



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

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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 790
DLCD file no.: 011-14

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



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

FOR DLCD USE
File No.: 011-14 {22351}
Received: 11/7/2014

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. 790**

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): **July 3, 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:

Bethany Community Plan, Chapter 2: North Bethany Subarea Plan (Section V) was amended to add clarifying language to reflect the realignment of a segment of Primary Street P2. The amendments to the language do not implement any statewide planning goals.

For a change to a comprehensive plan map:

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

- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): **1N1W 17CA TL 300, 400, 500, 600, 700**

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 | to | Acres: |
| Change from | to | Acres: |
| 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: | Acres added: | Acres removed: |
|---------------------------|--------------|----------------|

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: **Tualatin Hills Park & Recreation District, Clean Water Services, Metro**

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.

A-Engrossed Ordinance No. 790 amended several comprehensive plan maps, but the amendments did not involve assigning new map designations. Instead, the map amendments changed the alignment of a segment of Primary Street P2 so that it intersects with NW Brugger Road rather than NW Kaiser Road. The Board of County Commissioners engrossed (amended) the filed ordinance to shift the Primary Street P2 intersection with NW Brugger Road approximately 430 feet west of the intersection location mapped in the filed ordinance.

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

Agenda Title: **CONSIDER PROPOSED A-ENGROSSED ORDINANCE NO. 790 – AN ORDINANCE AMENDING A SEGMENT OF THE PRIMARY STREET P2 ALIGNMENT IN THE NORTH BETHANY SUBAREA OF THE BETHANY COMMUNITY PLAN**

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

SUMMARY:

A-Engrossed Ordinance No. 790 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 P2 Road alignment. 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 hearings for Ordinance No. 790 on September 16 and October 7, 2014, and ordered an engrossment of the ordinance to make a number of changes, including map and text changes to address the P2 road realignment changes proposed by Tualatin Hills Park and Recreation District (THPRD).

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. 790 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. 790 by title only and conduct the second public hearing for the engrossed ordinance. At the conclusion of the hearing, adopt A-Engrossed Ordinance No. 790.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

ADOPTED

| | |
|-----------------|-------------|
| Agenda Item No. | 3.b. |
| Date: | 10/28/14 |

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4 **IN THE BOARD OF COUNTY COMMISSIONERS**
5 **FOR WASHINGTON COUNTY, OREGON**

6
7 **A-ENGROSSED ORDINANCE 790**

An Ordinance Amending the Comprehensive Framework Plan for the Urban Area as Related to the North Bethany Subarea Plan including the North Bethany Road P2 Alignment, the Transportation Plan Element of the Comprehensive Plan, and the Bethany Community Plan

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

12
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
11 refinements to the text and maps. The Board further recognizes that these amendments are for the
12 benefit of the health, safety, and general welfare of the residents of Washington County, Oregon.

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

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

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

3 SECTION 2

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

- 6 1. Exhibit 1 (3 pages) – Amends North Bethany Subarea maps in Policy 43, Community
7 Design for New Urban Areas, of the Comprehensive Framework Plan for the Urban
8 Area;
 - 9 a. North Bethany Subarea Core Pedestrian and Bicycle Network Map
 - 10 b. North Bethany Subarea Concept Plan Design Elements - Map 1
 - 11 c. North Bethany Subarea Concept Plan Design Elements - Map 4
- 12 2. Exhibit 2 (1 page) – Amends the Functional Classification map in the Transportation
13 System Plan;
- 14 3. Exhibit 3 (16 pages) – Amends Chapter 2, North Bethany Subarea Plan, of the Bethany
15 Community Plan
 - 16 a. Section III - Background, Planning Process, Community Design Goals, and Plan
17 Amendments
 - 18 b. Section V - North Bethany Subarea Design Elements
 - 19 c. Section VI – Neighborhood Design Elements
- 20 4. Exhibit 4 (2 pages) – Amends maps in Chapter 2, North Bethany Subarea Plan, of the
21 Bethany Community Plan.
 - 22 a. Primary Streets Map

1 b. Special Frontages Map 3

2 SECTION 3

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

5 SECTION 4

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

8 SECTION 5

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

12 SECTION 6

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

18 SECTION 7

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

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1 ENACTED this 28th day of October, 2014, being the fourth reading and
2 fourth public hearing before the Board of County Commissioners of Washington County, Oregon.

3 BOARD OF COUNTY COMMISSIONERS
4 FOR WASHINGTON COUNTY, OREGON

5 **ADOPTED**

6 *Andy Ord*
7 CHAIRMAN

8 *Ana D. Nayala*
9 RECORDING SECRETARY

10 READING

11 PUBLIC HEARING

12 First September 16, 2014
13 Second October 7, 2014
14 Third October 21, 2014
15 Fourth October 28, 2014
16 Fifth _____

