



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

11/9/2009

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 009-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. 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: Monday, November 30, 2009

This amendment was submitted to DLCD for review prior to adoption. 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 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Stephen Roberts, Washington County
Gloria Gardiner, DLCD Urban Planning Specialist
Matt Crall, DLCD Transportation Planner
DLCD: Darren Nichols and Jennifer Donnelly

<paa> YA

2 DLCD Notice of Adoption

DATE STAMP

in person electronic mailed

DEPT OF

NOV 2 2009

LAND CONSERVATION AND DEVELOPMENT

For DLCD Use Only

THIS FORM MUST BE MAILED TO DLCD WITHIN 5 WORKING DAYS AFTER THE FIRST FINAL DECISION PER ORS 197.610, OAR CHAPTER 660, DIVISION 18

Jurisdiction: **Washington County** Local file number: **A-Engrossed Ordinance No. 717**

Date First Evidentiary Hearing: **9/2/2009** Date of Final Hearing: **10/27/2009**

Date Notice of Adoption form (Form #2) was sent to DLCD: **10/30/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date mailed to DLCD: **7/15/2009**

- 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" (limit of 500 characters):

Amends the planned street network in the Sunset West Community Plan Elmonica Station Area:

- **Eliminates a local street segment;**
- **Realigns a Special Area Commercial Street;**
- **Re-classifies three 'local' street segments to Neighborhood Route or Special Area Commercial Street;**
- **Realigns/extends a planned pedestrian connection;**
- **Amends text to provide for possible traffic management on a local street;**
- **Corrects minor errors on the Functional Classification Map in the 2020 Transportation Plan**

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

The original ordinance was amended to: reclassify two 'local' street segments to 'Neighborhood Routes'; eliminate a required pedestrian connection crossing a light rail line; and to add text regarding the timing and construction of a required pedestrian connection in the vicinity of the eliminated local street segment.

Plan map changed from: **N/A** to: **N/A**

Zone map changed from: **N/A** to: **N/A**

Location: **South of W Baseline Road, west of SW 170th Avenue**

Specify density: Previous: **N/A** New density: **N/A** Acres involved: **0**

Mark applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment 45-days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD file No. 009-09 (17695)[15805]

Please list affected state or federal agencies, local governments or special districts: Metro, Tri-Met

Local Contact: **Stephen Roberts**
E-mail: stephen_roberts@co.washington.or.us
Phone: (503) 846-3842

Address: **155 N. First Ave., Suite 350-14**
City: **Hillsboro** Zip: **97124**
Fax: **(503) 846-4412**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:

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

2. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing mara.ulloa@state.or.us.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Third Reading and Third Public Hearing
Land Use & Transportation; County Counsel (CPO 6)

Agenda Title: **PROPOSED A-ENGROSSED ORDINANCE NO. 717 – AN
ORDINANCE AMENDING THE WASHINGTON COUNTY 2020
TRANSPORTATION PLAN AND THE SUNSET WEST
COMMUNITY PLAN TO MAKE CHANGES TO THE ADOPTED
TRANSPORTATION NETWORK IN THE ELMONICA LIGHT
RAIL STATION AREA**

Presented by: Brent Curtis, Planning Manager; Dan Olsen, County Counsel

SUMMARY:

A-Engrossed Ordinance No. 717 would revise the planned transportation network within the Elmonica Light Rail Station Area (south and west of W Baseline Road, the Tri-Met light rail tracks, and SW 170th Avenue), as depicted on the ‘Special Area Streets, Street Corridor & Arterial Access Designations’ and ‘Pedestrian System Designations’ maps in the Sunset West Community Plan, and as depicted on the ‘Special Area Street Overlay – Willow Creek, Merlo, and Elmonica Areas’ map in the 2020 Transportation Plan.

MLG at Steed Creek, a property owner in the affected area, is the primary proponent of this ordinance, which was originally filed at the request of MLG. To minimize impacts to a wetland that bisects the affected area, the ordinance proposes to: 1) realign a required Special Area Commercial Street and reclassify a portion of an existing Special Area Local Street as Special Area Commercial Street, to reflect the proposed realignment; 2) eliminate a required Special Area Local Street crossing of the wetland; and 3) realign and extend portions of a required Off Street Pathway.

