

**ORDINANCE NO. 897**

**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 9.00 ACRES LOCATED AT 7400 SW FROG POND LANE FOR DEVELOPMENT OF A 28-LOT RESIDENTIAL SUBDIVISION.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted West Hills Land Development LLC – Applicant, for O’Hogan Living Trust – Owner, in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code; and

WHEREAS, the subject site is located at 7400 SW Frog Pond Lane, on Tax Lot 1100, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon; and

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 designation; 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 October 14, 2024; and

WHEREAS, the Development Review Board Panel 'A', on October 14, 2024, opened and, at the applicant's request, continued the public hearing on the Frog Pond Ridgecrest subdivision to a date and time certain of November 14, 2024, at 6:30 p.m.; and

WHEREAS, the Development Review Board Panel 'A', on November 14, 2024, at the applicant's and City staff's request, continued the public hearing on this item for a second time to a date and time certain of December 9, 2024, at 6:30 p.m.; and

WHEREAS, the Development Review Board Panel 'A' held a duly advertised public hearing on the application for a Zone Map Amendment on December 9, 2024, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 438, which adopts the staff report with findings and recommendation, recommending City Council approval of the Zone Map Amendment request (Case File No. ZONE24-0002; see DB24-0008), all as placed on the record at the hearing; and

WHEREAS, on November 18, 2024, the Wilsonville City Council, due to lack of a Development Review Board Recommendation, continued the public hearing on Ordinance No. 897 to a date and time certain of January 6, 2025, at 7:00 p.m.; and

WHEREAS, on January 6, 2025, the 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:

Section 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.

Section 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 ZONE24-0002, attached hereto as Exhibit A, from the Clackamas County Rural Residential Farm Forest 5-Acre (RRFF-5) Zone to the Residential Neighborhood (RN) Zone.

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 and read for the first time at a regular meeting thereof this 6<sup>th</sup> day of January, 2025, and scheduled the second reading on the 23<sup>rd</sup> day of January, 2025, 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 23<sup>rd</sup> day of January, 2025, by the following votes:

Yes: 4          No: 0          Abstain: 1

DocuSigned by:  
*Kimberly Veliz*  
E781DE10276B498...

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 23<sup>rd</sup> day of January, 2025.

Signed by:  
*Shawn O'Neil*  
9FC7B198F01449B...

Shawn O'Neil, Mayor

SUMMARY OF VOTES:

Mayor O'Neil	Yes
Council President Berry	Yes
Councilor Dunwell	Abstain
Councilor Shevlin	Yes
Councilor Cunningham	Yes

EXHIBITS:

- A. Zoning Order ZONE24-0002 Including Legal Description and Sketch Depicting Zone Map Amendment
- B. Zone Map Amendment Findings
- C. Development Review Board Panel 'A' Resolution No. 438 Recommending Approval of Zone Map Amendment

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

In the Matter of the Application of )  
West Hills Land Development LLC, )  
for a Rezoning of Land and Amendment ) **ZONING ORDER ZONE24-0002**  
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 ZONE24-0002, 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-Acre (RRFF-5).

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 9.00 acres located at 7400 SW Frog Pond Lane comprising Tax Lot 1100, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, 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 6<sup>th</sup> day of January, 2025.

Signed by:  
*Shawn O'Neil*  
9FC7B198F01449B...  
SHAWN O'NEIL, MAYOR

APPROVED AS TO FORM:

Signed by:  
*Amanda Guile-Hinman*  
E93085BB8D714D8...  
Amanda Guile-Hinman, City Attorney

ATTEST:

DocuSigned by:  
*Kimberly Veliz*  
E781DE10276B498  
\_\_\_\_\_  
Kimberly Veliz, City Recorder

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



**AKS ENGINEERING & FORESTRY**  
12965 SW Herman Road, Suite 100, Tualatin, OR 97062  
P: (503) 563-6151 F: (503) 563-6152