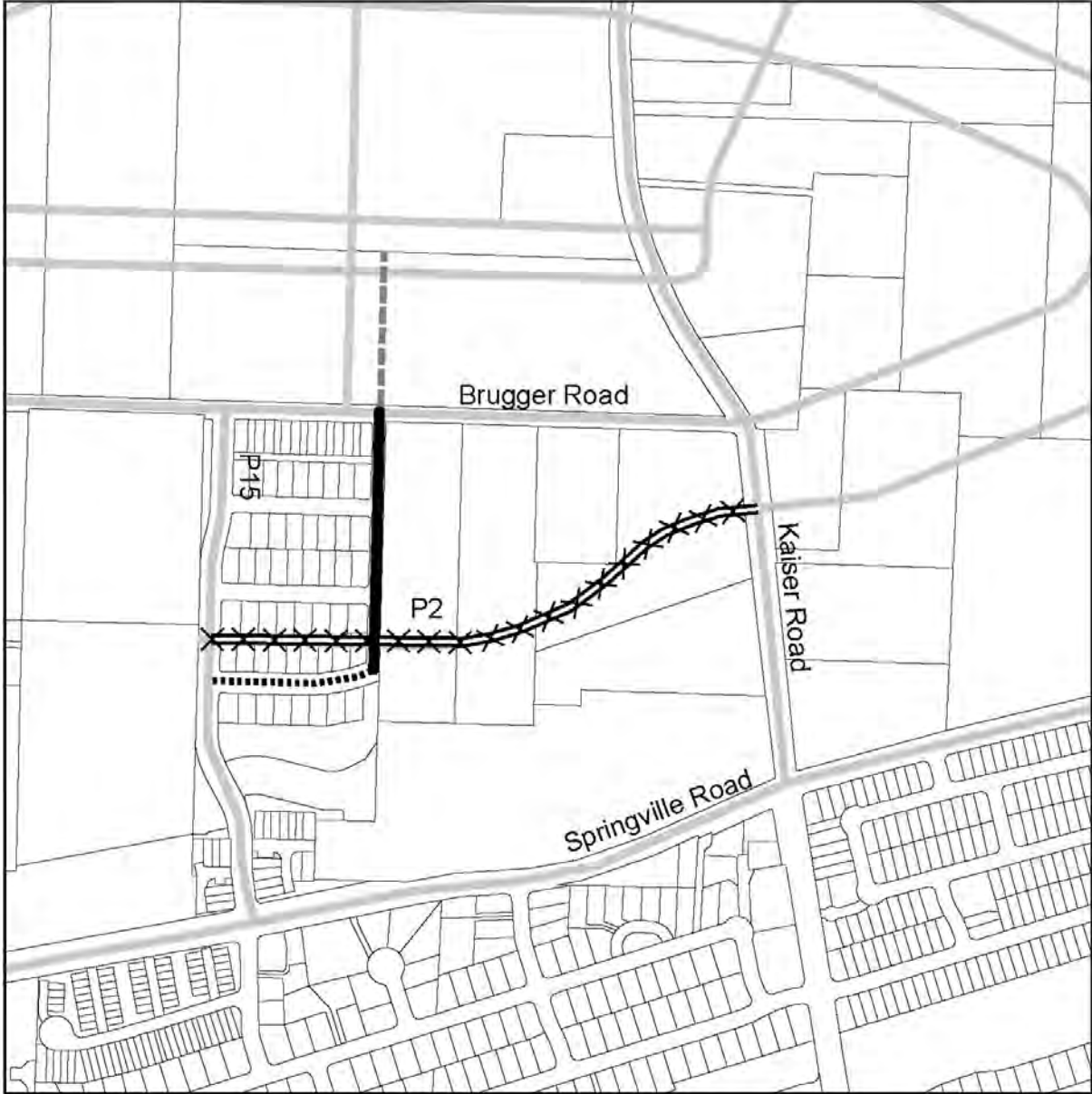
17 First September 16, 2014
18 Second October 7, 2014 (Engrossment Ordered)
19 Third October 21, 2014
20 Fourth October 28, 2014
21 Fifth _____

22 VOTE: Aye: Malinowski, Terry, Duyck
Recording Secretary: Ana D. Nayala

Nay: none
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:

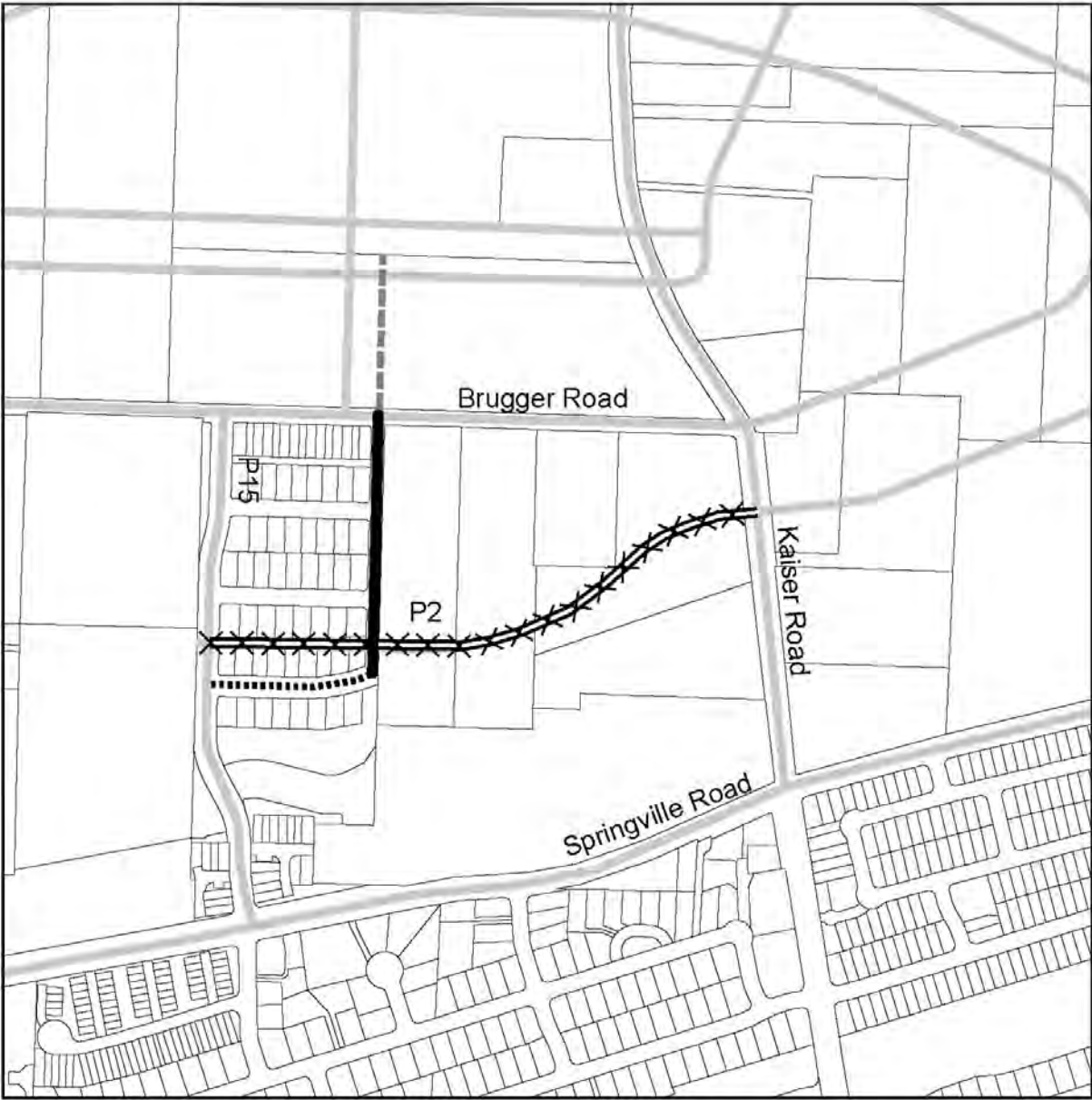
North Bethany Subarea Core Pedestrian and Bicycle Network Map



