

Frog Pond East and South Development Code Amendments

- Text proposed for deletion is ~~struckthrough~~
- Text proposed for addition is **bolded and underlined**
- Figures proposed for deletion have a red "X" over them
- Existing text not proposed for amendments is in plain text
- Staff notes to reviewers for navigation or clarification is *(italicized text is in parathesis)*
- Any other italics is existing or proposed formatting and is not an indicator of amendments

Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

Section 4.001 Definitions

Amendment Description:	Define Net Development Area. Applies Citywide.
Applicability:	Citywide
Impacted Code Section(s):	4.001 Definitions
Relationship to Frog Pond East and South Master Plan:	Net area is a component for implementation of variety standards called for in the Master Plan.
Rationale for Amendment Text:	The language builds on the existing definition of Gross Development Area, and identifies what specifically is excluded from the Gross Development Area to calculate the Net Development Area.
Impact on Housing Cost:	No direct impact noted
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Added additional language clarifying yard space is limited to that on individual lots rather than common tracts, etc. <u>Since July public hearing:</u> None

(.XXX) Development Area, Net: The portion of Gross Development Area that is not required for open space in tracts, stormwater facilities in tracts, other similar common-use tracts, or public right-of-way. Net Development Area includes areas used for off-street parking, alleyways and off-street circulation areas, areas covered by primary and accessory structures, private and semi-private yard space on individual lots, and landscaping and hardscape not otherwise excluded by this definition.

Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

Amendment Description:	Refining terms used in definition of “ Dwelling Unit”. Also correcting prior scribner error wherein the definition of “ Dwelling unit, Detached” is a word for word repeat of the “ Dwelling Unit” definition.
Applicability:	Citywide
Impacted Code Section(s):	4.001 Definitions
Relationship to Frog Pond East and South Master Plan:	None, technical edits
Rationale for Amendment Text:	The revised code text provides consistency across definitions with language used in State statute and rules and provides more clarity than “housekeeping facilities”
Impact on Housing Cost:	No direct impact noted
Compliance Notes:	Not directly driven by any compliance standards, however improves consistency with definitions in State law and provides additional clarity in support of clear and objective standards.
Recent Edits:	<u>Between June work session and July public hearing:</u> None <u>Since July public hearing:</u> Edits to these definitions added.

- (.XXX) *Dwelling Unit:* A building or portion thereof providing ~~complete housekeeping facilities~~ **living and sleeping space as well as sanitary, bathing, and food preparation facilities** for one ~~family household, including a kitchen and bathroom,~~ but not a trailer house or other recreational vehicle.
- (.XXX) *Dwelling Unit, Attached:* A dwelling unit which (1) shares one or more common or abutting wall, floor, or ceiling with one or more dwelling units and/or (2) has a shared roof structure with or a roof without a spatial gap between one or more dwelling units. The common or abutting walls, floors, ceilings, and roofs includes those of attached garages, storage areas, or other accessory uses. When a dwelling unit is attached only to an accessory dwelling unit and the accessory dwelling unit is not attached to any other dwelling unit, the dwelling unit is not "Attached" under this definition while the accessory dwelling unit is "Attached" under this definition.
- (.XXX) *Dwelling Unit, Detached:* ~~A building or portion thereof providing complete housekeeping facilities for one household, including a kitchen and bathroom, but not a trailer house or other recreational vehicle.~~ **A dwelling unit not meeting the definition of Dwelling Unit, Attached.**

Amendment Description:	Definition of Frog Pond Neighborhoods
Applicability:	All of Frog Pond
Impacted Code Section(s):	4.001 Definitions
Relationship to Frog Pond East and South Master Plan:	Some proposed Residential Neighborhood (RN) Zone regulations apply differently to Frog Pond West than Frog Pond East and South. These definitions provide for clear delineation in applying the regulations.
Rationale for Amendment Text:	The language clearly defines the geographic extent of each Frog Pond neighborhood.
Impact on Housing Cost:	No direct impact noted
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Definitions added to provide additional clarity to the proposed Code standards as suggested by City legal staff. <u>Since July public hearing:</u> None

(.XXX) Frog Pond West Neighborhood: The geographic area covered by the Frog Pond West Master Plan. The area is bounded on the south by SW Boeckman Road, on the west by Boeckman Creek, on the north by a line extending directly west from the intersection of SW Stafford Road and SW Kahle Road, and on the east by SW Stafford Road.

(.XXX) Frog Pond East Neighborhood: The portion of the geographic area covered by the Frog Pond East and South Master Plan north of SW Advance Road. The area is bounded on the south by SW Advance Road, on the west by SW Stafford Road, on the north by east-west portion SW Kahle Road and a line extending directly east from the point where SW Kahle road turns to the north, and on the east by the eastern boundary of the Urban Growth Boundary established by Metro Ordinance No. 18-1427.

(.XXX) Frog Pond South Neighborhood: The portion of the geographic area covered by the Frog Pond East and South Master Plan south of SW Advance Road, including park land owned by the City of Wilsonville south of Advance Road between SW 63rd Avenue and SW 60th Avenue and Meridian Creek Middle School and surrounding land owned by the West Linn-Wilsonville School District. The area is bounded on the north by SW Advance Road, on the west by a line extending directly south of the intersection of SW Stafford Road and SW Advance Road, excluding land that is part of the 1995 Landover Subdivision Plat, on the south by SW Kruse Road east of SW 60th Avenue and west of SW 60th Avenue by an east-west property line approximately 314 feet south of SW Kruse Road, and on the east by property lines paralleling SW 60th Avenue approximately 863 feet to the east (also, the southern and eastern boundaries of the Urban Growth Boundary established by Metro Ordinance No. 18-1427).

Amendment Description:	Clean up and clarify definitions regarding lots, lot lines, and yards
Applicability:	Citywide
Impacted Code Section(s):	4.001 Definitions
Relationship to Frog Pond East and South Master Plan:	Ensures development standards such as setbacks function as intended in all development scenarios contemplated.
Rationale for Amendment Text:	To clean up and clarify certain definitions around lots, lot lines, and yards based on questions that have arisen in implementation of the current code. No policy change.
Impact on Housing Cost:	Moving potential unintended setbacks limit need for custom design and similar cost-increasing design actions.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor typographical and clarifying word choice edits. <u>Since July public hearing:</u> None

- (.XXX) **Lot, Corner: A lot either (1) where two intersecting lot lines each abut a street or private drive or (2) where the shortest lot line abuts a tract with a non-vehicular pathway and an intersecting lot line abuts a street or private drive. Private drives which are bounded on two opposite sides by a single lot shall not be considered in determining if a lot is a corner lot.**
- (.XXX) Lot, Through: **A lot where multiple non-intersecting lot lines abut a street, other than a freeway, or private drive.** Any lot, except a corner lot, that abuts two or more streets or private drives other than a freeway. Private drives which are bounded on two sides by a single lot shall not be considered in determining if a lot is a through lot.
- ~~(.XXX) Lot, Front: The boundary line of a lot abutting a street, other than a boundary line along a side or rear yard. If the lot does not abut a street, the narrowest boundary line shall be considered to be the front.~~
- (.XXX) Lot Line, Front: Except for Corner Lots and Through Lots, ~~the~~ **The boundary line of a lot abutting a street or private drive, other than a boundary line along a side or rear yard. If no boundary lines of a lot abut a street or private drive, but do abut a tract with a non-vehicular pathway with vehicle access to the lot provided via an alley, then the boundary line abutting the tract with a pathway is the Front Lot Line.** ~~the narrowest boundary line shall be considered to be the front. In the Village zone: the case of an interior lot, the lot line separating the lot from the public space, street or private drive, other than an alley. In the case of a corner lot~~ **Corner Lot**, the shortest lot line along a public space **tract with a pathway**, street, or private drive **is the front lot line**, ~~other than an alley. In the case of a Through Lot, the narrowest boundary line abutting a street or private drive, and if multiple boundary lines abutting a street or private drive are of the same length, the boundary line on the lower classification street, and if both of equal length and on the same street classification, the boundary line indicated as the front on a final plat.~~ A private drive bounded on two sides by a single lot shall not be considered in determining lot lines.

Amendment Description:	Define live-work
Applicability:	Citywide
Impacted Code Section(s):	4.001 Definitions
Relationship to Frog Pond East and South Master Plan:	Clarifies allowance of live-work units as it relates to implementation of the Commercial Main Street.
Rationale for Amendment Text:	Establishes a clear definition for this type of use allowed in the Frog Pond East Commercial Main Street and elsewhere in the City. The definition is adapted from one from Oregon City with feedback from City staff who have worked with approval of other live-work units in Villebois and Town Center.
Impact on Housing Cost:	Provides flexibility to provide additional units in areas not directly zoned for residential, which increases supply which generally is understood to support the reduction of housing cost.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor clarifying edits. <u>Since July public hearing:</u> None

(.XXX) Live-Work Dwelling Unit (LWDU): A dwelling unit where (1) the ground-level front façade has a commercial-type store front determined by having at least sixty percent glazing and a permanent architectural cover over the entry (2) the interior along the building frontage is designed for workspace and no kitchen, bathroom, bedroom, closet, or storage is adjacent to the front façade and (3) all or a portion of the dwelling unit meets the commercial building code to support an accessory commercial or light industrial use. This is differentiated from a home occupation or home business in that the dwelling unit is specifically designed to accommodate a commercial or light industrial use, whereas a home occupation or home business takes place in a residential structure without such specific design. This is differentiated from a Business-Integrated Dwelling Unit in that in a Live-Work Dwelling Unit the residential and commercial uses are not required to be fully divided physically.

(.XXX) Business-Integrated Dwelling Unit(s) (BIDU): A dwelling unit integrated with a non-residential use where (1) the dwelling unit is the secondary use to the non-residential use, (2) the dwelling unit consists of a ground floor footprint less than or equal to 40 percent of the ground floor non-residential use, (3) the dwelling unit is separated from the non-residential use by a demising wall, and (4) the dwelling unit has direct interior entry from the non-residential use. This is differentiated from a Live-Work Dwelling Unit in that the dwelling unit must be fully divided from the non-residential use and that the space designed to be non-residential cannot be used for residential.

Amendment Description:	Mobility-Ready Definition
Applicability:	Citywide, but primarily Frog Pond East and South at this time
Impacted Code Section(s):	4.001 Definitions
Relationship to Frog Pond East and South Master Plan:	Mobility-ready units is one of the “target” unit types identified to require a minimum of to help ensure accessible housing is available within the planned variety in Frog Pond East and South.
Rationale for Amendment Text:	The definition seeks to define a unit that can be adaptable for use of individuals with limited mobility without getting into details that would be under the jurisdiction of the building code like counter heights, doorway widths, and bathroom grab bars.
Impact on Housing Cost:	No direct impact noted for definition. See addition discussion of requiring this type of unit in Section 4.127.
Compliance Notes:	Definition not driven by any compliance standards. See addition discussion of requiring this type of unit in Section 4.127.
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor clarifying edits. <u>Since July public hearing:</u> Additional minor clarifying edit to be consistent with definition of dwelling unit.

(.XXX) Mobility-Ready Unit: A dwelling unit with living and sleeping space as well as sanitary, bathing, and food preparation facilities on one level and that level is accessible from a parking space or public sidewalk without the use of stairs or with up to two stairs with space to add a wheelchair accessible ramp.

Amendment Description:	Urban Form Type definitions
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.001 Definitions
Relationship to Frog Pond East and South Master Plan:	Key definitions to implement the different residential urban forms identified in the Master Plan.
Rationale for Amendment Text:	Detailed definitions consistent with the language and intent in the Master Plan.
Impact on Housing Cost:	No direct impact noted for definition. See addition discussion of requiring this type of unit in Section 4.127.
Compliance Notes:	Definitions not driven by any compliance standards. See addition discussion of requiring this type of unit in Section 4.127.
Recent Edits:	<u>Between June work session and July public hearing:</u> Removed unnecessary reference to the RN Zone from definitions. <u>Since July public hearing:</u> None

(.XXX) Urban Form: The physical characteristics of an area determined by the bulk, placement, and spacing of buildings and related site improvements.

(.XXX) Urban Form Type: A categorization between different planned Urban Forms with Type 1 having the most urban look and feel and Type 3 having the least urban look and feel.

(.XXX) Urban Form Type Designation: A designation applied to land that determines Urban Form Type and what lot and structure standards apply to guide Urban Form.

Amendment Description:	Administrative review of multi-family structures
Applicability:	Citywide
Impacted Code Section(s):	4.030
Relationship to Frog Pond East and South Master Plan:	Reflects the allowance of a wide variety of housing types, including various types of multi-family, throughout the Master Plan area.
Rationale for Amendment Text:	<p>The language intends to provide clarity that all residential buildings are subject to administrative review. The primary policy change is making multi-family housing (apartments) throughout the City subject to administrative review consistent with other residential structures subject to clear and objective standards, rather than subject to Site Design Review like commercial and industrial buildings. Multi-family buildings with seven or more units will require Class II Administrative Review, which requires public notice.</p> <p>The new process for multi-family applies only to the building and the immediately surrounding site improvements like landscaping. Site design and layout for apartment complexes remains subject to Development Review Board review.</p>
Impact on Housing Cost:	Reduces process and provides more certainty for multi-family housing, reducing cost in the development process
Compliance Notes:	Ensures clear and objective standards for a needed housing type as required in ORS 197.307 (4).
Recent Edits:	<p><u>Between June work session and July public hearing:</u> Added “previously” to lots that had been legally created to be clearer the new Class II process only applies where the multi-family building is going on an existing lot.</p> <p><u>Since July public hearing:</u> None</p>

Section 4.030 Jurisdiction and Powers of Planning Director and Community Development Director

- (.01) *Authority of Planning Director.* The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:
- A. A Class I application shall be processed as a ministerial action without public hearing, shall not require public notice, and shall not be subject to appeal or call-up, except as noted below. Pursuant to Class I procedures set forth in Section 4.035, and upon finding that a proposal is consistent with the provisions of this Code and any applicable Conditions of Approval, shall approve the following, with or without conditions:
 - 4. Building permits for residential structures in residential zones not subject to Site Design Review, except for multi-family structures with seven or more units, ~~single family dwellings, middle housing, and in the Village zone, row houses or apartments~~, meeting clear and objective zoning, siting, and design requirements standards and located on lots that have been legally created. The Planning Director's approval of such plans shall apply only to Development

Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.

- B. A Class II application shall be processed as an administrative action, with or without a public hearing, shall require public notice, and shall be subject to appeal or call-up, as noted below. Pursuant to Class II procedures set forth in Section 4.035, the Director shall approve, approve with conditions, deny, or refer the application to the Development Review Board for a hearing:
12. **Architectural and site plans, including modifications and remodels, for multi-family residential structures in residential zones with seven or more units not subject to Site Design Review, meeting clear and objective zoning, siting, and design standards, and located on lots that have previously been legally created. This does not include review of Stage I and Stage II Planned Development Master Plans and Site Design Review of open space and other common improvements, which are subject to review by the Development Review Board.**

Section 4.113. Standards Applying to Residential Developments in any Zone.

Amendment Description:	Clarify exceptions to open space requirements for multi-family development
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.01)
Relationship to Frog Pond East and South Master Plan:	Supports the broader code amendments allowing multi-family development to be reviewed similar to middle housing and detached single-family homes, which in turn supports the variety of housing throughout Frog Pond East and South called for in the Master Plan.
Rationale for Amendment Text:	These code edits avoid applying open space requirements to multi-family development twice, once when a subdivision or complex is approved, and once when a building permit is applied for. The new Subsection 2.c. makes clear that no additional open space requirements are applicable when a multi-family building is proposed in a previously approved subdivision or complex.
Impact on Housing Cost:	Ensures development does not have to meet the open space requirement both at a master plan level and an individual development level, ensuring the cost of providing open space is not inadvertently increased.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

(.01) *Open Space:*

- A. *Purpose.* The purposes of the following standards for open space are to provide adequate light, air, open space and usable recreational facilities to occupants of each residential development.
- B. *Applicability and Review.*
 - 1. The open space standards of this subsection shall apply to all residential development with the following exceptions:
 - a. Partitions for non-Multi-family development. However, serial or adjacent partitions shall not be used to avoid the open space requirements.
 - b. Development **within a previously approved Stage II Planned Development area so long as the Gross Development Area of the Stage II Planned Development area does not increase, the land being developed was previously designated for residential development, and there is no decrease in area of the previously approved required open space.**
 - 2. **The amount and location of open space required in this subsection is determined at the time of Stage II Final Plan review.**
 - 3. **The design of required open space is reviewed through Site Design Review.**

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Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

D. *Required Open Space Characteristics:*

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2. *Types of Open Space and Ownership.* The following types of areas count towards the minimum open space requirement if they are or will be owned by the City, a homeowners' association or similar joint ownership entity, or the property owner for Multi-family Development.

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Amendment Description:	Clarify stormwater facilities in the right-of-way do not count as required open space
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.01)
Relationship to Frog Pond East and South Master Plan:	None, except that it will ensure required open space planned is provided consistent with this citywide update.
Rationale for Amendment Text:	Minor edit to be clear that stormwater facilities in the right-of-way do not count as required open space, which is the same approach to other landscaped areas within the public right-of-way.
Impact on Housing Cost:	No direct impact, just increasing clarity of existing standard.
Compliance Notes:	Not driven by any compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

- c. Non-fenced vegetated stormwater features outside the public right-of-way.

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Amendment Description:	Consistent setback allowance for ADUs
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.02)
Relationship to Frog Pond East and South Master Plan:	Supports the Master Plan direction of removing barriers to development of ADUs.
Rationale for Amendment Text:	Ensures larger rear yard setbacks are not a barrier to ADU development everywhere they are permitted by establishing that a 10-foot rear setback is allowed in zones otherwise requiring a larger rear yard setback for purposes of constructing an ADU. The language also applies to other setbacks, including front and side. However, side setbacks are generally already 10-feet or less, and ADUs have historically not been built frequently in front yards.
Impact on Housing Cost:	Removes additional barriers to ADUs, which can be a lower cost housing option.
Compliance Notes:	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. The City is expanding similar changes throughout the City to remove barriers to ADU development.
Recent Edits:	<u>Between June work session and July public hearing:</u> Added text addressing relationship between ADU and garage setbacks where an ADU is either built over a garage or is a garage conversion. <u>Since July public hearing:</u> None

(.02) *Building Setbacks* (for Fence Setbacks, see subsection .08). The following provisions apply unless otherwise provided for by the Code or a legislative master plan.

A. *For lots over 10,000 square feet:*

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5. Minimum setback to garage door or carport entry: 20 feet. Except, however, in the case of an alley where garages or carports may be located no less than four feet from the property line adjoining the alley

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7. Cottage Cluster **and ADU** Setbacks: Setbacks in 1.—3. and 6. above do not apply to cottage clusters **and ADUs**. For cottage clusters **and ADUs**, minimum front, rear, and side setbacks are ten (10) feet. **Where an ADU is adjacent to an alley, it may meet the same setback as a garage taking alley access as established in 5. above. Garage setbacks in 5. above continue to apply regardless of relationship to a Cottage Cluster or ADU.**

B. *For lots not exceeding 10,000 square feet:*

...

5. Minimum setback to garage door or carport entry: 20 feet. Wall above the garage door may project to within 15 feet of property line, provided that clearance to garage door is maintained. Where access is taken from an alley, garages or carports may be located no less than four feet from the property line adjoining the alley.

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7. Cottage Cluster **and ADU** Setbacks: Any minimum setback in 1.—3. or 6. above that would exceed ten feet for a cottage cluster **or ADU** shall be ten feet. **Where an ADU is adjacent to an alley, it may meet the same setback as a garage taking alley access as established in 5. above. Garage setbacks in 5. above continue to apply regardless of relationship to a Cottage Cluster or ADU.**

Amendment Description:	Remove redundant parking standards reference
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.05) existing parking language removed and replaced with stormwater standards.
Relationship to Frog Pond East and South Master Plan:	None
Rationale for Amendment Text:	The language is redundant.
Impact on Housing Cost:	No direct impact, as State rules remove parking requirements regardless of what is in the code, but removing parking does reduce the potential over consumption of land by parking, thus reducing the cost of the associated housing.
Compliance Notes:	Reflects compliance with CFEC rules.
Recent Edits:	None

Amendment Description:	Establish residential stormwater design standards
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.05) existing language replaced in its entirety.
Relationship to Frog Pond East and South Master Plan:	Consistent with the stormwater component of the Master Plan and the assumption of land area dedicated to stormwater in the calculations for minimum unit and variety requirements (in 4.127 (.06) Table 6B).
Rationale for Amendment Text:	The language aims to clearly express the City's stormwater design requirements within the Development Code to provide greater clarity to the development community on the City's stormwater policy and how it interacts with residential development.
Impact on Housing Cost:	Some stormwater infrastructure required by these standards may cost more than alternative designs without the same standards. The cost includes both construction costs and long term maintenance costs. The standards however are applied consistently to all unit types, as well as all development types, not showing in prejudice towards increasing housing costs. The stormwater standards have been carefully crafted to meet legally defensible and reasonable policy objectives as laid out in PW Standards and Stormwater Permits to meet the objectives and offering flexibility in type of facility in a manner that meets the specific policy objectives in a reasonable and flexible manner without unnecessary standards that do not specifically relate to policy objectives.

