

ORDINANCE NO. 855

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE CLACKAMAS COUNTY RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) ZONE TO THE RESIDENTIAL NEIGHBORHOOD (RN) ZONE ON APPROXIMATELY 8.46 ACRES ON THE WEST SIDE OF SW STAFFORD ROAD NORTH OF SW FROG POND LANE; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 100, 300 AND 302, SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. VENTURE PROPERTIES, INC., APPLICANT.

WHEREAS, certain real property within the Frog Pond West Master Plan is being annexed into the City; and

WHEREAS, the City of Wilsonville desires to have the properties zoned consistent with their Wilsonville Comprehensive Plan Map designation of “Residential Neighborhood” rather than maintain the current Clackamas County zoning designations; and

WHEREAS, concurrent with the adoption of the Frog Pond West Master Plan and designating the subject property as “Residential Neighborhood” in the Comprehensive Plan Map, the City added a new zoning district Residential Neighborhood (RN) intended for application to the Master Plan area; and

WHEREAS, the Zone Map Amendment is contingent on annexation of the property to the City of Wilsonville, which annexation has been petitioned for concurrently with the Zone Map Amendment request; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on February 14, 2022; and

WHEREAS, the Development Review Board Panel 'A' held a duly advertised public hearing on the application for a Zone Map Amendment on February 14, 2022, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 399 which recommends City Council approval of the Zone Map Amendment request (Case File DB21-0037), adopts the staff report with findings and recommendation, all as placed on the record at the hearing; and

WHEREAS, on February 24, 2022, 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, including the Development Review Board 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:

1. FINDINGS.

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

2. DETERMINATION.

The official City of Wilsonville Zone Map is hereby amended, upon finalization of the annexation of the property to the City, by Zoning Order DB21-0037, attached hereto as Exhibit A, from the Clackamas County Rural Residential Farm Forest 5 (RRFF5) Zone to the Residential Neighborhood (RN) Zone.

3. EFFECTIVE DATE OF ORDINANCE.

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

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 24th day of February 2022, and scheduled the second reading on March 7th, 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
E781DE10276B498

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 7th day of March 2022, by the following votes:

Yes: 5

No: 0

DocuSigned by:
Kimberly Veliz
E781DE10276B498...

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 7th day of March, 2022

DocuSigned by:
Julie Fitzgerald
8A974AF3ADE042E...

Julie Fitzgerald, Mayor

SUMMARY OF VOTES:

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

EXHIBITS:

- A. Zoning Order DB21-0037 Including Legal Description and Sketch Depicting Zone Map Amendment
- B. Zone Map Amendment Findings
- C. Development Review Board Panel A Resolution No. 399 Recommending Approval of Zone Map Amendment

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

In the Matter of the Application of)
Venture Properties, Inc.)
for a Rezoning of Land and Amendment) **ZONING ORDER DB21-0037**
of the 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 DB21-0037, 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 Clackamas County zoning map Rural Residential Farm Forest 5 (RRFF5).

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

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 8.46 acres on the on the west side of SW Stafford Road north of SW Frog Pond Lane comprising Tax Lots 100, 300 and 302, of Section 12D, as more particularly shown and described in the attached legal description and sketch, is hereby rezoned to Residential Neighborhood (RN), 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 7th day of March, 2022.

DocuSigned by:
Julie Fitzgerald
8A974AF3ADE042E...

JULIE FITZGERALD, MAYOR

APPROVED AS TO FORM:

DocuSigned by:
Barbara Jacobson
16DD0C3C7D25431...

