



April 16, 2021

To: Washington County Board of Commissioners

From: Andy Back, Manager   
Planning and Development Services

Subject: **Revised Draft 2021-2022 Long Range Planning Work Program**

**REVISED STAFF REPORT**

*(Revisions start on page 13)*

**For distribution for public review and comment**

**I. STAFF ACTION**

Release the Draft 2021-2022 Long Range Planning (LRP) Work Program to the public for a 30-day comment period ending May 7, 2021.

Following review of submitted public comments, staff will recommend a Final 2021-2022 LRP Work Program for consideration at the June 1 Board of Commissioners (Board) meeting.

**II. INTRODUCTION**

Annually, a work program is submitted to the Board by Long Range Planning, a section within the Planning and Development Services Division of the Department of Land Use & Transportation (LUT). Long Range Planning includes both Transportation Planning and Community Planning.

The work program identifies and ranks tasks such as ordinances, studies, special planning projects, day-to-day operations and required services. The timeline for this work generally falls between June 2021 and July 2022; however, much of the significant work is long term and ongoing. The flow of work does not neatly start and end with adoption of a new work program; therefore, some tasks are carried over from 2020 and it is expected that many tasks from this year's work program will continue into future years.

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Following are some highlights of the work completed in 2020:

<b>2020 Completed Tasks</b>	
Farm brewery and cidery regulations	Ordinance No. 864 adopted updates to the Community Development Code (CDC) to allow cider businesses and farm breweries in exclusive farm use districts.
Minor Comprehensive Plan amendments	Ordinance No. 866 adopted a number of Comprehensive Plan revisions identified by staff or members of the public.
Safe parking regulations	Ordinance No. 867 adopted CDC updates to allow vehicle camping for homeless persons in certain nonresidential districts.
Development agreement with Tektronix, Inc.	Ordinance No. 868 adopted the updated Tektronix Development Agreement with a 7-year term.
Significant Natural Resources (SNRs)	Ordinance No. 869A adopted clear and objective standards for regulating SNRs during development review.

### III. 2021-2022 PRIORITIES

For 2021-22, this work program establishes 19 major tasks that Long Range Planning staff will undertake along with numerous ongoing, nondiscretionary tasks. **Table 1 lists and describes all the tasks in greater detail.** Following are some highlights of the priorities for 2021:

#### ***Regional/State/Federal Coordination***

Given the strong local economy and development pressures throughout the region, County participation in regional planning efforts is critical to ensure County perspectives on both land use and transportation issues are addressed. These are included as Tasks R1.1 through R1.4 in Table 1.

LRP staff will continue to participate in a range of regional, multiyear planning projects, some of which include:

- Regional funding measure support, including affordable housing services bond and parks and nature bond.
- Metro’s Urban Growth Management and Regional Transportation Plan.

- Planning by other agencies, including Oregon Department of Transportation (ODOT), TriMet and the Port of Portland.
- Planning by cities, including city planning for new Urban Growth Boundary (UGB) and urban reserve areas, transportation system plan updates and Urban Planning Area Agreements (UPAAs).

### ***Comprehensive Planning: Short-Term***

A variety of community and transportation planning tasks will be presented for Board consideration and action in 2021. These include potential ordinances as well as issue papers and studies. Some of the primary efforts include:

#### House Bill 2001 (Middle Housing) implementation / housing affordability

Continuing with our efforts of the past several years, staff will focus this year on options to increase housing supply, variety and affordability through implementation of House Bill (HB) 2001 – the Middle Housing bill. (Task S1.1) LRP will continue to participate in further rulemaking and implementation processes with the Department of Land Conservation and Development (DLCD) while reviewing County regulations and developing proposed revisions to ensure consistency with changed requirements. Outreach on this topic will ensure diverse voices are heard.

Other topics of interest to the community will be considered during the work on middle housing, including:

- Frontage improvement requirements.
- Infill concerns (e.g., compatibility).
- Centers and corridors housing capacity assessment.

Given the importance of this topic, work on other tasks will continue to be viewed through an affordable housing lens, as staff seeks opportunities to positively influence housing affordability. Support on implementation of the regional affordable housing bond will help tie together community planning goals and development application support with production of additional housing.

#### Significant Natural Resources (SNR) follow-up

In May 2020, the Significant Natural Resource (SNR) Program Review and Assessment was finalized. The report detailed how the County currently implements significant natural resource regulations in the context of state and regional requirements, discussed community concerns, and responded to a 2018 Land Use Board of Appeals (LUBA) decision. It concluded with a variety of recommendations for modifications to existing County regulations and procedures to address the issues raised. In 2020, the Board adopted amendments to the CDC to make the standards more “clear and objective,” clarify procedures and submittal requirements, and include tree protection measures within SNR areas. Guidelines were also adopted addressing how to prepare Habitat Assessments.

Follow-on work in 2021-22 is proposed to complete recommendations in the Assessment, including developing a web-based mapping tool and a way to monitor development conditions, and to support legal challenges to the newly adopted standards. (Task S1.2) During hearings on Ordinance No. 869 this past year, a number of suggestions for future work were made by community members. Those are addressed later in this report.

#### Transportation System Plan (TSP) updates

Ordinances implementing outcomes of the Urban Reserves Transportation Study (URTS), Moving Forward TV Highway, Aloha Tomorrow, and the work done on the Regional Transportation Funding Measure into the TSP will be filed this year. The URTS study identified new road connections, refined roadway alignments, and functional classification changes to prepare for growth in Washington County's Urban Reserve areas. TV Highway is currently designated as a Refinement Area in the TSP, and recent studies have provided a vision for the corridor that can replace the Refinement Area and provide more certainty for capital projects and development. (Task S1.3)

#### Short-term rental license regulations

An issue paper assessing the range of concerns heard about short-term rentals, options to address them, and interdepartmental coordination on the various issues and options was completed in 2020. Based on Board direction, staff further developed concepts for the regulations and tested them in an online survey at the end of 2020. Results of the survey were inconclusive, with a wide range of opinions expressed. Staff will brief the Board in April on the survey results and further analysis and ask for Board direction. If directed by the Board, staff will prepare an ordinance for Board consideration this year. (Task S1.4)

#### Complete Streets Design Update

LRP is co-leading (with Engineering, Traffic and Survey) a multiyear project to review and update the County's Road Design and Construction Standards, capital projects and development processes. The intent is to incorporate context sensitivity into the Road Design and Construction Standards, the Transportation System Plan (TSP) and other documents that guide road construction and development. This work also includes a review and update of the County's Transportation Development Review process, through a Resolution and Order (R&O) replacing the existing R&O 86-95. (Task S1.8)

#### Revisit Rural Tourism Study

In 2016, staff prepared a comprehensive study of existing and trending rural tourism in the County and related community concerns and goals. The study was funded in part by the Washington County Visitors Association and was informed by participants from throughout the County's rural areas, including farmers, tourism practitioners, commercial interests and residents who took part in a work group or interviews; and a public comment period. The study concluded with options for Board consideration. At that time, the Board took interest in some

options but did not take action. The time may be ripe to brief the current Board on that study and to consider whether to act on any of the options it identified.

***Comprehensive Planning: Long-Term or Multiyear Projects***

Washington County is growing rapidly, both in terms of residents and employees, and the transportation system should consider these growing demands. A number of tasks this year address multimodal transportation system needs. These tasks include:

Trails planning and coordination

This work will result in a concept plan for the Tualatin Valley (TV) Trail funded by a Transportation and Growth Management (TGM) grant. Project outcomes will include selection of a preferred trail alignment, project cost estimates, identification of potential funding opportunities and public outreach. Staff also manages the Council Creek Regional Trail planning effort funded through Regional Flexible Funds, which will take place over the next two years and result in a preferred trail alternative and 30% design work. Staff are also coordinating on planning for the Salmonberry Trail and other trail projects that arise through work with our partners. (Task L1.1)

Countywide Transit Study planning and implementation

Scoping for a Countywide Transit Study, conducted in coordination with TriMet, Metro, ODOT and the cities within Washington County, will identify opportunities to increase transit use and meet potential demand identified through the Transportation Futures Study. Outcomes could include updates to the County and city transportation system plans, updates to TriMet's Westside and Southwest Service Enhancement Plans, and prioritized project lists for transit improvements. This task includes implementation of HB 2017; work as the transit provider for the parts of the County outside TriMet and SMART boundaries; and work with our partners to identify additional opportunities for funding rural transit connections and shuttles. (Task L1.2)

Major Streets Transportation Improvement Program (MSTIP)

The Major Streets Transportation Improvement Program is Washington County's property tax-funded program for building transportation infrastructure. The previous program was adopted in 2016 and this year staff will propose a draft list of projects for the next phase of work, to be adopted by the Board in 2022. This work will include developing a work program, public engagement, technical analysis of proposed projects and coordination with jurisdictional partners. (Task L1.3)

The full list of planning projects is included in Table 1.

#### **IV. ELEMENTS OF THE WORK PROGRAM**

Potential ordinances and planning projects, as shown in Table 1, are categorized into three tiers:

- **Tier 1** tasks are the highest priority and include major projects, tasks continued from 2020 and ongoing responsibilities. Some Tier 1 multiyear tasks will continue into 2022.
- **Tier 2** tasks are ordinances and projects that are either not scheduled until later in the fiscal year or do not have sufficient staff resources. Staff recommends addressing Tier 2 projects and ordinances if additional staff resources become available, though many of these tasks are likely to be carried over into the following year.
- **Tier 3** tasks are ordinances and projects that could be addressed in future years or may drop off the work program due to insufficient staffing resources or lack of Board support.

#### ***Staffing Levels***

The level of staff resources for Tier 1 tasks are shown as high, medium or low in this draft work program (Table 1). Task-specific estimates of staff time will be provided in the final work program staff report. Adjustments to the work program will be needed if additional tasks are added, existing tasks are expanded, tasks are reprioritized or the Division's proposed budget for FY 2021-22 is reduced through the upcoming budget process. Staff notes that the budget challenges in Current Planning will likely impact the ability to successfully implement the work program.

#### **V. 2021-2022 WORK PROGRAM REQUESTS**

Provided below is a summary of new requests from community groups or individuals that have been submitted for consideration in 2021, as well as the staff response to each request. Copies of new requests are provided in Attachment A.

##### **1. Requests from variety of individuals and groups regarding Significant Natural Resources regulations submitted during deliberations on A-Engrossed Ordinance No. 869 in 2020.**

During Planning Commission (PC) and Board consideration of A-Engrossed Ordinance No. 869 in 2020, a number of individuals, community groups and environmental organizations made requests for further work on different aspects of the County's Significant Natural Resource (SNR) / Statewide Planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) program. Groups and organizations included Community Participation Organization (CPO) 4M, Tualatin Riverkeepers, Urban Greenspaces Institute, Washington County Citizen Action Network, and the Audubon Society. These requests were beyond the scope of the ordinance as it was envisioned, and staff noted they would be raised as part of the coming year's work program.

Requests included:

- a) Inventory changes (e.g., develop a new inventory, add areas to inventory, update current maps to reflect development activity).
- b) Revisions to development standards for SNR sites (e.g., incentivize cluster development or smaller houses, reduce minimum lot size for sites with SNRs, revisit density transfer standards).
- c) Greater habitat protection, protection of different resource or habitat types than at present (e.g., oak savannah).
- d) Additional incentives for SNR preservation (e.g., tax incentives).
- e) Tree protection [see 2, below].

The Committee for Community Involvement (CCI) also separately requested changes to address concerns raised during the hearing process for Ordinance No. 869 by community members and environmental groups. The CCI noted interest in more incentives to ensure preservation of resource lands.

