To: Washington County Board of Commissioners
From: Brent Curtis, Planning Manager
      Department of Land Use & Transportation
Subject: PROPOSED LAND USE ORDINANCE NO. 739

STAFF REPORT

For the September 20, 2011 Board of Commissioners Hearing
(The public hearing will begin no sooner than 10:00 a.m.)

I. STAFF RECOMMENDATION

Conduct the third public hearing for Ordinance No. 739. At the end of public testimony:

1. Provide direction to staff about ordinance amendments so that staff can prepare the proposed exhibits for the September 27, 2011 hearing; and

2. Continue the public hearing to September 27, 2011 for engrossment of amendments.

II. BACKGROUND

Ordinance No. 739 builds upon the work of the 2009 and 2010 ordinances the Board adopted for the North Bethany Subarea Plan. Ordinance No. 712 adopted the Concept Plan and Ordinance No. 730 established the Concept Plan's primary implementing regulations. The Board identified a discrete number of issues to address in 2011, most of which when completed would allow the Future Development Twenty Acre District (FD-20) to be lifted from the North Bethany Subarea. These placeholder issues were considered by the North Bethany Workgroup (Workgroup) comprised of North Bethany property owners, citizens, developers and county staff. Staff continues to recommend the use of ordinance language when there was full consensus of Workgroup members.

The hearing schedule for Ordinance No. 739 has been compressed due to: 1) the need to reschedule the last Planning Commission (PC) hearing because of the Public Services Building evacuation, 2) the Board's revised October schedule, 3) the county Charter's land use ordinance requirements, and 4) the need to provide staff reports to the Board one week in advance of a hearing to provide your Board with sufficient time to review the material. Consequently, the
Board needs to make initial decisions about engrossment on September 20th. Because there was such a short time period between the PC's rescheduled September 7th hearing and the September 13th deadline for this staff report, staff only had time to prepare a summary of the PC's and staff's recommendations.

New Testimony since the September 6th Hearing
Included in your meeting materials is new testimony from Mr. Rayhawk that was provided at the September 7th PC hearing. No other new testimony has been provided since your September 6th hearing.

III. PLANNING COMMISSION RECOMMENDATION

On September 7th, the PC voted 4 to 1 to recommend that the Board adopt Ordinance No. 739 subject to its recommended revisions. Commissioner Manseau did not support the recommendation because she believed more time was needed to properly consider issues. The PC's recommendations about discrete issues are included below in the staff recommendations. The PC also chose not to make recommendations about some new issues that were recently raised, most of which are not placeholder issues. All of the topics the PC made recommendations for are addressed in the topics under the staff recommendations.

IV. STAFF RECOMMENDATIONS

Provided below is a summary of staff's recommendations. Proposed implementing ordinance exhibits are attached. PC and Workgroup recommendations are noted. Placeholder and non-placeholder issues are also identified. Staff concurs with the PC's recommendation that the Board not act on testimony unless it is addressed below.

A. Urban/Rural Edge Buffer Requirements and Steep Slopes

One of the placeholder issues that Ordinance No. 739 needs to address is the implementation of the Metro condition that requires the county to adopt provisions to ensure compatibility between future urban development and adjacent farm uses. This condition must be met in order to lift the FD-20 District. Associated with the discussion of this issue are density restricted lands. Last year, the Board adopted regulations that prohibited development along the northern perimeter on slopes that are greater than 25% (＞25%). Most of these steep sloped areas are also heavily wooded. These areas are identified as density restricted lands. As part of staff's analysis this year about adjacent farm uses and how to implement the Metro condition, staff took note of the Board's 2010 action to make the northern steep slopes unbuildable. Staff's recommended buffer standards build upon the Board's prior action that made the northern density restricted lands unbuildable. The use of the Board's past action meant that no additional standards were needed in these areas with the exception of fencing to address trespass issues.
On September 7th, the PC voted 4 to 1 to make the following key recommendations about the urban/rural buffer:

1. Provide a maximum 20 foot wide buffer with a fence along sections of the northern perimeter adjacent to steep slopes and riparian areas (Natural Features Buffer with Fencing).

2. Maintain the standards in Community Development Code (CDC) Section 390-18.5B proposed to be deleted by Ordinance No. 739.

3. Provide a maximum 20 foot wide buffer along most of the eastern perimeter (Vegetation Buffer with Fencing). This buffer is to include the perimeter trail and vegetative screening and fencing.

Based upon staff's analysis and evidence in the record, staff continues to recommend its proposed buffer standards rather than the above PC recommendations. Commissioner Manseau noted in her dissenting vote that she believed staff's recommendation about maintaining the prohibition of development on the northerly steep slopes implemented the Concept Plan's vision for North Bethany. (Commissioner Manseau was a member of the Stakeholder Workgroup that developed the North Bethany Concept Plan.) Staff also does not believe there is adequate evidence in the record before the PC to support their buffer recommendations for sections of the northern and eastern perimeter.

After considering comments the PC made at its last hearing, staff believes the intent of recommendations 1 and 2 above were to allow full development on the wooded slopes identified as density restricted land. However, as staff has pointed out in its staff reports, the Board adopted a number of requirements last year that prohibit development on these density restricted lands. There are other provisions in the Community Plan and the CDC stating that density cannot be transferred to density restricted lands. Also, other provisions in the Community Plan state that development is not permitted on density restricted lands. The standards affected by the PC do not address these key requirements. Consequently, staff does not believe the PC's recommendations will achieve its intent. If the Board wants to reverse the standards it previously adopted that implement the portion of the adopted Concept Plan that preserves the northerly wooded steep sloped areas, the Board should take action to remove all of the CDC and community plan requirements it previously adopted in 2010 and 2009. Staff will identify these requirements for the Board if that is the policy choice it chooses.

It also appears the PC does not want the trail and buffer along the eastern perimeter to use more than a combined width of 20 feet. Staff's proposed 20 foot wide vegetation buffer would result in the displacement of four dwelling units along the eastern perimeter in addition to dwellings displaced by the trail. Due to the Tualatin Hills Park and Recreation District's (THPRD) trail standard, staff does not believe there would be enough room to provide both the trail and the vegetative screening. In recent discussions with THPRD, THPRD said it is interested in locating as much of the eastern perimeter trail as possible in the adjacent BPA easement. However, THPRD said it is too early to make that determination since the Westside Trail planning process
has just begun and it is not known if BPA and the easement rights for the adjacent Multnomah County property owners would allow the trail in the powerline right of way. If the trail can be located in the BPA easement, there would only be a short segment along the eastern perimeter where the trail and vegetation buffer would need to be combined.

**Staff Recommendation:**
1. Use the three buffer categories summarized below and described in Attachment A. The location of each proposed buffer type is shown on the attached Urban/Rural Edge Map.

2. In order to make the existing requirements for density restricted lands clearer:
   a) Add more text to the community plan that provides more information about the requirements to preserve slopes >25% and that homes are permitted at the top of the slope, which will allow alterations to the top of the slope; and
   b) Amend CDC Section 390-18.5 to clarify that the level of development permitted on slopes >25% is the construction of homes at the top of the slope, including necessary alterations to construct those homes.

See Attachment A for proposed amendments.

**Fence-Only Buffer**
1. Provide a minimum six foot tall perimeter fence (cyclone, wire mesh “no climb”, or wood fence) to discourage human and animal trespass onto adjacent rural lands.

2. This buffer is located along the western perimeter and sections of the northern and eastern perimeter at the locations shown on the Urban/Rural Edge Map.

**Natural Features Buffer with Fencing**
This buffer is comprised of the following elements:

1. The density-restricted lands along the northern perimeter boundary (wetland / riparian areas and slopes >25%).

2. Non-density restricted lands located between the density-restricted lands described above.

3. Development, construction, grading, and vegetation removal are prohibited.

4. Provide a minimum six foot tall fence (cyclone, wire mesh “no climb”, or wood fence) at the top of the slope to address trespass issues.

**Vegetation Buffer with Fencing**
This buffer is comprised of the following elements:

1. This buffer shall be a minimum of 20 feet wide, and shall be parallel to North Bethany’s east boundary as shown on the Urban/Rural Edge Map.
2. Installation of the following vegetation is required along the length of this buffer:
   - Western Red Cedar and/or Western Hemlock, spaced 8 to 10 feet apart; and
   - Low-growing native groundcover, such as salal and/or kinnikinnick.
   - Trees shall have a caliper of 1 ½ to 3 inches at time of planting.
   - Irrigation shall be provided for a minimum period of 5 years, with supplemental irrigation when necessary.

3. The buffer and the perimeter trail will both be parallel to this east boundary. The buffer can be placed adjacent to the east boundary, with the trail placed to the west of the buffer. Alternatively, the trail can be placed adjacent to the east boundary, with the buffer placed to the west of the trail. During the development review process, the location of the trail and the buffer relative to the east boundary will be determined based on the proposed development.

4. The buffer may be incorporated with the perimeter trail when a registered landscape architect or arborist certifies that the proposed vegetative screening is consistent with the standards described in Nos. 1 and 2 above.

5. Provide a minimum six foot tall fence (cyclone, wire mesh “no climb”, or wood fence) the length of the buffer to address trespass issues.

**Additional Elements of the Urban/Rural Buffer**

1. Street stubs and driveways are prohibited at all North Bethany boundaries that abut rural lands with Rural Reserves designations.

2. Fencing along public use areas will be posted with informational signage about adjacent farm/forest uses and “No Trespassing.”

3. On-going maintenance of the buffer features (fencing, vegetation) is required by future development.

4. Development on existing parcels within approximately 1200 feet of the perimeter shall record a farm/forest waiver.

5. An informational brochure about farm/forest activities and potential conflicts between these uses and new urban development will be provided to residents and businesses.

6. As a result of discussions with County Counsel, staff recommends the inclusion of standards that would allow the Review Authority to require additional buffering in response to evidence from an adjacent rural property owner that the applicable buffer is not adequate to ensure compatibility with the rural property owner's farm practices. These standards are required to be clear and objective. The proposed standards are:
Fence-Only Buffer:
- Perimeter fence shall be sight-obscuring to address conflicts between adjacent uses,
- Increased fence height to deter trespass,
- Include a sloped angle at top of fence to deter trespass; or
- If the adjacent farm use involves chemical spraying and/or dust, the addition of a Vegetation Buffer may be required.

Natural Features Buffer with Fencing:
- Provide fencing along the northern perimeter boundary in addition to fencing at the top of the slope.

Vegetation Buffer with Fencing:
- Perimeter fence shall be sight-obscuring to address conflicts between adjacent uses;
- Increase fence height to deter trespass; or
- Include a sloped angle at top of fence to deter trespass.

B. Revisions to the Interim Pedestrian Standards - CDC Section 501-12.2F
The Board asked staff to reexamine the standards it adopted last year to see if refinements should be made. After Ordinance 739 was filed, the North Bethany Workgroup agreed to a set of recommended changes. The PC recommends 5 to 0 to incorporate the Workgroup's proposed amendments.

Testimony from representatives of the Rock Creek Portland Community College (PCC) asked that issues related to the PCC campus be clarified. The PC voted 5 to 0 that staff continues to work with PCC to address its issues so they could be considered for engrossment by the Board. Staff has met with PCC representatives and has made amendments to address its concerns.

Staff Recommendation: Incorporate the Workgroup's changes plus revisions that address issues raised by PCC.

See Attachment B for proposed amendments.

C. Conveyance of Land for Public Facilities - CDC Section 501-12.2C, D and G
The Board asked staff to reexamine the standards it adopted last year to see if refinements should be made to make it easier to convey land for public facilities, especially parkland in phased developments.