Barbara A. Jacobson, City Attorney

ATTEST:

DocuSigned by:
Kimberly Veliz
E781DE10276B498

Kimberly Veliz, City Recorder

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

**BEFORE THE CITY COUNCIL OF
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Dated: This 7th day of March,
2022.

JULIE FITZGERALD, MAYOR

APPROVED AS TO FORM:

Barbara A. Jacobson, City Attorney

ATTEST:

Kimberly Veliz, City Recorder

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



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 | www.aks-eng.com

AKS Job #5252

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

Zone Change Description

A tract of land located in the Southeast One-Quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Beginning at the southeast corner of Parcel II of Partition Plat 1991-043, Clackamas County Plat Records, also being on the west right-of-way line of Stafford Road (30.00 feet from centerline); thence along said west right-of-way line, South 01°40'07" West 658.82 feet to the northeast corner of Document Number 2015-020686, Clackamas County Deed Records; thence along the north line of said deed, North 88°35'24" West 365.01 feet to the northwest corner thereof; thence along the west line of said deed, South 01°41'37" West 241.00 feet to the north right-of-way line of Frogpond Lane and the City of Wilsonville city limits line; thence along said north right-of-way line and said city limits line, North 88°35'24" West 142.58 feet to the southeast corner of Document Number 2018-044491, Clackamas County Deed Records; thence leaving said city limits line along the east line of said deed, North 01°40'07" East 897.83 feet to the south line of said Parcel II; thence along said south line, South 88°48'53" East 507.71 feet to the Point of Beginning.

The above described tract of land contains 8.46 acres, more or less.

Bearings for this description are based on State Plane Grid bearing, Oregon State Plane, North Zone 3601, NAD83(2011) Epoch: 2010.0000. Distances shown are International Foot ground values.

