Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, OR 97301-2540
(503) 373-0050
Fax (503) 378-5518
www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

11/01/2011

TO: Subscribers to Notice of Adopted Plan or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Washington County Plan Amendment
DLCD File Number 002-11

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, November 17, 2011

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Suzanne Savin, Washington County
Jon Jinings, DLCD Community Services Specialist
Anne Debbaut, DLCD Regional Representative

<paa> Y

FORM 2 DLCD Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

☐ In person ☐ electronic ☐ mailed

DATE STAMP

DEPT OF

OCT 28 2011

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **Washington County**

Local file number: **Ordinance 739-A**

Date of Adoption: **October 25, 2011**

Date Mailed: **October 27, 2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: July 7, 2011

☒ Comprehensive Plan Text Amendment

☒ Comprehensive Plan Map Amendment

☒ Land Use Regulation Amendment

☐ Zoning Map Amendment

☐ New Land Use Regulation

☒ Other: **Trans. System Plan Amendment**

Amends the North Bethany Subarea Plan, including: removal of the FD-20 designation & application of urban land use designations; creation of a map identifying North Bethany urban/rural edge buffer elements; amendments to existing plan text, maps, & development standards to address issues such as provision of community service uses, urban/rural compatibility, & public facility and service requirements. Amends Urban Plan policies and Transportation Plan maps consistent with the Subarea Plan amendments.

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Does the Adoption differ from proposal? Yes, Please explain below:

Additional amendments were made to the Subarea Plan text and maps, the Urban Plan policies, and the development standards to refine various elements of the Subarea Plan, including: urban/rural buffers, community service uses, interim pedestrian & bicycle facilities, public facility standards, and trail connections within the Portland Community College campus.

Plan Map Changed from: **FD-20** to: **Various designations**

Zone Map Changed from: **N/A** to: **N/A**

Location: **North Bethany Subarea** Acres Involved: **691**

Specify Density: Previous: **1 unit / 20 acres** New: **Various**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☒	☐	☐	☐	☐	☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?	☐ **Yes**	☒ **No**
If no, do the statewide planning goals apply?	☒ **Yes**	☐ **No**
If no, did Emergency Circumstances require immediate adoption?	☒ **Yes**	☐ **No**

DLCD file No. 002-11 (18891) [16816]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Trimet, Multnomah County, Oregon Division of State Lands, Portland Community College, Beaverton School District, Oregon Department of Transportation, Metro, Tualatin Valley Fire & Rescue, Tualatin Valley Water District, Tualatin Hills Park & Recreation District, Clean Water Services

Local Contact: **Suzanne Savin** Phone: **(503) 846-3963** Extension:

Address: **155 N. First Avenue, Suite 350-14** Fax Number: **503-846-4412**

City: **Hillsboro** Zip: **97124-3072** E-mail Address: **suzanne_savin@co.washington.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and **one complete paper copy** (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail **plan.amendments@state.or.us**.

IN THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

In the Matter of Adopting Legislative Findings in Support of A-Engrossed Ordinance No. 739	)))	RESOLUTION AND ORDER No. 11-69

This matter having come before the Washington County Board of Commissioners at its meeting of October 25, 2011; and

It appearing to the Board that the findings contained in Exhibit "A" summarize relevant facts and rationales with regard to compliance with the Statewide Planning Goals, Oregon Revised Statutes and Administrative Rules, Washington County's Comprehensive Plan, and titles of Metro's Urban Growth Management Functional Plan relating to A-Engrossed Ordinance No. 739; and

It appearing to the Board that the findings attached as Exhibit "A" constitute appropriate legislative findings with respect to the adopted ordinance; and

It appearing to the Board that the Planning Commission, at the conclusion of its public hearing on September 7, 2011, made a recommendation to the Board, which is in the record and has been reviewed by the Board; and

It appearing to the Board that, in the course of its deliberations, the Board has considered the record which consists of all notices, testimony, staff reports, and correspondence from interested parties, together with a record of the Planning Commission's proceedings, and other items submitted to the Planning Commission and Board regarding this ordinance; it is therefore,

RESOLVED AND ORDERED that the attached findings in Exhibit "A" in support of A-Engrossed Ordinance No. 739 are hereby adopted.

DATED this 25th day of October, 2011.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

	AYE	NAY	ABSENT
DUYCK	✓		
SCHOUTEN	✓		
WALINOWSKI	✓		
ROGERS	✓		
TERRY			✓

Chairman

APPROVED AS TO FORM:

Senior Assistant County Counsel
For Washington County, Oregon

Recording Secretary

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Land Use & Transportation (CPO 7)

Agenda Title: **ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 739**

Presented by: Andrew Singelakis, Director of Land Use & Transportation

SUMMARY:

A-Engrossed Ordinance No. 739 proposes to amend elements of the county's Comprehensive Plan to address implementation of the North Bethany Subarea Plan (Chapter 2 of the Bethany Community Plan) and placeholder issues identified by the Board in 2010. A-Engrossed Ordinance No. 739 is posted on the county's land use ordinance web page at the following link:

http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2011-land-use-ordinances.cfm

As required by ORS 197.615, post acknowledgment comprehensive plan amendments (e.g., amendments made to the County's Comprehensive Plan after it was acknowledged by the State Department of Land Conservation and Development as complying with the Statewide Planning Goals) must be accompanied by findings setting forth the facts and analysis showing that the amendments are consistent with the applicable Statewide Planning Goals, Oregon Revised Statutes, State Administrative Rules and the applicable provisions of Washington County's Comprehensive Plan. Additionally, as required by Title 8 of Metro's Urban Growth Management Functional Plan, any amendment to a comprehensive plan or implementing ordinance shall be consistent with the requirements of the Functional Plan.

Attached is the Resolution and Order to adopt the findings for A-Engrossed Ordinance No. 739. The proposed findings will be provided to the Board prior to the hearing and will also be available at the Clerk's desk.

Attachment: Resolution and Order

DEPARTMENT'S REQUESTED ACTION:

Adopt the proposed findings for A-Engrossed Ordinance No. 739 and authorize the Chair to sign the Resolution and Order memorializing the action.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

100-601000 RO 11-69

Agenda Item No. **4.a.**
Date: 10/25/11

EXHIBIT A

FINDINGS FOR A-ENGROSSED ORDINANCE No. 739
AN ORDINANCE RELATING TO IMPLEMENTATION OF THE NORTH BETHANY SUBAREA PLAN OF THE BETHANY COMMUNITY PLAN
October 25, 2011

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BACKGROUND

A-Engrossed Ordinance No. 739 builds upon the work of A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730. A-Engrossed Ordinance No. 712 created the North Bethany Subarea, a new subarea in the Bethany Community Plan, on October 27, 2009. A-Engrossed Ordinance No. 730 established the primary elements of the North Bethany Subarea Plan on October 26, 2010. A-Engrossed Ordinance No. 739 builds upon the work of these prior ordinances by addressing issues that must be finalized before the Future Development 20 Acre District (FD-20) can be lifted from the subarea, including how to limit conflicts at the urban/rural edges of the subarea. While many of the following findings were made as part of A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730, they are repeated to demonstrate full compliance with state and regional planning requirements for new urban areas.

All three ordinances address properties in the North Bethany Subarea, with A-Engrossed Ordinance Nos. 730 and 739 affecting only properties within the North Bethany Subarea. This UGB expansion area was brought inside the UGB in December 2002 by Metro Ordinance No. 02-987A. A portion of the expansion area, known as the Arbor Oaks Subarea (formerly known as Arbor Lakes, Gossamer Hills and Urban Reserve Area 65), is not included as part of A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 or A-Engrossed Ordinance No. 739, since it was previously addressed via Ordinance No. 546 (1999). The remainder of the expansion area (not including the Arbor Oaks Subarea) has come to be known as North Bethany.

A-Engrossed Ordinance No. 712 amended the Comprehensive Framework Plan for the Urban Area (CFP), the Bethany Community Plan, the 2020 Transportation Plan (TSP) and the Community Development Code (CDC) by adopting the North Bethany Concept Plan through the creation of a new Subarea for North Bethany in the Bethany Community Plan. The North Bethany Subarea was addressed as a new chapter in the Bethany Community Plan, which included a newly adopted North Bethany Concept Plan. A-Engrossed Ordinance No. 712 also amended the TSP to include a Goal exception for proposed Road A. In addition, A-Engrossed Ordinance No. 712 adopted supporting CFP and TSP policies and provisions that provide a basis for the future application of specific urban land use designations and implementing regulations in the North Bethany Subarea, which were addressed in A-Engrossed Ordinance No. 730.

While A-Engrossed Ordinance No. 712 adopted the concept plan for the North Bethany Subarea, A-Engrossed Ordinance No. 730 established the urban land use designations (or districts) and land use regulations that implement the concept plan. In addition, A-Engrossed Ordinance No. 730 established the other implementation provisions within the Community Plan and the Comprehensive Framework Plan for the Urban Area (CFP) plan policies. Whenever feasible, A-Engrossed Ordinance No. 730 applied existing CDC standards to North Bethany, but certain exceptions were made in order to comply with concept planning requirements. A-Engrossed Ordinance No. 730 amended the supporting CFP policies and provisions that specified the future application of specific urban land use designations and implementing regulations in the North Bethany Subarea.

A-Engrossed Ordinance No. 730 retained the existing Future Development 20 Acre District (FD-20) designation for lands in North Bethany until mechanisms for the funding and provision of public facilities and services could be secured and other regulatory requirements were addressed.

A-Engrossed Ordinance No. 739 amends the North Bethany Subarea Plan text and maps, including the addition of new maps for buffer treatments at the urban/rural edge. The ordinance amends the CDC, including the addition of new standards for urban/rural compatibility, road landscape maintenance of arterials and collectors, assurance options for conveyance of park land and stormwater facilities and incentives for providing community service uses. The ordinance also amends CFP text and maps and amends a map in Policy 10 of the 2020 Transportation Plan.

A-Engrossed Ordinance No. 730 included the requirement for an adequate level of transportation funding to be assured prior to urban development of the subarea. The North Bethany Interim Transportation Funding Strategy, which was adopted concurrently with A-Engrossed Ordinance No. 730 on October 26, 2010, provides a road map for the assurance of adequate transportation funding, and specifies a mixture of existing and new revenue tools. The two new revenue tools are 1) a North Bethany System Development Charge (SDC), which was also adopted on October 26, 2010; and 2) a County Service District (CSD). The CSD was approved by voters on May 17, 2011; the Board of County Commissioners (Board) established and formed the North Bethany County Service District for Roads on June 7, 2011; and the Board adopted the 2011 – 2012 fiscal year budget for the CSD on June 28, 2011.

A North Bethany Final Transportation Funding Strategy will be adopted by Resolution and Order on October 25, 2011, concurrent with the adoption of A-Engrossed Ordinance No. 739. The adoption of both the North Bethany Final Transportation Funding Strategy and A-Engrossed Ordinance No. 739 will allow removal of the FD-20 designation from North Bethany, and application of urban residential, commercial and institutional land use designations to the subarea.

Part 1:
GENERAL FINDINGS

The Board finds that Statewide Planning Goals 15 (Willamette River Greenway), 16 (Estuarine Resources), 17 (Coastal Wetlands), 18 (Beaches and Dunes) and 19 (Ocean Resources) and related Oregon Administrative Rules (OARs) are not applicable because these resources are not located within Washington County. The Board also finds that applicable requirements under the Transportation Planning Rule (OAR 660-012) be addressed directly due to the subject matter of the ordinance. These findings are included in this document.

The county is also required to make findings that the amendments are consistent with the requirements of Metro's Regional Transportation Plan (RTP) and Metro's Urban Growth Management Functional Plan (UGMFP). Among others, Title 11 (Planning for New Areas) of the UGMFP is specifically relevant for the planning of UGB expansion areas. These findings are also addressed in this document.

Finally, this document responds to specific conditions included with Metro Ordinance No. 02-987A, and related Resolution No. 03-3369A.

Part 2:
STATEWIDE PLANNING GOAL FINDINGS

The purpose of the findings in this document is to demonstrate that A-Engrossed Ordinance No. 739 is consistent with Statewide Planning Goals (Goals), Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR) requirements, Metro's UGMFP and the Washington County Comprehensive Plan. The Washington County Comprehensive Plan was adopted to implement the aforementioned planning documents and was acknowledged by the State of Oregon. The county follows the post-acknowledgement plan amendment (PAPA) process to update the Comprehensive Plan with new state and regional regulations as necessary and relies in part upon these prior state review processes to demonstrate compliance with all necessary requirements. No Goal compliance issues were raised in the hearing proceedings described below. In addition, none of the proposed changes to the maps and text of the Comprehensive Plan implicate a Goal compliance issue. The following precautionary findings are provided to demonstrate ongoing compliance.

Goal 1 - Citizen Involvement

Goal 1 addresses Citizen Involvement by requiring the implementation of a comprehensive program for citizen participation in the planning process. Washington County has an acknowledged citizen involvement program that provides a range of opportunities for citizens and other interested parties to participate in all phases of the planning process. In addition, Chapter X of the County Charter sets forth specific requirements for citizen involvement during review and adoption of land use ordinances. Washington County has followed these requirements for the adoption of A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 and A-Engrossed Ordinance No. 739.

At the adoption of A-Engrossed Ordinance No.730, the Board directed staff to work with stakeholders to resolve a number of placeholder issues, and to address these issues through a subsequent land use ordinance, namely A-Engrossed Ordinance No.739. During 2011, a facilitator/mediator worked with staff, developers, citizens and North Bethany property owners to work through the placeholder issues list. The stakeholders and staff worked to maximize agreement and resolve placeholder issues for the purposes of developing exhibits for Ordinance No. 739.

It should be noted here that pursuant to ORS.197.610(2), Ordinance No. 739 was submitted to the Department of Land Conservation and Development (DLCD) less than 45 days before the initial public hearing, to expedite its review. (The initial public hearing before the Planning Commission was August 3, 20111, and the initial public hearing before the Board was August 23, 2011. The ordinance was submitted to DLCD on July 8, 2011, which was less than 45 days prior to the Planning Commission's initial public hearing, and 47 days prior to the Board's initial public hearing.) The need for the expedited review was due to the emergency circumstances caused by the current extraordinary economic conditions, including the collapse of the housing market and the mortgage industry, and the need to provide opportunities for economic development in

Washington County in a timely fashion. The current economic conditions are emergency circumstances that required submittal of Ordinance No. 739 to DLCD in less than 45 days, to allow the county to adopt the ordinance before the end of the county's 2011 land use ordinance season in October 2011.

Goal 2 - Land Use Planning

Goal 2 addresses Land Use Planning by requiring an adequate factual base to support a decision as well as coordination with affected governmental entities. Washington County has an acknowledged land use planning process that provides for the review and update of the various elements of the Plan, which includes documents such as the Rural/Natural Resource Plan, Urban Planning Area Agreements and the CDC. Washington County utilized this process to adopt A-Engrossed Ordinances No. 712, No. 730, and No. 739. Notice was coordinated with all affected governmental entities and comments received from these entities were addressed either as part of the proceedings or with subsequent staff coordination.

Portland Community College (PCC) and Tualatin Hills Park & Recreation District (THPRD) submitted comments about proposed trail locations and connections depicted in Ordinance No. 739. In response, staff met with PCC and THPRD representatives. Agreement was formed and amendments to the trails maps and associated Comprehensive Plan language were included as part of A-Engrossed Ordinance No. 739.

Goal 3 – Agricultural Land

Goal 3 addresses the preservation and maintenance of agricultural land for existing and future needs for agricultural products, forest and open space. Policy 15, Implementing Strategies (a) and (f), of the Rural/Natural Resource Plan include provisions for the preservation of agricultural lands.

A-Engrossed Ordinance Nos. 712 and 730 established separation between urban development within the North Bethany Subarea and agricultural uses on adjacent rural land by limiting development within existing natural features such as floodplains, wetlands and wooded steep slopes along the western and northern edges of the subarea. However, during the proceedings for Ordinance No. 730, testimony was received about the need for adequate buffers, particularly in the northeast corner and along the eastern edge of the subarea. Because there was insufficient time to meet with all affected parties and stakeholders to adequately examine the buffer issue during the timeline for A-Engrossed Ordinance No. 730, a placeholder was added to the Comprehensive Plan text, requiring the buffer issue to be examined in 2011.

A-Engrossed Ordinance No. 739 has addressed this urban/rural buffer placeholder issue by the adoption of Community Plan and CDC standards to promote compatibility between urban uses within the subarea and farm uses on adjacent rural lands. The urban/rural edge standards are tailored to the adjacent agricultural uses and conditions along North Bethany's western, northern and eastern edges. The standards require the provision of trespass-discouraging fencing along the western and northwestern portions of the North Bethany boundary. Along a majority of the northern boundary, the

standards require existing density restricted lands (e.g., floodplains, slopes greater than 25%) to be placed within a non-developable tract, which will function as a vegetated buffer, and fencing to discourage trespass. Along the majority of the eastern boundary, the standards require provision of fencing to discourage trespass and a 20-foot wide vegetation buffer, which will also incorporate sections of North Bethany's eastern perimeter trail. Evidence in the record describes the agricultural activities taking place along the western, northern and eastern edges. The measures adopted as part of A-Engrossed Ordinance No. 739 will provide adequate buffers to these agricultural uses and future agricultural uses.

Plan compliance with Goal 3 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730 and 739. The amendments are consistent with the county's acknowledged policies and strategies for agricultural land as required by Goal 3.

Goal 4 – Forest Lands

Goal 4 addresses the conservation of forest lands: maintaining the forest land base and protecting the state's forest economy by making possible economically efficient forest practices. Policy 16, Implementing Strategies (a) and (c) of the Rural/Natural Resource Plan include provisions for the conservation and maintenance of forest lands.

A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730 established separation between urban development within the North Bethany Subarea and agricultural and forest uses on adjacent rural land by limiting development within existing natural features such as floodplains and wetlands along the western and northern edges of the subarea. However, during the proceedings for Ordinance No. 730, testimony was received about the need for adequate buffers, particularly in the northeast corner and along the eastern edge of the subarea. Because there was insufficient time to meet with all affected parties and stakeholders to adequately examine the buffer issue during the timeline for A-Engrossed Ordinance No. 730, a placeholder was added to the Comprehensive Plan text, requiring the buffer issue to be examined in 2011. As noted under the Goal 3 findings above, A-Engrossed Ordinance No. 739 has addressed this urban/rural placeholder issue by the adoption of Community Plan and CDC standards to promote compatibility between urban uses within the subarea and agricultural practices on adjacent rural lands zoned for farm or forest uses. It should also be noted that only one of the approximately 19 rural properties adjacent to the North Bethany Subarea has a forest use designation, with the remaining properties having exclusive farm use designations.

Plan compliance with Goal 4 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730 and 739. The amendments are consistent with the county's acknowledged policies and strategies for forest lands as required by Goal 4.

Goal 5 – Natural Resources, Scenic and Historic Areas and Open Spaces

Goal 5 addresses the protection of natural resources and the conservation of scenic, cultural, and historic areas and open spaces by requiring local programs to protect these resources in order to promote a healthy environment and natural landscape that

contributes to Oregon's livability for present and future generations. Policies 10, 11 and 12 of the CFP, Policies 7, 9, 10, 11, 12 and 13 of the Rural/Natural Resource Plan and various sections of the Community Plans and the CDC include provisions for the protection of Goal 5 resources. In addition, OAR 660-023-0250 requires application of current Goal 5 provisions to post-acknowledgment plan amendments (PAPAs) when the PAPA: 1) creates or amends a resource list or a portion of an acknowledged plan or land use regulation that protects a significant Goal 5 resource or 2) allows new uses that could be conflicting uses with a particular Goal 5 site.

As part of the planning to develop the North Bethany Concept Plan, new Goal 5 resource information was obtained in the form of a Local Wetland Inventory and an Open Space inventory. As required by OAR 660-023, these inventories provided the basis for a subsequent ESEE analysis and program decision, both of which were addressed as PAPAs and included as part of A-Engrossed Ordinance No. 730. The acknowledged 1983 County Goal 5 program designations were applied to significant wetlands (Water Areas and Wetlands) and Open Spaces (existing parks, powerline corridors and a cemetery, and proposed community and neighborhood parks).

Plan compliance with Goal 5 was maintained with amendments made to the Comprehensive Plan by A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730. Furthermore, it should be noted that A-Engrossed Ordinance Nos. 730 and 739 did not amend any of the Goal 5 significant designations adopted by A-Engrossed Ordinance No. 712. The amendments made by A-Engrossed Ordinance Nos. 712, 730 and 739 are consistent with the county's acknowledged policies and standards for the protection of Goal 5 resources as well as those set forth in OAR 660 Division 23.

Goal 6 - Air, Water and Land Resources Quality

Goal 6 requires the maintenance and improvement of the quality of the air, water and land resources of the state through the implementation of local plans that address waste and process discharge. Policies 4, 5, 6 and 7 in the CFP and Policies 4, 5, 6 and 7 of the Rural/Natural Resource Plan provide for the maintenance and improvement of the quality of air, water and land resources.

A-Engrossed Ordinance Nos. 712 and 730 did not amend the applicable Plan policies or CDC standards related to air, water or land resources which impact the county's compliance with Goal 6. However, A-Engrossed Ordinance No. 712 recognized a Drainage Master Plan (DMP) for North Bethany that describes a concept for managing storm water quantity and quality for the whole of the area in the face of future development. The DMP was developed in cooperation with Clean Water Services, the identified sanitary sewer and storm water quality/quantity service provider agency for North Bethany. The DMP establishes a basis for future amendments relating to regulations and implementation of the DMP. A-Engrossed Ordinance Nos. 730 and 739 did not amend any provisions adopted by A-Engrossed Ordinance No. 712 related to the DMP or its implementation.

A-Engrossed Ordinance No. 730 applied existing code protections to significant wetlands, acknowledging the water quality and water quantity benefits associated with protecting these resources. A-Engrossed Ordinance No. 739 did not amend any provisions adopted by A-Engrossed Ordinance Nos. 712 and 730 regarding Community Plan and CDC protections to significant wetlands.

Plan compliance with Goal 6 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730 and 739. The amendments are consistent with the county's acknowledged policies and standards for the protection of Goal 6 resources.

Goal 7 - Areas Subject to Natural Hazards

Goal 7 requires the implementation of local land use programs that reduce the risk to people and property from natural hazards such as floods, landslides and earthquakes. Policy 8 in the CFP and Policy 8 in the Rural/Natural Resource Plan set out the county's policy to protect life and property from natural disasters and hazards.

A-Engrossed Ordinance No. 712 did not amend the applicable Plan policies and strategies or CDC sections related to flood plain areas, or to natural disasters and hazards. However, the drainage feature known as Bethany Creek was identified on the Concept Plan as a Drainage Hazard Area. A-Engrossed Ordinance No. 730 applied CDC Section 421 and a pending North Bethany Drainage Master Plan (which was subsequently adopted by Clean Water Services in December 2010). In addition, A-Engrossed Ordinance 730 included data from a landslide hazard inventory and report by DOGAMI in the North Bethany Subarea. The data formed the basis for new CDC Section 410 submittal requirements which more specifically addressed localized potential landslide hazards.

A-Engrossed Ordinance No. 739 amended Comprehensive Plan and CDC standards that limited development on slopes greater than 25 percent, to clarify that development is limited to the top of slope. However, A-Engrossed Ordinance No. 739 did not otherwise amend any applicable Plan policies and strategies or CDC sections related to flood plain areas, natural disasters or hazards.

Plan compliance with Goal 7 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730 and 739. The amendments are consistent with the county's acknowledged policies and standards for regulating development exposed to potential natural disasters and hazards addressed by Goal 7.

Goal 8 - Recreational Needs

Goal 8 requires local jurisdictions to satisfy the recreational needs of citizens and visitors by planning and providing for the siting of necessary recreational facilities. Policies 33, 34 and 35 of the CFP, Policy 24 of the Rural/Natural Resource Plan and the individual Community Plans address the recreational needs of the citizens of Washington County and visitors.

The North Bethany Subarea incorporates a plan for various park locations and sizes, accompanied by a network of multi-modal off-street recreational trails and on-street connections. This program of land for recreational facilities is consistent with the level of service standards for the identified park service provider, as described in the Master Plan of the Tualatin Hills Park and Recreation District (THPRD). A-Engrossed Ordinance No. 730 adopted the mechanisms necessary to facilitate implementation of the park and trail plan and acquisition and development of park and trail sites by THPRD, and specified the types of assurances that were required for each park and trail amenity prior to removal of the FD-20 district. A-Engrossed Ordinance No. 739 amends the park assurance mechanisms to add additional tools to assure parkland acquisition.

Plan compliance with Goal 8 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730 and 739. The amendments are consistent with the county's acknowledged policies and strategies for satisfying recreational needs as required by Goal 8.

Goal 9 – Economic Development

Goal 9 requires the provision of adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of citizens. Policy 20 in the CFP and Policies 15, 16, 20 and 21 in the Rural/Natural Resource Plan set out the county's policies to strengthen the local economy. The CDC contributes to a sound economy by providing standards that facilitate development in an orderly and efficient fashion.

A-Engrossed Ordinance No. 712 identified approximately 13 acres of land in the "Commercial" land use category. A-Engrossed Ordinance No. 730 established the future land use districts that will be applied to the North Bethany Subarea after the FD-20 designation is removed from the area. The future land use districts include two commercial districts that allow for development, including commercial and mixed-use. A-Engrossed Ordinance No. 739, when adopted, will result in applying these land use districts to the subarea, and will remove the FD-20 designation.

The size, location, service level and configuration of the areas identified were informed by a North Bethany development program and market analysis that was conducted as part of the planning process. Such uses are consistent with the designations and design types applied by the Metro 2040 Plan. Future commercial uses would allow for development that would support the North Bethany community by providing daily services and limited employment opportunities appropriate for the area. This will allow the identified commercial areas to develop a community-neighborhood center atmosphere. This issue is addressed further elsewhere in this document, under UGMFP Title 11.

Plan compliance with Goal 9 is maintained with the amendments made by A-Engrossed Ordinance Nos. 730 and 739. The amendments are consistent with the county's acknowledged policies and strategies for strengthening the local economy as required by Goal 9.

Goal 10 - Housing

Goal 10 requires the provision of housing, including adequate numbers of units within a range of prices, types and densities that provide realistic options to meet citizen needs. Policies 21, 22, 23 and 24 of the CFP, and Policies 19 and 25 of the Rural/Natural Resource Plan address the provision of housing in the urban and rural areas of the county. The CDC contributes to the provision of adequate housing by establishing standards that facilitate development in an orderly and efficient fashion.

The estimated gross acreage available for residential development in the North Bethany Subarea is 458 acres. It is anticipated this area will accommodate a housing capacity between roughly 3,755 and 4,653 dwelling units, which is consistent with the Metro findings for housing capacity of the subject UGB expansion area. The adopted Concept Plan for the North Bethany Subarea specifies a generalized density structure for the identified residential land use categories (e.g., low, medium and high); A-Engrossed Ordinance No. 730 adopted specific residential land use designations. These land use designations establish anywhere between five units per acre and greater than 25 units per acre and permit a variety of housing types within each district. The range of residential districts will assure a variety of housing types and range of densities. Price ranges and affordability are addressed elsewhere in this document, under Title 11 of the UGMFP; other housing findings are addressed under Title 7. A-Engrossed Ordinance No. 739, when adopted, will apply these land use designations to the subarea and will remove the FD-20 designation from the subarea.

Plan compliance with Goal 10 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730 and 739. The amendments are consistent with the county's acknowledged policies and standards for regulating housing in the urban and rural area as required by Goal 10.

Goal 11 - Public Facilities and Services

Goal 11 requires a plan for the orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. Policies 15, 25, 26, 27, 28, 29, 30 and 31 of the CFP, and Policy 22 of the Rural/Natural Resource Plan address the provision of public facilities and services in the urban and rural areas of unincorporated Washington County. The CDC requires that adequate public facilities and services be available for new development.

A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730 addressed major infrastructure needs. Service providers were identified and plan maps adopted that identified major facility improvements necessary to provide urban services for planned development in the North Bethany Subarea. These include trunk lines and capacity increases for sanitary sewer service, regional facilities for storm water, facility improvements to provide water service, necessary parks and trails locations, urban road maintenance, existing and future school sites and the location of a planned fire station. Necessary law enforcement services will be provided when the Subarea is annexed to the existing service district for Enhanced Sheriff's Patrol. In all cases these plans have been coordinated with designated service provider agencies.

Preliminary cost assessments for needed facilities were made based on needed capacity and locations of existing and framework facilities. For each system, existing revenue streams were evaluated to determine ability to cover future costs. In all cases except for transportation, capital needs can be met by existing means such as SDCs.

Mechanisms to cover the gap in transportation facility funding have been identified. The North Bethany Interim Transportation Funding Strategy, which was adopted concurrently with A-Engrossed Ordinance No. 730 on October 26, 2010, provides a road map for the assurance of adequate transportation funding and specifies a mixture of existing and new revenue tools. One of these new revenue tools, the North Bethany SDC, was also adopted on October 26, 2010. The other new revenue tool, the North Bethany CSD, was approved by voters on May 17, 2011, and was established by the Board on June 7, 2011.

The adopted provisions of A-Engrossed Ordinance Nos. 712 and 730 have established a basis for the orderly development of necessary public facilities through the application of interim protection measures, as provided by the FD-20 designation. A-Engrossed Ordinance No. 739, when adopted, will remove the FD-20 designation from the subarea, apply the urban land use designations, and allow development to commence.

Plan compliance with Goal 11 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730 and 739. The amendments are consistent with the county's acknowledged policies and strategies for the provision of public facilities and services as required by Goal 11. The amendments are also consistent with the provisions of OAR 660-011 (Public Facilities Planning) and ORS 195.110 (School facility plan for large school districts).

Goal 12 - Transportation

Goal 12 requires the provision and encouragement of a safe, convenient, multi-modal and economic transportation system. Policy 32 of the CFP, Policy 23 of the Rural/Natural Resource Plan, and in particular the Washington County 2020 Transportation Plan, describe the transportation system necessary to accommodate the transportation needs of Washington County through the year 2020. Implementing measures are contained in the 2020 Transportation Plan, the Bethany Community Plan and the CDC.

A-Engrossed Ordinance No. 712 was intended to provide a framework for the transportation system both within and in the vicinity of the North Bethany Subarea Plan; its amendments were consistent with the county's acknowledged policies and strategies for the provision of transportation facilities and services as required by Goal 12 (the Transportation Planning Rule or TPR, implemented via OAR Chapter 660, Division 12).

The TPR was adopted in 1991 and sets forth the framework with which development of transportation system plans are required to comply. Division 12 includes an extensive array of requirements with which local transportation plans must comply. As described in the findings that follow, A-Engrossed Ordinance No. 712 complied with all of the applicable requirements of OAR 660, Division 12.

Detailed findings for Goal 12 are provided elsewhere in this document in the form of specific Transportation Planning Rule (TPR) findings, pursuant to OAR 660-012. Brief summaries of the applicable TPR provisions are followed by findings of compliance. Only those provisions of Division 12 that require specific findings are summarized and addressed herein.

A-Engrossed Ordinance No. 730 made a minor amendment to Policy 10 of the 2020 Transportation Plan, to remove the Greater Bethany East-West Arterial Study Area (located on the west side of NW 185th Avenue) from the plan, and minor amendments to the Functional Classification System map. Otherwise, A-Engrossed Ordinance No. 730 made no other changes to the Transportation Plan.

A-Engrossed Ordinance No. 739 makes minor amendments to the Functional Classification System map of Policy 10 of the 2020 Transportation Plan, by modifying two proposed street alignments and two proposed street lengths. Otherwise, A-Engrossed Ordinance No. 739 makes no other changes to the Transportation Plan.

Plan compliance with Goal 12 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730 and 739. The amendments are consistent with the county's acknowledged policies and strategies for the provision of transportation facilities and services as required by Goal 12, the TPR and the Regional Transportation Plan (RTP).

Goal 13 - Energy Conservation

Goal 13 requires developed land uses to be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles. Policies 36, 37, 38, 39 and 40 of the CFP, and Policy 25 of the Rural/Natural Resource Plan address energy conservation in the urban and rural areas of unincorporated Washington County. The CDC implements the energy conservation policies by establishing standards that promote energy efficient development, especially in Article IV.

The North Bethany Subarea Plan and Concept Plan adopted by A-Engrossed Ordinance No. 712 and the land use designations adopted by A-Engrossed Ordinance No. 730 call for the efficient use of vacant land by maximizing densities and locating higher densities along high capacity transportation corridors. A-Engrossed Ordinance No. 739, when adopted, will remove the FD-20 designation from the subarea and will apply the urban land use designations that provide these densities.

Plan compliance with Goal 13 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730 and 739. The amendments are consistent with the county's acknowledged policies and strategies for promoting energy conservation as required by Goal 13.

Goal 14 - Urbanization

Goal 14 requires provisions for the orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth

boundaries, to ensure efficient use of land and to provide for livable communities. Policies 13, 14, 16, 17, 18, 19, 41 and 42 of the CFP address urbanization within the Regional Urban Growth Boundary. The CDC implements the urbanization policies by establishing standards to promote appropriate urban development. The Community Plans implement the urbanization policies by designating sufficient land for appropriate development.

A-Engrossed Ordinance No. 712 amended the FD-20 Acre District standards to ensure that future land use permits in North Bethany are not in conflict with the adopted Concept Plan and that they do not preclude future urban land uses.

The properties that comprise the North Bethany Subarea were found to be in compliance with Goal 14 when they were brought into the UGB. Nonetheless, Metro brought these properties into the UGB subject to Condition 6 of Metro Ordinance 02-987A, which requires the county to adopt provisions in its comprehensive plan and zoning regulations to ensure compatibility between urban uses in an included study area and agricultural practices on adjacent land outside the UGB zoned for farm or forest use. Findings for compliance with Metro Condition 6 are provided in Part 6 of this document (Findings for Metro Ordinance No. 12-987A), under Item #6.

A-Engrossed Ordinance Nos. 712, 730 and 739 comply with the Title 11 UGMFP provisions for the urbanization of new land as well as the site-specific conditions included in Metro Ordinance 02-987-A. Plan compliance with Goal 14 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730 and 739. The amendments are consistent with the county's acknowledged policies and strategies for urbanization as required by Goal 14.

Part 3:
TRANSPORTATION PLANNING RULE (OAR 660-012) FINDINGS

660-012-0010
Provides that transportation planning be divided into two phases, transportation system planning and project development.

FINDING: Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with the Transportation Planning Rule provisions of 660-012-0010. A-Engrossed Ordinance No. 739 is a refinement to A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance 730, and it includes amendments to Washington County's Transportation System Plan. A-Engrossed Ordinance No. 739 has been developed in compliance with all applicable provisions of Division 12. Transportation project development compliance with the TPR is not applicable to this ordinance. Transportation projects developed as a result of these plan amendments may also need to complete TPR findings.

660-012-0015
OAR 660-012-0015 includes requirements for preparation and coordination of transportation system plans.

FINDING: Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with the Transportation Planning Rule provisions of 660-012-0015. A-Engrossed Ordinance No. 739 complies with all the applicable requirements for preparation, coordination and amendment of TSPs required under this section of the TPR.

- OAR 660-012-0015(3)(a) requires that local TSPs establish an adequate system of transportation facilities. During the development of A-Engrossed Ordinance No. 712, staff identified the local transportation needs facilities and services adequate for the North Bethany Subarea. This process was consistent with the development of the Washington County TSP. This need identification is included in the record for October 20, 2009. Facility identification and evaluation is included in the DKS and Associates Technical Memorandum #3, and associated documentation, dated July 5, 2007 and DKS and Associates Technical Memorandum #4, dated January 9, 2008. A-Engrossed Ordinance No. 739 includes minor refinements to the Transportation System Plan. These refinements are based on the analysis carried out during the development of A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730.

- OAR 660-012-0015(4) requires that a financing program be adopted. The transportation financing program required by OAR 660-012-0040 is adopted as a supplemental resolution; see the findings for OAR 660-012-0040 below for more information.

- OAR 660-012-0015(5) requires coordination with affected government agencies. As previously described in these findings, the preparation of A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730 were closely coordinated with affected government agencies and service providers. A-Engrossed Ordinance No. 739 continued that coordination as appropriate throughout the development and engrossment of the Ordinance.

660-012-0020
This section of the TPR describes the elements that TSPs must contain.

FINDING: Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with the Transportation Planning Rule provisions of 660-012-0020. A-Engrossed Ordinance No. 739 contains all of the elements required by the TPR.

- A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730 included a coordinated network of transportation facilities that were determined to be adequate to meet projected state, regional and local transportation needs through the year 2030 as required by OAR 660-012-0020(1). The analysis of system alternatives, needs and methodology that support this conclusion are found in the record for October 20, 2009. The adequacy of the transportation network system evaluation is included in the DKS and Associates Technical Memorandum #3, and associated documentation, dated July 5, 2007. A-Engrossed Ordinance No. 739 makes no substantive changes to this analysis

- Transportation needs were determined in accordance with OAR 660-012-0030 (and OAR 660-012-0020(2)(a)) and are addressed in the record for October 20, 2009 in the DKS and Associates Technical Memorandum #3, and associated documentation, dated July 5, 2007.

- As previously discussed in these findings, in developing A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730, Washington County coordinated with state, regional and local jurisdictions. Washington County continued this coordination, as appropriate, throughout the development of A-Engrossed Ordinance No. 739. The Functional Classification system shown in Exhibit 2 of A-Engrossed Ordinance No. 739 is consistent with the functional classifications in

applicable state, regional and local TSPs as required by 660-012-0020(2)(b). The focus and intent of the system is to provide a safe and convenient bike and pedestrian circulation system consistent with OAR 660-012-0045(3)(b) (and OAR 660-012-0020(2)(b)). New connections to arterials will be required to continue to comply with the Washington County access spacing standards.

- The public transportation system is described in the record for October 20, 2009 in the DKS and Associates Technical Memorandum #3, and associated documentation, dated July 5, 2007. No modification to the public transportation system is contemplated as part of A-Engrossed Ordinance No. 739. Transit services are provided on a county-wide basis by TriMet, the regional transit agency. TriMet has adopted the Tri-County Elderly and Disabled Transportation Plan which addresses the needs of the transportation disadvantaged. Based on these factors, A-Engrossed Ordinance No. 739 is consistent with the requirements of OAR 660-012-0020(2)(c).

- Exhibits 3 and 8 of A-Engrossed Ordinance No. 712 include all the elements of the planned bicycle and pedestrian network as required by OAR 660-012-0020(2)(d). Ordinance No. 739 makes minor amendments to the trail and pedestrian connection map in Exhibits 2 and 6.

- No air, rail, water or pipeline transportation facilities have been identified within the planning area of A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 or A-Engrossed Ordinance No. 739.

- A-Engrossed Ordinance No. 712 Exhibit 3 adopts regional parking management strategies and provides for a multi-use transportation system designed to reduce reliance upon the automobile consistent with OAR 660-012-0020(2)(f). A-Engrossed Ordinance No. 739 does not modify the regional parking management strategies adopted by A-Engrossed Ordinance No. 712.

- Exhibit 3 of A-Engrossed Ordinance No. 712 includes parking maximum designations as required by OAR 660-012-0020(2)(g). A-Engrossed Ordinance No. 739 does not modify this designation.

- OAR 600-012-0020(2)(h) requires policies and land use regulations for implementing OAR 660-012-0045. Washington County has adopted such provisions as mentioned above and in addition, findings of compliance are included under the discussion for OAR 660-012-0045, below.

- As required by OAR 660-012-0020(i), the transportation financing program required by OAR 660-012-0040 is adopted as a supplemental resolution; see the findings for OAR 660-012-0040 below for more information.

- The inventory and general assessment of existing and committed transportation facilities and services are described in the record for October 20, 2009 included in the DKS and Associates Technical Memorandum #1, and associated documentation, dated October 3, 2006. This information supplements the Washington County Transportation System Plan inventories completed and adopted as part of A-Engrossed Ordinance No. 588 in 2002. A-Engrossed Ordinance No. 739 relies upon and does not modify this information.

OAR 660-012-0025
This section of the TPR describes the requirements for Goal compliance and refinement plans.

FINDING: Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with the Transportation Planning Rule provisions of 660-012-0025. A-Engrossed Ordinance No. 739 complies with the applicable provisions of Section 660-012-0025 of the TPR as demonstrated by the following facts.

- A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 and A-Engrossed Ordinance No. 739 have each been adopted as a land use ordinance via the legislative process in accordance with Chapter X, Section 100(d) of the Washington County Charter.

- A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 and A-Engrossed Ordinance No. 739 identify the need, mode, function and general location for transportation facilities, services and major improvements, consistent with OAR 660-012-0025(1).

- The findings contained herein satisfy the requirement of OAR 660-12-0025(2) and have been adopted in conjunction with A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 and A-Engrossed Ordinance No. 739.

- A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 and A-Engrossed Ordinance No. 739 do not include any refinement planning; OAR 660-12-0025(3) – (4) therefore does not apply.

OAR 660-012-0030
The provisions of this section set forth how needs shall be identified in TSP's.

FINDING: Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with the Transportation Planning Rule provisions of 660-012-0030. A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 and A-Engrossed Ordinance No. 739 identify transportation needs as required by OAR 660-012-0030. Only transportation facilities or services affected by the North Bethany Subarea Plan are included within A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 and A-Engrossed Ordinance No. 739 and are documented within these findings.

- A-Engrossed Ordinance No. 739 is consistent with the transportation system needs identified in A-Engrossed Ordinance No. 730. A-Engrossed Ordinance No. 739 is consistent with the Oregon Highway Plan (OHP) and Metro's Regional Transportation Plan (RTP) and findings of compliance with the RTP are included herein. In addition, transit services are provided on a county-wide basis by TriMet, the regional transit agency. TriMet has adopted the Tri-County Elderly and Disabled Transportation Plan which addresses the needs of the transportation disadvantaged. Based on these factors, A-Engrossed Ordinance No. 739 is consistent with the requirements of OAR 660-012-0030(1).

- A-Engrossed Ordinance No. 739 is not a regional TSP, therefore OAR 660-012-0030(2) is not applicable.

- The needs analyses that were developed for A-Engrossed Ordinance No. 712 continue to be applicable to A-Engrossed Ordinance No. 739. The needs analysis was based upon population and employment forecasts consistent with Metro Population and Employment Forecast assumptions to 2030. As described in the record for October 20, 2009 in the DKS and Associates Technical Memorandum #1, and associated documentation, dated October 3, 2006. These same regional forecasts have been used to implement Metro's 2040 designations, which are part of the county's adopted and acknowledged comprehensive plan as required by OAR 660-012-0030(3). These population and employment forecasts are also consistent with the 2035 RTP adopted in June, 2010.

- As prescribed by OAR 660-012-0030(3)(b), the transportation needs assessment included in the DKS and Associates Technical Memorandum #1, and associated documentation, dated October 3, 2006 is based upon the Metro regional travel demand model and mode split assumptions. Many efforts to reduce reliance upon the automobile were explored during the development of A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730 and these continue to apply

to A-Engrossed Ordinance No. 739, as described below in the findings for OAR 660-012-0045.

- A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 and A-Engrossed Ordinance No. 739 are consistent with the requirements for VMT reduction set forth in OAR 660-012-0035(4) and referenced by OAR 660-012-0030(4). Appropriate findings are provided herein under OAR 660-012-0035.

OAR 660-012-0035
This section of the TPR concerns how the transportation system alternatives analysis was performed.

FINDING: Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with the Transportation Planning Rule provisions of 660-012-0035. A-Engrossed Ordinance No. 712 included an alternatives analysis meeting the requirements of OAR 660-012-0035, this analysis continues to apply to A-Engrossed Ordinance No. 739.

- The methodology used for evaluating alternatives is detailed in the record for October 20, 2009, included in the DKS and Associates Technical Memorandum #2, dated April 5, 2007, Technical Memorandum #3 dated July 5, 2007, and Technical Memorandum #4 dated January 9, 2008. This evaluation includes consideration of the components set forth in OAR 660-012-0035(1)(a)-(e).

- An analysis of system alternatives for A-Engrossed Ordinance No. 712 was based upon the land use factors detailed in OAR 660-012-0035(2)(a)-(d). Specific consideration of these factors is detailed in the record for October 20, 2009 as shown in the DKS and Associates Technical Memorandum #1, dated October 3, 2006 and Technical Memorandum #4, dated January 9, 2008. This analysis of system alternatives continues to apply to A-Engrossed Ordinance No. 739. These same land use considerations are required to be implemented in the county's Comprehensive Plan by Metro's Urban Growth Management Functional Plan (UGMFP).

- The record for October 20, 2009, DKS and Associates Technical Memorandum #3 dated July 5, 2007, displays the appropriate level of service calculations for the planning area. The level of service standards used to assess the transportation system are consistent with Washington County's adopted and acknowledged Transportation System Plan, an element of the acknowledged comprehensive plan.

This analysis continues to apply to A-Engrossed Ordinance No. 739, and is consistent with the requirements of OAR 660-012-0035(3)(a).

- The County's Transportation System Plan is required to be consistent with Metro's RTP. The RTP implements state and federal standards for protection of air, land and water quality, including the Federal Clean Air Act, and State Water Quality Management Plan (OAR 660-012-0035(3)(b)).

- A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 and A-Engrossed Ordinance No. 739 envision a community of distinction minimizing transportation related adverse economic, social, environmental and energy consequences. As described in Exhibit 2 of A-Engrossed Ordinance No. 730, the community focuses on integration with both the surrounding greater Bethany urban community and existing natural areas providing for a livable long term future. These provisions continue to apply and are enhanced by A-Engrossed Ordinance No. 739. This is consistent with the requirements of OAR 660-012-0035(3)(c).

- The transportation system for A-Engrossed Ordinance No. 730 was designed to minimize the conflicts between modes by providing a multi-use street network. The relationship of the various modes within the same right-of-way facilitates connections between the modes as appropriate. This multi-modal transportation system is enhanced by A-Engrossed Ordinance No. 739. This is consistent with the requirements of OAR 660-012-0035(3)(d).

- The transportation system for A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 and A-Engrossed Ordinance No. 739 provides a balanced transportation system not dependant on any one mode for mobility or accessibility within the planning area. This is consistent with the requirements of OAR 660-012-0035(3)(e).

- OAR 660-012-0035(4) and (5) concern VMT targets and alternative standards. As a county within a metropolitan planning organization (MPO), Metro's RTP modal targets are applicable to A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 and A-Engrossed Ordinance No. 739. The modal targets of the RTP have been established to implement VMT reductions required under the alternative standards provision of OAR 660-012-0035(5). As explained in the findings of compliance with the RTP, A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730 are consistent with the mode share target implementation measures of the RTP. This continues to apply to A-Engrossed Ordinance No. 739.

OAR 660-012-0040
This section of the TPR requires that a TSP include a transportation financing program and sets forth what such a program is required to include.

FINDING: Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with the Transportation Planning Rule provisions of 660-012-0040. Financing necessary to provide the necessary transportation facilities to serve the North Bethany Subarea Plan has been a major component of the planning process.

- OAR 660-012-0040(1) Requires that the TSP include a transportation financing program. OAR 660-012-0015(4) allows such a program to be adopted as a supporting document to the comprehensive plan.

- OAR 660-012-0040(2)(a) – (c) Lists the elements to be included within the financing plan. Establishing adequate funding for the North Bethany Subarea has been a priority for Washington County and a key element of the overall planning process. The North Bethany Funding Strategy is before the Board of County Commissioners. A-Engrossed Ordinance No. 730 requires that adequate funding be assured to allow development to proceed. The North Bethany Funding Strategy contains a list of improvements, and an estimate of the costs and timing for each improvement, as well as a description of the adopted funding mechanism that provide adequate revenue to ensure that the improvements be completed as the development of the area proceeds. Each of the new funding mechanisms have been approved as a separate initiative.

- OAR 660-012-0040(2)(d) is addressed above in section OAR 660-012-0035.

- OAR 660-012-0040(3) requires that the financing program review existing funding mechanisms and the possibility of new funding mechanisms. The North Bethany Funding Strategy establishes the complete funding package necessary for improvements listed. The North Bethany Funding Strategy describes the framework for how the adopted funding mechanisms will work together. The financing program uses both existing and new funding mechanisms to provide adequate funding necessary to complete the list of identified improvements. The North Bethany Funding strategy relies on several countywide revenue streams as well as a new County Service District and Supplemental System Development Charge. These adopted funding sources provide a funding strategy for the transportation

system improvements necessary to serve the development of North Bethany. Each of the funding strategy mechanisms has been adopted and this ordinance enables development to proceed.

OAR 660-012-0045
The provisions of this section concern how a TSP is implemented.

FINDING: Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with the Transportation Planning Rule provisions of 660-012-0045. A-Engrossed Ordinance No. 739, together with previously adopted and acknowledged ordinances fully implements all of the applicable provisions of OAR 660-012-0045.

- OAR 660-012-0045(1) details those transportation facilities, services and improvements that are exempt from land use review, those that may be permitted outright and those requiring a land use decision. For those transportation projects requiring a land use decision, the OAR requires that local governments provide a review and approval process that is consistent with OAR 660-012-0050. Adopted and acknowledged Ordinances A-Engrossed No. 421 and No. 573 created and refined Article VIII of the Community Development Code which is acknowledged to be consistent with the requirements of OAR 660-012-0050. CDC Article VII provides a consolidated review process for review of land use decisions for permitting transportation projects. A-Engrossed Ordinance No. 739 does not amend this process for land use review of transportation projects and is therefore consistent with OAR 660-012-0045(1).

- OAR 660-012-0045(2) requires the adoption of land use or subdivision regulations to protect transportation facilities. The Community Development Code includes appropriate implementing provisions for such protection. CDC Article V includes provisions for access control consistent with OAR 660-012-0045(2)(a). In addition, R&O 86-95 – Determining Traffic Safety Improvements Under the Traffic Impact Fee Ordinance as well as the Washington County Road Design and Construction Standards, provide for review and protection of roadway safety, infrastructure and operations as provided under subsection – 0045(2)(b). The Community Development Code, together with R&O 86-95, provide a process for coordinated review of land use decisions affecting transportation facilities, corridors and sites as well as public notice as required under subsection –0045(2)(d)-(f). The Washington County Transportation System Plan requires that all plan amendments be reviewed for compliance with OAR 660-012-060 (Strategy 19.13 –

Exhibit 21 of A-Engrossed Ordinance No. 588). This strategy is consistent with subsection –0045(2)(g).

- OAR 660-012-0045(3) requires adoption of regulations to provide for safe and convenient pedestrian, bicycle and vehicular circulation. A-Engrossed Ordinance No. 730 provides a plan for these connections, and regulations requiring compliance with the identified standards within the North Bethany Subarea Plan. A-Engrossed Ordinance No. 739 provides for minor enhancements of these connections. Furthermore, A-Engrossed Ordinance No. 739 is consistent with Community Development Code Section 408, which is applicable and establishes local connectivity for all modes. This framework and standards fully complies with the provisions of OAR 660-012-0020(2)(b) as well as the requirements for safe and convenient pedestrian, bicycle and vehicular circulation (OAR 660-012-045).

- OAR 660-012-0045(4) concerns providing reasonable direct access to transit. A-Engrossed Ordinance No. 730 provides plans for reasonable direct pedestrian and bicycle access to transit service. A-Engrossed Ordinance No. 730 requires that new development provide pedestrian scale street lights along all streets, and that densities within the area are designed to support transit service. A-Engrossed Ordinance No. 739 exhibits 2, 6 and 9 slightly adjust the alignment of some of these facilities and enhances the connectivity provisions. Transit services are provided on a county-wide basis by TriMet, the regional transit agency.

- OAR 660-012-0045(5) requires adoption of land use and subdivision regulations that allow transit oriented developments along transit routes, implement a demand management program as required under subsection –0035(4), and implement a parking reduction plan. A-Engrossed Ordinance No. 730 designated most of the area planned for commercial as "Main Street" requiring a street orientation conducive to providing access to transit. Furthermore, A-Engrossed Ordinance 712 designated a parking plan consistent with regional parking standards, which continues to be applicable. As a county within an MPO, Metro's RTP's modal targets are applicable to A-Engrossed Ordinance No. 739. The modal targets of the RTP have been established to implement VMT reductions required under the alternative standards provision of OAR 660-012-0035(5). In addition, A-Engrossed Ordinance No. 730 adopted land use and design measures intended to reduce reliance upon the automobile. As explained in the findings of compliance with the RTP, A-Engrossed Ordinance No. 739 is consistent with the mode share target implementation measures of the RTP.

- OAR 660-012-0045(6) sets forth the elements that are to be included as part of the planned bicycle and pedestrian system in developed areas. A-Engrossed Ordinance No. 739 does not apply to developed areas. Staff reviewed the existing development patterns in the vicinity, and determined that existing and planned pedestrian and bicycle systems were adequate. A-Engrossed Ordinance No. 739 adopts plans for these systems in areas that are currently not developed.

- OAR 660-012-0045(7) set forth requirements for local streets and accessways. These requirements are addressed by the street cross sections provided in A-Engrossed Ordinance No. 712, as updated by A-Engrossed Ordinance No. 730. These provisions are not modified by A-Engrossed Ordinance No. 739.

OAR 660-012-0050
This section of the TPR concerns transportation project development.

FINDING: Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with the Transportation Planning Rule provisions of 660-012-0050. A-Engrossed Ordinance No. 739, together with previously adopted and acknowledged ordinances, fully implements all of the applicable provisions of OAR 660-012-0050.

- Subsections –0050(1) and (2) apply to ODOT and regional TSPs and are not directly applicable to A-Engrossed Ordinance No. 588.

- Subsection –0050(3) concerns project development, land use decision making and unresolved issues of compliance with comprehensive plan policies and land use regulations. As previously discussed, adopted and acknowledged Ordinances A-Engrossed No. 421 and No. 573 created and refined Article VII of the Community Development Code which is consistent with the requirements of OAR 660-012-0050. CDC Article VII provides a consolidated review process for review of land use decisions for permitting transportation projects. A-Engrossed Ordinance No. 739 does not amend this process for land use review of transportation projects.

- Subsections –0050(4) through (6) concern preparation of Environmental Impact Statements, the consequences of not building project(s) in the TSP and authorize concurrent project development in conjunction with preparation of a TSP or refinement plan. A-Engrossed Ordinance No. 588 established a TSP consistent with these subsections based on General Policies D and the Built and Natural Environment Impacts

Policy – 3.0. A-Engrossed Ordinance No. 739 does not amend this process for Built and Natural Environment Impact review.

OAR 660-012-0055
This section sets forth timelines for adoption of TSPs and for the specific requirements of OAR 660-012-0045(3), (4)(a)-(e) and (5)(d).

FINDING: Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with the Transportation Planning Rule provisions of 660-012-0055. A-Engrossed Ordinance No. 730 is consistent with the provisions of OAR 660-012-0055.

- There are no provisions in this subsection that are required to be addressed as part of these findings.

OAR 660-012-0060
This section sets forth requirements for plan and land use regulation amendments.

FINDING: A-Engrossed Ordinance No. 739 is consistent with the provisions of OAR 660-012-0060.

- Pursuant to Subsection -0060(1), A-Engrossed Ordinance No. 712 determined that the North Bethany Subarea Plan would significantly affect the planned transportation network. This was documented in the technical work done by DKS and Associates dated July 5, 2007 and included in the record of the October 20, 2009 Washington County Board of Commissioners hearing.

- In accordance with Subsection -0060(2), A-Engrossed Ordinance No. 712 amended the adopted and acknowledged 2020 Washington County Transportation Plan to provide appropriate functional classifications for the major street network for the North Bethany Subarea Plan. A-Engrossed Ordinance No. 730 and A-Engrossed Ordinance No. 739 do not significantly modify these amendments and will result in a transportation system that will be appropriate for the planned land uses in the North Bethany Subarea Plan while meeting adopted performance criteria from the 2020 Washington County Transportation Plan.

- A-Engrossed Ordinance No. 739 continues to apply the capacity and performance standards for the existing and planned roadway network. These are consistent with the motor vehicle performance measures of the adopted and acknowledged 2020 Transportation Plan, as updated by A-Engrossed Ordinance No. 712. The record for the October 20, 2009 hearing includes the DKS and Associates Technical

Memorandum #3, and associated documentation, dated July 5, 2007, which describes the transportation system needed to accommodate the planned land uses for the North Bethany Plan Subarea, consistent with the adopted performance standards found in the 2020 Transportation Plan. The needed roadway capacities and functional classifications identified in the DKS and Associates Technical Memorandum #3, and associated documentation, dated July 5, 2007 are incorporated in the amendments found in Exhibit 8 of A-Engrossed Ordinance No. 712.

- A-Engrossed Ordinance No. 739 amends the Washington County Transportation System Plan consistent with OAR 660-012-0060(2)(b). The finance program to implement these necessary improvements is described previously within these findings under section 660-012-0040.

