

ORDINANCE NO. 98-1026

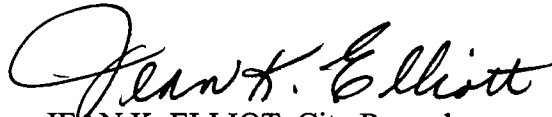
AN ORDINANCE AMENDING CHAPTER 17.06.030 OFFICIAL ZONING MAP OF THE OREGON CITY MUNICIPAL CODE OF 1991, BY CHANGING CERTAIN DISTRICTS

OREGON CITY ORDAINS AS FOLLOWS:

WHEREAS, public necessity and the general welfare of Oregon City require changes to certain districts which changes have been heard by the Oregon City Planning Commission and approved by it after public notice and hearing as required by Chapter 17.50 of the 1991 Oregon City Municipal Code and the City Commission after public notice and hearing, finding that the following described property can suitably be utilized for uses incident to "R-8", Single Family Dwelling District, for which there is a need in this area, and that such zoning is compatible with the neighborhood development and the Comprehensive Plan of Oregon City, the findings and conclusions attached as Exhibit "A", adopted as the findings of the Commission and the following described property to wit:

Tax lot 5400, Assessor Map 3-1E-12AA, Clackamas County, zoning designation is hereby changed from "FU-10, Future Urban" 10 acre minimum to "R-8 Single Family District". See Exhibit B.

Read first time at a regular meeting of the City Commission held on the 18th day of November, 1998, and the foregoing ordinance was finally enacted by the City Commission this 18th day of November, 1998.


JEAN K. ELLIOT, City Recorder

ATTESTED THIS 18TH DAY OF NOVEMBER, 1998.


DANIEL FOWLER, Mayor

ORDINANCE NO. 98-1026

Effective Date: DECEMBER 18, 1998

EXHIBIT "A"
FINDINGS AND CONCLUSIONS
ORDINANCE NO. 98-1026

OREGON CITY MUNICIPAL CODE:
Zone Change for Annexed Properties.

A. "All lands within the Urban Growth Boundary of Oregon City have been classified according to the appropriate city land use designation as noted on the comprehensive plan map (as per the city/county urban growth management area agreement). The planning department shall complete a review of the final zoning classification within sixty days after annexation. The zoning classification shall reflect the city land use classification as illustrated in Table 17.06.050.

Table 17.06.050

CITY LAND USE CLASSIFICATION

Residential

Low Density Residential

City Zone

R-10, R-8, R-6

B. Lands within the Urban Growth Boundary and designated Low Density Residential on the comprehensive plan map shall, upon annexation, be eligible for manufactured homes (in-fill of individual lots and subdivisions).

C. Lands designated Low Density Residential may receive a zoning designation consistent with Table 17.16.050. The Hearings body shall review the proposed zoning designations and consider the following factors:

1. Any applicable comprehensive plan goals and policies of the dual interest are in agreement;
2. Lotting patterns in the immediate surrounding area;
3. Character of the surrounding area. If the land is constrained with steep slopes or other natural features (wetlands, vegetation, etc.), R-10 shall be designated.

ANALYSIS AND FINDINGS:

Zone Change

1. Regarding 17.06, Criterion C-1- "The proposal shall be consistent with the goals and the policies of the comprehensive plan."

Citizen Involvement- The public hearing has been advertised and noticed as prescribed by law. The public hearing will provide an opportunity for comment and testimony from interested parties. Therefore, the proposal is in conformance with the Citizen Involvement Goal of the Comprehensive Plan.

The Dual Interest Area Agreement (UGMA) specifies that the City shall be the primary provider of urban services and facilities in the Urban Growth Boundary. This agreement also specifies that the City has the primary responsibility for the plan designation within the UGB after annexation.

An evaluation and discussion on the availability of City services to serve these properties was included in the annexation application (ANN98-04). Sanitary sewer is available to the site from a force line located within South End Road. An 8 inch water line, upgraded to a 12 inch line in Partlow Road will serve the site.

