



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

05/06/2013

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 001-13

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, May 20, 2013

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: Aisha Willits, Washington County  
Jon Jinings, DLCD Community Services Specialist  
Anne Debbaut, DLCD Regional Representative

<paa> YA



FORM **2**

**DLCD**

# Notice of Adoption

This Form 2 must be mailed to DLCD within **20-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

**DEPT OF**

APR 29 2013

**LAND CONSERVATION AND DEVELOPMENT**

DATE STAMP

For Office Use Only

Jurisdiction: **Washington County**

Local file number: **A-Engrossed Ordinance 760**

Date of Adoption: **April 23, 2013**

Date Mailed: **April 25, 2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 1/18/13

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".

A-Engrossed Ordinance No. 760 enlarges Area of Special Concern #11 in the Sunset West Community Plan. Additional amendments replace existing language relating to the former Sequent master plan with text reflecting the current owner's potential development of the properties. The 2020 Transportation Plan is amended to remove certain transportation facilities contemplated in that master plan. Community plan and Community Development Code language is amended to allow for future campus development of the site, to allow for greater heights for wayfinding elements and to ensure that signage and street trees required as part of the development of vacant sites will conform to those present on the adjacent developed corporate campus site.

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

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

to: **N/A**

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

to: **N/A**

Location: **Northeast corner of 158<sup>th</sup> and Jenkins Road intersection in unincorporated urban Washington County.**

Acres Involved: **Approx. 50**

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

New: **N/A**

Applicable statewide planning goals:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

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. 001-13 (19661) [17437]

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

City of Beaverton, Washington County

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Local Contact: **Aisha Willits, Principal Planner**

Phone: **(503) 846-3961** Extension:

Address: **155 N. First Avenue, Suite 350-14**

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

City: **Hillsboro**

Zip: **97124-3072**

E-mail Address: **aisha\_willits@co.washington.or.us**

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## **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 20 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](mailto:plan.amendments@state.or.us).

**AGENDA****WASHINGTON COUNTY BOARD OF COMMISSIONERS**

**Agenda Category:** Public Hearing – Fourth Reading and Fourth Public Hearing  
Land Use & Transportation; County Counsel (CPO 1)

**Agenda Title:** PROPOSED A-ENGROSSED ORDINANCE NO. 760 – AN  
ORDINANCE AMENDING THE 2020 TRANSPORTATION PLAN,  
THE SUNSET WEST COMMUNITY PLAN, AND THE  
COMMUNITY DEVELOPMENT CODE RELATING TO AREA OF  
SPECIAL CONCERN #11

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

**SUMMARY:**

A-Engrossed Ordinance No. 760 proposes to amend the 2020 Transportation Plan, the Sunset West Community Plan, and the Community Development Code by modifying Area of Special Concern (ASC) #11. A-Engrossed Ordinance No. 760 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2013-land-use-ordinances.cfm>

After the Board's initial public hearing for Ordinance No. 760 on March 19, 2013, the hearing was continued to April 2 to allow for further conversations with the property owner about potential changes to the ASC. On April 2, the Board directed engrossment of the ordinance to include changes that would enlarge the area of the ASC and also provide additional flexibility for future development on the properties included in the ASC. The hearing was continued to April 16, 2013 for the first required hearing for the engrossed ordinance.

On April 16, the Board held the hearing for A-Engrossed Ordinance No. 760 and continued the hearing to April 23, 2013 for the second required hearing for the engrossed ordinance. A staff report will be provided to the Board prior to the April 23 hearing and posted on the above land use ordinance web page. Copies of the report will also be available at the Clerk's desk prior to the hearing.

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 A-Engrossed Ordinance No. 760 by title only and conduct the second public hearing on the engrossed ordinance. At the conclusion of the hearing, adopt A-Engrossed Ordinance No. 760.

**COUNTY ADMINISTRATOR'S RECOMMENDATION:**

I concur with the requested action.

**ADOPTED**

Agenda Item No.	<u>3.a.</u>
Date:	04/23/13

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE 760

An Ordinance Amending the Washington  
County 2020 Transportation Plan Element of the  
Comprehensive Plan, the Sunset West  
Community Plan, and the Community  
Development Code Relating to Area of Special  
Concern #11

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

SECTION 1

A. The Board recognizes that the Transportation Plan Element of the  
Comprehensive Plan (Volume XV) was adopted on October 25, 1988, by way of Ordinance  
Nos. 332 and 333, and subsequently amended by Ordinance Nos. 343, 382, 409, 419, 426, 432,  
450, 463, 470, 471, 473, 474, 480, 483-485, 493, 494, 503, 515, 526, 537, 542, 546, 552, 556,  
588, 601, 609, 611, 626, 627, 631, 642, 649, 663, 674, 683, 712, 713, 717, 718, 730, 739, 744,  
749, and 750.

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, 418, 420, 485, 503, 526, 531, 532, 551, 552, 553, 588, 610, 620, and 717.

C. 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, and subsequently amended by Ordinance Nos. 321, 326, 336-341, 356-363, 372-378, 380,

1 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423, 428-434, 436, 437,  
2 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512,  
3 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588,  
4 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635, 638, 642,  
5 644, 645, 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677, 682-686, 692, 694-698, 703,  
6 704, 708, 709, 711, 712, 718-720, 722, 725, 730, 732, 735, 739, 742-745, and 754-758.

7 D. Subsequent ongoing planning efforts of the County indicate a need for changes  
8 to the Transportation Plan, the Sunset West Community Plan, and the Community  
9 Development Code to reflect changes and enable anticipated and coordinated future  
10 development, in addition to any other housekeeping changes. The Board takes note that the  
11 changes are necessary for the benefit, safety, and general welfare of the residents of  
12 Washington County, Oregon.

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

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

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

3 SECTION 2

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

- 6 1. Exhibit 1 (3 pages): Amend the Functional Classification System Map in the  
7 Washington County 2020 Transportation Plan to remove the road designations as  
8 shown;
- 9 2. Exhibit 2 (4 pages): Amend (1) the Sunset West Community Plan by modifying  
10 text relating to Area of Special Concern #11, as reflected, (2) the Transportation  
11 Functional Classification Map in the Sunset West Community Plan to modify  
12 certain roads, as reflected, (3) the Areas of Special Concern Map in the Sunset  
13 West Community Plan, as reflected, and (4) the Washington County Special Area  
14 Streets, Street Corridor and Arterial Access Designations map of the Sunset West  
15 Community Plan to reflect the removal of Special Area Street designations and  
16 Pathway Connection Points, as reflected; and
- 17 3. Exhibit 3 (5 pages): Amend the Community Development Code Section 375  
18 TRANSIT ORIENTED DISTRICTS and Section 431 TRANSIT ORIENTED  
19 DESIGN PRINCIPLES, STANDARDS AND GUIDELINES, as reflected.