- Subsection -0060(3) does not apply to A-Engrossed Ordinance No. 739 since the identified improvements to the transportation system will maintain adopted performance standards.

- OAR 660-012-0060(4) requires coordination with other public agencies and transportation service providers. See the coordination findings under Title 1, previously in this document.

- OAR 660-012-0060(4)(b) concerns which improvements, facilities and services are considered as planned. A-Engrossed Ordinance No. 739 does not change the analysis of transportation improvements that can be found in the record for the October 20, 2009 hearing for A-Engrossed Ordinance No. 712 and are included in the DKS and Associates Technical Memorandum #3, and associated documentation, dated July 5, 2007. For the purpose of this analysis the 2004 adopted Financially Constrained Regional Transportation Plan improvements were considered reasonably likely. Additional improvements are considered reasonably likely based on the finance program described previously within these findings under section 660-012-0040. Additionally, any road that was added to the TSP or community plan as part of A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 or A-Engrossed Ordinance No. 739 is considered reasonably likely.

- OAR 660-012-0060(7) is not applicable to A-Engrossed Ordinance No. 739 since Washington County has fully complied with Title 6, Section 3 of the Urban Growth Management Functional Plan via the adoption of A-Engrossed Ordinance No. 552 (July 25, 2000).

OAR 660-012-0065
This section identifies the "transportation facilities, services and improvements" that may be permitted on rural lands without a goal exception.

FINDING: A-Engrossed Ordinance No. 712 included a single improvement located on rural lands (the Road A extension). An exception for this improvement is required and appropriate findings were provided. No other transportation facilities, services or improvements on rural lands are included in A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 or A-Engrossed Ordinance No. 739; Subsection -0065 therefore is not applicable.

Part 4:
REGIONAL TRANSPORTATION PLAN (RTP) FINDINGS
A-Engrossed Ordinance No. 739 is consistent with the Regional Transportation Plan (RTP) published on July 29, 2010. Section 6.7.1 of the RTP requires that local plans be implemented consistent with the Regional Transportation Functional Plan (RTFP). A-Engrossed Ordinance No. 739 makes only minor amendments to the transportation system identified in A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730. These minor amendments will not have a significant effect upon the regional transportation system plan as addressed in the TPR findings above. A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730 made findings of compliance with the pervious 2004 RTP, while A-Engrossed Ordinance No. 739 makes minor amendments to the Transportation System Plan and must make findings of consistency with the 2010 RTP. Section 3.08.010.C of the RTFP, states that "if the TSP is consistent with this RTFP, Metro shall deem it consistent with the RTP." The RTFP findings are included below.

REGIONAL TRANSPORTATION FUNCTIONAL PLAN (RTFP) FINDINGS
Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002. A review, update and amendment process is underway consistent with Table 3.08-4.

RTFP 3.08.110
This section relates to street system design.

FINDING: A-Engrossed Ordinance No. 739 is consistent with the provisions of RTFP section 3.08.110.

- A-Engrossed Ordinance No. 712, A-Engrossed Ordinance No. 730 and A-Engrossed Ordinance No. 739 envision a community of distinction which requires a system of new streets that will provide a multi-modal system of connected and complete streets.

- A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730 detail a framework of complete streets, green street requirements, and transit supportive design elements consistent with 3.08.110A. A-Engrossed Ordinance No. 739 makes no substantive changes to these previously adopted requirements.

- A-Engrossed Ordinance No. 712 details local street design requirements consistent with 3.08.110B. The implementation procedures and requirements were updated by A-Engrossed Ordinance No. 730. A-Engrossed Ordinance No. 739 makes no substantive changes to these previously adopted requirements.

- Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with 3.08.110C. A-Engrossed Ordinance No. 739 makes no substantive amendments that affect the arterial and supporting system.

- A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730 detail a system of new streets in the North Bethany community consistent with 3.08.110D. A-Engrossed Ordinance No. 739 Exhibits 2 and 9 make minor amendments to the required alignment of these facilities.

- A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730 detail a system of new streets in the North Bethany community consistent with 3.08.110E. A-Engrossed Ordinance No. 739 Exhibits 2 and 9 make minor amendments to the required alignment of these facilities.

- A-Engrossed Ordinance No. 739 does not affect or modify state highway interchanges or access to state highways.

RTFP 3.08.120
This section relates to transit system design.

FINDING: A-Engrossed Ordinance No. 739 is consistent with the provisions of RTFP section 3.08.120.

- A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730 detail a system of new multi-modal streets and off-street trails that are consistent with 3.08.120B2. A-Engrossed Ordinance No. 739 Exhibit 5 clarifies procedures regarding the development approval requirements for construction of these facilities.

- Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002. A-Engrossed Ordinance No. 739 does not amend the transit component of the adopted TSP. The public transportation system is described in the record for October 20, 2009 in the DKS and Associates Technical Memorandum #3, and associated documentation, dated July 5, 2007. No modification to the public transportation system is contemplated as part of A-Engrossed Ordinance No. 739. Transit services are provided on a county-wide basis by TriMet, the regional transit agency.

RTFP 3.08.130
This section relates to pedestrian system design.

FINDING: A-Engrossed Ordinance No. 739 is consistent with the provisions of RTFP section 3.08.130.

- Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with 3.08.130A.

- A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730 detail a system of new multi-modal streets and off-street trails that are consistent with both 3.08.120B2 and 3.08.130B. A-Engrossed Ordinance No. 739 Exhibit 5 clarifies procedures regarding the development approval requirements for construction of these facilities.

- A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730 detail a system of new multi-modal streets and off-street trails that development shall be required to provide on-site consistent with 3.08.130C. A-Engrossed Ordinance No. 739 Exhibits 2, 6 and 9 make minor adjustments to the roadway alignment and improve the connectivity of the trail system.

RTFP 3.08.140
This section relates to bicycle system design.

FINDING: A-Engrossed Ordinance No. 739 is consistent with the provisions of RTFP section 3.08.140.

- Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with 3.08.140. A TSP update and amendment process is underway consistent with Table 3.08-4.

RTFP 3.08.150
This section relates to freight system design.

FINDING: A-Engrossed Ordinance No. 739 is consistent with the provisions of RTFP section 3.08.150.

- Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with 3.08.150. A TSP update and amendment process is underway consistent with Table 3.08-4.

RTFP 3.08.160
This section relates to transportation system management and operations.

FINDING: A-Engrossed Ordinance No. 739 is consistent with the provisions of RTFP section 3.08.160.

- Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with 3.08.160. A TSP update and amendment process is underway consistent with Table 3.08-4.

RTFP Title 2 sections 3.08.210, 3.08.220 and 3.08.230
Title 2 of the RTFP relates to the Development and Update of Transportation System Plans.

FINDING: A-Engrossed Ordinance No. 739 is consistent with the Title 2 provisions of RTFP sections 3.08.210, 3.08.220 and 3.08.230.

- Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with sections 3.08.210, 3.08.220 and 3.08.230. A TSP update and amendment process is underway consistent with Table 3.08-4.

RTFP Title 3 section 3.08.310
Title 3 of the RTFP relates to Transportation Project Development.

FINDING: A-Engrossed Ordinance No. 739 is consistent with the Title 3 provisions of RTFP sections 3.08.310.

- Section 3.08.310 concerns project development, CDC Article VII provides a consolidated review process for review of land use decisions for permitting transportation projects. A-Engrossed Ordinance No. 739 does not amend this process for land use review of transportation projects.

RTFP Title 4 section 3.08.410
Title 4 of the RTFP relates to parking management.

FINDING: A-Engrossed Ordinance No. 739 is consistent with the Title 4 provisions of RTFP sections 3.08.410.

- A-Engrossed Ordinance No. 712 Exhibit 3 adopted regional parking management strategies and provides for a multi-use transportation system designed to reduce reliance upon the automobile consistent with Title 4 section 3.08.410. A-Engrossed Ordinance No. 739 does not modify the regional parking management strategies adopted by A-Engrossed Ordinance No. 712.

RTFP Title 5 section 3.08.510
Title 5 of the RTFP relates to Amendments of Comprehensive Plans and Transportation System Plans.

FINDING: A-Engrossed Ordinance No. 739 is consistent with the Title 5 provisions of RTFP sections 3.08.510.

- A-Engrossed Ordinance No. 712 amended the adopted and acknowledged 2020 Washington County Transportation Plan to provide appropriate functional classifications for the major street network for the North Bethany Subarea Plan consistent with OAR 660-012-0060. A-Engrossed Ordinance No. 730 and A-Engrossed Ordinance No. 739 do not significantly modify these amendments and will result in a transportation system that will be appropriate for the planned land uses in the North Bethany Subarea Plan while meeting adopted performance criteria from the 2020 Washington County Transportation Plan.

- A-Engrossed Ordinance No. 739 does not propose new transportation projects not identified in A-Engrossed Ordinance No. 712 or A-Engrossed Ordinance No. 730 and is consistent with Title 6 of the UGMFP as explained in the findings below.

RTFP Title 6 section 3.08.610
Title 6 of the RTFP relates to Compliance Procedures to the RTFP.

FINDING: A-Engrossed Ordinance No. 739 is consistent with the Title 6 provisions of RTFP sections 3.08.610.

Washington County has an acknowledged Transportation System Plan adopted by A-Engrossed Ordinance No. 588 in 2002. A TSP update and amendment process is underway consistent with Table 3.08-4

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Part 5:
URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN (UGMFP) FINDINGS

Section 3.07.810 of Title 8 of the UGMFP requires that county comprehensive plan changes be consistent with the UGMFP. The following findings for A-Engrossed Ordinance Nos. 712, 730 and 739 have been prepared to address Titles 1, 3, 6, 7, 8 and 11 of the UGMFP for the North Bethany Subarea.

Title 1 - Requirements for Housing and Employment Accommodations

> UGMFP policies in Title 1 seek ways to use urban land efficiently by increasing housing and employment capacity within the urban growth boundary through methods such as local zoning to accommodate development at higher densities in locations supportive of the transportation system.

RESPONSE

Metro brought the North Bethany Subarea into the UGB to increase capacity for residential development, namely by identifying the area as an Inner Neighborhood. In the Findings of Fact for Metro Ordinance 02-987A, Metro anticipated that the residential capacity of North Bethany would yield approximately 3,345 units. This reflects anticipated capacity for both the North Bethany Subarea and the Arbor Oaks Subarea together. Through the concept planning process, the county anticipates that there will be capacity for a minimum of 3,805 units for the combined subareas. This is based on two factors. The first is the minimum number of units required in the Arbor Oaks Subarea, according to the approved Master Plan for the area (land use decision Casefile 00-601-M), which is 545 units. The second is the UGMFP Title 11 planning requirement for a minimum of 10 units per net acre, which is based on 326 net developable acres within the North Bethany Subarea, which yields 3,260 units.

A-Engrossed Ordinance No. 730 adopted a more definitive minimum number of units for the North Bethany Subarea. The minimum number of units is derived from stakeholder interests regarding density and transportation funding needs. The minimum could be as high as 11.5 units per net acre, which would yield 3,755 units over 326 net acres. The addition of the 545 minimum number units in Arbor Oaks would yield a combined total of 4,300 units. Both methodologies meet the capacity goals that Metro assumed during the expansion process, as documented in the Findings of Fact for Ordinance 02-987A.

Note that A-Engrossed Ordinance No. 712 implemented the Metro Title 11 requirement by applying interim protection measures designed to regulate development until permanent residential land use districts have been established. While A-Engrossed Ordinance 730 established these permanent residential land use districts, the limitation on urban uses within the FD-20 District for North Bethany lands added to the UGB in 2002 will remain until creation of appropriate transportation funding mechanisms have been secured.

A-Engrossed Ordinance No. 730 included the requirement for an adequate level of transportation funding to be assured prior to urban development of the subarea. The North Bethany Interim Transportation Funding Strategy, which was adopted concurrently with A-Engrossed Ordinance No. 730 on October 26, 2010, provides a road map for the assurance of adequate transportation funding, and specifies a mixture of existing and new revenue tools. The two new revenue tools are 1) a North Bethany System Development Charge (SDC), which was also adopted on October 26, 2010; and 2) a County Service District (CSD). The CSD was approved by voters on May 17, 2011; the Board of County Commissioners (Board) established and formed the North Bethany County Service District for Roads on June 7, 2011; and the Board adopted the 2011 – 2012 fiscal year budge for the CSD on June 28, 2011.

A North Bethany Transportation Funding Strategy will be adopted by Resolution and Order on October 25, 2011, concurrent with the adoption of A-Engrossed Ordinance No. 739. The adoption of both the North Bethany Final Transportation Funding Strategy and A-Engrossed Ordinance No. 739 will allow removal of the FD-20 designation from North Bethany, and application of urban residential, commercial and institutional land use designations to the subarea.

Title 3 - Water Quality and Flood Management

> UGMFP policies in Title 3 seek to protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities and protecting life and property from dangers associated with flooding.

RESPONSE

Refer to Title 11, Sections 3.07.1120.G and H for A-Engrossed Ordinance Nos. 712, 730, and 739 findings related to Title 3; these are addressed below in this document.

Title 6 - Central City, Regional Centers, Town Centers and Station Communities

> UGMFP policies in Title 6 seek to enhance the Centers designated on the 2040 Growth Concept Map by encouraging development in these Centers. Cities and counties are encouraged to site government offices in Centers and are required to report on the progress made in their Centers to Metro every two years.

RESPONSE

Metro Ordinance 02-987A did not bring North Bethany into the UGB for the purpose of establishing a Center. However, Metro Resolution 03-3369 endorses the objective of providing a Main Street or Neighborhood Center in the North Bethany Subarea, consistent with authority provided in Title 6 Section 620.A(5) for the analysis of Neighborhood Centers in Inner Neighborhoods. The North Bethany concept planning process included an analysis of providing a Main Street and small commercial nodes

within the planning area as a means of providing a complement of daily uses for future residents. The analysis supported a recommended program of commercial uses in the North Bethany Subarea with a format and scale appropriate for the area and which is not in direct competition with the nearby Bethany Village. Additional ordinance findings for the planned commercial area are addressed below under Section 3.07.1120.F of Title 11.

Title 7 - Housing Choice

To increase the supply of affordable housing opportunities, the UGMFP calls for the adoption of voluntary affordable housing production goals.

RESPONSE

Title 11 specifies that residential developments will include, without public subsidy, housing affordable to households with incomes at or below median incomes for home ownership and at or below 80% of area median incomes for rental as defined by the U.S. Dept. of Housing and Urban Development for the adjacent urban population. Refer below in this document to Title 11 Sections 3.07.1120.D and E for A-Engrossed Ordinance Nos. 712, 730 and 739 findings related to Title 7.

Title 8 - Compliance Procedures

Title 8 sets forth Metro's procedures for determining compliance with the UGMFP. Included in this Title are steps local jurisdictions must take to ensure that Metro has the opportunity to review amendments to Comprehensive Plans.

RESPONSE

Consistent with Title 8, Metro was sent a copy of proposed Ordinance No. 712 on June 11, 2009 and a copy of A-Engrossed Ordinance No. 712 on October 9, 2009. Metro was sent a copy of proposed Ordinance No. 730 on July 28, 2010 and a copy of A-Engrossed Ordinance No. 730 on October 8, 2010. Metro was sent a copy of proposed Ordinance No. 739 on July 7, 2011 and a copy of A-Engrossed Ordinance No. 739 on September 30, 2011. The findings in this document demonstrate the amendments made by this ordinance are in compliance with the UGMFP.

Title 11 - Planning For New Urban Areas

Title 11 describes Metro's requirements for converting from rural to urban use of areas brought into the urban growth boundary. Title 11 includes requirements that the development of areas added to the UGB implement the Regional Framework Plan and the 2040 Growth Concept.

RESPONSE

A-Engrossed Ordinance No. 712 adopted a generalized Concept Plan and Comprehensive Plan amendments for the North Bethany Subarea. The adopted ordinance is intended as a foundation for guiding the development of additional implementation documents, such as Community Development Code provisions and funding strategies. A-Engrossed Ordinance No. 730 established land use designations and development code language to implement the adopted Concept Plan and Comprehensive Plan amendments adopted by A-Engrossed Ordinance No. 712. A Funding Strategy has been presented to the Board of County Commissioners in 2010 and accompanies adoption of A-Engrossed Ordinance No. 730.

The specific findings that are provided below address compliance with Title 11 at the adoption of A-Engrossed Ordinance Nos. 712, 730 and 739.

Section 3.07.1120 Planning for Territory Added to the Urban Growth Boundary

A. Specific plan designation boundaries derived from the general boundaries of design type designations assigned by the Council in ordinance adding the territory to the UGB.

Findings. Metro Ordinance No. 02-987A explains that the North Bethany planning area was brought inside the UGB to meet the identified regional need for housing. Attachment 1 of Metro Ordinance 02-987A shows the 2040 Growth Concept design types to be applied in North Bethany. This map shows that the entire North Bethany planning area is identified as an Inner Neighborhood with the exception of the length of Kaiser Road which is identified as a Corridor. In addition, Metro Resolution No. 03-3369A (item 1) calls for a Main Street or Neighborhood Center.[1]

In the *2040 Growth Concept*, Metro describes new neighborhoods as having an emphasis on smaller single-family lots, mixed uses and a mix of housing types including row houses and accessory dwelling units. There are two types of neighborhoods: Inner and Outer Neighborhoods. In contrast to Outer Neighborhoods, Inner Neighborhoods are slightly more compact with slightly smaller lots and more street connections.

The North Bethany Subarea Plan includes five residential land use designations which together will permit a mix of housing types on 458 gross residential acres. The remainder of the North Bethany Subarea acreage is designated for land uses that support residential development and the needs of North Bethany residents, including parks, open spaces, a connective transportation network, and commercial and civic/institutional uses (see

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[1] Metro Resolution 03-3369A, objective number one calls for *"a sufficient number of dwelling units to support retail commercial uses and civic uses (such as government offices, fire station, police station, town square, library, school, park, etc.) within the concept planning area along a Main Street as described in the Regional Framework Plan and/or in a Neighborhood Center as authorized in Title 12 of the UGMFP, section 3.06.1230."*

Table 1). Of the residential land use designations, a greater percentage of the land area is designated low density residential, followed by medium density and then high density residential (see **Table 2**).

The county has not amended CFP Policy 40 to reflect an Inner Neighborhood designation. However, it is explained in CFP Policy 40 that Neighborhoods cover the areas that are not identified as any other design type. In addition, staff finds that the initial implementing documents reflect the intent of the Inner Neighborhood design type.

Table 1: North Bethany Concept Plan Acreages
Based on Ordinance No. 712-A, October 2009

Concept Plan Designations		Gross Acres
Residential		512
Low Density 1 (LDR-1)	145	
Low Density 2 (LDR-2)	146	
Medium Density 1 (MDR-1)	57	
Medium Density 2 (MDR-2)	96	
High Density (HDR)	58	
High Density Specialty (HDR-S)	10	
Commercial		13
Mixed Use Commercial	9	
Corner Commercial	4	
Institutional (INST)[1]		75
Wetland[2]		91
	TOTAL	**691**
Other Non-Buildable Lands		
ROW for Primary Streets[3]		115
Local (48')	9	
Neighborhood Route (60')	40	
Collectors (78')	26	
Arterials (90')	11	
Arterials (98')	29	
ROW for Local Streets[4]		80
Parks		43
Community Park West[5]	4	
Community Park East[5]	14	
Linear Park Abbey Creek[5]	6	
Linear Park Bethany Creek[5]	4	
Park Blocks[5]	4	
Neighborhood Parks[6]	11	
Steep Slopes[2]		12

[1] Excludes existing PCC Rock Creek Campus (156 acres)
[2] Acreages subject to adjustment based on more accurate information
[3] Based on those streets shown on the Primary Streets and Core Design Elements Map
[4] Estimated rights of way for additional local streets (assumed 17%)
[5] Less Primary Streets rights of way
[6] Estimate based on low end of acreages specified in Neighborhood Design Elements (rights of way not subtracted)

Table 2: North Bethany Gross Developable Residential Acreage

Land Use Category	Land Use Designation	County Develop-able Acres	Minimum Density (units/acre)	Maximum Density (units/acre)	Projected Minimum Dwelling Units	Projected Maximum Dwelling Units*
Low Density	**R6-NB**	266	5	6	1330	1596
Medium	**R9-NB**	56	7	9	392	504
Density	**R15-NB**	80	12	15	960	1200
High Density & Specialty	**R24-NB**	47	19	24	893	1128
	R25+-NB	9	20	25+	180	225
TOTALS		**458**			**3755**	**4653**

As defined by Metro in the *2040 Growth Concept*, Corridors are major streets that serve key transportation routes for people or goods. In lieu of a Corridor designation along Kaiser Road, CFP Policy 40 designates Kaiser Road as a Main Street, between Brugger Road and Road A. The proposed land use designations along the Main Street provide for mixed-use development with the opportunity for high density residential, commercial and retail services and civic uses. The Kaiser Road cross section for the Main Street includes on-street parking, and the North Bethany Main Street Program Guide will require shallow building setbacks and pedestrian-scale design and amenities.

The change from a Corridor to a Main Street designation continues to support the identification of Kaiser Road as a key transportation route while clarifying that Kaiser Road contains an important commercial node that is sized and located to meet the needs of residents in the North Bethany Subarea. The Main Street was located along Kaiser Road to take advantage of greater visibility. While not a Corridor designation, the Main Street design type implies that the area will be served by transit in the future; most likely from the south along Kaiser Road.

Additionally, the Regional Street Design Overlay Map in Policy 6 of the TSP designates Kaiser Road as a Regional Boulevard Design Consideration. This designation applies to Kaiser Road between Springville Road to the northern Subarea boundary. This designation is intended to implement street design characteristics established by the Metro Regional Transportation Plan and the Metro publication entitled "Creating Livable Streets - Street Design Guidelines for 2040."

Lastly, the Corridor designation that Metro applied to the entirety of Kaiser Road was impractical given capacity constraints and safety concerns on Kaiser Road north of Road A. This portion of Kaiser Road leads to the county boundary where improvements beyond the UGB will be restricted to rural standards and where improvements within the UGB will not be feasible due to topography and stream crossing site constraints.

Removing the Corridor designation for this portion of Kaiser Road was deemed necessary in order to reflect the safety and capacity limits of the roadway.

Conclusion. The North Bethany Subarea land use designations comply with the Metro 2040 Design Types, specifically to reflect the Inner Neighborhood, Corridor and Main Street 2040 Design Types. The adopted North Bethany Subarea Plan is consistent with this Title 11 section.

B. Provision for annexation to the district and to a city or any necessary service districts prior to urbanization of the territory or incorporation of a city or necessary service districts to provide all required urban services.

Findings. The North Bethany Subarea is currently under the jurisdiction of Washington County and it will also be served by local service provider districts. In North Bethany, these service providers are Metro, Clean Water Services (sanitary and storm sewer), Tualatin Hills Park and Recreation District (parks, trails and open space), Tualatin Valley Water District (public water), Beaverton School District (public schools), Tualatin Valley Fire and Rescue (fire protection and emergency services), Enhanced Sheriff's Patrol District (law enforcement), Washington County Urban Road Maintenance District (local urban road maintenance) and Washington County Service District for Street Lighting (street lighting). The county oversees transportation infrastructure. Authority for providing services to North Bethany by the above service providers was established in CFP Policy 15, implementing strategy r, by A-Engrossed Ordinance No. 712.

A-Engrossed Ordinance No. 730 required properties within the North Bethany Subarea to be annexed to Metro and the necessary service districts prior to development, pursuant to CDC Section 501-12.2. A-Engrossed Ordinance No. 739 maintains this requirement, with an amendment that deletes text requiring annexation into the county's Street Lighting District. This text was deleted because North Bethany is in this service district.

Conclusion. The amendments to CDC Section 501-12.2 included in A-Engrossed Ordinance Nos. 730 and 739, as well as the current text of CFP Policies 1 and 15, establish adequate provisions for annexation to service districts prior to urbanization. The adopted North Bethany Subarea Plan is consistent with this Title 11 section.

C. Provision for average residential densities of at least 10 dwelling units per net developable residential acre or such other densities that the Council specifies pursuant to section 3.01.040 of the Urban Growth Management Functional Plan.

Findings. The land use designations in the North Bethany Subarea Plan will achieve a minimum average residential density of 10 units per acre. The minimum average net density is 11.5 units per acre, and is consistent with the Board's direction to consider a net density range of 10-12 units per net acre.

Density was calculated using the county's methodology which is based on gross density (**Table 2**), while keeping in mind the Metro minimum requirement of 10 dwelling units

per acre is based on net vacant buildable land. The acreages shown in **Table 3** were used as a basis for ensuring that the residential program has a minimum of 10 units per net developable residential acre. Table 3 shows that 326 net acres will be available to build housing (acreage was subtracted for streets, parks, steep slopes and other non-buildable and non-residential areas). Otak's buildable lands analysis, and the subsequent housing variety program, was based on 291 net acres (405 net acres less Arbor Oaks) (Otak, *Housing Variety Memo*, September 10, 2007).

Table 3: North Bethany Net Developable Residential Acreage
Based on Ordinance No. 712-A, October 2009

Concept Plan Designation	Total Acres	Primary Streets ROW	All Parks[1]	> 25% slopes	Local Street ROW[2]	Net Developable Acres	Percentage of Net Residential Area	Percentage of Total by Category
R-6 NB (LD-1 & LD-2))	291	27	13	12	41	199	60%	61%
R-9 NB (MD-1)	57	8	1	n/a	8	40	12%	28%
R-15 NB (MD-2)	96	17	16	n/a	11	52	16%	
R-24 NB (HDR)	58	12	11	n/a	6	29	9%	11%
R-25+ NB (HDR-S)	10	2	1	n/a	1	6	2%	
TOTALS	**512**	**66**	**42**	**12**	**67**	**326**	**100%**	**100%**

[1] Core Park acreage subtracts Primary Streets right of way. Neighborhood park acreages are estimates based on the lower park acreage sited in the neighborhood design elements (right of way not subtracted).
[2] Assumed 17% of acreage required for local streets. Percentage is calculated by first subtracting the primary streets ROW, parks and 25% slopes from the total acres column.

Conclusion. The minimum densities for the North Bethany Subarea Plan land use designations achieve the minimum average residential densities. Therefore, the adopted North Bethany Subarea Plan is consistent with this Title 11 section.

D. Demonstrable measures that will provide a diversity of housing stock that will fulfill needed housing requirements as defined by ORS 197.303[2]. Measures may include, but are not limited to, implementation of recommendations in Title 7 of the Urban Growth Management Functional Plan.

Findings. As defined by ORS 197.303, needed housing means housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels. It also means, but is not limited to, attached and detached single-family housing and multi-family housing for both owner and renter occupancy, government assisted housing, mobile home or manufactured dwelling parks and manufactured homes on individual lots planned and zoned for single-family residential use.

The land use districts and associated development code standards permit a diversity of housing stock and lot sizes consistent with needed housing requirements.

Conclusion. The North Bethany Subarea Plan and associated implementing strategies permit a variety of housing types and address housing need. The adopted North Bethany Subarea Plan is consistent with this Title 11 section.

E. Demonstration of how residential developments will include, without public subsidy, housing affordable to households with incomes at or below area median incomes for home ownership and at or below 80 percent of area median incomes for rental as defined by U.S. Department of Housing and Urban Development for the adjacent urban jurisdiction. Public subsidies shall not be interpreted to mean the following: density bonuses, streamlined permitting process, extensions to the time at which systems development charges (SDCs) and other fees are collected and other exercises of the regulatory and zoning powers.

Findings. The North Bethany Subarea Plan was developed to comply with Metro Resolution 03-3369A, item 5, while acknowledging the UGMFP requirement to provide

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[2] 197.303 "Needed housing" defined. (1) As used in ORS 197.307, until the beginning of the first periodic review of a local government's acknowledged comprehensive plan, "needed housing" means housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels. On and after the beginning of the first periodic review of a local government's acknowledged comprehensive plan, "needed housing" also means:

(a) Housing that includes, but is not limited to, attached and detached single-family housing and multiple family housing for both owner and renter occupancy;

(b) Government assisted housing;

(c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490; and

(d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions.

(2) Subsection (1)(a) and (d) of this section shall not apply to:

(a) A city with a population of less than 2,500.

(b) A county with a population of less than 15,000.

(3) A local government may take an exception to subsection (1) of this section in the same manner that an exception may be taken under the goals. [1981 c.884 §6; 1983 c.795 §2; 1989 c.380 §1]

affordable housing without public subsidy, as public subsidy is defined in the UGMFP. Item 5 of the Metro Resolution states:

With the assistance of non-profit and for-profit housing developers interested in developing in the area, as well as federal, state and local agencies and organizations involved in enabling the provision of affordable housing, provide at least 20% of ownership housing units developed in the area at prices affordable to households at or below 80% of median income, and at least 20% of rental housing units developed in the area at rent levels affordable for at least 30 years to households at or below 60% of median income. The City of Beaverton and Metro will implement this objective through communication and negotiation with property owners, developers and affordable housing providers; through the provision of incentives; and through other non-regulatory tools.

During the North Bethany concept planning process in 2007, the Affordable Housing Report for the North Bethany Concept Plan (Affordable Housing Report) was developed with the guidance of a focus group of experts in the field.

As described in the Affordable Housing Report, the North Bethany Subarea Plan provides the opportunity to achieve the housing thresholds described in the Beaverton Resolution through the following strategies: 1) affordable market-rate units through housing variety as demonstrated by a variety of land use districts and permitted uses in each district; 2) financing tools to reduce housing costs (e.g., tax exemption, interest rate reductions, community land trust); and 3) flexible land use regulations to reduce costs (e.g., parking ratios, complete communities, form-based codes, voluntary inclusionary zoning).

The three approaches outlined above satisfy the Metro Resolution objectives as follows:

Communication and Negotiation with Property Owners, Developers and Affordable Housing Providers
The use of potential affordable housing tools, such as establishing a community land trust and providing potential qualified renters and homebuyers with financing options, will require partnerships among property owners, developers, affordable housing providers and homeownership education providers. The county is working with local non-profit organizations that specialize in land trusts, home ownership education and financing for qualified renters and buyers. The county anticipates continuing to build on these initial communications to build partnerships in support of the affordable housing objectives.

The Affordable Housing Report anticipated that a community land trust's capacity to work in North Bethany would be based on a means of financial support, such as a funding mechanism applied to development in North Bethany. The County will continue to work with stakeholders to explore ways to provide affordable housing, including the provision of a community land trust and/or other financing tools.

Provision of Incentives
Incentives include financial incentives and development code incentives such as density bonuses, streamlined permitting process, deferral of fees, a reduction in SDC fees and voluntary inclusionary zoning. In conjunction with stakeholders, the county plans to continue working on the CDC requirements, and, where feasible, incorporate development code incentives identified in the Affordable Housing Report, such as density bonuses and voluntary inclusionary zoning.

Non-Regulatory Tools
The financing approach is a set of non-regulatory tools which combines the community land trust model (a proposed outcome of the communication and negotiation strategy) with existing and proposed financing tools (Oregon Bond Program and existing and proposed tax abatement programs).

Community Planning
In addition to the aforementioned implementation strategies explicitly stated in the Metro Resolution, the Affordable Housing Report recommends a number of land use strategies that were considered during the community planning phase of work. This included creating a framework for complete communities (locating commercial and retail services, parks and future transit opportunities within walking distance of housing) and establishing a Main Street area that reflects Metro's 2040 Growth Concept design type. Locating a variety of housing types within a quarter mile of commercial services and at densities to support transit is integral to the North Bethany Subarea Plan.

Achieving 20% Targets
The three approaches described in the Affordable Housing Report are intended to meet the 20% requirements for ownership and rental housing. **Table 4** summarizes the affordable housing targets which are based on the approximate anticipated number of units based on minimum and maximum number of units permitted in each land use district.

Table 4: Affordable Housing Targets for Owner and Rental Housing

	Ownership*	Rental**	Total
Minimum # of units (20%)	536	215	751
Maximum # of units (20%)	660	271	931
Median Income ***	$ 54,320 per year (80%)	$ 40,740 per year (60%)	

* For the purposes of the Affordable Housing Report, it was assumed that ownership units are those designated as low and medium density housing (those designations zoned primarily for single family detached and attached housing).
** For the purposes of the Affordable Housing Report, it was assumed that rental units are those designated as High and Specialty High density (those designations zoned primarily for multi-family housing).
*** Percentages of median family income are based on the HUD Portland Area Median Income as of February 2006, which was $67,900 per year.

The Affordable Housing Report recommended that the financing strategies and revenue would provide 10% of the units. The other 10% would be met through development

incentives, public private partnerships and through the sale of units priced at the lower end of the market. The Affordable Housing Report noted that developers build a market rate product that would be affordable to those earning 80% MFI for ownership housing. This product is typically represented by townhomes, which will be a permitted housing type in North Bethany.

While the Affordable Housing Report provided recommended approaches to achieve affordable housing goals, it did not address implementation details. The Affordable Housing Program Guide for the North Bethany Subarea (Affordable Housing Program Guide), drafted in 2010, built upon the Affordable Housing Report by describing several potential ways to implement each of the three recommended approaches. The Board of County Commissioners adopted the Affordable Housing Program Guide by Resolution & Order on April 19, 2011. This satisfies Policy 21, Implementing Strategy j of the Comprehensive Framework Plan for the Urban Area.

Per the Affordable Housing Program Guide, one potential implementation measure for the flexible land use regulations approach is to incorporate voluntary inclusionary zoning, where developers have the option to build a percentage of their development as affordable in return for an incentive such as density bonus or relaxed development standards. As part of the placeholder work resulting from A-Engrossed Ordinance No. 739, the county will develop Planned Development language for a 2012 ordinance that could incorporate this idea of voluntary inclusionary zoning associated with density bonuses.

Conclusion. A-Engrossed Ordinance Nos. 730 and 739, and the adopted North Bethany Subarea Plan are consistent with this section of Title 11 and Metro Resolution 03-3369A. While the county has established the future land use districts that will enable housing variety, the county will continue to refine the implementation through further development code revisions and on-going partnerships and communications with the development and lending communities.

F. Provision for sufficient commercial and industrial development for the needs of the area to be developed consistent with 2040 Growth Concept design types. Commercial and industrial designations in nearby areas inside the Urban Growth Boundary shall be considered in comprehensive plans to maintain design type consistency.

Findings. The North Bethany UGB expansion area was designated for residential development and there are no commercial and industrial design types within North Bethany, as shown in Metro Ordinance No. 02-987A. However, Metro Resolution 03-3369A includes an item (Item 1) that calls for mixed use opportunities within North Bethany, via a Main Street or Neighborhood Center. Item 1 references Title 12 of the UGMFP, section 3.06.1230 (sic).[3]

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[3] UGMFP: *3.07.1230 Access to Commercial Services*

Leland Consulting Group conducted a study of commercial viability in North Bethany (Leland Consulting Group and Otak, *North Bethany Strategic Program for Residential and Commercial Development*, December 2006). The Strategic Program considered the proximity of other commercial areas in the vicinity, including lands identified as commercial within nearby 2040 Growth Concept design types (such as the Bethany Village Town Center). The Leland report found that a limited amount of commercial development can be supported by the anticipated number of 5,000 housing units in North Bethany. Consistent with the report findings, North Bethany includes a mixed use commercial area along Kaiser Road of approximately six acres and four neighborhood corner commercial "nodes" that are approximately one acre each. These lands are designated for commercial uses in order to complement the residential development and create complete communities. The mixed use commercial area is located along a portion of Kaiser Road, and coincides with the mapped 2040 'Main Street' Boundary for the North Bethany Subarea Plan in Policy 40 of the Comprehensive Framework Plan.

The Leland Consulting Group recommendations were instrumental in the programming of the commercial land use districts, including the permitted uses. The Main Street Program Guide for North Bethany provides additional guidance and requires the development of a more detailed plan for the area that addresses operational and design matters such as parking, building entrances and access management.

Conclusion. A-Engrossed Ordinance No. 730 established two commercial land use designations, and the A-Engrossed Ordinance No. 739 amendments to the commercial land use designations are limited to minor changes to the permitted uses within those designations. The permitted uses in these districts, along with any additional standards and guidance in the Main Street Program Guide for North Bethany, mitigate for any potential conflicts between commercial uses in North Bethany and the Bethany Village Town Center. A-Engrossed Ordinance Nos. 730 and 739 are consistent with this Title 11 section.

A. In order to reduce air pollution and traffic congestion, and to make commercial retail services more accessible to residents of Inner and Outer Neighborhoods, a city or county may designate in its comprehensive plan and land use regulations one or more Neighborhood Centers within or in close proximity to Inner and Outer Neighborhoods to serve as a convenient location of commercial services.

B. To ensure that commercial development serves the needs of the residents of Inner and Outer Neighborhoods but does not generate excessive traffic, noise or air pollution, a city or county that designates a Neighborhood Center shall adopt limitations on the scale of commercial services in Neighborhood Centers. In a Neighborhood Center, a city or county shall not approve:

1. A commercial retail use with more than 20,000 square feet of gross leasable area in a single building; or

2. Office commercial uses with more than 10,000 square feet of gross leasable area in a single building or on a single lot or parcel.

G. A conceptual transportation plan consistent with the applicable provision of the Regional Transportation Plan, Title 6 of the Urban Growth Management Functional Plan, and that is also consistent with the protection of natural resources either identified in acknowledged comprehensive plan inventories or as required by Title 3 of the Urban Growth Management Functional Plan. The plan shall, consistent with OAR 660, Division 11, include preliminary cost estimates and funding strategies, including likely financing approaches.

Findings. Refer to the county's RTP findings for findings of fact for the RTP and Metro UGMFP Title 6. The conceptual transportation plan is consistent with the county's adopted Goal 5 program and UGMFP Title 3, as implemented through Clean Water Services Design and Construction Standards. As part of A-Engrossed Ordinance No. 712, the Public Facilities Plan (PFP) was amended by reference, by amending the Transportation Plan.

Concurrent with the planning work for A-Engrossed Ordinance No. 730, preliminary cost estimates and funding strategies were developed for the transportation improvements associated with the North Bethany Subarea. These strategies, the North Bethany Interim Funding Strategy and the North Bethany Transportation System Development Charge, were adopted by the Board as separate Resolutions & Orders in 2010. The North Bethany Transportation Funding Strategy will be adopted as a separate Resolution & Order, concurrently with the adoption of A-Engrossed Ordinance No. 739, on October 25, 2011.

Conclusion. The comprehensive plan amendments contained in A-Engrossed Ordinance Nos. 712, 730 and 739 comply with the RTP and Title 3 and Title 6 of the UGMFP. The Interim Funding Strategy for the North Bethany Subarea addresses provisions of OAR 660, Division 11, and the county will be in full compliance with OAR 660, Division 11 when the county adopts the North Bethany Transportation Funding Strategy.

H. Identification and mapping of areas to be protected from development due to fish and wildlife habitat protection, water quality enhancement and mitigation, and natural hazards mitigation, including, without limitation, all Habitat Conservation Areas, Water Quality Resource Areas and Flood Management Areas. A natural resource protection plan to protect fish and wildlife habitat, water quality enhancement area, and natural hazard areas shall be completed as part of the comprehensive plan and zoning for lands added to the Urban Growth Boundary prior to urban development. The plan shall include zoning strategies to avoid and minimize conflicts between planned future development and the protection of Habitat Conservation Areas, Water Quality Resource Areas, Flood Management Area, and other natural hazard areas. The plan shall also include a preliminary cost estimate and funding strategy, including likely financing approaches, for options such as mitigation, site acquisition, restoration, enhancemen, and easement dedication to ensure that all significant natural resources are protected.

Findings. Fish and wildlife habitat protection is achieved through application of the acknowledged Tualatin Basin Goal 5 program, which encompassed existing county Goal 5 designations and Clean Water Services Water Quality Sensitive Areas and vegetated corridors. Some additional Goal 5 resources were inventoried through the planning process, including wetlands and open space areas.

Conclusion. A-Engrossed Ordinance No. 730 addressed the ESEE analysis and program decision necessary to make a Post Acknowledgment Plan Amendment with respect to wetlands and open space areas in North Bethany. Acknowledged county Goal 5 designations were applied to significant wetlands (Water Areas and Wetlands) and parks, powerline corridors, and cemeteries (Open Space). Acknowledged county Goal 5 and Tualatin Basin Partners Goal 5 programs are being used to protect, restore, and acquire resources, and to mitigate any future impacts. A-Engrossed Ordinance No. 739 does not amend the Goal 5 designations that were applied by A-Engrossed Ordinance No. 730. The North Bethany Subarea Plan is consistent with this Title 11 section.

I. A conceptual public facilities and services plan for the provision of sanitary sewer, water, storm drainage, transportation, parks and police and fire protection. The plan shall, consistent with OAR Chapter 660, Division 11, include preliminary cost estimates and funding strategies, including likely financing approaches.

Findings. The planning process included the identification of service providers for the North Bethany Subarea, and the development of conceptual plans for service provision. As part of A-Engrossed Ordinance No. 712, Policy 15 of the Comprehensive Framework Plan for the Urban Area was amended to designate the responsible service providers for sanitary sewer, water, storm drainage, transportation, police and fire protection, and maps of necessary infrastructure were adopted for each of the providers to include in their respective master plans. Applicable service providers are incorporating these plans and cost estimates into their respective master plan documents.

A-Engrossed Ordinance No. 712 also amended the Transportation Plan text and maps to identify locations and functional classifications of roads within the North Bethany Subarea. Concurrent with the planning work for A-Engrossed Ordinance No. 730, Washington County has developed preliminary cost estimates and funding strategies for transportation improvements associated with the North Bethany Subarea. These strategies, the North Bethany Interim Transportation Funding Strategy and the North Bethany Transportation System Development Charge, are being reviewed for adoption as separate Resolution & Orders, concurrent with A-Engrossed Ordinance No. 730.

With the exception of transportation, services to the North Bethany Subarea will be provided by entities other than Washington County. Through the planning process for A-Engrossed Ordinance No. 730, staff examined the services of these other service providers. To ensure that the service providers' finance plans will be sufficient, A-Engrossed Ordinance No. 730 included an amendment to CDC Section 501-12.2.B. The amendment required the service providers to have adopted a master plan, including a

financing plan that substantially implements the master plan, before development can be approved. A-Engrossed Ordinance No. 739 does not amend this requirement.

Conclusion. Amendments to Policy 15, the Transportation Plan and CDC Section 501-12.2 implement the requirement for a conceptual public facilities and services plan. A-Engrossed Ordinance Nos. 712, 730 and 739 are consistent with Section I of the UGMFP Title 11.

J. A conceptual school plan that provides for the amount of land and improvements needed, if any, for school facilities on new or existing sites that will serve the territory added to the UGB. The estimate of need shall be coordinated with affected local governments and special districts.

Findings. The North Bethany area is within the Beaverton School District (BSD) service boundary. BSD has already purchased the anticipated amount of land necessary for the school district in this area. There are two sites designated as Institutional on the North Bethany Concept Plan for future schools.

Conclusion. The Beaverton School District has identified the need, and selected suitable sites, for two additional schools in North Bethany. The county is in compliance with Section J of Title 11.

K. An urban growth diagram for the designated planning area showing, at least, the following, when applicable:

1. General locations of arterial, collector and essential local streets and connections and necessary public facilities such as sanitary sewer, storm sewer and water to demonstrate that the area can be served;
2. Locations of steep slopes and unbuildable lands including but not limited to wetlands, floodplains and riparian areas;
3. Location of Habitat Conservation Areas;
4. General locations for mixed use areas, commercial and industrial lands;
5. General locations for single and multi-family housing;
6. General locations for public open space, plazas and neighborhood centers; and
7. General locations or alternative locations for any needed school, park or fire hall sites.

Findings. The North Bethany Concept Plan served as the urban growth diagram during the planning process. The Concept Plan shows general locations for Primary Streets, steep slopes, unbuildable lands (including Habitat Conservation Areas), non-residential and residential locations, open spaces and plazas, and schools, parks and fire stations. For the purposes of Ordinance No. 730 adoption, the Concept Plan was spliced into respective elements, and each element was adopted into the respective CFP Policy and implementing provisions of the Community Plan and CDC. Namely, unbuildable lands were categorized as Density-Restricted Lands and referenced in CDC Section 390; CFP Policy 15 showed the locations necessary for public facilities; TSP Policy 10 included a

Functional Classification System map for the primary street network; and Community Plan maps designated land use districts, natural resource and open space lands.

These maps were also consolidated into a Concept Plan that was adopted by A-Engrossed Ordinance No. 730 as part of CFP Policy 43. A-Engrossed Ordinance No. 739 makes minor amendments to the Concept Plan, such as changes to the land use designations of approximately three parcels to correct earlier mapping errors.

Conclusion. The North Bethany Concept Plan included in Policy 43, and the respective map elements described above, implement the urban growth diagram. A-Engrossed Ordinance Nos. 712, 730 and 739 are consistent with Section K of the UGMFP Title 11.

L. A determination of the zoned dwelling unit capacity of zoning districts that allow housing.

Findings. The zoned dwelling unit capacity (the projected minimum and maximum number of dwelling units) for each residential zoning district in the North Bethany Subarea is shown in columns 6 and 7 of **Table 5** below. This information was also shown in **Table 2**, columns 6 and 7, under the findings for Section A, above.

The average minimum residential density for all of the residential land use districts combined is 11.5 units per net acre, as previously noted in the findings for Section C, above. A-Engrossed Ordinance No. 739 does not amend this average minimum residential density. Although A-Engrossed Ordinance No. 739 designates some residential lands that are not Density Restricted Lands as buffer areas for adjacent agricultural uses outside the UGB, it also allows the residential density to be transferred from these areas to the remainder of the parcel. Therefore, the average minimum residential density is not reduced by A-Engrossed Ordinance No. 739.

Conclusion. A-Engrossed Ordinance Nos. 730 and 739 are consistent with Section L of the UGMFP Title 11.

Table 5: North Bethany Dwelling Unit Capacity for Net Developable Acres*

Land Use Category	Land Use Designation	Net Develop-able Acres*	Minimum Density (units/acre)	Maximum Density (units/acre)	Projected Minimum Dwelling Units**	Projected Maximum Dwelling Units**
Low Density	**R6-NB**	199	5	6	1330	1596
Medium	**R9-NB**	40	7	9	392	504
Density	**R15-NB**	52	12	15	960	1200
High Density & Specialty	**R24-NB**	29	19	24	893	1128
	R25+-NB	6	20	25+	180	225
TOTALS		**326**			**3755**	**4653**

* See Table 3 for the methodology used to determine net developable acres for the land use designations.
** Projected Minimum and Maximum Dwelling Units are based on the County developable acres for each district shown in Table 2, multiplied by the Minimum and Maximum Density for each land use designation.

M. The plan amendments shall be coordinated among the city, county, school district and other service districts.

Findings. The county has been coordinating with service districts and the Beaverton School District and Portland Community College (PCC) throughout the planning process. These service providers participated through the Technical Advisory Committee and/or the Stakeholder Work Group over the course of a two-year planning process. Consistent with state land use planning goals, the county provides notice of the North Bethany implementing ordinances to the surrounding cities, service districts and school service providers.

Conclusion. The North Bethany Subarea was developed in concert with a Stakeholder Work Group and Technical Advisory Committee, wherein service districts and school providers were represented. In addition, the county has met with service districts, the Beaverton School District and PCC outside of the SWG and TAC meetings to finalize details and continue implementation. The county is in compliance with Section M of Title 11.

Part 6:
FINDINGS FOR METRO ORDINANCE NO. 02-987A (Exhibit B - Conditions on Addition)

1. Washington County or, upon annexation of the area to the City of Beaverton, the city shall complete the planning required by Metro Code Title 11, Urban Growth Management Functional Plan, section 3.07.1120 ("Title 11 planning") for Study Areas 84, 85, 86 and 87 (partial) within two years following the effective date of this ordinance.

Findings. A-Engrossed Ordinance No. 712 adopted a Concept Plan for North Bethany that represented a preliminary stage of planning for North Bethany, and provided a basis for subsequent work to address implementation mechanisms and funding for transportation infrastructure. A-Engrossed Ordinance No. 730 adopted the remaining implementing regulations required by this Metro requirement, such as land use districts and development code standards.

During the adoption of A-Engrossed Ordinance No. 730, the Board of County Commissioners identified a discrete number of issues to address by subsequent ordinance in 2011, most of which when completed would allow the Future Development Twenty Acre District (FD-20) to be lifted from the North Bethany Subarea. These placeholder issues were addressed by A-Engrossed Ordinance No. 739, which builds upon the work of A-Engrossed Ordinances 712 and 730.

Conclusion. The county's adoption of A-Engrossed Ordinance No. 730 finalized the growth management policies, the majority of the implementing CDC language, and North Bethany Interim Funding Strategy. The county's continued work to prepare and adopt A-Engrossed Ordinance No. 739 addresses a discrete number of placeholder issues, and its adoption will allow removal of the FD-20 District and application of urban land use designations to the North Bethany Subarea. A-Engrossed Ordinance Nos. 712, 730 and 739 are consistent with this requirement.

2. The city or county with land use planning responsibility for the site shall apply the 2040 Growth Concept design types shown on Attachment 1 to this ordinance to the planning required by Title 11.

Findings and Conclusion. Refer to Title 11 Compliance findings, Section A.

3. The city or county with land use planning responsibility for the study area included in the UGB shall apply interim protection standards in Metro Code Title 11, UGMFP, section 3.07110, to the study area.

Findings. CFP Policy 18 prescribes the development standards of the Future Development 20 acre District (FD-20) designation that is applied to lands within North Bethany. CFP Policy 1 includes a new Implementing Strategy w that describes the necessary criteria for removing the FD-20 designation. In short, the new urban land use designations will be applied once it can be demonstrated that planned urban service

infrastructure has been provided or otherwise assured, as appropriate. Additionally, the cover ordinance for A-Engrossed Ordinance No. 730 specified that urban development following adoption of the North Bethany Concept Plan is not permitted until transportation infrastructure funding mechanisms have been secured. The adoption of A-Engrossed Ordinance No. 739 will lift the FD-20 District designation and apply the urban land use designations. The North Bethany Funding Strategy is scheduled to be adopted by Resolution & Order on October 25, 2011, concurrent with the adoption of A-Engrossed Ordinance No. 739.

Conclusion. The county's CFP Policies 1 and 18 address interim protection standards under the county's FD-20 District. The county is in compliance with this requirement.

4. The city or county with land use planning responsibility for the Beaverton School District elementary school site shall adopt provisions in its comprehensive plan and zoning regulations to limit development on the school site to public school facilities and other development necessary and accessory to the public school use, and public park facilities and uses identified in the conceptual school plan required by Title 11, subsection 3.07.11201.

Findings. The two school sites have a proposed Institutional land use designation. These lands are currently owned by the Beaverton School District (BSD) and subject to the school district's development plans. In addition, Neighborhood Design Elements specify that the locations are intended for school uses by the BSD.

Note that a third school site is located in the Arbor Oaks Subarea. UGMFP Title 11 findings for that subarea were addressed with the adoption of Washington County Ordinance No. 546 (1999).

Conclusion. The generalized land use designations, Subarea Neighborhood Design Elements, and ownership by BSD of the school sites secures each of the three 10-acre parcels for use by BSD for school uses. The county is in compliance with this requirement.

5. In Title 11 planning, the city or county with land use planning responsibility for Study Areas 84, 85, 86 and 87 (partial) shall recommend appropriate long-range boundaries for consideration by the Council in future expansion of the UGB or designation of urban reserves pursuant to 660 Oregon Administrative Rules Division 21.

Findings. The county, in cooperation with Metro and local jurisdictions, participated in the Urban and Rural Reserves planning process. In conjunction with that planning process, the county and Metro have considered potential future expansion of the UGB or designation of urban reserves to the west. Amendments to the Transportation System Plan (Policy 10) reflect this consideration with the extension of the proposed new east-west collector (Road A) to 185th Avenue. In addition, the sewer trunk line planned to serve the majority of this expansion area is aligned to take advantage of efficiencies given the potential for future westward urbanization.

Conclusion. The county is in compliance with this requirement.

6. In Title 11 planning, the city or county with land use planning responsibility for Study Areas 84, 85, 86 and 87 (partial) shall adopt provisions in its comprehensive plan and zoning regulations - such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery - to ensure compatibility between urban uses in an included study area and agricultural practices on adjacent land outside the UGB zoned for farm or forest use.

Findings. North Bethany is bordered by agricultural lands on the east, north and west. As discussed in findings for Metro Ordinance No. 02-987A, Abbey Creek and the adjoining floodplain/riparian area and forested slopes form a substantial natural buffer separating the Bethany area from the resource land and existing rural neighborhoods to the north. Staff notes that the PCC Rock Creek Campus, which Metro Ordinance No. 02-987A identifies as a major urban destination use, is located to the southwest of the North Bethany Subarea, while Rock Creek and its adjoining floodplain/riparian zone are located along the western boundary. These features provide some separation from rural properties to the west. A-Engrossed Ordinance No. 712 and A-Engrossed Ordinance No. 730 establish separation distances along portions of the western and northern edges of the North Bethany Subarea by limiting development within existing natural features such as floodplains and wetlands. These separation distances function as buffers between the urban land within North Bethany and adjacent rural lands. In addition, A-Engrossed Ordinance No. 730 amended the Community Plan to adopt future urban land use designations that would promote compatibility of urban uses with adjacent agricultural and forest activities, by locating land use designations with the lowest allowed residential densities adjacent to the rural lands.

On the other hand, although the findings for Metro Ordinance No. 02-987A cite the presence of a powerline corridor along most of the area's eastern boundary and indicate that this corridor provides a buffer from future urban uses within the area, in actuality some of the land under this powerline corridor is being actively farmed. In addition, during the proceedings for A-Engrossed Ordinance No. 730, testimony was received about the need for adequate buffers, particularly in the northeast corner and along the eastern edge of the subarea.

There was insufficient time to meet with all affected parties and stakeholders to adequately examine the buffer issue during the timeline for A-Engrossed Ordinance No. 730. Therefore, as part of the engrossed ordinance, a placeholder was added to the Comprehensive Plan text, requiring the buffer issue to be examined in 2011. In addition, the engrossed ordinance included interim provisions in both the North Bethany Subarea Plan and the Comprehensive Framework Plan for the Urban Area to limit development at the edge until such issues are resolved through a future land use ordinance. Examination of the buffer issue was able to be continued until 2011 because the FD-20 designation will not be removed from the North Bethany Subarea until a County Service District and other implementation steps are adopted later in 2011.

The placeholder for the urban/rural buffer issue has been addressed as part of A-Engrossed Ordinance No. 739. Starting in January 2011, county staff contacted all adjacent rural property owners to request their feedback on this issue. In addition, this issue was discussed extensively at several of the North Bethany Stakeholder Workgroup meetings that were held between April 12 and July 28, 2011. A-Engrossed Ordinance No. 739 includes community plan and CDC requirements for urban/rural compatibility that have been tailored to the adjacent agricultural uses and conditions along North Bethany's western, northern and eastern boundaries. The standards are based upon staff's research on urban/rural compatibility approaches that have been adopted by other jurisdictions, and on feedback from relevant stakeholders, including adjacent rural property owners and individuals representing developer interests and North Bethany citizen interests. The urban/rural edge standards require the provision of trespass-discouraging fencing along the western and northwestern portions of the North Bethany boundary. Along a majority of the northern boundary, the standards require existing density restricted lands (e.g., floodplains, slopes greater than 25%) to be placed within a non-developable tract, which will function as a vegetated buffer, and fencing to discourage trespass.

Along the majority of the eastern boundary, the standards require provision of a 20 foot wide vegetation buffer, and fencing to discourage trespass. The Board of County Commissioners (Board) understood that the requirement to mitigate the impacts of urban development on agricultural practices on adjacent land outside the UGB would require some degree of loss in development capacity within North Bethany. The Board was cognizant of the potential for the Metro regional trail system to include a trail segment outside of, but adjacent to, North Bethany's eastern boundary. In order to minimize the degree of loss of development capacity within North Bethany, the Board amended the standard for the 20 foot wide vegetation buffer to require the buffer to incorporate sections of North Bethany's eastern perimeter trail.

The compatibility with slow-moving farm machinery will be maintained by a combination of factors. First, the two roads nearest to the North Bethany Subarea are Springville and Kaiser Roads. Where these two roads are adjacent to or within the Subarea, they are urban roads and are flanked on both sides by lands with urban or interim urban designations. As a result, the use of these road segments for the movement of farm machinery is likely to be infrequent. Second, although the potential exists for traffic conflicts along Germantown Road, which is located to the north of North Bethany, staff believes that the amount of farm machinery that uses this road in Washington County is relatively low. More importantly, the North Bethany future road network was planned and designed to route future trips from the North Bethany Subarea down to Springville Road and the existing urban area, rather than creating new connections northward to Germantown Road and the rural area. Third, Section 130.3 of the Washington County Road Design and Construction Standards requires rural roads and interim urban roads to have minimum 6-foot wide shoulders when they are improved. As a result, the potential for North Bethany traffic to ultimately conflict with slow-moving farm machinery along other nearby rural roads in the vicinity is offset by the width requirements for these roads, which serve to accommodate bulky farm machinery and

provide extra passing room. Fourth, the County's Rural Roads Operations & Maintenance Advisory Committee (RROMAC) was briefed on the North Bethany urban/rural compatibility issue at two RROMAC meetings in spring 2011. Although RROMAC has recommended the posting of informational signage such as "Entering agricultural area" and "Yield to farm equipment" in other parts of the county, the committee did not recommend the posting of such signage at North Bethany's urban/rural interface.

