

AGENDA

OFF DOCKET

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Second Reading and Second Public Hearing
Land Use & Transportation; County Counsel (CPO 7)

Agenda Title: **CONSIDER PROPOSED ORDINANCE NO. 843 – AN ORDINANCE AMENDING THE COMPREHENSIVE FRAMEWORK PLAN, THE TRANSPORTATION SYSTEM PLAN, AND THE BETHANY COMMUNITY PLAN RELATING TO THE ALIGNMENT OF NORTH BETHANY ROAD ‘A’**

Presented by: Andrew Singelakis, Director of Land Use & Transportation
Alan Rappleyea, County Counsel

SUMMARY:

Ordinance No. 843 proposes to amend the Comprehensive Framework Plan for the Urban Area, the Transportation System Plan, and Bethany Community Plan relating to the alignment of Road ‘A’ (known as Shackelford Road) in North Bethany. The ordinance also makes other changes necessary to address the revised alignment, including removal of segments of Primary Streets P4 and P16. The realignment is necessary in order to limit impacts to an identified wetland. The proposed ordinance is posted on the County's land use ordinance webpage at the following link:

www.co.washington.or.us/landuseordinances

At its Sept. 18, 2018 meeting, the Board conducted a public hearing for this ordinance and continued the hearing to Sept. 25 to allow time for review of additional information provided at the hearing. A staff report will be provided to the Board prior to the Sept. 25 hearing and posted on the above land use ordinance webpage. Copies of the report will be available electronically and at the Clerk’s desk prior to the hearing.

Consistent with Board policy, testimony about the ordinance is limited to two minutes for individuals and five minutes for a representative of a group.

Clerk’s Desk Item: Staff Report *(click to access electronic copy)*

DEPARTMENT’S REQUESTED ACTION:

Read Ordinance No. 843 by title only and conduct the second public hearing. At the conclusion of the hearing, adopt Ordinance No. 843 and related findings.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

ADOPTED

Agenda Item No.	_____
Date:	09/25/18

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

ORDINANCE 843

An Ordinance Amending the Comprehensive Framework Plan for the Urban Area, the Transportation System Plan, and the Bethany Community Plan relating to the Alignment of North Bethany "Road A"

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

SECTION 1

A. The Board recognizes that the Comprehensive Framework Plan for the Urban Area (Volume II) was readopted with amendments on September 9, 1986, and subsequently amended by Ordinance Nos. 343, 382, 432, 459, 471, 480, 483, 516, 517, 526, 551, 555, 561, 571, 572, 588, 590, 598, 608-610, 612-615, 620, 624, 631, 632, 637, 643, 649, 662, 666, 669, 671, 683, 686, 694, 712, 726, 730, 732, 733, 739, 742, 744, 745, 753, 758, 764, 769, 771, 775, 785, 788-790, 796, 799, 802, 805, 809, 813-814, 820, 822, and 828.

B. The Board recognizes that the Transportation System Plan Element of the Comprehensive Plan (Volume XV) was adopted on October 25, 1988, by way of Ordinance Nos. 332 and 333, and subsequently amended by Ordinance Nos. 343, 382, 409, 419, 426, 432, 450, 463, 470, 471, 473, 474, 480, 483-485, 493, 494, 503, 515, 526, 537, 542, 546, 552, 556, 588, 601, 609, 611, 626, 627, 631, 642, 649, 663, 674, 683, 712, 713, 717, 718, 730, 739, 744, 749, 750, 760, 767, 768, 775, 783, 789, 790, 799, 802, 805, 814, and 816.

C. The Board recognizes that the Bethany Community Plan was adopted by Ordinance Nos. 263 and 265 and subsequently amended by Ordinance Nos. 345, 420, 471,

1 480, 551, 588, 610, 615, 620, 649, 702, 712, 730, 739, 744-745, 758, 771, 783, 789, 790, 799,
2 801, and 809.

3 D. The Board recognizes that changes to planning documents pertaining to Road A
4 (Shackelford Road), a transportation facility in the North Bethany planning area, are
5 necessary to minimize impact on a wetland subject to the jurisdiction of the Department of
6 State Lands and the Army Corps of Engineers. The Board recognizes that such changes are
7 necessary from time to time for the benefit and welfare of the residents of Washington
8 County, Oregon.

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

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

21 ///

22 ///

1 SECTION 2

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

4 A. Exhibit 1 (3 pages), amends the Comprehensive Framework Plan for the Urban
5 Area, Policy 43, Community Design for New Urban Areas:

- 6 1. ‘North Bethany Subarea Core Pedestrian and Bicycle Network’ Map; and
- 7 2. ‘North Bethany Subarea Concept Plan Design Elements’ Maps 1 and 4.

8 B. Exhibit 2 (3 pages), amends the Transportation System Plan:

- 9 1. Roadway Element ‘Functional Classification’ Map;
- 10 2. Roadway Element ‘Lane Numbers’ Map; and
- 11 3. Active Transportation Elements ‘Pedestrian System’ Map.

12 C. Exhibit 3 (25 pages), amends Chapter 2, the North Bethany Subarea Plan of the
13 Bethany Community Plan:

- 14 1. Section V. – North Bethany Subarea Design Elements;
- 15 2. Section VI. – Neighborhood Design Elements:
 - 16 a. ‘Neighborhoods’ Map;
 - 17 b. ‘Primary Streets’ Map;
 - 18 c. ‘Core Design Elements’ Map;
 - 19 d. ‘Parks, Trails and Pedestrian Connections’ Map;
 - 20 e. ‘Significant Natural and Cultural Resources’ Map;
 - 21 f. ‘Street Design Plan’ Map;
 - 22 g. ‘Special Setbacks’ Map;

- 1 h. 'Special Frontages' Map;
- 2 i. 'Community Service Use Location' Map;
- 3 j. 'Density Restricted Lands' Map;
- 4 k. 'Landslide Inventory' Map;
- 5 l. 'Landslide Study Areas Deep Seated' Map;
- 6 m. 'Landslide Study Areas Shallow Seated' Map; and
- 7 n. 'Areas of Special Concern' Map.

8 SECTION 3

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

12 SECTION 4

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

15 SECTION 5

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

19 SECTION 6

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

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

3 SECTION 7

4 This Ordinance shall take effect on November 23, 2018.

5 ENACTED this 25th day of September, 2018, being the 2nd reading
6 and 2nd public hearing before the Board of County Commissioners of Washington
7 County, Oregon.

8 BOARD OF COUNTY COMMISSIONERS
9 FOR WASHINGTON COUNTY, OREGON

10 **ADOPTED**

Andy Dyer

CHAIRMAN

A. D. Noyda

RECORDING SECRETARY

11 READING

12 PUBLIC HEARING

13
14 First September 18, 2018
15 Second September 25, 2018
16 Third _____
17 Fourth _____
18 Fifth _____
19 Sixth _____

20 First September 18, 2018
21 Second September 25, 2018
22 Third _____
Fourth _____
Fifth _____
Sixth _____

23 VOTE: Aye: Duyck, Rogers & Terry

Nay: Malinowski (Schouten was absent)

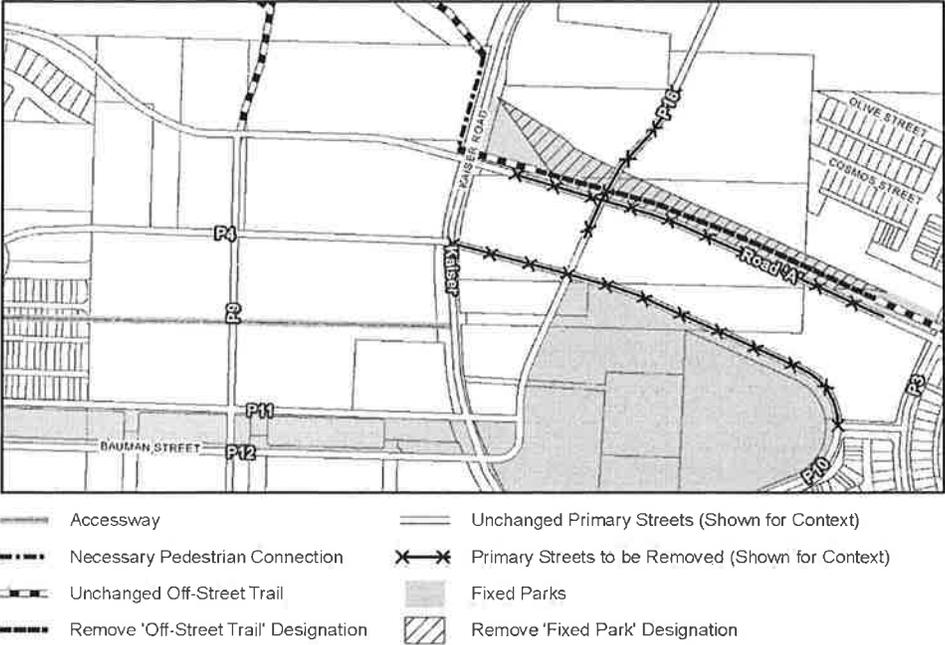
24 Recording Secretary: Ana Noyda

Date: September 25, 2018

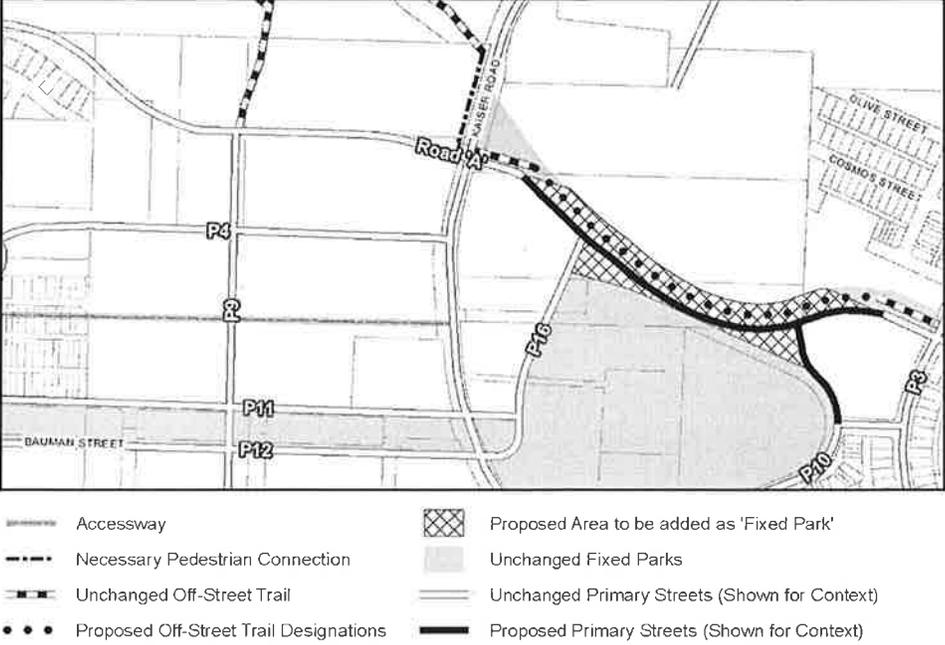
The COMPREHENSIVE FRAMEWORK PLAN FOR THE URBAN AREA, Policy 43 (Community Design for New Urban Areas) is amended to reflect the following:

The 'North Bethany Subarea Core Pedestrian and Bicycle Network' Map is amended as shown:

Current Configuration



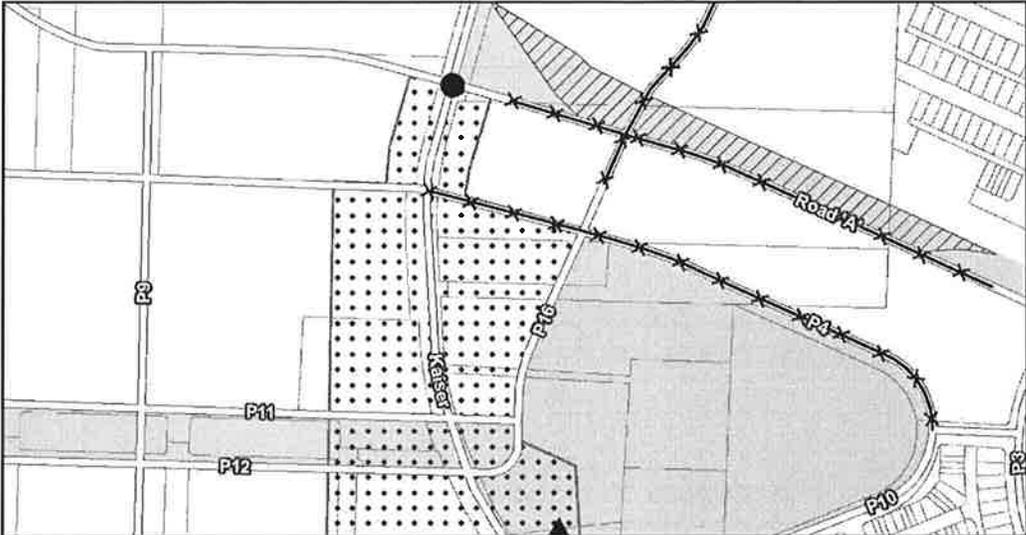
Proposed Configuration



abcdef Proposed additions
~~abcdef~~ Proposed deletions

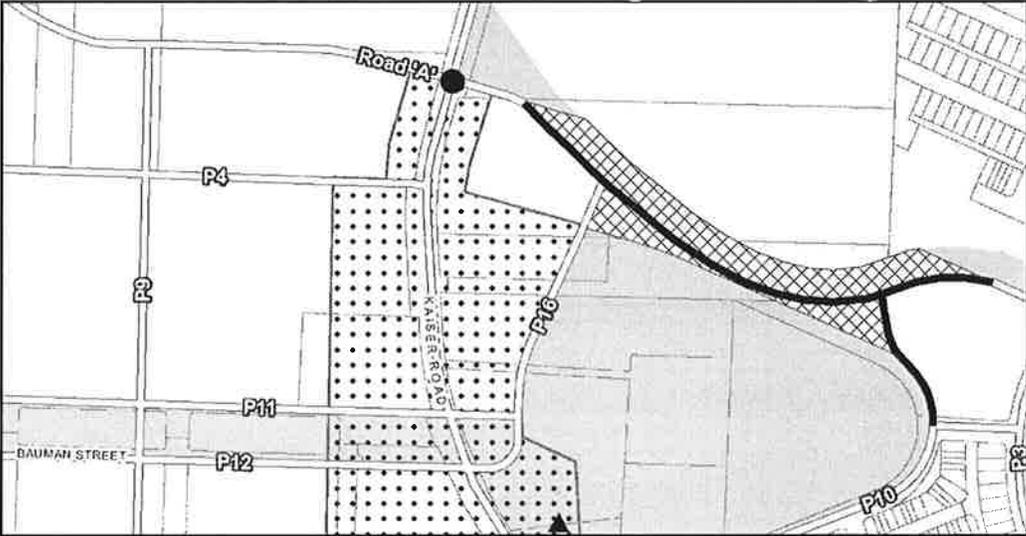
The 'North Bethany Subarea Concept Plan Design Elements' Map 1 is amended as shown:

Current Configuration



- ▲ Design Feature
- Community Gateway
- ✕✕ Primary Streets to be Removed (Shown for Context)
- Unchanged Primary Streets (Shown for Context)
- Metro 2040 Main Street Area Designation
- ▨ Remove 'Fixed Park' Designation
- Unchanged Fixed Parks

Proposed Configuration

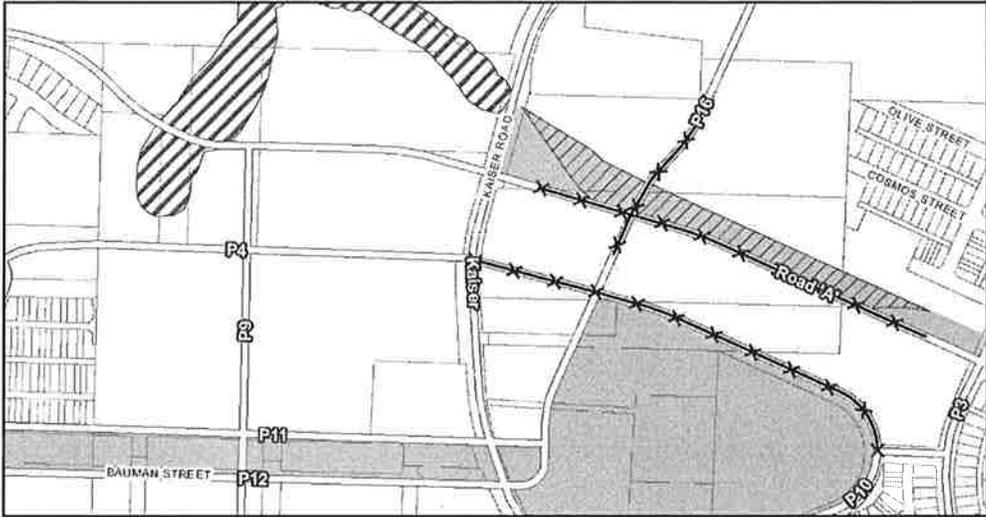


- ▲ Design Feature
- Community Gateway
- Proposed Primary Streets (Shown for Context)
- Unchanged Primary Streets (Shown for Context)
- Metro 2040 Main Street Area Designation
- ▨ Proposed Area to be added as 'Fixed Park'
- Unchanged Fixed Parks

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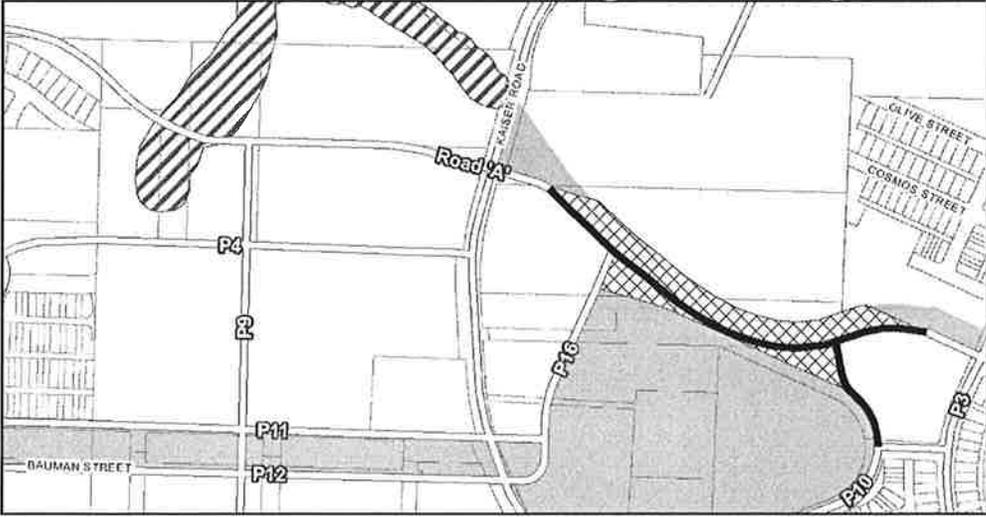
The 'North Bethany Subarea Concept Plan Design Elements' Map 4 is amended as shown:

Current Configuration



- Wetland & Estimated CWS Vegetated Corridor
- Primary Streets to be Removed (Shown for Context)
- Fixed Parks
- Remove 'Fixed Park' Designation
- Unchanged Primary Streets (Shown for Context)

Proposed Configuration



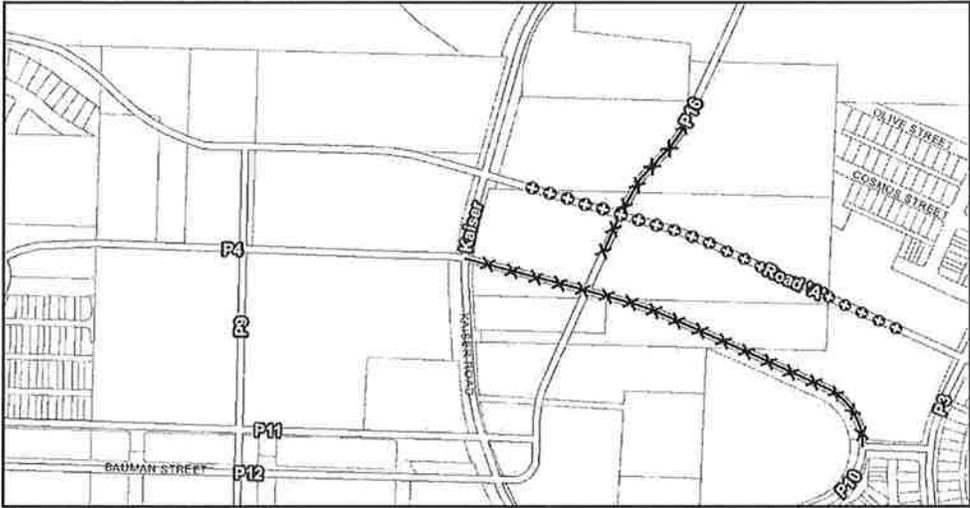
- Wetland & Estimated CWS Vegetated Corridor
- Proposed Primary Streets (Shown for Context)
- Proposed Area to be added as 'Fixed Park'
- Unchanged Fixed Parks
- Unchanged Primary Streets (Shown for Context)

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The Roadway Element of the TRANSPORTATION SYSTEM PLAN is amended to reflect the following:

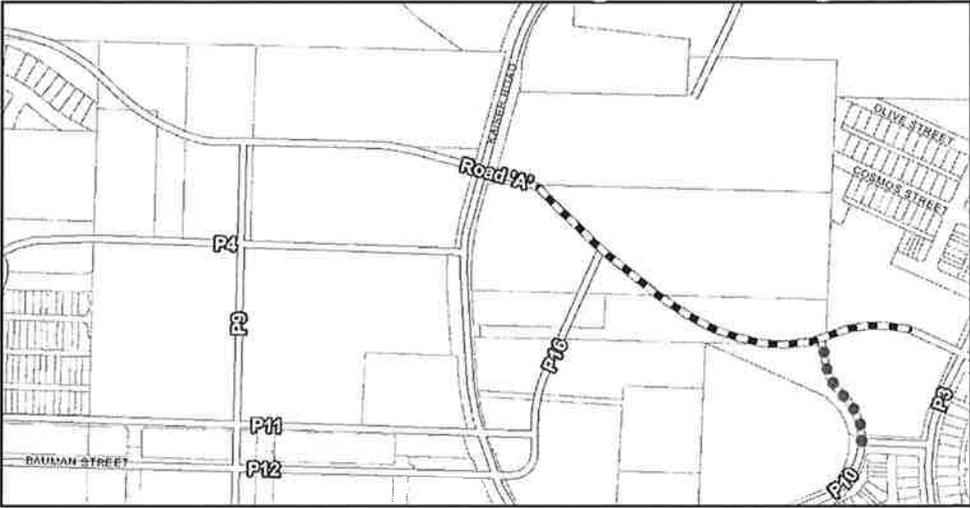
The 'Functional Classification' Map is amended as shown:

Current Configuration



- ⊕⊕⊕ Collector to be Realigned
- X-X Remove Neighborhood Route
- Unchanged Streets (Shown for Context)

Proposed Configuration

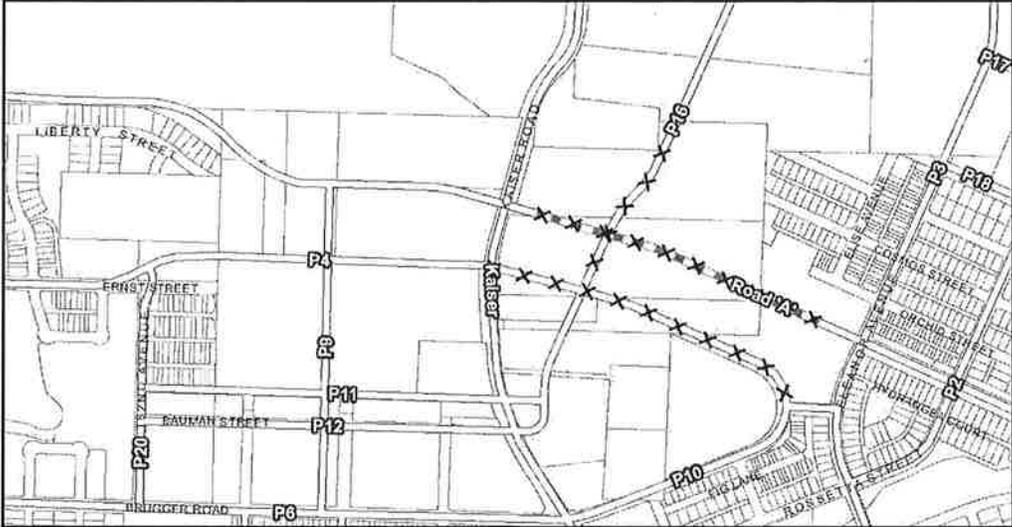


- Proposed Collector Realignment
- Proposed Neighborhood Route Alignment
- Unchanged Streets (Shown for Context)