20 SECTION 3

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

1     SECTION 4

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

4     SECTION 5

5             If any portion of this Ordinance, including the exhibits, shall for any reason be held  
6     invalid or unconstitutional by a body of competent jurisdiction, the remainder shall not be  
7     affected thereby 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

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1 sections, and making any technical changes not affecting the substance of these amendments as  
2 necessary to 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 23<sup>rd</sup> day of April, 2013, being the fourth reading and  
6 fourth public hearing before the Board of County Commissioners of Washington County,  
7 Oregon.

8 BOARD OF COUNTY COMMISSIONERS  
9 FOR WASHINGTON COUNTY, OREGON

10 **ADOPTED**

*Andy Dwyck*  
CHAIRMAN

*Ana D. Noyola*  
RECORDING SECRETARY

13 READING

PUBLIC HEARING

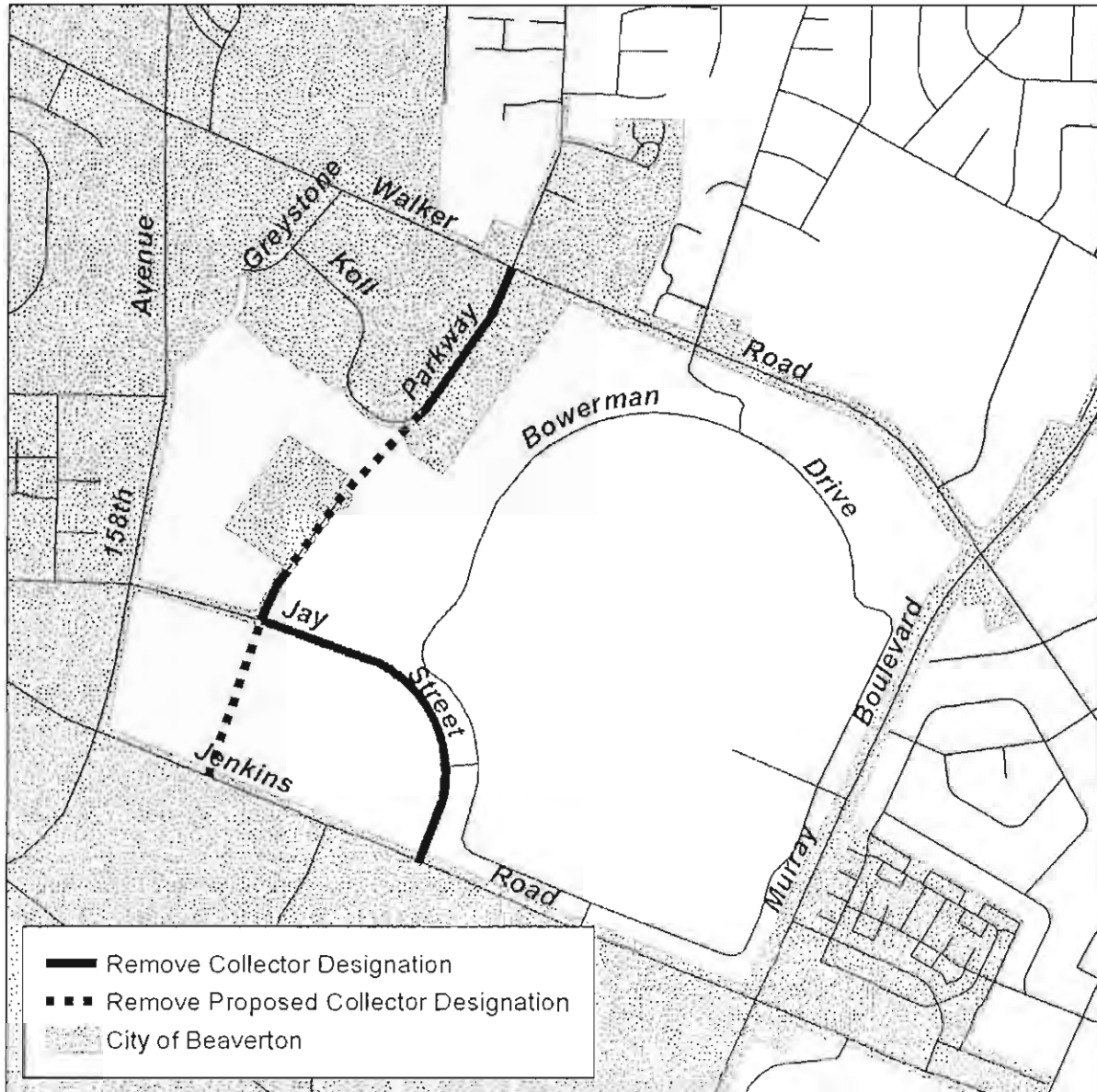
14 First 03/19/13  
15 Second 04/02/13  
16 Third 04/16/13  
17 Fourth 04/23/13  
18 Fifth \_\_\_\_\_  
19 Sixth \_\_\_\_\_

First 03/19/13  
Second 04/02/13  
Third 04/16/13  
Fourth 04/23/13  
Fifth \_\_\_\_\_  
Sixth \_\_\_\_\_

Dwyck, Malinowski,  
VOTE: Aye: Schouten, Terry, Rogers  
Recording Secretary: Ana D. Noyola