The Workgroup agreed to a set of recommended changes to CDC Sections 501-12.2C, D and G that are incorporated in Exhibit 5 of Ordinance 739. Additional participants in the Workgroup's discussion about this issue included Mike Robinson, legal counsel for West Hills; THPRD, including its legal counsel; and Clean Water Services, including its legal counsel. All
participants agreed to the language incorporated into the ordinance. These amendments would allow an applicant to move the location of a neighborhood park or trail when THPRD finds the alternative location and site configuration meet a prescribed set of criteria. Section 501-12.2G was amended by adding the use of a restrictive covenant or an irrevocable option to provide additional mechanisms to assure future parkland acquisition.

The PC recommends 5 to 0 to keep the above referenced standards in Ordinance 739, subject to staff working with THPRD and K&R Holdings to revise standards in Section 501-12.2D. The PC did not incorporate changes recommended by Mike Robinson and Will Denecke related to the cost of purchasing parkland, the time frame for THPRD to purchase parkland, and the creation of a county design process for parks. Staff does not support those proposed changes either.

**Staff Recommendation:** Maintain the text of Ordinance 739 subject to revisions to Section 501-12.2D that give THPRD more latitude in determining whether or not an alternative proposed park site is suitable.

See Attachment B for proposed amendments.

**D. Portland Community College (PCC)**

PCC has raised concerns about how some community plan provisions adopted last year for future campus trails and a future neighborhood park north of the PCC campus would affect the wooded area on the campus that is used as part of its academic programs. The wooded area is located in the northeast corner of PCC’s property. It is a biologically sensitive area that is used by campus instructors for research purposes in addition to its use in PCC’s academic programs. PCC identified these issues as it began to prepare its development application for its upcoming building expansion. The PC voted 5 to 0 for staff to continue to work with PCC to address these issues so they could be considered for engrossment by the Board.

County staff, PCC representatives and THPRD staff have had discussions to determine how to address PCC’s concerns. PCC and THPRD have reviewed the ordinance amendments and are supportive of the proposed changes shown in Attachment C. The proposed amendments do not eliminate the current requirements that trails be provided in the northeast corner of the PCC site. Through its upcoming development application, PCC will provide THPRD with the area THPRD needs to complete the construction of the north-south trail at the eastern perimeter of PCC’s property.

**Staff Recommendation:** Incorporate the changes to the community plan developed by county staff and PCC and THPRD representatives. The amendments:

- Clarify how the trails near the wooded area should be considered with regard to the wooded area.
• Specify that the location of the westerly trail connection on PCC's property will be determined when PCC expands its campus into this undeveloped area. Until then, it is not possible to determine its location. Clarifying amendments are also made to more clearly specify that future campus walkways may be incorporated into this connection.
• Clarify that the future neighborhood park in the West Neighborhood does not include any part of PCC's wooded area.
• Specify that PCC will be involved in the design of the West Neighborhood park to ensure there are no adverse impacts to PCC's wooded area.

In order to make these changes, county, PCC and THPRD staff recommend using written text to describe the requirements and eliminate the study area box on maps in the community plan and maps in Policies 15 and 43 of the Comprehensive Framework Plan for the Urban Area.

See Attachment C for proposed amendments.

E. Main Street Program Guide - Process to Develop the Urban Design Plan
This item is not a placeholder issue. The Main Street Program Guide, including the creation of an Urban Design Plan, was adopted last year. Because it will take many years before there will be sufficient residential development in North Bethany to support the Main Street Area, the complete standards for this area were not fully developed during the concept planning process and subsequent adoption of community plan and CDC requirements in 2010. Development of the Main Street Area will also be closely tied to the improvement of Kaiser Road, which is addressed in Area of Special Concern Road Corridor 2. Considerations include vehicular and pedestrian access, on-street parking, sight distance, and building setbacks. The Main Street Area development also envisioned the possibility of a public/private partnership to develop certain aspects of the area, such as off-street parking facilities and road frontage improvements. Staff continues to believe it would be premature to try to develop final standards for the Main Street Area at this time.

Some of Mr. Robinson's concerns and the PC recommendations can be addressed by giving the county the responsibility to develop the Urban Design Plan. Since this plan must be coordinated with the design of Kaiser Road, county development of the Urban Design Plan could occur with the design of Kaiser Road. The Long Range Planning Division's annual work program can provide the process for the Board to determine when this work should be done.

The PC recommended that 1) staff continue to talk with Mike Robinson about West Hills' comments and 2) the county begin the process to develop the final Urban Design Plan. Because of scheduling issues, staff and Mr. Robinson were not able to arrange a time to talk until September 14th. Due to staff's deadline to have material to the Board on September 13th, staff has prepared recommended amendments to the Main Street Program Guide. Staff will discuss the proposed amendments with Mr. Robinson.
**Staff Recommendation:** Since this issue was addressed last year and it is not a placeholder issue, staff recommends that changes be limited to: 1) clarifying the process to develop the Urban Design Plan, and 2) giving the county the responsibility to develop the Urban Design Plan through a public planning process. We recommend keeping as an alternative option the ability of a development company to initiate development of the Urban Design Plan since there are companies who do that type of commercial development. A public planning process would also be used to develop the Urban Design Plan if initiated by a development company. Staff also recommends using the Long Range Planning Division's annual work program as the process for the Board, staff and the public to consider when this work should be done in the future.

See Attachment D for proposed amendments.

**F. Building Design and Variety**

This is a placeholder issue that was intended to be addressed in conjunction with the development of new Planned Development standards for North Bethany. The Workgroup didn't have sufficient time to consider the Planned Development standards and consequently worked to develop the base level building design and variety standards as a separate topic. The Workgroup was able to reach consensus about a number of standards but didn't have time to address all of the standards. The PC and staff recommend that the standards the Workgroup reached consensus on be incorporated into Ordinance No. 739.

The PC directed staff to continue to work with Workgroup members to try to reach consensus about the following standards in time for Board consideration. However, there hasn't been sufficient time to develop the remaining standards, which are:

- Single-family detached: front façade variation (rules of adjacency) and garage façade standards
- Single-family attached: street façade variation (rules of adjacency) and garage façade standards
- Multi-family: façade articulation and variation

Since the remaining standards are all design related, they can be addressed with the assistance of the architectural consultants the county will use during the upcoming ordinance process. Until standards for these issues are adopted, development applications submitted prior to their adoption would not be subject to those future standards. This will allow applicants to proceed with development plans without the need to be concerned about accounting for these future standards.

**Staff Recommendation:** Incorporate the building design and variety standards developed by the Workgroup. Add a 2012 placeholder regarding the creation of standards for the outstanding issues described above.

See Attachment E for proposed amendments.
G. Changes to Clarify Existing Standards and Make Corrections

A number of changes have been identified that clarify existing requirements, correct mapping errors, and make grammatical and numerical corrections. There are also a couple of instances where a type of permitted use was accidently omitted from a land use district last year. Changes were identified by the PC, Workgroup members, staff and hearing participants. The PC recommended that staff make these changes. A summary of the changes is provided below. See Attachment F for proposed amendments.

The PC also recommended that staff address other corrections noted by PC Chair San Soucie and Commissioner Manseau. These changes are incorporated into the attachments for earlier recommendations.

1. NB Subarea Plan: Remove the following text in Section IV. B (Neighborhood Plans). This text is no longer applicable due to changes made in 2009 concerning the use of Neighborhood Plans. Staff inadvertently missed making this change in A-Engrossed Ordinance No. 712.

   "While following the Neighborhood Plan is not required, development that is consistent with all specifications noted on the applicable Neighborhood Plan may be processed through a Type II process."

2. Changes related to Community Service Uses:

   A. NB Subarea Plan: Add text in Section IV. J. (Community Service Use Map) describing that community service uses are located only in residential land use districts.

   B. Community Development Code: Delete the reference to Community Service Use from Section 390-13.3D (Institutional NB District). (Identified by Planning Commissioner Manseau.)

   C. Community Development Code: Delete “Community Service Uses” as a Type II use (Section 390-15.4C) in the Institutional NB District. (Identified by Planning Commissioner Manseau.)

   D. Community Development Code: Add text to the first paragraph of Section 390-16.4 describing that community service uses are allowed in residential districts in addition to the allowance of similar uses in North Bethany commercial land use districts. (Identified by Planning Commissioner Manseau.)

   E. Community Development Code: Amend Section 390-16.4C to state that a community service use is permitted in a mixed use building. (Identified by the Workgroup.)
F. **NB Subarea Plan:** Remove the Community Service Use Location from the property on Springville Road that is designated Institutional NB. This site is owned by Tualatin Valley Fire and Rescue and will be the location of a future fire station. (Identified by Planning Commissioner Manseau.)

3. **NB Subarea Plan:** In Area of Special Concern 7 (Bethany Creek Trail Corridor and Rossetta Street Alignment), use a consistent reference to the proposed trail as “trail”. References alternate between “trail” and “path”. (Identified by Planning Commissioner Manseau.)

4. **NB Subarea Plan:** In Design Element 2 of the Southeast Neighborhood, change the word “library” in the first line to “community center”. The change reflects the testimony before the Board that Bethany residents want the existing library to remain in Central Bethany and prefer a community meeting place in North Bethany at this location. (Identified by Planning Commissioner Manseau.)

5. **Community Development Code:** Change the Section reference in Section 390-15.4D (Institutional NB District) from Section 430-103 to Section 390-16.10.

6. **Community Development Code:** Add "Day Care Facility - Section 390-16.5" as a Type II use in the Institutional NB District (Section 390-15.3F). This use was inadvertently omitted last year.

7. **Community Development Code:** Change the numerical references to required planning material in the landscape buffer for Sections 390-16.11 (Schools [Private and Public]). The required number of plants was incorrectly provided. The changes would make the planting requirements consistent with existing standards.

8. **NB Subarea Plan:** Change the northwest corner of the Bethany Presbyterian Church site from R-6 NB to Institutional NB. (Identified by the Bethany Presbyterian Church.)

9. **NB Subarea Plan:** Change the land use designation along the eastern perimeter of PCC’s property from R-6 NB to Institutional. This area is owned by PCC and is not a public right of way as shown on the county tax maps. (Identified by PCC.)

H. **Conveyance of Parkland via Land Divisions and Property Line Adjustments**

Part of the Workgroup's discussion about refining the standards for the conveyance of parkland (Recommendation C), recommended that staff work with affected parties, including Will Denecke and THPRD, to develop standards that would allow for the acquisition of parkland prior to development of a site. Current land division standards require future roads and public utilities to be designed and located before parcels can be created. The contemplated standards would allow a property owner to use an alternative land development process that does not require the design and survey of future streets to create a simpler process to allow THPRD to acquire land in advance of full development. To do this, parcels created through this alternative process would
have to be encumbered in some fashion to ensure that all future roads, utilities and environmental impacts would be properly addressed at the time a future property owner wants to develop one of the parcels. Determining the process and standards has been difficult because future streets will form some of the new property lines and some of the affected properties contain wetlands.

Staff is continuing to work with County Counsel, the County Engineer, the County Surveyor and Clean Water Services to try to develop a process and set of standards. Staff is also discussing this issue with Will Denecke, representative for the Diegels (North Bethany property owners), and THPRD staff. At the time this staff report was prepared, a number of issues continued to be outstanding. Staff will provide the Board with an update about this issue at the September 20th hearing.

**Staff Recommendation:** Staff will continue to try to develop standards for Board consideration as part of the engrossment process for Ordinance No. 739. If issues cannot be resolved before September 27th, staff recommends addressing this issue next year.

I. Road Alignment of P16
The P C recommended that this issue, raised by Metropolitan Land Group (MLG), be addressed next year. Staff responded to MLG testimony requesting a change to part of the adopted alignment for this road through an issue paper. Staff recommended that consideration of changing the alignment of Road P16 be considered as part of the 2012 placeholder to develop plan amendment criteria. MLG has indicated in its recent testimony that it is not opposed to considering this issue next year provided it is considered as its own issue.

