



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

10/29/2012

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 015-12

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: Friday, November 09, 2012

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 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: Stephen Shane, Washington County
Jon Jinings, DLCD Community Services Specialist
Anne Debbaut, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DATE
STAMP

DEPT OF

OCT 22 2012

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

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

Jurisdiction: **Washington County**

Local file number: **Ordinance No. 758**

Date of Adoption: **10/16/2012**

Date Mailed: **10/19/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 08/24/12

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".

Ordinance No. 758 amends Washington County's Comprehensive Framework Plan for the Urban Area, Community Development Code, Bethany Community Plan, and Raleigh Hills-Garden Home Community Plan relating to housekeeping, non-discretionary legislative changes, and a general update.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **NC-NB**

to: **NCC-NB**

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

to: **N/A**

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

Acres Involved: **3.56**

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
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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. 015-12 (19475) [17214]

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

Washington County; Metro

Local Contact: **Stephen Shane**

Phone: (503) 846-3717 Extension:

Address: **155 N First Ave., Suite 350**

Fax Number: **503-846-4412**

City: **Hillsboro** Zip: **97124**

E-mail Address: **Stephen_Shane@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 – First Reading and First Public Hearing
Land Use & Transportation; County Counsel (All CPOs)

Agenda Title: **PROPOSED ORDINANCE NO. 758 – AN ORDINANCE
AMENDING ELEMENTS OF THE COMPREHENSIVE
FRAMEWORK PLAN FOR THE URBAN AREA AND THE
COMMUNITY DEVELOPMENT CODE RELATING TO
GENERAL UPDATE, HOUSEKEEPING, AND NON-
DISCRETIONARY LEGISLATIVE CHANGES**

Presented by: Andrew Singelakis, Director of Land Use & Transportation;
Alan Rappleyea, County Counsel

SUMMARY:

Ordinance No. 758 proposes to amend the Comprehensive Framework Plan for the Urban Area and the Community Development Code relating to housekeeping, general updates and non-discretionary legislative changes. Ordinance No. 758 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>

On October 3, 2012, the Planning Commission conducted a public hearing for this ordinance. The Planning Commission's recommendation will be included in the staff report, which will be provided to the Board prior to the October 16, 2012 hearing. Copies of the report will also be available at the Clerk's desk prior to the hearing.

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

DEPARTMENT'S REQUESTED ACTION:

Read Ordinance No. 758 by title only and conduct the first public hearing. At the conclusion of the hearing, adopt Ordinance No. 758.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

ADOPTED

Agenda Item No.	<u>4.d.</u>
Date:	10/16/12

BEFORE THE BOARD OF COUNTY COMMISSIONERS

**Washington County
County Clerk**

FOR WASHINGTON COUNTY, OREGON

ORDINANCE NO. 758

An Ordinance Amending the Comprehensive Framework Plan for the Urban Area, the Community Development Code, the Bethany Community Plan, and the Raleigh Hills-Garden Home Community Plan Relating to Housekeeping and Legislative Changes, and a General Update

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

SECTION 1

A. The Board recognizes that the Comprehensive Framework Plan for the Urban Area element of the Comprehensive Plan (Volume II) was readopted with amendments on September 9, 1986, with portions subsequently amended by Ordinance Nos. 343, 382, 432, 459, 471, 480, 483, 516, 517, 526, 551, 555, 561, 571, 572, 588, 590, 598, 608-610, 612-615, 620, 624, 631, 632, 637, 643, 649, 662, 666, 669, 671, 683, 686, 694, 712, 726, 730, 732, 733, 739, 742, 744, and 745.

B. The Board of County Commissioners of Washington County, Oregon, recognizes that the Community Development Code Element of the Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by way of Ordinance No. 308, with portions subsequently amended by Ordinance Nos. 321, 326, 336-341, 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423, 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588, 589, 591-

1 595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635, 638, 642, 644, 645,
2 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677, 682-686, 692, 694-698, 703, 704, 708,
3 709, 711, 712, 718-720, 722, 725, 730, 732, 735, 739, and 742-745.

4 C. The Board of County Commissioners of Washington County, Oregon, recognizes
5 that the Bethany Community Plan was adopted by Ordinance Nos. 263 and 265 and amended by
6 Ordinance Nos. 345, 420, 471, 480, 551, 588, 610, 615, 620, 649, 702, 712, 730, 739, 744, and
7 745.

8 D. The Board recognizes that the Raleigh Hills-Garden Home Community Plan was
9 adopted by Ordinance No. 215 and amended by Ordinance Nos. 278, 280, 292, 347, 365, 408,
10 420, 471, 480, 551, 588, 608, 610 and 683.