-  Extension of P9
-  Remove segment of P2
-  Platted alignment of P2 per Land Development Casefile L1300036
-  Approved alignment of P9 per Land Development Casefile L1400078 (Shown for context)
-  Unchanged Primary Streets

abcdef Proposed additions
~~abcdef~~ Proposed deletions

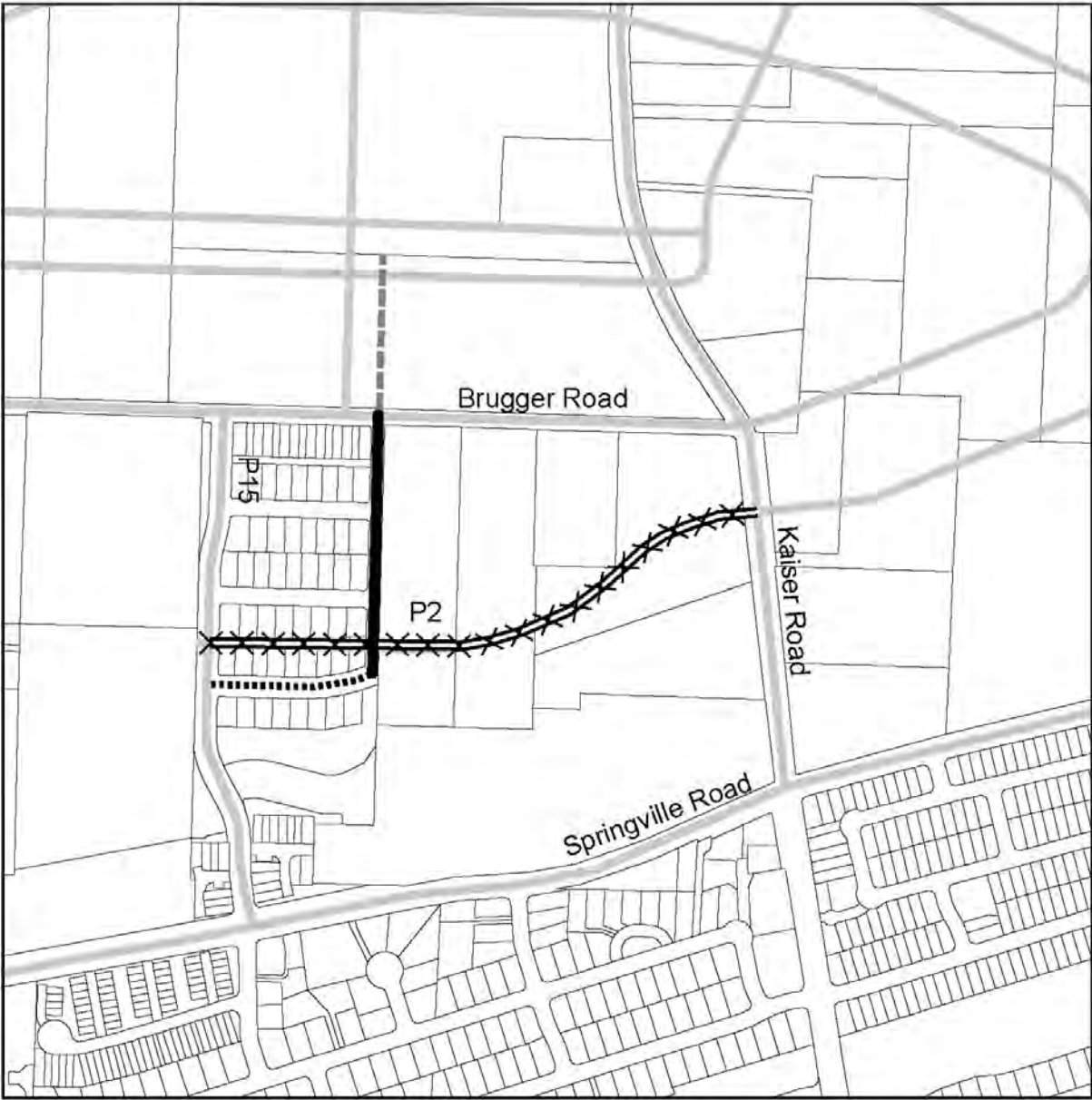
North Bethany Subarea Concept Plan Design Elements – Map 1



-  Extension of P9
-  Approved alignment of P9 per Land Development Casefile L1400078 (Shown for context)
-  Remove segment of P2
-  Platted alignment of P2 per Land Development Casefile L1300036
-  Unchanged Primary Streets

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

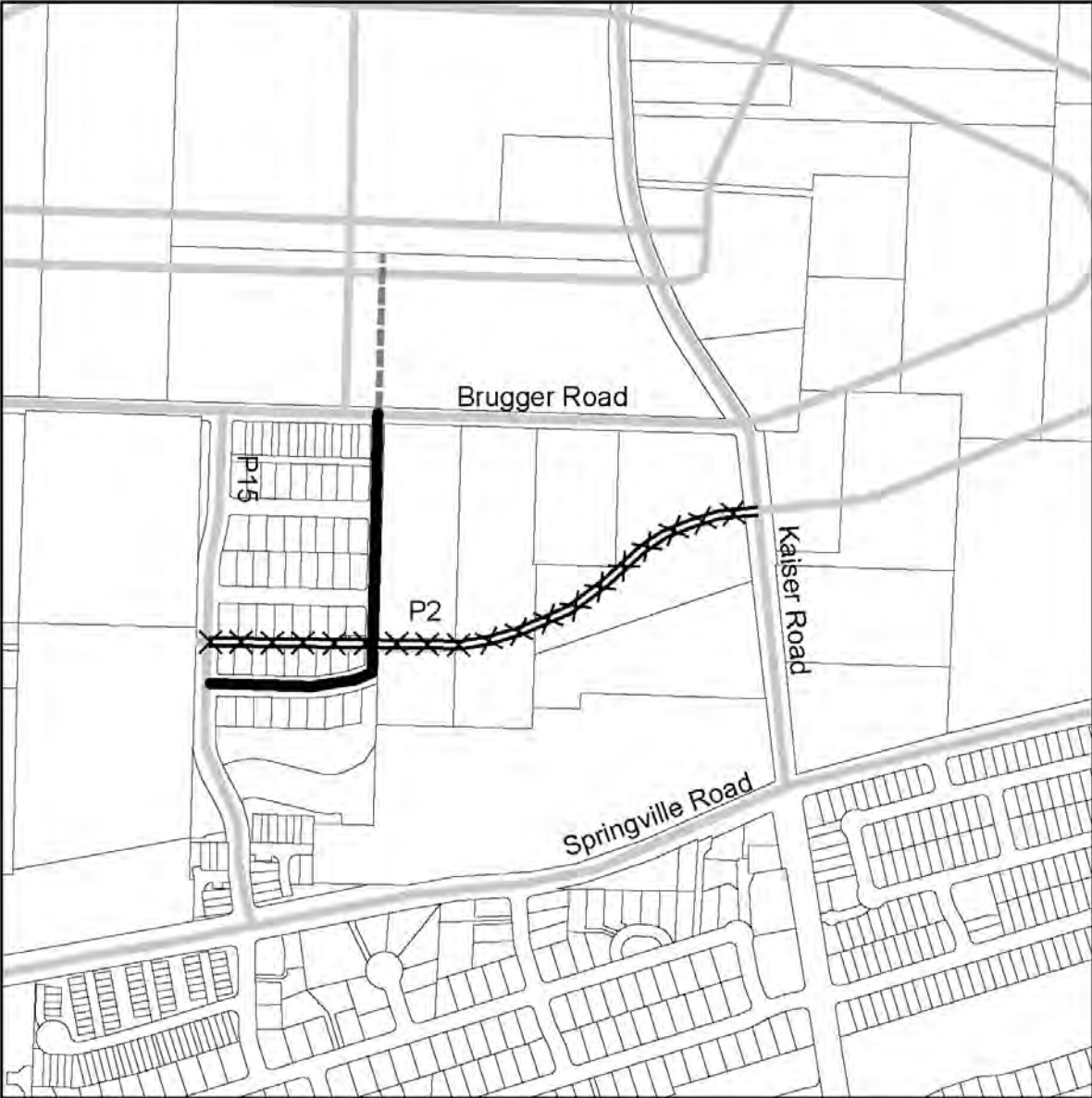
North Bethany Subarea Concept Plan Design Elements – Map 4