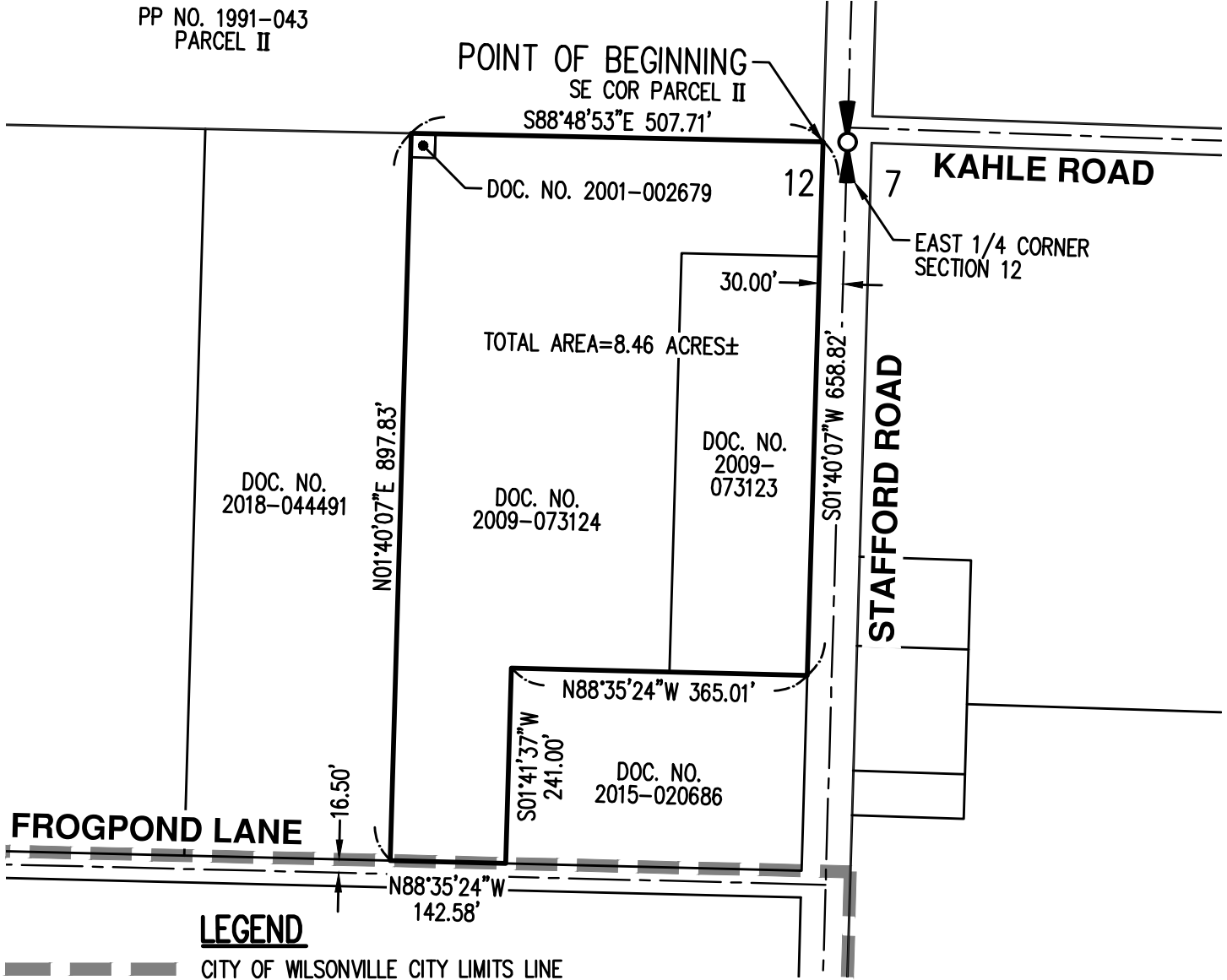
12/7/2021



RENEWS: 12/31/22

EXHIBIT B

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 12,
TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
CLACKAMAS COUNTY, OREGON



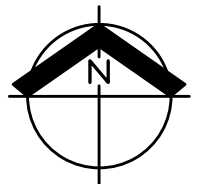
12/7/2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

PREPARED FOR

VENTURE PROPERTIES, INC.
4230 SW GALEWOOD STREET, SUITE 100
LAKE OSWEGO, OR 97035

SCALE: 1" = 200 FEET



[Signature]

OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS

RENEWS: 12/31/22

ZONING CHANGE MAP

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



EXHIBIT
B

DRWN: WCB
CHKD: RDR

AKS JOB:
5252



Ordinance No. 855 Exhibit B
Zone Map Amendment Findings

Frog Pond Crossing 29-Lot Subdivision

City Council
Quasi-Judicial Public Hearing

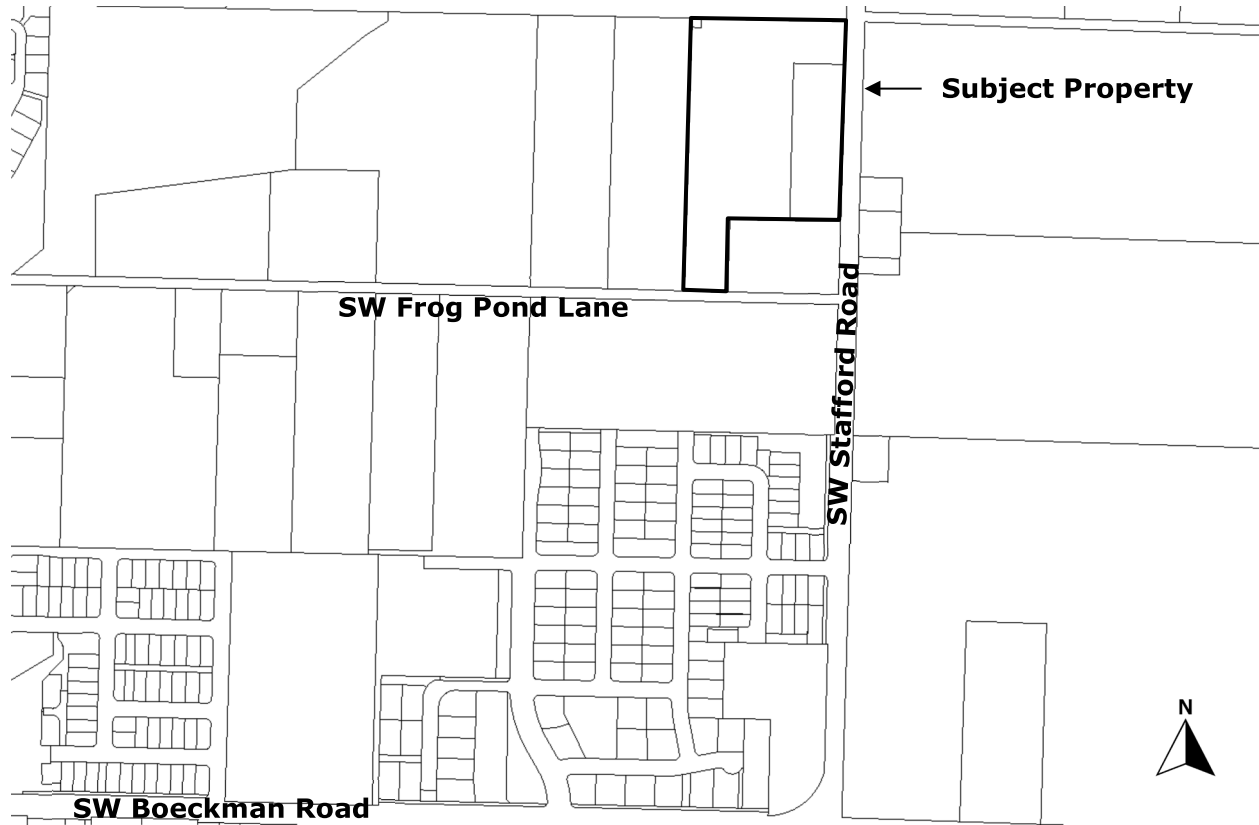
Hearing Date:	February 24, 2022
Date of Report:	February 14, 2022

