

**DEVELOPMENT REVIEW BOARD MEETING  
SEPTEMBER 12, 2022  
6:30 PM**

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Public Hearing:

3. **Resolution No. 407 Frog Pond Overlook**

**Subdivision.** The applicant is requesting approval of Annexation of approximately 4.07 acres and Zone Map Amendment from Rural Residential Farm Forest 5-Acre (RRFF-5) to Residential Neighborhood (RN) of approximately 3.96 acres, a Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review of parks and open space, Tentative Subdivision Plat, Type C Tree Plan, and Abbreviated SROZ Map Verification for a 12-lot residential subdivision.

Case Files:

DB22-0002 Frog Pond Overlook

- Annexation (ANNX22-0001)
- Zone Map Amendment (ZONE22-0002)
- Stage 1 Preliminary Plan (STG122-0002)
- Stage 2 Final Plan (STG222-0002)
- Site Design Review of Parks and Open Space (SDR22-0002)
- Tentative Subdivision Plat (SUBD22-0001)
- Type C Tree Plan (TPLN22-0001)
- SROZ Map Verification (SROZ22-0004)

***The DRB Action on the Annexation and Zone Map Amendment is a recommendation to the City Council.***

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 407**

**A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF ANNEXATION OF APPROXIMATELY 4.07 ACRES AND ZONE MAP AMENDMENT FROM RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO RESIDENTIAL NEIGHBORHOOD (RN) OF APPROXIMATELY 3.96 ACRES, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE 1 PRELIMINARY PLAN, STAGE 2 FINAL PLAN, SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN, AND ABBREVIATED SROZ MAP VERIFICATION FOR A 12-LOT RESIDENTIAL SUBDIVISION.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted by Dan Grimberg, West Hills Land Development LLC – Applicant/Owner in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the subject site is located at 7315 SW Frog Pond Lane on Tax Lot 7700, and a portion of SW Frog Pond Lane right-of-way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated September 1, 2022, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on September 12, 2022, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated September 1, 2022, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations subject to City Council approval of the Annexation and Zone Map Amendment Requests (ANNX22-0001 and ZONE22-0002) for:

DB22-0002 Frog Pond Overlook: Stage 1 Preliminary Plan (STG122-0002), Stage 2 Final Plan (STG222-0002), Site Design Review of Parks and Open Space (SDR22-0002), Tentative Subdivision Plat (SUBD22-0001), Type C Tree Plan (TPLN22-0001), and Abbreviated SROZ Map Verification (SROZ22-0004).

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 12<sup>th</sup> day of September, 2022, and filed with the Planning Administrative Assistant on \_\_\_\_\_. This resolution is final on the 15<sup>th</sup> calendar day after the postmarked date of the

written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the Council in accordance with *WC Sec 4.022(.03)*.

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Jean Svadlenka, Chair - Panel A  
Wilsonville Development Review Board

Attest:

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Shelley White, Planning Administrative Assistant



Exhibit A1  
Staff Report  
Frog Pond Overlook 12-Lot Subdivision  
Development Review Board Panel 'A'  
Quasi-Judicial Public Hearing

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**Hearing Date:** September 12, 2022

**Date of Report:** September 1, 2022

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**Application Nos.:** DB22-0002 Frog Pond Overlook 12-Lot Subdivision

- Annexation (ANNX22-0001)
- Zone Map Amendment (ZONE22-0002)
- Stage 1 Preliminary Plan (STG122-0002)
- Stage 2 Final Plan (STG222-0002)
- Site Design Review of Parks and Open Space (SDR22-0002)
- Tentative Subdivision Plat (SUBD22-0001)
- Type C Tree Removal Plan (TPLN22-0001)
- Abbreviated SROZ Map Verification (SROZ22-0004)

**Request/Summary:** The requests before the Development Review Board include Annexation, Zone Map Amendment, Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Removal Plan, and Abbreviated SROZ Map Verification

**Location:** 7315 SW Frog Pond Lane. The property is specifically known as TLID 700 and a portion of SW Frog Pond Lane right-of-way, Section 12D, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.

**Owner/Applicant:** West Hills Land Development LLC (Contact: Dan Grimberg)

**Applicant's Rep.:** OTAK, Inc. (Contact: Li Alligood AICP)

**Comprehensive Plan Designation:** Residential Neighborhood

**Zone Map Classification (Current):** Rural Residential Farm Forest 5-Acre (RRFF-5; Clackamas County)

**Zone Map Classification (Proposed):** Residential Neighborhood (RN)

**Staff Reviewers:** Georgia McAlister, Associate Planner  
Amy Pepper, PE, Development Engineering Manager  
Kerry Rappold, Natural Resources Manager

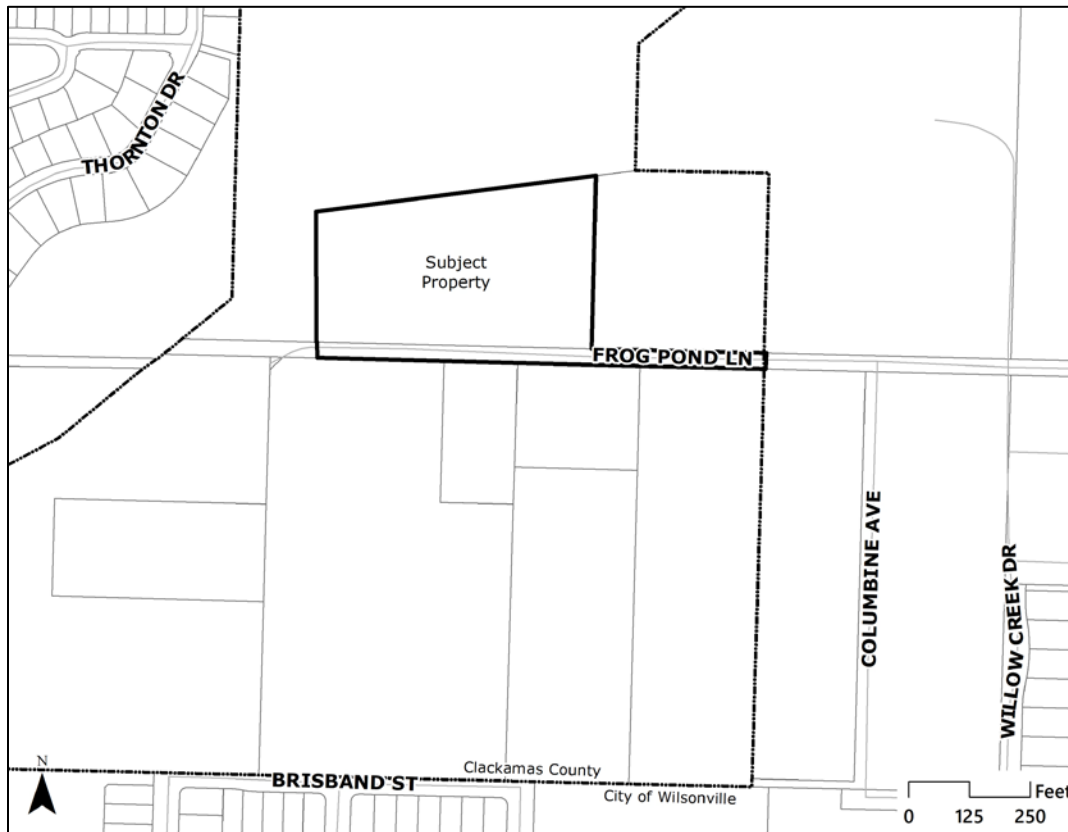
**Staff Recommendation: Recommend approval to the City Council** of the Annexation and Zone Map Amendment, **approve with conditions** the Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review of Parks and Open Space, Tentative Subdivision Plat, Type C Tree Plan, and Abbreviated SROZ Map Verification, contingent on City Council approval of the Annexation and Zone Map Amendment.

**Applicable Review Criteria:**

<b><u>Development Code:</u></b>	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Section 4.033	Authority of City Council
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.113	Standards Applying to Residential Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.127	Residential Neighborhood (RN) Zone
Section 4.139 through 4.139.11	Significant Resource Overlay Zone (SROZ)
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Sections 4.156.01 through 4.156.11	Signs
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.197	Zone Changes
Sections 4.200 through 4.290	Land Divisions
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600-4.640.20	Tree Preservation and Protection
Section 4.700	Annexation
<b><u>Comprehensive Plan and Sub-elements:</u></b>	

Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Frog Pond West Master Plan	
<b><u>Regional and State Law and Planning Documents</u></b>	
Metro Code Chapter 3.09	Local Government Boundary Changes
ORS 222.111	Authority and Procedures for Annexation
ORS 222.125	Annexation by Consent of All Land Owners and Majority of Electors
ORS 222.170	Annexation by Consent Before Public Hearing or Order for Election
Statewide Planning Goals	

## Vicinity Map



### Background:

The subject property has long been rural/semi-rural, adjacent to the growing City of Wilsonville. Metro added the 181-acre area now known as Frog Pond West to the Urban Growth Boundary in 2002 to accommodate future residential growth. To guide development of the area and the urban reserve areas to the east and southeast, the City of Wilsonville adopted the Frog Pond Area Plan in November 2015. The Frog Pond Area Plan envisions that: "The Frog Pond Area in 2035 is an integral part of the Wilsonville community, with attractive and connected neighborhoods. The community's hallmarks are the variety of quality homes; open spaces for gathering; nearby services, shops and restaurants; excellent schools; and vibrant parks and trails. The Frog Pond Area is a convenient bike, walk, drive, or bus trip to all parts of Wilsonville."

As a follow up to the Area Plan and in anticipation of forthcoming development, in July 2017 the City of Wilsonville adopted the Frog Pond West Master Plan for the area within the UGB. To guide development and implement the vision of the Area Plan, the Master Plan includes details on land use (including residential types and unit count ranges), residential and community design, transportation, parks and open space, and community elements such as lighting, street trees, gateways, and signs. The Master Plan also lays out the infrastructure financing plan.

The proposed 12-lot subdivision is the tenth development proposal in Frog Pond West. The subdivision will connect to the concurrently proposed Frog Pond Terrace to the south, previously approved Frog Pond Vista subdivision to the northeast, and Morgan Farm subdivision to the south, blending together as one cohesive neighborhood consistent with the Frog Pond West Master Plan.

One nearby land use application has been submitted for a site near the subject property. Frog Pond Terrace (DB22-0003) is located southwest of Frog Pond Overlook and contains features such as street extensions, pedestrian connections, and street trees that will interface with this application. Staff have reviewed this application in the context of the property to ensure all shared components are consistently applied across both subdivisions.

### **Application Summary:**

#### Annexation (ANNX22-0001)

The area proposed for annexation is contiguous to land currently in the City, within the UGB, and master planned for residential development. The property owner of TLID 700 has consented in writing to the annexation, and no electors reside within the area proposed for annexation.

#### Zone Map Amendment (ZONE22-0002)

Concurrent with the adoption of the Frog Pond West Master Plan, the City added a new zoning district, Residential Neighborhood (RN), intended for application to the Master Plan area. The applicant proposes applying the RN Zone to the annexed area consistent with this intention.

#### Stage 1 Preliminary Plan (STG122-0002)

The proposed residential use, number of lots, preservation of open space, and general block and street layout are consistent with the Frog Pond West Master Plan. Specifically in regards to residential land use unit count, the proposed Stage 1 Preliminary Plan area includes the large lot Sub-district 8. See Finding C17 for a more detailed discussion on how the proposal meets the required density in each sub-district consistent with the Master Plan recommendations.

The Frog Pond West Master Plan established range for Sub-district 8 is 43-53 dwelling units. Approximately 20.7% of Sub-district 8 is within the project area and the applicant proposes 12 lots, exceeding the proportional density requirement for the site by one (1) lot while continuing to meet minimum lot size requirements for the sub-district.

#### Stage 2 Final Plan (STG222-0002)

The applicant proposes installing necessary facilities and services concurrent with development of the proposed subdivision.



Proposed lot layout and size, as well as block size and access, generally demonstrate consistency with development standards established for the Residential Neighborhood (RN) zone and in the Frog Pond West Master Plan.

Regarding the protection of natural features and other resources, the project design avoids disturbance of these features and resources. The site slopes slightly to the west from an elevation of roughly 232 feet along the eastern property boundary to 180 feet at the northwest corner of the property. Approximately three percent of the site is steeply sloped and within the SROZ or its impact area.

#### Site Design Review of Parks and Open Space (SDR22-0002)

The scope of the Site Design Review request includes design of common tracts and the streetscape. Overall, the design of these spaces is consistent with the Site Design Review standards and the Frog Pond West Master Plan. In particular, the proposed streetscape design conforms or will with Conditions of Approval to the street tree and street lighting elements of the Frog Pond West Master Plan. The design also includes open space tracts consistent with the Master Plan. Among the additional specific elements reviewed include the trailheads consistent with the Master Plan along with the landscaping and site furnishings in open space tracts.

#### Tentative Subdivision Plat (SUBD22-0001)

The proposed tentative plat meets technical platting requirements, demonstrates consistency with the Stage 2 Final Plan, and thus the Frog Pond West Master Plan, and does not create barriers to future development of adjacent neighborhoods and sites.

#### Type C Tree Removal Plan (TPLN22-0001)

There are 150 on-site trees and four (4) off-site trees inventoried as part of the proposed development. There are trees proposed for removal throughout the site with the highest concentration of trees proposed for removal along the southern property line. The trees will be removed due to construction of proposed public streets, residential lots and the trailhead park.

Of the 150 trees inventoried on-site, 107 are proposed for removal due to construction and 43 trees will be protected and preserved. The applicant proposes planting 48 new trees in the form of 27 street trees and 21 trees along the regional trail and private open space (Tract A) as shown in Sheets L2.00-L2.20. The applicant will mitigate the remaining 59 removed trees by paying the equivalent cost to replace 59 trees to the City Tree Fund totaling \$17,700.

#### Abbreviated SROZ Map Verification (SROZ22-0004)

Consistent with the Development Code requirements, a verification of the SROZ boundary is required at the time an applicant requests a land use decision. The applicant conducted a detailed site analysis consistent with Development Code requirements, which the City's Natural Resources manager reviewed to verify the SROZ boundary. Per this verification, the SROZ

boundary is located just offsite the northwest corner of the subject property, with a small portion of this area remaining in the 25-foot SROZ impact area.

### **Discussion Points – Verifying Compliance with Standards:**

This section provides a discussion of key clear and objective development standards that apply to the proposed applications. The Development Review Board will verify compliance of the proposed applications with these standards.

#### **Consistency with Statewide Planning Goals**

The Statewide Planning Goals provide direction to local jurisdictions regarding the State's policies on land use. It is assumed the City's adopted Comprehensive Plan, which includes the adopted Frog Pond Area Plan and Frog Pond West Master Plan, is in compliance with the Statewide Planning Goals (specifically Goal 2, Land Use Planning), and that compliance with the Comprehensive Plan also demonstrates compliance with the Statewide Planning Goals. At the time of its adoption, the Frog Pond West Master Plan was found to be in compliance with all applicable Statewide Planning Goals, including Goals 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14. Statewide Planning Goals particularly relevant to the Frog Pond Overlook application include Goals 10, 12, and 14.

Goal 10, Housing, identifies a need for "needed housing", which is defined for cities having populations larger than 2,500, as attached and detached single-family housing, multiple-family housing, and manufactured homes. Annexation of the subject site into the Wilsonville City limits will provide lots that can be developed with attached and detached single-family housing, which is defined as "needed housing" in the City's 2014 Residential Land Study.

Goal 12, Transportation, identifies the importance of a safe, convenient, and economic transportation system, and requires local jurisdictions to adopt a TSP. The proposed annexation area will comply with Wilsonville's TSP, which has been updated to include the Frog Pond West area. Annexation of the subject site will allow for its development, including new street connections included in the TSP.

Goal 14, Urbanization, identifies the need for orderly and efficient growth, the need to accommodate housing and employment within the UGB, and the importance of livable communities. The Frog Pond West Master Plan area was added to the UGB to accommodate residential growth. The Master Plan complied with Goal 14 and Metro Title 11, Planning for New Urban Areas, and guides the orderly annexation of the subject site, which is located in the Frog Pond West Master Plan area, development of a livable community, and provision of additional housing within the UGB.

As demonstrated above, the proposed projects are consistent with the Comprehensive Plan and Frog Pond West Master Plan, which have been found to be consistent with Statewide Planning Goals.

## Traffic Impacts

The Traffic Impact Analysis (see Exhibit B1) performed by the City's consultant, DKS Associates, identifies the most probable used intersections for evaluation as:

- SW Stafford Road/SW Frog Pond Lane
- SW Stafford Road/SW Brisband Street
- SW Boeckman Road/SW Willow Creek Drive

The intersections listed above were selected for analysis as they are the most impacted by the increase in vehicle trips from the development and are the gateways to the Frog Pond West area. Other study intersections, such as SW Stafford Road/SW 65th Avenue and SW Canyon Creek Road/SW Boeckman Road, were not included in this analysis as the trips through those intersections would be insignificant (around 5 peak hour trips). Additionally, the SW Stafford Road/SW 65th Avenue intersection was not included as it was found to already fail to meet County standards under existing 2021 conditions, as noted in the Frog Pond Crossing TIA and Frog Pond Vista TIA. As noted in both of those reports, an intersection improvement has already been identified in the County's Capital Improvement Project List.

The study intersections meet the City of Wilsonville's operating standard for the existing conditions. The intersections will continue to perform at Level of Service D or better with the proposed project and thus meets City standards.

## Residential Density Targets

As discussed earlier in the Application Summary of this staff report, the subject property is located in Sub-district 8 (large lot R-10). The applicant proposes 12 lots in Sub-district 8, exceeding the proportional density requirement for this part of the site by one (1) lot.