**Staff Recommendation:** Examine this issue in 2012.

J. Amendments to the County's Farm/Forest Waiver
The PC recommends the Board consider amendments to the county's existing farm/forest waiver to make it easier to understand. Testimony was provided to the PC recommending the use of or elements of the proposed farm/forest waiver Jackson County is considering. County Counsel is reviewing this issue and will provide information to the Board about possible amendments if the Board wishes to update the county's current waiver. This waiver is currently applicable to new development outside the urban growth boundary and is proposed to be applicable to North Bethany. Since the waiver was adopted by resolution and order, the Board does not need to act on this issue at this time.

**Staff Recommendation:** Advise staff and County Counsel if the Board wants to consider making amendments to the existing waiver so that additional work can occur.
K. Design of the Urban/Rural Buffer Signage

Part of the urban/rural buffer requirements is the posting of signage along public use areas, such as the trail, that states "No Trespassing" is permitted on the adjacent rural land along with information stating the adjacent lands are in farm/forest uses. The PC recommends that staff work with the Farm Bureau to develop this signage.

Staff Recommendation: Direct staff to contact other organizations to find examples of other similar types of signage. Staff will coordinate the design of the sign with the Farm Bureau and other appropriate organizations.

ATTACHMENTS - Proposed Amendments to Ordinance No. 739

Attachment A: Urban/Rural Buffer and Steep Slopes
Attachment B: Interim Pedestrian Standards and Conveyance of Land for Public Facilities
Attachment C: Portland Community College – Trail/Park Issues
Attachment D: Main Street Program Guide
Attachment E: Building Design and Variety
Attachment F: Clarification of Standards and Ordinance Corrections
Chapter 2, North Bethany Subarea Plan, of the Bethany Community Plan is amended to make changes addressing the Urban/Rural Buffer and Slopes Greater than 25%.

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IV. DESCRIPTIONS OF NORTH BETHANY SUBAREA PLAN AND MAPS

The North Bethany Subarea Plan is comprised of several plans, maps and figures that are described below. These plans and maps are referenced throughout the North Bethany Subarea Design Elements and the Neighborhood Design Elements (see Section V and Section VI, respectively). The plans and maps are in Section VII.

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K. Density Restricted Lands Areas Map

The Density Restricted Lands Areas Map identifies lands that have natural constraints in the form of wetlands, fish and wildlife habitat, estimated CWS vegetated corridors, open space, slopes greater than 25 percent, floodplains, and drainage hazard areas. These are important natural areas where development is precluded. These lands are given underlying land use designations. However, residential density was not assumed for these lands and not accounted for as buildable lands in the Title 11 concept planning process. Therefore, density transfers are not allowed in North Bethany and development in density restricted lands is prohibited, except when permitted by provisions of this Community Plan and the Community Development Code. The Density Restricted Lands Areas Map is intended to identify areas where residential development and density transfer generally do not apply. For lands with slopes greater than 25%, residential development is permitted at the top of slope to allow the construction of a row of dwellings along the top of slope as depicted on the applicable Neighborhood Plans. Construction of segments of the perimeter trail is also permitted. Development at the top of these slopes shall comply with the requirements of Section 390-18 of the Community Development Code.

In some instances, the specific boundary of a density restricted area will be refined during the development review process when more specific analysis is conducted. For example, the wetland areas depicted represent preliminary boundaries for significant wetland locations; these areas are important for stormwater management throughout the Subarea. In general sensitive areas such as wetlands and their protective buffers are not buildable, however additional site-specific analysis is required before definitive boundaries can be established.

Lands with slopes greater than 25 percent are buildable subject to special provisions outlined in the Community Development Code.

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1 Editor's note: Cross-section drawings, street tree tables, community plan map figures and neighborhood plans in Exhibit 3, will be included in Section VII (Drawings, Maps, Tables and Figures) of the published plan.

Proposed additions
Proposed deletions
M. Urban / Rural Edge Map

The Urban/Rural Edge Map depicts the North Bethany Subarea boundaries that are adjacent to agricultural lands outside the Urban Growth Boundary. The map identifies the locations of three buffer types that are applicable to development: Buffer Type 1, Buffer Type 2, and Buffer Type 3 Fence-Only Buffer, Natural Features Buffer with Fencing, and Vegetation Buffer with Fencing. Development standards for the buffers are included in General Design Element 2 and CDC Section 390. The requirements for urban/rural edge are provided to comply with Condition No. 6 of Metro Ordinance No. 02-987A. The purpose of the condition is to ensure that new development is compatible with adjacent agricultural practices.

V. NORTH BETHANY SUBAREA DESIGN ELEMENTS

All new development shall be consistent with the following design elements and a Special Concern requirements.

A. General Design Elements

1. Floodplains, drainage hazard areas, streams and their tributaries, and riparian wooded areas, steep slopes, scenic features, power line easements, and rights-of-way are preserved and protected by being designated as a Significant Natural Resource Area and/or Density Restricted Lands Area. In the design of new development, these areas shall be interconnected with the park and open space system and the stormwater and water quality management system consistent with the requirements and standards for CWS and THPRD.

2. To promote compatibility between agricultural activities on adjacent rural land and new urban development in the North Bethany Subarea, new development shall comply with the following requirements:

   a. For land in the Natural Features Buffer with Fencing on the Urban/Rural Edge Map, no development is permitted, including alteration of existing vegetation, except as permitted by Community Development Code Section 390-18; and

   b. The standards of CDC Section 390-19, including recording a waiver of the right to remonstrate against customarily accepted farm or forestry practices on nearby rural land.
Community Development Code Section 390-18, Density Restricted Lands, is amended to reflect the following:

390-18 Density Restricted Lands

390-18.1 Intent and Purpose

Density Restricted Lands are intended to implement the policies of the Comprehensive Plan and North Bethany Subarea Plan by identifying areas in North Bethany where a more detailed level of analysis has been conducted through the planning process to identify areas not planned for residential development.

Section 390-18 refers to the corresponding Density Restricted Lands Map in the North Bethany Subarea Plan. The purpose of identifying Density Restricted Lands is to identify lands in North Bethany where density for future residential development has not been provided pursuant to standards under Title 11 of Metro’s Urban Growth Management Functional Plan.

Density Restricted Lands are comprised of various those areas where development is otherwise limited under applicable regulations, such as significant wetlands (Water Areas and Wetlands, per Section 422), water quality buffer areas (CWS vegetated corridors, per the latest Design & Construction Standards), floodplains (FEMA 100-year floodplain, per Section 421), drainage hazard areas (per Section 421), parks and open spaces (per the Significant Natural and Cultural Resources map), and slopes greater than twenty-five (25) percent. In many cases these different categories of restricted areas overlap with one another.

390-18.2 Density Restricted Lands Designation

The boundaries of the Density Restricted Lands designation are defined as concurrent with the edge of the combined restricted area, represented by a composite of the various areas of applicability as defined in this Section. The Community Plan map depiction of Density Restricted Lands is based on best available information at the time of adoption, including a Local Wetland Inventory completed in February 2010. For some features, such as Drainage Hazard Areas, specific boundaries have not yet been determined.

Precise boundaries for Density Restricted Lands may be refined by specific site analysis, such as survey and wetland delineation, provided all applicable land categories are addressed. It is anticipated that more accurate, site-specific boundary data will be provided as part of a development application and that this more accurate information will be used to identify the delineated extent of the Density Restricted Lands designation on a given site. Community Plan maps may be periodically updated by the County to reflect any more accurate data that has been approved through development review.
Proposed Additions

390-18.3 Applicability

The Density Restricted Lands designation applies to land categories with known regulatory limitations on development. These include:

A. Significant Natural and Cultural Resource Areas (Open Space, Water Areas and Wetlands, Water Areas and Wetlands & Fish and Wildlife Habitat);

B. Vegetated Corridors associated with Water Quality Sensitive Areas (pursuant to Clean Water Services “Design and Construction Standards for Sanitary Sewer and Surface Water Management” or its successor);

C. Floodplain and Drainage Hazard Areas (per Section 421), and

D. Slopes greater than twenty-five (25) percent.

390-18.4 Permitted Development

A. Permitted uses are subject to applicable land use designation(s) and applicable regulations in the Community Plan, Community Development Code, and/or Clean Water Services “Design and Construction Standards for Sanitary Sewer and Surface Water Management” or its successor. In cases of overlapping regulation, the most restrictive shall dictate.

B. Residential development is permitted at the top of pre-existing slopes greater than twenty-five percent (>25% slope) when the following standards are met:

(1) Development may include a row of dwellings at the top of a >25% slope area. (See the applicable Neighborhood Plan in the Community Plan for a depiction of these areas.)

(2) The required minimum rear or side yard may be located in a >25% slope area.

(3) Alterations to the top of pre-existing slopes >25% slope are permitted to allow construction of dwellings provided all construction is properly engineered, as determined by the Building Official. Building techniques may include the use of stepped foundations, retaining walls and fill.

(4) No grading, excavation, clearing or filling of any kind is permitted until final approval of the development application and a grading plan is approved by the Building Official.

(5) The remaining portion of the density restricted land area shall be placed in a tract and owned and maintained consistent with the standards of Sections 405-4 and 405-5 (ownership and maintenance of open space areas).
C. Alterations to the top of a >25% slope are permitted to allow the construction of a trail and accessory viewing areas, provided all construction is properly engineered, as determined by the Building Official. No grading, excavation, clearing or filling of any kind is permitted until final approval of the development application and a grading plan is approved by the Building Official.

390-18.5 Prohibited Uses

Notwithstanding Section 390-18.4, the following uses are prohibited on Density Restricted Lands:

A. Density transfers – Section 300-3.

B. Development or alteration of slopes greater than twenty-five (25) percent, except as permitted by Section 390-18.4.

B. Residential development, with the exception of areas with greater than 25% slopes.

Development on Density Restricted Lands with pre-existing slopes greater than 25% may be permitted if properly engineered, as determined by the Building Official.

390-18.6 Standards for Adjusting the Density Restricted Lands Map

The Density Restricted Lands Map in the Community Plan is based on best available information at the time of adoption. The mapped boundary of Density Restricted Lands may be refined as more accurate data is approved through development review, and as future Open Space areas are determined (e.g. Neighborhood Parks).
Replace Community Development Code Section 390-19 (Urban/Rural Buffer Standards) in Ordinance No. 739 with the following new text:

Urban/Rural Edge Standards

390-19.1 Intent and Purpose

The urban/rural edge standards are provided to comply with Metro Ordinance No. 02-987A, Condition 6. Section 390-19 refers to the corresponding Urban/Rural Edge Map in the North Bethany Subarea Plan.

390-19.2 General Requirements:

A. Street stubs and/or driveways are prohibited at all North Bethany boundaries that abut rural lands with Rural Reserves designations.

B. The installation of fencing to discourage trespass onto rural lands by residents and pets in the urban area is required between proposed development and the North Bethany boundaries that are adjacent to rural lands. Where the required fencing is located along public use areas (such as trails), it shall be posted with “no trespassing” signage that provides information about adjacent farm/forest uses, as approved by the Director.

C. Prior to final land use approval, the applicant/owner of any pre-existing parcel within twelve hundred (1200) feet of rural property outside the Urban Growth Boundary shall sign and record in the Deed and Mortgage Records of the County a waiver of right to remonstrate against customarily accepted farm and forest practices.

D. Installation and ongoing maintenance of required buffer elements (fencing, existing vegetation, and buffer landscaping) is the responsibility of the development and shall comply with the standards of Sections 405-4 and 405-5 (ownership and maintenance of open space areas). For subdivisions, a Homeowner’s Association (HOA) shall be required to maintain the fencing and landscaping.

390-19.3 Fence-Only Buffer

The following standards apply to the proposed development of land identified with the “Fence-Only Buffer” on the Urban/Rural Edge Map of the North Bethany Subarea Plan:

A. Installation of a minimum six (6)-foot high fence (cyclone, wire mesh “no climb”, or wood). The fence shall be located adjacent to the North Bethany boundary.
B. At time of development, the Review Authority may require one or more of the following additional buffer measures, if an adjacent rural property owner provides evidence that the above requirements are not adequate to provide compatibility with agricultural practices on adjacent rural land:

1. The required fence shall be sight-obscuring;
2. The height of the required fence shall be greater than six (6) feet;
3. The required fence shall include a sloped angle at its top;
4. A Vegetation Buffer, as described in Section 390-19.5 below, shall be required in addition to the fence.

