



PUBLIC MEETING NOTICE
FOR THE
WASHINGTON COUNTY PLANNING COMMISSION

CHARLES D. CAMERON PUBLIC SERVICES BUILDING AUDITORIUM
155 N FIRST AVENUE, HILLSBORO, OR 97124

WEDNESDAY, MARCH 6, 2019

PUBLIC MEETING 1:30 PM

Prior to scheduled public hearing items, the Planning Commission schedules time to receive briefings from county staff as work session items. These briefings provide the Planning Commission an opportunity to conduct informal communications with each other, review the agenda, and identify questions they may ask before taking action on the agenda items during the public meeting. No public testimony is taken on work session items.

Following work session briefings, the Planning Commission considers items published in their agenda, including scheduled public hearing items and consideration of minutes. The public is welcome to speak during the public hearing portions of the meeting. The public may also speak on any item not on the agenda during the Oral Communications section of the agenda.

Upon request, the county will endeavor to arrange provision of the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. If you need a sign language interpreter, assistive listening device, or a language interpreter, please call 503- 846-3519 (or 7-1-1 for Telecommunications Relay Service) by 5:00 p.m. on the Monday preceding the meeting date.

A handwritten signature in black ink, appearing to read "Andy Back".

Andy Back
Planning and Development Services Division Manager

WASHINGTON COUNTY PLANNING COMMISSION

CHARLES D. CAMERON PUBLIC SERVICES BUILDING AUDITORIUM

The Planning Commission welcomes your attendance at the Public Meeting. If you wish to speak on a public hearing agenda item or during Oral Communications, please feel free to do so. Time is generally limited to five minutes for individuals and 10 minutes for an authorized representative of a Citizen Participation Organization (CPO). The Chair may adjust the actual time limits. However, in fairness to others, we respectfully ask your cooperation on the following:

Please follow sign-in procedures located on the table by the entrance to the auditorium.

- When your name is announced, please be seated at the table in front and state your name and home or business address for the record.
- Groups or organizations wishing to make a presentation are asked to designate one spokesperson in the interest of time and to avoid repetition.
- When more than one citizen is heard on any matter, please avoid repetition in your comments. Careful attention to the previous speakers' remarks will be helpful in this regard.
- If you plan to present written testimony at the hearing, please bring 15 copies for distribution to Commission members and staff.

PUBLIC MEETING DATES

BOARD OF COMMISSIONERS WORK SESSIONS

8:30 a.m. 1st and 3rd Tuesdays

2:00 p.m. 4th Tuesday

PLANNING COMMISSION MEETINGS

1:30 p.m. 1st Wednesday

6:30 p.m. 3rd Wednesday

BOARD OF COMMISSIONERS MEETINGS

10 a.m. 1st and 3rd Tuesdays

6:30 p.m. 4th Tuesday

Note: Occasionally it may be necessary to cancel or add a meeting date.



WASHINGTON COUNTY

OREGON

PUBLIC MEETINGS BEFORE THE PLANNING COMMISSION CHARLES D. CAMERON PUBLIC SERVICES BUILDING

WEDNESDAY MARCH 6, 2019 1:30 PM

AGENDA

CHAIR: A. RICHARD VIAL
VICE-CHAIR: JEFF PETRILLO
COMMISSIONERS: ED BARTHOLEMY, IAN BEATY, TEGAN ENLOE, DEBORAH LOCKWOOD,
ANTHONY MILLS, ERIC URSTADT, MATT WELLNER

PUBLIC MEETING (AUDITORIUM)

1. CALL TO ORDER – 1:30 PM
2. ROLL CALL
3. DIRECTOR'S REPORT
4. ORAL COMMUNICATIONS (Limited to items not on the agenda)
5. PUBLIC HEARING
 - a. **Ordinance No. 845: Federal Emergency Management Agency – Flood Plain Regulations update**
An ordinance amending the Community Development Code (CDC) to comply with federal flood plain management regulations relating to County participation in the National Flood Insurance Program.
 - b. **Ordinance No. 847: Flood Plain Management Regulations update – Article VII**
An ordinance amending the CDC relating to Public Transportation Facilities to comply with federal flood plain management regulations.
 - c. **Ordinance No. 846: North Bethany Main Street Urban Design Plan update**
An ordinance making limited amendments to the Bethany Community Plan and the CDC related to the North Bethany Main Street Urban Design Plan.

Department of Land Use & Transportation · Planning and Development Services

Long Range Planning

155 N. First Ave., Suite 350, MS14 · Hillsboro, OR 97124

Phone: 503-846-3519 · Fax: 503-846-4412

www.co.washington.or.us · lutplan@co.washington.or.us

6. CONSIDERATION OF MINUTES

- a. Dec. 5, 2018

7. ADJOURN



WASHINGTON COUNTY

OREGON

WASHINGTON COUNTY PLANNING COMMISSION MINUTES OF WEDNESDAY, DECEMBER 5, 2018

ALL PUBLIC MEETINGS ARE RECORDED

1. CALL TO ORDER: 1:37 P.M. Charles D. Cameron Public Services Building- Auditorium

The meeting was called to order by Chair Vial.