On September 2, 2009, the Planning Commission conducted a public hearing on the proposed ordinance, and voted 6-0 to forward a recommendation to the Board to approve the ordinance, but with several changes which required Board approval of an engrossment.

continued

DEPARTMENT’S REQUESTED ACTION:

Read A-Engrossed Ordinance No. 717 by title only and conduct the third public hearing. At the conclusion of the hearing, adopt A-Engrossed Ordinance No. 717.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

100-601000

ADOPTED

Agenda Item No.	<u>4.b.</u>
Date:	<u>10/27/09</u>

On October 6, 2009, the Board conducted its first public hearing on the proposed ordinance and directed staff to engross the ordinance to reflect:

- The Planning Commission's recommendation, which included the three elements noted on page 1, and added the following transportation network revisions as recommended by staff: 4) elimination of a required Off Street Pathway crossing the Tri-Met light rail tracks (into the City of Beaverton); 5) reclassification of portions of two existing 'Special Area Local Streets' to 'Special Area Neighborhood Routes' to better reflect ultimate projected traffic volumes; and 6) changing a required 'Special Area Collector Corridor' to a 'Special Area Commercial Street Corridor' for consistency of street designation terminology; and
- A supplemental Staff Recommendation to add language in the Community Plan regarding the design and construction timing of the westernmost portion of the required Off Street Pathway between SW 170th and 175th Avenues, to address the Commission's concerns with retaining adequate bicycle and pedestrian connectivity in the vicinity of the required Local Street connection that would be eliminated with this Ordinance.

Pursuant to Chapter X of the County Charter, the Board also directed staff to prepare and provide proper notification of these amendments to proposed Ordinance 717. The required notification was provided on October 9, 2009 in advance of the October 20, 2009 Board of Commissioners hearing on A-Engrossed Ordinance No.717.

Copies of the Board staff report will be available at the Clerk's desk prior to the hearing. Because this is the second hearing on the proposed A-Engrossed ordinance, consistent with Board policy about public testimony, testimony is limited to three minutes for individuals and twelve minutes for a representative of a group.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE 717

An Ordinance Amending the Washington County 2020 Transportation Plan and the Sunset West Community Plan to Make Changes to the Adopted Street Network in the Elmonica Light Rail Station Area.

The Board of County Commissioners of Washington County, Oregon, ordains:

SECTION 1

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

B. The Board recognizes that the Sunset West Community Plan was adopted by Ordinance No. 242 and subsequently amended by Ordinance Nos. 278, 280, 292, 294, 348, 366, 420, 485, 503, 526, 531, 532, 551, 553, 588, 610, and 620.

C. Subsequent ongoing planning efforts of the County to mitigate wetland impacts indicate the need for the following amendments to the adopted transportation network in the Elmonica Light Rail Station Area: 1) realign a planned street connection; 2) remove a planned street connection; 3) change the functional classifications of several existing street segments; 4) realign a portion of a planned Off Street Pathway; and 5) make associated map and text changes related to the planned transportation network in the Elmonica Light Rail Station Area. The Board takes note

1 that such changes are necessary when making legislative amendments and are for the benefit of the
2 health, safety, and general welfare of the residents of Washington County, Oregon.

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

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

15 SECTION 2

16 The Board adopts the amendments attached hereto as Exhibit 1 (5 pages), which amend the
17 Washington County 2020 Transportation Plan and the Sunset West Community Plan.

18 SECTION 3

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

21 ///

22 ///

1 SECTION 4

2 All applications received prior to the effective date shall be processed in accordance with
3 ORS 215.427 (2007 Edition).

4 SECTION 5

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

8 SECTION 6

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

14 ////

15 ////

16 ////

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1 SECTION 7


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

3 ENACTED this 27th day of October, 2009, being the 3rd reading
4 and 3rd public hearing before the Board of County Commissioners of Washington County,
5 Oregon.