***Staff Response:*** *Inventory changes could be expensive and time consuming, and would likely require a Goal 5 process, including special findings, outreach and consultant assistance. Staff does not recommend initiating significant changes to SNR regulations unless the SNR inventory is also updated so there would be better correlation between the type and quality of habitat to be protected and the degree of protection warranted.*

*This past year through A-Engrossed Ordinance No. 869, the Board evaluated and made decisions on the level of protection. Without new information or Board direction, the result is unlikely to change. Additionally, this ordinance has been appealed to LUBA. It is not known whether any changes to the SNR regulations will be necessary based on this appeal, which could complicate any additional work contemplated.*

*While there has been interest from dedicated community members and several environmental organizations, the level of community-wide support is unclear. Based on preliminary discussions with Board members there was limited support for moving forward with any of these items. Given limited Board support and multiple competing interests, staff does not recommend doing additional work on this topic (above what is recommended as Task S1.1) at this time.*

## **2. Requests from variety of individuals and groups requesting development of a tree code.**

Related to item 1, above, during Planning Commission and Board consideration of A-Engrossed Ordinance No. 869 in 2020, a number of individuals, community groups and environmental organizations made requests for development of a countywide tree code to provide additional protections for trees. Groups and organizations included CPO 4M, Tualatin Riverkeepers, Urban Greenspaces Institute and the Washington County Citizen

Action Network. This request was beyond the scope of the ordinance, and staff noted it would be raised as part of the coming year's work program. Work program requests for a tree code have been made every year since 2015.

This year, requests varied in scale and approach, including:

- a) Establishing a tree protection program countywide.
- b) More extensive tree removal permit standards for all trees.
- c) Heritage tree program.
- d) Additional protection for SNR trees.
- e) Protected root zone standards for trees on private property.
- f) Community-based stewardship programs to preserve existing trees and other incentives that protect more trees.
- g) Require tree preservation/mitigation for all new development applications.

The CCI and others offered to partner with staff to support the development of a countywide tree code.

**Staff Response:** *Staff notes this would be a complicated and potentially controversial project and would require extensive staff and consultant resources. Items a) and b) appear to be a high priority for certain community members and several environmental advocacy groups. This may be a higher priority for these groups than greater habitat protection. The level of community-wide support, however, remains unclear.*

*Based on preliminary discussions with Board members there was limited support for moving forward with any of these items. Board members noted concerns with tree codes being a city level of regulation that goes beyond what is required by state or regional rules. Based on these discussions and given established County priorities and policies, staff does not recommend adding this task to the work program at this time.*

### **3. Committee for Community Involvement (CCI), letter dated Nov. 27, 2020.**

The CCI submitted a letter with a variety of recommendations for consideration in the LRP work program. Those related to Significant Natural Resources and a tree code are addressed above. Additional recommendations and staff's response include:

- a) Update to County infill policy. The CCI requests an issue paper be developed as a Tier 1 priority to take a broader look at the County policy on infill development, with sensitivity toward siting new development so that existing homes and neighborhoods are not negatively impacted, and privacy is maintained. The CCI acknowledges connections with work being done on other topics has implications for infill policy, including Significant Natural Resources and Centers and Corridors work. Should this issue paper be developed, the CCI requests ample opportunity for input on recommendations.

**Staff Response:** *Implementation of regional growth management is based on most additional development occurring in existing urban areas. The primary community concern staff has heard pertains to sensitive siting and design of infill projects, which would need to be balanced with other policies that encourage infill development and housing affordability. A broad look at County infill policies was included as a Tier 2 task in last year's work program (Task 2.3). Work on this topic is proposed to be incorporated into HB 2001 (Middle Housing) implementation (Task S1.1), since middle housing is intended as infill housing and responses to concerns about infill can be addressed more holistically by incorporating it into the HB 2001 work. HB 2001 rules allow certain design requirements, and these will be evaluated during this process.*

- b) Issue paper on governance. Study alternative governance options for large urban unincorporated areas (such as Cedar Mill, Bethany, Aloha, Raleigh Hills) where it is unlikely city annexation will occur. The CCI believes the County has faced challenges in providing planning, economic development, code enforcement and cultural and community-building services in these areas, and requests an issue paper to study governance options, focusing on gaps in urban services and alternatives for the future.

**Staff Response:** *This task was added to Tier 3 (Task 3.2) in 2019 for potential future consideration. There is no funding source for this work and substantial resources would be required to address the issue. Based on preliminary discussions with Board members there was no support for moving forward with this task, therefore staff has removed it from Tier 3.*

- c) Parking for multifamily units. Possible CDC fix to address issue where landlords charge fee for parking space and renters choose to park in the street instead. This causes neighborhood friction. Could this be part of a Neighborhood Street Program?

**Staff Response:** *The CDC requires certain numbers of off-street parking spaces for all residential development but does not regulate how they are distributed to residents or whether a fee is charged for them. The County has applied neighborhood parking limitations in several limited areas where there is a large institutional use, like a high school, where there has been parking intrusion from nonresidential uses in a residential area. Staff could conduct an analysis of the CDC to see if it would be appropriate to require a certain number of spaces to be free to residents, which would include legal analysis and consideration of the County's ability to monitor the issue in the long run. The Neighborhood Streets Program (NSP), managed by Engineering, Traffic and Survey, is focused on maintaining livability in urban unincorporated neighborhoods by addressing traffic-related quality of life issues. The NSP operates a Parking by Permit program to reduce parking infiltration in situations where neighborhood parking is being burdened by vehicles that do not belong to the neighborhood.*

- d) Light Pollution. Adopt lighting regulations for all new construction and remodeling projects to require all outdoor lighting, including landscape lighting, to be directed downward and to not extend to neighboring properties. Encourage retrofitting of existing lighting.

**Staff Response:** CDC Section 415 addresses lighting for roadways, access drives, parking lots and sidewalks of new developments of attached residential units, commercial uses and industrial uses. It does not apply to detached dwellings or attached dwellings of less than three units, nor to public street lighting. It requires an Exterior Lighting Plan be submitted showing luminaire location, details, and lighting coverage and cutoffs (light shielding). Developers can use any of three identified light fixture categories, however, they are subject to the maximum permitted illumination and pole height for the category they've chosen. Projects using light fixtures with no cutoff (no light shielding), are limited to a lower level of maximum permitted illumination and a lower pole height. Those with a high level of light shielding are allowed a higher level of maximum permitted illumination and a higher pole height.

The CCI request would essentially eliminate this broader range of light fixture choices and allow only light fixtures that provide the maximum level of light shielding, which are fixtures with a cutoff at an angle of less than 90 degrees. Other jurisdictions, such as Hillsboro, do include more stringent requirements for light trespass. There are, however, a variety of specific and technical requirements to consider.

The CCI request is aimed at reducing light pollution. Staff is aware that light pollution has negative effects on wildlife, can represent wasted energy, and may be a danger to drivers through glare that diminishes the ability to adapt to low-light conditions. For public street lighting, the County appears to be moving in the direction of requiring dark sky friendly light fixtures, per the example of the Century Boulevard Extension Project.

The CCI's request for exterior lighting requirements that more strictly limit light pollution of attached dwellings, commercial uses and industrial uses has some merit. Some portions of CDC Section 415 are not worded clearly and an update may be warranted. Such an update, however, would involve significant staff time and research, as it is a very technical subject. Given other priorities, staff recommends adding this to a list of possible future CDC updates but does not recommend taking on this task this year.

- e) Climate Change. Request to address climate change as part of future updates to the Comprehensive Plan.

**Staff Response:** Climate change is a broad topic with a range of possible approaches. It is also much broader than the purview of Long Range Planning. Staff understands the Board is considering a possible Roundtable on the topic later in the year, and LUT would intend to be part of the preparation for that meeting, including provision of a memo on

*relationship with aspects of the Department's overall mission. This work could also align with the Governor's Executive Order 20-04, which directed state agencies to reduce climate pollution. As a response to that, the Land Conservation and Development Commission (LCDC) is working on updating Oregon's Transportation Planning Rules and administrative rules. The outcomes of the rulemaking could mean requirements for changes in the County's TSP, CDC and community plans. Depending on the results of those discussions, one outcome could be a future work program task.*

- f) Alignment of Rural Regulations with Statewide Planning Goal 3. Look forward to review of upcoming Rural Regulations Issue Paper. Concern with a specific issue regarding farm buildings for farm use.

**Staff Response:** *An issue paper on Rural Regulations will be released in the near future.*

- g) Changes to CCI membership. CCI updated their bylaws in 2017 to allow Members At Large, representatives from organizations that have an interest in land use and livability issues in Washington County. This is not consistent with provisions for CCI membership in the CDC or the Resolution and Order (R&O) that lays out citizen participation policy and implementation in the County. The CCI requests update to CDC Section 107-6.2, CCI Membership, and R&O 86-58, to ensure consistency.

**Staff Response:** *The CDC lays out the parameters for the different actors in the land use process, as provided in Statewide Planning Goal 1. Section 107-6.2 states the membership "Will consist of the two representatives from each recognized CPO in Washington County and two alternates which shall make up the membership of the CCI." It is within the CCI's purview to add members, but the CCI is correct in recognizing the CDC needs to be updated. Staff recommends this be included in the Minor Amendments ordinance to clarify that, at minimum, CPO membership include the two CPO representatives and two alternates. This would leave flexibility for additional members to be selected.*

*The R&O, however, is more complicated. In 1986, the County established its public involvement program through R&O 86-58. This is included as an appendix to several elements of the Comprehensive Plan and serves as historical documentation regarding creation of the program. The R&O cannot be updated; therefore, if the Board would like to make changes a new R&O would need to be enacted. An overall restatement of the County's public involvement program has not been adopted and a number of changes have been made since 1986. This request has been sent to the County Administrative Office (CAO), which includes the Community Engagement Office, who would bring forward any policies established through R&O or otherwise regarding the work of the Community Engagement Program.*

- h) Clarifications to group testimony. Requests rules to specify which groups qualify for additional time to speak before the PC and the Board. Time limits should be spelled out on the webpages to allow for preparation of presentations.

**Staff Response:** *The Washington County Board of Commissioners (Board) follows [Rules of Procedure](#) that determine the structure and operation of meetings, in accordance with [Section 33](#) of the County Charter. This is an issue to be taken up with the Board.*

*The PC also has [Rules of Procedure](#). However, they appear silent on the question of what constitutes a group, or the time allotted for individuals or groups. The PC Rules of Procedure were last amended by R&O 13-3, adopted by the Board on Jan. 15, 2013. They can be found at the bottom of the [Planning Commission](#) webpage under “Resources.” The PC rules for testimony are modeled after the Board rules, therefore if the Board chooses to change or clarify rules on this topic the PC could follow suit.*

- i) Sidewalk gaps. Continue to pursue solutions for addressing walkway gaps in the urban unincorporated area.

**Staff Response:** *Addressed below.*

**4. Randy McCourt request regarding sidewalk gaps, letters dated Aug. 29, 2020 and Sept. 24, 2020.**

Mr. McCourt submitted a letter requesting a Work Program task be added to address how to systematically and strategically create safe and continuous pedestrian walkways in established neighborhoods where infill development is occurring on County neighborhood routes (first) and local streets. The letter references an earlier letter to Commissioner Rogers providing a detailed example of the issues he is concerned with on SW Florence St. in Aloha, within a built area experiencing some infill. The challenge is how sidewalks can be logically assembled and connected over time in areas where infill is gradually occurring. He cites inconsistent application of frontage improvements and discusses using Transportation Development Tax (TDT) more flexibly to be able to accelerate sidewalk infill and reduce the public cost of sidewalk gap filling projects to create connected networks of sidewalks.