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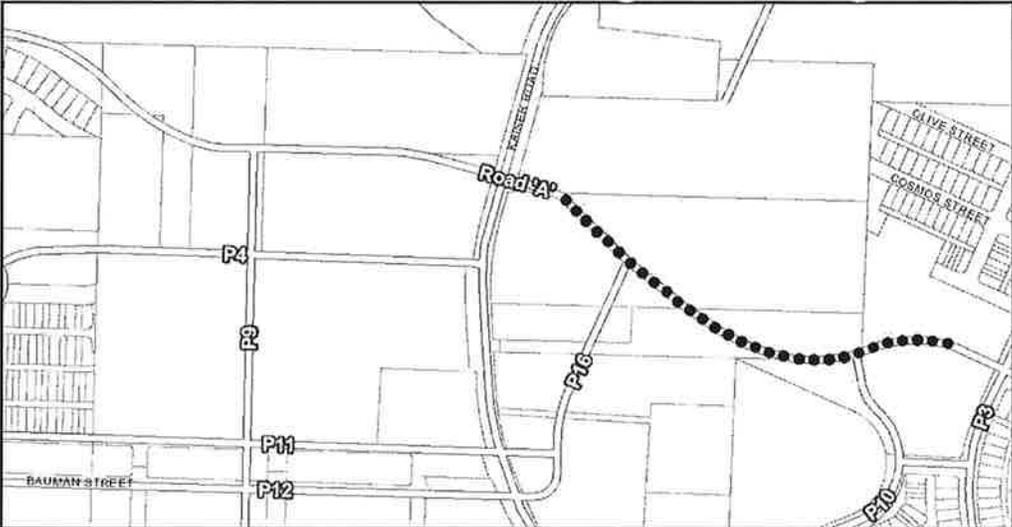
The 'Lane Numbers' Map is amended as shown:

Current Configuration



-  2/3 Lane Road to be Realigned
-  Unchanged Streets (Shown for Context)
-  Streets to be Removed (Shown for Context)

Proposed Configuration



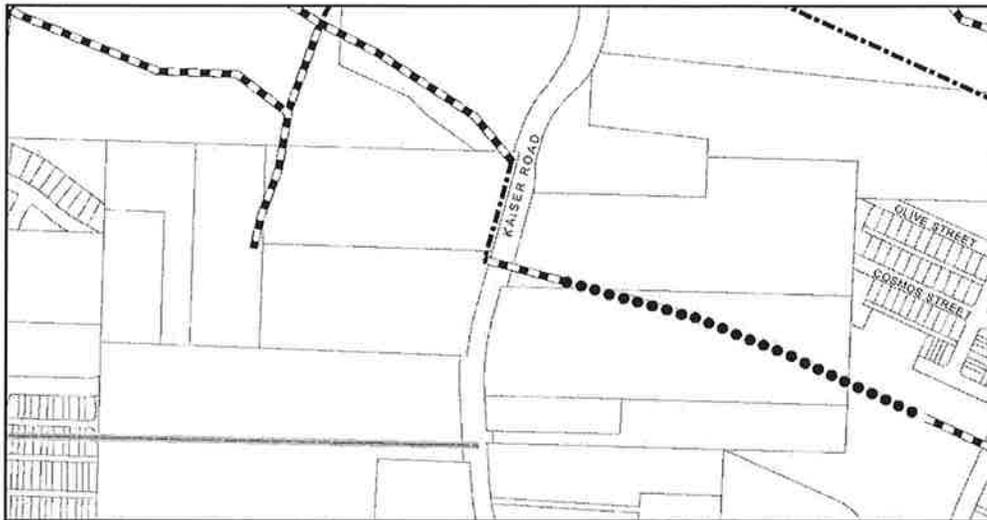
-  Proposed 2/3 Lane Road Alignment
-  Streets (Shown for Context)

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The Active Transportation Elements of the TRANSPORTATION SYSTEM PLAN is amended to reflect the following:

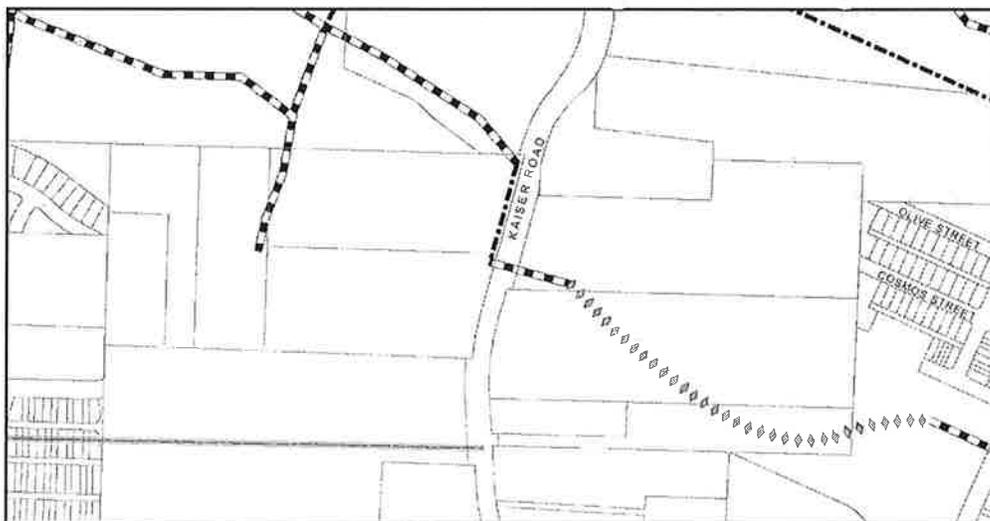
The 'Pedestrian System' Map is amended as shown:

Current Configuration



- Realign Community Trail
- Unchanged Accessway
- - - - Unchanged Necessary Pedestrian Connection
- ■ - ■ Unchanged Community Trail

Proposed Configuration



- ◆◆◆◆ Proposed Community Trail Alignment
- Unchanged Accessway
- - - - Unchanged Necessary Pedestrian Connection
- ■ - ■ Unchanged Community Trail

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Chapter 2, North Bethany Subarea Plan of the BETHANY COMMUNITY PLAN is amended to reflect the following:

CHAPTER 2

North Bethany Subarea Plan of the Bethany Community Plan

V. NORTH BETHANY SUBAREA DESIGN ELEMENTS

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

A. General Design Elements

- 7. For designated areas along the Park Blocks and Northeast Neighborhood Linear Park, development shall follow special "build-to" setbacks as described below. Relevant street segments are identified on the Special Setbacks Map. In the event there is a conflict between these build-to standards and the setback standard of the primary district, the build-to setbacks described below shall control.

Build-To Setbacks Subject to Special Setbacks Map

	Build-To Setbacks			
Yard Area	R-15 NB	R-24 NB	R-25+ NB	NC NB & NCMU
Front Yard	5 to 15 ft.*	5 to 15 ft.*	5 to 15 ft.*	0-15 ft.*
Street Side Yard	8 ft.	8 ft.	8 ft.	0-5 ft.
Rear Yard	12 ft.	12 ft.	12 ft.	0-5 ft.

** Porches and other covered or enclosed entryways and architectural features such as balconies and bay windows may extend beyond the build-to line.*

B. Areas of Special Concern

The following Areas of Special Concern (ASC) apply to those areas in the Subarea Plan that call for special treatment or attention. Each Area of Special Concern is identified on the Area of Special Concern Map in Section VII. Design for each of the ASC Road Corridors shall be consistent with the applicable cross-section concepts included in Section VII, including enhanced landscaping, on-street parking where indicated, and LIDA features.

ASC Road Corridor 1A – Road A: NW Springville Road to NW Kaiser Road
 Road A, between NW Springville Road and NW Kaiser Road, is intended to function as an urban collector street, with the design elements shown in cross-section drawing CL-1. Unless

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review at the land development stage indicates corner vision (CDC Section 418-3) or sight distance issues (CDC Section 501-8.5F), access to this section of Road A from Primary Streets shown on the Primary Streets Map and Nonprimary Streets shown on the Neighborhood Plan Maps shall be allowed. Turn restrictions at these allowed accesses may be required as part of the land development review process. Additional access locations shall be consistent with the collector access spacing requirements of CDC Section 501-8.5. All access locations are subject to approval by the County Engineer.

ASC 8 – Road A Linear Park and ~~Regional Water Quality Facility~~

ASC 8 addresses the intended design and function of the linear park feature along the southern edge of the Northeast Neighborhood. This area runs nearly the entire length of Road A to the east of Kaiser Road and is identified as a “fixed park” on the Parks, Trails and Pedestrian Connections Map. ~~The linear park is intended to extend the length and function of the drainage channel associated with the Abbey Creek tributary.~~

The linear park is an important link in the open space network of the North Bethany Subarea. It links the Rock Creek drainages to Bethany Creek and the open fields east of North Bethany in Multnomah County. Trails throughout the Subarea are designed to connect to a network of pedestrian routes that in the future will connect to regional trails. The linear park also serves a purpose as a foreground to the Northeast Neighborhood, subtly setting it apart from the neighborhood south of Road A. The portion of the linear park that is east of Primary Street P3 offers the residences north of Road A some separation from the street by opening to the linear park, rather than directly to the street. While not required, the design intent is to have front doors face the path and the linear park, while garages are accessed via alleys behind the homes, and to have the path in the linear park be located along the front property line of the adjacent lots, defining the north boundary of the park.

The south boundary of the linear park is defined by the right of way of Road A and its sidewalk. The sidewalk and path should ideally be constructed of identical material for uniformity and connect with perpendicular sidewalks at regular intervals that coincide with adjacent street stubs and pedestrian connections. Between the two parallel pedestrian facilities, there is space for vegetation and storm water swales. It is important that the vegetation remains below 4 feet in height so that views across the linear parks are not obscured for safety reasons. It is also recommended that this path have its own pedestrian scale lighting system, particularly if it is determined that the street light along Road A will be too far away to achieve a satisfactory illumination level.

The continuity of the linear park is interrupted about midpoint, where an opportunity exists to make a clear connection to the adjacent commercial designation. The intent is to create a small pedestrian plaza that will allow the neighborhood retail to spill into the public realm, creating the opportunity for outdoor seating. The plaza should be designed as a year-round neighborhood meeting place offering shelter, seating and interest.

The linear park shall be constructed to function as a multi-purpose facility incorporating a pedestrian connection, public plaza adjacent to the commercial site, and regional stormwater facilities. The overall width of the park shall be uniform along its entire length with the ultimate

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width dependent upon the area required for ~~the regional stormwater facility and the multi-~~ purpose path. Development in ASC 8 shall coordinate with:

1. ~~Coordinate with the Washington County and THPRD to align a hard surface trail on the north side of Road A as part of the linear park.~~
2. ~~Coordinate with THPRD to incorporate a public plaza that is adjacent to the neighborhood commercial designation. The plaza may be privately or publicly maintained.~~
3. ~~Coordinate with THPRD and CWS to incorporate necessary regional stormwater facilities along the park.~~

The following cross-sections along the linear park illustrate design solutions that are consistent with the design intent and guidelines described herein for this ASC.

ASC 12 – Residential Density and Wetland north of the East Community Park

ASC 12 addresses the calculation of residential density for portions of Tax Lots 600 and 709 of Tax Map 1N1 17A that are located east of the planned intersection of NW Kaiser Road and Road A, and north of Road A and the planned East Community Park.

The North Bethany Local Wetland Inventory (LWI) identified a wetland within this ASC. The LWI determined that this wetland was not “locally significant” per the Goal 5 significance criteria of ORS 197.279(3)(b). Therefore, the wetland was not designated as a significant natural resource on the Significant Natural and Cultural Resources map, or as density restricted land on the Density Restricted Lands map.

Based on preliminary feedback from Department of State Lands (DSL) and the Army Corps of Engineers (Corps), the wetland within this ASC is a jurisdictional wetland under the jurisdiction of these agencies. These resource agencies may limit or prohibit proposed future residential development within the wetland.

Per CDC Section 300-3, density transfers from jurisdictional wetlands and other types of unbuildable areas are not allowed in North Bethany. The density transfer prohibition was adopted to preserve North Bethany’s density transect, an intentional transition from areas of higher to lower density that results from the way the land use districts have been located relative to one another. As a result, the residential density from the wetland in this ASC cannot be transferred to the remainder of the properties on which the wetland is located.

However, proposals for future residential development on these properties are required to meet the minimum and maximum density requirements of the underlying land use district(s). Since development within the wetland may potentially be prohibited by the resource agencies and residential density cannot be transferred from the wetland to the remainder of the properties, an allowance may be needed for the wetland area to be subtracted from the overall site area for purposes of the residential density calculation required by CDC Section 300-2 (Residential Density Calculation).

Therefore, the wetland area in this ASC (as determined by its future delineation and concurrence by DSL) may be subtracted from the overall site area for the purpose of the residential density calculation required by CDC Section 300-2.