The portion of the subject property within Sub-district 8 that is not dedicated as right-of-way (82.5%) is much greater than in other subareas. Minimal right-of-way dedication is required because the section of SW Frog Pond Lane adjacent to the site is a local street, which allows driveway access, and Street A is shorter than anticipated in the Street Demonstration Plan due to the location of the Boeckman Creek Regional Trail and open space in the northwest portion of the site. The proposed development easily accommodates 12 lots in this portion of Sub-district 8 that meet or exceed minimum lot development standards while providing a regional trail and associated open space, while allowing for compliant future development within the master plan area.

## Balancing Uses in Planter Strips

Many design elements compete for space within the planter strips between sidewalks and streets. These elements include street trees, stormwater facilities, and streetlights while accommodating appropriate spacing from underground utilities and cross access by pedestrians. For various

reasons, it is not practical to place street trees and streetlights in stormwater swales. To balance these uses, the City recommends that the applicant's plans prioritize street tree and street lighting placement with appropriate spacing from utility laterals and water meters, then placing stormwater facilities where space remains available and placement is desirable. The applicant's plans achieve the desired balance with all street trees placed within the planter strip, with stormwater facilities and other elements located in the remaining space.

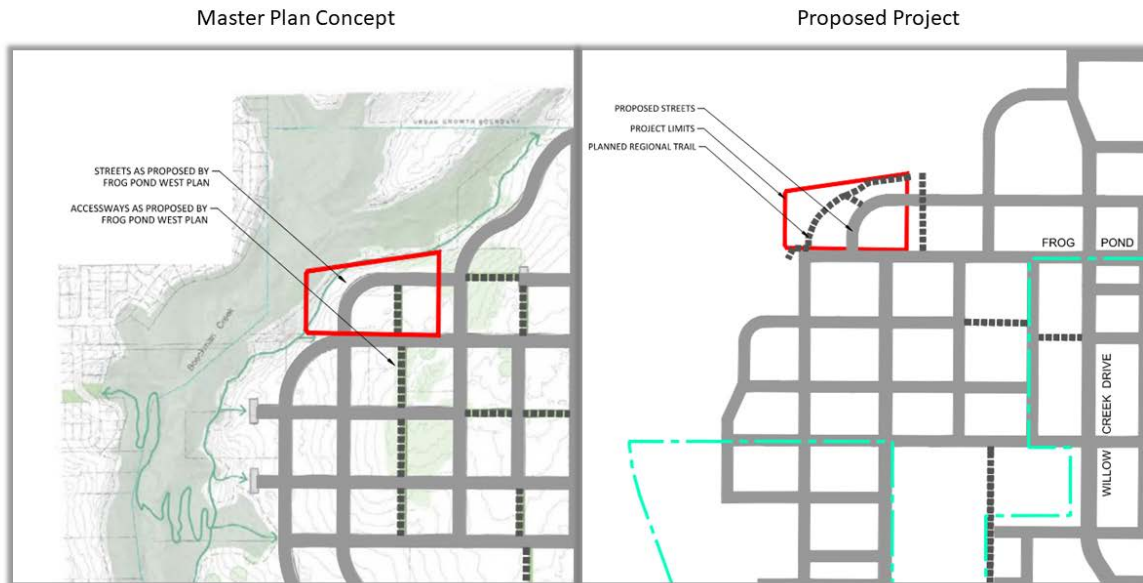
#### Boeckman Creek Trail and Connections

The applicant will construct a portion of the Boeckman Creek Regional Trail along the northern, northwestern, and western boundaries of the property. As noted in the Frog Pond West Master Plan, this trail will run along the western edge of the Frog Pond neighborhood, with access provided via trailheads at the termination of east-west streets in Frog Pond. The Boeckman Creek Regional Trail will be located in Tract A, an open space tract including the SROZ and adjacent areas. The applicant proposes dedication of this tract to the City of Wilsonville. Condition of Approval PDF 6 ensures that the dedication of this tract does not take place until environmental site assessments are completed and provided to the City.

#### Street Demonstration Plan Compliance

The Street Demonstration Plan (Figure 18 of the Frog Pond West Master Plan), is an illustrative layout of the desired level of connectivity in the Frog Pond West neighborhood. The Street Demonstration Plan is intended to be guiding, not binding, allowing for flexibility provided overall connectivity goals are met. The block size and shape, access, and connectivity of the proposed subdivision complies with Figure 18 of the Frog Pond West Master Plan or is an allowed variation as illustrated below and described in more detail elsewhere in this staff report.

SW Frog Pond Lane is improved on the south side of the subdivision while Street A (Wildflower Street) will be extended on the north side of the subdivision as shown on the Street Demonstration Plan. The proposed modifications do not require out-of-direction pedestrian or vehicular travel nor do they result in greater distances for pedestrian access to the proposed subdivision from the surrounding future streets than would otherwise be the case if the Street Demonstration Plan were adhered to.



### Tree Removal and Preservation

There are 154 trees inventoried both on and off-site for the proposed development. Of the 150 on-site trees, 107 trees are proposed for removal with 43 trees preserved. Larger native trees are located within the subject property within the SROZ and will be preserved within Tract A. The trees surveyed off-site will be preserved. The applicant proposes to plant 48 trees and pay the equivalent cost to replant 59 trees into the City Tree Fund meeting the 1:1 mitigation ratio.

### Public Comments and Responses:

No public comments were received during the comment period.

## Conclusion and Conditions of Approval:

Staff has reviewed the applicant's analysis of compliance with the applicable criteria. The Staff Report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, staff recommends that the Development Review Board recommend approval to City Council or approve, as relevant, the proposed application (DB22-0002) with the following conditions:

### Planning Division Conditions:

#### Request A: Annexation (ANNX22-0001)

This action recommends to the City Council approval of Annexation for the subject properties. The Zone Map Amendment (ZONE22-0002) and all approvals contingent on it are contingent on annexation.

**PDA 1. Prior to issuance of any Public Works permits by the City within the annexation area:** The developer shall be subject to a Development and Annexation Agreement with the City of Wilsonville as required by the Frog Pond West Master Plan. The developer shall enter into the Development and Annexation Agreement prior to issuance of any public works permits by the City within the annexation area.

#### Request B: Zone Map Amendment (ZONE22-0002)

This action recommends to the City Council adoption of the Zone Map Amendment for the subject properties. This action is contingent upon annexation of the subject properties to the City of Wilsonville (ANNX22-0001). Case files STG122-0002, STG222-0002, SDR22-0002, SUBD22-0001, TPLN22-0001, and SROZ22-0004 are contingent on City Council action on the Zone Map Amendment request.

No conditions for this request.

#### Request C: Stage 1 Preliminary Plan (STG122-0002)

Approval of Stage 1 Preliminary Plan (STG122-0002) is contingent on City Council approval of the Zone Map Amendment request (ZONE22-0002).

No conditions for this request

#### Request D: Stage 2 Final Plan (STG222-0002)

Approval of the Stage 2 Final Plan (STG222-0002) is contingent on City Council approval of the Zone Map Amendment request (ZONE22-0002).

**PDD 1. General:** The approved Stage 2 Final Plan (Final Plan) shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. The Planning Director through the Class 1 Administrative Review Process may approve minor changes to the Final Plan if such changes are consistent with the purposes and general character of the Final Plan. All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. See Finding D4.

<b>PDD 2.</b>	<b><u>Prior to Final Plat Approval:</u></b> On the Final Subdivision Plat, public pedestrian and bicycle access easements, including egress and ingress, shall be established across the entirety of all pathways located in private tracts. See Finding D13.
<b>PDD 3.</b>	<b><u>General:</u></b> All crosswalks shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-colored concrete inlay between asphalt, or similar contrast). See Finding D16.
<b>PDD 4.</b>	<b><u>General:</u></b> Any area, whether in a garage or in a driveway, counted as a required parking space shall have the minimum dimensions of 9 feet by 18 feet. See Finding D19.
<b>PDD 5.</b>	<b><u>Prior to Final Plat Approval:</u></b> A waiver of remonstrance against formation of a local improvement district (LID) shall be recorded in the County Recorder's Office as well as the City's Lien Docket as part of the recordation of the final plat. In light of the developer's obligation to pay an Infrastructure Supplemental Fee and Boeckman Bridge Fee in accordance with the Development and Annexation Agreement required by Condition of Approval PDA 1, the LID Waiver for a specific parcel within the Frog Pond Crossing development shall be released upon official recording of the release of the waiver only after payment of the Infrastructure Supplemental Fee and Boeckman Bridge Fee. Further, the developer shall pay all costs and fees associated with the City's release of the LID Waiver. See Finding D32.
<b>PDD 6.</b>	<b><u>General:</u></b> All travel lanes shall be constructed to be capable of carrying a twenty-three (23) ton load. See Finding D28.

Request E: Site Design Review of Parks and Open Space (SDR22-0002)

Approval of Site Design Review of Parks and Open Space (SDR22-0002) is contingent on City Council approval of the Zone Map Amendment request (ZONE22-0002).	
<b>PDE 1.</b>	<b><u>General:</u></b> Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding E3.
<b>PDE 2.</b>	<b><u>Prior to Final Plat Approval:</u></b> All landscaping and site furnishings required and approved by the Development Review Board for common tracts shall be installed prior to Final Plat Approval unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of Final Plat Approval. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account, an irrevocable letter of credit, or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the DRB, the security may be used by the City to complete the installation. Upon completion of

	the installation, any portion of the remaining security deposited with the City will be returned to the applicant/owner. See Finding E13.
<b>PDE 3.</b>	<b><u>Prior to Final Plat Approval:</u></b> The applicant shall either (1) enter into a Residential Subdivision Development Compliance Agreement with the City that covers installation of street trees and right-of-way landscaping or (2) install all street trees and other right-of-way landscaping. See Finding E13.
<b>PDE 4.</b>	<b><u>Ongoing:</u></b> The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville’s Development Code. See Finding E14.
<b>PDE 5.</b>	<b><u>Ongoing:</u></b> All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the DRB, unless altered as allowed by Wilsonville’s Development Code. See Findings E15 and E16.
<b>PDE 6.</b>	<p><b><u>General:</u></b> The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"> <li>• Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch.</li> <li>• Native topsoil shall be preserved and reused to the extent feasible.</li> <li>• Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings.</li> <li>• All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10-inch to 12-inch spread.</li> <li>• Shrubs shall reach their designed size for screening within three (3) years of planting.</li> <li>• Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4-inch pot spaced 2 feet on center minimum, 2-1/4-inch pots spaced at 18-inch on center minimum.</li> <li>• No bare root planting shall be permitted.</li> <li>• Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting.</li> <li>• Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.</li> <li>• Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding E20.</li> </ul>
<b>PDE 7.</b>	<b><u>General:</u></b> All trees shall be balled and burlapped and conform in size and grade to “American Standards for Nursery Stock” current edition. See Finding E20.
<b>PDE 8.</b>	<b><u>Ongoing:</u></b> Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within



	one growing season, unless appropriate substitute species are approved by the City. See Finding E21.
<b>PDE 9.</b>	<b><u>Prior to issuance of any Public Works permits:</u></b> The applicant / owner shall submit information demonstrating compliance with the Public Works Standards and Frog Pond West Master Plan. The street lighting shall be Aurora style streetlights, as Westbrook is no longer approved by PGE. The applicant/owner shall provide a ‘stamped’ engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets. See Finding E24.
<b>PDE 10.</b>	<b><u>Prior to issuance of any Public Works permits:</u></b> Construction plans shall omit pedestrian-scale lighting along the Boeckman Creek Regional Trail. See Finding E26.
<b>PDE 11.</b>	<b><u>Prior to Final Plat Approval:</u></b> All street signs shall be installed and utilize the City-approved sign cap on street name signs throughout the entirety of the subdivision, matching the design used in the previously approved subdivisions within Frog Pond West. The developers will buy the signs from the City. See Finding E28.

Request F: Tentative Subdivision Plat (SUBD22-0001)

	Approval of the Tentative Subdivision Plat (SUBD22-0001) is contingent on City Council approval of the Zone Map Amendment request (ZONE22-0002).
<b>PDF 1.</b>	<b><u>Prior to Final Plat Approval:</u></b> Any necessary easements or dedications shall be identified on the Final Subdivision Plat.
<b>PDF 2.</b>	<b><u>Prior to Final Plat Approval:</u></b> The Final Subdivision Plat shall indicate dimensions of all lots, lot area, minimum lot size, easements, proposed lot and block numbers, parks/open space by name and/or type, and any other information that may be required as a result of the hearing process for the Stage 2 Final Plan or the Tentative Plat.
<b>PDF 3.</b>	<b><u>Prior to Final Plat Approval:</u></b> Where any street will be extended signs stating “street to be extended in the future” or similar language approved by the City Engineer shall be installed. See Findings D33 and F13.
<b>PDF 4.</b>	<b><u>Prior to Final Plat Approval:</u></b> The applicant/owner shall submit for review and approval by the City Attorney CC&R’s, bylaws, etc. related to the maintenance of the open space tracts. Such documents shall assure the long-term protection and maintenance of the open space tracts.
<b>PDF 5.</b>	<b><u>Prior to Final Plat Approval:</u></b> For all public pipeline easements, public access easements, and other easements, as required by the city, shown on the Final Subdivision Plat, the applicant/owner and the City shall enter into easement agreements on templates established by the City specifying details of the rights and responsibilities associated with said easements and such agreements will be recorded in the real property records of Clackamas County. See Finding F17.
<b>PDF 6.</b>	<b><u>Prior to Final Plat Approval:</u></b> Prior to transfer of Tract A to the City, the applicant/owner shall provide a Phase I Environmental Site Assessment (ESA) addressed to the City. Should the Phase I ESA determine a likelihood of site

contamination, the applicant/owner shall provide a Phase II ESA. At this time, the applicant/owner may either work with the City on a remediation plan, if needed, or provide a public easement for the trail within Tract A and maintain possession of Tract A. See Finding F24.

Request G: Type C Tree Plan (TPLN22-0001)

Approval of the Type C Tree Plan (TPLN22-0001) is contingent on City Council approval of the Zone Map Amendment request (ZONE22-0002).

**PDG 1. General:** This approval for removal applies only to the 107 trees identified in the applicant's submitted Tree Maintenance and Protection Plan, see Exhibit B2. All other trees on the property shall be maintained unless removal is approved through separate application.

**PDG 2. Prior to Grading Permit Issuance:** The applicant/owner shall submit an application for a Type C Tree Removal Permit on the Planning Division's Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the applicant/owner shall provide the City's Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant/owner shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff. See Finding G19.

**PDG 3. Prior to Issuance of Type C Tree Removal Permit Required in Condition of Approval PDG2:** The applicant shall pay an amount of \$17,700 (\$300 per tree for 59 trees) into the City's Tree Fund as mitigation for 59 of 107 total trees removed from the site for which insufficient space exists on site and another desirable off-site location is not currently available. See Findings G22 and G24.

**PDG 4. Prior to Final Plat Approval:** The applicant/owner shall install the required mitigation trees, as shown in the applicant's sheets L2.00-L2.20 per Section 4.620 WC. See Finding G22.

**PDG 5. General:** The permit grantee or the grantee's successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees for two (2) years after the planting date. A "guaranteed" tree that dies or becomes diseased during the two (2) years after planting shall be replaced. See Finding G23.

**PDG 6. Prior to Commencing Site Grading:** The applicant/owner shall install 6-foot-tall chain-link fencing around the drip line of preserved trees. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. See Finding G25.

Request H: Abbreviated SROZ Map Verification (SROZ22-0004)

Approval of the Abbreviated SROZ Map Verification (SROZ22-0004) is contingent on City Council approval of the Zone Map Amendment request (ZONE22-0002).

No conditions for this request.

The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City's Community Development Department or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.

**Engineering Division Conditions:**

Request D: Stage 2 Final Plan (STG222-0002)

<b>PFD 1.</b>	<b>Ongoing:</b> Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1 and to specifics as found in the Frog Pond West Mater Plan (July 17, 2017).
<b>PFD 2.</b>	<b>General:</b> Streets shall be primarily constructed per the street type and cross-section as show in the Frog Pond West Master Plan.
<b>PFD 3.</b>	<b>Prior to issuance of a Public Works Permit:</b> Applicant shall be required to enter into a Development and Annexation Agreement with the City.
<b>PFD 4.</b>	<b>Prior to Issuance of Public Works Permit:</b> Submit site plans to Engineering showing street improvements including pavement, curb, planter strip, street trees, sidewalk, and driveway approaches along site frontage on SW Frog Pond Lane, and Street A. Street improvements shall be constructed in accordance with the Public Works Standards.
<b>PFD 5.</b>	<b>Prior to Issuance of Public Works Permit:</b> The applicant shall submit design and construction plans showing a minimum of 20 feet of pavement along SW Frog Pond Lane in accordance with Section 201.2.18 of the City Public Works Standards.
<b>PFD 6.</b>	<b>Prior to the Issuance of the Public Works Permit:</b> A final stormwater report shall be submitted for review and approval. The stormwater report shall include information and calculations to demonstrate how the proposed development meets the treatment and flow control requirements. The stormwater report shall also include conveyance calculations to demonstrate that any downstream impacts can be mitigated and demonstrate that any upstream areas can be conveyed through the storm system.
<b>PFD 7.</b>	<b>Prior to the Issuance of the Public Works Permit:</b> The applicant shall obtain an NPDES 1200C permit from the Oregon Department of Environmental Quality and a Local Erosion Control Permit from the City of Wilsonville. All erosion control measures shall be in place prior to starting any construction work, including any demolition work. Permits shall remain active until all construction work is complete and the site has been stabilized. Permits will be closed out when home construction

	is completed and final certificates of occupancy have been issued for all homes in the subdivision.
<b>PFD 8.</b>	<b><u>With the Public Works Permit:</u></b> The applicant shall provide to the City a copy of correspondence that plans have been distributed to the franchise utilities. <b><u>Prior to the issuance of the Public Works Permit:</u></b> The applicant shall have coordinate the proposed locations and associated infrastructure design for the franchise utilities. Should permanent/construction easement or right-of-way be required to construct or relocate a franchise utility, the applicant shall provide a copy of the recorded documents.
<b>PFD 9.</b>	<b><u>Prior to final completeness of the Public Works Permit:</u></b> Submit documentation that the existing on-site septic system was properly decommissioned per the requirements of OAR 340-071-0185.
<b>PFD 10.</b>	<b><u>Prior to final completeness of the Public Works Permit:</u></b> Submit documentation that the existing wells serving this property was properly abandoned in accordance with OAR 690-240 and the Water Resources Department requirements.
<b>PFD 11.</b>	<b><u>Prior to the issuance of the Public Works Permit:</u></b> The applicant shall submit design and construction plans for the Frog Pond Terrace and the Frog Pond Overlook subdivisions under one permit application as the stormwater disposal and sanitary conveyance to serve this Development is dependent upon the utilities installed as part of Frog Pond Terrace. Alternately, the Frog Pond Terrace improvements must be constructed, inspected and accepted by the City prior to connection for the Frog Pond Overlook subdivision.
<b>PFD 12.</b>	<b><u>Prior to the Issuance of the Public Works Permit:</u></b> The applicant shall submit design and construction plans including the Boeckman Creek Trail with signage. The trail cross-section shall be compliant with Figure 32 of the Frog Pond West Master Plan and designed in conformance with the City Public Works Standards. The applicant shall be credited for costs of design and construction of the Boeckman Creek Trail and associated amenities through the Parks SDC credits as provided in the Development and Annexation Agreement.

