




September 15, 2014

To: Washington County Board of Commissioners

From: Andy Back, Manager   
Planning and Development Services

Subject: **PROPOSED A-ENGROSSED LAND USE ORDINANCE NO. 787 – An Ordinance Amending the Community Development Code Relating to Public Transportation Facilities**

**STAFF REPORT**

**For the September 23, 2014 Board of Commissioners Hearing**  
*(The public hearing will begin no sooner than 6:30 p.m.)*

**I. STAFF RECOMMENDATION**

Conduct the first required public hearing on the engrossed ordinance. At the conclusion of public testimony, continue the hearing to October 7, 2014.

**II. BACKGROUND**

At the September 2, 2014 public hearing on proposed Ordinance No. 787, the Board directed engrossment of the ordinance and continued the hearing to September 23 and October 7, 2014. The Board further directed staff to provide notice of the changes and the schedule for engrossment hearings as required by Chapter X of the County Charter.

Staff has prepared and mailed Individual Notice No. 2014-19 which describes the changes to Ordinance No. 787 and lists the two hearing dates for the engrossed ordinance. This notice was mailed to interested parties and individuals on the General Notification List on September 12, 2014. Copies of A-Engrossed Ordinance No. 787 were mailed to the Citizen Participation Organizations (CPOs), and notice of the engrossment was mailed to Washington County cities, special service districts, CPOs and Metro. Notice was also posted on Long Range Planning's land use ordinance web page.

A copy of A-Engrossed Ordinance No. 787 and the Individual Notice are included in the Board's meeting materials for the September 23, 2014 hearing.

### **III. SUMMARY OF ENGROSSMENT**

The Board directed staff to make several changes to Ordinance No. 787. The changes to the CDC are generally described below.

- Amends and clarifies language under CDC Section 703 to better reflect the original intent of the proposed changes by removing a conflicting phrase.
- Adds a provision to CDC Section 702-4 (Exempt Projects) to ensure existing bicycle and pedestrian capacity is not reduced through an exempt reconstruction, repair or replacement project.



September 12, 2014

**Individual Notice No. 2014-19**

**At your request, Long Range Planning is providing you with Individual Notice No. 2014-19, which describes changes that were made to proposed Ordinance No. 787.**

**These changes have been incorporated into proposed A-Engrossed Ordinance No. 787.**

**Initial Notice**

On July 23, 2014 persons on the General Notification List were mailed a notice from Washington County Long Range Planning regarding initial public hearings before the Planning Commission and the County Board of Commissioners (Board) for proposed Ordinance No. 787.

On September 2, 2014 after a public hearing for Ordinance No. 787, the Board ordered substantive amendments to this ordinance. These changes have been incorporated into proposed **A-Engrossed Ordinance No. 787** and are summarized below. As required by Chapter X of the County Charter, the Board has directed staff to prepare and provide you with notice of these amendments. This notice, which describes the changes to proposed Ordinance No. 787, is the second Individual Notice you have received on this ordinance this year.

**Purpose and Description of Proposed Ordinance**

A-Engrossed Ordinance No. 787 proposes to amend the Community Development Code (CDC) to provide efficiency in the land use review process for safety improvements, maintenance, and general upkeep of public roads and related facilities. Changes to the ordinance provide clarification and add language to ensure existing bicycle and pedestrian capacity is not reduced through an exempt reconstruction, repair or replacement project.

**Who Is Affected**

A-Engrossed Ordinance No. 787 affects residents and businesses within urban and rural unincorporated areas of Washington County.

**What Land is Affected**

Urban and rural unincorporated areas of Washington County will be affected.

**Originally-filed Ordinance No. 787 Provisions**

As originally filed, **Ordinance No. 787** proposed to amend and update the Community Development Code to:

- Update definitions of maintenance, channelization and road prism under CDC Section 701 – Intent and Purpose.
- Update language regarding exempt projects to reflect current practices of the Maintenance and Operations Division related to minor betterment type projects, including in-kind replacement of culverts, construction of pedestrian paths, and statutorily defined projects allowed without a land use review outside the Urban Growth Boundary (UGB) under CDC Section 702 – Exempt Projects.