390-19.4 Natural Features Buffer with Fencing

The following standards apply to the proposed development of land identified with the “Natural Features Buffer with Fencing” on the Urban/Rural Edge Map of the North Bethany Subarea Plan:

A. Placement of the land located within the “Natural Features Buffer with Fencing” into a tract. No development, grading, vegetation removal, or other alteration shall be allowed within the tract, except for the development of trail segments that are identified on the Parks, Trails, and Pedestrian Connections Map.

B. Installation of a minimum six (6)-foot high fence (cyclone, wire mesh “no climb”, or wood), located along the southern edge of the tract.

C. An application for development approval of land that includes a “Natural Features Buffer with Fencing” may move the density from portions of the buffer tract that are not density-restricted lands to the remaining part of the development site.

D. When an application for development approval of land that includes a “Natural Features Buffer with Fencing” proposes to move any density from the portions of the buffer tract that are not density-restricted lands, the application shall be denied unless the applicant demonstrates that the requirements of Sections 390-19.4.A and 390-19.4.B above will be met.

E. At time of development, the Review Authority may require the following additional buffer measure, if an adjacent rural property owner provides evidence that the above requirements are not adequate to provide compatibility with agricultural practices on adjacent rural land.

1. Installation of a minimum six (6)-foot fence (cyclone, wire mesh “no climb”, or wood) adjacent to North Bethany’s north boundary, in addition to the required installation of a fence along the southern edge of the buffer tract.
390-19.5 Vegetation Buffer with Fencing

The following standards apply to the proposed development of land identified with the “Vegetation Buffer with Fencing” on the Urban/Rural Edge Map of the North Bethany Subarea Plan:

A. Installation of a minimum six (6)-foot high fence (cyclone, wire mesh “no climb”, or wood). The fence shall be located adjacent to the North Bethany boundary.

B. Provision of a minimum twenty (20)-foot wide vegetation buffer, located between the proposed development and adjacent rural land on the east side of North Bethany.

1. The vegetation buffer shall be provided by one of the following methods. In all cases, the method shall specify that no development is allowed within the vegetation buffer.

   (a) A recorded easement on the adjacent rural land for the vegetation buffer. The easement shall specify that the area is to be used only for the required vegetation buffer, and that the required buffer vegetation shall be maintained long-term. The easement shall identify the responsible party for ongoing maintenance. The easement shall not be removed without the approval of the county.

   (b) Conveyance of the vegetation buffer to Tualatin Hills Park and Recreation District (THPRD), or other appropriate public agency, consistent with the requirements of Sections 405-4 and 405-5. The public agency shall be responsible for the ongoing maintenance of the buffer vegetation.

   (c) Creation of a buffer tract in the residential subdivision that will be owned and maintained by the subdivision’s homeowner’s association, consistent with the requirements of Sections 405-4 and 405-5.

   (d) For non-residential development, the recording of a restrictive covenant that specifies the vegetation buffer location and provision for ongoing maintenance.

2. The vegetation buffer shall be planted with Western Red Cedar and/or Western Hemlock trees, spaced eight (8) to ten (10) feet apart, and with low-growing native groundcover such as salal or kinnikinnick.

   (a) Trees shall have a caliper of one and one half (1 ½) to three (3) inches at time of planting.

   (b) Prior to onsite construction, the required trees, groundcover, and fencing shall be installed, and temporary construction fencing shall be placed...
between the vegetation buffer and the construction area to protect the vegetation.

(c) All required landscaping shall be continually maintained, including necessary watering, weeding, pruning and replacement.

(d) Irrigation shall be provided for a minimum period of 5 years, with supplemental irrigation when necessary.

C. The locations of the vegetation buffer and the perimeter trail relative to the east boundary will be determined at time of development.

D. The vegetation buffer may be incorporated with the perimeter trail corridor when a registered landscape architect or arborist certifies that the proposed vegetative screening is consistent with the standards described in Section 390-19.5.B.2 above.

E. An application for development approval of land that includes “Vegetation Buffer with Fencing” may move the density from the vegetation buffer to the remaining part of the development site.

F. When an application for development approval of land that includes “Vegetation Buffer with Fencing” proposes to move any density from the vegetation buffer, the application shall be denied unless the applicant demonstrates that the requirements of Sections 390-19.5.A and 390-19.5.B will be met.

G. At time of development, the Review Authority may require one or more of the following additional buffer measures, if an adjacent rural property owner provides evidence that the above requirements are not adequate to provide compatibility with agricultural practices on adjacent rural land:

1. The required fence shall be sight-obscuring;

2. The required fence height shall be greater than six (6) feet;

3. The required fence shall include a sloped angle at its top.

390-19.6 Notice of Type II and III Development Actions

For proposed development on land that is wholly or partially within an area identified as “Fence-Only Buffer”, “Natural Features Buffer with Fencing”, or “Vegetation Buffer with Fencing” on the Urban/Rural Edge Map, a public notice of the proposed development shall be mailed to all rural property owners consistent with the requirements of Section 204.
The information on this map was derived from several databases and care was taken in its creation. Washington County cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties for this product. However, notification of any errors will be appreciated.

Washington County - Long Range Planning Division
North Bethany Planning Area: Urban/Rural Edge

- Fence Only Buffer
- Natural Features Buffer with Fencing
- Vegetation Buffer with Fencing
- Density Restricted Lands
- Trail Corridor
Community Development Code Section 501-12, Public Facility and Service Requirements for the North Bethany Subarea Plan, is amended to reflect the following:

501-12 Standards for Development Within the North Bethany Subarea Plan Area

501-12.1 Development within the North Bethany Subarea Plan shall be subject to the following provisions of Article V. In the event of a conflict with any provision of Article V, this Article 501-12 shall control.

A. Section 501-2, Application of the Public Facility and Service Standards inside a UGB;

B. Section 501-5, Exemptions from Public Facility and Service Standards;

C. Subsections 501-6.3, 501-6.4, 501-6.5 and 501-6.6;

D. Section 501-7, Levels of Public Facilities and Services;

E. Section 501-8, Standards for Development, except for the following subsections;

(1) 501-8.1 B. (2) (b); and

(2) 501-8.3;

F. Section 501-12, Standards for Development Within the North Bethany Subarea Plan Area; and

G. Section 502, Sidewalk Standards.

501-12.2 In addition to the provisions identified in Section 501-12.1, except for exempt development, an application for development approval within the North Bethany Subarea Plan shall be denied unless the applicant demonstrates that:

A. The property(ies) has been annexed to the following jurisdictions: Clean Water Services, Metro, Tualatin Hills Park & Recreation District, Tualatin Valley Fire and Rescue, Tualatin Valley Water District, Enhanced Sheriff’s Patrol District, and Urban Road Maintenance District and Street Lighting District. Annexation to the Urban Road Maintenance District shall not be required if a county service district for roads has been formed for North Bethany with the authority and resources to provide the same or greater road maintenance.
B. Master plans for the following service districts, including a financing plan that substantially implements the master plan, have been adopted by the applicable service district.

(1) Tualatin Hills Park & Recreation District (THPRD): parks and trails;

(2) Tualatin Valley Water District (TVWD): water master plan; and

(3) Clean Water Services (CWS): sewer master plan and North Bethany Drainage Master Plan.

C. The appropriate non-County service provider has assured that the following services shall be provided to the subject property(ies) in the time frames specified below. The assurance shall be no more than ninety (90) days old:

(1) Water, sewer, fire protection, and drainage (stormwater quality/quantity management) meeting the service provider’s standards, including but not limited to the CWS North Bethany Drainage Master Plan, will be provided. This shall include acquisition of any portion of the parcel that is needed for regional stormwater facilities.

(2) Acquisition by THPRD of any portion of the subject property(ies) shown on the “Park, Trails and Pedestrian Connections” map of the North Bethany Subarea Plan as the site of a “fixed” park.

(3) For property(ies) shown on the “Park, Trails and Pedestrian Connections” map of the North Bethany Subarea Plan as the approximate location of a neighborhood park, trail or off-street pedestrian route, the service provider has:

(a) delineated the specific location of the neighborhood park, trail or off-street pedestrian route; and

(b) acquired or otherwise secured that portion of the subject property(ies) so delineated.

(4) The location of a neighborhood park, trail or off-street pedestrian route delineated in Subsection (3) above that is not on the subject property(ies) shall be noted on the land use maps of the Department of Land Use and Transportation. The land use maps include but are not limited to the North Bethany Subarea maps in the Bethany Community Plan.

D. No development application subject to this Article shall be approved on property that has a neighborhood park, trail or off-street pedestrian route as provided in Subsection (C)(3) unless acquisition of the park, trail or pedestrian route has been assured as provided in Section 501-12.2 G. The location or configuration of
the facility may be modified, however, through a development application when the following requirements are met:

(1) The proposed location is consistent with the provisions of the North Bethany Subarea Plan, including the “Park, Trails and Pedestrian Connections” map;

(2) In the case of a park, the size is not smaller than previously delineated the park size specified in the applicable General Design Element and Neighborhood Design Element;

(3) The proposed new location and size and configuration of the site are acceptable to the service provider after considering the following factors:

(a) The proposed site will maintain or increase the facility’s level of functionality (e.g., maintains sufficient area for a playground and a ball field);

(b) The amount of available on-street parking is not reduced; and

(c) The service provider’s cost to acquire the proposed site and construct and maintain the facility is not increased; and

(6) The proposed new location and configuration is acceptable to the service provider.

DE. To provide an interim bicycle network, paved surfaces of roadways that are subject to Section 501-8.1.B, including the paved width of interim improvements, existing access roads lying adjacent to and between the applicant’s proposed development and the nearest a) existing Arterial or Collector, or b) existing Neighborhood Route that is built to county standard and connects to a Collector or Arterial, shall be a minimum of 28 feet. Through a Type III process, the Review Authority may approve a modification to, or waiver of, this bicycle improvement requirement based on a determination that this requirement is impracticable for one of the following reasons:

(a) The applicant could not obtain necessary easements or additional right-of-way at a reasonable cost where sufficient right-of-way to accommodate the interim bicycle improvements is unavailable; or

(b) Topographical, natural resource or other physical circumstances make it impracticable to construct the interim bicycle improvements.

EF. To provide an interim pedestrian network in areas where ultimate facilities have not been constructed, the following shall be required. In addition to the sidewalk requirements of Section 502 and accessway requirements of Section 408, a direct, safe and continuous pedestrian connection shall be required to be

abcdef Proposed additions
abcdef Proposed deletions
provided to the following pedestrian-oriented uses that are all existing or have received approved (preliminary or final land use approval and required public improvements have been assured;) schools, parks, transit stops, recreation centers, and commercial uses, and the nearest transit stops that do not abut the development site's frontage, on both sides of a street with transit service.

Interim pedestrian connections shall be provided in the quantities outlined below and shall be constructed in accordance with County Engineer approval: within one quarter (1/4) mile of the development site. In some cases, this may require the subject development to construct off-site pedestrian improvements and acquire easements as appropriate to construct such improvements.

(1) For development applications that generate less than 500 Average Daily Trips (ADT), one connection shall be required to a pedestrian-oriented use within one quarter (1/4) mile of the development site if the existing connection is deficient. If two or more pedestrian-oriented uses (as defined above) are within one quarter (1/4) mile, the connection shall be to the use that is likely to generate the most pedestrian travel. The length of the interim connection is not required to exceed 1,450 feet. In some cases, the subject development may be required to construct off-site pedestrian improvements and acquire easements as appropriate to construct such improvements. Easements may be temporary if the underdeveloped land that has the easement on it will likely redevelop and include a more permanent pedestrian connection that serves the same purpose.