**Staff Response:** *This topic will be considered in part through work on HB 2001, Middle Housing (Task S1.1), regarding frontage improvements for infill development when that development is denser than originally considered. This work may entail reconsidering how the County applies requirements for development of single detached homes on lots of record. Staff has started research to help clarify what share of lots affected by the middle housing bill are (or are not) already developed with frontage improvements. Though not in response to Mr. McCourt’s concern, mapping intended as part of this research could help illustrate where concerns like his are most evident.*

*Existing sidewalk gaps on neighborhood routes and local streets are challenging to fill due to lack of funding. The TDT ordinance specified that it is to be used for roadway improvements on collectors and arterials, so it is not a funding source for neighborhood routes and local roads. Other funding sources such as Local Improvement Districts are an option but would require property owners to contribute to the fund and for it to be collected and managed by the County. County staff are also working on an update to the Transportation Development Review procedures, which are guided by R&O 86-95. This update is proposed to include additional consideration of pedestrian and bicycle system gaps but may not address the frontage improvement question raised by this request.*

#### **REVISED TEXT BELOW**

#### **5. Requests from John Williams, Masako Jankovsky and Tanya Rosencrance regarding service stations in Neighborhood Commercial district, letters dated Jan. 28 and April 5, 2021.**

John Williams, Masako Jankovsky and Tanya Rosencrance, residents of the Rock Creek community, each submitted a letter requesting an amendment to the CDC regarding service stations in the Neighborhood Commercial (NC) District. Mr. Williams requested that service stations in the NC District be limited to six pumps or less. Ms. Rosencrance requested that the CDC be amended to specifically define what qualifies as a “small” to “medium” service station in the NC District, to ensure that a service station provides services only to the immediate neighborhood. Ms. Jankovsky requested that the existing CDC allowance for service stations in the NC District be more limited, so as to protect established residential areas from potentially hazardous impacts. Their letters cited concerns including traffic impacts, toxic air emissions, proximity to other allowed uses such as medical offices and day care centers, and threat of environmental harm from fuel pumps and storage tanks.

***Staff Response:*** *Per the CDC, the purpose of the NC District is to allow small to medium-sized shopping and service facilities in neighborhood commercial centers to provide for the needs of the immediate urban neighborhood. The Comprehensive Framework Plan for the Urban Area (CFP), Policy 18 (Plan Designations and Locational Criteria for Development) describes the locational criteria for the NC District. The CFP states that, generally, NC Districts should be located at Collector and/or Arterial intersections and at intervals about a mile apart.*

*A service station is an allowed use in several land use districts, including the NC District. As such, it is considered an appropriate use in this district. One comment letter noted the NC District’s purpose statement, “...to allow small to medium-sized...service facilities...to provide for the needs of the immediate urban neighborhood,” and raised these questions about whether the service station allowance was consistent with that purpose statement:*

- 1) Can a service station be considered a small to medium-sized facility, given the fact that service station size can range from as few as four pumps to the extremely large facilities found at Costco and Fred Meyer?*

2) *Can a service station be considered a facility that provides for the needs of the immediate urban neighborhood?*

*The NC District standards do not limit service station size or number of fuel pumps. The CDC's special use standards for service stations do, however, allow restriction of a service station's lighting, sign illumination, height and hours of operation through the development review process in consideration of possible negative impacts on nearby residential uses.*

*The NC District standards do limit the size of convenience markets associated with service stations. They also limit the size of food markets to a floor area of 35,000 square feet, which is much smaller than the floor area of big-box retail stores such as Costco and Fred Meyer. Therefore, those stores and their associated extremely large service stations would not be allowed in the NC District. As a practical matter, if staff was directed to amend the CDC to restrict the number of fuel pumps allowed for service stations in the NC District, staff does not know the basis upon which a maximum pump quantity would be set. There are likely market forces at play and specialized knowledge would be required to determine how many pumps may be appropriate to serve a smaller market, and whether that number would allow a service station to be profitable.*

*Regarding the second question, staff notes that service stations should be available in a wide variety of locations throughout the county so that county residents can access them without having to drive long distances from home. The allowance for service stations in the NC District makes it possible for neighboring residents to access them through a short drive. In that sense, staff believes that service stations in the NC District are facilities that provide for the needs of the immediate urban neighborhood. It is likely that individuals from outside the neighborhood will also patronize such facilities, but they nonetheless provide for the needs of the immediate neighborhood in which they are located.*

*The comment letters expressed concern about traffic generated by service stations in the NC District. However, as noted above, the locational criteria for NC District sites is the intersection of Collector and/or Arterial streets. Streets with these functional classifications are intended to serve higher amounts of traffic, so the location of a service station use adjacent to such streets is appropriate from a traffic standpoint. As noted previously, a food market with a maximum gross floor area of 35,000 square feet is also an allowed use in the NC District, and is also likely to generate more traffic than residential uses.*

*The comment letters expressed concerns about toxic air emissions associated with fuel pumps, and the threat of environmental harm from underground fuel storage tanks. The Oregon Department of Environmental Quality (DEQ) is responsible for monitoring air quality, and for reviewing and regulating underground storage tanks.*

*For the above reasons, staff does not recommend changes to the NC District's service station allowance at this time.*

*One of the comment letters referred to Casefile 20-0057, a 2020 development review application for a service station at an NC District property located on West Union Rd. That application was recently withdrawn, but Current Planning staff indicates that it is likely to be resubmitted soon. If these requests are intended to affect the decision on that development review application, staff notes that any proposed changes to service station allowances as part of an upcoming ordinance would be unlikely to be in effect prior to a decision on the application.*

### **Remaining Elements**

The remaining elements of the Draft 2021-2022 LRP Work Program staff report consist of:

- **Figure 1.** General timeframes for major regional and/or long-term planning projects.
- **Table 1.** Categorization of tasks into Tier 1, 2 and 3. In Tier 1, these tasks are split into four areas: 1) Ongoing Programs and Projects, 2) Regional/State/Federal Coordination, 3) Comprehensive Planning – Short-Term, 4) Comprehensive Planning – Long-Term or Multiyear Projects. The source of each proposal and whether the task has a countywide, rural or urban unincorporated area focus is also noted. New tasks are *italicized*.
- **Table 2.** Requests not recommended for inclusion in 2021-22 Work Program.
- **Attachment A.** Copies of work program request letters.

**Figure 1 – GENERAL TIMEFRAMES FOR MAJOR PLANNING PROJECTS**

	2021				2022				2023				2024				2025			
	Jan-Mar	Apr-June	July-Sept	Oct-Dec	Jan-Mar	Apr-June	July-Sept	Oct-Dec	Jan-Mar	Apr-June	July-Sept	Oct-Dec	Jan-Mar	Apr-June	July-Sept	Oct-Dec	Jan-Mar	Apr-June	July-Sept	Oct-Dec
County Land Use Planning	Significant Natural Resources / Ordinance No. 869A follow-up																			
	House Bill 2001 (Middle Housing) implementation																			
	Raleigh Hills Town Center planning - Preliminary scoping																			
	Update Urban Planning Area Agreements (UPAAs) and other coordination needs																			
County Transportation Planning	Complete Streets Design Update																			
	Countywide transit planning and implementation																			
City Planning	Coordination with City Land Use and Transportation Planning • UGB Expansion Area Planning (S. Cooper Mtn., S. River Ter., Beef Bend South, etc.) • City / County TSP Updates (as needed) • Redevelopment Plans																			
	Regional Land Use and Transportation Planning • Regional Affordable Housing Bond support • Employment/housing needs analyses • Emerging technology policies, programs and strategies • Regional Parks and Nature Bond support • Trails planning and coordination																			
Other	Monitor Statewide Planning Program/Legislature/LCDC/LUBA Appeals																			
	State Legislative Session				State Legislative Session				State Legislative Session				State Legislative Session				State Legislative Session			

**Table 1 – DRAFT 2021-2022 LONG RANGE PLANNING WORK PROGRAM TASKS**

TIER 1 ( <i>new tasks are italicized</i> )						
No. <sup>1</sup>	Tasks	Staff Time <sup>2</sup>	Ordinance	Comments	Source of Proposal	Area <sup>3</sup>
<b>Ongoing Programs and Projects</b>						
	<p><b>Ongoing nondiscretionary tasks</b> Community Planning, Transportation Planning, and Economic, Demographic and Geographic Information Services (GIS) tasks, including:</p> <ul style="list-style-type: none"> <li>• Plan amendments.</li> <li>• Special district annexations and coordination.</li> <li>• Community plan implementation, including North Bethany land use and transportation.</li> <li>• Planning Commission, Planning Directors, Washington County Coordinating Committee (WCCC) and WCCC TAC support.</li> <li>• Demographic, economic information, data collection and analysis.</li> <li>• Interdepartmental coordination, including on housing issues and economic development.</li> <li>• Rural regulations education.</li> <li>• Monitor state legislation and support government relations staff in legislative analysis and policy development.</li> <li>• Transportation model updates.</li> <li>• Transportation Development Tax/SDC review, updates and annual reporting.</li> <li>• Community and Transportation Planning support.</li> <li>• Implementation of public transportation service per requirements in the Statewide Transportation Improvement Fund (STIF).</li> </ul>	H		Day-to-day operations, projects and required services.	Long Range Planning	C, U, R

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No. <sup>1</sup>	Tasks	Staff Time <sup>2</sup>	Ordinance	Comments	Source of Proposal	Area <sup>3</sup>
<b>Regional/State/Federal Coordination</b>						
R1.1	<p><b>Regional and interagency coordination</b>                      Participate in and respond to major regional, state and federal initiatives, including:</p> <ul style="list-style-type: none"> <li>a) Employment and housing needs analyses in support of regional growth management decisions.</li> <li>b) Regional Housing Bond support.</li> <li>c) Regional Parks and Nature Bond support.</li> <li>d) Regional trails planning and funding initiatives.</li> <li>e) Regional Transportation Plan implementation.</li> <li>f) Major ODOT and Metro projects and policies, including jurisdictional transfer, mobility standard updates and ODOT Toll Program.</li> <li>g) TriMet transit service plans, capital investments and policies.</li> <li>h) Transportation demand management, including <i>Safe Routes to School</i> policies and funding.</li> <li>i) Climate Friendly Rules Advisory Committee</li> <li>j) Tualatin Watershed Enhancement Collaborative (TWEC)</li> </ul>	H		Support Board in developing County position on issues of regional, state and national significance and participate in policy advisory committees such as JPACT, MPAC and R1ACT and other special purpose committees.	Long Range Planning	C
R1.2	<p><b>Planning by cities or others</b>                      Participate with cities in their planning efforts, particularly related to transportation infrastructure and County goals, including:</p> <ul style="list-style-type: none"> <li>a) City comprehensive planning for new UGB areas and concept planning in urban reserves.</li> <li>b) Regional and Town Center planning coordination.</li> <li>c) City comprehensive plan/Transportation System Plan (TSP) updates.</li> <li>d) TriMet pilot program for Red Line Station Transit Oriented Development.</li> <li>e) Metro HOPE grant for Tualatin Valley (TV) Highway transit improvements and anti-displacement strategies.</li> <li>f) U.S. 26 and OR 99W corridor studies.</li> </ul>	H		Supports efforts by partners, funded largely by grants.  Board input/acknowledgement may be required on some projects.	Long Range Planning, d) TriMet request	C
R1.3	<p><b>Urban Planning Area Agreement (UPAA) and Urban Service Agreement (USA) updates</b>                      Update UPAA's to support continued County/city coordination including planning authority for urban reserves and new urban areas, as well as transportation needs. Review and update USAs as needed. <i>The focus in 2021 will be on updates to the UPAA with Tigard. Cornelius and North Plains are also potential near-term updates.</i></p>	H	Y	Response to Statewide Planning Goal 2 for coordination.  Ordinance in 2021 to adopt updated Tigard UPAA.	City request, Long Range Planning	C

