

Ordinance No. 871

An Ordinance Of The City Of Wilsonville Amending The Comprehensive Plan Text And Areas Of Special Concern Map To Adopt Airport Good-Nighbor Policies And Designate The Aurora State Airport And Surrounding Properties As An Area Of Special Concern.

WHEREAS, the Aurora Airport is located in Marion County only 1.6 miles south of the Wilsonville City Limits and the airport flight path is over Wilsonville with the closest neighborhood impacted by the Airport being Charbonneau; and

WHEREAS, State law requires intergovernmental coordination between state agencies and affected jurisdictions on land use issues; and

WHEREAS, the City's Urban Growth Management Agreement with Clackamas County has included reference to the Airport as an area of interest to the City and County since 1991; and

WHEREAS, as part of a previous airport master planning process beginning in 2009, Clackamas County and the City of Wilsonville made joint requests to participate with other impacted jurisdictions via an intergovernmental agreement (IGA) to plan for growth and development at the airport, and both entities were included on the Planning Advisory Committee; and

WHEREAS, a similar, new airport master planning process is underway now, which could propose a runway expansion to accommodate larger aircraft; and

WHEREAS, the Airport's current operations and planned future growth have both positive and negative impacts to residents and businesses in the City of Wilsonville; and

WHEREAS, since the City is an affected jurisdiction, it is important to articulate the relevant land use issues in local adopted policy for purposes of intergovernmental coordination and standing in State law; and

WHEREAS, the City's Comprehensive Plan includes Section F, Areas of Special Concern, intended to "include specific language describing special considerations that must be addressed in development of these areas," which guides the City when participating in planning efforts and development review in these Areas, where development of them could impact the City; and

WHEREAS, the Aurora Airport is outside the City limits but affects the Wilsonville community, and planning and development proposed at and near the Airport requires special

consideration for its potential impacts to the City of Wilsonville, making it suitable to be designated as an Area of Special Concern; and

WHEREAS, from October 2021 to November 2022, the Wilsonville Planning Commission and City Council each held three work sessions, two online public open houses were held, a survey and stakeholder interviews conducted to gather public input; and

WHEREAS, that process captured the impacts of existing Airport operations, and potential impacts from Airport-related development in the vicinity of the Airport, to public infrastructure and services, natural and environmental systems, and health and well-being of local residents and businesses; and

WHEREAS, the articulation of these special considerations through Area of Special Concern O in the Comprehensive Plan, will guide the City's participation in planning efforts led by other agencies and the City's review of development proposals in the Area, giving the City an opportunity to advocate for those considerations to be appropriately addressed; and

WHEREAS, the Area of Special Concern O boundary is focused on the Airport and vicinity, and the language addresses the land use related impacts to the entire City from the Airport operations, growth, development, and intensification of use in the Area; and

WHEREAS, the Planning Commission of the City has the authority to review and make recommendations to the City Council regarding legislative changes to the Comprehensive Plan pursuant to Sections 2.322 and 4.032 of the Wilsonville Code ("WC"); and

WHEREAS, the Planning Director submitted a Staff Report and Findings, in accordance with the public hearing and notice procedures that are set forth in WC Sections 4.008, 4.012, 4.015, and 4.198; and

WHEREAS, following the timely mailing, posting, and publication in the Wilsonville Spokesman, Canby Herald, and Woodburn Independent, of the required notice, the Planning Commission conducted a public hearing on November 16, 2022, to review the proposed Comprehensive Plan Amendments, and to gather additional testimony and evidence regarding the proposed Amendments, and thereafter deliberated and voted unanimously to approve Resolution No. LP22-0003 recommending adoption to the City Council; and

WHEREAS, a copy of the record of the aforementioned Planning Commission action and recommendation is marked Exhibit B, attached and incorporated herein; and

WHEREAS, following the Planning Commission public hearing, the Wilsonville Planning Director forwarded the recommended Comprehensive Plan Amendments to the City Council, along with a staff report and attachments, in accordance with the public hearing and notice procedures that are set forth in WC Sections 4.008, 4.011, 4.012, and 4.198; and

WHEREAS, the City Council, after Public Hearing Notices were mailed and posted in three locations throughout the City and on the City website, held a public hearing on December 5, 2022, to review the proposed Airport Good Neighbor Policies and Wilsonville Comprehensive Plan Text and Areas of Special Concern Map Amendments, and to gather additional testimony and evidence regarding the proposal; and

WHEREAS, the City Council has afforded all interested parties an opportunity to be heard on this subject and has entered all available evidence and testimony into the public record of their proceeding; and

WHEREAS, the City Council has duly considered the subject, including the Planning Commission recommendations and all the exhibits and testimony introduced and offered by all interested parties.

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

Section 1. Findings. The above-recited findings are adopted and incorporated by reference herein as findings and conclusions of Resolution No. LP22-0003 (Exhibit B). The City Council further finds and concludes that the adoption of the proposed Wilsonville Comprehensive Plan Text and Areas of Special Concern Map Amendments are necessary to help protect the public health, safety, and welfare of the municipality.

Section 2. Determination. Based on such findings, the City Council hereby adopts the Wilsonville Comprehensive Plan Text and Areas of Special Concern Map Amendments to adopt the Airport Good-Neighbor Policies as Area of Special Concern O, attached hereto and marked as Exhibit A, incorporated

by reference as if fully set forth herein. The City Recorder is hereby directed to prepare final Wilsonville Comprehensive Plan formatting to make sure such style and conforming changes match the format and style of the Comprehensive Plan.

Section 3. Effective Date. This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED by the Wilsonville City Council at a regular meeting thereof this 5th day of December, 2022, and scheduled the second reading on December 19, 2022 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 19th day of December 2022, by the following votes:

Yes: 5 No: 0

DocuSigned by:
Kimberly Veliz
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Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 19th day of December 2022.

DocuSigned by:
Julie Fitzgerald
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JULIE FITZGERALD MAYOR

SUMMARY OF VOTES:

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

EXHIBITS:

- A. Wilsonville Comprehensive Plan Area of Special Concern O Text and Map
- B. Resolution No. LP22-0003 Planning Commission Record