The parcel is located within the South End Basin plan area. This master plan specifies that there is sufficient storm drainage capacity to allow development of these parcels to urban densities. The South End Basin plan specifies that regional, subregional and individual storm water detention facilities need to be located in this area. Development of these regional facilities will be addressed as properties develop and regional needs dictate.

Community Facilities- Goal: Serve the health, safety, education, welfare and recreational needs of all Oregon City residents through the planning and provision of adequate community facilities. Oregon City will ensure that annexed areas receive uniform levels of fire protection. Staff agrees with the applicant finding that "On November 14, 1997, the citizens of Oregon City voted to improve their fire infrastructure by voting for bond Measure 3-97. Their votes reinforced the Fire Department's plans to upgrade fire protection facilities and service to meet the City's growing needs. The new station at Partlow Road is one of the elements of this plan. The station will serve a growing South End residential community with efficient emergency services while providing a new community meeting hall for public use. The health, safety, education and welfare needs of this community will all be enhanced by this fire station and its services."

Based on the previous discussion, this request meets the Citizen Involvement and Community Facilities goals and policies of the Comprehensive Plan and the intent of the UGMA Agreement.

2. Regarding 17.06, Criterion C-2; "Lotting patterns in the immediate surrounding area."

R-8 lotting pattern exist to the north, south and east, for those lots located in the City limits. The property is recommended to be zoned R-8 which is consistent with the

Exhibit "A"; Ordinance No. 1026
Oregon City Fire Department
File: ZC98-03

surrounding city lots.

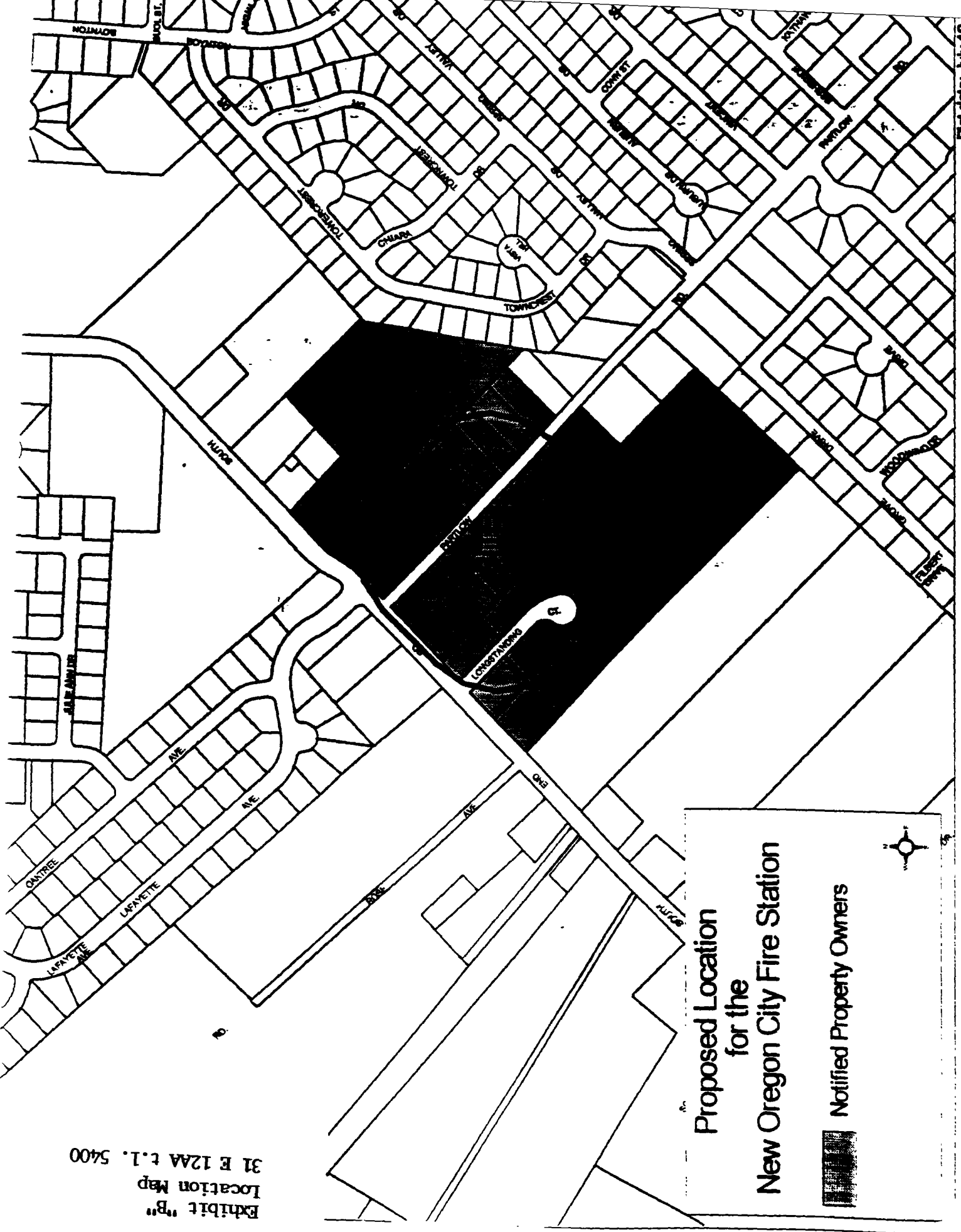
3. Regarding 17.06, Criterion C-3; "Character of the surrounding area. If the land is constrained with steep slopes or other natural features (wetlands, vegetation, etc.)", R-10 shall be designated.