AKS Job #10411

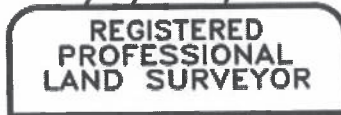
**EXHIBIT A**  
City Annexation

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:

Commencing at the northeast corner of the plat "Morgan Farm No. 2", Plat No. 4610, Clackamas County Plat Records, also being on the north right-of-way line of SW Brisbane Street (11.00 feet from centerline) and the City of Wilsonville city limits line; thence along said north right-of-way line and said city limits line, North 88°36'21" West 30.96 feet to the southeast corner of Document Number 2003-083133, Clackamas County Deed Records, and the Point of Beginning; thence continuing along said north right-of-way line and said city limits line, North 88°36'21" West 508.13 feet to the southwest corner of said Deed; thence along the west line of said Deed and said city limits line, North 01°40'32" East 832.32 feet to the south corner of Book 191, Page 426, Clackamas County Deed Records; thence along the southeast line of said Deed and said city limits line, North 46°32'34" East 36.85 feet to the south right-of-way line of SW Frog Pond Lane (16.50 feet from centerline); thence along said south right-of-way line and said city limits line, South 88°35'24" East 331.55 feet to the northwest corner of Document Number 2018-028153, Clackamas County Deed Records; thence leaving said city limits line along the west line of said Deed, South 01°38'13" West 290.58 feet to the southwest corner of said Deed; thence along the south line of said Deed, South 88°35'24" East 150.00 feet to the southeast corner of said Deed, also being on the east line of said Document Number 2003-083133; thence along said east line, South 01°38'13" West 567.59 feet to the Point of Beginning.

The above described tract of land contains 9.00 acres, more or less.