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R1.4	<p><b>Transportation-focused emerging technology policies, programs and strategies</b> Participate in Metro and other jurisdictions’ planning efforts regarding shared mobility, Intelligent Transportation Systems, curb management, and other technology initiatives that relate to mobility and transportation infrastructure.</p>	L		Board input/support for potential coordinated efforts or grants.	Long Range Planning	C
<b>Comprehensive Planning – Short-Term</b>						
S1.1	<p><b>House Bill (HB) 2001 (Middle Housing) implementation / housing affordability</b> Collaborate with Housing Services and Community Development departments to modify County regulations to encourage development of a greater variety of housing types and enhance housing affordability. Ensure compliance with state law changes in HB 2001 and HB 2003. Efforts in 2021 focus on HB 2001 implementation and include:</p> <ul style="list-style-type: none"> <li>a) Ongoing participation in state-level implementation.</li> <li>b) Community Development Code (CDC) changes to meet state law and rule requirements that encourage middle housing variety/affordability.</li> <li>c) Public outreach for HB 2001 code concepts.</li> <li>d) Consider how other topics/studies relate to middle housing requirements, including:                             <ul style="list-style-type: none"> <li>o Sidewalk gaps (frontage improvement requirements).</li> <li>o Infill concerns (e.g., compatibility).</li> <li>o Centers and corridors housing capacity assessment.</li> </ul> </li> </ul> <p>Address state law changes, as appropriate.</p>	H	Y	<p>Response to housing affordability concerns of Board and public, as well as recent state law changes.</p> <p>Ordinance(s) to implement new regulations in 2021 or 2022.</p>	Long Range Planning, Equitable Housing Site Barriers and Solutions, State law	U
S1.2	<p><b>Significant Natural Resources (SNR) follow-up</b> Implementation of recommendations from SNR Program Review and Assessment and follow-up to A-Engrossed Ordinance No. 869 adopted in 2020. Nature of actions for 2021 will depend on Board direction, and could include:</p> <ul style="list-style-type: none"> <li>a) Response to appeals (Land Use Board of Appeals (LUBA)) of Ord. No. 869A and Habitat Assessment Guidelines, including possible remand.</li> <li>b) Review Community Plan design elements regarding clear and objective standards.</li> <li>c) Develop a web-based SNR mapping tool for community to identify and verify general location of SNRs on properties and make available corresponding database to monitor and enforce new CDC provisions.</li> <li>d) Continue to work with Beaverton and other cities as appropriate regarding SNRs in new UGB areas.</li> </ul>	H	Y	<p>Response to community concerns and enforcement actions.</p> <p>SNR Assessment published in May 2020. A-Engrossed Ordinance No. 869 adopted in November 2020.</p> <p>Possible longer-term tasks (2022 and beyond) could include other possible tasks requested by community members, with direction from the Board.</p>	Community requests, SNR Assessment, Ord. No. 869A, LUBA appeals	U, R

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No. <sup>1</sup>	Tasks	Staff Time <sup>2</sup>	Ordinance	Comments	Source of Proposal	Area <sup>3</sup>
S1.3	<p><b>Transportation System Plan (TSP) updates</b> Update the TSP to:</p> <ul style="list-style-type: none"> <li>a) Include outcomes from the Urban Reserves Transportation Study (URTS).</li> <li>b) Replace the refinement area on Tualatin Valley (TV) Highway based on the outcomes of <i>Aloha Tomorrow</i> and <i>Moving Forward TV Highway</i>.</li> <li>c) General housekeeping. General updates and map edits to roadway and other designations may be required based on planning efforts by other jurisdictions and the Regional Transportation Plan.</li> </ul>	H	Y	Updates identified through Urban Reserves Transportation Study (URTS), TV Highway work and general housekeeping.	Long Range Planning, Aloha Tomorrow, Moving Forward TV Highway, URTS	C, U, R
S1.4	<p><b>Short-term rental license regulations</b> In response to community complaints about short-term rentals (e.g., homes listed for short-term occupancy in online booking platforms such as Airbnb, Vrbo/HomeAway and Booking.com), an issue paper exploring issues and opportunities with short-term rental (STR) regulation was published in February 2020. Based on the findings in the issue paper and work sessions with the Board, an online open house was held Dec. 2020 – Jan. 2021 to gather input. Staff will present open house results and request further direction in April.</p>	H	Y	Ordinance in 2021 to adopt regulations into the County Code of Ordinances. Implementation would include method for tracking compliance and enforcement.	Community member requests	U, R
S1.5	<p><b>Minor Comprehensive Plan amendments (rural and urban)</b></p> <ul style="list-style-type: none"> <li>a) Rural omnibus to address state law changes.</li> <li>b) Process for minor modifications of standards.</li> <li>c) Modify Bethany Community Plan maps to delete North Bethany information (information remains on North Bethany maps).</li> <li>d) CDC changes to reflect CCI updated bylaws.</li> <li>e) Other.</li> </ul>	H	Y	Response to changes in state law, regional decisions, and issues raised by staff, other agencies or the public.	Current Planning, Long Range Planning, community member requests	U, R
S1.6	<p><b>Community Development Code (CDC) update – Phase 1 and Housekeeping ordinance</b> This ordinance will consist of non-substantive “housekeeping” changes to elements of the Comprehensive Plan, particularly the CDC. In addition to typical housekeeping, Phase 1 of the CDC update will include making formatting changes, updating definitions and reviewing the CDC for inconsistencies, outdated and repetitive information. Includes scoping for possible update and audit for clear and objective standards.</p>	M-H	Y	Intended to maintain the Plan’s consistency with federal, state, regional and local requirements, and to improve the efficiency and operation of the Plan.  First phase of a multiyear review of the CDC.	Current Planning, Long Range Planning	U, R

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No. <sup>1</sup>	Tasks	Staff Time <sup>2</sup>	Ordinance	Comments	Source of Proposal	Area <sup>3</sup>
S1.7	<b>FD-20 in new Urban Growth Boundary (UGB) expansion areas</b> Amend County plan documents to designate the following areas added to the UGB in 2019 as future urban development until each is annexed by the respective city: Witch Hazel Village South and West Union Village Square (Hillsboro); Cooper Mountain (Beaverton); and Beef Bend South (King City). This task will move the areas from the Rural/Natural Resource Plan to the appropriate community plans; replace the current rural land use designations with the Future Development 20-Acre (FD-20) land use designation; transfer mapped Goal 5 resources to the community plans; and remove urban reserve designations.	M	Y	Ordinance No. 865 filed in 2020 to make needed Comprehensive Plan amendments. Ordinance continued to September 2021, awaiting the outcome of appeals.	Long Range Planning, cities of Beaverton, Hillsboro, and King City	U, R
S1.8	<b>Complete Streets Design Update</b> Partner with County Engineering to lead a multiyear project to review and update Washington County Road Design and Construction Standards (RCDS). The intent is to implement road standards in 2021 that better reflect the variety of land use contexts within Washington County. Includes an update of the transportation development review process and procedures used to determine transportation safety-related conditions of development approval. Current procedures were adopted by Resolution & Order (R&O) 86-95 in 1986. The TSP calls for a review and update of these procedures to consider the multimodal transportation system.	H	Y	Set policy groundwork for technical discussions.  Ordinance in 2021 to adopt new standards through the Road Design and Construction Standards, TSP and CDC.  Updated transportation development review procedures also to be adopted in 2021, either by ordinance or R&O.	Long Range Planning	C
S1.9	<b>Revisit recommendations of the Rural Tourism Study</b> Potential implementation measures could include CDC changes, preparation of educational materials and legislative proposals. CDC changes could include implementing Senate Bill 960 (2011) and expanding it to other rural districts, as well as minor changes to the “intent” statements and allowed uses in certain land use districts. Work would start with Board work sessions to present findings of 2016 study and determine Board interest.	M	?	<i>Rural Tourism Study</i> acknowledged by the Board in 2016.  Possible ordinance, depending on Board interest and direction.	Long Range Planning	R
<b>Comprehensive Planning – Long-Term or Multiyear Projects</b>						
L1.1	<b>Trails planning and coordination</b> (urban and rural) This task includes the TGM grant-funded Tualatin Valley Trail project, which will evaluate and select a preferred trail alignment and cross-section, develop project cost estimates, refine the TSP and identify eligible funding programs to help guide the direction of future multimodal investments within the TV Highway Corridor. This trail is the unincorporated Washington County segment of an envisioned regional trail that would connect the Oregon coast to the Portland metro region. The task also includes continuing to actively participate in planning efforts for the Salmonberry Trail, Council Creek Trail and other regional trail facilities.	M		Tualatin Valley Trail work funded by Transportation and Growth Management (TGM) grant. Ordinance possible in 2022 to adopt alignment.	Aloha Tomorrow, Board of Commissioners	C

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No. <sup>1</sup>	Tasks	Staff Time <sup>2</sup>	Ordinance	Comments	Source of Proposal	Area <sup>3</sup>
L1.2	<p><b>Countywide Transit Study planning and implementation</b></p> <p>a) Implement transit services funded by Statewide Transportation Improvement Fund (STIF).                      b) Transit Development Plan update.                      c) Countywide transit study in partnership with Trimet, Metro, ODOT and Washington County cities. Study identifies opportunities to increase transit use and meet potential demand identified in the <i>Washington County Transportation Futures Study</i>. Multifaceted efforts to improve transit speed/reliability in key corridors, improve access to transit with bike/sidewalk improvements, explore new transit operations such as bus-on-shoulder and express services, and identify service priorities for input to TriMet.</p>	M		Seeking Board feedback.	HB 2017	C
L1.3	<p><b>Major Streets Transportation Improvement Program (MSTIP)</b></p> <p><i>Provide project support for the next cycle of Major Streets Transportation Improvement Program fund allocations, including development of program criteria, evaluation, development of project lists and cost estimates, public engagement and an equity lens.</i></p>	H		<i>Board policy discussions and feedback.</i>		C
L1.4	<p><b>Housing development data collection and assessment to meet state, regional and County information needs</b></p> <p><i>Develop clear data for the urban unincorporated area on existing housing and housing production and analyze against need (as identified in regional analyses) to assist in determining whether various County actions are resulting in changes in housing development and if the County is making progress over time toward meeting community housing goals.</i></p>	M			Long Range Planning	U
L1.5	<p><b>Community planning study for Raleigh Hills Town Center planning (Beaverton Hillsdale/Scholls Ferry/Oleson Road)</b></p> <p><i>Prepare an issue paper in coordination with Economic Development and Housing to assess opportunities for infrastructure improvements that can also support housing, transit, and economic opportunities. This could lead to changes in land use and transportation plans. Project will need grant or other funding source to move forward. Depending on available funding, project could update intersection improvements and identify housing and other development opportunities in partnership with City of Beaverton, Portland, and ODOT.</i></p>	M	?	<i>For Board consideration and further direction once issue paper is completed.</i>	Long Range Planning	U
L1.6	<p><b>Racial equity lens</b></p> <p><i>Consider how to incorporate equity principles in planning processes and LRP tasks, including:</i></p> <p>a) <i>Inventory of best practices on equity tools for projects and community engagement.</i>                      b) <i>Develop an equity lens to apply to future LRP work programs and when starting projects.</i>                      c) <i>Adopt an equity analysis tool for ongoing project use.</i>                      d) <i>Update data from a variety of sources for use in analysis of equity focus areas.</i></p>	M		<i>In concert with County’s broader EDI (Equity, Diversity and Inclusion) program.</i>	Long Range Planning	U, R