11 E. The Board recognizes that, as a result of ongoing planning efforts of the County,
12 there is a need for certain changes to elements of the Comprehensive Plan and Community Plans
13 to help maintain the Plan's consistency with federal, state, regional, and local requirements as a
14 result of legislative changes in addition to making other housekeeping and general update, and
15 that these are for the benefit, safety, and general welfare of the residents of Washington County,
16 Oregon.

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

1 G. The Board finds and takes public notice that it is in receipt of all matters and
2 information necessary to consider this Ordinance in an adequate manner, and finds that this
3 Ordinance complies with the Statewide Planning Goals, the standards for legislative plan
4 adoption as set forth in Chapters 197 and 215 of the Oregon Revised Statutes, the Washington
5 County Charter, the Washington County Community Development Code, and the Washington
6 County Comprehensive Plan.

7 SECTION 2

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

10 A. Comprehensive Framework Plan for the Urban Area

- 11 1. Exhibit 1 (3 pages) – Policy 1: Text changes to Plan Amendment Criteria
12 2. Exhibit 2 (1 page) – Policy 43: North Bethany Concept Plan Design Elements
13 map changes:
14 a. Change ‘NC NB’ properties to ‘NCC NB’
b. Remove Fixed Park Designation on selected properties to correct mapping
error

15 B. Community Development Code

- 16 3. Exhibit 3 (38 pages) – Text changes to the following sections:
17 a. Section 201 – DEVELOPMENT PERMIT
18 b. Section 204 – NOTICE OF TYPE I, II OR III DEVELOPMENT ACTIONS
19 c. Section 209 – APPEALS
20 d. Section 308 – FUTURE DEVELOPMENT 20 ACRE DISTRICT (FD-20)
21 e. Section 340 – EFU DISTRICT (EXCLUSIVE FARM USE)
22 f. Section 344 – AF-20 (AGRICULTURE AND FORESTRY)
g. Section 390 – NORTH BETHANY SUBAREA OVERLAY DISTRICT
h. Section 403 – APPLICABILITY
i. Section 404 – MASTER PLANNING
j. Section 413 – PARKING AND LOADING
k. Section 424 – CREATION OF PARCELS IN THE EFU, EFC, AND AF-20
DISTRICTS
l. Section 429 – BICYCLE PARKING

- m. Section 430 – SPECIAL USE STANDARDS
- n. Section 605 – LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS INSIDE A UGB
- o. Section 610 – LAND DIVISIONS AND PROPERTY ADJUSTMENTS OUTSIDE A UGB

C. Bethany Community Plan

- 4. Exhibit 4 (2 pages) – Chapter 2 map changes:
 - a. Amend Land Use Designations map to change ‘NC NB’ properties to ‘NCC NB’
 - b. Amend Areas Eligible for a Density Bonus in the R-6 NB District map to correct mapping error

D. Raleigh Hills – Garden Home Community Plan

- 5. Exhibit 5 (1 page) – Text change to Community Plan Overview Section

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

1 Ordinance, including deleting and adding textual material and maps, renumbering pages or
2 sections, and making any technical changes not affecting the substance of these amendments as
3 necessary to conform to the Washington County Comprehensive Plan format.

4 SECTION 7

5 This Ordinance shall take effect on November 23, 2012.

6 ENACTED this 16 day of October, 2012, being the 1st reading and
7 1st public hearing before the Board of County Commissioners of Washington County,
8 Oregon.

9 BOARD OF COUNTY COMMISSIONERS
10 FOR WASHINGTON COUNTY, OREGON

11 **ADOPTED**

12 Andy Dvd
CHAIRMAN

13 Barbara Hejmanek
RECORDING SECRETARY

14 READING

PUBLIC HEARING

15 First October 16, 2012
16 Second _____
17 Third _____
18 Fourth _____
19 Fifth _____
20 Sixth _____

First October 16, 2012
Second _____
Third _____
Fourth _____
Fifth _____
Sixth _____

21 VOTE: Aye: Duyck, Rogers, Malinowski
22 Recording Secretary: Barbara Hejmanek

Nay: _____
Date: October 16, 2012

681009



Range Planning Division
First Avenue, Suite 350, MS 14
Salem, OR 97124-3072



UNITED STATES POSTAGE
 EAGLE
METREY BOND
02 1R \$ 02.
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DEPT OF
OCT 22 2012
LAND CONSERVATION
AND DEVELOPMENT

Attention: Plan Amendment Specialist
Department of Land Conservation &
Development
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540