

**COUNCIL BILL NO. 3150**

**ORDINANCE NO. 2589**

**AN ORDINANCE DESIGNATING ZONING TO APPROXIMATELY 31.13 ACRES OF ANNEXED TERRITORY KNOWN AS THE SCHULTZ FARM PROPERTY WITH NO STREET ADDRESS LOCATED ALONG THE WEST SIDE OF BOONES FERRY ROAD NE NORTH OF HAZELNUT DRIVE, MARION COUNTY, OREGON AS RESIDENTIAL SINGLE FAMILY (RS) ZONING DISTRICT**

**WHEREAS**, the subject property is owned by Schultz Farm, LLC, of which the manager is Christy J. Schultz, and is legally described in Exhibit "A" and mapped in Exhibit "B", which are affixed hereto and by this reference incorporated herein; and

**WHEREAS**, the subject property is composed of Marion County Tax Lots 051W06C000400 & 800; and

**WHEREAS**, consistent with Oregon Revised Statutes (ORS) 222.111(2) the owner of real property in the territory to be annexed initiated by petition a proposal for annexation, a copy of the petition being on file with the City Recorder (ANX 2020-03); and

**WHEREAS**, because the subject property is already within the Woodburn Urban Growth Boundary (UGB), it has an existing Comprehensive Plan map land use designation of Low Density Residential; and

**WHEREAS**, the landowner as applicant requested that, consistent with Woodburn Development Ordinance (WDO) 5.04.01 E., the City designate the annexed territory as Residential Single Family (RS), which is one of two zoning districts that are consistent with the Comprehensive Plan per its Policy Table 1 (ZC 2020-02); and

**WHEREAS**, this zoning designation is contingent upon annexation of the subject property to the City of Woodburn, for which the applicant has petitioned and filed the petition with the City Recorder; and

**WHEREAS**, the applicant intends to develop the territory into the Dove Landing Planned Unit Development (PUD); and


**WHEREAS**, on March 25, 2021 the Woodburn Planning Commission considered the annexation application and, after a duly advertised public hearing, recommended approval of the annexation; and

**WHEREAS**, on April 26, 2021, the Woodburn City Council held a public hearing, reviewed the record, heard all public testimony presented on said application, and, upon deliberation, concluded that the proposed annexation meets the applicable approval criteria under City of Woodburn Development Ordinance (WDO) 5.04.01C.; and

**WHEREAS**, the City Council agenda item cover staff memo mentioned that zoning designation follows annexation and that an RS district zoning designation conforms to the Comprehensive Plan land use map designation; **NOW, THEREFORE**,

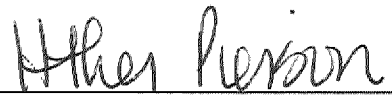
**THE CITY OF WOODBURN ORDAINS AS FOLLOWS:**

**Section 1.** Upon the effective date of the annexation enacted by Ordinance 2588 being considered contemporaneously with this request, the Woodburn Zoning Map is amended designating the zoning on the subject property described in Exhibit "A" and mapped in Exhibit "B" as Residential Single Family (RS).

Approved as to form:  5/10/2021  
City Attorney Date

Approved:   
Eric Swenson, Mayor

Passed by the Council May 10, 2021  
Submitted to the Mayor May 10, 2021  
Approved by the Mayor May 11, 2021  
Filed in the Office of the Recorder May 14, 2021

ATTEST:   
Heather Pierson, City Recorder  
City of Woodburn, Oregon



## EXHIBIT A

December 11, 2020

### LEGAL DESCRIPTION Zone Change

Job No. 142-001

The land described in Reel 1874 Page 324, Marion County Deed Records, in the Southwest Quarter of Section 6, Township 5 South, Range 1 West, Willamette Meridian, Marion County, State of Oregon, more particularly described as follows:

BEGINNING at the Northwest corner of Lot 12, plat of "Heritage Park Meadows", Marion County Plat Records;

thence along the westerly line of the land described in Reel 1874 Page 324, Marion County Deed Records, North  $01^{\circ} 51' 52''$  East, a distance of 728.80 feet to the Northwest corner of said land;

thence along the northerly line of said land, South  $88^{\circ} 59' 51''$  East, a distance of 1839.69 feet to the most northerly Northeast corner of said land;

thence along the easterly line of said land, South  $01^{\circ} 10' 34''$  West, a distance of 193.99 feet to an angle point;

thence continuing along said easterly line, South  $88^{\circ} 27' 56''$  East, a distance of 188.84 feet to a point on the westerly Right-of-Way line of N Boones Ferry Road;

thence along said westerly Right-of-Way line, along a 1462.50 foot radius curve, concave easterly, with a radius point bearing South  $72^{\circ} 36' 55''$  East, arc length of 30.39 feet, central angle of  $01^{\circ} 11' 26''$ , chord distance of 30.39 feet, and chord bearing of South  $16^{\circ} 47' 22''$  West to a point of tangency;

thence continuing along said westerly Right-of-Way line, South  $16^{\circ} 11' 39''$  West, a distance of 248.30 feet to a point of tangential curvature;

thence continuing along said westerly Right-of-Way line, along a 11429.91 foot radius tangential curve to the right, arc length of 174.88 feet, central angle of  $00^{\circ} 52' 36''$ , chord distance of 174.88 feet, and chord bearing of South  $16^{\circ} 37' 57''$  West to the most easterly Southeast corner of said land;

thence along the southerly line of said land, North  $85^{\circ} 36' 39''$  West, a distance of 251.91 feet to an angle point;

thence continuing along said southerly line, South 10° 57' 23" West, a distance of 156.47 feet to the most southerly Southeast corner of said land;

thence continuing along said southerly line, North 80° 05' 15" West, a distance of 269.40 feet to the Northeast corner of Lot 12, plat of "Miller Links", Marion County Plat Records;

thence along the northerly boundary line of said plat of "Miller Links" and the northerly boundary line of said plat of "Heritage Park Meadows", North 88° 55' 21" West, a distance of 1373.79 feet to the POINT OF BEGINNING.

Containing 31.858 acres, more or less.

Basis of bearings is the Oregon Coordinate Reference System (OCRS), Salem Zone projection.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JULY 9, 2002  
TRAVIS C. JANSEN  
57751

RENEWS: 6/30/2021

SOUTHWEST QUARTER OF SECTION 6  
TOWNSHIP 5 SOUTH, RANGE 1 WEST,  
WILLAMETTE MERIDIAN, MARION  
COUNTY, STATE OF OREGON

PARCEL 8  
REEL 2431  
PAGE 51

PARCEL 8  
REEL 2431  
PAGE 51

PARCEL 8  
REEL 2431  
PAGE 51

PARCEL 8  
REEL 2431  
PAGE 51

**MEDIUM DENSITY  
RESIDENTIAL - RM**

REEL 1915  
PAGE 176

URBAN GROWTH  
BOUNDARY

REEL 1875  
PAGE 112

S88°59'51"E 1839.69'

S88°27'56"E  
188.84'

**RESIDENTIAL SINGLE  
FAMILY - RS  
(PROPOSED)**

S01°10'34"W  
193.99'

REEL 1874  
PAGE 324

R=1462.50'  
L=30.39'  
Δ=1°11'26"  
CH=30.39'  
S16°47'22"W

R=11429.91'  
L=174.88'  
Δ=0°52'36"  
CH=174.88'  
S16°37'57"W

N85°36'39"W  
251.91'

POINT OF BEGINNING

N01°51'52"E 728.80'

12

N88°55'21"W 1373.79'

12

N80°05'15"W  
269.40'

S10°57'23"W  
156.47'

HERITAGE  
PARK  
MEADOWS

**RESIDENTIAL SINGLE  
FAMILY - RS**

MILLER  
LINKS

REEL 2506  
PAGE 113

REEL 324  
PAGE 1040

**RETIREMENT COMMUNITY SINGLE  
FAMILY RESIDENTIAL - R1S**

N BOONES FERRY ROAD  
**PUBLIC AND  
SEMI-PUBLIC - P/ISP**



**EXHIBIT B  
ZONE CHANGE**

DRAWN BY: FAA DATE: 12/11/20  
 REVIEWED BY: TCJ DATE: 12/11/20  
 PROJECT NO.: 142-001  
 SCALE: 1"=300'  
 PAGE 1 OF 1



12564 SW Main St  
Tigard, OR 97223  
 [T] 503-941-9484  
 [F] 503-941-9485