Request F: Tentative Subdivision Plat (SUBD22-0001)

	The following conditions are in addition to the dedications and easements shown on the Tentative Subdivision Plat
<b>PFF 1.</b>	<b><u>Prior to Final Plat Approval:</u></b> Show dedication of a 9.5-foot right-of-way along SW Frog Pond Lane Street right-of-way frontage.
<b>PFF 2.</b>	<b><u>Prior to Final Plat Approval:</u></b> Show dedication of a 6-foot public utility easement along the SW Frog Pond Lane and Street A right-of-way frontages.
<b>PFF 3.</b>	<b><u>Prior to Final Plat Approval:</u></b> All public infrastructure improvements including but not limited to street, stormwater drainage, water quality and flow control, sanitary sewer, and water facilities shall be substantially complete with approval from the Community Development Director pursuant to Section 4.220 of the Development Code.

**Natural Resources Division Conditions:**

All Requests

<b>NR 1.</b>	Natural Resource Division Requirements and Advisories listed in Exhibit C2 apply to the proposed development.
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**Building Division Conditions:**

All Requests

<b>BD1.</b>	<p><b><u>Prior to Construction of the Subdivision’s Residential Homes:</u></b> Designated through approved planning procedures, the following conditions must be met and approved through the Building Official:</p> <ul style="list-style-type: none"><li>a. Street signs shall be installed at each street intersection and approved per the public works design specifications and their required approvals.</li><li>b. All public access roads and alleys shall be complete for access to the residential home sites.</li><li>c. All public and service utilities to the private building lots must be installed, tested and approved by the City of Wilsonville’s Engineering/Public Works Department or other service utility designee.</li><li>d. All required fire hydrants and the supporting piping system shall be installed, tested, and approved by the Fire Code Official prior to model home construction. (OFC 507.5).</li></ul>
<b>BD2.</b>	<p><b><u>Prior to Occupancy:</u></b> New and existing buildings shall have approved address labels. Building numbers or approved building identification shall be placed in a position that is plainly legible and visible from the street or road fronting the property, including monument signs. These numbers shall contrast with their background. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 1/2 inch. (OFC 505.1) Where vehicle access is from a private drive or alley, provide a physical address on the new home, as well as near the intersection of the private drive and public road. The address must be visible from any approaches by a monument, pole or other sign used to identify the structure. (ORSC R319)</p>
<b>BD3.</b>	<p><b><u>Prior to Demolition of Structures:</u></b></p> <ul style="list-style-type: none"><li>a. Photos must be taken of any structures on the site that are to be demolished. Photos must be a clear resolution (when printed, a minimum resolution of 300 dpi or greater) and should include a representative sample of the exterior of the structure from each direction. A demolition permit must be obtained from the Building Division and photos must be submitted with the demolition permit application. (Wilsonville Code 9.270)</li><li>b. An NPDES 1200-C permit must be obtained from DEQ with a copy provided to the City.</li></ul>

## Master Exhibit List:

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case File DB22-0002. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

### Planning Staff Materials

- A1. Staff report and findings (this document)
- A2. Staff's Presentation Slides for Public Hearing (to be presented at Public Hearing)

### Materials from Applicant

- B1. Applicant's Narrative and Materials – Available Under Separate Cover**
  - Land Use Application Forms
  - Land Use Narrative
  - Appendix A: Annexation and Zone Change Legal Descriptions and Exhibits
  - Appendix B: Preliminary Stormwater Report
  - Appendix C: Transportation Evaluation Memorandum
  - Appendix D: Significant Resource Impact Report
  - Appendix E: Arborist Report and Tree Plan
  - Appendix F: Geotechnical Report
  - Appendix G: Stafford Meadows PUD Recorded CC&Rs and Bylaws
  - Appendix H: Example Building Elevations
  - Appendix I: Republic Services Service Provider Letter
  - Appendix J: TVF&R Service Provider Letter
- B2. Full Size Drawings and Plans – Available Under Separate Cover**
  - P0.00 Cover Sheet
  - P1.00 Existing Conditions - Aerial
  - P1.10 Existing Conditions – Survey Mapping
  - P2.00 Preliminary Site Plan
  - P2.10 Preliminary Street Cross Sections
  - P3.00 Preliminary Plat
  - P4.00 Preliminary Utility Plan
  - P5.00 Preliminary Grading Plan
  - P6.00 Annexation Plan
  - P7.00 Zoning Map
  - P8.00 Proposed Circulation and Connectivity
  - P9.00 Shadow Plat Street Layout
  - P10.00 Subdistricts and Density

P11.00 Sight Lines to Boeckman Creek Corridor

L1.00 Tree Protection-Removal Plan

L1.10 Tree Inventory

L2.00 Overall Landscape Plans

L2.10 Tract Landscape Plans

L2.20 Raingarden and LIDA Planting Plans

L3.00 Landscape Notes and Details

IL-1 Illumination Notes

IL-2 Illumination Details

IL-3 Illumination Details

IL-4 Illumination Plan

**B3.** Incompleteness Response Letter Dated May 24, 2022

**B4.** Memorandum from Applicant Regarding Tree Removal, Replacement and Mitigation  
Dated August 17, 2022

#### Development Review Team Correspondence

**C1.** Public Works Plan Submittal Requirements and Other Engineering Requirements

**C2.** Natural Resources Requirements

**Procedural Statements and Background Information:**

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application on March 10, 2022. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on April 11, 2022. The applicant submitted additional material on May 25, 2022. Staff conducted a completeness review within the statutorily allowed 30-day review period and deemed the application complete on June 19, 2022. The City must render a final decision for the request, including any appeals, by October 17, 2022.
2. Surrounding land uses are as follows:

<b>Compass Direction</b>	<b>Zone:</b>	<b>Existing Use:</b>
North	RRFF-5	Rural Residential/Agriculture (Clackamas County)
East	RRFF-5	Rural Residential/Agriculture (Clackamas County)
South	RRFF-5	Rural Residential/Agriculture (Clackamas County)
West	RRFF-5	Rural Residential/Agriculture (Clackamas County)

3. Previous City Planning Approvals: None
4. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.



## Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

### General Information

#### Application Procedures-In General Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

#### Initiating Application Section 4.009

The owners of all property included in the application signed the application forms. West Hills Land Development LLC initiated the application with their approval.

#### Pre-Application Conference Subsection 4.010 (.02)

Following a request from the applicant, the City held a pre-application conference for the proposal on September 16, 2021 (PA21-0021), in accordance with this subsection.

#### Lien Payment before Approval Subsection 4.011 (.02) B.

No applicable liens exist for the subject property. The application can thus move forward.

#### General Submission Requirements Subsection 4.035 (.04) A.

The applicant has provided all of the applicable general submission requirements contained in this subsection.

#### Zoning-Generally Section 4.110

This proposed development is in conformity with the applicable zoning district and general development regulations listed in Sections 4.150 through 4.199, applied in accordance with this Section.

## Request A: Annexation (ANNX22-0001)

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

### Comprehensive Plan-Annexation and Boundary Changes

Consistent with Future Planned Public Services  
Implementation Measure 2.2.1.a.

**A1.** The Frog Pond West Master Plan establishes the future planned public services and funding plan for the subject property. The development of public services and funding will be consistent with the Frog Pond West Master Plan thus allowing the annexation to proceed. West Hills Land Development LLC and the City will enter into a Development and Annexation Agreement detailing provision and development of public services as required by Conditions of Approval.

Demonstrated Need for Immediate Urban Growth  
Implementation Measure 2.2.1.a.

**A2.** Metro brought the subject area into the Urban Growth Boundary (UGB) in 2002 to meet demonstrated regional housing needs. With adoption for the Frog Pond West Master Plan the subject area is now primed for development to help meet regional housing needs.

Adherence to State and Metro Annexation Laws and Standards  
Implementation Measure 2.2.1.e.

**A3.** This review applies all applicable Metro and State rules, regulations, and statutes as seen in findings below.

Orderly, Economic Provision of Public Facilities and Services  
Implementation Measure 2.2.1.e. 1.

**A4.** The Frog Pond Area Plan includes implementation measures to ensure the orderly and economic provision of public facilities and services for the Frog Pond Area, including Frog Pond West. The applicant proposes site development with concurrent applications for Stage 1 and Stage 2 Planned Unit Development and Land Division, which proposes the extension of public facilities and services to the Frog Pond Terrace site. These proposed services are generally consistent with the Frog Pond Area Plan and Frog Pond West Master Plan, and the City's Finance Plan and Capital Improvements Plan.

Availability of Sufficient Land for Uses to Insure Choices over 3-5 Years  
Implementation Measure 2.2.1.e. 2.

**A5.** The inclusion of the Frog Pond area within the UGB and the adoption of the Frog Pond Area Plan demonstrate the need for residential development in the Frog Pond area. Annexation of the subject site will allow development of the uses envisioned by the adopted Frog Pond West Master Plan.

## **Wilsonville Development Code-Annexation**

### Authority to Review Quasi-Judicial Annexation Requests

Subsections 4.030 (.01) A, 11, 4.031 (.01) K, 4.033 (.01) F., and 4.700 (.02)

- A6.** The review of the quasi-judicial annexation request by DRB and City Council is consistent with the authority established in the Development Code.

### Procedure for Review, Etc.

Subsections 4.700 (.01). and (.04)

- A7.** The submission materials from the applicant include an annexation petition signed by the necessary parties, a legal description and map of the land to be annexed, and a narrative describing conformance with applicable criteria. City Council, upon recommendation from the DRB, will declare the subject property annexed.

### Adoption of Development Agreement with Annexation

Subsection 4.700 (.05)

- A8.** Subject to requirements in this subsection and the Frog Pond West Master Plan, Conditions of Approval require the necessary parties enter into a Development and Annexation Agreement with the City covering the annexed land.

## **Metro Code**

### Local Government Boundary Changes

Chapter 3.09

- A9.** The request is within the UGB, meets the definition of a minor boundary change, satisfies the requirements for boundary change petitions, and is consistent with both the Comprehensive Plan and the Frog Pond West Master Plan.

## **Oregon Revised Statutes (ORS)**

### Authority and Procedure for Annexation

ORS 222.111

- A10.** The request meets the applicable requirements in State statute including the facts that the subject property is within the UGB and is contiguous to the City, the request has been initiated by the property owners of the land being annexed, and there are no electors residing within the area to be annexed.

### Procedure Without Election by City Electors

ORS 222.120

- A11.** The City charter does not require elections for annexation, the City is following a public hearing process defined in the Development Code, and the request meets the applicable requirements in State statute including the facts that all property owners within the annexed area consent in writing to the annexation. No electors reside within the territory

proposed for annexation. Annexation of the subject property thus does not require an election.

#### Annexation by Consent of All Owners and Majority of Electors ORS 222.125

**A12.** All property owners within the annexed area have provided their consent in writing. No electors reside within the territory proposed for annexation. However, the City is following a public hearing process as prescribed in the City's Development Code concurrent with a Zone Map Amendment request and other quasi-judicial land use applications.

### **Oregon Statewide Planning Goals**

#### Planning Goals – Generally Goals 1, 2, 5, 6, 8, 9, 11, 12, 13, 14

**A13.** The area proposed for annexation will be developed consistent with the City's Comprehensive Plan and the Frog Pond West Master Plan, both of which have been found to meet the Statewide Planning Goals.

#### Housing Goal 10

**A14.** The proposed Comprehensive Plan map amendments will continue to allow the City to meet its housing goals and obligations reflected in the Comprehensive Plan. Specifically:

- The City has an existing Housing Needs Analysis and Buildable Lands Inventory adopted in 2014 collectively known as the Wilsonville Residential Land Study. The key conclusions of this study are that Wilsonville: (1) may not have a 20-year supply of residential land and (2) the City's residential policies meet Statewide Planning Goal 10 requirements.
- Under the Metro forecast, Wilsonville is very close to having enough residential land to accommodate expected growth. Wilsonville could run out of residential land by 2032.
- If Wilsonville grows faster than the Metro forecast, based on historic City growth rates, the City will run out of residential land before 2030.
- Getting residential land ready for development is a complex process that involves decisions by Metro, City decision makers, landowners, the Wilsonville community, and others. The City has started the master planning process for Frog Pond East and South neighborhoods to ensure that additional residential land is available within the City. The City also adopted a new plan and development standards for more multi-family units in the Wilsonville Town Center. Finally, the City provides infill opportunities, allowing properties with existing development at more rural densities to be re-zoned for more housing, which this application falls under.

- Wilsonville is meeting Statewide Planning Goal 10 requirements to “provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing” and to “provide for an overall density of 8 or more dwelling units per net buildable acre.”
- Wilsonville uses a two-map system, with a Comprehensive Plan Map designating a density for all residential land and Zone Map with zoning to implement the Comprehensive Plan designation. Rezoning the subject property to a higher density zone consistent with the Comprehensive Plan will ensure related Zone Map Amendment and development approvals support the Comprehensive Plan and Goal 10.
- The proposal increases density allowed and development capacity within the existing urban growth boundary and improving the capacity identified in the 2014 study. The type of housing is anticipated to be single-family; however, the approval will allow middle housing consistent with House Bill 2001 and newly implemented City code to allow middle housing types.
- The proposal directly impacts approximately 0.8% of the developable residential land identified in the 2014 Wilsonville Residential Land Study (approximately 10.9 of 477 acres).

### **Request B: Zone Map Amendment (ZONE22-0002)**

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

#### **Comprehensive Plan**

“Residential Neighborhood” on Comprehensive Plan Map, Purpose of “Residential Neighborhood” Designation  
Policy 4.1.7.a.

**B1.** The subject area has a Comprehensive Plan Map Designation of “Residential Neighborhood”. The designation enables development of the site consistent with the purpose of this designation as set forth in the legislatively adopted Frog Pond West Master Plan, resulting in an attractive, cohesive and connected residential neighborhood with high quality architecture and community design, transportation choices, and preserved and enhanced natural resources.

“Residential Neighborhood” Zone Applied Consistent with Comprehensive Plan  
Implementation Measure 4.1.7.c.

**B2.** The applicant requests the subject area receive the zoning designation of Residential Neighborhood (RN) as required for areas with the Comprehensive Plan Map Designation of “Residential Neighborhood”.

Safe, Convenient, Healthful, and Attractive Places to Live  
Implementation Measure 4.1.4.c.

- B3.** The proposed RN zoning allows the use of planned developments consistent with the legislatively adopted Frog Pond West Master Plan, enabling development of safe, convenient, healthful, and attractive places to live.

Residential Density  
Implementation Measure 4.1.4.u.

- B4.** The subject area will be zoned RN allowing application of the adopted residential densities of the Frog Pond West Master Plan. The sub-districts established in the Frog Pond West Master Plan govern the allowed residential densities. See also Request C, Stage 1 Preliminary Plan.

**Development Code**

Zoning Consistent with Comprehensive Plan  
Section 4.029

- B5.** The applicant requests a zone change concurrently with a Stage 1 Preliminary Plan, Stage 2 Final Plan, and other related development approvals. The proposed zoning designation of RN is consistent with the Comprehensive Plan “Residential Neighborhood” designation. See also Finding B2 above.

Base Zones  
Subsection 4.110 (.01)

- B6.** The requested zoning designation of RN is among the base zones identified in this subsection.

**Residential Neighborhood (RN) Zone**

Purpose of the Residential Neighborhood (RN) Zone  
Subsection 4.127 (.01)

- B7.** The request to apply the RN Zone on lands designated “Residential Neighborhood” on the Comprehensive Plan Map enables a planned development process implementing the “Residential Neighborhood” policies and implementation measures of the Comprehensive Plan and the Frog Pond West Master Plan.

Permitted Uses in the Residential Neighborhood (RN) Zone  
Subsection 4.127 (.02)

- B8.** Concurrent with the Zone Map Amendment request the applicant requests approval of a 12-lot residential subdivision. Single-family dwelling units, Duplex, Triplex, Quadplex, Cluster Housing, Cohousing, Cluster Housing (Frog Pond West Master Plan), open space, and public and private parks are among the permitted uses in the RN Zone.