2. ROLL CALL

Planning Commission (PC) members present: A. Richard Vial, Jeff Petrillo (phoned in), Ian Beaty, Tegan Enloe (arrived 1:40 p.m.), Deborah Lockwood, Anthony Mills (arrived at 2:13 p.m.), and Eric Urstadt. PC members absent: Ed Bartholemey, and Matt Wellner.

Staff present: Andy Back, Theresa Cherniak, Erin Wardell, Dyami Valentine, and Susan Aguilar, Long Range Planning (LRP); Jacquilyn Saito-Moore, County Counsel.

3. DIRECTOR'S REPORT

Andy Back, Manager for the Planning and Development Services Division, provided the PC with updates:

- PC members with terms expiring are: Jeff Petrillo and Matt Wellner. The County Administrator's Office is having reappointment conversations with current and new Board of Commissioner (Board), and they will be making a decision sometime in January.
- 2019 Issue Papers soon to come are: Significant Natural Resource Regulations, Status Report on Recreational Marijuana Regulations, and Telecommunication Facilities in the Right-of-Way.

Future PC topics:

- December
 - Dec 19 – No agenda items
- January
 - Jan. 2 – No agenda items
 - Jan. 16 – Work Sessions: Update on the 2019 LRP Work Program

The PC voted to cancel the Dec. 19 and Jan. 2 PC meetings and directed staff to send cancellation notices.

Department of Land Use & Transportation · Planning and Development Services

Long Range Planning

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4. WORK SESSION

a. Ordinance Season discussion (continued from Nov. 7, 2018)

Theresa Cherniak, principal planner with the Community Planning group of the Long Range Planning (LRP) section provided a PowerPoint (PPT) presentation to the PC recapping the Nov. 7, 2018 PC discussion and presenting options for PC consideration. Staff recapped history regarding the ordinance season and issues, including current requirements, the process for Charter revision, and information regarding past Charter amendments. Staff explained that any changes to the ordinance season would go through a Charter amendment process. The Charter includes the process for amendment/revision of its provisions. It also lays out the basic requirements for land use ordinances, including the establishment of the ordinance season, the engrossment process, and a prohibition against emergency land use ordinances.

The PC can make a recommendation to the Board for possible Charter amendment, however, the Board would make the decision on whether or not to move forward with any changes. If more than one change to the Charter is proposed, a Charter review committee appointed by the Board would be required.

Staff listed various alternatives to aspects of the land use ordinance process for PC discussion, focusing on:

- Ordinance season timeframe
- Emergency provisions, and
- Engrossment process

PC discussion

- Questions about an inclement weather policy
- Comments that other jurisdictions don't have an ordinance season
- Interest in eliminating the ordinance season and implementing inclement weather/holiday policies
- Some interest in deferring the issue to the new Board to see what their preference is
- Questions about workload should the ordinance season be eliminated
- Some interest in allowing emergency land use ordinances to be considered outside the ordinance season and questions about whether an emergency provision would be needed if the ordinance season was eliminated
- Question whether eliminating the ordinance season would count as one change and therefore not require a Charter review committee

The PC took a straw poll:

A motion was made to take a straw poll on the question whether PC members were in favor of dropping the limited ordinance season timeframe (without changing the emergency or notice provisions in the County Charter that would then require a Charter review committee).

Vote: 5 – 2

Other PC comments not specific to Dec. 5, 2018 agenda items

- A suggestion on a future meeting topic regarding, "How the County is planning to go forward with Metro's Affordable Housing Bond."

b. Moving Forward TV Highway Enhanced Transit and Access Plan

Dyami Valentine, senior planner with the Transportation Planning group of the LRP section provided a briefing on Moving Forward Tualatin Valley Highway (TV Hwy) Enhanced Transit and Access Plan, a grant funded project in partnership with the Department of Land Conservation & Development (DLCD), and the Oregon Department of Transportation (ODOT). The project objective is to define and address the safety and transit needs of the TV Hwy corridor through Aloha. Staff shared five study corridor needs: (1) High crash corridor, (2) Slow transit travel time, (3) Poor walking and biking connectivity, (4) Impacts to neighborhood

livability, healthy living and economic opportunities and (5) Maintain regional mobility. The study builds on work from the Aloha-Reedville Study and Livable Community Plan and the TV Hwy Corridor Plan.