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<b>TIER 2</b> ( <i>new tasks are italicized</i> )						
<b>No.</b>	<b>Tasks</b>	<b>Staff Time<sup>2</sup></b>	<b>Ordinance</b>	<b>Comments</b>	<b>Source of Proposal</b>	<b>Area<sup>3</sup></b>
2.1	<b>Refinements to Alexander Street design</b> Alexander Street was selected for design as a part of MSTIP 3e, with work likely to begin in 2022. Planning staff will support public engagement and refinement of the design to meet community goals.	M		This work will not begin until the MSTIP 3e design funding is available. Coordinate with Road Engineering and Capital Project staff.	Aloha Tomorrow	U
2.2	<b>Review of land uses permitted in FD-20 District</b> Consider CDC and other Comprehensive Plan amendments to address concerns from adjacent cities with contractors' establishments in the FD-20 land use district. Concerns include the challenge such uses pose to future urban industrial development, that they tend to be long-term rather than temporary uses, and that the uses are not visually compatible with development envisioned for the area.	M	Y	City of Wilsonville request in 2019. Possible assistance from the city in development of amendments.	City of Wilsonville	U, R
2.3	<b>Historic and Cultural Resource Overlay cleanup</b> Update existing Historic and Cultural Resources Inventory, mapping and site designations to reflect changes on the ground (e.g., deletion of the resource). Consider revisions to CDC in light of 2016 Oregon Supreme Court case and Oregon Administrative Rule changes.	M	Y	Request from Graham Colton in 2017 but affects multiple properties. Not to include Oak Hills subdivision. Outside funding source needed.	Graham Colton	U, R
2.4	<b>Homeless shelter/services/camping regulations</b> Coordinate with the Department of Housing Services, the Office of Community Development, and LUT Building Services on potential CDC amendments related to homeless shelter/services/supportive housing project. LRP staff would play a supportive role to other departments on their work in this area. Address state law changes as required.	H	Y	May be relationship with Supportive Housing work.  Regulations for temporary homeless shelters adopted in 2018.	Long Range Planning	C, U
2.5	<b>Centers and Corridors study – Follow-on work</b> The initial Centers and Corridors assessment indicated the County has available housing capacity across all its residential land use districts. Middle housing requirements under HB 2001 may require reassessment of the study's findings. Once regulations are refined to address HB 2001, the County may consider options to encourage developers to use more allowed development capacity, particularly in higher-capacity and mixed-use land use districts near centers and corridors. This work could include consideration of ways to encourage transitions between middle housing and multifamily development in some locations, potentially through more targeted community planning in certain areas, for example, Town Center planning for the Raleigh Hills area.	H	Y	Work will depend on Board direction on Phase 1 and adequate funding from a Metro 2040 Planning and Development grant.  Work would coordinate with Task S1.1 (Housing affordability/HB 2001 implementation).	Long Range Planning	U

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<b>TIER 2</b> ( <i>new tasks are italicized</i> )						
<b>No.</b>	<b>Tasks</b>	<b>Staff Time<sup>2</sup></b>	<b>Ordinance</b>	<b>Comments</b>	<b>Source of Proposal</b>	<b>Area<sup>3</sup></b>
2.6	<p><b>Comprehensive Plan review</b></p> <p>Prepare several issue papers analyzing the current status of Comprehensive Plan elements, focusing initially on the Comprehensive Framework Plan for the Urban Area and possibly community plans. Start with scoping the extent of language/maps that may be outdated and the level of work needed to update, as well as the implications of updating. The CFP is the source document that establishes issues of countywide concern and minimum criteria for community plans and other elements of the Comprehensive Plan. It was prepared in 1983, and many references are now out-of-date.</p>	M-H	Y	<p>Would require outside funding. Potential sources include:</p> <ul style="list-style-type: none"> <li>• 2040 Planning and Development grant (Metro).</li> <li>• TGM grant (DLCD/ODOT).</li> <li>• Technical Assistance grant (DLCD).</li> </ul>	Long Range Planning	U
2.7	<p><b>Flood plain CDC updates</b></p> <p>In 2016, the National Marine Fisheries Service (NMFS) released a Biological Opinion to address potential impacts to federally-listed anadromous fish (salmon and steelhead) from development within the FEMA-regulated flood plain. To remain compliant with the National Flood Insurance Program (NFIP) in Oregon, changes will be required to existing state and local regulations specific to development within these federally-regulated flood plains. The extent of amendments to County regulations will not be known until DLCD, working with NMFS, FEMA and local jurisdictions, develops implementation recommendations.</p>	L-M	Y	<p>This work has been delayed by court cases and staffing issues at FEMA. FEMA has delayed the implementation timeline for the Oregon Biological Opinion until fall 2021. It is unknown when DLCD guidance will be forthcoming and when changes will be required.</p> <p>Community Rating System work is pending support from Board, which is pending further work on service and funding options for the TWEC.</p>	NMFS, FEMA	U, R

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<b>TIER 3</b> <i>(new tasks are italicized)</i>						
<b>No.</b>	<b>Tasks</b>	<b>Staff Time<sup>2</sup></b>	<b>Ordinance</b>	<b>Comments</b>	<b>Source of Proposal</b>	<b>Area<sup>3</sup></b>
3.1	<b>Comprehensive Community Development Code audit and update – Phase 2</b> Second phase of the CDC update would include an audit to assess the structure and functioning of the CDC and consideration of how to streamline and enhance its functionality and usability. The audit could also include a review of consistency with state law and other requirements. Work could proceed in phases, possibly scoping to focus on specific sections identified as being most in need of revision.	H	Y	Funding would need to be identified to do this work. A consultant would likely be required, and a Code work group would be formed to assist with this task.	Long Range Planning	U, R
3.2	<b>Tualatin Basin Dam Safety and Water Supply Joint Project Plan changes</b> Clean Water Services (CWS) has requested possible realignment of several rural roads based on the upcoming results of the alternatives analysis for Scoggins Dam.	L		Scoggins Dam project is being delayed; therefore, this task is placed on Tier 3 until the work resumes.	CWS	R

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**Table 2 – REQUESTS NOT RECOMMENDED FOR INCLUSION IN 2021-2022 WORK PROGRAM**

No. <sup>1</sup>	Tasks	Staff Time <sup>2</sup>	Ordinance	Comments	Source of Proposal	Area <sup>3</sup>
1	<p><b>Significant Natural Resources – additional work</b></p> <ul style="list-style-type: none"> <li>a) Inventory changes (e.g., develop new inventory, add areas to inventory, update current maps to reflect development activity).</li> <li>b) Revisions to development standards for SNR sites (e.g., incentivize cluster development or smaller houses, reduce minimum lot size for sites with SNRs, revisit density transfer standards).</li> <li>c) Greater habitat protection, protection of different resource/habitat types than at present (e.g., oak savannah)</li> <li>d) Additional incentives for SNR preservation (e.g., tax incentives).</li> </ul>	H	Y	<p>Inventory changes could be expensive and time consuming, and would likely require a Goal 5 process, including special findings, outreach and consultant assistance. Staff would not recommend initiating significant changes to SNR regulations unless the SNR inventory was also updated so there would be better correlation between the type and quality of habitat to be protected and the degree of protection warranted.</p> <p>This past year through A-Engrossed Ordinance No. 869, the Board evaluated and made decisions on the level of protection. Without new information or Board direction, the result is unlikely to change. Additionally, this ordinance has been appealed to the Land Use Board of Appeals (LUBA). It is not known whether any changes to the SNR regulations will be necessary based on this appeal, which could complicate any additional work contemplated.</p> <p>While there has been interest from dedicated community members and several environmental organizations, the level of <i>community-wide</i> support is unclear. Based on preliminary discussions with Board members there was limited support for moving forward with any of these items.</p>	Requests from community members, specific groups, CCI	U, R
2	<p><b>Tree Code (CCI and others)</b></p> <p>Requests varied in scale and approach, including:</p> <ul style="list-style-type: none"> <li>a) Establishing a tree protection program countywide.</li> <li>b) More extensive tree removal permit standards for all trees.</li> <li>c) Heritage tree program.</li> <li>d) Additional protection for SNR trees.</li> <li>e) Protected root zone standards for trees on private property.</li> <li>f) Community-based stewardship programs to preserve existing trees and other incentives that protect more trees.</li> <li>g) Require tree preservation/mitigation for all new development applications.</li> </ul> <p>CCI and others offered to partner with staff to support the development of a countywide tree code.</p>	H	Y	<p>Staff notes this would be a complicated and potentially controversial project and would require extensive staff and consultant resources.</p> <p>Items a) and b) appear to be a high priority for certain community members and several environmental advocacy groups. This may be a higher priority for these groups than greater habitat protection. The level of <i>community-wide</i> support, however, remains unclear.</p> <p>Based on preliminary discussions with Board members there was limited support for moving forward with any of these items. Board members noted concerns with tree codes being a city level of regulation that goes beyond what is required by state or regional rules.</p>	Requests from community members, specific groups, CCI	U

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3	<p><b>Prohibit large service stations in the Neighborhood Commercial (NC) District</b></p> <p>Request from two community members to disallow Service Stations as a use in Neighborhood Commercial (NC) district, and/or to limit number of pumps.</p>	M	Y	<p>Staff consider this an appropriate use for the NC District. NC District sites are typically located at the intersection of Collector and/or Arterial streets. Streets with these functional classifications are intended to serve higher amounts of traffic, so the location of a service station use adjacent to such streets is appropriate from a traffic standpoint. No change recommended at this time.</p>	<p>John Williams Masako Jankovsky</p>	U
4	<p><b>Parking for multifamily units</b></p> <p>Concern that landlords may be charging for parking spaces so people park in street and often there aren't enough on-street spaces. Suggests maybe this is a Neighborhood Streets permit parking issue.</p>			<p>This is not a Community Development Code (CDC) issue. The County has applied neighborhood parking limitations in several limited areas where there is a large institutional use, like a high school, where there has been parking intrusion from nonresidential uses in a residential area. Staff would not recommend using such a program for the purpose proposed here.</p>	CCI	U
5	<p><b>Light pollution</b></p> <p>Adopt lighting regulations for new development and remodels requiring lights to point downward (night sky). Address light output and color temperature.</p>			<p>Request has some merit. Some portions of CDC Section 415 are not worded clearly, and an update may be warranted. Such an update, however, would involve significant staff time and research, as it is a very technical subject. Given other priorities, staff recommends adding this to a list of possible future CDC updates but does not recommend taking on this task this year.</p>	CCI	U
6	<p><b>Issue paper on governance</b></p> <p>Issue paper to study the governance of large urban unincorporated areas (e.g., Cedar Mill, Bethany, Aloha) where large-scale city annexation is unlikely but there is community desire for additional services typically provided by a city. Such services might include planning, economic development, code enforcement, and cultural and community-building services. Focus would be on gaps in urban services and alternatives for the future, possibly to include: updating community plans; creating urban service districts to provide locally-focused services; consultation with communities on economic development; and exploring ways to provide cultural and community support.</p>	H		<p>The study would necessarily include options for funding, community involvement and staffing.</p> <p>No funding exists for this work. Consultant would likely be required to assist.</p> <p>This task has been on Tier 3 since 2019. Based on preliminary discussions with Board members there was no support for moving forward with this task, therefore it has been removed from Tier 3.</p>	CCI	U

S:\PLNG\WPSHARE\2021 Ord\2021\_Work\_Program\Staff\_Reports\_PPTs\Draft Work Program\Draft\_Table\_2\_2021-22.docx

<sup>1</sup> R = Regional, S = Short-Term, L = Long-Term

<sup>2</sup> H = High, M = Medium, L = Low

<sup>3</sup> C = Countywide, U = Urban Unincorporated, R = Rural

**Draft 2021-2022**

**LRP Work Program**

**Requests and Comments**

# Attachment A

Received 3/16/21  
Wash. Co. LUT



“Volunteer” Oregon White Oak – created by bird droppings onto an empty meadow. If left alone, this will grow to be a huge tree providing food & shelter to many native birds and animals such as woodpeckers, jays, butterflies, squirrels, etc.