Compliance Notes:

Not driven by any land use compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).

Recent Edits:

Between June work session and July public hearing:

- Established clear and objective measurement of what Maximum Extent Practicable is, which is 10 percent of new and redeveloped impervious area. This measurement is consistent with the definition of Maximum Extent Practicable in the Public Works Standards.
- Addition of areas that qualify as high priority locations, including areas on private lots.
- Added clear threshold of 12 feet in width to be considered a high priority linear facility.
- Additional edits to add clarity and direction on how to prioritize conflicting uses with stormwater management facilities.
- Added language reflecting existing policy that stormwater management facilities are to be maintained by homeowners associations or similar entities.
- Simplification of the waiver language.

Since July public hearing:

- Added language to the purpose statement to further clarify the intent of mimicking predevelopment hydrology
- Added the allowance of swales or ponds as a priority facility type with a clear and objective size limitation of being sized to serve a typical larger block (4 acres).
- Consolidated and simplified conflicting use language
- Added language to provide the appropriate code reference and clarify waivers to Residential Stormwater Design Standards are reviewed by the City Engineer and not the Development Review Board. All waiver criteria applicable to stormwater standards are now in Section 8.310, which will be adopted with City Council concurrent with Development Code amendments.

(.05) ~~Off-Street Parking.~~ Off-street parking shall be provided as specified in Section 4.155 **Residential Stormwater Design Standards:**

- A. Purpose.** The purpose of these standards is to protect the public health and welfare by appropriate management of stormwater to prevent flooding and property damage, and the pollution of streams, groundwater, wetlands, and other natural water features through the use of low impact development design and decentralized stormwater treatment and flow control as required by the City's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit. The purpose of these standards, further, is to thoughtfully integrate the design of stormwater management facilities into the overall design of neighborhoods in a manner that mimics the predevelopment hydrology by treating and controlling the stormwater as close to the source as practicable. These standards work in concert with related Public Works Standards and intend to better integrate the Public Works Standards requirements with land use planning and site layout.

- B. Low Impact Development.** All stormwater management facilities for treatment and flow control related to residential development shall follow low impact development design standards as described herein and in the City's Public Works Standards.
- C. Ownership and Maintenance.** All stormwater management facilities shall be owned and maintained by a homeowners association or similar entity and are subject to ownership and maintenance agreements with the City.
- D. Sizing.** Stormwater management facility sizing requirements shall be determined in accordance with the City's Public Works Standards. Use of impervious area reduction strategies in the Public Works Standards, including pervious hard surfaces and green roofs and tree credits, is encouraged.
- E. Locating.** Stormwater management facilities are required to be dispersed and integrated with development in order for stormwater to be managed and treated close to the source mimicking predevelopment hydrology. Stormwater management facilities shall be located pursuant to 1. and 2. below while considering conflicting uses pursuant to 3. below. See also Subsection (.01) D. for the extent stormwater management facilities can be counted as required open space. No stormwater management facilities shall be counted as required usable open space in (.01) D. 3 unless a waiver is granted pursuant to Subsection G.
- 1. High Priority Locations.** Stormwater management facilities at locations listed a. through h. in no particular order shall, at minimum, have a combined surface area equal to the required sizing pursuant to Subsection D or 10 percent of new and redeveloped impervious surface in the development, whichever is less.
- a. Street medians;
 - b. Planter strips;
 - c. Curb extensions or bulb outs on streets;
 - d. Shoulder/planter areas up to 12 feet wide, as measured from the top of the facility, along midblock bike and pedestrian connections, and along other off-street trails;
 - e. Facilities up to 12 feet wide, as measured from the top of the facility, around the edges of or within parks and open space;
 - f. Separate tracts for stormwater management facilities that are either:
 - i. No more than 12 feet in width, as measured from the top of the facility; or
 - ii. Sized to serve an area no larger than four acres.
 - g. Private yard areas on lots so long as all the following criteria are met:
 - i. A stormwater management facility is not more than 12 feet wide, as measured from the top of the facility;
 - ii. Foundations of habitable structures are not within five feet of a stormwater management facility; and
 - iii. The yard area with the stormwater management facility is unfenced is visible and accessible from the street.
- 2. Low priority.** If additional stormwater management facilities are needed after meeting the minimum surface area requirement in 1. above, the following locations can also be used:
- a. Landscaped areas within five feet of multi-family residential and commercial building foundations; and
 - b. Separate tracts for stormwater facilities besides those considered high priority under 1. f. above.

3. Conflicting Uses To Be Located Prior to Stormwater Facilities. When locating stormwater facilities, particularly in locations 1. a.-b. above, the locating of the following uses, according to established standards, shall occur prior to locating stormwater facilities on land not occupied by one of these uses.

- a. Street lights and other required lighting, including a buffer around the base of the light as required by Portland General Electric;
- b. Street trees and other required landscape trees, including associated mounds as established in the Public Works standards;
- c. Driveways and associated curb cuts; and
- d. Pedestrian walkways and bicycle paths.

4. While not required to be located prior to stormwater facilities, the applicant is encouraged to plan for locating other potential conflicting uses when locating stormwater facilities to avoid later design changes to stormwater facilities. Such potential conflicting uses include but are not limited to: fire hydrants and fire department connections (FDCs); mailboxes; utility access structures, clean outs, pedestals, and vaults for public and franchise utilities; and public utility easements for gas, electricity, and communication.

F. Prohibited Design Elements. To support the integration of stormwater facilities into site design, the following design elements are prohibited unless they are approved by the City Engineer, or designee, as part of a waiver request;

- 1. Fences**
- 2. Retaining walls over two feet in height as measured from the bottom of the footing to the top of the wall.**

G. Waivers to the Standards of this Subsection. Waivers to the Residential Stormwater Design Standards in this Subsection shall be processed by the City Engineer, or designee, pursuant to Wilsonville Code Section 8.130 and are not subject to waiver review by the Development Review Board as established in Sections 4.118.

(.07) Fences:

...

Amendment Description:	Special requirements for narrow fenced areas.
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.07)
Relationship to Frog Pond East and South Master Plan:	Accommodates a variety of housing configurations as called for in the Master Plan.
Rationale for Amendment Text:	This language, together with new language in Chapter 6, nuisances, provides a simple means to ensure narrow fenced areas are maintained and do not become nuisance areas. The concept is that ensuring access will increase use and with increased use there is a greater propensity for maintenance.
Impact on Housing Cost:	Minimal increase in cost to meet a specific policy objective.
Compliance Notes:	Not driven by any compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

E. When fences create an enclosed side yard area five feet or less in width, gates or other openings shall be provided creating a through connection to either a rear yard or alley.

...

Amendment Description:	Removing additional barriers to ADU development
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.10)
Relationship to Frog Pond East and South Master Plan:	Frog Pond East and South included ADU-focused work to better facilitate construction of these units that can provide a lower cost housing alternative throughout the city. The Master Plan work included identification of specific code edits that can further remove barriers to ADU development. Removing these barriers, together with variety requirements in Frog Pond East and South, will very likely result in ADU development at a higher level than elsewhere in the City.
Rationale for Amendment Text:	The specific changes to remove barriers to ADU development identified as part of the Frog Pond East and South Master Plan include: allowing ADUs for all townhouses, not just those on larger lots; exempting ADUs from maximum lot coverage requirements, which is a common regulatory barrier; and removing any special review process, making their review the same as detached homes or middle housing.
Impact on Housing Cost:	Removing additional barriers to ADU development supports the development of a lower cost housing option.
Compliance Notes:	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. The City is expanding similar changes throughout the City to remove barriers to ADU development.
Recent Edits:	<u>Between June work session and July public hearing:</u> Removed redundant process language to be more consistent with how process is described in code for other residential development such as detached homes. Other minor renumbering and typographical edits. <u>Since July public hearing:</u> None

(.10) *Accessory Dwelling Units:*

- A. Accessory Dwelling Units, are permitted subject to standards and requirements of this Subsection.
- B. *Standards:*
 - 1. Number Allowed.
 - a. For detached single-family dwelling units and for townhouses ~~on lots meeting the minimum lot size for detached single family in the zone:~~ One per dwelling unit.
 - b. For all other dwelling units: None.
 - 2. Maximum Floor Area: per definition in Section 4.001, 800 square feet of habitable floor area. Per Subsection 4.138(.04)C.1., in the Old Town Overlay Zone the maximum is 600 square feet of habitable floor area. Larger units shall be subject to standards applied to duplex housing.

Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

3. Accessory dwelling units shall be on the same lot as the dwelling unit to which they are subordinate.
4. Accessory Dwelling Units may be either attached or detached, but are subject to ~~all zone~~ standards for **the underlying zone except that ADUs are exempt from lot coverage maximums setbacks, height, and lot coverage, unless those requirements are specifically waived through the Planned Development waiver or Variance approval processes.**
5. *Design Standards:*
 - a. Roof pitch shall be 4:12 to 12:12. No flat roofs allowed.
 - i. Where the primary dwelling unit has a roof pitch of less than 4:12 the minimum roof pitch does not apply.
 - b. Roof and siding materials shall match the respective material of one or more of the following: (1) the primary dwelling unit on the same lot, (2) a primary dwelling unit on an immediately adjacent lot, or (3) a primary dwelling unit within the same subdivision.
 - i. For the purpose of the requirement to match material, fiber cement siding made to appear like wood, stucco, or masonry may be used to match wood, stucco, or masonry respectively.
 - c. Where design standards established for a zone or overlay zone are more restrictive and/or extensive than a. and b. above the more restrictive and/or extensive design standards shall apply. This includes design standards for the Village (V) Zone, the Residential Neighborhood (RN) Zone, and the Old Town Overlay Zone.
- ~~6. Where an Accessory Dwelling Unit is proposed to be added to an existing residence and no discretionary land use approval is being sought (e.g., Planned Development approval, Conditional Use Permit approval, etc.) the application shall require the approval of a Class I Administrative Review permit.~~
- 6.** Authorization to develop Accessory Dwelling Units does not waive Building Code requirements. Increased firewalls or building separation may be required as a means of assuring adequate fire separation from one unit to the next. Applicants are encouraged to contact, and work closely with, the Building Division of the City's Community Development Department to assure that Building Code requirements are adequately addressed.
- 7.** Each accessory dwelling unit shall provide complete, independent permanent facilities for living, sleeping, eating, cooking, bathing and sanitation purposes, and shall have its own separate secure entrance.
- ~~8. Reserved.~~
- 9.** Accessory dwelling units may be short-term rentals, but the owner/local operator must be in compliance with Chapter 7 of Wilsonville Code, which may include an active business license with the City of Wilsonville for a short-term rental business and payment of all applicable lodging and other taxes.

(.14) Design Standards for Detached Single-family and Middle Housing.

Amendment Description:	Clarify applicability of certain residential design standards by zone
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.14) A.
Relationship to Frog Pond East and South Master Plan:	Relates to the applicability of design standards for the variety of housing types called for in Frog Pond East and South in the Master Plan.
Rationale for Amendment Text:	The minor edits provide more clarity to where alternative design standards are provided and thus the citywide standards do not apply. This includes being clear of all the standards that do apply in Frog Pond East and South.
Impact on Housing Cost:	Clarifying edit, no change to how standards apply to any specific housing.
Compliance Notes:	Not driven by any compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits for readability and clarity. <u>Since July public hearing:</u> None

- A. The standards in this subsection apply in all zones, except as indicated in 1.—~~2~~ **3.** below:
1. The Façade Variety standards in Subsection C.1. do not apply in the Village Zone or **the area regulated by the Frog Pond West Master Plan zoned Residential Neighborhood Zone**, as these zones/**areas** have their own variety standards, except that the **variety** standards do apply to middle housing development with multiple detached units on a single lot for which the **variety** standards of these zones/**areas** do not address.
 2. The entry orientation ~~and window standards~~ for triplexes, quadplexes, and townhouses in Subsections D.1-2. and E. 2-3. do not apply in the Village Zone or Residential Neighborhood Zone as these zones have their own related standards applicable to all single-family and middle housing.
 - 3. The window standards for triplexes, quadplexes, and townhouses in Subsection D. 2. And E. 3. do not apply in the Village Zone or the Frog Pond West neighborhood in the Residential Neighborhood Zone as these zones/areas have their own related standards applicable to all single-family and middle housing.**

...

D. Standards applicable to Triplexes and Quadplexes except as noted in I. below.

...

Amendment Description:	Clarify measurement of garage doors
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.14)
Relationship to Frog Pond East and South Master Plan:	None, but ensures consistency in implementing similar standards throughout the City, including Frog Pond East and South.
Rationale for Amendment Text:	These minor edits provide consistency with similar proposed amendments in the RN Zone (Section 4.127) text.
Impact on Housing Cost:	Reduces construction cost by enabling the wider use of lower cost standard-sized garage doors rather than custom-sized garage doors.
Compliance Notes:	Not driven by any compliance standards, however, supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

3. *Garages and Off-Street Parking Areas.* The combined width of all garages **(measured from the interior of the garage door frame)** and outdoor on-site parking and maneuvering areas shall not exceed a total of 50 percent of any street frontage (other than an alley) (see Figure 6. Width of Garages and Parking Areas).

...

F. Standards applicable to Cottage Clusters.

...

12. *Parking Design (see Figure 15. Cottage Cluster Parking Design Standards).*

...

d. *Garages and carports.*

...

iv. Garage doors for attached and detached individual garages must not exceed 20 feet in width **as measured from the interior of the garage door frame.**

G. Standards applicable to Cluster Housing besides Cottage Clusters.

...

4. *Garages and Off-Street Parking Areas.* The combined width of all garages **(measured from the interior of the garage door frame)** and outdoor on-site parking and maneuvering areas shall not exceed a total of 50 percent of any street frontage (other than an alley). Garages and off-street parking areas that are separated from the street property line by a dwelling are not subject to this standard. (See Figure 6. Width of Garages and Parking Areas).

...

Amendment Description:	Clarify process for alternative discretionary review of residential design standards
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.14) J.
Relationship to Frog Pond East and South Master Plan:	Consistent with language in the RN Zone (4.127) related to the Master Plan language regarding alternative discretionary review.
Rationale for Amendment Text:	Minor edits provide clarity for process to require alternative discretionary review of residential design standards.
Impact on Housing Cost:	Clarifying process can reduce time, and thus permitting costs, for approving housing. The alternative process allows a path for relief where any individual standard does have a unique undesired impact on a specific project.
Compliance Notes:	Reflects alternative standards to clear and objective standards allowed in ORS 197.307 (4).
Recent Edits:	None

- J. Alternative Discretionary Review: As an alternative to meeting one or more design standards of this subsection an applicant may request **a waiver as part of** Site Design Review by the Development Review Board of a proposed design. In addition to the **waiver criteria in Sections 4.118 and 4.140 and applicable** Site Design Review Standards, affirmative findings shall be made that the following standards are met:
1. The request is compatible with existing surrounding development in terms of placement of buildings, scale of buildings, and architectural design;
 2. The request is due to special conditions or circumstances that make it difficult to comply with the applicable Design Standards, or the request would achieve a design that is superior to the design that could be achieved by complying with the applicable Design Standards; ~~and~~
 3. The request continues to comply with and be consistent with State statute and rules related to Middle Housing, including being consistent with State definitions of different Middle Housing types; and
 4. **The request remains substantially consistent with any legislative master plan the property is included within.**

Amendment Description:	Design standards for multi-family housing
Applicability:	Citywide
Impacted Code Section(s):	4.113 (.15) (new)
Relationship to Frog Pond East and South Master Plan:	Relates to the applicability of design standards for the variety of housing types called for in Frog Pond East and South in the Master Plan.
Rationale for Amendment Text:	The detailed design standards allow for the administrative review of multi-family development consistent with how other residential development is reviewed. The standards below were adapted by expert consultants from the design standards for buildings of similar bulk in the City's existing design standards, particularly townhouses. In addition, consideration was given for typical larger parking areas for multi-family development.
Impact on Housing Cost:	Having clear and objective design standards to be used as part of an administrative process reduces review timelines and uncertainty during review, thus reducing design and permitting cost for housing. The established standards are based on model code in Oregon Administrative Rules for middle housing of similar bulk. These model code standards have been found by the State to be reasonable requirements that do not unduly increase the cost of housing.
Compliance Notes:	Establishes clear and objective standards for a needed housing type as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Clarification that standards do not apply to buildings with ground floor live-work units, which are subject to Site Design Review the same as other mixed-use buildings. Other minor edits to increase clarity. <u>Since July public hearing:</u> None

(.15) Design Standards for Multi-Family Housing:

- A. Purpose and Intent.** The purpose of the multi-family design standards is to create and maintain street frontages that are varied and attractive, create an environment that is conducive to walking, and provide natural surveillance of public spaces. The standards will also promote building details in multi-family development that provide visual interest, contribute to a high-quality living environment for residents, give a sense of quality and permanence, and enhance compatibility with the surrounding community. The design standards also aim to create consistency with design standards for other residential unit types that multi-family housing may be built adjacent to.
- B. Applicability.** These standards apply to all multi-family development except for the following:
- 1. Mixed-use buildings that include ground floor non-residential uses or live-work units and multi-family residential above.**
 - 2. Multi-family buildings in the Village and Town Center Zones which are subject to zone-specific standards in Section 4.125 or 4.132, respectively.**

C. Entrance Orientation.

- 1. At least one main entrance for each multi-family structure must either meet the standards in subsections a. and b. below, or must meet the alternative standard in subsection C.2.**
 - a. The entrance must be within eight feet of the longest street-facing exterior wall of the structure; and**
 - b. The entrance must either:**
 - i. Face the street;**
 - ii. Be at an angle of up to 45 degrees from the street; or**
 - iii. Open onto a porch. The porch must:**
 - a. Be at least 25 square feet in area; and**
 - b. Have at least one entrance facing the street or have a roof.**
- 2. Alternative standard. As an alternative to subsection 1., a main entrance to a multi-family structure may face a courtyard if the courtyard-facing entrance is located within 60 feet of a street and the courtyard meets the following standards:**
 - a. The courtyard must be at least 15 feet in width;**
 - b. The courtyard must abut a street; and**
 - c. The courtyard must be landscaped or hard-surfaced for use by pedestrians.**

D. Windows. A minimum of 15 percent of the area of all public-facing façades must consist of windows or entrance doors, including associated frames and trim. Façades separated from the street or public space by a dwelling are exempt from meeting this standard. Required windows shall be clear glass and not mirrored or frosted, except for bathrooms.

E. Articulation.

- 1. Minimum Articulation.** All public-facing façades shall incorporate a selection of the following design elements at a minimum interval of every 30 feet. The minimum number of design elements from this list that will be required is determined by dividing the façade length (in feet) by 30 and rounding up to the nearest whole number.
 - a. Varying rooflines.**
 - b. Offsets of at least 12 inches.**
 - c. Balconies.**
 - d. Projections of at least 12 inches and width of at least three feet.**
 - e. Porches.**
 - f. Entrances that are recessed at least 24 inches or covered.**
 - g. Dormers at least three feet wide.**
- 2. Articulation Element Variety.** Different articulation design elements shall be used as provided below, based on the length of the facade. For the purpose of this standard, a "different element" is defined as one of the following: a completely different element from the list in subsection E.1. above; the same element but at least 50 percent larger; or varying rooflines that are vertically offset by at least three feet.
 - a. Where two to four elements are required on a façade by E.1., at least two different elements shall be used.**
 - b. Where more than four elements are required on a façade by E.1., at least three different elements shall be used.**

F. Pedestrian Access and Circulation. The following standards are intended to ensure safe and efficient circulation for pedestrians within multi-family development.