PC discussion

- Questions about:
 - whether the scope considers how proposed changes will affect adjacent routes
 - whether Safe Routes to School money could be used to fund improvements
 - whether solutions will impact existing capacity of TV Hwy. To which it was noted that any solutions will not reduce the number of existing vehicle travel lanes.
 - the evaluation. To which it was noted that the evaluation will consider impacts to travel time, right-of-way, cost and shifting traffic to adjacent streets, among others.
- Comments that:
 - existing congestion already impacts people's choice to use TV Highway and questioning the need to prioritize the use of any funds to improve the road
 - Washington County should take a leadership role in examining new roads as a long-term solution
 - making any improvements is challenging due to right-of-way constraints
 - the need for improvements in the corridor has long persisted and will only grow as more people move to the area
 - it's important that the city of Beaverton be involved in these discussions
- Discussion regarding pedestrian involved crashes and relation to people accessing bus stops. Members noted the lack of sidewalks adjacent to the railroad and most of the destination on the north side of TV Hwy and the distance between signalized crossings making it unsafe.

5. ORAL COMMUNICATIONS

None

6. ADJOURN: 3:11 P.M.

There being no further business to come before the Planning Commission, the meeting was adjourned.

A. Richard Vial
Chairman, Washington County
Planning Commission

Andrew Singelakis
Secretary, Washington County
Planning Commission

Minutes approved this _____ day of _____, 2018

Submitted by LRP Staff



WASHINGTON COUNTY

OREGON

February 27, 2019

To: Washington County Planning Commission

From: Andy Back, Manager *Andy Back*
Planning and Development Services

Subject: **PROPOSED LAND USE ORDINANCE NO. 845 - An Ordinance Amending the Community Development Code to Comply with Federal Flood Plain Management Regulations Relating to County Participation in the National Flood Insurance Program**

PROPOSED LAND USE ORDINANCE NO. 847 - An Ordinance Amending the Community Development Code Relating to Public Transportation Facilities to Comply with Federal Flood Plain Management Regulations

STAFF REPORT

For the March 6, 2019 Planning Commission Hearing
(The public hearing will begin no sooner than 1:30 p.m.)

I. STAFF RECOMMENDATION

Conduct the public hearing; recommend approval of Ordinance Nos. 845 and 847 to the Board of Commissioners (Board).

II. OVERVIEW

Ordinance No. 845 proposes to amend various sections of the Community Development Code (CDC) to implement new flood plain regulations adopted by the Board via Resolution & Order (R & O) 18-99. That R&O was adopted on October 16, 2018 in response to requirements of the Federal Emergency Management Agency (FEMA) in order to remain in the National Flood Insurance Program (NFIP). With adoption of R&O 18-99, the Board directed staff to codify the provisions of the R&O as soon as possible by ordinance in the following ordinance season.

Ordinance No. 847 proposes to amend CDC Section 709 (Alterations to Flood Plain and Drainage Hazard Areas) for consistency with language in proposed Ordinance No. 845.

Proposed amendments are primarily non-substantive and technical in nature and intended to ensure consistency with FEMA requirements and the Oregon Model Flood Plain Code.

III. BACKGROUND

County flood plain regulations

The County administers and enforces the State of Oregon Specialty Codes pursuant to the requirements established in Oregon Revised Statutes (ORS) Chapter 455 – Building Code. The Oregon Specialty Codes contain certain provisions that apply to the design and construction of buildings and structures located in Special Flood Hazard Areas. The County administers and enforces CDC Section 421(Flood Plain and Drainage Hazard Development) in conjunction with the Oregon Specialty Codes to regulate development within or otherwise impacting a flood plain or drainage hazard area.

A flood plain is defined as the area with a 1% chance of flooding in any given year as designated by FEMA (formerly defined as a 100-year flood event). A drainage hazard area, which is generally narrower than a flood plain, is defined as the area with a 4% chance of flooding in any given year as designated by Washington County (formerly defined as a 25-year flood event).

Development within a *flood plain* is regulated by FEMA and CDC Section 421. These regulations ensure that any such development does not adversely impact the flood plain, for example, by requiring that development activities not cause a reduction in flood plain capacity or cause an increase in flood water velocities.

Development within and impacting a *drainage hazard area* is not regulated by FEMA, but is regulated by the County. In a similar manner, provisions in Section 421 are in place to ensure that development does not adversely impact drainage hazard areas, in order to ensure no reductions in the carrying capacity of the drainage hazard area (channel).

CDC Section 709 regulates alterations to a flood plain or a drainage hazard area involving certain public transportation projects.

FEMA Requirements

In July 2017, FEMA adopted a new set of map panels delineating flood hazard areas. FEMA informed the County in a letter dated April 19, 2018 that no appeals of the map changes had been filed and that the determinations by FEMA were final. In the letter, FEMA indicated that the revised map panels would become effective on October 19, 2018, and requested that the County adopt and incorporate by reference the updated maps with this effective date. The references were added to CDC Sections 421 and 709 with adoption of Ordinance No. 840, effective October 18, 2018. These amendments updated the geographic areas subject to flood plain regulations.