VI. NEIGHBORHOOD DESIGN ELEMENTS

The North Bethany Subarea is comprised of six neighborhoods, each with a set of distinct Design Elements. These Design Elements are described in text below and illustrated on the Neighborhood Plans. As described under Section IV.C., above, the depicted locations of streets that are not Primary Streets in the Neighborhood Plans are intended as guidance, suggesting one preferred configuration for these transportation improvements.

The design elements of the Areas of Special Concern described above shall apply to development in these areas.

C. Northeast Neighborhood

The Northeast Neighborhood is bordered on the south by Road A. The northern and eastern boundaries are the UGB. On the west, the neighborhood boundary is the north-south powerline corridor and comes to a point where the Abbey Creek tributary and powerline corridor meet the northern UGB.

Design Elements

1. A neighborhood commercial site is adjacent to Primary Streets (P3) and Road A. The site is approximately one-half acre. 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, as described in ASC 8 (Road A Linear Park).

5. The Northeast Neighborhood has eight Primary Streets. 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:

- f. Primary Street (P16) provides access ~~within~~^{to} the Northeast Neighborhood ~~(north of the Abbey Creek tributary) from Road A.~~ The alignment shall be consistent with emergency access standards established by Tualatin Valley Fire & Rescue.
- g. Road A is the southern neighborhood boundary. See ASC 1A for design criteria.
- h. NW Kaiser Road is a Primary Street that extends through the neighborhood along the existing right of way.

7. Development shall be consistent with ASC Road Corridor 1A and ASC ~~6, and 8~~^{6, and 12.}

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.

Design Elements

1. The following design elements shall be incorporated into the portion of the neighborhood between Bethany Creek and NW Springville Road:

5. The Southeast Neighborhood has eleven Primary Streets. 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 P3 extends from NW Springville Road north to Road A. Primary Street P3 aligns with existing NW Benny Street south of NW Springville Road and provides the eastern boundary of the Neighborhood Commercial area. Extending north of Bethany Creek, the street alignment intersects with Road A just south of the Northeast Neighborhood commercial area. The street is essential to provide a direct route from NW Springville Road to the Northeast Neighborhood.
- b. Primary Street ~~P21~~ P4 extends east from the ~~NW Kaiser Road Main Street Area. The street provides the northern and eastern boundaries of the East Community Park before connecting with Primary Street P10 and continuing east to intersect with Primary Street P3.~~ Primary Streets ~~P4 and P10, along with a portion of Road A,~~ frames the community park, provides parking for park uses and provides a park edge that is connected to the neighborhood. The front façades of all buildings shall front on the park consistent with General Design Element 8.
- c. Two Primary Streets (P11) and (P12) extend east from the Park Blocks one-way street couplet. The streets provide access to the civic center, East Community Park and commercial area from NW Kaiser Road and from the northeast part of the Subarea. Access to and from these streets at Kaiser Road shall be consistent with ASC Road Corridor 2.
- d. Primary Street (P16) extends north from the one-way couplet to Road A. The street provides a connection from the Main Street Area to Road A ~~the Northeast Neighborhood.~~

- 6. The site at the eastern end of Primary Street P21 ~~P4~~ terminates opposite at the eastern boundary of the community park and shall have a prominent landmark in the form of an architectural or landscape feature, such as the front entrance or lobby of a building, or a park.

E. Central Neighborhood

The Central Neighborhood extends north from NW Springville Road to Road A. Generally, the western boundary is the Waterhouse Powerline Trail Corridor and the eastern boundary is NW Kaiser Road.

Design Elements

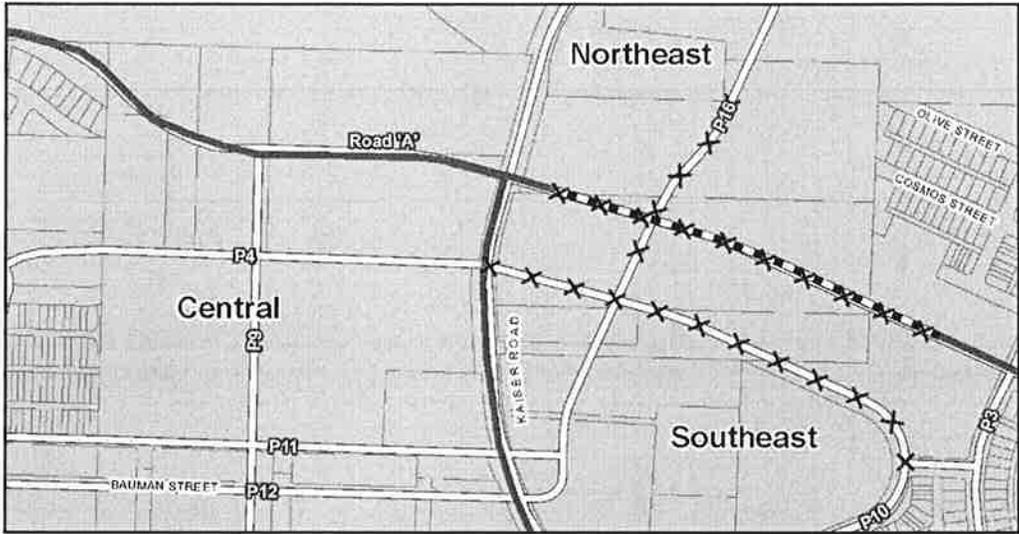
- 1. The Central Neighborhood shall have two neighborhood parks and the linear park blocks.
- 4. The Central Neighborhood has eleven Primary Streets. Primary Streets shall be provided in new development consistent with Section IV.C. (Primary Streets) and Section V.B. (Areas of Special Concern) of the North Bethany Subarea Plan. The intent of each Primary Street is provided below:

- a. NW Rossetta Street is Primary Street P2 that parallels Bethany Creek for portions of its length between Primary Street P15 and Road A. P2 is an important east-west connection between Arbor Oaks Subarea and the central portion of the North Bethany Subarea. Development of P2 shall be consistent with ASC 7.

- g. Primary Street P4 connects the West Neighborhood to NW Kaiser Road ~~and the East Community Park.~~
- h. NW Springville Road is a Primary Street that is located primarily in existing right of way. Development shall be consistent with ASC 4A.
- i. Road A is a Primary Street. Development along Road A shall be consistent with ASC Road Corridor 1B.

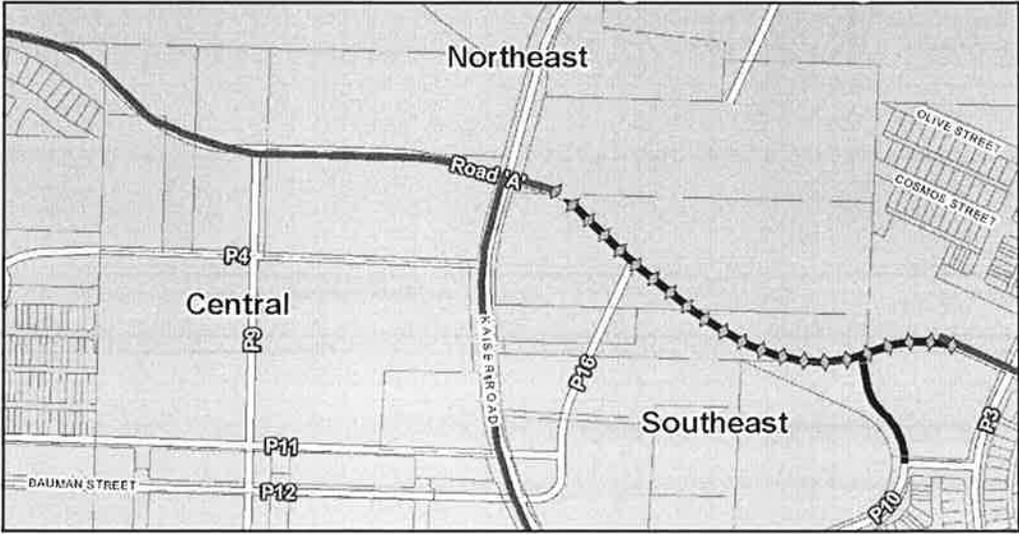
The 'Neighborhoods' Map is amended as shown:

Current Configuration



- Neighborhoods
- Neighborhood Boundary to be Removed
- X X Primary Streets to be Removed (Shown for Context)
- Unchanged Primary Streets (Shown for Context)

Proposed Configuration

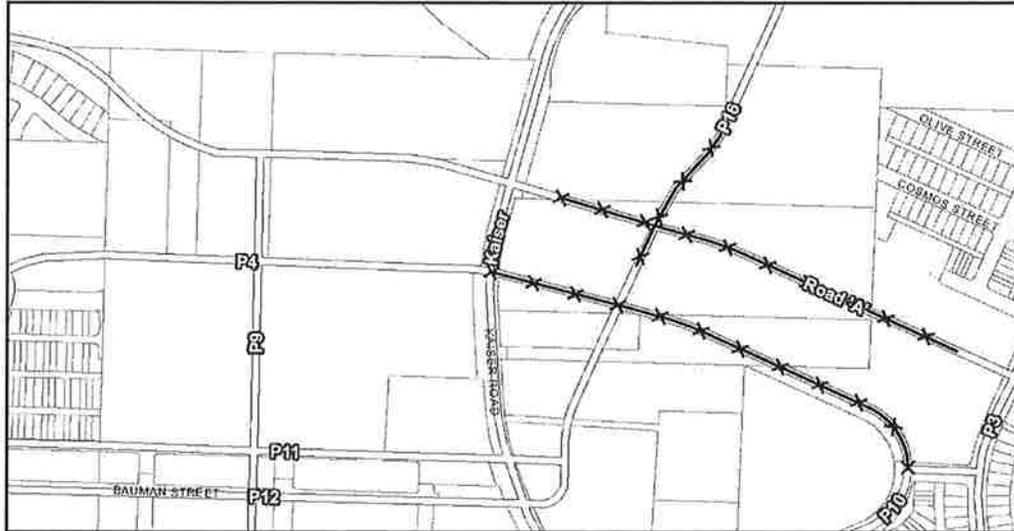


- Proposed Neighborhood Boundary
- Proposed Primary Streets (Shown for Context)
- Unchanged Neighborhoods
- Unchanged Primary Streets (Shown for Context)

abcdef Proposed additions
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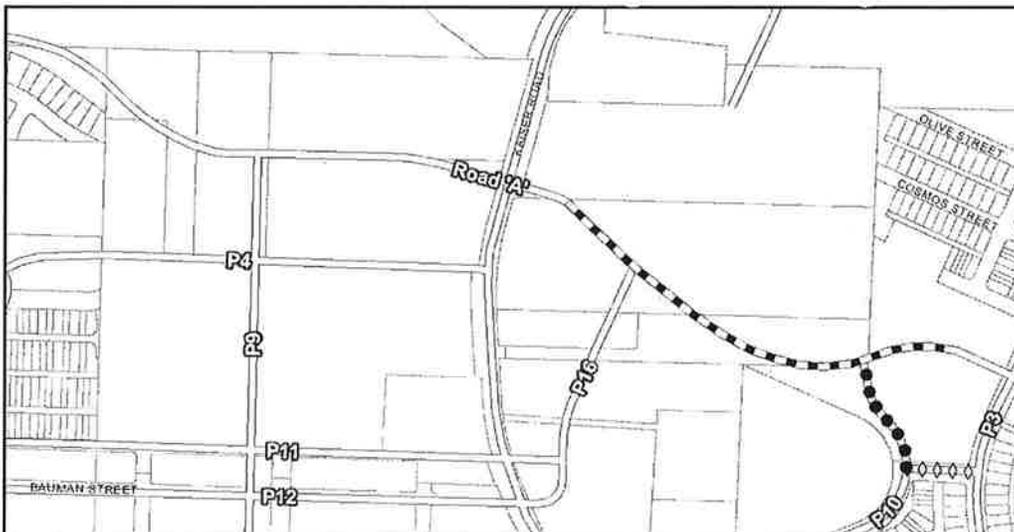
The 'Primary Streets' Map is amended as shown:

Current Configuration



- Unchanged Primary Streets (Shown for Context)
- X-X Primary Streets to be Removed