*6/3/2024*



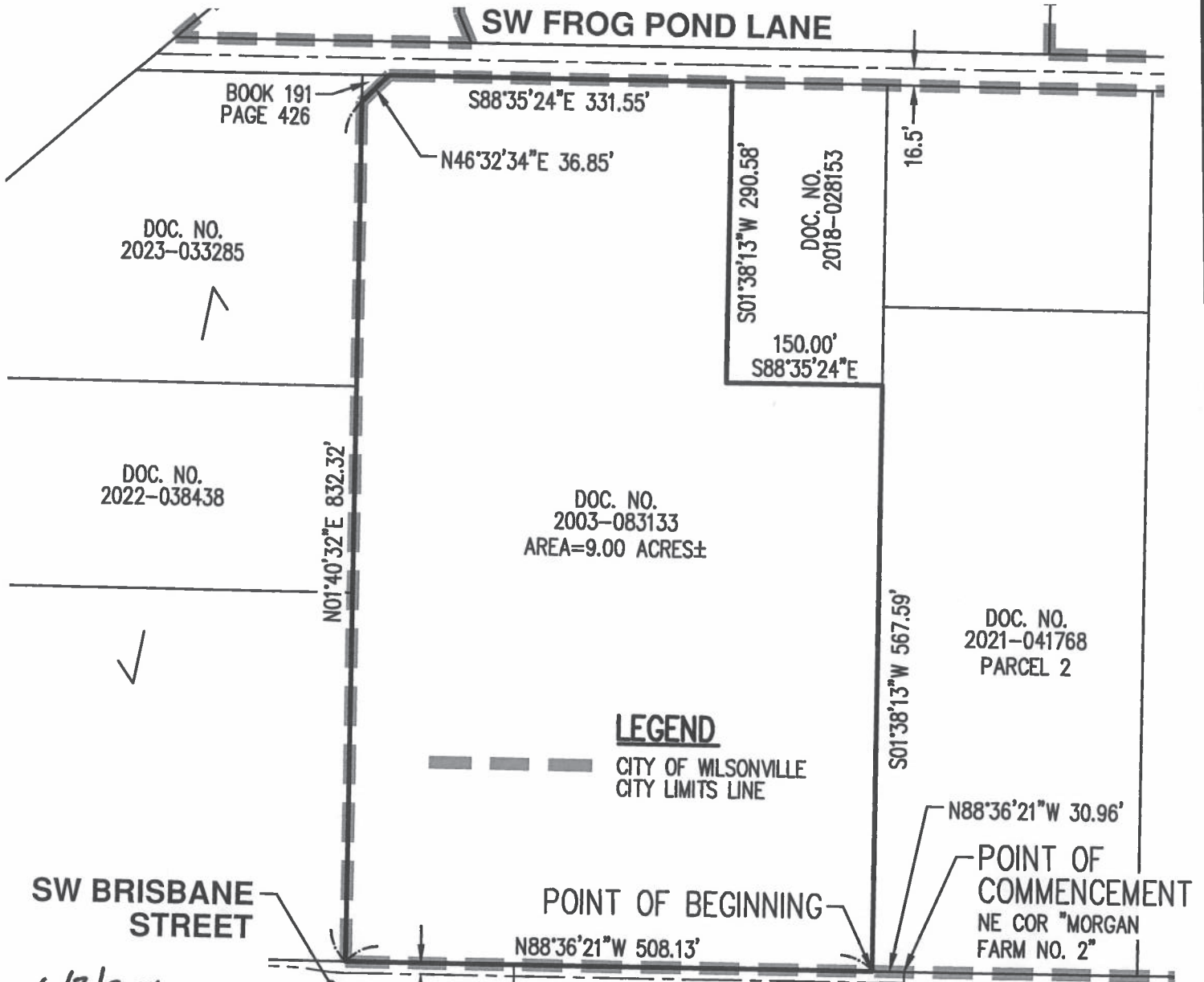
*[Signature]*



RENEWS: 6/30/25

# 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

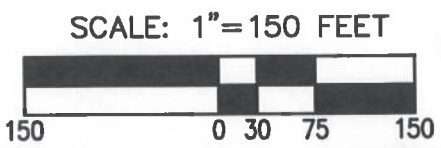


### LEGEND

--- CITY OF WILSONVILLE CITY LIMITS LINE

6/3/2024  
REGISTERED PROFESSIONAL LAND SURVEYOR

*Michael S. Kalina*  
OREGON  
JANUARY 12, 2016  
MICHAEL S. KALINA  
89558PLS  
RENEWS: 6/30/25



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



CITY ANNEXATION

TL 31W12D 01100	
DRWN: WCB	CHKD: MSK
AKS JOB: 10411	EXHIBIT B





Ordinance No. 897 Exhibit B  
Zone Map Amendment Findings

Frog Pond Ridgecrest 28-Lot Subdivision

City Council  
Quasi-Judicial Public Hearing

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<b>Hearing Date:</b>	November 18, 2024
<b>Continued Hearing Date:</b>	January 6, 2025
<b>Date of Report:</b>	December 11, 2024