6 BOARD OF COUNTY COMMISSIONERS
7 FOR WASHINGTON COUNTY, OREGON

8 **ADOPTED**

9 
10 CHAIRMAN

11 
12 RECORDING SECRETARY

13 READING

13 PUBLIC HEARING

14 First October 6, 2009

14 First October 6, 2009

15 Second October 20, 2009

15 Second October 20, 2009

16 Third October 27, 2009

16 Third October 27, 2009

17 Fourth _____

17 Fourth _____










18 VOTE: Aye: Brian, Duyck, Rogers,
Schouten, Strader

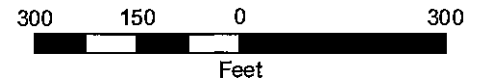
18 Nay: _____

19 Recording Secretary: Marian Larkin

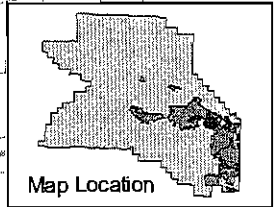
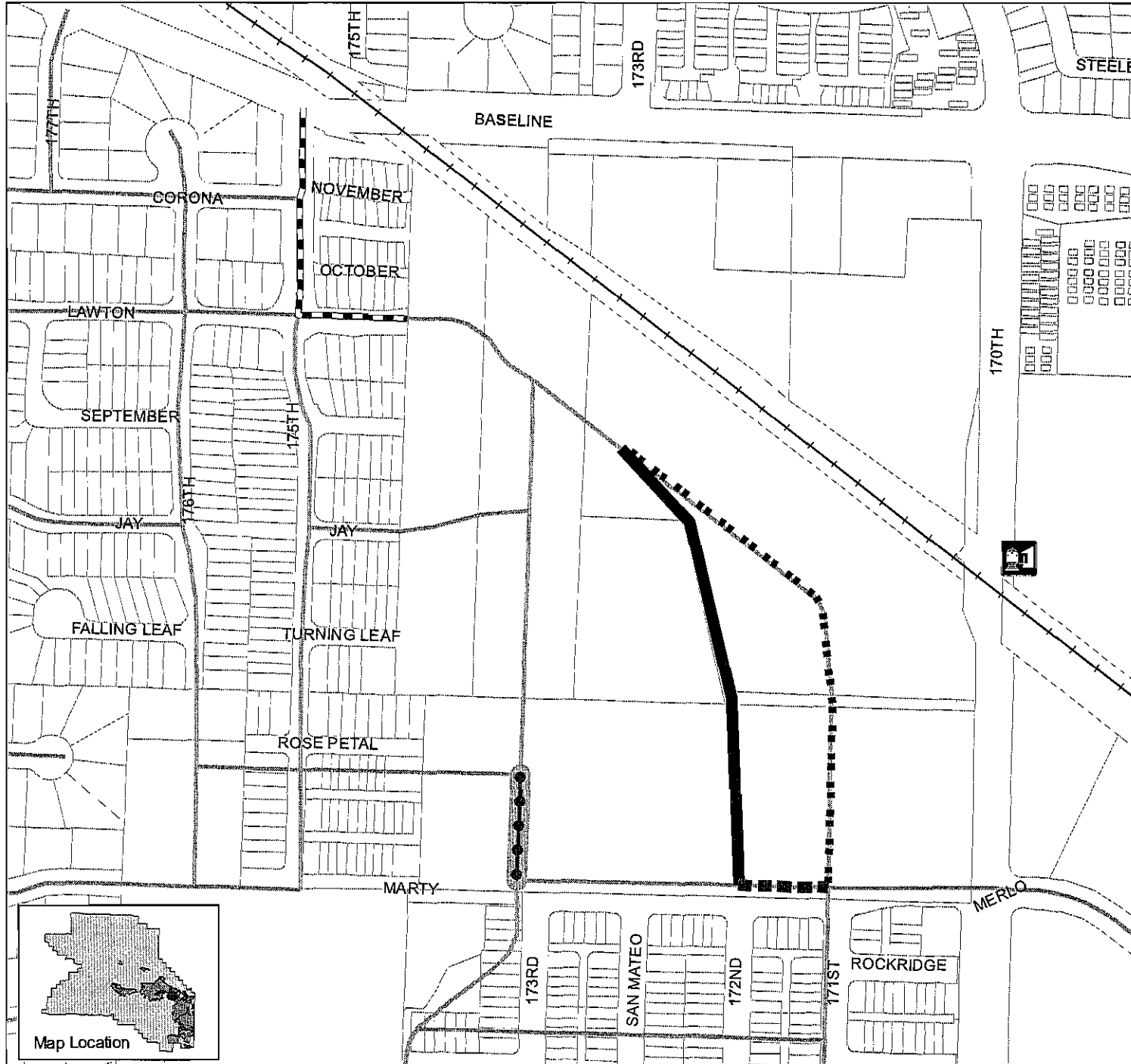
19 Date: October 27, 2009

Amend the 'Special Area Street Overlay Willow Creek, Merlo and Elmonica' map of the Washington County 2020 Transportation map as illustrated.