-  Extension of P9
-  Remove segment of P2
-  Platted alignment of P2 per Land Development Casefile L1300036
-  Approved alignment of P9 per Land Development Casefile L1400078 (Shown for context)
-  Unchanged Primary Streets

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

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



-  Apply 'Proposed Neighborhood Route' designation
-  Remove Functional Classification designation (Proposed Neighborhood Route)
-  Approved alignment of P9 per Land Development Casefile L1400078 (Shown for context)
-  Unchanged Streets

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

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.

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 five and one-half (5½) to six (6) acres. 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.~~

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.

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.

B. Areas of Special Concern

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

ASC 7 – Bethany Creek Trail Corridor and Rossetta Street Alignment (Primary Street P2) Corridor Alignment

ASC 7 addresses the design configuration of the trail corridor to the north of Bethany Creek (which runs parallel to the north side of Springville Road) and the specific location of the adjacent corridor for the segment of Primary Street P2 (Street P2 on the Primary Streets and Core Design Elements Maps) that is generally parallel to the trail. The ultimate placement of the P2 Street and other nearby planned components within ASC 7 (trail, linear park, neighborhood park, and regional stormwater facilities or other LIDA facilities approved by CWS) depend on the location of the boundary of the Bethany Creek wetland/Vegetated Corridor buffer and future site-specific facility design. This ASC describes the intent that the multi-purpose design shall follow.

The Subarea Plan identifies the approximate boundary of a protected wetland/habitat area along with the approximate boundary for the associated Vegetated Corridor buffer (resource boundary). (For the purpose of this ASC, the term "resource boundary" refers to the edge of these combined areas and not the edge of the wetland/habitat area. The specific boundary for this protected area shall be delineated on-site as a preliminary step for development in the ASC.) Beyond the limits of the resource boundary, CWS's North Bethany Drainage Master Plan calls for stormwater treatment facilities along the north side of the protected area; wetland mitigation may also occur in this area. At the time of the adoption of the North Bethany Subarea Plan, the specific sizing and location of stormwater facilities was not determined; likewise with respect to the need for wetland mitigation sites. Future development applications for properties in the ASC must reflect coordination with CWS to determine the ultimate size and locations of stormwater quantity and quality facilities.

The Subarea Plan calls for a trail along the north side of this stretch of Bethany Creek that is roughly parallel to the creek, between Primary Street P15 and Primary Street P3. The trail is located in between the protected area and the east-west segments of the P2 Street that are roughly parallel to the creek. This ASC requires development of the area to incorporate a design that combines the functions of the sidewalk on the south side of the adjacent P2 Street with a landscaped and appropriately lighted trail adjacent to the protected area. The trail shall be sized and designed for shared use by bicycles and pedestrians and must be designed in collaboration with THPRD. A meandering asphalt trail with planted tree canopy and adequate room for access of maintenance vehicles is one design example. Because the trail replaces the sidewalk in some locations and serves a dual trail-sidewalk purpose, it shall be hard-surface and the adjacent street alignment shall be adjusted to generally follow the trail. (This may result in a narrowing of the width of this Fixed Park (linear park) designation as depicted on the "Park, Trails and Pedestrian Connections Map".) The trail, mitigation sites and regional stormwater facilities shall be located outside the right-of-way for the P2 Street; the right-of-way width that otherwise calls for sidewalk shall be used for additional landscape and/or street LIDA area in the linear park. Since the final alignment of the trail and the P2 Street cannot be determined until the final delineation of Bethany Creek's resource boundary has been determined, the centerline of the P2 Street may be adjusted within the boundary of ASC 7.

The trail along Bethany Creek encounters several distinct conditions. These are described below and are illustrated in the ~~two~~ following sketch ~~designs~~ and ~~three~~ cross-section drawings.

1. In general it runs between the Bethany Creek open space and a parallel neighborhood street (P2 Street). The trail will roughly follow the resource boundary. If the distance between the parallel street right-of-way and the resource boundary is 25 feet or more, the area between the trail and the street can be used as park space (e.g., a pocket park).