Residential Neighborhood (RN) Zone Sub-districts and Residential Density  
Subsection 4.127 (.05) and (.06)

- B9.** The proposed uses, number of lots, preservation of open space, and general block and street layout are generally consistent with the Frog Pond West Master Plan. Specifically in regards to residential land use lot count, the proposed Stage 1 area includes a portion of large lot Sub-district 8. A full discussion of compliance with the sub-districts and residential density is included under Request C, Stage 1 Preliminary Plan.

**Request C: Stage 1 Preliminary Plan (STG122-0002)**

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

**Comprehensive Plan**

City Supports Development of Land within City Consistent with Land Use Designation  
Goal 2.1, Policy 2.1.1., Implementation Measure 2.1.1.a., Policy 2.2.1.

- C1.** The City's Comprehensive Plan, Frog Pond Area Plan, and Frog Pond West Master Plan designate the subject property for residential use. The Frog Pond West Master Plan specifically identifies procedures for development of the subject and surrounding land, thus supporting its development for residential lots so long as proposed development meets applicable policies and standards.

Urbanization for Adequate Housing for Workers Employed in Wilsonville, Jobs and Housing Balance

Implementation Measures 2.1.1.b., 4.1.4.l., 4.1.4.p.

- C2.** The proposal provides for urbanization of an area planned for residential use to provide additional housing within the City available to workers employed within the City. However, no special provisions or programs target the units to workers employed within the City.

Encouraging Master Planning of Large Areas

Implementation Measure 2.1.1.f.2.

- C3.** The proposed development is part of a larger area covered by the Frog Pond West Master Plan consistent with the City's policies and encouragement related to master planning.

City Obligated to do its Fair Share to Increase Development Capacity within UGB

Implementation Measure 2.2.1.b.

- C4.** The property is within the urban growth boundary and available for use consistent with its residential designation. Allowing development of the property for additional residential lots supports the further urbanization and increased capacity of residential land within the UGB.

Urban Development Only Where Necessary Facilities can be Provided  
Implementation Measure 3.1.2.a.

- C5. As can be found in the findings for the Stage 2 Final Plan, the proposed development provides all necessary facilities and services consistent with the Frog Pond West Master Plan.

Provision of Usable Open Space  
Implementation Measures 3.1.11.p., 4.1.5.kk.

- C6. The proposal is located within a large-lot sub district and does not require usable open space. While not specifically required per the Frog Pond Master Plan, the applicant proposes open space Tract A that contains a portion of the Boeckman Creek Trail and two adjacent landscaped open space areas.

Consistency with Street Demonstration Plans May Be Required  
Implementation Measure 3.2.2.

- C7. Section 4.127 requires the area subject to the Stage 1 Preliminary Plan be consistent with the street demonstration plan in Figure 18 of the Frog Pond West Master Plan. The proposed street layout is generally consistent with the street demonstration plan with variations as noted in Finding D11.

Wide Range of Housing Choices, Planning for a Variety of Housing  
Policy 4.1.4., Implementation Measures 4.1.4.b., 4.1.4.c., 4.1.4.d., 4.1.4.j., 4.1.4.o.

- C8. The Frog Pond Area Plan and the Frog Pond West Master Plan identify a variety of single-family homes and middle housing as the appropriate housing types for the subject area as part of the broader mix of housing in Wilsonville.

Accommodating Housing Needs of Existing Residents  
Implementation Measure 4.1.4.f.

- C9. The applicant intends to provide a housing product attractive to existing residents of the City as a whole, including current homeowners and current renters looking to purchase in a medium to high price range, similar to other nearby homes. The applicant proposes large-sized lots to accommodate detached dwelling units. Within the Residential Neighborhood zone a variety of middle housing types is also permitted.

## **Planned Development Regulations**

Planned Development Lot Qualifications  
Subsection 4.140 (.02)

- C10. The planned 12-lot subdivision will accommodate residential building lots, provide functional public streets, and be surrounded by open space and recreational opportunities consistent with the purpose of Section 4.140. The proposed subdivision is 3.96 acres and is suitable for planning and development. The property is not currently nor is it proposed to be



zoned “PD” (Planned Development). Concurrently with the request for a Stage 1 Preliminary Plan, the applicant proposes to rezone the property to RN (Residential Neighborhood). Pursuant to the Frog Pond West Master Plan development in the RN zone follows the same planned development procedure as PDR zones.

#### Ownership Requirements Subsection 4.140 (.03)

**C11.** The owners of the subject property have signed an application form included with the application.

#### Professional Design Team Subsection 4.140 (.04)

**C12.** Li Alligood, AICP, of Otak is the coordinator of a professional design team with all the necessary disciplines including engineers, a landscape architect, and a planner, among other professionals.

#### Planned Development Application Requirements Subsection 4.140 (.07)

**C13.** Review of the proposed Stage 1 Preliminary Plan has been scheduled for a public hearing before the DRB in accordance with this subsection and the applicant has met all the applicable submission requirements as follows:

- The property affected by the Stage 1 Preliminary Plan is under an application by the property owners.
- The applicant submitted a Stage 1 Preliminary Plan request on a form prescribed by the City.
- The applicant identified a professional design team and coordinator. See Finding C12.
- The applicant has stated the uses involved in the Stage 1 Preliminary Plan and their locations.
- The applicant provided boundary information.
- The applicant has submitted sufficient topographic information.
- The applicant provided a tabulation of the land area to be devoted to various uses.
- Any necessary performance bonds will be required.

### **Standards for Residential Development in Any Zone**

#### Outdoor Recreational Area and Open Space Land Area Requirements Subsection 4.113 (.01)

**C14.** The Frog Pond West Master Plan controls outdoor recreational area and open spaces for the subject and surrounding areas. The subject property contains land within the R-10 large lot sub-district. This sub-district does not require outdoor recreational area and open space, therefore this subsection does not apply. However, the proposed development contains Tract A that includes a portion of the Boeckman Creek Trail and two adjacent non-required open space areas.

## Residential Neighborhood Zone

### Permitted Uses

Subsection 4.127 (.02)

**C15.** The applicant proposes residential lots and open spaces, which are or will accommodate allowed uses in the RN Zone.

### Residential Neighborhood Sub-districts

Subsection 4.127 (.05)

**C16.** The proposed Stage 1 Preliminary Plan area includes a portion of large lot Sub-district 8.

### Minimum and Maximum Residential Lots

Subsection 4.127 (.06)

**C17.** The proposed number of residential lots, preservation of open space, and general block and street layout are generally consistent with the Frog Pond West Master Plan. Specifically in regards to residential lot count, the proposed Stage 1 area includes a portion of large lot Sub-district 8. The following table summarizes how the proposed residential lots in each Sub-district are consistent with the Master Plan recommendations. The applicant proposes 12 lots in Sub-district 8, which is one (1) lot greater than the maximum proportional density calculation for the site.

Subdistrict and Land Use Designation	Gross Site Area (ac)	Percent of Sub-district	Established lot range for Sub-district	Lot Range for Site	Proposed Lots	Total lots within Sub-district - Approved and Proposed
8 – R-10	3.96	20.7%	43-53	9-11	12	25 Approved 12 Proposed 37 Total

The proportional density allocation does not account for site-specific characteristics that influence the ability of a specific property to accommodate residential lots meeting minimum dimensional standards. The portion of the subject property within Sub-district 8 that is not dedicated as right-of-way (82.5%) is much greater than in other subareas. Minimal right-of-way dedication is required because the section of SW Frog Pond Lane adjacent to the site is a local street, which allows driveway access and the layout of Street A has been designed to accommodate the Boeckman Creek Trail on the western portion of the property resulting in the reduction of anticipated right-of-way dedication. As a result of the minimal right-of-way dedication it is possible to for the site to easily accommodate 12 lots, one (1) greater than the maximum density, while meeting minimum lot size standards. The configuration of lots as proposed will allow for buildout of the sub-district consistent with the Master Plan recommendations.

Parks and Open Space beyond Master Planned Parks  
Subsection 4.127 (.09) B.

**C18.** The proposed Stage 1 Preliminary Plan only includes land within the R-10 large lot sub-district. Properties within these sub-districts are exempt from the requirements of this section.

**Request D: Stage 2 Final Plan (STG222-0002)**

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

**Stage 2 Final Plan Submission Requirements and Process**

Consistency with Comprehensive Plan and Other Plans  
Subsection 4.140 (.09) J. 1.

**D1.** As demonstrated in Findings C1 through C9 under the Stage 1 Preliminary Plan the project is consistent with the Comprehensive Plan. This review includes review for consistency with the Frog Pond West Master Plan.

Traffic Concurrency  
Subsection 4.140 (.09) J. 2.

**D2.** The Traffic Impact Analysis (see Exhibit B1) performed by the City’s consultant, DKS Associates, identifies the most probable used intersection for evaluation as:

- SW Stafford Road/SW Brisband Street
- SW Boeckman Road/SW Willow Creek Drive
- SW Stafford Road/SW Frog Pond Lane

The intersections listed above were selected for analysis as they are the most impacted by the increase in vehicle trips from the development and are the gateways to the Frog Pond West area. Other study intersections, such as SW Stafford Road/SW 65th Avenue and SW Canyon Creek Road/SW Boeckman Road, were not included in this analysis as the trips through those intersections would be insignificant (around 5 peak hour trips). Additionally, the SW Stafford Road/SW 65th Avenue intersection was not included as it was found to already fail to meet County standards under existing 2021 conditions, as noted in the Frog Pond Crossing TIA and Frog Pond Vista TIA. As noted in both of those reports, an intersection improvement has already been identified in the County’s Capital Improvement Project List.

The study intersection meets the City of Wilsonville’s operating standard for the existing conditions. The intersection will continue to perform at Level of Service D or better with the proposed project and thus meets City standards.

Facilities and Services Concurrency  
Subsection 4.140 (.09) J. 3.

- D3.** The applicant proposes sufficient facilities and services, including utilities, concurrent with development of the residential subdivision.

Adherence to Approved Plans  
Subsection 4.140 (.09) L.

- D4.** Conditions of Approval ensure adherence to approved plans except for minor revisions approved by the Planning Director.

**General Residential Development Standards**

Effects of Compliance Requirements and Conditions on Cost of Needed Housing  
Subsection 4.113 (.13)

- D5.** No parties have presented evidence nor has staff discovered evidence that provisions of this section are such that additional conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of housing or effectively excluding a needed housing type.

Underground Utilities Required  
Subsection 4.118 (.02) and Sections 4.300 to 4.320

- D6.** The applicant proposes installation of all new utilities underground. The applicant will underground all existing utility lines facing the subject property.

Habitat Friendly Development Practices to be Used to the Extent Practicable  
Subsection 4.118 (.09)

- D7.** The applicant has designed the project to minimize grading to only what is required to install site improvements and build homes. The applicant has designed, and will construct, water, sewer, and stormwater infrastructure in accordance with the applicable City requirements in order to minimize adverse impacts on the site, adjacent properties, and surrounding resources. The project avoids impacts to Boeckman Creek, which is within the Significant Resource Overlay Zone (SROZ). The applicant has included the Abbreviated Significant Resource Impact Report in Exhibit B1.

**Residential Neighborhood (RN) Zone**

General Lot Development Standards  
Subsection 4.127 (.08) Table 2.

- D8.** The applicant proposes lots reviewed for consistency with applicable development code standards and the Frog Pond West Master Plan. The proposed lots meet or exceed the standards of Table 2, or the applicant can meet or exceed the standards with final design, as follows:

Standard	R-10 Large Lot Sub-district 8		Compliance Notes
	Required	Proposed	
Min. Lot Size	8,000 sf	8,007-10,078 sf	Standard is met.
Min. Lot Depth	60 ft	71+ ft	Standard is met.
Min. Lot Width	40 ft	64+ ft	Standard is met.
Max. Lot Coverage	40%	40% max	Standard can be met.
Max. Bldg Height	35 ft	35 ft max	Standard can be met. Per applicant's materials, houses will be max 35 ft height.
Min. Front Setback	20 ft	20 ft min	Standard can be met.
Min. Rear Setback	20 ft	20 ft min	Standard can be met.
Min. Side Setback	5 feet (10 feet for corner lots)	5 ft min (10 ft min on corner lots)	Standard can be met.
Min. Garage Setback from Alley	18 ft	18 ft. min	Standard can be met.
Min. Garage Setback from Street	20 ft	20 ft min	Standard can be met.

Frog Pond West-Specific Lot Development Standards  
Subsection 4.127 (.08) C. and D.

**D9.** The proposed lots meet standards specific to Frog Pond West, or the applicant can meet or the standards with final design, as follows:

Standard				Compliance Notes
Small-lot Subdistricts (include at least one element)	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	N/A	Subject property does not contain land within the small-lot subdistrict.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Wall and landscaping for lots adjacent to Stafford and Boeckman Road	Provided	Not Provided	N/A	The subject property does not abut Stafford or Boeckman Road.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

No driveway access to collectors for small and medium lots	Met	Not Met	N/A		Subject property does not include collectors.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		

**Open Space Requirements**  
Subsection 4.127 (.09)

**D10.** As stated in Finding C18 (Subsection 4.127 (.09) B.), the R-10 sub-district involved in the proposal is exempt from open space requirements.

**Block, Access, and Connectivity Consistent with Frog Pond West Neighborhood Plan**  
Subsection 4.127 (.10) and Figure 18. Frog Pond West Master Plan

**D11.** The Street Demonstration Plan is an illustrative layout of the desired level of connectivity in the Frog Pond West neighborhood and is intended to be guiding, not binding, allowing for flexibility provided that overall connectivity goals are met. The block size and shape, access, and connectivity of the proposed subdivision complies with Figure 18 of the Frog Pond West Master Plan or is an allowed variation as follows:

Street Segment	Generally Consistent with Figure 18	Allowed Variation	Explanation of Variation
SW Frog Pond Lane	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Street A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See explanation below.

SW Frog Pond Lane is extended west on the south side of the subdivision as shown on the Street Demonstration. Street A is extended west from the eastern extent of the site into the proposed development, curving southwest sooner than is shown in the street demonstration plan. This allows the Boeckman Creek Trail to extend separately from the street and Street A to intersect with SW Frog Pond Lane at the southern property boundary. The proposed modifications do not require out-of-direction pedestrian or vehicular travel nor do they result in greater distances for pedestrian access to the proposed subdivision from the surrounding future streets than would otherwise be the case if the Street Demonstration Plan were adhered to.

**Main Entrance, Garage, Residential Design, and Building Orientation Standards**  
Subsections 4.127 (.14-.18)

**D12.** The proposed subdivision provides lots of sufficient size and of a typical orientation to meet the RN zone design standards, or the applicant can meet the standards at the time of building permit review, as follows:

Standard			Compliance Notes
Main Entrance Standards	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Standard can be met.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Garage Width Standards	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Standard can be met. Subdivision includes a mix of lots greater and less than 50 feet at the front lot line.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Garage Orientation Towards Alley or Shared Driveway	Alleys or Shared Driveways in Subdivision	No Alleys or Shared Driveways in Subdivision	Not applicable.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Residential Design Standards	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Standard can be met.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Small-Lot Subdistricts – House Plan Variety	Required Duplex/Attached Units	Provided Duplex/Attached Units	Not applicable. Not within small lot sub-district.
	N/A	N/A	
Fences	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Standard can be met.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Homes Adjacent to School and Parks and Public Open Spaces	Sufficient Information Provided to Determine Compliance	Compliance to be Determined at Building Permit Review	Lot 4 faces an open space tract and Lots 7-9 and 12 are adjacent to private open space.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

### On-site Pedestrian Access and Circulation

#### Continuous Pathway System

Section 4.154 (.01) B. 1.

**D13.** The submitted plans show sidewalks along the frontages of all lots providing a continuous pathway system throughout the proposed subdivision. In addition to the sidewalk system,

pedestrian/bicycle connections are proposed through Tract A. These additional connections are consistent with Figure 18 of the Frog Pond West Master Plan. The proposal also enables connections to future adjacent development. To ensure full access and function of the planned pathway system for the public, Condition of Approval PDD 2 requires public access easements across all pathways within private tracts.

**Safe, Direct, and Convenient**

Section 4.154 (.01) B. 2.

**D14.** The submitted plans show sidewalks and pathways providing safe, direct, and convenient connections consistent with Figure 18 of the Frog Pond West Master Plan.

**Vehicle/Pathway Separation**

Section 4.154 (.01) B. 3.

**D15.** The proposed design vertically and or horizontally separates all sidewalks and pathways from vehicle travel lanes except for driveways and crosswalks.

**Crosswalks Delineation**

Section 4.154 (.01) B. 4.

**D16.** A condition of approval requires all crosswalks shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-colored concrete inlay between asphalt, or similar contrast).

**Pathway Width and Surface**

Section 4.154 (.01) B. 5.

**D17.** The applicant proposes all pathways to be concrete, asphalt brick/masonry pavers, or other durable surface, and at least 5 feet wide, meeting or exceeding the requirement.

**Parking Area Design Standards**

**Minimum and Maximum Parking**

Subsection 4.155 (.03) G.

**D18.** Each dwelling unit requires one parking space. Between garages and driveways, each home will have at least two parking spaces.

**Other Parking Area Design Standards**

Subsections 4.155 (.02) and (.03)

**D19.** The applicable standards are met as follows:

Standard	Met	Explanation
Subsection 4.155 (.02) General Standards		
B. All spaces accessible and usable for parking	☒	Though final design of garages and driveways is not part of current review they are anticipated to meet minimum dimensional standards to be



		considered a parking space as well as fully accessible. A condition of approval requires the dimensional standards to be met.
I. Surfaced with asphalt, concrete or other approved material	<input checked="" type="checkbox"/>	Garages and driveways will be surfaced with concrete.
Drainage meeting City standards	<input checked="" type="checkbox"/>	Drainage is professionally designed and being reviewed to meet City standards.
<b>Subsection 4.155 (.03) General Standards</b>		
A. Access and maneuvering areas adequate	<input checked="" type="checkbox"/>	Parking areas will be typical residential design adequate to maneuver vehicles and serve needs of homes.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated	<input checked="" type="checkbox"/>	Pursuant to Section 4.154, pedestrian circulation is separate from vehicle circulation by vertical separation except at driveways and crosswalks.