- 1. Each multi-family development shall contain an internal pedestrian circulation system that makes connections between individual units and parking areas, green focal points and other common open space areas, children's play areas, and public rights-of-way. All pedestrian connections (walkways) shall meet the following standards:**
 - a. Except as required for crosswalks, per subsection 3., where a walkway abuts a vehicle circulation area, it shall be physically separated by a curb that is raised at least six inches or by bollards.**

- b. Walkways shall be constructed of concrete, asphalt, brick or masonry pavers, or other hard surface, and not less than five feet wide.
 - 2. All walkways shall comply with the requirements of the Americans with Disabilities Act.
 - 3. In order to provide safe crossings of driveways and parking areas, crossings shall be clearly marked with either contrasting paving materials (such as pavers, light-color concrete inlay between asphalt, or similar contrasting material) or reflective striping that emphasizes the crossing under low light and inclement weather conditions.
 - 4. Pedestrian connections shall be provided between buildings within the development, and between the development and adjacent rights-of-way, transit stops, parks, schools, and commercial developments. At least one connection shall be made to each adjacent street and sidewalk for every 200 linear feet of street frontage. Sites with less than 200 linear feet of street frontage shall provide at least one connection to the street and/or sidewalk.
- G. *Off-Street Parking Location and Design.* The following standards are intended to support a pedestrian-friendly street environment and to minimize the visual impacts of parking areas and garages.
 - 1. Off-street parking spaces and drive aisles shall not be located in the Front Yard.
 - 2. Off-street parking areas shall not occupy more than 50% of the total length of each street frontage as measured 20 feet from the street property line. Drive aisles are only counted as parking areas if:
 - a. parking spaces adjacent to the drive aisle are provided; and
 - b. the drive aisle is between a building and street.
 - 3. Off-street parking spaces shall not be located within ten feet of any property line, except alley property lines. Driveways and drive aisles necessary to connect to the street are permitted within ten feet of property lines.
 - 4. Landscaping, fencing, or walls at least three feet tall shall separate parking areas from useable open space, green focal points, and public streets (except alleys).
 - 5. If garages are attached to a street-facing facade, they may not be located closer to the street property line than the building facade.
 - 6. Driveways associated with attached garages that take direct individual access from a public or private street must meet the townhouse driveway and access standards in Subsection 4.113 (.14) E. 5. For the purpose of those standards, each individual multi-family garage shall meet the standards applicable to a townhouse or townhouse lot.

Amendment Description:	Clarify that residential design and variety standards are among the standards subject to waivers
Applicability:	Citywide
Impacted Code Section(s):	4.118
Relationship to Frog Pond East and South Master Plan:	Supports the allowance for alternative discretionary review called for in the Master Plan.
Rationale for Amendment Text:	Residential design standards did not exist in the way they do now when this code language in Section 4.118 was created. This provides clarity that an applicant can apply for a waiver for residential design standards.
Impact on Housing Cost:	Makes clear that even if a residential design standard increases cost in a manner that makes a project unfeasible, that a clear process exists to waive it to remove the barrier.
Compliance Notes:	Reflects alternative standards to clear and objective standards allowed in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> None <u>Since July public hearing:</u> Clarified that variety standards are most like density standards rather than other standards, and a similar level of review applies. Previously it was unclear what language in 4.118 applied to variety standards, which is allowed to be waived consistent with language in 4.127 (.22)

4.118 Standards Applying to all Planned Development Zones

- (.03) Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:
- A. Waive the following typical development standards:
 - ...
 - 13. Architectural design standards, **including residential design standards;**
 - B. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways:
 - ...
 - 2. Minimum density standards and **housing variety standards in** ~~of~~ residential zones. The required minimum density may be reduced by the Board in the Residential Neighborhood zone in compliance with [Section] 4.127(.06) B; and

Amendment Description:	Clarifying existing special waiver process for open space in the RN Zone
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.118
Relationship to Frog Pond East and South Master Plan:	Supports implementation of open space consistent with the Master Plan.
Rationale for Amendment Text:	In Frog Pond West open space requirements were primarily met by specific spaces planned as part of the Master Plan, and the Master Plan area is exempt from open space standards applicable to other residential areas in the City. See Subsection 4.127 (.09). As such specific waiver language related to open space in Section 4.118 states it is not applicable to the RN zone. While this is accurate for Frog Pond West, it is not for Frog Pond East and South. Frog Pond East and South are subject to the open space requirements applicable citywide, therefore this existing exemption in 4.118 should not apply to the plan area.
Impact on Housing Cost:	None, the edit keeps consistency with other code language and does not change policy.
Compliance Notes:	None, edit is for consistency.
Recent Edits:	<u>Between June work session and July public hearing:</u> None <u>Since July public hearing:</u> Recently discovered additional reference to the RN zone and the need for the additional edit.

4.118 Standards Applying to all Planned Development Zones

- (.03) Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:
- A. Waive the following typical development standards:
 - ...
 - 17. Open space in the **Frog Pond West Neighborhood in the** Residential Neighborhood zone; and;
 - ...
 - B. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways:
 - 1. Open space requirements in residential areas, except that the Board may waive or reduce open space requirements in the **Frog Pond West Neighborhood in the** Residential Neighborhood zone. Waivers in compliance with [Section] 4.127(.08)(B)(2)(d);

Amendment Description:	Consistent setback allowance for ADUs
Applicability:	Citywide
Impacted Code Section(s):	4.120 and 4.123
Relationship to Frog Pond East and South Master Plan:	Supports the Master Plan direction of removing barriers to development of ADUs.
Rationale for Amendment Text:	Ensures larger rear yard setbacks are not a barrier to ADU development everywhere they are permitted by establishing that a 10-foot rear setback is allowed in zones otherwise requiring a larger rear yard setback for the purposes of constructing an ADU.
Impact on Housing Cost:	Further removes barriers to building ADUs, which can be an affordable housing option.
Compliance Notes:	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. The City is expanding similar changes throughout the City to remove barriers to ADU development.
Recent Edits:	<u>Between June work session and July public hearing:</u> Additional language addresses relationship between ADU and garage setbacks where an ADU is either built over a garage or is a garage conversion. <u>Since July public hearing:</u> None

Section 4.120 (.05) FDA-H Dimensional Standards

- E. Accessory buildings and uses shall conform to front and side yard setback requirements. If the accessory buildings and uses do not exceed 120 square feet or ten feet in height, and they are detached and located behind the rear-most line of the main buildings, the side and rear yard setbacks may be reduced to three feet. **Minimum front and rear setback for ADUs is 10 feet. Where an ADU is adjacent to an alley, it may meet the same setback as a garage taking alley access in B.1. above. Garage setbacks in B.1. above continue to apply regardless of relationship to an ADU.**

Old Town Residential Design Standards footnote (noted by *) on page 19

For Cottage Clusters **and ADUs**, minimum front and rear setbacks are 10'. **Where an ADU is adjacent to an alley, it may meet the same setback as a garage taking alley access. Garage setbacks continue to apply regardless of relationship to a Cottage Cluster or ADU.**

Section 4.127. Residential Neighborhood (RN) Zone.

...

(.02) *Permitted uses:*

A. Open Space.

Amendment Description:	Updated residential permitted uses for RN Zone
Applicability:	The entirety of Frog Pond, however there is no change to permitted uses in Frog Pond West
Impacted Code Section(s):	4.127 (.02)
Relationship to Frog Pond East and South Master Plan:	Reflects the variety of residential unit types encouraged in the Master Plan
Rationale for Amendment Text:	Rather than the prior allowed unit types one by one, this revised language reflects that the entire array of unit type are allowed, and then addresses certain limitations including: existing restrictions in Frog Pond West from the Frog Pond West Master Plan, the variety standards for Frog Pond East, and the commercial nature of the Commercial Main Street area.
Impact on Housing Cost:	No policy change, thus no impact on housing cost. However, it does reflect the wide allowance of a variety of housing including lower-cost options.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits to increase clarity and remove a typographical error. <u>Since July public hearing:</u> None

B. Residential dwelling units with the following limitations:

1. Frog Pond West Neighborhood:

a. During initial development:

i. a maximum of two townhouses may be attached, except on corner lots, a maximum of three townhouses may be attached.

ii. triplexes are permitted only on corner lots, and quadplexes are not permitted.

iii. only two-unit cluster housing is permitted except on corner lots where three-unit cluster housing is permitted.

b. Multi-family dwelling units are not permitted within the Frog Pond West Neighborhood, consistent with the Frog Pond West Master Plan.

2. In the Frog Pond East and South Neighborhoods, the extent and mix of different types of dwelling units is limited and controlled by the variety standards in Subsection (.06) C. – E. and related standards.

- 3. Multi-family dwelling units are only allowed in the Commercial Main Street Area in the Frog Pond East Neighborhood if contained within a mixed-use development. The Commercial Main Street Area is as described in Subsection (.07) A. 1. and shown in Figure A-7.**
- C. Public or private parks, playgrounds, recreational and community buildings and grounds, tennis courts, and similar recreational uses, all of a non-commercial nature, provided that any principal building or public swimming pool shall be located not less than 45 feet from any other lot.

Amendment Description:	Define permitted uses for the Commercial Main Street in Frog Pond East
Applicability:	Commercial Main Street area of Frog Pond East
Impacted Code Section(s):	4.127 (.02)
Relationship to Frog Pond East and South Master Plan:	Implements the Commercial Main Street requirement from the Master Plan
Rationale for Amendment Text:	The language intends to clearly layout the amount of the ground floor space for the Commercial Main Street that must be commercial and what is a permitted commercial use that counts toward that minimum amount requirement.
Impact on Housing Cost:	This is a Commercial Area meant to serve housing, rather than an area meant to provide housing. However, like other commercial areas of the City housing is allowed. The requirement that some commercial be provided does increase the overall cost of a mixed-use building versus a residential only building. If commercial space does not lease up the cost of the space has to be carried by the residential portion. To limit the impact of the cost of adding commercial while still honoring the policy choice of providing commercial space in the Master Plan, flexibility for the allowance of ground floor live-work units and Business Integrated Dwelling Units is provided.
Compliance Notes:	No State or Regional requirements drive the inclusion of commercial. The inclusion reflects the Frog Pond Area Plan and Frog Pond East and South Master Plan, and the resulting Commercial Comprehensive Plan Designation previously adopted for the subject land.
Recent Edits:	<u>Between June work session and July public hearing:</u> Updated numbering, removed unnecessary code reference to 4.127 (.02) B. 3. <u>Since July public hearing:</u> None

D. For the Commercial Main Street area described in Subsection (.07) A. 1. and shown in Figure A-7, the ground floor allows commercial uses listed under 1.-9. below. Drive-through commercial uses are prohibited. A minimum of 50% of the building frontage along SW Brisband Street must be occupied by these uses with the remainder of the frontage allowed to be Live-Work Dwelling Units.

- 1. Retail sales and service of retail products, under a footprint of 30,000 square feet per tenant.**
- 2. Office, including medical facilities.**
- 3. Personal and professional services.**
- 4. Child and/or day care.**
- 5. Food or Beverage service (e.g., restaurants, cafes, brewpubs, bars).**
- 6. Community services and community centers.**
- 7. Commercial recreation.**
- 8. Religious institutions.**

9. Business-Integrated Dwelling Units accessory to uses listed 1.-9. above.

(.05) *Residential Neighborhood Zone Sub-districts:*

- A. RN Zone sub-districts may be established to provide area-specific regulations that implement legislative master plans.
 - 1. For the Frog Pond West Neighborhood, the sub-districts are listed in Table 1 of this Code and mapped on Figure 6 of the Frog Pond West Master Plan. The Frog Pond West Master Plan Sub-District Map serves as the official sub-district map for the Frog Pond West Neighborhood.

Amendment Description:	Clear and Objective Identification of the Subdistrict Boundaries
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.05)
Relationship to Frog Pond East and South Master Plan:	Subdistricts are a key regulatory and design component identified in the Master Plan. This language provides the necessary detail to ensure there is clarity in the boundaries of the subdistricts, which in turn is the basis for housing variety requirements and other standards.
Rationale for Amendment Text:	Initially, only a map was planned. However, feedback received indicated that only a map is likely to still leave too much unclarity for specific boundaries. Text was added to supplement the map to clearly define the boundaries for the subdistricts.
Impact on Housing Cost:	On their own subdistricts are neutral on housing costs. However, a number of regulations are applied on a sub-district level that can impact housing cost. See discussion elsewhere in this Section.
Compliance Notes:	The concept of regulating housing variety and other standards by subdistrict is not driven by State or Regional requirements. It reflects the neighborhood within a neighborhood similar to the Villebois SAP concept. The implementation measures adopted into the Comprehensive Plan with the Frog Pond East and South Master Plan do specifically require mapping of subdistricts and their use for regulations including minimum number of units, housing variety, and min and max of target units. See Implementation Measure 4.1.7.D. 1. and 2.
Recent Edits:	None

2. The area of the Frog Pond East and South Master Plan is divided into subdistricts described below, as shown for reference in Figure A-5:

- a. Subdistrict E1. The area south of SW Kahle Road and the BPA Easement, east of SW Stafford Road, and north of an existing east-west property line approximately 1,232 feet north of SW Advance Road and 1,315 south of SW Kahle Road.**
- B. Sudistrict E2. The area outside the SROZ south of SW Kahle Road, north of the BPA Easement, and west of a creek intersecting SW Kahle Road approximately 1,580 feet east of SW Stafford Road.**
- C. Subdistrict E3. The area outside the SROZ south of SW Kahle Road, north of the BPA Easement, east of Subdistrict E2, and west of and abutting the eastern edge of the Master Plan area.**
- D. Subdistrict E4. The area south of Subdistrict E1, east of SW Stafford Road, north of SW Advance Road, and west of future 63rd Avenue extension from the intersection of SW Advance Road and SW 63rd Avenue north to Subdistrict 1.**

E. Subdistrict E5. The area south of Subdistrict E1 and the BPA Easement, east of Subdistrict E4, north of SW Advance Road, and west of future 60th Avenue extension from the intersection of SW Advance Road and SW 60th Avenue north to the BPA Easement.

F. Subdistrict E6. The area south of the BPA Easement, east of Subdistrict E5, north of SW Advance Road, and west of and abutting the eastern edge of the Master Plan area.

G. Subdistrict S1. The area south of SW Advance Road, east of and abutting the western edge of the Master Plan area, north of the Meridian Creek Middle School property, and west of SW 63rd Avenue.

H. Subdistrict S2. The area south of SW Advance Road, east of SW 60th Avenue, and north of an existing property line approximately 956 feet south of SW Advance Road, and west of and abutting the eastern edge of the Master Plan area.

I. Subdistrict S3. The area south of Subdistrict S2, east of SW 60th Avenue, north of SW Kruse Road, and west of and abutting the eastern edge of the Master Plan area.

J. Subdistrict S4. The area south of the Meridian Creek Middle School property, east of and abutting the western edge of the Master Plan area, north of and abutting the southern edge of the Master Plan area, and west of SW 60th Avenue.

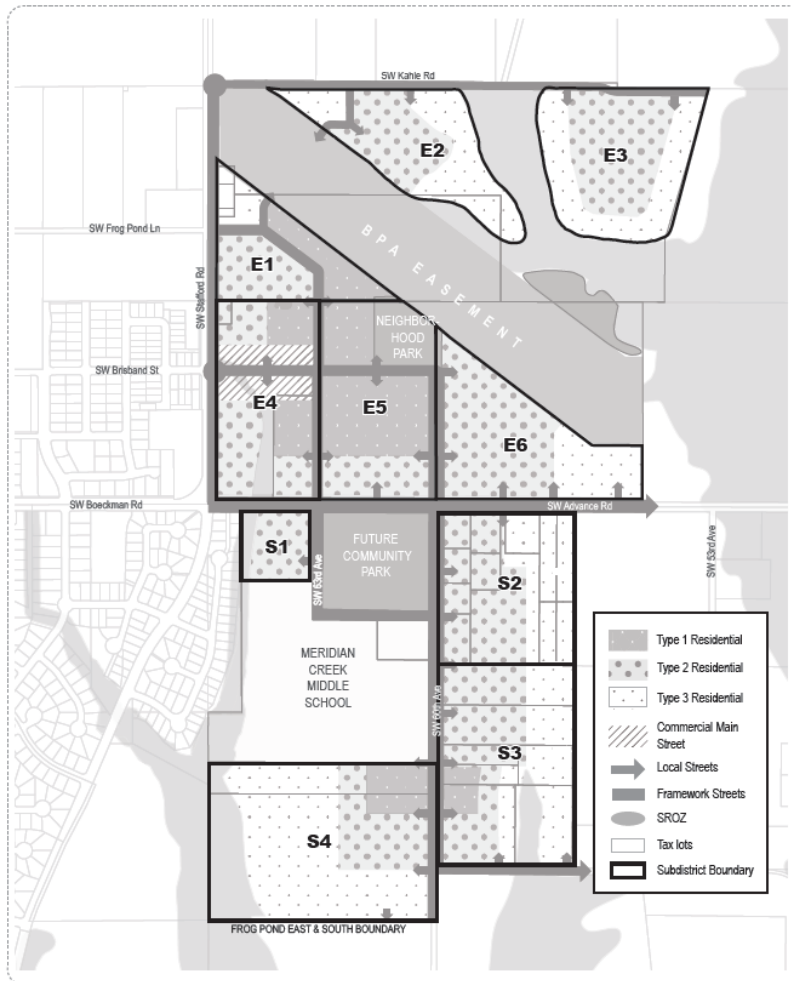


Figure A-5. Frog Pond East and South Land Uses and Subdistrict Boundaries

Amendment Description:	Clarification that certain existing code language relates only to Frog Pond West.
Applicability:	Frog Pond West
Impacted Code Section(s):	4.127 (.06) A.
Relationship to Frog Pond East and South Master Plan:	Ensures existing language applicable to Frog Pond West is clearly separate from new language for Frog Pond East and South implementing the Master Plan.
Rationale for Amendment Text:	Insert the necessary references clarifying what language only applies to the Frog Pond West neighborhood.
Impact on Housing Cost:	This is a clarification of applicability of standards that does not impact housing cost.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

(.06) Development Allowances:

- A. The minimum and maximum number of residential lots approved shall be consistent with this Code and applicable provisions of an approved legislative master plan.
 - 1. For initial development of **the Frog Pond West Neighborhood, Table 6A** in this Code and Frog Pond West Master Plan Table 1 establish the minimum and maximum number of residential lots for the sub-districts.
 - 2. For areas that are a portion of a sub-district **in the Frog Pond West Neighborhood**, the minimum and maximum number of residential lots are established by determining the proportional gross acreage **outside of the SROZ** and applying that proportion to the minimums and maximums listed in Table 1. The maximum density of the area may be increased, up to a maximum of ten percent of what would otherwise be permitted, based on an adjustment to an SROZ boundary that is consistent with 4.139.06.
- B. The City may allow a reduction in the minimum density for a sub-district **in the Frog Pond West Neighborhood** 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.

Area Plan Designation	Frog Pond West Sub-district	Minimum Lots in Sub-district ^{a,b}	Maximum Lots in Sub-district ^{a,b}
R-10 Large Lot	3	26	32
	7	24	30
	8	43	53
R-7 Medium Lot	2	20	25
	4	86	107
	5	27	33
	9	10	13
	11	46	58

**Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)**

R-5 Small Lot	1	66	82
	6	74	93
	10	30	38
Civic	12	0	7 ^a
Public Facilities (PF)	13	0	0

- a. Each lot must contain at least one dwelling unit but may contain additional units consistent with the allowance for ADUs and middle housing.
- b. For townhouses, the combined lots of the townhouse project shall be considered a single lot for the purposes of the minimum and maximum of this table. In no case shall the density of a townhouse project exceed 25 dwelling units per net acre.
- c. These metrics apply to infill housing within the Community of Hope Church property, should they choose to develop housing on the site. Housing in the Civic sub-district is subject to the R-7 Medium Lot Single Family regulations.

Amendment Description:	Minimum Unit Table
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C.
Relationship to Frog Pond East and South Master Plan:	Ensures minimum of 1325 units are built consistent with a Metro Condition of Approval. Establishes minimum amounts of certain target unit types consistent with Implementation Measure 4.1.7.D 2. c. and d. to require minimum amounts of target unit types and middle housing. The table sets the minimums at the subdistrict and tax lot level consistent with Implementation Measure 4.1.7.D. 2. a, which ensures this variety is achieved throughout the planning area.
Rationale for Amendment Text:	<p>Table 6B incorporates a number of requirements into a single table for ease of reference of different requirements, with minimums listed by the smaller of subdistrict or tax lot as directed in the Master Plan.</p> <p>The minimum unit count of 1325 is proportioned to each subdistrict or tax lot based on the amount of assumed net area in each Urban Form Type, with subdistricts or tax lots with Urban Form Type 1 receiving proportionally the most and Urban Form Type 3 receiving proportionally the least.</p> <p>Rather than establish formulas that could cause future uncertainty, the table does the math and just states the answer of the formula. The minimum required of middle housing, small units, and mobility-ready units are listed as numbers, calculated from an assumed moderate buildout, and rounded up to the next whole number. Moderate buildout represents 125% of the minimum buildout. The set percentage for middle housing is 20%, small units is 5%, and mobility-ready units is 10%. These percentages are as recommended by the project team and reviewed by the Planning Commission and City Council in work sessions.</p>
Impact on Housing Cost:	While the Table does require a development level and variety that will produce lower-cost housing options, this analysis focuses on how the variety required by the table may increase housing costs. Housing Variety requirements indicated by the minimums in the table do require additional unit types than might otherwise be built, which can increase certain design and construction costs. Care was taken in drafting the standards to establish standards that did not create too granular of standards as to unduly decrease the ability to use standard industry efficiencies in design and construction. See examples of how care was taken below. When weighed with the variety standards ensuring production of lower cost unit types, the potential for added costs of producing more types of units leading to higher housing costs is off-set. It is better to have relatively higher design and construction costs on lower cost units than only have larger higher-cost housing that may

be more cost-efficient to design and build, but do not provide lower cost unit types to the market. The following are specific steps the proposed requirements take to balance the variety requirements with the potential to increase cost of a given housing unit to do less design and construction efficiency.