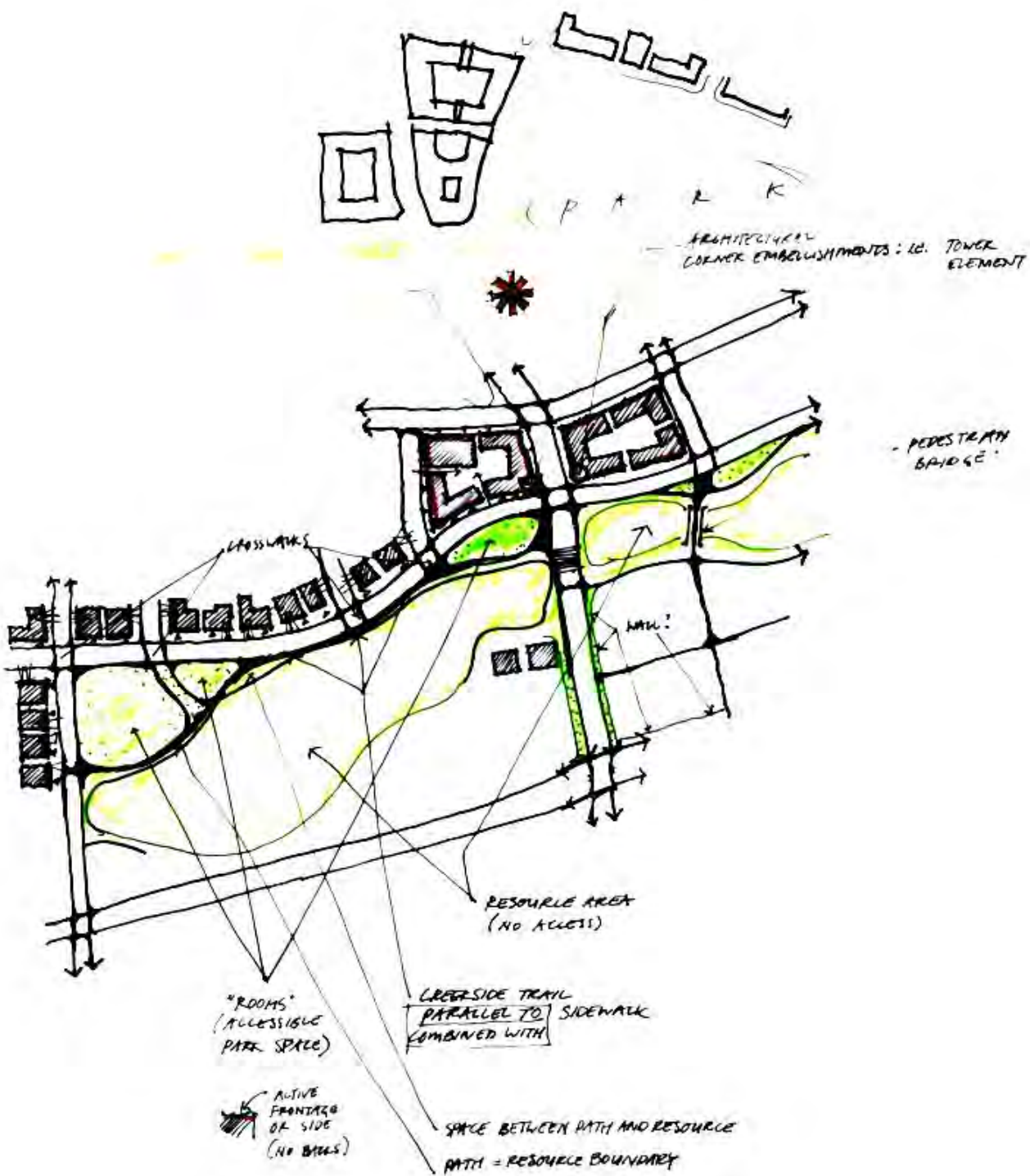
2. Because of the meandering nature of the open space area, there may be some locations where the distance between the street right-of-way and the resource boundary is less than 25 feet. In this situation, the street's sidewalk and trail should be combined into one facility by widening the sidewalk to 12 feet.
3. In some locations there may be enough space between the street right-of-way and the resource boundary (approximately 100 feet or more) to accommodate the trail, regional stormwater facilities, and private residential property(ies). (This situation could occur in the area east of Primary Street P15 and south of Primary Street P2 if a neighborhood park is not provided in this area.) In this situation the trail will run between the private property and the open space. It is important to balance the demands for privacy for the private property with the needs for accessibility, visibility and safety of the public facilities (the trail and regional stormwater facilities). The best way to do this could be by developing the trail and regional stormwater facilities first, before the private property develops, and to guide the development of the private property with design guidelines that protect the quality of the trail and the functionality of and access to the regional stormwater facilities.
4. The east-west segments of the P2 Street, the trail, the linear park, and the regional stormwater facilities shall be located in ASC 7. The final location of these facilities will be determined during the development review process when the final resource boundary of Bethany Creek's wetlands and Vegetated Corridor buffer will be determined. Consequently, the centerline of the east-west segments of the P2 Street within ASC 7 may be adjusted within the boundary of ASC 7 without the use of a Planned Development application, even if portions of its centerline move more than 75 feet.
5. Direct access to the P2 Street from detached dwellings on R-6 NB lots adjacent to the P2 Street is permitted when lots have less than 70 feet of frontage on the P2 Street.

General Design guidelines for the trail:

- a. The trail shall be designed as an autonomous element, with gentle curves that logically follow the creek open space area. It should take its design cues from the natural resource, not from adjacent development.
- b. The trail and park space shall be designed as a harmonious composition with the adjacent street and open space. If there is space for park uses between the trail and the sidewalk of the adjacent street, the space should be designed as an autonomous element, not a "left over" space.
- c. In general, the trail shall be as close to the open space boundary as possible, so that the boundary is defined by it, and becomes tangible, manageable and maintainable. Where possible, a 2 foot to 3 foot wide "shy zone" between the trail and the resource should be provided so the trail is framed by consistent park vegetation on both sides.
- d. The design shall take advantage of terrain changes and slopes to carve out the trail alignment. Look for opportunities to include seating walls, preferably at trail intersections.
- e. The trail alignment shall minimize the use of tight curves and use gentler curves in order to facilitate natural walking and biking patterns.
- f. Trail and sidewalk shall connect at regular intervals at a minimum of 250 feet, preferably in locations where they are nearest each other.

- g. Create a colonnade by planting street trees on both sides of the sidewalk bordering the park. ~~Prune these trees up to 8 feet to allow clear views between the tree trunks.~~ Align the trail with a single row of trees on the opposite side of the resource open space. Where the park is bordered only by a trail and no sidewalk is present, align the trail with a row of trees on each side. Together, the tree lines will spatially define park "rooms". Prune the trees up to 10 feet to allow clear views between the tree trunks. The spacing and species of trees along the trail is at the discretion of THPRD.
- h. ~~Provide separate trail lighting where the trail is farther than 50 feet away from the adjacent street right-of-way.~~
- ih. Provide ample seating opportunities along the length of the trail in the form of seating walls to accommodate impromptu seating and allow users to stop and observe the creek corridor to the south, but limit the amount of formal benches: no more than one per every 500 feet and preferably less.
- i. The trail is proposed to cross Kaiser Road as a mid-block crossing or an under-crossing. In either case, the trail crossing shall be direct and shall align with the adjacent trail segments on either side of Kaiser Road. THPRD would be responsible for contributing to the construction costs associated with a trail under-crossing.

Bethany Creek Trail Corridor Sketch No. 1



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Delete existing Bethany Creek Trail Corridor – Sketch No. 2



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Add the following new Bethany Creek Trail Corridor – Sketch No. 2



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ASC 9 – Multi-Family Site at the Southwest Corner of NW Brugger and NW Kaiser Roads

ASC 9 addresses the development of property at the southwest corner of the intersection of NW Brugger and NW Kaiser Roads. ~~The site will be fronted on all sides by streets. The future extension of Primary Street P2 will be the southern boundary of the development site.~~ A future local street will be provided at the western boundary of the ASC. Property in ASC 9 is in the R-24 NB District.