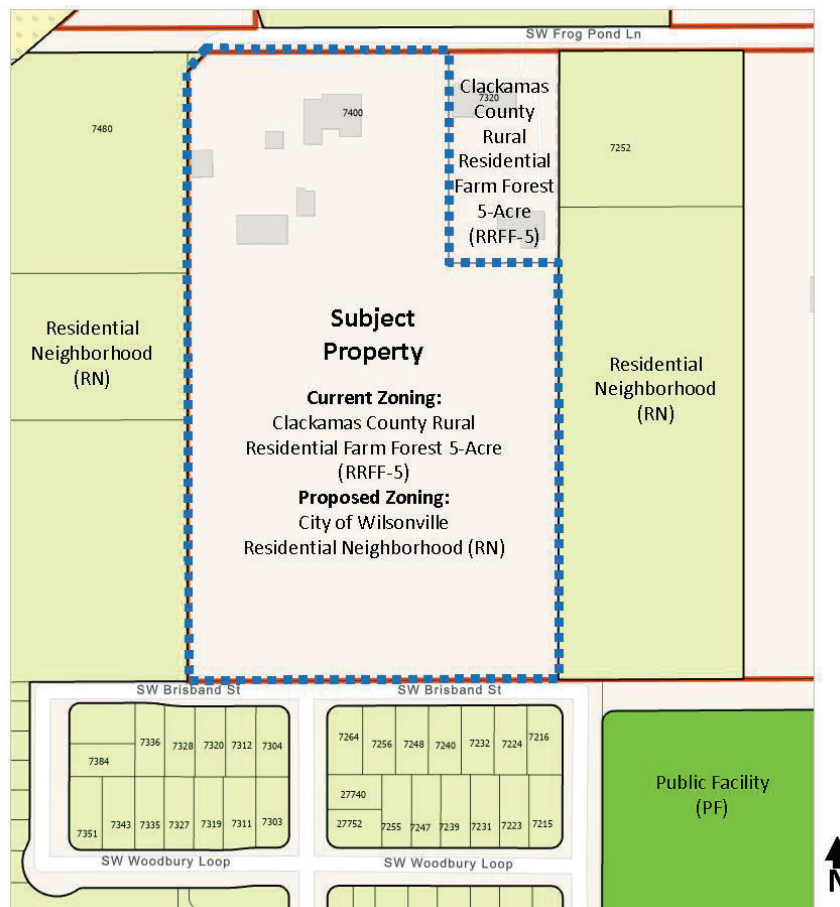
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<b>Application Nos.:</b>	DB24-0008 Frog Pond Ridgecrest Subdivision (ZONE24-0002 Zone Map Amendment)
<b>Request/Summary:</b>	City Council approval of a quasi-judicial Zone Map amendment of approximately 9.00 acres.
<b>Location:</b>	7400 SW Frog Pond Lane. The property is specifically known as Tax Lot 1100, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.
<b>Owner:</b>	O’Hogan Living Trust (Contact: Applicant’s Representative)
<b>Applicant:</b>	West Hills Land Development LLC (Contact: Applicant’s Representative)
<b>Applicant’s Representative:</b>	AKS Engineering & Forestry, LLC (Contact: Glen Southerland, AICP)
<b>Comprehensive Plan Designation:</b>	Residential Neighborhood
<b>Zone Map Classification (Current):</b>	Rural Residential Farm Forest 5-Acre (RRFF-5)
<b>Zone Map Classification (Proposed):</b>	Residential Neighborhood (RN)
<b>Staff Reviewer:</b>	Cindy Luxhoj AICP, Associate Planner
<b>Staff Recommendation:</b>	<u>Adopt</u> the requested Zone Map Amendment.

**Applicable Review Criteria:**

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

**Vicinity Map**



**Summary:**

Zone Map Amendment (ZONE24-0002)

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 annexed area consistent with this intention.

**Conclusion and Conditions of Approval:**

Staff recommends approval with the following conditions:

**Request: Zone Map Amendment (ZONE24-0002)**

This action is contingent upon annexation of the subject property to the City of Wilsonville (ANNX24-0001).
No conditions for this request.

**Findings of Fact:**

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 and initiated the application.

**Request: Zone Map Amendment (ZONE24-0002)**

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.

**Development Code**

Zoning Consistent with Comprehensive Plan Section 4.029

**B5.** The applicant requests a zone change concurrently with a Stage 1 Preliminary Plan, Stage 2 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 28-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 lot count, the proposed Stage 1 area includes a portion of medium lot Sub-district 4 and a portion of large lot Sub-district 7. The following table summarizes how the proposed residential lots in this Sub-district are consistent with the Master Plan recommendations.

Subdistrict and Land Use Designation	Gross Site Area (ac)	Percent of Sub-district	Established lot range for Sub-district	Lot Range for Site	Proposed Lots	Total lots within Sub-district - Approved and Proposed
4 – R-7	6.54	26.1%	86-107	22-28	20	60 Approved 20 Proposed 80 Total
7 – R-10	2.48	24.9%	24-30	6-7	8	14 Approved 8 Proposed 22 Total
<b>Total</b>	<b>9.02</b>			<b>28-35</b>	<b>28</b>	

While the applicant proposes 20 lots in Sub-district 4, which is two (2) fewer than the minimum proportional density calculation, 8 lots are proposed in Sub-district 7, exceeding the proportional density calculation for this part of the site by one (1) lot. This results in a proposed total of 28 lots, which is the minimum proportional density calculation for the site as a whole.