In September, FEMA issued a letter notifying the County of a number of relatively minor modifications to the County's CDC floodplain regulations that were needed to avoid community suspension from the NFIP. Changes were primarily to ensure that the County's terms match those of FEMA. Other local jurisdictions were also notified of similar changes needed to their regulations. The deadline for making these changes was October 19, 2018.

Because of the late notification date and the limitations posed by the County's ordinance season, the Board adopted the CDC changes through R&O 18-99 on October 16, 2018, thus satisfying FEMA's deadline. The R&O included changes to Sections 106 (Definitions), 201 (Development Permit) and 421 (Flood Plain and Drainage Hazard Area Development). It also directed staff to implement the amended regulations effective October 19, 2018, the deadline set by FEMA.

To demonstrate to FEMA the County's intent to adopt the changes through an ordinance, staff filed Ordinance No. 845 on November 21, 2018. This ordinance contains the changes to CDC Sections 106, 201 and 421, as adopted in R&O 18-99, and a minor housekeeping change. Ordinance No. 847 is a companion land use ordinance that proposes amendments to Section 709 (Alterations to Flood Plain and Drainage Hazard Areas) for certain public transportation projects. These updates will ensure consistency with the changes proposed in Ordinance No. 845.

Failure to adopt FEMA-compliant flood plain regulations would have resulted in the County's suspension from NFIP, which would have prevented new flood insurance policies from being sold or existing policies being renewed. FEMA has indicated the CDC changes included in R&O 18-99, and further proposed in Ordinance Nos. 845 and 847, meet their requirements. Changes included in Ordinance Nos. 845 and 847 are essential for the County to remain in the NFIP.

Ordinance Notifications

Notice 2019-01 regarding proposed Ordinance Nos. 845 and 847 was mailed Feb. 8, 2019 to parties on the General and Individual Notification Lists (Community Participation Organizations, cities, special service districts, and interested parties). A copy of the notice and ordinances were provided to the Planning Commission at that time. A display advertisement regarding the ordinances was published Feb. 15, 2019 in *The Oregonian* newspaper.

IV. ANALYSIS

The variety of changes proposed by these two ordinances are technical in nature and for the most part do not result in changes to County standards or processes. Following is a description of the proposed amendments in each ordinance.

Ordinance No. 845:

Ordinance No. 845 implements CDC changes in response to FEMA requirements and Oregon Model Flood Plain Code recommendations. The Oregon Model Flood Plain Ordinance, in turn, was adopted by the State to ensure compliance with the standards for participation in the NFIP and made available for jurisdictions to use as a model for updates to their flood plain regulations. Minor edits are proposed to a number of CDC sections for consistency with these requirements and recommendations. Following is a summary of the more substantive changes:

Section 106 (Definitions):

Amendments to this section add new or modify existing definitions to match FEMA and/or Oregon Model Flood Plain Code definitions to ensure consistency with federal and state definitions. The key changes are to the terms "Base Flood" and "Drainage Hazard Area". Base

Flood was changed from reference to a 100-year flood event to new terminology referencing the area with a 1% chance of flooding in any given year. Drainage Hazard Area (DHA) was changed from reference to a 25-year flood event to new terminology describing/delineating an area having a 4% chance of flooding in any given year.

Section 421 (Flood Plain and Drainage Hazard Area Development):

Many of the subsections in Section 421 are unchanged or include minor housekeeping edits. More substantive changes include reformatting and reorganization of existing code language, and inclusion in Section 421 of those definitions applicable only to this section. Key proposed amendments include:

- Section 421-1 (Lands Subject to Flood Plain and Drainage Hazard Area Standards). Reorganization to clarify the different map resources to be referenced for determining Flood Plains (primary maps are FEMA Flood Insurance Rate Maps (FIRMs) effective October 19, 2018) and Drainage Hazard Areas (primary maps are County maps). The requirement to submit Flood Plain and DHA delineation was moved from Section 421-1 to 421-3 (Submittal Requirements). This change is not only consistent with FEMA requirements but also results in a more user-friendly set of regulations.
- Section 421-5 (Uses and Activities Allowed Through a Type II Procedure). Amendment to move development requirements associated with replacement of certain nonexempt non-conforming Recreational Vehicles from 421-16 (Exemptions) to Section 421-5.20. A Type II review will now be required for anyone proposing to replace a nonconforming stationary RV within a flood plain.
- Section 421-7 (Development Standards for all Type II and Type III Flood Plain and Drainage Hazard Area Uses or Activities). Amendment to remove misleading language in Sections 421-7.2 and 7.5 that implies that increases in flood levels could be approved only with the signature of affected property owner(s). Approval of such flood level increases, rather, requires approval/issuance of a LOMR from FEMA.
- Section 421-9 (Criteria for Manufactured Dwellings and Manufactured Dwelling Parks and Subdivisions). Amendments to requirements for manufactured dwellings in flood plains. These include clarifications that chassis frame beams and electrical junction boxes are located above flood elevation and that flood openings and tie downs are required.
- Section 421-15 (Duties of the County). Proposed updates to reflect FEMA requirements, including requirements that the County: 1) obtain and maintain certain records pertaining to actual or proposed flood plain development, and 2) review all proposed development to determine whether the site is in the flood plain and, if so, review for compliance with flood plain code requirements.
- Section 421-16 (Exemptions). Amendments to delete nonexempt non-conforming Recreational Vehicles from the list of exemptions from the requirement to obtain a development permit for a flood plain or drainage hazard area alteration.