-  Remove 'Proposed Special Area Local Street' Segment.
-  Change 'Proposed Special Area Local Street' to 'Proposed Special Area Commercial Street'.
-  Change from Special Area Local Street to Special Area Neighborhood Route
-  Realignment of 'Proposed Special Area Commercial Street'.
-  Remove segment of the '25' street alignment corridor'.
-  Remove 'Proposed Special Area Commercial Street' Segment.
-  Existing Special Area Streets
-  Elmonica MAX Station
-  Westside Light Rail/MAX








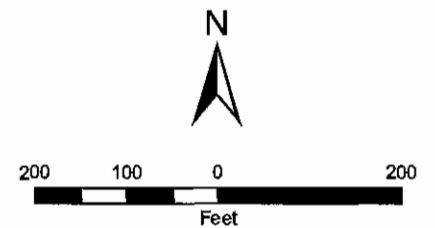
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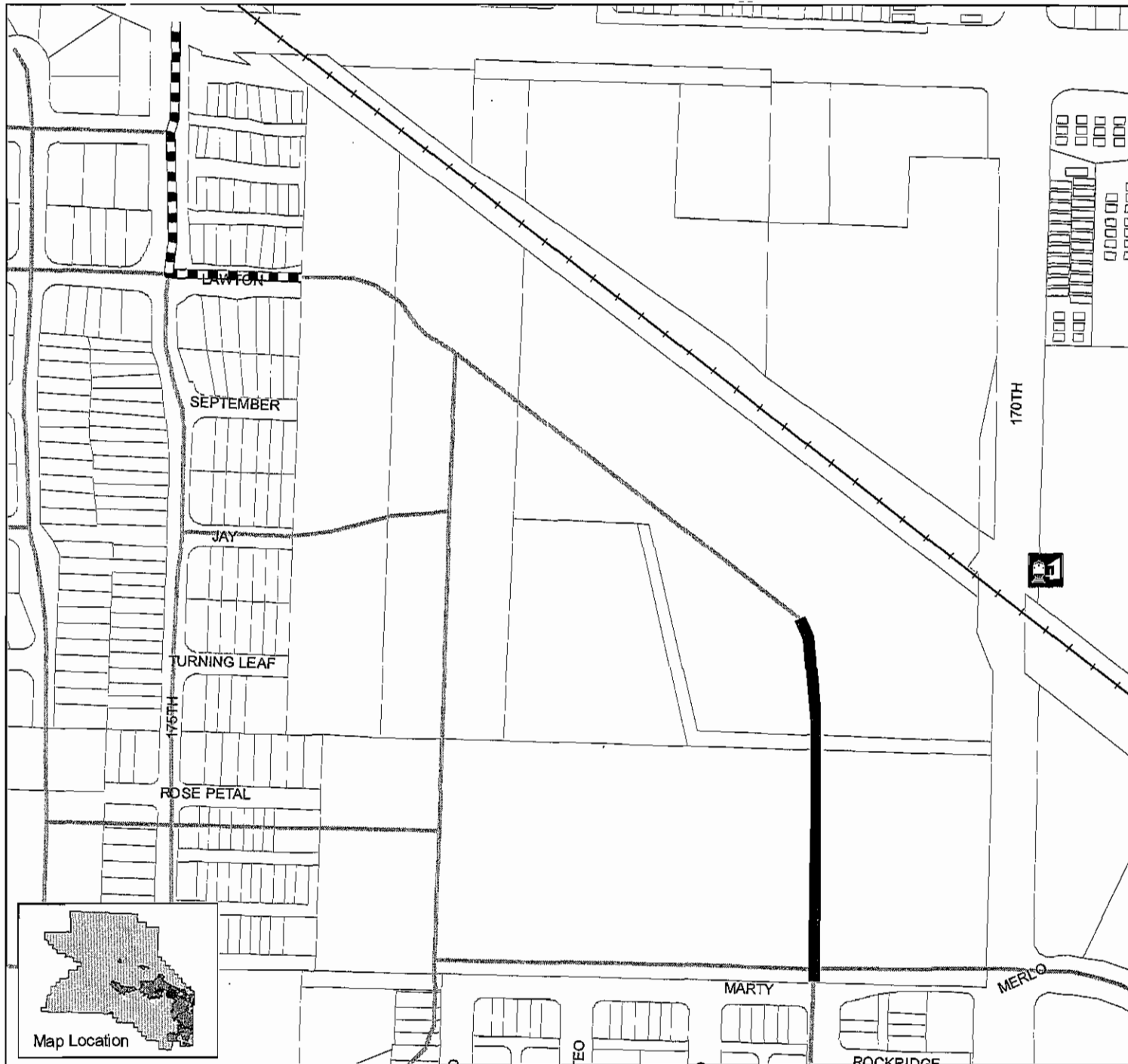
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Amend the 'Functional Classification System' map of the Washington County 2020 Transportation Plan as illustrated.