**Other General Regulations**

Access, Ingress and Egress  
 Subsection 4.167 (.01)

**D20.** Planned access points are typical of local residential streets. The City will approve final access points for individual driveways at the time of issuance of building permits.

**Protection of Natural Features and Other Resources**

General Terrain Preparation  
 Section 4.171 (.02)

**D21.** The site has been planned and designed to avoid the natural features on the site, including tree groves, the SROZ, and the Boeckman Creek corridor. Grading, filling, and excavating will be conducted in accordance with the Uniform Building code. The site will be protected with erosion control measures and the creek corridor will be staked prior to commencement of site work to avoid damage to vegetation or injury to habitat. The removal of trees is necessary for site development, but replacement trees will be planted per the provisions of this code.

Trees and Wooded Areas  
 Section 4.171 (.04)

**D22.** Existing vegetation will not be disturbed, injured or removed prior to land use and permit approvals. Existing trees have been retained wherever possible; however, trees will need to be removed to provide area for home construction. Trees are preserved within the SROZ in Tract A, which contains a portion of the Boeckman Creek Trail alignment.

Trees identified to be retained will be protected during site preparation and construction according to the City Public Works design specifications as outlined in the Arborist Report and a condition of approval.

#### Earth Movement Hazard Area

Subsection 4.171 (.07)

**D23.** The applicant performed geotechnical investigations on the subject property and found no earth movement hazards in areas where development is proposed. A geotechnical report is provided in Exhibit B1.

#### Historic Resources

Subsection 4.171 (.09)

**D24.** Neither the applicant nor the City have identified any historic, cultural, or archaeological items on the sites, nor does any available information on the history of the site compel further investigation.

### **Public Safety and Crime Prevention**

#### Design for Public Safety, Addressing, Lighting to Discourage Crime

Section 4.175

**D25.** The design of the Frog Pond Terrace development deters crime and ensures public safety. The lighting of the streets allows for visibility and safety. The orientation of homes toward streets provides “eyes on the street.” All dwellings will be addressed per Building and Fire Department requirements to allow identification for emergency response personnel. Dwellings will have exterior porch lighting, which will support the streetlights to provide safety and visibility.

### **Landscaping Standards**

#### Intent and Required Materials

Subsections 4.176 (.02) C. through I.

**D26.** Planting areas along the street and open spaces within the subdivision are generally open and are not required to provide any specific screening, thus the design of the landscaping follows the general landscaping standards. The plantings include a mixture of ground cover, shrubs, trees, and stormwater swale plantings. Proposed street trees are consistent with previously established trees in other Frog Pond subdivisions.

#### Types of Plant Material, Variety and Balance, Use of Natives When Practicable

Subsection 4.176 (.03)

**D27.** The applicant proposes a professionally designed landscape using a variety of plant material. There are no parking areas proposed and no parking area landscaping is required. The landscape plans included in the applicant’s materials (Sheets L2.00-2.20) illustrate the

location and type of landscaping within public rights-of-way and tracts. The design includes a variety of native plants, particularly in the open space area.

## **Street Improvement Standards**

### **Conformance with Standards and Plan**

Subsection 4.177 (.01), Figures 19-27 Frog Pond West Master Plan

**D28.** The proposed streets appear to meet the City's Public Works Standards and Transportation System Plan. Further review of compliance with Public Works Standards and Transportation System Plan will occur with review and issuance of the Public Works construction permit.

### **Street Design Standards-Future Connections and Adjoining Properties**

Subsection 4.177 (.02) A.

**D29.** The street network has been designed per the Frog Pond West Master Plan Street Demonstration Plan. Future connections to adjacent sites are anticipated to the east and south. SW Frog Pond Lane is extended west connecting overlook with the existing developments to the east. Street A provides an eastern connection to future development to the east and Frog Pond Lane to the south consistent with the Street Demonstration Plan.

### **City Engineer Determination of Street Design and Width**

Subsection 4.177 (.02) B.

**D30.** The City Engineering Division has preliminarily found the street designs and widths as consistent with the cross sections shown in the Frog Pond West Master Plan. The Engineering Division will check final conformance with the cross sections shown in the Frog Pond West Master Plan during review of the Public Works permit.

### **Right-of-Way Dedication**

Subsection 4.177 (.02) C. 1.

**D31.** The tentative subdivision plat shows right-of-way dedication. See Request F.

### **Waiver of Remonstrance Required**

Subsection 4.177 (.02) C. 2.

**D32.** This Subsection requires that a waiver of remonstrance against formation of a local improvement district (LID) be recorded in the County Recorder's Office as well as the City's Lien Docket as a part of recordation of a final plat. This requirement is contained in the Development and Annexation Agreement and notes that in light of the developer's obligation to pay an Infrastructure Supplemental Fee and Boeckman Bridge Fee, release of the LID Waiver for a specific parcel within the Frog Pond Terrace development may occur upon official recording of the release of the waiver only after payment of these fees, and will require the developer to pay all costs and fees associated with the City's release of the

waiver. A Condition of Approval PDD 5 outlines the process to be followed with respect to the required LID Waiver and its release for a specific parcel.

#### Dead-end Streets Limitations

Subsection 4.177 (.02) D.

**D33.** No dead-end streets are proposed in the development; however, the north east end of Street A will temporary dead end until the property to the east develops (see Sheet P3.0).

#### Corner Vision Clearance

Subsection 4.177 (.02) E.

**D34.** Street locations and subdivision design allow the meeting of vision clearance standards.

#### Vertical Clearance

Subsection 4.177 (.02) F.

**D35.** Nothing in the proposed subdivision design would prevent the meeting of vertical clearance standards.

#### Interim Improvement Standards

Subsection 4.177 (.02) G.

**D36.** The City Engineer has or will review all interim improvements to meet applicable City standards.

#### Sidewalks Requirements

Subsection 4.177 (.03)

**D37.** The applicant proposes sidewalks along all public street frontages abutting proposed lots.

#### Bicycle Facility Requirements

Subsection 4.177 (.04)

**D38.** No on street bicycle facilities are required within the project area for Frog Pond Overlook. Condition of Approval PFD 2 requires all cross-sections to comply with the Frog Pond West Master Plan requirements prior to Final Plat approval. See Exhibit C1.

#### Pathways in Addition to, or in Lieu of, a Public Street

Subsection 4.177 (.05)

**D39.** No pedestrian and bicycle accessways are proposed in addition to, or in lieu of, public streets within the subdivision. The Boeckman Creek Trail in Tract A provides additional north-south connectivity through the development, connecting to the trail in Morgan Farm and Frog Pond Terrace to the south and Frog Pond Vista to the northeast.

Transit Improvements Requirements  
Subsection 4.177 (.06)

**D40.** The applicant does not propose any transit improvements within the proposed subdivision. There is not currently transit service along SW Stafford Road or SW Boeckman Road; however, as the Frog Pond area develops, additional transit service may be added. Any transit improvements would be addressed at the time the need for additional transit service is identified.

**Intersection Spacing**

Offset Intersections Not Allowed  
Subsection 4.177 (.09) A.

**D41.** The applicant does not propose any offset intersections.

Minimum Street Intersection Spacing in Transportation System Plan Table 3-2  
Subsection 4.177 (.09) B.

**D42.** Streets within the development are local streets, which are not subject to minimum spacing standards.

**Mixed Solid Waste and Recyclables Storage**

Review by Franchise Garbage Hauler  
Subsection 4.179 (.07)

**D43.** The proposed development does not contain multi-family residential or non-residential uses requiring the solid waste storage area to meet code requirements for size; however, the applicant has provided a letter from the franchised garbage hauler, Republic Services, to ensure the site plan provides adequate access for the hauler's equipment. The service provider letter is included in Exhibit B1. A turnaround with a stabilizing grass paving system is provided between the Tract A private open space and Lot 7 at the northeast end of Street A for the hauler's trucks; this turnaround is expected to be removed when future extension of the street occurs, providing needed connectivity. Homeowners of Lots 6-7 will be required to locate receptacles close to the turnaround and Lot 12 will be required to locate receptacles close to the west of Street A until the street is extended east in the future. The waste pickup requirements will be addressed in recorded CC&Rs.

## **Request E: Site Design Review of Parks and Open Space (SDR22-0003)**

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

### **Objectives of Site Design Review**

Proper Functioning of the Site, High Quality Visual Environment Meets Objectives  
Subsections 4.400 (.02) A., 4.400 (.02) C.-J., and Subsection 4.421 (.03)

E1. Project elements subject to Site Design Review include: tracts and their landscaping; landscaping in the public right-of-way; retaining walls; and park or open space furnishings. The proposed development is intended to advance the vision for Frog Pond West by incorporating the natural areas on site, providing attractive streetscapes, and enhancing the existing neighborhood to the south and the future neighborhoods to the east and north. The proposed professionally designed landscaping provides stormwater, air quality, and other site functions while demonstrating consistency with the Frog Pond West Master Plan. The landscaping also adds to the high quality visual environment. By functioning properly and contributing to a high quality visual environment, the proposed design fulfills the objectives of Site Design Review.

Encourage Originality, Flexibility, and Innovation  
Subsection 4.400 (.02) B. and Subsection 4.421 (.03)

E2. The City code affords the applicant's design team flexibility to create an original design appropriate for the site while ensuring consistency with the Frog Pond West Master Plan.

### **Jurisdiction and Power of the DRB for Site Design Review**

Development Review Board Jurisdiction  
Section 4.420

E3. A condition of approval ensures landscaping is carried out in substantial accord with the DRB-approved plans, drawings, sketches, and other documents. The City will issue no building permits prior to approval by the DRB. The applicant has not requested variances from site development requirements.

### **Design Standards**

Preservation of Landscaping  
Subsection 4.421 (.01) A. and Section 4.171

E4. The site layout takes into consideration existing landscaping and preserving it where possible. The applicant has included open spaces (in Tract A adjacent to the Boeckman Trail) that allow for preservation of a sloped and wooded area on the northwest portion of the development.

Relation of Proposed Buildings to Environment  
Subsection 4.421 (.01) B.

- E5. No structures are proposed by the proposed development at this time. Building design will be reviewed during the building permit review process.

Surface Water Drainage  
Subsection 4.421 (.01) D.

- E6. As demonstrated in the applicant's plans, attention has been given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. The location of LIDA facilities within the planter strips of the public streets, stormwater facilities within tracts, and details of LIDA facility planting are shown in Sheets P2.00 and L2.00-L2.20. Appendix B in Exhibit B1 includes the Preliminary Stormwater Drainage Report.

Above Ground Utility Installations  
Subsection 4.421 (.01) E.

- E7. The applicant proposes no above ground utility installations. Existing overhead lines will be undergrounded. Each lot will be served by a sanitary sewer line (see Sheet P4.00). Storm sewage disposal is provided by a storm drain system connecting to each on-site stormwater facility.

Screening and Buffering of Special Features  
Subsection 4.421 (.01) G.

- E8. No exposed storage areas, exposed machinery installations, surface areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures exist or are proposed that require screening.

Applicability of Design Standards  
Subsection 4.421 (.02)

- E9. This review applies the design standards to the proposed streetscape and open space areas, which are the portions of the proposed development subject to Site Design Review.

Conditions of Approval Ensuring Proper and Efficient Functioning of Development  
Subsection 4.421 (.05)

- E10. Staff recommends no additional conditions of approval to ensure the proper and efficient functioning of the development.

## Site Design Review Submission Requirements

### Submission Requirements Section 4.440

**E11.** The applicant has provided a sufficiently detailed landscape plan and street tree plan to review the streetscape and open space areas subject to Site Design Review.

## Time Limit on Site Design Review Approvals

### Void after 2 Years Section 4.442

**E12.** The applicant has indicated that they will pursue development within two years. The approval will expire after two years if not vested, or an extension is not requested and granted, consistent with City Code.

## Installation of Landscaping

### Landscape Installation or Bonding Subsection 4.450 (.01)

**E13.** A condition of approval ensures all landscaping in common tracts shall be installed shall be installed prior to Final Plat Approval, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account, irrevocable letter of credit, or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the DRB, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant. A condition of approval further requires that the applicant, prior to Final Plat Approval, either (1) enter into a Residential Subdivision Development Compliance Agreement with the City that covers installation of street trees and right-of-way landscaping or (2) install all street trees and other right-of-way landscaping.

### Approved Landscape Plan Subsection 4.450 (.02)

**E14.** A condition of approval ensures the approved landscape plan is binding upon the applicant/owner. It prevents substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan without official action of the Planning Director or DRB, as specified in this Code.



## Landscape Maintenance and Watering

Subsection 4.450 (.03)

- E15.** A condition of approval ensures continual maintenance of the landscape, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the DRB, unless altered with appropriate City approval.

## Modifications of Landscaping

Subsection 4.450 (.04)

- E16.** A condition of approval provides ongoing assurance by preventing modification or removal without the appropriate City review.

## Natural Features and Other Resources

### Protection

Section 4.171

- E17.** The proposed design of the site provides for protection of natural features and other resources consistent with the proposed Stage 2 Final Plan for the site as well as the purpose and objectives of Site Design Review. See Findings D21 through D24 under Request D.

## Landscaping

### Landscape Standards Code Compliance

Subsection 4.176 (.02) B.

- E18.** The applicant requests no waivers or variances to landscape standards. Thus, all landscaping and screening must comply with standards of this section.

### Intent and Required Materials

Subsections 4.176 (.02) C. through I.

- E19.** The general landscape standard applies throughout different landscape areas of the site and the applicant proposes landscape materials to meet each standard in the different areas. Site Design Review is being reviewed concurrently with the Stage 2 Final Plan which includes an analysis of the functional application of the landscaping standards. See Finding D26 under Request D.

### Quality and Size of Plant Material

Subsection 4.176 (.06)

- E20.** The quality of the plant materials must meet American Association of Nurserymen (AAN) standards as required by this Subsection. Trees as shown on the applicant's plans are specified at 2-inch caliper or greater than 6 feet for evergreen trees. Shrubs are specified 2 gallon or greater in size. Ground cover is specified as greater than 4 inches. Turf or lawn is used for a minimal amount of the proposed public landscape area. Conditions of approval

ensure the requirements of this subsection are met including use of native topsoil, mulch, and non-use of plastic sheeting.

### Landscape Installation and Maintenance

Subsection 4.176 (.07)

**E21.** Installation and maintenance standards are or will be met by Conditions of approval as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival.
- Plants that die are required to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City.
- Preliminary Landscape Notes No. 1 on the applicant's sheet L2.20 provides for irrigation during the establishment period.

### Landscape Plans

Subsection 4.176 (.09)

**E22.** The applicant's submitted landscape plans, Sheets L2.00-L2.20, provide the required information.

### Completion of Landscaping

Subsection 4.176 (.10)

**E23.** The applicant has not requested to defer installation of plant materials.

## Public Lighting Plan

### Lighting of Local Streets

Local Street, page 78 and Figure 42 of Frog Pond West Master Plan

**E24.** Sheet P4.00 in Exhibit B2 shows proposed street lights on local streets. The Frog Pond Master Plan requires PGE Option 'B' LED with Westbrook 35W LED and 18' decorative aluminum pole (20-foot mounting height with 4 foot mast arm). These are dark sky friendly and located with a professionally designed layout to minimize negative effects on future homes, provide for safety, and use a consistent design established by the Frog Pond West Master Plan. The applicant's materials specify the King Aurora Pendant as the proposed fixture. As explained in the applicant's materials, the Westbrook is no longer available from PGE and the King Aurora is now used as the closest matching design.

### Lighting of Pathways

Pedestrian Connections, Trailheads and Paths, page 80 and Figure 42 of Frog Pond West Master Plan

**E25.** The Frog Pond West Master Plan requires a Public Lighting Plan and recommended light plan hierarchy to define various travel routes within Frog Pond. Pedestrian connections, trailheads, and paths are required to be uniformly illuminated and shall follow the Public Works Standards for Shared Use Path Lighting. A condition of approval requires the

applicant to remove lighting along the Boeckman Creek Trail, which is adjacent to the SROZ, to minimize light pollution and discourage use of the trail after dark.

### Street Tree Plan

Tree Lists for Primary Streets, Neighborhood Streets, and Pedestrian Connections  
Pages 81-83 and Figure 43 of Frog Pond West Master Plan

**E26.** The Street Tree Plan provides guidance tied to the street typology for Frog Pond West, with an overall intent to beautify and unify the neighborhood while providing a variety of tree species. The Frog Pond West Master Plan intends to achieve continuity through consistent tree types and consistent spacing along both sides of a street.

The proposed street tree species comply with the Frog Pond West Master Plan or will with a condition of approval as follows:

Street Name	Street Type	Proposed Species	Compliance Notes
SW Frog Pond Lane	Neighborhood	Tulip Tree	On approved list; consistent with species established in existing developments to the east.
Street A (Windflower Street)	Neighborhood	Chinese Pistache	On approved list; consistent with species established in Frog Pond Oaks, Vista and Crossing.

### Gateways, Monuments and Signage

Unifying Frog Pond Name, Gateway Signs, Prohibition on Individual Subdivision Signs  
Page 92 of the Frog Pond West Master Plan

**E27.** There are no neighborhood gateways planned within the area of Frog Pond Overlook; therefore, no monument signs or other permanent subdivision identification signs are permitted.

