



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

05/01/2012

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 001-12

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, May 17, 2012

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
Gordon Howard, DLCD Urban Planning Specialist
Anne Debbaut, DLCD Regional Representative

<paa> YA



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

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DEPT OF

APR 27 2012

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **Washington County**

Local file number: **A-Engrossed Ordinance 744**

Date of Adoption: **April 24, 2012**

Date Mailed: **April 26, 2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 2/9/12

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

Amends the North Bethany Subarea Plan, including: realignment of Primary Streets P-15 (realigned due to preliminary work for development) and P-16 (realigned relative to crossing of a stream tributary and realigned off a cemetery); correcting or clarifying limited provisions in the Community Plan (uniform street lighting poles/fixtures and gateway criteria) and the Community Development Code; and general housekeeping changes. Amends Urban Plan policies and Transportation Plan maps consistent with the Subarea Plan amendments.

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

The cover ordinance was amended to correct ordinance effective date. In Exhibit 1, a new subsection was added to Area of Special Concern 6B, and minor text changes were made to make criteria consistent. Corrections were made to the Areas of Special Concern Map in Exhibit 2 and the Study Areas Map in Exhibit 3.

Plan Map Changed from: **N/A**

to: **N/A**

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

to: **N/A**

Location: **North Bethany Subarea, Township 1N, Range 1W, Sections 17 & 18**

Acres Involved: **N/A**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment

35-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. 001-12 (19182) [17020]

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

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

Local Contact: **Suzanne Savin, Senior Planner** Phone: **(503) 846-3963** Extension:
Address: **155 N. First Avenue, Suite 350-14** Fax Number: **503-846-4412**
City: **Hillsboro** Zip: **97124** 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.

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 30, 2011

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Third Reading and Third Public Hearing
Land Use & Transportation; County Counsel (CPO 7)

Agenda Title: PROPOSED A-ENGROSSED ORDINANCE NO. 744 – AN
ORDINANCE AMENDING ELEMENTS OF THE
COMPREHENSIVE PLAN 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:

On October 25, 2011, the Board authorized filing a new land use ordinance in 2012 to address outstanding placeholder issues relating to the implementation of the North Bethany Subarea Plan that were identified in 2010 and 2011 hearings. Ordinance No. 744 responds to several of those placeholder issues. See attached map of North Bethany Subarea properties.

The Board conducted its initial public hearing for Ordinance No. 744 on March 20, 2012, and directed staff to engross the ordinance to make several changes identified by staff. The first public hearing for the engrossed ordinance was held on April 17 and then continued to April 24, 2012 for the second required hearing.

A-Engrossed Ordinance No. 744 amends the North Bethany Subarea Plan (Chapter 2 of the Bethany Community Plan), the 2020 Transportation Plan, the Comprehensive Framework Plan for the Urban Area, and the Community Development Code. A-Engrossed Ordinance No. 744 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2012-land-use-ordinances.cfm>

(continued)

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

DEPARTMENT'S REQUESTED ACTION:

Read by title only and conduct the second public hearing for A-Engrossed Ordinance No. 744. At the conclusion of the hearing, adopt A-Engrossed Ordinance No. 744.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

100-601000

ADOPTED

Agenda Item No.	4.a.
Date:	04/24/12

FILED

APR 04 2012

**Washington County
County Clerk**

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BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE 744

An Ordinance Amending the Bethany
Community Plan, the 2020
Transportation Plan, the Comprehensive
Framework Plan for the Urban Area, and
the Community Development Code
Relating to Implementation of the North
Bethany Subarea 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, 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, further modified in 2011 to include but not limited to the removal of the FD-20 land use designation to allow development, is ready for further amendments to assist with the development review and implementation requirements.

B. The Board recognizes that to further implement this concept plan, changes to several elements of the Comprehensive Plan and maps and text are necessary to clarify land use designations including an exception to the rural land use for the PCC Rock Creek Campus, to address design elements relating to street lighting and gateway standards, to realign certain primary

1 streets , and to make other necessary updates and changes including housekeeping, and are for the
2 benefit, safety, and general welfare of the residents of Washington County, Oregon.

3 C. The Board recognizes that the Bethany Community Plan was adopted by Ordinance
4 Nos. 263 and 265 and amended by Ordinance Nos. 345, 420, 471, 480, 551, 588, 610, 615, 620,
5 649, 702, 712, 730, and 739.

6 D. The Board recognizes that the Community Development Code Element of the
7 Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by way
8 of Ordinance No. 308, with portions subsequently amended by Ordinance Nos. 321, 326, 336-341,
9 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423,
10 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-
11 489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577,
12 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635,
13 638, 642, 644, 645, 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677, 682-686, 692, 694-698,
14 703, 704, 708, 709, 711, 712, 718-720, 725, 730, 732, 735, 739, 742, and 743.

15 E. The Board recognizes that the Comprehensive Framework Plan for the Urban Area
16 element of the Comprehensive Plan (Volume II) was readopted with amendments on September 9,
17 1986, with portions subsequently amended by Ordinance Nos. 343, 382, 432, 459, 471, 480, 483,
18 516, 517, 526, 551, 555, 561, 571, 572, 588, 590, 598, 608-610, 612-615, 620, 624, 631, 632, 637,
19 643, 649, 662, 666, 669, 671, 683, 686, 694, 712, 726, 730, 732, 733, 739, and 742.

20 F. The Board recognizes that the Transportation Plan Element of the Comprehensive
21 Plan (Volume XV) was adopted on October 25, 1988, by way of Ordinance Nos. 332 and 333, with
22 portions subsequently amended by Ordinance Nos. 343, 382, 409, 419, 426, 432, 450, 463, 470,

1 471, 473, 474, 480, 483-485, 493, 494, 503, 515, 526, 537, 542, 546, 552, 556, 588, 601, 609, 611,
2 626, 627, 631, 642, 649, 663, 674, 683, 712, 713, 717, 718, 730, and 739.

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

9 H. The Board further determines that continued, on-going planning efforts concerning
10 North Bethany in response to extraordinary economic conditions in recent years constitute the
11 emergency circumstances that permit less than 35-day notice of this ordinance to the state before
12 the initial public hearing, as provided in ORS 197.610(2), to allow the county to adopt the
13 ordinance in a timely manner and to provide opportunities for economic development.

14 I. The Board finds and takes public notice that it is in receipt of all matters and
15 information necessary to consider this Ordinance in an adequate manner, and finds that this
16 Ordinance complies with the Statewide Planning Goals, the standards for legislative plan adoption
17 as set forth in Chapters 197 and 215 of the Oregon Revised Statutes, the Washington County
18 Charter, the Washington County Community Development Code, and the Washington County
19 Comprehensive Plan.

20 SECTION 2

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

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A. Bethany Community Plan Amendments:

- 1. Exhibit 1 (22 pages) – Amending Chapter 2, North Bethany Subarea Plan;
- 2. Exhibit 2 (17 pages) – Amending the North Bethany Subarea Plan Maps, as follows:
 - a. Page 1: the ‘Core Design Elements’ map;
 - b. Pages 2-3: the ‘Functional Classification’ map to reflect the realignment of P15 and to accommodate the new alignment of P16 as indicated, respectively;
 - c. Page 4: the ‘Land Use Designations’ map;
 - d. Pages 5-6: the ‘Primary Streets’ map;
 - e. Pages 7-8: the ‘Park, Trail and Pedestrian Connections’ map;
 - f. Pages 9-12: the ‘Special Frontages’ map;
 - g. Page 13: the ‘Areas of Special Concern’ map to modify A.S.C. 7 to reflect the realignment of P15 as indicated;
 - h. Page 14: the ‘Areas of Special Concern’ map to change A.S.C. 6 to A.S.C. 6A and to reflect the realignment of P16 as modified;
 - i. Page 15: the ‘Areas of Special Concern’ map to add A.S.C. 6B (Neighborhood Route Corridor);
 - j. Pages 16: the ‘North Bethany Subarea Central Neighborhood’ map to accommodate the new Alignment of P15 as indicated; and
 - k. Page 17: the ‘North Bethany Subarea Northeast Neighborhood’ map to accommodate the new Alignment of P16 as indicated.

B. 2020 Transportation Plan Amendments:

Exhibit 3 (3 pages) – Amending the ‘Functional Classification’ map to reflect the realignment of P15 and to accommodate the new P16 alignment and amending the ‘Study Areas’ map to add new study area (the Neighborhood Route Corridor).

C. Comprehensive Framework Plan for the Urban Area Amendments:

- 1. Exhibit 4 (2 pages) – Amending the ‘Park, Trail and Pedestrian Connections’ map in Policy 15;
- 2. Exhibit 5 (3 pages) – Amending Map A (Future Development Areas) and Map B (Goal 5 Resources for Future Development Areas) in Policy 41 to add the following note to each map legend:

“Note: A plan amendment is not required to modify this map to reflect: 1) annexations to cities; and 2) for unincorporated properties, county-adopted urban land use

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designations that implement the requirements of Title 11 of Metro's UGMFP."

- 3. Exhibit 6 (4 pages) – Amending the ‘North Bethany Concept Plan Design Elements’ map, the ‘North Bethany Concept Plan Design Elements’ map in Policy 43, the ‘Core Pedestrian and Bicycle Network’ map, and the ‘Core Pedestrian and Bicycle Network’ map in Policy 43.

D. Community Development Code Amendments:

- 1. Exhibit 7 (5 pages) – Amending CDC Section 390, NORTH BETHANY SUBAREA OVERLAY DISTRICT, of Article III, Land Use Districts.

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.

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,

1 and making any technical changes not affecting the substance of these amendments as necessary to
2 conform to the Washington County Comprehensive Plan format.

3 SECTION 7

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

5 ENACTED this 24 day of April, 2012, being the 3rd reading and
6 3rd public hearing before the Board of County Commissioners of Washington County, Oregon.

7 BOARD OF COUNTY COMMISSIONERS
8 FOR WASHINGTON COUNTY, OREGON

9 **ADOPTED**

Andy Duda
CHAIRMAN

Barbara Hejtmanek
RECORDING SECRETARY

12 READING

PUBLIC HEARING

13 First March 20, 2012
14 Second April 17, 2012
15 Third April 24, 2012
16 Fourth _____
17 Fifth _____
18 Sixth _____

13 First March 20, 2012
14 Second April 17, 2012
15 Third April 24, 2012
16 Fourth _____
17 Fifth _____
18 Sixth _____

16 Duyck, Schouten, Malinowski,
17 VOTE: Aye: Rogers, Terry
18 Recording Secretary: Barbara Hejtmanek

16 Nay: _____
17 Date: _____

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. 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. ~~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. 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 much of 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. (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.

D. Community Design Goals

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.*

A 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.

IV. DESCRIPTIONS OF NORTH BETHANY SUBAREA PLAN AND MAPS

E. Parks, Trails and Pedestrian Connections Map

abcdef Proposed additions
~~abcdef~~ Proposed deletions

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 connection is still required; however, its exact location and format (i.e., on-street or off-street) will be determined at the time of through the development review process. 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 obtained in order to provide a complete trail system.

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 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)
- b) Neighborhood-Specific Street Tree Program (Section VII.B)
- c) Areas of Special Concern criteria for identified street corridors (see Section V.B)

V. NORTH BETHANY SUBAREA DESIGN ELEMENTS

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

A. General Design Elements

11. 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.

abcdef Proposed additions
~~abcdef~~ Proposed deletions

- 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 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-1 cross-section, depending on how the drainage and LIDA features for the area are designed.
 - g. Site-specific designs (including water quality treatment for streets) will be determined at the site design stage in coordination with the County Engineer and CWS. 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. 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 adjacent to their property. 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 as 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. New development shall be consistent with the North Bethany Drainage Master Plan, unless otherwise approved by CWS.
15. New development located in a potential landslide study area shall comply with any applicable requirements of the ~~CDC~~Community Development Code and Chapter 14.12 of the Washington County Code.
16. 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.

abcdef Proposed additions
~~abcdef~~ Proposed deletions

17. 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 neighborhood identified on the Neighborhoods Map, except for the following streets:

- a. Road A
- b. NW Kaiser Road
- c. North side of NW Springville Road
- d. East side of NW 185th Avenue

A uniform lighting fixture and pole shall be provided for streets a. through d. above. The lighting fixture and pole shall be the Westbrooke design as identified on the Portland General Electric (PGE) approved list or a similar lighting fixture and pole as approved by the County Engineer.

B. Areas of Special Concern

The following Areas of Special Concern (ASC) 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 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~~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 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 90 feet. Property on the north side of NW Springville shall dedicate up to 53 feet from centerline.

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~~abcdef~~ Proposed deletions

ASC 6A – Northeast Neighborhood Local Street Circulation

A grid street network is required to be provided in ASC 6A, which is located ~~requires the establishment a grid street network~~ in the Northeast 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 6B – Neighborhood Route Corridor

The alignment of Primary Street P16 is required to cross a tributary of Abbey Creek in the northern portion of the Northeast Neighborhood. The intent of the requirements in this Area of Special Concern is to provide flexibility in the location of the street's creek crossing.

A final alignment of Primary Street P16, a neighborhood route, may have two 90 degree (right angle) turns to accommodate the grid system required by ASC 6A.

1. As part of a Type II process, the alignment of Primary Street P16 may shift anywhere within Corridor A shown on the Areas of Special Concern Map.
2. As part of a Type II process, the alignment of Primary Street P16 may be shifted into Corridor B shown on the Areas of Special Concern Map if the proposed modification meets all of the following criteria:
 - a. The new alignment is not shifted onto neighboring properties outside of Corridor B.
 - b. The new alignment maintains the planned functional classification of new and existing roads in the surrounding area.
 - c. The new alignment does not result in a significant increase in volumes on other nearby roads.
 - d. The new alignment does not result in a significant amount of out-of-direction travel for users of the road.
3. The necessary pedestrian connection and off-street trail, north of the stream, identified in the Park, Trails and Pedestrian Connections Map, may be shifted to be consistent with the final alignment of Primary Street P16.

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.

abcdef Proposed additions
~~abcdef~~ Proposed deletions

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

A. Northwest Neighborhood

Design Elements

5. The western edge of the neighborhood at Road A is a gateway into the neighborhood. This gateway marks the transition from rural to urban character and the beginning of the northwest cross-section for Road A, which has a planted center median. The preferred treatment for this gateway is associated with designed vertical elements on the bridge span that crosses the floodplain area. The following elements are suggested:

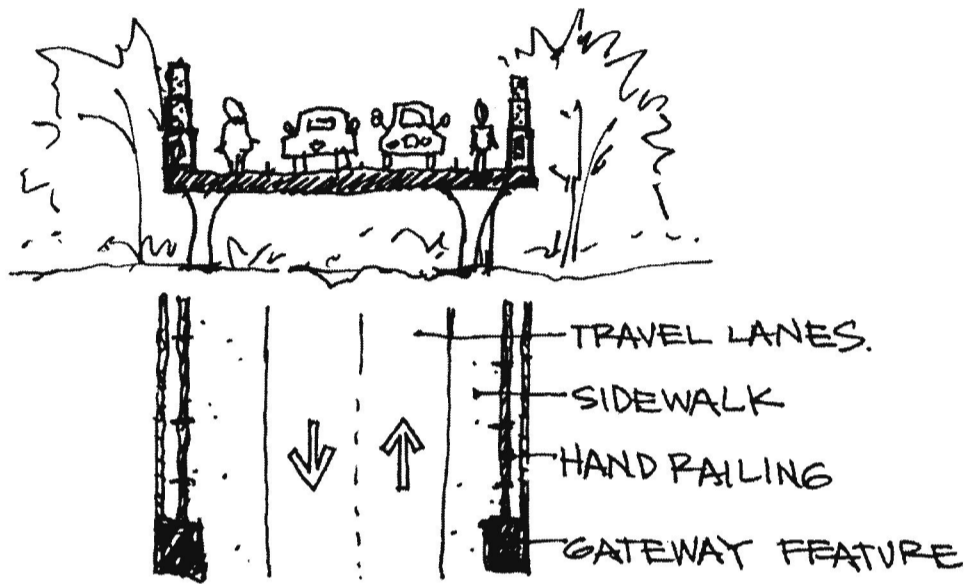
- Vertical elements signifying entrance on the North Bethany side of the bridge that may be: next to the sidewalk, a pedestrian pass-through, or over the entire bridge.
- Special detailing on feature elements in the form of concrete and/or a railing.
- Minimal or no landscaping.
- Lighting at both a pedestrian and a vehicular scale.