16 March 2021

Washington County  
Planning Commission  
155 N. First Avenue  
Hillsboro 97124  
Dear Commissioners,

I am very disappointed that protection of the dwindling Significant Natural Resources (SNR) and addressing Climate Change did not show up on any Commissioner’s priority list for the upcoming year as stated in the Town Hall on 06 March 2021 (see Attachment 1). In the Significant Natural Resource Assessment Staff Report, dated May 2020, the Board Direction (pp 51-52 see Attachment 2) clearly stated that there is more work to do and that the Board supported this work.

As the Planning Commission looks at the WorkPlan ahead for 2021, I am requesting that you take the initiative to recommend that the SNR work continue to be funded ... and that a Climate Strategy also be included so we may look to ameliorate the climate change with the protection of significant trees and wildlife habitat.

It was surprising that here wasn’t a single line item mentioned in the Town Hall overall presentation (see attached Priorities Page) nor even a whisper made by any of the commissioners regarding these topics – in spite of the High Growth development underway. And, as we all know, the LUBA Appeal is still in process for Policy 869. Much of the community input also included the need for a Climate Strategy to address this increasing problem – and they identified where the protection of SNR’s are an integral part of the solution. Staff also acknowledged the need for initiating work on a County Tree Code and I agree that it would be easiest to start with an Urban Tree Code to avoid the issues associated with timber harvest and other farming concerns I feel that our input and that of other community members and agencies has helped to improve Policy 869 and the Habitat Assessment Guidelines, but based on the thousands of pages of documentation submitted, it is clear that there are still many areas still unaddressed. The Board of Commissioners did not include the continued work on SNR in their list of priorities – how can this be?

House Bill 2001, *More Housing Choices for Oregonians*, adds yet an additional complexity to this conflict of *Housing Needs and Mobility on Significant Natural Resources*. Will there be modifications made to Policy 869 and/or the Habitat Assessment Guidelines to make further allowances for more Housing Choices – at the expense of wildlife habitat? Will easements be granted? How will the community be involved in drafting not just the Housing Development Permitting Codes and Ordinances but also any of the other impacts on the quality of life (for humans and the environment)? This is a big topic.

Please also keep in mind:

- Community members are voicing concern in CPO's about the loss of wildlife habitat and impact on climate change - and this loss is being exacerbated by the increased pressure on increasing housing and transportation mobility. Too often, the community is getting frustrated that the decision-makers

## Attachment A

are not listening to the residents, so the residents stop speaking up, stop writing, everything comes to a stop – except the frustration.

- CPO members and other experts in multiple agencies have offered their services to expedite drafting, community acceptance and implementation of an Urban Tree Code for Washington County. All of these people have made it a high priority to partner with, and resolve, this issue with Washington County in 2021.

- There is a new awareness of the historical missteps in Planning due to the omission of communities of color during planning phases. Recent observations have shown us that our underserved communities have undue highways and arteries bisecting them and longer walks to parks as well as fewer street trees. I have only just begun to learn about the historical disservice much of our establishment has paid upon many underserved communities and people of color. I am now working on volunteering my services to others working with Diversity, Equity and Inclusion (DEI) teams looking to help remedy these past errors. I want to do my best to ensure that we, Washington County Planning, have included the greatest degree of community opportunities in our Significant Natural Resource Planning as well as Climate Adjustments Planning.

I am asking you, the Planning Commissioners, to appeal to the Washington County Board of Commissioners to adjust their priorities and to publicize the fact that the protection of Significant Natural Resources is a high priority – and to start with a concerted effort to enact a Tree Code for Urban areas.

Thank You,

*Fran Warren*

Fran Warren

## → Board of Commissioner Priorities

<b>Equity, Diversity &amp; Inclusion</b> <ul style="list-style-type: none"><li>• Equity Advisory Council (internal)</li><li>• Advisory Committee on Racial Equity (external)</li><li>• Equity in Procurement policy</li></ul>	<b>2020 Census Redistricting</b>	<b>Affordable Housing Bond</b> <ul style="list-style-type: none"><li>• Continued project construction</li><li>• 2<sup>nd</sup> Annual Report</li></ul>
<b>Supportive Housing Services</b> <ul style="list-style-type: none"><li>• Adopt 2021 Local Implementation Plan</li><li>• Service delivery with partners</li></ul>	<b>MSTIP 3x Planning</b>	<b>COVID-19 Response &amp; Economic Recovery</b> <ul style="list-style-type: none"><li>• Coronavirus Relief Fund</li><li>• CARES Act</li><li>• American Recovery Plan</li></ul>

co.washington.or.us 3

## **X. BOARD DIRECTION AND NEXT STEPS**

Staff presented the options, recommendations and a summary of public comments to the Board of Commissioners in Work Session on March 10, 2020. The Board provided the following direction on each key issue area:

1. The Community Development Code Section 422 standards for development within or near water-related Significant Natural Resources are subjective.  
***Board Direction:** Address clear and objective standards in the Community Development Code for water-related Significant Natural Resources, particularly by adding references that reflect current practices for sensitive areas and Vegetated Corridors consistent with Clean Water Services' Design & Construction Standards and deleting any subjective provisions. (Option A)*
2. The Community Development Code Section 422 standards for proposed development within or near *Wildlife Habitat* are subjective.  
***Board Direction:** Further develop and/or add new discretionary and incentive-based programs for protection of Wildlife Habitat, including adding a new Habitat Friendly Planned Development. Modify the Community Development Code to clarify that such measures are voluntary and to delete any subjective provisions. (Option B)*
3. The County's tree preservation requirements are limited.  
***Board Direction:** Develop clear and objective tree protection requirements for trees within County-designated Significant Natural Resource areas, with a focus on tree preservation/mitigation within Wildlife Habitat areas. (Option B)*
4. Standards and protections Significant Natural Resources and trees in Urban Growth Boundary expansion areas are limited.  
***Board Direction:** Include areas identified on Metro's Regionally Significant Fish and Wildlife Habitat Inventory within the Urban Growth Boundary expansion areas as part of County resource mapping. Apply current and any new regulations for Significant Natural Resource areas and tree protection/preservation. (Option B)*
5. The County's Goal 5 resources inventory is dated.  
***Board Direction:** Continue to use existing Significant Natural Resources maps for identifying these areas but require field verification of boundaries by development applicants. (Option A)*

# Attachment A

## Attachment 2 – Pp 51-52 LUT Staff Pages from SNRA May 2020

Significant Natural Resources  
Program Review and Assessment  
May 2020  
Page 52 of 52

6. Tracking of field-verified Significant Natural Resources and monitoring of mitigation is inconsistent.

**Board Direction:** *As a future work program task, develop a new searchable database of Significant Natural Resources mitigation areas and ongoing conditions of approval for monitoring and enforcement.*

7. County submittal requirements for development impacts to Significant Natural Resources and information in the habitat assessments lack specificity.

**Board Direction:** *Refine County development review processes and submittal requirements to standardize Habitat Reports and clarify field verification of SNRs. Codify in the Community Development Code as appropriate.*

8. Significant Natural Resources categories vary between Metro, Clean Water Services and local jurisdictions, often causing inconsistency and confusion.

**Board Direction:** *As a future work program task, modify Section 422 Significant Natural Resources categories and definitions used by the County for clarity and regional consistency.*

### **Next Steps**

On April 7, 2020, the Board adopted the Long Range Planning Annual Work Program which includes Tier 1 **Task S1.2: Significant Natural Resource regulations assessment – implementation**. The Work Program reflects the Board's direction detailed above. Work to address key issues 1 through 4 and 7 is underway and expected to be considered by the Board in 2020 through the ordinance process. Potential public involvement opportunities will be detailed as the work proceeds through the notice and public hearing/testimony process. Key issues 6 and 8 will be addressed in future work programs and no further work is planned on key issue 5.

# Attachment A



Washington County  
Committee for Community Involvement

RECEIVED

NOV 23 2020

PLANNING AND DEVELOPMENT SERVICES  
LAND USE AND TRANSPORTATION

November 17, 2020

Washington County Board of Commissioners  
c/o Andy Back, Planning and Development Services Manager  
Department of Land Use and Transportation  
155 N First Avenue, Suite 450  
Hillsboro, OR 97124

RE: 2021-22 Long Range Planning Work Program

Dear Commissioners and Mr. Back,

The Committee for Community Involvement (CCI) would like to recommend the following for inclusion in the 2021-22 Work Program:

#### Cleanup of Ordinance 869

Changes are needed to address concerns identified during the public comments periods for Ordinance 869 by community members, including Tualatin Riverkeepers, Urban Greenspaces, Audubon, CPO 4M, Ken Dobson, Fran Warren and others.

#### Improved Incentives for SNR Preservations

Additional incentives are needed to ensure preservation of our ever decreasing upland/wildlife habitat resources. Consideration should be given to creating tools, such as tax incentives and/or consideration for options such as co-housing, row houses, cottage and cluster housing, micro houses and tiny homes, to help facilitate saving these precious resources.

#### Tree Code

Protection of existing tree canopy is a top priority of residents of urban unincorporated residents. It is well past the time for this important issue to move to Tier 1 of the Work Program. Tools need to be developed—including, but not limited to creating a heritage tree program, providing for additional protections for trees inside of a SNR, but outside of the "Preservation Area," adopting Protected Root Zone Standards, and developing a community based stewardship program--to preserve existing trees. CCI welcomes the opportunity to partner with staff and the development community during the coming year to create tools to provide protections for trees.

#### Update to County's Infill Policy

We support moving this 2020-21 Work Program Tier 2 issue to Tier 1 for the 2021-22 Ordinance Season, but understand the work on Infill is delayed until decisions are made for Significant Natural Resources and Centers and Corridors. We encourage completion of the work on the Significant Natural Resource and the Centers and Corridor issues to allow the needed updates to the county's Infill Policy.

# Attachment A

## Issue Paper on Governance of Urban Unincorporated Areas in Washington County

CCI continues to support an Issue Paper to study the governance of urban unincorporated areas, focusing on gaps in urban services and alternatives for the future. This Issue Paper might include: updating Community Plans with their outdated zoning and transportation plans; creating Urban Service districts to provide locally focused services; ways to coordinate and improve economic development; exploring ways to include cultural and community support for these areas that are more commonly provided by cities; and a plan for annexation of areas best served by a directly adjacent city.

## Parking for Multi-family Units

A consistent complaint we hear from neighborhoods with multi-family units is about on-street parking conflicts. Although the CDC requires specific numbers of parking spaces per unit, landlords will often charge an additional fee to renters for these on-site parking spaces. Because of this practice, many renters will opt to use on-street parking instead of paying fees for the parking provided by the CDC regulations. This practice leads to neighborhood friction due to the unavailability of parking for others in the neighborhood, blocked mailboxes and chaos on trash days. Could there be a code fix for this issue? Or would this issue be better addressed through the Neighborhood Street Program providing for permit parking only in areas adjacent to multi-family units?