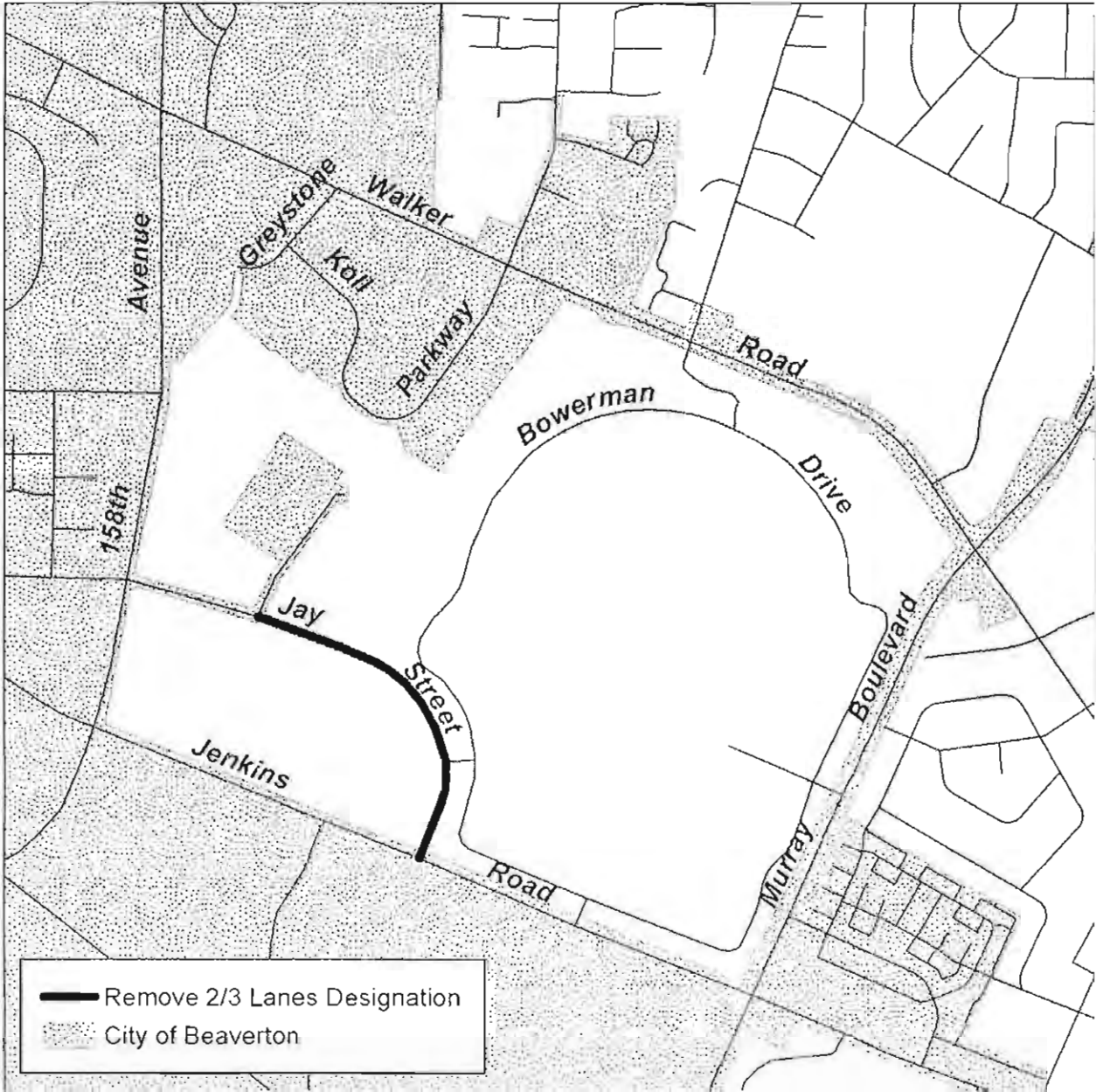
Nay: none  
Date: 04/23/13

Amend the Functional Classification System Map in the Washington County 2020 Transportation Plan to remove the road designations shown below.



Note: Amendments to Map shown in bold solid or dashed line; other features not amended by this exhibit remain in effect as shown on the Plan Map.

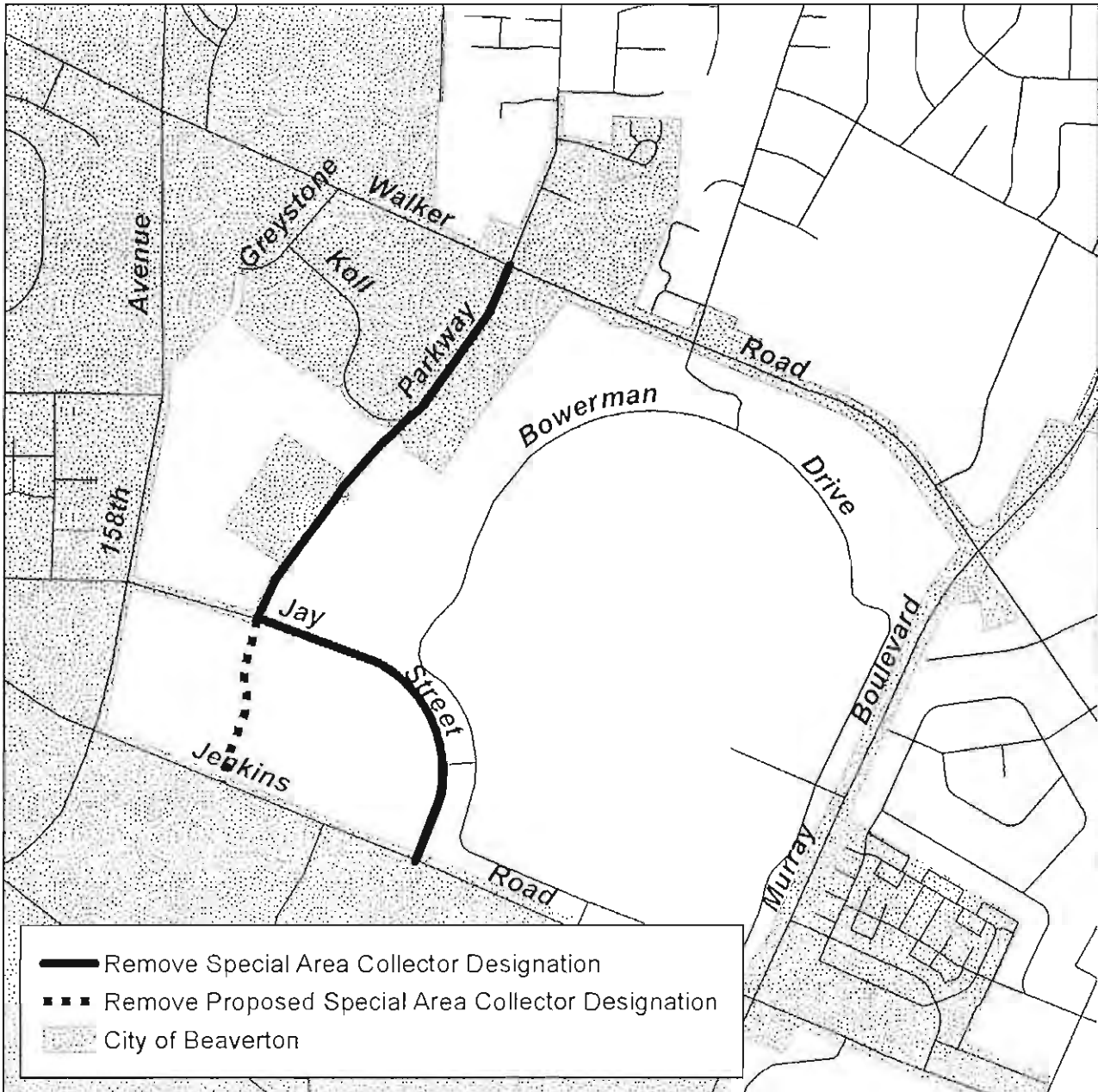
Amend the Lane Numbers Map in the Washington County 2020 Transportation Plan to reflect removal of the lane numbers designation for Jay Street, as reflected below.



Note: Amendments to Map shown in bold solid or dashed line; other features not amended by this exhibit remain in effect as shown on the Plan Map.

abcdef Proposed additions  
~~abcdef~~ Proposed deletions

Amend the Special Area Street Overlay – Willow Creek, Merlo and Elmonica Areas map in the Washington County 2020 Transportation Plan to reflect the removal of Special Area Street designations, as reflected below.