Consistent with the Neighborhood Plan Map, two prominent Focal Points shall be provided to mark this entrance into the North Bethany Subarea. A design plan shall be prepared that addresses the Neighborhood Plan and Street Design Map elements, CDC standards and any additional gateway design treatments.

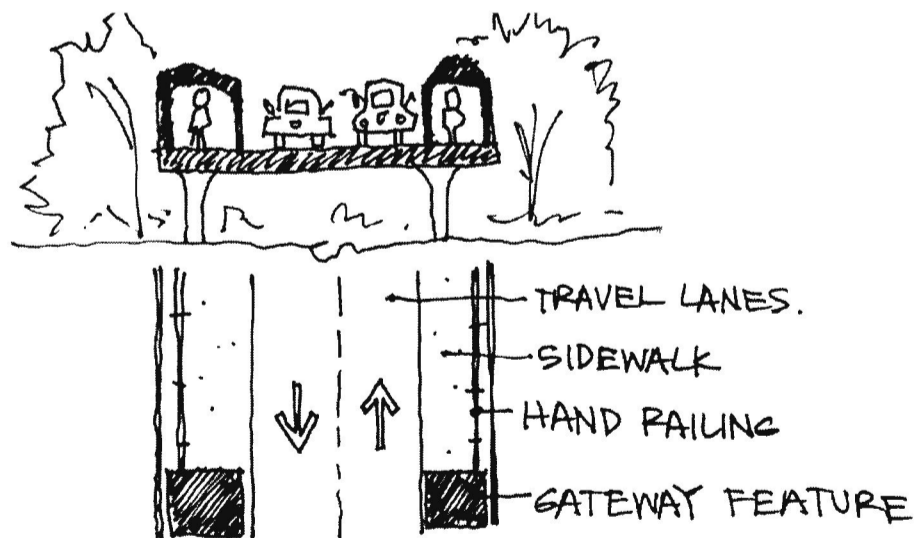
The following sketches and photograph illustrate examples of potential vertical and feature elements for this gateway:

Bridge Gateway
Vertical Element Examples

Next to Sidewalk

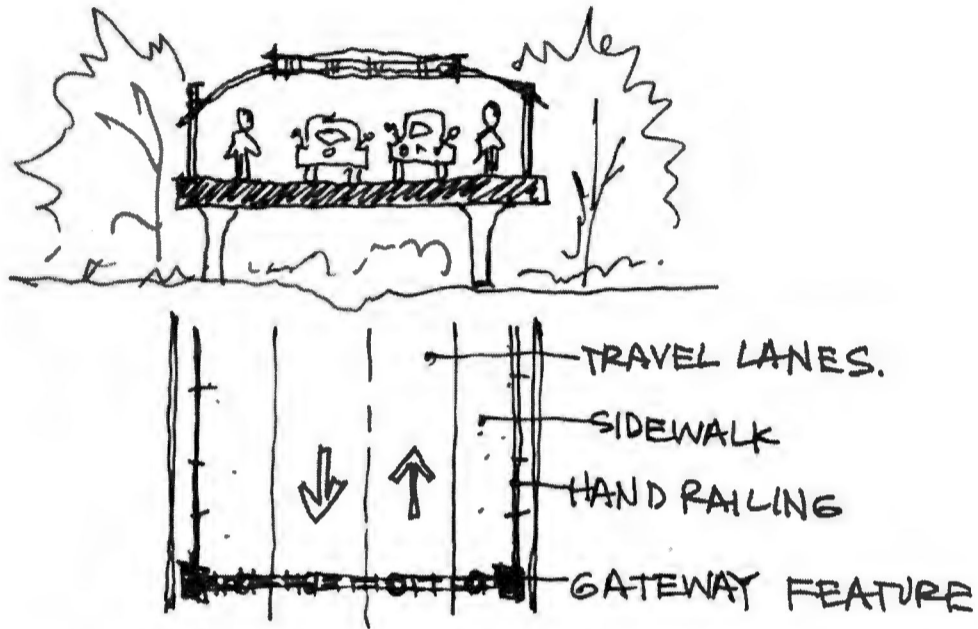


Pedestrian Pass-Through
(Above each sidewalk)



abcdef Proposed additions
abcd~~ef~~ Proposed deletions

Over Bridge



abcdef Proposed additions
~~abedef~~ Proposed deletions

6. Within the high density residential lands, private open space shall be provided, as depicted on the Neighborhood Plan. The private open space shall be for use by residents in the high density residential housing and shall be in addition to the requirements of CDC Section 407.
7. Development shall be consistent with ASC Road Corridor 1B.

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

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 northern entrance to the portion of Kaiser Road designated as a Main Street on the 2040 Design Types Map (see Policy 40 of the Comprehensive Framework Plan for the Urban Area). 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 the 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, depending on the gateway design.
- Lighting for pedestrians and to emphasize monument features.

Example sketches and photographs illustrating potential vertical and feature elements of this gateway are provided within the Central Neighborhood Design Elements.

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, 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).

Design Elements

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. Primary Street 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 87.

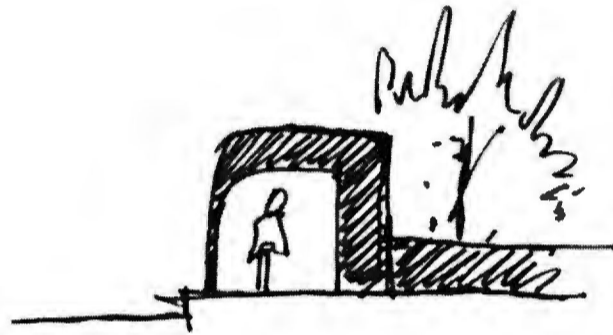
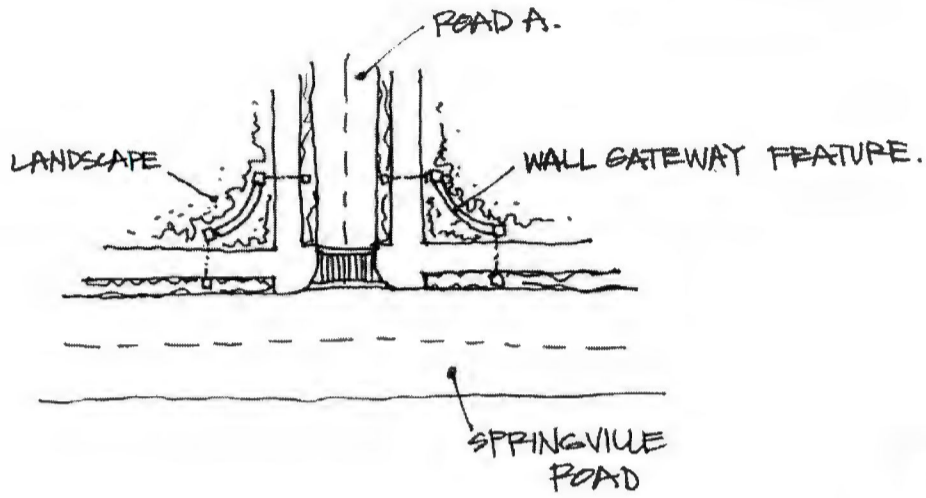
9. A gateway at the intersection of NW Springville Road and Road A marks the entrance to the Southeast Neighborhood. ~~Two gateways along NW Kaiser Road mark the entrance to the portion of NW Kaiser Road that is designated as a Main Street on the 2040 Design Types Map (see Policy 40 of the Comprehensive Framework Plan for the Urban Area).~~ The gateways ~~is~~ are identified on the Core Design Elements Map. A design plan shall be prepared that addresses the Neighborhood Plan and Street Design Map elements, applicable CDC standards and any additional ~~-~~ gateway design treatments. A preferred design solution will include the following elements:
 - Vertical element signifying entrance into the community.
 - Special detailing on feature elements, which may include: water, walls, rocks and/or metal.
 - A significant amount of landscaping.
 - Lighting to emphasize monument features.

abcdef Proposed additions
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The following sketches and photographs illustrate examples of potential vertical and feature elements for this gateway:

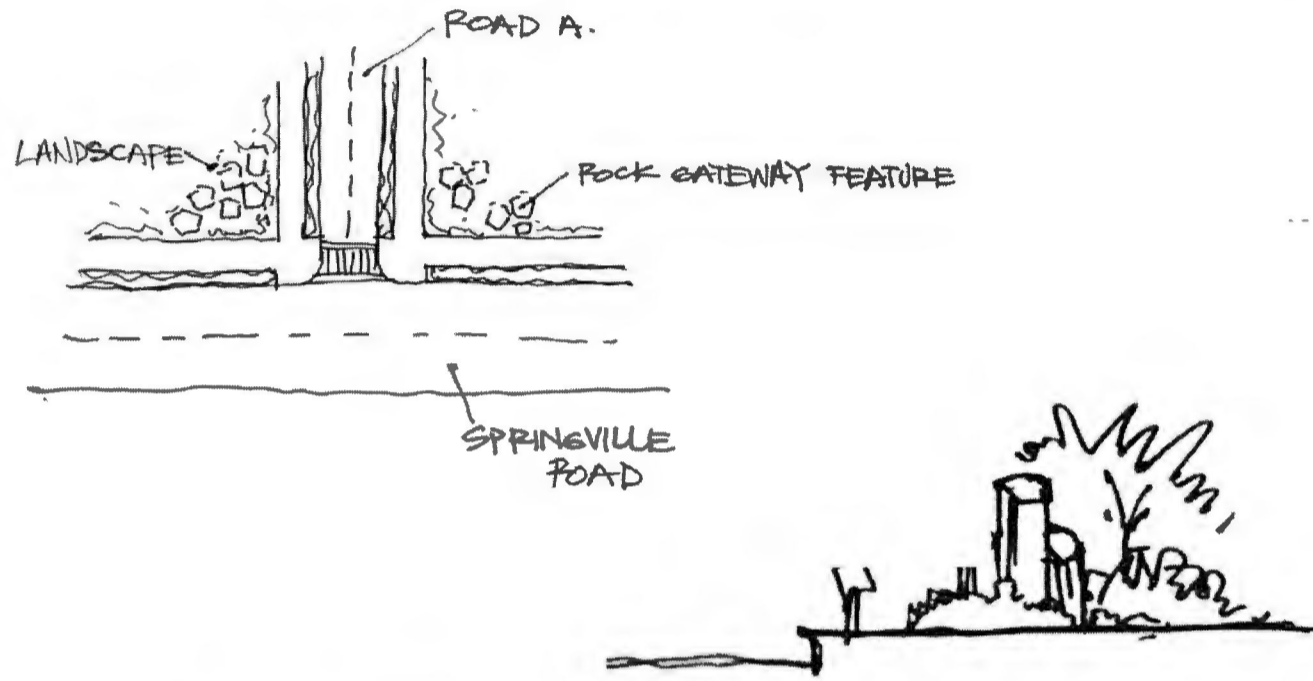
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Walled Monument



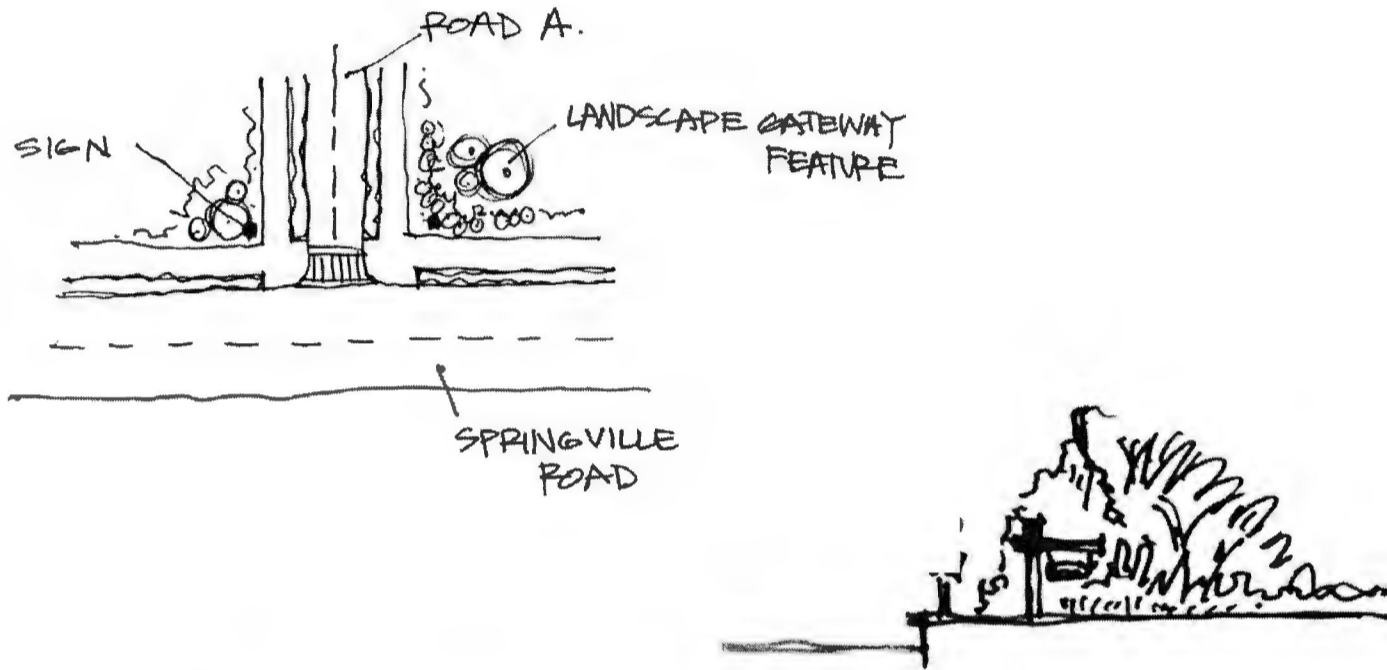
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Rock Monument



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Landscape Monument



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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 ~~m~~Main ~~s~~Street area are provided in the North Bethany Main Street Program Guide for the North Bethany Subarea, which shall serve as a template for future urban design plan(s) and development of the area.

Design Elements

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 and standards of ASC 7.~~

6. The design of the Main Street Area shall be consistent with the intent of the ~~Metro 2040~~North Bethany Main Streets 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.