Ordinance No. 847:

Ordinance No. 847 makes changes to Article VII (Public Transportation Facilities) to ensure consistency with updated definitions and requirements proposed in Ordinance No. 845. Article VII applies to project development for the design, construction, operation, maintenance, repair and preservation of public transportation facilities including roadways and bridges, as well as transit, bicycle and pedestrian facilities authorized by the Washington County Transportation Plan.

Section 709 (Alterations to Flood Plain and Drainage Hazard Area):

This Section applies to public transportation projects involving alterations to a flood plain or a drainage hazard area. In addition to updating references, the following changes are needed to ensure consistency with updated definitions proposed in Ordinance No. 845:

- Section 709-1 (Lands Subject to Floodplain and Drainage Hazard Area Standards). Amendments to refer to CDC Sections 421-1.1 and 1.2 for determining which lands are subject to flood plain and drainage hazard area standards.
- Section 709-2 (Submittal Requirements). Amendments to refer to the delineation requirements of CDC Sections 421-3.1 when delineating a flood plain, floodway and/or drainage hazard area.
- Sections 709-3 and 709-4. Amendments for consistency with changes to CDC Section 421-7.2 and 421-7.5, related to approval for increases in flood elevation. *This is further explained under Ordinance No. 845 above.*

Summary of Proposed Changes

Ordinance No. 845 would amend the Community Development Code to comply with Federal flood plain management regulations relating to County participation in the National Flood Insurance Program and modify drainage hazard area regulations. Key provisions include:

- Adds and amends definitions related to flood plain and drainage hazard areas.
- Clarifies maps used to determine which properties are subject to flood plain and drainage hazard regulations.
- Provides additional updates and clarifications for conformance with federal and state flood plain regulations.

Ordinance No. 847 would amend the Community Development Code provisions related to public transportation facilities in a flood plain or drainage hazard area for consistency with updated definitions and requirements proposed in Ordinance No. 845. Key provisions:

- Clarify maps used to determine which public transportation projects are subject to flood plain and drainage hazard regulations.



WASHINGTON COUNTY

OREGON

February 25, 2019

To: Washington County Planning Commission

From: Andy Back, Manager *Andy M. Back*
Planning and Development Services

Subject: **PROPOSED LAND USE ORDINANCE NO. 846 - An Ordinance Making
Limited Amendments to the Bethany Community Plan and the Community
Development Code Related to the North Bethany Main Street Urban Design
Plan**

STAFF REPORT

For the March 6, 2019 Planning Commission Hearing
(The public hearing will begin no sooner than 1:30 p.m.)

I. STAFF RECOMMENDATION

Conduct the public hearing; recommend approval of Ordinance No. 846 to the Board of Commissioners (Board).

II. OVERVIEW

Ordinance No. 846 amends the North Bethany Subarea Plan (Plan) of the Bethany Community Plan and the Community Development Code (CDC). The amendments in this ordinance correct an inconsistent Plan reference and remedy an unintentional omission of CDC amendments from A-Engrossed Ordinance No. 838, which implemented the North Bethany Main Street Urban Design Plan.

III. BACKGROUND

North Bethany's Main Street is an approximately 13-acre future mixed-use area located along both sides of NW Kaiser Road between NW Brugger Road and NW Shackelford Road (Road A). The Main Street Area Location Map is included as Attachment A.

A-Engrossed Ordinance No. 838, adopted on October 23 and effective on November 23, 2018, adopted design and development standards that guide how the North Bethany Main Street area

will look, feel and function when future development occurs. The standards are intended to promote a pedestrian- and bicycle-friendly environment in the Main Street area.

A minor inconsistency in the Plan resulted from adoption of A-Engrossed Ordinance No. 838 that requires correction. In addition, the engrossment of Ordinance No. 838 resulted in an unintentional omission of CDC amendments related to the North Bethany Main Street standards. These issues are both addressed by this proposed ordinance.

North Bethany Subarea Plan

When the North Bethany Subarea Plan was originally adopted in 2010 via A-Engrossed Ordinance No. 730, it identified the location of a future civic use at the west edge of the East Community Park, within the Main Street area. The Plan's text in Section VI.D.2 described the civic use as a building.