Unifying Frog Pond Name, Sign Caps on Street Signs  
Page 92 of the Frog Pond West Master Plan

**E28.** As required by a condition of approval, all street name signs will be installed prior to Final Plat approval and utilize the City-approved sign cap throughout the subdivision, matching the design used in the previously approved subdivisions within Frog Pond. The developers will buy the signs from the City to ensure uniformity throughout the Frog Pond West neighborhood.

## **Request F: Tentative Subdivision Plat (SUBD22-0001)**

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

### **Land Division Authorization**

Plat Review Authority  
Subsection 4.202 (.01) through (.03)

**F1.** The DRB is reviewing the tentative subdivision plat according to this subsection. The Planning Division will review the final plat under the authority of the Planning Director to ensure compliance with the DRB review of the tentative subdivision plat.

Undersized Lots Prohibited  
Subsection 4.202 (.04) B.

**F2.** The proposed lots meet the dimensional standards of the RN zone and the R-10 sub-districts. See Finding D8 under Request D.

### **Plat Application Procedure**

Pre-Application Conference  
Subsection 4.210 (.01)

**F3.** The applicant requested and attended a pre-application conference in accordance with this subsection.

Tentative Plat Preparation  
Subsection 4.210 (.01) A.

**F4.** Following gathering information from Planning staff, the appropriate professionals from the applicant's design firm, Otak, prepared the tentative plat.

Tentative Plat Submission  
Subsection 4.210 (.01) B.

**F5.** The applicant has submitted a tentative plat with all the required information.

Phases to Be Shown  
Subsection 4.210 (.01) D.

**F6.** The applicant is proposing to construct the development in one phase and does not include a phasing plan along with the application materials.

Remainder Tracts  
Subsection 4.210 (.01) E.

**F7.** The tentative plat accounts for all land within the plat area as lots, tracts, or right-of-way.

## **Street Requirements for Land Divisions**

### Master Plan or Map Conformance Subsection 4.236 (.01)

**F8.** As found in other findings in this report, the land division conforms with the Transportation System Plan, Frog Pond West Master Plan, and other applicable plans.

### Adjoining Streets Relationship Subsection 4.236 (.02)

**F9.** The proposed plat enables the extension of streets consistent with the Frog Pond West Master Plan.

### Streets Standards Conformance Subsection 4.236 (.03)

**F10.** As part of the Stage 2 Final Plan approval, the streets conform with Section 4.177 and generally conform with block sizes established in the Frog Pond West Master Plan. See Request D.

### Topography Subsection 4.236 (.05)

**F11.** The street layout recognizes topographical conditions, including the location of the SROZ on site and no street alignment adjustments from the Frog Pond West Master Plan are necessary.

### Reserve Strips Subsection 4.236 (.06)

**F12.** The City is not requiring any reserve strips for the reasons stated in this subsection.

### Future Street Expansion Subsection 4.236 (.07)

**F13.** Where the Frog Pond West Master Plan shows street extensions, the tentative plat extends the right-of-way to the edge of the plat. A condition of approval requires signs stating “street to be extended in the future” or similar language approved by the City Engineer.

### Additional Right-of-Way Subsection 4.236 (.08)

**F14.** A condition of approval ensures dedication of sufficient right-of-way for planned improvements along SW Frog Pond Lane.

## Street Names

### Subsection 4.236 (.09)

**F15.** None of the streets within the subdivision have been identified within the Frog Pond West Master Plan. The applicant includes extensions of or improvements to SW Frog Pond Lane established in developments to the east and names the street accordingly. In addition to the existing streets, the applicant proposes Street A, which will be named SW Windflower Street consistent with the naming convention established in subdivisions to the east. The City Engineer will check all street names at the time of Final Plat review.

## General Land Division Requirements-Blocks

### Blocks for Adequate Building Sites in Conformance with Zoning

#### Subsection 4.237 (.01)

**F16.** The proposed blocks substantially conform to Figure 18 of the Frog Pond West Master Plan. The proposed blocks allow for lots meeting the minimum size and other dimensional standards for the relevant sub-districts of the Frog Pond West Master Plan. See Finding D11 under Request D.

## General Land Division Requirements-Easements

### Utility Line Easements

#### Subsection 4.237 (.02) A.

**F17.** As will be further verified during the Public Works Permit review and Final Plat review, public utilities will be placed within public rights-of-way or within public utility easements (PUE) adjacent to the public streets. Stormwater facility easements are proposed where these facilities are located on private property and are intended to be shared between more than one lot. Franchise utility providers will install their lines within public utility easements established on the plat.

### Water Courses

#### Subsection 4.237 (.02) B.

**F18.** The applicant proposes a dedicated tract for the drainage way and associated riparian area of the Boeckman Creek SROZ.

## General Land Division Requirements-Pedestrian and Bicycle Pathways

### Mid-block Pathways Requirement

#### Subsection 4.237 (.03)

**F19.** The blocks that will be created by the proposed subdivision are all less than 330 ft. in length, therefore, mid-block bicycle and pedestrian pathways are not required or proposed. See Finding D13.

## **General Land Division Requirements-Tree Planting**

Tree Planting Plan Review and Street Tree Easements  
Subsection 4.237 (.04)

**F20.** The City is reviewing the tree planting plan concurrently with the tentative plat, see Requests D and E.

## **General Land Division Requirements-Lot Size and Shape**

Lot Size and Shape Appropriate  
Subsection 4.237 (.05)

**F21.** The size, width, shape, and orientation of lots comply with the identified sub-districts in the Frog Pond West Master Plan. See Finding D8 in Request D.

## **General Land Division Requirements-Access**

Minimum Street Frontage  
Subsection 4.237 (.06)

**F22.** The full width of the front lot line of each lot fronts a public street. Each lot meets or exceeds the minimum lot width at the front lot line. See Finding D8 in Request D.

## **General Land Division Requirements-Other**

Lot Side Lines  
Subsection 4.237 (.08)

**F23.** Almost all side lot lines run at a 90-degree angle to the front line. Angles and curves of streets necessitate the exceptions, including Lot 8.

Land for Public Purposes  
Subsection 4.237 (.12)

**F24.** The subject property contains SROZ land surrounding Boeckman Creek. The Frog Pond West Master Plan indicates that the Boeckman Creek Regional Trail shall be provided along the western and northern portion of the subject property along the SROZ. This land will become part of the parks and open space system to be dedicated to the City. A condition of approval ensures that prior to dedication of Tract A, the applicant/owner shall provide a Phase I Environmental Site Assessment, and if warranted, and Phase II Environmental Site Assessment, addressed to the City.

Corner Lots  
Subsection 4.237 (.13)

**F25.** All corner lots have radii exceeding the 10-foot minimum.

## **Lots of Record**

Lots of Record  
Section 4.250

**F26.** The applicant provided documentation all subject lots are lots of record.

### **Request G: Type C Tree Removal Plan (TPLN22-0001)**

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

## **Type C Tree Removal**

Review Authority When Site Plan Review Involved  
Subsection 4.610.00 (.03) B.

**G1.** The requested tree removal is connected to Site Plan Review by the DRB and, thus, is under their authority.

Reasonable Timeframe for Removal  
Subsection 4.610.00 (.06) B.

**G2.** It is understood that tree removal will be completed by the time the applicant completes construction of all houses and other improvements in the subdivision, which is a reasonable time frame for tree removal.

Security for Permit Compliance  
Subsection 4.610.00 (.06) C.

**G3.** As allowed by Subsection 1, the City is waiving the bonding requirement as the application is required to comply with WC 4.264 (.01).

## **General Standards for Tree Removal, Relocation or Replacement**

Preservation and Conservation  
Subsection 4.610.10 (.01)

**G4.** Proposed land clearing is limited to designated street rights-of-way and areas necessary for construction of homes. Homes will be designed and constructed, as much as possible, to blend into the natural areas on the site.

Per the arborist's report included on Sheet L1.00 in Exhibit B2, there are 150 on-site trees and four (4) off-site trees in the inventory. Forty-three on-site trees and four off-site trees will be preserved with 107 on-site trees proposed for removal.

As shown on Sheet L1.00, most of the trees to be removed are proposed for removal throughout the site with the highest concentration of trees proposed for removal along the southern property line. The location of proposed streets was determined by the Frog Pond



West Master Plan and the City's block length and perimeter standards. Removal of the trees is necessary for construction of site improvements, including utilities, streets, and residential homes. In addition, grading of each lot is needed to accommodate residential development and associated site improvements (driveways and walkways, stormwater management, outdoor yard areas, etc.). Reducing building footprints by increasing height is not a viable alternative as the height limit in the RN zone is 35 ft., or 2.5 stories.

#### Development Alternatives

Subsection 4.610.10 (.01) C.

- G5.** The Frog Pond West Master Plan provides clear direction for street connections, residential densities, and preservation of the SROZ. Preservation and conservation of 43 out of 150 trees on site is proposed. Conditions of approval ensure this criterion is met.

#### Land Clearing Limited to Right-of-Way and Areas Necessary for Construction

Subsection 4.610.10 (.01) D.

- G6.** The proposed clearing is necessary for streets, alleys, houses, and related improvements.

#### Residential Development to Blend into Natural Setting

Subsection 4.610.10 (.01) E.

- G7.** New tree plantings, preservation of existing trees, and new native ground cover proposed within Tract A allow the development to blend with the natural elements of the property. The project area is otherwise relatively flat land without significant natural features with which to blend.

#### Compliance with All Applicable Statutes and Ordinances

Subsection 4.610.10 (.01) F.

- G8.** As found elsewhere in this report, the City is applying the applicable standards.

#### Tree Relocation and Replacement, Protection of Preserved Trees

Subsection 4.610.10 (.01) G.

- G9.** Reviews of tree removal, replacements, and protection is in accordance with the relevant sections of the Code.

#### Tree Removal Limitations

Subsection 4.610.10 (.01) H.

- G10.** The proposed tree removal is due to health or necessary for construction.

## **Additional Standards for Type C Permits**

Tree Survey and Tree Maintenance and Protection Plan to be Submitted  
Subsection 4.610.10 (.01) I. 1.-2.

**G11.** The applicant submitted the required Tree Maintenance and Protection Plan and Tree Survey (see Exhibit B2 and Sheets L1.00-L1.10).

Utilities Locations to Avoid Adverse Environmental Consequences  
Subsection 4.610.10 (.01) I. 3.

**G12.** The Utility Plan (Sheet P4.00) shows a design to minimize impact on the environment to the extent feasible given existing conditions, particularly the SROZ. The City will further review utility placement in relation to the SROZ and preserved trees during review of construction drawings and utility easement placement on the final plat.

## **Type C Tree Plan Review**

Tree Removal Related to Site Development at Type C Permit  
Subsection 4.610.40 (.01)

**G13.** Review of the proposed Type C Tree Plan is concurrent with other site development applications.

Standards and Criteria of Chapter 4 Applicable  
Subsection 4.610.40 (.01)

**G14.** As found elsewhere in this report, the City's review applies applicable standards.

Application of Tree Removal Standards Can't Result in Loss of Development Density  
Subsection 4.610.40 (.01)

**G15.** The proposed subdivision allows residential lot counts consistent with the Frog Pond West Master Plan.

Development Landscape Plan and Type C Tree Plan to be Submitted Together  
Subsection 4.610.40 (.01)

**G16.** The applicant submitted the Type C Tree Plan concurrently with the landscape plan for the proposed development.

Type C Tree Plan Review with Stage 2 Final Plan  
Subsection 4.610.40 (.01)

**G17.** Review of the proposed Type C Tree Plan is concurrent with the Stage 2 Final Plan. See Request D.

Required Mitigation May Be Used to Meet Landscaping Requirements  
Subsection 4.610.40 (.01)

**G18.** The applicant proposes counting the twenty seven (27) proposed street trees and twenty one (21) landscaping trees as mitigation for removal.

No Tree Removal Before Decision Final  
Subsection 4.610.40 (.01)

**G19.** Review of the proposed Type C Tree Plan is concurrent with other necessary land use approvals. The City will not issue any tree removal permit prior to final approval of concurrent land use requests and annexation into the City. While the land is currently under jurisdiction of Clackamas County, a condition of approval binds the applicant to no tree removal on the properties, except for hazardous situations unrelated to development, prior to issuance of the post-annexation tree removal permit by the City.

Tree Maintenance and Protection Plan Submission Requirements  
Section 4.610.40 (.02)

**G20.** The applicant submitted the necessary copies of a Tree Maintenance and Protection Plan.

**Tree Relocation, Mitigation, or Replacement**

Tree Replacement Required  
Subsection 4.620.00 (.01)

**G21.** Consistent with the tree replacement requirements for Type C Tree Removal Permits established by this subsection, the applicant proposes to plant mitigation trees and pay into the City Tree Fund consistent with Subsection 4.620.00 (.06).

Replacement Requirement: 1 for 1, 2-inch Caliper  
Subsection 4.620.00 (.02)

**G22.** The applicant proposes mitigating removed trees on a basis of one tree for each tree removed and paying into the City Tree Fund, proposing 48 replacement trees (see Sheets L2.00-L2.20) and paying the equivalent cost of planting 59 trees (59 trees x \$300 per tree = \$17,700) into the City Tree Fund. The applicant proposes planting 48 new trees in the form of 27 street trees and 21 landscape trees along the Boeckman Creek Trail and in the private open space in Tract A. Staff does not recommend any inch per inch mitigation. Sheets L2.00-L2.20 show all trees proposed for planting as mitigation as 2-inch caliper.

Replacement Plan and Tree Stock Requirements  
Subsections 4.620.00 (.03) and (.04)

**G23.** Review of the Tree Replacement and Mitigation Plan is prior to planting and in accordance with the Tree Ordinance, as established by other findings in this request. The applicant's landscape plans show tree stock meeting the tree stock requirements.

Replacement Trees, City Tree Fund  
Subsection 4.620.00 (.05)

**G24.** As shown on the Street Tree Planting Plan (Sheet L2.00), some of these replacement trees consist of street trees. Trees will likely be planted on the individual dwelling lots at the time of site development but are not proposed to be included in the replacement tree plans. The applicant propose to pay the \$17,700 into the City Tree Fund which is the equivalent cost of replanting 59 trees.

**Protection of Preserved Trees**

Tree Protection During Construction  
Section 4.620.10

**G25.** A condition of approval ensures tree protection measures, including fencing, are in place consistent with Public Works Standards Detail Drawing RD-1240.

**Request H: Abbreviated SROZ Map Verification (SROZ22-0004)**

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

**Abbreviated SROZ Map Verification**

Requirements and Process  
Section 4.139.05

**H1.** Consistent with the requirements of this section, a verification of the SROZ boundary is required as the applicant requests a land use decision. The applicant conducted a detailed site analysis consistent with the requirements of this section, which the City’s Natural Resources Manager reviewed verifying the SROZ boundary.



## Memorandum

**To:** Philip Bradford, Associate Planner, City of Wilsonville  
**From:** Li Alligood, AICP, Senior Planner  
**Copies:** Dan Grimberg, West Hills Land Development; Project files  
**Date:** May 24, 2022  
**Subject:** Otak Responses to Frog Pond Overlook Subdivision (DB22-0002) – Land Use Incompleteness Comments per letter dated April 15, 2022  
**Project No.:** 019917.300

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The purpose of this memorandum is to provide responses to the following plan set redline comments and other item comments as provided per the Application Is Not Complete letter listed above.

### **INCOMPLETENESS COMMENTS:**

1. *Zone change legal description and sketch. See Subsections 4.035 (.04), 4.140 (.07), 4.200, and 4.197 WC.*

**RESPONSE:** The zone change legal description and sketch have been revised and included with Appendix A.

2. *Legible annexation sketch to accompany the legal description. All numbers appear as dots. Include all portions of SW Frog Pond Lane that are not annexed into the City of Wilsonville into Annexation request and revise sketch and legal description accordingly.*

**RESPONSE:** The annexation sketch and legal description have been revised and included with Appendix A.

3. *Insufficient findings to demonstrate compliance with the maximum density target for Sub-district 8 based on the subject site's proportional share of the Sub-district. The maximum density for the site based on the proportion of the Sub-district is 11.02 lots. Additional information is needed to support the 10% increase in density under the SROZ provision in Section 4.127(.06)A.2.*

**RESPONSE:** Findings for exceeding maximum density standards have been updated in Section IV.E (4.127) of the narrative.

4. *Insufficient findings to explain deviation from the Street Demonstration Plan, particularly related to a missing north-south pedestrian connection, compliance with intersection spacing standards based on the proposed circulation and connectivity plan and potential future streets. The applicant shall revise Sheets P8.00 and P9.00 to account for approved subdivisions and the need to extend Sherman Drive within Morgan Farm to SW Frog Pond Lane. See Figure 18 of the Frog Pond West Master Plan and Subsection 4.127 (.10) WC.*

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**RESPONSE:** Findings for deviating from the Street Demonstration Plan have been updated in Section IV.E (4.127) of the narrative.

5. *The Boeckman Creek Trail alignment is also shown on the Street Demonstration Plan. Planning, Engineering and Parks Staff have concerns regarding the location of the trail on Lots 7 and 8 (see Engineering Comment D). Locate the trail behind the lots as envisioned by the Master Plan and demonstrate how the trail will be extended to Frog Pond Vista and through Tax Lot 800 for a continuous alignment.*

**RESPONSE:** The location of the Boeckman Creek Trail has been realigned and placed behind Lots 7-11 and adjacent to Lot 12.

6. *Insufficient information to determine compliance with minimum tree mitigation requirements. The applicant requests a tree credit of 73 trees for preserved trees. Subsection 4.176 (.06) F. allows a landscape tree credit for preserved trees. However, no code language establishes an allowance for tree credits to count as mitigation for tree removal. The typical application for this code is in parking areas where a certain number of trees are required based on the number of parking spaces. If proposals preserve a large tree in these cases, fewer new trees need to be planted. However, if an applicant has a grove of 6 mature trees, and removes 5, the code does not establish the ability to avoid mitigating for the 5 removed trees by applying a tree credit from the one preserved tree. Staff is not aware of any circumstances where preserved tree credits were used as mitigation for tree removal. Please revise findings Section 4.600 to address tree mitigation based on the information above and account for any potential payment into the City Tree Fund.*

**RESPONSE:** The findings for the tree mitigation have been updated in the narrative, and the arborist report has been updated. There are a total of 154 trees on site, 106 trees are proposed for removal, and 48 trees will be planted. The applicant will pay into tree fund for 58 trees.