**Department of Land Use & Transportation · Planning and Development Services  
Long Range Planning**

155 N First Avenue, Ste. 350 MS 14 · Hillsboro, OR 97124-3072  
phone: (503) 846-3519 · fax: (503) 846-4412 · TTY: (503) 846-4598 · www.co.washington.or.us

**Summary of Changes to Ordinance No. 787**

- Amend language regarding alterations to flood plains, and remove the statutorily defined projects allowed without a land use review outside the UGB under CDC Section 703 – Category A Projects.
- Amend language regarding acquisition of right-of-way to ensure consistency with the Transportation System Plan and remove channelization as a project type outside the UGB under CDC Section 704 – Category B Projects.
- Amend language regarding acquisition of right-of-way to ensure consistency with the Transportation System Plan and remove channelization as a project type outside the UGB under CDC Section 705 – Category C Projects.

**Proposed A-Engrossed Ordinance No. 787 Provisions**

Proposed **A-Engrossed Ordinance No. 787** retains all the provisions described above. Engrossment changes include:

- Amending and clarifying language under CDC Sections 703 to better reflect the original intent of the proposed changes by removing a conflicting phrase.
- Add a provision to CDC Section 702-4 (Exempt Projects) to ensure existing bicycle and pedestrian capacity is not reduced through an exempt reconstruction, repair or replacement project.

**Public Hearings Time and Place**

**Board of County Commissioners  
September 23, 2014  
6:30 pm**

**Board of County Commissioners  
October 7, 2014  
10:00 am**

Hearings will be held in the Shirley Huffman Auditorium in the Charles D. Cameron Public Services Building, 155 N. First Avenue, Hillsboro, Oregon.

On October 7, 2014 the Board may choose to adopt the ordinance, make changes to it, continue the hearing to a future date, or reject the ordinance. If it is adopted on October 7, the ordinance would become effective on November 28, 2014.

**How to Submit Comments**

Submit oral or written testimony to the Board at one of the public hearings. Written testimony may be mailed or faxed to the Board in advance of the public hearings in care of Long Range Planning. **We are unable to accept e-mail as public testimony.**

Washington County, Department of Land Use & Transportation  
Planning and Development Services, Long Range Planning  
155 N. First Ave., Suite 350-14, Hillsboro, OR 97124-3072  
Telephone: 503-846-3519 Fax: 503-846-4412

**Staff Contact**

Dyami Valentine, Senior Planner  
155 N. First Ave., Suite 350-14, Hillsboro, OR 97124-3072  
Telephone: 503-846-3519 Fax: 503-846-4412  
e-mail: [Dyami\\_valentine@co.washington.or.us](mailto:Dyami_valentine@co.washington.or.us)

**Proposed Ordinance is available at the following locations**

- Washington County, Department of Land Use & Transportation Planning and Development Services, Long Range Planning  
155 N. First Ave., Hillsboro, OR 97124-3072  
Telephone: 503-846-3519
- [www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2014-land-use-ordinances.cfm](http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2014-land-use-ordinances.cfm)
- Cedar Mill Community Library and Tigard Public Library
- Citizen Participation Organizations (CPOs) Call 503-821-1128 for a directory of CPOs.

**Plan Documents Affected by A-Engrossed Ordinance No. 787**

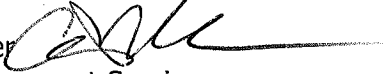
*For more information about these plan documents, please call Long Range Planning at (503) 846-3519.*

WASHINGTON COUNTY COMPREHENSIVE PLAN DOCUMENTS			
Comprehensive Framework Plan for the Urban Area <input type="checkbox"/>	Rural/Natural Resource Plan <input type="checkbox"/>	Exceptions Statement Document <input type="checkbox"/>	
Community Development Code <input checked="" type="checkbox"/>	Transportation Plan <input type="checkbox"/>	Public Facility Plan <input type="checkbox"/>	Urban Planning Area Agreement <input type="checkbox"/>



September 12, 2014

To: Washington County Cities and Special Service Districts

From: Andy Back, Manager   
Planning and Development Services

**Subject: A-Engrossed Land Use Ordinance Nos. 783, 786, 787 and 788**

After initial public hearings for Ordinance Nos. 783, 786, 787 and 788, the Washington County Board of Commissioners (Board) ordered substantive amendments to these ordinances. These changes have been incorporated into proposed **A-Engrossed Ordinance Nos. 783, 786, 787 and 788** and are summarized below. The engrossed ordinances are available on the Washington County web site at:

[www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2014-land-use-ordinances.cfm](http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2014-land-use-ordinances.cfm)

If you would like a copy of these ordinances or additional information, please contact Long Range Planning at (503) 846-3519.