## Light Pollution

Light pollution is wasted energy that affects human health, wildlife behavior and our ability to observe the heavens. It has been found that of all the pollution we face, light pollution is the one that is most easily remedied. We recommend adopting lighting regulations for all new construction and remodeling projects to require all outdoor lighting, including landscape lighting, to be directed downward and to not extend onto neighboring properties. Limits should be placed on light output and color temperature. Consideration should be given to policies encouraging retrofitting of existing lighting to meet these requirements.

## Climate Change

Climate change issues are real and solutions to address climate change are important to Washington County residents. We support updates to the Comprehensive Framework Plan, as identified as a Tier 2 task on the 2020-21 Work Program to include provisions to address Climate Change.

## Alignment of Rural Regulations with State Goal 3

We look forward to being able to review and comment of the draft 2017 Issue Paper comparison of Washington County rural regulations to State Law. We are hopeful that steps will be taken to ensure farm building approved outside the Urban Growth Boundary will only be approved when they have a specific farm use.

## Changes to CCI Membership

In 2017, to be more inclusive, CCI updated their Bylaws to include representatives from other organizations with interest in land use and livability issues in Washington County. Although our intention was an honest attempt to be more inclusion, we just realized that this change does not comply with either R&O 86-58 or CDC 107-6.2. To increase the inclusiveness of CCI, we respectfully request updates to R&O 86-58 and CDC 107-6.2 to bring CCI Bylaws into compliance with other Washington County provisions.

# Attachment A

## Clarifications to Group Testimony

Both Planning Commission and the Board of Commissioners allow additional time during public comments or Public Hearings for groups. CDC 205-3 identifies the parties who may participate in a Public Hearing, but is silent on who qualifies as a group. Is a group just more than one person? Does the group need to be formal? Who is responsible for determining who qualifies as a group?

- From the webpage for the Planning Commission, only CPO representatives qualify for additional speaking time for non-agenda items. Time limit for Public Hearings is listed as three minutes and no indication is made that additional time will be provided for groups.
- From the webpage for the Board's webpage, groups are identified as having additional time for 1) items on the agenda and 2) for oral communications. However, what constitutes a "group" is not defined.

The rules for identifying which groups qualify for additional time to speak before the Planning Commission and before the Board of Commissioners needs to be clarified. These time limits should be spelled out on the web pages to allow the public to prepare for their speaking time appropriately.

## Sidewalk Gaps

Continue to pursue solutions for addressing walkway gaps in Urban Unincorporated Washington County from the 2016 Walkway Gap Issue Paper, including development of a LID matching program in which the property owners dedicate right-of-way in exchange for the county providing frontage improvements.

Thank you for this opportunity to provide input into the 2021-22 Work Program.

Sincerely,



Kathy Stallkamp  
CCI Chairperson

Cc: Stephen Roberts  
Theresa Cherniak

Letter Approved 11/17/2020

  12   Yes

   0    No

   0    Abstain

# Attachment A

R. S. McCourt  
6528 SW Alden Street  
Portland, OR 97223

September 24, 2020

Received 9/24/20  
Wash. Co. LUT

Andy Back  
Washington County  
155 N. First Avenue, Suite 350  
Hillsboro, OR 97124

## **SUBJECT: Sidewalk Gaps and In-Fill Development Work Program Request**

Dear Andy:

I wanted to thank you and Erin Wardell for taking the time to chat with me September 15<sup>th</sup> regarding my letter to Commissioner Roy Rogers (attached). Given the nature of future infill development (Oregon House Bill 2001) and the extensive gaps in sidewalk network in the areas where infill occurs, it would seem as though there is a need for a work program task to be programmed as a part of the Long Range Planning Work Program for 2021. The work would seek to address how to systematically and strategically create safe and continuous pedestrian walkways in established neighborhoods where infill development is occurring on county neighborhood routes (first) and local streets. The opportunity to utilize the on-coming infill development to facilitate pedestrian network completion is needed for several reasons:

1. The infill development creates new needs for pedestrian accessibility that is fully unmet by the legacy network of sidewalks on neighborhood and residential local streets.
2. Sidewalk linkages to parks, transit stops, activity centers and commercial activity have historically been not been provided in these areas and infill will create greater demand to access these facilities, leading to very poor walkscore in the urbanized County.
3. Having a strategic plan of sidewalk gap filling/one-sided minimum access in these areas, utilizing GIS mapping and assessment of oversized (greater than 1/5 to ¼ acre) lots that might be opportune sites for infill, would allow programmatic use of fronting improvements and Transportation Development Tax resources to accomplish this task.
4. Addressing the issue of proportionality, equity and fairness where many homeowners have built and paid for sidewalks and other have not. Many times they have constructed/built large homes with no fronting improvements under a guise of remodel/reconstruction, yet the activity in term of dollar value is large. This leaves the funding of sidewalk gaps to other taxpayers of the County disproportionately
5. The plan would highlight where sidewalk gaps could be filled in neighborhoods, with local resources, as infill occurs rather than deferring it to county wide funding sources.
6. An analysis could be done to evaluate the impact to TDTs (if any).
7. New guidance could be provided related to permits of substantial size and infill that allow them to properly fund sidewalk gap filling with fronting improvements and leveraged TDTs to connect/fill gaps.

Can you please consider advancing a project of this nature into the 2021 work program? Thank you.

Sincerely,

Randy McCourt

# Attachment A

August 29, 2020

Received 8/30/20  
Wash. Co. LUT

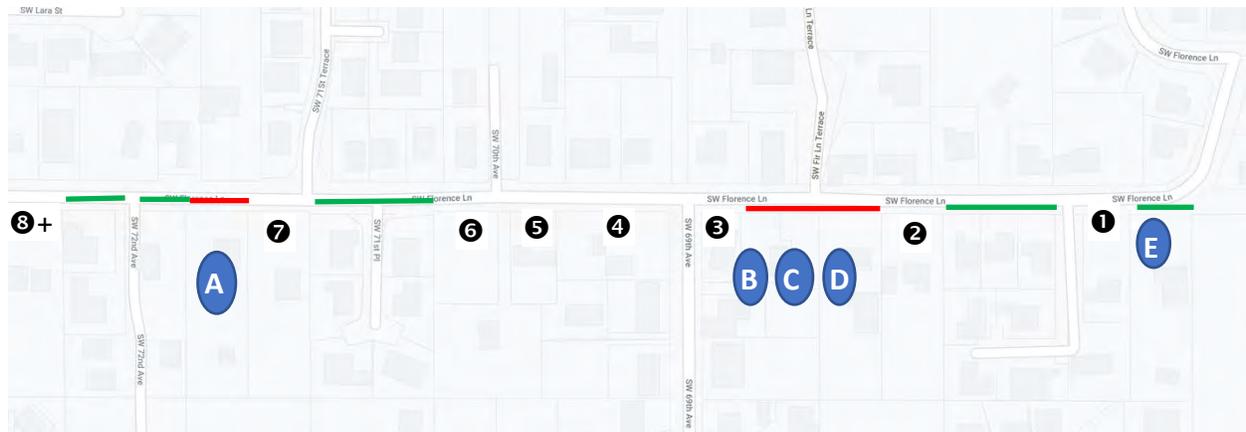
Dear Commissioner Rogers,

I hope you are doing well in these unusual times. This background document provides an observation and story of in-fill land development and transportation action in unincorporated Washington County but easily could be a case anywhere in Tigard, Beaverton or Hillsboro within the county. Sorry for the long story, but in socially distanced times, it takes a few photos and words to share the situation. This uses a specific street and properties; however, it is not intended to address the specifics of these properties but the actions and process that any property owner and neighborhood would face. I hope that you will be able to listen to the circumstances and find ways to work with staff and improve our process (I have provided a few ideas). The intent of this story is to advance more equitable, accessible, better communities for the future.

## Background:

SW Florence Street is in the unincorporated area of Washington County near the confluence of the Beaverton, Portland and Tigard school districts. A legacy neighborhood street that likely dates back 60 to 70+ years is about 20 feet wide, mostly unimproved frontage and on a steep grade. The figure below provides a few reference markers that relate to photos (blue A-E) of frontage of specific parcel. The black number indicate parcels for reference and the red and green indicate presence of sidewalk (green) and parcels with recent property improvements that do not have sidewalks (red).

## SW Florence Street



It is a classic residential area where infill of single-family housing has occurred over time. Some of the infill actions included sidewalks. Others have not. That is the question for this paper. Why?

## Attachment A

When infill occurs on these older unimproved streets it can look awkward that a short segment of sidewalk is built to “nowhere”. SW Florence is an example of why it is important to do just that – build sidewalks incrementally. This street links SW 80<sup>th</sup> Avenue to the Ash Creek Woods and Moonshadow neighborhoods. Like most residential neighborhoods, there are lots of families that walk/run for recreation as well as to destinations. Narrow streets without sidewalks are a legacy of the past. Newer subdivisions come with accessible sidewalks on both sides of the street. The challenge is in these areas where infill occurs over time, how can sidewalks be logically assembled and connected over time. The County has undertaken sidewalk infill projects which defer the cost of the fronting improvement to the wider tax base. While a great program, it seems as though the level of infill development and reconstruction can play a vital role in achieving similar sidewalk connectivity. But it does not always happen.

Here are four lots where significant infill new/re-construction recently occurred and no sidewalks were provided. Had parcels B, C and D provided sidewalks along their frontage, only three properties (1, 2, 3 ) would have remained to provide a continuous sidewalk on Florence from SW 69<sup>th</sup> Avenue to Florence Lane on the south side of the street. These gaps could have been filled at the time of infill to provide an integral sidewalk on this neighborhood route.



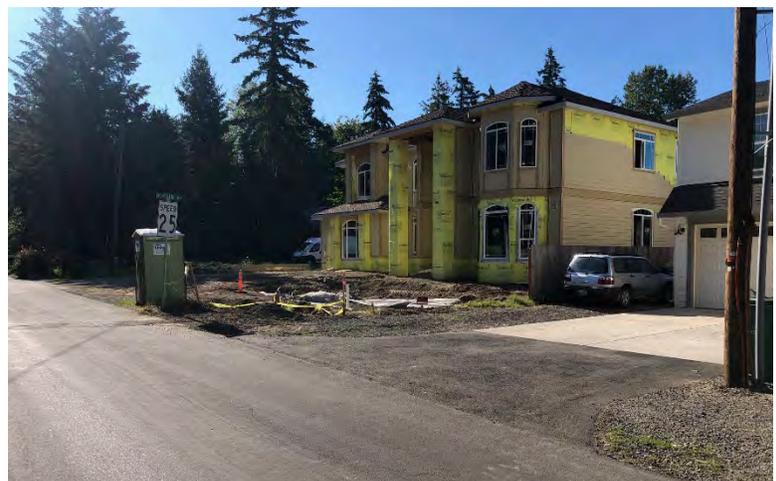
**PARCEL B**



**PARCEL C (Parcel B is to the right)**



**PARCEL A**



**PARCEL D**

## Attachment A

At the same time, just down the street on Florence, parcel E was required to build a fronting sidewalk. Not only was the sidewalk provided, in very complex terrain including a wall, setback and landscape strip making it very expensive for that property owner, but street improvements.