#### **ADDITIONAL COMMENTS:**

##### **Planning Comments:**

- A. *Street A is a continuation of SW Windflower Street established in Frog Pond Vista, Oaks, and Crossing which utilizes the Chinese Pistache as the street tree species. Please revise the street tree on the east-west portion of Street A to be consistent with the other portions of SW Windflower Street. The north-south portion should utilize a different tree species.*

**RESPONSE:** Street trees have been updated to reflect Chinese Pistache on Windflower Street and Red Oak on the north-south portion.

##### **Parks and Recreation Comments:**

- A. *The location of the bench at the back of the turf area shown on Sheet L2.10 impacts the accessibility of the turf area.*

**RESPONSE:** The bench has been moved to a concrete node overlooking the resource area. The updated location does not preclude access to the turf area.

- B. *Further explore locating the Boeckman Creek Trail alignment along the rear of the existing home consistent with the Master Plan intent (see Engineering Comment D). Parks does not support*

*portions of the trail being located on private lots. Demonstrate how the trail will connect to the southernmost portion of the trail approved in the Frog Pond Vista Subdivision.*

**RESPONSE:** The Boeckman Creek Trail has been realigned to the rear of Lots 7-11.

### **Engineering Comments**

A. *Revise the plans to show how and where Frog Pond Lane will logically terminate and the associated improvements along the frontage of the project. Provide possible further layouts of the north-south connection of SW Sherman Drive as it aligns with the intersection of street A or an alternative layout that will meet intersection spacing requirements.*

**RESPONSE:** The terminus of Frog Pond Lane on the western edge of the subject site has been updated to terminate in an “eyebrow,” allowing for a turn to the south that aligns with a future extension of Painter Drive from the Morgan Farm development. See Sheet P2.00.

B. *Show temporary water line looping along the eastern property line of Lots 1 and 6 to connect the water line between Frog Pond Lane and Street A.*

**RESPONSE:** Sheet P4.00 has been updated to show water line looping between the terminus of Street A at the eastern property boundary, to Frog Pond Lane. A 15 ft. water line easement is proposed to accommodate the water line.

C. *The drainage report must show how drainage from upstream areas will be accommodated through this site. With low infiltration rates, storm water upstream likely flows overland across the project.*

**RESPONSE:** The preliminary drainage report has been updated to demonstrate how drainage from upstream areas will be accommodated.

D. *The regional trail is intended to run along the top of the bank and along the edge of the vegetated corridor not along sidewalks. Relocate the trail to the back of the lots for Lot 7 and Lot 8 and Tract B. Additionally, the regional trail shall be installed across the Frog Pond Lane right-of-way after the terminus of Frog Pond Lane. The Overlook / Terrace plans shall show how this regional trail will extend through this area, while providing driveway access to Tax Lot 601.*

**RESPONSE:** The Boeckman Creek Trail has been realigned to the rear of Lots 7-11.



## Memorandum

**To:** Georgia McAlister, City of Wilsonville  
**From:** Steven McAtee; Gabriel Kruse, PLA  
**Copies:** File; Client  
**Date:** August 17, 2022  
**Subject:** Additional information for DB22-0002 Frog Pond Overlook  
**Project No.:** 20015.000

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This memo provides additional information and clarification of the submitted land use application materials in response to questions from the City. City questions are in *italics*. See also updated Sheets P5.00, L1.00, and L1.10.

1. *What is the total number of trees inventoried on-site and off-site?*

**Response:** 150 on site trees. Four off-site trees

2. *Of the total trees inventoried, how many are proposed for removal? For preservation?*

**Response:** 107 trees to be removed, 43 trees to be protected on site, four to be protected off site.

3. *How many mitigation trees will be planted – as street trees, in Tract A, etc. – on-site?*

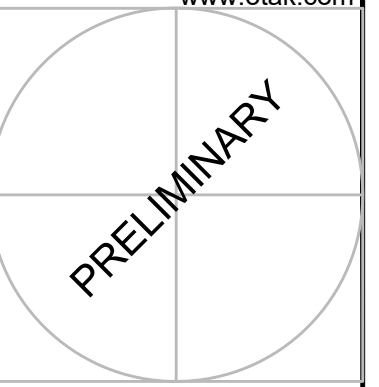
**Response:** 27 street trees and 21 trees in tract A – 48 total

4. *How many trees do you propose paying into the City Tree Fund for as mitigation?*

**Response:** Mitigation for 59 trees will be paid into City Tree Fund. The total mitigation amount to be paid into the City Tree Fund will be \$17,700 using \$300 per tree installed.







**FROG POND OVERLOOK**  
12 DETACHED SINGLE FAMILY LOTS  
CITY OF WILSONVILLE, OREGON

**PRELIMINARY GRADING PLAN**

#	DATE	DESCRIPTION

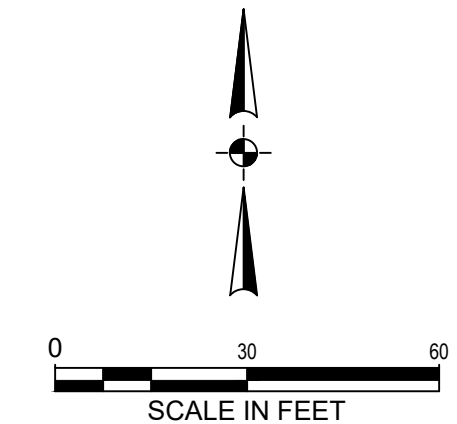
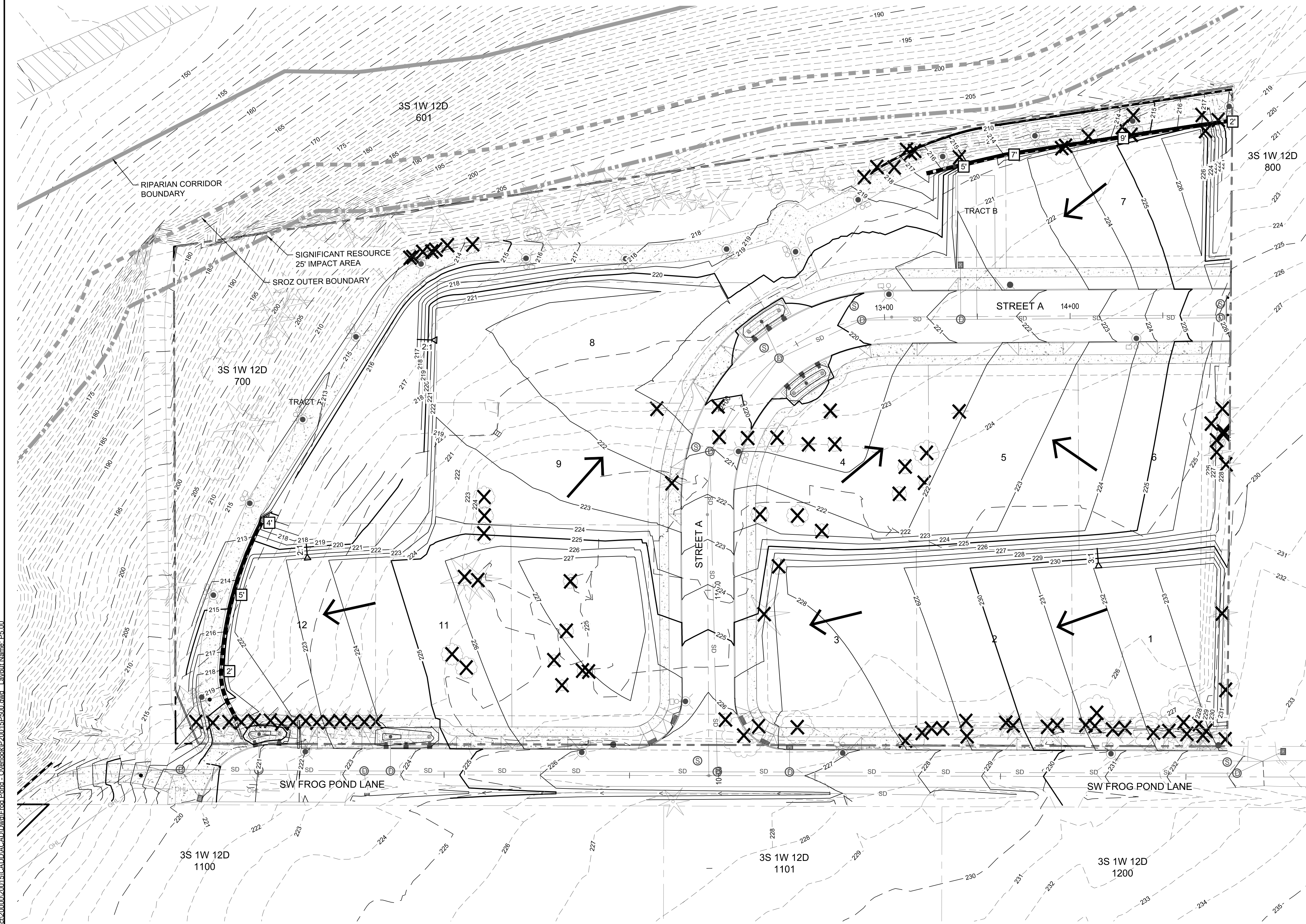
REVISIONS	
NAVD88	DATUM
OTAK CAD	KJB
DRAWN BY	CHECKED BY
LAND USE SUBMITTAL	STATUS
MAY 23, 2022	DATE
20015	PROJECT NUMBER

**P5.00**

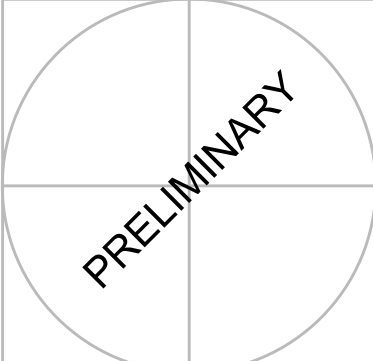
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**LEGEND**

- EXISTING 1' CONTOUR 276
- EXISTING 5' CONTOUR 280
- PROPOSED 1' CONTOUR 276
- PROPOSED 5' CONTOUR 280
- RETAINING WALL
- LOT FLOW ARROW
- EXISTING TREES TO REMAIN
- EXISTING TREES TO BE REMOVED
- APPROXIMATE WALL HEIGHT 6'



Plotted: Aug. 16, 2022, 4:23am, gabriel.knise, L:\Projects\2000\20015\CADD\DWG\Frog Pond - Overview\20015P500.dwg, Layout Name: P5.00



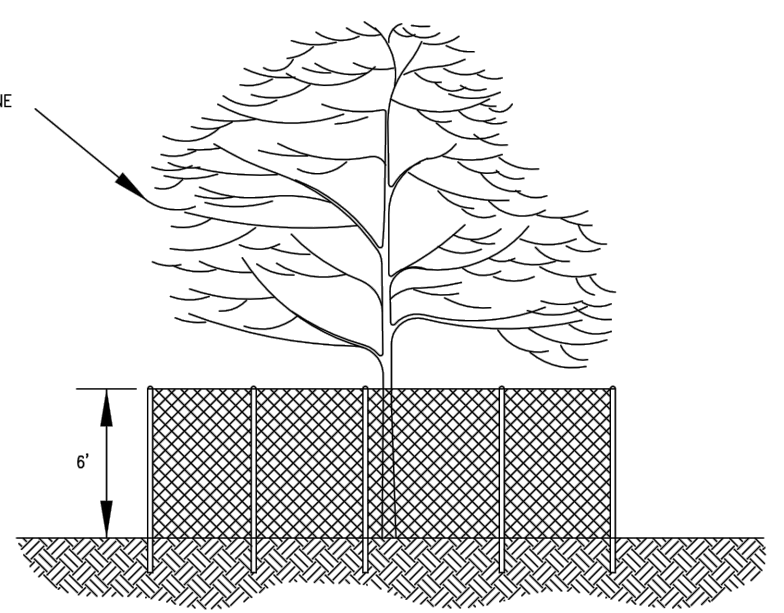
**TREE PLAN LEGEND**

SYMBOL	QTY	DESCRIPTION
	107	EXISTING TREES TO BE REMOVED
	43	EXISTING TREES TO REMAIN
	4	EXISTING OFF-SITE TREES TO BE PROTECTED
	607 LF	TREE PROTECTION FENCING
		TREE PROTECTION FENCING

SEE PLANTING PLAN L2.00 STREET/SITE TREES TO BE PLANTED

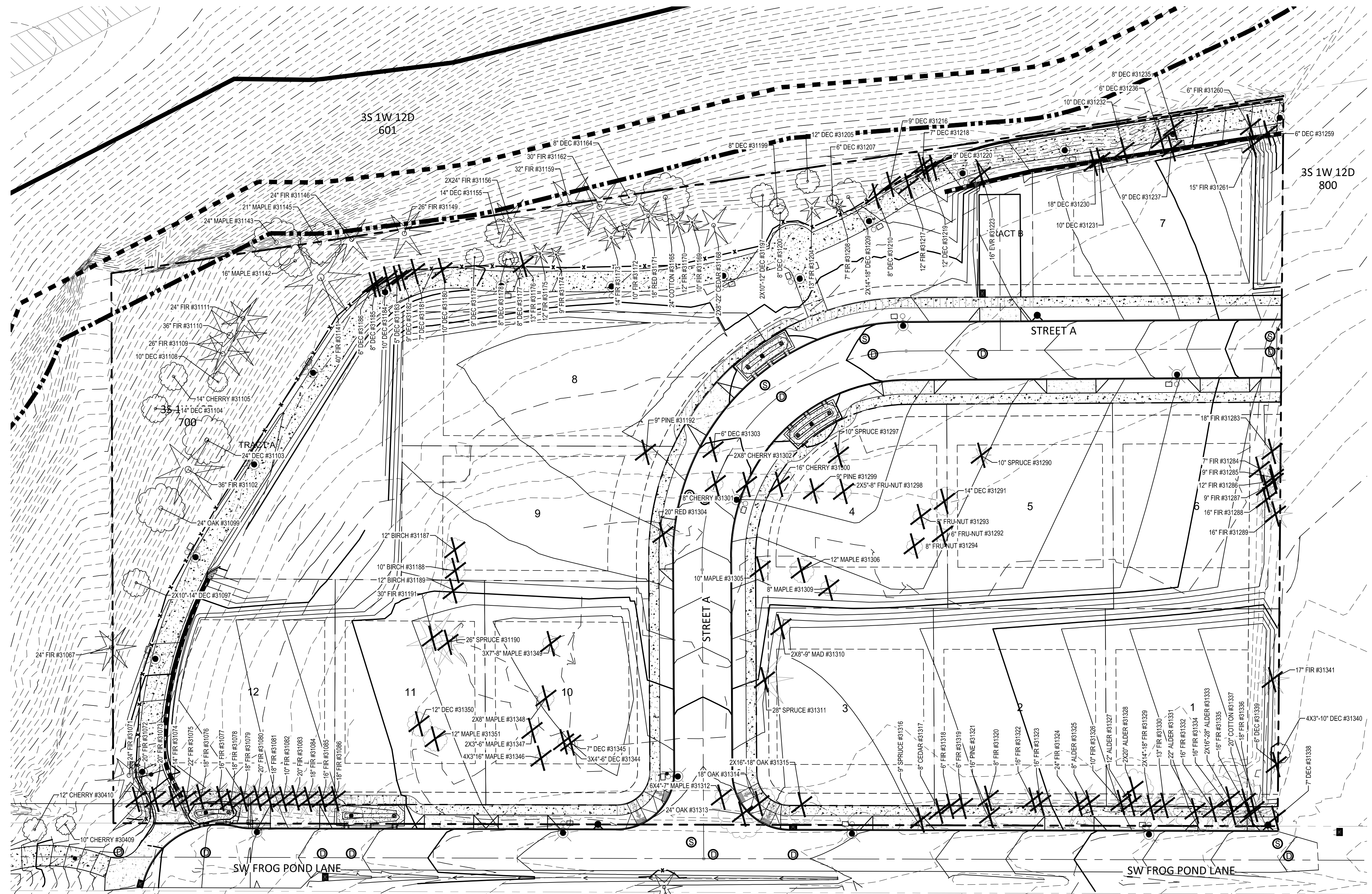
NOTES:  
1. CONTOURS ARE SHOWN FOR ROUGH FINISH GRADE DESIGN ONLY. SEE CIVIL PLANS FOR DETAILED GRADING.  
2. MITIGATION:  
107 TREES REMOVED.  
48 TREES PROPOSED (27 STREET TREES AND 21 TREES IN TRACT A).  
PAY INTO TREE FUND FOR 59 TREES.

*This Detail Drawing may not be altered or changed in any manner except by the City Engineer. It is the responsibility of the user to acquire the most current version.*



NOTES:  
1. FENCE SHALL BE 6" IN HEIGHT AND SET AT TREE DRIP LINE.  
2. FENCE MATERIALS SHALL CONSIST OF 2" MESH CHAIN LINKS SECURED TO A MINIMUM 1 1/2" DIA. STEEL OR ALUMINUM LINE POSTS.  
3. POSTS SHALL BE SET TO A DEPTH OF NO LESS THAN 2 FEET IN NATIVE SOIL.  
4. FENCE SHALL REMAIN IN PLACE UNTIL THE COMPLETION OF CONSTRUCTION ACTIVITIES. MOVEMENT OR REMOVAL OF FENCE REQUIRES APPROVAL BY CITY'S AUTHORIZED REPRESENTATIVE.