DESIGN ELEMENTS

In order to create a quality pedestrian environment and mitigate the density transition and the mass and height of multi-family buildings, development in ASC 9 shall meet the following requirements:

1. Ground level dwelling units shall be provided adjacent to the frontage of each street when dwelling units are provided adjacent to a street. Each dwelling unit shall have its front door open onto a stoop, porch or paved walkway adjacent to the street's sidewalk.
2. Ground level dwelling units shall be provided adjacent to the trail along the south side of the site when dwelling units are provided adjacent to the trail. Each dwelling unit shall have its front door open onto a stoop, porch or paved walkway facing the trail.
32. Where structured parking is provided, including tuck-under parking, it shall be screened to limit its visibility from adjacent streets, the trail along the north side of Bethany Creek, and any accessways. Screening shall consist of one of the following, located between the structured parking area and the street, trail or accessway:
 - a. Habitable ground floor building area; or
 - b. The setback area between the property line and the structured parking shall include a landscaped berm that hides the structured parking area. The floor of the habitable building area above the structured parking area shall be within three feet of the new grade (top of berm).
43. Vehicular access to parking areas shall be limited to one curb cut for each parking area. The maximum curb cut width shall be 24 feet.
54. Where surface parking is provided, it shall be screened to limit its visibility from adjacent streets, the trail along the north side of Bethany Creek, and any accessway. Screening shall consist of one of the following, located between the surface parking lot and the street, trail or accessway:
 - a. Habitable ground floor building area; or
 - b. Landscaping and screening structures, including trellises and a mixture of trees and shrubs, which at maturity will be capable of screening the parking area.
65. The overall length of buildings shall not exceed 300 feet.
76. When the length of a building exceeds 100 feet, a full building height recess that is at least 10 feet wide by 10 feet deep is required for each 100 feet of building length.
87. When a street-facing building facade is more than 750 square feet in area, the building wall plane shall be divided into smaller planes of 500 square feet or less. This division of a building wall plane into smaller planes may be accomplished by including one or more of the following elements:

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- a. A porch, a dormer that is at least four feet wide, or a balcony that is at least three feet deep and is accessible from an interior room;
- b. A bay window, extending the full height of a floor or floors, that extends at least two feet; or
- c. Recessing a section of the facade by at least two feet. The recessed section must be at least six feet wide.

98. Fifteen percent of ground level building façades shall be window area. Ten percent of the remaining building facades shall be window area. Darkly tinted windows and mirrored windows that block two-way visibility are prohibited on the ground floor;

109. To soften the visual impact of grade changes and the height and mass of buildings, the following measures are required:

- a. Buildings shall be designed and constructed to follow the site's topography, which may require buildings to be stepped down to follow the existing grade in some locations;
- b. Grade changes within ASC 9 and along its perimeter shall be terraced to limit the height of retaining walls to no more than five feet;
- c. Retaining walls shall be set back a minimum of 10 feet from the edge of trails, and from the back of the sidewalk(s) along perimeter streets and shall be faced with brick or stone veneer;
- d. Terraced areas along the perimeter of the ASC shall be filled at a 1 to 2 ratio and planted with trees and shrubs; and
- e. Tall building foundation walls shall be filled at a 1 to 2 ratio and landscaped so that no more than four feet of the wall is exposed. Landscaping shall include trees and shrubs.

1140. Trees and shrubs shall be provided in the setback areas along the western, eastern and southern property lines to help minimize the height and mass of buildings and differences in grade from adjoining properties.

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.

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 Road south of street P1 on the west and the existing section of NW Brugger Road on the south.

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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 and shall be five and a half (5½) to six (6) acres in size. The park shall have street frontage along its entire perimeter, and the front façades of residential buildings on the 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 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.
3. The West Neighborhood is organized by eight 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 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 the West Community Park and (P7).
 - d. Primary Streets (P4), (P6) and (P7) shall provide the boundary of the West Community Park.
 - e. NW Joss Avenue, as it extends to the north of the Arbor Oaks Subarea, is a Primary Street. It is intended to connect existing NW Joss Avenue 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.

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~~ Bethany Creek will have a connection to Bethany Creek and provide a trailhead for the multi-purpose path north of and parallel to Bethany Creek. The park shall have street frontage along its north side that can accommodate on-street parking for park users. As such, this street shall be designed to be no less than the minimum county standard for parking on two sides. The front facades of residential buildings on this street shall face the park.
 - 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 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 for much of its length between Primary Street P15 ~~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 the central portion of the North Bethany Subarea. Development of P2 shall be consistent with ASC 7.
 - 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 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.