(2) For development applications that generate 500 Average Daily Trips (ADT) or more, connections shall be required to no more than two (2) pedestrian-oriented uses within one quarter (1/4) mile of the development site if the existing connections are deficient. If two or more pedestrian-oriented uses (as defined above) are within one quarter (1/4) mile, the connections shall be to the two uses that are likely to generate the most pedestrian travel. The sum of the length of the interim connections are not required to exceed 2,900 feet. In some cases, the subject development may be required to construct off-site pedestrian improvements and acquire easements as appropriate to construct such improvements. Easements may be temporary if the underdeveloped land that has the easement on it will likely redevelop and include a more permanent pedestrian connection that serves the same purpose. If more than one of the same use is within one quarter (1/4) mile, only one connection is required to that particular use.

(3) For pedestrian connections required by Sections (1) and (2) above, street crossing improvements on arterials and collectors are not required unless determined necessary by the County Engineer to address a safety issue.

(4) For developments that already have direct, safe and continuous connections to the two nearest sets of transit stops that are located either
on-site, along the frontage, or off-site, no additional connections are required.

(5) Through a Type II process, for developments that need an easement or additional right-of-way to provide a particular connection, the Review Authority may waive or modify the particular connection requirement if:

(a) The applicant provides a signed letter from the off-site property owner that states that the particular easement or right-of-way is not for sale and is not available; or,

(b) The off-site property owner does not respond to the applicant’s inquiry to purchase an easement or right-of-way. The applicant shall submit a sworn, notarized statement describing the applicant’s unsuccessful efforts to obtain the easement. Copies of written correspondence to the off-site property owner shall be included with the statement.

(6) Through a Type III process, the Review Authority may approve a modification to, or waiver of, these pedestrian improvement requirements based on a determination that this requirement is impracticable for one of the following reasons:

(a) The applicant could not obtain necessary easements or additional right-of-way at a reasonable cost where sufficient right-of-way to accommodate the interim pedestrian improvements is unavailable; or

(b) Topographical, natural resource or other physical circumstances make it impracticable to construct the interim pedestrian improvements.

FG. For purposes of Section 501-12.2 C. (1), (2) and (3)(b) and Section 501-12.2 D, acquisition of land shall be deemed assured if the applicant provides a deed or an executed and recorded purchase and sale agreement, land sale contract or similar arrangement and written documentation that all contingencies identified therein have been resolved to the satisfaction of the service provider, or a restrictive covenant enforceable by and acceptable to the county and the service provider. An irrevocable option in favor of and on terms acceptable to the service provider may be deemed acceptable provided that, at a minimum, the purchase price, or the mechanism for establishing the price and all other significant terms are specified. The Review Authority may impose a condition requiring that the transaction transferring the delineated land to the service provider be completed prior to issuance of building permits if the Review Authority concludes that such a condition is reasonably necessary to ensure that the transaction will, in fact, be completed.

H. For the purposes of Section 501-12.2 E. and F., an applicant may elect to use the following process to assure the provision of interim bicycle and pedestrian improvements prior to preliminary approval:
(1) The development application shall include a statement that the applicant intends to construct the required improvement(s) in conjunction with on-site public streets;

(2) Prior to final approval of the development application, assure the construction of the required improvement(s); and

(3) Prior to the occupancy of any building in the development, the required improvement(s) shall be constructed.
Chapter 2: North Bethany Subarea Plan is amended to reflect the following:

V. NORTH BETHANY SUBAREA DESIGN ELEMENTS

A. General Design Elements

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4. Parks, Trails and Pedestrian Connections

a. On-street and off-street trails and pedestrian connections shall be provided consistent with the routes shown on the Parks, Trails and Pedestrian Connections Map. Off-street trails shall be provided consistent with THPRD standards and any North Bethany design elements and Areas of Special Concern. When an applicant proposes to use off-street trails to meet CDC Section 408 standards, those trails are encouraged to also be designed to meet accessway or greenway standards (see CDC Section 408-9). The specific design of off-street trails shall consider whether the trail has a neighborhood circulation function and incorporate accessway or greenway elements as appropriate.

b. Each neighborhood park shall have a direct pedestrian and bicycle connection to the nearest segment of the off-street trail network. The connection may be provided through an off-street trail, Primary Street or local street. In addition, pedestrian connections to perimeter and regional trails shall be provided consistent with any applicable Neighborhood Design Elements.

c. New development shall provide for pedestrian/bicycle pathways for public access through or along the development and connect adjacent developments and/or commercial areas, schools, public transit, and park and recreation sites. Pedestrian scale outdoor lighting shall be provided pursuant to the requirements of CDC Section 408-9.8.

d. Off-street trail crossings on arterials and collectors shall be at the locations shown on the Parks, Trails and Pedestrian Connections Map.

e. A one and one-half (1½) to two (2)-acre neighborhood park shall be located in each neighborhood, with the exception of the College Neighborhood. Each park shall be located within the geographic area depicted on the Parks, Trails and Pedestrian Connections map. Public street frontage shall be provided along at least 50 percent of the park perimeter. Frontage along other public spaces (such as trails or natural areas) may count toward up to half of the 50 percent public street frontage requirement. Building orientation and frontages shall be consistent with General Design Element 7.

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VI. NEIGHBORHOOD DESIGN ELEMENTS

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B. West Neighborhood

The West Neighborhood is bounded by the UGB to the west, Road A to the north, and the Waterhouse Powerline Trail Corridor to the east. The West Neighborhood extends south from Road A to the northern boundaries of the PCC Rock Creek Campus and the Arbor Oaks Subarea. The southeastern boundary of this neighborhood is formed by the portion of NW Joss Road south of street P1 on the west and the existing section of NW Brugger Road on the south.

This neighborhood is at the western edge of the ridge where the topography begins to slope towards the Rock Creek floodplain. The area generally drains to the west, the low point being a wetland area that straddles the UGB to join with the Rock Creek floodplain area north of the PCC Rock Creek campus.

The West Neighborhood includes the West Community Park and a neighborhood park that anchors the western edge of the ridge and provides views towards the southwest. The neighborhood’s highest density is clustered adjacent to the community park, with the density gradually decreasing from the community park toward the west.

Design Elements

1. The following parks shall be provided in the West neighborhood:
   a. The West Neighborhood includes one of the Subarea’s two community parks. It is specifically located at the western end of the Subarea’s ridge feature and is an integral element of the ridge Park Block features. The community park shall be located at the west end of the Park Blocks and shall be five and a half (5.50) to six (6) acres in size. The park shall have street frontage along its entire perimeter, and the front façades of residential buildings on the streets shall front the park.
   b. A one and one-half (1½) to two (2) acre park shall be located in the West Neighborhood. The park may be adjacent to the PCC Rock Creek property to take advantage of the adjacent woodlands and provide the public with views to the south. If sited in this location, a pedestrian path shall go through the park to link to the streets on either side of the park. PCC shall be involved with the design of the park, including its location, due to the potential adverse impact to the college’s academic use of the wooded area to the south. The appropriate location of the park and any trails shall be coordinated with the applicant, THPRD, PCC, and the county.

2. The following trail connections shall be provided in the West neighborhood:
   a. The Waterhouse Powerline Trail runs through the Subarea along the north-south powerline corridor. It is important for trail users to have reasonable access to the trail. Visible pedestrian-bicycle access points shall be provided at regular intervals along the trail, generally spaced at every block.
b. Providing pedestrian connections to the Subarea’s western boundary is important to provide public access to the Subarea’s edges, including opportunities to enjoy the views toward the west. The streets and off-street trail along the UGB have been intentionally located to preserve views into the floodplain/natural resource area as part of the public realm. The streets and trail shall be constructed to parallel the UGB to the extent practicable, given potential topographic and wetland constraints. The front façades of dwellings on the streets shall face to the west in order to have front views of the resource areas. Access points for public access and viewing shall be provided along this edge, consistent with the West Neighborhood Plan map and the Parks, Trails and Pedestrian Connections mMap.

c. An off-street trail shall be provided in the Off-Street Trail Study Area on the Park, Trails and Pedestrian Connections mMap that connects study area points A, B, and C. The applicant shall coordinate with THPRD and PCC Rock Creek Community College to determine the most appropriate locations for the off-street trail connection points. A connection from the West Neighborhood to the PCC Rock Creek campus shall be provided. The location of this connection will be determined when PCC expands its campus in the northeast corner and shall take into account the sensitive nature of PCC’s wooded area. The appropriate location of the connection shall be coordinated with the applicant, THPRD, PCC, and the county.

3. The West Neighborhood is organized by eight Primary Streets. The north-south Primary Streets are important neighborhood-to-neighborhood connections. The east-west Primary Streets are important for their clear and logical connection to the central ridge area. Primary streets shall be provided in new development consistent with Section IV.C (Primary Streets) and Section V.B. (Areas of Special Concern) of the North Bethany Subarea Plan. The intent of each Primary street is provided below:

a. Primary Street (P1) extends west from the westernmost point of the community park to the UGB (does not include the Urban Reserves areas). The street parallels the existing topography and extends the viewshed from the West End community park to the Rock Creek floodplain.

b. Primary Street (P8) extends north from Arbor Oaks Subarea. This route may provide the eastern edge of the neighborhood park and intersects with Road A at the small neighborhood commercial site in the NW neighborhood.

c. Primary Street (P5) provides a connection from the westernmost portion of the neighborhood and (P8) to the West Community Park and (P7).

d. Primary Streets (P4), (P6) and (P7) shall provide the boundary of the West Community Park.

e. NW Joss Avenue, as it extends to the north of the Arbor Oaks Subarea, is a Primary Street. It is intended to connect existing NW Joss Avenue to Road A along the existing NW Brugger Road alignment.

f. Road A is the northern boundary of the West Neighborhood. See ASC 1B for design criteria.

4. The western edge of the neighborhood at Road A is a gateway into the Subarea. Refer to Design Element 5 for the Northwest Neighborhood.

5. Development shall be consistent with Areas of Special Concern Road Corridors 1B and 3 and ASC 5.
6. A neighborhood commercial site fronts NW Joss Avenue. The site is approximately one-half (1/2) acre. The site shall be developed so the building(s) fronts NW Joss Avenue. Building entrances and windows shall be included in these building façades. The site shall include a small public plaza to serve as a community gathering space.

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F. COLLEGE NEIGHBORHOOD

The College Neighborhood includes the PCC Rock Creek Campus and a small area of residential land at the northeast corner of NW Springville Road and NW 185th Avenue. The PCC campus includes the PCC Rock Creek Sports Center, the THPRD Rock Creek Campus Recreation Facility, which is a multipurpose recreational facility constructed by THPRD through a partnership with PCC.

The northeastern corner of the PCC campus includes a wooded sensitive biological area that is currently utilized academically. Between the wooded area and the THPRD recreation facility is a future campus expansion area for new facilities.

The southwest corner of the neighborhood is planned for low density residential due to topographical and sight distance constraints along NW Springville Road and NW 185th Avenue. A few properties in this area are designated Institutional to reflect recent land acquisitions by PCC.

There are four planned pedestrian/bike connections between the PCC campus and adjacent development. They are:

1. A trail connection from the THPRD recreation facility east to the Arbor Oaks Subarea;
2. A connection to the Arbor Oaks Subarea north of the THPRD recreation facility;
3. A north/south trail along the eastern perimeter, which is partially built in the THPRD sports complex; and
4. A connection from the campus to the West Neighborhood. The location of this connection will be determined when PCC expands its campus in the northeast corner and shall take into account the sensitive nature of PCC’s wooded area.

A future realignment of NW Springville Road at 185th Avenue will be made to address transportation capacity needs, topography and sight distance constraints at the intersection (see ASC Road Corridor 4B).