78. Development shall be consistent with Areas of Special Concern Road Corridors 1B, 2 and 4A and ASC 5 and 7.

87. The intersections of NW Kaiser Road / Road A and NW Kaiser Road / NW Rossetta Street (P2) are gateways that mark the north and south entrances to the portion of NW Kaiser Road designated as a Main Street on the 2040 Design Types Map (see Policy 40 of the Comprehensive Framework Plan for the Urban Area). The gateways are identified on the Core Design Elements Map. A design plan shall be prepared that addresses the Neighborhood Plan and Street Design Map elements, applicable CDC development standards and any additional Gateway design treatments. A preferred design solution for each gateway will include the following elements:

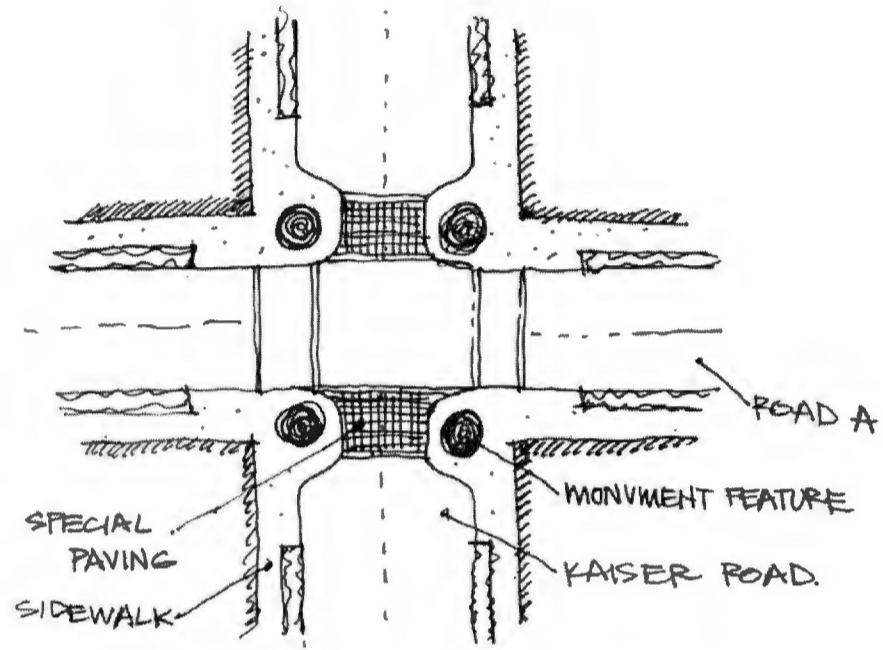
- Vertical element signifying entrance into the commercial district.

abcdef Proposed additions
~~abcdef~~ Proposed deletions

- 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, depending on the gateway design.
- Lighting for pedestrians and to emphasize monument features.

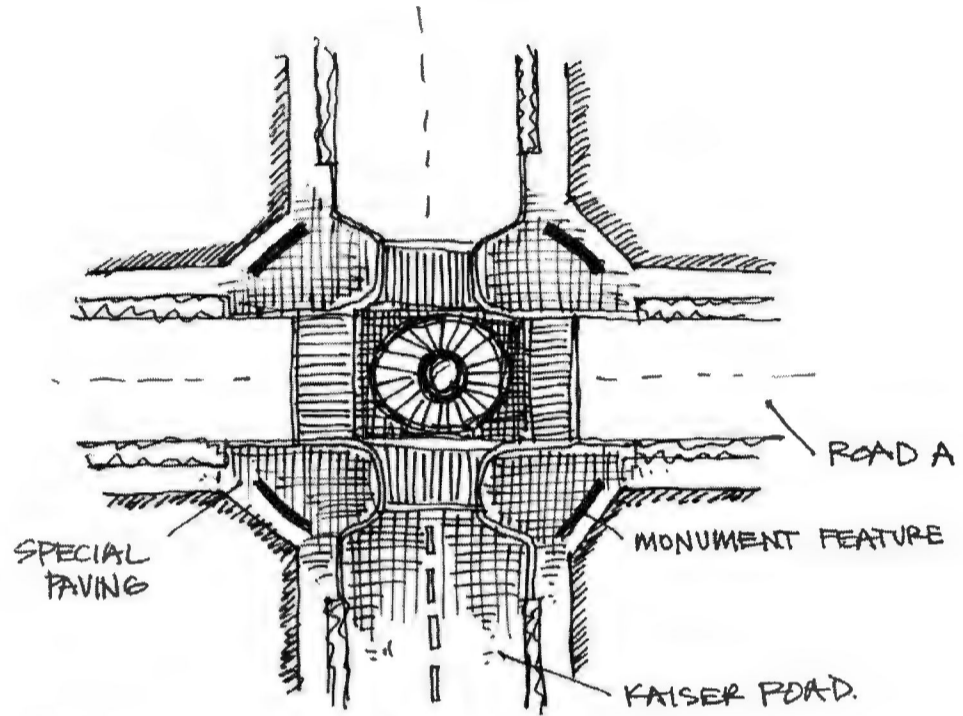
The following sketches and photographs illustrate examples of potential vertical and feature elements for this gateway:

Corner Location



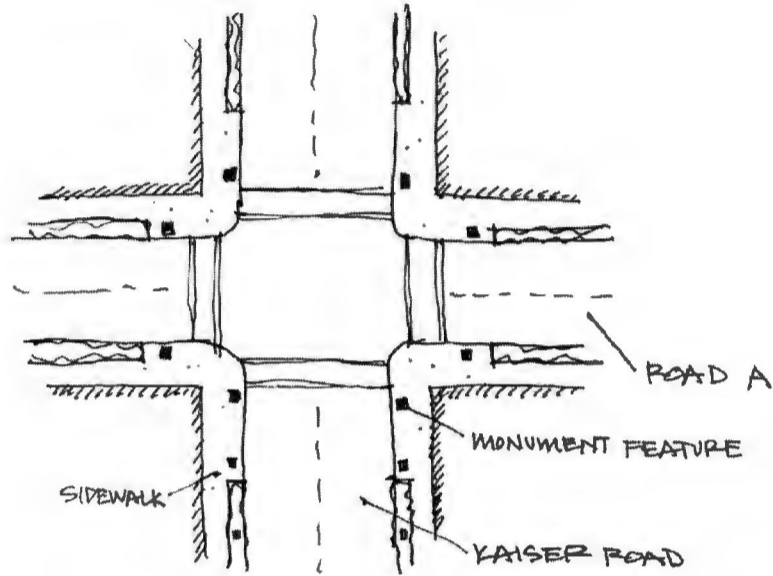
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Special Paving



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Repeated Vertical Elements



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8. ~~Development shall be consistent with Areas of Special Concern Road Corridors 1B, 2 and 4A and
ASC 5 and 7.~~

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EngOrd744_Ex01_BCP_text.doc

abcdef Proposed additions
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Amend the 'Core Design Elements'
map of the North Bethany Subarea
as indicated.

-  Remove Metro 2040 Main Street Area designation
-  Add Metro 2040 Main Street Area designation



1 inch = 300 feet






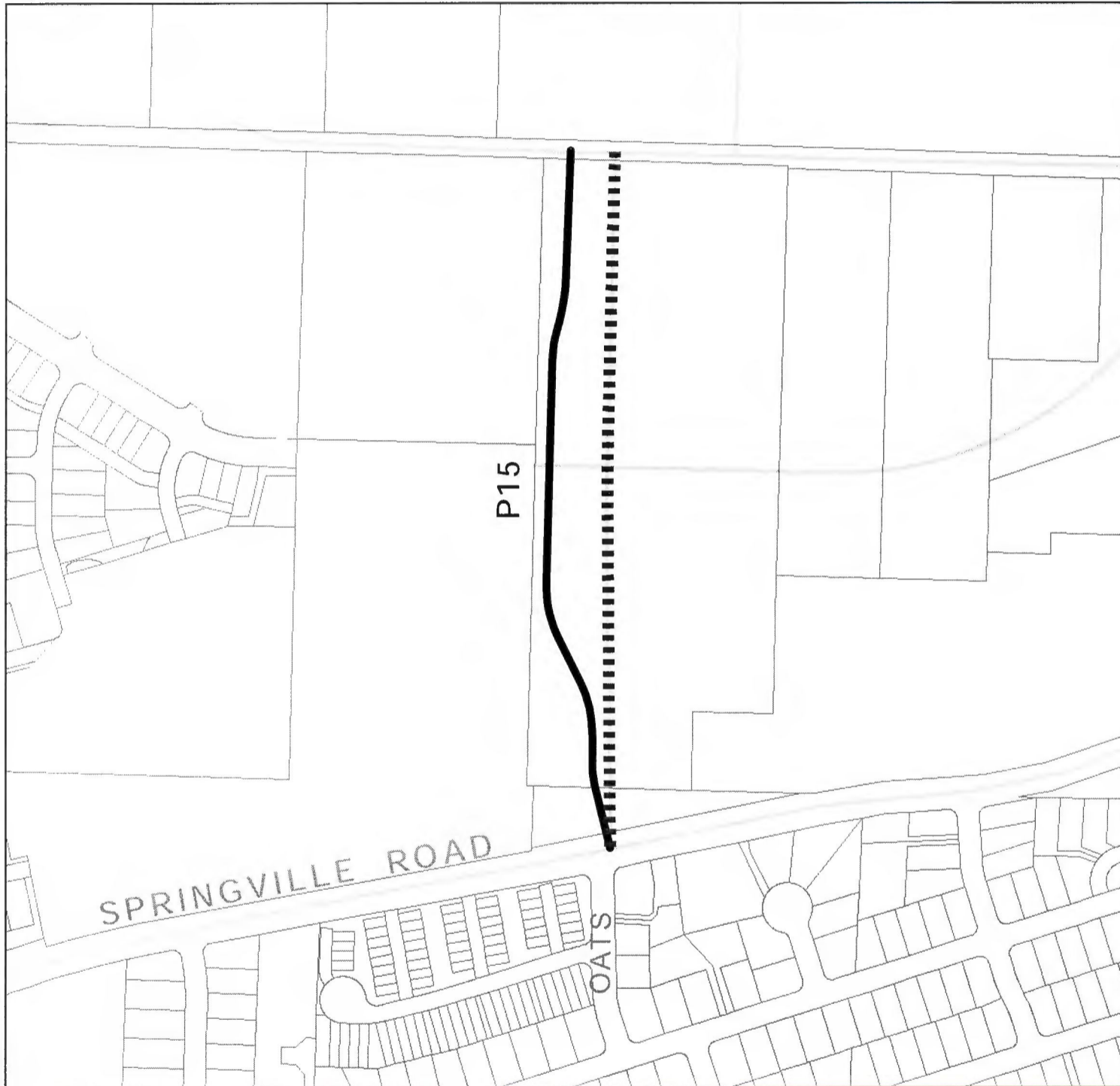
Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

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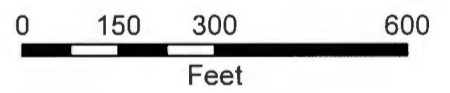


Amend the 'Transportation Functional Classification' map of the North Bethany Subarea Plan to reflect the realignment of P15 as indicated.

-  New Alignment of Road
-  Original Alignment of road to be removed
-  Unchanged Primary Streets



1 inch = 300 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 'Transportation Functional Classification' map of the North Bethany Subarea Plan to accommodate the new alignment of P16 as indicated.

-  New Alignment of road
-  Original Alignment of road to be removed
-  Unchanged Roads



1 inch = 300 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.

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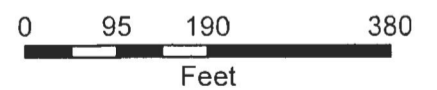


Amend the 'Land Use Designations' map of the North Bethany Subarea Plan as indicated.

-  Change from R-9 NB to R-6 NB
-  New Alignment of P16
-  Original Alignment of P16
-  Unchanged Primary Streets



1 inch = 200 feet






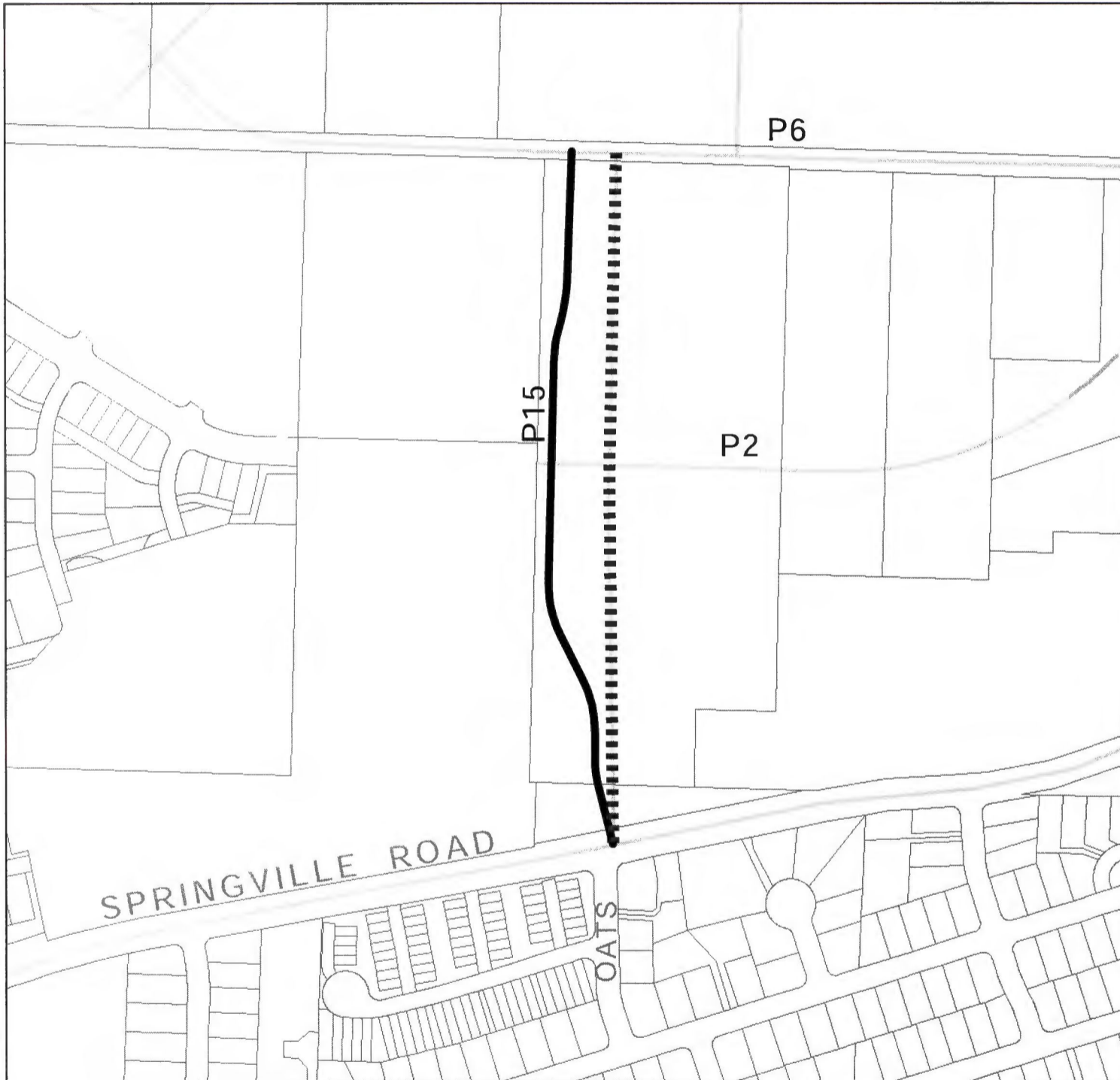
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Amend the 'Primary Streets' map of
the North Bethany Subarea
Plan as indicated.

-  New Alignment of P15
-  Original Alignment of P15
to be removed
-  Unchanged Primary Streets






1 inch = 300 feet



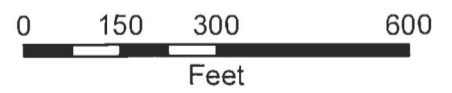
Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Amend the 'Primary Streets' map of
the North Bethany Subarea
Plan as indicated.

-  New Alignment of P16
-  Original Alignment of P16
to be removed
-  Unchanged Primary Streets



1 inch = 300 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.

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Amend the 'Park, Trail and Pedestrian Connections' map of the North Bethany Subarea Plan as indicated.