-  Change from Local Street to Neighborhood Route.
-  Remove Proposed Neighborhood Route designation.
-  Existing Special Area Streets
-  Elmonica MAX Station
-  Westside Light Rail/MAX



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Add the following language to the Sunset West Community Plan, Elmonica Subarea, Area of Special Concern #9:

Area of Special Concern #9

This area, bounded by 170th Avenue on the east, the light rail tracks on the north, and existing residential neighborhoods on the west and south, is in a number of different ownerships. Several of the parcels in the area have odd dimensions and/or limited access to surrounding public streets. In order for these properties to develop in a cohesive and complimentary manner, they will either have to be consolidated under fewer ownerships, or the owners of the properties will have to cooperatively plan for the area's overall development. To assure that cooperative planning of the area's overall development will occur, notice of all neighborhood meetings and development applications for the area shall be provided to all property owners of record in the area, as well as any other parties required to be notified pursuant to requirements of the Community Development Code.

If the proposed street extension north of Marty Lane is shifted from SW 171st Avenue to SW 172nd Avenue, and if a traffic study recommends it, the applicant for development that installs the street extension shall be responsible for paying to install traffic management devices at the intersection of SW 172nd Avenue and Marty Lane to insure that SW 172nd Avenue south of Marty Lane continues to function as a "Local Street".

Prior to occupancy of the first residential unit developed on Tax Map / Lot 1S1 06DC / 100, being the property described in the deed recorded in the Washington County public records at Document No. 2007-123889 (the MLG property), the applicant for development shall be responsible for designing, constructing, and making provisions for adequate ongoing maintenance of that portion of the required Off-Street Pathway depicted on the Pedestrian System Designations map between the west line of the subject property and the intersection of SW Marty Lane and SW 175th Avenue, or to Rose Petal Lane, at the option of the applicant. Design shall be in accordance with the 'greenway' standards of Community Development Code (CDC) Section 408-9, and maintenance provisions shall be consistent with CDC Section 408-8.2.

In lieu of designing and constructing the above-described Off-Street Pathway segment, the applicant may satisfy this obligation through one of the following options:

1. Secure a binding written agreement from the Tualatin Hills Park & Recreation District (THPRD) for the construction of said portion of the required Off-Street Pathway, to be completed within two (2) years of occupancy of the first residential unit developed on the subject property. Ongoing maintenance of the constructed pathway shall be provided by THPRD; or
2. Provide other binding assurance that construction of said portion of the required Off-Street Pathway will be completed within two (2) years of occupancy of the first residential unit developed on the subject property and that the pathway will be adequately maintained on an ongoing basis; or
3. Design, construct, and make provisions for adequate ongoing maintenance of a bicycle/pedestrian pathway between the intersection of SW Marty Lane/SW 173rd Terrace and the future extension of SW Rose Petal Lane. Design shall be in accordance with the 'Greenway' standards of CDC Section 408-9, and maintenance provisions shall be consistent with CDC Section 408-8.2. The bicycle/pedestrian connection must be completed and accepted by the County prior to occupancy of the first residential unit developed on the subject property.

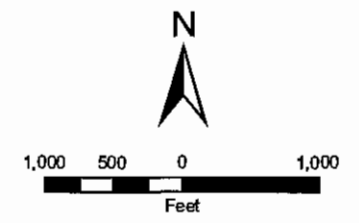
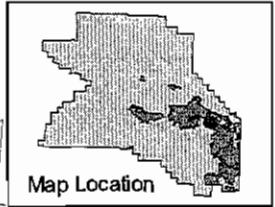
abcdef Proposed additions

abedef Proposed deletions

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


Amend the 'Special Area Streets, Street Corridor & Arterial Access Designations' map of the Sunset West Community Plan as illustrated.

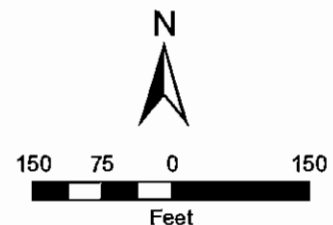
- Change 'Proposed Special Area Local Street' to 'Proposed Special Area Commercial Street'.
- Change from Special Area Local Street to Special Area Neighborhood Route.
- Realignment of 'Proposed Special Area Commercial Street'.
- Proposed Special Area Local Street segment to be removed.
- Remove 'Proposed Special Area Commercial Street' Segment.
- Proposed new 'Special Area Commercial Street Corridor' alignment
- Existing Special Area Streets
- Remove 'Special Area Collector Corridor' alignment
- Elmonica MAX Station
- Westside Light Rail/MAX