- Not generally requiring variety within a block, but allowing “block level variety” as required in the Master Plan to be substantially met with variety on adjacent blocks and “across the street.”
- Thoughtfully choosing geographic size and number of units per certain geographic size that ensure variety throughout the plan area but do not unduly increase the number of unit types to be designed and built.
- Exempting small developments from requirements such as small unit and mobility-ready unit minimums to avoid forcing too many unit types in small areas.
- Allowing each variety requirement to be met by different unit types, thus providing flexibility and reducing the likelihood a new custom home design will be needed to meet a given standard.
- Allowing a single unit to be counted against meeting multiple requirements. For example, a cottage in a cottage cluster could meet middle housing, small unit, and mobility-ready requirements. This allows more land to be used by other units as well as if a developer does create a new home design for the development, they are able to maximize its use and not have to create multiple new home designs.

Beyond the variety-related concerns, the mobility-ready unit requirement does have potential to increase costs as a similarly square foot unit on a single floor takes up more land and has more roof area (an expensive portion of the construction) than a multi-floor unit. However, the regulations allow multiple ways for the requirement to be met minimizing this impact on cost by allowing more units, such as ADUs and ground floor apartments, as well as primary-on-main units that have an upstairs portion, to help meet the requirement. The requirement is tailored to be directly responsive to a policy goal of more mobility-friendly units while minimizing impact on costs.

Compliance Notes:

The minimum of 1325 units is required Metro Condition of Approval F. 1. In Ordinance No. 18-1427.

Metro Condition of Approval A. 2. Requires the City allow middle housing throughout, similar to what is required in House Bill 2001 (2019) and implementing rules. The requirement that 20% of likely build out is middle housing is not required by the State or Region, nor does the Master Plan establish a specific amount. 20% is similar to what was built in

Villebois, and where possible the City relied on precedents in the City and from comparable cities when establishing numeric standards.

The minimum amounts of certain target unit types are required by Implementation Measure 4.1.7.D 2. c. and d.. The table sets the minimums at the subdistrict and tax lot level consistent with Implementation Measure 4.1.7.D. 2. a, which ensures this variety is achieved throughout the planning area. The definition of small unit, mobility-ready unit, and the percent required by each of these are not driven by State or Regional requirements nor are they defined or specified in the Master Plan. The definitions and requirements were determined in consultation with the Planning Commission and City Council after looking for similar precedents, sales data from Zillow, and testing for feasibility. The numbers were chosen to balance having in impactful amount of the target unit types and market feasibility.

Recent Edits:

None

- C. Table 6B establishes the minimum number of housing units that must be developed within each subdistrict and tax lot in the Frog Pond East and South neighborhoods. This includes the minimum number of units of various housing types needed to ensure a variety of housing options throughout the neighborhoods consistent with the Frog Pond East and South Master Plan. Housing unit types are defined in Section 4.001 and the footnotes to Table 6B.**

Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

Table 6B. Minimum Number of Units in Frog Pond East and South Sub-districts				
<u>Sub-Districts</u>	<u>Minimum Total Number of Units</u>	<u>Minimum Number of Middle Housing Units</u> ^{A, B, G}	<u>Minimum Number of Small Units</u> ^{B, C, D, G}	<u>Minimum Number of Mobility-Ready Units</u> ^{B, C, E, F, H}
E1	104	26	7	13
E2	110	28	7	14
E3	133	34	9	17
E4^H	211			
E4 TL 1101 (portion)^I	185	15	4	8
E4 TL 1200	24	6	2	3
E4 TL 1000	2	1^J	1^J	0
E5	227	57	15	29
E6	141	36	9	18
S1	25	7	2	4
S2^E	91			
S2 TL 1000 28050 SW 60th Ave	6	2^J	1^J	1^J
S2 TL 800 5890 SW Advance Rd	6	2^J	1^J	1^J
S2 TL 500 5780 SW Advance Rd	5	2^J	1^J	1^J
S2 TL 300 5738 SW Advance Rd	5	2^J	1^J	1^J
S2 TL 100 5696 SW Advance Rd	5	2^J	1^J	1^J
S2 TL 900	5	2^J	1^J	1^J
S2 TL 700	33	9	3	5
S2 TL 400	4	1^J	1^J	0
S2 TL 200	4	1^J	1^J	0
S2 TL 1100 28152 SW 60th Ave	5	2^J	1^J	1^J
S2 TL 1200	5	2^J	1^J	1^J

Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

<u>S2 TL 1300</u> <u>28300 SW</u> <u>60th Ave</u>	<u>8</u>	<u>2^J</u>	<u>1^J</u>	<u>1^J</u>
<u>S3^E</u>	<u>125</u>			
<u>S3 TL 1400</u> <u>28424 SW</u> <u>60th Ave</u>	<u>25</u>	<u>7</u>	<u>2^J</u>	<u>4</u>
<u>S3 TL 1500</u> <u>28500 SW</u> <u>60th Ave</u>	<u>25</u>	<u>7</u>	<u>2^J</u>	<u>4</u>
<u>S3 TL 1600</u>	<u>8</u>	<u>2^J</u>	<u>1^J</u>	<u>1^J</u>
<u>S3 TL 1800</u> <u>28668 SW</u> <u>60th Ave</u>	<u>8</u>	<u>2^J</u>	<u>1^J</u>	<u>2^J</u>
<u>S3 TL 1700</u> <u>28580 SW</u> <u>60th Ave</u>	<u>10</u>	<u>3</u>	<u>1^J</u>	<u>2^J</u>
<u>S3 TL 1900</u> <u>5899 SW</u> <u>Kruse Rd</u>	<u>33</u>	<u>9</u>	<u>3</u>	<u>5</u>
<u>S3 TL 2000</u> <u>5691 SW</u> <u>Kruse Rd</u>	<u>16</u>	<u>4</u>	<u>1^J</u>	<u>2^J</u>
<u>S4^D</u>	<u>158</u>			
<u>S4 TL 2600</u>	<u>35</u>	<u>9</u>	<u>3</u>	<u>5</u>
<u>S4 TL 2700</u> <u>28901 SW</u> <u>60th Ave</u>	<u>123</u>	<u>31</u>	<u>8</u>	<u>16</u>

Notes: (see following pages with explanatory information)

Amendment Description:	Table 6B Note Re: Clarification that certain middle housing that is substantially the same as detached single-family homes does not count as middle housing for the purpose of Table 6B.
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C. Table 6B Note A.
Relationship to Frog Pond East and South Master Plan:	Relates to Implementation Measure 4.1.7.D 2. d. to require middle housing. Without the clarification, a loophole would exist to allow units that are substantially the same as detached single-family homes to be counted toward the middle housing requirement.
Rationale for Amendment Text:	The language is drafted to clarify that a certain type of middle housing called cluster housing can be substantially similar to detached single-family homes and, while technically middle housing by definition, should not be counted for middle housing for the purpose of the middle housing requirement in Table 6B due to its similarity to detached single-family units.
Impact on Housing Cost:	Without this clarification the standards meant to require lower cost middle housing may be used to build homes that are substantially similar to detached single-family homes on their own lots. This language ensures the requirement actually produces middle housing types expected to be lower cost than detached homes on their own lot.
Compliance Notes:	Not driven by any compliance standards.
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits. <u>Since July public hearing:</u> None

A Cluster Housing is among the housing types defined as Middle Housing in Section 4.001, but only Cluster Housing meeting at least one of the criteria in this footnote shall be counted as Middle Housing for the purpose of meeting the minimum number of Middle Housing units in Table 6B. The purpose of this requirement is to prevent Cluster Housing that is substantially the same as Single-family Dwelling Units from being counted.

Criteria to Determine if Cluster Housing can be counted towards the minimum number of Middle Housing units in Table 6B:

Criterion 1: No Middle Housing Land Division is dividing the lot on which the Cluster Housing is placed. A future land division is not considered if it occurs at least three years after occupancy is granted for the last dwelling unit on the lot.

Criterion 2: A Middle Housing Land Division is proposed but at least of half of the resulting Middle Housing Land Division Units do not front on a street, tract with a private drive, or open space tract.

Criterion 3: A Middle Housing Land Division is proposed, but more than half of the dwelling units on the lot on which the Cluster Housing unit or units are placed are attached Middle Housing units or Cottage Cluster units.

Amendment Description:	Table 6B Note Re: Counting a single unit to meet multiple requirements in Table 6B.
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C. Table 6B Note B.
Relationship to Frog Pond East and South Master Plan:	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types. Also, encourages certain desired housing types such as ADUs and cottages because they can be counted in multiple categories.
Rationale for Amendment Text:	The language is drafted to clarify that when a unit happens to meet the definition of multiple of the target unit types it can be counted towards meeting each one for which it qualifies. For example, a single-level 900 square foot cottage in a cottage cluster would qualify to be counted as a middle housing unit, a small unit, and a mobility-ready unit. The language intends to incentivize units that represent a small portion of the existing housing supply, are much needed, and can meet multiple categories, such as ADUs.
Impact on Housing Cost:	The ability to double count units helps encourage ADUs and cottages, which would be lower cost housing options. It also offers flexibility in meeting the variety standards helping to minimize the impact of variety standards on design and construction efficiencies discussed under the analysis of Table 6B.
Compliance Notes:	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. The double counting of ADUs helps encourage them.
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edit. <u>Since July public hearing:</u> None

B. A single dwelling unit may be counted to meet the minimum requirement in multiple categories. For example, a 900 square foot cottage in a cottage cluster could be counted as a middle housing unit, a small unit, and a mobility-ready unit.

Amendment Description:	Table 6B Note Re: Defining Small Unit.
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C. Table 6B Note C.
Relationship to Frog Pond East and South Master Plan:	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types.
Rationale for Amendment Text:	“Small unit” is not defined elsewhere in the Code, while both middle housing and mobility-ready are. Rather than clutter the Table 6B heading with specifics about what qualifies as a “small unit” the definition is added as a footnote. The 1200 square feet was found to be a threshold at which there has been a notable historic under production.
Compliance Notes:	The threshold is not driven by compliance. Rather after careful review of data such as Zillow sales data and discussion with the Planning Commission and City Council, 1,200 square feet was chosen as the threshold for a small unit that meets the intent of it being a target unit type from the Master Plan.
Impact on Housing Cost:	Setting the threshold for small unit at 1,200 square feet ensures it is substantially different than a typical detached home and having limited size will ensure the small units are lower cost than large units.
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits. <u>Since July public hearing:</u> None

C. Small dwelling units must be 1,200 square feet or less of Habitable Floor Area, as defined in Section 4.001.

Amendment Description:	Table 6B Note Re: Certain minimum requirements are only required for larger lots and when there is lot consolidation during development
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C. Table 6B Notes D. E. and J.
Relationship to Frog Pond East and South Master Plan:	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types.
Rationale for Amendment Text:	The notes clarifies and acknowledges that for certain small lots or developments minimum targets would be difficult to meet, but are less difficult when the lot area is combined with a larger development area.
Impact on Housing Cost:	These footnotes remove certain variety requirements when a development of a certain small size. This footnote specifically removes the impact of variety standards on design and construction efficiencies discussed under the analysis of Table 6B.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edit. <u>Since July public hearing:</u> None

- D. _____ Only required if the Net Development Area for the Stage I Master Plan area is greater than 2 acres
- E. _____ Only required if the Net Development Area for the Stage I Master Plan area is greater than 5 acres
- J. _____ Only required if a tax lot is combined with another tax lot in a Stage I Master Plan. Multiple Stage I Master Plans for adjacent tax lots with the same owner or related owners (i.e. LLCs with the same ownership interest) shall not be allowed concurrently or within 12 months.

Amendment Description:	Table 6B Note Re: Flexibility to have an upstairs portion for a certain percentage of required mobility-ready units.
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C. Table 6B Note F.
Relationship to Frog Pond East and South Master Plan:	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types
Rationale for Amendment Text:	Note added to give flexibility for developers to have units with an upstairs count as mobility-ready as long as the portion of the unit not accessed by stairs has everything to qualify as an independent mobility-ready unit. The allowance is limited to one third of mobility-ready units to ensure there is a healthy amount of smaller and fully mobility-ready units.
Impact on Housing Cost:	This footnote limits the potential added cost of mobility-ready requirements by allowing a portion of mobility-ready units to be primary on main type units that do have an upstairs, thus increasing the flexibility to use unit types the developer may already be building to meet this requirement supporting efficiency in design and construction.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits. <u>Since July public hearing:</u> None

F. Up to 33% of the minimum number of mobility-ready units, or up to 1 unit where only 1 or 2 units are required, may have portions of the habitable floor area accessible by stairs so long as the dwelling unit would still otherwise meet the definition of mobility-ready unit without the habitable floor area accessed by stairs.

Amendment Description:	Table 6B Note Re: Flexibility to blend certain minimum requirements over subdistrict boundaries
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C. Table 6B Note G. and H.
Relationship to Frog Pond East and South Master Plan:	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types. The variety throughout the Master Plan and block-level variety called for in Strategy 6 under Coding for Variety and Priority Housing Types.
Rationale for Amendment Text:	Note added to give flexibility for developers to blend requirements along subdistrict lines when the development includes all or portions of multiple subdistricts while not allowing a level of flexibility that would substantially decrease the variety throughout, including block-level type variety, called for in the Master Plan.
Impact on Housing Cost:	These footnotes allow flexibility that limit potential cost impact variety standards can have on design and construction efficiencies discussed under the analysis of Table 6B.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits. <u>Since July public hearing:</u> None

G. Where a Stage I Master Plan area covers portions of multiple subdistricts, one of either the middle housing OR small dwelling unit requirement for a subdistrict may be partially or fully met by excess dwelling units meeting the requirement from a neighboring subdistrict within the same Stage I Master Plan so long as the following eligibility requirements are met:

1. the dwelling unit category variety in Subsection (.06) E. will continue to be met for each Subdistrict or portion thereof.
2. the minimum for the requirement in the subdistrict from which the excess is credited is exceeded by at least the same amount as is being counted in the receiving subdistrict so as to ensure no dwelling unit is counted towards meeting the minimum in both subdistricts.
3. the number and type of dwelling units equal to the amount credited are adjacent to the receiving subdistrict determined by being across a proposed shared property line at a subdistrict boundary or across and fronting the street where a street forms the subdistrict boundary.

H. Where a Stage I Master Plan area covers portions of multiple subdistricts, the mobility-ready requirement for a subdistrict may be partially or fully met by counting excess mobility-ready dwelling units from a neighboring subdistrict within the same Stage I Master Plan so long as the following eligibility requirements are met:

1. the minimum for the requirement in the subdistrict from which the excess is credited is exceeded by at least the same amount as is being counted in the receiving subdistrict so as to ensure no dwelling unit is counted towards meeting the minimum in both subdistricts.
2. the number of mobility-ready dwelling units equal to the amount credited are near the receiving subdistrict determined by being within a block of the subdistrict boundary.

Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

Amendment Description:	Table 6B Note Re: Clarification concerning geography in which minimums must be met
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C. Table 6B Note I.
Relationship to Frog Pond East and South Master Plan:	Relates to Implementation Measure 4.1.7.D 2. c. to require a minimum amount of certain housing types. The variety throughout the Master Plan and block-level variety called for in Strategy 6 under Coding for Variety and Priority Housing Types.
Rationale for Amendment Text:	This footnote is drafted to clarify that the minimum standards of multiple tax lots can be combined together as long as they are within the same subdistrict. This adds necessary flexibility and clarifies the intent is for the minimums to be focused on the subdistrict geography and are only provided for tax lot level out of necessity as some tax lots may develop independently.
Impact on Housing Cost:	These footnotes allow flexibility that limit potential cost impact variety standards can have on design and construction efficiencies discussed under the analysis of Table 6B.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

I. Where an application includes two or more adjacent tax lots within the same subdistrict, the minimum does not need to be met on each individual tax lot so long as the total number of units proposed for all the included tax lots within the same subdistrict is equal to or greater than the sum of the minimums in this table for the included tax lots.

Amendment Description:	Adjusting Table 6B minimums when the development does not include as much net area as assumed.
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) C.
Relationship to Frog Pond East and South Master Plan:	Supports housing variety implementation in Table 6B
Rationale for Amendment Text:	In order to establish the clear and objective numerical requirements in Table 6B some assumptions had to be made. This included an assumption that the Net Development Area of each subdistrict and tax lot is equal to 70% of the Gross Development Area. The 30% non-net area includes 20% for public right-of-way and 10% for stormwater facilities. For most development the net area is expected to be 70% or more of gross. However, there may be unanticipated situations where the net is less than 70%, especially for smaller developments. This language is drafted to provide a clear calculation of what to do when the net is less than anticipated, thus providing less land for residential development making it difficult to meet the minimums. The simple calculation provided should be abundantly clear and prevent any uncertainty.
Impact on Housing Cost:	The flexibility in this Subsection ensure the minimum unit count requirements in Table 6B are applied as intended and that they are proportionately reduced if the amount of land is less. This maintains the housing cost balance designed into the regulations as discussed under the analysis of Table 6B.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

1. As an alternative to Table 6B when the Net Development Area is less than 70% of the Gross Development Area, the applicant may adjust the minimum requirements in Table 6B using the following steps:

Step 1. Determine the Reduction Ratio. Divide the Net Development Area by a number equal to 70% of the Gross Development Area, round to the nearest 100th. This is the Reduction Ratio.

Step 2. Multiply each applicable minimum in Table 6B by the Reduction Ratio determined in Step 1. Round each result up to the nearest whole number. These are the new alternative minimum requirements.

Amendment Description:	Establishing housing unit categories and types for Frog Pond East and South
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) D. (new)
Relationship to Frog Pond East and South Master Plan:	Relates to strategies for Coding for Variety and Priority Housing Types in Chapter 8, Implementation, including Strategy 1 to permit a wide variety of housing types and Strategy 2 to categorize types of housing.
Rationale for Amendment Text:	The new subsection establishes the purpose of the housing variety standards and creates a table that clearly establishes the different categories and types of housing to be used in the variety standards
Impact on Housing Cost:	Establishing these categories supports the variety requirements that ensure lower-cost housing types are built. At the same time the organization of the housing types support the ability to use a variety of unit types to meet variety standards ensuring options are available for developers to develop units responsive to the market and that provide a reasonable level of design and construction efficiency.
Compliance Notes:	Not required by State or Regional policy, but specifically called out in the Master Plan.
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits to increase clarity. <u>Since July public hearing:</u> None

D. Housing Unit Types for Frog Pond East and South Neighborhoods

1. Purpose: As further expressed in the Frog Pond East and South Master Plan, the variety requirements create opportunities for a variety of housing choices in each neighborhood and subdistrict focusing on mixing and integrating different housing choices throughout the Frog Pond East and South Neighborhoods rather than having separate areas for separate housing unit categories.

2. Housing Unit Types and Categories for Housing Variety Standards are in Table 6C.

Table 6C Housing Unit Categories and Types

<u>Multi-family Category</u>
<p><u>Multi-family Types:</u></p> <ul style="list-style-type: none"> • <u>Elevator-served attached multi-family</u> • <u>Other attached multi-family (10 or more units per building)</u> • <u>Other attached multi-family (5-9 units per building)</u>
<u>Middle Housing Category</u>
<p><u>Middle Housing Types:</u></p> <ul style="list-style-type: none"> • <u>Townhouses and side by side duplex, triplex, quadplex</u> • <u>Stacked duplex, triplex, quadplex</u> • <u>Cluster housing, excluding cottage cluster, or mix of attached and detached middle housing. Does not include Cluster Housing classified as Other Detached Units^A.</u> • <u>Cottage cluster</u>
<u>Accessory Dwelling Units (ADUs) Category</u>

**Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)**

ADU Types: <ul style="list-style-type: none">• All ADUs
Other Detached Units Category
Other Detached Units Types: <ul style="list-style-type: none">• All other detached units including detached single-family homes, cluster housing that looks and functions similar to single-family detached units^A, and detached multi-family

Notes:

^A For the purpose of this table and related variety requirements, when a lot with cluster housing is divided using a Middle Housing Land Division and a resulting Land Division Unit has frontage on a street, tract with a private drive, or open space tract, the housing unit on the resulting land division unit shall be classified the same as a detached dwelling unit on its own lot. To qualify as a Middle Housing Unit, there must not be a Middle Housing Land Division or the resulting land division unit is a configuration dissimilar to a lot for a detached single-family home, determined by the resulting land division unit not having frontage on a street, tract with a private drive, or open space tract. A future middle housing land division would not alter the housing unit type as long as such middle housing land division is applied for at least 24 months after occupancy is granted for the dwelling unit.

