



Ordinance No. 867 Exhibit B  
Zone Map Amendment Findings

Frog Pond Terrace 19-Lot Subdivision

City Council  
Quasi-Judicial Public Hearing

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<b>Hearing Date:</b>	September 8, 2022
<b>Date of Report:</b>	August 12, 2022

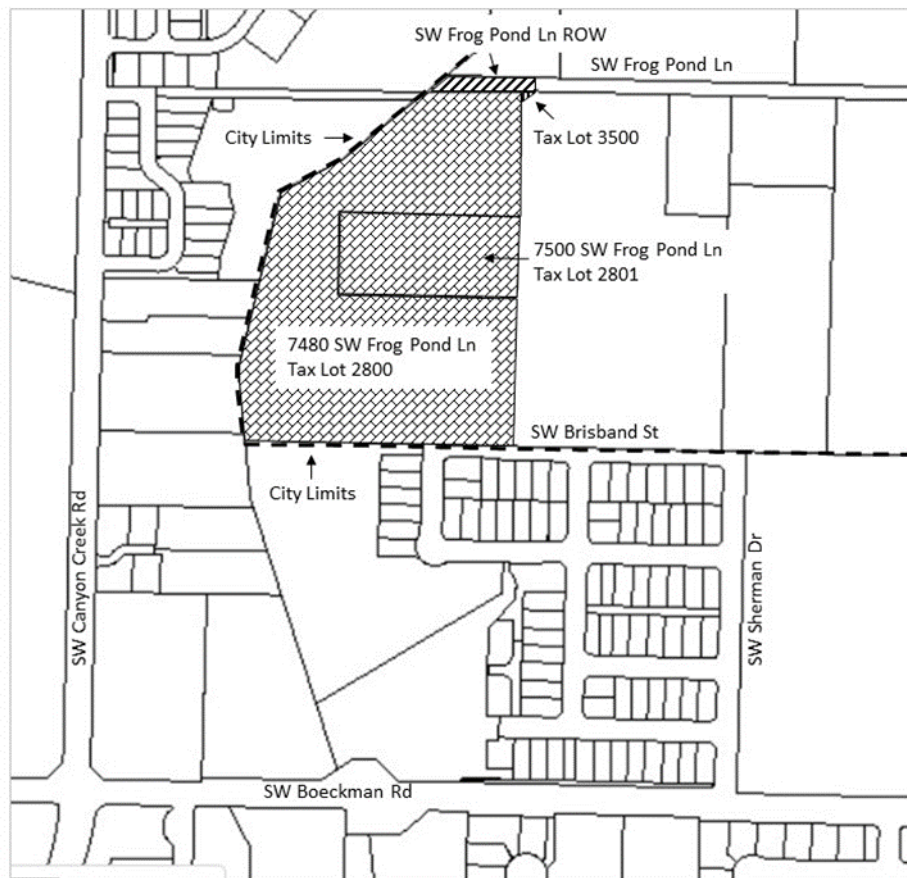
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<b>Application No.:</b>	ZONE22-0003 Zone Map Amendment
<b>Request:</b>	The request before the City Council is a Zone Map Amendment for approximately 10.94 acres.
<b>Location:</b>	7480 and 7500 SW Frog Pond Lane. The property is specifically known as TLID 2800, 2801, and 3500, and a portion of SW Frog Pond Lane right-of-way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.
<b>Owners:</b>	Donnie L. Martin (TLID 2800 and 3500) Douglas E and Colleen R. George (TLID 2801)
<b>Applicant:</b>	West Hills Land Development LLC (Contact: Dan Grimberg)
<b>Applicant's Rep.:</b>	OTAK, Inc. (Contact: Li Alligood 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 Concurrent with Annexation):</b>	Residential Neighborhood (RN)
<b>Staff Reviewer:</b>	Cindy Luxhoj AICP, Associate Planner
<b>Staff/DRB 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	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<b><u>Regional and State Law and Planning Documents</u></b>	
Statewide Planning Goals	

## Vicinity Map



## Summary:

### Zone Map Amendment (ZONE22-0003)

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 and the Development Review Board recommend the City Council approve the Zone Map Amendment with the following condition:

### Request: Zone Map Amendment (ZONE22-0003)

This action is contingent upon annexation of the subject properties to the City of Wilsonville (ANNX22-0002).

## 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. West Hills Land Development LLC initiated the application with their approval.

### Request: Zone Map Amendment (ZONE22-0003)

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

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### 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 1 Preliminary Plan.

### 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 19-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 The proposed number of residential 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 each Sub-district are consistent with the Master Plan recommendations.

The applicant proposes 16 lots in Sub-district 4, which is two (2) greater than the maximum allowed, and three (3) lots in Sub-district 7, which is one (1) lot fewer than the minimum proportional density calculation. However, the total number of 19 lots proposed is within the proportional range of 16-19 lots for the entire site.

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	3.4	13.5%	86-107	12-14 <sup>*1</sup>	16	32 Approved 16 Proposed 48 Total
7 – R-10	1.6	16.4%	24-30	4-5 <sup>*2</sup>	3	5 Approved 3 Proposed 8 Total
Total	5.0			16-19	19	
<sup>*1</sup> Per Section 4.127 (.06) A. 2., up to an additional 10% of maximum density is allowed based on a SROZ boundary verification; this allows one (1) additional lot for a maximum of 15 lots. <sup>*2</sup> Per Section 4.127 (.06) B., the City may allow a reduction in the minimum density for a sub-district when it is demonstrated that the reduction is necessary due to topography, protection of trees, wetlands and other natural resources, constraints posed by existing development, infrastructure needs, provision of non-residential uses and similar physical conditions						

With regard to Sub-district 4, per Section 4.127 (.06) A. 2., the City may allow an increase in the maximum density up to a maximum of 10% of what would otherwise be permitted based on an adjustment to an SROZ boundary that is consistent with Section 4.139.06. As a result of SROZ map verification in Sub-district 4, the maximum of 14 lots may be increased by one (1) lot to 15 allowed. The applicant proposes 16 lots in Sub-district 4, one (1) greater than the maximum with the allowed additional lot.

With regard to Sub-district 7, per Section 4.127 (.06) B., the City may allow a reduction in the minimum density for a sub-district when it is demonstrated that the reduction is necessary due to topography, protection of trees, wetlands and other natural resources, constraints posed by existing development, infrastructure needs, provision of non-residential uses and similar physical conditions. One (1) fewer lot than the minimum

density is proposed in Sub-district 7 due to a combination of factors related to topography, infrastructure needs, and provision of non-residential uses.

The proposed development of one (1) fewer lot in the Sub-district 7 portion of the site allows for future development that meets all dimensional standards for lots in this part of the site. Because the Sub-district 4 portion of the site has substantially fewer development constraints, it can easily accommodate the one (1) additional lot needed to satisfy the minimum density requirement for Sub-district 7. As proposed the total number of lots meets the overall minimum proportional density for the site when the two Sub-districts are combined.

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.