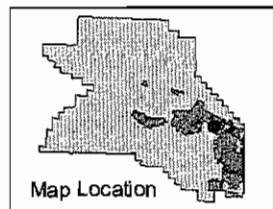
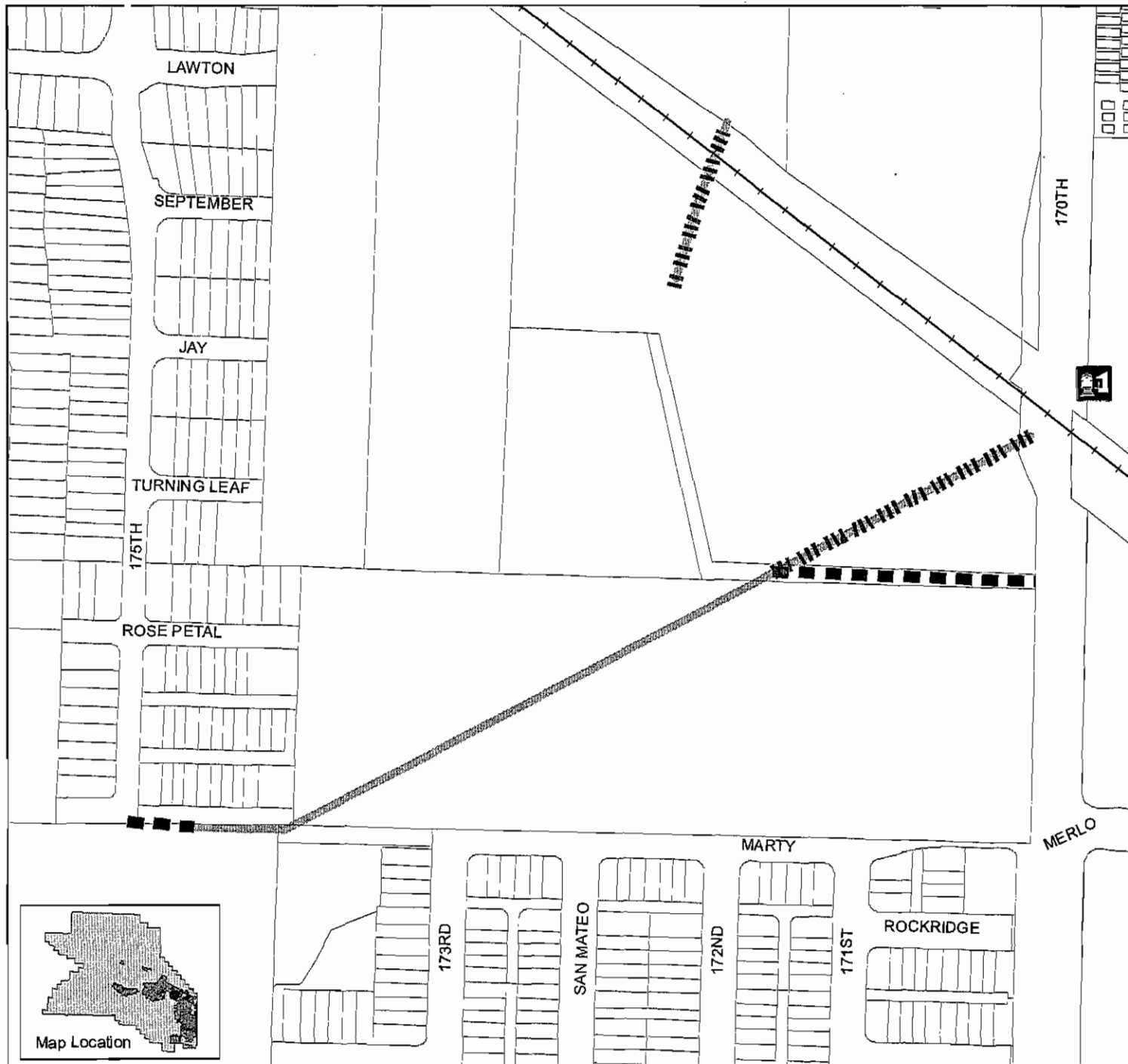
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Amend the 'Pedestrian System Designations' map of the Sunset West Community Plan as illustrated.

-  Existing 'Off-Street Pathway' segment to be removed
-  Proposed new Off-Street Pathway
-  Off-Street Pathway
-  Elmonica MAX Station
-  Westside Light Rail/MAX



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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Land Use & Transportation (CPO 6)

Agenda Title: ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 717

Presented by: Brent Curtis, Planning Manager

SUMMARY:

A-Engrossed Ordinance No. 717 would revise the planned transportation network within the Elmonica Light Rail Station Area (south and west of W Baseline Road, the Tri-Met light rail tracks, and SW 170th Avenue), as depicted on the 'Special Area Streets, Street Corridor & Arterial Access Designations' and 'Pedestrian System Designations' maps in the Sunset West Community Plan, and as depicted on the 'Special Area Street Overlay – Willow Creek, Merlo, and Elmonica Areas' map in the 2020 Transportation Plan.