Note: Amendments to Map shown in bold solid or dashed line; other features not amended by this exhibit remain in effect as shown on the Plan Map.

abcdef Proposed additions

abedef Proposed deletions

The text relating to Area of Special Concern #11 in the Sunset West Community Plan is amended as shown below:

Area of Special Concern #11

~~This area is the focus of the Sequent Master Plan. In order to achieve a unified campus for Sequent corporate activities, Jay Street between 158<sup>th</sup> Avenue and Burlington Drive may be vacated. However, a connection for public vehicle access to 158<sup>th</sup> Avenue will be maintained, through a public easement providing two travel lanes, until the proposed Special Area Minor Collector (Burlington Drive/Koll Parkway between Walker Road and Jenkins Road) is approved through the master plan process and dedicated, connected and constructed to a Special Area Minor Collector standard.~~

~~Prior to occupancy of any new building approved for development in Area of Special Concern #11 after the effective date of this ordinance, if Jay Street between 158<sup>th</sup> and Burlington is vacated, the property owner shall make improvements to the 158<sup>th</sup>/Walker and 158<sup>th</sup>/Jenkins intersections that would result in a year 2015 PM peak hour critical volume capacity ratio equal to or better than the 2015 PM peak hour critical volume capacity ratio at these intersections if Jay Street were not vacated.~~

~~In addition to the standards of Section 408 of the Community Development Code, the Sequent Master Plan shall identify off-street pathways within Area of Special Concern #11. The pathways shall have these additional features: pedestrian scale lighting, trees spaced no more than 30 feet on one side, and pedestrian scale amenities spaced no more than every one hundred (100) feet (including but not limited to street furniture, plantings, distinctive paving, drinking fountains, and sculpture). Off street pathways shall not be constructed of asphaltic concrete. Construction phasing of the off-street pathways shall be determined through the Master Plan process. The pathways shall connect Points A and B and Points A and C identified on the Community Plan Map and shall be no longer than 1.1 times the shortest distance between the points.~~

~~In conjunction with site development, a Pedestrian Plaza shall be constructed by the property owner at the intersection of the off-street pathway and the 158<sup>th</sup>/Jenkins intersection. In addition to the standards of Section 380 of the Community Development Code, the pedestrian plaza shall be, at a minimum, 500 square feet in area, with a minimum dimension of 20 feet.~~

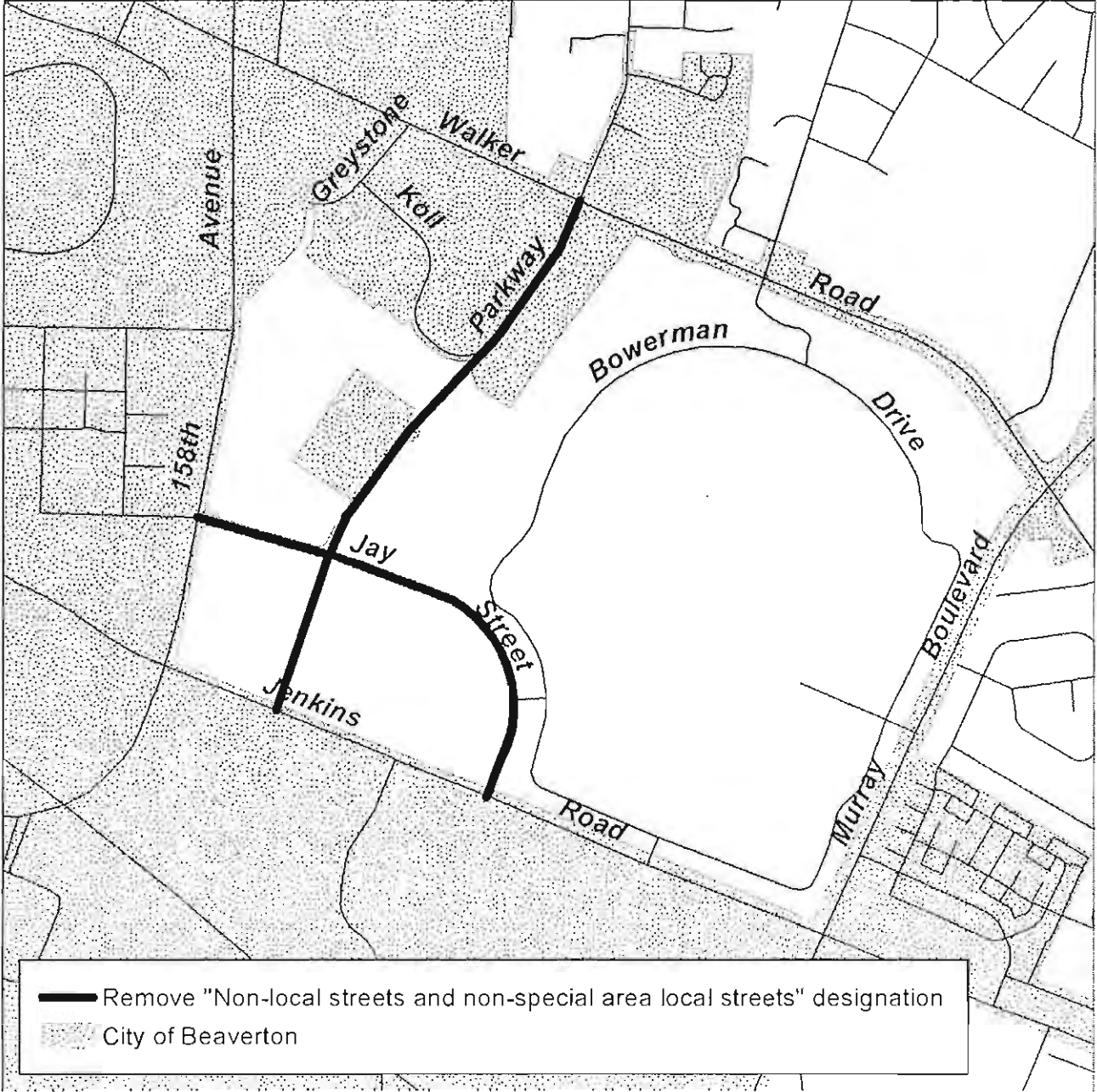
Area of Special Concern #11

This area includes the existing world headquarters campus of Nike, Inc. and additional adjacent land, all of which is located in the TO:EMP (Transit Oriented Employment) district. This Area of Special Concern is intended to ensure the capability of the subject properties to accommodate future corporate campus development.

On portions of the subject properties that are 500 feet or more from the nearest residentially-designated property, buildings may be constructed up to 110 feet in height and up to five signature campus wayfinding elements having a maximum height of 160 feet may be constructed. The wayfinding elements shall not be occupiable structures, and each may incorporate identity features up to a maximum of 100 square feet per face.