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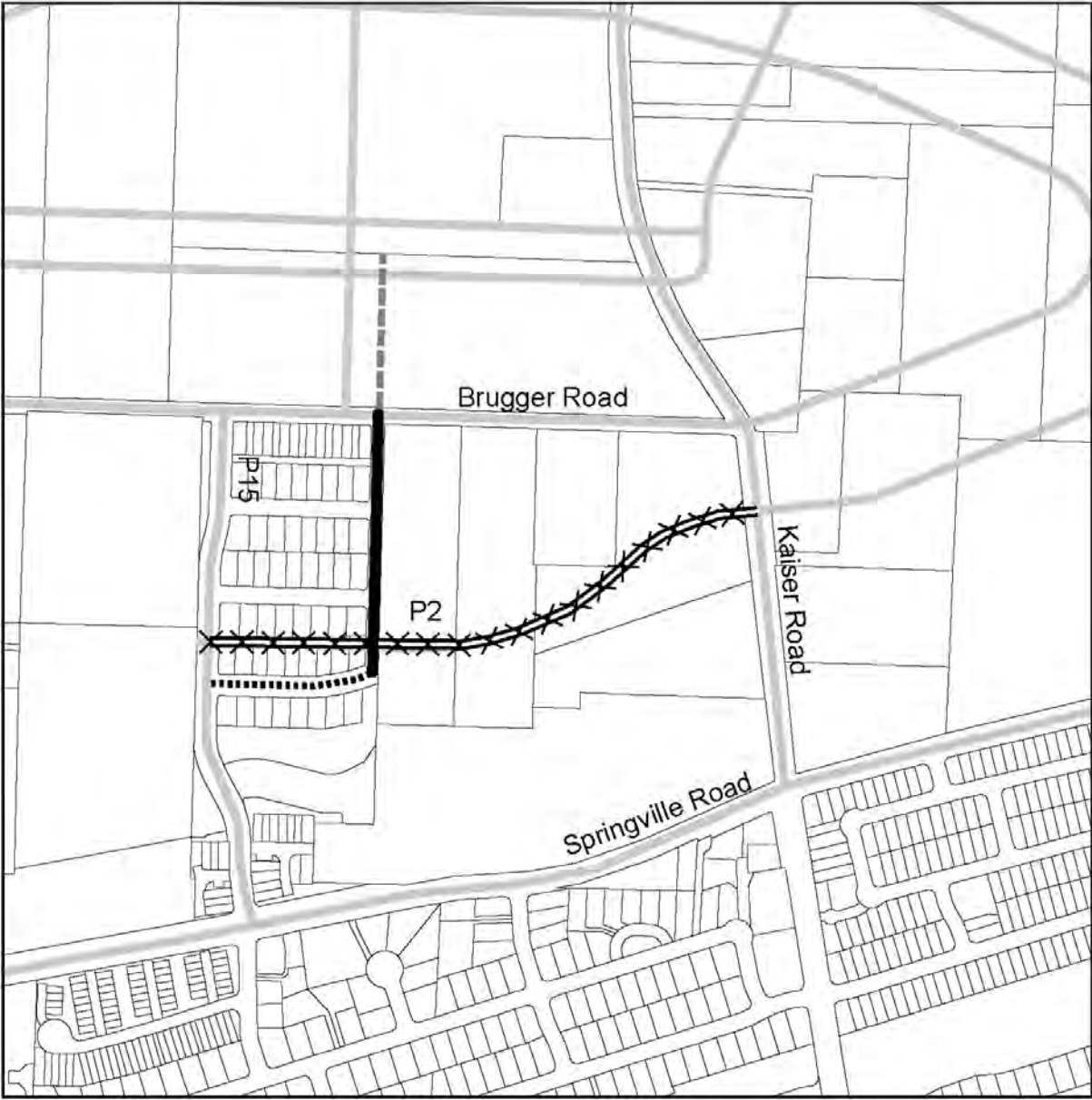
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- i. Road A is a Primary Street. Development along Road A shall be consistent with ASC Road Corridor 1B.
5. Buildings constructed as part of the Community Park shall be placed near and oriented to adjacent streets and used to define the park edge.
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 ~~with the east-west trail on the north side of Bethany Creek~~ NW Rosetta 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~~ the east-west trail on the north side of Bethany Creek shall may be located south of P2 in the linear park in proximity to the trail on each side of NW Kaiser Road, or may be shifted north to the intersection of NW Kaiser Road and NW Brugger 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.~~

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

Primary Streets Map

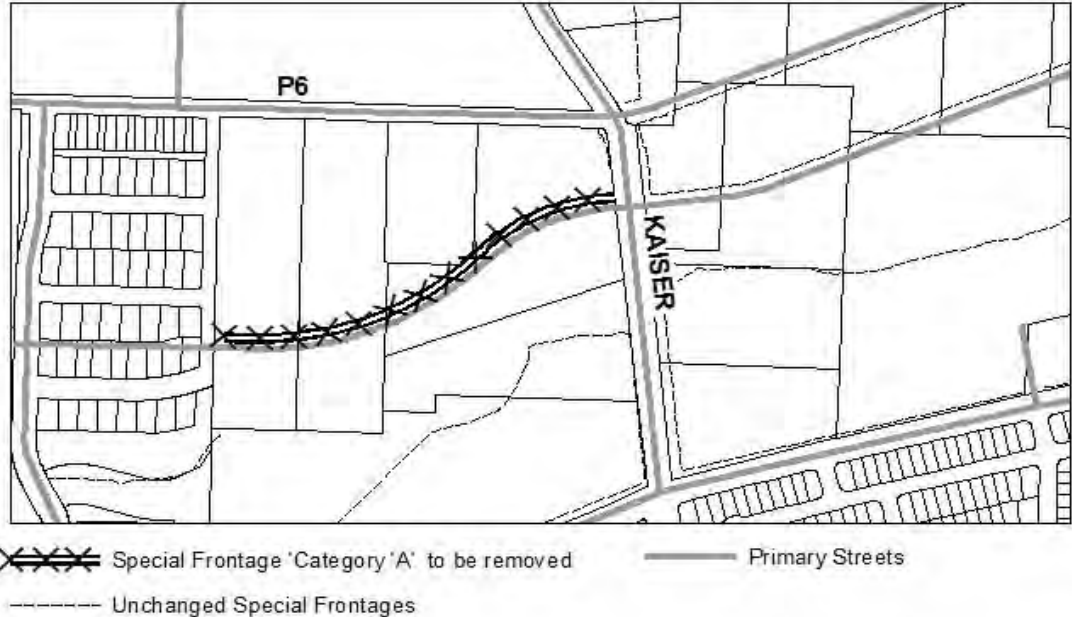


- Extension of P9
- Approved alignment of P9 per Land Development Casefile L1400078 (Shown for context)
- X—X—X** Remove segment of P2
-** Platted alignment of P2 per Land Development Casefile L1300036
- Unchanged Primary Streets

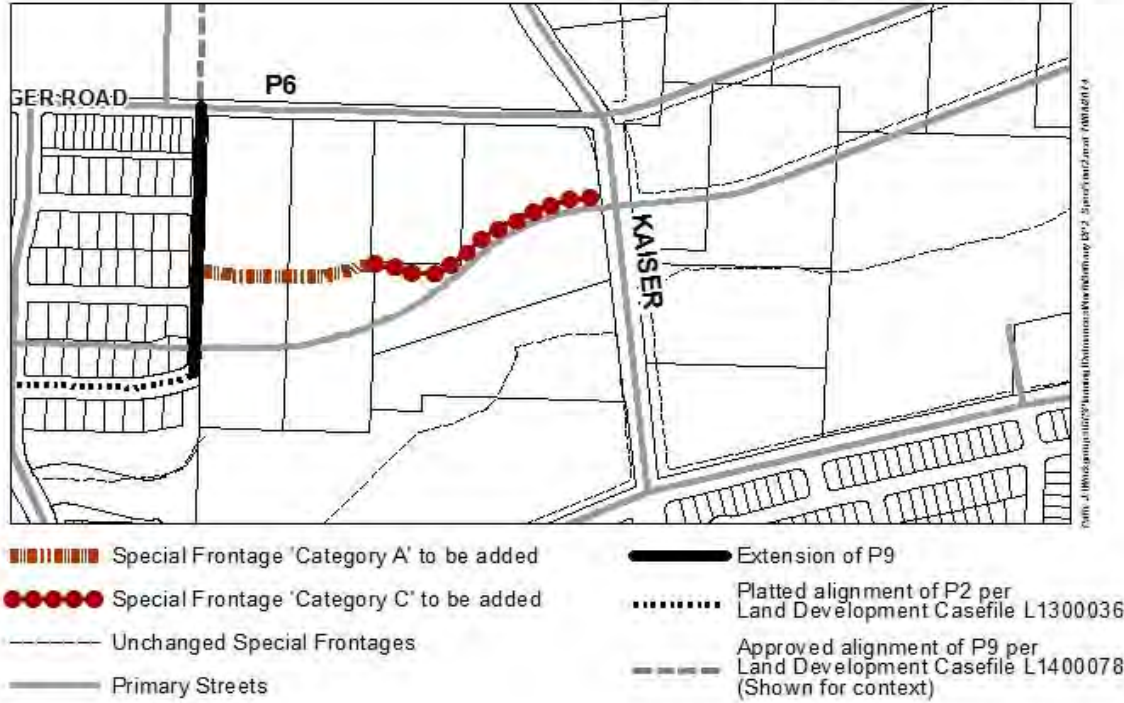
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Special Frontages Map 3