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

Attached is the Resolution and Order to adopt the findings for A-Engrossed Ordinance No. 717. The proposed findings will be provided to the Board prior to the hearing and will also be available at the Clerk's desk.

DEPARTMENT'S REQUESTED ACTION:

Adopt the proposed findings for A-Engrossed Ordinance No. 717 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

R0009-87

Agenda Item No. 5.b.

Date: 10/27/09

1 IN THE BOARD OF COUNTY COMMISSIONERS
 2 FOR WASHINGTON COUNTY, OREGON

3 In the Matter of Adopting) RESOLUTION AND ORDER
 4 Legislative Findings in Support)
 of A-Engrossed Ordinance No. 717) No. 09-87

5 This matter having come before the Washington County Board of Commissioners at its
 6 meeting of October 27, 2009; and

7 It appearing to the Board that the findings contained in Exhibit "A" summarize relevant facts
 8 and rationales with regard to compliance with the Statewide Planning Goals, Oregon Revised
 9 Statutes and Administrative Rules, Washington County's Comprehensive Plan, and titles of Metro's
 10 Urban Growth Management Functional Plan relating to A-Engrossed Ordinance No. 717; and

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

13 It appearing to the Board that the Planning Commission, at the conclusion of its public hearing
 14 on September 2, 2009, made a recommendation to the Board, which is in the record and has been
 15 reviewed by the Board; and

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

20 RESOLVED AND ORDERED that the attached findings in Exhibit "A" in support of A-
 21 Engrossed Ordinance No. 717 are hereby adopted.

22 DATED this 27th day of October, 2009.

		AYE	NAY	ABSENT	BOARD OF COUNTY COMMISSIONERS
23	BRIAN	✓	—	—	FOR WASHINGTON COUNTY, OREGON
	SCHOUTEN	✓	—	—	
24	STRADER	✓	—	—	
	ROGERS	✓	—	—	<u>Tom Brun</u>
25	APPROVED AS TO FORM: DUYCK	✓	—	—	Chairman

26 [Signature]
 27 County Counsel
 28 For Washington County, Oregon

[Signature]
 Recording Secretary

EXHIBIT A

FINDINGS FOR A-ENGROSSED ORDINANCE NO. 717 AN ORDINANCE AMENDING THE WASHINGTON COUNTY 2020 TRANSPORTATION PLAN AND THE SUNSET WEST COMMUNITY PLAN TO MAKE CHANGES TO THE ADOPTED STREET NETWORK IN THE ELMONICA LIGHT RAIL STATION AREA

October 27, 2009

GENERAL FINDINGS

A-Engrossed Ordinance No. 717 amends the Washington County 2020 Transportation Plan and the Sunset West Community Plan to make the following changes to the adopted transportation network in the Elmonica Light Rail Station Area, designated as Area of Special Concern #9 in the Community Plan:

- Eliminate a required north-south Special Area Local Street connection (SW 173rd Terrace between SW Marty Lane and SW Rose Petal Lane);
- Realign a required north-south Special Area Commercial Street north of SW Marty Lane (from SW 171st Terrace to SW 172nd Terrace), and reclassify SW Marty Lane between 171st Terrace and 172nd Terrace from Special Area Local Street to Special Area Commercial Street to reflect the proposed realignment;
- Add a new 'Special Area Commercial Street Corridor' to the Sunset West Community Plan 'Special Area Streets, Street Corridor & Arterial Access Designation' map, corresponding to the proposed realigned Special Area Commercial Street;
- Realign the easternmost portion of a required Off Street Pathway (west of SW 170th Avenue) and extend the same Pathway west to the intersection of SW 175th Avenue and SW Marty Lane;
- Reclassify portions of two existing Special Area Local Streets (SW 175th Avenue between W Baseline Road and SW Lawton Street, and SW Lawton Street between SW 175th Avenue and the east line of the Autumn Meadows subdivision) to Special Area Neighborhood Routes to better reflect projected ultimate traffic volumes based on a reasonable worst-case development scenario for the subject properties;
- Eliminate a required Off Street Pathway crossing the Tri-Met light rail tracks;
- Correct minor errors on the current Transportation Plan 'Functional Classification System' map and the Sunset West Community Plan 'Special Area Streets, Street Corridor & Arterial Access Designation' map affecting the subject area.
- Add language in the Community Plan to provide for possible traffic management on a Local Street; and
- Add language in the Community Plan regarding the design and construction timing of the westernmost portion of the required Off Street Pathway between SW 170th and 175th Avenues.