Proposed Configuration

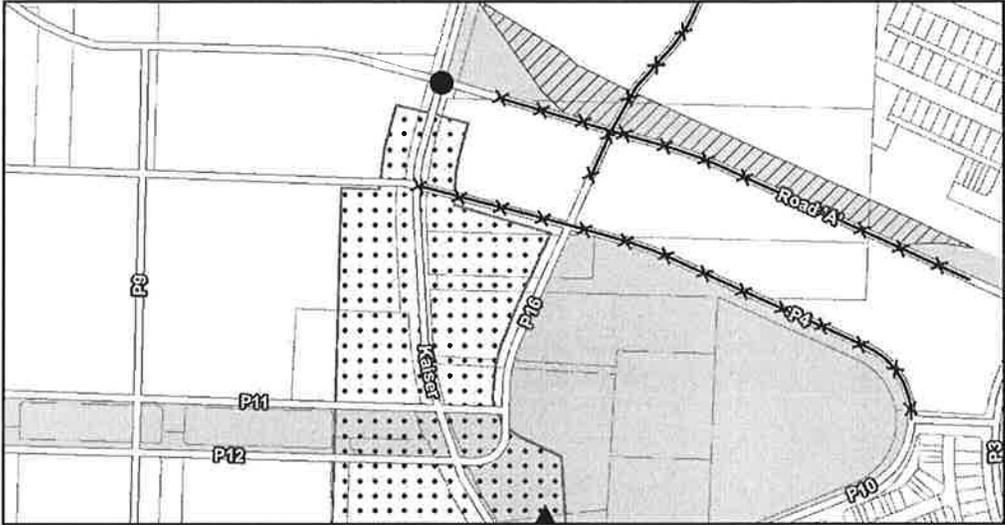


- - - Proposed Realignment of Road A
- Proposed Primary Street to be an Extension of Primary Street P10
- ◇◇◇◇ Rename as Primary Street P21
- Unchanged Primary Streets (Shown for Context)

abcdef Proposed additions
 abcdef Proposed deletions

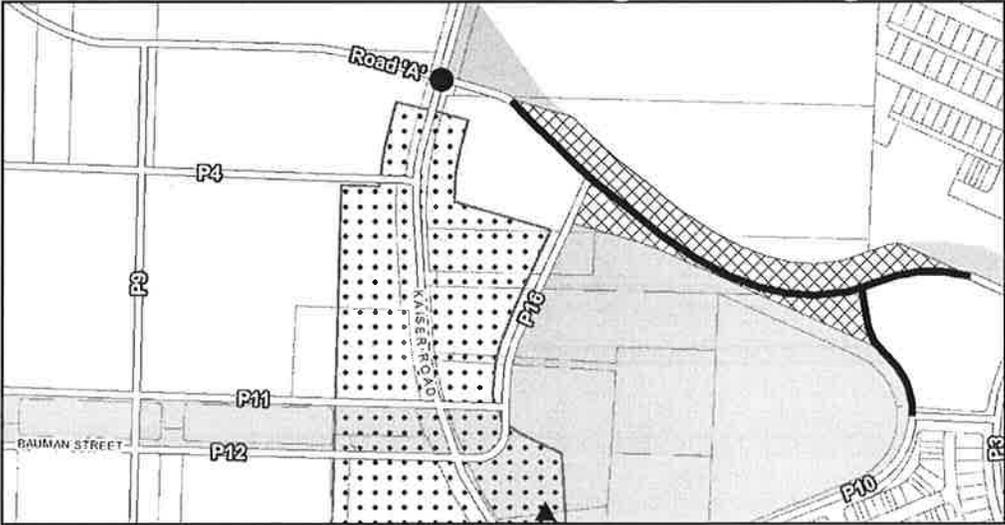
The 'Core Design Elements' Map is amended as shown:

Current Configuration



- ▲ Design Feature
- Community Gateway
- ✕✕ Primary Streets to be Removed (Shown for Context)
- Unchanged Primary Streets (Shown for Context)
- Main Street Area
- ▨ Remove 'Fixed Park' Designation
- Unchanged Fixed Parks

Proposed Configuration

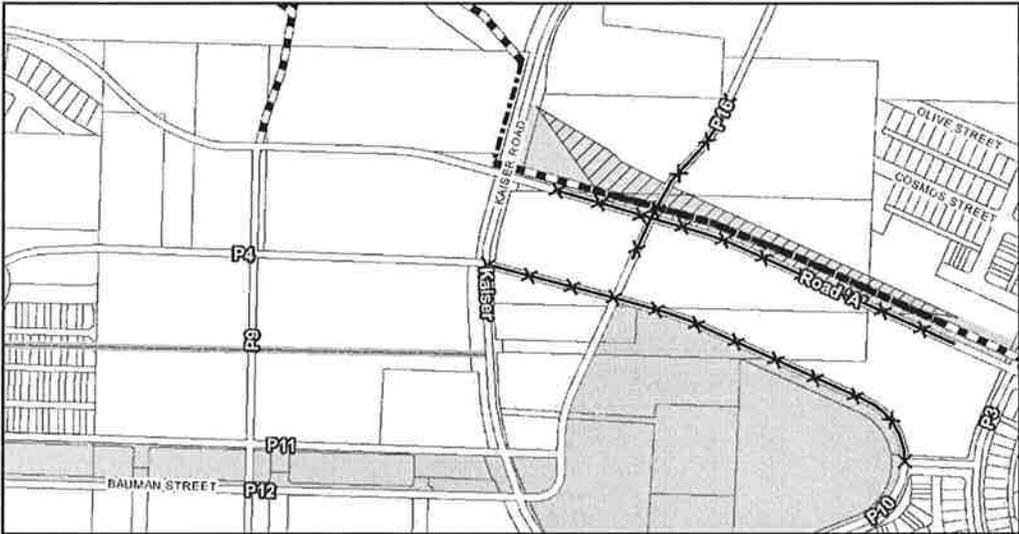


- ▲ Design Feature
- Community Gateway
- Proposed Primary Streets (Shown for Context)
- Unchanged Primary Streets (Shown for Context)
- Main Street Area
- ▨ Proposed Area to be added as 'Fixed Park'
- Unchanged Fixed Parks

abcdef Proposed additions
 abedef Proposed deletions

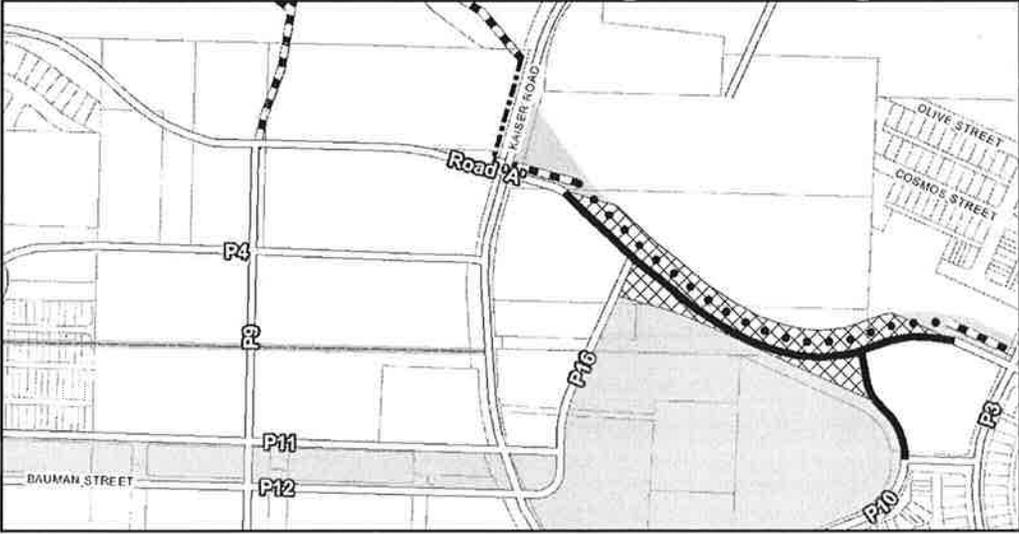
The 'Parks, Trails and Pedestrian Connections' Map is amended as shown:

Current Configuration



- Accessway
- Unchanged Primary Streets (Shown for Context)
- - - Necessary Pedestrian Connection
- ✕ ✕ Primary Streets to be Removed
- - - Unchanged Off-Street Trail
- Fixed Parks
- - - Remove 'Off-Street Trail' Designation
- ▨ Remove 'Fixed Park' Designation

Proposed Configuration

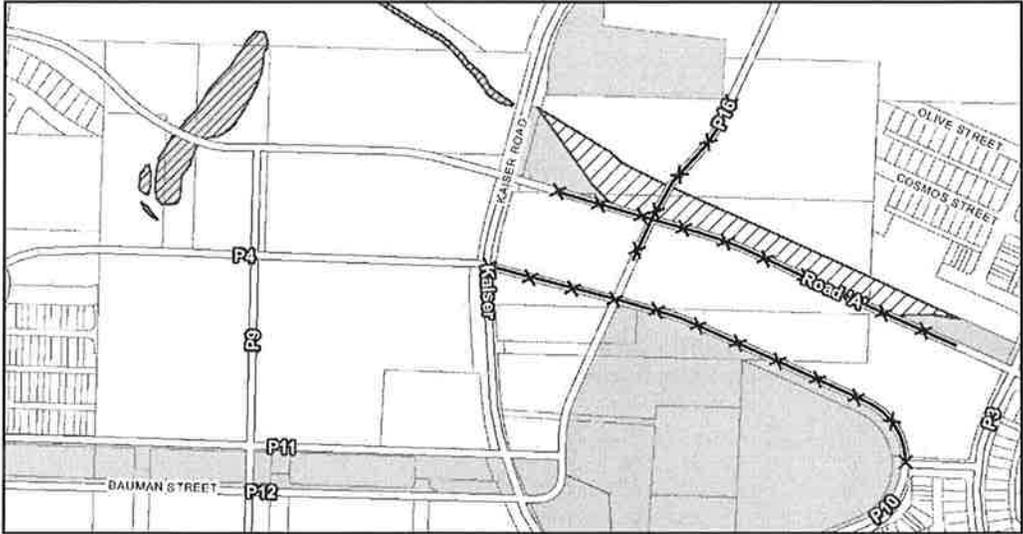


- Accessway
- ▨ Proposed Area to be added as 'Fixed Park'
- - - Necessary Pedestrian Connection
- Unchanged Fixed Parks
- - - Off-Street Trail
- Unchanged Primary Streets (Shown for Context)
- • • Proposed Off-Street Trail Designations
- Proposed Primary Streets (Shown for Context)

abcdef Proposed additions
 abedef Proposed deletions

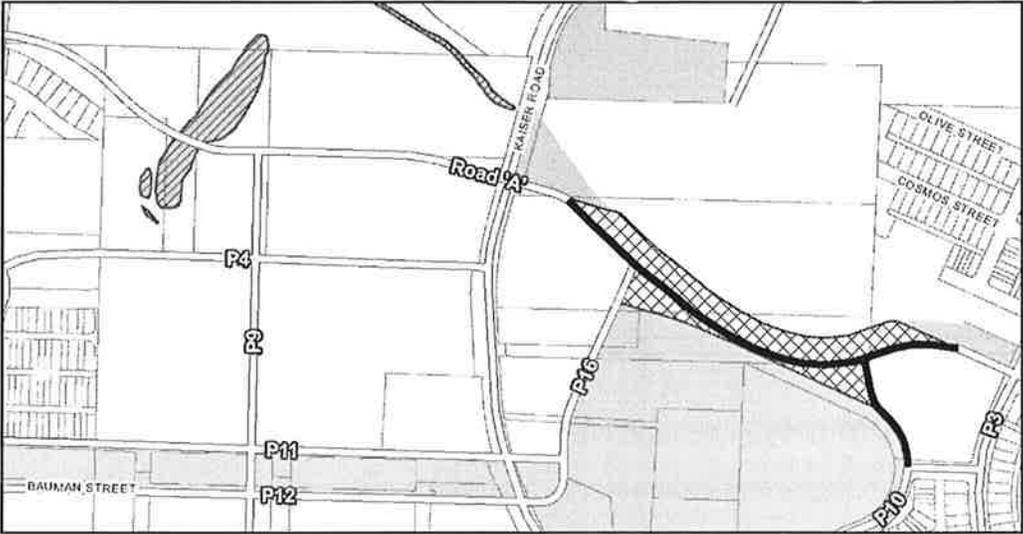
The 'Significant Natural and Cultural Resources' Map is amended as shown:

Current Configuration



-  Water Area and Wetland (Shown for Context)
-  Unchanged Open Space
-  Open Space to be Removed
-  Primary Streets to be Removed (Shown for Context)
-  Unchanged Primary Streets (Shown for Context)