A change to this civic use expectation was proposed when Ordinance No. 838 was filed, however that change was later deleted and the adopted ordinance retained the description of the civic use as a building. The engrossed ordinance contained a second Plan reference to the civic use, suggesting that it may not be a building, which was found too late in the ordinance process to correct. Staff agreed to bring that correction forward in the next ordinance season. The erroneous civic use reference is located in the Plan's Main Street Community Gateway standards. The proposed amendments to those standards are summarized below in the Analysis section.

North Bethany CDC Provisions

When Ordinance No. 838 was filed, it contained amendments to CDC Section 390 (North Bethany Subarea Overlay District) related to the North Bethany Main Street standards.

During the hearings for Ordinance No. 838, staff recommended adding a single word to the CDC amendments during engrossment: correcting the proposed Neighborhood Commercial Mixed Use (NCMU) District lot area standard from 8,500 feet to 8,500 square feet. That engrossment was authorized by the Board. However, due to a clerical error, this one change to the lot area standard was the only CDC amendment that was included in the engrossed version of the ordinance.

The remaining CDC amendments that had been part of the filed ordinance were unintentionally omitted from Ordinance No. 838 when it was engrossed and adopted by the Board. The adoption of the proposed CDC amendments in Ordinance No. 846 will resolve this omission. The proposed CDC amendments are summarized below in the Analysis section.

Ordinance Notification

Notice 2019-02 regarding proposed Ordinance No. 846 was mailed February 8, 2019, to parties on the General and Individual Notification Lists (community participation organizations, cities, special service districts, and interested parties). A copy of the notice and ordinance was provided to the Planning Commission at that time. A display advertisement regarding the ordinance was published February 15, 2019 in *The Oregonian* newspaper.

IV. ANALYSIS

Summary of Proposed North Bethany Subarea Plan Amendments

A-Engrossed Ordinance No. 838 retained a reference to the civic use in the Main Street Community Gateway standards suggesting the civic use may not be a building, which is inconsistent with the civic use description in Section VI.D.2 of the Plan. To resolve the inconsistency, the following changes to the Community Gateway standards are proposed:

- 1) Delete the suggestion that the North Bethany civic use may not be a building.
- 2) Clarify that the civic use is described as a building elsewhere in the Plan.
- 3) Add clarifying language about the southwest corner of the East Community Park and its relationship to the Main Street area's south gateway.

Summary of Proposed CDC Amendments

CDC amendments in the filed version of Ordinance No. 838 and intended for inclusion in the engrossed ordinance were unintentionally omitted from the engrossed ordinance due to a clerical error. Staff proposes to add those CDC amendments through the current ordinance, as follows:

- 1) Add dimensional requirements, including height and lot dimension standards, to the CDC's Neighborhood Commercial Mixed Use (NCMU) District standards. These additions are needed because dimensional standards for the NCMU District do not currently exist, and the Plan required them to be developed as part of the North Bethany Main Street Urban Design Plan implementation.
- 2) Modify an existing provision that requires owners of Main Street properties with Kaiser Road frontage to establish an association for the maintenance of landscaping along Kaiser Road. The amendments require that the association also address the maintenance of street furniture along Kaiser Road.
- 3) Add cross-references in the Building Design and Variety standards, the Neighborhood Commercial Mixed Use (NCMU NB) District, the R-24 North Bethany District and the R-25+ North Bethany District that refer back to the North Bethany Subarea Plan's Main Street design requirements. These cross-references provide additional clarity to development applicants and staff about Plan requirements that apply within North Bethany's Main Street area.

Comment Letter Received

On February 21, 2019, Otak representatives submitted a comment letter on Ordinance No. 846 on behalf of West Hills Development (West Hills), which is included as Attachment B. The letter notes that West Hills owns an approximately 3 acre parcel at the northwest corner of NW Brugger Road and Kaiser Road within the North Bethany Main Street area, which is designated as Neighborhood Commercial Mixed Use (NCMU NB). The letter states that some of the NCMU NB dimensional standards do not afford sufficient flexibility to create lots for multiple buildings within the parcel that West Hills owns, and requests the following three changes to Ordinance No. 846:

- 1) Reduce the proposed minimum lot area for the NCMU NB district from 8,500 square feet to 6,000 square feet;
- 2) Reduce the proposed minimum lot depth for the NCMU NB district from 85 feet to 50 feet; and
- 3) Add language clarifying that the proposed minimum dimensional standards would not apply to parcels that are intended to be non-buildable for the purpose of open space, stormwater treatment or utility placement.

The letter states that the first and second requests (reductions to lot area and depth) would allow more flexibility in building placement, lot creation and internal parking/circulation layout on West Hills' parcel, while preserving the intended street-front character. As an example of the applicability of the third request, the letter cites the required future dedication of the partial Parks Blocks tract at the north end of West Hills' parcel.

Long Range Planning staff is evaluating these requests and will provide a response at the PC hearing for this ordinance.