- New Off-Street Trail Segment
- Remove Off-Street Trail Segment
- Existing Off Street Trail
- New Alignment of P15
- Original Alignment of P15 to be removed
- ▨ Density Restricted Lands

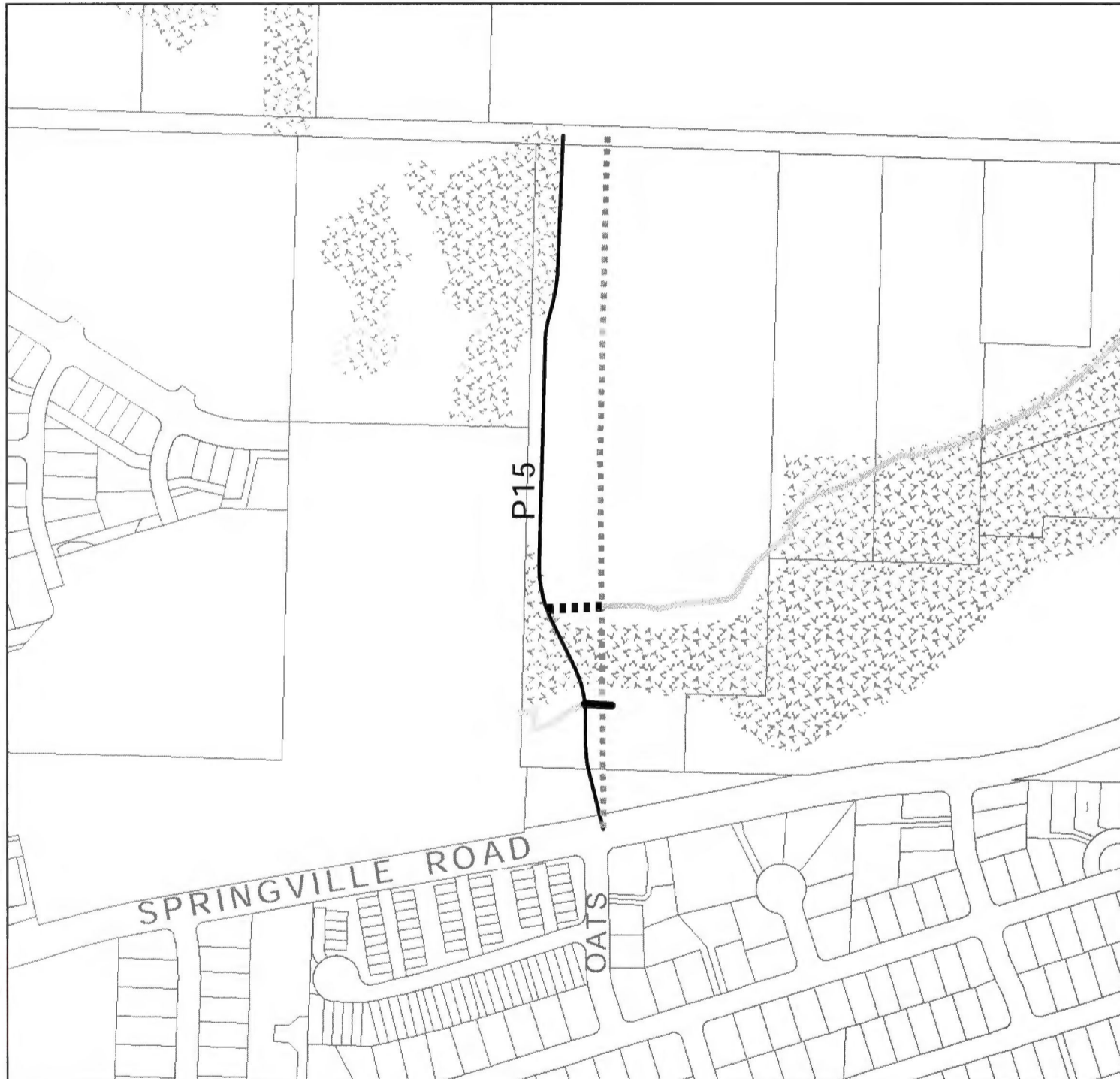


1 inch = 300 feet







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Path: J:\Workgroups\GIS\Planning\NB_Part4_2012\Ord744\IP15_ParksTrails_020312.mxd 2/3/2012



Amend the 'Park, Trail and Pedestrian Connections' map of the North Bethany Subarea Plan as indicated.

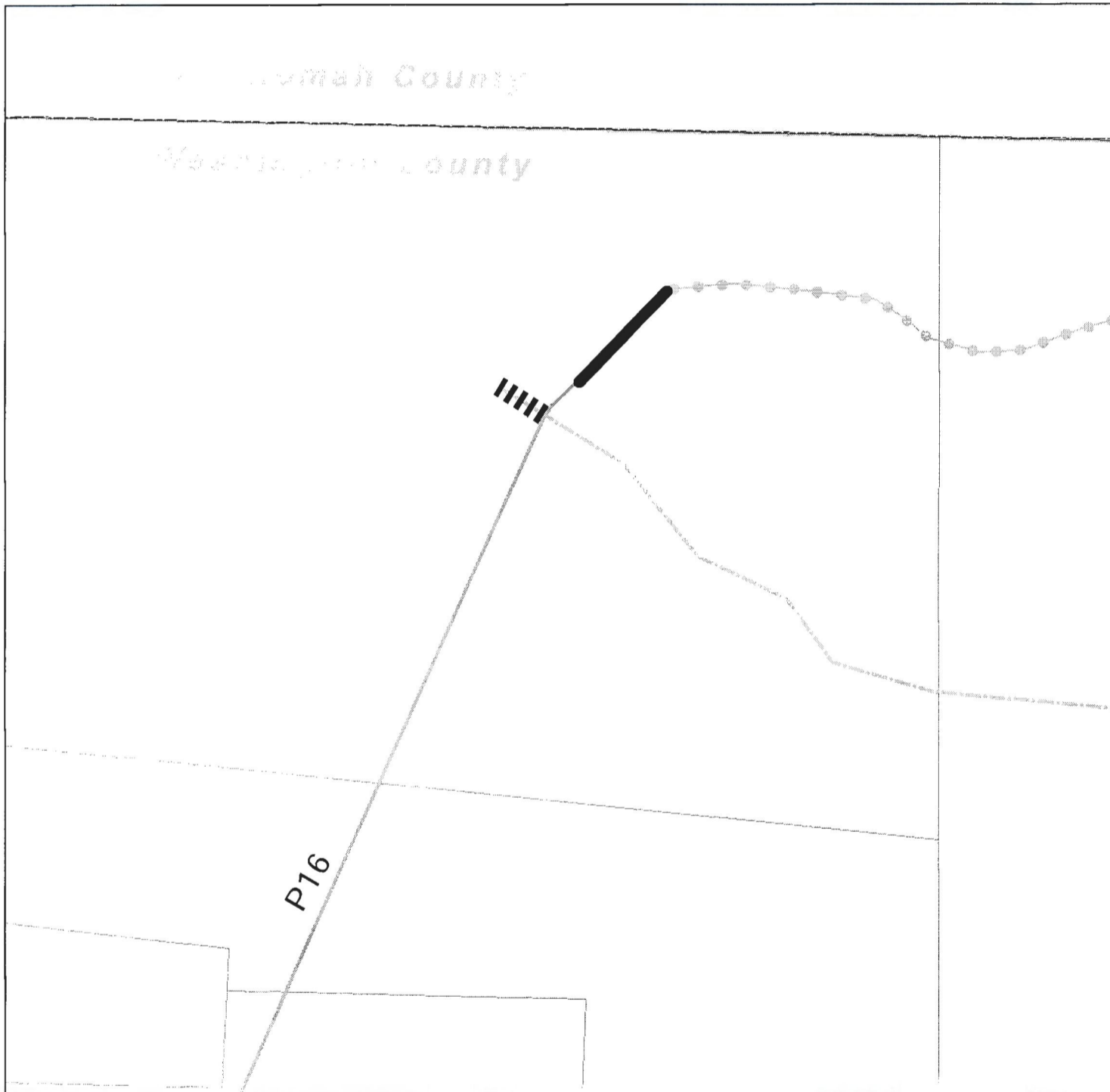
-  New Alignment of Necessary Pedestrian Connection
-  Remove Off-Street Trail segment
-  Unchanged Necessary Pedestrian Connection
-  Unchanged Off-Street Trail
-  New alignment of P16



1 inch = 200 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 'Special Frontages Map' in the North Bethany Subarea Plan as follows:

1. Change the note reference for the following areas from one asterisk (*) to three asterisks ():**

- Open Space
- Wetland & Estimated CWS Vegetated Corridor
- +25% Slope

2. Delete the existing Category A and C Note:

**This designation also applies to tax lots immediately adjacent to or across the street from a neighborhood park.

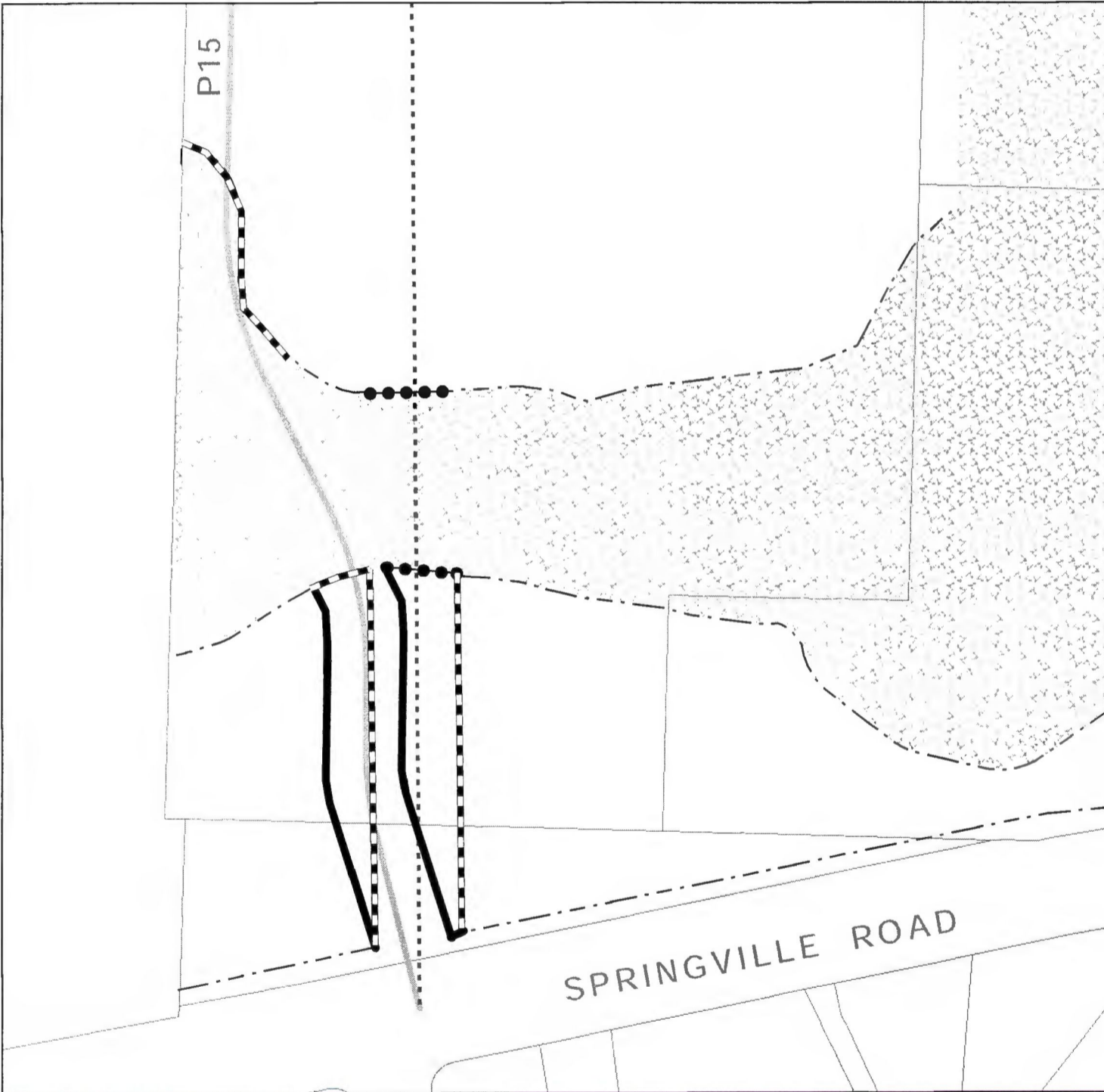
3. Add the following new Category A * Note:

*This designation also applies to lots that will be across the street from a future Neighborhood Park (see General Design Element 8, Special Frontages).

4. Add the following new Category C ** Note:

**This designation also applies to lots that will be adjacent to a future Neighborhood Park (see General Design Element 8, Special Frontages).

Path: J:\Workgroups\GIS\Planning\NB_Part4_2012\Ord744\IP15\IP15_SpecialFrontages_020312.mxd 2/8/2012

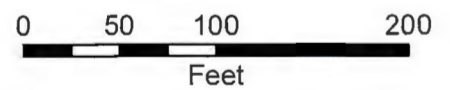


Amend the 'Special Frontages' map of the North Bethany Subarea Plan to accommodate the new alignment of P15 as indicated.

- New Special Frontages alignment Category B
- New Special Frontages alignment and segments Category C
- Remove Special Frontages Segment
- - - Unchanged Special Frontages
- New Alignment of P15
- - - Original Alignment of P15
- ▧ Density Restricted Lands



1 inch = 100 feet



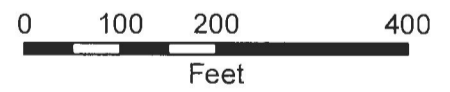
Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Amend the 'Special Frontages' map of the North Bethany Subarea Plan to accommodate the new alignment of P16 as indicated.

-  New Special Frontage alignment Category B
-  Remove Special Frontages segment
-  Remove old Special Frontage alignment
-  New alignment of P16
-  Unchanged Special Frontages
-  Density Restricted Lands



1 inch = 200 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.

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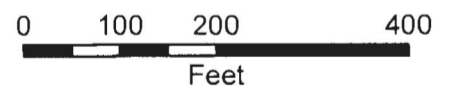


Amend the 'Special Frontages' map of the North Bethany Subarea Plan as indicated.

-  Change Special Frontage designation from Category A to Category C
-  Unchanged Special Frontages








1 inch = 200 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 'Areas of Special Concern' map of the North Bethany Subarea Plan to modify A.S.C. #7 to reflect the realignment of P15 as indicated.