Conclusion. The county is in compliance with this requirement. A-Engrossed Ordinance No. 739 includes provisions in its comprehensive plan and Community Development Code to promote compatibility and minimize potential conflicts between urban uses in North Bethany and agricultural practices on adjacent rural land outside the UGB.

7. The conceptual transportation plan required by Title 11, subsection 3.07.1120F for the area shall provide for bicycle and pedestrian access to and within the school site from the surrounding area designated for residential use.

Findings. The proposed street network and trail system includes a network of on-street and off-street trails as well as bicycle lanes that connect with the school district sites. The Park, Trails and Pedestrian Connections map for the North Bethany Subarea (Bethany Community Plan) shows the off-street pedestrian routes and preferred on-street pedestrian connections. At least one or both of these types of pedestrian trails lead to the school sites. The off-street pedestrian routes will allow bicycle access consistent with THPRD standards. In addition, all road cross-sections require sidewalks ranging between 5 feet and 8 feet wide.

Conclusion. The North Bethany Subarea comprehensive plan amendments provide bicycle and pedestrian access to and within the school sites. The county is in compliance with this requirement.

8. In the application of statewide planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) to Title 11 planning, Washington County or the City of Beaverton shall comply with those provisions of Title 3 of the UGMFP acknowledged by the Land Conservation and Development Commission ("LCDC") to comply with Goal 5. If LCDC has not acknowledged those provisions of Title 3 intended to comply with Goal 5 within four years following the effective date of this ordinance Washington County or the city of Beaverton shall consider any inventory of regionally significant Goal 5 resources adopted by resolution of the Metro Council in the county's Goal 5 process.

Findings. Fish and wildlife habitat protection is achieved through application of the acknowledged Tualatin Basin Goal 5 program, which encompassed existing county Goal 5 designations and Clean Water Services Water Quality Sensitive Areas and vegetated corridors. Some additional Goal 5 resources were inventoried through the planning process, including wetlands and open space areas. A-Engrossed Ordinance No. 730 included an ESEE analysis and program decision to make a Post Acknowledgment Plan Amendment with respect to wetlands and open space areas in North Bethany.

A-Engrossed Ordinance No. 739 did not amend any Goal 5 or fish and wildlife protection provisions for the North Bethany Subarea.

Conclusion. A-Engrossed Ordinance Nos. 712, 730 and 739 are consistent with this requirement.

Part 7:
FINDINGS FOR METRO RESOLUTION 03-3369A (Endorsements)

1. Sufficient number of units to support retail commercial and civic uses along a Main Street and/or a Neighborhood Center, per Title 12 of the UGMFP, section 3.06.1230, which states the following:

3.07.1230 Access to Commercial Services

A. In order to reduce air pollution and traffic congestion, and to make commercial retail services more accessible to residents of Inner and Outer Neighborhoods, a city or county may designate in its comprehensive plan and land use regulations one or more Neighborhood Centers within or in close proximity to Inner and Outer Neighborhoods to serve as a convenient location of commercial services.

B. To ensure that commercial development serves the needs of the residents of Inner and Outer Neighborhoods but does not generate excessive traffic, noise or air pollution, a city or county that designates a Neighborhood Center shall adopt limitations on the scale of commercial services in Neighborhood Centers. In a Neighborhood Center, a city or county shall not approve:

1. A commercial retail use with more than 20,000 square feet of gross leasable area in a single building; or

2. Office commercial uses with more than 10,000 square feet of gross leasable area in a single building or on a single lot or parcel.

Findings. The North Bethany Subarea includes a Main Street 2040 Design Type designation along Kaiser Road, to act as a neighborhood center, though by definition and standards the Main Street is not subject to the square footage restrictions applicable to Neighborhood Centers. Two land use districts permit commercial retail uses. In the Neighborhood Corner Commercial District, a commercial use cannot exceed 3,500 square feet, while the limit in the Neighborhood Mixed Use Commercial district is 25,000 square feet for a food market. These dimensional standards are consistent with existing development code standards.

The Main Street consists of six acres of land designated for mixed use commercial and a civic site. The generalized land use designations immediately adjacent to the Main Street are intended to have the highest residential densities in the Subarea. A series of Park Blocks extends to the west which continues high density along a natural ridge.

Conclusion. The North Bethany Subarea Plan is consistent with this endorsement.

2. "A sufficient number and arrangement of dwelling units, by type and location, to support frequent pubic transit service to the Main Street and/or Neighborhood Center, as well as to nearby centers."

Findings. Each neighborhood within the North Bethany Subarea is intended to have a diversity of housing types and density ranges. The average density throughout the Subarea will be at least ten units per acre which is the lower limit to support frequent public transit. Each neighborhood commercial area is surrounded by the higher density land use districts. The Main Street is surrounded by the highest densities. These densities are compatible with the commercial development program.

Conclusion. The North Bethany Subarea Plan is consistent with this endorsement.

3. Street connectivity and, "to the extent practicable," design concepts in Metro's Green Streets Handbook.

Findings. The North Bethany Concept Plan was developed with street connectivity standards in mind. The illustrative plans (shown on the Neighborhood Plans under the North Bethany Subarea, A-Engrossed Ordinance No. 712, Exhibit 3, pages 22-26) are based on a grid street pattern. A-Engrossed Ordinance No. 730 adopted the county's existing connectivity standards to the North Bethany Subarea.

Design concepts in Metro's Green Streets Handbook were integrated into the street cross sections and the Drainage Master Plan. More specifically, streets will be used to manage stormwater runoff through strategically placed infiltration and flow-through swales and tree canopy cover.

Conclusion. The North Bethany Subarea Plan is consistent with this endorsement.

4. More specific and rigorous standards for affordable housing: "With the assistance of non-profit and for-profit housing developers interested in developing in the area, as well as federal, state and local agencies and organizations involved in enabling the provision of affordable housing, provide at least 20% of ownership housing units developed in the area at prices affordable to households at or below 80% of median income, and at least 20% of rental housing units developed in the area at rent levels affordable for at least 30 years to households at or below 60% of median income. The City of Beaverton and Metro will implement this objective through communication and negotiation with property owners, developers and affordable housing providers; through the provision of incentives; and through other non-regulatory tools."

Findings and Conclusion. See findings and conclusion under UGMFP Title 11 3.07.1120 subsection D.

5. Cooperation with THPRD and BSD "to reduce overall demand for land for school sites through collocation of parks, shared use facilities, consideration of multi-story building designs and reductions in parking and circulation requirements made possible by provisions for safe routes to schools in the community design."

Findings. The school sites were already identified by the Beaverton School District prior to the planning process. Where feasible, parks were located adjacent to the school sites. Trails and sidewalks are located to address connectivity between parks and schools. Parking, circulation, and consideration of multi-story building designs will be subject of a forthcoming ordinance to develop code standards for the North Bethany Subarea.

Note that a third school site is located in the Arbor Oaks Subarea. UGMFP Title 11 findings were addressed as part of Washington County Ordinance No. 546 (1999).

Conclusion. The North Bethany Subarea Plan is consistent with this endorsement.

North Bethany Subarea Plan

Washington County

A-Engrossed Land Use Ordinance No. 739

9/28/2011

WASHINGTON COUNTY
OREGON

September 30, 2011

To: Citizen Participation Organizations and Interested Parties

From: Brent Curtis, Planning Manager BC
Department of Land Use & Transportation

Subject: **Proposed A-Engrossed Ordinance No. 739 – Implementation of the North Bethany Subarea Plan**

The County Board of Commissioners (Board) will soon consider an A-Engrossed version of Ordinance No. 739. A-Engrossed Ordinance No. 739 proposes to amend elements of the Washington County Comprehensive Plan to address changes to the North Bethany Subarea Plan (Chapter 2 of the Bethany Community Plan) and its implementing regulations. The proposed changes continue implementation of the Subarea Plan which was adopted by the Board in 2010 through A-Engrossed Ordinance No. 730. A-Engrossed Ordinance No. 739 also addresses a number of placeholder issues identified by the Board that were added to the Subarea Plan and the Community Development Code through the adoption of A-Engrossed Ordinance No. 730.

Public hearing dates and other relevant information about A-Engrossed Ordinance No. 739 are provided below. If you have any questions about the ordinance, or if you would like additional information, please contact the Long Range Planning Division as noted on page 4.

Public Hearings

Board of Commissioners	Board of Commissioners
10:00 am	6:30 pm
October 11, 2011	October 25, 2011

Hearings will be held in the Shirley Huffman Auditorium in the Public Services Building, 155 N. First Avenue, Hillsboro, Oregon.

If adopted, A-Engrossed Ordinance No. 739 would remove the FD-20 District and make the "future" urban land use districts adopted in 2010 effective. This would allow land use applications for the development of land in North Bethany to be submitted.

Summary of A-Engrossed Ordinance No. 739

It isn't possible to describe or fully explain all of the proposed changes. The following is a general description of the most significant changes. The North Bethany Subarea Plan is referred to as the Subarea Plan and the Community Development Code is referred to as the CDC.

Amendments made to two or more elements of the Comprehensive Plan

1. Amendments to the standards for the Urban/Rural Buffer in the Subarea Plan and the CDC were made to:
   - change the names of the buffers to Fence-Only Buffer, Natural Features Buffer with Fencing, and Vegetation Buffer with Fencing
   - change the buffer designation at the northeast corner of the North Bethany Subarea from the Vegetation Buffer to the Fence-Only Buffer

Department of Land Use & Transportation • Long Range Planning Division
155 N. First Avenue, Suite 350-14, Hillsboro, OR 97124-3072
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- require the Vegetation Buffer with Fencing along the eastern perimeter to put the perimeter trail and the vegetation into one 20 foot wide buffer
- specify Western Red Cedar and Western Hemlock trees as the required vegetation in the Vegetation Buffer when the trail is not in the buffer; alternative vegetation is allowed when the trail is in the buffer
- require a minimum 5 foot tall cyclone, wood or wire mesh fence where fencing is required
- require signs to be posted on the perimeter fence in public areas (e.g., the perimeter trail) to advise people that the adjacent rural land is private property that is used for farm and forestry uses
- limit the recording of the farm/forest waiver to development on properties that are within 1,200 feet of the urban growth boundary

2. Amendments were made to the Subarea Plan and the CDC to:
   - clarify that for sloped areas with slopes greater than 25%, dwellings are permitted only at the top of the 25%. Other clarifying amendments are made to make clearer that dwellings are not permitted on the remaining part of those steeply sloped areas.
   - prohibit the alteration of slopes greater than 25% except for the construction of dwellings at the top of the slope.

3. Amendments were made to pedestrian/bike maps in the Subarea Plan and Policies 15 and 43 of the Comprehensive Framework Plan for the Urban Area to remove the "Off-Street Study Area" and the "Possible Off-Street Trail Connections" designations at the northeast corner of Portland Community College's (PCC) property. Similar amendments were made to the College Neighborhood Plan. In place of these map designations, written requirements were added to the text of the Subarea Plan that require the location of these future trails to be determined when PCC develops that part of its property. The new text specifies that the location of the trails shall be designed so they will not have an adverse impact on the wooded area on PCC's property that is used for academic programs.

4. The Subarea Plan and CDC text about community service uses were amended to state that all community service uses would be located in residential districts.

North Bethany Subarea Plan (Chapter 2 of the Bethany Community Plan)
The following changes were made to the text and maps of the North Bethany Subarea Plan.

1. Amendments to the Main Street Program Guide were made to specify that a public process must be used to develop the Main Street Area's Urban Design Plan and that the county is primarily responsible for developing this plan in the future in conjunction with its design of improvements to Kaiser Road.

2. The Design Elements of the West Neighborhood and the College Neighborhood were amended to: 1) clarify that a neighborhood park will not be located on the PCC campus, and 2) specify that PCC shall participate in the design of the neighborhood park in the West Neighborhood and that the park shall not have an adverse impact on PCC's wooded area.

3. In the text of the Subarea Plan, a sentence was removed which stated that development would be processed through the Type II procedure if the development was consistent with the applicable Neighborhood Plan.

4. In Design Element 2 of the Southeast Neighborhood of the Subarea Plan, the word "library" was changed to "community center".

5. The Community Service Use Map in the Subarea Plan was amended by removing the community service use designation from the future fire station site on Springville Road.

6. The Land Use Map for the Subarea Plan was amended to correct the following mapping errors: change the northwest corner of the Bethany Presbyterian Church site from R-6 NB to Institutional NB; and change the eastern perimeter of the PCC site from R-9 NB to Institutional. A similar change to PCC's property was made on the College Neighborhood Map.

Community Development Code
The following changes were made to development standards applicable to the Subarea Plan.

1. The following changes were made to other CDC standards about community service uses:
   - the reference to a community service use was deleted from the Type II use category for a farmer's market in the Neighborhood Corner Commercial District
   - the Type II use category for community service uses was deleted from the Institutional NB District
   - the Special Use standards for community service uses were amended to specify that these uses may be located in a mixed use building.

2. Day care facility was added as a Type II use in the Institutional NB District.

3. Nursery (pre-school) was added as a Type III use in the Institutional NB District.

4. The Type III use category for public buildings in the Institutional NB District was amended to state uses accessory to the primary use are permitted. The reference to the applicable Special Use standards was changed from Section 430-103 to Section 390-16.10.

5. A school's screening/buffering requirements for trees and shrubs were changed to correct numerical references.

6. Building design and variety standards were added to CDC Section 390-20 for residential and non-residential development. Placeholders were added that identify additional work in 2012 to develop final standards for the following types of buildings:
   - front façade variation (rules of adjacency) for detached and single family attached (townhouses) dwellings
   - garage façade standards for detached and single family attached (townhouses) dwellings
   - façade articulation and variation for multi-family dwelling buildings

Community Development Code Section 501-12
The following changes were made to Section 501-12, the standards for public facilities and services in the Subarea Plan:

1. The existing CDC standards for interim pedestrian facilities were deleted and replaced with new standards. Requirements for interim facilities are tied to a development's average daily vehicular trips. Text was added that specifies that PCC would not be required to use its powers of eminent domain to acquire land for interim pedestrian facilities in the event PCC needs to provide those facilities.

2. The CDC standards for interim bicycle facilities were amended to specify that PCC would not be required to use its powers of eminent domain to acquire land for interim bicycle facilities in the event PCC needs to provide those facilities.

3. The CDC standards for interim pedestrian and bicycle facilities were amended to add criteria that allow an applicant to provide a financial assurance for the construction of needed facilities for the purposes of obtaining preliminary and final land use approvals.

4. CDC Section 501-12 (public facility standards for the North Bethany Subarea) was amended to make the following CDC standards applicable to the North Bethany Subarea: CDC Sections 501-6.3, 501-6.4, 501-6.5 and 501-6.6. These standards allow the Review Authority to grant an exception to certain road improvement requirements when specific criteria are met.

5. CDC Section 501-12 standards for conveyance of land for public facilities (e.g., parks, trails, storm water facilities) were amended to:
   - allow an applicant to move the location of a neighborhood park or trail when the park district determines the new location meets a prescribed set of criteria
   - add the use of a restrictive covenant and an irrevocable option to provide additional ways to assure for the acquisition of land for public facilities.

How to Submit Testimony

Submit oral or written testimony to the Board of County Commissioners at a public hearing. Written testimony may also be mailed or faxed in advance of public hearings in care of the Long Range Planning Division. **We are unable to accept e-mail as public testimony.**

Washington County, Long Range Planning Division
155 N. First Ave., Suite 350-14, Hillsboro, OR 97124-3072
Fax: 503-846-4412

Staff Contact

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Telephone: 503-846-3963 Fax: 503-846-4412
E-mail: suzanne_savin@co.washington.or.us

Proposed Ordinance is available at the following locations

- Proposed A-Engrossed Ordinance No. 739 is available for review at the Long Range Planning Division. A copy may be purchased at a cost of $3.00. An additional postage fee of $5.00 will be charged if mailing is requested. Telephone 503-846-3519.
- www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2011-land-use-ordinances.cfm
- Cedar Mill Community Library and Tigard Public Library
- Citizen Participation Organizations; call 503-821-1128 for directory of CPOs.

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Continued from October 11, 2011

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category:	Public Hearing – Sixth Reading and Sixth Public Hearing Land Use & Transportation; County Counsel (CPO 7)
Agenda Title:	**PROPOSED A-ENGROSSED ORDINANCE NO. 739 – AN ORDINANCE RELATING TO IMPLEMENTATION OF THE NORTH BETHANY SUBAREA PLAN OF THE BETHANY COMMUNITY PLAN**
Presented by:	Andrew Singelakis, Director, Land Use & Transportation Alan Rappleyea, County Counsel

SUMMARY:

Last October, the Board adopted the North Bethany Subarea Plan as Chapter 2 of the Bethany Community Plan. (See attached map of Subarea properties.) At that time, the Board also authorized the filing of Ordinance No. 739 to address implementation details of the Subarea Plan and placeholder issues identified by the Board in 2010.

The Board conducted public hearings for this ordinance on August 23, and September 6, 20 and 27, 2011. On September 27, the Board directed staff to engross Ordinance No. 739 to make a number of changes identified through the hearings process. The first public hearing for the engrossed ordinance was held on October 11 and then continued to October 25, 2011 for the second required hearing.

A-Engrossed Ordinance No. 739 amends the North Bethany Subarea Plan, the Community Development Code, the Comprehensive Framework Plan for the Urban Area, and the 2020 Transportation Plan. A-Engrossed Ordinance No. 739 is posted on the county's land use ordinance web page at the following link:

http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2011-land-use-ordinances.cfm

- Continued -

DEPARTMENT'S REQUESTED ACTION:

Read A-Engrossed Ordinance No. 739 by title only and conduct the public hearing. At the conclusion of the hearing adopt A-Engrossed Ordinance No. 739, approve the 2012 work program to address the Board-identified ordinance placeholder tasks for the North Bethany Subarea Plan, and authorize the filing of a land use ordinance to address those tasks.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

100-601000

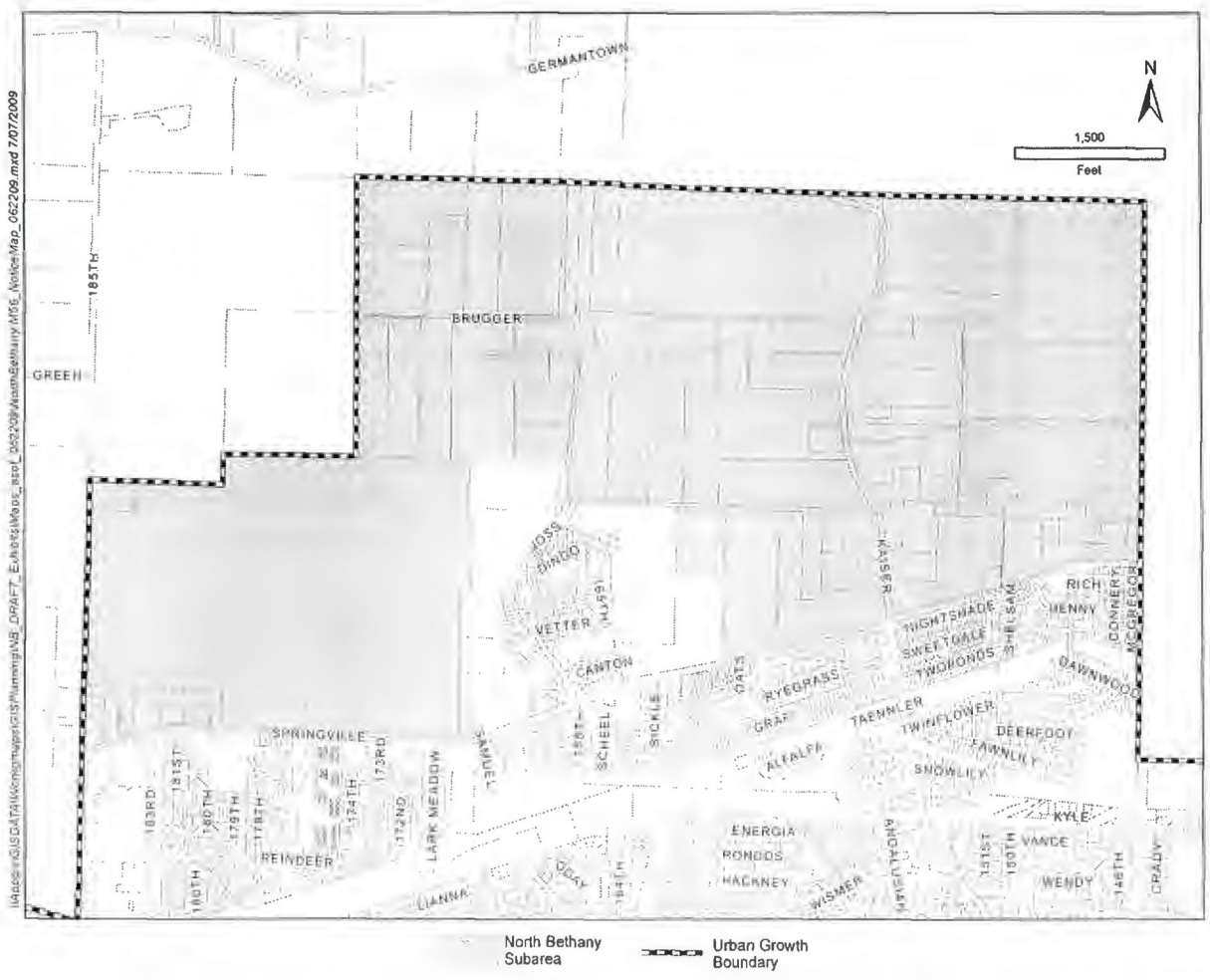
ADOPTED

Agenda Item No.	**3.a.**
Date:	10/25/11

If A-Engrossed Ordinance No. 739 is adopted on October 25th, the existing FD-20 District will be lifted from the North Bethany Subarea and the "future" urban land use districts adopted in 2010 will become effective. This will allow land use applications for the development of land in North Bethany to be submitted when A-Engrossed Ordinance No. 739 becomes effective on November 25, 2011.

Consistent with Board policy, testimony about the ordinance is limited to two minutes for individuals and five minutes for a representative of a group.

The staff report will be provided prior to the October 25 hearing. It will be posted on the above land use ordinance web page and will also be available at the Clerk's desk prior to the hearing.



FILED

SEP 28 2011

Washington County
County Clerk

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE NO. 739

An Ordinance Relating to Implementation of the North Bethany Subarea Plan of the Bethany Community Plan

The Board of County Commissioners of Washington County, Oregon ("Board") ordains as follows:

SECTION 1

A. The Board recognizes that the North Bethany Subarea Plan of the Bethany Community Plan, having been adopted in 2009 as the North Bethany Concept Plan which established a framework for how new development should occur in the North Bethany area, and modified in 2010 to establish the urban land use designations, or districts, to assure compliance and consistency between the various elements of the Washington County Comprehensive Plan and the state and regional planning regulations for new urban areas, is ready for further amendments to address implementation and urban development.

B. The Board recognizes that to implement this concept plan, additional changes to several elements of the Comprehensive Plan and maps and text are necessary to (1) address the urban/rural edge buffers to ensure compatibility between future urban development and adjacent farm uses, (2) address the concerns of Portland Community College (PCC) relating to the interim bicycle and pedestrian standards and future campus trails and neighborhood park, (3) modify the land conveyance standards for public facilities, (4) clarify the process to develop the Main Street Area's Urban Design Plan, (5) create placeholders for the building

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design and variety standards, and (6) make other changes, and that these amendments are for the benefit of the health, safety, and general welfare of the residents of Washington County, Oregon.

C. The Board recognizes that the Bethany Community Plan was adopted by Ordinance Nos. 263 and 265 and amended by Ordinance Nos. 345, 420, 471, 480, 551, 588, 610, 615, 620, 649, 702, 712, and 730.

D. The Board recognizes that the Community Development Code Element of the Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by way of Ordinance No. 308, with portions subsequently amended by Ordinance Nos. 321, 326, 336-341, 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423, 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635, 638, 642, 644, 645, 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677, 682-686, 692, 694-698, 703, 704, 708, 709, 711, 712, 718-720, 725, 730, 732, and 735.

E. The Board recognizes that the Comprehensive Framework Plan for the Urban Area element of the Comprehensive Plan (Volume II) was readopted with amendments on September 9, 1986, with portions subsequently amended by Ordinance Nos. 343, 382, 432, 459, 471, 480, 483, 516, 517, 526, 551, 555, 561, 571, 572, 588, 590, 598, 608-610, 612-615, 620, 624, 631, 632, 637, 643, 649, 662, 666, 669, 671, 683, 686, 694, 712, 726, 730, 732, and 733.

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F. The Board recognizes that the Transportation Plan Element of the Comprehensive Plan (Volume XV) was adopted on October 25, 1988, by way of Ordinance Nos. 332 and 333, with portions subsequently amended by Ordinance Nos. 343, 382, 409, 419, 426, 432, 450, 463, 470, 471, 473, 474, 480, 483-485, 493, 494, 503, 515, 526, 537, 542, 546, 552, 556, 588, 601, 609, 611, 626, 627, 631, 642, 649, 663, 674, 683, 712, 713, 717, 718, and 730.

G. Under the provisions of Washington County Charter Chapter X, the Department of Land Use and Transportation has carried out its responsibilities, including preparation of notices, and the County Planning Commission has conducted one or more public hearings on the proposed amendments and has submitted its recommendations to the Board. The Board finds that this Ordinance is based on those recommendations and any modifications made by the Board are a result of the public hearings process.

H. The Board further determines that today's extraordinary economic conditions, including the collapse of the housing market and the mortgage industry, constitute the emergency circumstances that permit less than 45-day notice of this ordinance to the state before the initial public hearing, as provided in ORS 197.610(2), to allow the county to adopt the ordinance in a timely manner before the end of its 2011 land use ordinance season in October, and to provide opportunities for economic development.

I. The Board finds and takes public notice that it is in receipt of all matters and information necessary to consider this Ordinance in an adequate manner, and finds that this Ordinance complies with the Statewide Planning Goals, the standards for legislative plan adoption as set forth in Chapters 197 and 215 of the Oregon Revised Statutes, the Washington

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County Charter, the Washington County Community Development Code, and the Washington County Comprehensive Plan.

SECTION 2

The following Exhibits, attached and incorporated herein by reference, are hereby adopted as amendments to the following documents:

A. Bethany Community Plan Amendments:

1. Exhibit 1 (44 pages) –Chapter 2, North Bethany Subarea Plan;

2. Exhibit 2 (14 pages) –North Bethany Subarea Plan Maps, as follows:

   a. Pages 1-5 – Land Use Designations Map (Repealing the 'Future Land Use Designations' map in A-Engrossed Ordinance No. 730 (Exhibit 3, pages 5, 6 and 7 | pages 1 and 2 of this Exhibit) and replacing them with 'Land Use Designations' maps (pages 3-5 of this Exhibit);
   b. Page 6 – Primary Streets Map;
   c. Pages 7-8 – Parks, Trails and Pedestrian Connections Map;
   d. Pages 9-10 – Community Service Use Map (Repealing the 'Community Service Use Location' map in A-Engrossed Ordinance No. 730 (Exhibit 3, page 24 | page 9 of this Exhibit) and replacing it with the 'Community Service Use' map (page 10 of this Exhibit);
   e. Page 11 – Density Restricted Lands Map (Changing the legend text from 'Restricted Lands' to 'Density Restricted Lands');
   f. Page 12 – Urban/Rural Edge Map;
   g. Page 13 – Neighborhood Plan – Map 1 – North Bethany Subarea College Neighborhood (changing Portland Community College (PCC) property designation from R-6 NB to INST); and
   h. Page 14 – North Bethany Subarea Northeast Neighborhood.

B. Community Development Code Amendments:

1. Exhibit 3 (2 pages) – Amending CDC Sections 204-3 and 204-4 (Standards for Providing Notice of Type II and Type III applications;

2. Exhibit 4 (59 pages) – Amending CDC Section 390, NORTH BETHANY SUBAREA OVERLAY DISTRICT, of Article III, Land Use Districts; and

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3. Exhibit 5 (6 pages) – Amending CDC Section 501-12, Public Facility and Service Requirements for the North Bethany Subarea Plan.

C. Comprehensive Framework Plan for the Urban Area Amendments:

1. Exhibit 6 (2 pages) – Policy 15, Roles and Responsibilities for Serving Growth – Parks, Trails and Pedestrian Connections' Map;

2. Exhibit 7 (8 pages) – Policy 43, COMMUNITY DESIGN FOR NEW URBAN AREAS – Policy 43 Text; North Bethany Concept Plan Design Elements Map 2; and Core Pedestrian and Bicycle Network Map; and

3. Exhibit 8 (2 pages) – Policy 44, MANAGING GROWTH IN NEW URBAN AREAS – Policy 44 Text.

D. 2020 Transportation Plan Amendments:

Exhibit 9 (1 page) – Policy 10, 'Functional Classification System' map.

SECTION 3

All other Comprehensive Plan provisions that have been adopted by prior ordinance, which are not expressly amended or repealed herein, shall remain in full force and effect.

SECTION 4

All applications received prior to the effective date shall be processed in accordance with ORS 215.427.

SECTION 5

If any portion of this Ordinance, including the exhibits, shall for any reason be held invalid or unconstitutional by a body of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

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SECTION 6

The Office of County Counsel and Department of Land Use and Transportation are authorized to prepare planning documents to reflect the changes adopted under Section 2 of this Ordinance, including deleting and adding textual material and maps, renumbering pages or sections, and making any technical changes not affecting the substance of these amendments as necessary to conform to the Washington County Comprehensive Plan format.

SECTION 7

This Ordinance shall take effect thirty (30) days after adoption.

ENACTED this 25 day of October, 2011, being the sixth reading and sixth public hearing before the Board of County Commissioners of Washington County, Oregon.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

ADOPTED

Andy Duyck
CHAIRMAN

Barbara Hejtmanek
RECORDING SECRETARY

READING		PUBLIC HEARING	
First	August 23, 2011	First	August 23, 2011
Second	September 6, 2011	Second	September 6, 2011
Third	September 20, 2011	Third	September 20, 2011
Fourth	September 27, 2011	Fourth	September 27, 2011
Fifth	October 11, 2011	Fifth	October 11, 2011
Sixth	October 25, 2011	Sixth	October 25, 2011

VOTE: *Aye:* Duyck, Rogers, Schouten, Malinowski *Nay:*
Recording Secretary: Barbara Hejtmanek Date: October 25, 2011

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FILED

SEP 28 2011

Washington County
County Clerk

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE NO. 739	An Ordinance Relating to Implementation of the North Bethany Subarea Plan of the Bethany Community Plan

The Board of County Commissioners of Washington County, Oregon ("Board") ordains as follows:

SECTION 1

A. The Board recognizes that the North Bethany Subarea Plan of the Bethany Community Plan, having been adopted in 2009 as the North Bethany Concept Plan which established a framework for how new development should occur in the North Bethany area, and modified in 2010 to establish the urban land use designations, or districts, to assure compliance and consistency between the various elements of the Washington County Comprehensive Plan and the state and regional planning regulations for new urban areas, is ready for further amendments to address implementation and urban development.

B. The Board recognizes that to implement this concept plan, additional changes to several elements of the Comprehensive Plan and maps and text are necessary to (1) address the urban/rural edge buffers to ensure compatibility between future urban development and adjacent farm uses, (2) address the concerns of Portland Community College (PCC) relating to the interim bicycle and pedestrian standards and future campus trails and neighborhood park, (3) modify the land conveyance standards for public facilities, (4) clarify the process to develop the Main Street Area's Urban Design Plan, (5) create placeholders for the building

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design and variety standards, and (6) make other changes, and that these amendments are for the benefit of the health, safety, and general welfare of the residents of Washington County, Oregon.

C. The Board recognizes that the Bethany Community Plan was adopted by Ordinance Nos. 263 and 265 and amended by Ordinance Nos. 345, 420, 471, 480, 551, 588, 610, 615, 620, 649, 702, 712, and 730.

D. The Board recognizes that the Community Development Code Element of the Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by way of Ordinance No. 308, with portions subsequently amended by Ordinance Nos. 321, 326, 336-341, 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423, 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635, 638, 642, 644, 645, 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677, 682-686, 692, 694-698, 703, 704, 708, 709, 711, 712, 718-720, 725, 730, 732, and 735.

E. The Board recognizes that the Comprehensive Framework Plan for the Urban Area element of the Comprehensive Plan (Volume II) was readopted with amendments on September 9, 1986, with portions subsequently amended by Ordinance Nos. 343, 382, 432, 459, 471, 480, 483, 516, 517, 526, 551, 555, 561, 571, 572, 588, 590, 598, 608-610, 612-615, 620, 624, 631, 632, 637, 643, 649, 662, 666, 669, 671, 683, 686, 694, 712, 726, 730, 732, and 733.

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F. The Board recognizes that the Transportation Plan Element of the Comprehensive Plan (Volume XV) was adopted on October 25, 1988, by way of Ordinance Nos. 332 and 333, with portions subsequently amended by Ordinance Nos. 343, 382, 409, 419, 426, 432, 450, 463, 470, 471, 473, 474, 480, 483-485, 493, 494, 503, 515, 526, 537, 542, 546, 552, 556, 588, 601, 609, 611, 626, 627, 631, 642, 649, 663, 674, 683, 712, 713, 717, 718, and 730.

G. Under the provisions of Washington County Charter Chapter X, the Department of Land Use and Transportation has carried out its responsibilities, including preparation of notices, and the County Planning Commission has conducted one or more public hearings on the proposed amendments and has submitted its recommendations to the Board. The Board finds that this Ordinance is based on those recommendations and any modifications made by the Board are a result of the public hearings process.

H. The Board further determines that today's extraordinary economic conditions, including the collapse of the housing market and the mortgage industry, constitute the emergency circumstances that permit less than 45-day notice of this ordinance to the state before the initial public hearing, as provided in ORS 197.610(2), to allow the county to adopt the ordinance in a timely manner before the end of its 2011 land use ordinance season in October, and to provide opportunities for economic development.

I. The Board finds and takes public notice that it is in receipt of all matters and information necessary to consider this Ordinance in an adequate manner, and finds that this Ordinance complies with the Statewide Planning Goals, the standards for legislative plan adoption as set forth in Chapters 197 and 215 of the Oregon Revised Statutes, the Washington

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Exhibit 9 (1 page) – Policy 10, 'Functional Classification System' map.

SECTION 3

All other Comprehensive Plan provisions that have been adopted by prior ordinance, which are not expressly amended or repealed herein, shall remain in full force and effect.

SECTION 4

All applications received prior to the effective date shall be processed in accordance with ORS 215.427.

SECTION 5

If any portion of this Ordinance, including the exhibits, shall for any reason be held invalid or unconstitutional by a body of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

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SECTION 6

The Office of County Counsel and Department of Land Use and Transportation are authorized to prepare planning documents to reflect the changes adopted under Section 2 of this Ordinance, including deleting and adding textual material and maps, renumbering pages or sections, and making any technical changes not affecting the substance of these amendments as necessary to conform to the Washington County Comprehensive Plan format.

SECTION 7

This Ordinance shall take effect thirty (30) days after adoption.

ENACTED this _____ day of _____, 2011, being the _____ reading and _____ public hearing before the Board of County Commissioners of Washington County, Oregon.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

_____
CHAIRMAN

_____
RECORDING SECRETARY

READING		PUBLIC HEARING	
First	_____	First	_____
Second	_____	Second	_____
Third	_____	Third	_____
Fourth	_____	Fourth	_____
Fifth	_____	Fifth	_____
Sixth	_____	Sixth	_____
VOTE: *Aye:*	_____	*Nay:*	_____
Recording Secretary:	_____	Date:	_____

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Chapter 2, North Bethany Subarea Plan, of the Bethany Community Plan is amended to reflect the following:

Chapter 2: North Bethany Subarea Plan

I. Introduction

The North Bethany Subarea Plan applies to land north of NW Springville Road with the exception of the Arbor Oaks Subarea. This chapter provides background and an overview of the Subarea's community planning principles and goals, describes the relevant maps, and prescribes general and neighborhood design elements. Where applicable, the Subarea Plan identifies the plan amendment procedure and criteria for proposing changes to the Subarea Plan.

Predominant urban land use designations in the North Bethany Subarea Plan are residential of varying densities, with a mix of other ancillary land uses for commercial and institutional purposes. Mechanisms for the funding and provision of public facilities and infrastructure services are planned, but until they can be secured, the FD-20 land use designation will remain in place. The FD-20 designation will be removed and the future land use designations applied through a legislative plan amendment process.

II. Area Description

The North Bethany Subarea is located north of Highway 26 in northeast Washington County. The eastern boundary of the Subarea is the Washington-Multnomah County line. The Subarea is bounded on the west and north by the floodplain associated with Rock Creek and Abbey Creek~~, respectively, and associated floodplain area~~. Rural agricultural lands are the predominant land uses to the north, east, and west. The southern boundary is NW Springville Road, with the other Bethany Community Plan Subareas to the south.

North Bethany is nestled near the base of the Tualatin Mountains. The area's most prominent geographic feature is a ridge that runs from east to west across the center of the Subarea. Three tributaries to Abbey Creek begin in the Subarea north of the ridge. South of the ridge, Bethany Creek flows from the eastern boundary parallel to NW Springville Road until reaching NW Joss Avenue, at which point the creek flows under NW Springville Road. The elevation along the ridge and the gently sloping hills to the north and south draw the eye toward vistas of the Tualatin Valley.

At the time the Subarea was brought within the Urban Growth Boundary (UGB), and until new urban development begins, the predominant land uses consist of five to ten acre rural lots. An exception to the rural land use is the PCC Rock Creek Campus which has an Institutional plan designation

III. Background, Planning Process and Community Design Goals

A. UGB Expansions

In 1992, Metro expanded the UGB to include the PCC Rock Creek Campus. In 1999 and 2002, Metro expanded the UGB to include the other land that is within the North Bethany Subarea, as well as an additional portion of the PCC Rock Creek Campus. ~~The 1992 expansion brought the PCC Rock Creek Campus within the UGB.~~ (Approximately fifty acres of the PCC Rock Creek Campus remains outside the

UGB). The 2002 expansion brought the remainder of the North Bethany Subarea within the UGB. The state Land Conservation and Development Commission (LCDC) acknowledged the expansion in July 2003 (augmenting the North Bethany expansion area to nearly 800 acres). An appeal and litigation of the 2003 acknowledgment was settled in September 2005 and the North Bethany Subarea was ultimately acknowledged by LCDC. The county assumed the long-term service provider role from Beaverton in 2004.

The Arbor Oaks subdivision area was part of the 2002 UGB expansion. However, the master plan for Arbor Oaks (Casefile 00-601-M) was approved prior to completion of the North Bethany planning process and has led to separation of this area into the Arbor Oaks Subarea.

B. PCC Rock Creek Campus

Although the majority of the PCC Rock Creek Campus was inside the UGB prior to the subject area expansion, the campus was considered throughout the planning process as an integral component of the planned community. The campus is included in the North Bethany Subarea Plan as a distinct neighborhood, with consideration given to addressing important planning objectives for the community as a whole. Relevant objectives include those related to access to the campus, circulation within the campus and its connectivity to the adjacent neighborhoods.

C. Planning Process

The North Bethany Subarea Plan is the culmination of a three year planning process. Beginning in 2006, the county worked with a team of consultants, the public, and a technical advisory committee and stakeholder work group to develop conceptual and illustrative plans for the UGB expansion area. The planning process established a vision and framework for how new development should occur in the North Bethany area, including land use designations, transportation, stormwater, ~~and~~ parks and open space networks, affordable housing and infrastructure funding. An illustrative plan showed how the concept could be configured at the neighborhood level. The North Bethany Subarea Plan implements the land use and transportation related elements of the Concept Plan, as adopted in Policy 43 of the Comprehensive Framework Plan for the Urban Area.

At the core of the North Bethany Subarea is a focal point that is planned for a mix of land uses. The designation of this mixed use area is consistent with the Metro 2040 designation as a Main Street. A North Bethany Main Street Program Guide identifies design elements that are specific to development within the designated 2040 Main Street boundary. The North Bethany Funding Strategy and North Bethany Affordable Housing Program implement non-land use aspects of the plans. In addition, local service providers, such as Tualatin Hills Park & Recreation District (THPRD) and Clean Water Services (CWS), have incorporated ~~plans for North Bethany parks and stormwater/sewer infrastructure services elements into their adopted plans for consistent implementation~~ North Bethany infrastructure and public service requirements into their respective adopted plans.

D. Community Design Goals

The Community Planning work for North Bethany represents an innovative approach for the county and its partner service provider agencies. As compared with the 1983 community plans, the North Bethany Subarea was planned and designed to be a more complete community, with better provision and integration of urban services and amenities. While some degree of flexibility remains, the North Bethany Subarea Plan is a more detailed level of planning, specifically with respect to the design of the public realm. Integrating this level of community planning with urban service facility planning results in a greater degree of certainty for the community, for developers, and for service providers who must provide necessary infrastructure.

abcdef Proposed additions
~~abcdef~~ Proposed deletions

Early in the planning process, the Board of County Commissioners established a vision for North Bethany to be a distinct community, yet well-integrated into the existing, larger Bethany community. The vision for North Bethany incorporates:

- high standards for integrating comprehensive plans for urban services such as parks and stormwater management~~,~~;
- a comprehensive design approach that integrates neighborhoods with open space~~,~~;
- a variety of housing choices for a range of affordability levels~~,~~; and
- community Design ~~f~~Features and ~~f~~Focal ~~p~~Points (e.g., civic space, parks, small neighborhood commercial sites, schools, etc.), that are connected to one another, to adjacent points of interest, and to neighborhoods via multi-modal access routes.

Five design goals form the basis of the North Bethany Subarea Plan. The design goals are complemented by a growth management policy that ensures public facilities and services and urban infrastructure are provided and financed in an equitable and feasible manner.

1. *Integration with Greater Bethany – The North Bethany urban area is integrated into the existing, larger Bethany community.*

The amenities and services in North Bethany are complementary to other subareas in the Bethany Community Plan, as indicated by the scale, type and location of amenities and services. Land uses, densities, and design treatments north of NW Springville Road promote a good transition between existing Bethany and North Bethany. The vehicular, pedestrian and bicycle connections between North Bethany and the surrounding area are direct, convenient, and contribute to safety. The plan provides connections to, and compatible land uses near, the PCC Rock Creek campus and the Arbor Oaks Subarea. Land uses are arranged to lessen adverse impacts to adjacent rural uses.

2. *A Community of Distinction – North Bethany is distinguished by its variety and affordability of housing options, mix of uses, walkable streets, nearby schools, community gathering places and focal points, multi-modal transportation connections, variety of green spaces, and family-friendly character.*

The plan promotes quality urban design and calls for different land use designations and densities and a mix of building types within each neighborhood. The plan provides opportunities for affordable housing by incorporating a range of residential land use designations that allow a variety of housing sizes and types. In addition, the North Bethany Affordable Housing Program identifies strategies to promote affordable housing in North Bethany.

Residential development is organized into clearly identifiable neighborhoods that are compact and pedestrian-friendly, with a mix of uses where appropriate. The plan shows land use designations which are arranged along a gradation of densities, providing more intense uses near central locations (e.g., parks and commercial areas), gradually stepping down toward the least intense uses along natural resource areas and rural edges.

The designs of the Subarea and each of its neighborhoods are organized around centers that serve as focal points. For example, the primary focal point for the Subarea is a pedestrian-scale Main Street Area in the Central Neighborhood, featuring a large community park surrounded by high density housing and a mix of commercial uses. In turn, each of the neighborhoods surrounding the Central Neighborhood is organized around a smaller-scale focal point, consisting of a neighborhood park and a small neighborhood commercial site. As a result, all areas of the community are located within a short walk of the Main Street Area or a neighborhood commercial site. Schools will also serve as neighborhood Design Features.

Public spaces and the relationship between public spaces and private areas are important features of North Bethany as these are aspects of the community that, once developed, will become the fabric of the county to be inherited by citizens. Commercial locations are sited for success, with good visibility and easy access that supports the idea of planning for commercial opportunities as they become viable. North

Bethany's neighborhoods are inter-connected by streets and pedestrian and bike routes. Civic sites and public spaces are prominently sited to reinforce their important and functional role in the community. Parks and green spaces are provided in the form of neighborhood, community, and linear parks and off-street trails.

3. *Transportation Choices – Multi-modal choices for walking, biking, driving and transit are connected and integrated with North Bethany's design and the larger transportation system.*

The plan includes a network of streets that serve a variety of options, such as through-travel on the arterial and collector streets and local access to community destinations on neighborhood routes and local streets. There is a connected pattern of blocks and streets that disperses traffic throughout the Subarea, provides access for emergency service providers, avoids or minimizes impacts to natural areas, and contributes to a walkable community. Design elements and requirements for streets improvements provide an opportunity for a safe, high quality pedestrian and bicycling experience with convenient access to key destinations, including schools and parks. While transit service is limited at this time to bus stops at the PCC campus and along NW Springville Road, the street network, development standards, and land uses have been designed to support future transit service to North Bethany. The connections of the North Bethany street network with those of greater Bethany and the surrounding areas are situated to minimize additional traffic impacts on existing neighborhoods.

4. *Integration of Urban and Natural Areas – A variety of parks, trails, protected open spaces and water quality facilities will result in a coordinated system that is integrated with the urban fabric.*

The planning process prioritized public spaces such as parks and trails as a key element in creating the range of amenities found in complete communities. The design concept for the Subarea Plan is a landform-based design that takes advantage of existing natural features for the location of vantage points, orientation of streets, and drainage of stormwater. The community parks and park block elements form an axis along the existing ridge. This predominant open space feature is complemented by neighborhood parks, trails, and community gathering areas, each of which are located and sized in relation to the surrounding natural and designed landscapes.

The overarching Tualatin Hills Park & Recreation District (THPRD) design objectives that guided the placement of parks and trails are:

- An interconnected network of trails that links destinations throughout the community.
- An integration of park sites and trails with natural areas, where practicable.
- Increase visibility and accessibility of public parks by locating them so that they are adjacent to or accessible from other public areas such as streets and trails.; ~~park~~ Park sites shall not be largely hidden behind buildings.

~~Six neighborhood parks range in size and type from one and one-half (1½) to two (2) acres.~~ The two community parks, which together total approximately 20 acres, anchor the west and east ends of the park blocks. Together, these features provide a fundamental framework for the organization of the Subarea neighborhoods. The western community park will be five and one-half (5½) to six (6) acres. A 15-acre community park anchors the eastern end of the park blocks. Six neighborhood parks range in size and type from one and one-half (1 ½) to two (2) acres. All residences in the North Bethany Subarea are within a short walk of a park.

The pedestrian trails and connections define and integrate the neighborhoods with the natural areas. In many cases, pedestrian accessways and/or streets are designed to connect with a natural area such that the access and/or the natural area is visible from the public right-of-way. This is distinctly different than many areas of the county where parks and trails are not pre-planned, which often results in natural areas that are hidden in tracts behind private home lots.

A ~~majority~~ large proportion of the Subarea boundary consists of floodplain and vegetated corridors. These areas provide a natural buffer between the urban uses in the North Bethany Subarea and adjacent rural uses. They also provide opportunities to establish a trail system to provide recreational opportunities to

residents. Efforts shall be made to establish trails and connections to natural areas and rural views while reducing conflicts between urban and rural uses.

The Subarea's protected natural resource areas are consistent with the county's 1983 adopted and acknowledged Goal 5 program as well as the 2005 Tualatin Basin Partners Goal 5 Program. In addition, a Goal 5 post-acknowledgement plan amendment (PAPA) was conducted in order to address wetlands, open spaces, and to refine the wildlife habitat designation along Bethany Creek. The Subarea Plan supports habitat-friendly design and development practices, including site design and on-site stormwater management practices. In addition to on-site stormwater management, stormwater will be managed at the street level, through regional stormwater facilities, and with the protection of natural resource areas that assist in flood management (such as drainage hazard areas and wetlands). Stormwater quantity and quality facilities are consistent with ~~Clean Water Services (~~CWS~~)~~ standards while parks are consistent with THPRD standards.

5. *A Livable Long-Term Future – The North Bethany Concept Plan will plan for long-term livability of the area, including consideration of future growth.*

The planning horizon for the North Bethany Subarea Plan is 20-30 years, with build-out projected at roughly 18 years under robust market conditions. Given the long-term range for the establishment of this community, the Subarea Plan was developed while keeping in mind a number of factors that contribute to enduring livability. These include issues related to provision of urban services and amenities, economic viability, well-designed neighborhoods, sustainable treatment of natural resource systems, impacts to existing service systems, the rural-urban interface, the potential for future urban expansion in adjacent areas, and the greater Washington County transportation system.

IV. DESCRIPTIONS OF NORTH BETHANY SUBAREA PLAN AND MAPS

The North Bethany Subarea Plan is comprised of several plans, maps and figures that are described below. These plans and maps are referenced throughout the North Bethany Subarea Design Elements and the Neighborhood Design Elements (see Section V and Section VI, respectively). The plans and maps are in Section VII[1].

A. ~~Future~~ Land Use Designations Map

This map shows plan designations (land use districts) for all land in the North Bethany Subarea Plan. ~~These designations will be effective when the FD-20 District is removed. The FD-20 District will be removed through a legislative plan amendment after required funding mechanisms have been created.~~

Many of the ~~plan designation~~ boundaries between Plan designations~~with immediately adjacent districts~~ are defined by existing and planned features such as the centerlines of ~~planned~~ streets, powerline rights-of-way, and the future school sites. When the alignment of a planned street is modified through the development review or plan amendment process, the adjacent ~~P~~plan designation(s) will ~~move~~shift to reflect the changed alignment.

B. Neighborhood Plans

There are six Neighborhood Plans that correspond with each of the six North Bethany neighborhoods. Each Neighborhood Plan depicts a preferred development pattern and local street layout, incorporating elements from the Subarea plans and maps along with application of the Community Development Code

[1] ~~Editor's note: Cross-section drawings, street tree tables, community plan map figures and neighborhood plans in Exhibit 3, will be included in Section VII (Drawings, Maps, Tables and Figures) of the published plan.~~

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(CDC). ~~While following the Neighborhood Plan is not required, development that is consistent with all the specifications noted on the applicable Neighborhood Plan may be processed through a Type II process.~~ The required elements of a Neighborhood Plan's preferred development pattern are addressed in other elements of the North Bethany Subarea Plan, such as Area of Special Concern requirements, General Design Elements and Neighborhood Design Elements.

The non-Primary street alignments shown on the Neighborhood Plan maps demonstrate one possible solution for local circulation and street connectivity. These streets provide important connections within the North Bethany Subarea and with the surrounding area. These streets are integrally connected with the Features and Focal Points so vistas along the streets terminate at and emphasize these existing and future community service uses and neighborhood amenities. Along Primary and non-Primary streets, vistas and sight lines terminate at specific locations. These locations are marked as a Feature or Focal Point Landmark symbol to indicate the importance of architectural features on buildings or the importance of landscaping at those locations. Many of these locations are also candidates for community service uses due to their high visibility.

C. Primary Streets Map

This map shows streets that comprise the base template of the Subarea Plan.

The Primary Streets provide the fundamental framework and basis for the design of and circulation within the Subarea. Primary Streets include those streets identified on the Functional Classification System map in Policy 10 of the Washington County 2020 Transportation Plan. In addition, two local streets in the Northeastern Neighborhood are identified as Primary Streets because they establish the northern and southern boundaries of the Beaverton School District site at the eastern boundary.

Most existing streets are Primary Streets that are located within current rights-of-way. These existing streets are incorporated into the planned Primary Street network to improve efficiencies for future development.

Modifications to the planned alignments of the Primary Streets are permitted through the development review process or through a plan amendment. Permitted modifications are defined in the General Design Elements. The design intent for each Primary Street is described in the applicable Neighborhood Design Elements.

D. Core Design Elements Map

Core Design Elements shall be implemented by all development. Noted elements include Gateways, Design Features, the Main Street Area, small neighborhood commercial sites, Fixed Parks and locations for Neighborhood Parks. The actual location of the Neighborhood Parks may shift within the candidate areas shown on the Parks, Trails and Pedestrian Connections Map. Requirements for these elements are described in the General Design Elements and the respective Neighborhood Design Elements (Sections V and VI, respectively).

E. Parks, Trails and Pedestrian Connections Map

This map shows the location of all planned community and neighborhood park locations, off-street trails, and on-street pedestrian routes that ~~will~~are required to be provided in the North Bethany Subarea. Community parks and the Park Blocks are shown as Fixed Parks. Neighborhood park locations are flexible within the geographic areas noted on the map. Refer to the General Design Elements for location criteria for each neighborhood park.

The final location and configuration of all parks and trails will be determined by THPRD, either prior to or as part of the development review process. The site determination process will provide the opportunity for THPRD to make incremental acquisition arrangements for park and trail properties throughout the Subarea.

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While specific park and trail locations will be determined by THPRD, the General and Neighborhood Design Elements ~~elaborate on~~define the acreage and intended design ~~considerations~~parameters for each park site and trail alignment. The preferred Neighborhood Park locations are shown on the Core Design Elements Map and the Neighborhood Plans. In addition, two areas of special concern provide guidance for the Bethany Creek trail corridor (ASC 7) and the Northeast Neighborhood linear park (ASC 8).

In several instances, trail connections rely upon on-street pedestrian routes (i.e., sidewalks) to establish a connected and continuous trail network. Where these on-street segments follow required Primary Streets, trail connections are more certain. There is less certainty where the on-street segments follow non-Primary Streets~~;~~. ~~a~~A connection is still required, however, its exact location and format (i.e., on-street or off-street) will be determined at the time of development. The non-Primary Streets shown in the Neighborhood Plans illustrate a preferred design outcome and are intended as guidance for future development. Special attention must therefore be given to assure adequate trail connections are ~~provided~~obtained in order to provide a complete trail system.

F. Significant Natural Resources Map

The generalized location of Goal 5 designations in the North Bethany Subarea that were identified prior to the 2002 UGB expansion for the North Bethany Subarea, including Water Areas and Wetlands & Fish and Wildlife Habitat areas, have been moved from Chapter 1 to Chapter 2 of the Bethany Community Plan. Through the concept planning process for the North Bethany Subarea, these designations were also refined in conjunction with the development of a Local Wetland Inventory.

Significant resources were identified through the application of statewide Land Use Planning Goal 5. The Significant Natural Resources Map included in Chapter 2 shows the general locations of two types of newly identified Goal 5 resources: Locally Significant Wetlands and Open Space. Locally Significant Wetlands are wetland areas that are important for reasons related to location, size, quality and/or function. (Note that not all jurisdictional wetland areas are defined as significant pursuant to Goal 5 and therefore, not all jurisdictional wetland areas are shown on the Map; the depictions are limited to those wetlands in the North Bethany Subarea that were determined to be significant.)

The Locally Significant Wetland boundaries depicted on the Significant Natural Resources Map represent preliminary planning level information. More refined and precise on-site delineations of the Locally Significant Wetland areas and vegetated corridors will be provided through the development review process~~;~~ and it is expected that the boundaries shown on the Significant Natural Resource Map will be adjusted accordingly. Delineation of the ultimate site boundaries for these features will be coordinated with the county and Clean Water Services~~,~~ and shall take into account all applicable regulations and Plan requirements.

Open Space resources shown on the Significant Natural Resource Map include generalized locations for future parks and off-street trails, as well as existing features such as powerline rights-of-way, an existing cemetery and school ball fields and playgrounds. The ball fields and playgrounds for future schools will be designated as Open Space when they have been constructed.

G. Street Design Plan

The Street Design Plan keys planned streets to specific cross section design types that have been developed for the North Bethany Subarea. The Street Design Plan also references the type of street tree that shall be planted for each street. The Subarea Plan prescribes a street design approach for North Bethany that includes pedestrian and bicycle amenities, responds to a particular street's setting within the overall plan, addresses county engineering concerns about public streets, provides enhanced street landscaping, and incorporates low impact development approaches (LIDA) consistent with ~~the~~Clean Water Services' North Bethany Drainage Master Plan. These design approaches are generally arranged by street type and are implemented through the following Subarea documents:

a) Typical Street Design Cross Sections (Section VII.A)

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b) Neighborhood-Specific Street Tree Program (Section VII.B)

c) Areas of Special Concern criteria for identified street corridors (see Section V.B)

Typical Street Design Cross Sections

The Street Design Cross Sections are conceptual drawings that illustrate the width dimensions of the required street features inclusive of sidewalks. The cross-section designs include an abbreviated identifier that is keyed to the Street Design Plan and Street Tree tables.

