



PROPOSED LAND USE ORDINANCE NO. 846
Individual and General Notice 2019-02
Feb. 8, 2019

The Washington County Planning Commission and Board of Commissioners (Board) will soon consider proposed Ordinance No. 846. Listed below is a description of the ordinance, hearing dates and other relevant information. If you have any questions about the ordinance, or if you would like additional information, please contact Long Range Planning at 503-846-3519 or lutplan@co.washington.or.us.

ORDINANCE PURPOSE AND SUMMARY:

Ordinance No. 846 would amend Chapter 2, the North Bethany Subarea Plan (Plan) of the Bethany Community Plan and the Community Development Code (CDC) to make limited amendments related to the North Bethany Main Street Urban Design Plan. North Bethany's Main Street area is a mixed-use area that is intended to serve as a focal point of the North Bethany community. Design and development standards for the Main Street area were adopted in 2018 via A-Engrossed Ordinance No. 838.

Ordinance No. 846 also corrects an inconsistent Plan reference to North Bethany's civic use and includes CDC amendments that were present in the originally-filed version of Ordinance No. 838, but were unintentionally omitted from that ordinance when it was engrossed (amended).

Who is Affected

Property owners and residents in the North Bethany Subarea.

What Land is Affected

Land within the Metro 2040 Main Street Area designation of the North Bethany Subarea. The map on Page 3 shows the properties within this area.

PUBLIC HEARING INFORMATION/LOCATION:

Hearings are in the auditorium of the
Charles D. Cameron Public Services Building, 155 N. First Ave., Hillsboro

Planning Commission

1:30 p.m.
March 6, 2019

Board of Commissioners

10 a.m.
April 2, 2019

At its April 2 public hearing, the Board may choose to adopt the ordinance, make changes to it, continue the hearing to a future date, or reject the ordinance. If adopted April 2, it would become effective May 2, 2019.

KEY PROVISIONS:

- Removes a Plan reference that suggests the North Bethany civic use may not be a building, and clarifies language regarding gateway requirements.
- Adds dimensional requirements to the CDC's Neighborhood Commercial Mixed-Use (NCMU) standards.
- Modifies a CDC provision requiring owners of Main Street properties along Kaiser Road to establish an association for maintenance of Kaiser Road landscaping; the modification requires the association to also address maintenance of street furniture.
- Adds cross-references in the CDC standards that refer to the North Bethany Subarea Plan's Main Street design requirements.

AFFECTED LAND USE PLANNING DOCUMENTS:

Community Plan(s)

- Bethany Community Plan, Chapter 2: North Bethany Subarea Plan

Community Development Code

- Section 390, North Bethany Subarea Overlay District
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HOW TO SUBMIT COMMENTS:

- Submit oral or written testimony to the Planning Commission and/or the Board at one of the public hearings.
- Written testimony, including email, may be sent to the Planning Commission or Board in advance of the public hearings at the address shown on the front of this notice.
- Include the author's name and address with any public testimony.

Staff Contact

Suzanne Savin, Senior Planner, suzanne_savin@co.washington.or.us, 503-846-3963

The ordinance is available for review at the following locations:

- www.co.washington.or.us/landuseordinances
- Department of Land Use & Transportation
 - Physical address: Adams Crossing, 161 NW Adams Ave., Hillsboro
- Cedar Mill Community Library and Tigard Public Library
- Community Participation Organizations (CPOs), call 503-846-6288

North Bethany Subarea



JAN 28 2019

Washington County
County Clerk

BEFORE THE BOARD OF COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

ORDINANCE 846

An Ordinance Making Limited Amendments to
the Bethany Community Plan and the
Community Development Code Related to the
North Bethany Main Street Urban Design Plan

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

SECTION 1

A. The Board recognizes that the Bethany Community Plan was adopted by
Ordinance Nos. 263 and 265 and subsequently amended by Ordinance Nos. 345, 420, 471,
480, 551, 588, 610, 615, 620, 649, 702, 712, 730, 739, 744-745, 758, 771, 783, 789, 790, 799,
801, 809, 838, and 843.