Tree Protection Fencing		CITY OF WILSONVILLE
DRAWING NUMBER: R-1155	DRAWN BY: GCF	SCALE: N.T.S.
FILE NAME: R-1155.dwg	APPROVED BY: MAS	DATE: 11/01/03
		PUBLIC WORKS STANDARDS



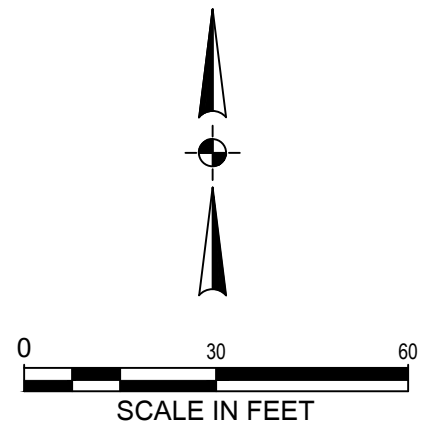
**FROG POND OVERLOOK**  
12 DETACHED SINGLE FAMILY LOTS  
CITY OF WILSONVILLE, OREGON

**TREE PROTECTION PLAN**

TITLE	#	DATE	DESCRIPTION

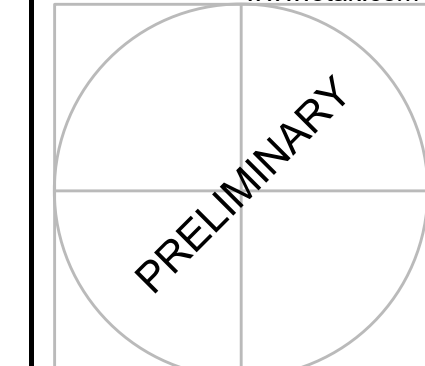
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OTAK CAD	KJB
DRAWN BY	CHECKED BY
LAND USE SUBMITTAL	STATUS
MAY 23, 2022	DATE
20015	PROJECT NUMBER

**L1.00**  
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808 SW Third Avenue, Ste. 800  
Portland, OR 97204  
503.287.6825  
www.otak.com



TITLE  
# DATE DESCRIPTION

FROG POND OVERLOOK  
12 DETACHED SINGLE FAMILY LOTS  
CITY OF WILSONVILLE, OREGON

TREE INVENTORY

TITLE  
# DATE DESCRIPTION

REVISIONS

NAVD88	DATUM
OTAK CAD	KJB
DRAWN BY	CHECKED BY
LAND USE SUBMITTAL	STATUS
MAY 23, 2022	DATE
20015	PROJECT NUMBER

**L1.10**

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Tag	Species	DBH	Dripline	Rating	Health & Structure	RPZ	Action
30409	Sato Cherry	10"	18	2	assymetric crown - Offsite	10 ft.	Protect
30410	Sato Cherry	12"	18	2	assymetric crown - Offsite		Protect
31067	Douglas-fir	24"	18	2	on a berm, part of windrow; through 31102 crowded trees		Protect
31071	Douglas-fir	24"	12	2	2 stems at 20 ft. Many of these were topped at 30 ft.		Protect
31072	Douglas-fir	20"	12	2	Topped or broken in past; part of windrow		Remove
31073	Douglas-fir	20"	12	2	Topped or broken in past; part of windrow		Remove
31074	Douglas-fir	14"	12	2	Topped or broken in past; part of windrow		Remove
31075	Douglas-fir	22"	12	2	Topped or broken in past; part of windrow		Remove
31076	Douglas-fir	18"	12	2	Topped or broken in past; part of windrow		Remove
31077	Douglas-fir	16"	12	2	Topped or broken in past; part of windrow		Remove
31078	Douglas-fir	18"	12	2	Topped or broken in past; part of windrow		Remove
31079	Douglas-fir	18"	12	2	Topped or broken in past; part of windrow		Remove
31080	Douglas-fir	20"	12	2	Topped or broken in past; part of windrow		Remove
31081	Douglas-fir	18"	12	2	Topped or broken in past; part of windrow		Remove
31082	Douglas-fir	10"	12	2	Topped or broken in past; part of windrow		Remove
31083	Douglas-fir	20"	12	2	Topped or broken in past; part of windrow		Remove
31084	Douglas-fir	18"	12	2	Topped or broken in past; part of windrow		Remove
31085	Douglas-fir	16"	12	2	Topped or broken in past; part of windrow		Remove
31086	Douglas-fir	18"	12	2	Topped or broken in past; part of windrow		Remove
31097	Gary oak	2X10"-14"	18	2	2 trunks from ground		Protect
31099	Gary oak	24"	20	2	2 trunks from ground		Protect
31102	Douglas-fir	36"	20	2	2 trunks from ground		Protect
31103	Gary oak	24"	12	2	assymetric crown		Protect
31104	Gary oak	14"	8	2	leans and assymetric crown		Protect

Tag	Species	DBH	Dripline	Rating	Health & Structure	RPZ	Action
31208	Douglas-fir	7"	6	2	assymetric crown		Protect
31209	Scouler willow	2X14"-18"	16	2	the 14" stem is a cottonwood, the 14" stem is Scouler willow		Protect
31210	red alder	8"	12	2	assymetric crown		Remove
31216	red alder	9"	8	2	assymetric crown		Remove
31217	Douglas-fir	12"	10	2	assymetric crown		Remove
31218	red alder	7"	6	2	assymetric crown		Remove
31219	red alder	12"	8	2	assymetric crown		Remove
31220	red alder	9"	6	2	assymetric crown		Remove
31223	Douglas-fir	16"	12	2	assymetric crown		Remove
31230	red alder	18"	12	2	assymetric crown		Remove
31231	red alder	10"	8	2	assymetric crown		Remove
31232	red alder	10"	8	2	assymetric crown		Remove
31235	red alder	8"	8	2	assymetric crown		Remove
31236	red alder	6"	6	2	assymetric crown		Remove
31237	red alder	9"	8	2	assymetric crown		Remove
31259	red alder	6"	6	2	assymetric crown		Remove
31260	Douglas-fir	6"	6	2	assymetric crown		Remove
31261	Douglas-fir	15"	12	2	assymetric crown		Remove
31283	Douglas-fir	18"	12	2	on a berm with shallow roots; assymetric crown		Remove
31284	Douglas-fir	7"	10	2	on a berm with shallow roots; assymetric crown		Remove
31285	Douglas-fir	9"	10	2	on a berm with shallow roots; assymetric crown		Remove
31286	Douglas-fir	12"	12	2	on a berm with shallow roots; assymetric crown		Remove
31287	Douglas-fir	9"	10	2	on a berm with shallow roots; assymetric crown		Remove
31288	Douglas-fir	16"	16	2	on a berm with shallow roots; assymetric crown		Remove

Tag	Species	DBH	Dripline	Rating	Health & Structure	RPZ	Action
31105	sweet cherry	14"	8	2	assymetric crown		Protect
31108	Gary oak	10"	12	2	assymetric crown		Protect
31109	Douglas-fir	26"	16	2	viable		Protect
31110	Douglas-fir	36"	16	2	viable		Protect
31111	Douglas-fir	24"	14	2	forks at 50 ft.		Protect
31141	Douglas-fir	40"	24	2	viable		Protect
31142	bigleaf maple	16"	12	1	ivy-infested		Protect
31143	bigleaf maple	24"	12	1	ivy-infested		Protect
31145	bigleaf maple	21"	12	1	ivy-infested		Protect
31146	Douglas-fir	24"	12	1	ivy-infested		Protect
31149	Douglas-fir	26"	16	2	ivy-infested		Protect
31155	red alder	14"	8	1	broken		Protect
31156	Douglas-fir	2X24"	16	2	ivy-infested		Protect
31159	Douglas-fir	32"	16	2	ivy-infested		Protect
31162	Douglas-fir	30"	16	2	ivy-infested		Protect
31164	red alder	8"	8	2	ivy-infested		Protect
31165	Cottonwood	24"	12	2	ivy-infested		Protect
31168	western redcedar	2X8"-22"	18	2	assymetric crown		Protect
31169	Douglas-fir	10"	6	2	assymetric crown		Protect
31170	Douglas-fir	12"	8	2	assymetric crown		Protect
31171	giant sequoia	18"	10	2	assymetric crown		Protect
31172	Douglas-fir	10"	10	2	assymetric crown		Protect
31173	Douglas-fir	14"	10	2	assymetric crown		Protect
31174	Douglas-fir	9"	8	2	assymetric crown		Protect

Tag	Species	DBH	Dripline	Rating	Health & Structure	RPZ	Action
31289	Douglas-fir	16"	12	2	on a berm with shallow roots; assymetric crown		Remove
31290	blue spruce	10"	6	2	viable		Remove
31291	apple	14"	8	2	viable		Remove
31292	apple	6"	8	2	viable		Remove
31293	apple	8"	8	2	viable		Remove
31294	apple	8"	8	2	viable		Remove
31297	blue spruce	10"	8	2	viable		Remove
31298	apple	2X5"-8"	8	2	viable		Remove
31299	limber pine	9"	10	2	viable		Remove
31300	Sato Cherry	16"	12	2	viable		Remove
31301	Sato Cherry	8"	8	2	viable		Remove
31302	Sato Cherry	2X8"	10	2	viable		Remove
31303	ginkgo	6"	8	2	viable		Remove
31304	incense-cedar	20"	12	2	viable		Remove
31305	Norway maple	10"	8	2	ornamental variety		Remove
31306	Norway maple	12"	8	2	ornamental variety		Remove
31309	Norway maple	8"	8	2	ornamental variety		Remove
31310	paperbark maple	2X8"-9"	10	2	viable		Remove
31311	Deodar cedar	28"	16	2	viable		Remove
31312	Japanese maple	6X4"-7"	12	2	viable		Remove
31313	black oak	24"	24	2	viable		Remove
31314	black oak	18"	24	2	viable		Remove
31315	black oak	2X16"-18"	24	2	structural defect at grade		Remove
31316	red spruce	9"	8	2	on berm at SW Frog Pond Lane; shallow roots, assymetric crown		Remove

Tag	Species	DBH	Dripline	Rating	Health & Structure	RPZ	Action
31341	Douglas-fir	17"	14	2	on a berm with shallow roots		Remove
31344	Portuguese laurel	3X4"-6"	6	2	invasive species		Remove
31345	Portuguese laurel	7"	6	2	invasive species		Remove
31346	Japanese maple	4X3"16"	8	2	within 10 ft. of building		Remove
31347	Japanese maple	2X3"-6"	8	2	within 10 ft. of building		Remove
31348	Japanese maple	2X8"	8	2	within 10 ft. of building		Remove
31349	Japanese maple	3X7"-8"	8	2	within 10 ft. of building		Remove
31350	Portuguese laurel	12"	8	2	within 10 ft. of building		Remove
31351	Japanese maple	12"	10	1	terminal decline		Remove
31676	ponderosa pine	18"	8	1	topped at 20 ft. for high-voltage lines - Offsite		Protect

Rating: 0/dead or hazardous, 1/decline, 2/average, 3/excellent health and structure

**Species**

- apple- *Maus sylvestris*
- bigleaf maple- *Acer macrophyllum*
- black oak- *Quercus velutina*
- Norway maple- *Acer platanoides*
- blue spruce- *Picea pungens*
- Cottonwood- *Populus tricharpa*
- Deodar cedar- *Cedrus deodara*
- Douglas fir- *Pseudotsuga menziesii*
- European birch- *Betula pendula*
- Gary oak- *Quercus garryana*
- giant sequoia- *Sequoia giganteum*
- ginkgo- *Ginkgo biloba*
- grand fir- *Abies grandis*
- incense-cedar- *Calocedrus decurrens*
- Japanese maple- *Acer japonica*
- limber pine- *Pinus flexilis*
- Lombardy poplar- *Populus nigra*
- Norway maple- *Acer platanoides*
- paperbark maple- *Acer griseum*
- Ponderosa pine- *Pinus ponderosa* var. *scopulorum*
- Portuguese laurel- *Prunus lusitanica*
- red alder- *Alnus rubra*
- red spruce- *Picea rubens*
- Sato Cherry- *Prunus* sp.
- Scouler willow- *Salix scouleriana*
- Sitka spruce- *Picea sitchensis*
- sweet cherry- *Prunus avium*
- western redcedar- *Thuja plicata*

Plotted: Aug. 16, 2022, 4:24pm. cabbriel.kense. L:\Projects\20000\20015\CADD\CAD\Drawings\Frog Pond - Overview\20015\_L1.10.dwg. Layout Name: L1.10

Exhibit C1  
Public Works Plan Submittal Requirements  
and Other Engineering Requirements

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1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards - 2017.
2. Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:

<b>Coverage</b> ( <i>Aggregate, accept where noted</i> )	<b>Limit</b>
<b><u>Commercial General Liability:</u></b>	
▪ General Aggregate (per project)	\$3,000,000
▪ General Aggregate (per occurrence)	\$2,000,000
▪ Fire Damage (any one fire)	\$50,000
▪ Medical Expense (any one person)	\$10,000
<b><u>Business Automobile Liability Insurance:</u></b>	
▪ Each Occurrence	\$2,000,000
<b><u>Workers Compensation Insurance:</u></b>	\$500,000

3. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance. All permits from other Agencies shall be submitted to the City prior to the start of Construction.
4. All public utility/improvement plans submitted for review shall be based upon a 22" x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.
5. Plans submitted for review shall meet the following general criteria:
  - a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms.
  - b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to review and approval by the City Building Department.
  - c. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print.



- d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
  - e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.
  - f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
  - g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible.
  - h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.
  - i. Erosion Control Plan that conforms to City of Wilsonville City Code Section 8.317.
  - j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
  - k. All engineering plans shall be printed to PDF, combined to a single file, stamped and digitally signed by a Professional Engineer registered in the State of Oregon.
  - l. All plans submitted for review shall be in sets of a digitally signed PDF and three printed sets.
6. Submit plans in the following general format and order for all public works construction to be maintained by the City:
- a. Cover sheet
  - b. City of Wilsonville construction note sheet
  - c. Land Use Conditions of Approval sheet
  - d. General construction note sheet
  - e. Existing conditions plan.
  - f. Erosion control and tree protection plan.
  - g. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
  - h. Grading plan, with 1-foot contours.
  - i. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
  - j. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
  - k. Street plans.
  - l. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference.
  - m. Stormwater LID facilities (Low Impact Development): provide plan and profile views of all LID facilities.
  - n. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.

- o. Where depth of water mains are designed deeper than the 3-foot minimum (to clear other pipe lines or obstructions), the design engineer shall add the required depth information to the plan sheets.
  - p. Detailed plan for water quality facility (both plan and profile views), including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.
  - q. Composite franchise utility plan.
  - r. City of Wilsonville detail drawings.
  - s. Illumination plan.
  - t. Striping and signage plan.
  - u. Landscape plan.
7. Design engineer shall coordinate with the City in numbering the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to City's numbering system.
  8. The applicant shall install, operate and maintain adequate erosion control measures in conformance with City Code Section 8.317 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.
  9. Applicant shall work with City Engineering before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.
  10. The applicant shall be in conformance with all stormwater and flow control requirements for the proposed development per the Public Works Standards.
  11. The applicant shall be in conformance with all source control requirements for the proposed development per the Public Works Standards and Wilsonville City Code.
  12. A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City.
  13. The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as designed.

14. Storm water quality facilities shall have approved landscape planted and approved by the City of Wilsonville prior to paving.
15. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
16. All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
17. Streetlights shall be in compliance with City dark sky, LED, and PGE Option B requirements.
18. Sidewalks, ramps, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.
19. No surcharging of sanitary or storm water manholes is allowed.
20. The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
21. A City approved energy dissipation device shall be installed at all proposed storm system outfalls. Storm outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
22. The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.
23. All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
24. Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.

25. The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
26. The applicant shall provide adequate sight distance at all project street intersections, alley intersections and commercial driveways by properly designing intersection alignments, establishing set-backs, driveway placement and/or vegetation control. Coordinate and align proposed streets, alleys and commercial driveways with existing streets, alleys and commercial driveways located on the opposite side of the proposed project site existing roadways. Specific designs shall be approved by a Professional Engineer registered in the State of Oregon. As part of project acceptance by the City the Applicant shall have the sight distance at all project intersections, alley intersections and commercial driveways verified and approved by a Professional Engineer registered in the State of Oregon, with the approval(s) submitted to the City (on City approved forms).
27. Access requirements, including sight distance, shall conform to the City's Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
28. Applicant shall design interior streets and alleys to meet specifications of Tualatin Valley Fire & Rescue and Republic Services for access and use of their vehicles.
29. The applicant shall provide the City with a Stormwater Maintenance and Access Easement Agreement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Applicant shall provide City with a map exhibit showing the location of all stormwater facilities which will be maintained by the Applicant or designee. Stormwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.
30. The applicant shall "loop" proposed waterlines by connecting to the existing City waterlines where applicable.
31. Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
32. For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).



### 33. Record Drawings:

At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings of: an electronic copy in AutoCAD, (current version) and a digitally signed PDF.

Exhibit C2  
Natural Resources Requirements

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**Significant Resource Overlay Zone**

1. The applicant shall submit the SROZ mapping as ARCGIS shape files or a compatible format.
2. All landscaping, including herbicides used to eradicate invasive plant species and existing vegetation, in the SROZ shall be reviewed and approved by the Natural Resources Manager. Native plants are required for landscaping or site restoration in the SROZ.
3. Prior to any site grading or ground disturbance, the applicant is required to delineate the boundary of the SROZ. Six-foot (6') tall cyclone fences with metal posts pounded into the ground at 6'-8' centers shall be used to protect the significant natural resource area where development encroaches into the 25-foot Impact Area.