Design Elements

1. Where not constrained by natural resources, future development of the PCC Rock Creek campus shall provide pedestrian/bicycle connections to the neighborhoods to the north and east. In general, bicycle and pedestrian accessways from this area should stub to the north and east, not preclude the opportunity for future street bicycle and pedestrian connections, and reduce the need for local trips to use the arterials to access community services. The pedestrian/bicycle connections to be provided are:

**Proposed additions**

**Proposed deletions**
a. A trail from the THPRD recreation facility east to the Arbor Oaks Subarea;

b. A connection to the Arbor Oaks Subarea shall be made just north of the Rock Creek Sports Center THPRD recreation facility when the PCC Rock Creek campus further develops;

c. A North/South trail along the eastern boundary, north of Springville Road as shown on the Parks, Trails and Pedestrian Connections map; and

d. A connection from the campus to the West Neighborhood. The design and location of this connection shall be determined when PCC expands its campus in the northeast corner. The connection may utilize campus accessways/sidewalks. PCC shall coordinate with THPRD to determine the most appropriate location for the connection. The appropriate location of the connection of the campus to the West Neighborhood shall be designed to not have an adverse impact on the college’s wooded area.

e. Future development shall consider a potential access point to NW 185th at PCC’s Rock Creek’s western property line.

2. NW Springville Road is an existing Primary Street along the southern boundary of the College Neighborhood. NW Springville Road will be realigned where it intersects with NW 185th Avenue.

3. Development shall be consistent with ASC Road Corridor 4B.

4. An off-street trail shall be provided in the Off-Street Trail Study Area on the Park, Trails and Pedestrian Connections map that connects study area points A, B, and C. The applicant shall coordinate with THPRD and PCC Rock Creek Community College to determine the most appropriate locations for the off-street trail connection points.
Amend the following maps as indicated:

North Bethany Subarea Plan: ‘Park, Trails and Pedestrian Connections’ map

Comprehensive Framework Plan for the Urban Area - Policy 15
‘Map D - Parks, Trails and Pedestrian Connections’

Comprehensive Framework Plan for the Urban Area - Policy 43
‘Core Pedestrian and Bicycle Network’ map

1. Add "Necessary Pedestrian Connection" to Primary Street P-1.
2. Remove "Off-Street Trail" and remove "Possible Off-Street Trail Connections" A, B and C.
3. Remove "Off-Street Trail Study Area".

Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.
NEIGHBORHOOD PLAN – MAP 1

Remove 'Perimeter Trail'

Change from R-6 NB to INST

North Bethany Subarea College Neighborhood
Design Elements

Legend

Key Map

NEIGHBORHOOD PLAN – MAP 1
Bethany Community Plan Chapter 2 and The Main Street Program Guide for the North Bethany Subarea are amended to reflect the following:

Bethany Community Plan – Chapter 2

* * *

ASC Road Corridor 2 – NW Kaiser Road from Bethany Creek (which is north of and parallel to NW Springville Road) to Road A

At the time of the adoption of the North Bethany Subarea Plan adoption, a detailed, specific plan was not developed that integrated density, retail design, corner vision, sight distance, building entrances and orientations, access points and the need for turning movements and on-street parking along NW Kaiser Road. Therefore, prior to preliminary engineering of this section of NW Kaiser Road and development of properties within this Area of Special Concern, a more detailed Urban Design Plan shall be prepared. The county will develop the Urban Design Plan in conjunction with the design for improvements to NW Kaiser Road. As noted in the Main Street Program Guide, an applicant may develop the Urban Design Plan prior to county initiation of the plan by coordinating with the Long Range Planning Division to ensure the preparation of an urban design plan which responds to the North Bethany Main Street Program Guide. The North Bethany Main Street Program Guide contains preliminary commercial programming and design considerations which shall serve as a template for future specific design and development of the area. The commercial program in the Main Street Program Guide is based on the North Bethany Strategic Programming Guide (December 2006) prepared by Leland Consulting Group.

NW Kaiser Road, between Bethany Creek (north of NW Springville Road) and Road A will bisect the portion of the planning area that is planned for the most intensive land uses. While it is designated as an Arterial on the Functional Classification Maps in the Transportation Plan, special design considerations that are not typically associated with arterial streets will apply. These considerations shall include the following:

- Unless review at the land development stage indicates corner vision (CDC Section 418-3) or sight distance issues (CDC Section 501-8.5F), access to NW Kaiser Road from Primary Streets shown on the Primary Streets Map and non-Primary Streets shown on the Neighborhood Plan maps shall be allowed. Turn restrictions on these allowed accesses may be required as part of the land development review process. Additional accesses shall be consistent with the arterial access spacing requirements of CDC Section 501-8.5.

- For the portion north of NW Brugger Road, street design and on-street parking shall be provided consistent with the Main Street design concept drawing shown in the AR-1b cross-section shown in Section VII.
• Local street connections to NW Kaiser Road may be allowed as direct connections to NW Kaiser Road if determined to be acceptable by the County Engineer.

• A reduced design-speed may be incorporated in the street design through the corridor as determined to be appropriate considering the level of access, land uses and traffic characteristics. The County Engineer shall determine the appropriate design speed. Posted speed shall be determined in accordance with state law.

• A transit plaza shall be considered along this corridor.

* * *

Main Street Guide for the North Bethany Subarea

Introduction

This North Bethany Main Street Program Guide (Program Guide) identifies plan and design requirements that are specific to development within the designated 2040 Main Street boundary of the North Bethany Subarea. The Program Guide specifically applies to Area of Special Concern Road Corridor 2 identified in the North Bethany Subarea Plan. See Attachment 1 for a reference map.

The purpose of the Program Guide is to provide guidance for more specific planning of the Main Street commercial area, which is a core design feature of the concept plan for the North Bethany Subarea. Before development of the Main Street Area can begin, applicants are required to coordinate with Long Range Planning to develop a specific Urban Design Plan for the area that addresses the criteria outlined in this Program Guide must be developed. The criteria address important design and operational elements such as density, retail design and format, parking, corner vision, sight distance, building entrances and orientations, access points and the need for turning movements and on-street parking along NW Kaiser Road. Therefore, prior to preliminary engineering of the Main Street section of NW Kaiser Road and prior to development of properties within this Area of Special Concern, a more detailed urban design plan shall be prepared in accordance with the requirements of this Program Guide. The preliminary commercial programming mix and size limits outlined in this Program Guide shall serve as a template for future specific design and development of the area. The commercial program in the Main Street Program Guide is based on the North Bethany Strategic Programming Guide (December 2006) prepared by Leland Consulting Group.

Background

The 2040 Concept for the Metro region identified NW Kaiser Road as a “corridor.” Corridors are defined in the UGMFP as “along good quality transit lines, corridors feature a high-quality pedestrian environment, convenient access to transit, and somewhat higher than current densities.” Locating mixed-use commercial areas within easy walking distance of residences is
a fundamental principle of “smart growth” planning because it provides a more “complete”
community where daily needs and services can be met via multiple transportation modes and
without the need for long trips. This concept of integrating residential uses with
mixed/commercial use is consistent with the Main Street designation, and with Policy 13
(Urbanization), Policy 18 (Plan Designations and Locational Criteria for Development), Policy 35
(Residential Conservation), Policy 36 (Commercial Conservation), Policy 39 (Land Use
Conservation), Policy 40 (Regional Planning Implementation) of the county’s Comprehensive
Framework Plan, as well as Policy 1 (Travel Needs), Policy 5 (System Implementation and Plan
Management) and Policy 6 (Roadway System) of the county’s Transportation System Plan.

Through the 2007 concept planning process for the North Bethany Subarea, the general scale,
location and configuration of the commercial component was evaluated. First, a market analysis
was conducted to assess the broader market geography and context in order to determine a
program (general size and mix) that would be viable given the planned residential capacity of
the area at build-out. The report, prepared by Leland Consulting Group (LCG), recommends
three possible configurations for consideration as part of the community design process. LCG
continued to advise the process regarding various locations.

After much stakeholder and public input, the commercial/mixed-use components described in
this program guide were selected along with a preferred format for a primary core commercial
area complemented by a series of smaller “street corner” commercial nodes. This is reflected in
the concept plan for the North Bethany Subarea, which refers to the primary commercial core as
a Main Street area. The identified use categories for the Main Street area are general and will
be determined through a review process at a time when the market dictates.

_Urban Design Plan_

Before an application for development of the Main Street area (or any part of the Main Street
area) may be submitted, must include an Urban Design Plan for the Main Street Area consistent
with the process and requirements outlined in this Program Guide shall be adopted.

For the purposes of this Program Guide, an Urban Design Plan is defined as a planning effort
focused on urban form that is intended to transform the vision for an area into reality. It is
usually comprised of equal parts planning, urban design, investment strategy, development and
design code, and action items. Since it deals with all the aspects of an area, from public
improvements to private development, an urban design plan can bring together property
owners, neighboring residents and public infrastructure providers while providing a better
understanding and more predictable sense of how new development will be built.

Urban Design Plans are particularly useful for areas where local governments want to target
investment, such as centers and corridors, because it brings all the aspects of planning,
placemaking and infrastructure improvements together at the same time. Urban Design Plans
can serve as the bridge between planning and its translation into a development proposal.
Urban design plans can test existing or proposed zoning code provisions by illustrating their
character and scale in order to ensure the zoning code text will support desired urban forms.
Similarly, their strength at articulating a cohesive vision offers a more flexible implementation of
objectives that still meet the vision. This is particularly important if unanticipated market trends occur.

Once developed, an urban design plan can be used to guide infrastructure investments and improvements by other property owners and different departments within the local government and service provider agencies. Involving interests such as THPRD, CWS and LUT’s Engineering Division will help inform the design of areas within their control, making design and planning solutions more comprehensive and proposed improvements more likely to be implemented. Internal coordination through the Long Range Planning Division can link planning efforts with specific capital projects and funding sources.

**Commercial Program**

The commercial and retail development program for North Bethany’s Main Street area is based on the *North Bethany Strategic Programming Guide* prepared by Leland Consulting Group in December 2006. The program is summarized in a table provided as Attachment 2. The table provided as Attachment 2 is based on “Table 8: Combination Village Center-Neighborhood Node Concept” from the *North Bethany Strategic Programming Guide*. A development program, by definition, is both a narrative and numerical description of how a property or area should be developed. The program draws upon the research conducted by the various professional disciplines in the consulting team, market conditions, stakeholder objectives, public policy, and other factors. The way the program is configured for the geography of the North Bethany Subarea responds to input provided by stakeholders and the public through the concept planning process. Together, the North Bethany Subarea Plan and this Program Guide are guiding documents for the county and developers of the Main Street area that have responsibility for translating the program into a physical plan.

In preparing the *North Bethany Strategic Programming Guide*, the Leland Consulting Group did the following:

- Examined the current market, trends, and needs;
- Studied how the market interfaces with the County’s vision for North Bethany and this project;
- Recognized existing community assets, opportunities, and strengths;
- Defined the program in terms of housing and commercial components; and
- Developed program alternatives for the housing and commercial component.

The guiding language and information from this report was directly used in seeking physical solutions in the concept planning phase of the planning process. The *North Bethany Strategic Programming Guide* combines a blend of market research and market strategy appropriate for North Bethany with the recognition that a short-term strategy can overwhelm the long-term objectives unless communication and partnering is involved and respected.

The concept planning consultant team was charged with preparing a plan that can expect successful implementation while addressing the goals of the community or an agreed upon
vision for the area. The additional and equally rigorous layer of considerations that impacted the program design consisted of:

- Market willingness to live, work and shop in the environment to be developed;
- Market capacity to pay for homes and rent office or retail space; and
- Achieving levels of profitability commensurate with risk.

Developing a commercial component supports the public objectives of reducing vehicle miles traveled (VMTs) in the area while providing convenient access to day-to-day shopping needs and services, as well as providing a gathering place for community-building. Care was taken not to oversize the commercial component at the edge of the UGB next to the rural and forested area.