Proposed Configuration

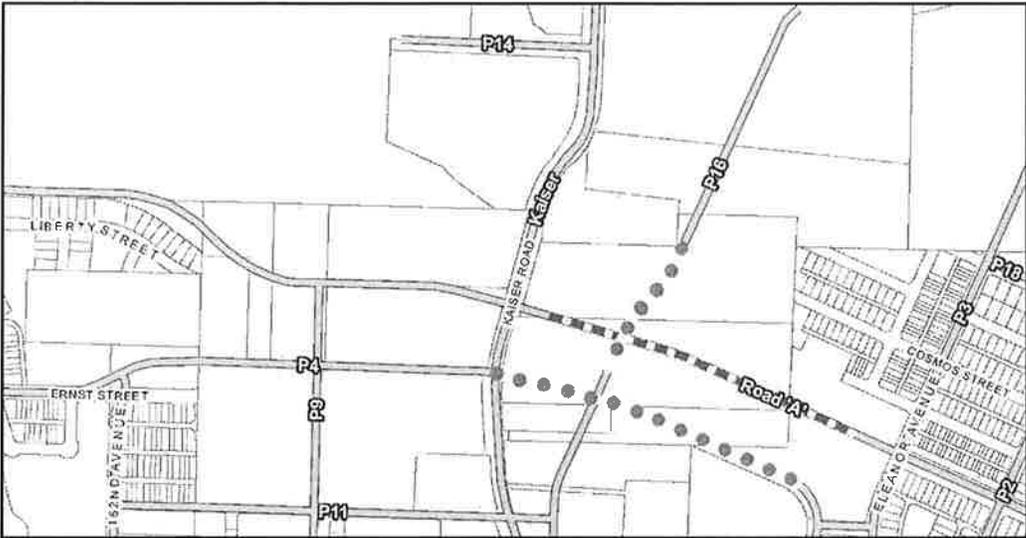


-  Water Area and Wetland (Shown for Context)
-  Unchanged Open Space
-  Proposed Areas to be Added as Open Space
-  Proposed Primary Streets (Shown for Context)
-  Unchanged Primary Streets (Shown for Context)

abcdef Proposed additions
 abedef Proposed deletions

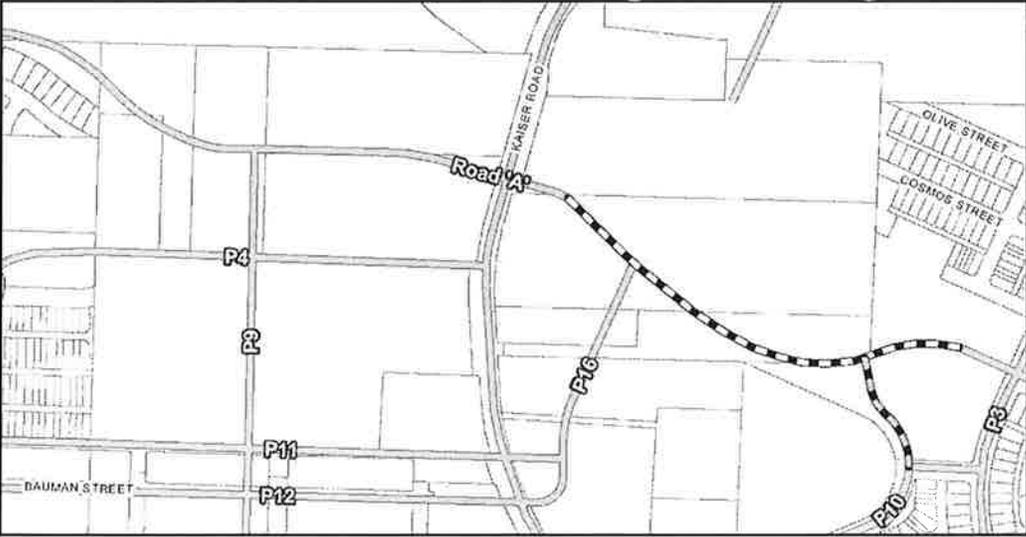
The 'Street Design Plan' Map is amended as shown:

Current Configuration



- Remove 'CL-1/Linden' Designation
- Remove 'NR/Tree Based on Neighborhood' Designation
- Existing Street Design Designation (Cross-Section / Street Tree Type)

Proposed Configuration

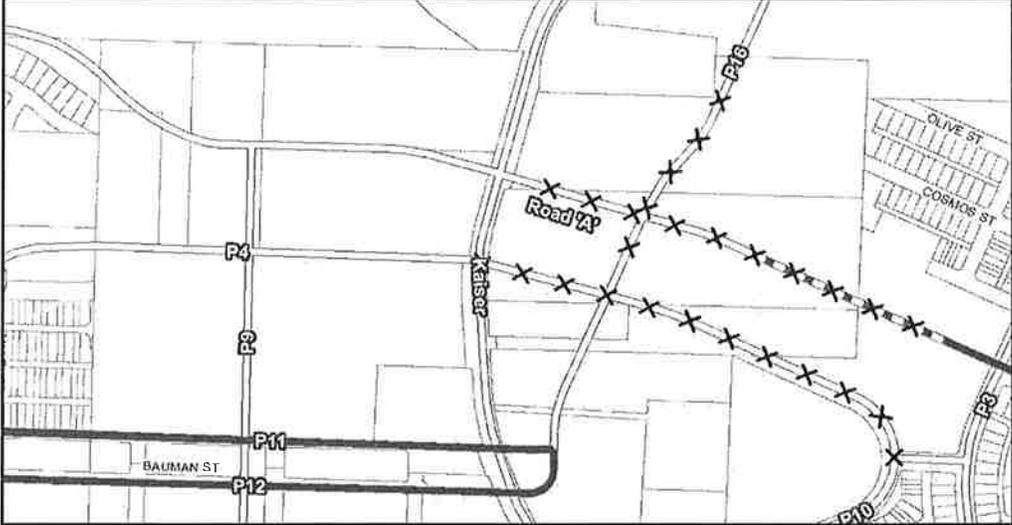


- Add 'CL-1/Linden' Designation
- Add 'NR/Tree Based on Neighborhood' Designation
- Proposed Primary Streets (Shown for Context)
- Unchanged Street Design Designation (Cross-Section / Street Tree Type)

abcdef Proposed additions
 abedef Proposed deletions

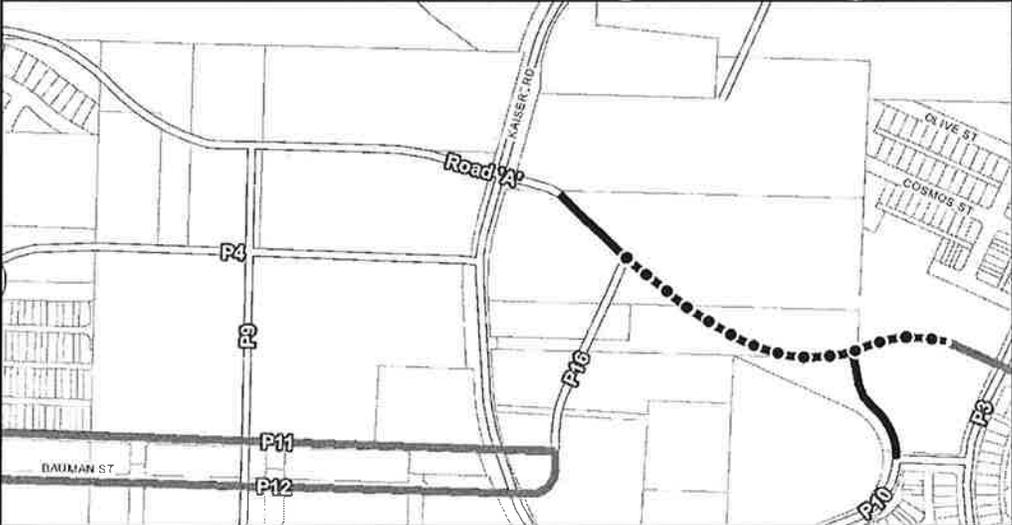
The 'Special Setbacks' Map is amended as shown:

Current Configuration



- Unchanged Special Setbacks
- Remove Special Setbacks 'Linear Park - North Side of Road' Designation
- X X Primary Streets to be Removed (Shown for Context)
- Unchanged Primary Streets (Shown for Context)

Proposed Configuration

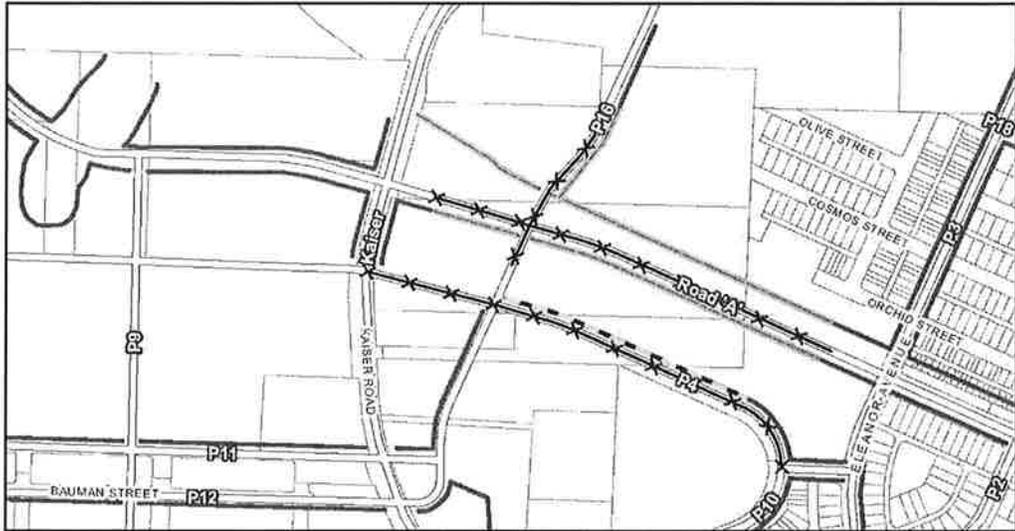


- Add Special Setbacks 'Linear Park - North Side of Road' Designation
- Unchanged Special Setbacks
- Proposed Primary Streets (Shown for Context)
- Unchanged Primary Streets (Shown for Context)

abcdef Proposed additions
 abedef Proposed deletions

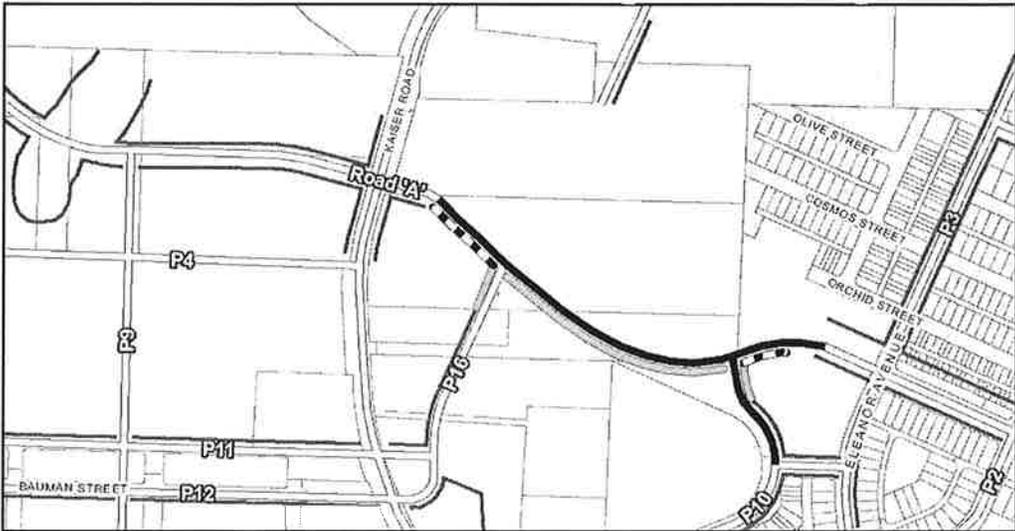
The 'Special Frontages' Map is amended as shown:

Current Configuration



- Unchanged Special Frontages
- - - Remove Special Frontage Category A
- Remove Special Frontage Category B
- X X Primary Streets to be Removed (Shown for Context)
- Unchanged Primary Streets (Shown for Context)