Features within the street cross sections include the sidewalk, planter strip/LIDA features, bicycle lanes, parking lanes, travel lanes and planted or paved medians. These drawings are intended to address street design only; existing county standards regarding materials and construction shall continue to apply, including the provisions in the General Design Elements. All street designs are subject to County Engineer approval.

Neighborhood-Specific Street Tree Program

A street tree program was developed for all streets in the North Bethany Subarea. Street trees are identified by neighborhood for each collector, neighborhood route, and local street. The exception to the sub-classification based upon neighborhood is the more broad-based "Arterial" system which supersedes the neighborhood districts.

The street trees for each neighborhood are identified and described in the following tables found in Section VII.

Table 1: The North Bethany Street Tree List corresponds with the nomenclature of street tree type provided in the Street Design Plan and lists the individual tree species and cultivars. Individual species have been selected and allocated according to tree size, scale, median width, street hierarchy and design intent. Where appropriate, the selected species ~~are~~shall be compatible with Low Impact Development Approaches (LIDA) features.

Table 2: The North Bethany Street Tree Guide lists the descriptions of the individual species and the intended effect created by their growth characteristics. Species are selected to be compatible with LIDA features.

The Long Range Planning Manager may approve a substitute street tree species for trees in Tables 1 or 2 when a tree is unavailable due to disease or insufficient supply. A substitute tree shall be consistent with the characteristics of the replaced species (e.g., mature height and size/shape of canopy cover) and also intended effect. The substitute tree shall also be compatible with LIDA features, where appropriate.

H. Special Setbacks Map

The Special Setbacks Map identifies two areas where there are specific setback requirements which may be different from the setbacks of the underlying land use designation. Along the Park Blocks, the build-to requirements create a more urban pedestrian streetscape and accommodate space for any on-site stormwater management through the use of ~~L~~low ~~l~~impact ~~D~~development ~~A~~approaches. Along the north side of the linear park in the Northeast Neighborhood, reduced yard requirements are permitted since the linear park establishes a setback from the street (Road A).

I. Special Frontages Map

The Special Frontages Map identifies key streetscapes where building façade enhancements and landscaping are specified in order to improve the pedestrian environment and visual interest along major streets, parks, powerline corridors and trails, and at community gateways.

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J. Community Service ~~Areas~~Use Map

The Community Service ~~Areas~~Use Map identifies suitable locations for community service uses as provided in the Community Development Code (CDC). Community service uses are neighborhood-scale public and quasi-public uses and/or gathering spaces that are necessary components of a complete community. The sites for community service uses are located in residential land use districts. The locations were identified through the concept planning process and were selected based on one or more of the following characteristics: ~~g~~Gateway locations; proximity to schools, parks and other public spaces~~;~~ located adjacent to land use districts where shared parking opportunities exist, and smaller sites that due to size and shape may pose challenges ~~to~~in developing future residential subdivisions. Development standards for the community service uses are included in the Subarea Plan's General Design Elements and CDC Section 390.

The Community Service Use Map functions similarly to an overlay, and allows community service uses (CSUs) at the identified locations as an alternative to residential development. While the map provides locational flexibility, it does not include an implementing mechanism to ensure that community service uses will develop at any of the mapped locations.

To encourage the development of CSUs at the locations shown on the Community Service Use Map, CSU development incentives have been included in CDC Section 390. To track the effectiveness of these incentives, staff from the Long Range Planning Division will conduct a status check of CSU development at intervals of five, 10, 15, and 20 years after the FD-20 District has been removed from the North Bethany Subarea. If a CSU is converted to another use, staff may elect to conduct a status check at that time to determine if changes are needed to help ensure the provision of CSUs in North Bethany.

1. Evaluation of the Development of Community Service Uses

   At each of the intervals specified above in Subsection 1., the status check shall evaluate the following:

   a. The number and location of mapped CSU sites that have been developed with residences;

   b. The number and location of mapped CSU sites that have been developed with CSUs, including the number of CSUs developed with or without the use of the CDC incentive;

   c. The number of developed CSU sites by neighborhood; and

   d. The type of developed CSUs.

2. Evaluation of Incentive Standards

   At each of the intervals specified above in Subsection 1.

   a. If fewer than twenty-five percent (25%) of the mapped CSU sites have been developed in each of the Subarea's neighborhoods, the incentive provisions and criteria for CSUs shall be maintained; or

   b. If any type of development (residential, CSU, or both) has occurred on twenty-five percent (25%) or more of the mapped CSU sites in any Subarea neighborhood or within the Subarea as a whole, Long Range Planning staff shall convene a North Bethany stakeholder workgroup to examine if one of the actions described below in Subsection 1), 2) or 3) is needed. The recommendations of the stakeholder workgroup shall be presented to the Board of Commissioners for review. At the election of the Board, it may direct staff to file an ordinance to

consider amendments to the North Bethany Subarea Plan and/or the Community Development Code to address criteria related to the provision of community service uses in the North Bethany Subarea. The stakeholder workgroup shall be composed of individuals representing development interests, North Bethany residents, North Bethany property owners, CPO 7, and county staff.

(1) If one (1) or fewer of the mapped CSU sites have been developed with a CSU in any Subarea neighborhood, then adoption of other measures to ensure provision of CSUs may be warranted;

(2) If five (5) or fewer of the mapped CSU sites have been developed with CSUs in the Subarea as a whole, then adoption of other measures to ensure provision of CSUs may be warranted; or

(3) If more than five (5) of the mapped sites have been developed with a CSU (and especially if the incentives in CDC Section 390 were not utilized for the CSU development), then removal of the CSU incentives may be warranted.

K. Density Restricted Lands ~~Areas~~ Map

The Density Restricted Lands ~~Areas~~ Map identifies lands that have natural constraints in the form of wetlands, fish and wildlife habitat, estimated CWS vegetated corridors, open space, slopes greater than 25 percent, floodplains, and drainage hazard areas. These are important natural areas where development is precluded. These lands are given underlying land use designations. However, residential density was not assumed for these lands and not accounted for as buildable lands in the Title 11 concept planning process. Therefore, density transfers are not allowed in North Bethany and development in density restricted lands is prohibited, except when permitted by provisions of this Community Plan and the Community Development Code. The Density Restricted Lands ~~Areas~~ Map is intended to identify areas where residential development and density transfer ~~generally do not apply~~ are prohibited. For lands with slopes greater than 25%, residential development is permitted at the top of slope to allow the construction of a row of dwellings along the top of slope as depicted on the applicable Neighborhood Plans. Construction of segments of the perimeter trail is also permitted. Development at the top of these slopes shall comply with the requirements of Section 390-18 of the Community Development Code.

In some instances, the specific boundary of a density restricted area will be refined during the development review process when more specific analysis is conducted. For example, ~~T~~the wetland areas depicted represent preliminary boundaries for significant wetland locations; these areas are important for stormwater management throughout the Subarea. In general sensitive areas such as wetlands and their protective buffers are not buildable, however additional site-specific analysis is required before definitive boundaries can be established.

~~Lands with slopes greater than 25 percent are buildable subject to special provisions outlined in the Community Development Code.~~

L. Landslide Inventory and Landslide Study Areas Maps

The county contracted with the Oregon Department of Geology and Mineral Industries (DOGAMI) to apply new technology in the identification of potential landslide hazard areas in the vicinity of the North Bethany Subarea. The DOGAMI analysis and maps are the basis for the Landslide Inventory map and the Landslide Study Area maps. The Landslide Study Area maps identify areas in the North Bethany Subarea Plan where an engineering geology report is required as part of a development application. The report will determine if site conditions require special design or construction standards to address conditions and if

an additional report is required at the building permit stage. The county will maintain map notations and a record of site-specific reports. Applicable review criteria are found under CDC Section 410 (Grading and Drainage).

M. Urban/Rural Edge Map

The Urban/Rural Edge Map depicts the North Bethany Subarea boundaries that are adjacent to agricultural lands outside the Urban Growth Boundary. The map identifies the locations of three buffer types that are applicable to development: Fence-Only Buffer, Natural Features Buffer with Fencing, and Vegetation Buffer with Fencing. Development standards for the buffers are included in General Design Element 2 and CDC Section 390. The requirements for the urban/rural edge are provided to comply with Condition No. 6 of Metro Ordinance No. 02-987A. The purpose of the condition is to ensure that new development is compatible with adjacent agricultural practices.

V. NORTH BETHANY SUBAREA DESIGN ELEMENTS

All new development shall be consistent with the following design elements and ~~a~~Area of ~~s~~Special ~~c~~Concern requirements.

A. General Design Elements

1. Floodplains, drainage hazard areas, streams and their tributaries, and riparian wooded areas, steep slopes, scenic features, power line easements, and rights-of-way are preserved and protected by being designated as a Significant Natural Resource Area and/or Density Restricted Lands ~~Area~~. In the design of new development, these areas shall be interconnected with the park and open space system and the stormwater and water quality management system consistent with the requirements and standards for CWS and THPRD.

2. To promote compatibility between agricultural activities on adjacent rural land and new urban development in the North Bethany Subarea, new development shall comply with the following requirements:

   a. For land in the Natural Features Buffer with Fencing on the Urban/Rural Edge Map, no development is permitted, including alteration of existing vegetation, except as permitted by *Community Development Code Section 390-18; and*

   b. The standards of CDC Section 390-19, including recording a waiver of the right to remonstrate against customarily accepted farm or forestry practices on nearby rural land,

3~~2~~. Trees located within a Significant Natural Resource Area shall not be removed without first obtaining a development permit for tree removal as provided for within the Community Development Code. A permit shall not be required for tree removal from power line rights-of-way, public parks or playgrounds.

4~~3~~. Noise reduction measures shall be incorporated into all new residential structures adjacent to arterials and collectors. Examples include double-pane windows. *Sound walls are not required.*

5~~4~~. Parks, Trails and Pedestrian Connections

   a. On-street and off-street trails and pedestrian connections shall be provided consistent with the routes shown on the Parks, Trails and Pedestrian Connections ~~m~~Map. Off-street trails shall be provided consistent with THPRD standards and any North Bethany design elements and Areas of Special Concern. When an applicant proposes to use off-street trails to meet CDC Section 408

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standards, those trails are encouraged to ~~also~~ be designed to meet accessway or greenway standards (see CDC Section 408-9). The specific design of off-street trails shall consider whether the trail has a neighborhood circulation function and incorporate accessway or greenway elements as appropriate.

b. Each neighborhood park shall have a direct pedestrian and bicycle connection to the nearest segment of the off-street trail network. The connection may be provided through an off-street trail, Primary Street or local street. ~~The connection may be provided through an off-street trail, Primary Street or local street.~~ In addition, pedestrian connections to perimeter and regional trails shall be provided consistent with any applicable Neighborhood Design Elements.

c. New development shall provide for pedestrian/bicycle pathways for public access through or along the development and connect adjacent developments and/or commercial areas, schools, public transit, and park and recreation sites. Pedestrian scale outdoor lighting shall be provided pursuant to the requirements of CDC Section 408-9.8.

d. Off-street trail crossings on arterials and collectors shall be at the locations shown on the Parks, Trails and Pedestrian Connections Map.

e. A one and one-half (1½) to two (2)-acre neighborhood park shall be located in each neighborhood, with the exception of the College Neighborhood. ~~The~~Each park shall be located within the geographic area depicted on the Parks, Trails and Pedestrian Connections map. Public street frontage shall be provided along at least 50 percent of the park perimeter. Frontage along other public spaces (such as trails or natural areas) may count toward up to half of the 50 percent public street frontage requirement. Building orientation and frontages shall be consistent with General Design Element 8~~7~~.

6~~5~~. Residential development is encouraged to provide a variety of lot widths, side yard setbacks, building types and street fronting building façades to avoid monotonous streetscapes and result in a variety of unit sizes.

7~~6~~. For designated areas along the Park Blocks and Northeast Neighborhood Linear Park, development shall follow special "build-to" setbacks as described below. Relevant street segments are identified on the Special Setbacks map. In the event there is a conflict between these build-to standards and the setback standard of the primary district, ~~this Plan~~the build-to setbacks described below shall control.

Build-To Setbacks Subject to Special Setbacks Map

	Build-To Setbacks			
Yard Area	**R15 NB**	**R24 NB**	**R25+ NB**	**NC NB & NCMU**
Front Yard	5 to 15 ft.*	5 to 15 ft.*	5 to 15 ft.*	0-15 ft.*
Street Side Yard	8 ft.	8 ft.	8 ft.	0-5 ft.
Rear Yard	12 ft.	12 ft.	12 ft.	0-5 ft.

* *Porches and other covered or enclosed entryways and architectural features such as balconies and bay windows may extend beyond the build-to line.*

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8~~7~~. Special Frontages

For locations throughout the Subarea Plan where buildings are adjacent to highly visible and/or pedestrian-oriented public spaces, special façade, building orientation and/or frontage treatments are required. The following Special Frontage categories describe requirements that shall be applied in accordance with the Special Frontages ~~m~~Map, which identifies locations where each category applies.

Category A or C requirements apply to lots adjacent to future neighborhood park sites, depending on the specific park location and configuration. Since these sites have yet to be determined, they are not indicated on the Special Frontages map.

Where articulated façades are required, the building façade facing the public space shall exhibit at least three (3) of the following details:

- a minimum of three (3) fully-trimmed windows and/or doors
- a patio, balcony or covered porch
- a bay window with its own roof element
- a minimum of two (2) types of siding treatment
- at least one (1) break in the roof line or the addition of a dormer
- a minimum two- (2-)-foot long jog in the façade that requires a break in the roof

a. Special Frontage Category A

Category A requirements apply primarily to buildings on lots that have frontage on pedestrian-oriented streets and streets that are adjacent to parks, as indicated on the Special Frontages ~~m~~Map. For buildings on lots adjacent to Category A frontage areas, façades oriented to the public space shall be articulated as specified above. In addition, at least 50 percent of the Category A lots in a given subdivision phase shall have buildings with front orientation to the public space. Site-obscuring fences and walls adjacent to the public space shall not exceed four (4) feet in height. Chain-link fences are not permitted.

b. Special Frontage Category B

Category B requirements apply primarily to buildings on lots adjacent to major streets and Gateways, as indicated on the Special Frontages ~~m~~Map. For all buildings on lots adjacent to Category B frontage areas, façades oriented to the public space shall be articulated as specified above.

Except for multi-family and commercial development, for the Category B frontage that runs the length of Road A in between the two powerline corridors, a masonry wall shall be constructed just outside the right-of-way boundary on each side of the road. The wall may be a combination wall-/fence, provided the masonry portion comprises the base and the total combined height does not exceed six (6) feet. Any non-masonry portion of the fence shall be transparent and constructed of durable material. Chain-link fences are not permitted.

c. Special Frontage Category C

Category C requirements apply primarily to buildings on lots adjacent to powerline corridors and trails, as indicated on the Special Frontages ~~m~~Map. In addition, Category C requirements apply to lots that are immediately adjacent to a neighborhood park (i.e., not separated by a street); as described above these are not necessarily noted on the Special Frontages map. For all buildings on lots adjacent to Category C frontage areas, façades oriented to the public space shall be articulated as specified above. Site-obscuring fences and walls adjacent to the public space shall not exceed four (4) feet in height.

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9~~8~~. Buildings that are identified on the Core Design Elements ~~m~~Map as a Design Feature shall be located on the site to make the building visible from the neighborhood. Design Feature buildings shall be designed and located to provide a terminated vista for the sight lines shown by the orientation arrows on the Neighborhood Plan maps.

10~~9~~. Circulation

a. New development shall dedicate right-of-way for new streets and extensions and alignments of existing streets as indicated on Washington County's Transportation Plan and the Primary Streets Map. New development shall also be subject during development review to CDC Article V standards that implement ~~conditions set forth in~~ the North Bethany Subarea growth management policy ~~during development review~~.

   1. Modifications to the planned alignments of the Primary Streets are permitted through the development review process or through a plan amendment. The planned centerline may move up to twenty-five (25) feet through a Type II or Type III development application. Modifications greater than twenty-five (25) feet shall be subject to the plan amendment requirements of Transportation Plan Policy 22, implementing strategies 22.3 (A) or (B).

b. New development shall connect the Primary Street system using CDC Section 408 regarding standards for Local Street Connectivity lands along with applicable requirements of this plan such as ASC 6, Northeast Neighborhood Local Street Circulation.

c. Access onto arterials and collectors may be limited consistent with applicable Areas of Special Concern requirements, which in some cases will require developments to have shared/consolidated access points to these streets. Access to these streets shall be limited to the locations shown on the Primary Streets map, subject to compliance with the applicable ASC Road Corridors and county sight distance and access spacing requirements.

11~~0~~. Streets shall be constructed consistent with the Street Cross Sections, as depicted on the Street Design Plan. Street Cross Sections are included in Section VII. These drawings are intended to address street design only; existing county standards regarding materials and construction shall continue to apply, including the provisions in a. through g. below. All street designs are subject to County Engineer approval.

a. Any curb bump-outs at intersections shall be designed for truck turning movements. Curb bump-outs are appropriate places for LIDA.

b. Cement-treated sub-grade may be allowed for any street classification within the Subarea.

c. Where LIDA is adjacent to on-street parking, access from the sidewalk to parked vehicles shall be provided; for instance through curb-tight sidewalks with tree wells in lieu of a continuous planter strip, pedestrian crossings over swales, or an approximately one-foot pedestrian vehicle access zone adjacent to the curb.

d. In the case of the Park Blocks (PB), the couplet street surfaces shall be sloped to drain toward the center median. Street trees along the Park Blocks shall be planted along both sides of each couplet as shown in the cross section, for a total of four rows of street trees.

e. Local streets ~~(LO)~~ need not be crowned~~,~~ and may be constructed to slope toward one side or the other in order to facilitate a site-specific design for street drainage.

f. Right-of-way width for collector streets may vary as noted in the CL cross-section, depending on how the drainage and LIDA features for the area are designed.

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g. Site-Sspecific designs (including water quality treatment for streets) will be determined at the site design stage in coordination with the County Engineer and ~~Clean Water Services (~~CWS.~~) to determine site specific drainage and water quality treatment for streets. For instance, t~~The size and location of the LIDA features may vary depending on the detailed drainage plan for an area. Technical details for the LIDA features are found in CWS Design and Construction Standards.

12~~1~~. New development shall provide street trees consistent with the Street Design Plan. Street tree tables are included in Section VII.

13. In order to provide and maintain road landscaping in North Bethany:

a. Property owners shall provide and maintain landscaping (including street trees) between the curb and property line along all roads. Subdivision developments along Arterials and Collectors shall provide maintenance through the formation of a Home Owners Association, per the applicable CDC requirements for the North Bethany Subarea.

b. Landscaped medians in Arterials and Collectors shall utilize plant materials that require a low to medium level of maintenance identified by the County Engineer.

c. Gateways and Arterial and Collector medians shall be ultimately maintained by one or more Maintenance Local Improvement Districts (MLIDs), per the applicable CDC requirements for the North Bethany Subarea. The MLID(s) shall include most, if not~~,~~ all, of the North Bethany Subarea.

d. New development shall provide landscaping and maintenance consistent with the provisions of the North Bethany Subarea Plan and applicable CDC requirements for the North Bethany Subarea.

14~~2~~. New development shall be consistent with the North Bethany Drainage Master Plan, unless otherwise approved by CWS.

15~~3~~. New development located in a potential landslide study area shall comply with any applicable requirements of the Community Development Code and Chapter 14.12 of the Washington County Code.

16~~4~~. Residential development with curbside mail delivery shall provide centralized or grouped mail boxes that are available prior to the occupancy of the first dwelling unit.

17~~5~~. New development shall provide street lighting along all streets consistent with county illumination standards. Lighting levels shall assume at least a medium level of pedestrian use as defined in the county illumination standards. A uniform lighting system shall be provided in each ~~N~~neighborhood identified on the Neighborhoods Map.

18~~6~~. The exterior lighting of new development shall be "dark sky friendly".

19~~7~~. Where a plaza is provided, vehicular use of the plaza is prohibited.

20~~18~~. Residential development shall maintain a density transect where density transitions gradually from high to low. Higher densities are generally located along the park blocks, in the Main Street Area and adjacent to neighborhood commercial designations. Density decreases towards the North Bethany Subarea boundary, with lowest densities along the urban/rural edge and adjacent to Springville Road.

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2~~1~~9. The design of identified ~~g~~Gateways shall include features that promote a common community identity such as entryway monumentation, lighting, landscaping and artwork. Applicable Neighborhood Plans include specific illustrative plans for each ~~g~~Gateway.

PLACEHOLDER: General Design Element #2~~0~~18 is related to a future planning task to develop community development code language for planned development standards, including density bonus provisions. This design element will be amended once the North Bethany planned development code standards have been developed.

~~PLACEHOLDER: Staff will continue to work with stakeholders to develop community plan and development provisions that will ensure how community service uses will be provided in the North Bethany Subarea. This placeholder will complete the work started by Work Group 2 during the 2010 workgroup process. Work Group 2 did not have sufficient time to develop these provisions for inclusion in Ordinance No. 730.~~

~~PLACEHOLDER: The compatibility of proposed urban uses with nearby agricultural and forest activities as called out in Statewide Planning Goal 14 is addressed in Condition 5 of Metro Ordinance 02-987A, which authorized the inclusion of much of the North Bethany Subarea into the UGB. Written and oral testimony specific to rural-urban conflicts and the need for adequate setbacks and/or other buffers was submitted to the Board of Commissioners and the Planning Commission at their public hearings. Additional input and discussion from stakeholders is needed in order to determine a suitable buffer on the north, east, and west boundaries of the Subarea. Staff believes this issue can be continued to 2011 because the FD-20 District will be maintained until final funding mechanisms are adopted and other implementation steps are completed.~~

B. Areas of Special Concern

The following Areas of Special Concern (ASC) ~~describe situations~~apply to those areas in the Subarea Plan that call for special treatment or attention. Each Area of Special Concern is identified on the Area of Special Concern Map in Section VII. Design for each of the ASC Road Corridors shall be consistent with the applicable cross-section concepts included in Section VII, including enhanced landscaping, on-street parking where indicated, and LIDA features.

ASC Road Corridor 1A – Road A: NW Springville Road to NW Kaiser Road

Road A, between NW Springville Road and NW Kaiser Road, is intended to function as an urban collector street, with the design elements shown in cross-section drawing CL-1. Unless review at the land development stage indicates corner vision (CDC Section 418-3) or sight distance issues (CDC Section 501-8.5F), access to this section of Road A from Primary Streets shown on the Primary Streets map and non-Primary Streets shown on the Neighborhood Plan maps shall be allowed. Turn restrictions at these allowed accesses may be required as part of the land development review process. Additional access~~es~~ locations shall be consistent with the collector access spacing requirements of CDC Section 501-8.5. All access~~es~~ locations are subject to approval by the County Engineer.

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ASC Road Corridor 1B – Road A: NW Kaiser Road to western North Bethany Subarea Plan Boundary

Road A, between NW Kaiser Road and the western boundary of the Subarea Plan, is intended to function as an urban collector street. It shall incorporate the North Bethany cross-section design elements while acknowledging the potential for future development in Urban Reserve land to the west, between the North Bethany boundary and NW 185th Avenue.

Considering the probability of additional urbanization between NW 185th Avenue and west of the North Bethany Subarea Plan, and the recognition that the road could carry a volume at the higher end expected for a collector street, the following design requirements (consistent with those requirements shown in cross-section CL-1) shall apply in ASC 1B:

~~1.~~ 1. Right-of-way shall be 37 to 39 feet from centerline with a total width of 74 to 78 feet.

~~2.~~ 2. Unless review at the land development stage indicates corner vision (CDC Section 418-3) or sight distance issues (CDC Section 501-8.5F), access to Road A from Primary Streets shown on the Primary Streets map shall be allowed. Turn restrictions at these allowed accesses may be required as part of the land development review process. Additional access locations shall be consistent with the arterial access spacing requirements of CDC Section 501-8.5. Arterial access spacing standards are retained in order to recognize that future traffic volumes on this collector may be relatively high, and to minimize the need to remove portions of the planted median to accommodate potential turn lanes associated with additional access points.

3. In Subareas 1B.1, 1B.2 and 1B.3 of this ASC, one access from each Subarea to Road A, which does not meet the arterial access spacing standards, may be considered through CDC Article V standards for an Access Management Plan subject to meeting the following criteria:

   a. The applicant has demonstrated through CDC Section 408-6 standards that it is impracticable to provide access to a Subarea from a street other than Road A as shown on the applicable Neighborhood Plan.

   b. Only one access from Road A to each Subarea shall be allowed.

   c. Turn restrictions may be required to address roadway capacity, safety and operation issues and maintain the continuity of Road A's center landscape median.

   d. CDC standards for corner vision and sight distance are met.

ASC Road Corridor 2 – NW Kaiser Road from Bethany Creek (which is north of and parallel to NW Springville Road) to Road A

At the time of the adoption of the North Bethany Subarea ~~p~~Plan ~~adoption~~, a detailed, specific plan was not developed that integrated density, retail design, corner vision, sight distance, building entrances and orientations, access points and the need for turning movements and on-street parking along NW Kaiser Road. Therefore, prior to preliminary engineering of this section of NW Kaiser Road and development of properties within this Area of Special Concern, a more detailed Urban Design Plan shall be prepared. The county will develop the Urban Design Plan in conjunction with the design for improvements to NW Kaiser Road. As noted in the Main Street Program Guide, ~~A~~an applicant may develop the Urban Design Plan prior to county initiation of the plan by ~~shall coordinate~~ coordinating with the Long Range Planning Division to ensure the ~~prepare an urban design~~ plan ~~which~~ responds to the North Bethany Main Street Program Guide.

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The North Bethany Main Street Program Guide contains preliminary commercial programming and design considerations which shall serve as a template for future specific design and development of the area. The commercial program in the Main Street Program Guide is based on the *North Bethany Strategic Programming Guide* (December 2006) prepared by Leland Consulting Group.

NW Kaiser Road, between Bethany Creek (north of NW Springville Road) and Road A will bisect the portion of the planning area that is planned for the most intensive land uses. While it is designated as an Arterial on the Functional Classification Maps in the Transportation Plan, special design considerations that are not typically associated with arterial streets will apply. These considerations shall include the following:

- Unless review at the land development stage indicates corner vision (CDC Section 418-3) or sight distance issues (CDC Section 501-8.5F), access to NW Kaiser Road from Primary Streets shown on the Primary Streets Map and non-Primary Streets shown on the Neighborhood Plan maps shall be allowed. Turn restrictions on these allowed accesses may be required as part of the land development review process. Additional accesses shall be consistent with the arterial access spacing requirements of CDC Section 501-8.5.
- For the portion north of NW Brugger Road, street design and on-street parking shall be provided consistent with the Main Street design concept drawing shown in the AR-1b cross-section shown in Section VII.
- Local street connections to NW Kaiser Road may be allowed as direct connections to NW Kaiser Road if determined to be acceptable by the County Engineer.
- A reduced design-speed may be incorporated in the street design through the corridor as determined to be appropriate considering the level of access, land uses and traffic characteristics. The County Engineer shall determine the appropriate design speed. Posted speed shall be determined in accordance with state law.
- A transit plaza shall be considered along this corridor.

ASC Road Corridor 3 – Joss Avenue: Brugger Road to Road A

Until Road A is constructed between NW Joss Avenue and NW 185th Avenue, this segment of Joss Avenue is expected to carry significantly higher volumes of traffic than is typical for a neighborhood route. Consequently, while NW Joss Avenue is designated as an interim collector on the Functional Classification Map in the Transportation Plan, it is anticipated that it ultimately will be reclassified to its expected function as a neighborhood route after ~~the~~ construction of Road A to NW 185th Avenue. Extensions of NW Joss Avenue shall be consistent with either the Neighborhood Route or the CL-1 street design cross-section shown in Section VII, with modifications permitted as described below. The County Engineer shall approve the appropriate cross-section prior to submittal of any development applications for land adjacent to this segment of NW Joss Avenue.

The County Engineer may approve modifications to the street design cross-section to address the interim classification. For instance, two viable interim options include:

- Build a neighborhood route and restrict on-street parking while providing vehicle, bike and pedestrian access during the interim collector period; or
- Build a CL-1 cross-section without a center turn lane and converting bike lanes to on-street parking when the street becomes a neighborhood route.

The street trees shall be consistent with the Neighborhood Route designation for the Northwest and West Neighborhoods, as listed in the North Bethany Street Tree List.

~~PLACEHOLDER: Because this segment of road is expected to carry relatively higher volumes of traffic, staff believes it is important to investigate a minor realignment of the intersection of Joss and Brugger to encourage traffic to use other routes if appropriate and available. Designing such a realignment and analyzing the costs and benefits of such a realignment did not occur by the time of engrossment of the intersection. Such a realignment would likely have associate changes to the land use plan and any change should maintain the integrity of the concept plan. County planning staff will coordinate with interested parties and develop an alternative for consideration as part of the 2011 ordinance process.~~

ASC Road Corridor 4A – NW Springville Road between the Arbor Oaks Subarea eastern boundary and the County Line

NW Springville Road shall be three lanes with additional turn lanes at intersections as determined ~~appropriate~~ by the County Engineer. Consistent with the AR-2 cross-section drawing included in Section VII, the street shall include five-foot wide sidewalks and a seven-foot wide landscape strip, where practicable, within the right-of-way area, along with curb extensions at public streets where appropriate. Landscaped medians shall be provided wherever such medians do not conflict with vehicular ~~storage~~ stacking for left turn movements. Unless review at the land development stage indicates corner vision (CDC Section 418-3) or sight distance issues (CDC Section 501-8.5F), access to NW Springville Road from Primary Streets shown on the Primary Streets ~~m~~Map and non-Primary Streets shown on the Neighborhood Plan ~~m~~Maps shall be allowed. Turn restrictions on these allowed accesses may be required through the land development process. Additional ~~accesses~~ locations shall be consistent with the arterial access spacing requirements of CDC Section 501-8.5.

- Right-of-way shall be 90 feet. Property on the north side of NW Springville shall dedicate up to 53 feet from centerline.

ASC Road Corridor 4B – NW Springville Road between NW 185th Avenue and the Arbor Oaks Subarea western boundary

NW Springville Road shall be five lanes with additional turn lanes at intersections as determined appropriate by the County Engineer. Consistent with the AR-2 cross-section drawing included in Section VII, the street shall include five-foot sidewalks and a seven-foot wide landscape strip, where practicable, within the right-of-way area, along with curb extensions on public streets where appropriate. Landscaped medians shall be provided wherever such medians do not conflict with vehicular storage for left turn movements. Unless review at the land development stage indicates corner vision (CDC Section 418-3) or sight distance issues (CDC Section 501-8.5F), access to NW Springville Road from Primary Streets shown on the Primary Streets map and non-Primary Streets shown on the Neighborhood Plan maps shall be allowed. Turn restrictions on these allowed accesses may be required through the land development process. Additional accesses shall be consistent with the arterial access spacing requirements of CDC Section 501-8.5. The design for NW Springville Road includes a realignment of the NW 185th Avenue/NW Springville Road intersection, which shifts NW Springville Road to the north of its existing alignment between NW 181st Avenue and NW 185th Avenue (as shown on the Neighborhood Plan map and the Transportation Plan).

- Right-of-way shall be 98 feet. Development on the north side of the street shall dedicate up to 61 feet of right-of-way from centerline.

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ASC 5 – Park Blocks Local Street Circulation and Setbacks

The Park Blocks ASC includes the Park Blocks and developable residential land to the north and south. The Park Blocks are situated along the top of a ridge that extends in an~~the~~ east-west direction. From this vantage point, views are available to the Tualatin Hills (north and east) and the Tualatin River valley (south and west). The Park Blocks are centrally located within the Subarea and adjacent to community gathering locations including the two community parks and the North Bethany Main Street area. The shorter east-west block lengths are designed to maximize pedestrian connections to the Park Blocks and associated views from the ridgeline. The following requirements apply in the Park Blocks ASC:

1. Comply with the connectivity and block length standards of CDC Section 408-6, with the following exception:

   a. The North-South block length between the Park Blocks and Primary Street P4 can exceed 530 feet in conjunction with the pedestrian accessway shown on the Parks, Trails and Pedestrian Connections Map and described below under item 6 of this ASC.

2. East-West block lengths may be longer than what is shown on the Neighborhood Plan within the following specifications:

   a. The block lengths along the entire length of the Park Blocks shall be relatively uniform, with a maximum variation of 10 percent.

   b. The north-south block length as shown on the Neighborhood Plan and the Block Perimeter Standards in Section 408-6 shall be met.

   c. There shall be no fewer than five (5) north-south streets intersecting the Park Blocks between the powerline corridor and Kaiser Road.

3. Primary Streets P11 and P12 comprise a couplet with the Park Blocks as a median. The width of the Park Blocks median shall be 170 feet (100 feet of median width with 35 feet of couplet right-of-way on each side of the block).

4. Vehicular access to residential properties adjacent to the Park Blocks is not permitted from the Park Blocks in order to maintain a continuous pedestrian-oriented public streetscape. A consolidated vehicular access to the North Bethany Main Street Area is permitted.

5. Parking lots between the street and the adjacent buildings are prohibited.

6. Development shall provide an east-west pedestrian accessway between the Park Blocks and Primary Street P4. The pedestrian accessway shall be consistent with CDC Section 408-8.2. The accessway design shall be consistent with CDC Section 408-8.9, except if emergency vehicular access is required in conjunction with the accessway. In that instance, design of the pedestrian accessway shall be separated or integrated into a woonerf-type pedestrian street subject to approval by the County Engineer. A woonerf is a street where pedestrians and bicyclists have priority over motorists. Access is shared, not separated, and design supports very low speed limits (5-10 m.p.h.) through the use of curved alignment, alternative paving materials (i.e., pavers, brick, etc.) and colors, and other traffic calming devices such as trees, planters, bollards, parking, and street furniture.

7. The front façades of all buildings shall front on the Park Blocks, consistent with General Design Element 8~~7~~.

8. Front yard build-to setbacks in the Park Blocks shall comply with the setback requirements of General Design Element 7~~be a minimum of zero (0) feet and a maximum of five (5) feet in the Park Blocks~~.

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Where side yard build-to setbacks and front yard build-to setbacks are proposed for the same street frontage, the side yard build-to setback shall not be less than the front yard build-to setback. Any fences along these side yards shall be set back behind the front yard build-to setbacks of adjacent lots where front yards face the street.

9. Adjacent to the Park Blocks, buildings shall be a minimum of two stories.

ASC 6 - Northeast Neighborhood Local Street Circulation

ASC 6 requires the establishment a grid street network in the Northeastern Neighborhood. The grid street network is integral to the design and location of the land use designations.

1. Local streets shall be aligned in the same directional orientation as the Primary Streets (i.e., parallel and perpendicular to these streets).

2. Development shall comply with CDC Section 408-6 for connectivity and block dimension standards.

ASC 7 - Bethany Creek Trail Corridor and Rossetta Street Alignment

ASC 7 addresses the design configuration of the trail corridor to the north of Bethany Creek (which runs parallel to the north side of Springville Road) and the specific location of the adjacent Primary Street that runs parallel (street P2 on the Primary Streets and Core Design Elements map). The ultimate placement of the P2 street and other planned components depend on future site-specific facility design; this ASC describes the intent that the multi-purpose design shall follow.

The Subarea Plan identifies the approximate boundary of a protected wetland/habitat area along with the approximate boundary for the associated Vegetated Corridor buffer. (The specific boundary for this protected natural resource shall be delineated on-site as a preliminary step for development in the ASC.) Beyond the limits of the Vegetated Corridor buffer, CWS's North Bethany Drainage Master Plan calls for stormwater treatment facilities along the north side of the protected area; wetland mitigation may also occur in this area. At the time of ~~Concept Plan~~ the adoption of the North Bethany Subarea Plan, the specific sizing and location of stormwater facilities ~~have yet to be~~ was not determined; likewise with respect to the need for wetland mitigation sites. Future ~~D~~development applica~~nts~~tions for properties in the ASC must ~~work~~ reflect coordination with CWS to determine the ultimate size and locations of stormwater quantity and ~~water~~ quality facilities ~~in this ASC~~.

The ~~Concept~~Subarea Plan calls for a pedestrian trail along the north side of this stretch of Bethany Creek in between the protected area and the street. This ASC requires development of the area to incorporate a design that combines the functions of the sidewalk on the south side of the adjacent P2 street with a landscaped and appropriately lighted pedestrian ~~path~~trail adjacent to the protected resource. The multi-purpose ~~path~~trail shall be sized and designed for shared use by bicycles and pedestrians and must be designed in collaboration with THPRD. ~~For example, a~~ A meandering asphalt ~~path~~trail with planted tree canopy and adequate room for access of maintenance vehicles is one design example. Because the ~~path~~trail replaces the sidewalk and serves a dual trail-sidewalk purpose, it shall be hard-surface and the adjacent street alignment shall be adjusted to generally follow the ~~path~~. (This may result in a narrowing of the width of this Fixed Park designation as depicted on the "Park, Trails and Pedestrian Connections" map.) The developed trail corridor, mitigation sites and regional stormwater facilities shall be located outside the right-of-way for street P2; the right-of-way width that otherwise calls for sidewalk shall be used for additional landscape and/or street LIDA area.

The ~~T~~trail ~~path~~ along Bethany Creek encounters several distinct conditions. These are described below and are illustrated in the two following sketch designs and three cross-section drawings.

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1. In general it runs between the Bethany Creek ~~O~~open space and a paralleling neighborhood street. The ~~path~~trail will roughly follow the boundary of the resource ~~land~~area. If the distance between the street right-of-way and the resource boundary is 25' feet or more, the area between the ~~path~~trail and the street can be used as (pocket) park space.

2. Because of the meandering nature of the open space area, there are some locations where the distance between the street right-of-way and the resource boundary is less than 25' feet. In this situation, the street's sidewalk and ~~path~~trail should be combined into one facility by widening the sidewalk to 12' feet.

3. In some locations there is enough space between the street right-of-way and the resource boundary (approx~~.~~imately 100' feet or more) to accommodate the ~~path~~trail and a private (residential) property. In this situation the ~~path~~trail will run between the private property and the open space. It is important to balance the demands for privacy for the private property with the needs for accessibility, visibility and safety of the public facility (the ~~path~~trail). The best way to do this is by developing the trail first, before the private property develops, and to guide the development of the private property with design guidelines that protect the quality of the ~~path~~trail.

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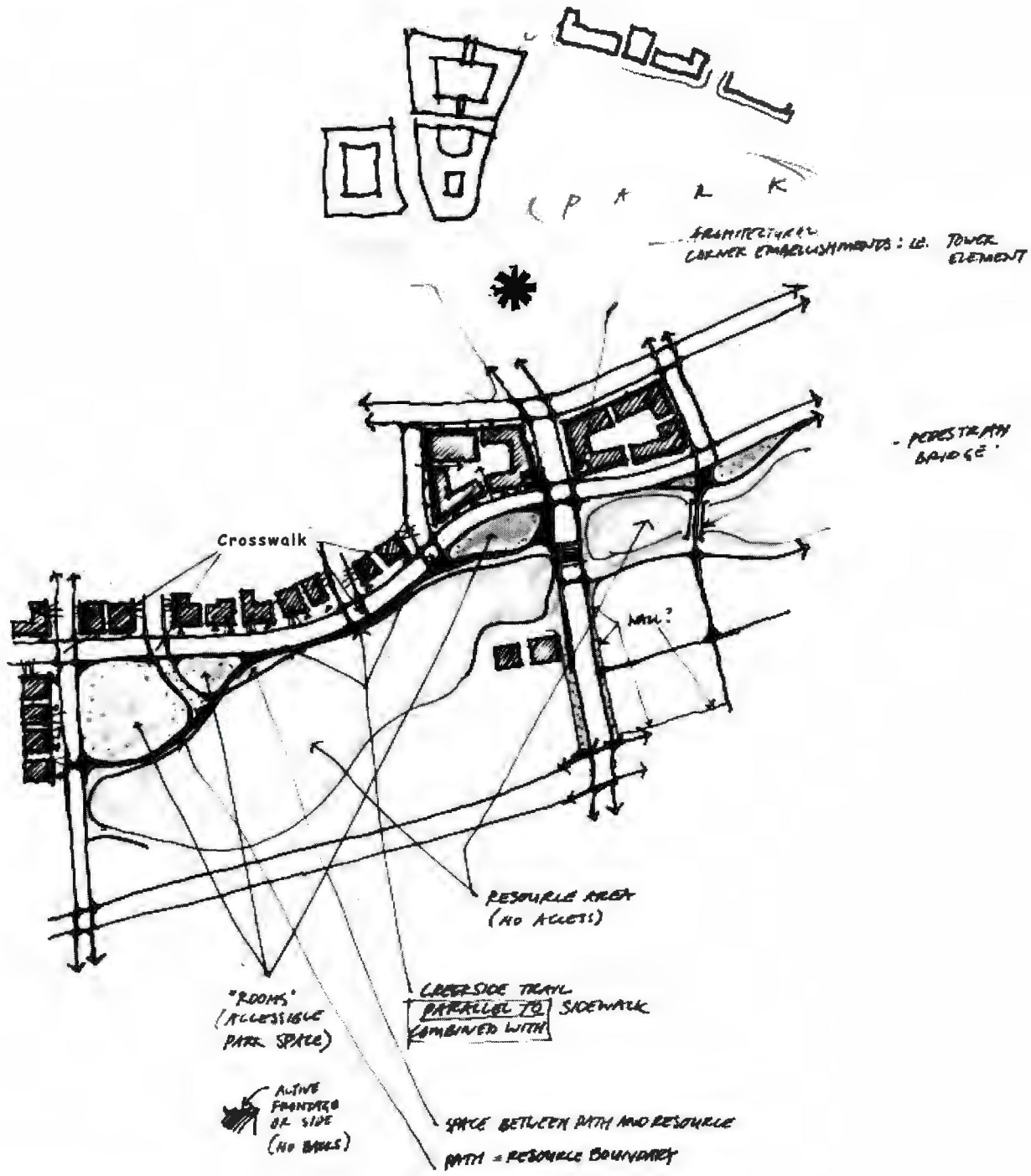
Bethany Creek Trail Corridor
Sketch No. 1



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General Design guidelines for the ~~path~~trail~~.~~:

a. The ~~path~~trail ~~should~~shall be designed as an autonomous element, with gentle curves that logically ~~and elegantly~~ follow the creek open space area. It should take its design cues from the natural resource, not from adjacent development.

b. The ~~path~~trail and park space ~~should~~shall be designed as a harmonious composition with the adjacent street and open space. If there is space for park uses between the ~~path~~trail and the sidewalk of the adjacent street ~~for park uses~~, thi~~s~~e space should be designed as an autonomous element, not a "left over" space.

c. In general, the ~~path~~trail ~~should~~shall be as close to the open space boundary as possible, ~~(without losing its gracious~~graceful curves~~)~~ so that the boundary is defined by it, and becomes tangible, manageable and maintainable. Where possible, ~~leave about~~ a 2' foot to ~~-~~3' foot wide "shy zone" between the ~~path~~trail and the resource should be provided~~,~~ so the ~~path~~trail is framed by consistent park vegetation on both sides.

d. The design ~~should~~shall take advantage of terrain changes and slopes to carve out the ~~path~~trail alignment. Look for opportunities to include seating walls, preferably at ~~path~~trail intersections.

e. The ~~path~~trail alignment ~~should not meander too tight and without a clear physical reason because it would look contrived and silly~~ shall minimize the use of tight curves and use gentler curves in order to facilitate natural walking and biking patterns. ~~Too tightly meandering paths are also detrimental to natural walking and biking patterns. Use gentle curves with elegant radii.~~

f. ~~Path~~Trail and sidewalk ~~should~~shall connect at regular intervals at ~~of~~ a minimum of 250' feet, preferably in locations where they are nearest each other.

g. Create a colonnade by planting street trees on both sides of the sidewalk bordering the park. Prune these trees up to 8' feet to allow clear views between the tree trunks. Align the ~~path~~trail with a single row of trees on the opposite side of the resource open space. Together the tree lines will spatially define park "rooms".

h. Provide separate ~~path~~trail lighting where the ~~path~~trail is farther than 50' feet away from the adjacent street right-of-way.

i. Provide ample seating opportunities in the form of seating walls to accommodate impromptu seating, but limit the amount of formal benches: no more than one per every 500' feet and preferably less.

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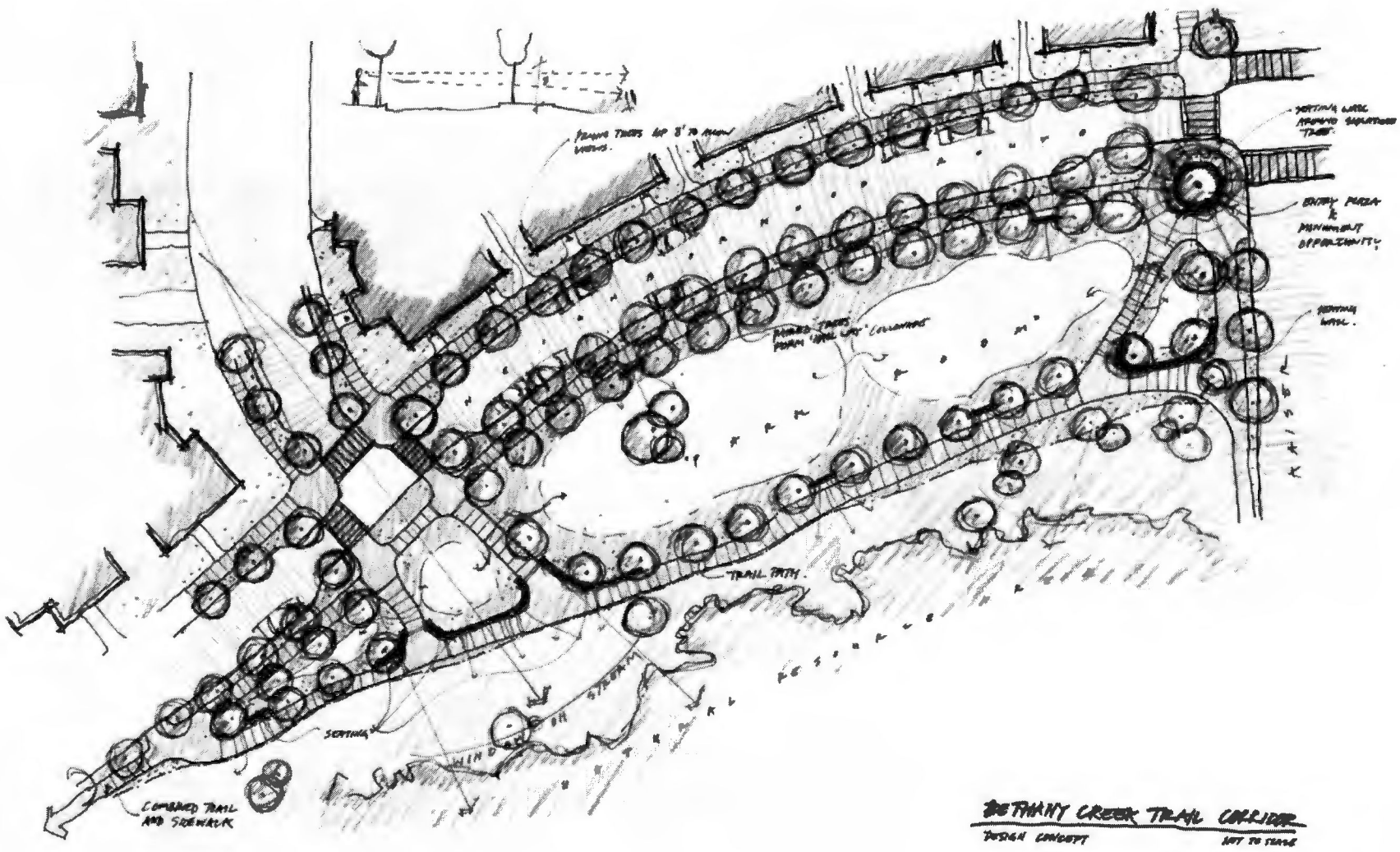
Bethany Creek Trail Corridor
Sketch No. 2



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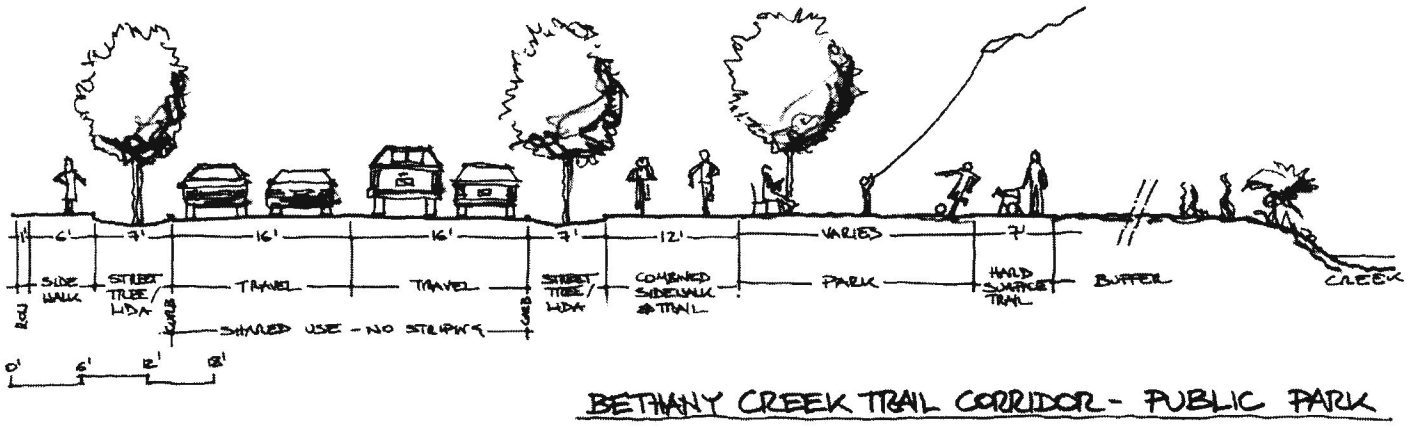
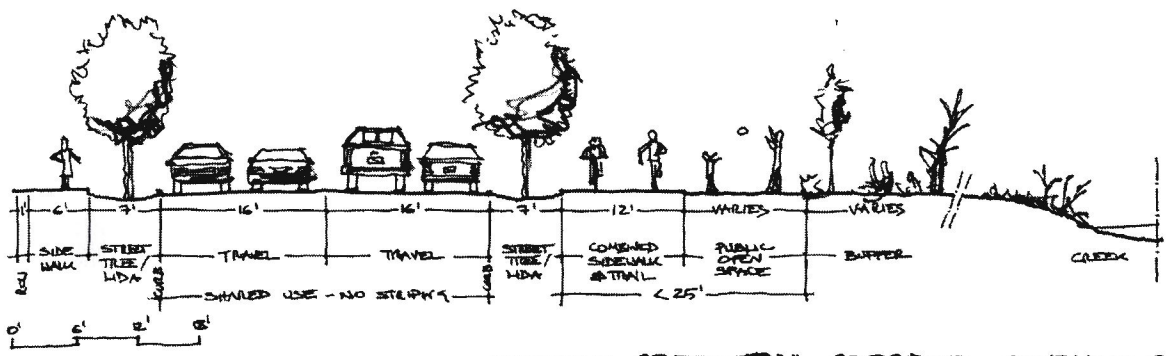
The following cross-sections along the corridor illustrate design solutions that are consistent with the design intent and guidelines described herein for this ASC.

1. Trail and pocket park



BETHANY CREEK TRAIL CORRIDOR - PUBLIC PARK

2. Trail combined with sidewalk



BETHANY CREEK TRAIL CORRIDOR - COMBINED SIDEWALK & TRAIL

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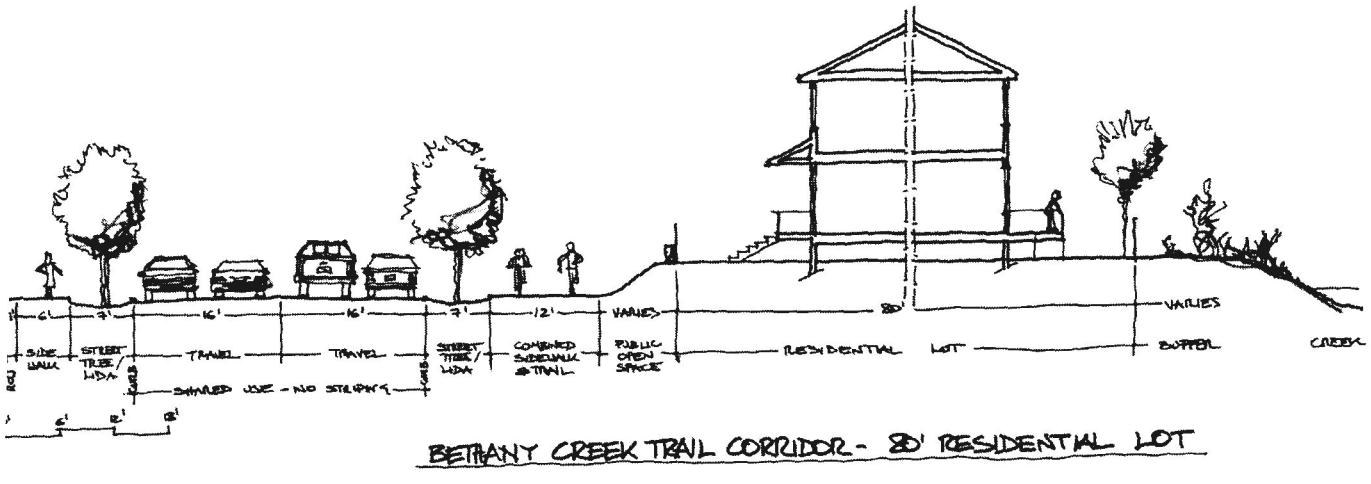
3. **Trail behind private lot**



BETHANY CREEK TRAIL CORRIDOR - 80' RESIDENTIAL LOT

ASC 8 – Road A Linear Park and Regional Water Quality Facility

ASC 8 addresses the intended design and function of the linear park feature along the southern edge of the Northeast Neighborhood. This area runs nearly the entire length of Road A to the east of Kaiser Road~~,~~ ~~as~~ and is identified as a "fixed park" on the Parks, Trails and Pedestrian Connections map. The linear park is intended to extend the length and function of the drainage channel associated with the Abbey Creek tributary.

The linear park is an important link in the open space ~~system (or~~ network~~)~~ of the North Bethany Subarea. It links the Rock Creek ~~branches~~drainages to Bethany Creek and the open fields east of North Bethany in Multnomah County. Trails throughout the Subarea are designed to connect to ~~create~~ a network of pedestrian routes that in the future will connect to regional trails. The linear park also serves a purpose as a foreground to the Northeast Neighborhood, subtly setting it apart from the neighborhood south of Road A. The linear park offers the residences north of Road A some separation from the street by opening to the linear park, ~~. The homes open up to a linear park,~~ rather than directly to the street. While not required, t~~T~~he design intent is to have front doors face ~~along~~ the path and the linear park, while garages are accessed via alleys behind the homes, and to have the~~.~~ ~~The~~ path in the linear park ~~should therefore~~ be located along the front property line of the adjacent lots, defining the north boundary of the park.

The south boundary of the linear park is defined by the right of way of Road A~~,~~ and its sidewalk. The sidewalk and path should ideally be constructed of ~~the same~~identical material for ~~unity~~uniformity~~,~~ and connect with perpendicular sidewalks at regular intervals~~,~~ that coincide with adjacent street stubs and pedestrian connections. Between the two parallel pedestrian facilities, there is space for vegetation and storm water swales. It is important that the vegetation remains below 4' feet in height~~, to not obscure~~ so that views across the linear parks~~,~~ are not obscured for safety reasons. ~~so that the path along the lot frontage remains visible and safe.~~ It is also recommended that this path ~~has~~have its own pedestrian scale

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lighting system, particularly if it is determined that the street light along Road A will be too far away to achieve a satisfactory illumination level.

The continuity of the linear park is interrupted ~~only~~ about midpoint, where an opportunity exists to make a ~~more expressive~~ clear connection to the adjacent commercial designation. ~~It is envisioned that~~ The intent is to create a small pedestrian plaza that will allow the neighborhood retail to spill into the public realm, creating the opportunity for outdoor seating. The plaza should be designed as a year~~-~~round neighborhood meeting place~~,~~ offering shelter, seating and interest.