B. The Board recognizes that the Community Development Code Element of the
Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by
way of Ordinance No. 308, and subsequently amended by Ordinance Nos. 321, 326, 336-341,
356-363, 372-378, 380-381, 384-386, 392-393, 397, 399-403, 407, 412-413, 415, 417, 421-
423, 428-434, 436-437, 439, 441-443, 449, 451-454, 456-457, 462-464, 467-469, 471, 478-
481, 486-489, 504, 506-512, 517-523, 525-526, 528-529, 538, 540, 545, 551-555, 558-561,
573, 575-577, 581, 583, 588-589, 591-595, 603-605, 607-610, 612, 615, 617-618, 623-624,
628, 631, 634-635, 638, 642, 644-645, 648-649, 654, 659-662, 667, 669, 670, 674, 676-677,
682-686, 692, 694-698, 703-704, 708-709, 711-712, 718-720, 722, 725, 730, 732, 735, 739,

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1 742-745, 754-758, 760, 762-763, 765-766, 769-776, 782-788, 791-792, 797-802, 804, 809-
2 811, 813-815, 820, 822-824, 826-828, 831-835, 838, and 840-842.

3 C. The Board recognizes that amendments to several elements of the
4 Comprehensive Plan are needed to make limited additions to the Main Street area
5 requirements identified in Area of Special Concern (ASC) Road Corridor 2. The ASC 2
6 requirements promote a Main Street area design that prioritizes pedestrian and bicycle
7 environments and provides attractive and quality design, both for the public realm (streets and
8 sidewalks) and for private development. These amendments are for the benefit of the health,
9 safety, and general welfare of the residents of Washington County, Oregon.

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

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

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1 SECTION 2

2 The following exhibits, attached hereto and incorporated herein by reference, are
3 adopted as amendments to the designated documents as follows:

4 A. Exhibit 1 (3 pages), amends Chapter 2, the North Bethany Subarea Plan of the
5 Bethany Community Plan:

6 1. Section V. North Bethany Subarea Design Elements.

7 B. Exhibit 2 (5 pages), amends the Community Development Code:

8 1. Section 390 - North Bethany Subarea Overlay District.

9 SECTION 3

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

12 SECTION 4

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

15 SECTION 5

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

19 SECTION 6

20 The Office of County Counsel and Department of Land Use and Transportation are
21 authorized to prepare planning documents to reflect the changes adopted under Section 2 of
22 this Ordinance, including deleting and adding textual material and maps, renumbering pages

1 or sections, and making any technical changes not affecting the substance of these
2 amendments as necessary to conform to the Washington County Comprehensive Plan format.

3 SECTION 7

4 This Ordinance shall take effect 30 days after adoption.

5 ENACTED this _____ day of _____, 2019, being the _____ reading
6 and _____ public hearing before the Board of County Commissioners of Washington
7 County, Oregon.

8 BOARD OF COMMISSIONERS
9 FOR WASHINGTON COUNTY, OREGON

10 _____
11 CHAIR

12 _____
13 RECORDING SECRETARY

14 READING

15 PUBLIC HEARING

16 First _____
17 Second _____
18 Third _____
19 Fourth _____
20 Fifth _____
21 Sixth _____

22 First _____
Second _____
Third _____
Fourth _____
Fifth _____
Sixth _____

VOTE: *Aye*: _____

Nay: _____

Recording Secretary: _____ Date: _____

Chapter 2: North Bethany Subarea Plan of the BETHANY COMMUNITY PLAN is amended as follows:

CHAPTER 2

North Bethany Subarea Plan of the Bethany Community Plan

V. NORTH BETHANY SUBAREA DESIGN ELEMENTS

B. Areas of Special Concern

ASC Road Corridor 2 – North Bethany Main Street, including a central segment of NW Kaiser Road

2. North Bethany Main Street

b. Main Street Design Standards and Applicability

Design Standards:

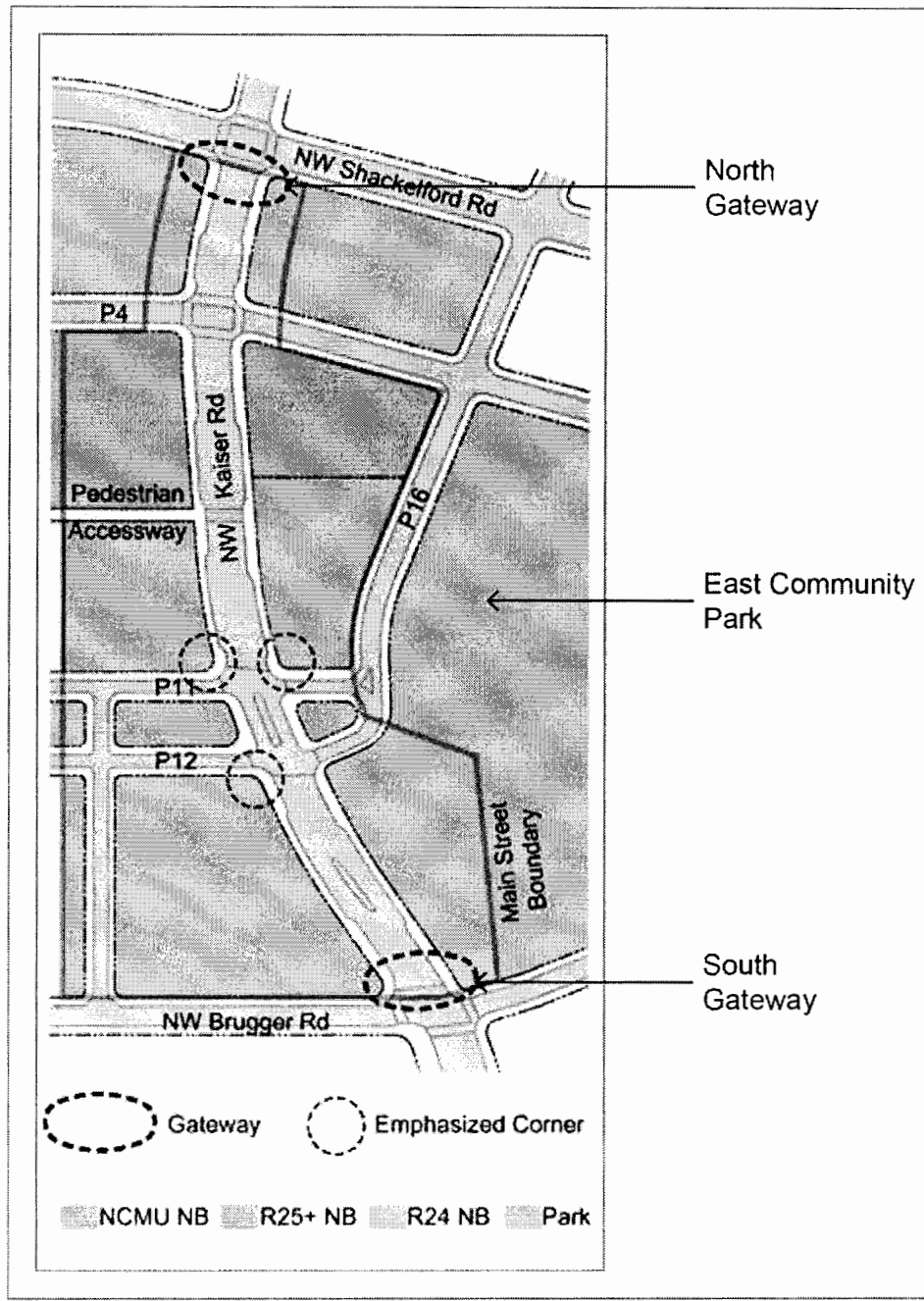
(8) Emphasized Corners and Main Street Community Gateways

Corner sites will be highly visible within the Main Street area, and are well positioned to activate and add visual interest to the pedestrian realm.

Three corner sites in the NCMU district, depicted in Figure 15, are located at the intersection of two key pedestrian routes, Kaiser Road and the Park Blocks, and frame the heart of the Main Street area. These three corners shall become emphasized corners with prominent design elements. Required design elements shall distinguish the building corners at these sites from the rest of the block with features that create focal points and establish a strong building edge for the street.

Two Community Gateway locations along NW Kaiser Road, depicted in Figure 15, mark the north and south entrances to the Main Street area. These gateways are also identified on the Core Design Elements Map. Gateway features are intended to help define the main entrances to a district, and can create a sense of place by establishing focal points that set the tone for the Main Street's unique character. Development at Community Gateway sites shall be subject to similar standards as Emphasized Corners, but shall feature additional corner design elements to make them even more prominent.

Figure 15 - Location of Emphasized Corners and Community Gateways in the Main Street Area



The east side of the south gateway is also the southwest corner of the East Community Park.

The Core Design Elements map shows a design feature within the southwest quadrant of the East Community Park. That design feature, identified as a civic use in Section VI. D., Southeast Neighborhood Design Element 2, is described as a building. If the civic use building is sited at the

southwest corner of the park adjacent to the NW Kaiser Road/Brugger Road intersection, it will also serve as a gateway feature and will be subject to the gateway standards described below.

However, while the civic use building is required to be sited within the southwest quadrant of the park, it is not required to be sited within the south gateway. If the civic use building is sited north or east of the gateway, it will not serve as a gateway feature.

Since the southwest corner of the East Community Park is the south gateway to the Main Street area, the County believes that the siting of a prominent place-making element at that corner is critical to the performance and success of the Main Street area.