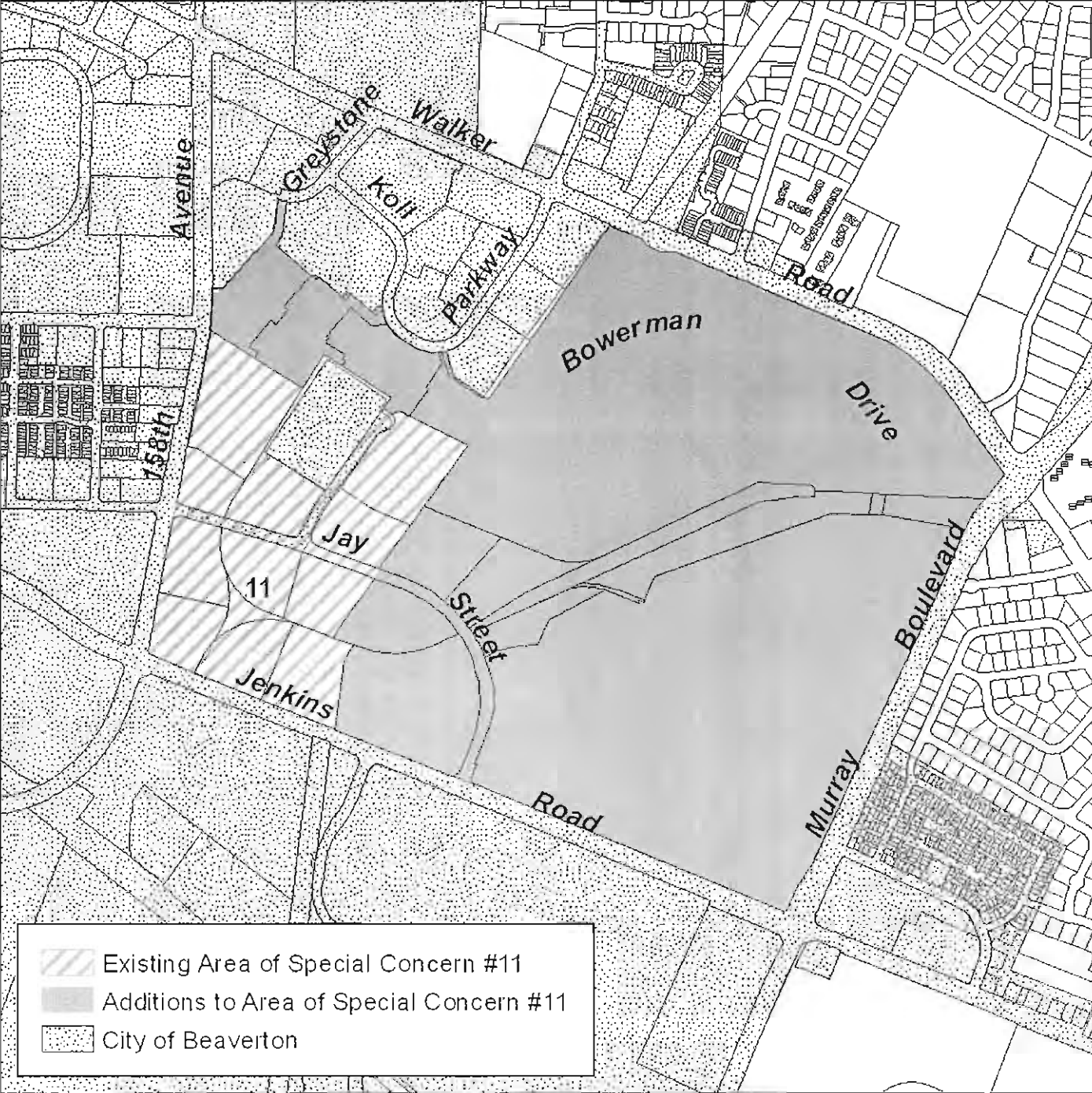
In order to ensure a consistent campus perimeter landscape design, required street trees along Walker Road, Murray Boulevard, Jenkins Road, 158th Avenue, Jay Street and Burlington Drive shall be located a minimum of two feet from the back of the adjacent street curb, and a maximum of 100 feet from the back of the adjacent street curb. While the minimum quantity of trees adjacent to these streets shall not be, on average, less than one (1) tree per 30 linear feet of street frontage, spacing may be varied, and trees may be grouped in clusters.

Amend the Transportation Functional Classification Map in the Sunset West Community Plan to modify certain roads, as reflected below.



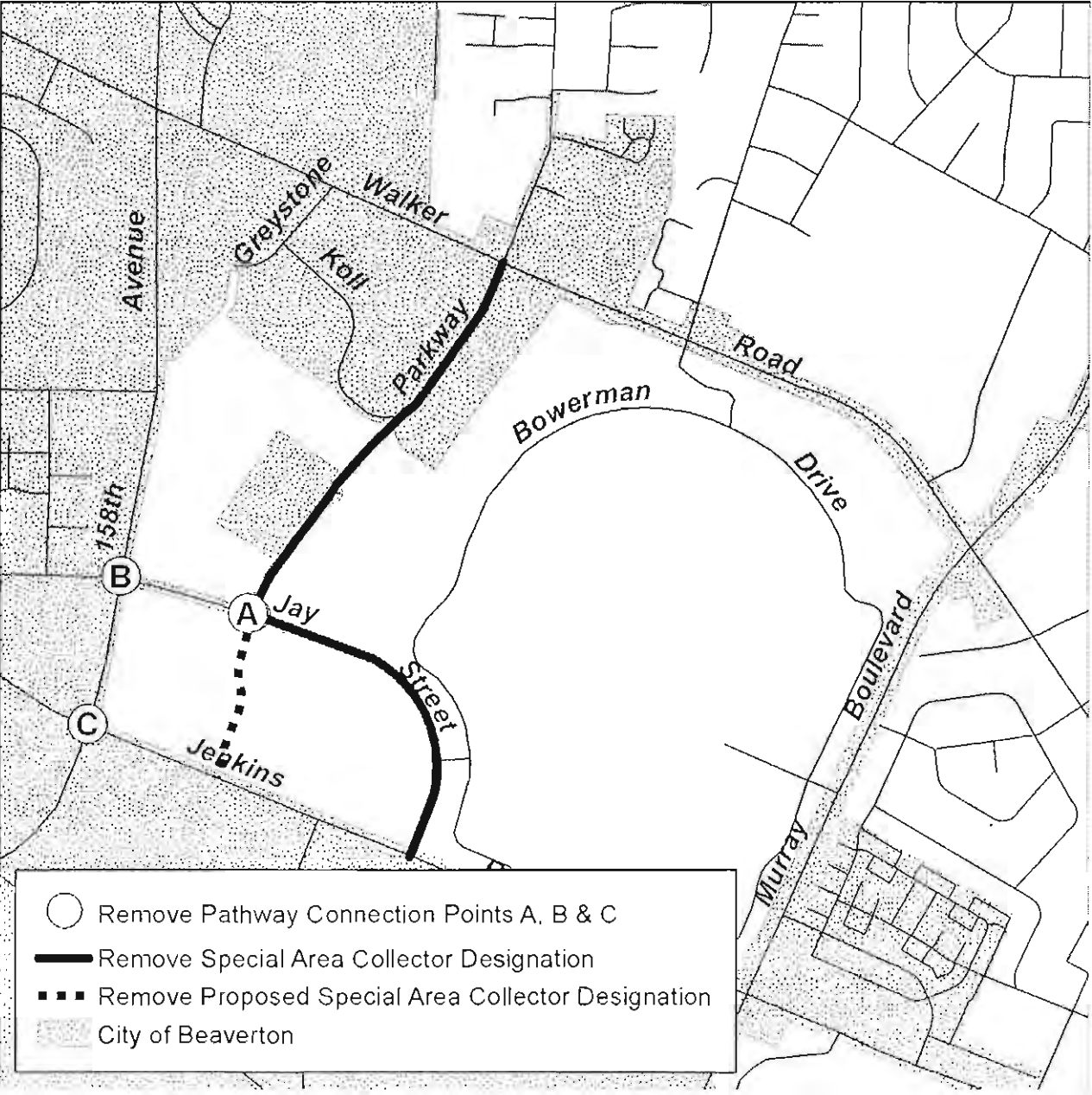
Note: Amendments to Map shown in bold solid or dashed line; other features not amended by this exhibit remain in effect as shown on the Plan Map.