The proportional density allocation does not account for site-specific characteristics that influence the ability of a specific property to accommodate residential lots meeting minimum dimensional standards. The surrounding properties, apart from Tax Lot 1101 to the northeast, have received preliminary approval or have started construction, therefore, the layout of the street network and other facilities in the proposed subdivision must accommodate the locations of these street and pedestrian connections. The development also must provide improvements on SW Woodbury Loop that accommodate future connection of the street network with Tax Lot 1101. This results in two (2) fewer lots in Sub-district 4 and one (1) additional lot in Sub-district 7. Overall, however, the proposed number of residential lots is appropriate for the designated zoning and lot areas and dimensions planned and allows the project to satisfy the minimum proportional density calculation for the site.

The configuration of lots as proposed, which meet all dimensional requirements for the individual lots, will allow for buildout of these sub-districts consistent with the Master Plan recommendations.

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 438**

**A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF ANNEXATION AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) OF APPROXIMATELY 9.00 ACRES, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE 1 PRELIMINARY PLAN, STAGE 2 FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE REMOVAL PLAN, MIDDLE HOUSING LAND DIVISION, AND WAIVERS FOR A 28-LOT RESIDENTIAL SUBDIVISION.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted by West Hills Land Development LLC – Applicant, for O’Hogan Living Trust – Owner, in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code; and

WHEREAS, the subject site is located at 7400 SW Frog Pond Lane on Tax Lot 1100, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon; and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated October 7, 2024; and

WHEREAS, the Development Review Board Panel ‘A’, on October 14, 2024, opened and, at the request of the applicant, continued the public hearing to a date and time certain of November 14, 2024, at 6:30 p.m.; and

WHEREAS, the Development Review Board Panel ‘A’, on November 14, 2024, at the request of the applicant and City staff, continued the public hearing for a second time to a date and time certain of December 9, 2024, at 6:30 p.m., to allow time for City Council action on November 18, 2024, on Resolution No. 3180, to approve a funding plan forecast for SW Stafford Road improvements – Phase I Project (CIP Nos. 1158, 2111, and 4219), and for staff to revise the Development Review Board staff report to reflect this action; and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel ‘A’ at a scheduled meeting conducted on December 9, 2024, 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 incorporate as part of this resolution, as if fully set forth herein, the staff report, as adopted with any amendments and attached hereto, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

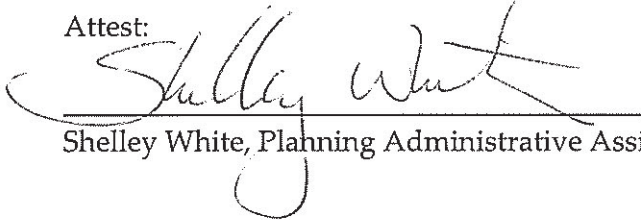
DB24-0008 Frog Pond Ridgecrest: Annexation (ANNX24-0001), Zone Map Amendment (ZONE24-0002), Stage 1 Preliminary Plan (STG124-0003), Stage 2 Final Plan (STG224-0004), Site Design Review of Parks and Open Space (SDR24-0005), Tentative Subdivision Plat (SUBD24-0001), Type C Tree Removal Plan (TPLN24-0005), Middle Housing Land Division (MHL24-0001), and Waivers (WAI24-0002).

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 9<sup>th</sup> day of December, 2024, and filed with the Planning Administrative Assistant on 19 Dec 2024. This resolution is final on the 15<sup>th</sup> 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).



Rob Candrian, Vice-Chair - Panel A  
Wilsonville Development Review Board

Attest:



Shelley White, Planning Administrative Assistant