-  Add area to A.S.C. #7
-  Existing A.S.C. #7
-  New Alignment of P15
-  Original Alignment of P15 to be removed
-  Unchanged Primary Streets

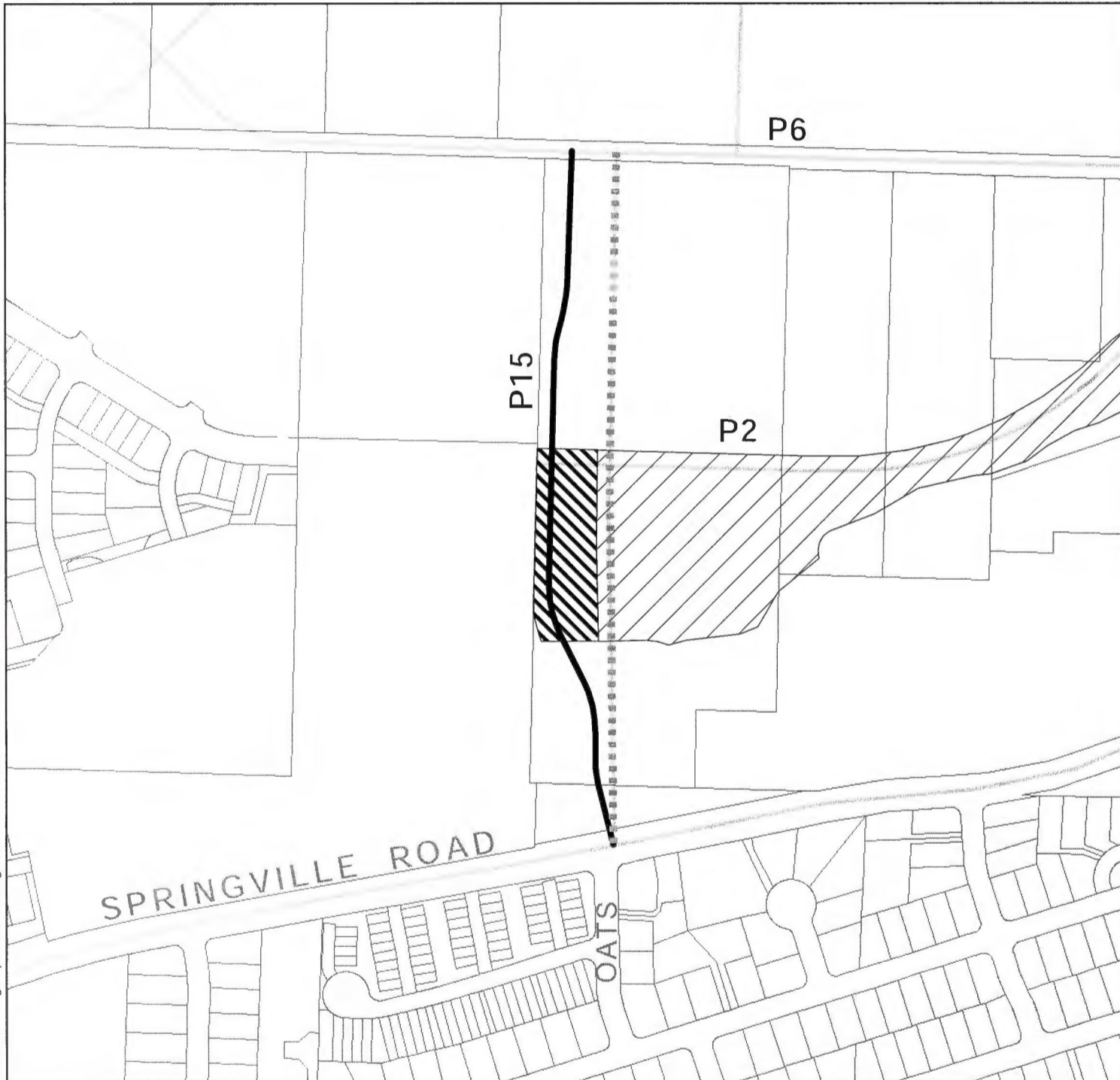


1 inch = 300 feet







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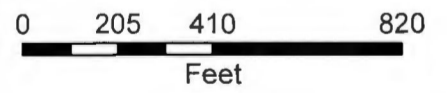


Amend the 'Areas of Special Concern' map of the North Bethany Subarea Plan to change A.S.C. 6 to A.S.C. 6A and to reflect the realignment of P16 as indicated.

-  A.S.C. 6A
-  Remove portion of A.S.C. #6A
-  P16 - New Alignment
-  Unchanged Roads



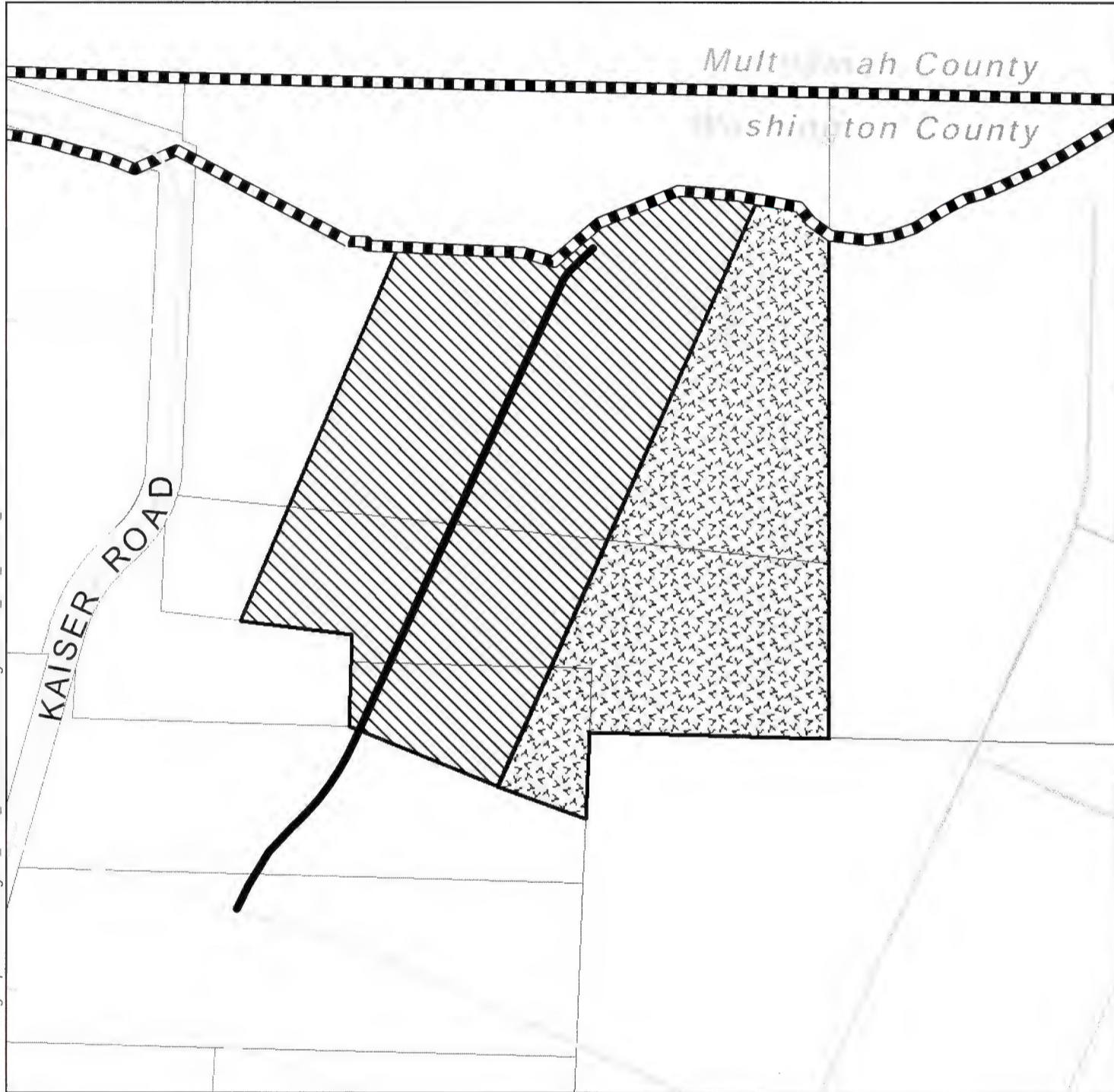
1 inch = 417 feet



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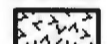



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Amend the 'Areas of Special Concern' map of the North Bethany Subarea Plan to add A.S.C. 6B (Neighborhood Route Corridor)

A.S.C. #6B - Neighborhood Route Corridor

-  P16
-  Corridor A
-  Corridor B
-  Natural Features Buffer with Fencing

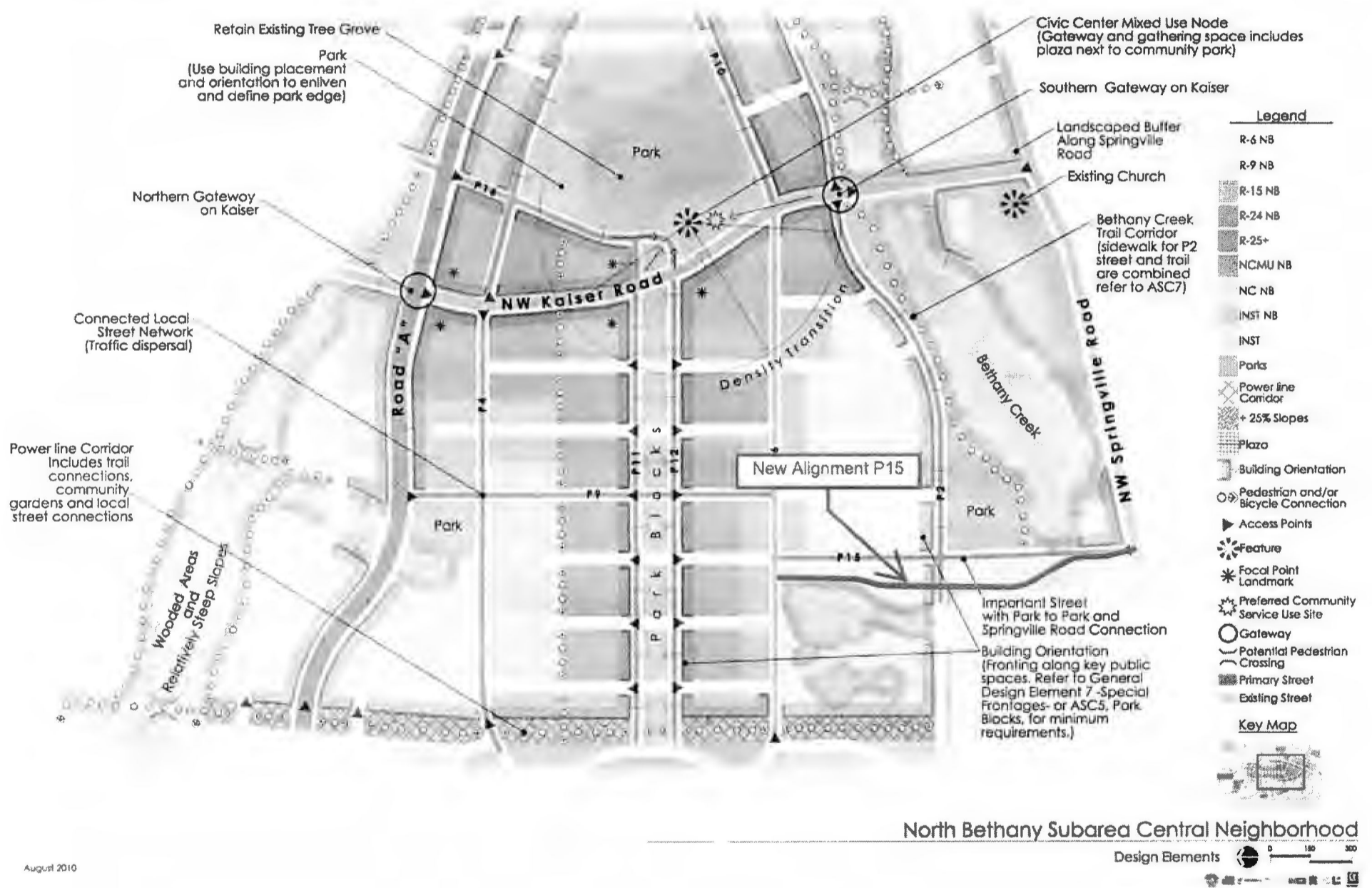


1 inch = 300 feet

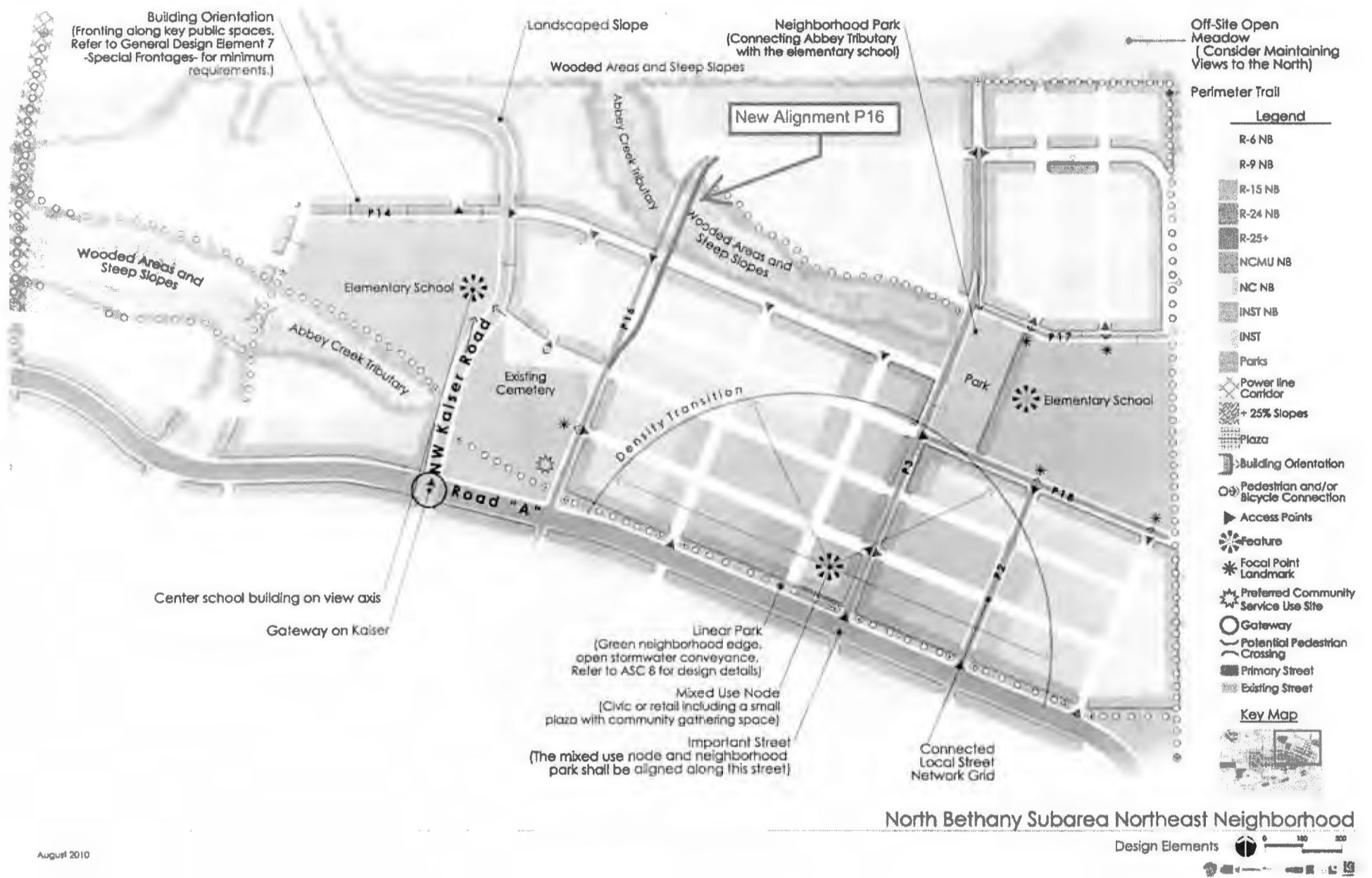


Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Amend the 'North Bethany Subarea Central Neighborhood' map of the North Bethany Subarea Plan to accommodate the new Alignment of P15 as indicated.



Amend the 'North Bethany Subarea Northeast Neighborhood' map of the North Bethany Subarea Plan to accommodate the new Alignment of P16 as indicated.



Amend the 'Functional Classification' map of the Transportation Plan to reflect the realignment of P15 as indicated.

