR.  
D.L.C. NO  
43

2900  
0.53 Ac.  
26200

2800  
3.44 Ac.

3000  
58.07 Ac.

27.20

3100  
11.92 Ac.

OFF RD.

25100

25  
3  
IW  
25



EXCERPT FROM PLANNING COMMISSION MINUTES OF  
NOVEMBER 13, 1989:

**St. Francis of Assisi - Comprehensive Plan Map change from  
Clackamas County's Agricultural to City's Public Land/  
Primary Open Space**

Wayne Sorensen presented the request from St. Francis of Assisi for a Comprehensive Plan Amendment and Zone Change. He noted that Father Cummins filed an application with the City on August 10, 1988. He also filed an application with the Portland Metropolitan Service District (Metro) requesting an amendment of the Urban Growth Boundary.

Metro adopted a Resolution and stated they would approve the proposed UGB amendment once the property was annexed to the City.

The City initiated annexation on March 6, 1989. Metro adopted a Final Order on April 6, 1989.

Now that the property has been annexed to the City and Metro has formally amended the UGB, it is appropriate for the City to apply the proper land use plan designations and zoning. The Planning Commission needs to forward a recommendation to the City Council.

Sorensen stated he was recommending that the natural drainageway located on the eastern portion of the property be designated as Primary Open Space and the developed area of the property be designated as Public. Also, if the property is designated as a Public Facility zone, the church and accessory buildings will be an outright permitted use in the PF zone.

Sorensen noted there was no opposition to the request.

Lew Hendershott noted at the top of page 2, item D, the staff report states that the property across Miley Road is designated Commercial and zoned Planned Development Residential. Sorensen noted he was correct and this should be changed to Planned Development Commercial zoning in the Staff Report.

Chairman Williams opened the public hearing and asked for opponents or proponents. Hearing none, he closed the public hearing.

Arland Andersen moved to adopt the findings prepared by staff with the change that the property to the north of Miley Road is designated Commercial and zoned PDC; and to adopt the Resolution designating the property as Public and Primary Open Space on the Plan Map and recommending that the property be designated as a Public Facility on the Zoning Map. Mike Williams seconded the motion which passed 6-0.