



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: April 15, 2024		Subject: Frog Pond East and South Master Plan Development Code	
		Staff Member: Daniel Pauly, Planning Manager	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: The Planning Commission held a number of work sessions starting in January 2023. The Commissions input and guidance are reflected in the draft Development Code amendments.	
Staff Recommendation: Provide requested input on draft Development Code amendments for Frog Pond East and South Implementation.			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Expand home ownership	<input checked="" type="checkbox"/> Adopted Master Plan(s): Frog Pond East and South Master Plan	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL

An important next step in realizing the vision of the Frog Pond East and South Master Plan adopted in December 2022 is to write implementing Development Code amendments. This effort has been ongoing since early 2023. As the project moves towards adoption this summer, the work session will provide Council the opportunity to ask any additional outstanding questions on proposed Code amendments not specific to Frog Pond zoning (Section 4.127). This work session will also discuss updates to design standards for Frog Pond East and South since the Council's December work sessions, including addressing Council concerns about usability and maintenance of narrow side yards.

EXECUTIVE SUMMARY:

The Frog Pond East and South Master Plan, adopted by City Council in December 2022, provides clear policy direction and guidance for future development in Frog Pond East and South. An important implementation step is to develop a detailed set of Development Code standards consistent with the Master Plan. These standards will be relied on by developers to plan and design development. These standards will also be relied on by City reviewers to ensure development meets City expectations.

While a good portion of the implementing development code language is within Section 4.127, which is the Frog Pond-specific zoning language, other code sections are also impacted. Many of the code amendments in these other sections will apply throughout the City. Attachments 1 and 2 contain these “other” code amendments which reflect feedback to date from both the Planning Commission and City Council. These amendments have come before the Council in work sessions in pieces over the last year plus. **These amendments focus on removing barriers to the development of a variety of housing, especially those housing types that can provide lower-cost housing opportunities, including for ownership.** This work session gives the Council an opportunity to review these “other” code amendments in whole and ask any additional questions or provide any additional input prior to these amendments being finalized for the adoption hearing before Council (see Attachments 1 and 2).

This is the final work session planned to focus on these “other” code amendments prior to the public hearing. The final work session for the project will focus on the Frog Pond-specific Section 4.127.

Highlights of the proposed “other” code amendments are as follows:

- Establishing clear and objective design standards for multi-family residential development and allowing the review of multi-family buildings, based on the new design standards, through the administrative review process consistent with other residential building types including detached single-family and middle housing.
- Removing additional regulatory barriers to development of Accessory Development Units (ADUs) following recommendations from the Frog Pond East and South Master Plan. Changes include allowing ADUs for all townhouses, not just those with larger lots; exempting ADUs from maximum lot coverage, one of the most common barriers to their development; and removing any additional review process making the ADU review process the same as detached single-family or middle housing.
- Prohibiting deed restrictions and private covenants, such as subdivision covenants, conditions, and restrictions (CC&Rs), from limiting housing types allowed by zoning. This reflects State law adopted during the 2019 legislative session as part of House Bill 2001.
- Establishing Residential Stormwater Design Standards to reflect current City policy and practice, to provide additional clarity to development partners as they design residential projects.

In addition, to the “other” code amendments, this work session will update the Council on refinements to design standards specific to Frog Pond East and South that have occurred since Council’s December work session on the standards. The updated design standards are in Table 8B from Subsection 4.127 (.08), along with related footnotes, with the refinements highlighted in yellow (Attachment 3). These refinements are based on feedback from the Council, as well as the Planning Commission, development partners, and City staff. The specific refinements are as follows:

- Adding language regarding the required lot size in Frog Pond East and South. This update reflects input from the Council and Planning Commission that there is a minimum lot size, it is just defined by building and lot standards rather than having an independent defined value.
- Refining the maximum height to allow four-story buildings in Urban Form Type 1, and three-story buildings in Urban Form Types 2 and 3. In addition, slightly increased maximum height (in feet) to allow flexibility for taller floor heights. A new footnote clarifies that while three-story buildings are allowed in Urban Form Type 3, they have an additional required setback to better blend with what is planned as primarily a one and two-story area.
- Slightly increasing the allowed building width for Urban Form Types 2 and 3 to allow additional flexibility for building design. The increase is, respectively, from 120 to 125 feet, and from 90 to 100 feet.
- For Urban Form Type 2, adding the ability to use additional building articulation in lieu of minimum building width in Urban Form Type 2. Building width between articulations would still be limited to 125 feet with the articulation being allowed instead of building separation. This provision is primarily anticipated to apply to multi-family buildings, but could be used for townhouse buildings as well.
- Establishing five feet as the minimum side yard setback in all Urban Form Types, with special provisions for reduced side yard setbacks relative to building width in Urban Form Types 1 and 2.
- Removing footnotes about special fence or side yard maintenance requirements for small areas specific to Frog Pond East and South. See additional discussion below.
- Establishing 80 percent as the maximum lot coverage for Frog Pond East and South. Based on prior feedback and for simplicity and consistency with other residential zones in the City, staff have proposed maintaining the use of lot coverage rather than Floor-to-Area Ratio (FAR). 80 percent provides a clear backstop while not standing as a barrier to development of desired housing types.

Finally, Council has previously expressed concerns about fenced narrow side yards and their usability and maintenance. While these fenced areas will occur due to setbacks and a desire to screen and secure areas, staff does have a couple citywide recommendations that can limit the concerns. First, require that whenever a side yard area less than five-feet wide is enclosed by fencing, a gate or gates will allow through access to a rear yard or alley. The notion is that through-access will increase usability, and if there is use there is a greater tendency to maintain to allow for the use. Second, add specific language to the nuisance language in Chapter 6 of the City Code that side yards are to be kept clear of vegetation, rubbish, junk, and other materials

that would prevent the required through-access. Together this language can, with minimal additional regulation, meaningfully address the concerns about use and maintenance of side yards expressed by Council.

Discussion Questions

The following would be helpful feedback from the City Council at this work session:

- What, if any, additional questions, comments, or input does the Council have on proposed “other” Development Code amendments in Attachments 1 and 2 prior to them being finalized for adoption?
- What feedback does the Council have on the refinements to the proposed design standards for Frog Pond East and South in Attachment 3?

EXPECTED RESULTS:

Feedback from meeting will guide completion of a package of Development Code amendments for adoption.

TIMELINE:

A final work session to discuss other Frog Pond-specific amendment in Section 4.127 and provide follow up from this work session is planned for May. A Planning Commission public hearing is subsequently planned for June, with a Council public hearing in July.

CURRENT YEAR BUDGET IMPACTS:

The Development Code implementation work is funded by remaining funds from the \$350,000 Metro grant for the Frog Pond East and South Master Plan and matching City funds in the form of staff time.

COMMUNITY INVOLVEMENT PROCESS:

During this implementation phase the primary focus is on honoring past input. However, the project team continues to engage key stakeholders for input on draft Development Code amendments.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Realization of the policy objectives set out in the Frog Pond East and South Master Plan to create Wilsonville’s next great neighborhoods. This includes furthering of the City’s Equitable Housing Strategic Plan and Council’s goal of affordable home ownership.

ALTERNATIVES:

The project team prepared draft amendments to help implement the Frog Pond East and South Master Plan. A number of alternative amendments can be considered to meet the same intent.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Draft Development Code Amendments, except for Sections 4.113 and 4.127, with Supporting Information (March 18, 2024)
2. Draft Development Code Amendments, Sections 4.113, Standards Applying to Residential Development in Any Zone, with Supporting Information (March 18, 2024)
3. Updated Table 8B of the proposed Development Code Amendments and related footnotes (April 3, 2024)