-  New Alignment of Neighborhood Route
-  Original Alignment of Neighborhood Route to be removed
-  Unchanged Primary Streets

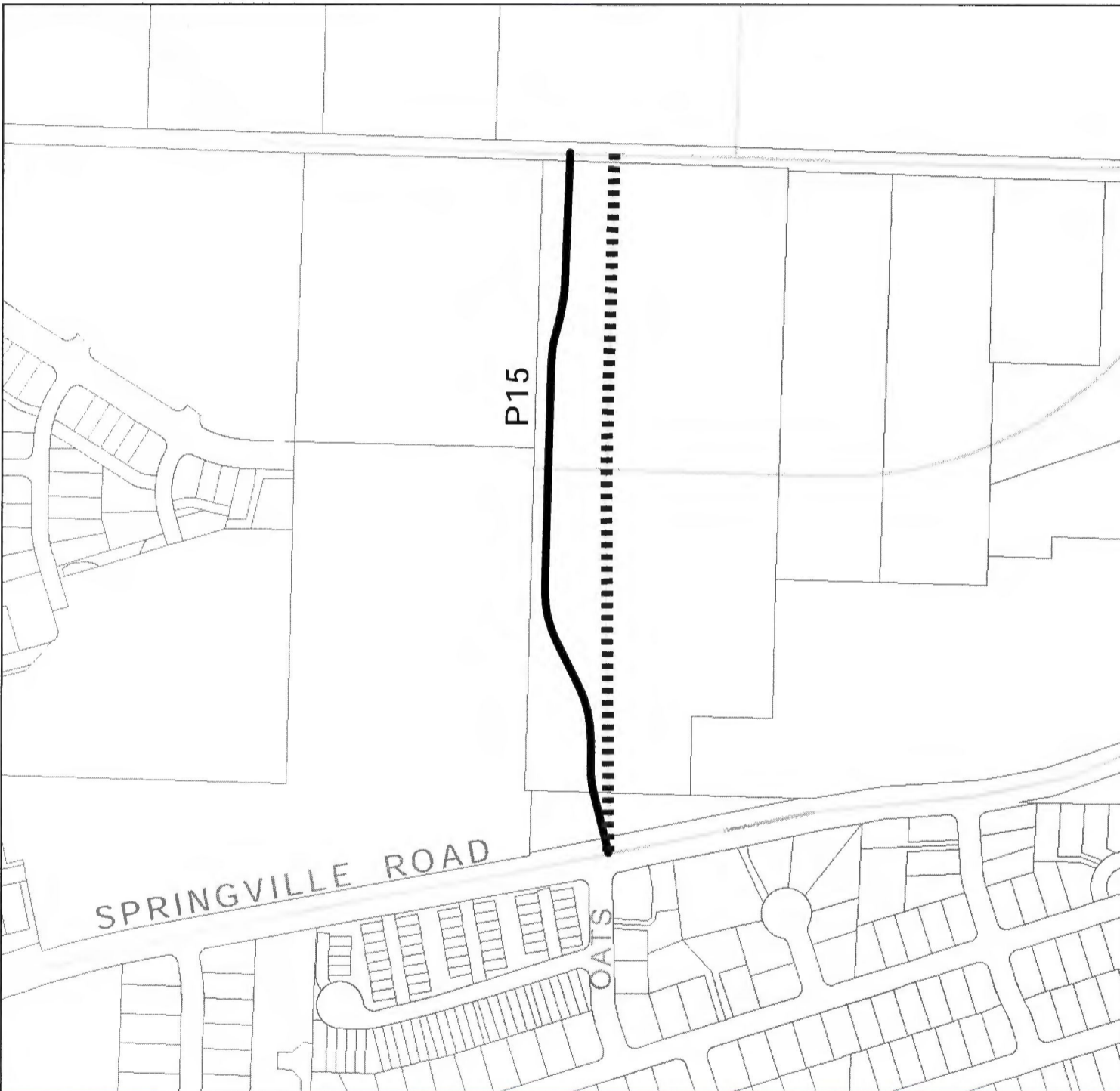


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Amend the 'Functional Classification' map of the Transportation Plan to accommodate the new alignment of P16 as indicated.

-  New Alignment of Neighborhood Route
-  Original Alignment of Neighborhood Route to be removed
-  Unchanged Roads






1 inch = 300 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 'Study Areas' map
of the Transportation Plan
as follows:

Add New Study Area
'The Neighborhood Route Corridor'

-  Corridor A
-  Corridor B
-  Natural Features Buffer
with Fencing



1 inch = 300 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 'Park, Trail and Pedestrian Connections' map of Policy 15 of the Comprehensive Framework Plan for the Urban Area as indicated.

- New Off-Street Trail Segment
- Remove Off-Street Trail Segment
- Existing Off Street Trail
- New Alignment of P15
- Original Alignment of P15 to be removed
- ▨ Density Restricted Lands

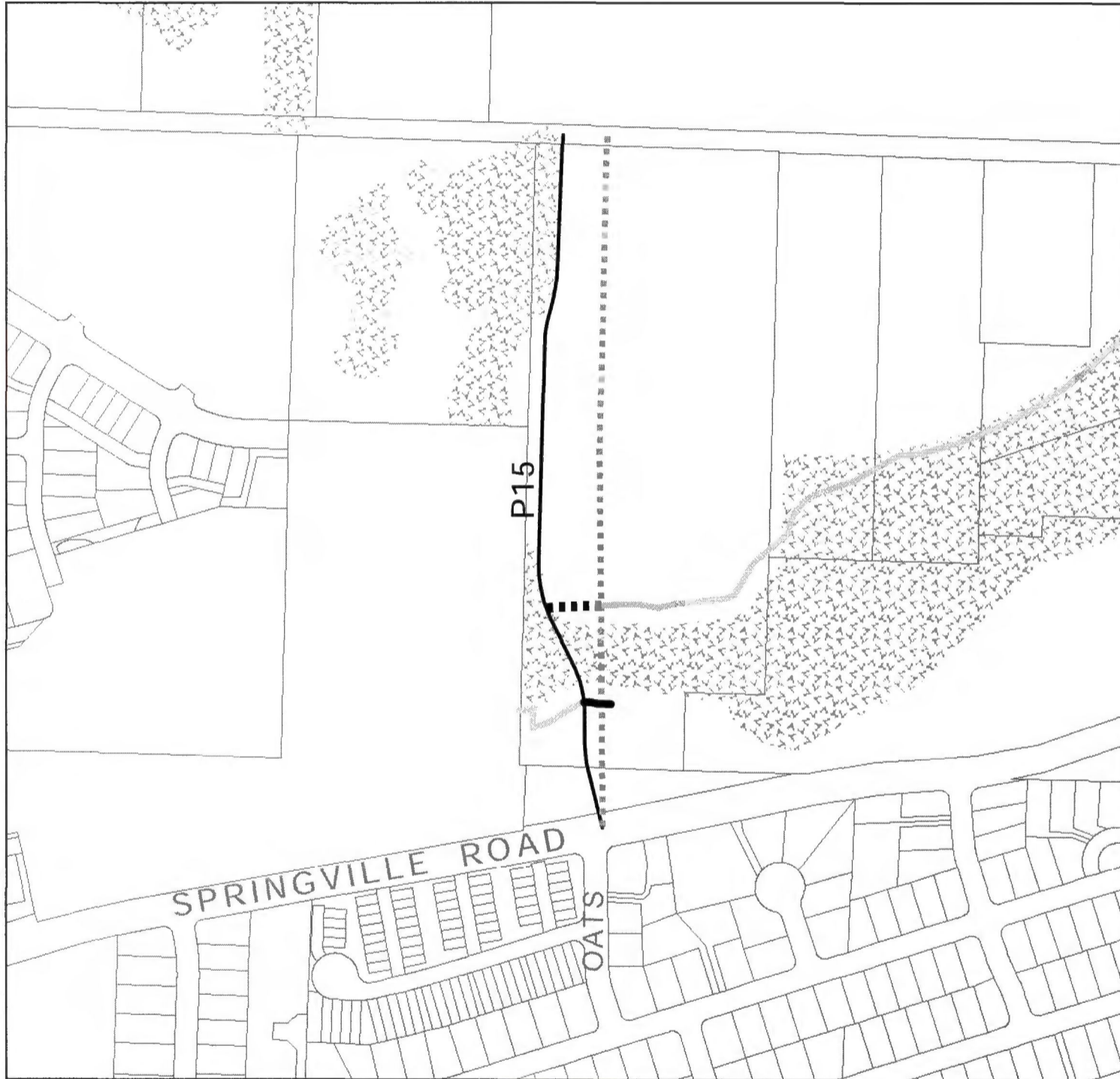


1 inch = 300 feet








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Amend the 'Park, Trail and Pedestrian Connections' map of Policy 15 of the Comprehensive Framework Plan for the Urban Area.

-  New Alignment of Necessary Pedestrian Connection
-  Remove Off-Street Trail segment
-  Unchanged Necessary Pedestrian Connection
-  Unchanged Off-Street Trail
-  New alignment of P16

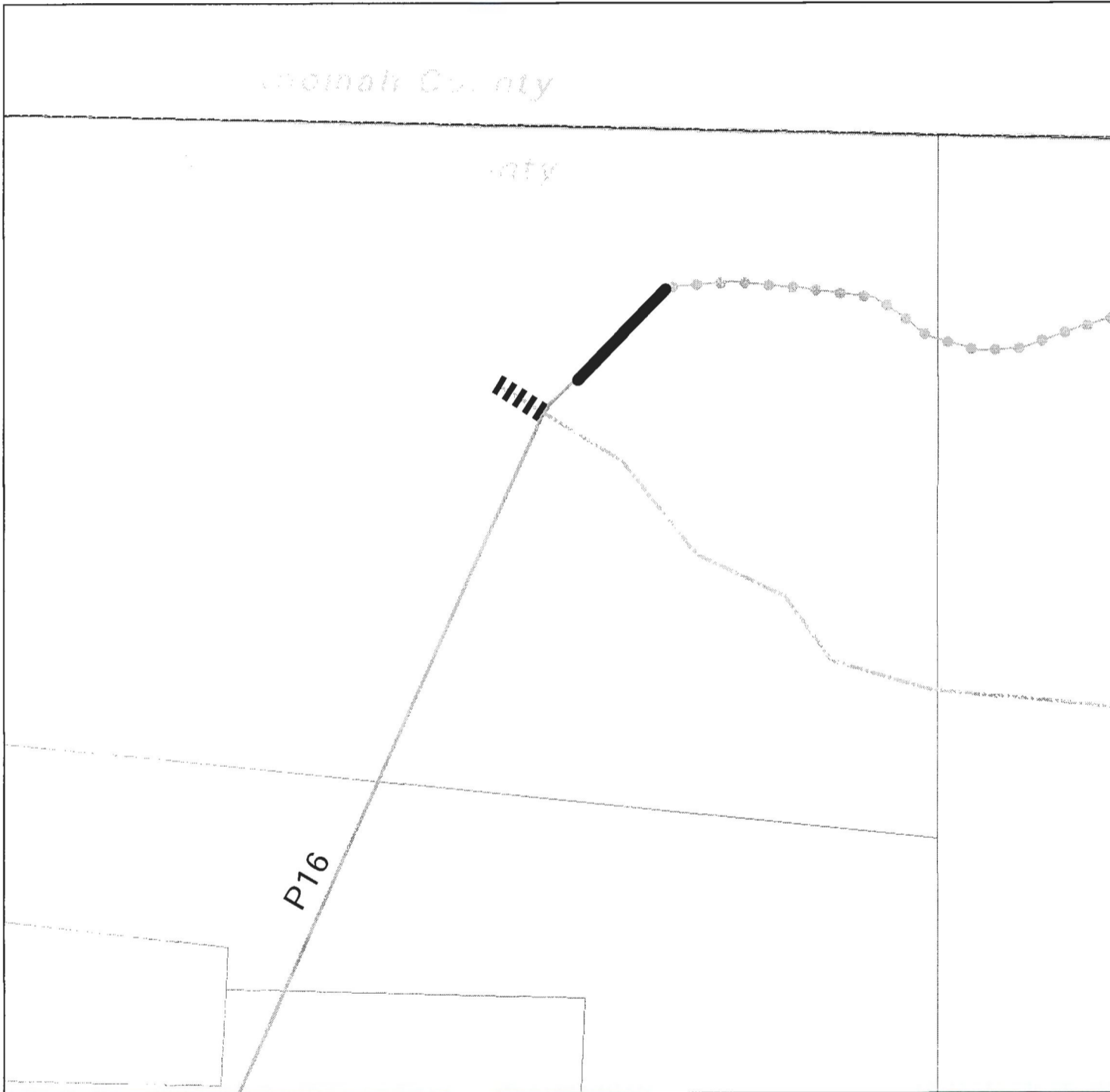


1 inch = 200 feet



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.


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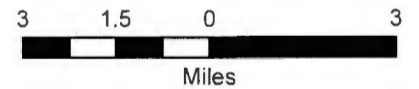
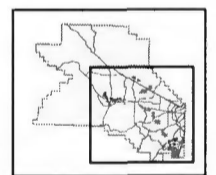


Amend Map A, 'Future Development Areas', and Map B, 'Goal 5 Resources for Future Development Areas', in Policy 41 of the Comprehensive Framework Plan for the Urban Area by adding the following note to each map legend:

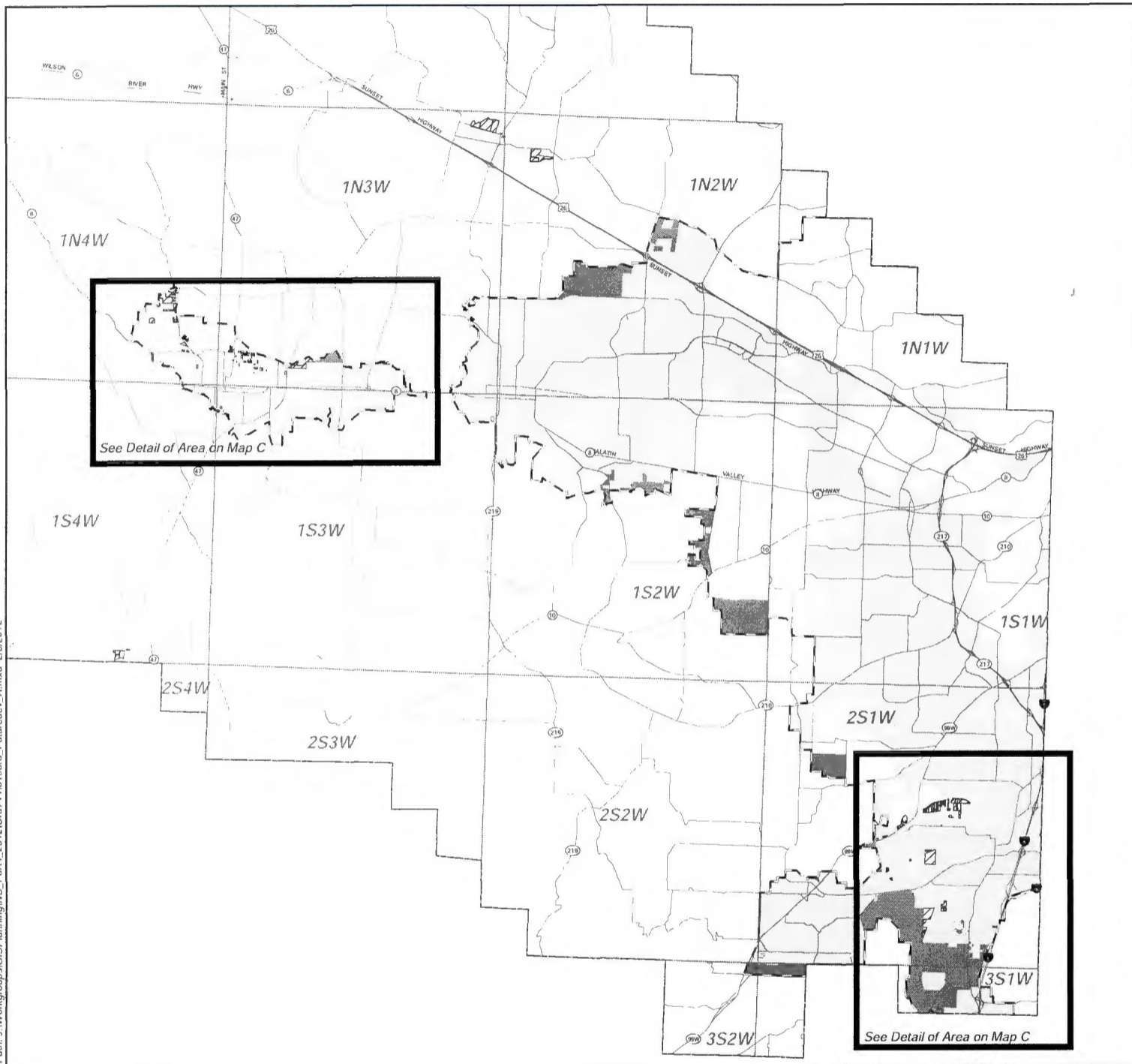
Note: A plan amendment is not required to modify this map to reflect: 1) annexations to cities; and 2) for unincorporated properties, county-adopted urban land use designations that implement the requirements of Title 11 of Metro's UGMFP.