Current Configuration



Proposed Configuration



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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. 790

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

SUMMARY:

A-Engrossed Ordinance No. 790 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 realignment of Primary Street P2. 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. 790. 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. 790 and authorize the Chair to sign the Resolution and Order memorializing the action.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.

5.b.

Date:

10/28/14

RO 14-122

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.790) No. 14-122

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.790; 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. 790 are hereby adopted.

22 DATED this 28th day of October, 2014.

| | AYE | NAY | ABSENT |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 23 DUYCK | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 24 SCHOUTEN | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| MALINOWSKI | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 25 APPROVED AGGERS FORM: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| TERRY | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON


Chairman


Recording Secretary

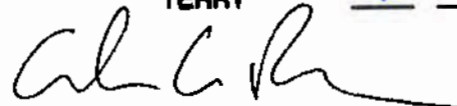
26 
27 County Counsel
28 For Washington County, Oregon

EXHIBIT A

FINDINGS FOR A-ENGROSSED ORDINANCE NO. 790 AN ORDINANCE AMENDING THE COMPREHENSIVE FRAMEWORK PLAN FOR THE URBAN AREA, THE TRANSPORTATION SYSTEM PLAN, AND THE BETHANY COMMUNITY PLAN RELATED TO THE PRIMARY STREET P2 ALIGNMENT IN THE NORTH BETHANY SUBAREA

October 28, 2014

Part 1: GENERAL FINDINGS

A-Engrossed Ordinance No. 790 amends the Comprehensive Framework Plan for the Urban Area (CFP), the Transportation System Plan (TSP), and Chapter 2: North Bethany Subarea Plan of the Bethany Community Plan, to modify the alignment of a segment of Primary Street P2 located between Primary Street P15 and NW Kaiser Road in the North Bethany Subarea of the Bethany Community Plan. The proposed modification is the elimination of the westerly Primary Street P2 / Kaiser Road intersection, and a re-routing of Primary Street P2 north to intersect with NW Brugger Road.

Key provisions of A-Engrossed Ordinance No. 790 include:

- Amends the CFP Policy 43 maps, the Functional Classification map of the TSP, and the Primary Streets Map of the North Bethany Subarea Plan to reflect realignment of a segment of Primary Street P2 (located between Primary Street P15 and NW Kaiser Road) to intersect with NW Brugger Road rather than NW Kaiser Road. The realigned P2 segment will intersect with NW Brugger Road on the west side of the parcels at 1N117CA00300 and 400.
- Modifies the Special Frontages Map of the North Bethany Subarea Plan to shift the location of the “Special Frontages Category A” on the above two parcels northward to correspond to the edge of the future local street that will abut the northern boundary of the future Neighborhood Park.
- Adds clarifying language and updates a sketch in Area of Special Concern (ASC) 7 to reflect the Primary Street P2 realignment.
- Amends the following ASC 7 requirements regarding the trail along Bethany Creek: removes the requirement for seating walls; adds language stating that where the trail encounters NW Kaiser Road, there shall be a direct trail crossing that shall align with the trail; updates Bethany Creek Trail Corridor Sketch #2 to reflect the removal of the east-west segment of Primary Street P2; and amends the location and pruning requirements for trees along the trail.

- Amends the description of ASC 9 and adds clarifying language to reflect the Primary Street P2 realignment.
- Amends the Central Neighborhood Design Elements to reflect the Primary Street P2 realignment, and to require street frontage along the north side of the Neighborhood Park near Bethany Creek.

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. 790 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. 790.

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. 790. Notice was coordinated with all affected governmental entities and no comments were received regarding the ordinance.

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. 790. 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. 790 makes minor amendments to the Functional Classification System map of Policy 10 of the 2020 Transportation Plan, by elimination of the westerly Primary Street P2 / Kaiser Road intersection, and a re-routing of Primary Street P2 north to intersect with NW Brugger Road. Otherwise, A-Engrossed Ordinance No. 790 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. 790. 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. 790 makes minor amendments to the Functional Classification System map of the TSP. A-Engrossed Ordinance No. 790 does not amend any planned regional transportation facilities. A-Engrossed Ordinance No. 790 has been developed in compliance with all applicable provisions of Division 12.

A-Engrossed Ordinance No. 790 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. 790 amends the TSP by elimination of the westerly Primary Street P2 / Kaiser Road intersection, and a re-routing of Primary Street P2 north to intersect with NW Brugger Road. P2 is designated as a Neighborhood Route on the Functional Classification map. These changes are within the Urban Growth Boundary (UGB) as it existed prior to the “grand bargain” HB4078. A-Engrossed Ordinance No. 790 does not alter existing land use designations. The amendments made by A-Engrossed Ordinance No. 790 are consistent with and support the adopted and acknowledged strategies in the 2020 Transportation Plan.

A-Engrossed Ordinance No. 790 does not result in traffic levels that change or degrade the performance of the planned transportation system. A-Engrossed Ordinance No. 790 does make minor modifications to the planned street network, 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. 790 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 5 below.

A-Engrossed Ordinance No. 790 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. 790 amends the Washington County Transportation System Plan consistent with 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. 790 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. 790 is consistent with the RTFP.

Part 6:

URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN (UGMFP) 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. 790 on July 3, 2014, 48 days prior to the first evidentiary hearing. Staff received no comments from Metro on proposed Ordinance No. 790. Metro was mailed a copy of A-Engrossed Ordinance No. 790 on October 10, 2014. Metro provided no comments on A-Engrossed Ordinance No. 790.

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

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