The majority of the parcel is relatively flat with soft grades and contains no inventoried natural features. Staff finds it not necessary to require the lots to meet the R-10 standard.

CONCLUSION AND RECOMMENDATION:

In conclusion, the proposal satisfies the zone change criteria, changing from County FU-10 to City R-8 Single Family Residential Zone.

The Planning Commission recommends *approval* of Zone Change No. ZC98-03, changing property identified as Tax Lot No. 5400, Map 3-1E-12AA, Clackamas County, from County "FU-10" to City "R-8 - Single Family Residential District" subject to the findings and exhibits.



Proposed Location
for the
New Oregon City Fire Station

Notified Property Owners





CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

November 18, 1998

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Subject:

Report No. 98-172

Zone Change (ZC98-03)

Convert zoning from FU-10, Future Urban 10 acre minimum
to R-8, Single Family Residential 8,000 square foot lot minimum.

Located on the south side of Partlow Road between 11710 and 11720
Partlow Road, east of South End Road.

Identified as Map 3-1E-12AA tax lot 5400, Clackamas County.

Public Hearing

If Approved, Proposed Ordinance No. 98-1026

On August 25, September 10, and September 22, 1998, Planning Commission was presented with an application for a zone change from FU-10 to R-8, for a 45,400 square foot parcel located in between 11710 and 11720 Partlow Road, east of South End Road. At a duly noticed public hearing, Planning Commission at the close of the September 22nd and based upon the entire record of the matter, voted to approve the zone change application. The Commission found that the applicant demonstrated that this was the appropriate zoning designation for the parcel due to the surrounding development patterns of the area. At the City Commission hearing October 21, 1998, this application had been set-over until November 18th, 1998, upon request by the property owner/ applicant in order to present both this application and Appeal AP98-04 (CU98-08), denial of a new fire station, which relate to the same parcel.

It is recommended, by the Planning Commission, that the property be rezoned "R-8", Single-Family Dwelling District. Attached for Commission review are the following documents.

1. Public Notice containing:
 - A. Proposed Ordinance No. 98-1026
 - B. Findings of the Planning Commission;
 - C. Map of the property.

It is recommended that the Commission approve the recommendation of the Planning Commission. Notice of proposed Ordinance No. 98-1026 has been posted at City Hall, 320 Warner-Milne Road, the Pioneer Community Center, 615 Fifth Street, and at the Municipal Elevator, 300 Seventh Street, by direction of the City Recorder. It is recommended that the first and second readings be approved for final enactment to become effective on December 18, 1998.

CHARLES LEESON
City Manager

- Cc
- John F. Williams, Jr., Mayor-Elect
 - Daniel W. Holladay, Commissioner-Elect
 - Tamara DeRidder, Planning Manager
 - Property owner and counsel (2)
 - Elaine Krause (1)

ISSUED BY THE CITY MANAGER