Amendment Description:	Establishing housing variety standards for Frog Pond East and South, including required number of unit types and maximum for any single unit type.
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) E. (new)
Relationship to Frog Pond East and South Master Plan:	Relates to strategies for Coding for Variety and Priority Housing Types in Chapter 8, Implementation, particularly Strategy 5 regarding minimum housing variety that includes the concept of a minimum number of unit types and a maximum of a single unit type. Also specific language relates to incentivizing ADUs.
Rationale for Amendment Text:	<p>The new subsection clearly defines the number of unit types required, generally three, with practical flexibility added for smaller development were it may be infeasible to have the three unit types. The 60% maximum of net area is anticipated to enable about half of the units to be a single unit type and prevent any one unit type to dominate any area, consistent with the Master Plan.</p> <p>The language relating to how net area is calculated with two unit types on a lot intends to incentivize ADUs by allowing them to count as half the net area of the lot.</p>
Impact on Housing Cost:	<p>The minimum housing variety standards can lead to more house types in a given geography than the market would otherwise deliver. While this supports housing variety, there is expense tied to each new unit type introduced because of added costs in design and engineering different units and loss in efficiency during construction as construction laborers need to understand different plans and use different size elements and potentially use different construction methods. Care was taken in drafting the standards to establish standards that did not create too granular of standards as to unduly decrease the ability to use standard industry efficiencies in design and construction. Geographic size and number of units per certain geographic size were chosen that ensure variety throughout the plan area but do not unduly increase the number of unit types to be designed and built. When weighed with the variety standards ensuring production of lower cost unit types, the potential for added costs of producing more units, which has been carefully limited, leading to higher housing costs is off-set. It is better to have relatively higher design and construction costs on lower cost units than only have larger higher-cost housing that may be relatively cheaper to design and build, but do not provide lower cost unit types to the market. In regards to the variety of units provided to the market, the proposed variety standards will result in similar variety as other master-planned communities, including Villebois in Wilsonville.</p>

Compliance Notes:

Not required by State and Regional policy, however directly called out in the Master Plan. Also supports Metro Condition of Approval regarding the encouraging of ADUs by allowing ADUs to count for more land area than they take up.

Recent Edits:

Between June work session and July public hearing: Minor edits.
Since July public hearing: None

E. Unit Type Variety for East and South Neighborhoods:

1. Required Number of Unit Types in a Development. To ensure variety throughout the Master Plan area, while accommodating efficient site planning for smaller developments, the following is the number of Unit Types, listed in Table 6C, required based on the Net Development Area in the smaller of a Stage I Master Plan Area or Subdistrict. To be counted towards the minimum Unit Type requirement, the applicable dwelling units must represent, at a minimum, either 5% of the Net Development Area or 10% of the planned units within the development.

2 Acres or less - 1 Unit Type Required

More than 2 acres up to 5 acres - 2 Unit Types Required

More than 5 acres - 3 Unit Types Required

2. Maximum Net Area for A Single Unit Type. These standards help ensure no single housing unit type dominates any Subdistrict or large portion thereof. Except for small developments requiring only 1 Unit Type under E.1. above, no more than 60% of the Net Development Area of the smaller of a Stage I Master Plan Area or Subdistrict shall be planned for the development a single Unit Type listed in Table 6C.

a. Where an individual lot in a development has multiple unit types (e.g. ADU on same lot as Detached Unit Type), the Net Development Area shall be assigned by dividing the net area of the lot and adjacent area (i.e. alleys) proportionally based on number of each unit type. For example, for an ADU on a detached home lot, 50% of the net area would be assigned to the ADU and 50% of the net area would be assigned to the detached home regardless of the relative percent of the lot they each occupy.

3. In Subdistrict E4, Net Development Area (parking, drive aisles, landscaping) associated with the Commercial Main Street does not count towards Net Development Area for the purpose of these standards, but the building footprint of the mixed-use buildings does.

Amendment Description:	Ensuring Variety Standards Comply with State Middle Housing Law
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.06) F. (new)
Relationship to Frog Pond East and South Master Plan:	Relates to the State requirement to include middle housing.
Rationale for Amendment Text:	The language directly clarifies and reflects the State statute and rules that any land zoned or designated for detached single-family homes must also allow middle housing. If the Master Plan allowed designation of land for detached single-family homes without this clarification the code would be out of compliance with State law.
Impact on Housing Cost:	Minimal to no impact anticipated, including for compliance purposes.
Compliance Notes:	<p>Directly driven to comply with HB 2001 (2019) Middle Housing requirements and implementing OARs.</p> <p>OAR 660-046-0205(2)(b)(A) identifies options for regulating Middle Housing within Master Planned Communities (MPC) adopted after January 1, 2021. Frog Pond East and South qualifies as an MPC under these provisions. The OAR identifies three regulatory options within MPCs: (i) plan to provide infrastructure that accommodates at least 20 dwelling units per net acre; (ii) plan to provide infrastructure based on the implementation of a variable rate infrastructure fee or system development charge or impact fee; or (iii) require applications for residential development within an MPC to develop a mix of residential types, including at least two Middle Housing types other than Duplexes. In addition, the OAR allows MPC to meet the general requirements of OAR 660-046-0205(2) by allowing for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, in areas zoned for residential use that allow for the development of detached single-family dwellings. The City is electing to comply with this general requirement. The proposed Code specifically includes the proposed WC Subsection 4.127 (.06) F. which states, "Pursuant to ORS 197A.420 and OAR 660-046-0205, any lot identified for single-family development in the Stage I or II Master Plan can also be developed or redeveloped as middle housing even if the maximum percentage of a Middle Housing Unit Type, as listed in Table 6C, is exceeded. However, this does not allow the maximum for a single Middle Housing Unit Type to be exceeded in initial planning or compliance verification. This would only apply at the time of future building permit issuance or replat of individual lots."</p>
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edit to reference state law by title rather than by ORS and OAR reference.

Since July public hearing: None

F. Pursuant to State of Oregon middle housing statute and administrative rules, any lot identified for single-family development in the Stage I or II Master Plan can also be developed or redeveloped as middle housing even if the maximum percentage of a Middle Housing Unit Type, as listed in Table 6C, is exceeded. However, this does not allow the maximum for a single Middle Housing Unit Type to be exceeded in initial planning or compliance verification. This would only apply at the time of future building permit issuance or replat of individual lots.

Amendment Description:	Clear and Objective Identification of the Urban Form Type Boundaries
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.07) all text is new, this Subsection was previously “Development Standards Generally” which language has now been consolidated into Subsection (.08)
Relationship to Frog Pond East and South Master Plan:	Urban Form Type Designations are a key regulatory and design component identified in the Master Plan. This language provides the necessary detail to ensure there is clarity in the boundaries of the different Urban Forms, which in turn is the basis for a number of development standards.
Rationale for Amendment Text:	Initially, only a map was planned. However, feedback received indicated that only a map is likely to still leave lack of clarity for specific boundaries. Text was added to supplement the map to clearly define the boundaries for the Urban Form Type Designations. Language is also added to state the purpose of Urban Form Types overall and the purpose of each different Urban Form Type.
Impact on Housing Cost:	The added clarity can reduce the time and cost of the land use review process., which contributes to lower development costs.
Compliance Notes:	Establishes clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

(.07) Frog Pond East and South Urban Form Types:

- A. The Frog Pond East and South Neighborhoods are divided into different Urban Form Type designations whose boundaries are described by Subdistrict in B. below and illustrated for reference in Figure A-7 below. Applicability of development standards are based on these designations. The designations and their purpose are as follows:**
- 1. Commercial Main Street: This urban form is for a limited area along SW Brisband Street between SW Stafford Road and the extension of SW 63rd Avenue. Its purpose is to create a pedestrian-oriented, mixed-use commercial street feel.**
 - 2. Urban Form Type 1: The purpose of this Urban Form Type is to create the most compact and urban of the three residential forms. This is primarily represented by larger buildings, including full block width, with less setbacks than other residential Urban Form Types.**
 - 3. Urban Form Type 2: The purpose of this Urban Form Type is to create a moderately compact and urban look and feel between Urban Form Type 1 and Type 3. This is primarily represented by allowing moderate building widths, including not allowing buildings to be block length as allowed in Urban Form Type 1, and requiring moderate setbacks.**
 - 4. Urban Form Type 3: The purpose of this Urban Form is to create a less compact and urban look and feel. This is primarily represented by limiting the width of buildings, encouraging shorter building height, and providing for larger setbacks.**
- B. Urban Form area boundary descriptions:**
- 1. Subdistrict E1:**

- a. Urban Form Type 1: The area of the Subdistrict east of the framework street that is an extension of SW 63rd Avenue and connecting to the framework street crossing the BPA easement.
- b. Urban Form Type 2: The area of the Subdistrict west and south of the framework street(s) that are an extension of SW 63rd Avenue and SW Frog Pond Lane.
- c. Urban Form Type 3: The area of the Subdistrict west of the framework street connecting across the BPA easement and north of the framework street that is an extension of SW Frog Pond Lane, except for the Frog Pond Grange area described in Subsection (.24) A. below.

2. Subdistrict E2:

- a. Urban Form Type 2: A contiguous area of between 6 and 6.5 gross development acres, as proposed by the developer based on the location of non-framework local streets, extending the south to north extent of the Subdistrict from the BPA easement to SW Kahle Road, and located immediately to the east of and adjacent to the framework street connecting across the BPA easement.
- b. Urban Form Type 3: The far west and east area of the Subdistrict that is not Urban Form Type 2.

3. Subdistrict E3:

- a. Urban Form Type 2: A contiguous area of between 8 and 8.5 gross development acres, as proposed by the developer based on the location of non-framework local streets, centered in the Subdistrict immediately south of and adjacent to SW Kahle Road, and not being within 125 feet of the eastern edge of the Subdistrict or the SROZ.
- b. Urban Form Type 3: The surrounding area of the Subdistrict that is not Urban Form Type 2.

4. Subdistrict E4:

- a. Commercial Main Street: The area of existing Tax Lot 1101 centered on SW Brisband Street extending east to west across the Subdistrict and extending between 125 feet and 160 feet both north and south of SW Brisband Street. The exact boundary north and south of SW Brisband Street will be proposed by the developer.
- b. Urban Form Type 1:
 - i. The eastern half of the Subdistrict area north of the Commercial Main Street area.
 - ii. The eastern half of the Subdistrict area (east of the SROZ) south of the Commercial Main Street area extending south to within approximately 250 feet of SW Advance Road. The exact southern limit will be proposed by the developer based on the location of any local streets, and if no local street, based on proposed property lines. The southern limits must be between 235 feet and 265 feet north of SW Advance Road. If at time of development of this area a local street is established in Subdistrict E5 serving as a boundary between Urban Form Type 1 and Urban Form Type 2 in that Subdistrict, then the boundary for this area shall be the closest street or property line to the centerline of that street measured at the intersection of SW 63rd Avenue.
- c. Urban Form Type 2:
 - i. The western half of the Subdistrict area north of the Commercial Main Street area.

- ii. The western half of the Subdistrict area south of the Commercial Main Street area and west of the SROZ.
- iii. The eastern half of the Subdistrict area south of the Commercial Main Street area, east of the SROZ, and south of the Urban Form Type 1 area that is south of the Commercial Main Street area.

5. Subdistrict E5:

- a. Urban Form Type 1: the northern portion of the Subdistrict extending south to within approximately 250 feet of SW Advance Road and extending east to west across the entire Subdistrict. The exact southern limit will be proposed by the developer based on the location of an east-west local street which would be the boundary between Urban Form Type Areas. The centerline of this boundary street must be between 230 feet and 270 feet north of SW Advance Road and is encouraged to be as close as possible to 250 feet north.
- b. Urban Form Type 2: The southern portion of the Subdistrict south of the Urban Form Type 1 area and north of SW Advance Road.

6. Subdistrict E6:

- a. Urban Form Type 2: the western portion of the Subdistrict extending east approximately 680 feet east from SW 60th Avenue. The exact eastern limit will be proposed by the developer based on the location of a local street or property lines which would be the boundary between Urban Form Type Areas. The boundary must be between 660 feet and 700 east of SW 60th Avenue and is encouraged to be as close as possible to 680 feet.
- b. Urban Form Type 3: The eastern portion of the Subdistrict east of the Urban Form Type 2 area, north of SW Advance Road and south of the BPA Easement.

7. Subdistrict S1:

- a. Urban Form Type 2: The entire Subdistrict is Urban Form Type 2.

8. Subdistrict S2:

- a. Urban Form Type 2: The western portion of the Subdistrict, extending east of SW 60th Avenue approximately 360 feet east from the northern boundary of SW Advance Road to a point 340 feet south of SW Advance Road and approximately 500 feet east of SW 60th Avenue from that point to the southern boundary of the Subdistrict. The exact limits will be proposed by the developer based on the location of a local streets or property lines which would be the boundary between Urban Form Type areas. The east boundary must be, respectively, between 480 feet and 520 feet east of SW 60th Avenue and is encouraged to be as close as possible to 500 feet in the southern portion, and between 320 and 360 feet east of SW 60th Avenue and is encouraged to be as close as possible to 340 feet in the northern portion of the Subdistrict.
- b. Urban Form Type 3: The eastern portion of the Subdistrict, east of the Urban Form Type 2 area.

9. Subdistrict S3:

- a. Urban Form Type 1: a west central portion of the Subdistrict extending approximately 220 feet east of SW 60th Avenue between a point directly east of the northern boundary of Subdistrict S4 (the southern property line of the Meridian Creek Middle School property) and a point approximately 320 feet north of SW Kruse Road. The exact limits will be proposed by the developer based on the location of local streets or property lines which would be the boundary between Urban Form Type areas. The east

boundary must be between 200 feet and 240 feet east of SW 60th Avenue and is encouraged to be as close as possible to 220 feet. The north boundary must be within 20 feet of the northern boundary of Subdistrict S4 and is encourage to be as close as possible to that boundary. The south boundary must be between 300 feet and 340 feet north of SW Kruse Road and is encouraged to be as close as possible to 320 feet.

b. Urban Form Type 2: The description is broken into a northern and southern area, with the boundary between northern and southern area being a line extending east from the northern boundary of Subdistrict S4 (the southern property line of the Meridian Creek Middle School property).

i. For the northern area of the Subdistrict: The western portion of the Subdistrict extending from SW 60th Avenue to the east approximately 500 feet. The exact limits will be proposed by the developer based on the location of a local streets or property lines which would be the boundary between Urban Form Type areas. The east boundary must be, respectively, between 480 feet and 520 east of SW 60th Avenue and is encouraged to be a close as possible to 500 feet

ii. For the southern area of the Subdistrict: The western portion of the Subdistrict, excluding the Urban Form Type 1 area, extending from SW 60th Avenue to the east approximately 340 feet The exact limits will be proposed by the developer based on the location of a local streets or property lines which would be the boundary between Urban Form Type areas. The east boundary must be between 320 and 360 feet east of SW 60th Avenue and is encouraged to be as close as possible to 340 feet.

c. Urban Form Type 3: The eastern portion of the Subdistrict, east of the Urban Form Type 2 areas.

10. Subdistrict S4:

a. Urban Form Type 1: The northeastern portion of the Subdistrict extending west of SW 60th Avenue approximately 380 feet and south to approximately 320 feet north of SW Kruse Road. The exact western and southern limit will be proposed by the developer based on the location of local streets or property lines which would be the boundary between Urban Form Type areas. The west boundary must be between 360 feet and 400 feet west of SW 60th Avenue and is encouraged to be as close as possible to 380 feet. The south boundary must be between 300 feet and 340 feet north of SW Kruse Road and is encouraged to be as close as possible to 320 feet.

b. Urban Form Type 2: The northeastern portion of the Subdistrict west and south of the Urban Form Type 1 area, extending west from the Urban Form Type 1 boundary to approximately 570 feet west of SW 60th Avenue and south to a future local street extension of SW Kruse Road. The exact western limit will be proposed by the developer based on the location of a local streets or property lines which would be the boundary between Urban Form Type areas. The west boundary must be between 550 feet and 590 feet west of SW 60th Avenue and is encouraged to be as close as possible to 570 feet.

c. Urban Form Type 3: The western and southern portions of the Subdistrict, west and south of the Urban Form Type 2 area.

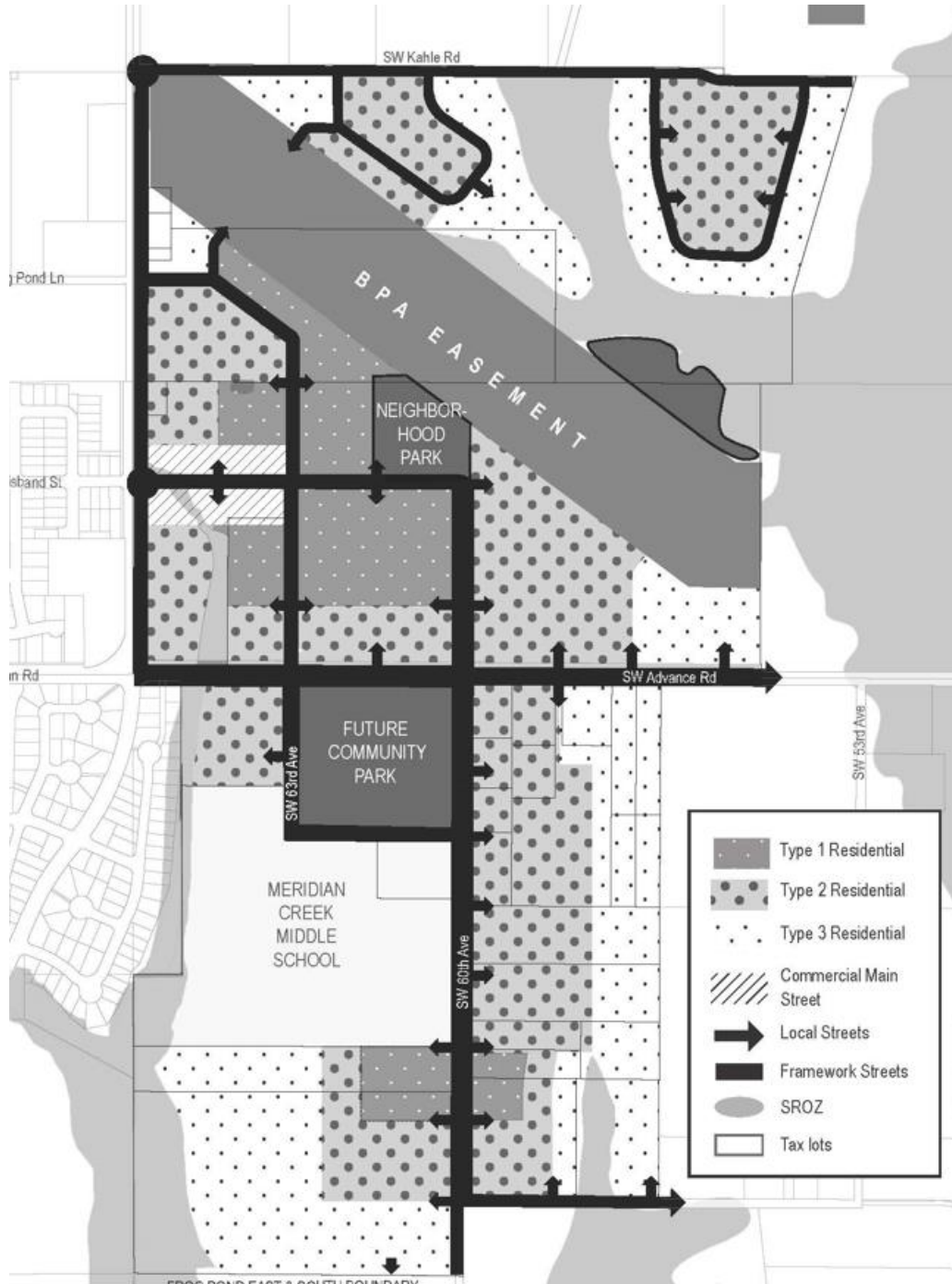


Figure A-7 Urban Form Type Land Use Designation Boundaries

(.08) *Development Standards:*

Amendment Description:	Clarifications of existing Development Standards Language
Applicability:	Frog Pond West and Frog Pond East and South
Impacted Code Section(s):	4.127 (.08)
Relationship to Frog Pond East and South Master Plan:	Relates to strategies for Coding for Variety and Priority Housing Types in Chapter 8, Implementation, including Strategy 4 to development standards based on the Urban Form Type designations.
Rationale for Amendment Text:	<p>This language includes technical edits to:</p> <ul style="list-style-type: none"> • Consolidate existing language in Subsection (.07) into this subsection • Provide for differentiation between development standards for Frog Pond West and Frog Pond East and South <p>Make language generally more clear and concise</p>
Impact on Housing Cost:	The added clarity can reduce the time and cost of the land use review process., which contributes to lower development costs.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<p><u>Between June work session and July public hearing:</u> Minor edits.</p> <p><u>Since July public hearing:</u> None</p>

- A. Unless otherwise specified by the regulations in this Residential Neighborhood (RN) Zone section, all development must comply with Section 4.113, Standards Applying to Residential Development in Any Zone.**
- B. ~~Lot and~~ Development shall be consistent with this Code and applicable provisions of an approved legislative master plan.
- C. ~~Lot Standards Generally. For the Frog Pond West Neighborhood, Table 2 establishes the lot development standards.~~ **Unless superseded or supplemented by other provisions of the Development Code the lot and development standards for the Frog Pond West Neighborhood are established by Table 28A and lot and development standards for the Frog Pond East and South Neighborhoods are established by Table 8B.**
- D. Lot Standards for Small Lot Sub-districts **in the Frog Pond West Neighborhood**. The purpose of these standards is to ensure that development in the Small Lot Sub-districts includes varied design that avoids homogenous street frontages, creates active pedestrian street frontages and has open space that is integrated into the development pattern.

