



# Oregon

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## NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: 11/07/2014  
Jurisdiction: Washington County  
Local file no.: ORDINANCE 789  
DLCD file no.: 010-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 11/06/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 48 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.: 010-14 {22350}

Received: 11/6/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: **Washington County**Local file no.: **A-Engrossed Ordinance No. 789**Date of adoption: **October 28, 2014**Date sent: **November 6, 2014**

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): **September 29, 2014**Is the adopted change different from what was described in the Notice of Proposed Change? **No**

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): **Suzanne Savin, Senior Planner**Phone: **503-846-3963**E-mail: **suzanne\_savin@co.washington.or.us**Street address: **155 N. First Avenue, Suite 350, MS 14**City: **Hillsboro**Zip: **97124-3072**

## PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

### For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

**The Bethany Community Plan, Chapter 2: North Bethany Subarea Plan (Sections III and V) is amended to correct references to the size of the West Community Park to include designation of the adjacent wetland as additional park area, and a new Area of Special Concern (ASC) 11 that addresses the design intent for the West Community Park. These sections implement statewide planning goals 5 and 8.**

### For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from **R-9 NB** to **R-15 NB** **0.34** acres.

Change from **R-24 NB** to **R-15 NB** **0.80** acres.

Change from \_\_\_\_\_ to \_\_\_\_\_ acres.

Change from \_\_\_\_\_ to \_\_\_\_\_ acres.

Location of affected property (T, R, Sec., TL and address): **1N1 17B Tax Lot 700, 16125 NW Brugger Road**

The subject property is entirely within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**If the comprehensive plan map change is an urban reserve** amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

N/A

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected: **N/A**

Change from <b>R-9 NB</b>	to <b>R-15 NB</b>	Acres: <b>0.34</b>
Change from <b>R-24 NB</b>	to <b>R-15 NB</b>	Acres: <b>0.80</b>
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: Density Restricted Lands; Significant Natural & Cultural Resources; Fixed Park	Acres
added: Approx. 7 acres	Acres removed:

Location of affected property (T, R, Sec., TL and address): **1N1W 17B TL 400, 500, 600, 700**

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List affected state or federal agencies, local governments and special districts: **Tualatin Hills Park & Recreation District, Clean Water Services, Division of State Lands, Beaverton School District, Portland Community College.**

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

**AGENDA**

**WASHINGTON COUNTY BOARD OF COMMISSIONERS**

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

**Agenda Title:** **CONSIDER PROPOSED A-ENGROSSED ORDINANCE NO. 789 – AN ORDINANCE MODIFYING THE WEST COMMUNITY PARK AND THE STREET NETWORK IN THE VICINITY OF THE PARK IN THE NORTH BETHANY SUBAREA OF THE BETHANY COMMUNITY PLAN**

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

**SUMMARY:**

A-Engrossed Ordinance No. 789 proposes to amend the Comprehensive Framework Plan for the Urban Area, the Transportation System Plan, and the North Bethany Subarea Plan of the Bethany Community Plan relating to the West Community Park and proposed Area of Special Concern 11. The engrossed ordinance is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2014-land-use-ordinances.cfm>

The Board of Commissioners (Board) conducted a hearing for Ordinance No. 789 on September 16, 2014 and ordered an engrossment of the ordinance to make a number of changes, including:

- Designation of the approximately 10-acre wetland west of the West Community Park as Fixed Park, Open Space and Density Restricted Land on the North Bethany Subarea Plan maps; and
- Other text and map changes as recommended by the Planning Commission.

A description of these changes was included in the staff report for the October 21, 2014 hearing. The Board held its first hearing for A-Engrossed Ordinance No. 789 on October 21, and continued the hearing to October 28, 2014. A staff report for the October 28 hearing will be provided to the Board prior to the hearing and posted on the land use ordinance web page. Copies of the report will be available electronically and 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.

Clerk’s Desk Item: Staff Report *(click to access electronic copy)*

**DEPARTMENT’S REQUESTED ACTION:**

Read A-Engrossed Ordinance No. 789 by title only and conduct the second public hearing for the engrossed ordinance. At the conclusion of the hearing, adopt A-Engrossed Ordinance No. 789.

**COUNTY ADMINISTRATOR’S RECOMMENDATION:**

I concur with the requested action.

**ADOPTED**

Agenda Item No.	<b>3.a.</b>
Date:	10/28/14

**FILED**

**OCT 06 2014**

**Washington County  
County Clerk**

1  
2  
3  
4 **IN THE BOARD OF COUNTY COMMISSIONERS**  
5 **FOR WASHINGTON COUNTY, OREGON**  
6

7 **A-ENGROSSED ORDINANCE 789**

An Ordinance Amending the Comprehensive Framework Plan for the Urban Area as Related to the North Bethany Subarea Plan (North Bethany West Community Park), the Transportation Plan Element of the Comprehensive Plan, and the North Bethany Subarea Plan of the Bethany Community Plan as Relates to the West Community Park and Area of Special Concern 11

11  
12 The Board of County Commissioners of Washington County, Oregon, ordains as follows:

13 **SECTION 1**

14 A. The Board of County Commissioners of Washington County, Oregon, recognizes  
15 that the Comprehensive Framework Plan for the Urban Area element of the Comprehensive Plan  
16 (Volume II) was readopted with amendments on September 9, 1986, and subsequently amended by  
17 Ordinance Nos. 343, 382, 432, 459, 471, 480, 483, 516, 517, 526, 551, 555, 561, 571, 572, 588,  
18 590, 598, 608-610, 612-615, 620, 624, 631, 632, 637, 643, 649, 662, 666, 669, 671, 683, 686, 694,  
19 712, 726, 730, 732, 733, 739, 742, 744, 745, 753, 758, 764, 769, 771, and 775.

20 B. The Board of County Commissioners of Washington County, Oregon, recognizes  
21 that the Transportation Plan Element of the Comprehensive Plan (Volume XV) was adopted on  
22 October 25, 1988, by way of Ordinance Nos. 332 and 333, and subsequently amended by Ordinance

1 Nos. 343, 382, 409, 419, 426, 432, 450, 463, 470, 471, 473, 474, 480, 483-485, 493, 494, 503, 515,  
2 526, 537, 542, 546, 552, 556, 588, 601, 609, 611, 626, 627, 631, 642, 649, 663, 674, 683, 712, 713,  
3 717, 718, 730, 739, 744, 749, 750, 760, 767, 768, and 775.

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 subsequently  
6 amended by Ordinance Nos. 345, 420, 471, 480, 551, 588, 610, 615, 620, 649, 702, 712, 730, 739,  
7 744, 745, 758, and 771.

8 D. The Board recognizes that since the adoption of the final ordinances establishing and  
9 implementing the North Bethany Subarea Plan of the Bethany Community Plan for development,  
10 additional changes are necessary to ensure the proper operation of the subarea plan, including, but  
11 not limited to, the West Community Park and adjacent areas. The Board further recognizes that  
12 these amendments are for the benefit of the health, safety, and general welfare of the residents of  
13 Washington County, Oregon.

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

20 F. The Board finds and takes public notice that it is in receipt of all matters and  
21 information necessary to consider this Ordinance in an adequate manner, and finds that this  
22 Ordinance complies with the Statewide Planning Goals, the standards for legislative plan adoption

1 as set forth in Chapters 197 and 215 of the Oregon Revised Statutes, the Washington County  
2 Charter, the Washington County Community Development Code, and the Washington County  
3 Comprehensive Plan.

4 SECTION 2

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

- 7 1. Exhibit 1 (3 pages) – Amends North Bethany Subarea maps in Policy 43, Community  
8 Design for New Urban Areas, of the Comprehensive Framework Plan for the Urban  
9 Area
  - 10 a. North Bethany Subarea Core Pedestrian and Bicycle Network Map
  - 11 b. North Bethany Subarea Concept Plan Design Elements - Map 1
  - 12 c. North Bethany Subarea Concept Plan Design Elements - Map 3
- 13 2. Exhibit 2 (1 page) – Amends the Functional Classification map in the Transportation  
14 System Plan
- 15 3. Exhibit 3 (11 pages) –
  - 16 a. Replaces all references to ‘Joss Road’ with ‘NW Joss Avenue’ in Chapters 1 and 2  
17 of the Bethany Community Plan
  - 18 b. Amends text in Chapter 2, North Bethany Subarea Plan, of the Bethany Community  
19 Plan
    - 20 i. Section III - Background, Planning Process, Community Design Goals, and Plan  
21 Amendments
    - 22 ii. Section V - North Bethany Subarea Design Elements
    - iii. Section VI - Neighborhood Design Elements

1 4. Exhibit 4 (8 pages) – Amends maps in Chapter 2, North Bethany Subarea Plan, of the  
2 Bethany Community Plan.

- 3 a. Community Services Use Location Map
- 4 b. Density-Restricted Lands Map
- 5 c. Land Use Designations Map
- 6 d. Primary Streets Map
- 7 e. Significant Natural & Cultural Resources Map
- 8 f. Park, Trails and Pedestrian Connections Map
- 9 g. Special Frontages Map 2
- 10 h. Areas of Special Concern Map

11 **SECTION 3**

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

14 **SECTION 4**

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

17 **SECTION 5**

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

21 **SECTION 6**

22 The Office of County Counsel and Department of Land Use and Transportation are



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

5 SECTION 7

6 This Ordinance shall take effect on November 28, 2014.

7 ENACTED this 28<sup>th</sup> day of October, 2014, being the third reading and  
8 third public hearing before the Board of County Commissioners of Washington County, Oregon.

9 BOARD OF COUNTY COMMISSIONERS  
10 FOR WASHINGTON COUNTY, OREGON

11 **ADOPTED**

12   
13 CHAIRMAN

14   
15 RECORDING SECRETARY

16 READING

17 PUBLIC HEARING

18 First September 16, 2014  
19 Second October 21, 2014  
20 Third October 28, 2014  
21 Fourth \_\_\_\_\_  
22 Fifth \_\_\_\_\_

18 First September 16, 2014 (Engrasment  
19 Second October 21, 2014 ordered)  
20 Third October 28, 2014  
21 Fourth \_\_\_\_\_  
22 Fifth \_\_\_\_\_

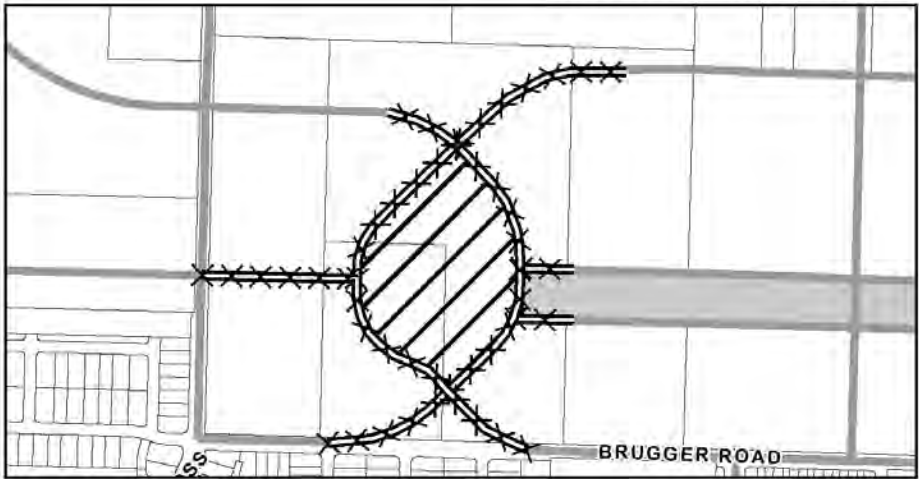
23 VOTE: Aye: Schouten, Rogers,  
24 Malinowski, Terry, Dwyer  
25 Recording Secretary: Ana D. Noyola

23 Nay: none  
24 Date: October 28, 2014

The following maps in Policy 43, COMMUNITY DESIGN FOR NEW URBAN AREAS of the Comprehensive Framework Plan for the Urban Area are amended as shown:

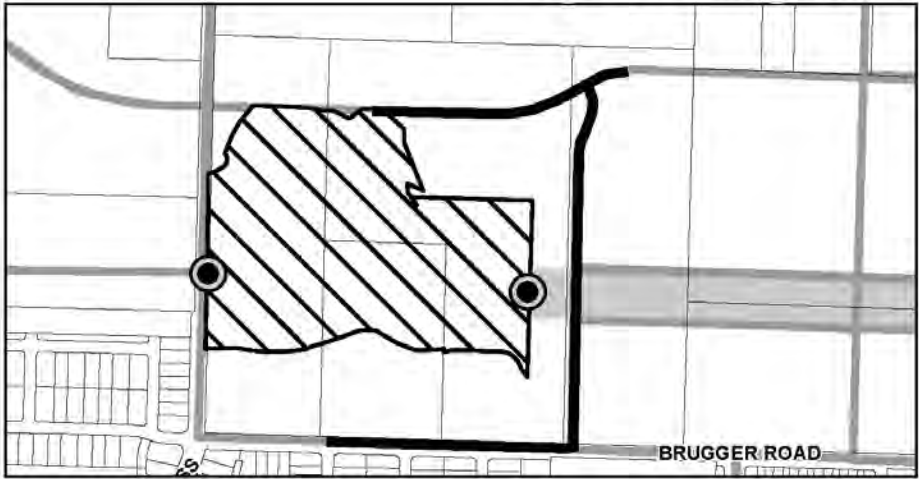
**North Bethany Subarea Core Pedestrian and Bicycle Network Map**


**Current Configuration**



-  Remove 'Fixed Park' designation
-  Primary streets to be removed (Shown for context)
-  Unchanged 'Fixed Park'
-  Unchanged Primary Streets (Shown for context)

**Proposed Configuration**

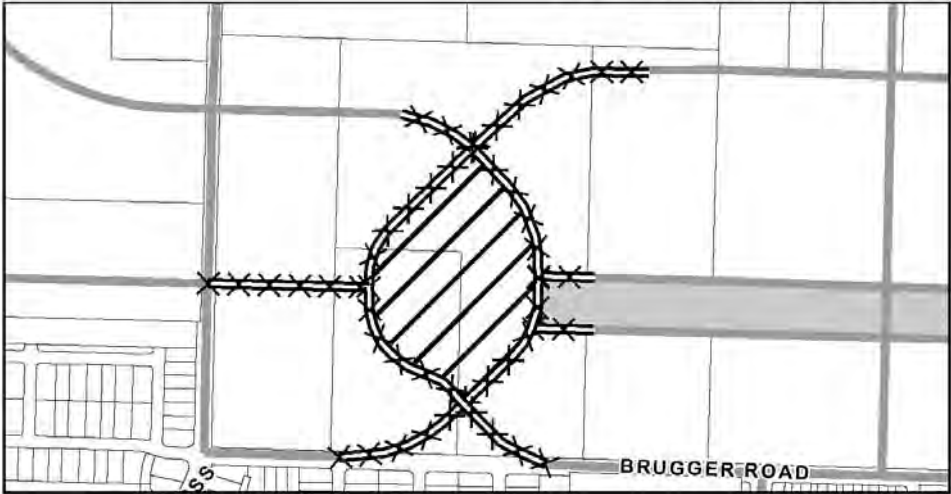






-  Unchanged 'Fixed Park'
-  Proposed area to be added as a 'Fixed Park'
-  Proposed Primary Streets (Shown for context)
-  Unchanged Primary Streets (Shown for context)
-  Future trail to connect between NW Joss Avenue and the east edge of the West Community Park

~~abc~~def Proposed additions  
~~abc~~def Proposed deletions

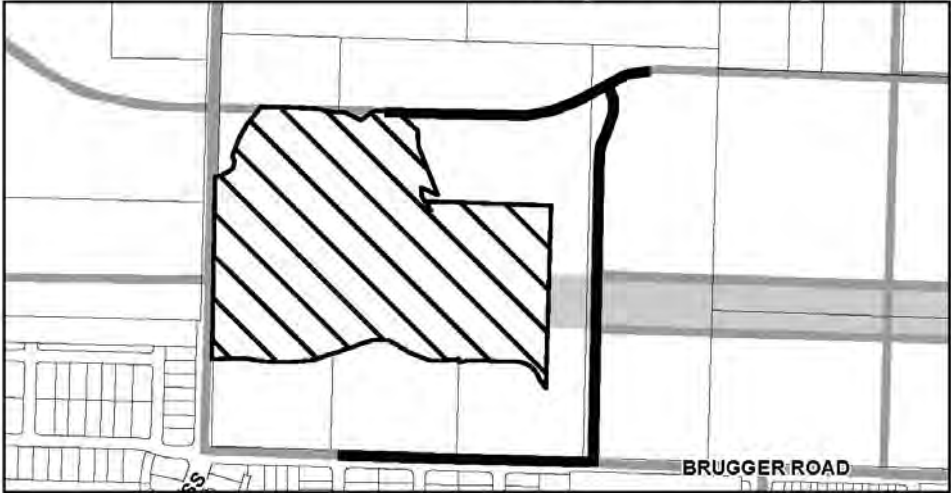
**North Bethany Subarea Concept Plan Design Elements – Map 1**

**Current Configuration**



-  Remove 'Fixed Park' designation
-  Primary streets to be removed (Shown for context)
-  Unchanged 'Fixed Park'
-  Unchanged Primary Streets (Shown for context)

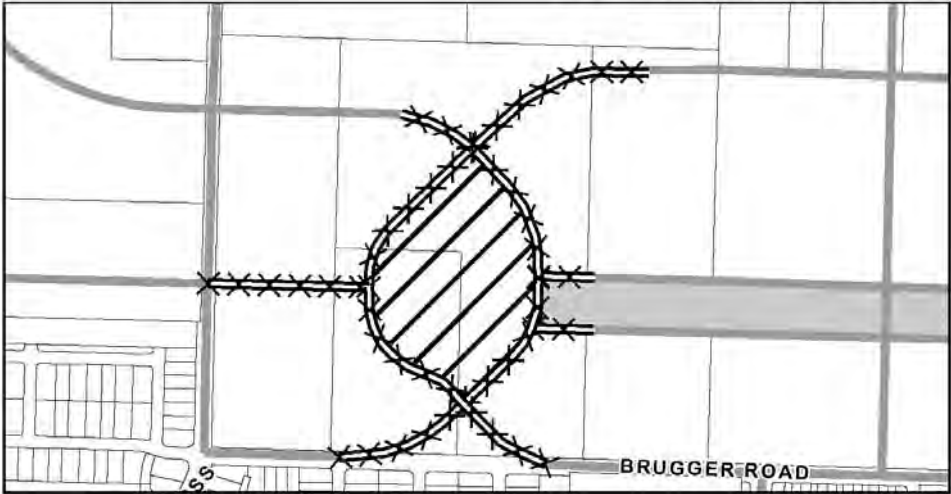
**Proposed Configuration**



-  Area to be added as a 'Fixed Park'
-  Proposed Primary Streets (Shown for context)
-  Unchanged 'Fixed Park'
-  Unchanged Primary Streets (Shown for context)

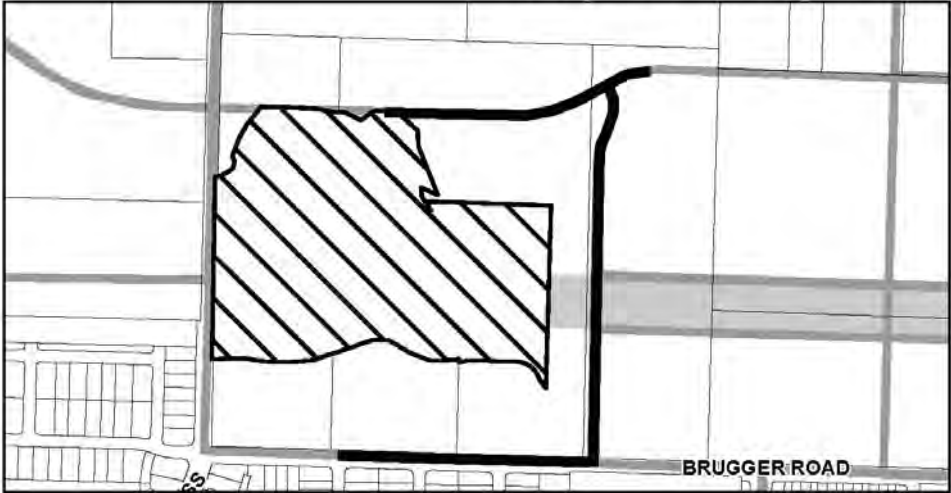
**North Bethany Subarea Concept Plan Design Elements – Map 3**

**Current Configuration**



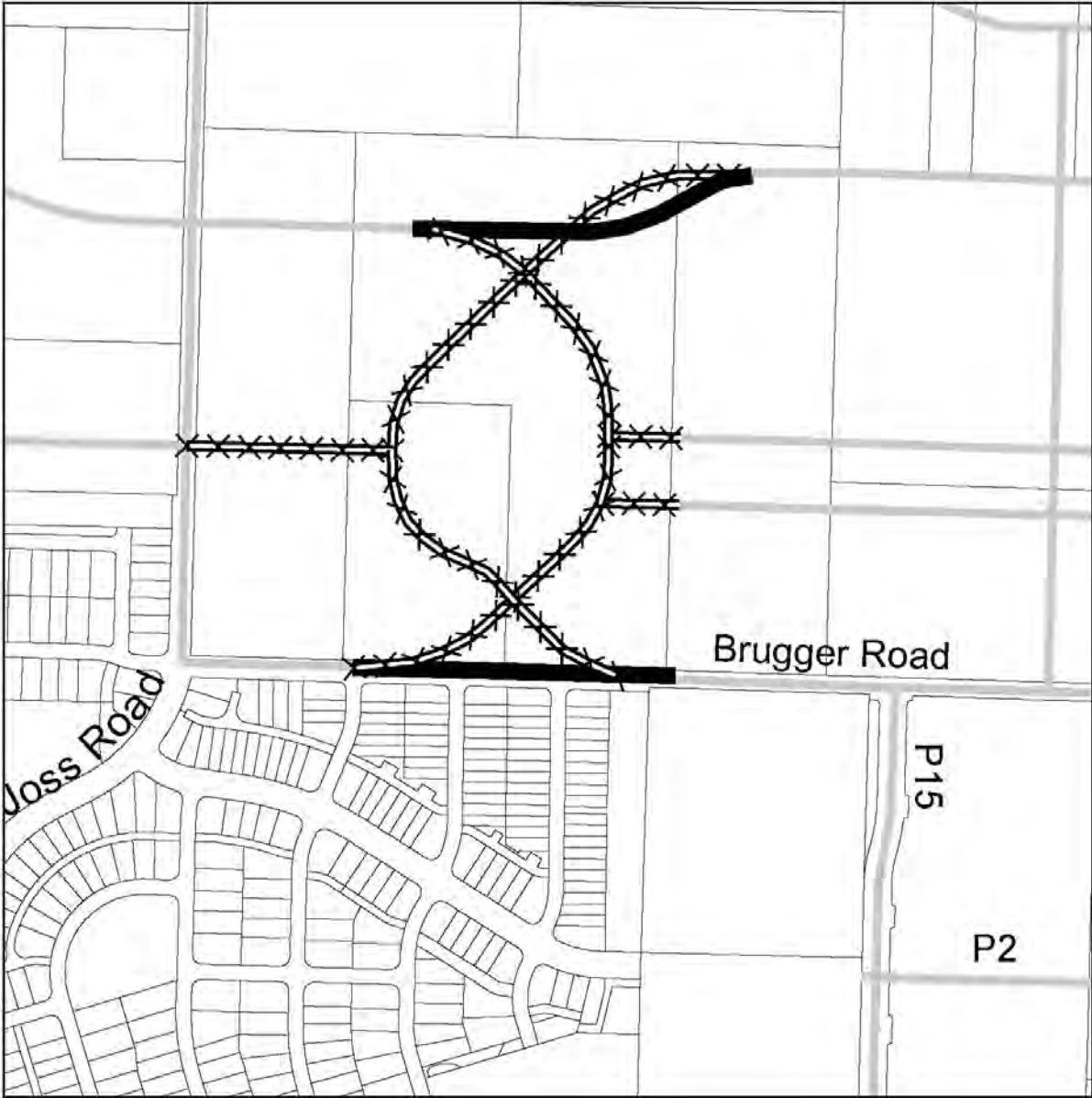
- Remove 'Fixed Park' designation
- Primary streets to be removed (Shown for context)
- Unchanged 'Fixed Park'
- Unchanged Primary Streets (Shown for context)




**Proposed Configuration**



- Area to be added as a 'Fixed Park'
- Proposed Primary Streets (Shown for context)
- Unchanged 'Fixed Park'
- Unchanged Primary Streets (Shown for context)

The Functional Classification Map in the Transportation System Plan is amended as shown:



-  Apply 'Proposed Neighborhood Route' designation
-  Remove Functional Classification designation
-  Unchanged Streets

~~abcdef~~ Proposed additions  
~~abcdef~~ Proposed deletions

In Chapters 1 and 2 of the Bethany Community Plan, all references to 'Joss Road' are replaced with 'NW Joss Avenue.'