GOAL FINDINGS

The purpose of the findings in this document is to demonstrate that A-Engrossed Ordinance No. 717 is consistent with Statewide Planning Goals, ORS and OAR requirements, and applicable Metro requirements. 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 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 proceeding below. In addition, none of the proposed changes to the map and text of the plans implicate a goal compliance issue. The following precautionary findings are provided to demonstrate ongoing compliance.

Goal 1 - Citizen Involvement

Washington County has an acknowledged citizen involvement program that provides 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 utilized these requirements for the adoption of A-Engrossed Ordinance No. 717.

Goal 2 - Land Use Planning

Statewide 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 Comprehensive Plan, which includes documents such as the Comprehensive Framework Plan for the Urban Area, Rural/Natural Resource Plan, Urban Planning Area Agreements, Transportation Plan, Community Plans, and the Community Development Code (CDC). Washington County utilized this process to adopt A-Engrossed Ordinance No. 717. Notice was coordinated with all affected governmental entities and no comments were received regarding the ordinance.

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

Policies 10, 11 and 12 of the Comprehensive Framework Plan for the Urban Area, 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) initiated on or after September 1, 1996 when the PAPA 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 if the PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 site.

The Sunset West Community Plan designates a Goal 5 resource ('Water Area and Wetlands') within the area affected by A-Engrossed Ordinance No. 717 – a creek and wetland bisecting the Elmonica Station Area. A-Engrossed Ordinance No. 717 does not affect the designation of this Goal 5 resource; however, the amendments minimize impacts on the resource area by eliminating a required roadway crossing and realigning a required trail to the outer fringe of the resource area. Compliance with Goal 5 is maintained with amendments made by A-Engrossed Ordinance No. 717 and the county's existing acknowledged policies and standards for the protection of Goal 5 resources as well as those set forth in OAR 660, Division 23.

Goal 11 – Public Facilities and Services

Policies 15, 25, 26, 27, 28, 29, 30 and 31 of Washington County's Comprehensive Framework Plan for the Urban Area 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 Community Development Code requires that adequate public facilities and services be available for new development. Plan compliance with Goal 11 is maintained with the amendments made by A-Engrossed Ordinance 717. 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.

Goal 12 - Transportation

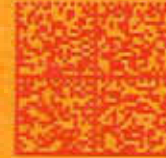
Policy 32 of the Comprehensive Framework Plan for the Urban Area, Policy 23 of the Rural Natural Resource Plan, and in particular the Washington County 2020 Transportation Plan, describe the transportation system necessary to accommodate the transportation needs of Washington County through the year 2020. Implementing measures are contained in the Transportation Plan and the CDC.

Though A-Engrossed Ordinance No. 717 does not alter existing land use designations or the levels of development permitted within the subject area, it does eliminate a required local street crossing of a natural resource area within a designated Transit Oriented district from the Transportation and Community Plans. Therefore, County staff analyzed the associated traffic impacts of removing the required local street connection based on a 'reasonable worst-case' development scenario for the remaining undeveloped properties in the area (per current land use designations). The analysis found that eliminating the subject street connection had the potential to 'significantly affect' [as defined in OAR 660-012-0060(1)(c)(A)] two existing local street segments in the vicinity, by increasing anticipated daily volumes beyond those generally anticipated for a local street, based on the functional classification guidance provided in Policy 10 and Technical Appendix B-8 of the Washington County 2020 Transportation Plan. As a result, the ordinance changes the functional classification of these two existing street segments

from 'Special Area Local Street' to 'Special Area Neighborhood Route' to better reflect their potential function (based on daily volumes) upon full build-out of the subject area, consistent with OAR 660-012-0060(2)(d). These existing roads are anticipated to operate within their revised functional classifications with no physical modifications. With these functional classification changes, the analysis found that all study area streets and intersections will operate within the county's adopted functional classification guidance and performance criteria, even when developed with the uses and intensities allowed by the current land use designations, and with the elimination of the required local street segment. A pedestrian connection is being required in the vicinity of the eliminated local street to help retain bicycle and pedestrian connectivity.

Plan compliance with Goal 12 is maintained with the amendments made by A-Engrossed Ordinance No. 717. 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 Transportation Planning Rule or TPR, implemented via OAR Chapter 660, Division 12).

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635 Capitol Street NE, Suite 150
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