Application No.:	DB21-0037 Zone Map Amendment
Request:	The request before the City Council is a Zone Map Amendment for approximately 8.46 acres.
Location:	27227 SW Stafford Road. The property is specifically known as TLID 100, 300, and 302, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.
Owners:	Chaney Paul C Co-Trustee
Applicant:	Venture Properties, Inc. (Contact: Kelly Ritz)
Applicant's Rep.:	AKS Engineering & Forestry, LLC. (Contact: Mimi Doukas, AICP, RLA)
Comprehensive Plan Designation:	Residential Neighborhood
Zone Map Classification (Current):	RRFF 5 (Rural Residential Farm Forest 5-Acre)
Zone Map Classification (Proposed):	RN (Residential Neighborhood)
Staff Reviewers:	Philip Bradford, Associate Planner
Staff/DRB Recommendation:	<u>Adopt</u> the requested Zone Map Amendment.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.110	Zones
Section 4.127	Residential Neighborhood (RN) Zone
Section 4.197	Zone Changes
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<u>Regional and State Law and Planning Documents</u>	
Statewide Planning Goals	

Vicinity Map



Summary:

Zone Map Amendment (DB21-0037)

Concurrent with the adoption of the Frog Pond West Master Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The applicant proposes applying the RN Zone to the subject property consistent with this intention.

Conclusion and Conditions of Approval:

Staff and the Development Review Board recommend approval with the following condition:

Request: DB21-0037 Zone Map Amendment

This action is contingent upon annexation of the subject properties to the City of Wilsonville (DB21-0036).

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 City's processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application
Section 4.009

The owners of all property included in the application signed the application forms. Venture Properties, Inc. initiated the application with their approval.

Request: DB21-0037 Zone Map Amendment

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Comprehensive Plan

“Residential Neighborhood” on Comprehensive Plan Map, Purpose of “Residential Neighborhood” Designation

Policy 4.1.7.a.

B1. The subject area has a Comprehensive Plan Map Designation of “Residential Neighborhood”. The designation enables development of the site consistent with the purpose of this designation as set forth in the legislatively adopted Frog Pond West Master Plan, resulting in an attractive, cohesive and connected residential neighborhood with high quality architecture and community design, transportation choices, and preserved and enhanced natural resources.

“Residential Neighborhood” Zone Applied Consistent with Comprehensive Plan Implementation Measure 4.1.7.c.

B2. The applicant requests the subject area receive the zoning designation of Residential Neighborhood (RN) as required for areas with the Comprehensive Plan Map Designation of “Residential Neighborhood”.