Summary of Proposed Changes

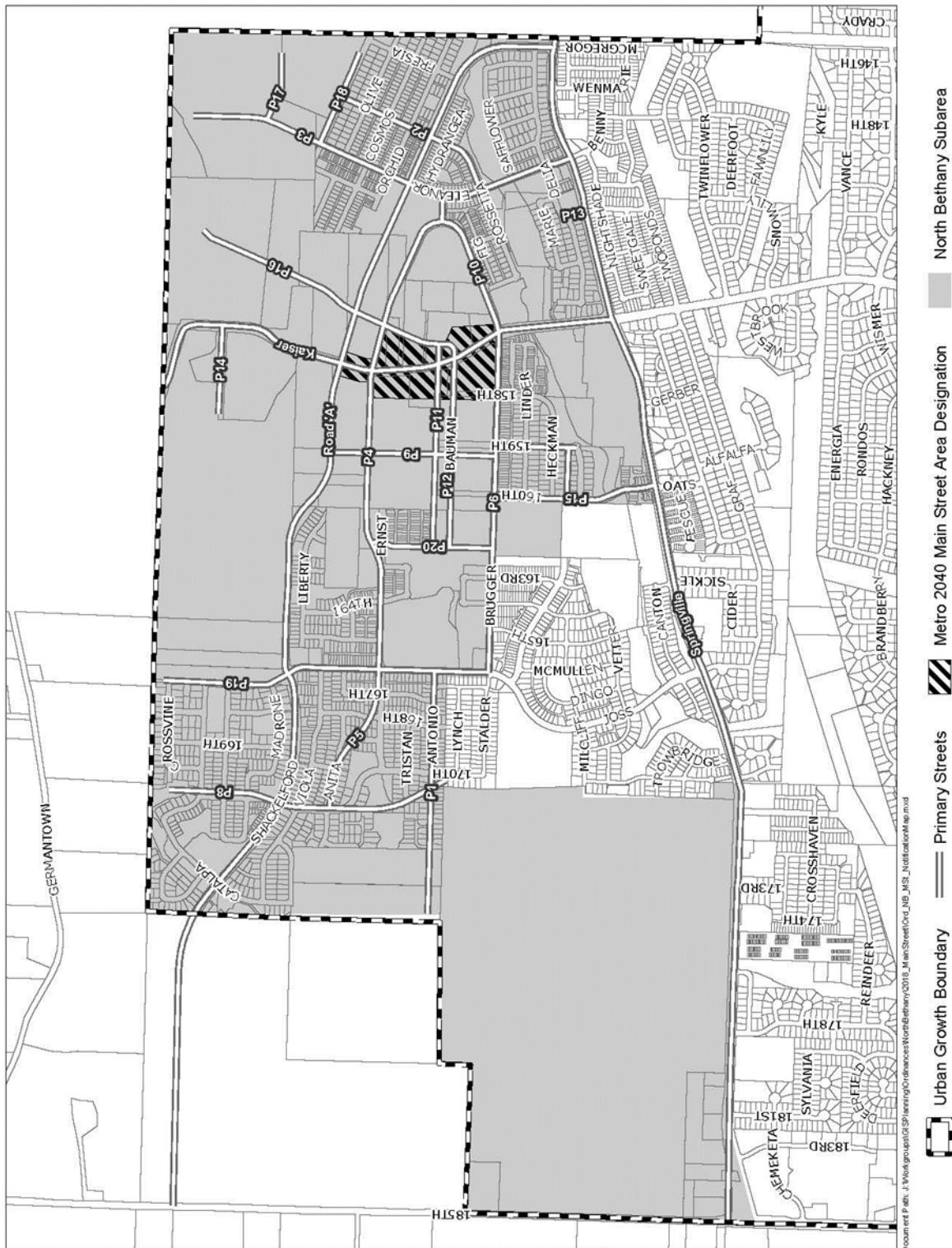
Ordinance No. 846 proposes to amend the North Bethany Subarea Plan (Plan) of the Bethany Community Plan and the Community Development Code (CDC) to correct an inconsistent Plan reference and remedy an unintentional omission of CDC standards related to the North Bethany Main Street design and development standards.

List of Attachments

Attachment A: North Bethany Main Street Area Location Map

Attachment B: Otak letter dated Feb. 21, 2019

North Bethany Subarea





Attachment B

February 21, 2019

Department of Land Use & Transportation
Planning and Development Services
Attn: Long Range Planning
155 N. First Ave., Suite 350, MS14, Hillsboro, OR 97124-3072
Sent via email:
lutplan@co.washington.or.us
suzanne_savin@co.washington.or.us



Re: Comments on Proposed Land Use Ordinance No. 846 (Amendments to North Bethany Main Street Urban Design Plan)

On behalf of West Hills Development, Otak is submitting the following comments related to the proposed Ordinance No. 846. West Hills Development is the owner of the ~ 3 acre parcel at the northwest corner of NW Brugger Road and NW Kaiser Road.