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

## Chapter 2: North Bethany Subarea Plan

### I. Introduction

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

\*\*\*

### III. Background, Planning Process, Community Design Goals, and Plan Amendments

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#### D. Community Design Goals

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

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

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

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

abcdef Proposed additions

~~abcdef~~ Proposed deletions

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

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

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

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

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

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

Public spaces and the relationship between public spaces and private areas are important features of North Bethany as these are aspects of the community that, once developed, will become the fabric of the county to be inherited by citizens. Commercial locations are sited for success, with good visibility and easy access that supports the idea of planning for commercial opportunities as they become viable. North Bethany's neighborhoods are inter-connected by streets and pedestrian and bike routes. Civic sites and public spaces are prominently sited to reinforce their important and functional role in the community. Parks and green spaces are provided in the form of neighborhood, community, and linear parks and off-street trails.

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

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

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

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

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

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

The two community parks, ~~which together total approximately 20 acres,~~ anchor the west and east ends of the park blocks. Together, these features provide a fundamental framework for the organization of the Subarea neighborhoods. The western community park will be approximately twelve (12) to thirteen (13) acres in size, and five and one-half (5½) to six (6) acres will have a minimum of 2.72 acres of active park space. A 15-acre community park anchors the eastern end of the park blocks.

Six neighborhood parks range in size and type from one and one-half (1½) to two (2) acres. All residences in the North Bethany Subarea are within a short walk of a park.

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

A large portion of the Subarea boundary consists of floodplain and vegetated corridors. These areas provide a natural buffer between the urban uses in the North Bethany Subarea and adjacent rural uses. They also provide opportunities to establish a trail system to provide recreational opportunities to residents. Efforts shall be made to establish trails and connections to natural areas and rural views while reducing conflicts between urban and rural uses.

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

With the adoption of the North Bethany Subarea Plan, there remained some concerns with the timing and process for acquisition of park land. The county shall consider the possibility of re-addressing this issue as part of the 2013 Planning Division Work Program.

abcdef Proposed additions

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

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

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## V. NORTH BETHANY SUBAREA DESIGN ELEMENTS

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

### A. General Design Elements

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

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### B. Areas of Special Concern

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

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#### ASC 5 – Park Blocks Local Street Circulation and Setbacks

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

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

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- a. The north-south block length between the Park Blocks and Primary Street P4 may exceed 530 feet in conjunction with the pedestrian accessway shown on the Parks, Trails and Pedestrian Connections Map and described below under item 6 of this ASC.
2. East-west block lengths may be longer than what is shown on the Neighborhood Plan within the following specifications:
    - a. The block lengths along the entire length of the Park Blocks shall be relatively uniform, with a maximum variation of ten (10) percent.
    - b. The north-south block length as shown on the Neighborhood Plan and the Block Perimeter Standards in Section 408-6 shall be met.
    - c. There shall be no fewer than four (4) north-south streets intersecting the Park Blocks between the Waterhouse Powerline Trail Corridor and Kaiser Road. If fewer than five (5) north-south intersecting streets are provided, a minimum of ~~two~~three (2~~3~~3) north-south pedestrian-bicycle accessways shall be provided between the powerline corridor and Kaiser Road.

One of these required pedestrian-bicycle accessways shall be provided east of Primary Street P20, approximately in the center of the property identified as Map 1N1 17B, Tax Lot 700, to continue the alternating pattern of north-south streets and accessways located on properties further east that were approved through the development review process. A full street may be substituted for this pedestrian-bicycle accessway.

These north-south pedestrian-bicycle accessways shall have a minimum ten (10) foot paved width. These accessways shall have a minimum right-of-way width of twenty (20) feet. Instead of right-of-way dedication, the required width may be recorded in a tract or easement. The minimum right-of-way width shall be thirty (30) feet in areas where all of the following conditions are present: The accessway is flanked on both sides by existing or proposed buildings for a distance of more than 300 feet; the separation distance of the buildings on opposite sides of the accessway is less than 70 feet; and the length of the parallel building walls on each side of the accessway equates to 75 percent or more of the >300 foot distance along the accessway. These north-south accessways shall extend between NW Brugger Road and Road P4, including crossing through the Park Blocks.

The length of continuous fencing along the accessways is limited to a maximum of 300 feet. Continuous fence lines shall contain openings at minimum intervals of 300 feet, and the openings shall be a minimum of 10 feet in width.

The north-south pedestrian-bicycle accessways may exceed 300 feet in length between streets, but shall comply with the other standards of CDC Section 408-9. In the event standards of ASC 5 conflict with a requirement of CDC Section 408-9, the ASC 5 standards shall control.

3. Primary Streets P11 and P12 comprise a couplet with the Park Blocks as a median. The width of the Park Blocks median shall be 170 feet (100 feet of median width with 35 feet of couplet right-of-way on each side of the block).
4. Vehicular access to residential properties adjacent to the Park Blocks is not permitted from the Park Blocks in order to maintain a continuous pedestrian-oriented public streetscape. A consolidated vehicular access to the North Bethany Main Street Area is permitted.
5. Parking lots between the street and the adjacent buildings are prohibited.
6. Development shall provide an east-west pedestrian accessway between the Park Blocks and Primary Street P4. The pedestrian accessway shall be consistent with CDC Section 408-8.2. This accessway may exceed 300 feet in length between streets, but the accessway design shall be consistent with the other standards of

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CDC Section 408-9, except if emergency vehicular access is required in conjunction with the accessway. In that instance, design of the pedestrian accessway shall be separated or integrated into a woonerf-type pedestrian street subject to approval by the County Engineer. A woonerf is a street where pedestrians and bicyclists have priority over motorists. Access is shared, not separated, and design supports very low speed limits (5-10 m.p.h.) through the use of curved alignment, alternative paving materials (i.e., pavers, brick, etc.) and colors, and other traffic calming devices such as trees, planters, bollards, parking, and street furniture. In the event standards of ASC 5 conflict with a requirement of CDC Section 408-9, the ASC 5 standards shall control.

7. The front façades of all buildings shall front on the Park Blocks, consistent with General Design Element 8.
8. Front yard build-to setbacks in the Park Blocks shall comply with the setback requirements of General Design Element 7. Where side yard build-to setbacks and front yard build-to setbacks are proposed for the same street frontage, the side yard build-to setback shall not be less than the front yard build-to setback. Any fences along these side yards shall be set back behind the front yard build-to setbacks of adjacent lots where front yards face the street.
9. Adjacent to the Park Blocks, buildings shall be a minimum of two stories.
10. In order to minimize the distance between pedestrian street crossings in the vicinity of the Park Blocks, curb bump-outs shall be used on the adjacent streets that run parallel and perpendicular to the Park Blocks, subject to the design approval of the County Engineer.

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## ASC 11 – West Community Park and Vicinity

ASC 11 addresses the ultimate design intent for the West Community Park. ASC 11 also addresses a Primary Street to be located on the property immediately east of the West Community Park and the Waterhouse powerline trail corridor.

The West Community Park shall be approximately twelve (12) to thirteen (13) acres in size, and shall have a minimum of 2.72 acres of active park space.

A primary street, P20, shall be located along the east side of the Waterhouse powerline corridor between primary streets P4 and P6. Primary Street P20 is intended to accommodate on-street parking for the West Community Park. Modification to the mapped alignment of Primary Street P20 is not permitted through the development review process described in Table A of General Design Element 10 (Circulation). Modification to the mapped alignment of Primary Street P20 would require a plan amendment. THPRD shall be responsible for construction of the western half-street improvement of P20 between primary streets P4 and P6. Where the trail within the adjacent powerline corridor is less than 25 feet from the Primary Street P20 right-of-way, the street's sidewalk and the trail may be combined into one facility by widening the sidewalk to 12 feet.

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## VI. NEIGHBORHOOD DESIGN ELEMENTS

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

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

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### B. West Neighborhood

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

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

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

### DESIGN ELEMENTS

1. The following parks shall be provided in the West neighborhood:
  - a. The West Neighborhood includes one of the Subarea's two community parks. It is specifically located at the western end of the Subarea's ridge feature and is an integral element of the Park Block features. The community park shall be located at the west end of the Park Blocks, shall be approximately twelve (12) to thirteen (13) acres in size, and shall contain a minimum of 2.72 acres of active park space. ~~be five and a half (5½) to six (6) acres in size.~~ The active park area shall have street frontage along its north and south sides that can accommodate on-street parking for park users ~~entire perimeter.~~ To accommodate parking for park users, the streets fronting the park shall be designed to be no less than the minimum county standard for parking on two sides. ~~and~~ The front façades of residential buildings on these streets shall front the park.
  - b. A one and a-half (1½) to two (2) acre park shall be located in the West Neighborhood. PCC shall be involved with the design of the park, including its location, due to the potential adverse impact to the college's academic use of the wooded area to the south. The appropriate location of the park and any trails shall be coordinated with the applicant, THPRD, PCC, and the county.
2. The following trail connections shall be provided in the West neighborhood:
  - a. The Waterhouse Powerline Trail runs through the Subarea along the north-south powerline corridor. It is important for trail users to have reasonable access to the trail. Visible pedestrian-bicycle access points shall be provided at regular intervals along the trail, generally spaced at every block.
  - b. Providing pedestrian connections to the Subarea's western boundary is important to provide public access to the Subarea's edges, including opportunities to enjoy the views toward the west. The streets and off-street trail along the UGB have been intentionally located to preserve views into the

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floodplain/natural resource area as part of the public realm. The streets and trail shall be constructed to parallel the UGB to the extent practicable, given potential topographic and wetland constraints. Access points for public access and viewing shall be provided along this edge, consistent with the West Neighborhood Plan Map and the Parks, Trails and Pedestrian Connections Map.

c. A connection from the West Neighborhood to the PCC Rock Creek campus shall be provided. The location of this connection will be determined when PCC expands its campus in the northeast corner and shall take into account the sensitive nature of PCC's wooded area. The appropriate location of the connection shall be coordinated with the applicant, THPRD, PCC, and the county.

d. A trail providing an east-west connection between NW Joss Avenue and the active portion of the West Community Park shall be provided. The trail alignment may go through or around the wetland that is located on the west side of the West Community Park, and may include boardwalk components.

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

a. Primary Street (P1) extends west from ~~the westernmost point of the community park~~ NW Joss Avenue (P19) to the UGB (does not include the Urban Reserve areas). The street parallels the existing topography and extends the view shed from the West ~~End~~ Community Park to the Rock Creek floodplain.

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

c. Primary Street (P5) provides a connection from the westernmost portion of the neighborhood and (P8) to NW Joss Avenue (P19), the West Community Park and (P7).

d. Primary Streets (P4), and (P6) provide a connection from NW Joss Avenue (P19) to NW Kaiser Road, and (P7) shall provide the boundary of the West Community Park.

e. NW Joss Avenue (P19), as it extends to the north of the Arbor Oaks Subarea, is a Primary Street. It is intended to connect existing NW Joss Avenue within the Arbor Oaks Subarea to Road A along the existing NW Brugger Road alignment.

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

4. The western edge of the neighborhood at Road A is a gateway into the Subarea. Refer to Design Element 5 for the Northwest Neighborhood.

5. Development shall be consistent with Areas of Special Concern Road Corridors 1B and 3 and ASC 5.

6. A neighborhood commercial site fronts NW Joss Avenue. The site is approximately one-half (1/2) acre. The site shall be developed so the building(s) fronts NW Joss Avenue. Building entrances and windows shall be included in these building façades. The site shall include a small public plaza to serve as a community gathering space.

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## E. Central Neighborhood

The Central Neighborhood extends north from NW Springville Road to Road A. Generally, the western boundary is the Waterhouse Powerline Trail Corridor and the eastern boundary is NW Kaiser Road.

The most prominent natural features of this neighborhood are the ridge that runs east-west along the highest point, and the associated views of the surrounding area including the Tualatin Mountains, Chehalem Mountains and Tualatin River valley. Other notable features include an ash forest/wetland south of the Park Blocks and Bethany Creek.

The key design parameters for the Main Street Area require the central section of NW Kaiser Road to have the following characteristics:

- A “main street” design (on-street parking, pedestrian scale and urban design features),
- A strong relationship to the Park Blocks and East and West Community Parks,
- A building scale and form which reflects its role as the focal point of the community, and
- A civic use in a central and prominent location with an adjacent public gathering area.