Proposed Configuration

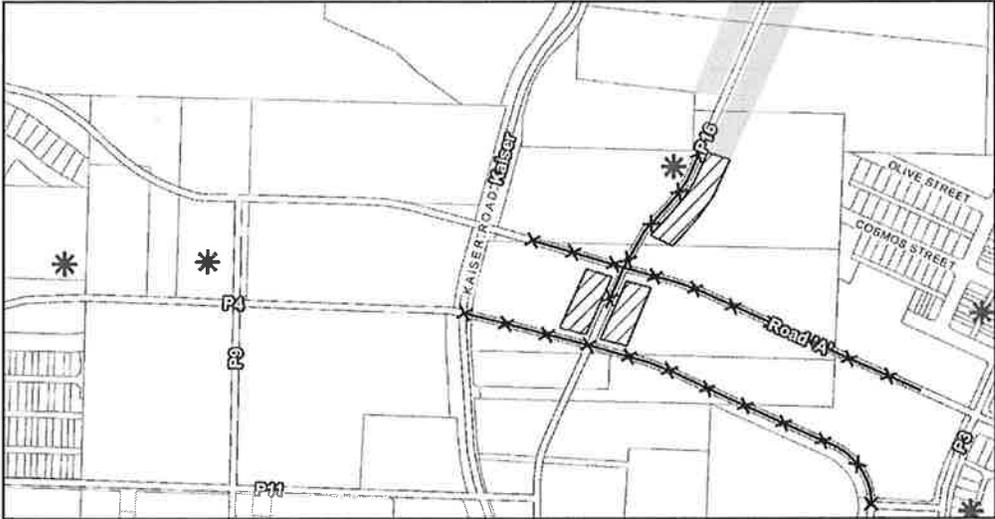


- Add Special Frontage Category A
- Add Special Frontage Category B
- Unchanged Special Frontages
- Proposed Primary Streets (Shown for Context)
- Unchanged Primary Streets (Shown for Context)

abcdef Proposed additions
 abedef Proposed deletions

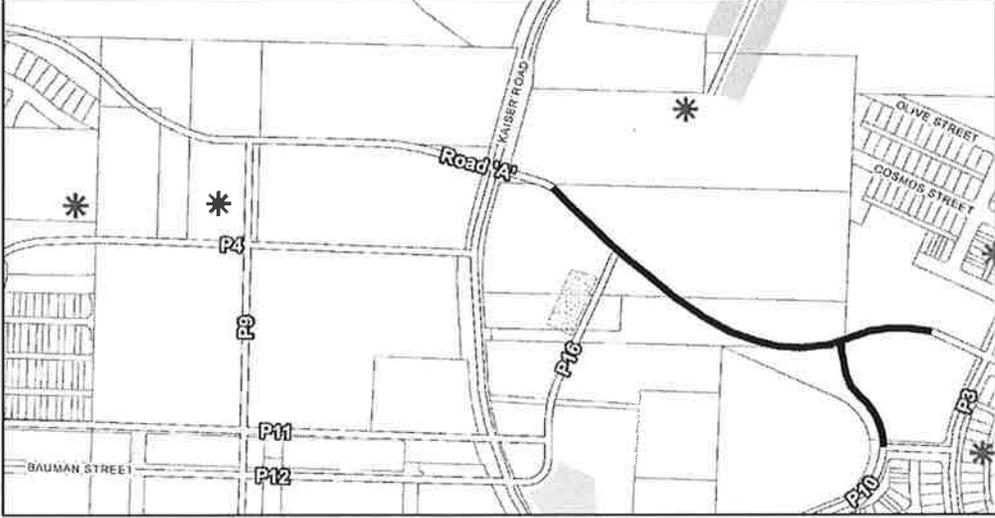
The 'Community Service Use Location' Map is amended as shown:

Current Configuration



- * Unchanged Community Service Location
- ✕ Primary Streets to be Removed (Shown for Context)
- Unchanged Community Service Area
- Unchanged Primary Streets (Shown for Context)
- ▨ Community Service Area to be Removed

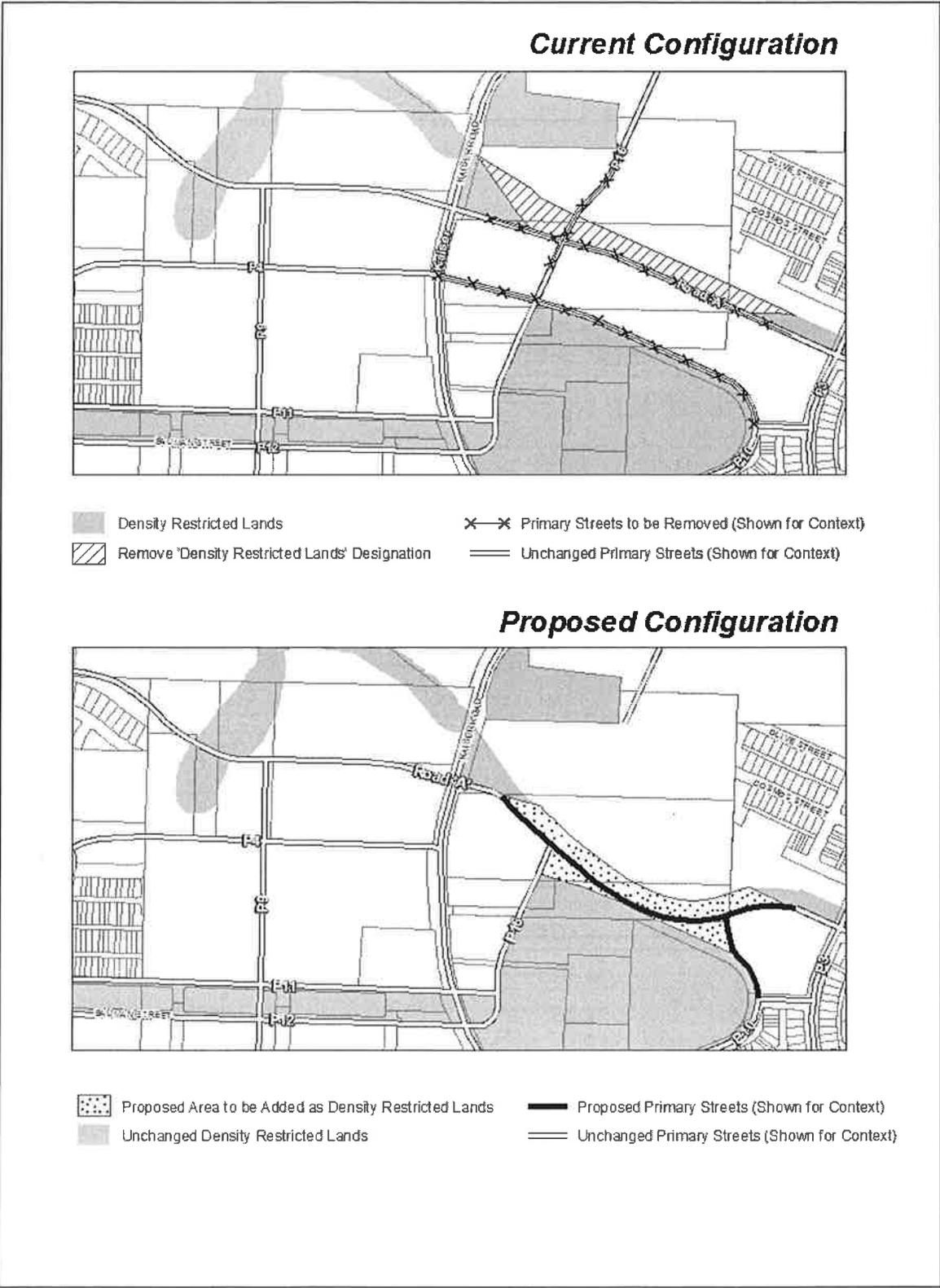
Proposed Configuration



- * Unchanged Community Service Location
- Proposed Primary Streets (Shown for Context)
- Unchanged Community Service Area
- Unchanged Primary Streets (Shown for Context)
- ▨ Community Service Area to be Added

abcdef Proposed additions
 abcdef Proposed deletions

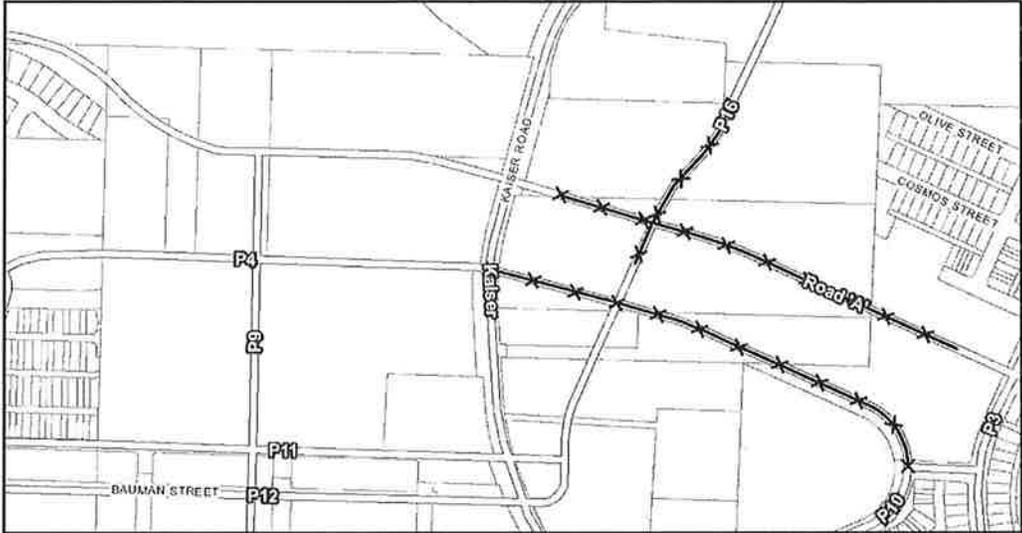
The 'Density Restricted Lands' Map is amended as shown:



abcdef Proposed additions
 abcdef Proposed deletions

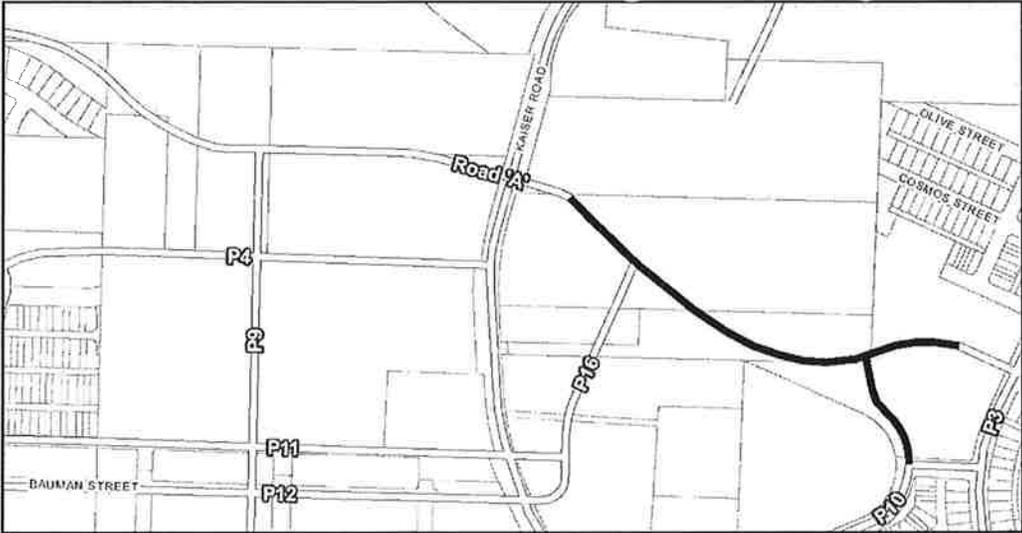
The 'Landslide Inventory' Map is amended as shown:

Current Configuration



- Unchanged Primary Streets
- X—X Primary Streets to be Removed (Shown for Context)
- Landslide Inventory * No Historic or Pre-Historic Landslides within the Map Extent