The public hearings for these ordinances before the Board are listed below. The hearings will be held in the Shirley Huffman Auditorium in the Charles D. Cameron Public Services Building, 155 N. First Avenue, Hillsboro, Oregon.

**Public Hearings**  
**Board of Commissioners**

**September 23, 2014**  
**6:30 pm**

**October 7, 2014**  
**10:00 am**

**A-Engrossed Ordinance No. 783**

**A-Engrossed Ordinance No. 783** proposes to amend and update the Transportation System Plan (TSP).

The engrossed ordinance incorporates all amendments originally proposed in Ordinance No. 783 and includes the following additional changes:

- Add amending and clarifying language that reflects community input.
- Make several map amendments including:
  - Add as Proposed Collector: Kinsman Road in Wilsonville from Day Road to Ridder Road (The alignment is already shown on Lane Numbers map).
  - Change lane number designation on Grabhorn Road from Farmington Road to Urban Growth Boundary (UGB) to 2/3 lanes.

**Department of Land Use & Transportation · Planning and Development Services**  
**Long Range Planning**

155 N First Avenue, Ste. 350 MS 14 · Hillsboro, OR 97124-3072  
phone: (503) 846-3519 · fax: (503) 846-4412 · [www.co.washington.or.us](http://www.co.washington.or.us)

- Change the lane number designation on Tile Flat Road from UGB to Scholls Ferry Road to 2/3 lanes.

### **A-Engrossed Ordinance No. 786**

**A-Engrossed Ordinance No. 786** proposes to amend the Community Development Code (CDC) to provide incentives targeted at mixed-use development in the Community Business District and Office Commercial District.

The engrossed ordinance incorporates all amendments originally proposed in Ordinance No. 786 and includes the following additional changes:

- Add clarifying language is added to CDC Section 313-3.40.

### **A-Engrossed Ordinance No. 787**

**A-Engrossed Ordinance No. 787** proposes to amend the Community Development Code (CDC) to provide efficiency in the land use review process for safety improvements, maintenance, and general upkeep of public roads and related facilities.

The engrossed ordinance incorporates all amendments originally proposed in Ordinance No. 787 and includes the following additional changes:

- Add amending and clarifying language under CDC Sections 703 to better reflect the original intent of the proposed changes by removing a conflicting phrase.
- Add a provision to CDC Section 702-4 (Exempt Projects) to ensure existing bicycle and pedestrian capacity is not reduced through an exempt reconstruction, repair or replacement project.

### **A-Engrossed Ordinance No. 788**

**A-Engrossed Ordinance No. 788** proposes to amend the Comprehensive Framework Plan for the Urban Area and the Community Development Code (CDC) relating to Housekeeping and General Update changes.

The engrossed ordinance incorporates all amendments originally proposed in Ordinance No. 788 and includes the following additional changes:

- Remove previously proposed changes to Section 300, regarding density and open space, because in certain cases they could apply more stringent requirements than the current CDC (amendments too substantive for a housekeeping and general update ordinance);
- Add cross references to Section 330-6.2 regarding existing exemptions to dwelling prohibitions in the Institutional District;
- Change punctuation within a previously proposed changed to Section 390-8.4 A (regarding Boarding Houses and Bed and Breakfast facilities in North Bethany);

- Update Section 419-3 to reflect an International Building Code change regarding the fence height that requires a building permit;
- Reformat Section 430-1, regarding accessory structures, for clarity;
- Amend previously proposed language changes under Sections 430-33 & 430-119.2 (sign standards for certain uses) to prevent misinterpretation;
- Clarify existing CDC language (regarding cell tower design) under Section 430-109.4 A;
- Update filing and recording provisions of Section 602-1 for consistency with prior Ordinance No. 757, and to correct a department name;
- Amend Section 610-1 (rural land divisions and property line adjustments) to correct cross-reference issues, relocate certain standards to appropriate subsections, and remove reference to a restriction made inapplicable by prior Ordinance No. 763.