Standards. Planned developments in the Small Lot Sub-districts shall include one or more of the following elements on each block:

1. Alleys.
2. Residential main entries grouped around a common green or entry courtyard (e.g. cluster housing).

**Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)**

3. Four or more residential main entries facing a pedestrian connection allowed by an applicable legislative master plan.
4. Garages recessed at least four feet from the front façade or six feet from the front of a front porch.

Table 8A: Frog Pond West Neighborhood Zone Lot Development Standards										
Neighborhood Zone Sub- District	Min. Lot Size (sq. ft.) ^{A,B}	Min. Lot Depth (ft.)	Max. Lot Coverage (%)	Min. Lot Width ^{J, N} (ft.)	Max. Bldg. Height ^H (ft.)	Setbacks ^{K, L, M}				
						Front Min. (ft.)	Rear Min. (ft.)	Side Min. (note)	Garage Min Setback from Alley (ft.)	Garage Min Setback from Street ^{O, P} (ft.)
R-10 Large Lot	8,000	60'	40% ^E	40	35	20 ^F	20	^M	18 ^G	20
R-7 Medium Lot	6,000 ^C	60'	45% ^E	35	35	15 ^F	15	^M	18 ^G	20
R-5 Small Lot	4,000 ^{C, D}	60'	60% ^E	35	35	12 ^F	15	^M	18 ^G	20

Notes:

- A. Minimum lot size may be reduced to 80% of minimum lot size for any of the following three reasons: (1) where necessary to preserve natural resources (e.g. trees, wetlands) and/or provide active open space, (2) lots designated for cluster housing (Frog Pond West Master Plan), (3) to increase the number of lots up to the maximum number allowed so long as for each lot reduced in size a lot meeting the minimum lot size is designated for development of a duplex or triplex.
- B. For townhouses the minimum lot size in all sub-districts is 1,500 square feet.
- C. In R-5 and R-7 sub-districts the minimum lot size for quadplexes and cottage clusters is 7,000 square feet.
- D. In R-5 sub-districts the minimum lot size for triplexes is 5,000 square feet.

**Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)**

Amendment Description:	Clarifications of bonus lot coverage for Frog Pond West and larger Frog Pond East and South detached home lots where multiple buildings are proposed.
Applicability:	Frog Pond West and Frog Pond East and South
Impacted Code Section(s):	4.127 (.08)
Relationship to Frog Pond East and South Master Plan:	Relates generally to the acknowledgement of variety of housing allowed.
Rationale for Amendment Text:	Change mirrors similar language in PDR zone that states bonus is when multiple buildings are on a lot rather than just when one is accessory to another. This comes into play on larger lots with lower lot coverage when multiple units of a similar size are proposed.
Impact on Housing Cost:	Removes a potential barrier to lower-cost middle housing development.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

- E. On lots where ~~detached accessory~~ **multiple** buildings are built, maximum lot coverage may be increased by 10%. Cottage clusters are exempt from maximum lot coverage standards.
- F. Front porches may extend 5 feet into the front setback.
- G. The garage setback from alley shall be minimum of 18 feet to a garage door facing the alley in order to provide a parking apron. Otherwise, the rear or side setback shall be between 3 and 5 feet.
- H. Vertical encroachments are allowed up to ten additional feet, for up to 10% of the building footprint; vertical encroachments shall not be habitable space.
- I. For townhouses in all sub-districts minimum lot width is 20 feet.
- J. May be reduced to 24' when the lot fronts a cul-de-sac. No street frontage is required when the lot fronts on an approved, platted private drive or a public pedestrian access in a cluster housing (Frog Pond West Master Plan) development.
- K. Front Setback is measured as the offset of the front lot line or a vehicular or pedestrian access easement line. On lots with alleys, Rear Setback shall be measured from the rear lot line abutting the alley.

**Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)**

Amendment Description:	Limit of setbacks required for ADUs
Applicability:	Frog Pond West and Frog Pond East and South
Impacted Code Section(s):	4.127 (.08)
Relationship to Frog Pond East and South Master Plan:	Relates to removing barriers to ADUs and encouraging them as a desired unit type.
Rationale for Amendment Text:	Where a larger lot has a setback, especially rear setback, greater than 10 feet, it allows ADUs to have a reduced setback of 10 feet. This removes a barrier to potentially locating an ADU. It makes the requirement the same as the existing allowed setback for cottage clusters which are a similar size.
Impact on Housing Cost:	Reduces potential barriers to ADU development, which are a lower cost housing type.
Compliance Notes:	Metro condition A. 3. of the 2018 UGB expansion decision (Ord. No. 18-1427) requires cities to explore ways to encourage the construction of ADUs in the expansion areas. This code amendment reduces a potential barrier to ADU construction thus helping encourage.
Recent Edits:	None

- L. For cottage clusters and ADUs all setbacks otherwise greater than 10 feet for other housing types are reduced to 10 feet
- M. On lots greater than 10,000 SF with frontage 70 ft. or wider, the minimum combined side yard setbacks shall total 20 ft. with a minimum of 10 ft. On other lots, minimum side setback shall be 5 ft. On a corner lot, minimum side setbacks are 10 feet.
- N. For cluster housing (Frog Pond West Master Plan) with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right-of-way or a public pedestrian access easement linking the courtyard with the Public Way.
- O. All lots with front-loaded garages are limited to one shared standard-sized driveway/apron per street regardless of the number of units on the lot.
- P. The garage shall be setback a minimum of 18 feet from any sidewalk easements that parallels the street.

Amendment Description:	Tables 8B and 8C Development Standards for Frog Pond East and South
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.08)
Relationship to Frog Pond East and South Master Plan:	Relates to strategies for Coding for Variety and Priority Housing Types in Chapter 8, Implementation, Strategy 4 create development standards based on the Urban Form Type designations.
Rationale for Amendment Text:	<p>Wherever appropriate, and where not otherwise noted, the standards are mirrored after similar standards in other residential zones in Wilsonville or Frog Pond West and precedent unit examples shared during the Master Planning and Code development process. Special attention was paid to ensure standards create meaningful differentiation between the different residential Urban Form Type Designations. In addition, consideration was given to the wide array of housing types allowed throughout Frog Pond East and South and the desired variety. Notable unique standards include:</p> <ul style="list-style-type: none">• An independent numerical lot size requirement is not established, rather lot size must be of sufficient size to meet other applicable development standards. This simplifies the code, removes barriers to proposed housing variety, and prevents complexities and likely contradictions in the standards.• Front setbacks that are uniform on any given street to create a more consistent streetscape. See Table 8C.• Creating a maximum building width that becomes a key standard controlling building bulk and differentiating between different Urban Form Types.• Creating a minimum distance between buildings when multiple buildings are on a lot that mirror required setbacks to create consistency in built form regardless of lot patterns.
Impact on Housing Cost:	<p>Development standards have the potential to significantly increase housing costs because of less efficient use of land or driving to more expensive construction methods and materials. In general, the proposed standards for Frog Pond East and South are similar to or less restrictive than other residential zones which have been deemed acceptable as not unduly increasing housing costs. Examples of less standards less restrictive than other residential zones include lot size, allowed building height, and lot coverage.</p> <p>One notable standard that does not exist in other residential zones is maximum building width. Care was taken to establish these widths to mirror the type of development anticipated in the different urban forms while creating differentiation between the different urban forms. Designing to enable the anticipated development in each Urban Form will prevent this</p>

Compliance Notes:

standard from being a barrier or increasing costs as a vast majority of development will easily meet it. The standard is applied equally to all unit types, which is a consideration in State rules to determine if a standard unduly increases cost.

The table establishes clear and objective standards for housing as required in ORS 197.307 (4).

Recent Edits:

None

Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

Table 8B. Frog Pond East and South Neighborhoods Development Standards										
<u>Land Use Map Urban Form Type Designation</u>	<u>Lot size requirements</u>	<u>Min. lot width/ street frontage per lot (ft.)</u>	<u>Max height (ft.)</u>	<u>Front Setbacks</u>	<u>Maximum Building Width Facing Street, or park when front of lot faces a park (ft.)</u>	<u>Rear Min. (ft.)</u>	<u>Garages (note)</u>	<u>Side Min. (ft.)^{A B}</u>	<u>Min. distance Between multiple Buildings on same lot along street frontages and public viewsheds</u>	<u>Max. Lot Coverage (percent)^{C D}</u>
<u>Urban Form Type 1</u>	<u>Lots sized to accommodate at least a one-unit residential building meeting building code requirements as well as setbacks and lot coverage requirements.</u>	<u>10</u>	<u>50, 4 story</u>	<u>See Table 8C.</u>	<u>None</u>	<u>10</u>	<u>E</u>	<u>5^F</u>	<u>Double the min. side yard setback that would be required for the larger of the two buildings on its own lot.</u>	<u>80 except for detached homes on lots with an area 4,000 square feet or greater.^J</u>
<u>Urban Form Type 2</u>		<u>15</u>	<u>40, 3-story</u>		<u>125 except that buildings over 100 feet cannot occupy entire block face.^G</u>	<u>10</u>		<u>5^F</u>		
<u>Urban Form Type 3</u>		<u>15</u>			<u>100</u>	<u>15^I</u>		<u>5 for structures up to 25 feet in height, 10 for structures over 25 feet in height.</u>		

Notes:

- A. On corner lots, minimum side setbacks facing the street are the same as minimum front setback. Maximum setbacks equivalent to front maximums also apply. See Table 8C.**
- B. Side setbacks do not apply to shared walls at property lines between townhouse units.**
- C. Cottage clusters and ADUs are exempt from maximum lot coverage standards.**

Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

- D. For townhouses maximum lot coverage is calculated for the combined lots on which a single townhouse building sits rather than for each townhouse lot.
- E. Setbacks for residential garages are as follows:
1. Front (street loaded): minimum 20 feet.
 2. Alley loaded with exterior driveway: minimum 18 feet or as necessary to create a 18 foot deep parking space not including alley curb.
 3. Alley loaded without exterior driveway: minimum 3 feet and maximum 5 feet.
- F. For Urban Form Type 1 and 2, side setbacks may be reduced to either: (1) down to a minimum of 3.5 feet for residential structures less than 70 feet wide, or (2) down to a minimum of five percent of the building width at the front building line for buildings greater than 70 feet and less than 100 feet wide.
- G. For Urban Form Type 2, in lieu of meeting the maximum building width, an applicant may elect to articulate the facade and roof in a manner to create architectural separation of building masses. Such articulation shall include a minimum 2-foot setback of the wall from the primary façade as well as interruption of the roof plane. The setback articulation shall, at a minimum, be equal in width to the building separation required. The depth and width of articulation is not adjustable or subject to waiver or administrative relief under local or state law as it is an optional compliance method in lieu of meeting the standard maximum building width and separation standards. For the purpose of applying other articulation standards in Section 4.113, the portions of a building on either side of the articulation in lieu of building separation shall be considered separate buildings.
- I. The minimum rear setback for a cottage cluster and Accessory Dwelling Unit (ADU) is 10 feet.
- J. For lots 4,000 square feet in area or more with only units classified as “Other Detached Units” in Table 6C, the following lot coverage standards from Table 8A shall apply: 4,000 square feet or more but less than 6,000 square feet: standards of R-5 Small Lot; 6,000 square feet or more but less than 8,000 square feet: standards for R-7 Medium Lot; 8,000 square feet or more, standards for R-10 Large Lot.

Table 8C. Frog Pond East and South Neighborhoods Development Standards - Front Setbacks including Special Front Setbacks For Uniformity on Framework Streets		
	Front Min. (ft.)^A	Front Max.^C (ft.)
<ul style="list-style-type: none"> • <u>Lot frontages along east-west oriented portion of SW Brisband Street between SW 63rd Avenue and its eastern most point. Setbacks for SW Brisband Street between SW Stafford Road and SW 63rd Avenue can be found in Table 23A.</u> • <u>Lot frontages along SW 63rd Avenue from southern edge of Subdistrict E1 to SW Advance Road</u> • <u>Lot frontages on lots with Urban Form Type 1 Designation not fronting a framework street listed in this table</u> 	6^B	10^D
<ul style="list-style-type: none"> • <u>Lot frontages along SW 60th Avenue</u> • <u>Lot frontages along SW 63rd Avenue south of SW Advance Road</u> • <u>Lot frontages along SW Stafford Road except the Brisband Main Street buildings</u> • <u>Lot frontages along SW Advance Road</u> • <u>Lot frontages along SW Kahle Road</u> • <u>Lot frontages along framework street in Subdistrict E1 extending SW Frog Pond Lane and SW 63rd Avenue</u> • <u>Lot frontages along Framework Street connecting across the BPA easement area from SW Kahle Road to SW Frog Pond Lane extension</u> • <u>Lot frontages on lots with Urban Form Type 2 Designation not fronting a framework street listed in this table</u> 	10	25^E
<ul style="list-style-type: none"> • <u>Lot frontages on lots with Urban Form Type 3 Designation not fronting a framework street listed in this table</u> 	10^E	No max

Notes:

A. Where a front (street) loaded garage exists, the minimum garage setback in Table 8B takes precedence over the minimums in this table.

B. Where the minimum front setback is 6 feet it is intended to accommodate a public utility easement (PUE) for franchise utilities. If the City requires a wider PUE the minimum setback shall increase to accommodate the PUE. If a finding can be made that no PUE is necessary and access stairs or ramps can be accommodated without impeding on the public right of way, no setback is required.

C. Where a maximum setback exists, and the property line it is measured from is either curvilinear or intersects with a connecting property line at anything besides a right angle, the maximum setback need only be met at one point along the property line.

D. This maximum assumes no front (street loaded) garage, which is anticipated to be the typical condition in Urban Form Type 1. However, if a front facing garage is proposed, the front maximum may be exceeded to accommodate the minimum garage setback of 20 feet from Table 8B.

E. In Urban Form 3, buildings or portions thereof greater than either 2 stories or 25 feet in height shall have a minimum front setback of 20 feet.

E. Development Standards Specific to Relationships with Collectors and Arterial Streets.

Amendment Description:	Clarification that existing language applies to Frog Pond West
Applicability:	Frog Pond West
Impacted Code Section(s):	4.127 (.08) E.
Relationship to Frog Pond East and South Master Plan:	None
Rationale for Amendment Text:	Direct language to differentiate between Frog Pond West and the subsequent new language regarding Frog Pond East and South.
Impact on Housing Cost:	Clarifies applicability, does not change policy that would impact housing cost.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

1. Frog Pond West Neighborhood:

- a. Lots adjacent to SW Boeckman Road and SW Stafford Road shall meet the following standards:
 - i. Rear or side yards adjacent to SW Boeckman Road and SW Stafford Road shall provide a wall and landscaping consistent with the standards in Figure 10 of the Frog Pond West Master Plan.
- b. Lots adjacent to the collector-designated portions of SW Willow Creek Drive and SW Frog Pond Lane shall not have driveways accessing lots from these streets, unless no practical alternative exists for access. Lots in Large Lot Sub-districts are exempt from this standard.

Amendment Description:	Fence treatments along Stafford and Advance Roads
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.08) E.
Relationship to Frog Pond East and South Master Plan:	The Master Plan calls for treatments consistent with the walls used in Frog Pond West but adapted for units primarily facing the streets. It also has specific requirements regarding building orientation towards the subject roads.
Rationale for Amendment Text:	For Stafford Road the wall is half the height and same materials as Frog Pond West, as directed in the Master Plan. For Advance Road a similar style is continued, but it is more open with metal to create semi-private front yards consistent with Advance Road being a collector rather than an arterial like Stafford Road and Boeckman Road. This also creates an enhanced interface with the community park across SW Advance Road.
Impact on Housing Cost:	These standards increase the cost of materials and construction for fencing associated with residential development. However, they are narrowly tailored to meet prescribed policy objectives and use materials and styles extensively used in Villebois and Frog Pond West where no note of unduly increasing housing cost was noted.
Compliance Notes:	Not driven by any compliance standards, however establishes clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	<u>Between June work session and July public hearing:</u> Added detail to graphics, minor edits. <u>Since July public hearing:</u> None

2. Frog Pond East and South Neighborhoods:

a. Special Design Standards for east side of SW Stafford Road as well as the north side of SW Advance Road from SW Stafford Road to the wetland approximately 250 feet east of SW Stafford Road:

i. Courtyard Walls and Pedestrian Access Points:

- 1. Except for pedestrian access points, the frontage of each lot or tract (not counting any landscape tract running parallel with the road) shall have a wall/fence matching Figure A-8. below.**

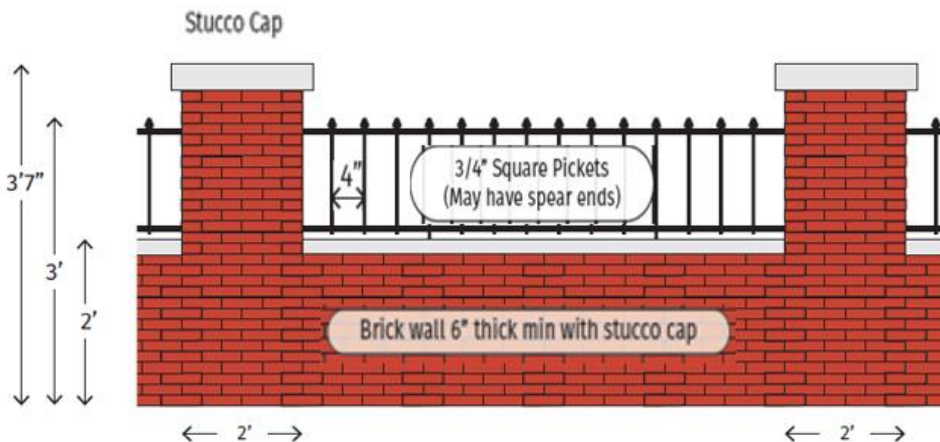


Figure A-8. Wall/Fence Along SW Stafford Road

2. Except for corner lots at the intersection of SW Stafford Road and SW Brisband Street, each lot shall have at least one paved walkway extending from the lot to the Stafford Road sidewalk providing a pedestrian access point. Any gates at pedestrian access points shall have a black "iron style" gate matching the style shown in Figure B-8. below.



Figure B-8. Gate for Pedestrian Access Points along SW Stafford Road

- ii. Structure and Entry Orientation: Except for corner lots at the intersection of SW Stafford Road and SW Brisband Street, the facades of structures facing SW Stafford Road shall meet all design standards for front facades. Generally this will be the front façade of the structure, but if it is the side or rear façade, the façade must still meet front façade standards including having at least one building entrance oriented towards SW Stafford Road.
- b. Special Design Standards for SW Advance Road, except for the portion on the north side included in the SW Stafford Road special design standards in a. above:

- i. Only front yards shall be oriented towards SW Advance Road with front entrances facing the street, except for corner lots at intersecting streets where side yards and side facades may front SW Advance Road, as necessary.
- ii. Lots shall have courtyard fencing matching Figure C-8. including any side yards for lots oriented on intersecting streets.

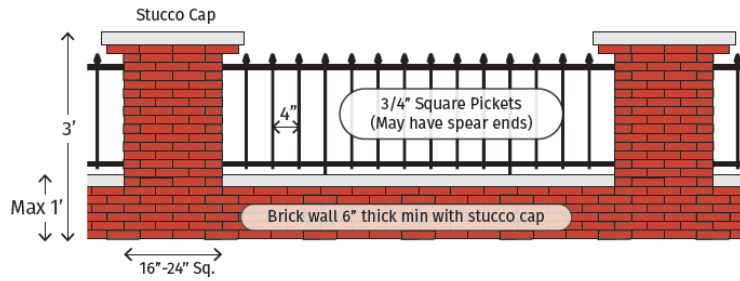


Figure C-8.

- iii. No motor vehicle access is allowed directly to a lot or tract from SW Advance Road except for emergency access requested by the Fire District and approved by the City Engineer.
- iv. Lots directly adjacent to SW Advance Road shall be considered to front SW Advance Road even if a landscape tract exists between the lot and the SW Advance Road right-of-way.