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

### DESIGN ELEMENTS

1. The Central Neighborhood shall have two neighborhood parks and the linear Park Blocks.
  - a. A one and one-half (1½) to two (2)-acre northern neighborhood park shall be south of Road A and adjacent to the Waterhouse Powerline Trail Corridor or the Abbey Creek tributary.
  - b. A one and one-half (1½) to two (2)-acre southern neighborhood park near the P2 Street will have a connection to Bethany Creek and provide a trailhead for the multi-purpose path north of and parallel to Bethany Creek.
  - c. The Park Blocks shall be consistent with ASC 5.
2. The location of higher density along the central ridge and the Main Street Area and the streetscape design along the Park Blocks are intended to make these primary community amenities immediately accessible to a large number of residents. The Park Blocks will support future transit through the placement of the highest residential densities along the Park Blocks and design standards in the Community Development Code.
3. Trails and pedestrian connections shown on the Parks, Trails and Pedestrian Connections Map shall be provided that are consistent with THPRD standards and standards of ASC 7.
4. The Central Neighborhood has ~~ten~~ eleven Primary Streets. Primary Streets shall be provided in new development consistent with Section IV.C. (Primary Streets) and Section V.B. (Areas of Special Concern) of the North Bethany Subarea Plan. The intent of each Primary Street is provided below:
  - a. NW Rossetta Street is Primary Street P2 that parallels Bethany Creek between NW Kaiser Road and Road A. The intersection with NW Kaiser Road north of Bethany Creek serves as the southern gateway to the Main Street Area. P2 is an important east-west connection between Arbor Oaks Subarea and North Bethany Subarea. Development of P2 shall be consistent with ASC 7.

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- b. The Park Blocks are created by two parallel Primary Streets P11 and P12. The western terminus of the Park Blocks shall end at the center of the West Community Park. P11 and P12 cross NW Kaiser Road and terminate at East Community Park and the northern edge of the civic site. Development of these streets shall be consistent with ASC 2 and 5.
- c. NW Kaiser Road is a Primary Street that will be located primarily in existing right-of-way. Development shall be consistent with ASC 2.
- d. Primary Street P15 provides a connection to the Park Blocks from NW Springville Road, at the intersection with NW Oats Terrace.
- e. NW Brugger Road (P6) is a Primary Street that is located in existing right-of-way.
- f. Primary Street P9 connects NW Brugger Road with Road A.
- g. Primary Street P4 connects the West ~~Neighborhood Community Park~~ to NW Kaiser Road and the East Community Park.
- h. NW Springville Road is a Primary Street that is located primarily in existing right of way. Development shall be consistent with ASC 4A.
- i. Road A is a Primary Street. Development along Road A shall be consistent with ASC Road Corridor 1B.
- j. Primary Street P20 provides a north-south connection between Primary Street P4 and Primary Street P6 (Brugger Road), and is directly adjacent to the powerline trail corridor along most of its length. Primary Street P20 shall accommodate on-street parking for the West Community Park located adjacent to the powerline trail corridor.
5. Buildings constructed as part of the Community Park shall be placed near and oriented to adjacent streets and used to define the park edge.
6. The design of the Main Street Area shall be consistent with the intent of the North Bethany Main Street Program Guide. This guide is intended to be consistent with the intent of the Metro 2040 Main Streets designation. Examples include high density housing, mixed use buildings, retail and services that are intended to serve the entire North Bethany Subarea.
7. Development shall be consistent with ASC Road Corridors 1B, 2 and 4A and ASC 5, 7, 9 and 10.
8. The intersections of NW Kaiser Road / Road A and NW Kaiser Road / NW Rossetta Street (P2) are gateways that mark the north and south entrances to the portion of NW Kaiser Road designated as a Main Street on the 2040 Design Types Map (see Policy 40 of the Comprehensive Framework Plan for the Urban Area). The gateways are identified on the Core Design Elements Map. A design plan shall be prepared that addresses the Neighborhood Plan and Street Design Map elements, applicable CDC standards and any additional Gateway design treatments. A preferred design solution for each gateway will include the following elements:
- Vertical element signifying entrance into the commercial district.
  - Special detailing on the feature elements, which may include water, walls, rocks, metal, special paving, traffic calming, enhanced pedestrian crossing and/or seating.
  - Minimal or significant amount of landscaping, depending on the gateway design.
  - Lighting for pedestrians and to emphasize monument features.

Due to the grade change along NW Kaiser Road, between NW Brugger and NW Springville Roads, the Gateways at the intersection of NW Kaiser Road and Primary Street P2 shall be located south of P2 in the linear park on each side of NW Kaiser Road. (The Gateways are located on each side of NW Kaiser Road at its intersection with P2.) Because the Gateways will be located in the linear park, they shall be designed, and possibly constructed in conjunction with the development of the park.

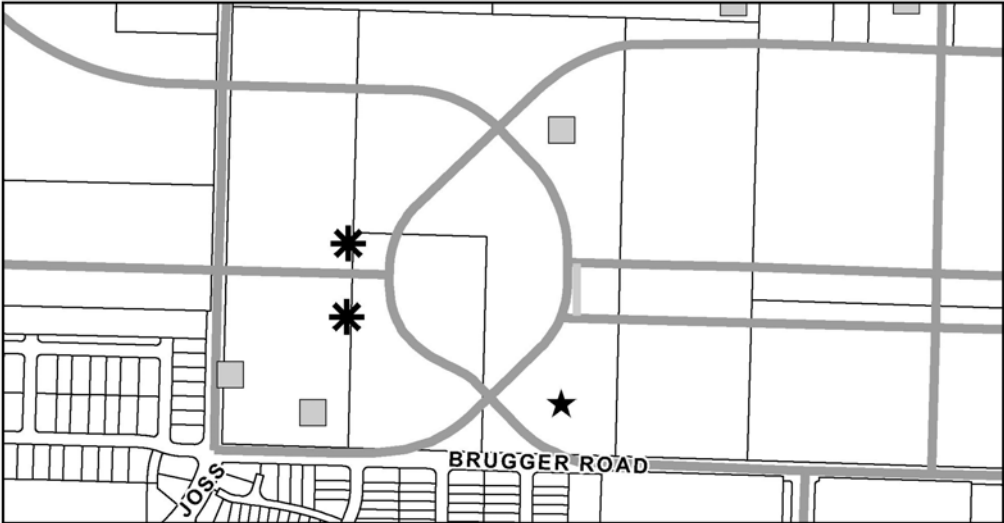
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The following maps in Chapter 2: North Bethany Subarea Plan of the Bethany Community Plan are amended as shown:

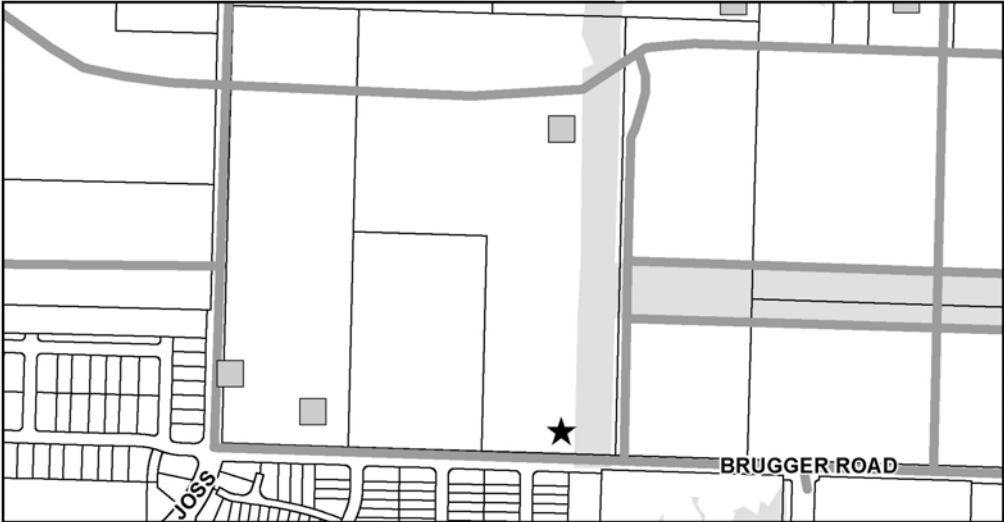
**Community Services Use Location Map**

**Current Configuration**



- ✱ Remove Community Service Use Location
- ★ Community Service Use Location to be relocated
- Unchanged Community Service Use Location
- Existing Primary Streets (Shown for context)

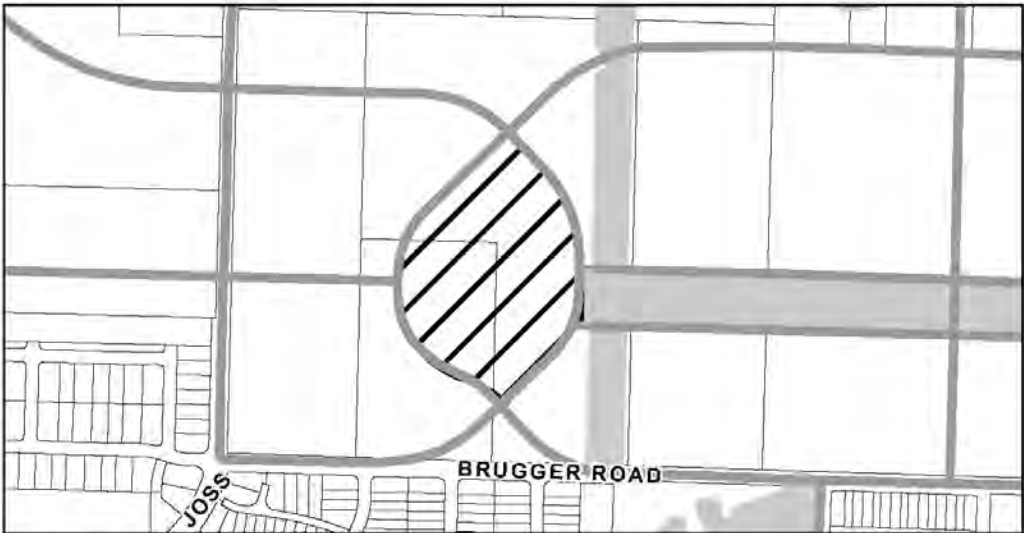
**Proposed Configuration**






- ★ Relocated Community Service Location
- Unchanged Community Service Location
- Proposed Primary Streets (Shown for context)

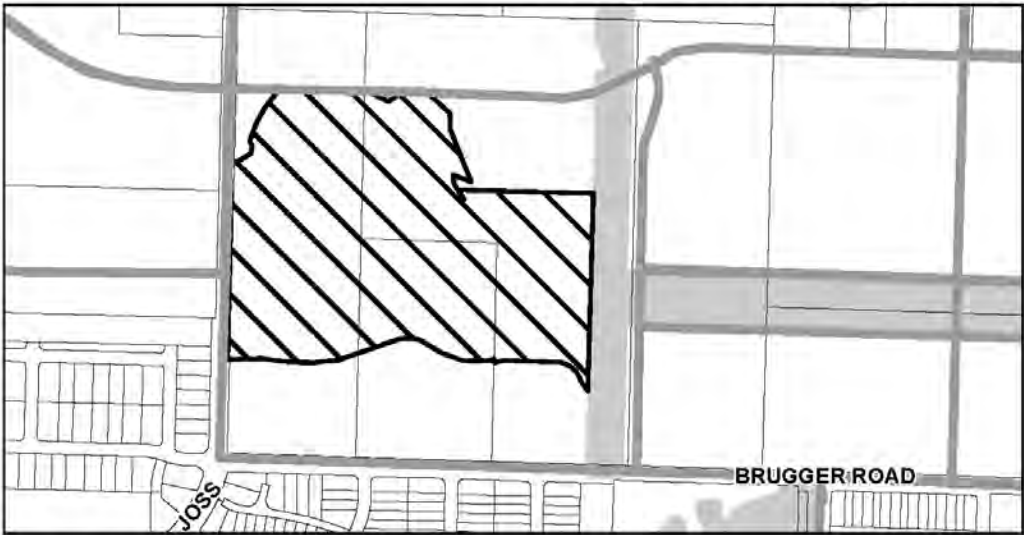
**Density-Restricted Lands Map**




**Current Configuration**



-  Remove 'Density Restricted Lands' designation
-  Unchanged Density Restricted Lands
-  Existing Primary Streets (Shown for context)