Regarding the basic dimensional requirements in the Neighborhood Commercial Mixed Use District (NCMU NB) zone, we believe that the minimum lot dimensions and lot areas are appropriate for the smaller, stand-alone sites that are zoned Neighborhood Corner Commercial District (NCC NB). However, these dimensional standards are not appropriate for the larger parcels designated NCMU NB because they do not afford sufficient flexibility to create lots associated with multiple buildings within the larger parcel. To this end, we are requesting a reduction to the minimum lot size from 8,500 sf to 6,000 sf and a reduction to the minimum lot depth from 85 feet to 50 feet. We believe that the minimum lot width at the street is appropriate for the NCMU NB zone as it provides for a more continuous built presence along the street. The requested reductions to lot area and depth would allow more flexibility in building placement, lot creation and internal parking/circulation layout while preserving the intended street-front character.

In addition, we would propose adding language to clarify that the minimum dimensional standards would not apply to parcels that are intended to not be buildable for the purpose of open space, stormwater treatment or utility placement. An example of this would be the partial park block tract that will be required to be dedicated at the north end of the West Hills Development parcel. We have attached a concept site plan showing potential layout with buildings that may need to be divided into individual lots that meet dimension standards.

Please let us know if you have any questions or need clarification on our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Dixon".

Steve Dixon, PLA
Landscape Architect

A handwritten signature in blue ink, appearing to read "Mike Peebles".

Mike Peebles, PE
Civil Engineer

Cc: Dan Grimberg – West Hills Development

Attachment: Concept Site Plan

MAP:krg

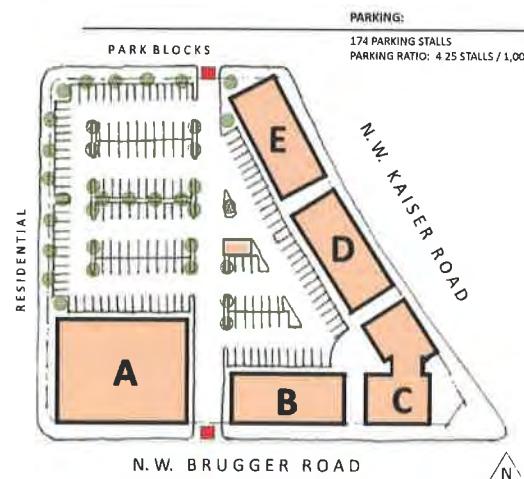
North Bethany - Sato Commercial Property - Concept Designs

Land Division options:

- A) One lot with multiple buildings
- B) Subdivision, multiple lots - one building per lot

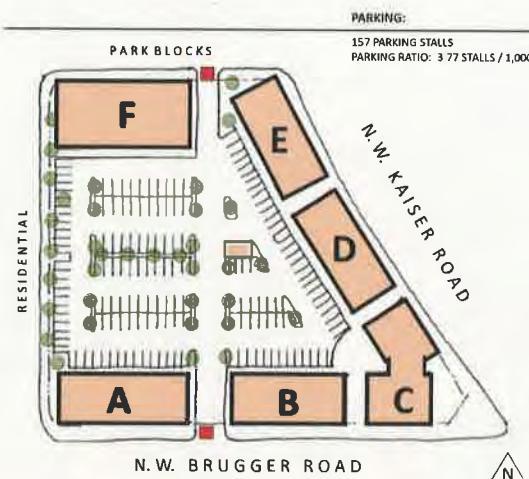
OPTION A:

A:	$115' \times 140' = 16,000$ s.f.	Anchor Tenant
B:	$\sim 50' \times 120' = 6,000$ s.f.	Retail / Restaurant
C:	$\sim 50' \times 120' = 6,750$ s.f.	Retail / Restaurant
D:	$\sim 50' \times 120' = 6,000$ s.f.	Retail / Restaurant
E:	$\sim 50' \times 120' = 6,000$ s.f.	Office
<hr/>		TOTAL: 40,750 s.f.



OPTION B:

A:	$50' \times 140' = 7,000$ s.f.	Office
B:	$\sim 50' \times 120' = 6,000$ s.f.	Retail / Restaurant
C:	$\sim 50' \times 120' = 6,750$ s.f.	Retail / Restaurant
D:	$\sim 50' \times 120' = 6,000$ s.f.	Retail / Restaurant
E:	$\sim 50' \times 120' = 6,000$ s.f.	Office
F:	$\sim 70' \times 140' = 9,800$ s.f.	Anchor Tenant
<hr/>		TOTAL: 41,550 s.f.



OPTION C:

A:	$115' \times 140' = 16,000$ s.f.	Anchor Tenant
B:	$\sim 50' \times 120' = 6,000$ s.f.	Retail / Restaurant
C:	$\sim 50' \times 120' = 6,000$ s.f.	Retail / Restaurant
D:	$\sim 50' \times 120' = 12,000$ s.f.	2-Story Medical Office
<hr/>		TOTAL: 40,000 s.f.