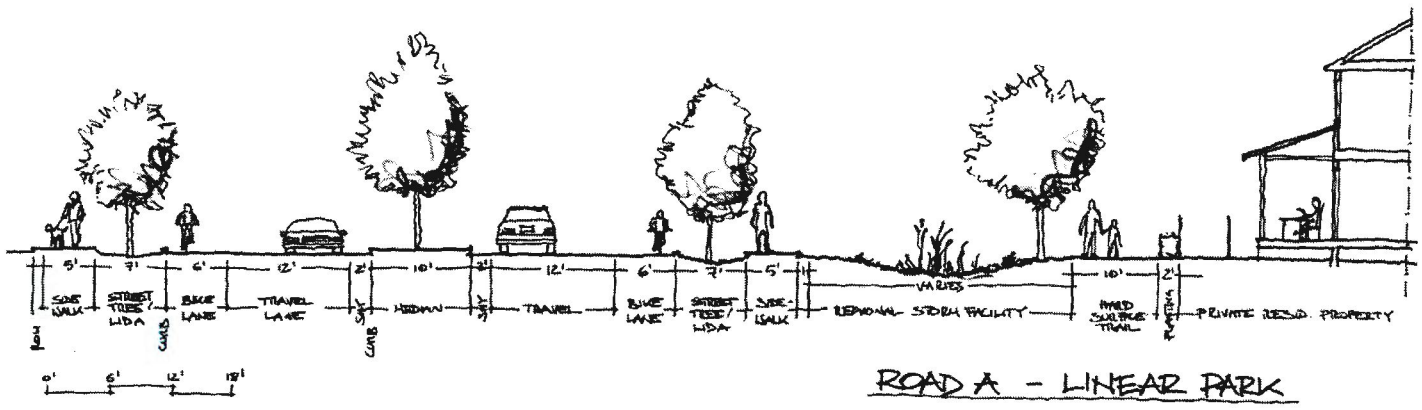
The linear park shall be constructed to function as a multi-purpose facility incorporating a pedestrian connection, public plaza adjacent to the commercial site, and regional stormwater ~~facility(ies)~~facilities. The overall width of the park shall be uniform along its entire length~~;~~ with the ultimate width ~~is~~ dependent upon the area required for the regional stormwater facility and the multi-purpose path. Development in ASC 8 shall:

~~-~~Coordinate with the County and THPRD to align a hard-surface trail on the north side of Road A as part of the linear park.

~~-~~Coordinate with THRPD to incorporate a public plaza that is adjacent to the neighborhood commercial designation. The plaza may be privately or publicly maintained.

~~-~~Coordinate with THPRD and CWS to incorporate necessary regional stormwater ~~facility(ies)~~facilities along the park.

The following cross-sections along the linear park illustrate design solutions that are consistent with the design intent and guidelines described herein for this ASC.



ROAD A - LINEAR PARK

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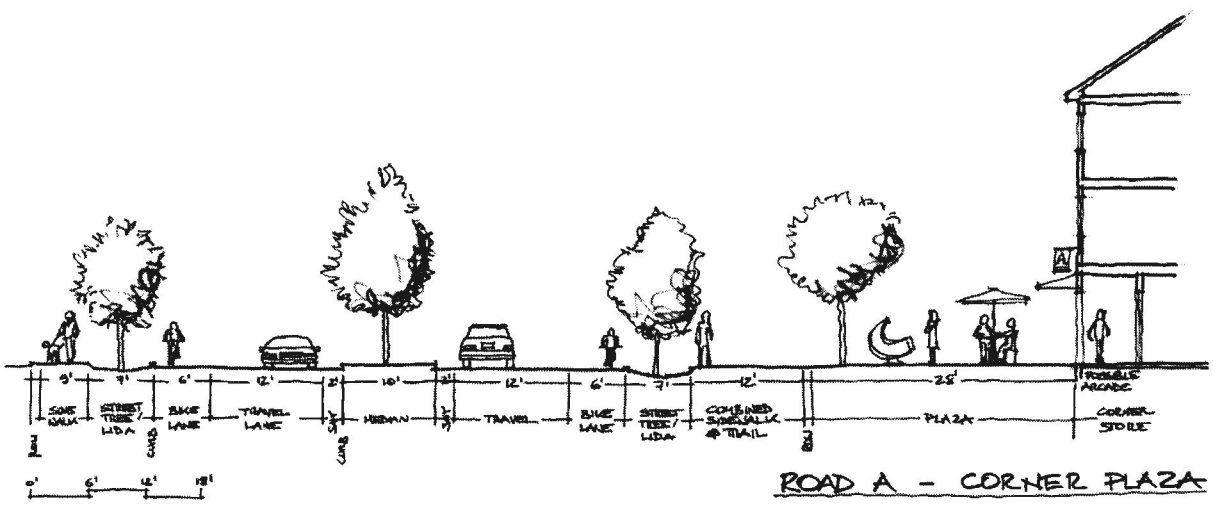

VI. NEIGHBORHOOD DESIGN ELEMENTS

The North Bethany Subarea is comprised of six neighborhoods, each with a set of distinct Design Elements. These Design Elements are described in text below and illustrated on the Neighborhood Plans. As described under Section IV.C., above, the depicted locations of streets that are not Primary Streets in the Neighborhood Plans are intended as guidance, suggesting one preferred configuration for these transportation improvements.

The design elements of the Areas of Special Concern described above shall apply to development in these areas.

A. Northwest Neighborhood

The Northwest Neighborhood boundaries are the UGB to the north and west, Road A to the south, and the Waterhouse Powerline Trail Corridor to the east.

Prominent landscape features include the two powerline corridors and ~~the~~ a tributary to Abbey Creek and an associated wetland. Steeper slopes (generally greater than 15%) provide edge conditions along the north, west and east boundaries. These slopes and prominent ridges provide opportunities for views of the ~~creeks~~ riparian areas and the Tualatin Mountains.

The land use designations and street pattern in this neighborhood are designed to respond to the topography, provide a range of densities, provide views of the surrounding natural and agricultural landscapes, and provide connectivity.

Design Elements

1. A one and one-half (1 ½) to two-acre (2) neighborhood park shall be located in the Northwest Neighborhood. The park may be located on either side of NW Joss Avenue. Public street frontage shall be provided along at least one-half (½) of its perimeter. The park shall be situated on axis with the open space provided for the high density area (see the Neighborhood Plan map for more details).

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2. A neighborhood commercial site fronts the intersection of Road A and a north-south Primary Street (P8). The site is approximately two-thirds (⅔) of an acre. The site shall be developed so the building(s) fronts Road A and Primary Street P8. Building entrances and windows shall be included in these building façades. The site shall include a small public plaza to serve as a community gathering space, as described in ASC 8 (Road A Linear Park).
3. Trails and pedestrian connections shown on the Parks, Trails and Pedestrian Connections map shall be provided that are ~~,~~ consistent with THPRD standards, and that include the following elements:
   a. On the Northwest Neighborhood's eastern boundary, a pedestrian trail and bridge shall span the Abbey Creek tributary to connect this neighborhood with the Northeast Neighborhood. This pedestrian connection is important for connectivity between neighborhoods and provides a pedestrian route to the Beaverton School District's school west of NW Kaiser Road.
   b. The Waterhouse Trail runs through North Bethany along the north-south powerline corridor. It is important for trail users to have reasonable access to the trail. Visible pedestrian-bicycle access points shall be provided at regular intervals along the trail, generally spaced at every block.
   c. The Perimeter Trail shall be provided along the northern and western boundaries of the Subarea as shown on the Parks, Trails and Pedestrian Connections Map and the Northwest Neighborhood Plan ~~m~~Map, (includes the trail through the powerline corridor at the northwest corner of the neighborhood). Pedestrian connections shall be provided to the Perimeter Trail as shown on the Park, Trails and Pedestrian Connections ~~m~~Map (street connections and one connection from another trail) to allow trail users to enjoy the views toward the north.

***

B. West Neighborhood

The West Neighborhood is bounded by the UGB to the west, Road A to the north, and the Waterhouse Powerline Trail Corridor to the east. The West Neighborhood extends south from Road A to the northern boundaries of the PCC Rock Creek c~~C~~ampus and the Arbor Oaks Subarea. The southeastern boundary of this neighborhood is formed by the portion of NW Joss Road south of street P1 on the west and the existing section of NW Brugger Road on the south.

This neighborhood is at the western edge of the ridge where the topography begins to slope towards the Rock Creek floodplain. The area generally drains to the west, the low point being a wetland area that straddles the UGB to join with the Rock Creek floodplain ~~area~~ north of the PCC Rock Creek campus.

The West Neighborhood includes the West Community Park and a neighborhood park that anchors the western edge of the ridge and provides views towards the southwest. The neighborhood's highest density is clustered adjacent to the community park, with the density gradually decreasing from the community park toward the west.

Design Elements

1. The following parks shall be provided in the West neighborhood:
   a. The West Neighborhood includes one of the Subarea's two community parks. It is specifically located at the western end of the Subarea's ridge feature and is an integral element of the ~~ridge~~ Park Block features. The community park shall be located at the west end of the Park Blocks and shall be five and a half (5.50) to ~~-~~ six (6) acres in size. The park shall have street frontage along its entire perimeter, and the front façades of residential buildings on the streets shall front the park.

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b. A one and one-half (1½) to two ~~-~~(2) acre park shall be located in the West Neighborhood. ~~The park may be adjacent to the PCC Rock Creek property to take advantage of the adjacent woodlands and provide the public with views to the south. If sited in this location, a pedestrian path shall go through the park to link to the streets on either side of the park.~~ PCC shall be involved with the design of the park, including its location, due to the potential adverse impact to the college's academic use of the wooded area to the south. The appropriate location of the park and any trails shall be coordinated with the applicant, THPRD, PCC, and the county.

2. The following trail connections shall be provided in the West neighborhood:

   a. The Waterhouse Powerline Trail runs through the Subarea along the north-south powerline corridor. It is important for trail users to have reasonable access to the trail. Visible pedestrian-bicycle access points shall be provided at regular intervals along the trail, generally spaced at every block.

   b. Providing pedestrian connections to the Subarea's western boundary is important to provide public access to the Subarea's edges, including opportunities to enjoy the views toward the west. The streets and off-street trail along the UGB have been intentionally located to preserve views into the floodplain/natural resource area as part of the public realm. The streets and trail shall be constructed to parallel the UGB to the extent practicable, given potential topographic and wetland constraints. ~~The front façades of dwellings on the streets shall face to the west in order to have front views of the resource areas.~~ Access points for public access and viewing shall be provided along this edge, consistent with the West Neighborhood Plan map and the Parks, Trails and Pedestrian Connections ~~m~~Map.

   c. ~~An off-street trail shall be provided in the Off-Street Trail Study Area on the Park, Trails and Pedestrian Connections map that connects study area points A, B, and C. The applicant shall coordinate with THPRD and PCC Rock Creek Community College to determine the most appropriate locations for the off-street trail connection points.~~A connection from the West Neighborhood to the PCC Rock Creek campus shall be provided. The location of this connection will be determined when PCC expands its campus in the northeast corner and shall take into account the sensitive nature of PCC's wooded area. The appropriate location of the connection shall be coordinated with the applicant, THPRD, PCC, and the county.

3. The West Neighborhood is organized by eight Primary Streets. The north-south Primary Streets are important neighborhood-to-neighborhood connections. The east-west Primary Streets are important for their clear and logical connection to the central ridge area. Primary streets shall be provided in new development consistent with Section IV.C (Primary Streets) and Section V.B. (Areas of Special Concern) of the North Bethany Subarea Plan. The intent of each Primary street is provided below:

   a. Primary Street (P1) extends west from the westernmost point of the community park to the UGB (does not include the Urban Reserves areas). The street parallels the existing topography and extends the view-shed from the West End community park to the Rock Creek floodplain.

   b. Primary Street (P8) extends north from Arbor Oaks Subarea. This route may provide the eastern edge of the neighborhood park and intersects with Road A at the small neighborhood commercial site in the NW neighborhood.

   c. Primary Street (P5) provides a connection from the westernmost portion of the neighborhood and (P8) to the West Community Park and (P7).

   d. Primary Streets (P4), (P6) and (P7) shall provide the boundary of the West Community Park.

   e. NW Joss Avenue, as it extends to the north of the Arbor Oaks Subarea, is a Primary Street. It is intended to connect existing NW Joss Avenue to Road A along the existing NW Brugger Road alignment.

   f. Road A is the northern boundary of the West Neighborhood. See ASC 1B for design criteria.

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4. The western edge of the neighborhood at Road A is a gateway into the Subarea. Refer to Design Element 5 for the Northwest Neighborhood.
5. Development shall be consistent with Areas of Special Concern Road Corridors 1B and 3 and ASC 5.
6. A neighborhood commercial site fronts NW Joss Avenue. The site is approximately one-half (1/2) acre. The site shall be developed so the building(s) fronts NW Joss Avenue. Building entrances and windows shall be included in these building façades. The site shall include a small public plaza to serve as a community gathering space.

C. Northeast Neighborhood

The Northeast Neighborhood is bordered on the south by Road A. The northern and eastern boundaries are the UGB. On the west, the neighborhood boundary is the north-south powerline corridor and comes to a point where the Abbey Creek tributary and powerline corridor meet the northern UGB.

Prominent natural features of the landscape include two tributaries to Abbey Creek and wooded and steep slopes along the northern boundary. An existing cemetery, two proposed school sites and a neighborhood park provide open space in the neighborhood. The neighborhood is designed to emphasize strong visual sightlines between the open space features, public services and a neighborhood commercial site.

Site topography and natural features result in the northernmost and westernmost portions of this neighborhood being more secluded than the rest of the Subarea. The same is true of a portion of land between NW Kaiser Road and the tributary to the east. These site conditions and the adjacent rural areas make these edge areas more suitable for low density development.

Design Elements

1. A neighborhood commercial site is adjacent to Primary Streets (P3) and Road A. The site is approximately one-half (½) acre. Building entrances and windows shall be included in these building façades. The site shall include a small public plaza to serve as a community gathering space.
2. The neighborhood park shall be one and one-half- (1 ½) to two (2) acres contiguous to the western boundary of the Beaverton School District site.
3. A linear park along the southern edge of the neighborhood shall be consistent with Area of Special Concern 8.
4. Trails and pedestrian connections shown on the Parks, Trails and Pedestrian Connections map shall be provided that are~~,~~ consistent with THPRD standards, and that include the following elements:
   a. Pedestrian connections to the eastern and northern boundary shall be provided in order to create public access to the trail network and opportunities for the community to enjoy the views toward the north and east. At least three access points shall be provided along each boundary for public access/viewing.

~~5. The front façades of dwellings adjacent to the northern boundary in the northeast corner of the neighborhood shall face the meadow that is located just north of the UGB.~~

~~6. Lots may be oriented with rear yards facing the rural area where there are wooded areas or steep slopes.~~

~~7~~5. The Northeast Neighborhood has eight Primary Streets. Primary Streets shall be provided in new development consistent with Section IV.C. (Primary Streets) and Section V.B. (Areas of Special Concern) of the North Bethany Subarea Plan. The intent of each Primary Street is provided below:
   a. Primary Street (P14) provides direct access to the developable land west of NW Kaiser Road and aligns with the northern boundary of the school site.

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b. Primary Street (P3) extends north-south from Road A to the northeast corner of the neighborhood. This route provides connectivity from the northeast corner of the Subarea to NW Springville Road while also providing an edge along the neighborhood park and the small neighborhood commercial site. The street shall extend to the north and terminate as a pedestrian access to the Perimeter Trail along the UGB.

c. Primary Street (P2) is an extension of a street that intersects with Road A from the south. This street establishes a connection to the future Beaverton School District Site school site from the Central and Southeast neighborhoods and Arbor Oaks Subarea.

d. Primary Street (P17) follows the northern boundary of the future Beaverton School District school site and intersects with Primary Street (P3).

e. Primary Street (P18) follows the southern boundary of the future Beaverton School District school site and intersects with Primary Street (P3).

f. Primary Street (P16) provides access to the Northeast Neighborhood (north of the Abbey Creek tributary) from Road A. The alignment shall be consistent with emergency access standards established by Tualatin Valley Fire & Rescue.

g. Road A is the southern neighborhood boundary. See ASC 1A for design criteria.

h. NW Kaiser Road is a Primary Street that extends through the neighborhood along the existing right of way.

~~8~~6. The Northeast Neighborhood includes the following Design Features and Focal Points that shall become vistas along future street alignments incorporated into new development:

a. The elementary school building west of NW Kaiser Road ~~may~~will be sited to become the visual termination point of a future east-west street.

b. The existing cemetery is a Focal Point that ~~may~~will be used to terminate the western end of an east-west street north of Road A.

c. North-south streets ~~may~~will terminate at the eastern school site as depicted as Focal Points on the Neighborhood Plan map.

~~9~~7. A gateway is identified at the intersection of NW Kaiser Road and Road A on the Core Design Elements map. The gateway marks the entrance to the portion of Kaiser Road designated as a main street. A design plan shall be prepared that addresses the Street Design map elements, CDC standards and any additional gateway design treatments. A preferred design solution will include the following elements:

- Vertical element signifying entrance into a commercial district.
- Special detailing on feature elements which may include water, walls, rocks, metal, special paving, traffic calming, enhanced pedestrian crossing and/or seating.
- Minimal or significant amount of landscaping.
- Lighting for pedestrians and to emphasize monument features.

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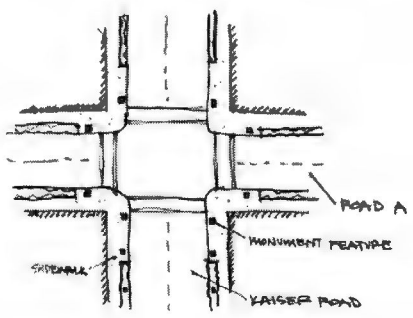

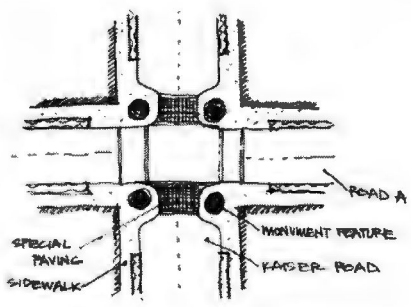

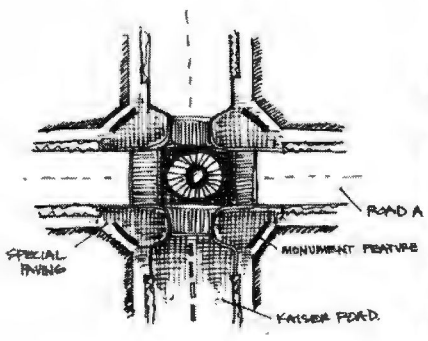

~~108~~8. Development shall be consistent with ASC Road Corridor 1A and ASC 6 and 8.

D. Southeast Neighborhood

The Southeast Neighborhood boundaries are Road A to the north, the UGB to the east, NW Springville Road to the south and NW Kaiser Road to the west.

The neighborhood borders the Springville Subarea to the south and street and trail connections between the two areas are integral to the design. Bethany Creek flows from east to west and is planned as an expanded stream corridor with a trail and regional stormwater swales along the creek. Prominent features of the built landscape include Bethany Presbyterian Church, a proposed fire station, ~~and~~ the proposed civic center, the East Community Park, and the Main Street Area primarily west of NW Kaiser Road (a portion of which is located on the east side of NW Kaiser Road).

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Design Elements

1. The following design elements shall be incorporated into the portion of the neighborhood between Bethany Creek and NW Springville Road:

   a. The preferred location for the one and one half (1½) to two (2) acre neighborhood park is ~~locates the park~~ contiguous to Bethany Creek and adjacent to the proposed fire station and the neighborhood commercial site. The proposed fire station and the neighborhood park may be separated by a local street or pedestrian path;

   b. The Subarea street pattern shall have an east-west street alignment through this ~~portion~~ area with access to NW Springville Road at spacing approved by the County Engineer;

   c. A neighborhood commercial site, approximately two-thirds (2/3) of an acre, is adjacent to NW Springville Road and Primary Street P3; and

   d. Designated access points shall be provided consistent with the Primary Streets map. Additional access to NW Springville Road may be provided at spacing approved by the County Engineer.

2. The southwest corner of the East Community Park is the planned location of a civic use (e.g., ~~library~~community center) and shall have a design that connects the civic use to the adjacent community park. The civic use building is designated as a Design Feature and shall be located on the site consistent with the orientation arrows depicted on the Neighborhood Plan map. Specifically, the building shall be visible from NW Kaiser Road and the Park Blocks. Additional complementary design features include building orientation to front the park and the placement of a plaza between the park and the civic use.

3. The East Community Park shall be approximately fifteen (15) acres. The tree groves in the southwestern corner shall be preserved. The park anchors the eastern end of the ridge and views shall extend to the east, terminating at the east end of Primary Street P4~~.~~ (as denoted by the Design Feature symbol on the Core Design Elements map). The front façades of all buildings, including residential and commercial uses, shall front on the park consistent with Design Element 7.

4. Trails and pedestrian connections shown on the Parks, Trails and Pedestrian Connections map shall be provided that are~~,~~ consistent with THPRD standards, and that include the following elements:

   a. An east-west pedestrian trail north of the civic center shall connect the eastern community park with the Main Street Area on the west side of NW Kaiser Road.

   b. Three pedestrian crossings shall span Bethany Creek in locations that align with street connections across NW Springville Road.

   c. Pedestrian and bicycle connections to and across NW Springville Road and NW Kaiser Road are important and shall be developed consistent with the Parks, Trails and Pedestrian Connections map.

5. The Southeast Neighborhood has eleven Primary Streets. Primary Streets shall be provided in new development consistent with Section IV.C. (Primary Streets) and Section V.B. (Areas of Special Concern) of the North Bethany Subarea Plan. The intent of each Primary Street is provided below:

   a. Primary Street (P3) extends from NW Springville Road north to Road A. P3 aligns with existing NW Benny Street south of NW Springville Road and provides the eastern boundary of the Neighborhood Commercial area. Extending north of Bethany Creek, the street alignment intersects with Road A just south of the Northeast Neighborhood commercial area. The street is essential to provide a direct route from NW Springville Road to the Northeast Neighborhood.

   b. Primary Street (P4) extends east from the NW Kaiser Road Main Street Area. The street provides the northern and eastern boundaries of the East Community Park before connecting with Primary Street P10 and continuing east to intersect with Primary Street (P3). Primary Streets (P4) and (P10) frame the community park, provide parking for park uses and provide a park edge that is

connected to the neighborhood. The front façades of all buildings shall front on the park consistent with General Design Element 8~~7~~.

c. Two Primary Streets (P11) and (P12) extend east from the Park Blocks one-way street couplet. The streets provide access to the civic center, East Community Park and commercial area from NW Kaiser Road and from the northeast part of the Subarea. Access to and from these streets at Kaiser Road shall be consistent with ASC Road Corridor 2.

d. Primary Street (P16) extends north from the one-way couplet to Road A. The street provides a connection from the Main Street Area to the Northeast Neighborhood.

e. NW Rossetta Street is a Primary Street (P2) that parallels Bethany Creek between NW Kaiser Road and Road A. Its intersection with NW Kaiser Road north of Bethany Creek serves as the southern gateway to the Community Commercial center. This route is an important east-west connection between the Arbor Oaks and North Bethany Subareas.

f. Primary Street (P13) provides access to the Southeast Neighborhood from NW Springville Road and aligns with the eastern property line of a proposed future fire station.

g. Road A is a Primary Street and development shall be consistent with ASC Road Corridor 1A, including provision for ~~g~~Gateway design standards at the intersection of Road A and NW Kaiser Road.

h. NW Kaiser Road is a Primary Street and development shall be consistent with ASC Road Corridor 2.

i. NW Springville Road is a Primary Street that is located primarily within existing right of way. Development shall be consistent with ASC Road Corridor 4A.

6. The site at the eastern end of P4 terminates at the eastern boundary of the community park and shall have a prominent landmark in the form of an architectural feature, such as the front entrance or lobby of a building.

7. A uniform landscaped strip shall be provided along NW Springville Road for aesthetic purposes.

***

E. Central Neighborhood

The Central Neighborhood extends north from NW Springville Road to Road A. Generally, the western boundary is the Waterhouse Powerline Trail Corridor and the eastern boundary is NW Kaiser Road.

The most prominent natural features of this neighborhood are the ridge that runs east-west along the highest point, and the associated views of the surrounding area including the Tualatin Mountains, Chehalem Mountains and Tualatin River valley. Other notable features include an ash forest/wetland south of the Park Blocks and Bethany Creek.

The key design parameters for the Main Street Area require the central section of NW Kaiser Road to have the following characteristics:

- A "main street" design (on-street parking, pedestrian scale and urban design features),
- A strong relationship to the Park Blocks and community parks,
- A building scale and form which reflects its role as the focal point of the community, and
- A civic use in a central and prominent location with an adjacent public gathering area.

Preliminary programming and design considerations for the Main Street Area are provided in the Main Street Program Guide for the North Bethany Subarea~~Core Main Street Program Guide~~, which shall serve as a template for future urban design plan(s) and development of the area.

Design Elements

1. The Central Neighborhood shall have two neighborhood parks and the linear Park Blocks.
   a. A one and one-half (1 ½) to two (2) acre northern neighborhood park shall be south of Road A and adjacent to the Waterhouse Powerline Trail Corridor or the Abbey Creek tributary.
   b. A one and one-half (1 ½) to two (2) acre southern neighborhood park will have a connection to Bethany Creek and provide a trailhead for the multi-purpose path north of and parallel to Bethany Creek.
   c. The Park Blocks shall be consistent with ASC 5.
2. The location of higher density along the central ridge and the Main Street Area and the streetscape design along the Park Blocks are intended to make these primary community amenities immediately accessible to a large number of residents. The Park Blocks will support future transit through the placement of the highest residential densities along the Park Blocks and design standards in the Community Development Code.
3. Trails and pedestrian connections shown on the Parks, Trails and Pedestrian Connections map shall be provided that are~~,~~ consistent with THPRD standards, and that include the following elements.
   a. A trail corridor between Bethany Creek and Rossetta Street shall be provided consistent with ASC 7.
4. The Central Neighborhood has ten Primary Streets. Primary Streets shall be provided in new development consistent with Section IV.C. (Primary Streets) and Section V.B. (Areas of Special Concern) of the North Bethany Subarea Plan. The intent of each Primary Street is provided below:
   a. NW Rossetta Street is Primary Street (P2) that parallels Bethany Creek between NW Kaiser Road and Road A. The intersection with NW Kaiser Road north of Bethany Creek serves as the southern gateway to the Main Street Area. P2 is an important east-west connection between Arbor Oaks Subarea and North Bethany Subarea.
   b. The Park Blocks are created by two parallel Primary Streets ~~(~~P11~~)~~ and ~~(~~P12~~)~~. The western terminus of the Park Blocks shall end at the center of the West Community Park. ~~(~~P11~~)~~ and ~~(~~P12~~)~~ cross NW Kaiser Road and terminate at East Community Park and the northern edge of the civic site. Development of these streets shall be consistent with ASC 2 and 5.
   c. NW Kaiser Road is a Primary Street that will be located primarily in existing right-of-way. Development shall be consistent with ASC 2.
   d. Primary Street ~~(~~P15~~)~~ provides a connection to the Park Blocks from NW Springville Road, at the intersection with Oats Terrace.
   e. NW Brugger Road (P6) is a Primary Street that is located in existing right-of-way.
   f. Primary Street ~~(~~P9~~)~~ connects NW Brugger Road with Road A.
   g. Primary Street ~~(~~P4~~)~~ connects the West Community Park to NW Kaiser Road and the East Community Park.
   h. NW Springville Road is a Primary Street that is located primarily in existing right of way. Development shall be consistent with ASC 4A.
   i. Road A is a Primary Street. Development along Road A shall be consistent with ASC Road Corridor 1B.

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5. Buildings constructed as part of the Community Park shall be placed near and oriented to adjacent streets and used to define the park edge.
6. The design of the Main Street Area shall be consistent with the Metro 2040 Main Streets ~~designation~~Program Guide. This guide is intended to be consistent with the intent of the Metro 2040 Main Streets designation. Examples include high density housing, mixed use buildings, retail and services that are intended to serve the entire North Bethany Subarea.
7. The intersections of NW Kaiser Road / Road A and NW Kaiser Road / NW Rossetta Street are gateways that mark the entrance to the portion of NW Kaiser Road designated as a ~~m~~Main ~~s~~Street. The gateways are identified on the Core Design Elements ~~m~~Map. A design plan shall be prepared that addresses the Neighborhood Plan and Street Design ~~m~~Map elements, development standards and any additional Gateway design treatments.
8. Development shall be consistent with Areas of Special Concern Road Corridors 1B, 2 and 4A and ASC 5 and 7.

F. College Neighborhood

The College Neighborhood includes the PCC Rock Creek c~~C~~ampus and a small area of residential land at the northeast corner of NW Springville Road and NW 185th Avenue. The PCC campus includes the ~~PCC Rock Creek Sports Center~~THPRD Rock Creek Campus Recreation Facility, which is a multipurpose recreational facility constructed by THPRD through a partnership with PCC.

The northeastern corner of the PCC campus includes a wooded sensitive biological area that is currently utilized academically. Between the wooded area and the THPRD recreation facility is a future campus expansion area for new facilities.

The southwest corner of the neighborhood is planned for low density residential due to topographical and sight distance constraints along NW Springville Road and NW 185th Avenue. A few properties in this area are designated Institutional to reflect recent land acquisitions by PCC.

There are four planned pedestrian/bicycle connections between the PCC campus and adjacent development. They are:

1. A trail connection from the THPRD recreation facility east to the Arbor Oaks Subarea;
2. A connection to the Arbor Oaks Subarea north of the THPRD recreation facility;
3. A north/south trail along the eastern perimeter, which is partially built in the THPRD recreation facility; and
4. A connection from the campus to the West Neighborhood. The location of this connection will be determined when PCC expands its campus in the northeast corner and shall take into account the sensitive nature of PCC's wooded area.

A future realignment of NW Springville Road at 185th Avenue will be made to address transportation capacity needs, topography and sight distance constraints at the intersection (see ASC Road Corridor 4B).

Design Elements

1. Where not constrained by natural resources, future development of the PCC Rock Creek campus shall provide pedestrian/bicycle connections to the neighborhoods to the north and east. In general, bicycle and pedestrian accessways from this area should stub to the north and east, not preclude the opportunity for future ~~street~~bicycle and pedestrian connections, and reduce the need for local trips to use the arterials to access community services. The bicycle and pedestrian connections to be provided are:

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a. A trail from the THPRD recreation facility east to the Arbor Oaks Subarea;

b. A connection to the Arbor Oaks Subarea shall be made just north of the ~~Rock Creek Sports Center~~THPRD recreation facility when the PCC Rock Creek campus further develops~~.~~;

~~b. Pedestrian routes shall be provided consistent with the Parks, Trails and Pedestrian Connections map. A key connection includes a pedestrian trail from the sports center east to the Arbor Oaks Subarea.~~

c. A North/South trail along the eastern boundary, north of Springville Road as shown on the Parks, Trails and Pedestrian Connections Map; and

d. A connection from the campus to the West Neighborhood. The design and location of this connection shall be determined when PCC expands its campus in the northeast corner. The connection may utilize campus accessways/sidewalks. PCC shall coordinate with THPRD to determine the most appropriate location for the connection. The appropriate location of the connection of the campus to the West Neighborhood shall be designed to not have an adverse impact on the college's wooded area.

e. Future development shall consider a potential access point to NW 185th at PCC's ~~Rock Creek's~~ western property line.

2. NW Springville Road is an existing Primary Street along the southern boundary of the College Neighborhood. NW Springville Road will be realigned where it intersects with NW 185th Avenue.

3. Development shall be consistent with ASC Road Corridor 4B.

~~4. An off-street trail shall be provided in the Off-Street Trail Study Area on the Park, Trails and Pedestrian Connections map that connects study area points A, B, and C. The applicant shall coordinate with THPRD and PCC Rock Creek Community College to determine the most appropriate locations for the off-street trail connection points.~~

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Subsection E – Main Street Program Guide for the North Bethany Subarea

Introduction

This North Bethany Main Street Program Guide (Program Guide) identifies plan and design requirements that are specific to development within the designated 2040 Main Street boundary of the North Bethany Subarea. The Program Guide specifically applies to Area of Special Concern Road Corridor 2 identified in the North Bethany Subarea Plan. See **Attachment 1** for a reference map.

The purpose of the Program Guide is to provide guidance for more specific planning of the Main Street commercial area, which is a core design feature of the concept plan for the North Bethany Subarea. Before development of the Main Street Area can begin, ~~applicants are required to coordinate with Long Range Planning to develop a~~ specific Urban Design Pplan for the area that addresses the criteria outlined in this Program Guide must be developed. The criteria address important design and operational elements such as density, retail design and format, parking, corner vision, sight distance, building entrances and orientations, access points and the need for turning movements and on-street parking along NW Kaiser Road. Therefore, prior to preliminary engineering of the Main Street section of NW Kaiser Road and prior to development of properties within this Area of Special Concern, a more detailed urban design plan shall be prepared in accordance with the requirements of this Program Guide. The preliminary commercial programming mix and size limits outlined in this Program Guide shall serve as a template for future specific design and development of the area. The commercial program in the Main Street Program Guide is based on the *North Bethany Strategic Programming Guide* (December 2006) prepared by Leland Consulting Group.

Background

The 2040 Concept for the Metro region identifieds NW Kaiser Road as a "corridor." Corridors are defined in the Urban Growth Management Functional Plan (UGMFP) as "along good quality transit lines, corridors feature a high-quality pedestrian environment, convenient access to transit, and somewhat higher than current densities." Locating mixed- use commercial areas within easy walking distance of residences is a fundamental principle of "smart growth" planning because it provides a more "complete" community where daily needs and services can be met via multiple transportation modes and without the need for long trips. This concept of integrating residential uses with mixed/commercial use is consistent with the Main Street designation, and with Policy 13 (Urbanization), Policy 18 (Plan Designations and Locational Criteria for Development), Policy 35 (Residential Conservation), Policy 36 (Commercial Conservation), Policy 39 (Land Use Conservation)~~,~~ and Policy 40 (Regional Planning Implementation) of the county's Comprehensive Framework Plan, as well as Policy 1 (Travel Needs), Policy 5 (System Implementation and Plan Management) and Policy 6 (Roadway System) of the county's Transportation System Plan.

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Through the 2007 concept planning process for the North Bethany Subarea, the general scale, location and configuration of the commercial component was evaluated. First, a market analysis was conducted to assess the broader market geography and context in order to determine a program (general size and mix) that would be viable given the planned residential capacity of the area at build-out. The report, prepared by Leland Consulting Group (LCG), recommends three possible configurations for consideration as part of the community design process. LCG continued to advise the process regarding various locations.

After much stakeholder and public input on the three potential configurations, the commercial/mixed-use components described in this program guide were selected along with a preferred format for a primary core commercial area complemented by a series of smaller "street corner" commercial nodes. This is reflected in the concept plan for the North Bethany Subarea, which refers to the primary commercial core as a Main Street area, and includes a series of individual commercial sites in other neighborhoods within the Subarea. The identified use categories for the Main Street area are general and will be determined through a review process at a time when the market dictates.

Urban Design Plan

Before ~~A~~an application for development of the Main Street area (or any part of the Main Street area) may be submitted, ~~must include~~ an Urban Design Plan for the Main Street Area ~~consistent with the process and requirements outlined in this Program Guide~~ shall be adopted.

For the purposes of this Program Guide, an Urban Design Plan is defined as a planning effort focused on urban form that is intended to transform the vision for an area into reality. It is usually comprised of equal parts planning, urban design, investment strategy, development and design code, and action items. Since it deals with all the aspects of an area, from public improvements to private development, an urban design plan can bring together property owners, neighboring residents and public infrastructure providers while providing a better understanding and more predictable sense of how new development will be built.

Urban Design Plans are particularly useful for areas where local governments want to target investment, such as centers and corridors, because it brings all the aspects of planning, placemaking and infrastructure improvements together at the same time. Urban Design Plans can serve as the bridge between planning and its translation into a development proposal. Urban design plans can test existing or proposed zoning code provisions by illustrating their character and scale in order to ensure the zoning code text will support desired urban forms. Similarly, their strength at articulating a cohesive vision offers a more flexible implementation of objectives that still meet the vision. This is particularly important if unanticipated market trends occur.

Once developed, an urban design plan can be used to guide infrastructure investments and improvements by other property owners and different departments within the local government and service provider agencies. Involving interests such as THPRD, CWS and LUT's Engineering Division will help inform the design of areas within their control, making design and planning solutions more comprehensive and proposed improvements more likely to be implemented. Internal coordination through the Long Range Planning Division can link planning efforts with specific capital projects and funding sources.

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Commercial Program

The commercial and retail development program for North Bethany's Main Street area is based on the *North Bethany Strategic Programming Guide* prepared by Leland Consulting Group in December 2006. The program is summarized in a table provided as **Attachment 2**. The table provided as **Attachment 2** is based on "Table 8: Combination Village Center-Neighborhood Node Concept" from the *North Bethany Strategic Programming Guide*. A development program, by definition, is both a narrative and numerical description of how a property or area should be developed. The program draws upon the research conducted by the various professional disciplines in the consulting team, market conditions, stakeholder objectives, public policy, and other factors. The way the program is configured for the geography of the North Bethany Subarea responds to input provided by stakeholders and the public through the concept planning process. Together, the North Bethany Subarea Plan and this Program Guide are guiding documents for the county and developers of the Main Street area that have responsibility for translating the program into a physical plan.

In preparing the *North Bethany Strategic Programming Guide*, the Leland Consulting Group did the following:

- Examined the current market, trends, and needs;
- Studied how the market interfaces with the County's vision for North Bethany and this project;
- Recognized existing community assets, opportunities, and strengths;
- Defined the program in terms of housing and commercial components; and
- Developed program alternatives for the housing and commercial component.

The guiding language and information from this report was directly used in seeking physical solutions in the concept planning phase of the planning process. The *North Bethany Strategic Programming Guide* combines a blend of market research and market strategy appropriate for North Bethany with the recognition that a short-term strategy can overwhelm the long-term objectives unless communication and partnering is involved and respected.

The concept planning consultant team was charged with preparing a plan that can expect successful implementation while addressing the goals of the community or an agreed upon vision for the area. The additional and equally rigorous layer of considerations that impacted the program design consisted of:

- Market willingness to live, work and shop in the environment to be developed;
- Market capacity to pay for homes and rent office or retail space; and
- Achieving levels of profitability commensurate with risk.

Developing a commercial component supports the public objectives of reducing vehicle miles traveled (VMTs) in the area while providing convenient access to day-to-day shopping needs and services, as well as providing a gathering place for community-building. Care was taken not to oversize the commercial component at the edge of the UGB next to the rural and forested area.

The market analysis conducted for this project recommended three variations on a feasible commercial program for North Bethany. The preferred program described in **Attachment 2**—a mix of retail, office, residential and community uses—was selected by SWG members with public input from an open house design workshop in May 2007. The resulting program for the Main Street area—the core commercial node of the North Bethany Subarea—is designed to be complemented by a series of smaller neighborhood commercial nodes. Salient aspects & components of each are as follows:

Neighborhood Nodes
- for convenience
- located at visible corners
- small scale (can have other uses above)
- adjacent to other destinations (e.g., schools, parks, etc.)
- on-street parking is key
- examples include: coffee shop, café, juice bar, convenience store, nursery school

Commercial Core
- located in highly visible spot, along Kaiser Road arterial
- an anchor establishment with smaller support establishments
- recommended office (or other non-retail) uses in upper stories
- if residential included, it poses new parking issues that must be addressed
- integrated with primary community destinations, including park block elements and civic space/building

Process

~~Prior to submitting an application for development in the Main Street area, an applicant is required to involve staff representatives from Current Planning and Long Range Planning in a pre-application conference to discuss applicable requirements and share development objectives. This review process is intended to assist the applicant with the development of an Urban Design Plan for the Main Street area, which is a submittal requirement for any development in the Main Street area. In response to the pre-application conference, the applicant is required to develop and submit a draft schematic Urban Design Plan for the Main Street area for preliminary review by LUT staff. Long Range Planning staff will lead coordination of an internal review that includes Current Planning, Long Range Planning, and others as appropriate such as Traffic Engineering. The applicant may be asked to participate in subsequent meetings with staff and others such as representatives from Clean Water Services, to the extent there are relevant design considerations for requirements such as low-impact development applications (LIDA). It is anticipated this preliminary review process may take 4-8 weeks, depending on the complexity of the design and the number of necessary iterations.~~

The county shall prepare the Urban Design Plan in conjunction with the design of NW Kaiser Road, consistent with the requirements of ASC Road Corridor 2. A public planning process shall be used to develop and adopt this plan. Adoption of this plan and completion of the design for NW Kaiser Road shall be completed by the time there will be sufficient residential development in North Bethany to support the Main Street Area. Alternatively, a private applicant may initiate the development of the Urban Design Plan prior to the county doing so. Under this option, the applicant shall consult with LUT staff while developing the Urban Design Plan. Any proposed

abcdef Proposed additions
~~abcdef~~ Proposed deletions

Urban Design Plan shall be subject to a public process and there shall be coordination with affected property owners and service providers. The county will be responsible for initiating necessary legislative amendments to applicable elements of the Comprehensive in order to implement the applicant's final Urban Design Plan.

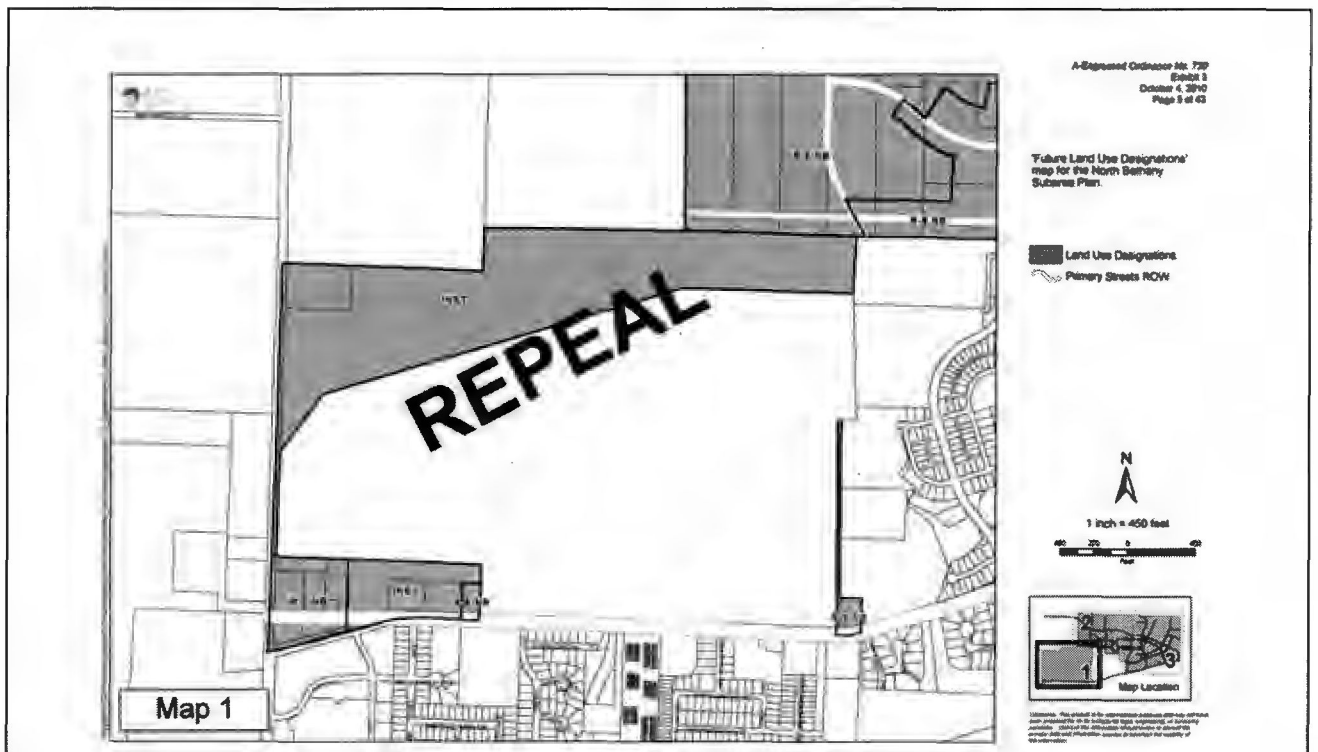
~~After sufficient review, Long Range Planning Staff will determine whether or not the draft schematic of the Urban Design Plan adequately addresses the applicable planning and design criteria in order to achieve concept planning objectives for the Main Street area. Long Range Planning staff will provide necessary written direction to the applicant in order to fulfill Program Guide and Subarea Plan design criteria, and will relay any necessary technical requirements related to traffic, access management and LIDA. As appropriate, this direction may be incorporated by Current Planning into Conditions of Approval for a subsequent development application.~~

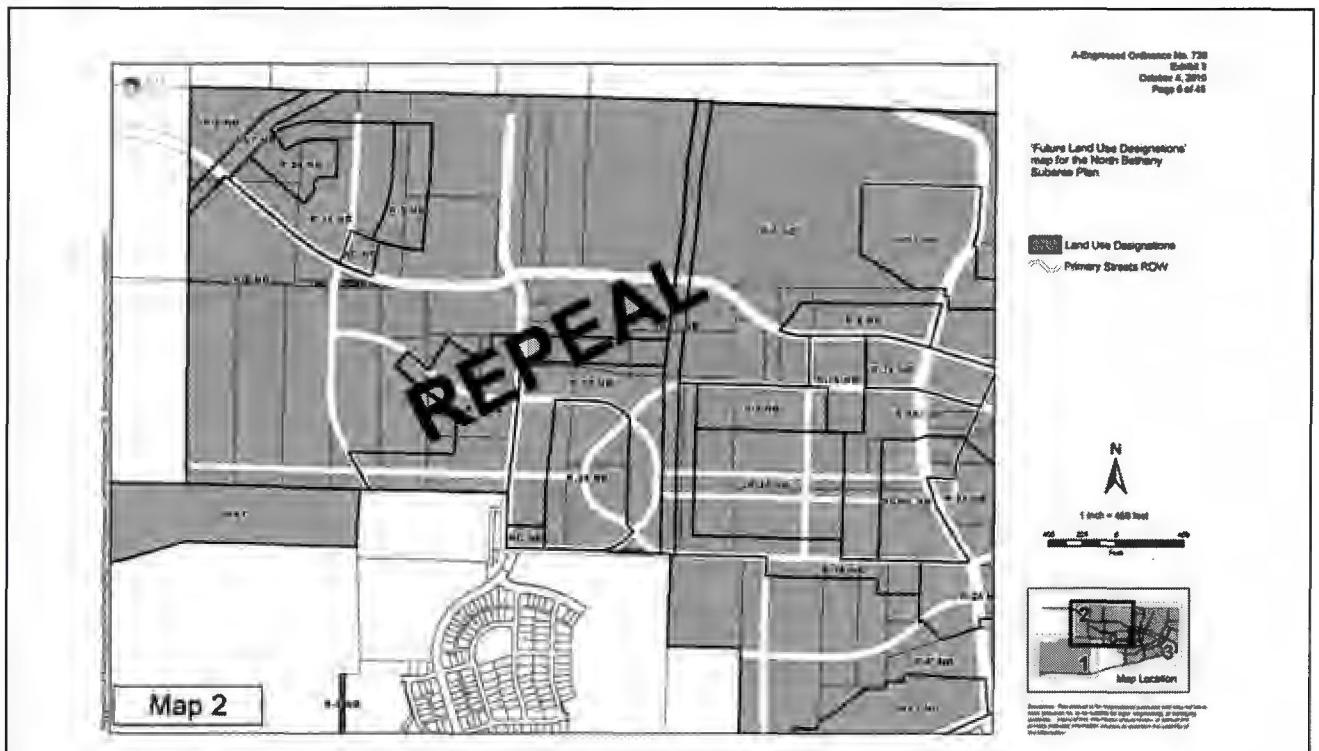
***

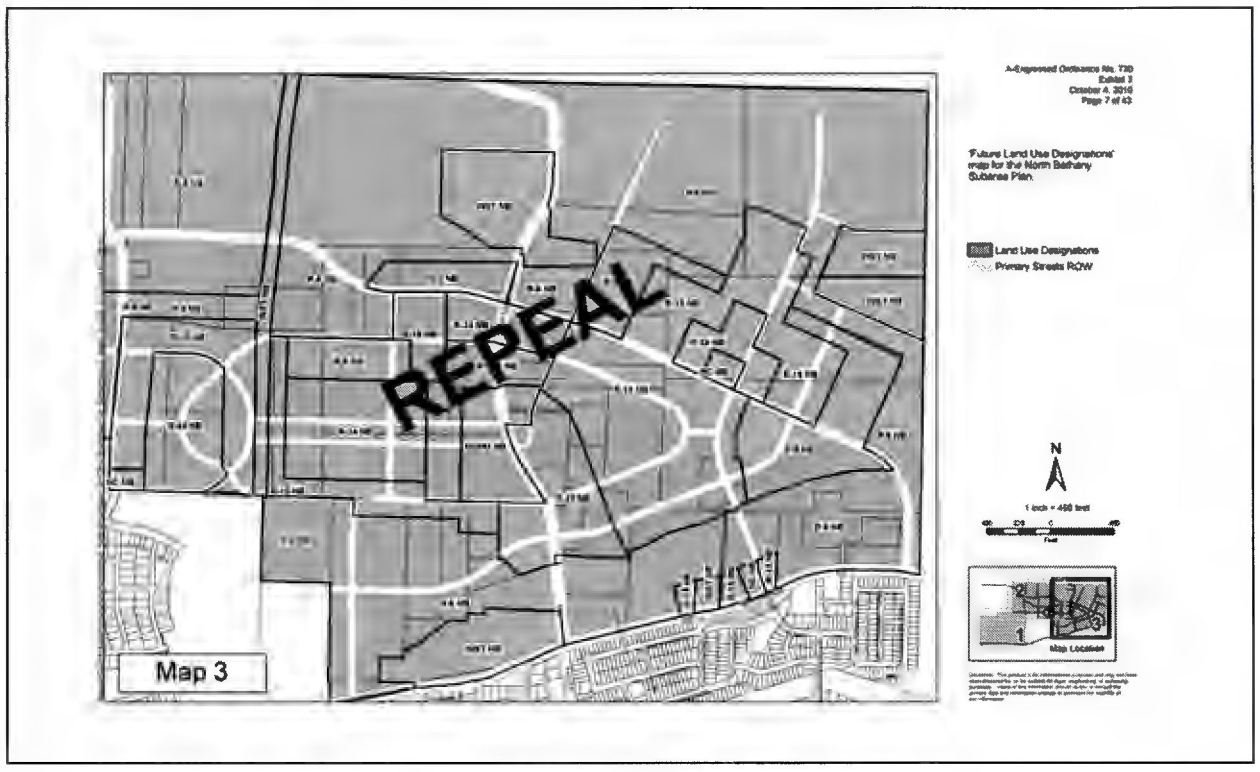
abcdef Proposed additions
~~abcdef~~ Proposed deletions

Land Use Designations Map

Repeal the 'Future Land Use Designations' map in A-Engrossed Ordinance No. 730 (Exhibit 3, pages 5, 6 & 7) and replace with the following 'Land Use Designations' maps.






REPEAL
Map 3
A-Engrossed Ordinance No. 739
Exhibit 2
October 4, 2016
Page 7 of 42
Future Land Use Designations' map for the North Bethany Subarea Plan
Land Use Designations
Primary Streets ROW
N
1 inch = 400 feet
Map Location

'Land Use Designations' map for the North Bethany Subarea Plan.

Land Use Designations

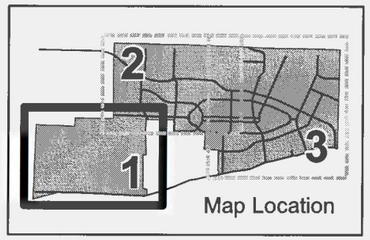
Primary Streets ROW

N

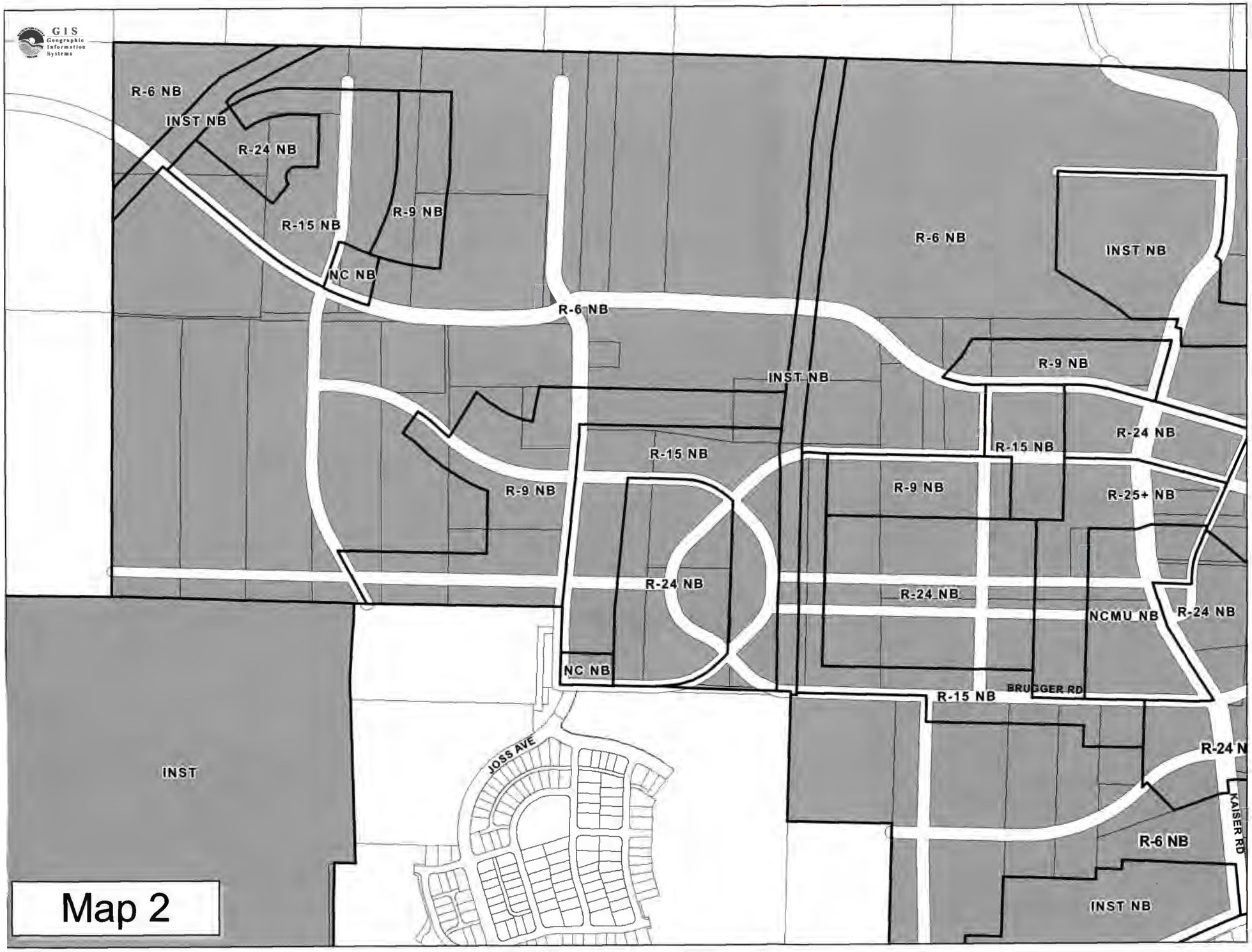
1 inch = 450 feet

450 225 0 450

Feet



Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



'Land Use Designations' map for the North Bethany Subarea Plan.