Therefore, if the civic use building will be sited north or east of the south gateway rather than at the corner, the County strongly encourages THPRD to consider siting a plaza space at this corner during THPRD's future master planning of the East Community Park. The County encourages THPRD to consider the inclusion of plaza features such as a fountain, public art or prominent structure to help anchor the park's corner as a south gateway to the Main Street area.

The standards for the Emphasized Corners and Community Gateways are listed below. Figures 16 and 17 provide illustrative examples of the standards.

~~The Community Gateway standards are tied to the construction of buildings at the gateway corners. The east side of the south gateway is the southwest corner of the East Community Park, and it is possible that a building will not be constructed at that location. However, Because of that park corner's visibility and location at the southern entry to the Main Street area, the County believes the corner is critical to the performance and success of the Main Street area. Therefore, during Tualatin Hills Park & Recreation District's (THPRD) future master planning of the East Community Park, the County strongly encourages THPRD to consider siting a plaza space at this corner, with features such as a fountain, public art or a prominent structure to help anchor the corner and serve as a gateway to the community and the Main Street area.~~

Section 390 (North Bethany Subarea Overlay District) of the COMMUNITY DEVELOPMENT CODE is amended to reflect the following:

390-11 R-24 North Bethany District (R-24 NB)

390-11.1 Intent and Purpose

The R-24 North Bethany District (R-24 NB) is intended to implement the policies of the Comprehensive Plan for areas in new urban communities designated for residential development at no more than 24 units per acre and no less than 19 units per acre.

The purpose of the R-24 NB District is to provide areas for high density single-family attached and multifamily residential with design flexibility to allow for a variety of configurations.

390-11.6 Dimensional Requirements

The Dimensional Requirements of Section 306-7 are the required standards for the R-24 NB District, with the following exception:-

- A. Within the Main Street area identified in Area of Special Concern (ASC) Road Corridor 2 of the North Bethany Subarea Plan, the required yard requirements (setbacks) from Kaiser Road are those listed in ASC 2.

390-11.7 Design Requirements

Residential building façades in the R-24 North Bethany District (R-24 NB) that are located within ASC Road Corridor 2 of the North Bethany Subarea Plan (Chapter 2 of the Bethany Community Plan) and face Kaiser Road are subject to the design requirements of ASC 2.

390-12 R-25+ North Bethany District (R-25+ NB)

390-12.1 Intent and Purpose

The R-25+ North Bethany District (R-25+ NB) is intended to implement the policies of the Comprehensive Plan for areas in the North Bethany Subarea Plan designated for residential development at no more than 25 units per acre and no less than 20 units per acre. A density bonus may be provided through a Planned Development.

The purpose of the R-25+ NB District is to provide areas for high density, multifamily attached residential housing as well as senior housing and assisted living in proximity to services (e.g., retail and civic uses) and with reduced off-street parking needs. Student housing is also considered an appropriate residential use in this District.

390-12.6 Dimensional Requirements

The Dimensional Requirements of Section 307-7 are the required standards for the R-25+ NB District, with the following exception:-

- A. Within the Main Street area identified in Area of Special Concern (ASC) Road Corridor 2 of the North Bethany Subarea Plan, the required yard requirements (setbacks) from Kaiser Road are those listed in ASC 2.

390-12.7 Design Requirements

Residential building façades in the R-25+ North Bethany District (R-25+ NB) that are located within ASC Road Corridor 2 of the North Bethany Subarea Plan and face Kaiser Road are subject to the design requirements of ASC 2.

390-14 Neighborhood Commercial Mixed-Use District (NCMU NB)

390-14.1 Intent and Purpose

The Neighborhood Commercial Mixed-Use North Bethany District (NCMU NB) is intended to provide for the daily shopping and service needs of new urban communities. The Neighborhood Commercial Mixed-Use District area is easily accessible from the surrounding neighborhoods by foot, bike and car.

The NCMU NB District is intended to serve as a community focal point for daily needs such as services and retail goods and as a gathering place for the community. The NCMU NB is intended to be a prominent feature in the community. High density attached multifamily residential uses may be allowed on upper floors of buildings within this District.

390-14.5 Dimensional Requirements

- A. Lot Area: The minimum lot area shall be 8,500 square feet.
- B. Yard Requirements: Minimum and maximum yard requirements (setbacks) are listed in Area of Special Concern (ASC) Road Corridor 2 of Bethany Community Plan, Chapter 2: North Bethany Subarea Plan.
- C. Height:
- (1) The minimum interior ground floor height shall be 14 feet.
 - a) Interior ground floor height shall be measured from the finished floor of the ground floor to the ceiling of the ground floor.
 - b) Minimum interior ground floor height must be met for a minimum depth of 20 feet from the front building wall.
 - (2) The minimum height for structures shall be 20 feet.
 - (3) The maximum height for structures shall be 65 feet.