Amend the Areas of Special Concern Map in the Sunset West Community Plan to reflect the changes shown below.



abcdef Proposed additions  
abedef Proposed deletions

Amend the Washington County Special Area Streets, Street Corridor & Arterial Access Designations map of the Sunset West Community Plan to reflect the removal of Special Area Street designations and Pathway Connection Points, as reflected below.



Note: Amendments to Map shown in bold solid or dashed line; other features not amended by this exhibit remain in effect as shown on the Plan Map.

abcdef Proposed additions  
 abedef Proposed deletions



Community Development Code Section 375 TRANSIT ORIENTED DISTRICTS is amended to reflect the following:

Table B. Dimensional Requirements for Transit Oriented Districts

DISTRICT									
DEVELOPMENT DIMENSION	TO:RC	TO:BUS	TO:EMP	TO:R9-12	TO:R12-18	TO:R18-24	TO:R24-40	TO:R40-80	TO:R80-120
Minimum Lot Area	None	None	None	2000 sq. ft.	2000 sq. ft.	None	None	None	None
Minimum Average Lot Width	None	None	None	24 feet	20 feet	None	None	None	None
Minimum Average Lot Depth	None	None	None	60 feet	60 feet	None	None	None	None
Minimum Building Height: - within 1300' of a station platform or within a Regional Center	20 feet	20 feet	None	None	None	None	None	None	None
- beyond 1300' from a station platform	None	None	None	None	None	None	None	None	None
- within a designated Town Center Core, as defined by an adopted Community Plan	20 feet at street corners	20 feet	None	None	None	None	None	None	None
- within a designated Town Center but outside a Town Center Core, as defined by an adopted Community Plan	None	None	None	None	None	None	None	None	None
Maximum Building Height (B)	60 feet	80 feet (A)	80 feet (A)	40 feet	40 feet	50 feet	60 feet (F)	80 feet	80 feet
Yard Depth									
- frontage minimum (C)	None	None	None	10 feet	10 feet	10 feet	None	None	None
- frontage maximum (D)	10 feet	10 feet	None	15 feet	15 feet	15 feet	10 feet (G)	10 feet	10 feet
- interior minimum (E)	None	None	None	None	None	None	None	None	None
- interior maximum	None	None	None	None	None	None	None	None	None

(A) Except where a community plan specifies a higher maximum height.

(B) Where a building fronts on a pedestrian street, a ten (10) foot setback from the front façade is required for all floors above the third. Normal building appurtenances and projection such as spires, belfries, cupolas,

abcdef Proposed additions  
~~abcdef~~ Proposed deletions

chimneys, ventilators, elevator housings or other roof-mounted structures may extend above the height limit. Building height may be limited pursuant to Section 431-8.

- (C) Except as necessary to comply with Section 418, accommodate utility lines and easements.
- (D) Required maximum frontage yard dimensions: (1) shall apply to at least 50% of the first floor of a building facing a pedestrian street, as defined in Section 431-3.8; and (2) may be exceeded where the applicant demonstrates and the Review Authority finds that larger yards are needed to mitigate noise and vibration impacts of transportation operations.
- (E) No minimum interior yard setback is required for transit oriented district except as necessary to comply with the screening and buffering standards of Sections 411 and 431 and the standards of the Uniform Building Code or the Conference of American Building Officials (CABO) Code, whichever is applicable.
- (F) A modification to the maximum building height may be approved subject to Section 375-7.32.b. Such modification may exceed the required sixty (60) foot building height maximum by no more than fifty (5) feet for a total of one hundred-ten (110) feet.
- (G) A modification to the maximum front yard depth may be approved subject to Section 375-7.32.c.

Community Development Code Section 431 TRANSIT ORIENTED DESIGN PRINCIPLES, STANDARDS AND GUIDELINES is amended to reflect the following:

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**431-4 Circulation System Design**

The design and location of the circulation system in a community is the key element for determining pedestrian orientation, connectivity and the arrangement of land uses. These principles and standards apply to the design and location of the circulation system in transit oriented districts.

431-4.1 Principles:

- A. Pedestrian routes in a Transit Oriented District shall, to the extent practicable, directly connect major activity centers (concentrations of employment and households, major public buildings and spaces, institutional uses and parks & common open spaces, and shopping areas) and transit stops, particularly light rail stations;
- B. Block dimensions and perimeters shall be at an urban rather than a suburban scale;
- C. Provide accessways and greenways, as needed, to supplement pedestrian routes along pedestrian streets; and
- D. Provide clearly marked and well-designed pedestrian street, driveway, loading area and surface parking lot crossings.

431-4.2 Standards:

- A. In addition to the standards of this subsection, development in a transit-oriented district shall be subject to the requirements of Section 408, Section 409, and Article V. In the event of a conflict between the requirements of Sections 408, 409, and Article V, the requirements of Section 431-4 shall control.
- B. Other Community Development Code provisions that apply to Collectors shall apply to Special Area Collectors; provisions that apply to Neighborhood Routes shall apply to Special Area Neighborhood Routes; and provisions that apply to Local Streets shall apply to Special Area Local Streets and Special Area Commercial Streets. In the case of a conflict, specific Special Area street provisions shall control.
- C. Blocks
  - (1) Block perimeters for blocks with more than four sides, as defined by public or private streets, accessways or greenways, shall not exceed sixteen hundred (1600) feet measured along the nearside curb line of the public or

private street or the centerline of the defining accessway or greenway. These standards shall not be used to provide direct connections to collector roads where indirect connections are specifically shown in the community plan.