MAP A Future Development Areas








-  Cities
-  FD-10
-  FD-20
-  Urban Growth Boundary

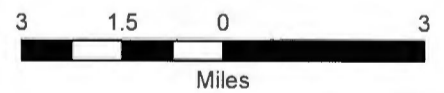
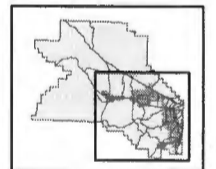


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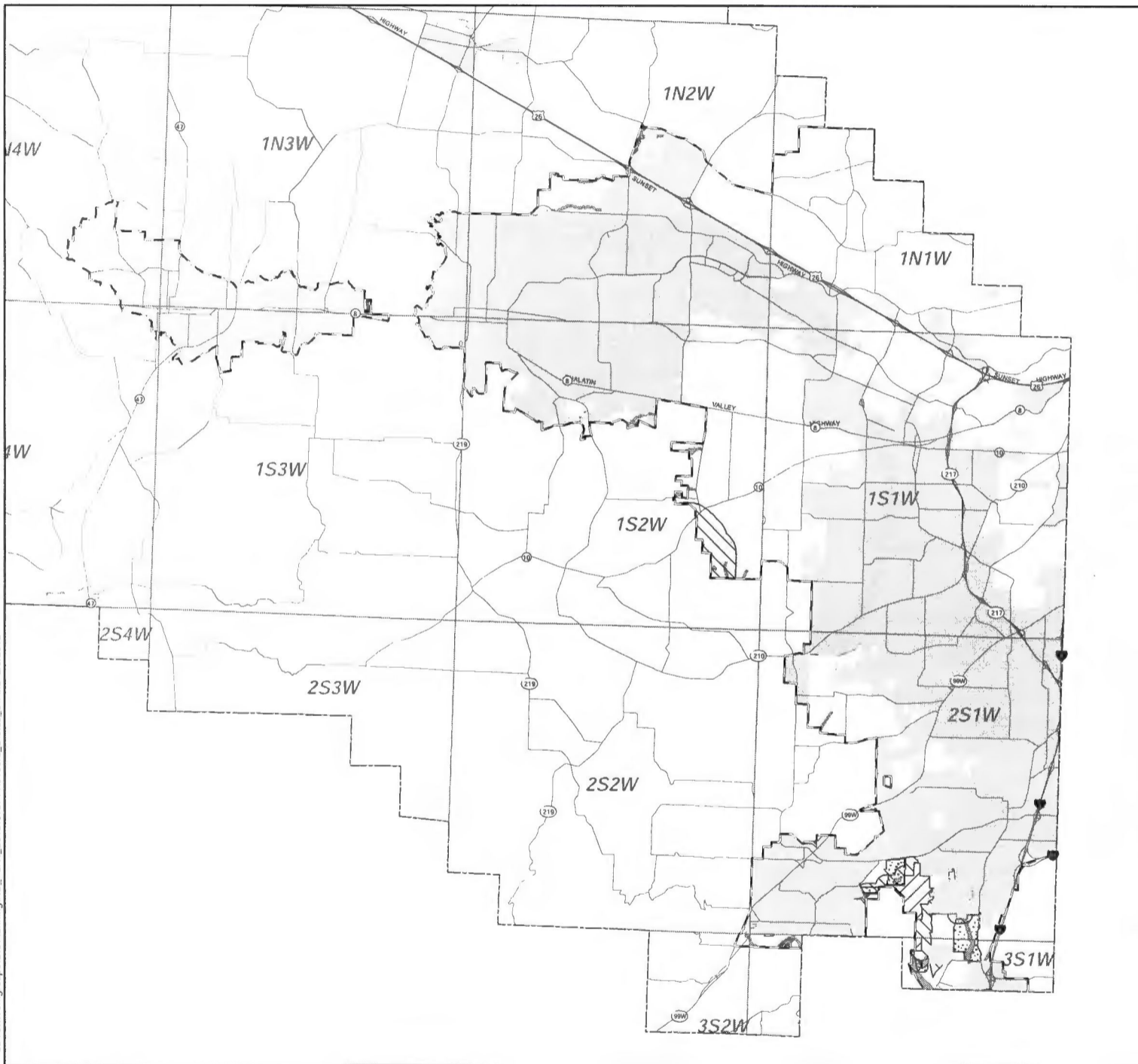


MAP B Goal 5 Resources for Future Development Areas



-  Cities
-  Mining District A
-  Mining District B
-  Significant Natural Area
-  Water Areas, Wetlands & Fish and Wildlife Habitat
-  Water Area and Wetland
-  Urban Growth Boundary

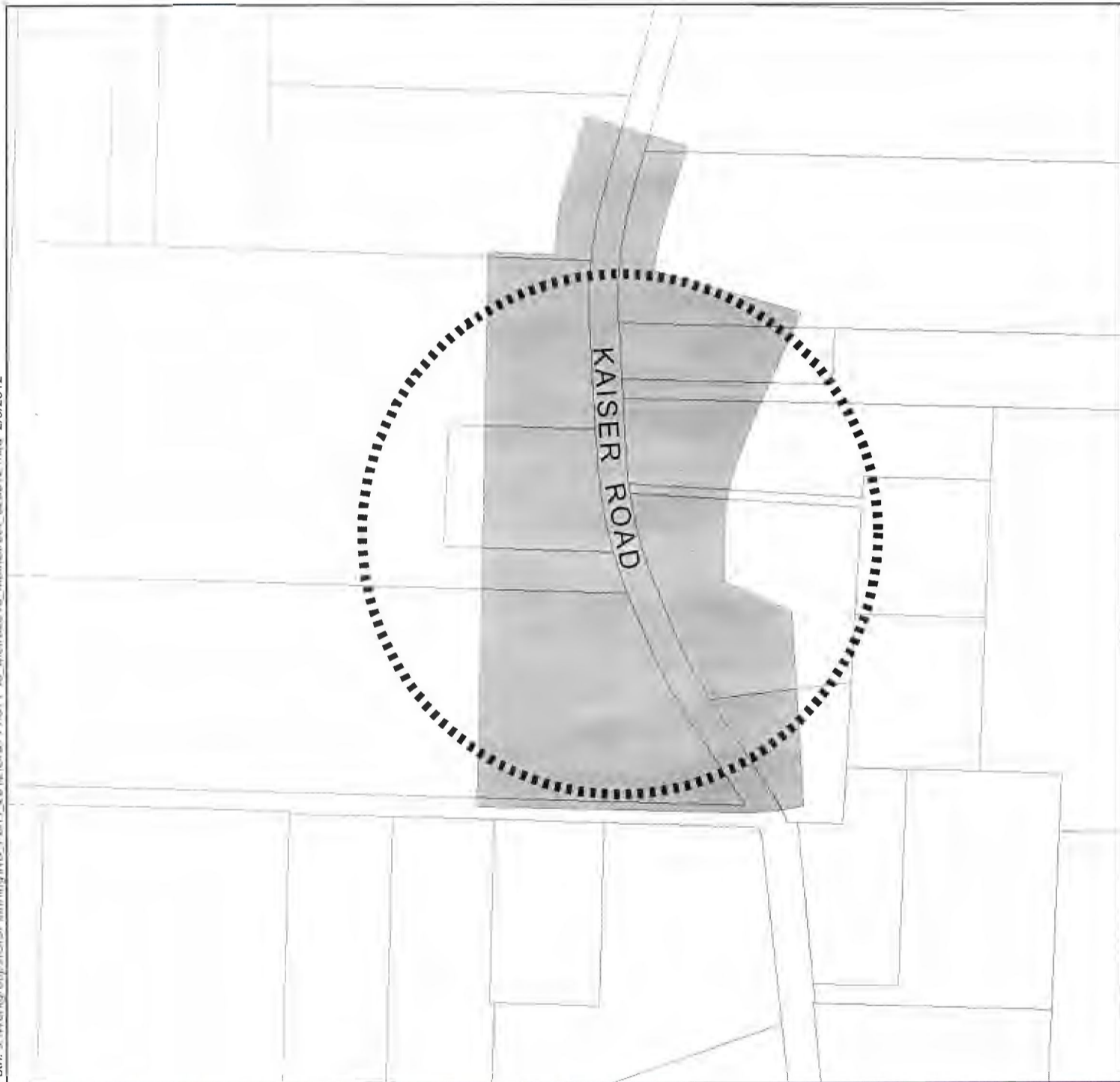


The information on this map was derived from several databases and care was taken in its creation. Washington County cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties for this product. However, notification of any errors will be appreciated.
Email: lupian@co.washington.or.us



Amend the 'North Bethany Concept
Plan Design Elements' map
of the Comprehensive Framework
Plan for the Urban Area as indicated.

-  Remove Metro 2040 Main Street Area designation
-  Add Metro 2040 Main Street Area designation







1 inch = 300 feet



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Amend the 'North Bethany Concept
Plan Design Elements' map of
Policy 43 of the Comprehensive
Framework Plan for the Urban Area.

-  Change from R-9 NB to R-6 NB
-  New Aignment of P16
-  Original Alignment of P16
-  Unchanged Primary Streets



1 inch = 200 feet



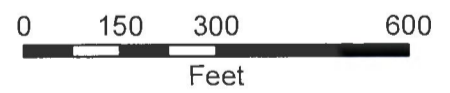
Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Amend the 'Core Pedestrian and Bicycle Network' map of Policy 43 of the Comprehensive Framework Plan for the Urban Area as indicated.

- New Off-Street Trail Segment
- Remove Off-Street Trail Segment
- Existing Off Street Trail
- New Alignment of P15
- Original Alignment of P15 to be removed
- ▨ Density Restricted Lands



1 inch = 300 feet








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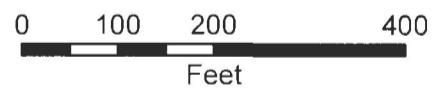


Amend the 'Core Pedestrian and Bicycle Network' map of Policy 43 of the Comprehensive Framework Plan for the Urban Area.

-  New Alignment of Necessary Pedestrian Connection
-  Remove Off-Street Trail segment
-  Unchanged Necessary Pedestrian Connection
-  Unchanged Off-Street Trail
-  New alignment of P16

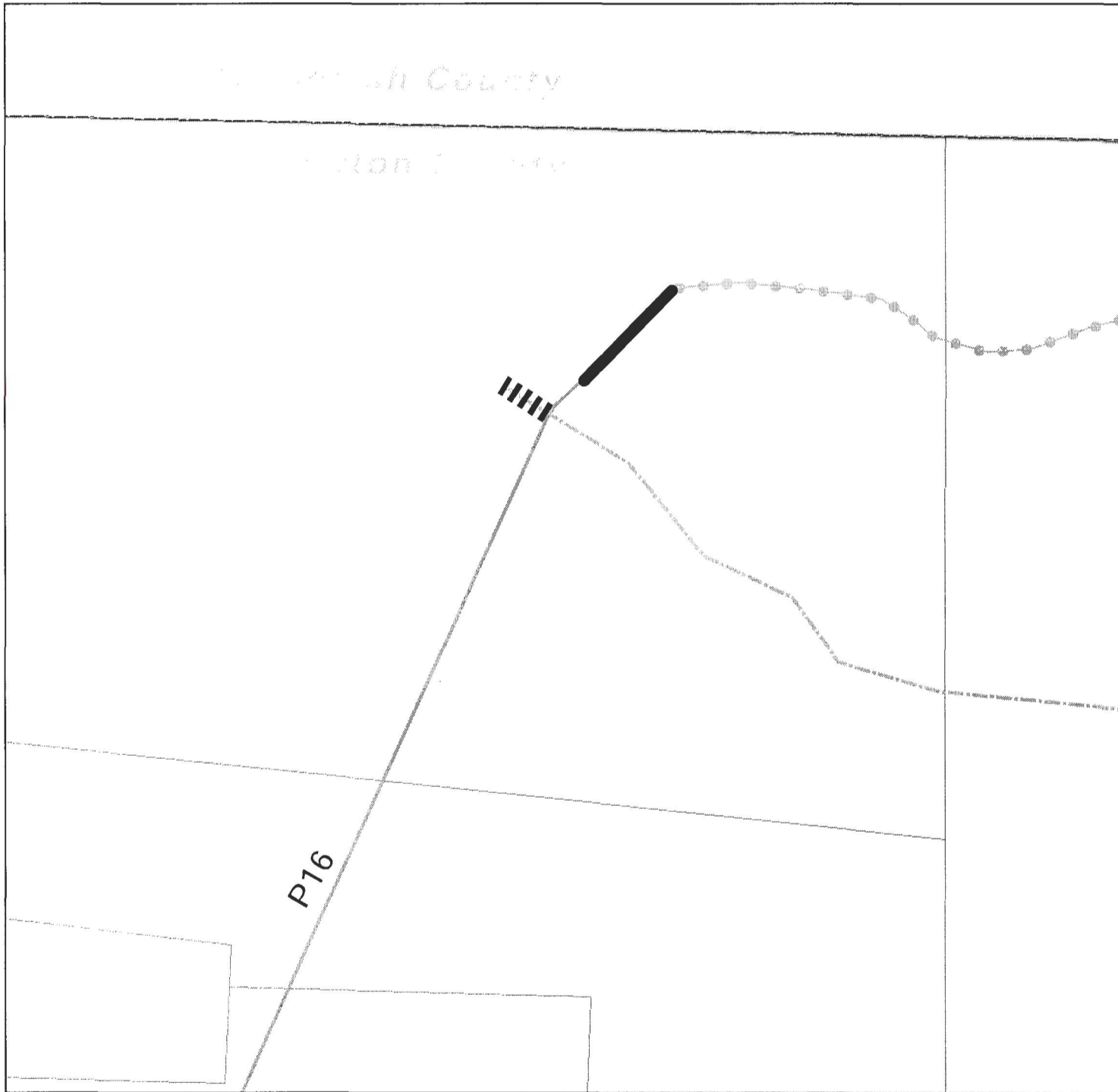


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Community Development Code Section 390, NORTH BETHANY SUBAREA OVERLAY DISTRICT, of Article III, Land Use Districts, is amended to reflect the following:

390 NORTH BETHANY SUBAREA OVERLAY DISTRICT

390-3 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;

390-6 Prohibited Uses

390-6.2 The following structures and uses are prohibited in all non-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 Sections 430-135.1 A. ~~– Temporary Uses and 430-1.2 D.~~ – Accessory Use.

390-14 Neighborhood Commercial Mixed Use District (NCMU NB)

390-14.4 Dimensional Requirements

The dimensional standards for this district will be developed as part of the implementation of the North Bethany Main Street Program Guide ~~for the North Bethany Subarea.~~

390-16 Special Use Standards

390-16.4 Community Service Uses in Residential Land Use Districts

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. 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.

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 CSU 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.

390-19 Urban/Rural Edge Standards

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.

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, a church). 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.

390-22 Additional North Bethany Subarea Development Standards

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 adjacent roads in North Bethany that is not the responsibility of Clean Water Services or the Tualatin Hills Park & Recreation District. Subdivision developments along Arterials and Collectors shall provide landscape maintenance through the formation of a home owners association (HOA).

abcdef Proposed additions
~~abcdef~~ Proposed deletions

- 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 Section 390-22.5D, 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 an 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 to the Director designate 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 to the Director designate a final copy of all recorded documents related to landscape maintenance prior to final land use approval.