**PARCEL E (Before)**



**PARCEL E (After)**

And then after the sidewalk improvement was made which linked to the adjoining driveway apron making walking accessibility possible, the County required (installed) a barrier to make the sidewalk non-functional (see photo below – and which subsequently has had the reflective items fall off).



## Attachment A

Further west on SW Florence parcel A was recently reconstructed/improved/built and no sidewalk was provided. To the immediate east is Moss Creek subdivision completed a few years ago with sidewalks on both sides of the street (SW 71<sup>st</sup> Terrace and SW Leslie Street) and Florence Point Park just 700 feet east. Had fronting sidewalk been provided, gaps would only have existed for four parcels (#s 4,5,6 & 7) to the east to link up to SW 69<sup>th</sup> and the sidewalk noted above. The gap to the west (four parcels west of #8+) would have linked to the THPRD park. With those filled a continuous sidewalk on one side of SW Florence could have been created, linking residential areas to the park and to SW 69th which is 600 feet from Taylors Ferry Road and the #43 Tri-Met bus stop.

Most of this would have been possible with consistent application of fronting improvements and flexible use of Transportation Development Tax (TDT = \$9269 per dwelling unit). Using a 70-100 foot frontage per parcel, a 6 foot walk and \$20/square foot construction would result in a cost of about \$8,400-\$12,000 for fronting sidewalk per parcel – about the equivalent of the TDT if used for access to transit in a flexible manner. Basically, each infill parcel could do their frontage + one adjacent parcel sidewalk. For these small infill projects, use of the TDT flexibly can accelerate sidewalk infill and reduce the public cost of sidewalk gap filling projects to create connected networks of sidewalks.

In this scenario if fronting improvements were consistently applied on SW Florence and the TDT was strategically paired with the infill contractor's mobilization for the sidewalk improvements the following outcome could have occurred:

- Parcel A would have done its frontage and TDT'ed gap 7
- Parcels B and C (which were done together) would have done their frontage and TDT'ed gap 3 and wrapped it around the frontage on SW 69<sup>th</sup> (heading toward Taylors Ferry, leaving only four more gaps to reach the Tri-Met stop).
- Parcel D would have done its frontage and TDT'ed gap 2
- Parcel E which built it's fronting improvements could have TDT'ed gap 1
- Two small gaps would remain on the south side of SW Florence (less than 400 feet each) to link Florence Point Park with the residential area. Sidewalks could have been built cost efficiently with mobilized contractor forces. Using the contractor to build the adjacent gap would like be able to be completed and have residual TDT funds for the overall program.

Instead, nearly 2,500 feet of sidewalk remains unbuilt on a very steep, narrow street.

The County could use GIS to highlight opportunities to achieve these types of improvements with infill development, prioritizing links to parks, schools, transit and commercial centers with sidewalks on at least one side of these type of unimproved streets. Where infill occurs on these targeted, priority streets the small infill (few lots) TDTs can be prioritized for strategic gap filling.

By not achieving this level of strategic application of development activity, the public is left questioning the following:

## Attachment A

**EQUITY** – Why was parcel E required to build elaborate frontage improvements when in the course of the last decade numerous other parcels (not limited only to parcels A, B, C and D) with more simplistic frontage were not required to do likewise? Why should the general taxpayer fund sidewalk gap filling projects with limited County funds when fronting improvements were inequitably not paid for by other homeowners? Many of these homeowners already paid for their share of sidewalks through fronting improvements as part of the cost of their homes and then have to pay taxes for folks that did not play by the same rules. Why can't TDTs be flexibility utilized to more cost effectively infill connecting sidewalks where right-of-way exists to close gaps near parks, transit, schools or commercial centers? Larger project TDTs to fund the list of projects on the TDT list make sense – but in the case of small infill homes with less than 10 dwelling units, it seems as though this small amount of TDTs could best be used for adjoining sidewalk gap filling. Leveraging mobilization for construction activities in these small settings reduced the agency costs to come back and fill such gaps later. There are likely code “loopholes” that allow new house to basically be built without participating in fronting sidewalks. A basic way to look at new/reconstruction is, where sidewalks do not exist presently, to close the loopholes by tying construction costs above \$200,000 to provision of fronting sidewalks. Below that construction, where fronting sidewalks do not exist, apply 2% of the construction costs toward a sidewalk fund so that all homes equitably pay for community sidewalk connectivity (use these funds for the County's sidewalk gap filling projects). For those who argue that this increases the cost of housing – what use is a home you cannot safely walk to?

**ACCESSIBILITY** – Using GIS, the key neighborhood legacy routes that are unimproved (without sidewalks) and provide paths to link parks, schools, transit stops and commercial centers can be highlighted. Focus can be on the side of the street (one side) that can be prioritized for sidewalks until county-wide or city-wide funding can be advanced. By allowing infill to provide sidewalk accessibility assures that improvements can happen faster and address the greater need for sidewalks that increased residential activity creates. Additionally, when in-fill development provides fronting sidewalks they commonly end at the property line with a barrier. Many (almost every time) the sidewalk could easily be continued to an adjacent driveway (connecting to the driveway apron) to create a more logical terminating place and allow for wheelchairs, strollers and walkers to use the driveway to enter the street as the sidewalk terminates. Instead a barrier is placed. The vast majority of cases the public right-of-way exists to carry the sidewalk improvement to a logical termination (adjacent driveway apron or corner/intersection) at minimal costs. There would be no cost for barriers and no mobilization given the contractor is already building fronting improvements. This is where flexible use of TDTs or County sidewalk investment in small works could more cost effectively be applied to improve neighborhood accessibility.

**BETTER COMMUNITY** – To create more livable communities as infill occurs, creating connections to sidewalk networks is important. Having the costs of this housing densification enhance the communities in which these changes are happening provides benefits to existing residents. Connections to key residential destinations by walking is important to community

## **Attachment A**

livability. Using infill to advance gap filling as a priority is a mean to get there if done contentiously and with strategy – using good judgment. Each infill activity has the potential to enhance community livability

Thank you for considering this request and let me know if you have questions or would like to discuss this further.

Sincerely,

Randy McCourt  
503.randy.mccourt@gmail.com

# Attachment A

Washington County Board of Commissioners  
c/o Andy Back, Planning & Development Services Manager  
Department of Land Use & Transportation - Long Range Planning  
155 N 1st Ave # 350 MS14  
Hillsboro, OR 97124

Received 1/29/21  
Wash. Co. LUT

RE: 2021-22 Work Program Request for Revisions to CDC 311-3.15 SERVICE STATIONS

Dear Commissioners and Mr Back,

I am the organizer for Bethany Lake Environment, a group of several hundred local residents in and near Rock Creek.

I am writing to suggest amending CDC 311-3.5, regarding gasoline service stations. Industrial scale gasoline service stations should be severed from the NC zoning. A 12-pump service station and mart can generate inappropriate intensities of several impacts within the NC zoning.

For instance, County Staff has calculated that a 12-pump station in an NC zoning could pour 4029 new weekday vehicle trips onto a narrow road. (Staff Report Attachment C, Casefile L200057, p. 46) These volumes of new traffic to NC zoned areas will overwhelm the current roads.

As the NC zones have developed, Incompatible uses have sited there already. New gas stations in NC zones will likely be close to existing Providence medical offices, and day care centers.

The Federal EPA has urged that gas stations avoid siting near sensitive receptors such as day care centers because of their toxic air emissions. Gas stations emit cancer-causing benzene. A 12-pump station will emit about 23,000 lb/year of total volatile organic compounds, including toxic gasses.

Eight to twelve pump gas stations should be sited along Highway 26 where road infrastructure already exists, and as distant as possible from sensitive receptors.

Six pump or less stations should be the top limit for stations in NC zones.

Thank you for the opportunity to comment,

John Williams

## Attachment A

**From:** Tomas & Masako Jankovsky <TMJankovsky@msn.com>

**Sent:** Thursday, January 28, 2021 11:31 PM

**To:** LUT Planning <lutplan@co.washington.or.us>

**Subject:** [EXTERNAL] Request to include amending Code 311-3.15 for the NC Land Use

Received 1/29/21  
Wash. Co. LUT

Washington County Board of Commissioners  
c/o Andy Back, Planning & Development Services Manager  
Department of Land Use & Transportation  
Long Range Planning Section

Dear Commissioners and Mr. Andy Back,

I would like to propose that 311 - NEIGHBORHOOD COMMERCIAL DISTRICT (NC) be reassessed , especially 311-3.15, SERVICE STATIONS.

I feel that the code should be updated to reflect the necessity for our urban community. We now have established, mature residential areas that need more protection from hazardous situations, such as emissions, noise pollution, the threat of environmental harm from fuel pumps or storage tanks. Traffic congestion, and crimes involve gas stand is another concern. We strongly feel that the existing code for building a new service station in an already developed urban area is not limited enough to protect our wellbeing to our community. Adequate limitation should be added to the code for the specific areas where it is already well established and crowded to obtain its' original purposes.

I hope you will include amending Code 311-3.15 in this year's Long Range Planning.

Sincerely,

Masako K Jankovsky

5188 NW 177th Ave  
Portland, OR 97229

## Attachment A

5230 NW 137<sup>th</sup> Avenue  
Portland, OR 97229

October 30, 2020



Washington County Board of Commissioners  
c/o Andy Back, Planning and Development Services Manager  
Department of Land Use and Transportation  
155 N. First Avenue, Suite 350 ms 15  
Hillsboro, OR 97124

RE: 2021-22 Work Program

Dear Commissioners and Mr. Back,

The Bethany Community Plan was originally drafted with Chapter One including all of Bethany—with the exception of North Bethany. North Bethany was included in Chapter Two.

Sometime after 2012, the Chapter 1 mapping morphed into mapping for all of Bethany. It is not clear how this mapping change took place, but it does not appear to have happened through the ordinance process until Ordinance 866 was adopted in 2020.

Inclusion of North Bethany information in Chapter One creates confusion for the public and can result in more work for staff. Until North Bethany information is removed from Chapter One, two mapping changes will be required for any North Bethany mapping changes. **Removal of North Bethany information from Chapter One of the Bethany Community Plan needs to be addressed as part of the 2021-22 LUT Work Program.**

Thank you for considering this issue for the 2021-21 Work Program.

Sincerely,

Mary Manseau

Cc: Theresa Cherniak, Stephen Roberts

## Attachment A

Washington County Board of Commissioners  
c/o Andy Back, Planning & Development Services Manager  
Department of Land Use & Transportation - Long Range Planning  
155 N 1st Ave # 350 MS14  
Hillsboro, OR 97124

Received 4/5/21  
Wash. Co. LUT

RE: 2021-22 Work Program Request for Revisions to CDC 311-3.15 SERVICE STATIONS

Dear Commissioners and Mr Back,

I am writing to request a change in Neighborhood Commercial Code as it pertains to Fuel Stations.

Washington County CDC states: "The purpose of the Neighborhood Commercial District is to allow small to medium sized shopping and service facilities ...to provide for the needs of the immediate urban neighborhood".

Although the Code intention is for service facilities to be small to medium, we know that gas stations range from a 4-pump "small" to mega stations like Costco and Fred Meyer. Code takes no stand on the actual number or pumps nor the number and size of the underground storage tanks to supply them, factors that are of huge consequence to a neighborhood's livability and environment. Limitations need to be adopted to ensure that a service station is providing services to only the immediate neighborhood.

Please consider a change to CDC311-3.5 Service Stations, in the 2021-22 Work Program to specifically define what qualifies as "small" to "medium" service stations in Neighborhood Commercial Districts.

Thank you very much.

Sincerely,  
Tanya Rosencrance  
19200 NW Illahe St  
Portland, OR 97229