The market analysis conducted for this project recommended three variations on a feasible commercial program for North Bethany. The preferred program described in Attachment 2—a mix of retail, office, residential and community uses—was selected by SWG members with public input from an open house design workshop in May 2007. The resulting program for the Main Street area—the core commercial node of the North Bethany Subarea—is designed to be complemented by a series of smaller neighborhood commercial nodes. Salient aspects & components of each are as follows:

### Neighborhood Nodes
- for convenience
- located at visible corners
- small scale (can have other uses above)
- adjacent to other destinations (e.g., schools, parks, etc.)
- on-street parking is key
- examples include: coffee shop, café, juice bar, convenience store, nursery school

### Commercial Core
- located in highly visible spot, along Kaiser Road arterial
- an anchor establishment with smaller support establishments
- recommended office (or other non-retail) uses in upper stories
- if residential included, it poses new parking issues that must be addressed
- integrated with primary community destinations, including park block elements and civic space/building

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**Process**

Prior to submitting an application for development in the Main Street area, an applicant is required to involve staff representatives from Current Planning and Long Range Planning in a pre-application conference to discuss applicable requirements and share development objectives. This review process is intended to assist the applicant with the development of an Urban Design Plan for the Main Street area, which is a submittal requirement for any development in the Main Street area. In response to the pre-application conference, the applicant is required to develop and submit a draft schematic Urban Design Plan for the Main...
Street area for preliminary review by LUT staff. Long Range Planning staff will lead coordination of an internal review that includes Current Planning, Long Range Planning, and others as appropriate such as Traffic Engineering. The applicant may be asked to participate in subsequent meetings with staff and others such as representatives from Clean Water Services, to the extent there are relevant design considerations for requirements such as low-impact development applications (LIDA). It is anticipated this preliminary review process may take 4-8 weeks, depending on the complexity of the design and the number of necessary iterations.

The county shall prepare the Urban Design Plan in conjunction with the design of NW Kaiser Road, consistent with the requirements of ASC Road Corridor 2. A public planning process shall be used to develop and adopt this plan. Adoption of this plan and completion of the design for NW Kaiser Road shall be completed by the time there will be sufficient residential development in North Bethany to support the Main Street Area. Alternatively, a private applicant may initiate the development of the Urban Design Plan prior to the county doing so. Under this option, the applicant shall consult with LUT staff while developing the Urban Design Plan. Any proposed Urban Design Plan shall be subject to a public process and there shall be coordination with affected property owners and service providers. The county will be responsible for initiating necessary legislative amendments to applicable elements of the Comprehensive in order to implement the applicant's final Urban Design Plan.

After sufficient review, Long Range Planning Staff will determine whether or not the draft schematic of the Urban Design Plan adequately addresses the applicable planning and design criteria in order to achieve concept planning objectives for the Main Street area. Long Range Planning staff will provide necessary written direction to the applicant in order to fulfill Program Guide and Subarea Plan design criteria, and will relay any necessary technical requirements related to traffic, access management and LIDA. As appropriate, this direction may be incorporated by Current Planning into Conditions of Approval for a subsequent development application.

* * *
Proposed Additions to Existing Community Development Code Section 390-20, Related to Standards for Building Design and Variety in North Bethany

390-20 BUILDING DESIGN AND VARIETY

PLACEHOLDER: These standards shall be addressed in conjunction with the discussions regarding Planned Development standards.

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) Non-residential development in the Institutional District (INS) that is more than fifty (50) feet from any public street 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.

390-20.3 Street-Facing Building Façades

Street-facing façades shall not consist of featureless blank walls, and shall comply with the standards below.

A. Single-Family Detached Dwelling Units shall comply with the following standards:

(1) Front façades shall include windows and/or pedestrian doors, with these features equaling or exceeding ten (10) percent of the front facing wall area visible from the street. Garage door windows do not count toward meeting this standard. In addition, front façades shall include at least two of the three features listed below. Front façades are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.
(a) A covered stoop that is a minimum of four (4) feet wide and three (3) feet deep, or a covered porch that is a minimum of six (6) feet wide and six (6) feet deep;

(b) A minimum of two (2) types of siding materials and/or siding styles, separated by trim that is a minimum of 5.5 inches wide;

(c) A minimum two (2) foot horizontal offset in the structural exterior wall that requires a break in the roofline.

(2) Within each block of a development, the front façades of adjacent dwelling units shall differ from each other in at least one of the following ways:

PLACEHOLDER: County staff will coordinate with interested parties and develop standards for single-family detached front façade variation for consideration as part of the 2012 ordinance process.

(3) Street-facing side and/or rear façades shall include at least two (2) of the features listed below. Side and/or rear façades that are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.

(a) Windows and/or pedestrian doors, with these features equaling or exceeding ten (10) percent of the side and/or rear facing wall area visible from the street;

(b) A minimum of two (2) types of siding materials and/or siding styles, separated by trim that is a minimum of 5.5 inches wide;

(c) A minimum two (2) foot horizontal offset in the structural exterior wall that requires a break in the roofline.

(4) Garage Frontage

PLACEHOLDER: County staff will coordinate with interested parties and develop standards for single-family detached dwelling garage façade standards for consideration as part of the 2012 ordinance process.

B. Single-Family Attached Dwelling Units shall comply with the following standards:

(1) The front façade of each dwelling unit shall include windows and/or pedestrian doors, with these features equaling or exceeding ten (10) percent of the front facing wall area visible from the street. Garage door windows do not count toward meeting this standard. In addition, the front façade of each dwelling unit shall include at least two of the three features
listed below. Front façades that are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.

(a) A covered stoop that is a minimum of four (4) feet wide and three (3) feet deep, or a covered porch that is a minimum of six (6) feet wide and six (6) feet deep;

(b) A minimum of two (2) types of siding materials and/or siding styles, separated by trim that is a minimum of five and one-half (5.50) inches wide;

(c) A minimum two (2) foot horizontal offset in the structural exterior wall that requires a break in the roofline.

(2) Front Façade Variation

PLACEHOLDER: County staff will coordinate with interested parties and develop standards for single-family attached front façade variation for consideration as part of the 2012 ordinance process.

(3) Street side and/or rear façades facing a street (not alley) shall include at least two (2) of the features listed below. Side and/or rear façades that are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.

(a) Windows and/or pedestrian doors, with these features equaling or exceeding ten (10) percent of the side and/or rear facing wall area visible from the street;

(b) A minimum of two (2) types of siding materials and/or siding styles, separated by trim that is a minimum of 5.5 inches wide;

(c) A minimum two (2) foot horizontal offset in the structural exterior wall that requires a break in the roofline.

(4) Townhome blocks (buildings) are limited to no more than ten (10) attached units in the R-15 NB and R-24 NB Districts.

(5) Garage Frontage

PLACEHOLDER: County staff will coordinate with interested parties and develop standards for single-family attached dwelling garage façade standards for consideration as part of the 2012 ordinance process.
C. Multi-family buildings shall comply with the following standards:

(1) Street-facing building façades shall avoid long monotonous, uninterrupted walls by including at least three (3) of the architectural details below. Street-facing building façades that are subject to the North Bethany Subarea Plan Special Frontages standards are exempt from this standard.

PLACEHOLDER: County staff will coordinate with interested parties and develop standards for multi-family building street-facing façade articulation for consideration as part of the 2012 ordinance process.

(2) Front Façade Variation

PLACEHOLDER: County staff will coordinate with interested parties and develop standards for multi-family building front façade variation for consideration as part of the 2012 ordinance process.

(3) Structural exterior wall offsets of a minimum two (2) foot horizontal variation shall be used at intervals of forty (40) feet or less along the structure’s façade, to visually enhance long walls.

(4) For buildings with length or width greater than one hundred (100) feet, roofline offsets shall be provided at intervals of one hundred (100) feet or less, to create variety in the massing of structures and relieve the effect of a single, long roof. Roofline offsets shall be a minimum eight (8) foot variation vertically from the gutter.

D. For non-residential development (commercial, Community Service Use, or Institutional Use), the following standards shall apply:

(1) The façade treatments listed below shall be provided on all street-facing sides of the building:

(a) Variation in wall surface pattern, siding material, or siding style;

(b) Fully trimmed windows and doors; trim shall be a minimum of 3.5 inches wide and completely surround the windows and/or doors; and

(c) Corner trim/corner boards.

(2) For buildings with two (2) or more stories, the street-facing façade at the ground level of the structure shall be visually distinct from upper stories. This separation shall be provided by one or more of the following:
(a) A band, band course, band molding, belly band, belt course, or similar horizontal element of relatively slight projection, which marks a horizontal division in the wall plane between the ground floor and the upper floors;

(b) A projecting façade element (awning, canopy or arcade) between the ground floor and the upper floors. Awnings and canopies must be made of glass, metal, or exterior grade fabric (or a combination of these materials);

(c) The use of a different exterior material, wall surface pattern or wall texture on the ground floor façade;

(d) The street-facing façade above the ground floor is set back from the ground floor façade;

(e) The use of larger windows on the ground floor façade and smaller windows on the upper floors; or

(f) A row of transom windows above the main windows on the ground floor façade.

(3) For buildings with length or width greater than one hundred (100) feet, roof-line offsets shall be provided at intervals of one hundred (100) feet or less, to create variety in the massing of structures and relieve the effect of a single, long roof. Roofline offsets shall be a minimum eight (8) foot variation either vertically from the gutter line or horizontally.

(4) For any street-facing exterior wall, at least twenty (20) percent of a ground floor wall area shall be comprised of windows. Required windows are limited to windows on the wall or within pedestrian entrance doors that allow views into working areas or lobbies, or display windows set into the wall. The square footage of garage doors and garage windows shall not count towards this standard, unless the entire garage door is composed of window panels.
Sections of the North Bethany Subarea Plan (Chapter 2 of the Bethany Community Plan) and Sections of the Community Development Code are amended as follows to make corrections and other minor recommended changes by the Planning Commission:

**North Bethany Subarea Plan**

**IV. DESCRIPTIONS OF NORTH BETHANY SUBAREA PLAN AND MAPS**

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**B. Neighborhood Plans**

There are six Neighborhood Plans that correspond with each of the six North Bethany neighborhoods. Each Neighborhood Plan depicts a preferred development pattern and local street layout, incorporating elements from the Subarea plans and maps along with application of the Community Development Code (CDC). While following the Neighborhood Plan is not required, development that is consistent with all the specifications noted on the applicable Neighborhood Plan may be processed through a Type II process. The required elements of a Neighborhood Plan’s preferred development pattern are addressed in other elements of the North Bethany Subarea Plan, such as Area of Special Concern requirements, General Design Elements and Neighborhood Design Elements.

The non-Primary street alignments shown on the Neighborhood Plan maps demonstrate one possible solution for local circulation and street connectivity. These streets provide important connections within the North Bethany Subarea and with the surrounding area. These streets are integrally connected with the Features and Focal Points so vistas along the streets terminate at and emphasize these existing and future community service uses and neighborhood amenities. Along Primary and non-Primary streets, vistas and sight lines terminate at specific locations. These locations are marked as a Feature or Focal Point Landmark symbol to indicate the importance of architectural features on buildings or the importance of landscaping at those locations. Many of these locations are also candidates for community service uses due to their high visibility.

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**J. Community Service AreasUse Map**

The Community Service AreasUse Map identifies suitable locations for community service uses as provided in the Community Development Code (CDC). Community service uses are neighborhood-scale public and quasi-public uses and/or gathering spaces that are necessary components of a complete community. The sites for community service uses are located in residential land use districts. The locations were identified through the concept planning process and were selected based on one or more of the following characteristics: Gateway locations; proximity to schools, parks and other public spaces; located adjacent to land use districts where shared parking opportunities exist, and smaller sites that due to size and shape may pose challenges to developing future residential subdivisions. Development

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Proposed additions
Proposed deletions
standards for the community service uses are included in the Subarea Plan’s General Design Elements and CDC Section 390.

The Community Service Use Map functions similarly to an overlay and allows community service uses (CSUs) at the identified locations as an alternative to residential development. While the map provides locational flexibility, it does not include an implementing mechanism to ensure that community service uses will develop at any of the mapped locations.