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

Agenda Title: ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 744

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

SUMMARY:

A-Engrossed Ordinance No. 744 proposes to amend elements of the Washington County Comprehensive Plan relating to the implementation of the North Bethany Subarea Plan of the Bethany Community Plan. A-Engrossed Ordinance No. 744 addresses several of the outstanding placeholder issues identified by the Board in 2010 and 2011 hearings. A-Engrossed Ordinance No. 744 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2012-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.

The A-Engrossed Ordinance No. 744 will be provided to the Board prior to the hearing and will be available at the Clerk's desk.

Attachment: Resolution and Order

DEPARTMENT'S REQUESTED ACTION:

Adopt the findings for A-Engrossed Ordinance No. 744 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 12-22

Agenda Item No.	<u>5.a.</u>
Date:	04/24/12

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IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of Adopting) RESOLUTION AND ORDER
Legislative Findings in Support of)
A-Engrossed Ordinance No. 744) No. 12-22

This matter having come before the Washington County Board of Commissioners at its meeting of April 24, 2012; 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. 744; 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 March 7, 2012, made a recommendation to the Board, which is in the record and has been reviewed by the Board; and

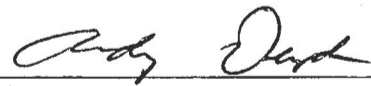
It appearing to the Board that, in the course of its deliberations, the Board has considered the record which consists of all notices, testimony, staff reports, and correspondence from interested parties, together with a record of the Planning Commission's proceedings, and other items submitted to the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

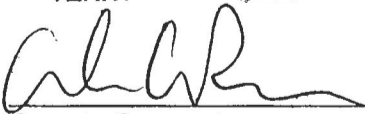
RESOLVED AND ORDERED that the attached findings in Exhibit "A" in support of A-Engrossed Ordinance No. 744 are hereby adopted.

DATED this 24th day of April, 2012.

	AYE	NAY	ABSENT
DUYCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHOUTEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MALINOWSKI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TERRY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON


Chairman


County Counsel
For Washington County, Oregon

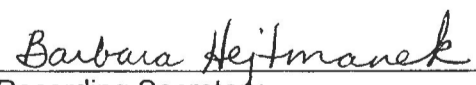

Recording Secretary

EXHIBIT A

**FINDINGS FOR A-ENGROSSED ORDINANCE No. 744
AN ORDINANCE RELATING TO IMPLEMENTATION OF THE NORTH
BETHANY SUBAREA PLAN OF THE BETHANY COMMUNITY PLAN
April 24, 2012**

CONTENTS

Background	Page 2
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Part 2: Statewide Planning Goal Findings	Page 4
Part 3: Transportation Planning Rule (TPR) Findings	Page 15
Part 4: Regional Transportation Plan (RTP) Findings	Page 28
Part 5: Urban Growth Management Functional Plan (UGMFP) Findings ..	Page 33
Part 6: Findings for Metro Ordinance No. 02-987A (Exhibit B)	Page 52
Part 7: Findings for Metro Resolution 03-3369A (Endorsements)	Page 57

BACKGROUND

A-Engrossed Ordinance No. 744 builds upon the work of A-Engrossed Ordinance No. 712, A-Engrossed Ordinance Nos. 730 and 739. 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 addressed issues such as lifting the Future Development 20 Acre District (FD-20) and 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 Nos. 712, 730 and 739, they are repeated to demonstrate full compliance with state and regional planning requirements for new urban areas.

All four ordinances address properties in the North Bethany Subarea, with A-Engrossed Ordinance Nos. 730, 739 and 744 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 Nos. 712, 730, 739 or 744, 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 amended the North Bethany Subarea Plan text and maps, including the addition of new maps for buffer treatments at the urban/rural edge. The ordinance amended 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 amended CFP text and maps and amends a map in Policy 10 of the 2020 Transportation Plan.

A-Engrossed Ordinance No. 744 amends the North Bethany Subarea Plan text and maps, including: the addition of Area of Special Concern (ASC) 6B, shifting the locations of Primary Streets 15 and 16, amending the Special Frontages map, amending the Core Design Elements map and various clarifications and grammatical corrections. The 2020 Transportation Plan is amended to reflect the new locations of Primary Streets 15 and 16 and to include a new study area associated with ASC 6B. Also, minor clarifications were made to Section 390 *North Bethany Subarea Overlay District* of the CDC.

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 was 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 allowed removal of the FD-20 designation from North Bethany, and applied 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. 744 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, A-Engrossed Ordinance No. 739 and A-Engrossed Ordinance No. 744.

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.

As part of the Board's action to adopt A-Engrossed Ordinance No. 739, the Board identified placeholder issues that were not addressed by A-Engrossed Ordinance No. 739, as well as new issues, to address by July 1, 2012. A-Engrossed Ordinance No. 744 addresses two placeholders—the alignment of Primary Street 16 relative to its crossing of a stream tributary and housekeeping changes identified by the Planning Commission. The Board directed staff to address other issues that were not included on the placeholder list in A-Engrossed Ordinance No. 744.

It should be noted here that pursuant to ORS 197.610(2), Ordinance No. 744 was submitted to the Department of Land Conservation and Development (DLCD) less than 35 days before the initial public hearing, to expedite its review. (The initial public hearing before the Planning Commission was March 7, 2012, and the initial public hearing before the Board was March 20, 2012. The ordinance was submitted to DLCD on February 9, 2012, which was less than 35 days prior to the Planning Commission's initial public hearing, and 40 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 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. 744 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 2012.

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, No. 739 and No. 744.

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 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 were 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.

A-Engrossed Ordinance No. 744 does not amend the applicable Plan policies or strategies relating to farm use districts.

Plan compliance with Goal 3 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730, 739 and 744. 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 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.

A-Engrossed Ordinance No. 744 does not amend the applicable Plan policies or strategies relating to forest districts.

Plan compliance with Goal 4 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730, 739 and 744. 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.

A-Engrossed Ordinance No. 744 amends the Bethany Community Plan by adding Area of Special Concern (ASC) 6B, which is a corridor to locate Primary Street P16 within. P16 is a neighborhood route that will connect the northeast corner of the Subarea to Road A. In order to provide adequate access to this part of the Subarea, P16 must cross a tributary of Abbey Creek as previously adopted by A-Engrossed Ordinance No. 712. The purpose of the ASC is to provide flexibility in the design of the final alignment of P16 so that its impact to the creek is minimized. A-Engrossed Ordinance No. 744 did not amend other Plan policies or development regulations that would affect existing policies and standards applicable to natural resources.

Plan compliance with Goal 5 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730, 739 and 744. The amendments are consistent with the county's acknowledged policies and standards for the protection of Goal 5 resources.

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.

A-Engrossed Ordinance No. 744 amends the Bethany Community Plan by adding Area of Special Concern (ASC) 6B. The purpose of the new ASC is to provide more flexibility in locating the final alignment of P16, especially where it crosses a tributary of Abbey Creek. The provisions of the ASC will minimize the road crossing's impact to the creek. A-Engrossed Ordinance No. 744 did not amend other Plan policies or development regulations that would affect existing policies and standards applicable to natural resources.

Plan compliance with Goal 6 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730, 739, and 744. 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.

A-Engrossed Ordinance No. 744 adds new Area of Special Concern 6B to the North Bethany Subarea Plan. The purpose of ASC 6B is to allow the crossing of a tributary to Abbey Creek by Primary Street P16 to occur in a manner that limits its impact to the creek. A-Engrossed Ordinance No. 744 did not amend any Plan policies or other development requirements related to Goal 7.

Plan compliance with Goal 7 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730, 739, and 744. 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.

A-Engrossed Ordinance No. 744 did not amend any Plan policies or development regulations related to parks. The ordinance made clarifying amendments a few provisions of the North Bethany Subarea Plan's trail master plan to note how the trail in the northeast corner of the Subarea will connect to Primary Street P16 where P16 crosses the Abbey Creek tributary.

Plan compliance with Goal 8 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730, 739, and 744. 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.

A-Engrossed Ordinance No. 744 did not amend any Plan policies or development requirements applicable to Goal 9.

Plan compliance with Goal 9 is maintained with the amendments made by A-Engrossed Ordinance Nos. 730, 739, and 744. 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.

A-Engrossed Ordinance No. 744 did not change the land use designations of any properties. It also did not amend any Plan policies or development requirements related to Goal 10.

Plan compliance with Goal 10 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730, 739 and 744. 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.

A-Engrossed Ordinance No. 744 made a minor adjustment to the alignment of Primary Street P15, which will allow the property owner to begin preparing development plans in 2012. This ordinance also created ASC 6B, which provides more flexibility in determining the final alignment of Primary Street P16.

Plan compliance with Goal 11 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730, 739 and 744. 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 made 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 made no other changes to the Transportation Plan.

A-Engrossed Ordinance No. 744 made minor amendments to the Functional Classification System map of Policy 10 of the 2020 Transportation Plan by modifying two proposed street alignments. The Transportation Plan's Study Areas map was also amended to show the corridor for Primary Street P16, which was adopted as ASC 6B in the North Bethany Subarea Plan. Minor amendments were made to transportation related issues in the North Bethany Subarea Plan and the Comprehensive Framework Plan for the Urban Area. The amendments are related to minor adjustments to the alignments of Primary Streets P15 and P16 and associated trail connects to the adjusted alignments.

These amendments are made to be consistent with the changes to the North Bethany Subarea Plan that are described in earlier findings.

Plan compliance with Goal 12 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730, 739, and 744. 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.

A-Engrossed Ordinance No. 744 did not amend any Plan policies and development regulations related to energy conservations.

Plan compliance with Goal 13 is maintained with the amendments made by A-Engrossed Ordinance Nos. 712, 730, 739, and 744. 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, 739, and 744. 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 Nos. 739 and 744 were developed in compliance with all applicable provisions of Division 12. Transportation project development compliance with the TPR is not applicable to either 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 Nos. 739 and 744 comply 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 needed 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 Nos. 739 and 744 continued that coordination as appropriate throughout their development and the engrossment of each 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 Nos. 712 and 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 Nos. 739 and 744 make 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 Nos. 712 and 730, Washington County coordinated with state, regional and local jurisdictions. Washington County continued this coordination, as appropriate, throughout the development of A-Engrossed Ordinance Nos. 739 and 744. 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). Amendments to the Functional Classification system and the Study Areas map shown in Exhibit 3 of A-Engrossed Ordinance No. 744 are 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 or A-Engrossed Ordinance No. 744. 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 Nos. 739 and 744 are 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. 744 makes minor amendments to the trail and pedestrian connection map in Exhibits 2, 3 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. 744.
- 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. 744 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. 744 does not modify this designation.
- OAR 660-012-0020(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. 744 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. 744 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. 744 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 Nos. 712, 730, 739 and 744 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 Nos. 712, 730, 739 and 744.
- A-Engrossed Ordinance Nos. 712, 730, 739, and 744 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 Nos. 712, 730, 739, and 744 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 these ordinances and are documented within these findings.

- A-Engrossed Ordinance No. 744 is consistent with the transportation system needs identified in A-Engrossed Ordinance No. 730. A-Engrossed Ordinance No. 744 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. 744 is consistent with the requirements of OAR 660-012-0030(1).
- A-Engrossed Ordinance No. 744 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. 744. 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. 744, 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. 744 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. 744.

- 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. 744. 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. 744, 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. 744 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. 744. 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. 744. 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. 744 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. 744. 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. 744.

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. 744, 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. 744 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. 744 provides for minor enhancements of these connections. Furthermore, A-Engrossed Ordinance No. 744 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. 744. 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. 744 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. 744 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. 744 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. 744.

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. 744, 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. 744 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. 744 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. 744 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. 744 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. 744 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. 744 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. 744 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. 744 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. 744 is considered reasonably likely.

- OAR 660-012-0060(7) is not applicable to A-Engrossed Ordinance No. 744 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. 744; Subsection - 0065 therefore is not applicable.

Part 4:

REGIONAL TRANSPORTATION PLAN (RTP) FINDINGS

A-Engrossed Ordinance No. 744 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. 744 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 previous 2004 RTP, while A-Engrossed Ordinance No. 744 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. 744 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. 744 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. 744 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. 744 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. 744 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. 744 makes 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. 744 makes minor amendments to the required alignment of these facilities.
- A-Engrossed Ordinance No. 744 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. 744 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. 744 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. 744 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. 744. 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. 744 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. 744 Exhibits 4 and 6 make minor adjustments to the alignment of a section of an off-street trail to connect to the adjusted alignment of Primary Street P16.
- 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. 744 Exhibits 4 and 6 make

minor adjustments to the trail system in order to respond to an adjustment to the alignment of P16..

RTFP 3.08.140

This section relates to bicycle system design.

FINDING: A-Engrossed Ordinance No. 744 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. 744 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. 744 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. 744 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. 744 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. 744 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. 744 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. 744 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. 744 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. 744 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. 744 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. 744 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

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, 739 and 744 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 budget 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. A-Engrossed Ordinance No. 744 did not amend any land use designations or development standards related to density.

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, 739, and 744 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. Exhibits 2 and 6 of A-Engrossed Ordinance No. 744 amend figures showing the location of the Main Street that are in the North Bethany Subarea Plan and Comprehensive Framework Plan in order to match the specific geographic location adopted by Policy 41 of the Framework Plan.

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, 739, and 744 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. 744 on February 9, 2012. 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, 739, and 744.

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 **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.

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: 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
Wetland²	91
TOTAL	691

Other Non-Buildable Lands

ROW for Primary Streets³	115
Local (48')	9
Neighborhood Route (60')	40
Collectors (78')	26
Arterials (90')	11
Arterials (98')	29
ROW for Local Streets⁴	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 Slopes²	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 Developable 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 Density	R9-NB	56	7	9	392	504
	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 197.303². 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

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, 739 and 744, 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

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-Engrossed Ordinance No. 744 replaced the generalized representations of the location of Main Street in the Subarea Plan and the Framework Plan to match its specific

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.*

location adopted by Policy 41 of the Framework Plan. These amendments do not affect compliance with Title 11.

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. A-Engrossed Ordinance No. 744 did not address any policies or requirements related to these issues.

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. A-Engrossed Ordinance No. 744 did not address any policies or requirements related to these issues.

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, enhancement, 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 and 744 do 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 each service provider's financing plan 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 an adopted master plan, including a financing plan that substantially implements the master plan, before development can be approved. A-Engrossed Ordinance No. 739 and 744 do 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, 739, and 744 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. A-Engrossed Ordinance No. 744 made minor adjustments to the alignments of two Primary Streets and corresponding adjustments to the trail master plan.

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, 739, and 744 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. A-Engrossed Ordinance No. 744 does not make any amendments that would affect the zoned dwelling unit capacity of the North Bethany Subarea Plan.

Conclusion. A-Engrossed Ordinance Nos. 730, 739, and 744 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 Developable 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 Density	R9-NB	40	7	9	392	504
	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 Nos. 739 and 744, which build 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 No. 744 addressed a small number of placeholder issues that were not completed in 2011. The amendments made by A-Engrossed Ordinance No. 744 do not preclude a property owner from developing their property with the removal of the FD-20 District in 2011. A-Engrossed Ordinance Nos. 712, 730, 739 and 744 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. A-Engrossed Ordinance No. 744 does not affect this requirement because the FD-20 District was removed last year 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 the Framework 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. A-Engrossed Ordinance No. 744 did not make any amendments related to this requirement.

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 Nos. 739 and 744 did not amend any Goal 5 or fish and wildlife protection provisions for the North Bethany Subarea.

Conclusion. A-Engrossed Ordinance Nos. 712, 730, 739 and 744 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 public 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.

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OR 97124



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APR 27 2012

LAND CONSERVATION
AND DEVELOPMENT

Attn: Plan Amendment Specialist
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