**Proposed Configuration**



-  Area to be added as a 'Density Restricted Lands'
-  Unchanged 'Density Restricted Lands'
-  Proposed Primary Streets (Shown for context)

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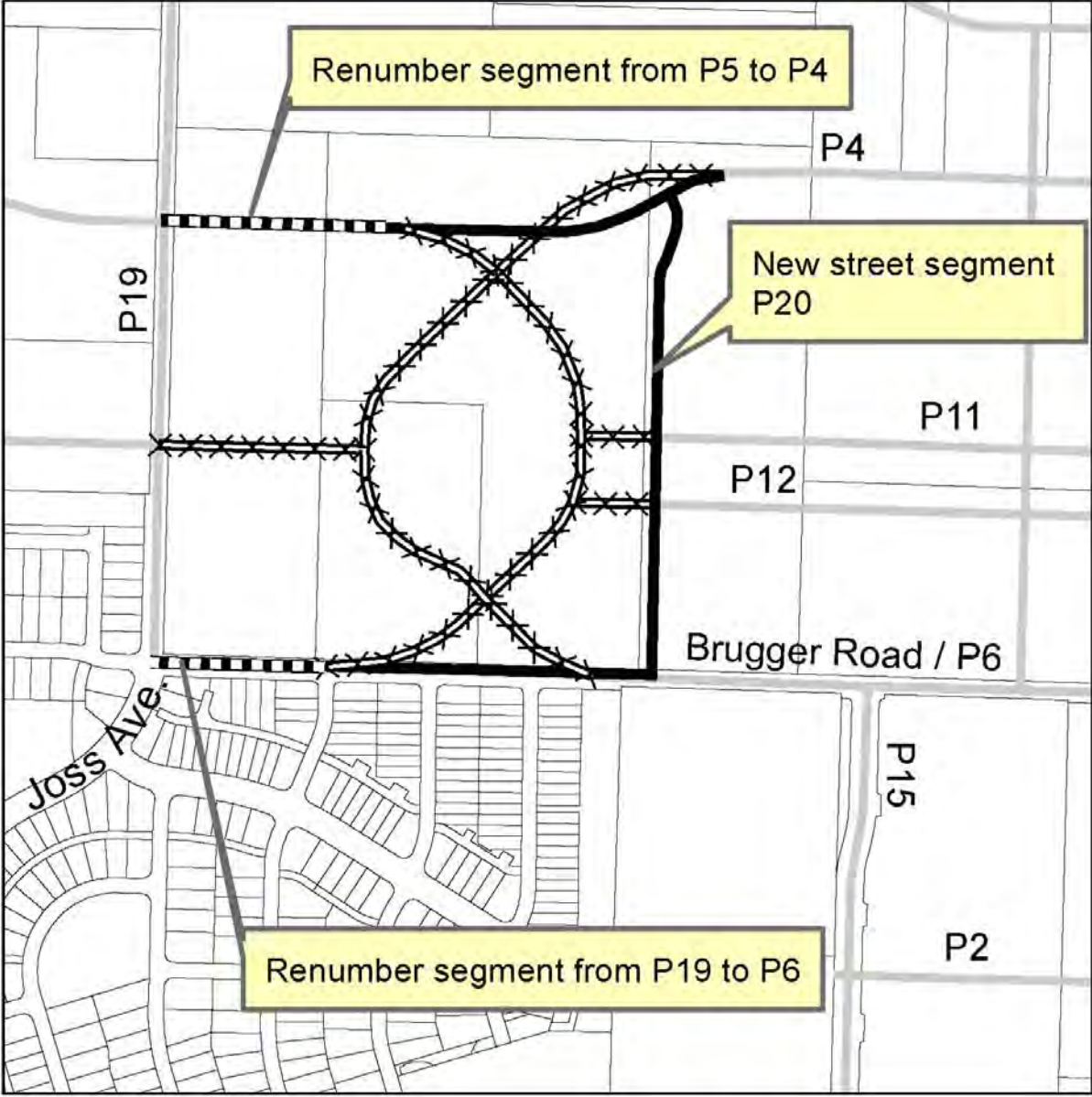
**Land Use Designations Map**







-  Change from R-9 NB to R-15 NB
-  Change from R-24 NB to R-15 NB
-  Unchanged Land Use Designations
-  Proposed Primary Streets (Shown for context)

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 abcdef Proposed deletions

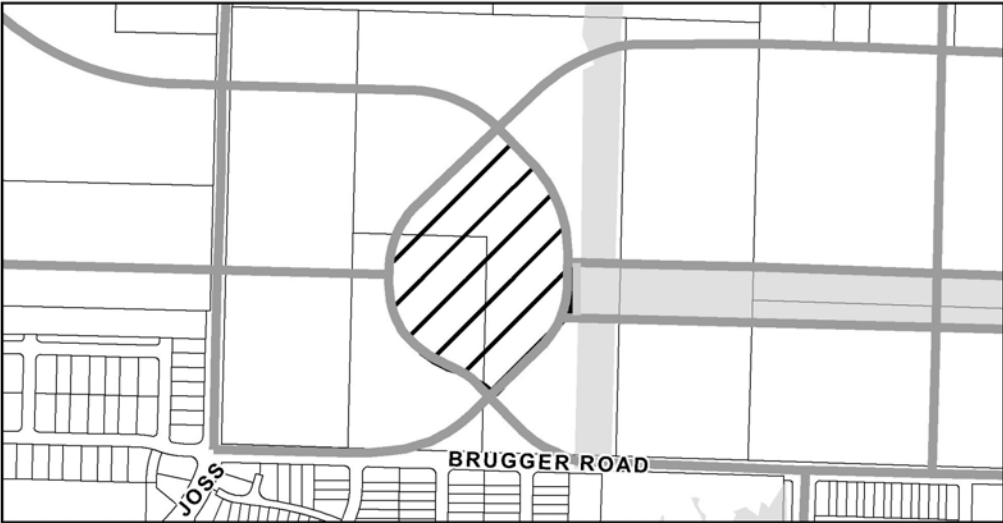
**Primary Streets Map**



-  Renumber street segment
-  Street realignment/New Street
-  Remove street segment
-  Unchanged Primary Streets

### Significant Natural & Cultural Resources Map

#### Current Configuration



- Remove 'Open Space' designation
- Unchanged Significant Natural Resource designations
- Existing Primary Streets (Shown for context)

#### Proposed Configuration

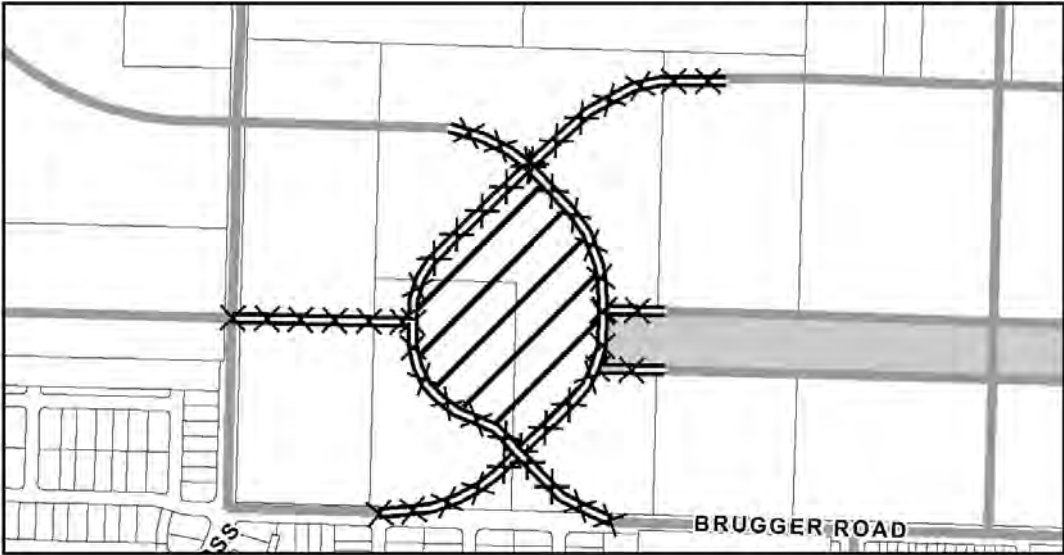


- Area to be added as a 'Open Space'
- Unchanged Significant Natural Resource designations
- Proposed Primary Streets (Shown for context)

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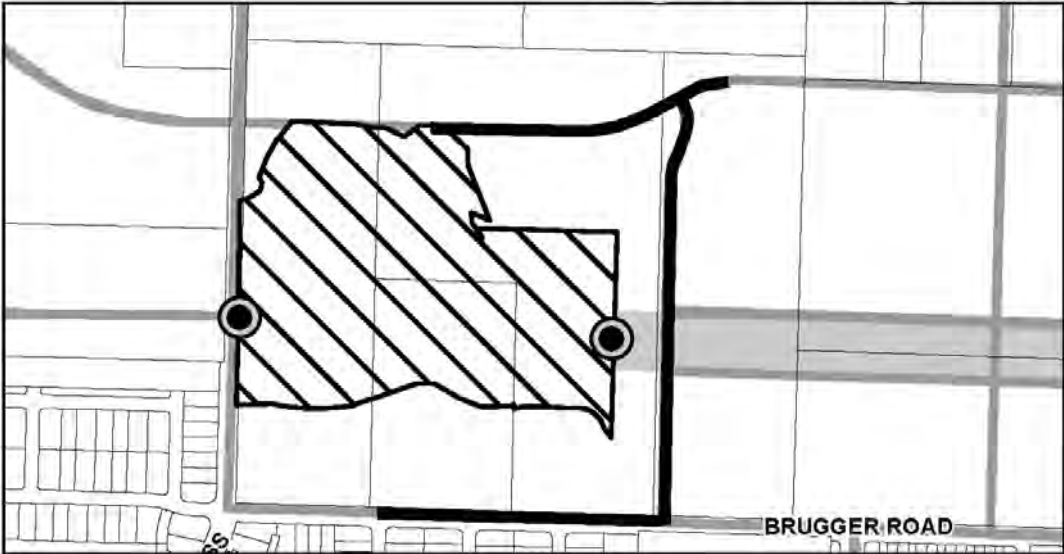
**Park, Trails and Pedestrian Connections Map**

**Current Configuration**



-  Remove 'Fixed Park' designation
-  Primary streets to be removed (Shown for context)
-  Unchanged 'Fixed Park'
-  Unchanged Primary Streets (Shown for context)

**Proposed Configuration**



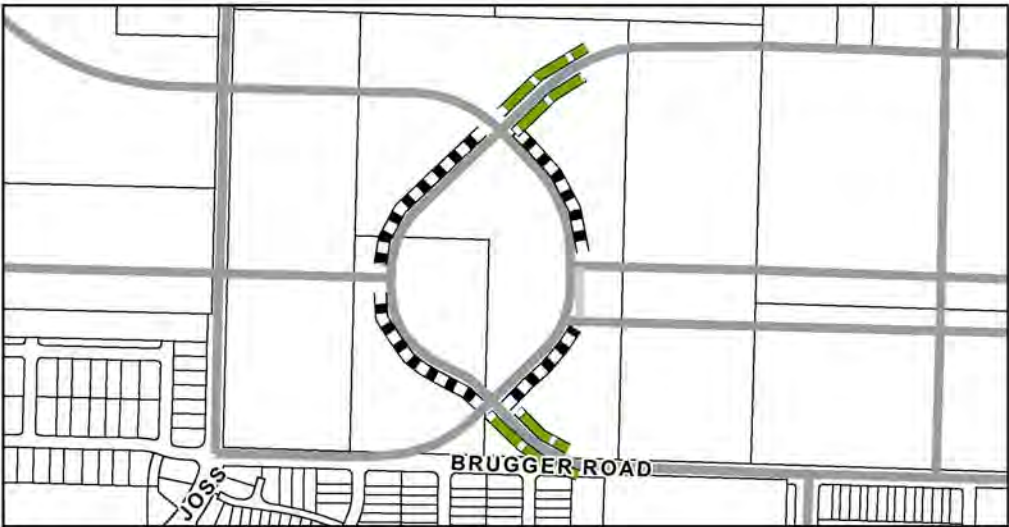
-  Unchanged 'Fixed Park'
-  Proposed Primary Streets (Shown for context)
-  Proposed area to be added as a 'Fixed Park'
-  Unchanged Primary Streets (Shown for context)
-  Future trail to connect between NW Joss Avenue and the east edge of the West Community Park