Land Use Designations

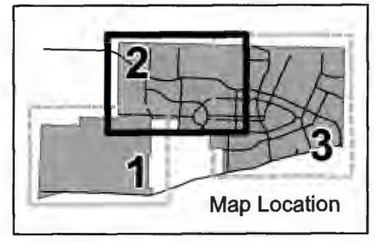
Primary Streets ROW

N

1 inch = 450 feet

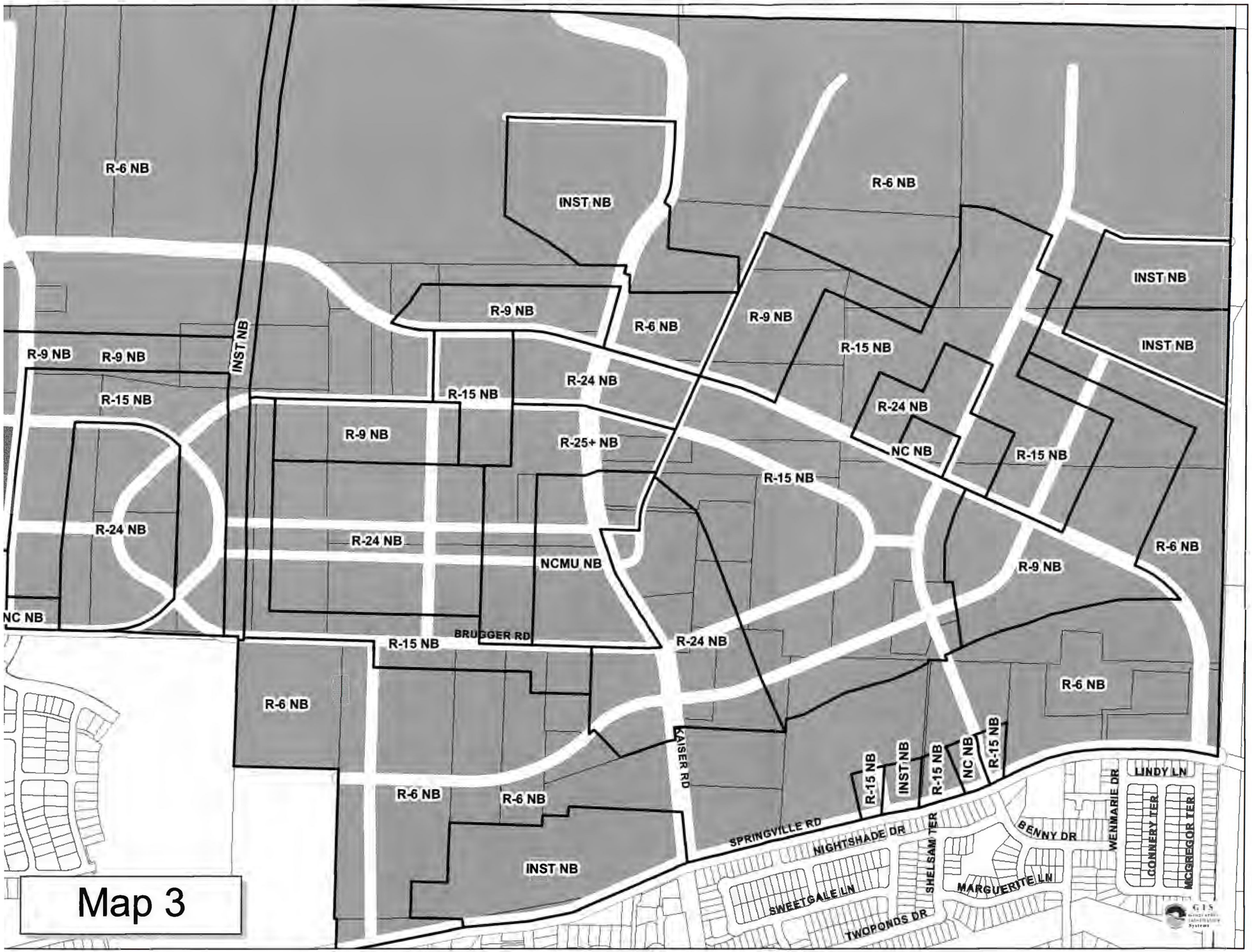
450 225 0 450

Feet



Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

'Land Use Designations' map for the North Bethany Subarea Plan.

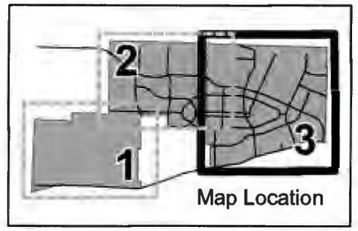


Land Use Designations
Primary Streets ROW

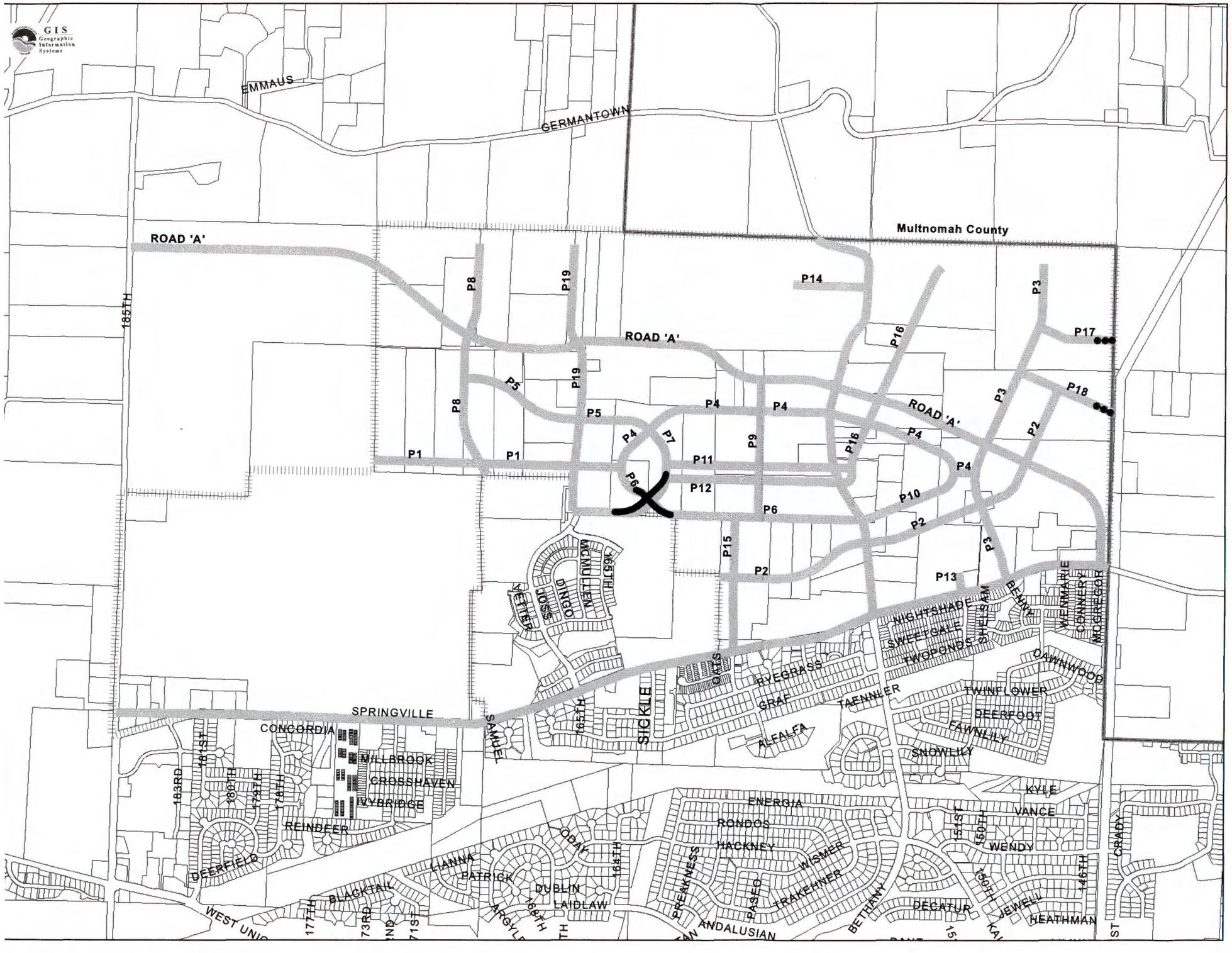
N

1 inch = 450 feet

450 225 0 450
Feet



Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



Amend the 'Primary Streets' map of the North Bethany Subarea Plan as indicated.

- Segment to be removed
- New alignment of Proposed Neighborhood Route
- North Bethany Planning Area

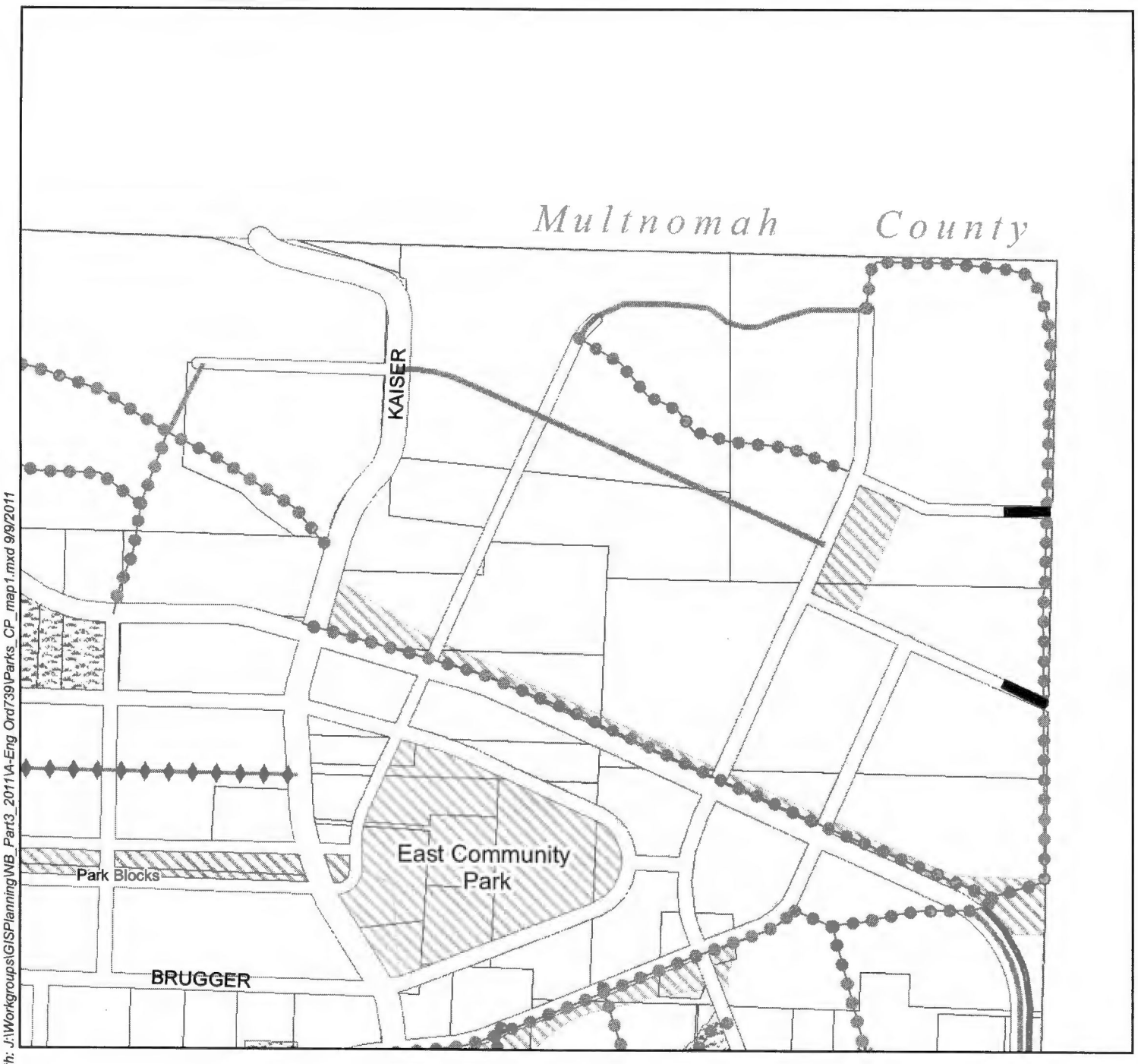
N

1 inch = 1,000 feet

1,000 500 0 1,000
Feet

Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Amend the 'Parks, Trails and Pedestrian Connections' map of the North Bethany Subarea Plan as indicated.



Trail segment to be added

Note:
Map elements shown in gray remain unchanged

N

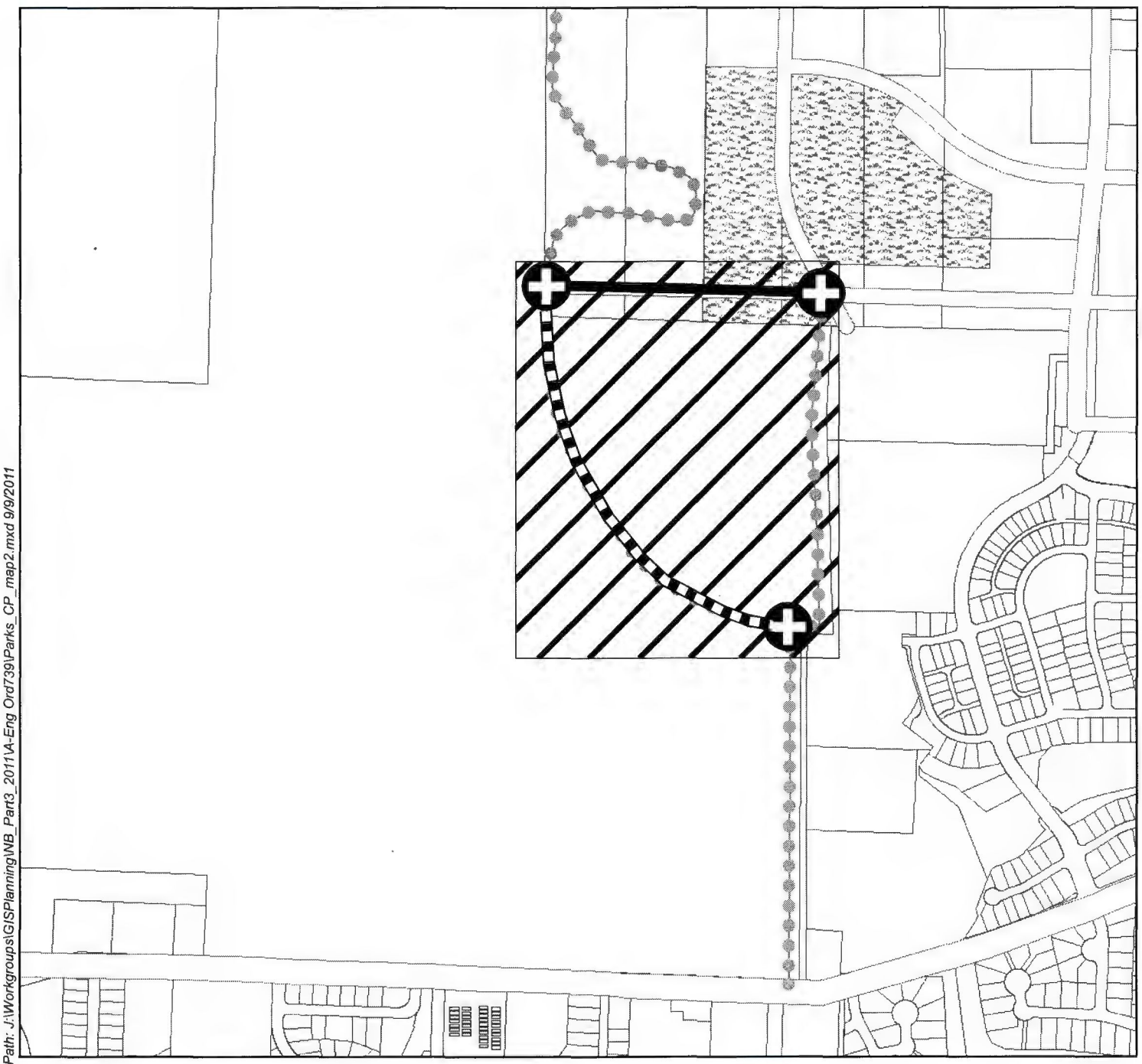
1,000 500 0 1,000
Feet

GIS
Geographic Information Systems

Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Path: J:\Workgroups\GISPlanning\NB_Part3_2011\A-Eng Ord739\Parks_CP_map1.mxd 9/9/2011

Amend the 'Parks, Trails and Pedestrian Connections' map of the North Bethany Subarea Plan as indicated.



Remove Trail Segement

Remove possible 'Off-Street Trail Connection'

Remove 'Off-Street Trail Study Area'

Add Preferred On-Street Pedestrian Route segment

Note:
Map elements shown in gray remain unchanged

N

1,000 500 0 1,000

Feet

GIS
Geographic
Information
Systems

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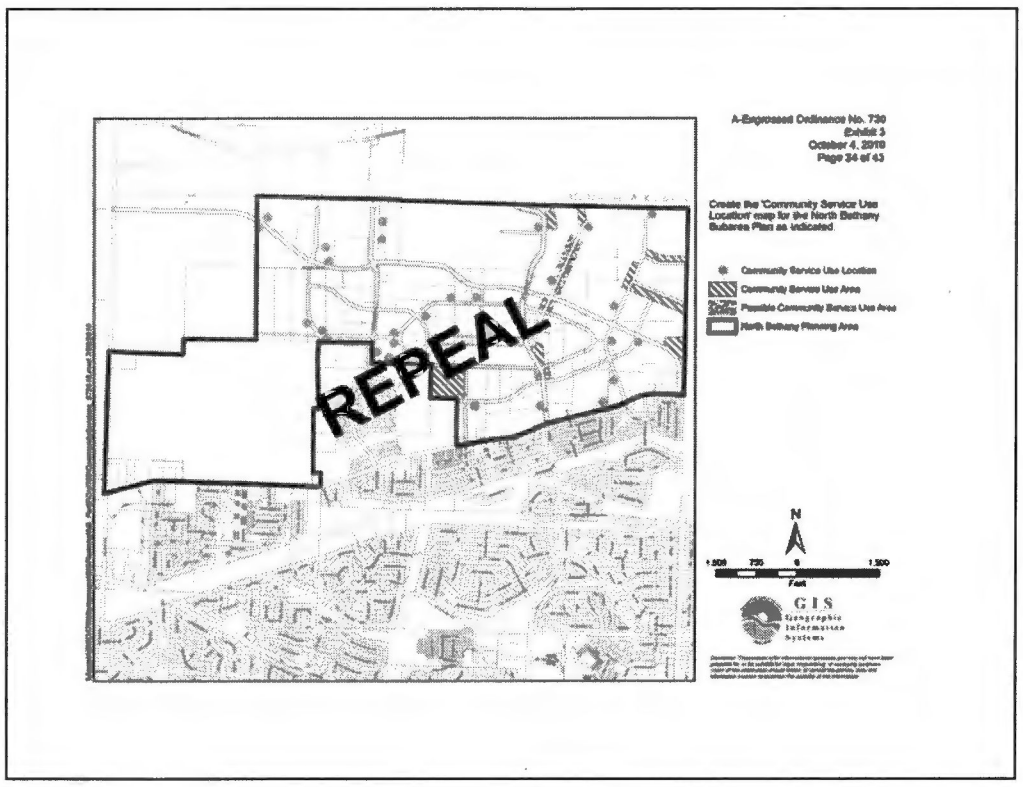
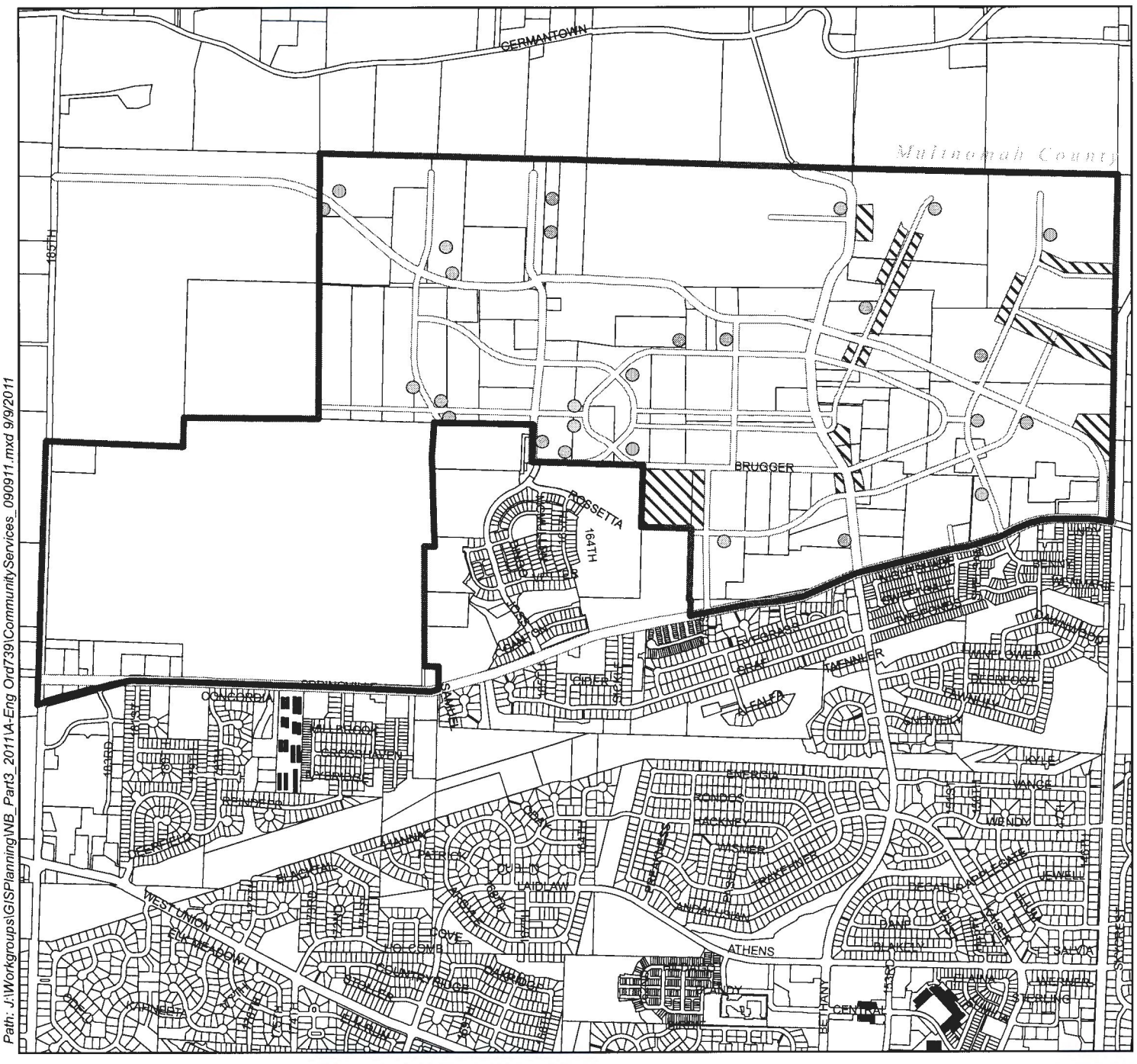
Path: J:\Workgroups\GISPlanning\NB_Part3_2011\A-Eng Ord739\Parks_CP_map2.mxd 9/9/2011

Community Service Use Map

Repeal the 'Community Service Use Location' map in A-Engrossed Ordinance No. 730 (Exhibit 3, page 24) and replace with the following 'Community Service Use' map.





Create the 'Community Service Use ' map for the North Bethany Subarea Plan.

- Community Service Use Location
- Community Service Use Area
- North Bethany Planning Area

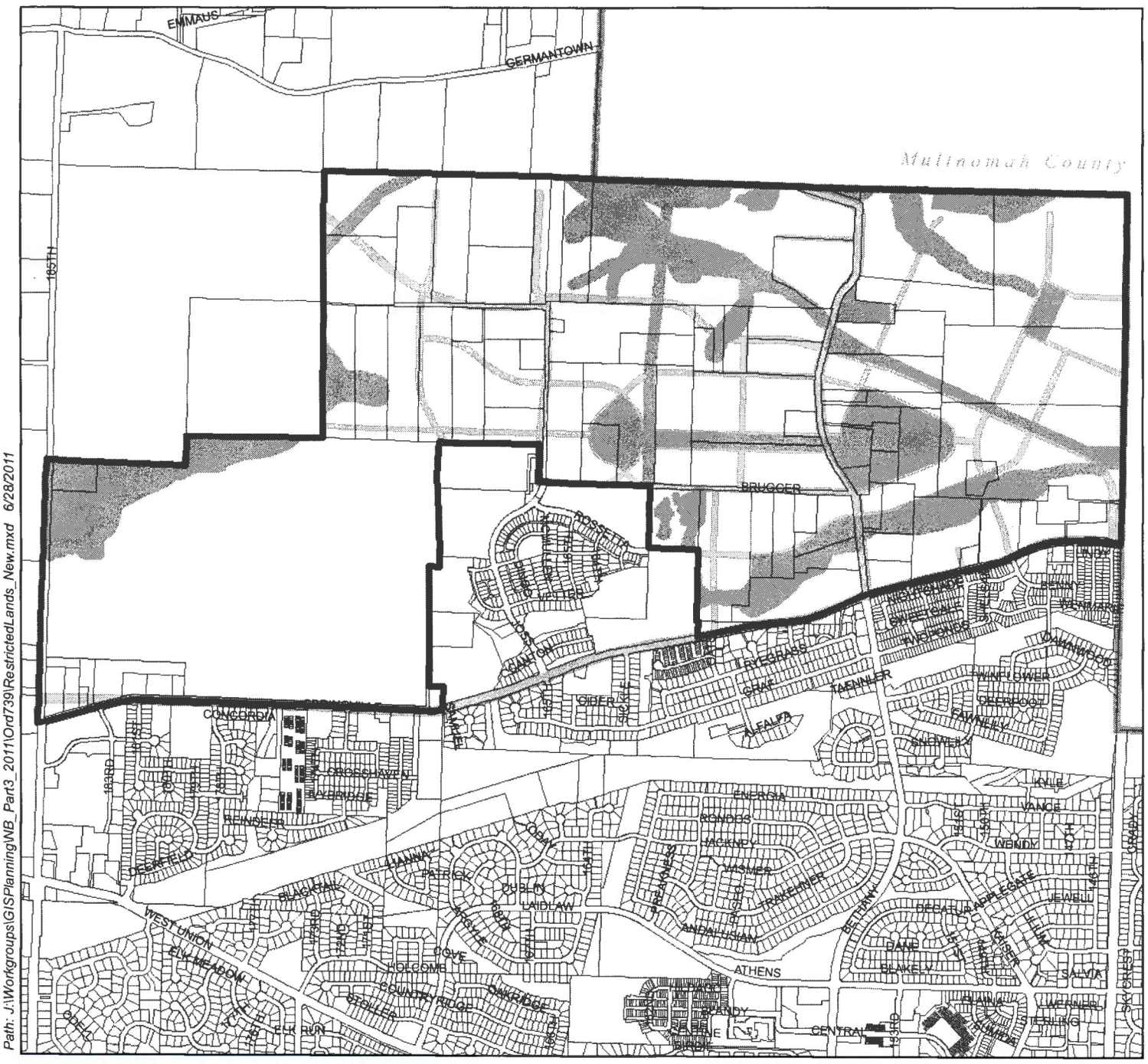
N

1,500 750 0 1,500

Feet

GIS
Geographic Information Systems

Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



Change the legend text from
'Restricted Lands*' to
'Density Restricted Lands*'

- Density Restricted Lands*
- North Bethany Planning Area
- Primary Streets ROW

*NOTE:
All boundaries are subject to adjustment based on more accurate information. Restricted Lands include:
Water Areas and Wetlands
Water Areas and Wetlands and Fish & Wildlife Habitat
Clean Water Services Estimated Vegetated Corridor
Open Space
+25% Steep Slopes
FEMA 100 Year Flood Areas
Drainage Hazard Areas

N

1,500 750 0 1,500
Feet

GIS
Geographic
Information
Systems

Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Path: J:\Workgroups\GIS\Planning\NB_Part3_2011\Ord739\RestrictedLands_New.mxd 6/28/2011

Portions of the trail corridor are shown to illustrate how they define the edge of sections of the Natural Features Buffer area.

The information on this map was derived from several databases and care was taken in its creation. Washington County cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties for this product. However, notification of any errors will be appreciated.

Washington County - Long Range Planning Division

North Bethany Planning Area: Urban/Rural Edge

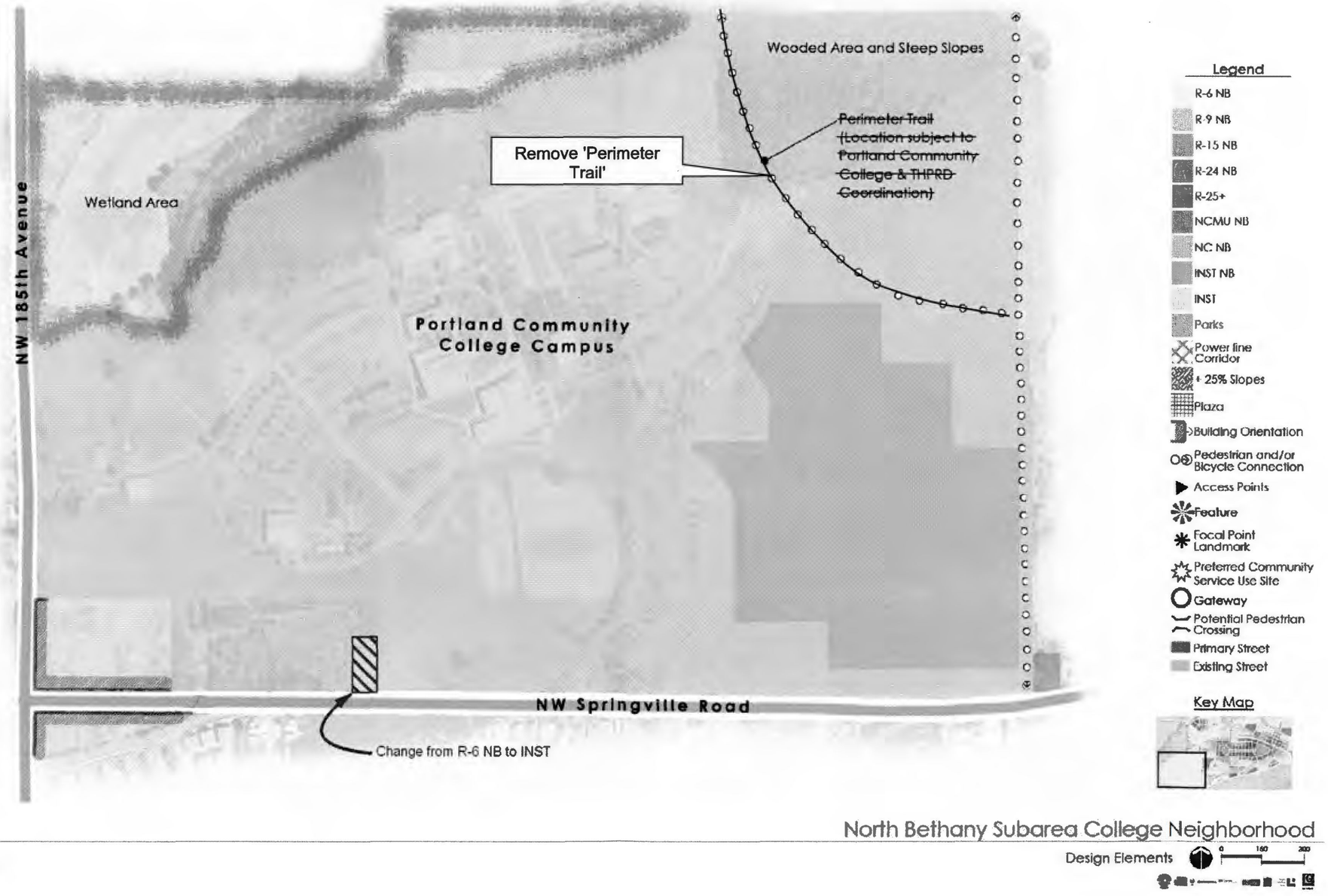
- Fence Only Buffer
- Vegetation Buffer with Fencing
- Trail Corridor
- Natural Features Buffer with Fencing
- Density Restricted Lands

N

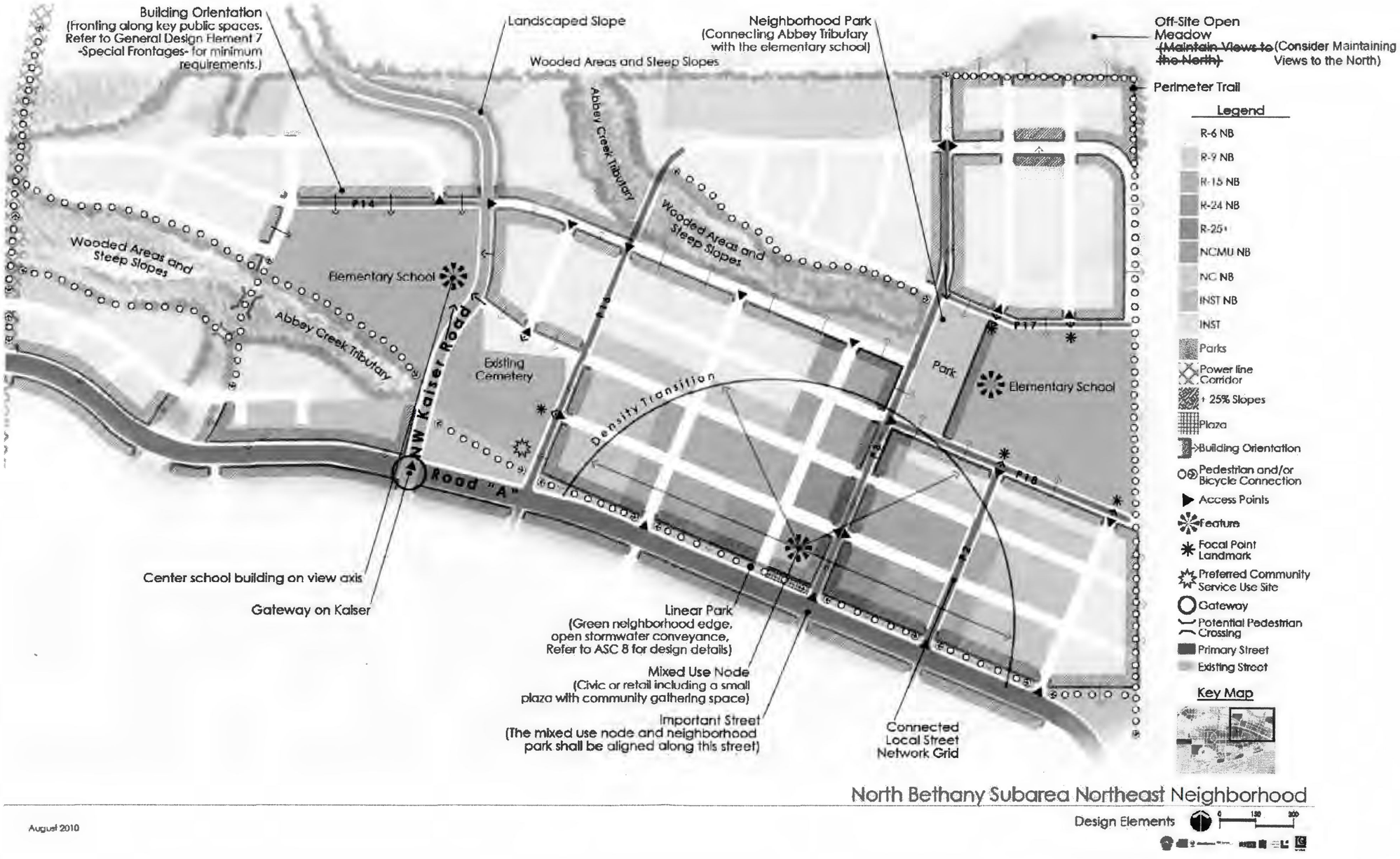
0 600 1,200

Feet

Path: J:\Workgroups\GIS\Planning\NB_Part3_2011\A-Eng Ord739\BuffersElements_v14_092711.mxd 9/27/2011



NEIGHBORHOOD PLAN – MAP 1



NEIGHBORHOOD PLAN – MAP 4

Community Development Code Sections 204-3 and 204-4 (Standards for providing notice of Type II and Type III applications) are amended as shown below:

204-3 Type II Actions

204-3.1 A public notice of pending review shall be mailed to:

A. The applicant or representative and owners of the subject property;

B. All property owners of record:

(1) Within five hundred (500) feet of the subject property in the Urban area; or

(2) Within one thousand (1,000) feet of the subject property in the Rural area.

(3) When an access management plan is proposed, property owners within the study area defined in 501-8.5 C (3)(a); or

(4) When airport-related development is proposed on property within a Public or Private Use Airport Overlay District, property owners within the associated Airport Safety Overlay District, or Airport Safety and Land Use Compatibility Overlay District (whichever is applicable).

C. The recognized Citizen Participation Organization in which subject property is located;

D. The owner of an airport, defined by the Department of Transportation as a public use airport when:

***

E. The Oregon Department of Agriculture or the United States Department of Agriculture for applications for the propagation, cultivation, maintenance and harvesting of aquatic and insect species.

F. The Oregon Department of Transportation and the appropriate railroad owner for applications in which a railroad-highway crossing provides or will provide the only access to a property.

G. The owners of all properties in a Neighborhood Park Area shown on the Park, Trails and Pedestrian Connections map in the North Bethany Subarea Plan when an application is on a property in a Neighborhood Park Area.

204-4 Type III Actions

204-4.1 Notice of public hearing shall be sent by mail at least twenty (20) days before the hearing.

abcdef Proposed additions
~~abcdef~~ Proposed deletions

204-4.2 The notice of public hearing shall be mailed to:

A. The applicant or representative and owners of the subject property;

B. All property owners of record:

(1) Within five hundred (500) feet of the subject property in the Urban area; or

(2) Within one thousand (1,000) feet of the subject property in the Rural area.

(3) When a new exception area is proposed, all property owners within one thousand (1,000) feet of the perimeter of the proposed exception areas, in addition to all property owners within the proposed exception area;

(4) When an access management plan is proposed, all property owners within the study area defined in 501-8.5 C. (3)(a); or

(5) When airport-related development is proposed on property within a Public or Private Use Airport Overlay District, all property owners within the associated Airport Safety Overlay District or Airport Safety and Land Use Compatibility Overlay District (whichever is applicable).

C. The recognized Citizen Participation Organization within which the subject property is located;

D. The owner of an airport, defined by the Department of Transportation as a public use airport when:

***

E. Tenants of a mobile home or manufactured dwelling park when a request for a plan amendment which would change the land use designation of the property which includes all or part of the park. Failure of a tenant to receive a notice which was mailed shall not invalidate any plan amendment.

F. The owners of all properties in a Neighborhood Park Area shown on the Park, Trails and Pedestrian Connections map in the North Bethany Subarea Plan when an application is on a property in a Neighborhood Park Area.

abcdef Proposed additions
~~abcdef~~ Proposed deletions

Community Development Code Section 390, NORTH BETHANY SUBAREA OVERLAY DISTRICT, of Article III, Land Use Districts, is amended to reflect the following:

390 NORTH BETHANY SUBAREA OVERLAY DISTRICT

390-1 Intent and Purpose

390-1.1 The purpose of the North Bethany Subarea Overlay District is to direct and encourage development that is primarily residential, with community needs (e.g., parks, neighborhood commercial, and public/community services) within one-quarter (1/4) mile of residents in the North Bethany Subarea.

390-1.2 The intent of the North Bethany Subarea Overlay District is to establish a development pattern that adheres to the North Bethany Concept Plan. This District reflects the detailed planning that went into the creation of the concept plan, including planning infrastructure and services across the Subarea, with attention to the neighborhood scale rather than for each development. Land use and density in North Bethany is established to support commercial development within walking distance of residential development and to accommodate future transit service to the area. Trails, street connectivity, and building setbacks and orientation enhance the pedestrian environment in North Bethany.

390-2 Applicability

390-2.1 The North Bethany Subarea Overlay District provisions of Section 390 are only applicable to the North Bethany Subarea of the Bethany Community Plan.

390-2.2 Unless otherwise specified in Section 390 or in the North Bethany Subarea Plan, all other provisions of this Code are applicable to the North Bethany Subarea Overlay District.

390-3 Applicability of other Comprehensive Plan Elements

All development in the North Bethany Subarea shall comply with the applicable standards and requirements of the North Bethany Subarea of the Bethany Community Plan. In the event standards of this Section conflict with a requirement of the Community Plan, the Community Plan shall control.

A. In addition to the Community Plan requirements listed in Sections 300-1.1, 401-1, and 601-2.3 A., the following provisions of the North Bethany Subarea of the Bethany Community Plan shall apply to development in the North Bethany Subarea:

(1) Future Land Use Designations;

(2) The Neighborhoods map;

(3) Core Design Elements designations;

abcdef Proposed additions
~~abcdef~~ Proposed deletions

(4) Primary Street designations;

(5) Special Setbacks designations;

(6) Special Frontages designations;

(7) Community Service Use locations;

(8) Landslide Inventory map;

(9) Landslide Study Areas Deep-Seated map;

(10) Landslide Study Areas Shallow-Seated map;

(11) Density Restricted Lands designations;

(12) Parks, Trails and Pedestrian Connections designations;

(13) Street Design Plan map;

(14) Conceptual Street Design Cross Sections;

(15) Street Tree Requirements – Table 1, Street Tree List; Table 2, Street Tree Guide;

(16) Neighborhood Plan maps;

(17) Drainage Master Plan Area designation;

(18) Neighborhood provisions, including their design elements; ~~and~~

(19) North Bethany Main Street Program Guide~~.~~; and

(20) Urban/Rural Edge map.

390-4 Conflicts Between other Code Provisions

Notwithstanding Section 401, in the event of a conflict between the standards of this district and the standards of any other provision of this Code, the standards of this district shall control.

390-5 Permitted Uses

The uses allowed in the North Bethany Subarea are limited to those listed in the land use districts provided below and shall be processed in accordance with the procedure types and standards specified by the districts below.

abcdef Proposed additions
~~abcdef~~ Proposed deletions

390-6 Prohibited Uses

390-6.1 The following structures and uses are prohibited in all residential districts in the North Bethany Subarea.

A. Structures or uses not specifically authorized by Section 390.

B. The use of a recreational vehicle as a residence except where specifically authorized under Section 390.

C. Any parking or storage of tractor trailers, semi-trucks, or heavy equipment, not including farm equipment or logging trucks used in conjunction with a farm or forest use.

D. The outdoor parking or storage of any five (5) or more operable vehicles on a single lot or parcel for more than forty-eight (48) hours, except as approved in conjunction with a development.

E. Keeping of fowl for sale, keeping of swine (except for up to three (3) purebred potbelly pigs as household pets and not for breeding purposes) or operating a feed lot.

F. The location of service facilities such as high schools, hospitals, nursing homes, public assembly and high density residential development in airport approach zones. Location of these facilities shall be avoided within any existing (June, 1983) airport year 2000 LDN fifty-five (55) contour.

G. Mounting a communication tower or antenna~~,~~ that is not a permitted accessory use~~,~~ on a detached dwelling.

H. Mounting an antenna~~,~~ that is not a permitted accessory use~~,~~ on a communication tower that is accessory to a detached dwelling.

I. Auto wrecking yards.

390-6.2 The following structures and uses are prohibited in all non-residential ~~residential~~ districts in the North Bethany Subarea.

A. Structures or uses not specifically authorized by Section 390.

B. The use of a manufactured dwelling, except as provided in Section 430-135.1 A. – Temporary Uses and 430-1.2 D. – Accessory Use.

C. New residential uses except as provided in Sections 311-3.6 and 311-3.16.

D. The location of service facilities such as high schools, hospitals, nursing homes, public assembly and high density residential development in airport approach zones. Location of these facilities shall be avoided within any existing (June, 1983) airport year 2000 LDN fifty-five (55) contour.

E. Auto wrecking yards.

390-7 Parking Requirements

Required off-street and on-street parking shall be provided in accordance with the provisions of Section 413.

390-8 R-6 North Bethany District (R-6 NB)

390-8.1 Intent and Purpose

The R-6 North Bethany District (R-6 NB) is intended to implement the policies of the Comprehensive Plan for areas in the North Bethany Subarea Plan designated for residential development at no more than six (6) units per acre and no less than five (5) units per acre.

The purpose of the R-6 NB District is to provide areas for detached houses as well as areas for manufactured homes on individual lots. Duplex units are also allowed in this district.

390-8.2 Uses Permitted Through a Type I Procedure

The following uses are permitted subject to the specific standards set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code.

A. Accessory Uses and Structures – Section 430-1.

B. Bus Shelter – Section 430-23.

C. Co-located antennas, excluding those antennas exempt pursuant to Sections 430-109.1 and 201-2, located on existing legally established communication towers – Section 430-109.3.

D. Detached Dwelling Unit on an existing lot or parcel with a buildable area less than thirteen-thousand one-hundred (13,100) square feet – Section 430-37.1.A.

E. Expansion or replacement of an existing dwelling – Section 430-37.1 A.

F. Expansion of any Type II or III use which meets the following:

(1) Is exempt from application of public facility standards of Section 501-2;

(2) Is not in an Area of Special Concern as designated on the applicable Community Plan map; and

(3) Is not a telecommunication facility.

G. Facility 2 communication towers to a maximum height of one-hundred (100) feet, excluding those towers exempt pursuant to Sections 430-109.1 and 201-2 – Section 430-109.4.

H. Home Occupation – Section 430-63.1.

<u>abcdef</u> Proposed additions
~~abcdef~~ Proposed deletions

I. Manufactured Home on an existing lot or parcel with a buildable area less than thirteen-thousand one-hundred (13,100) square feet – Section 430-76.

J. Park – Section 430-97.

K. Temporary Use – Section 430-135.1, except for temporary storage of relocated dwelling structures (430-135.1 C.4) and temporary batch plants (430-135.1 G.).

390-8.3 Uses Permitted Through a Type II Procedure

The following uses may be permitted subject to the specific standards set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Attached Dwelling Unit (limited to duplexes) – Section 430-13.

B. Flag Lot – Section 430-45.

C. Home Occupation – Section 430-63.2.

D. Manufactured Dwelling Park – Section 430-77.

E. Manufactured Dwelling Subdivision – Section 430-79.

F. Community Service Uses in Residential Land Use Districts – Section 390-16.4.A.

G. Construction of Public Transportation Facilities not otherwise authorized by Article VII.

H. Co-located antennas, not otherwise allowed through a Type I Procedure – Section 430-109.

I. Detached Dwelling Unit on an existing lot or parcel with a buildable area greater than thirteen-thousand one-hundred (13,100) square feet – Section 430-37.1 B.

J. Manufactured Home on an existing lot or parcel with a buildable area greater than thirteen-thousand one-hundred (13,100) square feet – Section 430-76 and Section 430-37.1 B. (1–3).

K. Single-Family Accessory Dwelling Unit – Section 430-117.1.

L. Tree removal in areas identified in the applicable Community Plan as Significant Natural Resources, subject to Section 407-3.

M. Uses Accessory and Incidental to a Residential Development provided for the service and convenience of the residents, including clubhouse, meeting hall, recreation center, gymnasium, and indoor swimming pool.

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N. Zero Lot Line Development – Section 430-147.

390-8.4 Uses Which May Be Permitted Through a Type III Procedure

The following uses may be permitted subject to the specific standards set forth below, the standards of Section 390-21, and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Boarding House, including a Bed & Breakfast in an existing dwelling – Section 430-9.

B. Community Service Uses in Residential Land Use Districts – Section 390-16.4.B.

390-8.5 Density

The permitted residential density shall be no more than six (6) units per acre and no less than five (5) units per acre, except as permitted by Section 300-2 or by Section 390-8.5.1 below.

390-8.5.1 Development to the required minimum density may be phased over time through future land divisions when the following standards are met:

A. A future development plan shall be submitted which demonstrates how the entire site can be ultimately developed consistent with the minimum density and other applicable standards of the Code and the North Bethany Subarea Plan. The plan shall include:

(1) Complete parcelization of the subject property, including the size and configuration of all lots or parcels;

(2) Vehicular and pedestrian access and circulation necessary to serve the ultimate development on the subject property and adjacent properties; and

(3) Public facilities and services necessary to serve the ultimate development, including location and required easements and tracts. Public facilities and services shall include, but are not limited to, water, sewer, fire protection, parks, trails and drainage, including storm water and water quality facilities and any necessary buffers;

B. The size, configuration and location of proposed lots or parcels to be created through an application, and the location of new dwellings and structures on the proposed lots or parcels, shall not preclude:

(1) Future development of the subject property to the minimum density as shown on the future development plan; and

(2) Future development or redevelopment of adjacent properties to the permitted density;

C. No future street, easement or public facility shall be located on the subject property in a manner that would preclude future development to the minimum density as shown on the future development plan or preclude development of adjacent properties to the density; and

D. For subdivisions, each phase of a subdivision shall comply with the minimum density requirement.

390-8.~~5~~6 Dimensional Requirements

The Dimensional Requirements of Section 303-7 are the required standards for the R-6 NB District.

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390-9 R-9 North Bethany District (R-9 NB)

390-9.1 Intent and Purpose

The R-9 North Bethany District (R-9 NB) is intended to implement the policies of the Comprehensive Plan for areas in the North Bethany Subarea Plan designated for residential development at no more than nine (9) units per acre and no less than seven (7) units per acre.

The purpose of the R-9 NB District is to provide areas for detached and attached houses on small lots as well as areas for manufactured homes on individual lots and manufactured dwelling subdivisions and parks.

390-9.2 Uses Permitted Through a Type I Procedure

The following uses are permitted subject to the specific standards set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code.

A. Accessory Uses and Structures – Section 430-1.

B. Bus Shelter – Section 430-23.

C. Co-located antennas, excluding those antennas exempt pursuant to Sections 430-109.1 and 201-2, located on existing legally established communication towers – Section 430-109.3.

D. Detached Dwelling Unit on a lot or parcel approved for the construction of a detached dwelling unit through a subdivision or partition in the R-9 NB District - Section 430-37.1 A.

E. Expansion or replacement of an existing dwelling – Section 430-37.1 A.

F. Expansion of any Type II or III use which meets the following:

(1) Is exempt from application of public facility standards of Section 501-2;

(2) Is not in an Area of Special Concern as designated on the applicable Community Plan map; and

(3) Is not a telecommunication facility.

G. Facility 2 Communication towers to a maximum height of one-hundred (100) feet, excluding those towers exempt pursuant to Sections 430-109.1 and 201-2 – Section 430-109.4.

H. Home Occupation – Section 430-63.1.

I. Manufactured Home on a lot or parcel approved for the construction of a detached dwelling unit through a subdivision or partition in the R-9 NB District – Section 430-76 and Section 430-37.1 B. (1-3).

J. Park – Section 430-97.

K. Single Family Accessory Dwelling Unit – Section 430-117.

L. Temporary Use – Section 430-135.1 except for temporary storage of relocated dwelling structures (430-135.1 C.4) and temporary batch plants (430-135.1 G.).

390-9.3 Uses Permitted Through a Type II Procedure

The following uses may be permitted subject to the specific standards set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Attached Dwelling Units – Single family attached dwelling units limited to no more than six (6) attached units per building.

B. Co-located antennas, not otherwise allowed through a Type I Procedure – Section 430-109.

C. Community Service Uses <u>in Residential Land Use Districts</u> – Section 390-16.4.<u>A.</u>

D. Construction of Public Transportation Facilities not otherwise authorized by Article VII.

E. Detached Dwelling Unit, not otherwise permitted by Section 390-9.2 – Section 430-37.1 B.

F. Flag Lot – Section 430-45.

G. Group Care – Sections 430-53.3 and 430-53.5.

H. Home Occupation – Section 430-63.2.

I. Manufactured Dwelling Park – Section 430-77.

J. Manufactured Dwelling Subdivision – Section 430-79.

K. Manufactured Home, not otherwise permitted by Section 304-2.8 – Section 430-76 and Section 430-37.1 B. (1-3).

L. Tree removal in areas identified in the applicable Community Plan as Significant Natural Resources, subject to Section 407-3.

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M. Uses Accessory and Incidental to a Residential Development provided for the service and convenience of the residents, including clubhouse, meeting hall, recreation center, gymnasium, and indoor swimming pool.

N. Zero Lot Line Development – Section 430-147.

390-9.4 Uses Which May be Permitted Through a Type III Procedure

The following uses may be permitted subject to the specific standards set forth below, the standards of Section 390-21, and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Boarding House, including a Bed & Breakfast in an existing dwelling – Section 430-19.

~~C~~B. Community Service Uses in Residential Land Use Districts – Section 390-16.4.B.

390-9.5 Density

The Density standards of Section 304-6 are the required standards for the R-9 NB District.

390-9.5~~6~~ Dimensional Requirements

The Dimensional Requirements of Section 304-7 are the required standards for the R-9 NB District.

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390-10 R-15 North Bethany District (R-15 NB)

390-10.1 Intent and Purpose

The R-15 North Bethany District (R-15 NB) is intended to implement the policies of the Comprehensive Plan for areas in the North Bethany Subarea Plan designated for residential development at no more than fifteen (15) units per acre, and no less than twelve (12) units per acre.

The purpose of the R-15 NB District is to provide areas for higher density single family attached and multi-family housing.

390-10.2 Uses Permitted Through a Type I Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code.

A. Accessory Uses and Structures – Section 430-1.

B. Bus Shelter – Section 430-23.

C. Co-located antennas, excluding those antennas exempt pursuant to Sections 430-109.1 and 201-2, located on existing legally established communication towers – Section 430-109.3.

C. Expansion or replacement of an existing dwelling – Section 430-37.1 A.

D. Expansion of any Type II or III use which meets the following:

(1) Is exempt from application of public facility standards of Section 501-2;

(2) Is not in an Area of Special Concern as designated on the applicable Community Plan map; and

(3) Is not a telecommunication facility.

E. Facility 2 Communication towers to a maximum height of one-hundred (100) feet, excluding those towers exempt pursuant to Sections 430-109.1 and 201-2 – Section 430-109.4.

F. Home Occupation – Section 430-63.1.

G. Park – Section 430-97.

H. Temporary Use – Section 430-135.1, except for temporary storage of relocated dwelling structures (430-135.1 C.4) and temporary batch plants (430-135.1 G).

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PLACEHOLDER: As part of the placeholder work to develop standards for cluster housing (see Section 390-16.2), staff will also work with stakeholders to develop standards to allow detached single family dwellings in the R-15 North Bethany District (R-15 NB) as permitted uses independent of the cluster housing standards. As adopted, the Concept Plan does not permit detached dwellings in the Medium Density category, designated as the R-15 NB District in Ordinance No. 730. A key factor for not permitting detached dwellings in the Medium Density category was the Concept Plan's design to frame public spaces (e.g., parks) with buildings with prominent massing (larger structures with two or more stories, such as town houses and apartments) rather than a number of small detached structures. Work under this placeholder and the building design and variety placeholder (see Section 390-19) will examine how to maintain the Concept Plan's design aspects when determining where and how to allow detached dwellings in the R-15 District.

390-10.3 Uses Permitted Through a Type II Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Attached Dwelling Units.

B. Co-located antennas, not otherwise allowed through a Type I Procedure – Section 430-109.

C. Community Service Uses in Residential Land Use Districts – Section 390-16.4.A.

D. Construction of Public Transportation Facilities not otherwise authorized by Article VII.

E. Group Care – Section 430-53.3 and 430-53.5.

F. Home Occupation – Section 430-63.2.

G. Tree removal in areas identified in the applicable Community Plan as Significant Natural Resources, subject to Section 407-3.

H. Uses Accessory and Incidental to a Residential Development provided for the service and convenience of the residents, including clubhouse, meeting hall, recreation center, gymnasium, and indoor swimming pool.

390-10.-4 Uses Which May Be Permitted Through a Type III Procedure

The following uses may be permitted subject to the specific standards set forth below, the standards of Section 390-21, and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Boarding House, including a Bed and Breakfast in an existing dwelling – Section 430-19.

B. Community Service Uses in Residential Land Use Districts – Section 390-16.4.B.

C. Group Care – Section 430-53.1 and 430-53.4.

390-10.5 Density

The Density standards of Section 305-6 are the required standards for the R-15 NB District.

390-10.~~5~~6 Dimensional Requirements

The Dimensional Requirements of Section 305-7 are the required standards for the R-15 NB District.

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390-11 R-24 North Bethany District (R-24 NB)

390-11.1 Intent and Purpose

The R-24 North Bethany District (R-24 NB) is intended to implement the policies of the Comprehensive Plan for areas in new urban communities designated for residential development at no more than ~~thirty (30)~~ twenty-four (24) units per acre and no less than ~~twenty-four (24)~~ nineteen (19) units per acre.

The purpose of the R-24 NB District is to provide areas for high density single family attached and multi-family attached residential with design flexibility to allow for a variety of configurations.

390-11.2 Uses Permitted Through a Type I Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code.

A. Accessory Uses and Structures - Section 430-1.

B. Bus Shelter – Section 430-23.

C. Co-located antennas, excluding those antennas exempt pursuant to Sections 430-109.1 and 201-2, located on existing legally established communication towers – Section 430-109.3.

D. Expansion or replacement of an existing dwelling – Section 430-37.1 A.

E. Expansion of any Type II or III use which meets the following:

(1) Is exempt from application of public facility standards of Article VIII;

(2) Is not in an Area of Special Concern as designated on the applicable Community Plan map; and

(3) Is not a telecommunication facility.