- (2) Block lengths for streets, accessways and greenways shall not exceed three hundred thirty (330) feet between public or private streets, accessways or greenways, measured along the nearside curb line of the public or private street or the centerline of the accessway or greenway. These standards shall not be used to provide direct connections to collector roads where indirect connections are specifically shown in the community plan.
- (3) Except for specific transportation facilities identified in the community plan, the Review Authority may modify these standards based on findings that strict compliance with the standards is not reasonably practicable due to:
  - (a) Topography;
  - (b) The standards of Sections 421 and 422;
  - (c) Existing development patterns on abutting property which preclude the logical connection of streets or accessways;
  - (d) Railroads;
  - (e) Traffic safety concerns;
  - (f) The functional and operational need to create a large building; ~~or~~
  - (g) The provisions of Significant Natural Resources as identified in the Community Plan; or
  - (h) Campus Development.

Modifications shall be the minimum necessary to address the constraint.

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#### 431-11 Signs

The principles and standards of Sections 431-11.1 and 431-11.2 below shall apply to all permitted signage within transit oriented districts. Exceptions to these standards are designated in Section 431-11.3.

##### 431-11.1 Principles:

- A. Signs in Transit Oriented District communities shall be located and scaled to the function of the pedestrian street on which they front.

- B. Signs within any transit-oriented district shall be consistent with the visual quality and aesthetics of the surrounding neighborhood.
- C. Signage must be of high quality in design and materials.
- D. Signage shall be consistent throughout a development.
- E. Signage attached to a building shall complement the building's character (e.g., wall signs shall avoid covering building columns).

431-11.2 Standards:

- A. In the TO:BUS and TO:RC Districts, the standards of Article IV - Section 414-2 shall apply, except as noted in Section 431-11.3.
- B. In all transit oriented residential districts the standards of Article IV - Section 414-1 shall apply.
- C. In the TO:EMP District, the standards of Article IV – Section 414-3 shall apply.

# AGENDA

## WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Land Use & Transportation (CPO 1)

Agenda Title: ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 760

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

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### SUMMARY:

A-Engrossed Ordinance No. 760 amends the 2020 Transportation Plan, the Sunset West Community Plan, and the Community Development Code by modifying Area of Special Concern (ASC) #11. The engrossed ordinance includes changes that enlarge the area of the ASC and also provide additional flexibility for future development on the properties included in the ASC.

A-Engrossed Ordinance No. 760 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2013-land-use-ordinances.cfm>

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

Attached is the Resolution and Order to adopt the findings for A-Engrossed Ordinance No. 760. The proposed findings will be provided to the Board prior to the hearing and will also be available at the Clerk's desk.

Attachment: Resolution and Order

### DEPARTMENT'S REQUESTED ACTION:

Adopt the findings for A-Engrossed Ordinance No. 760 and authorize the Chair to sign the Resolution and Order memorializing the action.

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### COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

RO 13-34

Agenda Item No.	<u>5.a.</u>
Date:	<u>04/23/13</u>

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. 760 ) No. 13-34

5 This matter having come before the Washington County Board of Commissioners at its  
6 meeting of April 23, 2013; 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. 760; 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 March 6, 2013, 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  
21 A-Engrossed Ordinance No. 760 are hereby adopted.

22 DATED this 23rd day of April, 2013.

23 VOTE: ALL AYE  
24 (Duyck, Schouten, Malinowski,  
Rogers, Terry)

BOARD OF COUNTY COMMISSIONERS  
FOR WASHINGTON COUNTY, OREGON

25 APPROVED AS TO FORM:

  
Chairman

26   
27 County Counsel  
28 For Washington County, Oregon

  
Recording Secretary

## EXHIBIT A

### FINDINGS FOR A-ENGROSSED ORDINANCE NO. 760 AN ORDINANCE AMENDING THE WASHINGTON COUNTY 2020 TRANSPORTATION PLAN, THE SUNSET WEST COMMUNITY PLAN AND THE COMMUNITY DEVELOPMENT CODE ELEMENTS OF THE COMPREHENSIVE PLAN RELATING TO AREA OF SPECIAL CONCERN #11

April 23, 2013

#### GENERAL FINDINGS

A-Engrossed Ordinance No. 760 amends the 2020 Transportation Plan, the Sunset West Community Plan and the Community Development Code to expand Area of Special Concern #11 in the community plan. Changes in the ordinance include amending the ASC map and text, as well as amending transportation designations shown both in the community plan and the 2020 Transportation Plan. Limited changes to the Community Development Code are made to allow for consistent development across the affected properties. These changes are needed to remove elements defined through the 1998 approval of the Sequent Master Plan, which identified the future development of a corporate campus for that specific company. Sequent no longer owns the properties, and this ordinance proposes to remove the Sequent Master Plan elements.

#### Key Ordinance Provisions

- Amends the Functional Classification System Map in the 2020 Transportation Plan to remove Collector and Proposed Collector designations on SW Jay Street, SW Burlington Drive and SW Koll Parkway in and near Area of Special Concern #11 identified in the Sunset West Community Plan, resulting in “local street” designations for all three roadways
- Removes the “2/3 Lanes” designation for a portion of SW Jay Street on the Lane Numbers Map in the 2020 Transportation Plan
- Removes the Special Area Collector and Proposed Special Area Collector designations from SW Jay Street, SW Burlington Drive and SW Koll Parkway on the Special Area Street Overlay – Willow Creek, Merlo and Elmonica Areas map in the 2020 Transportation Plan
- Updates the text describing Area of Special Concern #11 in the Sunset West Community Plan to reflect the addition of properties under the same ownership, and establish minor changes to CDC requirements that may be permitted on the affected properties
- Removes the “Non-local streets and non-special area local streets” designation for Jay Street, SW Burlington Drive and SW Koll Parkway shown on the Functional Classification Map in the Sunset West Community Plan
- Modifies the boundary of Area of Special Concern #11 as shown in the Areas of Special Concern Map in the Sunset West Community Plan



- Amends the Washington County Special Area Streets, Street Corridor & Arterial Access Designations map of the Sunset West Community Plan to reflect the removal of Special Area Street designations and Pathway Connection Points
- Amends Table B (Dimensional Requirements for Transit Oriented Districts) in Section 375 of the Community Development Code to allow flexibility for greater building heights in the Transit Oriented: Employment (TO:EMP) District when authorized by a community plan
- Amends Section 431-4 (Circulation System Design) of the Community Development Code to allow exceptions to the block length standards for campus development
- Amends Section 431-11 (Signs) of the Community Development Code to permit signs in the TO:EMP District subject to standards for Industrial District signs

Because the ordinance would make changes that do not affect compliance with Oregon's Statewide Planning Goals (Goals), it is not necessary for these findings to address the Goals with respect to each amendment. The Board of County Commissioners (Board) finds that the Goals apply to amendments covered by these findings only to the extent noted in specific responses to individual applicable Goals, and that each amendment complies with the Goals. Goals 15 (Willamette River Greenway), 16 (Estuarine Resources), 17 (Coastal Wetlands), 18 (Beaches and Dunes) and 19 (Ocean Resources) and related Oregon Administrative Rules (OAR) are not addressed because these resources are not located within Washington County.