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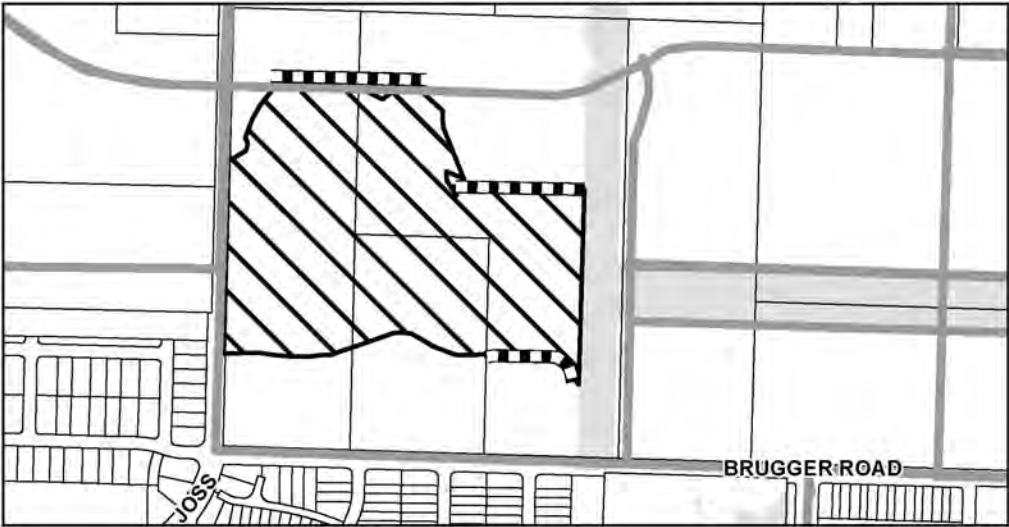
**Special Frontages Map 2**




**Current Configuration**



-  Remove 'Special Frontages - Category A' designation
-  Remove 'Special Frontages - Category B' designation
-  Existing Primary Streets (Shown for context)

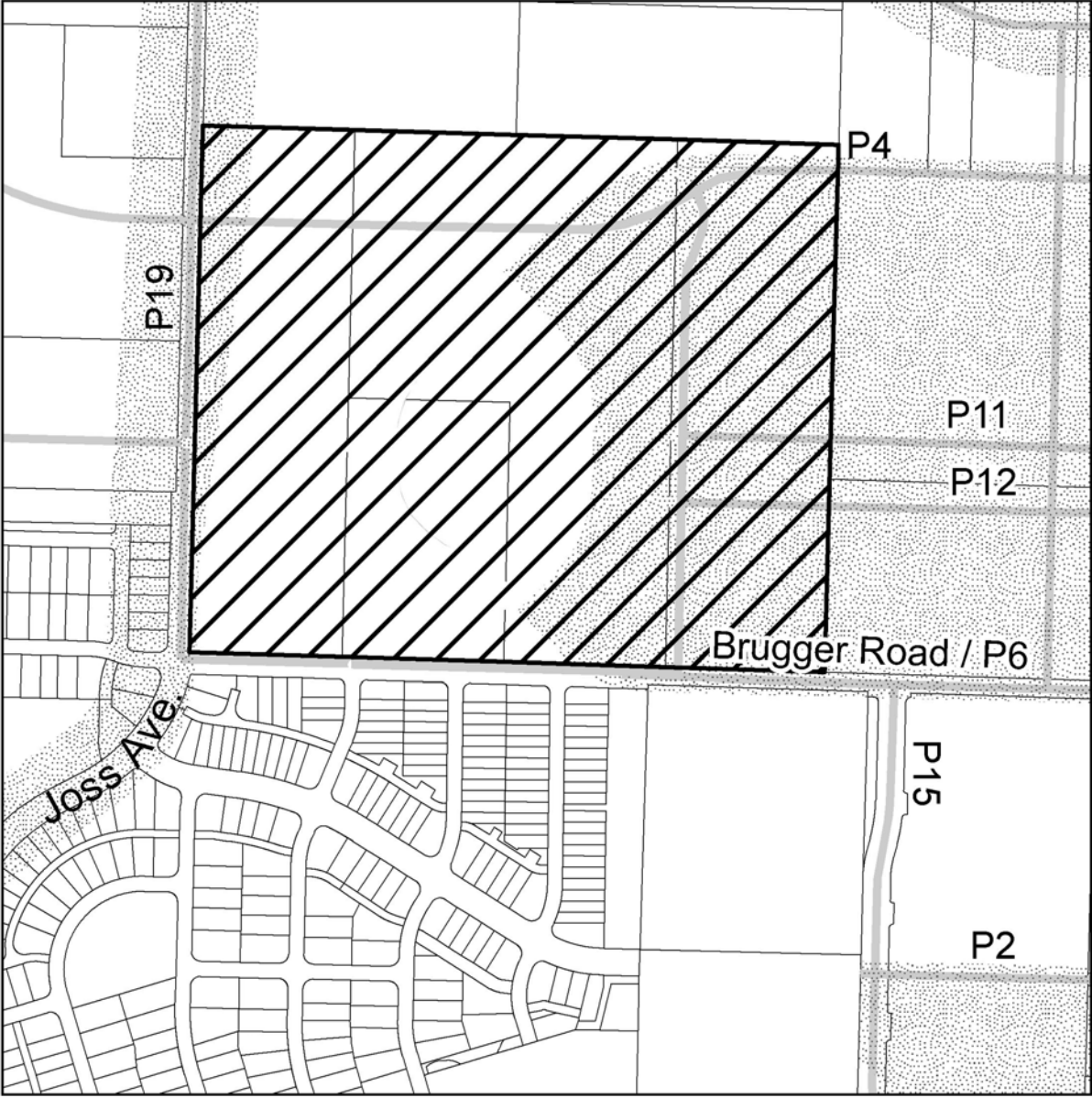
**Proposed Configuration**






-  Add as 'Special Frontages - Category A' designation
-  Area to be added as a 'Fixed Park'
-  Proposed Primary Streets (Shown for context)

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**Areas of Special Concern Map**



-  Add as new Area of Special Concern 11 (ASC 11)
-  Unchanged Areas of Special Concern (A.S.C.)
-  Unchanged Primary Streets

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# AGENDA

## WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

**Agenda Title:** ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 789

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

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### SUMMARY:

A-Engrossed Ordinance No. 789 amends the Comprehensive Framework Plan for the Urban Area, the Transportation System Plan, and the North Bethany Subarea Plan of the Bethany Community Plan relating to the West Community Park and proposed Area of Special Concern 11. The engrossed ordinance is posted on the county's land use ordinance web page at the following link: <http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2014-land-use-ordinances.cfm>

Post acknowledgment comprehensive plan amendments are 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. ORS 197.615 requires that such amendments 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 (UGMFP), any amendment to a comprehensive plan or implementing ordinance shall be consistent with the requirements of the UGMFP.

Attached is the Resolution and Order to adopt the findings for A-Engrossed Ordinance No. 789. Prior to the October 28, 2014 meeting, the proposed findings will be provided to the Board, posted on the above land use ordinance web page, and available at the Clerk's desk.

Attachment: Resolution and Order

Clerk's Desk Item: Findings

### DEPARTMENT'S REQUESTED ACTION:

Adopt the findings for A-Engrossed Ordinance No. 789 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 14-121

Agenda Item No.	<b>5.a.</b>
Date:	10/28/14

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. 789 ) No. 14-120

5 This matter having come before the Washington County Board of Commissioners at its  
6 meeting of October 28, 2014; 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. 789; 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 August 20, 2014, 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. 789 are hereby adopted.

22 DATED this 28th day of October, 2014.

		<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	BOARD OF COUNTY COMMISSIONERS
	<b>DUYCK</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	FOR WASHINGTON COUNTY, OREGON
	<b>SCHOUTEN</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<b>MALINOWSKI</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
APPROVED AS TO FORM	<b>ROGERS</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chairman
	<b>TERRY</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
					 Recording Secretary

26 County Counsel  
27 For Washington County, Oregon  
28

## **EXHIBIT A**

### **FINDINGS FOR A-ENGROSSED ORDINANCE NO. 789 AN ORDINANCE AMENDING THE COMPREHENSIVE FRAMEWORK PLAN FOR THE URBAN AREA, THE TRANSPORTATION SYSTEM PLAN, AND THE BETHANY COMMUNITY PLAN RELATED TO THE WEST COMMUNITY PARK IN THE NORTH BETHANY SUBAREA**

**October 28, 2014**

#### **Part 1: GENERAL FINDINGS**

A-Engrossed Ordinance No. 789 amends the Comprehensive Framework Plan for the Urban Area (CFP), the Transportation System Plan (TSP), and the Bethany Community Plan, to modify the size and configuration of the North Bethany Subarea's West Community Park, and to remove, re-align and add Primary Streets in the vicinity of the West Community Park. These amendments were made to address the existence of a wetland located to the west of the West Community Park. Ordinance No. 789 also proposes to replace all references to 'Joss Road' with 'NW Joss Avenue' in the Bethany Community Plan.

Key provisions of A-Engrossed Ordinance No. 789 include:

- Amends the CFP Policy 43 maps for North Bethany to designate the wetland west of the West Community Park as a Fixed Park.
- Amends the North Bethany Subarea Plan's Parks, Trails and Pedestrian Connections Map; Significant Natural Resource Map; and Density Restricted Lands Map to designate the wetland west of the West Community Park as Fixed Park, Open Space, and Density Restricted Land, respectively.
- Modifies the configuration of the West Community Park, and enlarges its size by incorporating the area of the adjacent wetland to the west into the area of the West Community Park.
- Removes, re-aligns and adds Primary Streets in the vicinity of the West Community Park.
- Adds a new Area of Special Concern (ASC) 11, which addresses the ultimate design intent for the West Community Park, and a proposed new Primary to be located on the property immediately east of the West Community Park and Waterhouse powerline trail corridor.
- Adds language to the Neighborhood Design Elements (West Neighborhood) to describe street frontage requirements for the West Community Park to accommodate parking, and an east-west trail connection between NW Joss Avenue and the West Community Park.

- Modifies the locations of Community Service Uses to reflect the removal and re-alignment of Primary Streets in the vicinity of the West Community Park.
- Modifies the locations of Special Frontages along the north and south sides of the West Community Park to reflect the park’s reconfiguration and the removal and re-alignment of Primary Streets in the vicinity.
- Changes the land use designation of a 50-foot strip of land immediately east of proposed new Primary Street P20 from R-9 NB and R-24 NB to R-15 NB.
- Replaces all references to ‘Joss Road’ with ‘NW Joss Avenue’ in the Bethany Community Plan.
- Modifies the roadway element of the Transportation System Plan to remove segments of Primary Streets P4, P6 and P7 that were planned to abut the West Community Park; and removes the segment of Primary Street P1 that is located between the north-south segment of Brugger Road (future extension of Joss Avenue) and the West Community Park.

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.

The Board also finds that applicable requirements under the Transportation Planning Rule (OAR 660-12) be addressed directly due to the subject matter of the ordinance. These findings are included in this document.

The county is also required to make findings that the amendments are consistent with the requirements of Metro’s Regional Transportation Plan (RTP) and Metro’s Urban Growth Management Functional Plan (UGMFP). These findings are also addressed in this document.

## **Part 2: STATEWIDE PLANNING GOAL FINDINGS**

The purpose of the findings in this document is to demonstrate that A-Engrossed Ordinance No. 789 is consistent with Statewide Planning Goals, ORS and OAR requirements and Metro’s Urban Growth Management Functional 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 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 plan 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. 789.

### **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, Urban Planning Area Agreements and the Community Development Code (CDC). Washington County utilized this process to adopt A-Engrossed Ordinance No. 789. Notice was coordinated with all affected governmental entities and no comments were received regarding the ordinance.

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

Goal 5 addresses the protection of natural resources and the conservation of scenic, cultural, and historic areas and open spaces by requiring local programs to protect these resources in order to promote a healthy environment and natural landscape that contributes to Oregon’s livability for present and future generations. Policies 10, 11 and 12 of the CFP, Policies 7, 9, 10, 11, 12 and 13 of the Rural/Natural Resource Plan and various sections of the Community Plans and the CDC include provisions for the protection of Goal 5 resources. In addition, OAR 660-023-0250 requires application of current Goal 5 provisions to post-acknowledgment plan amendments (PAPAs) when the PAPA: 1) creates or amends a resource list or a portion of an acknowledged plan or land use regulation that protects a significant Goal 5 resource, or 2) allows new uses that could be conflicting uses with a particular Goal 5 site.