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V. NORTH BETHANY SUBAREA DESIGN ELEMENTS

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B. Areas of Special Concern

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ASC 7 – Bethany Creek Trail Corridor and Rossetta Street Alignment

ASC 7 addresses the design configuration of the trail corridor to the north of Bethany Creek (which runs parallel to the north side of Springville Road) and the specific location of the adjacent Primary Street that runs parallel (street P2 on the Primary Streets and Core Design Elements map). The ultimate placement of the P2 street and other planned components depend on future site-specific facility design; this ASC describes the intent that the multi-purpose design shall follow.

The Subarea Plan identifies the approximate boundary of a protected wetland/habitat area along with the approximate boundary for the associated Vegetated Corridor buffer. (The specific boundary for this protected natural resource shall be delineated on-site as a preliminary step for development in the ASC.) Beyond the limits of the Vegetated Corridor buffer, CWS’s North Bethany Drainage Master Plan calls for stormwater treatment facilities along the north side of the protected area; wetland mitigation may also occur in this area. At the time of Concept Plan adoption of the North Bethany Subarea Plan, the specific sizing and location of stormwater facilities have yet to be determined; likewise with respect to the need for wetland mitigation sites. Future development applications for properties in the ASC must reflect coordination with CWS to determine the ultimate size and locations of stormwater quantity and water-quality facilities in this ASC.

The Concept Subarea Plan calls for a pedestrian trail along the north side of this stretch of Bethany Creek in between the protected area and the street. This ASC requires development of the area to incorporate a design that combines the functions of the sidewalk on the south side of the adjacent P2 street with a landscaped and appropriately lighted pedestrian path/trail adjacent to the protected resource. The multi-purpose path/trail shall be sized and designed for shared use by bicycles and pedestrians and must be designed in collaboration with THPRD. For example, a meandering asphalt path/trail with planted tree canopy and adequate room for access of maintenance vehicles is one design example. Because the path/trail replaces the sidewalk and serves a dual trail-sidewalk purpose, it shall be hard-surface and the adjacent street alignment shall be adjusted to generally follow the path. (This may result in a narrowing of the width of this Fixed Park designation as depicted on the “Park, Trails and Pedestrian Connections” map.) The developed trail corridor, mitigation sites and regional stormwater facilities shall be located outside the right-of-way for street P2; the right-of-way width that otherwise calls for sidewalk shall be used for additional landscape and/or street LIDA area.
The trail path along Bethany Creek encounters several distinct conditions. These are described below and are illustrated in the following sketch designs and three cross-section drawings.

1. In general it runs between the Bethany Creek Open space and a paralleling neighborhood street. The path will roughly follow the boundary of the resource land area. If the distance between the street right-of-way and the resource boundary is 25' feet or more, the area between the path and the street can be used as (pocket) park space.

2. Because of the meandering nature of the open space area, there are some locations where the distance between the street right-of-way and the resource boundary is less than 25' feet. In this situation, the street’s sidewalk and path should be combined into one facility by widening the sidewalk to 12' feet.

3. In some locations there is enough space between the street right-of-way and the resource boundary (approximately 100' feet or more) to accommodate the path and a private (residential) property. In this situation the path will run between the private property and the open space. It is important to balance the demands for privacy for the private property with the needs for accessibility, visibility and safety of the public facility (the path). The best way to do this is by developing the trail first, before the private property develops, and to guide the development of the private property with design guidelines that protect the quality of the path.

General Design guidelines for the path:

a. The path should be designed as an autonomous element, with gentle curves that logically and elegantly follow the creek open space area. It should take its design cues from the natural resource, not from adjacent development.

b. The path and park space should be designed as a harmonious composition with the adjacent street and open space. If there is space for park uses between the path and the sidewalk of the adjacent street for park uses, this space should be designed as an autonomous element, not a “left over” space.

c. In general, the path should be as close to the open space boundary as possible, (without losing its graceful curves) so that the boundary is defined by it, and becomes tangible, manageable and maintainable. Where possible, leave about a 2'-foot to 3'-foot wide “shy zone” between the path and the resource should be provided, so the path is framed by consistent park vegetation on both sides.

d. The design should take advantage of terrain changes and slopes to carve out the path alignment. Look for opportunities to include seating walls, preferably at path intersections.

e. The path alignment should not meander too tight and without a clear physical reason because it would look contrived and silly. It should minimize the use of tight curves and use gentler curves in order to facilitate natural walking and biking patterns. Too tightly meandering paths are also detrimental to natural walking and biking patterns. Use gentle curves with elegant radii.

f. Path and sidewalk should connect at regular intervals at a minimum of 250'-feet, preferably in locations where they are nearest each other.

g. Create a colonnade by planting street trees on both sides of the sidewalk bordering the park. Prune these trees up to 8'-feet to allow clear views between the tree trunks. Align the path with a single row of trees on the opposite side of the resource open space. Together the tree lines will spatially define park “rooms”.

abcdef Proposed additions
abcdef Proposed deletions
VI. NEIGHBORHOOD DESIGN ELEMENTS

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D. Southeast Neighborhood

The Southeast Neighborhood boundaries are Road A to the north, the UGB to the east, NW Springville Road to the south and NW Kaiser Road to the west.

The neighborhood borders the Springville Subarea to the south and street and trail connections between the two areas are integral to the design. Bethany Creek flows from east to west and is planned as an expanded stream corridor with a trail and regional stormwater swales along the creek. Prominent features of the built landscape include Bethany Presbyterian Church, a proposed fire station, and the proposed civic center, the East Community Park, and the Main Street Area primarily west of NW Kaiser Road (a portion of which is located on the east side of NW Kaiser Road).

Design Elements

1. The following design elements shall be incorporated into the portion of the neighborhood between Bethany Creek and NW Springville Road:
   a. The preferred location for the one and one half (1½) to two (2) acre neighborhood park is located contiguous to Bethany Creek and adjacent to the proposed fire station and the neighborhood commercial site. The proposed fire station and the neighborhood park may be separated by a local street or pedestrian path;
   b. The Subarea street pattern shall have an east-west street alignment through this portion area with access to NW Springville Road at spacing approved by the County Engineer;
   c. A neighborhood commercial site, approximately two-thirds (2/3) of an acre, is adjacent to NW Springville Road and Primary Street P3; and
   d. Designated access points shall be provided consistent with the Primary Streets map. Additional access to NW Springville Road may be provided at spacing approved by the County Engineer.

2. The southwest corner of the East Community Park is the planned location of a civic use (e.g., library, community center) and shall have a design that connects the civic use to the adjacent community park. The civic use building is designated as a Design Feature and shall be located on the site consistent with the orientation arrows depicted on the Neighborhood Plan map. Specifically, the building shall be visible from NW Kaiser Road and the Park Blocks. Additional complementary design features include building orientation to front the park and the placement of a plaza between the park and the civic use.
Community Development Code

390-13 Neighborhood Corner Commercial District (NCC NB)

390-13.3 Uses Permitted Through a Type II Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV, and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Co-located antennas, not otherwise allowed through a Type I Procedure – Section 430-109.

B. Commercial School – Section 390-16.3.

C. Communication Towers greater than one-hundred (100) feet – Section 430-109.

D. Community Service Use, limited to a Farmers’ Market with no new permanent structures – Section 390-16.6.

390-15 Institutional North Bethany District (INST NB)

390-15.3 Uses Permitted Through a Type II Procedure

The following uses are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV, and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Communication Tower greater than one-hundred (100) feet in height – Section 430-109.

B. Construction of Public Transportation Facility not otherwise authorized by Article VII.

C. Expansion of an existing Institutional use which does not meet the criteria of Section 390-15.2 B., above.
D. Park - Section 430-97.2.

E. Tree removal in areas identified in the applicable Community Plan as Significant Natural Resources, subject to Section 407-3.

F. Day Care Facility – Section 390-16.5

390-15.4 Uses Which May be Permitted Through a Type III Procedure

The following uses may be permitted subject to the specific standards set forth below, the standards of Section 390-21, and in applicable Special Use Sections of Section 390-16 and Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5.

A. Cemetery – Section 430-27.

B. Church – Section 390-16.1.

C. Community Service Uses – Section 390-16.4.

C. Nursery (Pre-School) – Section 390-16.9

D. Public Building, limited to fire station, library, and other uses accessory to the primary use (e.g. community meeting room(s)) – Section 430-403390-16.10.

E. School – Section 390-16.911.

F. Park and Ride Facility – new facilities, see Section 430-89.

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390-16 Special Use Standards

390-16.4 Community Service Uses in Residential Land Use Districts

PLACEHOLDER: Staff will continue to work with stakeholders to develop community plan and development provisions that will ensure how community service uses will be provided in the North Bethany Subarea. This placeholder will complete the work started by Work Group 2 during the 2010 work group process. Work Group 2 did not have sufficient time to develop these provisions for inclusion in Ordinance No. 730.

Community service uses are neighborhood-scale public and quasi-public uses and/or gathering spaces that are necessary components of a complete community. These uses may only be located on residential sites designated in the North Bethany Subarea Plan and are intended to be provided in addition to similar uses permitted in North Bethany’s commercial land use districts and the Institutional NB District. They shall be processed according to the procedure types indicated below. These uses shall be processed according to the procedure types indicated below and comply with requirements for Community Service Uses in the North Bethany Subarea Plan.

A. Community Service Use – Type II

(1) Farmers’ Market – the standards of Section 390-16.6 apply.

(2) Day Care Facility – the standards of Section 390-16.5 apply.

B. Community Service Use – Type III

(1) Church – the standards of Section 390-16.1 apply.

(2) Membership Organization (e.g., Elks, Rotary, Grange) – the standards of Section 390-16.8 apply.

(3) Nursery School, (Preschool) – the standards of Section 390-16.9 apply.

(4) Private School (K-12) – the standards of Section 390-16.9-11 apply.

(5) Public Building, at a scale oriented to serve the surrounding area, such as a (e.g., post office, library, museum, community building, police office) or similar use (fire station, motor vehicle drive test center and motor vehicle field offices are excluded) – subject to the standards of Section 430-103 apply.
(6) Transit Plaza (does not include vehicular parking) – the standards of Section 390-16.12-13 apply.

C. Community service uses may be located in a mixed use building. Community service uses shall be located in a building or on a site that is independent of a residential development (e.g., a community service use may not be located in an accessory building or the parking lot of a residential development).

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390-16.911 Schools (Private and Public)

A place for systematic instruction in any branch or branches of knowledge including any of the following: nursery school in conjunction with a K-12 school, kindergarten, primary, intermediate and high school or combination thereof, which may be a public school or a private school offering instruction substantially similar to public schools. School does not include trade and commercial schools or day care facilities.

A. Play areas, such as playgrounds, adjacent to a residential district shall be screened by a site-obscuring fence or masonry wall.

B. A minimum ten (10) foot landscape area shall be provided in all required yards that abut land with a residential designation and shall be:

(1) Free from all parking and loading areas, refuse and recyclable storage areas and utility facilities, except that ground-mounted utility boxes no greater than thirty-six (36) inches in height may be located provided that they adequately screened with low-growing shrubs or other similar landscaping; and

(2) Planted with the following landscaping placed every one hundred (100) lineal feet of landscape area:

   Five (5)-Two (2) canopy trees
   Ten (10)-Four (4) understory trees
   Fifteen (15) shrubs

(3) Minimum five-foot high Wood/Cyclone Barrier Fence

***
Create the 'Community Service Use' map for the North Bethany Subarea Plan.

- Community Service Use Location
- Community Service Use Area
- North Bethany Planning Area

Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.
'Land Use Designations' map for the North Bethany Subarea Plan.

1 inch = 450 feet

Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.
Map 2

Change from R-6 NB to INST NB

Right of Way Changed from R-9 to INST

`Land Use Designations` map for the North Bethany Subarea Plan.

Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.
Map 3

Change from R-6 NB to INST NB

Land Use Designations

Primary Streets ROW

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