



AGENDA

mtg.

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Land Use & Transportation; County Counsel

Agenda Title: CONDUCT SECOND READING AND FIRST PUBLIC HEARING OF ORDINANCE NO. 852 AMENDING WASHINGTON COUNTY CODE CHAPTER 14.12 (GRADING CODE), RELATING TO SITE POSTING REQUIREMENTS

Presented by: Stephen Roberts, Interim Director of Land Use & Transportation
Jacquilyn Saito-Moore, Sr. Assistant County Counsel

SUMMARY:

Per the Board's direction in the adopted 2019-20 Long Range Planning Work Program, proposed Ordinance No. 852 would amend the County's grading ordinance to require posting of contact information on development sites.

ADDITIONAL INFORMATION:

Community Feedback (Known Support/Opposition): Staff have received several requests to require posting of developer contact information on job sites from the Committee for Community Involvement (CCI) code subcommittee as part of the Long Range Planning Work Program.

Legal History/Prior Board Action: The Board authorized filing this ordinance to amend the grading code on July 9, 2019. Ordinance No. 852 was filed on July 11, 2019. The ordinance was read by title only on July 23, 2019.

Budget Impacts: N/A

Attachments: Filed Ordinance No. 852 and Exhibit 1

DEPARTMENT'S REQUESTED ACTION:

- 1) Conduct second reading of Ordinance No. 852 and hold first public hearing.
- 2) Adopt Ordinance no. 852.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

ADOPTED

Agenda Item No.	<u>5.c.</u>
Date:	08/06/19

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

ORDINANCE 852

An Ordinance Amending Washington
County Code Chapter 14.12 Grading
Code, Relating to Site Posting
Requirements

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

SECTION 1

A. The Board recognizes that a requirement to post contact information at a development site would benefit developers and surrounding neighbors in case a need to contact the developer arises. This Ordinance sets forth, in part, requirements pertaining to the size, location, and information to be contained in the posting. The site posting shall be a condition of permit approval.

B. The Board recognizes that such changes are necessary from time to time for the benefit and welfare of the residents of Washington County, Oregon.

C. Nothing herein is intended, nor shall it be construed, as amending, replacing or otherwise being in conflict with any other ordinances of Washington County, the State Building Code including the Oregon Structural Specialty Code unless expressly so stated.

SECTION 2

The Board finds and takes public notice that it is in receipt of all information necessary to consider this Ordinance in an adequate manner, and that this Ordinance complies with the requirements set forth in the Washington County Charter and the Washington County Code.

1 SECTION 3

2 The following exhibit, attached hereto and included herein by reference, is adopted as an
3 amendment to the designated document as follows:

4 A. Exhibit 1 (2 pages), amends the following provision of the Washington County
5 Code, Chapter 14:

- 6 1. Section 14.12.370 – Permit – Conditions of Approval.

7 SECTION 4

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

11 SECTION 5

12 The Office of County Counsel is authorized to codify this Ordinance and to make any
13 technical changes, not affecting its substance, as are reasonably necessary to accomplish
14 codification.

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1 SECTION 6.

2 This Ordinance shall take effect 30 days after adoption.

3 ENACTED this 6 day of August, 2019, being the second reading and
4 first public hearing before the Board of County Commissioners of Washington County, Oregon.

5 BOARD OF COUNTY COMMISSIONERS
6 FOR WASHINGTON COUNTY, OREGON

7
8 **ADOPTED**

9 *[Signature]* 08/06/19
CHAIR Kathryn Harrington

10 Barbara Hejtmerek
RECORDING SECRETARY

11 READING

12 First July 23, 2019
13 Second August 6, 2019
14 Third _____
15 Fourth _____
16 Fifth _____
17 Sixth _____

11 PUBLIC HEARING

12 First August 6, 2019
13 Second _____
14 Third _____
15 Fourth _____
16 Fifth _____
17 Sixth _____

15 VOTE: Aye: Harrington, Treece,
Schouten, Willey

Nay: _____

16 Recording Secretary: Barbara Hejtmerek

Date: August 6, 2019

PERMIT AND CONDITIONS OF APPROVAL
14.12.370 Permit – Conditions of approval.

Except as otherwise approved by the Building Official, all permits shall be subject to the following general conditions of approval. Additional project specific conditions of approval may be required (by the Building Official) prior to permit issuance.

1. Code Compliance. All grading activities shall comply with this Chapter and Washington County Code Construction Specification. Comply with the project specifications and details shown on the approved drawings. Any modifications including deviations and revisions to the Building Services approved grading plans shall be submitted in three (3) copies to Building Services for review and approval prior to incorporating them into construction.
2. Project Site Posting. At least 24 hours before site disturbance, the site shall be posted with a freestanding sign that is a minimum of 2' x 3' with minimum 2" lettering, see Figure 15. The sign shall be weatherproof, marked with permanent ink, securely fastened to two sturdy posts, and placed in a position that is legible from the street right-of-way, not more than 15' off the right-of-way. If a parcel does not have frontage on a public or County road, the property shall be posted in a conspicuous place at the point such property obtains access to a County or public road. The sign shall state the project scope and the name and telephone number of the responsible project contact person. The project sign shall be maintained in good condition at all times and shall remain posted until the completion of the project (at final grading approval or final building approval, whichever occurs later). The Department of Land Use & Transportation is not responsible for posting the site. If the site is not properly posted at all times, enforcement action may be initiated; see Section 14.12.240 Grading violations.
- ~~2.3.~~ If excavated material is intended to stay on site or spread around the constructed building in such a way that potentially impacts the site storm water runoff, a grading permit and plan review may be required.
- ~~3.4.~~ Notification to Capital Project Management. Inform Washington County Capital Project Management & Operations at least two (2) workdays prior to starting any work on the existing right-of-way or on future public roads.

4.5. Scarify and Benching. Please comply with Figure 3 of this Chapter or the geotechnical engineer's report requirements pertaining to preparing the ground for fill on building sites.

5.6. Soils on Streets. The permittee shall keep all private and public streets free from any deposits of mud, dirt, sediments or other materials exceeding one half cubic foot in volume.

6.7. Dust Control. Minimize dust to the extent practicable, by utilizing all measures necessary (OAR 340-208-0210(2)). Action by Building Services for violation may include issuing a stop work order.

7.8. Work Hours. Comply with the hours of operations established by the Washington County Code, Chapter 8.24 Noise Control. Noise producing work is restricted to the time between 7 AM and 7 PM from Monday through Saturday. No noise producing work, including vehicle horns and signaling devices, is allowed on Sundays or legal holidays without a variance.

8.9. Good Neighbor Activity. Protect adjoining property from excavation and fill activities, sedimentation due to runoff, and site drainage related issues that adversely impact an adjacent property.

9.10. Off-site Disposal. The permittee shall document where surplus material shall be disposed including a valid grading permit or is otherwise exempt from a grading permit as determined by the county. Failure to comply may result in a code violation citation.

10.11. Importing Soil. The permittee shall document that soil imported onto the property is from a permitted source or is otherwise exempt from a grading permit as determined by the county.

11.12. Progress Report of Fill Material Deliveries. To verify the quantity of fill stated on the Grading Application Permit Form, Building Services may request an up to date haul material progress report. The format is open, but a tabulated style is preferred and should include date, name, equipment number, equipment type, excavation loads, bank measure, daily measure and up-to-date measure.

Approval for a grading permit does not relieve the applicant from the responsibility for compliance with the Endangered Species Act (ESA).

JOB SITE INFORMATION

Project: _____

Project Contact Name: _____

Contact Phone Number: _____

Figure 15 – Job Site Posting Example

(not to scale)