The North Bethany Subarea contains designated Open Space resources corresponding to future parks, an existing cemetery, and existing powerline/trail corridors. A-Engrossed Ordinance No. 789 proposes to designate an approximately 10 acre area, corresponding to an approximately 7.5 acre wetland and 50-foot wetland buffer, as Open Space. The location of this Open Space area is shown in Attachment A. During the proceedings for Ordinance No. 789, information was submitted to demonstrate that the wetland portion of this proposed Open Space area is a jurisdictional wetland, and that the state permitting requirements for development within jurisdictional wetlands may preclude the residential and road development originally planned for this area.

A-Engrossed Ordinance No. 789 proposes to designate this wetland/buffer as Open Space, which would substantially preserve the area as passive open space for limited public enjoyment, as a complement to the adjacent active park space within the West Community Park.

In order for a determination regarding the potential protection of a resource to be done by a local government as a post acknowledgement plan amendment, the Goal 5 process laid out in Division 023 must be followed. The Goal 5 process requires that a local government inventory the potential Goal 5 resource; evaluate the potential protection of the resource through what is called an ESEE analysis (Economic, Social Environmental and Energy); and then develop a program to provide the level of Goal 5 protection of the resource that is determined appropriate. In the current situation, the referenced map provides the required inventory of the Open Space resource; see Attachment A.

The County's Significant Natural and Cultural Resources Map and the implementing regulations of the North Bethany Subarea Plan and the Community Development Code provide the necessary protective measures.

Following is our ESEE assessment regarding fully protecting the proposed open space area; limiting conflicting uses of this area to open space uses and limited road development; or fully allowing conflicting uses of the area. The conflicting uses considered as full conflicting uses would be all elements of residential development as would currently be allowed under the North Bethany Subarea Plan including home, road, and utility development and related activities.

### **ESEE Analysis**

This section considers the economic, social, environmental and energy consequences of the following:

- a. *Prohibiting conflicting uses*, thereby providing full protection of the resource site.
- b. *Limiting conflicting uses* by offering limited protection of the resource site (balance development and open space/conservation objectives). This basically leaves the decision whether a portion of the wetland and buffer area may be developed up to State and Federal resource permitting decisions as development applications are proposed for the site.
- c. *Allowing conflicting uses* fully with no local County protection for the resource site. Prospective developers would still be subject to State and Federal permitting requirements.

In the current situation, the most significant potential conflicting uses for the proposed open space area are the related uses associated with residential development and use of the property including the construction and ultimate use of roads, utilities, and homes on the subject area. These conflicting uses would currently be allowed within the subject area under the residential land use designations of the North Bethany Subarea Plan's Land Use Designations map, and by the absence of development restricting designations on the Significant and Natural Resources Plan and the Density Restricted Lands maps of the North Bethany Subarea Plan.

A lesser degree of a potential conflicting use would be to allow for the area to be developed with open space uses which may include development of trails, boardwalks, interpretive displays, and possibly road improvements serving parks and open space uses and other nearby uses. Some wetland or buffer impacts might be possible, subject to the permitting processes of the Oregon Department of State lands and the US Army Corps of Engineering rules and permitting processes.

Finally, fully prohibiting conflicting uses would leave the area completely undevelopable – even prohibiting the development of trails or boardwalks within the proposed open space area.

### Environmental Consequences

*Prohibit Conflicting Uses:* If all conflicting uses are prohibited, then the proposed open space area in its current condition would be conserved. The proposed open space area is privately owned. The property owner would have no incentive to enhance the property and its open space values should all conflicting uses be prohibited. Any proposed development adjacent to the proposed open space would be restricted to areas completely outside of the open space area. The planned alignments of Primary Streets P1, P6, and P19 (Brugger Road) in the North Bethany Subarea Plan would potentially be affected if permits could not be obtained for development of those roads in areas of the wetland buffers.

Prohibiting all conflicting uses would provide continued open space protection – though likely in private ownership with no provisions for the public to interact with much of the potential open space values. The wetland provides functions and values, but these are degraded due to past disturbance to the site and adjacent areas. Even with the impacts from past human use, however, the wetland and buffer still provides important functions and values. Water quality treatment is provided due to the fact that overland stormwater flow discharges into the wetland. As such, the grasses within the wetlands filter the stormwater flowing untreated from impervious surfaces upstream. Wildlife habitat is also provided by the proposed open space area. The property likely serves as a travel corridor for a variety of common wildlife species. The protected open space would also provide a visual buffer and separation amongst neighboring developed or developing areas.

*Limit Conflicting Uses:* If conflicting uses such as parks and open space uses are limited, there will be a balance of development and conservation objectives within this area. The amount of protection of the open space may be limited to what is restricted from development through State and Federal wetland permitting processes as development permits are requested. Allowing some development may reduce some area and functionality of the wetlands and buffers, but would conserve other areas.

There would be short-term construction-related impacts related to construction of the planned primary streets. Those impacts would occur during land preparation and construction of the streets. Construction activities would result in the excavation and removal of vegetation. However, these disturbances can be restored through native plantings and an erosion control plan

will ensure that impacts are limited to the footprint of the proposed development. Construction noise can have a detrimental impact on wildlife within the remainder of the open space area.

*Allow Conflicting Uses:* If conflicting uses such as residential development are allowed in the open space area, then theoretically a much larger proportion of the open space area could be impacted by development with a concomitant loss of open space values. Even if Washington County determines that conflicting uses such as residential development should be allowed in the subject area, any potential impacts to the wetlands and buffer area would still need to be reviewed and approved by the Oregon Department of State Lands, the US Army Corps of Engineers, and Clean Water Services.

Allowing all conflicting uses could result in removal of the existing vegetative cover and loss of habitat for a variety of wildlife. Lost habitat would include the loss of food sources and refuge areas for mammals, reptiles, amphibians, and insects. Existing habitat would likely be replaced with lawns and ornamental, non-native vegetation which would provide some, but greatly altered, food sources and refuge for wildlife. Impervious surfaces such as roads and buildings would partially permanently replace native habitats and groundwater recharge areas. The wildlife habitat values that the property currently provides will likely be lost or severely impacted depending on the amount of wetland filled to allow conflicting uses. Fences related to residential development of the affected area could form barriers to wildlife migration. As the range of habitat for indigenous wildlife becomes restricted and isolated, opportunities for recruitment from other areas are limited and wildlife populations become vulnerable to disease, predation and local extinction.

Increased impervious surface and vegetation removal related to allowing development of the subject area could lead to increased storm runoff and peak flows in streams resulting in erosion, bank failure, flooding, and significant loss of fish and aquatic habitat function. It is assumed, however, that the development resulting from allowing conflicting uses would still need to adhere to the water quality and detention standards set by Clean Water Services and DEQ, and as such, would be required to provide stormwater quality measures and potentially stormwater detention measures to be implemented.

The increase in impervious surface area and the subsequent increased storm runoff from the area also has the potential to reduce groundwater recharge and alter the volumes of water in nearby wetlands and streams contributed by groundwater. This can alter an area's hydrology by lowering surface water levels or groundwater tables on nearby properties and removing a local source of water essential to the survival of fish, amphibians and aquatic organisms, and terrestrial animals. Clearing and grading activities can reduce the capacity of soil to support vegetation and absorb groundwater by reducing soil fertility, microorganisms, and damaging soil structure.

As with allowing limited conflicting uses, there would be short term construction-related impacts which occur when preparing land for and constructing the proposed development. Construction activity would result in the excavation and removal of existing mostly-native vegetation. However, these disturbed areas could be restored through mitigating native plantings.



Construction-related noise can also have a detrimental impact on wildlife, as can the long-term noise associated with residential development.

### Economic Consequences

*Prohibit Conflicting Uses:* Fully prohibiting conflicting uses would keep the wetland and buffer intact and limit the footprint of development activity. Prohibiting conflicting uses would impact the potential residential densities planned for by the North Bethany Community Plan, and the potential relocation of that residential development to other areas could lessen potential economic gains in the Bethany area. The economic benefits for local businesses in the Bethany area would be reduced if this lessened development is not replaced elsewhere in the area. Likewise, anticipated systems development fees and taxes that would otherwise be paid by development in this area to Washington County and other local service-providing agencies would be reduced.

Numerous studies have concluded that living next to a permanent open space increases property values. As such, prohibiting conflicting uses could benefit property values for adjacent properties when those properties are developed - which may partially offset any loss of potential tax revenues from prohibiting development of the subject area.

Prohibiting development of the subject area could result in a loss in short-term construction jobs that otherwise could be anticipated to occur related to residential development of the subject area.

*Limit Conflicting Uses:* Balancing open space related recreation and conservation goals for the affected property could result in an economic gain for local businesses, while ensuring that adjacent properties benefit from an enhanced and largely intact open space. Development of a portion of the subject area with planned roads could economically benefit businesses in the area, including residential homebuilders and future nearby businesses. There would be a gain in short-term jobs generated by road construction within or adjacent to the subject area.

*Allow Conflicting Uses:* Allowing conflicting uses would increase the population of people residing in the North Bethany area and would thus be expected to increase the economic gains of local businesses (including future businesses). There would be more short term construction jobs required to develop the subject area than would occur if the area is restricted from development.

Nearby properties could be negatively impacted by the loss of nearby open space by reduction of the values of their residential property.

### Social Consequences

*Prohibit Conflicting Uses:* Prohibiting conflicting uses would result in the development of nearby areas outside of the open space wetlands and buffer area, with the wetland and buffer remaining in their current degraded condition. The presence of the wetland would likely result in the area being set aside as a private open space without the public being able to fully enjoy the

open space values provided such as wildlife observation, and exercise by using trails. The social benefits afforded from living adjacent to a permanent open space would be enhanced for adjacent residential properties to be developed if they knew that all conflicting uses of the area would be prohibited.

*Limit Conflicting Uses:* Limiting conflicting uses would allow limited development of the wetlands and buffer area with trails, possible boardwalks, and road construction subject to State and Federal permitting processes along with preservation of most of the wetlands. The partially protected wetlands would allow for the public to enjoy the open space and its proximity to a relatively large population would establish new connections for people to the outdoors.

*Allow Conflicting Uses:* Allowing conflicting uses would result in the loss of open space and views, which could negatively affect adjacent properties and the local area as a whole. The subject area is partly visible from NW Brugger Road, so the visual impact of a residential development with reduced open space area could have a negative social effect.

Wetlands provide educational opportunities for those living near them, which would be lost if conflicting uses are allowed. Open space also provides opportunities for urban quiet and solitude, the lack of which has adverse social consequences.

By maintaining the amount of buildable residential land inside the Urban Growth Boundary (UGB) through allowing residential development of the area, expansion of the UGB onto farm and grazing land could be slightly delayed.

### Energy Consequences

*Prohibit Conflicting Uses:* Prohibiting conflicting uses would limit residential development in the North Bethany area slightly. This could increase the pressure to expand the UGB elsewhere in the long term, which could result in people needing to travel farther to work, school, and to shop, which would increase energy consumption. This could also result in the need for new roads and infrastructure further from population centers.

*Limit Conflicting Uses:* Limiting conflicting uses to public or private open space uses and limited planned-for road development could result in some additional residential development in the general area along with some unknown amount of protection of wetland area dependent upon State and Federal wetland permitting.

*Allow Conflicting Uses:* Allowing conflicting uses would increase the footprint and the density of residential development in North Bethany relative to prohibiting or allowing limited conflicting uses. This would diminish the need to expand the UGB and ensure that people were more centrally located to businesses, jobs and schools. The need for new infrastructure to support relocated increases in population would be less.

## ESEE DECISION

*Prohibiting conflicting uses* within the impact area would provide for total preservation of the existing wetland as open space. The approximately 10 acres of wetlands and buffer area could not be developed with residential development, with a potential result of additional pressure to expand the UGB as potential residents of the area need to find other areas in which to settle. Local businesses would not benefit from the larger population base that would result from development of this area. In addition, planned primary roads would need to be relocated, re-aligned, or elements of the planned roads such as sidewalks could be eliminated from road improvement plans.

Construction jobs would be fewer than would be anticipated from development of the subject area. The open space would be preserved in its current condition, which should enhance property values for adjacent property owners.

*Limiting conflicting uses* would allow for long-term protection of the most important wetland, wildlife habitat, and open space values of the site while allowing for some human recreational uses and limited road development.