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

B3. The proposed RN zoning allows the use of planned developments consistent with the legislatively adopted Frog Pond West Master Plan, enabling development of safe, convenient, healthful, and attractive places to live.

Residential Density

Implementation Measure 4.1.4.u.

B4. The subject area will be zoned RN allowing application of the adopted residential densities of the Frog Pond West Master Plan. The sub-districts established in the Frog Pond West Master Plan govern the allowed residential densities. See also Request C, Stage I Preliminary Plan.

Development Code

Zoning Consistent with Comprehensive Plan Section 4.029

B5. The applicant requests a zone change concurrently with a Stage I Preliminary Plan, Stage II Final Plan, and other related development approvals. The proposed zoning designation of RN is consistent with the Comprehensive Plan “Residential Neighborhood” designation. See also Finding B2 above.

Base Zones

Subsection 4.110 (.01)

B6. The requested zoning designation of RN is among the base zones identified in this subsection.

Residential Neighborhood (RN) Zone

Purpose of the Residential Neighborhood (RN) Zone

Subsection 4.127 (.01)

B7. The request to apply the RN Zone on lands designated “Residential Neighborhood” on the Comprehensive Plan Map enables a planned development process implementing the “Residential Neighborhood” policies and implementation measures of the Comprehensive Plan and the Frog Pond West Master Plan.

Permitted Uses in the Residential Neighborhood (RN) Zone

Subsection 4.127 (.02)

B8. Concurrent with the zone map amendment request the applicant requests approval of a twenty nine (29)-lot residential subdivision. Single-family dwelling units, Duplex, Triplex, Quadplex, Cluster Housing, Cohousing, Cluster Housing (Frog Pond West Master Plan), open space, and public and private parks are among the permitted uses in the RN Zone.

Residential Neighborhood (RN) Zone Sub-districts and Residential Density

Subsection 4.127 (.05) and (.06)

B9. The proposed uses, number of lots, preservation of open space, and general block and street layout are generally consistent with the Frog Pond West Master Plan. Specifically in regards to residential land use lot count, the proposed Stage I area includes portions of medium lot Sub-districts 11 and small lot Sub district 10. The following table summarizes how the proposed residential units in each Sub-district are consistent with the Master Plan recommendations. The configuration of lots as proposed will allow for buildout of these sub-districts consistent with the Master Plan recommendations.

Subdistrict and Land Use Designation	Gross Site Area (ac)	Percent of Sub-district	Established DU range for Sub-district	DU Range for Site	Proposed DU	Total DU within Sub-district - Approved and Proposed
10 – R-5	.8	14%	30-38	4-5	5	0 Approved 5 Proposed 5 Total
11 – R-7	5.2	41%	46-58	19-24	24	0 Approved 24 Proposed 24 Total
Total	6			23-29	29	

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 399**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF AN ANNEXATION OF APPROXIMATELY 9.74 ACRES AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) FOR APPROXIMATELY 8.46 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF STAFFORD ROAD NORTH OF SW FROG POND LANE, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, WAIVER TO OPEN SPACE LOCATION AND WAIVER TO MINIMUM STREET FRONTAGE FOR A 29-LOT RESIDENTIAL SUBDIVISION. THE SUBJECT SITE IS LOCATED AT 27227 SW STAFFORD ROAD ON TAX LOTS 100, 300, AND 302 AND A PORTION OF STAFFORD ROAD RIGHT-OF-WAY, SECTION 12D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. AKS ENGINEERING & FORESTRY, LLC – REPRESENTATIVE FOR VENTURE PROPERTIES, LLC – APPLICANT AND CHANEY PAUL C CO-TRUSTEE – OWNER.

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 February 7, 2022, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on February 14, 2022, 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 February 7, 2022, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB21-0036 through DB21-0044; Annexation, Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Class C Tree Plan, Waiver – Open Space Location, and Waiver – Minimum Street Frontage.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 14th day of February, 2022 and filed with the Planning Administrative Assistant on February 15, 2022. 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)*.



Jean Svadlenka, Chair – Panel A
Wilsonville Development Review Board

Attest:



Shelley White, Planning Administrative Assistant