## **GOAL FINDINGS**

The purpose of the findings in this document is to demonstrate that A-Engrossed Ordinance No. 760 is consistent with Statewide Planning Goals (Goals), Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR) requirements, Metro's Urban Growth Management Functional Plan (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 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. 760.

### **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 Rural/Natural Resource Plan, Comprehensive Framework Plan for the Urban Area (CFP), Community Development Code (CDC), Transportation Plan, Community Plans, and Urban Planning Area Agreements. Washington County utilized this process to adopt A-Engrossed Ordinance No. 760. Notice was coordinated with all affected governmental entities and no comments were received from these parties regarding the ordinance.

### **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. 760 contributes to a healthy economy in Washington County by removing development requirements encumbering several properties in the Beaverton area, one of the state's largest cities. The design elements and planned transportation facilities in the county's Comprehensive Plan were originally adopted to facilitate the planned construction of a corporate campus. The campus was never built and the land was subsequently sold. Over the past several years, county staff has received inquiries regarding the development potential of the properties. The specific provisions intended to serve the previous property owner were not consistent with the development plans of these parties. The parties contemplating the site ultimately rejected it, largely due to the need for comprehensive plan amendments to remove the requirements imposed on the properties. A-Engrossed Ordinance No. 760 removes regulations and transportation requirements that have historically impeded the development of this site.

During the processing of this ordinance, the owner of the affected properties requested that the county consider additional amendments to the Comprehensive Plan to further facilitate development of both the affected properties and adjacent properties that make up the owner's world headquarters campus. The property owner requested modifications to the height limits, street tree regulations, and signage requirements that would apply to the new, enlarged Area of Special Concern to allow vacant lands to be developed consistent with the existing campus development. These regulations provide clarity for future development of the properties and ensure a straightforward review process to encourage the economic growth of the properties and supporting the economy of Washington County.

Plan compliance with Goal 9 is maintained with the amendments made by A-Engrossed Ordinance No. 760. The amendments are consistent with the county's acknowledged policies and strategies for strengthening the local economy as required by Goal 9.

### **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. Plan compliance with Goal 11 is maintained with the amendments made by A-Engrossed Ordinance No. 760. 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**

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 Sunset West Community Plan and the CDC.

A-Engrossed Ordinance No. 760 would allow campus development within Area of Special Concern #11. In order to be consistent with a campus style development, A-Engrossed Ordinance No. 760 amends the Washington County 2020 Transportation Plan to remove one proposed collector, and change the designation of one roadway from collector to local. The potential development within the area would not be affected.

Utilizing the Metro regional travel demand model, county staff analyzed the associated future 2035 traffic conditions to evaluate a "reasonable worst-case" development scenario without the existing and proposed collector facilities. No land use changes beyond growth assumed in the area by the Metro 2035 allocations were contemplated because A-Engrossed Ordinance No. 760 would not allow additional development beyond the existing land use designations.

The analysis found that eliminating the connections had the potential to "significantly affect" [as defined in OAR 660-012-0060(1)(c)(A)] three existing intersections within the vicinity of the properties subject to this plan amendment. The analysis found that eliminating the existing and proposed collector facilities redistributed traffic within the vicinity to other facilities, increasing anticipated future peak-hour volumes on other facilities. Three of the intersections were expected to exceed level of service standards under either condition; there was no change at the fourth intersection.

Two of the three affected intersections are along Walker Road, which is scheduled for a public improvement project through the Washington County Major Street Transportation Improvement Program. Staff believes that the improvements scheduled for Walker Road can be designed and implemented to adequately address the revised future conditions resulting from changes adopted by A-Engrossed Ordinance No. 760. The arterial-to-arterial intersection of Murray Boulevard and Jenkins Road was recently improved as a condition of development occurring on the north-east corner. Staff believes that as future development occurs within the vicinity, additional improvements to the intersection can address the revised future conditions proposed by

A-Engrossed Ordinance No. 760. All of these roadways will continue to operate within their arterial functional classification.

The adjustments to Area of Special Concern #11 alter the requirements of development on the subject properties. One of the changes made to the Community Development Code allows “campus development” to be exempt from the requirements of block lengths given that particular design type. The property owner has requested this change in order to have the flexibility to expand the design characteristics of its adjacent world headquarters campus onto the affected properties.

Plan compliance with Goal 12 is maintained with the amendments made by A-Engrossed Ordinance No. 760. 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 TRP, implemented via OAR Chapter 660, Division 12).

### **Findings of Compliance with Metro’s Urban Growth Management Functional Plan for A-Engrossed Ordinance No. 760**

#### **Title 8 - Compliance Procedures**

Title 8 sets forth Metro’s procedures for determining compliance with the Urban Growth Management Functional Plan. Included in this title are steps local jurisdictions must take to ensure that Metro has the opportunity to review amendments to Comprehensive Plans.

Title 8 requires jurisdictions to submit notice to Metro at least 45 days prior to the first evidentiary hearing for a proposed amendment to a comprehensive plan. Consistent with Title 8, staff sent a copy of proposed Ordinance No. 760 to Metro on January 18, 2013, 46 days prior to the first evidentiary hearing. Metro was mailed a copy of A-Engrossed Ordinance No. 760 on April 5, 2013. Metro provided no comments on A-Engrossed Ordinance No. 760.

The findings in this document demonstrate that the amendments made by this ordinance are in compliance with the UGMFP.

### **Findings of Compliance with Metro’s Regional Transportation Functional Plan**

A-Engrossed Ordinance No. 760 amends the Washington County Transportation System Plan consistent with the Title 2 “Development and Update of Transportation System Plans” of the Regional Transportation Functional Plan (RTFP) Sections 210, 220 and 230. The evaluation of transportation needs utilized the Metro 2035 land use allocations and travel demand forecasts, consistent with mobility corridors #19, #22 and #24. A-Engrossed Ordinance No. 760 does not add any additional transportation facilities or make changes to existing facilities that would be inconsistent with the Regional Transportation Plan (RTP). Staff has identified that existing motor vehicle performance standards can be maintained with a combination of existing funded transportation improvements (which are identified on the Financially Constrained RTP), and intersection improvements likely to be identified through the development review process. As

described in the Goal 12 findings above, the multimodal transit oriented district requirements will continue to be met through the application of the CDC Section 431. Therefore, A-Engrossed Ordinance No. 760 is consistent with the RTFP.

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**WASHINGTON COUNTY, OREGON**  
**Planning and Development Services Division**  
**Long Range Planning**  
155 N First Avenue, Suite 350, MS 14  
Hillsboro, OR 97124-3072

FIRST CLASS MAIL

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

FIRST CLASS MAIL