*Allowing conflicting uses* within the subject area would increase the population density and ensure that local businesses receive maximum economic gains. Short term construction jobs would be increased. The loss of the approximately 10 acres of open space represented by the wetlands and buffer area would negatively impact wildlife habitat (e.g. travel corridor) and wetland functions, such as groundwater recharge, water quality treatment, and hydrologic enhancement. Impacts from residential development replacing the wetlands area could negatively impact adjacent properties. The loss of a visual buffer and open space area could negatively impact adjacent property values and investment values. The loss of the open space could reduce recreational opportunities for residents of the area.

**Recommendation:** This analysis concludes that *limiting conflicting uses* to open space uses, including recreation, would result in the most positive consequences of the three decision options. A *limiting conflicting uses* decision will avoid many of the negative consequences attributed to either allowing or prohibiting conflicting uses. There will be a relatively high level of economic, social, environmental and energy benefits achieved. Limiting conflicting uses offers the most benefit to the wetland (through its long-term protection) and to the community through allowing the public to enjoy the open space through the possible development of trails, boardwalks and adjacent roadways – subject to State and Federal permitting requirements.

Based on the above ESEE analysis, A-Engrossed Ordinance No. 789 proposes to add the approximately 10 acre wetland and buffer area lying west of the West Community Park to North Bethany's existing inventory of Open Space resources. The recommendation to limit conflicting uses will allow this area to be substantially preserved, while also allowing for limited public enjoyment of this area as a contemplative open space that will complement the adjacent active park space within the West Community Park.

Plan compliance with Goal 5 is maintained with the amendments made to the Comprehensive Plan by A-Engrossed Ordinance No. 789. The amendments made by A-Engrossed Ordinance No. 789 are consistent with the county's acknowledged policies and standards for the protection of Goal 5 resources, as well as those set forth in OAR 660 Division 23.

### **Goal 8 – Recreational Needs**

Goal 8 requires local jurisdictions to satisfy the recreational needs of citizens and visitors by planning and providing for the siting of necessary recreational facilities. Policies 33, 34 and 35 of the CFP, Policy 21 of the Rural/Natural Resource Plan and the individual Community Plans address the recreational needs of the citizens of Washington County and visitors.

The North Bethany Subarea incorporates a plan for various park locations and sizes, accompanied by a network of multi-modal off-street recreational trails and on-street connections. This program of land for recreational facilities is consistent with the level of service standards for the identified park service provider, as described in the Master Plan of the Tualatin Hills Park and Recreation District (THPRD).

A-Engrossed Ordinance No. 789 reconfigures the shape of the West Community Park, and removes and realigns some streets in the park's vicinity. The existing wetland west of the park is incorporated into the area of the park, thereby adding a passive and contemplative element to the West Community Park and enlarging its planned size from approximately 4 to 5 acres to approximately 12 to 13 acres. The ordinance requires a future trail connection between the west and east sides of the enlarged West Community Park. The program of land for recreational facilities in North Bethany remains consistent with the level of service standards for THPRD.

Plan compliance with Goal 8 is maintained with the amendments made by A-Engrossed Ordinance No. 789. The amendments are consistent with the county's acknowledged policies and strategies for satisfying recreational needs as required by Goal 8.

### **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. 789. 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, multimodal and economic transportation system. Policy 32 of the CFP, Policy 23 of the Rural/Natural Resource Plan, and in particular, the Washington County Transportation System Plan (TSP), describe the transportation

system necessary to accommodate the transportation needs of Washington County. Implementing measures are contained in the county's TSP, Community Plans, and the CDC.

Detailed findings for Goal 12 are provided in Part 2 in this document in the form of specific Transportation Planning Rule (TPR) findings, pursuant to OAR 660-012. Brief summaries of the applicable TPR provisions are followed by findings of compliance. Only those provisions of Division 12 that require specific findings are summarized and addressed herein.

A-Engrossed Ordinance No. 789 makes minor amendments to the Functional Classification System map of Policy 10 of the 2020 Transportation Plan, by removing segments of Primary Streets P4, P6 and P7 that were planned to abut the West Community Park; and removing the segment of Primary Street P1 that is located between the north-south segment of Brugger Road (future extension of Joss Avenue) and the West Community Park. Otherwise, A-Engrossed Ordinance No. 789 makes no other changes to the Transportation System Plan.

Plan compliance with Goal 12 is maintained with the amendments made by A-Engrossed Ordinance No. 789. The amendments are consistent with the county's acknowledged policies and strategies for the provision of transportation facilities and services as required by Goal 12, the TPR and the Regional Transportation Plan (RTP). Complete findings are discussed under Parts 2, 3 and 4 of the findings.

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

Washington County has an acknowledged Transportation System Plan (TSP) adopted by A-Engrossed Ordinance No. 588 in 2002 consistent with the Transportation Planning Rule (TPR) provisions. A-Engrossed Ordinance No. 789 makes minor amendments to the Functional Classification System map of the TSP. A-Engrossed Ordinance No. 789 does not amend any planned regional transportation facilities. A-Engrossed Ordinance No. 789 has been developed in compliance with all applicable provisions of Division 12.

A-Engrossed Ordinance No. 789 makes limited amendments to the adopted TSP. These amendments do not affect compliance with certain sections the TPR. Therefore, it is not necessary for these findings to address each section of the TPR. The Board of County Commissioners (Board) finds that the TPR applies to amendments covered by these findings only to the extent noted in specific responses to individual applicable sections.

A-Engrossed Ordinance No. 789 amends the TSP by removing segments of Neighborhood Routes (Primary Streets P4, P6 and P7) that were planned to abut the West Community Park; and removing the Neighborhood Route segment of Primary Street P1 that is located between the north-south segment of Brugger Road (future extension of Joss Avenue) and the West Community Park. These changes are within the Urban Growth Boundary (UGB) as it existed prior to the "grand bargain" HB4078. A-Engrossed Ordinance No. 789 does alter existing land use designations by applying a Park designation, an Open Space designation and a Density Restricted Lands designation to the wetland area and reducing the overall density by 120-150

units. The amendments made by A-Engrossed Ordinance No. 789 are consistent with and support the adopted and acknowledged strategies in the 2020 Transportation Plan.

A-Engrossed Ordinance No. 789 does not result in traffic levels that change or degrade the performance of the planned transportation system. A-Engrossed Ordinance No. 789 does make minor modifications to the planned street network in the vicinity of the West Community Park, but do not change the planned Functional Classification of the transportation facilities as described in OAR 660-012-0060 (1). As a result the provisions of the OAR 660-012-0060 can be met and no additional measures required.

**Part 4:**  
**REGIONAL TRANSPORTATION PLAN (RTP) FINDINGS**

A-Engrossed Ordinance No. 789 is consistent with the RTP published on July 29, 2010. RTP section 6.7.1 requires that local plans be implemented consistent with the Regional Transportation Functional Plan (RTFP). The RTP provisions are satisfied because the County's TSP is consistent with the RTFP. Findings concerning the RTFP are discussed in Part 4 below. A-Engrossed Ordinance No. 789 does not add or modify any planned regional transportation facilities or make changes to existing facilities that would be inconsistent with the Regional Transportation Plan (RTP).

**Part 5:**  
**REGIONAL TRANSPORTATION FUNCTIONAL PLAN (RTFP) FINDINGS**

Washington County has an acknowledged Transportation System Plan (TSP) adopted by A-Engrossed Ordinance No. 588 in 2002. Updates to the TSP in A-Engrossed Ordinance Nos. 768 and 783 were adopted by the Board of County Commissioners October 1, 2013 and October 7, 2014, respectively. A-Engrossed Ordinance Nos. 768 and 783 become effective December 1, 2014.

A-Engrossed Ordinance No. 789 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. A-Engrossed Ordinance No. 789 amends the Neighborhood Route (local facility) network of the Washington County TSP and does not add or modify any planned regional 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. Therefore, A-Engrossed Ordinance No. 789 is consistent with the RTFP.

**Part 6:**

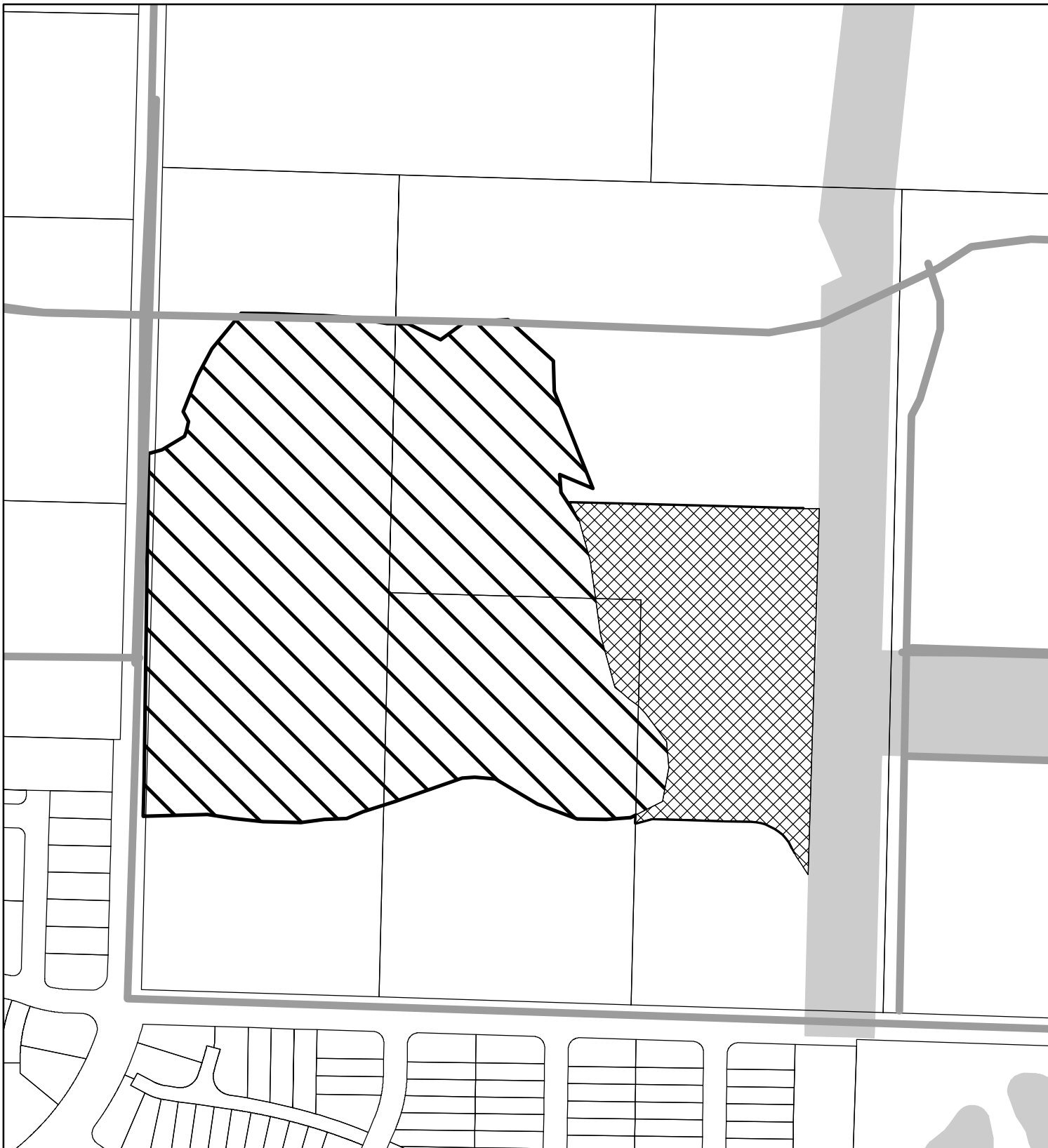
**URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN FINDINGS**

**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. Staff sent Metro a copy of proposed Ordinance No. 789 on July 3, 2014, 48 days prior to the first evidentiary hearing. Staff received no comments from Metro on proposed Ordinance No. 789. Metro was mailed a copy of A-Engrossed Ordinance No. 789 on October 10, 2014. Metro provided no comments on A-Engrossed Ordinance No. 789.

The findings in this document demonstrate that the amendments made by this ordinance are in substantial compliance with the Urban Growth Management Functional Plan.



WASHINGTON COUNTY - LONG RANGE PLANNING

**A-Engrossed Ordinance No. 789**

-  Additional 'Fixed Park', Open Space, and 'Density Restricted Lands' per A-Engrossed Ordinance No. 789
-  Reconfiguration of 'Fixed Park', 'Open Space', and 'Density Restricted Lands' per A-Engrossed Ordinance No. 789
-  Unchanged 'Density Restricted Lands'
-  Proposed Primary Streets (Shown for context)