Amendment Description:	Public Realm Elements
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.08) F. (new)
Relationship to Frog Pond East and South Master Plan:	Chapter 7 Public Realm
Rationale for Amendment Text:	The Master Plan provides clear and detailed language regarding the public realm. The language intends to direct the reader back to these specifics in the Master Plan.
Impact on Housing Cost:	These standards can increase the cost of materials and construction for the public realm associated with residential development. However, they are narrowly tailored to meet prescribed policy objectives and are of a similar level of other developments such as Frog Pond West and Villebois where such standards have not been noted to unduly increase the cost of housing.
Compliance Notes:	Not driven by any compliance standards, however creates clear and objective standards for housing as required in ORS 197.307 (4). Less clear and objective language regarding gateway treatment is in Commercially zoned land and does not directly relate to needed housing.
Recent Edits:	<u>Between June work session and July public hearing:</u> Incorporation of specifics about East Neighborhood Park. Removal of Arts, Heritage, and Cultural review requirement for gateway feature due to lack of clear criteria and timeline for their consideration. Language encourages consultation. Added flexibility to gateway feature height as long as it remains clearly and prominently visible 1,000 feet away. Other minor edits. <u>Since July public hearing:</u> None

F. Public Realm Requirements for Frog Pond East and South Master Plan area

- 1. Development in Frog Pond East and South shall conform with the public realm element in Chapter 7 of the Frog Pond East and South Master Plan in the following ways with the referenced figures, tables, and text from the Frog Pond East and South Master Plan incorporated into this Subsection by reference as if fully stated herein:**
 - a. Active transportation connections shall be provided as shown in Figure 20.**
 - b. Street trees shall be provided consistent with Figure 26 and the text on pages 91 through 94.**
 - c. Public lighting shall be provided consistent with Figure 27 and the text on pages 95 through 99.**
 - d. Gateway treatment and monument signs shall be provided consistent with and limited to what is shown and described in Figure 28, Table 6, and the text on page 102.**

- e. Sign toppers or “sign caps” shall be provided on street signs as described on page 102 and shown in Figure D-8 below consistent with the City’s Public Works Standards.



Figure D-8. Frog Pond Street Sign Topper

- f. Consistent with Figure 18 and the text on page 77, the East Neighborhood Park shall be a minimum of three acres in size, not including the BPA easement area, and located directly adjacent to the BPA easement in Subdistricts E5 and/or E6. The park shall also have frontage on SW Brisband Street. Park location shall provide a terminal vista on the north end of SW 60th Avenue and may provide a terminal vista on the east end of SW Brisband Street. Park features and amenities shall be consistent with the description on Page 78.
- g. A “Main Street Gateway” feature shall be provided on SW Brisband Street at SW Stafford Road. The feature shall:
 - i. be at least 20 feet in height so as to be visible from a distance, the Development Review Board may approve height shorter than 20 feet upon the finding that the gateway feature remains clearly and prominently visible from 1,000 feet away;
 - ii. be at least 3 feet in width and length, on average;
 - ii. incorporate both sides of SW Brisband Street or be centered within the round-a-bout;
 - iii. include materials and other design elements representative of Frog Pond East and South as outlined and depicted in the Frog Pond East and South Master Plan; and
 - iv. be professionally designed by a professional(s) with experience designing such gateway features. An affidavit of such professional’s credentials shall be included in the development application material.
 - v. The “Main Street Gateway” design is subject to Site Design Review. Additionally, the design is encouraged, but not required, to be coordinated with and reviewed by the Arts, Cultural, and Heritage Commission. Any review comments by the Arts, Cultural, and Heritage Commission shall be forwarded to the Development Review Board as part of the record for Site Design Review.

(.09) *Open Space:*

...

Amendment Description:	Frog Pond East and South open space requirements, including green focal points.
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.09)
Relationship to Frog Pond East and South Master Plan:	Implements the green focal points identified in the Master Plan including in Chapter 9, Public Realm, Parks and Open Space and Figure 18.
Rationale for Amendment Text:	Generally the standard open space requirements that apply to most residential development in Wilsonville. Beyond the general open space requirements specific green focal point requirements reflecting the Master Plan language are added.
Impact on Housing Cost:	Open space requirements do use land that could otherwise be housing and the cost of their development does increase the cost of associated housing. However, open space and parks are generally accepted as reasonable amenity in residential development to be required of development when the primary purpose of parks or open space are to serve the immediate nearby residents. The open space requirements are consistent with the general requirements in the City and do not add atypical cost to this development. The standards do require Green Focal Points even if open space requirements are otherwise met, but with a required minimum size of 2,000 square feet for an entire subdistrict the added cost per unit is minimal.
Compliance Notes:	Green focal points are identified in Chapter 9 of the Master Plan, and well as Figure 18 of the Master Plan. Implementation Measure 3.1.11.p. of the Comprehensive Plan further states, "New developments shall be responsible for providing specified amounts of usable on-site open space depending on the density characteristics and location of the development, <i>considering the provisions of applicable legislative Master Plans.</i> " (emphasis added)
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor reordering for clarity. Added reference to standards for East Neighborhood Park in Subsection (.08). <u>Since July public hearing:</u> None

C. Within the Frog Pond East and South Master Plans open space shall be provided consistent with the requirements in Subsection 4.113 (.01) C. - F., and designed and located according to the following criteria:

- 1. Green Focal Points. For the East and South Neighborhoods, Green Focal Points are intended to serve as central neighborhood destinations or gathering places that contribute to neighborhood character and identity. Green Focal Points can take a variety of forms, including community garden plots, small playgrounds or splash pads, nature play areas, pocket parks or plazas, and central green courtyards within housing developments. As part of meeting the open space**

requirements in Subsection 4.113 (.01) C. – F. for a Stage I Master Plan Area, each Subdistrict in Frog Pond East and South shall have at least one Green Focal Point meeting the 2,000 square foot size requirement in Subsection 4.113 (.01) D. 1. Even if the usable open space requirement is otherwise met, each subdistrict shall still have the minimum 2,000 square foot Green Focal Point. In addition to the standards in Subsection 4.113 (.01) C.-F., the following requirements apply:

a. Location requirements by Subdistrict:

- Subdistrict E1: Green Focal Point to be located north of the Frog Pond Grange building or in the tree grove near the existing home at 27480 SW Stafford Road.
- Subdistrict E3: A Green Focal Point to be located at trailhead adjacent to SROZ leading to the south.
- Subdistrict E4: A plaza space to be integrated with the Brisband Street Main Street mixed-use development.
- Subdistrict S2: A Green Focal Point to be located and aligned with terminus of future extension of SW Hazel Street.
- Subdistrict S3: A Green Focal Point to be located near northern end of Kruse Creek.
- If Subdistrict is not listed above, a Green Focal Point is still required, but there is no special locational requirement.

b. Direct access to one or more Green Focal Points shall be provided from each residential lot in the neighborhood. Direct access, for the purpose of this requirement, means: a pedestrian would need to travel on no more than two different streets to reach a green focal point from the lot frontage of the home to an open space frontage.

2. East Neighborhood Park. See Subsection 4.127 (.08) F. 1. f. above.

(.10) *Block, access and connectivity standards:*

- A. *Purpose.* These standards are intended to regulate and guide development to create: a cohesive and connected pattern of streets, pedestrian connections and bicycle routes; safe, direct and convenient routes to schools and other community destinations; and, neighborhoods that support active transportation and Safe Routes to Schools.
- B. *Blocks, access and connectivity shall comply with adopted legislative master plans:*

...

**Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)**

Amendment Description:	Block and access standards for Frog Pond East and South
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.10) B.
Relationship to Frog Pond East and South Master Plan:	Reflects no specific block and access standards in the Master Plan beyond identifying framework streets.
Rationale for Amendment Text:	Provides reference to general citywide block and access standards for applicability to Frog Pond East and South.
Impact on Housing Cost:	The block and access standards are typical of other residential areas of the City and do not impose any atypical costs.
Compliance Notes:	Not driven by any compliance standards, however creates clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

2. In the Frog Pond East and South Neighborhoods, or if a legislative master plan does not provide sufficient guidance for a specific development or situation, ~~the Development Review Board shall use the block and access standards in Section 4.124(.06.09) as the applicable standards~~ apply.

...

(.14) *Main Entrance Standards:*

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Amendment Description:	Removal of little utilized entrance distance from grade requirement
Applicability:	Frog Pond West and Frog Pond East and South
Impacted Code Section(s):	4.127 (.14) C.
Relationship to Frog Pond East and South Master Plan:	Generally to housing variety.
Rationale for Amendment Text:	Removal prevents a barrier to second floor entries which may be used for unit configurations like townhouses on top of an ADU.
Impact on Housing Cost:	The added flexibility for placement of ADUs on the ground floor with stair access to a second floor unit adds flexibility that can add to construction of more lower-cost unit types.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

~~C. — *Distance from grade.* Main entrances meeting the standards in subsection B., above, must be within four feet of grade. For the purposes of this Subsection, grade is the average grade measured along the foundation of the longest street-facing wall of the dwelling unit.~~

(.15) *Garage Standards:*

...

B. *Street-Facing Garage Walls:*

...

3. *Standards:*

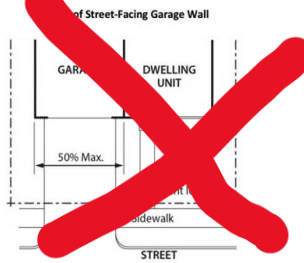
Amendment Description:	Simplification of garage standards
Applicability:	Frog Pond West and Frog Pond East and South
Impacted Code Section(s):	4.127 (.15) B.
Relationship to Frog Pond East and South Master Plan:	None
Rationale for Amendment Text:	The proposal simplifies the language used for garage frontages in Frog Pond West to apply throughout Frog Pond. It also addresses a frequent issue encountered in Frog Pond West development were the existing standards required non-standard width garage doors which unnecessarily increased expenses and created more lead-time for custom fabrication.
Impact on Housing Cost:	The modification of the garage standard is anticipated to allow for the wider use of standard-sized garage doors which are less expensive than custom-sized garage doors, thus helping reduce the construction cost.
Compliance Notes:	Not driven by any compliance standards, however supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

- ~~a. The length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building façade. For middle housing, this standard applies to the total length of the street-facing façades. For detached single family and accessory structures, the standards apply to the street-facing façade of each unit. For corner lots, this standard applies to only one street side of the lot. For lots less than 50 feet wide at the front lot line, the standard in (b) below applies.~~
- ~~b. For lots less than 50 wide at the front lot line, the following standards apply:~~
 - a. The width of the garage door may be up to 50 percent of the length of the street-facing façade **as measured from the interior of the frame surrounding the garage door.**
 - b. The garage door must be recessed at least four feet from the front façade or six feet from the front of a front porch.
 - c. The maximum driveway width is 18 feet.
 - d. Where a dwelling abuts a rear or side alley or a shared driveway, the garage shall orient to the alley or shared drive.
 - e. Where three or more contiguous garage parking bays are proposed facing the same street, the garage opening closest to a side property line shall be recessed at least two feet behind the adjacent opening(s) to break up the street facing elevation and diminish the appearance

Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

of the garage from the street. Side-loaded garages, i.e., where the garage openings are turned away from the street, are exempt from this requirement.

- f. A garage entry that faces a street may be no closer to the street than the longest street facing wall of the dwelling unit. There must be at least 20 feet between the garage door and the sidewalk. This standard does not apply to garage entries that do not face the street.



(.16) *Residential Design Standards:*

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Amendment Description:	Applicability of existing residential design standards for RN zone
Applicability:	Frog Pond West and Frog Pond East and South
Impacted Code Section(s):	4.127 (.16)
Relationship to Frog Pond East and South Master Plan:	Generally to housing variety as current RN residential design standards do not address all of the allowed residential unit types in Frog Pond East and South.
Rationale for Amendment Text:	When the RN zone residential design standards were adopted, there were no residential design standards in the City except for ones specific to Villebois. Since that time, as part of the Middle Housing in Wilsonville project, citywide design standards were established for various unit types. These standards can be found in Subsection 4.113 (.14). In addition, this current package of code amendments includes new design standards for multi-family development. The decision was made to allow the citywide design standards covering all unit types be applied in Frog Pond East and South rather than the Frog Pond West standards geared towards single-family detached homes.
Impact on Housing Cost:	Applying the simpler Citywide design standards contributes to the ability for design standards to not unduly increase the cost of housing. The Citywide design standards mirror model design standards in State Administrative Rules that are a safe harbor for design standards to be considered not to be an undue cost burden.
Compliance Notes:	Not driven by any compliance standards, however creates clear and objective standards for housing as required in ORS 197.307 (4). The standards being applied were found to be compliant with State rules during the City’s Middle Housing in Wilsonville Code Update in 2021. They reflect State Model Code from OAR 660-046 or are equally applied to all housing types, allowing them to qualify as safe harbor under State rules.
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor edits to consistently reference the different Frog Pond neighborhoods. <u>Since July public hearing:</u> None

- B. *Applicability.* These **In the Frog Pond West Neighborhood** standards **C. through G.** apply to all façades facing streets, pedestrian connections, parks, open space tracts, the Boeckman Trail, or elsewhere as required by this Code or the Development Review Board. Exemptions from these standards include: (1) Additions or alterations adding less than 50 percent to the existing floor area of the structure; and, (2) Additions or alterations not facing a street, pedestrian connection, park, or open space tract. **In the Frog Pond East and South Neighborhoods, the standards in C. through G. do not apply. Rather, design**

standards in 4.113 (.14) apply to all public-facing facades in the Frog Pond East and South Neighborhoods.

...

(.17) *Fences:*

Amendment Description:	Applicability of existing fence requirements
Applicability:	Frog Pond West and Frog Pond East and South
Impacted Code Section(s):	4.127 (.17)
Relationship to Frog Pond East and South Master Plan:	Consistent with specific fencing standards for Stafford Road and Advance Road.
Rationale for Amendment Text:	This existing language regarding fencing for Frog Pond West makes sense to be applicable to Frog Pond East and South as well. The proposed strikeout allows these standards to apply to all Frog Pond neighborhoods.
Impact on Housing Cost:	This specific standard is anticipated to have minimal to any impact on housing cost as it does not require additional materials or construction.
Compliance Notes:	Not driven by any compliance standards, however creates clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

- A. ~~Within Frog Pond West,~~ fences shall comply with standards in 4.113 (.07) except as follows:
1. Columns for the brick wall along Boeckman Road and Stafford Road shall be placed at lot corners where possible.
 2. A solid fence taller than four feet in height is not permitted within eight feet of the brick wall along Boeckman Road and Stafford Road, except for fences placed on the side lot line that are perpendicular to the brick wall and end at a column of the brick wall.
 3. Height transitions for fences shall occur at fence posts.

...

Amendment Description:	Waivers for Frog Pond East and South
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.22) (new)
Relationship to Frog Pond East and South Master Plan:	Directly implements Implementation Measure 4.1.7.D. 3. regarding an alternative discretionary path for approval.
Rationale for Amendment Text:	Maintains the City’s existing discretionary waiver path but adds specific waiver criteria related to consistency with designated Urban Form Types and housing variety.
Impact on Housing Cost:	Where an applicant has a plan that does not meet one or more standard but overall meets the intent of the standard, this allows a clear alternative approval path. Certain waivers could reduce the cost of certain units by removing the cost of complying with waived standards.
Compliance Notes:	Reflects alternative standards to clear and objective standards allowed in ORS 197.307 (4). As noted above, directly implements Implementation Measure 4.1.7.D. 3. from Master Plan regarding an alternative discretionary path for approval.
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor typographical edits. <u>Since July public hearing:</u> Added ability to apply for certain early waivers concurrent with a Stage I Master Plan. Further clarified the applicability of the number on which to base the calculation of the 5 unit or 20% limit for housing variety.

(.22) Consideration of Waivers in the Frog Pond East and South Neighborhoods.

- A. Applicants for development in the Frog Pond East and South Neighborhoods may request waivers to applicable development and design standards in Section 4.127 pursuant to Section 4.118 (.03), provided the criteria in subsection B. are met. Waivers are typically applied for with a Stage II final plan. However, when a Stage I approval is requested prior to submission of a Stage II final plan in the Frog Pond East and South Neighborhoods, the applicant may elect to request a waiver or waivers related to standards impacting lot size or dimension, housing variety, the size or location of parks or open space, or the location of streets or pathways in conjunction with the Stage I approval, if the applicant can demonstrate each requested waiver would directly impact site layout. In such case, a Stage II final plan for the same development area may not be applied for until there is a final decision on the Stage I and associated waivers. Each approved Stage I waiver shall expire unless a Stage II final plan consistent with the approved Stage I waiver is submitted within two years.**
- B. In addition to the waiver criteria in Sections 4.118 and 4.140 and applicable Site Design Review standards, when reviewing a waiver for development within the Frog Pond East and South Neighborhoods the Development Review Board’s decision shall be based on the following criteria, which reflects guidance in the Frog Pond East and South Master Plan:**
- 1. The development enabled by the waiver is complementary and compatible with development that would typically be built within the subject Urban Form Type as described in Chapter 6 of the Frog Pond East and South Master Plan.**

- 2. The waiver continues to support a wide variety of housing throughout the Frog Pond East and South Neighborhoods including not reducing the Minimum Number of Units of any requirement in Table 6B by the greater of 5 units or 20 percent.**
- a. Except as indicated in b. and c. below, the number on which the greater of 5 units or 20 percent is calculated shall be the number as written in Table 6B and shall not include any modification, combination, or summation of the number.**
- b. Where an application includes two or more adjacent tax lots within the same subdistrict, the number on which the greater of 5 units or 20 percent is calculated shall be the sum of the requirements for those tax lots, as allowed in Footnote I. of Table 6B.**
- c. Where a requirement in Table 6B is adjusted pursuant to Subsection, 4.127 (.06) C. 1., the number on which the greater of 5 units or 20 percent is calculated shall be the adjusted number.**

Amendment Description:	Development Standards for the Commercial Main Street
Applicability:	Commercial Main Street Area of Frog Pond East
Impacted Code Section(s):	4.127 (.23) (new)
Relationship to Frog Pond East and South Master Plan:	Directly implements the portion of Chapter 9, Implementation, relating to Coding for Main Street
Rationale for Amendment Text:	The standards are a simplified adaptation of Town Center Zone development standards to support the development of similar types of mixed-use buildings along SW Brisband Street.
Impact on Housing Cost:	Generally these should not be read to impact housing costs as they are applicable to commercial development. However, the plans are for mixed use development that includes residential units. Care was taken to model these standards after existing standards in the Planned Development Commercial Zone and Town Center Zone that also allow for mixed use development. While design standards do generally increase costs of development, the standards are reasonable and the associated costs are not atypical from other similar areas in Wilsonville.
Compliance Notes:	Helps implement the Commercial Main Street consistent with the Master Plan. No State or Regional requirements involved.
Recent Edits:	<u>Between June work session and July public hearing:</u> Additional clarity of what is not allowed in front setback in terms of delivery and collection service. Edited Figure B-23 for pedestrian connection spacing to be consistent with Code text. Other minor edits. <u>Since July public hearing:</u> None

(.23) Residential Neighborhood Zone - Commercial Main Street Development

- A. *Applicability.* These standards apply to the Commercial Main Street area described in Subsection (.07) A. 1. and shown in Figure A-7.**
- B. *Allowed Uses.* See Subsection (.02) above.**
- C. *Development Standards.* The following development standards apply to all development within the Commercial Main Street area of Frog Pond East.**

<u>Table 23A. Commercial Main Street Development Standards</u>	
<u>STANDARD</u>	
<u>Front setback</u>	
<u>Minimum</u>	<u>0 ft.</u>
<u>Maximum</u>	<u>20 ft.</u>
<u>Side facing street on corner</u>	
<u>Minimum</u>	<u>0 ft.</u>
<u>Maximum</u>	<u>10 ft.</u>
<u>Side yard</u>	
<u>Minimum</u>	<u>0 ft.</u>
<u>Maximum</u>	<u>10 ft.</u>
<u>Rear setback</u>	

<u>Minimum</u>	<u>0 ft.</u>
<u>Building height (stories) ^A</u>	
<u>Minimum</u>	<u>two</u>
<u>Maximum</u>	<u>four</u>
<u>Ground floor height minimum</u>	<u>12 ft.</u>
<u>Building site coverage maximum</u>	<u>90%</u>
<u>Minimum landscaping</u>	<u>10%</u>
<u>Minimum building frontage ^B</u>	
<u>On SW Brisband Street</u>	<u>70%</u>
<u>On SW Stafford Road</u>	<u>None</u>
<u>On other streets</u>	<u>None</u>

^A Second stories or higher in buildings must be usable. No false front buildings are permitted.

^B To meet the minimum building frontage requirement, the ground level street-facing façade must meet the maximum setback standard for a minimum of 70% of the lot length on SW Brisband Street.