F. Facility 2 Communication towers to a maximum height of one-hundred (100) feet, excluding those towers exempt pursuant to Sections 430-109.1 and 201-2 – Section 430-109.4.

G. Home Occupation – Section 430-63.1.

H. Park – Section 430-97.

I. Temporary Use – Section 430-135.1. except for temporary storage of relocated dwelling structures (430-135.1 C.(4)) and temporary batch plants (430-135.1 G.).

390-11.3 Uses Permitted Through a Type II Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 390 and Section 430, as well as the general standards for the District, the Development Standards of Article VI and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Attached Dwelling Units – Single Family (e.g., townhouse/rowhouse).

B. Attached Dwelling Units – Multi-Family (e.g., apartments, condominiums).

C. Co-located antennas, not otherwise allowed through a Type I Procedure – Section 430-109.3.

D. Community Service Uses in Residential Land Use Districts – Section 390-16.4.A.

E. Construction of Public Transportation Facilities not otherwise authorized by Article VII.

F. Group Care – Sections 430-53.3 and 430-53.5.

G. Home Occupation – Section 430-63.2.

H. Tree removal in areas identified in the applicable Community Plan as Significant Natural Resources, subject to Section 407-3.

I. Uses Accessory and Incidental to a Residential Development provided for the service and convenience of the residents, including clubhouse, meeting hall, recreation center, gymnasium, and indoor swimming pool.

J. Live / Work Housing – Section 390-16.7.

390-11.4 Uses Which May Be Permitted Through a Type III Procedure

The following uses may be permitted subject to the specific standards set forth below, the standards of Section 390-21, and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Group Care – Section 430-53.1 and 430-53.4.

B. Community Service Uses in Residential Land Use Districts – Section 390-16.4.B.

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390-11.5 Density

The Density standards of Section 306-6 are the required standards for the R-24 NB District.

390-11.~~5~~6 Dimensional Requirements

The Dimensional Requirements of Section 306-7 are the required standards for the R-24 NB District.

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390-12 R-25+ North Bethany District (R-25+ NB)

390-12.1 Intent and Purpose

The R-25+ North Bethany District (R-25+ NB) is intended to implement the policies of the Comprehensive Plan for areas in the North Bethany Subarea Plan designated for residential development at no more than fifty (50) units per acre and no less than twenty (20) units per acre, except as otherwise specified by Section 397-7.

The purpose of the R-25+ NB District is to provide areas for high density, multi-family attached residential housing as well as senior housing and assisted living in proximity to services (e.g., retail and civic uses) and with reduced off-street parking needs. Student housing is also considered an appropriate residential use in this District.

390-12.2 Uses Permitted Through a Type I Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code.

A. Accessory Uses and Structures – Section 430-1.

B. Bus Shelter – Section 430-23.

C. Co-located antennas, excluding those antennas exempt pursuant to Sections 430-109.1 and 201-2, located on existing legally established communication towers – Section 430-109.3.

D. Expansion of any Type II or III use which meets the following:

(1) Is exempt from application of public facility standards of Section 501-2;

(2) Is not in an Area of Special Concern as designated on the applicable Community Plan map; and

(3) Is not a telecommunication facility.

E. Facility 2 Communication towers to a maximum height of one-hundred (100) feet, excluding those towers exempt pursuant to Sections 430-109.1 and 201-2 – Section 430-109.4.

F. Home Occupation – 430-63.1.

G. Park – Section 430-97.

H. Temporary Use – Section 430-135.1 except for temporary storage of relocated dwelling structures (430-135.1 C.(4)) and temporary batch plants (430-135.1 G.).

390-12.3 Uses Permitted Through a Type II Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Attached Dwelling Units – Multi-Family (limited to attached multi-family residential, e.g., apartments, condominiums, senior housing).

B. Co-located antennas, not otherwise allowed through a Type I Procedure – Section 430-109.

C. Community Service Uses in Residential Land Use Districts – Section 390-16.4.A.

D. Construction of Public Transportation Facilities not otherwise authorized by Article VII.

E. Group Care – Section 430-53.3 and 430-53.5.

F. Home Occupation – Section 430-63.2.

G. Live / Work Housing – Section 390-16.7.

H. Tree removal in areas identified in the applicable Community Plan as Significant Natural Resources, subject to Section 407-3.

I. Uses Accessory and Incidental to a Residential Development provided for the service and convenience of the residents, including clubhouse, meeting hall, recreation center, gymnasium, and indoor swimming pool.

390-12.-4 Uses Which May Be Permitted Through a Type III Procedure

The following uses may be permitted subject to the specific standards set forth below, the standards of Section 390-21, and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Community Service Uses in Residential Land Use Districts – Section 390-16-4.B.

B. Group Care – Section 430-53.1 and 430.53.4.

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390-12.5 Density

The Density standards of Section 307-6 are the required standards for the R-25+ NB District.

390-12.5 Dimensional Requirements

The Dimensional Requirements of Section 307-7 are the required standards for the R-25+ NB District.

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390-13 Neighborhood Corner Commercial District (NCC NB)

390-13.1 Intent and Purpose

The Neighborhood Corner Commercial North Bethany District (NCC NB) is intended to provide for the convenient shopping and service needs of residents in the North Bethany Subarea Plan at a smaller neighborhood scale than the more prominent Neighborhood Commercial Mixed Use District. Neighborhood Corner Commercial locations are easily accessible to surrounding neighborhoods by foot, bike and car. Neighborhood Corner Commercial uses are designed to be integrated in the community without negatively impacting surrounding residential properties.

The purpose of the Neighborhood Corner Commercial North Bethany District is to allow small shopping and service uses at various locations in the community. Residential uses may be located above ground floor retail or office uses.

390-13.2 Uses Permitted Through a Type I Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code.

A. Accessory Uses and Structures – Section 430-1.

B. Any Type II or III use, expansion of an existing use or change of use which meets all of the following:

   (1) Is exempt from application of the Public Facility Standards under Section 501-2;

   (2) Is not in an "Area of Special Concern" as designated on the applicable Community Plan map; and

   (3) Is not a telecommunication facility allowed through a Type II procedure.

C. Bus Shelter – Section 430-23.

D. Co-located antennas, excluding those antennas exempt pursuant to Sections 430-109.1 and 201-2, located on existing legally established communication towers – Section 430-190.3.

E. Facility 2 Communication Towers, excluding those towers exempt pursuant to Sections 430-109.1 and 201-2 that do not exceed a maximum height of one-hundred (100) feet – Section 430-109.4.

F. Park – Section 430-97.

G. Temporary Use – Section 430-135.1 except for temporary storage of relocated dwelling structures (430-135.1 C.(4)) and temporary batch plants (430-135.1 G.).

390-13.3 Uses Permitted Through a Type II Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Co-located antennas, not otherwise allowed through a Type I Procedure – Section 430-109.

B. Commercial School – Section 390-16.3.

C. Communication Towers greater than one-hundred (100) feet – Section 430-109.

D. ~~Community Service Use, limited to a~~ Farmers' Market with no new permanent structures – Section 390-16.6.

E. Construction of Public Transportation Facilities not otherwise authorized by Article VII.

F. Convenience Grocery - with a maximum gross floor area of three-thousand five-hundred (3,500) square feet - Section 430-35.

G. Day Care Facility – Section 390-16.5.

H. Dwelling units, provided:

(1) They are located on the upper floor(s) of the building (i.e., not developed as a stand alone use);

(2) The ground floor is used for non-residential uses; and

(3) Maximum density of fifteen (15) units per gross acre.

I. Eating and Drinking Establishments with a maximum gross floor area of three-thousand five-hundred (3,500) square feet.

J. Financial institutions, such as banks, insurance agents, and real estate offices - with a maximum gross floor area of three-thousand five-hundred (3,500) square feet per use.

~~K. Live / Work Housing – Section 390-16.5.~~

~~L.~~K. Nursery School – Section 390-16.9.

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~~M~~L. Personal service uses such as laundry, dry cleaners, barber and beauty shop, shoe repair, photographic studios - with a maximum gross floor area of three-thousand five-hundred (3,500) square feet per use.

~~N~~M. Professional office uses, including medical offices, and veterinary clinics which do not include boarding facilities other than indoor boarding for immediate, critical care – with a maximum gross floor area of three-thousand five-hundred (3,500) square feet per use.

~~O~~N. Retail businesses, such as variety, hardware, drug, dry goods, clothing, photography, hobby and similar retail uses as well as eating and drinking establishments – with a maximum gross floor area of three-thousand five-hundred (3,500) square feet per use.

~~P~~O. Service station, including a car wash – Section 390-16.~~10.~~12.

~~Q~~P. Tree removal in areas identified in the applicable Community Plan as Significant Natural Resources, subject to Section 407-3.

390-13.4 Dimensional Requirements

A. Lot Area:

The minimum lot area shall be eight-thousand five-hundred (8,500) square feet.

B. Yard Requirements:

The minimum yard requirements shall be as follows:

(1~~.~~) Ten (10) foot front yard;

(2~~.~~) Side yards:

(a) When abutting a Residential or Office Commercial District, the side yard shall be no less than required by the abutting district;

(b) Except on corner lots, and as in (a) above there is no required side yard;

(c) On a corner lot, the side or rear yard abutting the street shall be ten (10) feet;

(3~~.~~) Twenty (20) foot rear yard; and

(4~~.~~) Additional setbacks may be required as specified in Sections 411 and 418.

C. Height:

(1.) The maximum height for structures shall be thirty-five (35) feet except as modified by other Sections of this Code.

(2.) Normal building appurtenances and projections such as spires, belfries, cupolas, chimneys, ventilators, elevator housings or other structures placed on or extending above roof level may exceed the thirty-five (35) foot building height limit to a maximum height of sixty-five (65) feet.

(3.) The height of telecommunication facilities are regulated by the Permitted Use sections of this Land Use District, Sections 201, 430-1, 430-109 and other applicable provisions of this Code.

D. Lot Dimensions:

(1.) The minimum average lot width shall be eighty-five (85) feet;

(2.) The minimum average lot depth shall be eighty-five (85) feet; and

(3.) The minimum lot width at the access point shall be forty (40) feet.

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390-15 Institutional North Bethany District (INST NB)

390-15.1 Intent and Purpose

The INST NB District is intended to implement the policies of the Comprehensive Plan and the North Bethany Subarea Plan by providing standards and procedures for existing quasi-public institutional facilities and future public facilities and services in the North Bethany Subarea.

The purpose of the District is to provide for identification of existing quasi-public institutional facilities (church, cemetery) and future public institutional uses and services (e.g., schools, fire station, parks) identified through the planning of the North Bethany Subarea. The District is intended to allow public and quasi-public service providers the assurance that future sites identified through the North Bethany planning process will be available for the uses specifically identified when they are needed.

390-15.2 Uses Permitted Through a Type I Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the district, the Development Standards of Article IV and all other applicable standards of the Code.

A. Accessory Uses and Structures – Section 430-1.

B. Any Type II or III use, expansion of an existing use or change of occupancy which meets all of the following:

   (1) Is exempt from application of the Public Facility Standards under Article V;

   (2) Is not in an "Area of Special Concern" as designated on the applicable Community Plan map;

   (3) Is on an existing lot;

   (4) Does not amend any previous approval or previous condition of approval;

   (5) Is in compliance with all applicable standards of this Code; and

   (6) Is not a telecommunication facility allowed through a Type II procedure.

C. Co-located antennas, excluding those antennas exempt pursuant to Sections 430-109.1 and 201-2, located on existing legally established communication towers – Section 430-109.

D. Communication Towers, excluding those towers exempt pursuant to Sections 430-109.1 and 201-2 that do not exceed a maximum height of one-hundred (100) feet.

E. Park – Section 430-97.1.

F. Park and Ride Facility in an existing parking lot - Section 430-89.4.

G. Temporary Use – Section 430-135 except for temporary storage of relocated dwelling structures (430-135.1 C.(4)) and temporary batch plants (430-135.1 G.).

390-15.3 Uses Permitted Through a Type II Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV, and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Communication Tower greater than one-hundred (100) feet in height – Section 430-109.

B. Construction of Public Transportation Facility not otherwise authorized by Article VII.

C. Expansion of an existing Institutional use which does not meet the criteria of Section 390-15.2 B., above.

D. Park - Section 430-97.2.

E. Tree removal in areas identified in the applicable Community Plan as Significant Natural Resources, subject to Section 407-3.

F. Day Care Facility – Section 390-16.5.

390-15.4 Uses Which May be Permitted Through a Type III Procedure

The following uses may be permitted subject to the specific standards set forth below, the standards of Section 390-21, and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Cemetery – Section 430-27.

B. Church – Section 390-16.1.

C. Nursery (Pre-School)~~Community Service Uses~~ – Section 390-16.49.

D. Public Building~~,~~ limited to fire station, library, and other uses accessory to the primary use (e.g. community meeting room[s] – Section 390-16.10~~430-103~~.

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E. School – Section 390-16.~~9~~11.

F. Park and Ride Facility – new facilities~~,~~; see Section 430-89.

390-15.5 Dimensional Requirements

A. Lot Area:

(1) The minimum lot area shall be as required for the specific use as listed in Section 390-16 or Article IV.

(2) Where no specific site size is required, site size and yard shall be based upon a site plan submitted by the applicant. The site plan shall ~~consider especially,~~ identify measures taken to establish ~~the~~ compatibility of the facility with the existing surrounding uses and the uses allowed by the plan designation. Compatibility measures may include fencing, building orientation and increased setbacks.

B. Yard Requirements:

The minimum yard requirements shall be as follows:

(1) Fifteen (15) foot front, side or rear yards that abut a street;

(2) Fifteen (15) foot side yard;

(3) Twenty (20) foot rear yard; and

(4) Additional setbacks may be required as specified in Section 418.

C. Height:

(1) The maximum height for structures shall be thirty-five (35) feet except as modified by other ~~Sections~~ sections of this Code.

(2) The maximum height for accessory structures shall be fifteen (15) feet except as modified by other ~~Sections~~ sections of this Code.

(3) Normal building appurtenances and projections such as spires, belfries, cupolas, chimneys, ventilators, elevator housings or other structures placed on or extending above roof level may exceed the thirty-five (35) foot building height limit to a maximum height of sixty (60) feet.

(4) The height of telecommunication facilities are regulated by the Permitted Use sections of this District, Sections 201, 430-1, 430-109, 845-7 and other applicable provisions of this Code.

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390-16 Special Use Standards

In addition to the requirements of Section 390 and Sections 400 through 429, the following standards are provided for specific uses.

~~PLACEHOLDER: The dimensional standards for the following special uses will be revisited to permit development of a more urban character and provide uniform standards where appropriate.~~

390-16.1 Church (Religious Institution)

A building constructed or utilized primarily for public worship, together with its accessory uses and buildings, including rectory, parsonage, and living quarters for custodians and caretakers, where persons regularly assemble for religious worship and which is controlled by a religious body organized to sustain public worship.

A. There shall be a minimum lot area of twenty-thousand (20,000) square feet. Additional area may be required based on the extent of the proposal.

B. Yard Requirements:

The minimum yard requirements shall be:

(1) Twenty (20) foot front yard;

(2) ~~Minimum s~~Side and rear yard setbacks: Twenty (20) feet. This distance shall increase by five (5) feet for each story in excess of two (2) stories.

(3) On a corner lot, the side or rear yard abutting the street (street side yard) shall be twenty (20) feet.

C. A minimum ten (10) foot landscape area shall be provided in all required yards that abut land with a residential designation and shall be:

(1) Free from all parking and loading areas, refuse and recyclable storage areas and utility facilities, except that ground-mounted utility boxes no greater than thirty-six (36) inches in height may be located provided that they adequately screened with low-growing shrubs or other similar landscape screen; and

(2) Planted with the following landscaping placed every one-hundred (100) lineal feet of landscape area:

Four (4) canopy trees
Four (4) understory trees
Ten (10) shrubs

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D. Existing mature landscaping may be incorporated into the required landscape area.

E. Gaps in fences, walls or landscaping are allowed if required by Section 408.

390-16.2 Cluster Housing

PLACEHOLDER: The proposal to develop standards for cluster housing would provide for a new residential development format in the county. The new format would allow generally smaller, more densely arranged residential product using any of a variety of attached or detached product types in a manner that incorporates shared designed open space. Examples include cottage and courtyard developments.

Staff prepared draft standards as part of the 2009 proposed Article VIII. This draft has not yet been perfected but represents a starting place for the collaborative development of standards that can be part of a future ordinance for North Bethany; these standards may also be applicable for West Bull Mountain. Staff will work with interested developer and CPO representatives to determine permitted districts, critique and test draft material, and consult other jurisdictions' standards for similar dwelling unit types.

The Cluster Housing standards are intended to be incorporated through a Planned Development process. In North Bethany, this may or may not be used in conjunction with a "density bonus" request. Because of the variety of unit types and sizes that can follow the cluster format, it could be applied to a relatively broad range of densities.

390-16.3 Commercial School

Commercial schools are schools that are customarily commercial rather than academic in nature, such as business, dancing, karate, and other instruction schools.

A. Commercial schools shall be located within an enclosed building or structure.

390-16.4 Community Service Uses in Residential Land Use Districts

~~PLACEHOLDER: Staff will continue to work with stakeholders to develop community plan and development provisions that will ensure how community service uses will be provided in the North Bethany Subarea. This placeholder will complete the work started by Work Group 2 during the 2010 work group process. Work Group 2 did not have sufficient time to develop these provisions for inclusion in Ordinance No. 730.~~

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~~PLACEHOLDER: Staff will continue to work with stakeholders to develop community plan and development provisions that will ensure how community service uses will be provided in the North Bethany Subarea. This placeholder will complete the work started by Work Group 2 during the 2010 work group process. Work Group 2 did not have sufficient time to develop these provisions for inclusion in Ordinance No. 730.~~

Community service uses are neighborhood-scale public and quasi-public uses and/or gathering spaces that are necessary components of a complete community. These uses may only be located on residential sites designated in the North Bethany Subarea Plan and are intended to be provided in addition to similar uses permitted in North Bethany's commercial land use districts and the Institutional NB District. ~~shall be processed according to the procedure types indicated below.~~ These uses shall be processed according to the procedure types indicated below and comply with requirements for Community Service Uses in the North Bethany Subarea Plan.

A. Community Service Use – Type II

(1) Farmers' Market – the standards of Section 390-16.6 apply.

(2) Day Care Facility – the standards of Section 390-16.5 apply.

B. Community Service Use – Type III

(1) Church – the standards of Section 390-16.1 apply.

(2) Membership Organization (e.g., Elks, Rotary, Grange) – the standards of Section 390-16.8 apply.

(3) Nursery School, (Preschool) – the standards of Section 390-16.9 apply.

(4) Private School (K-12) – the standards of Section 390-16.~~9~~ 11 apply.

(5) Public Building, at a scale oriented to serve the surrounding area, such as a ~~(e.g.,~~ post office, library, museum, community building, police office~~);~~ or similar use (fire station, motor vehicle drive test center and~~,~~ motor vehicle field offices are excluded) – subject to the standards of Section 430-103 ~~apply~~.

(6) Transit Plaza (does not include vehicular parking) – the standards of Section 390-16.~~12~~ 13 apply.

C. Community service uses may be located in a mixed use building. Community service uses shall not be located in an accessory building or the parking lot of a residential development.

D. Incentives to Establish Community Service Uses

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(1) To encourage the establishment of community service uses, an applicant may locate two or more community service uses on a lot or in a building (e.g., a church with a daycare center); or create a lot to be used for the future development of a community service use. At the election of the applicant, a lot for the community service use may be used to calculate the minimum or maximum density of the parent parcel provided the transferred density does not more than double the density allowed on the remaining buildable portion of the parent parcel.

E. Conversion of a Community Service Use Site

A site approved for a community service use may be redeveloped as a residential use when:

(1) All of the density from the site has not been transferred to another site; or

(2) The remaining density on the community use site will allow a residential use permitted by the underlying land use district.

F. Restrictive Covenant

When density is transferred from a lot for a community service use, a restrictive covenant shall be recorded prior to granting final approval of the development application creating the lot for the community service use consistent with the following requirements:

(1) The restrictive covenant shall state:

(a) That density from the community service use site has been transferred to the parent parcel;

(b) That development of the community service use site is limited to one of the uses specified in Section 390-16.4 and the standards of Section 390-16.4;

(c) That the community service use site may be converted to a different use when the standards of Section 390-16.4 E. are met; and

(d) This restrictive covenant shall run with the land.

(2) The restrictive covenant shall be approved as to form by the Director and County Counsel, completed, signed by the applicant and property owner, notarized, and filed with the Director of Records for filing under Deed Records.

G. Notation of the Approval of a Community Service Use

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When a site for a community service use has been approved, the Director designate shall make a notation on the land use maps used by the Department of Land Use and Transportation which reads CSU. The land use maps include but are not limited to the North Bethany Subarea maps in the Bethany Community Plan.

390-16.5 Day Care Facility

Day Care Facilities, as defined by Section 106-48, are permitted subject to the following:

A. The minimum lot area in a residential district or adjacent to a residential district shall be twenty-thousand (20,000) square feet;

B. Yard Requirements

The minimum yard requirements shall be:

(1) ~~The minimum front and rear yards shall be t~~Twenty (20) ~~feet~~foot front yard;

~~B.~~ (2) ~~The minimum s~~Side and rear yard setbacks: ~~shall be ten (10)~~ Twenty (20) feet. This distance shall increase by five (5) feet for each story in excess of two (2) stories;

(3) On a corner lot, the street side yard shall be twenty (20) feet;

C. All State and County licensing and Health Department requirements must be met;

D. The maximum sign area shall be twenty (20) square feet~~;~~, except as provided otherwise in Section 390-22~~.~~;

E. Outdoor play areas shall be screened from adjacent properties by a site-obscuring fence or masonry wall at a minimum height of six (6) feet~~.~~;

F. Day care facilities located within a church, school or public building are allowed through a Type II procedure when permitted by the primary district; and

G. Child care provided at a public or private school for before and/or after school care, exclusively for students affiliated with the school, is not subject to the requirements of this Section. This use is permitted pursuant to Section 201-2.19.

390-16.6 Farmers' Market

Farmers' Markets and all Vendors shall:

A. For the purposes of Section 390-16.6, apply the following definitions:

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(1) "Farm Products" means fruits, vegetables, mushrooms, herbs, nuts, ~~shell~~ eggs, honey or other bee products, flowers, nursery stock, livestock and dairy food products (including meat, milk, cheese and other dairy products), poultry, seafood, fish, or similar products approved by the Director or the Director's designee.

(2) "Producer" means a person or business that raises or produces Farm Products on land that the person or business farms and owns, rents, or leases. "Producer" also means a person or business that propagates and/or harvests fish, seafood or other aquatic species.

(3) "Value-added Farm Product," means any product processed by a Producer from a Farm Product, such as baked goods, jams, and jerky.

(4) "Farmers' Market" means an outdoor market open to the public, operated by a public agency, a nonprofit corporation, or one or more Producers, at which:

(a) At least seventy-five percent (75%) of the products sold are Farm Products or Value-~~-~~added Farm Products; and

(b) At least seventy-five percent (75%) of the vendors regularly participating during the market's hours of operation are Producers, or family members or employees of Producers.

B. Comply with all federal, state, and county laws and regulations relating to the operation, use, and enjoyment of the market premises.

C. Receive all required operating and health permits, and these permits (or copies) shall be in the possession of the Farmers' Market Manager or the vendor, as applicable, on the site of the Farmers' Market during all hours of operation.

D. Have an established set of operating rules addressing the governance structure of the farmers' market, hours of operation, maintenance and security requirements and responsibilities~~;~~, and appointment of a Market Manager.

E. Have a Market Manager or designee authorized to direct the operations of all participating vendors ~~participating in the market~~ on the site of the market during all hours of operation.

F. Provide for recycling and waste removal in accordance with all applicable county requirements.

G. Provide a litter control program. Trash and recycling receptacles shall be provided on-site. Written verification must be provided that the Market Manager or designee will conduct at a minimum ~~a~~ daily on-site litter pickup and an off-site litter pick-up along sidewalks adjacent to the site.

H. Provide motorized and non-motorized (e.g., bicycles) parking for their patrons.

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I. Comply with the following permitted days and hours of operation:

(1) May through October;

(2) No more than twice weekly; and

(3) Hours of operation: 7:00 AM – 8:00 PM.

J. ~~Provide a minimum twenty (20) foot setback when adjacent to a residential land use district.~~Yard Requirements

The minimum yard requirements shall be:

(1) Twenty (20) foot front yard when across the street from a residential designation;

(2) Side and rear yard setbacks: Twenty (20) feet when adjacent to a residential land use district;

(3) On a corner lot, the street side yard shall be twenty (20) feet when across the street from a residential land use district;

390-16.7 Live / Work Housing

Live / Work Housing units combine residential uses with pedestrian oriented commercial retail, office, or personal service businesses into a single unit. Live / Work Housing emphasizes residential occupancy with commercial activity as a secondary use. Live / Work Housing units include a ground floor level dedicated to office, personal services or retail space and an upper floor level(s) that contains the living quarters.

Live / Work Housing may be provided when the following standards are met.

A. Development Standards

(1) The business must be conducted in a specifically delineated area on the first floor of the unit and occupy no more than seven hundred (700) square feet. The Review Authority may grant an increase to the floor area requirement for an applicant with a disability when additional floor area is necessitated as a result of the applicant's disability. The additional floor area shall not be greater than the minimum area needed to accommodate the disability.

(2) The Live / Work Housing Development site is located in a land use district that requires minimum residential densities of at least twenty-four (24) units per acre [e.g., R-24 North Bethany District (R-24 NB) and R-25+ North Bethany District (R-25+ NB)].

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(3) The minimum residential density requirements are met.

(4) The Live / Work Housing Development site maintains frontage along a public street.

(5) Signage shall be in accordance with Section 390-22, except that business identification signage for the ground floor work area shall be limited to no more than one (1) wall-mounted business identification sign not to exceed twenty (20) square feet in size.

(6) Off-street parking shall be in accordance with Section 413, except that no off-street parking is required for the ground floor work area provided that this area fronts on a public street with on-street parking. Off-street parking that is provided shall be located behind the structure, within an attached or detached garage, or in an underground parking garage. No off-street parking shall be provided between the front of the unit and the abutting street.

(7) Live / Work Housing unit façades fronting the public street shall incorporate the following in order to create a visual relationship between activities within the building and the streetscape:

(a) Transparent windows which allow views into and from the portion of a building that is used as a business; and

(b) Other architectural feature to provide a strong visual distinction between the pedestrian oriented ground floor and upper residential stories, such as a cornice above the first floor, a change of building materials, a row of clerestory windows, and/or an overhang.

(8) Business entrances shall be sheltered by an overhang, awning, canopy, recessed entries, or other architectural feature of at least four (4) feet in width.

B. Accessory Dwelling Units are not permitted in a Live / Work Housing unit.

C. Home Occupations are not permitted in a Live / Work Housing unit.

D. Employ no more than two (2) persons <u>in part-time or full-time capacity at any one time</u> in addition to those who are permanent residents of the dwelling.

E. Operators of the business portion of the Live / Work Housing unit shall live in the residential portion of the Live / Work Housing unit.

~~F. Include no retail sales other than sales of products typically used in the business (e.g., a hair salon may sell hair products).~~

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~~G~~F. Produce no noise or obnoxious odors, vibrations, glare, fumes, or electrical interference detectable to normal sensory perception outside the business.

~~390-16.8 Public Utility for the Production of Heat, Light or Electricity~~

~~PLACEHOLDER: Existing CDC standards for a Public Utility (Section 430-105) allow a broad range of uses, such as a service yard, that are not appropriate for North Bethany. However, given the current interest to provide alternate methods of energy, it is important to provide the opportunity for community / development based energy production in North Bethany. Currently, the CDC does not have standards for this particular type of utility. County staff will work with stakeholders to development appropriate CDC standards for this use in North Bethany and identify the specific land use districts this use should be located in.~~

390-16.8 Membership Organization

A Membership Organization includes buildings and grounds used for and operated by a nonprofit organization, whose membership is by invitation and election according to qualifications in the organizations charter or bylaws. The use of the organization's facilities is primarily restricted to members and their guests. Membership Organizations may be allowed subject to the following:

A. Yard Requirements:

The minimum yard requirements shall be:

(1) Twenty (20) foot front yard; In the Institutional North Bethany Land Designation, the front yard setback is fifteen (15) feet.

(2) Side and rear yard setbacks: Twenty (20) feet. This distance shall increase by five (5) feet for each story in excess of two (2) stories.

(3) On a corner lot, the side or rear yard abutting the street shall be twenty (20) feet.

390-16.9 Nursery School (Pre-school)

A nursery school is a place for academic instruction of children prior to attending kindergarten.

A. Play areas, such as playgrounds, adjacent to a residential district shall be screened by a site-obscuring fence or masonry wall.

B. The minimum lot area shall be twenty-thousand (20,000) square feet when adjacent to a residential district.

C. Yard Requirements

The minimum yard requirements shall be:

(1) Twenty (20) foot front yard;

(2) Side and rear yards: Twenty (20) feet. This distance shall increase by five (5) feet for each story in excess of two (2) stories; and

(3) On a corner lot, the street side yard shall be twenty (20) feet.

390-16.10 Public Building

Public buildings are limited to fire stations and libraries.

Minimum Yard Requirements

A. Twenty (20) foot front yard;

B. Side and rear yard setbacks: Twenty (20) feet. The distance shall increase by five (5) feet for each story in excess of two (2) stories;

C. On a corner lot, the street side yard shall be twenty (20) feet.

390-16.~~9~~11 Schools (Private and Public)

A place for systematic instruction in any branch or branches of knowledge including any of the following: nursery school in conjunction with a K-12 school, kindergarten, primary, intermediate and high school or combination thereof, which may be a public school or a private school offering instruction substantially similar to public schools. School does not include trade and commercial schools or day care facilities.

A. Play areas, such as playgrounds, adjacent to a residential district shall be screened by a site-obscuring fence or masonry wall.

B. A minimum ten (10) foot landscape area shall be provided in all required yards that abut land with a residential designation ~~land~~ and shall be:

(1) Free from all parking and loading areas, refuse and recyclable storage areas and utility facilities, except that ground-mounted utility boxes no greater than thirty-six (36) inches in height may be located provided that they adequately screened with low-growing shrubs or other similar landscaping; and

(2) Planted with the following landscaping placed every one hundred (100) lineal feet of landscape area:

~~Five (5)~~ Two (2) canopy trees
~~Ten (10)~~ Four (4) understory trees

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~~Fifteen (15) shrubs~~

(3) Minimum five-foot high Wood/Cyclone Barrier Fence

C. Dimensional Standards

(1) The minimum lot area in a residential district or adjacent to a residential district shall be twenty thousand (20,000) square feet.

(2) Yard Requirements

The minimum yard requirements shall be:

(a) Twenty (20) foot front yard;

(b) Side and rear yard setbacks: Twenty (20) feet. This distance shall increase by five (5) feet for each story in excess of two (2) stories; and

(c) On a corner lot, the street side yard shall be twenty (20) feet.

D. Existing mature landscaping may be incorporated into the required landscape area.

~~D~~E. Gaps in fences, walls or landscaping are allowed if required by Section 408.

~~E~~F. Before and/or after school child care provided at a school exclusively for students affiliated with the school is permitted pursuant to Section 201-2.19.

390-16.~~10~~12 Service Station and/or Car Wash

A commercial establishment primarily involved with sales and services of motor fuels. In addition, the following may occur: supplying goods and services generally required in the operation and maintenance of automotive vehicles, including sales of petroleum products, sale and servicing of tires, batteries, automotive accessories and replacement items; car washing and lubricating services; the performance of minor automotive maintenance and repair; the supplying of other incidental customer services and products; and the sale of frequently purchased foods and sundries to residents of the immediate area and the traveling public. No merchandise or incidental items, including prizes or premiums, shall be displayed outside an enclosed building. Major automotive repairs, painting and fender work are prohibited. Service stations and car washes are subject to the following:

A. Entrances and Exits

(1) Access shall be determined based upon a site inspection which considers:

(~~1~~a) Site size;

(~~2~~b) Road Classification;

(~~3~~c) Sight distance and allowed MPH; and

(4d) Adjacent development.

(~~5~~2) Vehicle access shall be located as far from adjacent residential land uses as practical.

(~~6~~3) A maximum of two (2) access points to a public roadway are allowed.

(~~7~~4) Consolidation of access with adjoining non-residential uses shall be encouraged and may be required.

B. The use shall be screened from adjacent residential properties by a site-obscuring fence or masonry wall with a minimum height of six (6) feet.

C. A minimum ~~ten (10)~~ fifteen (15) foot landscape buffer shall be provided in all required yards that abut land with a residential designation and shall be:

(1) Free from all parking and loading areas, refuse and recyclable storage areas and utility facilities, except that ground-mounted utility boxes no greater than thirty-six (36) inches in height may be located provided that they adequately screened with low-growing shrubs or other similar landscape screen; and

(2) Planted with the following landscaping placed every one hundred (100) lineal feet of landscape area:

Five (5) canopy trees
Ten (10) understory trees
Fifteen (15) shrubs

D. Existing mature landscaping may be incorporated into the required landscape area.

E. Gaps in fences, walls or landscaping are allowed if required by Section 408.

F. Lighting, sign illumination, height and hours of operation may be restricted through the development review process in consideration of possible negative impact on nearby residential uses.

G. No display of merchandise outside the building except small items such as oil, windshield wiper blades and tires.

H. No outside storage of vehicles is permitted for more than twenty-four (24) hours per vehicle.

I. Dimensional Requirements

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(1) Lot Area:

The minimum lot area shall be eight-thousand five-hundred (8,500) square feet.

(2) Yard Requirements:

The minimum yard requirements shall be as follows:

(a) Ten (10) foot front yard;

(b) Twenty (20) foot rear yard;

(c) Fifteen (15) foot side yard;

(d) On a corner lot, the side or rear yard abutting the street shall be ten (10) feet.

390-16.~~11~~13 Transit Plaza

A transit plaza is a small area adjacent to a transit stop which provides a place for transit riders to sit, stand or rest while waiting for the bus. See CDC Sections 380-4.2, Pedestrian Plaza, and 380-5, Additional Transit Improvements, for applicable standards.

390-17 North Bethany Planned Development Process

PLACEHOLDER: Two types of Planned Development are proposed for North Bethany, one that allows a density bonus and one that does not.

Existing CDC standards for Planned Development essentially allows dimensional standards to be flexed in exchange for open space provisions. In North Bethany, where a comprehensive system of parks and trails are planned, alternative types of trade-offs are being considered. Because many of the considerations are related to neighborhood/community design, aesthetics and issues of spatial relationships and scale, the Workgroup 2 recommendation is to find a way to incorporate the objective input of a design professional into the review process. Because the review procedures would remain consistent with what is outlined in the existing CDC, one viable option is to have an urban design professional or architect serve as Hearings Officer to preside over the Type III review process.

The Density Bonus type of Planned Development is envisioned as similar, with two important distinctions. First is that the maximum density of a given land use district would be increased per the table below. (Note the Density Bonus in the R6 NB comes with some limitations, also described below.) The second is that the trade-offs for granting a density bonus would be more substantial than for the regular PD. It is recommended that a menu of options be provided which includes affordable housing, per the Affordable Housing Report of the North Bethany Plan (July 2007).

In addition to the provision of enhanced design flexibility, the Density Bonus type of Planned Development will provide a tool to bridge gaps in the density ranges found within the North Bethany land use districts. Addressing these density gaps will encourage a broader range of housing types, sizes and price points in North Bethany.

Workgroup Recommendation Showing Density Bonus PD Provisions

Subarea Plan Designation	Minimum Density	Maximum Density	Primary Housing Type	Average Lot Size for Detached Products	Average Lot Size for Attached Products
R6-NB	5	6	SFD, duplex	5,000 sf	3,500 sf
R6-NB density bonus (for max 35 acres)	7	9	Cluster Housing		
R9-NB	7	9	SFD, SFA	2,800 sf	2,400 sf
R9-NB density bonus	10	12	Cluster Housing		
R15-NB	12	15	SFA, multi-family	n/a	1,600 sf
R15-NB density bonus	16	20	Cluster Housing		
R24-NB	19	24	SFA, multi-family	n/a	n/a
R24-NB density bonus	25	30	Cluster Housing		
R25+-NB	20	25+	SFA, multi-family	n/a	n/a

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390-18 Density Restricted Lands

390-18.1 Intent and Purpose

Density Restricted Lands are intended to implement the policies of the Comprehensive Plan and North Bethany Subarea Plan by identifying areas in North Bethany where a more detailed level of analysis has been conducted through the planning process to identify areas not planned for residential development.

Section 390-18 refers to the corresponding Density Restricted Lands Map in the North Bethany Subarea Plan. The purpose of identifying Density Restricted Lands is to identify lands in North Bethany where density for future residential development has not been provided pursuant to standards under Title 11 of Metro's Urban Growth Management Functional Plan.

Density Restricted Lands are comprised of ~~various~~ those areas where development is otherwise limited under applicable regulations, such as significant wetlands (Water Areas and Wetlands, per Section 422), water quality buffer areas (CWS vegetated corridors~~, per the latest Design & Construction Standards~~), floodplains (FEMA 100-year floodplain, per Section 421), drainage hazard areas (per Section 421), parks and open spaces (per the Significant Natural and Cultural Resources map), and slopes greater than twenty-five (25) percent. In many cases these different categories of restricted areas overlap with one another.

390-18.2 Density Restricted Lands Designation

The boundaries of the Density Restricted Lands designation are defined as concurrent with the edge of the combined restricted area, represented by a composite of the various areas of applicability as defined in this Section. The Community Plan map depiction of Density Restricted Lands is based on best available information at the time of adoption, including a Local Wetland Inventory completed in February 2010. For some features, such as Drainage Hazard Areas, specific boundaries have not yet been determined.

Precise boundaries for Density Restricted Lands may be refined by specific site analysis, such as survey and wetland delineation, provided all applicable land categories are addressed. It is anticipated that more accurate, site-specific boundary data will be provided as part of a development application and that this more accurate information will be used to identify the delineated extent of the Density Restricted Lands designation on a given site. Community Plan maps may be periodically updated by the County to reflect any more accurate data that has been approved through development review.

390-18.3 Applicability

The Density Restricted Lands designation applies to land categories with known regulatory limitations on development. These include:

A. Significant Natural and Cultural Resource Areas (Open Space, Water Areas and Wetlands, Water Areas and Wetlands & Fish and Wildlife Habitat);

B. Vegetated Corridors associated with Water Quality Sensitive Areas (pursuant to Clean Water Services "Design and Construction Standards for Sanitary Sewer and Surface Water Management" or its successor);

C. Floodplain and Drainage Hazard Areas (per Section 421), and

D. Slopes greater than twenty-five (25) percent.

390-18.4 Permitted Development

A. Permitted uses are subject to applicable land use designation(s) and applicable regulations in the Community Plan, Community Development Code, and/or Clean Water Services "Design and Construction Standards for Sanitary Sewer and Surface Water Management" or its successor. In cases of over-lapping regulation, the most restrictive shall dictate.

B. Residential development is permitted at the top of pre-existing slopes greater than twenty-five percent (>25% slope) when the following standards are met:

(1) Development may include a row of dwellings at the top of a >25% slope area. (See the applicable Neighborhood Plan in the Community Plan for a depiction of these areas.)

(2) The required minimum rear or side yard may be located in a >25% slope area.

(3) Alterations to the top of pre-existing slopes >25% slope are permitted to allow construction of dwellings provided all construction is properly engineered, as determined by the Building Official. Building techniques may include the use of stepped foundations, retaining walls and fill.

(4) No grading, excavation, clearing or filling of any kind is permitted until final approval of the development application and a grading plan is approved by the Building Official.

(5) The remaining portion of the density restricted land area shall be placed in a tract and owned and maintained consistent with the standards of Sections 405-4 and 405-5 (ownership and maintenance of open space areas).

C. Alterations to the top of a >25% slope are permitted to allow the construction of a trail and accessory viewing areas, provided all construction is properly engineered, as determined by the Building Official. No grading, excavation, clearing or filling of any kind is permitted until final approval of the development application and a grading plan is approved by the Building Official.

390-18.5 Prohibited Uses

Notwithstanding Section 390-18.4, the following uses are prohibited on Density Restricted Lands:

A. Density transfers – Section 300-3.

B. Development or alteration of slopes greater than twenty-five (25) percent, except as permitted by Section 390-18.4.

~~B. Residential development, with the exception of areas with greater than 25% slopes.~~

~~Development on Density Restricted Lands with pre-existing slopes greater than 25% may be permitted if properly engineered, as determined by the Building Official.~~

390-18.6 Standards for Adjusting the Density Restricted Lands Map

The Density Restricted Lands Map in the Community Plan is based on best available information at the time of adoption. The mapped boundary of Density Restricted Lands may be refined as more accurate data is approved through development review, and as future Open Space areas are determined (e.g. Neighborhood Parks).

390-19 Urban/Rural Edge Standards

390-19.1 Intent and Purpose

The urban/rural edge standards are provided to comply with Metro Ordinance No. 02-987A, Condition 6. Section 390-19 refers to the corresponding Urban/Rural Edge Map in the North Bethany Subarea Plan.

390-19.2 General Requirements:

A. Street stubs and/or driveways are prohibited at all North Bethany boundaries that abut rural lands with Rural Reserves designations.

B. The installation of fencing to discourage trespass onto rural lands by residents and pets in the urban area is required between proposed development and the North Bethany boundaries that are adjacent to rural lands. Where the required fencing is located along public use areas (such as trails), it shall be posted with "no trespassing" signage that provides information about adjacent farm/forest uses, as approved by the Director.

C. Prior to final land use approval, the applicant/owner of any pre-existing parcel within twelve hundred (1200) feet of rural property outside the Urban Growth Boundary shall sign and record in the Deed and Mortgage Records of the County a waiver of right to remonstrate against customarily accepted farm and forest practices.

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D. Installation and ongoing maintenance of required buffer elements (fencing, existing vegetation, and buffer landscaping) is the responsibility of the development and shall comply with the standards of Sections 405-4 and 405-5 (ownership and maintenance of open space areas). For subdivisions, a Homeowner's Association (HOA) shall be required to maintain the fencing and landscaping.

E. Maintenance of required buffer landscaping, and of existing vegetation within the Natural Features Buffer, shall include removal of non-native, invasive vegetation by means of hand implements.

390-19.3 Fence-Only Buffer

The following standards apply to the proposed development of land identified with the "Fence-Only Buffer" on the Urban/Rural Edge Map of the North Bethany Subarea Plan:

A. Installation of a minimum five (5)-foot high fence (cyclone, wire mesh "no climb", or wood). The fence shall be located adjacent to the North Bethany boundary.

B. At time of development, the Review Authority may require one or more of the following additional buffer measures, if an adjacent rural property owner provides evidence that the above requirements are not adequate to provide compatibility with agricultural practices on adjacent rural land:

1. The required fence shall be sight-obscuring;

2. The height of the required fence shall be greater than five (5) feet;

3. The required fence shall include a sloped angle at its top;

4. A Vegetation Buffer, as described in Section 390-19.5 below, shall be required in addition to the fence.

390-19.4 Natural Features Buffer with Fencing

The following standards apply to the proposed development of land identified with the "Natural Features Buffer with Fencing" on the Urban/Rural Edge Map of the North Bethany Subarea Plan:

A. Placement of the land located within the "Natural Features Buffer with Fencing" into a tract. No development, grading, vegetation removal, or other alteration shall be allowed within the tract, except for the removal of non-native and invasive vegetation by means of hand implements, the planting of native trees and shrubs for habitat restoration, and development of trail segments that are identified on the Parks, Trails, and Pedestrian Connections Map.

B. Installation of a minimum five (5)-foot high fence (cyclone, wire mesh "no climb", or wood), located along the southern edge of the tract.

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C. An application for development approval of land that includes a "Natural Features Buffer with Fencing" may move the density from portions of the buffer tract that are not density-restricted lands to the remaining part of the development site.

D. When an application for development approval of land that includes a "Natural Features Buffer with Fencing" proposes to move any density from the portions of the buffer tract that are not density-restricted lands, the application shall be denied unless the applicant demonstrates that the requirements of Sections 390-19.4.A and 390-19.4.B above will be met.

F. At time of development, the Review Authority may require the following additional buffer measure, if an adjacent rural property owner provides evidence that the above requirements are not adequate to provide compatibility with agricultural practices on adjacent rural land.

1. Installation of a minimum five (5)-foot fence (cyclone, wire mesh "no climb", or wood) adjacent to North Bethany's north boundary, in addition to the required installation of a fence along the southern edge of the buffer tract.

390-19.5 Vegetation Buffer with Fencing

The following standards apply to the proposed development of land identified with the "Vegetation Buffer with Fencing" on the Urban/Rural Edge Map of the North Bethany Subarea Plan:

A. Installation of a minimum five (5)-foot high fence (cyclone, wire mesh "no climb", or wood). The fence shall be located adjacent to the North Bethany boundary.

B. Provision of a minimum twenty (20)-foot wide vegetation buffer, located between the proposed development and adjacent rural land on the east side of North Bethany. The buffer is intended to incorporate sections of the eastern perimeter trail in the North Bethany Subarea unless sections of the trail are located in the BPA right of way to the east of North Bethany. When the trail is within the buffer, alternative vegetation may be used in lieu of the requirements of Subsection 390-19.5.B.2, as determined through the development review process. Sections of the buffer that are not used for the trail shall be used exclusively for vegetation screening consistent with the requirements of Subsection 390-19.5.B.2 below.

1. The vegetation buffer shall be provided by one of the following methods. In all cases, the method shall specify that no development is allowed within the vegetation buffer.

(a) A recorded easement on the adjacent rural land for the vegetation buffer. The easement shall specify that the area is to be used only for the required vegetation buffer, and that the required buffer vegetation shall be maintained long-term. The easement shall identify the responsible party for ongoing maintenance. The easement shall not be removed without the approval of the county.

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(b) Conveyance of the vegetation buffer to Tualatin Hills Park and Recreation District (THPRD), or other appropriate public agency, consistent with the requirements of Sections 405-4 and 405-5. The public agency shall be responsible for the ongoing maintenance of the buffer vegetation.

(c) Creation of a buffer tract in the residential subdivision that will be owned and maintained by the subdivision's homeowner's association, consistent with the requirements of Sections 405-4 and 405-5.

(d) For non-residential development, the recording of a restrictive covenant that specifies the vegetation buffer location and provision for ongoing maintenance.

2. The minimum twenty (20)-foot wide vegetation buffer shall be planted with Western Red Cedar and/or Western Hemlock trees, spaced eight (8) to ten (10) feet apart, and with low-growing native groundcover such as salal or kinnikinnick.

(a) Trees shall have a caliper of one and one half (1 ½) to three (3) inches at time of planting.

(b) Prior to onsite construction, the required trees, groundcover, and fencing shall be installed, and temporary construction fencing shall be placed between the vegetation buffer and the construction area to protect the vegetation.

(c) All required landscaping shall be continually maintained, including necessary watering, weeding, pruning and replacement.

(d) Irrigation shall be provided for a minimum period of 5 years, with supplemental irrigation when necessary.

C. The locations of the vegetation buffer and the perimeter trail relative to the east boundary will be determined at time of development.

D. An application for development approval of land that includes "Vegetation Buffer with Fencing" may move the density from the vegetation buffer to the remaining part of the development site.

E. When an application for development approval of land that includes "Vegetation Buffer with Fencing" proposes to move any density from the vegetation buffer, the application shall be denied unless the applicant demonstrates that the requirements of Sections 390-19.5.A and 390-19.5.B will be met.

F. At time of development, the Review Authority may require one or more of the following additional buffer measures, if an adjacent rural property owner provides evidence that the above requirements are not adequate to provide compatibility with agricultural practices on adjacent rural land:

1. The required fence shall be sight-obscuring;

2. The required fence height shall be greater than five (5) feet;

3. The required fence shall include a sloped angle at its top.

390-19.6 Notice of Type II and III Development Actions

For proposed development on land that is wholly or partially within an area identified as "Fence-Only Buffer", "Natural Features Buffer with Fencing", or "Vegetation Buffer with Fencing" on the Urban/Rural Edge Map, a public notice of the proposed development shall be mailed to all rural property owners consistent with the requirements of Section 204.

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390-~~19~~20 Building Design and Variety

PLACEHOLDER: These standards shall be addressed in conjunction with the discussions regarding Planned Development standards.

390-20.1 Intent and Purpose

The purpose of this Section is to prevent monotony, excessive repetition, and a lack of architectural features on building façades in the North Bethany Subarea.

390-20.2 Applicability

A. The standards of this Section are applicable to development in all of the North Bethany Subarea land use districts, with the following exceptions:

(1) Residential development in the R-6 North Bethany District (R-6 NB) is exempt from the standards of this Section; and

(2) Non-residential development in the Institutional District (INS) that is more than fifty (50) feet from any public street is exempt from the standards of this Section.

B. Where development is subject to the Special Frontages requirements of the North Bethany Subarea Plan, the standards in this Section are also applicable, except where an exemption is specifically stated in the standards below.

390-20.3 Street-Facing Building Façades

Street-facing façades shall not consist of featureless blank walls, and shall comply with the standards below.

A. Single-Family Detached Dwelling Units shall comply with the following standards:

(1) Front façades shall include windows and/or pedestrian doors, with these features equaling or exceeding ten (10) percent of the front facing wall area visible from the street. Garage door windows do not count toward meeting this standard. In addition, front façades shall include at least two of the three features listed below. Front façades are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.

(a) A covered stoop that is a minimum of four (4) feet wide and three (3) feet deep, or a covered porch that is a minimum of six (6) feet wide and six (6) feet deep;

(b) A minimum of two (2) types of siding materials and/or siding styles, separated by trim that is a minimum of 5.5 inches wide;

(c) A minimum two (2) foot horizontal offset in the structural exterior wall that requires a break in the roofline.

(2) Within each block of a development, the front façades of adjacent dwelling units shall differ from each other in at least one of the following ways:

PLACEHOLDER: County staff will coordinate with interested parties and develop standards for single-family detached front façade variation for consideration as part of the 2012 ordinance process.

(3) Street-facing side and/or rear façades shall include at least two (2) of the features listed below. Side and/or rear façades that are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.

(a) Windows and/or pedestrian doors, with these features equaling or exceeding ten (10) percent of the side and/or rear facing wall area visible from the street;

(b) A minimum of two (2) types of siding materials and/or siding styles, separated by trim that is a minimum of 5.5 inches wide;

(c) A minimum two (2) foot horizontal offset in the structural exterior wall that requires a break in the roofline.

(4) Garage Frontage

PLACEHOLDER: County staff will coordinate with interested parties and develop standards for single-family detached dwelling garage façade standards for consideration as part of the 2012 ordinance process.

B. Single-Family Attached Dwelling Units shall comply with the following standards:

(1) The front façade of each dwelling unit shall include windows and/or pedestrian doors, with these features equaling or exceeding ten (10) percent of the front facing wall area visible from the street. Garage door windows do not count toward meeting this standard. In addition, the front façade of each dwelling unit shall include at least two of the three features listed below. Front façades that are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.

(a) A covered stoop that is a minimum of four (4) feet wide and three (3) feet deep, or a covered porch that is a minimum of six (6) feet wide and six (6) feet deep;

(b) A minimum of two (2) types of siding materials and/or siding styles, separated by trim that is a minimum of five and one-half (5.50) inches wide;

(c) A minimum two (2) foot horizontal offset in the structural exterior wall that requires a break in the roofline.

(2) Front Façade Variation

PLACEHOLDER: County staff will coordinate with interested parties and develop standards for single-family attached front façade variation for consideration as part of the 2012 ordinance process.

(3) Street side and/or rear façades facing a street (not alley) shall include at least two (2) of the features listed below. Side and/or rear façades that are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.

(a) Windows and/or pedestrian doors, with these features equaling or exceeding ten (10) percent of the side and/or rear facing wall area visible from the street;

(b) A minimum of two (2) types of siding materials and/or siding styles, separated by trim that is a minimum of 5.5 inches wide;

(c) A minimum two (2) foot horizontal offset in the structural exterior wall that requires a break in the roofline.

(4) Townhome blocks (buildings) are limited to no more than ten (10) attached units in the R-15 NB and R-24 NB Districts.

(5) Garage Frontage

PLACEHOLDER: County staff will coordinate with interested parties and develop standards for single-family attached dwelling garage façade standards for consideration as part of the 2012 ordinance process.

C. Multi-family buildings shall comply with the following standards:

(1) Street-facing building façades shall avoid long monotonous, uninterrupted walls by including at least three (3) of the architectural details below. Street-facing building façades that are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.

PLACEHOLDER: County staff will coordinate with interested parties and develop standards for multi-family building street-facing façade articulation for consideration as part of the 2012 ordinance process.

(2) Front Façade Variation

PLACEHOLDER: County staff will coordinate with interested parties and develop standards for multi-family building front façade variation for consideration as part of the 2012 ordinance process.

(3) Structural exterior wall offsets of a minimum two (2) foot horizontal variation shall be used at intervals of forty (40) feet or less along the structure's façade, to visually enhance long walls.

(4) For buildings with length or width greater than one hundred (100) feet, roof-line offsets shall be provided at intervals of one hundred (100) feet or less, to create variety in the massing of structures and relieve the effect of a single, long roof. Roofline offsets shall be a minimum eight (8) foot variation vertically from the gutter.

D. For non-residential development (commercial, Community Service Use, or Institutional Use), the following standards shall apply:

(1) The façade treatments listed below shall be provided on all street-facing sides of the building:

(a) Variation in wall surface pattern, siding material, or siding style;

(b) Fully trimmed windows and doors; trim shall be a minimum of 3.5 inches wide and completely surround the windows and/or doors; and

(c) Corner trim/corner boards.

(2) For buildings with two (2) or more stories, the street-facing façade at the ground level of the structure shall be visually distinct from upper stories. This separation shall be provided by one or more of the following:

(a) A band, band course, band molding, belly band, belt course, or similar horizontal element of relatively slight projection, which marks a horizontal division in the wall plane between the ground floor and the upper floors;

(b) A projecting façade element (awning, canopy or arcade) between the ground floor and the upper floors. Awnings and canopies must be made of glass, metal, or exterior grade fabric (or a combination of these materials);

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(c) The use of a different exterior material, wall surface pattern or wall texture on the ground floor façade;

(d) The street-facing façade above the ground floor is set back from the ground floor façade;

(e) The use of larger windows on the ground floor façade and smaller windows on the upper floors; or

(f) A row of transom windows above the main windows on the ground floor façade.

(3) For buildings with length or width greater than one hundred (100) feet, roof-line offsets shall be provided at intervals of one hundred (100) feet or less, to create variety in the massing of structures and relieve the effect of a single, long roof. Roofline offsets shall be a minimum eight (8) foot variation either vertically from the gutter line or horizontally.

(4) For any street-facing exterior wall, at least twenty (20) percent of a ground floor wall area shall be comprised of windows. Required windows are limited to windows on the wall or within pedestrian entrance doors that allow views into working areas or lobbies, or display windows set into the wall. The square footage of garage doors and garage windows shall not count towards this standard, unless the entire garage door is composed of window panels.

390-21 Review Criteria for Type III Uses

390-21.1 Intent and Purpose

The planning process to develop the North Bethany Subarea Plan identified the location of future public and private Type III uses (e.g., public schools, a fire station, churches ~~and nursing homes~~). Since the Subarea Plan, with its implementing land use districts, specifies the types and locations of needed Type III uses, these uses are presumed to be appropriate, subject to the uses being developed in a manner compatible with existing and if potential adverse impacts to existing or future adjacent uses are mitigated to the extent.

The intent of this Section is to provide standards for review of Type III uses in the North Bethany Subarea in lieu of Section 403-3.1's Type III denial criteria that is applicable outside of the North Bethany Subarea. Application of Section 390-21 is intended to ensure that, to the extent practicable, 1) adverse impacts from a Type III use on existing or future adjacent residential uses are mitigated; and 2) the Type III use will be compatible with existing or future adjacent residential uses.

Application of the requirements of this Section implements the intent and purpose of this Section through a Type III review process that emphasizes building orientation and height, building materials, privacy, buffering, and access; and provides an

opportunity for nearby property owners and residents to testify about the proposed development at a public hearing.

Application of the requirements of this Section shall not preclude approval of the Type III use.

390-21.2 Applicability

The requirements of this Section shall apply to all Type III uses in the North Bethany Subarea. This Section does not apply to Type I or Type II uses reviewed through the Type III procedure.

390-21.3 Type III uses shall meet the following:

A. Consider the location of access and parking for the proposed use in relationship to existing or future adjacent residential uses;

B. Buildings and building openings (e.g., windows, doors) shall be located and oriented to provide maximum privacy to surrounding existing and future residential structures;

C. Maintain the setback requirements of the primary district unless the Review Authority determines that it is necessary to modify the setbacks to provide more privacy to existing and proposed structures; and

D. Landscaping and fencing may be required~~,~~ (in addition to requirements of Section 390-16 or Section 430) to maintain the privacy of existing and proposed dwellings on adjacent properties.