- (4) Normal building appurtenances and projections such as spires, belfries, cupolas, chimneys, ventilators, elevator housings or other structures placed on or extending above roof level may exceed the 65-foot building height limit to a maximum height of 85 feet.
- (5) The height of telecommunication facilities are regulated by the Permitted Use sections of this Land Use District, Sections 201, 430-1, 430-109 and other applicable provisions of this Code.

D. Lot Dimensions:

- (1) The minimum average lot width shall be 85 feet;
- (2) The minimum average lot depth shall be 85 feet; and
- (3) The minimum lot width at the access point shall be 40 feet.

390-14.6 Design Requirements

Development in this district is subject to design requirements that are described in Area of Special Concern (ASC) Road Corridor 2 of the Bethany Community Plan, Chapter 2: North Bethany Subarea Plan.

390-20 Building Design and Variety

390-20.1 Intent and Purpose

The purpose of this Section is to prevent monotony, excessive repetition, and a lack of architectural features on building façades in the North Bethany Subarea.

390-20.2 Applicability

A. The standards of this Section are applicable to development in all of the North Bethany Subarea land use districts, with the following exceptions:

- (1) Residential development in the R-6 North Bethany District (R-6 NB) is exempt from the standards of this Section; ~~and~~
- (2) Nonresidential development in the Institutional District (INST) that is more than 50 feet from any public street is exempt from the standards of this Section; ~~and~~
- (3) Residential building facades in the R-24 North Bethany District (R-24 NB) and R-25+ North Bethany District (R-25+ NB) that are within Area of Special Concern (ASC) Road Corridor 2 of the North Bethany Subarea Plan and face Kaiser Road are exempt from the standards of this Section; and
- (4) Development in the Neighborhood Commercial Mixed-Use District (NCMU NB) is exempt from the standards of this Section.

- B. Where development is subject to the Special Frontages requirements of the North Bethany Subarea Plan, the standards in this Section are also applicable, except where an exemption is specifically stated in the standards below.

390-22 Additional North Bethany Subarea Development Standards

In addition to the standards of Article IV, Development Standards, the following requirements apply to development in the North Bethany Subarea.

390-22.5 Road Landscape and Street Furniture Maintenance

In addition to other requirements of the Community Development Code related to the maintenance of road landscaping, the following requirements are applicable to all development in the North Bethany Subarea.

- D. For properties with frontage on Kaiser Road in the Main Street Area (the Main Street Area is defined by Area of Special Concern (ASC) Road Corridor 2 Attachment 1 of the Main Street Program Guide ~~in~~of the North Bethany Subarea Plan), an association shall be established to maintain adjoining landscaping and street furniture along Kaiser Road, between the curb and the property line. This will be achieved by providing documentation that an association will be established to maintain the adjoining landscaping and street furniture along Kaiser Road within the Main Street Area.

- (1) The documentation that establishes the association shall not have any financial limits that restrict the ability to undertake required maintenance.
- (2) The first property owner that develops in the Main Street Area shall establish the association.
- (3) The association agreement shall have an equitable method for paying for the adjoining road landscaping and street furniture to be shared by all subject properties and must not unfairly burden subsequent properties with a disproportionate amount of financial responsibility for landscape and street furniture maintenance.
- (4) Subsequent properties must join the association at the time of development.
- (5) To help ensure the association maintains the applicable landscaping and street furniture, the applicant/property owner shall sign a remonstrance against the formation of a Local Improvement District that would pay for the adjoining Kaiser Road landscaping and street furniture.
- (6) The association shall maintain all adjoining Kaiser Road landscaping that is not maintained by THPRD or Clean Water Services, and shall maintain all adjoining Kaiser Road street furniture.
- (7) The applicant shall provide a copy of the draft document that they intend to record to fulfill this requirement for review by County Counsel and the Director designate.

- (8) In the event that formation of the association proves impracticable, individual property owners may be conditioned to maintain landscaping and street furniture between the curb and the property line.
- (9) The applicant shall provide to the Director designate a final copy of all recorded documents related to landscape and street furniture maintenance prior to final land use approval.

390-25 Main Street Area

North Bethany's Main Street Area is subject to Community Plan provisions, including the requirements of Area of Special Concern (ASC) Road Corridor 2 requirements and the guidelines of the Main Street Program Guide, as provided for in the North Bethany Subarea Plan.