D Design Standards:

- 1. Purpose and Intent.** The purpose of the design standards is to provide high quality design within the Commercial Main Street area that creates a place of distinct character. The design of buildings and other site features shall functionally relate to adjacent streets and open spaces; shall include architectural diversity and variety in their built form; shall contribute to the vitality of the street environment through incorporation of storefronts, windows, and entrances facing the sidewalk; and shall minimize the visual impact of off-street parking from streets.
- 2. Building and Entry Placement.** Buildings shall meet the following standards:
 - a.** Development shall meet the minimum building frontage standards in Table 23A.
 - b.** At least one entrance door is required for each business, including live-work units, with a ground floor frontage.
 - c.** All primary ground-floor common entrances shall be oriented to the street or a public space directly facing the street, or placed at an angle up to 45 degrees from an adjacent street. Primary ground-floor common entrances shall not be oriented to the interior or to a parking lot.
 - d.** The primary entrance shall orient to SW Brisband Street or SW Stafford Road.
 - f.** Each entrance shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided.
- 3. Building Setbacks.** Development shall meet the minimum and maximum setback standards in subsection Table 23A. No off-street vehicle parking, loading, delivery, or collection service is permitted within the setback. Bicycle parking is permitted within the setback.
- 4. Front Yard Setback Design.** If front yard setbacks are provided, they shall be designed to encourage pedestrian activity and active ground floor uses. Landscaping, water quality treatment, seating areas, an arcade, or a hard-surfaced expansion of the pedestrian path must be provided between a structure and a public street or accessway. If a building abuts more than one street, the required improvements shall be provided on all streets. Hard-surfaced areas shall be constructed with scored concrete or modular paving materials. Benches and other street furnishings are encouraged.

5. Walkway Connection to Building Entrances. A walkway connection is required between a building's primary entrance and a public street or accessway. This walkway must be at least six feet wide and be paved with concrete or modular paving materials.

6. Parking Location and Landscape Design:

a. Parking must be located to the rear of buildings.

7. Building Design Standards:

a. General Provisions:

i. The first-floor façade of all buildings shall be designed to encourage and complement pedestrian-scale interest and activity through the use of elements such as windows, awnings, and other similar features.

ii. Building entrances shall be clearly marked, provide weather covering, and incorporate architectural features of the building.

iii. Architectural features and treatments shall not be limited to a single façade. All public-facing facades shall display a similar level of quality and architectural interest, with elements such as windows, awnings, murals, a variety of exterior materials, reveals, and other similar features.

b. Design Standards. All buildings shall comply with the following design standards:

i. Windows:

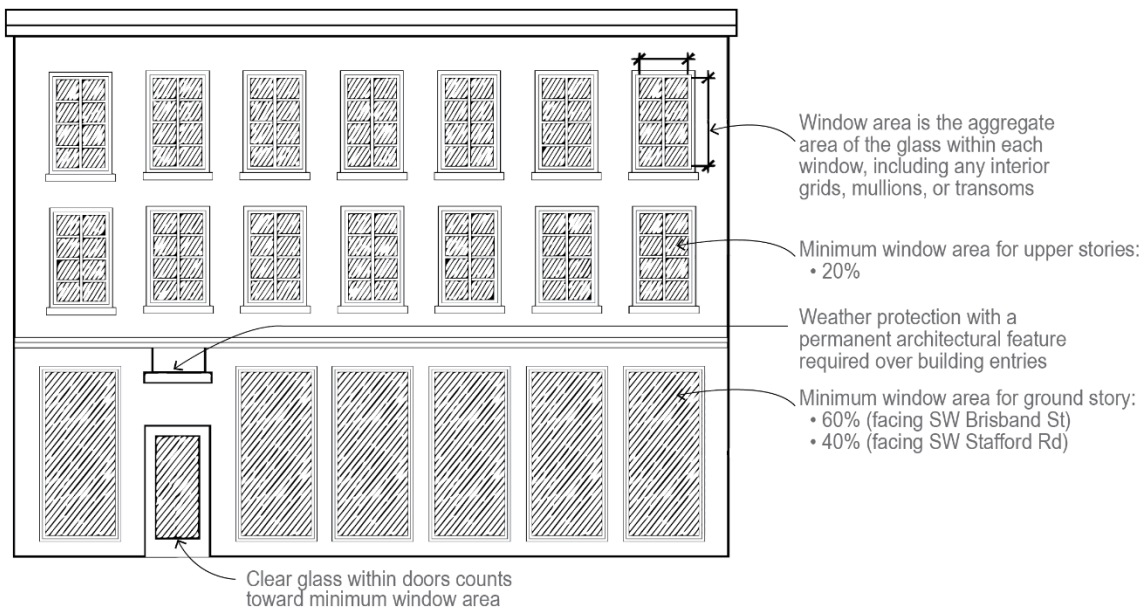
- Building facade windows are required on all facades facing SW Brisband Street or SW Stafford Road (see Figure A-23), as follows:

<u>Ground Story facing SW Brisband Street</u>	<u>60% of ground floor wall area</u>
<u>Ground Story facing SW Stafford Road or SW 63rd Avenue</u>	<u>40% of ground floor wall area</u>
<u>Upper Stories facing SW Brisband Street, SW Stafford Road, or SW 63rd Avenue</u>	<u>20% of facade</u>
<u>Other facades</u>	<u>No minimum</u>

- Window area is the aggregate area of the glass within each window, including any interior grids, mullions, or transoms. Facade area is the aggregate area of each street-facing vertical wall plane.
- Required windows shall be clear glass and not mirrored or frosted, except for bathrooms. Clear glass within doors may be counted toward meeting the window coverage standard.
- Ground floor windows. For facades facing SW Brisband Street, SW Stafford Road, and SW 63rd Avenue elevations within the building setback shall include a minimum percentage of the ground floor wall area with windows, display areas or doorway openings. The ground floor wall area shall be measured from two feet above grade to ten feet above grade for the entire width of the street-facing elevation. The ground floor window requirement shall be met within the ground floor wall area; glass

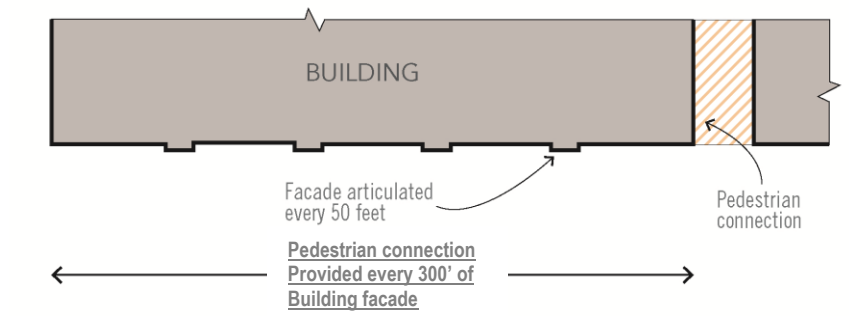
doorway openings to ground level may be counted toward meeting the requirement.

Figure A-23. Window Placement and Percentage of Facade



ii. **Building Facades:** Public-facing facades shall extend no more than 50 feet without providing at least one of the following features: (a) a variation in building materials; (b) a building off-set of at least one foot; (c) a wall area that is entirely separated from other wall areas by a projection, such as an arcade; or (d) by other design features that reflect the building's structural system (See Figure B-23). No building façade shall extend for more than 300 feet without a pedestrian connection between or through the building.

Figure B-23. Building Facade Articulation



iii. Weather Protection: Building facades facing SW Brisband Street shall provide weather protection as follows:

- **A projecting facade element (awning, canopy, arcade, or marquee) must be provided along at least 50 percent of the façade.**
- **All weather protection must comply with the Oregon Structural Specialty Code in effect at the time of application for projections or encroachments into the public right-of-way.**
- **Weather protection shall be maintained and in good condition.**
- **Weather protection features shall project at least five feet from the building façade.**
- **Marquees shall have a minimum ten-foot clearance from the bottom of the marquee to the sidewalk. Canopies and awnings shall have a minimum eight-foot clearance from the bottom of the awning or canopy to the sidewalk.**
- **The projecting façade element shall not conflict with street lights. If the projecting façade element blocks light shed from adjacent street lights, exterior lighting shall be located on the building.**
- **Awnings shall match the width of storefronts or window openings.**
- **Internally lit awnings are not permitted.**
- **Awnings shall be made of glass, metal, or a combination of these materials. Fabric awnings are not permitted.**

iv. Building Materials. Plain concrete block, plain concrete, T-111 or similar sheet materials, corrugated metal, plywood, sheet press board or vinyl siding may not be used as exterior finish materials. Foundation material may be plain concrete or plain concrete block where the foundation material is not revealed for more than two feet. Use of brick and natural materials (wood) is encouraged.

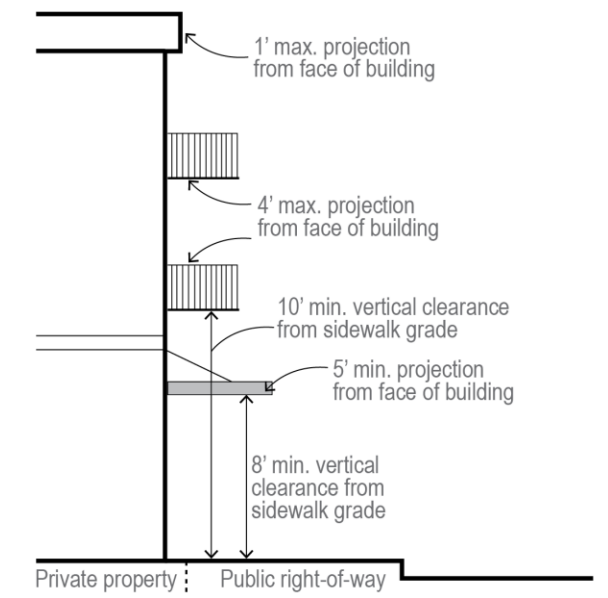
v. Roofs and roof lines. Except in the case of a building entrance feature, roofs shall be designed as an extension of the primary materials used for the building and should respect the building's structural system and architectural style. False fronts and false roofs are not permitted.

vi. Rooftop features/equipment screening:

- **The following rooftop equipment does not require screening:**
 - **Solar panels, wind generators, and green roof features;**
 - **Equipment under two feet in height.**
- **Elevator mechanical equipment may extend above the height limit a maximum of 16 feet provided that the mechanical shaft is designed to match or be complementary to the architecture of the building.**
- **Satellite dishes and other communications equipment shall be limited to ten feet in height from the roof, shall be set back a minimum of five feet from the roof edge and screened from public view to the extent possible.**

- All other roof-mounted mechanical equipment shall be limited to ten feet in height, shall be set back a minimum of five feet from the roof edge and screened from ground-level public view and from views from adjacent buildings.
 - On all structures exceeding 35 feet in height, roofs shall have drainage systems that are designed to match or be complementary to the architecture of the building.
 - Any external stairwells, corridors and circulation components of a building shall be architecturally compatible with the overall structure, through the use of similar materials, colors, and other building elements.
 - Required screening shall not be included in the building's maximum height calculation.
- vii. General Screening. Utility meters shall be located on the back or side of a building, screened from view from a public street to the greatest extent possible, and shall be painted a color to blend with the building façade.
- viii. Building projections. Building projections are allowed as follows (see Figure C-23):
- Architectural elements such as eaves and cornices may project up to one foot from the face of the building.
 - Bay windows and balconies may project up to four feet from the face of the building. Balconies that project into the right-of-way shall have a minimum vertical clearance of 10 feet from sidewalk grade or be mounted at the floor elevation, whichever is greater.

Figure C-23. Building Projections

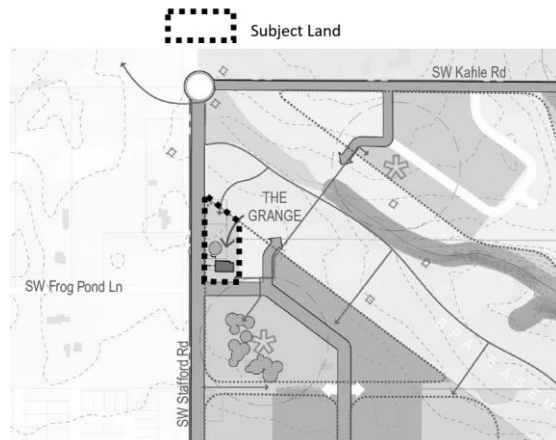


Amendment Description:	Specific Land Use Considerations for Frog Pond East and South
Applicability:	Frog Pond East and South
Impacted Code Section(s):	4.127 (.24) (new)
Relationship to Frog Pond East and South Master Plan:	Directly implements Implementation Measure 4.1.7.D. 5. And 10. regarding treatment of these specific areas.
Rationale for Amendment Text:	Directly reflects the direction given in the Master Plan with identifying location description and map.
Impact on Housing Cost:	No impacted on housing cost anticipated.
Compliance Notes:	Does not relate to State or Regional regulations. As mentioned above, directly implements Implementation Measure 4.1.7.D. 5. And 10. from the Master Plan regarding treatment of these specific areas.
Recent Edits:	<u>Between June work session and July public hearing:</u> Added code reference to SROZ Map Verification process for Treed area on the south side of SW Kahle Road. <u>Since July public hearing:</u> None

(.24) Special, Specific Land Use Considerations

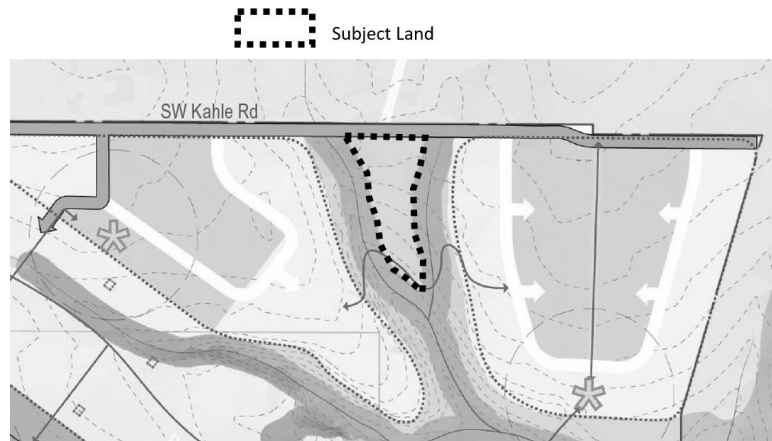
A. Frog Pond Grange Property. This special consideration pertains to an area described as: **the western half of the area of Subdistrict E1 north of the framework street that is an extension of SW Frog Pond Lane and west of the framework street extending across the BPA easement. See Figure A-24 for locational reference. The community supports preservation, reuse, and adjacent uses supportive of the current Frog Pond Grange building. The Frog Pond East and South Master Plan identifies the long-term use of the subject area as maintaining the existing civic/meeting/event space use or substantially similar use with surrounding open space. Any substantial change of use shall require an amendment to the Frog Pond East and South Master Plan. Preservation of the existing building, substantially similar in design to that existing as of the 2022 adoption of the Frog Pond East and South Master Plan, is required on the site unless approved by the Development Review Board with findings providing substantial evidence that preservation is not feasible due to structural issues with the building that are not feasible, either economically or technically, to repair.**

Figure A-24



B. Treed area on south side of SW Kahle Road. This special consideration pertains to an area described as a treed area south of SW Kahle Road between Subdistricts E2 and E3 and bounded on both side by creeks. See Figure B-24 for locational reference. An applicant may request the subject area not be included in the SROZ based on findings made, as part of a SROZ Map Verification pursuant to Section 4.139.05, that the area does not meet the standard to be included in the SROZ. If it is found the area is not to be in the SROZ the Urban Form Type 3 shall apply. There is no minimum unit count and the area would not be considered part of a subdistrict. There would be no housing variety requirement applied.

Figure B-24



Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

Amendment Description:	Remove buffering language for multi-family development
Applicability:	Citywide
Impacted Code Section(s):	4.176 (.04)
Relationship to Frog Pond East and South Master Plan:	Supports the mix of residential types called for in the Master Plan, including multi-family, throughout the Master Plan, by not requiring screening between different unit types.
Rationale for Amendment Text:	Frog Pond East and South focuses on a mix of residential types throughout, rather than segregation of residential types. This legacy language being deleted reflects a development era dominated by separated single-family and multi-family areas without middle housing. Removing this language better reflects the current approach of integration of housing types.
Impact on Housing Cost:	Removes a buffering and screening cost that would apply to multi-family development, reducing cost.
Compliance Notes:	Not driven by any compliance standards.
Recent Edits:	None

Subsection 4.176 (.04) Buffering and Screening

B. Activity areas on commercial and industrial sites shall be buffered and screened from adjacent residential areas. ~~Multi-family developments shall be screened and buffered from single-family areas.~~

Amendment Description:	Deed restriction cannot restrict housing types allowed by zoning
Applicability:	Citywide
Impacted Code Section(s):	4.210 and 4.220
Relationship to Frog Pond East and South Master Plan:	Supports the mix of residential types called for in the Master Plan, but not allowing any to be disallowed by private covenant or deed restriction.
Rationale for Amendment Text:	House Bill 2001 (2019) established that from January 1, 2020, private deed restrictions and covenants, including CC&Rs, could not be written to exclude middle housing. These edits reflects this law and further clarify that any housing type allowed under City zoning cannot be limited by private deed restrictions and covenants.
Impact on Housing Cost:	Removes ability to place barrier to more affordable housing types.
Compliance Notes:	Necessary to comply with a prohibition on CC&R restriction on housing type from House Bill 2001 (2019).
Recent Edits:	<u>Between June work session and July public hearing:</u> Minor typographical edits. <u>Since July public hearing:</u> None

Section 4.210 Application Procedure (Tentative Plat)

(.01) C. 4.

Limitations on Deed Restrictions. ~~Board~~ **The City** may limit content of deed restrictions in order to promote local, regional and state interests in affordable housing **and/or comply with applicable statute, rules, and policies;** the Board may limit the content that will be accepted within proposed deed restrictions or covenants. In adopting conditions of approval for a residential ~~subdivision or condominium development~~ **land division**, the Board **or Planning Director may** prohibit such things as mandatory minimum construction costs, minimum unit sizes, prohibitions of manufactured housing, etc. **The City shall, in all cases, ensure no deed restrictions or covenants limit construction of any housing allowed by City zoning for the subject land.**

Section 4.220. Final Plat Review

(.02) C.

Deed restrictions. A copy of all protective deed restrictions proposed for the area shall accompany the final Plat and specifications of all easements and dedications as required by the Development Review Board. The Planning Director shall not sign the final plat if the proposed deed restrictions fail to provide for the on-going maintenance of common areas ~~or,~~ **violate established conditions of approval for the development, or violate other statutes, rules, or standards the City has responsibility to enforce, including those related to not allowing deeds or covenants to limit housing types allowed by the City's zoning for a given property(ies).**

Amendment Description:	Clarify applicability of DRB Site Design Review for housing
Applicability:	Citywide
Impacted Code Section(s):	4.420
Relationship to Frog Pond East and South Master Plan:	Reflects the allowance of a wide variety of housing types, including various types of multi-family, throughout the Master Plan area. Supports the allowance for alternative discretionary review called for in the Master Plan.
Rationale for Amendment Text:	The amendments to this section clarify that residential structures reviewed under clear and objective residential design standards are not subject to Site Design Review by the Development Review Board. Besides providing additional clarity for single-family and middle housing, this proposed change supports the change allowing administrative review of multi-family buildings (apartments). Site Design Review will continue to apply to commercial and industrial buildings, mixed-use residential buildings, and required open space landscaping. The language also allows the option for residential developers to seek Site Design Review as an alternative to following the clear and objective residential design standards.
Impact on Housing Cost:	Supports a simpler review process for housing that helps reduce development costs.
Compliance Notes:	Supports clear and objective standards for housing as required in ORS 197.307 (4).
Recent Edits:	None

Section 4.420. ~~Jurisdiction and Powers of the Board~~ **Review Authority for Site Design Review**

- (.01) ~~Application of Section. Except for single-family and middle housing dwellings in any residential zoning district, and apartments in the Village zone,~~
- A. **Unless exempt as noted in 1.-2. below, no building permit shall be issued for a new building or major exterior remodeling of an existing building unless the building architecture and siting is approved by the Development Review Board (Board) through Site Design Review.**
 - 1. **Residential structures in residential zones are exempt from Site Design Review as long as they meet established clear and objective design and siting standards or any allowed adjustments. This exemption does not apply to mixed-use residential structures. However, an applicant may elect to have residential structures approved by the Board through Site Design Review in association with waivers from specific standards.**
 - 2. **Minor building modifications to non-residential structures are reviewed under the authority of the Planning Director as established is Section 4.030.**
 - B. **Unless exempt as noted in 1.-2. below, no building permit within an area covered by a Stage II Planned Development, or PDP in the Village Zone, shall be granted unless landscaping plans are reviewed and approved by the Board through Site Design review, or FDP in the Village Zone.**

Ord. No. 892 Exhibit A
Frog Pond East and South Proposed Development Code Amendments (October 2, 2024)

1. **Landscaping on residential lots in residential zones is exempt from Site Design Review unless it is part of the open space required under Subsection 4.113 (.01).**
 2. **Minor modifications to landscape plans subject to Site Design are reviewed under the authority of the Planning Director as established in Section 4.030..**
- C. No Sign Permit, except as permitted in Sections 4.156.02 and 4.156.05, shall be issued for the erection or construction of a sign relating to such new building or major remodeling, until the plans, drawings, sketches and other documents required for a Sign Permit application have been reviewed and approved by the Board.