390-21.4 The Review Authority may impose specific conditions of approval to ensure that the development is compatible with adjacent existing or future residential uses and/or to mitigate adverse impacts. Conditions of approval may include but are not limited to:

A. Require increased setbacks;

B. Require landscape buffers;

C. Change the location or orientation of buildings, the location of building openings, and the location of the access and parking;

D. Change the type or color of proposed exterior building materials;

E. Reduce the maximum allowed building height;

F. Reduce the maximum square footage and height of signs; and

G. Limit the use of outside public address systems.

390-21.5 Submittal Requirements

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In addition to all other submittal requirements, applications shall include:

A. A plan of complete development of the subject property and existing or potential development of adjacent vacant parcels, including the distance between the proposed structures on the subject property and existing or future dwelling units on adjacent parcels;

B. A site plan showing locations and setbacks of each structure and other on-site improvements, such as parking, ball fields and playgrounds; and

C. A screening and buffering plan showing all existing landscaping and buffering and any additional landscaping and buffering, including fencing, needed to maintain the privacy of existing dwellings on adjacent parcels.

390-22 Additional North Bethany Subarea Development Standards

In addition to the standards of Article IV, Development Standards, the following requirements apply to development in the North Bethany Subarea.

390-22.1 Building, Siting and Architectural Design

In addition to the requirements of Section 406, the following standards apply:

A. Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows, including windows in doors and garage doors; and

B. Roof mounted mechanical, electrical and electronic equipment (HVAC, antennae, etc.) shall be fully screened from view through the incorporation of parapets, screening walls, roof-top landscaping, or sight-obscuring fences which provide a full visual barrier from adjacent uses.

390-22.2 Landscape Design

In addition to the requirements of Section 407, the following standards apply:

A. Development shall meet the street tree standards identified in the North Bethany Subarea Plan. The species of street trees to be planted shall be from the approved North Bethany Street Tree List in the North Bethany Subarea Plan. Trees shall meet the required spacing standard to maximize canopy coverage and provide canopy overlap for shade.

B. Shared outdoor recreation areas:

(1) Usable outdoor recreation area(s) shall be provided for single family attached and multi-family developments for the shared or common use of all the residents in the following amounts:

(a) Studio, up to and including two-bedroom units, 200 square feet per unit; and

(b) Three or more bedroom units, 300 square feet per unit.

(2) The required recreation space may be provided as follows:

(a) It may be all outdoor space; or

(b) It may be part outdoor space and part indoor space; for example, an outdoor tennis court, and an indoor recreation room.

(3) Shared outdoor recreation space shall be readily observable by residents to promote crime prevention and safety.

(4) Outdoor recreation areas required by Subsection B. (1) above may be used to satisfy by the minimum landscape requirements of Section 407-1.3. The outdoor recreation areas are not intended to require more landscaping than required by Section 407-1.3.

390-22.3 Neighborhood Circulation

In addition to the requirements of Section 408, the following standards apply:

A. Streets

(1) Streets shall be public and designed according to the specific street cross-section type in the North Bethany Subarea Plan (or the County's 2020 Transportation Plan functional classification, or in both).

(2) Street cross-sections, including alleys, shall be consistent with those set forth in the North Bethany Subarea Plan.

(3) Streets shall be designed to be consistent with other applicable requirements of the North Bethany Subarea Plan, such as the requirements for Primary Streets, the street tree program, Area of Special Concern provisions for ~~streets~~Road Corridors, and street related design elements.

(4) Traffic management elements incorporated into the street cross sections shall be consistent with the North Bethany Street Design Cross-Sections and the Washington County Uniform Road Improvement Design Standards. Curb extensions, colored and/or textured pavement treatments, or medians may be allowed on any public street based on prior approval from the County Engineer and findings that the treatment will be safe, will not result in an unreasonable amount of public maintenance, and will maintain the functional classification of the facility.

In addition to the requirements of Section 390-24.3 A.(3) above, the Review Authority may approve other traffic management measures on any North

Bethany street based on prior approval from the County Engineer through the engineering modification process. Any prior engineering approval for such measures is to be considered preliminary and subject to subsequent land use approval.

B. Alleys

Alleys may be allowed in the North Bethany Subarea subject to compliance with all of the following requirements:

(1) Alleys shall be private and designed in accordance with the Special Area Local Street – Alleys (SAL-5) standards set forth in the Washington County Uniform Road Improvement Design Standards.

(2) Lots or parcels utilizing an alley must have frontage on a separate public street which provides on-street parking and sidewalks or alternatively may have frontage on a park or natural open space, provided that adequate on-street parking is provided to the lots or parcels in accordance with Section 413;

(3) Alleys can not be used to meet the block length or perimeter standards of Section 408-6;

(4) Alleys shall connect two public streets except when a through connection is not possible due to topographical and environmental constraints, access spacing limitations, and/or sight distance restrictions. When an alley only connects to one public street, it shall be designed in accordance with Section 409-3.7.

Notwithstanding (4) above, alleys shall not directly access a collector or arterial road;

(5) Minimum four (4) foot setback to a garage or parking area; and

(6) The Review Authority shall determine tract width for the alley during development review based on the specific needs and use of the alley. Alley tracts shall be at least sixteen (16) feet wide.

C. Parking Lot Driveways

Parking lot driveways that access public streets with parking stalls shall be designed with curbs and sidewalks on one side, unless one of the following is met:

(1) The parking lot driveway is less than one hundred (100) feet long; or

(2) The parking lot driveway serves four (4) or less residential units.

D. Modifications to Streets

~~Modifications to streets shall be processed consistent with *Table A: Modifications to Street Classes allowed through Development Review* located in Section IV. North Bethany Subarea Plan and Maps of the Bethany Community Plan.~~Modifications to the alignments of the Primary Streets are permitted through the development review process or through a plan amendment. Permitted modifications are defined in the North Bethany Subarea Plan General Design Elements, Section V.A. 9 (circulation). The design intent for each Primary Street is described in the applicable Neighborhood Design Elements in Section VI of the North Bethany Subarea Plan.

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390-22.5 Road Landscape Maintenance

In addition to other requirements of the Community Development Code related to the maintenance of road landscaping, the following requirements are applicable to all development in the North Bethany Subarea.

A. Property owners shall maintain landscaping between the curb and property line along all roads in North Bethany that is not the responsibility of Clean Water Services or the Tualatin Hills Park and Recreation District. Subdivision developments along Arterials and Collectors shall provide landscape maintenance through the formation of a Home Owners Association (HOA).

B. The applicant/property owner shall sign a petition and waiver of remonstrance against the formation of a Maintenance Local Improvement District that would pay for the maintenance of Gateways and for the maintenance of landscaping in medians on Arterials and Collectors in North Bethany.

C. For development that has frontage on an Arterial and/or Collector in North Bethany:

(1) Except for D below, an application for development shall indicate how adjoining Arterial and Collector landscaping between the curb and the property line will be maintained. For subdivisions, this will be achieved by providing documentation that a HOA will be established to maintain this Arterial and/or Collector landscaping.

(2) The documentation that establishes the HOA or other mechanism for maintenance shall not have any financial limits that restrict the ability to undertake required maintenance over time.

(3) HOAs that are established prior to an ultimate improvement of an adjoining Collector and/or Arterial shall maintain the planter strip landscaping of the ultimate improvement after an ultimate improvement is completed.

(4) The applicant shall provide a copy of the draft document that they intend to record to fulfill this requirement for review by County Counsel and the Director designate.

(5) The applicant shall provide a final copy of all recorded documents related to the maintenance of road landscaping prior to final land use approval.

D. For properties with frontage on Kaiser Road in the Main Street Area (the Main Street Area is defined by Attachment 1 of the Main Street Program Guide in the North Bethany Subarea Plan), an Association shall be established to maintain adjoining landscaping along Kaiser Road, between the curb and the property line. This will be achieved by providing documentation that an Association will be established to maintain the adjoining landscaping along Kaiser Road within the Main Street Area.

(1) The documentation that establishes the Association shall not have any financial limits that restrict the ability to undertake required maintenance.

(2) The first property owner that develops in the Main Street Area shall establish the Association.

(3) The Association agreement shall have an equitable method for paying for the adjoining road landscaping to be shared by all subject properties and must not unfairly burden subsequent properties with a disproportionate amount of financial responsibility for landscape maintenance.

(4) Subsequent properties must join the Association at the time of development.

(5) To help ensure the Association maintains the applicable landscaping, the applicant/property owner shall sign a remonstrance against the formation of a Local Improvement District that would pay for the adjoining Kaiser Road landscaping.

(6) The Association shall maintain all adjoining Kaiser Road landscaping that is not maintained by THPRD or Clean Water Services.

(7) The applicant shall provide a copy of the draft document that they intend to record to fulfill this requirement for review by County Counsel and the Director designate.

(8) In the event that formation of the Association proves impracticable, individual property owners may be conditioned to maintain landscaping between the curb and the property line.

(9) The applicant shall provide a final copy of all recorded documents related to landscape maintenance prior to final land use approval.

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Community Development Code Section 501-12, Public Facility and Service Requirements for the North Bethany Subarea Plan, is amended to reflect the following:

501-12 Standards for Development Within the North Bethany Subarea Plan Area

501-12.1 Development within the North Bethany Subarea Plan shall be subject to the following provisions of Article V. In the event of a conflict with any provision of Article V, this Article 501-12 shall control.

A. Section 501-2, Application of the Public Facility and Service Standards inside a UGB;

B. Section 501-5, Exemptions from Public Facility and Service Standards;

C. Subsections 501-6.3, 501-6.4, 501-6.5 and 501-6.6;

~~C~~D. Section 501-7, Levels of Public Facilities and Services;

~~D~~E. Section 501-8, Standards for Development, except for the following subsections;

(1) 501-8.1 B. (2) (b); and

(2) 501-8.3;

~~E~~F. Section 501-12, Standards for Development Within the North Bethany Subarea Plan Area; and

~~F~~G. Section 502, Sidewalk Standards.

501-12.2 In addition to the provisions identified in Section 501-12.1, except for exempt development, an application for development approval within the North Bethany Subarea Plan shall be denied unless the applicant demonstrates that:

A. The property(ies) has been annexed to the following jurisdictions: Clean Water Services, Metro, Tualatin Hills Park &~~and~~ Recreation District, Tualatin Valley Fire and Rescue, Tualatin Valley Water District, Enhanced Sheriff's Patrol District, and Urban Road Maintenance District ~~and Street Lighting District~~. ~~Annexation to the Urban Road Maintenance District shall not be required if a county service district for roads has been formed for North Bethany with the authority and resources to provide the same or greater road maintenance.~~

B. Master plans for the following service districts, including a financing plan that substantially implements the master plan, have been adopted by the applicable service district.

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(1) Tualatin Hills Park & Recreation District (THPRD): parks and trails;

(2) Tualatin Valley Water District (TVWD): water master plan; and

(3) Clean Water Services (CWS): sewer master plan and North Bethany Drainage Master Plan.

C. The appropriate non-County service provider has assured that the following services shall be provided to the subject property(ies) in the time frames specified below. The assurance shall be no more than ninety (90) days old:

(1) Water, sewer, fire protection, and drainage (stormwater quality / quantity management) meeting the service provider's standards, including but not limited to the CWS North Bethany Drainage Master Plan, will be provided. This shall include acquisition of any portion of the parcel that is needed for regional stormwater facilities.

(2) Acquisition by THPRD of any portion of the subject property(ies) shown on the "Park, Trails and Pedestrian Connections" map of the North Bethany Subarea Plan as the site of a "fixed" park.

(3) For property(ies) shown on the "Park, Trails and Pedestrian Connections" map of the North Bethany Subarea Plan as the approximate location of a neighborhood park, trail or off-street pedestrian route, the service provider has:

(a) delineated the specific location of the neighborhood park, trail or off-street pedestrian route; and

(b) acquired or otherwise secured that portion of the subject property(ies) so delineated.

(4) The location of a neighborhood park, trail or off-street pedestrian route delineated in Subsection (3) above that is not on the subject property(ies) shall be noted on the land use maps of the Department of Land Use and Transportation. The land use maps include but are not limited to the North Bethany Subarea maps in the Bethany Community Plan.

D. No development application subject to this Article shall be approved on property that has a neighborhood park, trail or off-street pedestrian route as provided in Section 501-12.2 C.(3) unless acquisition of the park, trail or pedestrian route has been assured as provided in Section 501-12.2 G. The location or configuration of the facility may be modified through a development application when the following requirements are met:

(1) The proposed location is consistent with the provisions of the North Bethany Subarea Plan, including the "Park, Trails and Pedestrian Connections" map;

(2) In the case of a park, the size is not smaller than the park size specified in the applicable General Design Element and Neighborhood Design Element;

(3) The proposed new location and size and configuration of the site are acceptable to the service provider after considering the following factors:

(a) The proposed site will maintain or increase the facility's level of functionality (e.g., maintains sufficient area for a playground and a ball field);

(b) The amount of available on-street parking; and

(c) The cost to acquire the proposed site and construct and maintain the facility.

~~D~~E. To provide an interim bicycle network, paved surfaces of ~~roadways that are subject to Section 501-8.1 B, including the paved width of interim improvements,~~ existing access roads lying adjacent to and between the applicant's proposed development and the nearest a) existing Arterial or Collector, or b) existing Neighborhood Route that is built to county standard and connects to a Collector or Arterial, shall be a minimum of 28 feet. Through a Type III process, the Review Authority may approve a modification to, or waiver of, this bicycle improvement requirement based on a determination that this requirement is impracticable for one of the following reasons:

(1~~a~~) The applicant could not obtain necessary easements or additional right-of-way at a reasonable cost where sufficient right-of-way to accommodate the interim bicycle improvements is unavailable; or

(2~~b~~) Topographical, natural resource or other physical circumstances make it impracticable to construct the interim bicycle improvements.

(3) For the purposes of Subsection E., Portland Community College shall not be required to use its powers of eminent domain to acquire property or easements to provide for the interim bicycle network.

~~E~~F. To provide an interim pedestrian network in areas where ultimate facilities have not been constructed, the following shall be required~~,~~. ~~I~~In addition to the sidewalk requirements of Section 502 and accessway requirements of Section 408, a direct, safe and continuous pedestrian connection shall be required to be provided to the following pedestrian-oriented uses that are ~~all~~ existing or have received ~~approved (preliminary or~~ final land use approval and required public improvements have been assured:~~)~~ schools, parks, ~~transit stops,~~ recreation centers, ~~and~~ commercial uses, and the nearest transit stops that do not abut the development site's frontage, on both sides of a street with transit service.

abcdef Proposed additions
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Interim pedestrian connections shall be provided in the quantities outlined below and shall be constructed in accordance with County Engineer approval: ~~within one quarter (1/4) mile of the development site. In some cases, this may require the subject development to construct off-site pedestrian improvements and acquire easements as appropriate to construct such improvements.~~

(1) For development applications that generate less than 500 Average Daily Trips (ADT), one connection shall be required to a pedestrian-oriented use within one quarter (1/4) mile of the development site if the existing connection is deficient. If two or more pedestrian-oriented uses (as defined above) are within one quarter (1/4) mile, the connection shall be to the use that is likely to generate the most pedestrian travel. The length of the interim connection is not required to exceed 1,450 feet. In some cases, the subject development may be required to construct off-site pedestrian improvements and acquire easements as appropriate to construct such improvements. Easements may be temporary if the underdeveloped land that has the easement on it will likely redevelop and include a more permanent pedestrian connection that serves the same purpose.

(2) For development applications that generate 500 Average Daily Trips (ADT) or more, connections shall be required to no more than two (2) pedestrian-oriented uses within one quarter (1/4) mile of the development site if the existing connections are deficient. If two or more pedestrian-oriented uses (as defined above) are within one quarter (1/4) mile, the connections shall be to the two uses that are likely to generate the most pedestrian travel. The sum of the length of the interim connections are not required to exceed 2,900 feet. In some cases, the subject development may be required to construct off-site pedestrian improvements and acquire easements as appropriate to construct such improvements. Easements may be temporary if the underdeveloped land that has the easement on it will likely redevelop and include a more permanent pedestrian connection that serves the same purpose. If more than one of the same use is within one quarter (1/4) mile, only one connection is required to that particular use.

(3) For pedestrian connections required by Sections (1) and (2) above, street crossing improvements on Arterials and Collectors are not required unless determined necessary by the County Engineer to address a safety issue.

(4) For developments that already have direct, safe and continuous connections to the two nearest sets of transit stops that are located either on-site, along the frontage, or off-site, no additional connections are required.

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(5) Through a Type II process, for developments that need an easement or additional right-of-way to provide a particular connection, the Review Authority may waive or modify the particular connection requirement if:

(a) The applicant provides a signed letter from the off-site property owner that states that the particular easement or right-of-way is not for sale and is not available; or,

(b) The off-site property owner does not respond to the applicant's inquiry to purchase an easement or right-of-way. The applicant shall submit a sworn, notarized statement describing the applicant's unsuccessful efforts to obtain the easement. Copies of written correspondence to the off-site property owner shall be included with the statement.

(6) Through a Type III process, the Review Authority may approve a modification to, or waiver of, these pedestrian improvement requirements based on a determination that this requirement is impracticable for one of the following reasons:

(a) The applicant could not obtain necessary easements or additional right-of-way at a reasonable cost where sufficient right-of-way to accommodate the interim pedestrian improvements is unavailable; or

(b) Topographical, natural resource or other physical circumstances make it impracticable to construct the interim pedestrian improvements.

(7) For the purposes of Subsection F., Portland Community College shall not be required to use its powers of eminent domain to acquire property or easements to provide for the interim pedestrian network.

~~F~~G. For purposes of Section 501-12.2 C. (1), (2) and (3)(b) and Section 501-12.2 D, acquisition of land shall be deemed assured if the applicant provides a deed or an executed and recorded purchase and sale agreement, land sale contract or similar arrangement and written documentation that all contingencies identified therein have been resolved to the satisfaction of the service provider, or a restrictive covenant enforceable by and acceptable to the county and the service provider. An irrevocable option in favor of and on terms acceptable to the service provider may be deemed acceptable provided that, at a minimum, the purchase price, or the mechanism for establishing the price and all other significant terms are specified. The Review Authority may impose a condition requiring that the transaction transferring the delineated land to the service provider be completed prior to issuance of building permits if the Review Authority concludes that such a condition is reasonably necessary to ensure that the transaction will, in fact, be completed.

H. For the purposes of Section 501-12.2 E. and F., an applicant may elect to use the following process to assure the provision of interim bicycle and pedestrian improvements prior to preliminary approval:

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(1) The development application shall include a statement that the applicant intends to construct the required improvement(s) in conjunction with on-site public streets;

(2) Prior to final approval of the development application, assure the construction of the required improvement(s); and

(3) Prior to the occupancy of any building in the development, the required improvement(s) shall be constructed.

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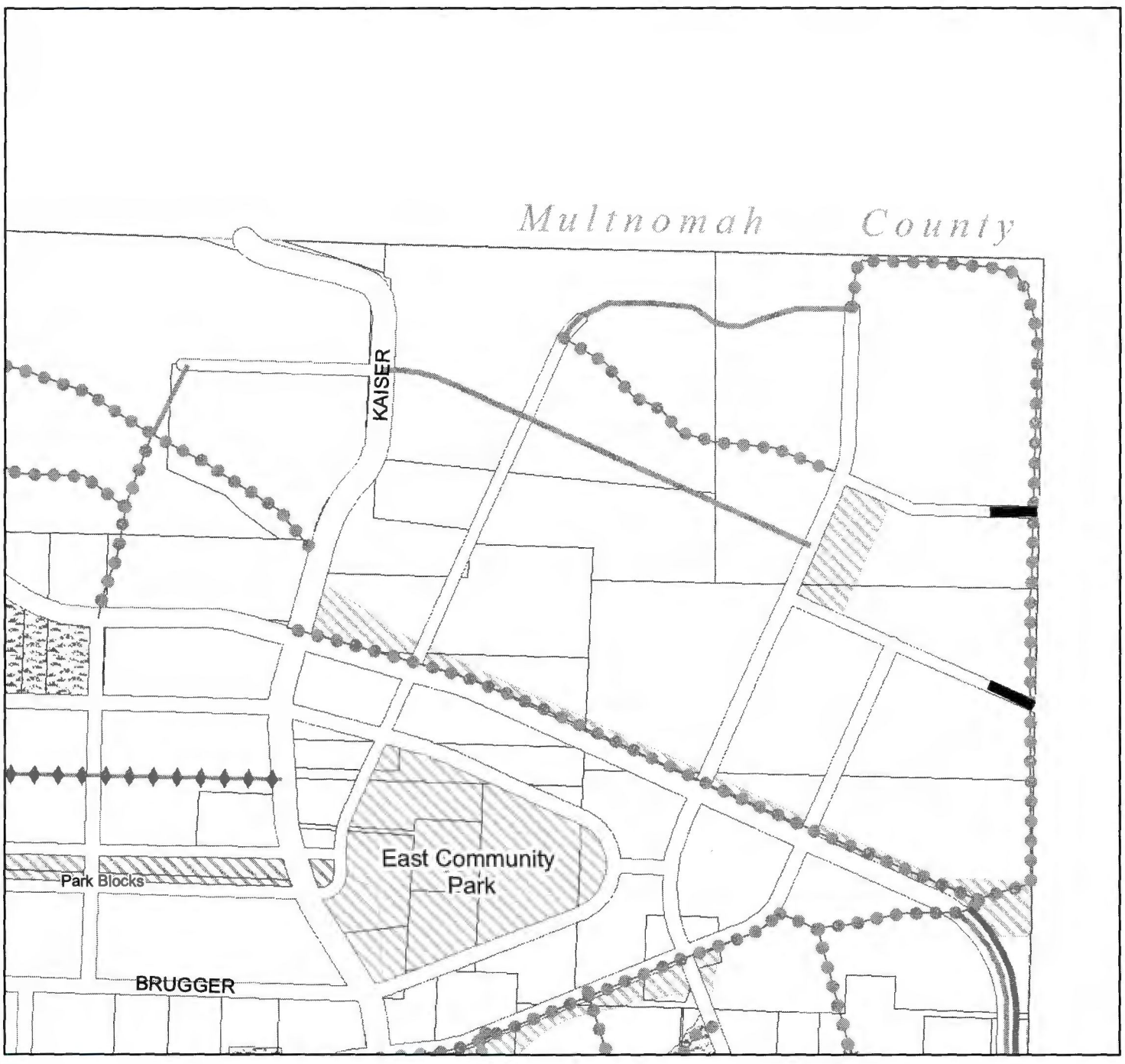
Amend 'Map D - Parks, Trails and Pedestrian Connections' of Policy 15 of the Comprehensive Framework Plan for the Urban Area as indicated.



Trail segment to be added

Note:
Map elements shown in gray remain unchanged

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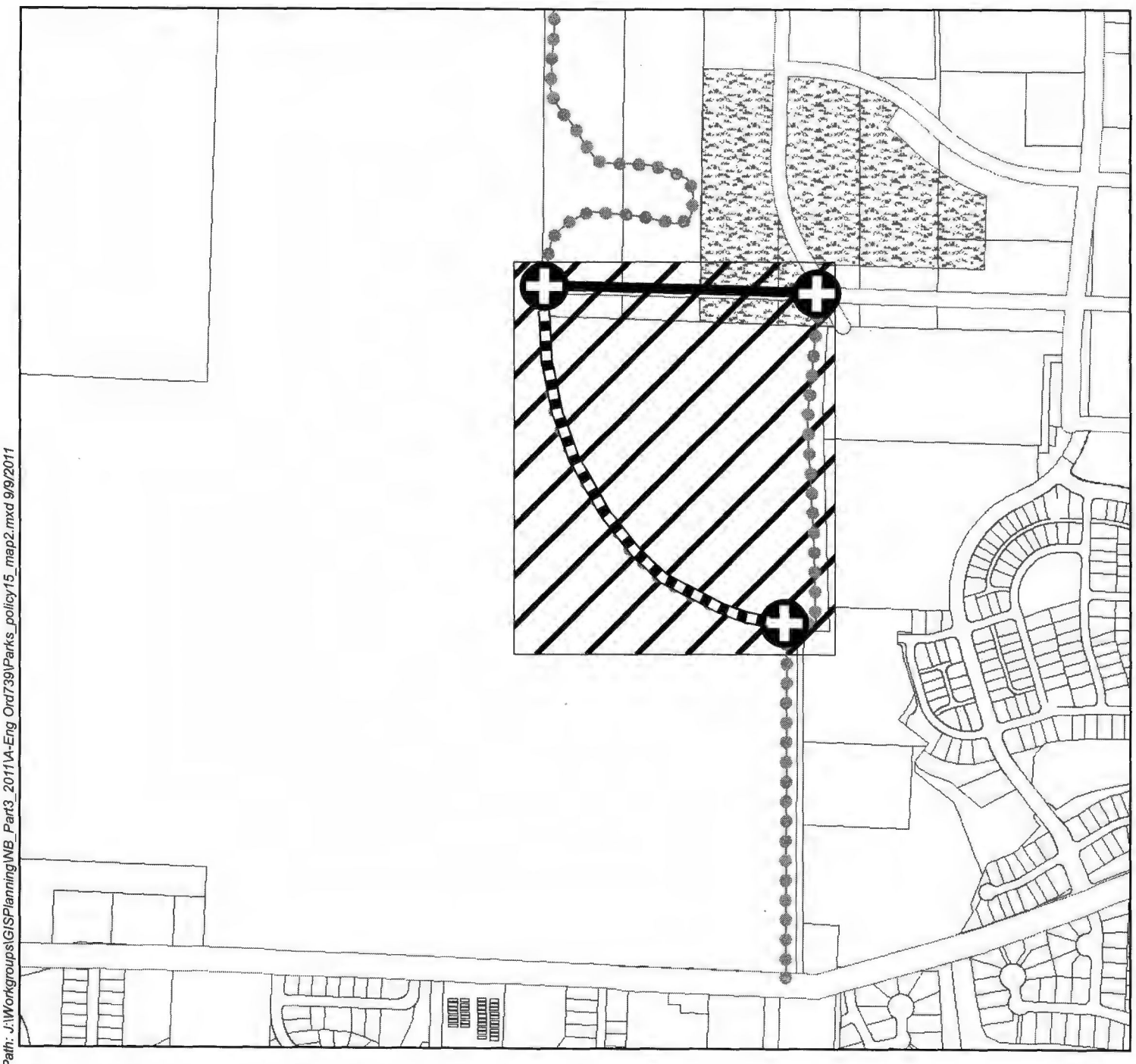
h: J:\Workgroups\GISPlanningUNB_Part3_2011\A-Eng Ord739\Parks_policy15_map1.mxd 9/9/2011

Amend 'Map D - Parks, Trails and Pedestrian Connections' of Policy 15 of the Comprehensive Framework Plan for the Urban Area as indicated.



- Remove Trail Segement
- Remove possible 'Off-Street Trail Connection'
- Remove 'Off-Street Trail Study Area'
- Add Preferred On-Street Pedestrian Route segment

Note:
Map elements shown in gray remain unchanged

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Text and maps of Policy 43 of the Comprehensive Framework Plan for the Urban Area are amended to reflect the following:

POLICY 43, COMMUNITY DESIGN FOR NEW URBAN AREAS:

New urban areas are urban unincorporated lands that came into the UGB after 2002 (with the exception of the Arbor Oaks Subarea). It is the policy of Washington County to provide community level planning for new urban areas consistent with regional planning requirements and the Board vision for establishing communities of distinction in new urban areas. In general, these communities are conceived of in a holistic manner with integration of the component elements and a well-designed and planned public realm.

Implementing Strategies

The County will:

a. Support the regional Urban Growth Boundary and procedures for its amendment as acknowledged by the Oregon Land Conservation and Development Commission.

b. Comply with regional requirements for planning new urban areas, as provided under Title 11 of the Metro Urban Growth Management Functional Plan, as well as other applicable requirements, including Condition 6 of Metro Ordinance 02-987A.

c. Amend the North Bethany Community Plan and the Community Development Code to require as approval criteria that an applicant for a land development application for property in the North Bethany Subarea demonstrate that:

   1. A waiver of the right to remonstrate against customarily accepted farm and forestry practices on nearby rural land has been recorded; and

   2. The proposed development of property identified in a buffer area on the "Urban/Rural Edge" map is consistent with CDC standards for Urban/Rural buffer areas.

~~c~~d. Adopt plan and code standards to ensure that development is consistent with the applicable concept plan and the following planning principles:

   1. The natural setting shall be a fundamental consideration for community organization and design, including but not limited to features such as topography, views, and natural resources.

   2. New urban areas are planned at a neighborhood scale. As shown in the Community Plan, neighborhoods are geographic areas that have one or more discernable "center" or destination node. Most of the neighborhood's dwelling units are within a five-minute walk of the neighborhood center (or an average of roughly one-quarter (1/4) mile). Edges mark the transition from one neighborhood to another. Examples of edges are a natural area, trail, or arterial or collector street. Each neighborhood shall include public and/or quasi-public uses that serve as destinations for members of the community, including but not limited to: a neighborhood park, a commercial area, a civic use and/or community gathering space (e.g., library, church). Wherever appropriate,

these destination uses will be centrally located in the neighborhood, adjacent to higher density residential housing, and adjacent to one another in order to maximize efficient use of land such as through shared off-street parking.

3. New urban areas shall include a variety of residential densities, housing types, and building forms, as described in A through B, below. This variety results in a range of unit sizes and price points, thereby providing more options for various levels of economic interest and ability.

   A. Each neighborhood shall be comprised of a variety of residential densities, where residential density shall transition gradually, from high to medium densities, and from medium to low densities. The highest densities shall be adjacent to commercial centers and parks; the lowest densities shall be adjacent to the urban growth boundary and areas with natural constraints such as steep slopes. High density does not need to be located adjacent to arterials.

   B. Residential land use districts shall permit a variety of dwelling unit types (e.g., detached, attached, multi-family, accessory), as determined appropriate for each residential land use district.

4. Residential densities shall be planned and arranged to support the identified community elements, such as transit and commercial uses.

5. Plan designations for supporting land uses (such as commercial, civic, institutional and community services) shall be incorporated in a format and level that is appropriate for the scale and geographic context of the expansion area.

6. The community shall be designed to allow for a broad range of transportation options, including public transit, bicycling, walking, and driving. The design of streets and the adjacent developed areas shall reinforce public accessibility and the safety and security of citizens. Street rights-of-way shall allocate land for pedestrian amenities (e.g., benches, street lighting), street landscaping and/or LIDA, sidewalks, bicycle lanes, and space for future transit stops.

7. Public spaces consist of parks, trails, and civic and community-oriented uses. Also included within the public space are street landscape strips, sidewalks and, in commercial areas, the space between the sidewalk and the building façade. To the extent it achieves design objectives for the relationship between public and private areas, the Community Plan may provide special setbacks for building location and orientation and/or façade treatments in designated areas.

8. New urban areas shall be integrated with existing (pre-2002) communities. Integration shall be provided through local street and trail connections, natural resource connections, and appropriate density transitions. Trail networks shall provide connections to any regional trails. Integrated connections shall be achieved through coordination with affected governmental entities.

9. Parks, trails, and open spaces shall be guided by a minimum level of service standard that is established as part of the planning process or is consistent with the applicable park provider's standard. Parking shall be provided as necessary.

10. Parks shall have adequate frontage on public streets and generally not be hidden behind private backyards or buildings in order to make them a part of the public realm, increase public safety and provide on-street parking.

11. While natural resource areas shall be protected (per Goal 5, Title 3 and Title 13 of the Metro Urban Growth Management Functional Plan), direct and convenient access to natural resource areas shall be provided for recreational purposes where appropriate. Inter-connectivity of natural

areas shall be preserved and enhanced where practicable in order to maintain or restore natural ecological functions.

12. Parks shall be located next to or near multi-family land use districts to provide access to open space for higher density housing.

13. Parks, trails, natural resource protection, and stormwater management shall be planned in a coordinated process and integrated where practical.

~~d~~e. The adopted Concept Plan for each New Urban Area shall be used in the review of quasi-judicial plan amendments. The Concept Plan serves as the foundation for more specific community planning work such as assigning plan designations, residential density ranges, and allowed uses.

1. Quasi-judicial plan amendments in the North Bethany Subarea shall demonstrate consistency with the North Bethany Concept Plan through adherence to fundamental design elements. Fundamental concept plan design elements include:

   i. Five neighborhoods, each approximately a quarter-mile from center to edge, organized around centrally-located public destinations (e.g., parks, commercial uses, schools), and with a variety of housing types.

   ii. A centrally located Main Street Area complemented by four smaller (approximately half-acre) commercial nodes.

   iii. A park, trail, and open space plan with parks and trails open to public view and not enclosed by buildings and rear yards.

   iv. Prominently located community parks are connected by a series of park blocks along the east-west ridgeline formed by existing topography.

   v. A one and one-half (1 1/2) to two (2) acre neighborhood park in each neighborhood.

   vi. Residential densities arranged in a density transect with higher density residential uses located adjacent to commercial land uses and parks and lower density residential uses along natural resources and rural edges.

   vii. Existing and future community uses are incorporated into the Plan, including a cemetery, church, the Portland Community College Rock Creek Campus and the three Beaverton School District properties.

   viii. A comprehensive Subarea-based stormwater management plan (North Bethany Drainage Master Plan).

   ix. Four Gateways marking prominent entry points into the North Bethany Subarea and the Main Street Area.

   x. A Primary Street network comprised of arterials, collectors, neighborhood routes, and two local streets provides a base circulation framework.

   xi. Provision for community service uses

<u>abcdef</u> Proposed additions
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Summary of Findings and Conclusions

At the outset of planning for the 2002 UGB expansion areas, the Board of County Commissioners adopted a vision for the future of these lands. The Board envisioned that these new urban areas will be distinctive communities, with well-integrated parks and open spaces, and a comprehensive design approach that integrates neighborhoods with open space, provides a variety of housing choices for a range of affordability levels, highlights community focal points (i.e., civic space, mixed use node, schools, etc), and connects them to one another, to adjacent points of interest, and to neighborhoods via multi-modal access routes. The Board envisioned that transportation improvements would be planned to anticipate possible future expansions of the Urban Growth Boundary in the vicinity of the new urban areas.

Policy 43 sets forth the implementing strategies for neighborhood design and parks and open space that are absent from other urban framework plan policies. In establishing Policy 43, the county is committing to the vision set forth by the County Board of Commissioners for new urban areas.

To comply with Condition 6 of Metro Ordinance 02-987A, all development in the North Bethany Subarea will be required to record a waiver of the right to remonstrate against customarily accepted farm and forestry practices, to provide notice that property owners may experience impacts from nearby agricultural practices (including noise and odor). Development at the edge of the Subarea will be required to provide appropriate improvements to ensure compatibility with adjacent rural agricultural uses as specified in the Bethany Community Plan and the Community Development Code.

abcdef Proposed additions
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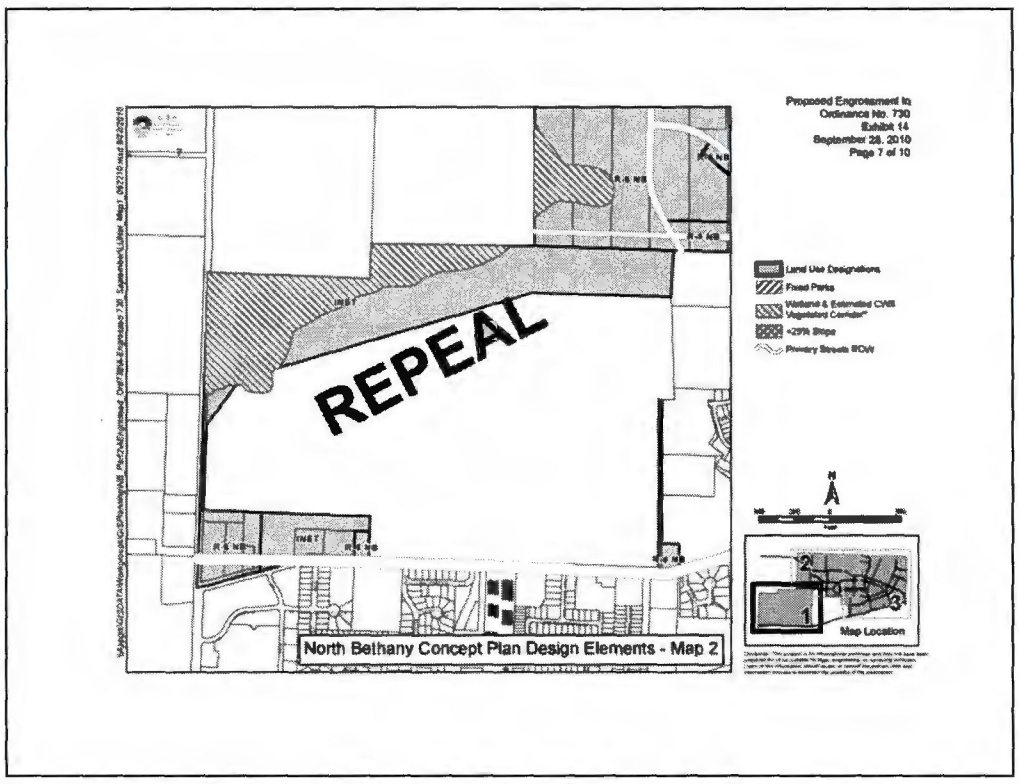
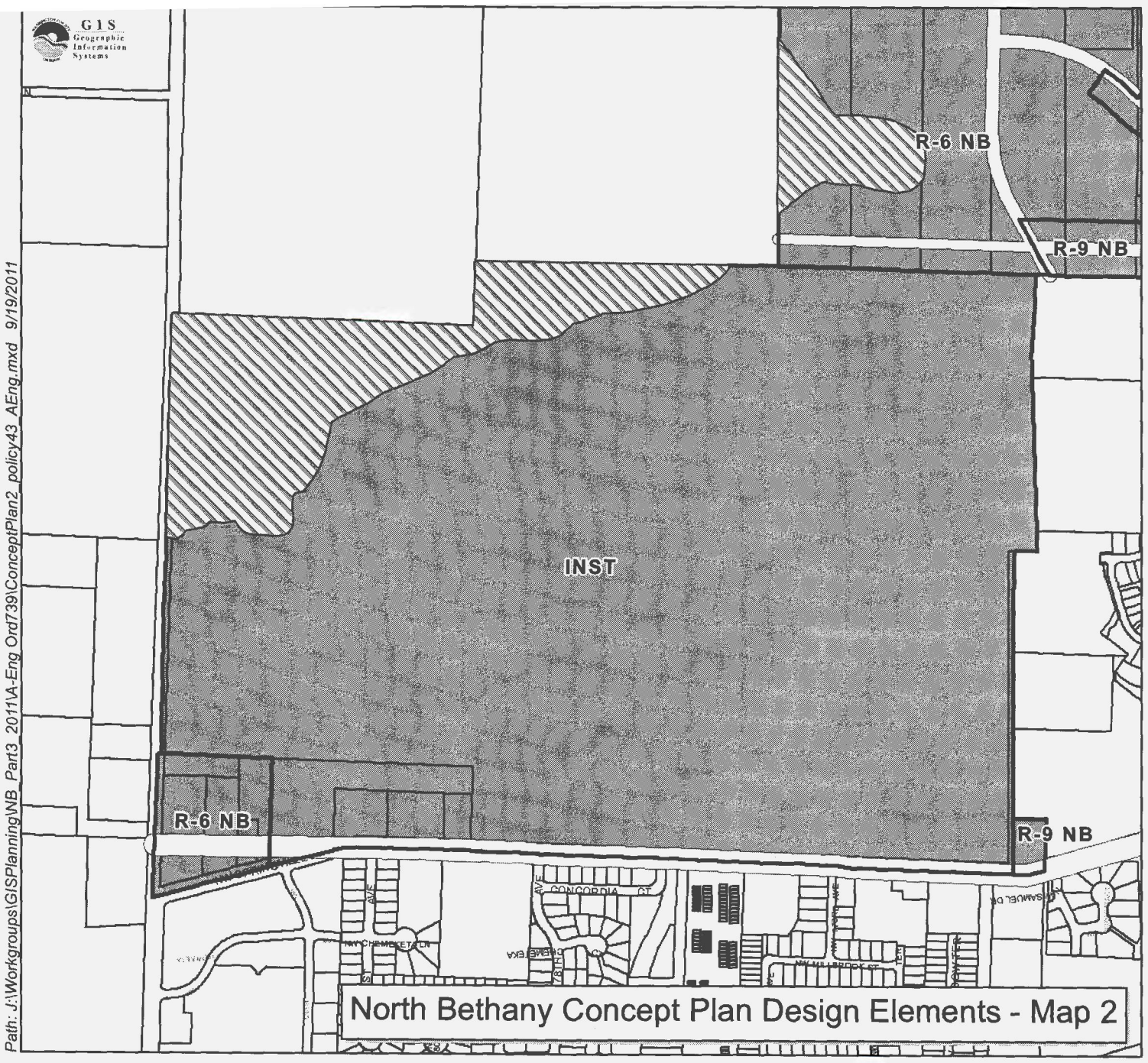
North Bethany Concept Plan Design Elements Map 2

Repeal the 'North Bethany Concept Plan Design Elements' map 2 in A-Engrossed Ordinance No. 730 (Exhibit 14, page 7) and replace with the following 'North Bethany Concept Plan Design Elements' map.





Land Use Designations
Fixed Parks
Wetland & Estimated CWS Vegetated Corridor
+25% Slope
Primary Streets ROW

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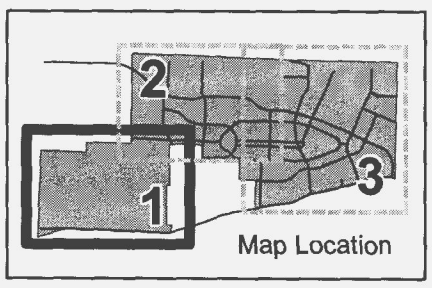

North Bethany Concept Plan Design Elements - Map 2

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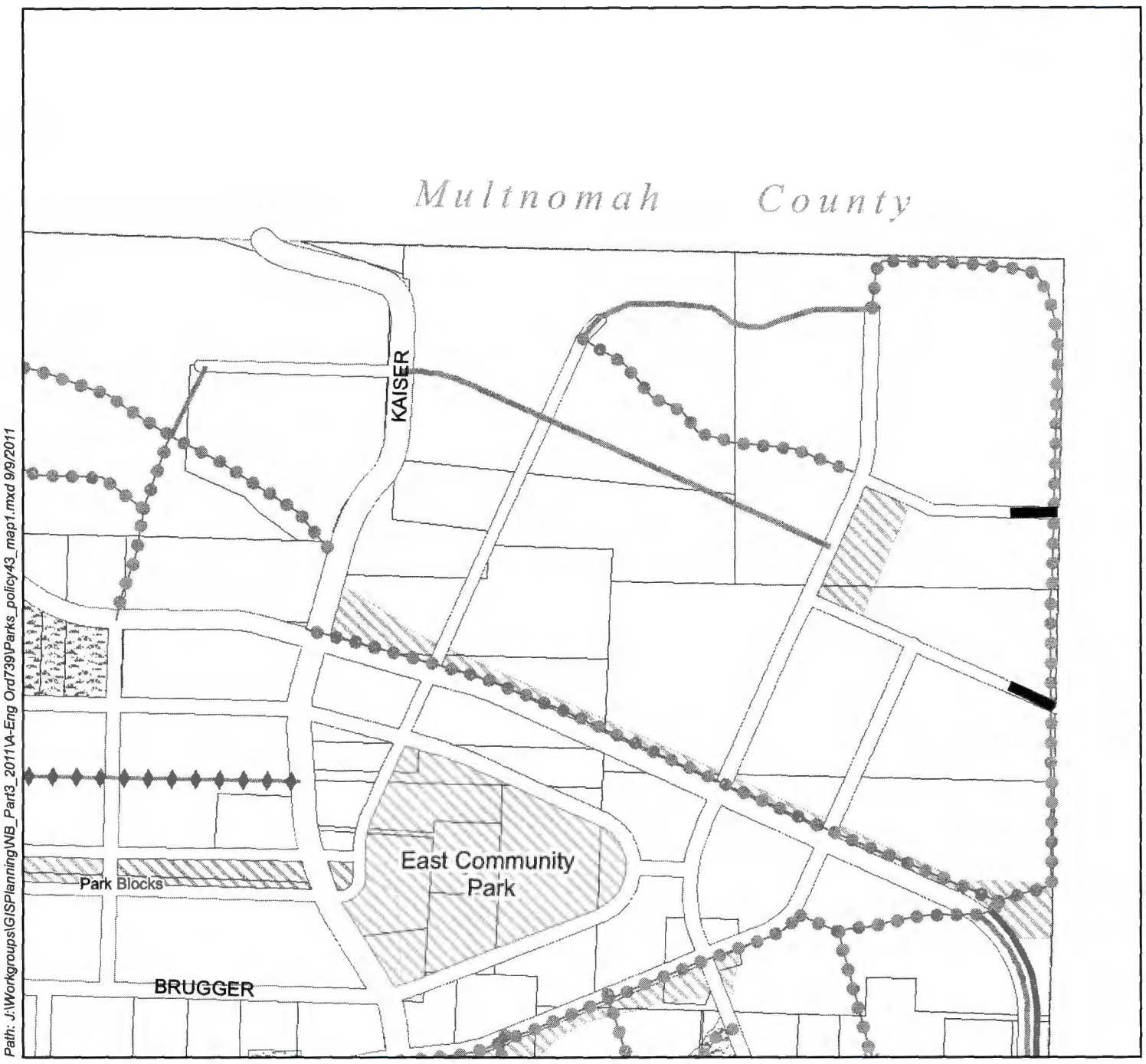
Amend the 'Core Pedestrian and Bicycle Network' map of Policy 43 of the Comprehensive Framework Plan for the Urban Area as indicated.



Trail segment to be added

Note:
Map elements shown in gray remain unchanged

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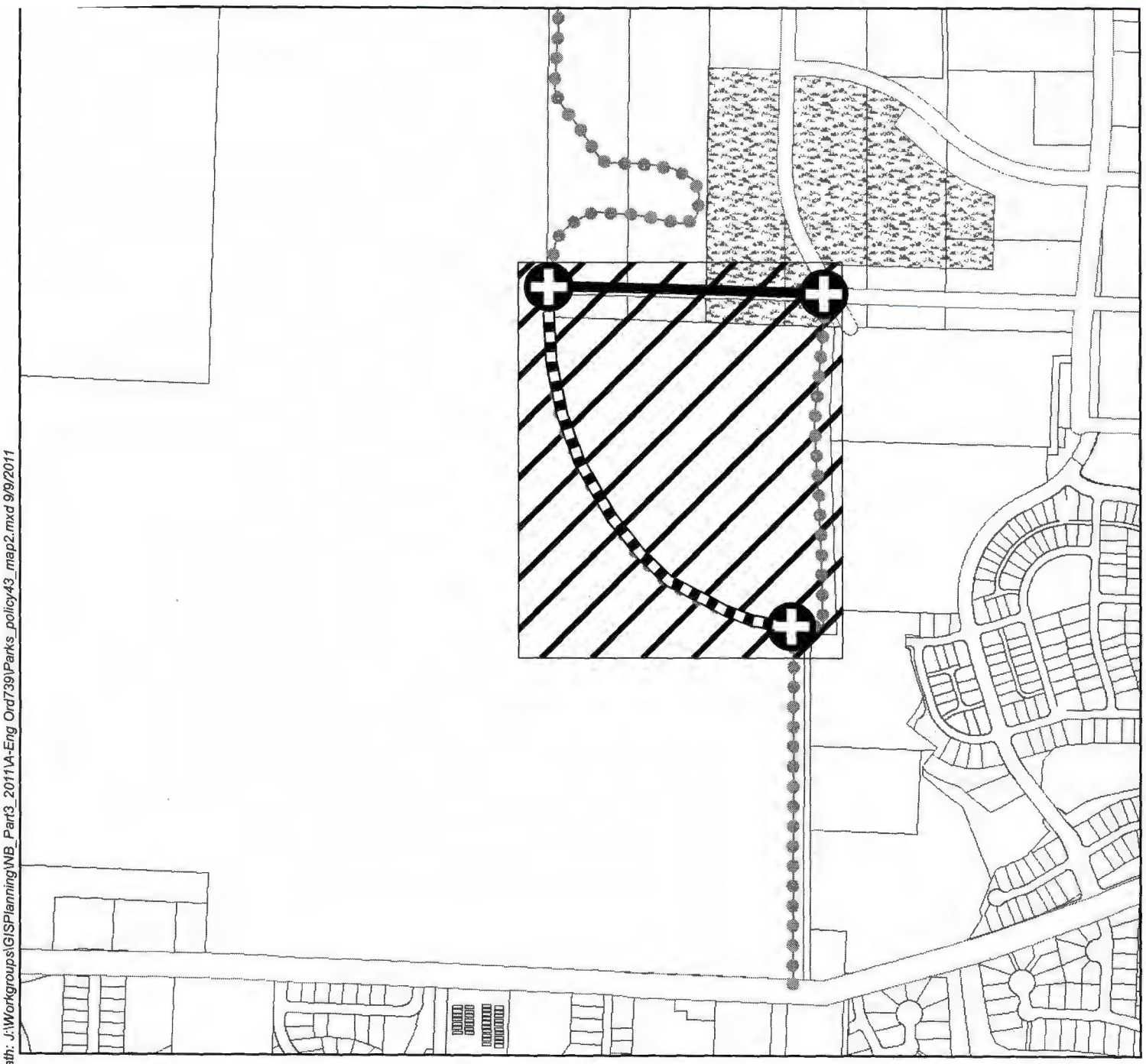
Amend the 'Core Pedestrian and Bicycle Network' map of Policy 43 of the Comprehensive Framework Plan for the Urban Area as indicated.



Remove Trail Segement

Remove possible 'Off-Street Trail Connection'

Remove 'Off-Street Trail Study Area'

Add Preferred On-Street Pedestrian Route segment

Note:
Map elements shown in gray remain unchanged

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Policy 44, MANAGING GROWTH IN NEW URBAN AREAS is amended to reflect the following:

POLICY 44, MANAGING GROWTH IN NEW URBAN AREAS:

It is the policy of Washington County to manage growth on new unincorporated lands within the UGB such that public facilities and services are financially assured and available to support orderly urban development consistent with a vision for great urban communities in new urban areas.

Implementing Strategies

The County will:

a. Support the regional Urban Growth Boundary and procedures for amendment as acknowledged by the Oregon Land Conservation and Development Commission.

b. Comply with regional requirements for planning new urban areas, as provided under Title 11 of the Metro Urban Growth Management Functional Plan.

c. Provide a level of community planning that affords a comprehensive approach to service delivery and a greater degree of detail and certainty than community plan areas in the urban unincorporated portions of the county that came into the UGB prior to 2002.

   1. Prepare public facility and services plans for each new urban area.

   2. Establish and implement a funding plan that identifies financing mechanisms to support the public facilities and services identified in 1. above and that responds to the Board's direction to ensure financially viable community plans that are prepared for Metro Title 11 compliance.

   3. Establish a development application process that ensures construction of public facilities in a comprehensive manner as opposed to on a site-specific (per development) basis.

d. Modify Article V of the Community Development Code for the North Bethany Subarea to require as an approval criteria that an applicant for a land development application demonstrate that:

   1. The property has been annexed into the following jurisdictions: Clean Water Services (CWS), Metro, Tualatin Hills Park and Recreation (THPRD), Tualatin Valley Water (TVWD), Enhanced Sheriff's Patrol District, ~~Street Lighting District~~ and the Urban Road Maintenance District. ~~Annexation to the URMD is not necessary if a county service district for roads with authority comparable to the URMD has been formed and funded.~~

   2. ~~That~~ CWS, THPRD and TVWD have adopted master plans together with funding mechanisms to substantially implement each respective master plan.

   3. Non-county service providers have assured that water, sewer, fire protections and drainage (including stormwater quality and quantity management).

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4. For parcels shown on the "Park, Trails and Pedestrian Connections" map, the specific location of the neighborhood park, trail or off-street pedestrian route has been identified and the property obtained by THPRD.

5. Direct, safe and continuous pedestrian connections to schools, parks, transit stops, public recreation centers and commercial uses within one-quarter mile is assured except as provided otherwise in the CDC.

6 ~~Provide a~~A minimum of 28 foot paved surfaces be provided for local and neighborhood routes, including interim improvements.

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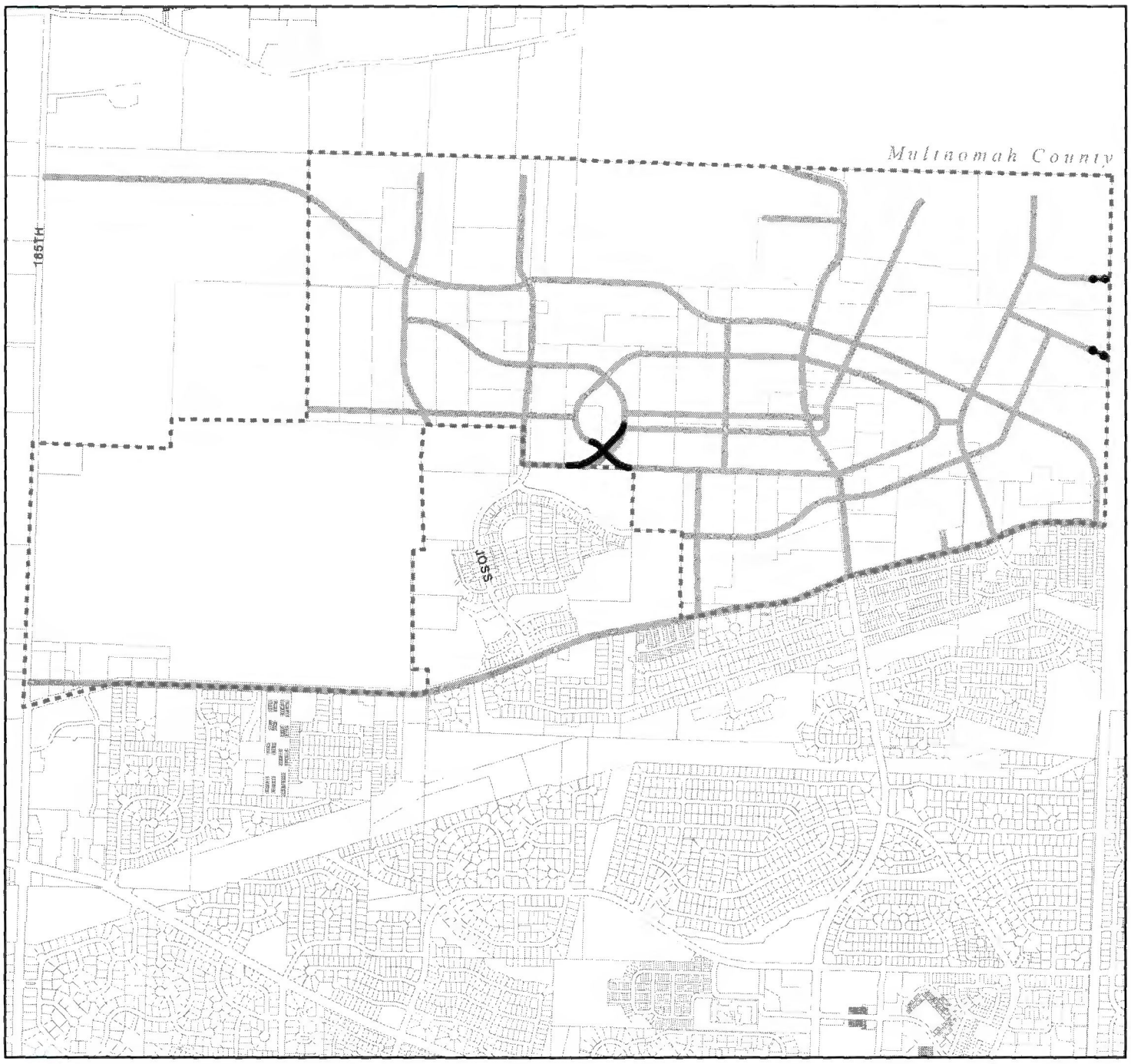
A-Engrossed Ordinance No. 739
Exhibit 9
September 28, 2011
Page 1 of 1



Amend the 'Functional Classification System' map in Policy 10 of the Washington County 2020 Transportation Plan as indicated.

Segment of Proposed Neighborhood Route to be removed.

New alignment of Proposed Neighborhood Route

North Bethany Planning Area

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FIRST CLASS MAIL

DEPT OF

Attn: Plan Amendment Specialist
Dept. of Land Conservation & Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

OCT 28 2011

LAND CONSERVATION
AND DEVELOPMENT

FIRST CLASS MAIL