Proposed Configuration

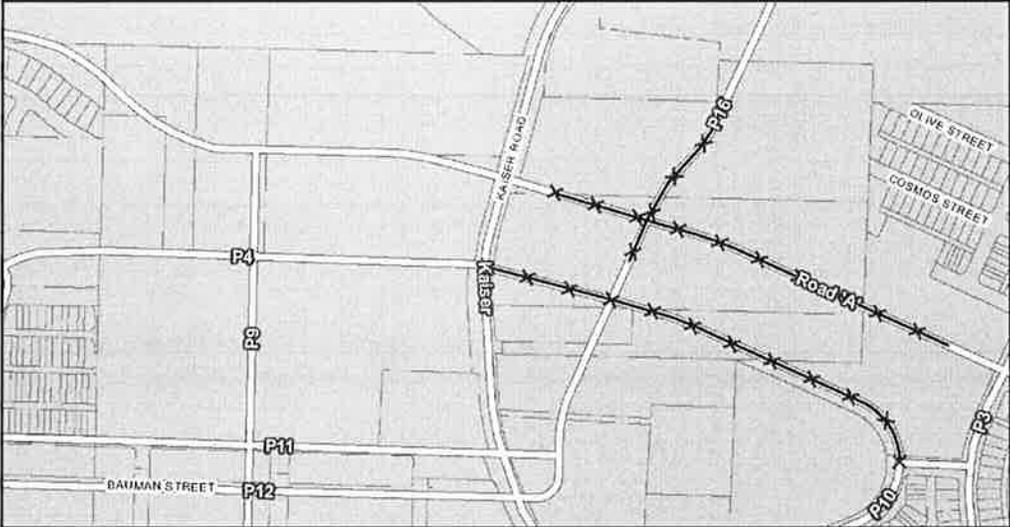


- Proposed Primary Streets (Shown for Context)
- Unchanged Primary Streets (Shown for Context)
- Unchanged Landslide Inventory * No Historic or Pre-Historic Landslides within the Map Extent

abcdef Proposed additions
~~abcdef~~ Proposed deletions

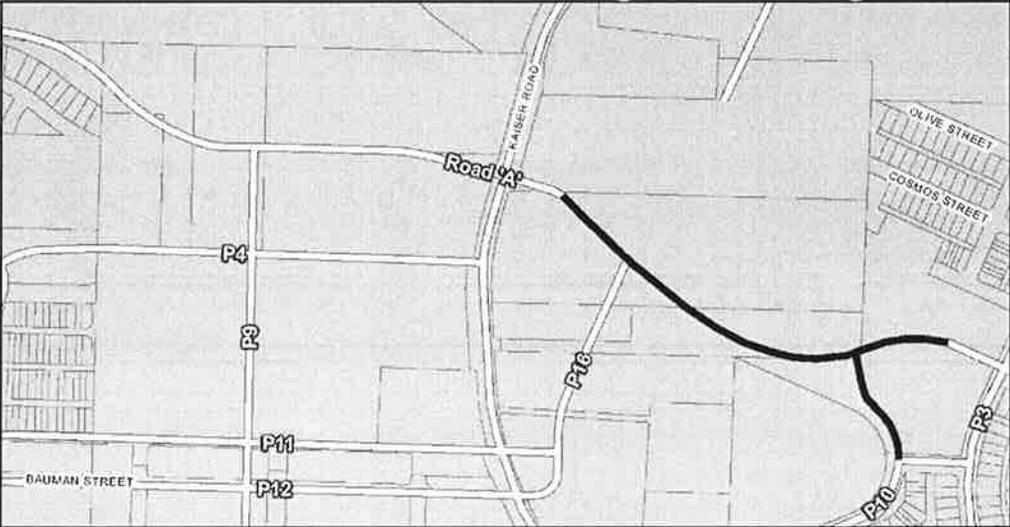
The 'Landslide Study Areas Deep Seated' Map is amended as shown:

Current Configuration



- Landslide Study Area Deep-Seated
- Primary Streets to be Removed (Shown for Context)
- Unchanged Primary Streets (Shown for Context)

Proposed Configuration

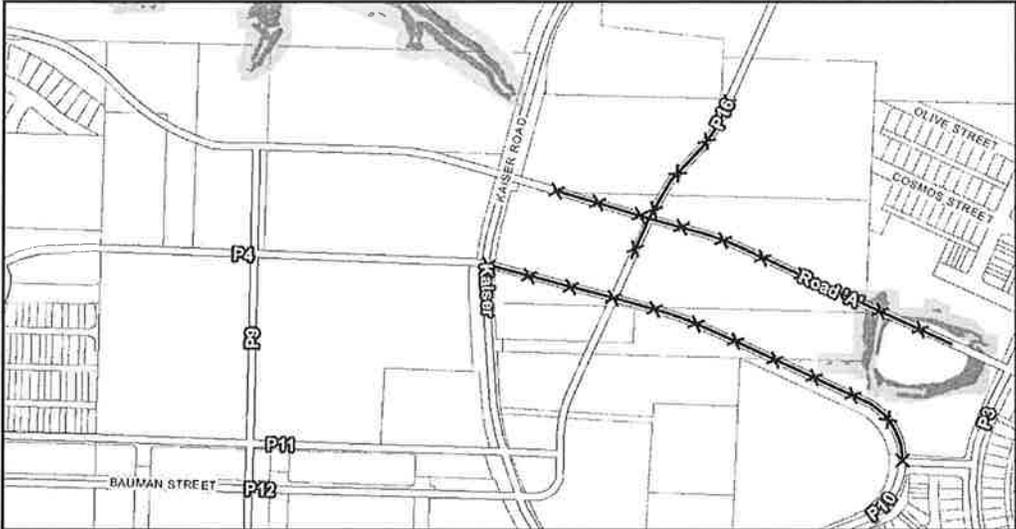


- Unchanged Landslide Study Area Deep-Seated
- Proposed Primary Streets (Shown for Context)
- Unchanged Primary Streets (Shown for Context)

abcdef Proposed additions
 abcdef Proposed deletions

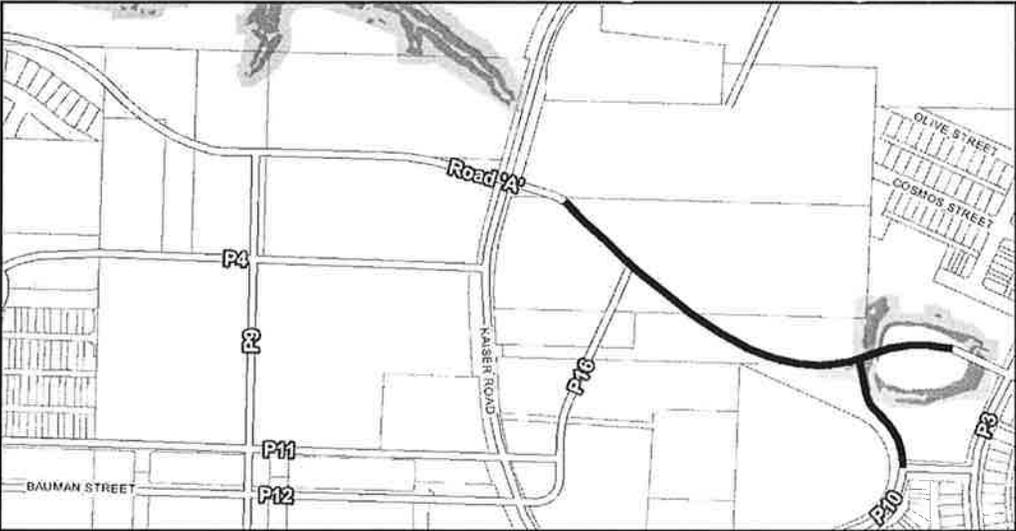
The 'Landslide Study Areas Shallow Seated' Map is amended as shown:

Current Configuration



- Primary Streets to be Removed (Shown for Context)
- Unchanged Primary Streets (Shown for Context)
- Moderate Landslide Susceptibility
- High Landslide Susceptibility

Proposed Configuration

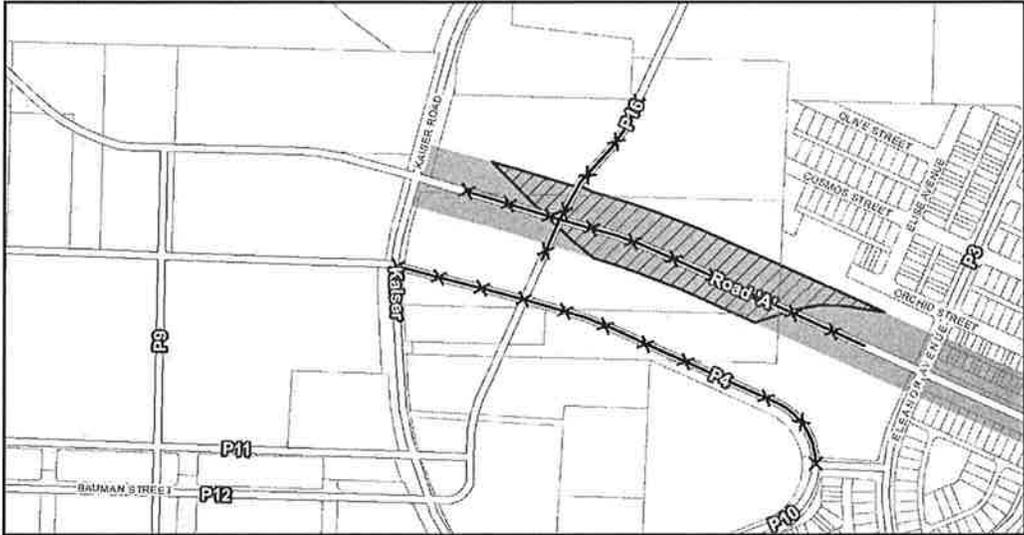


- Proposed Primary Streets (Shown for Context)
- Unchanged Primary Streets (Shown for Context)
- Unchanged Moderate Landslide Susceptibility
- Unchanged High Landslide Susceptibility

abcdef Proposed additions
 abcdef Proposed deletions

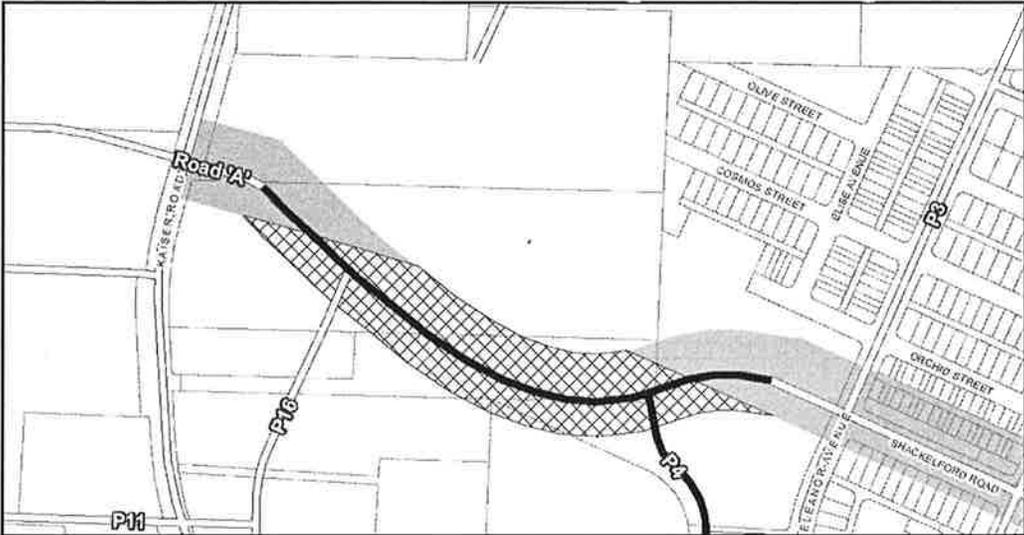
The 'Areas of Special Concern' Map is amended as shown:

Current Configuration



- Area of Special Concern (ASC) 1A
- ▨ Segment of ASC 1A to be Removed
- Unchanged Primary Streets (Shown for Context)
- ✕ Primary Streets to be Removed (Shown for Context)

Proposed Configuration

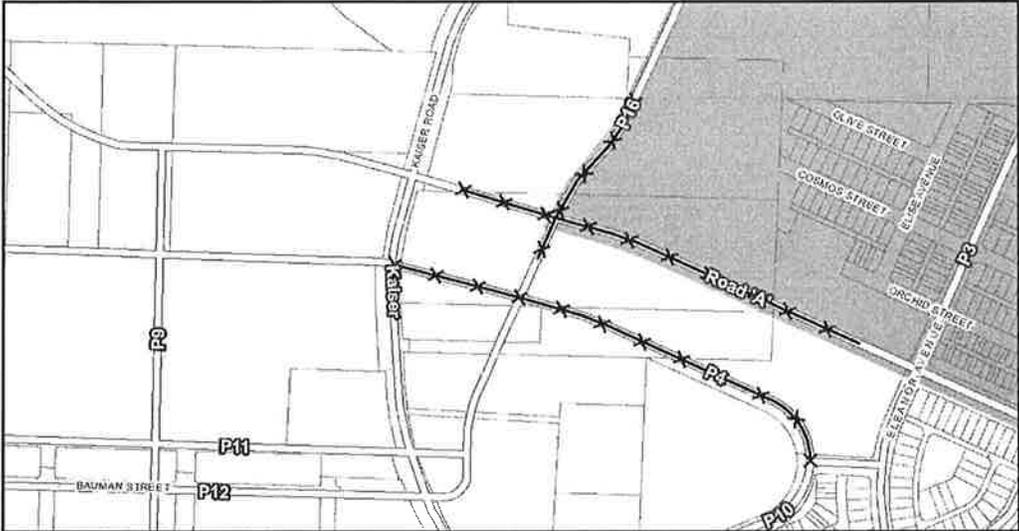


- Unchanged ASC 1A
- ▨ Proposed Area to be added to ASC 1A
- Proposed Primary Streets (Shown for Context)
- Unchanged Primary Streets (Shown for Context)

abcdef Proposed additions
 abcdef Proposed deletions

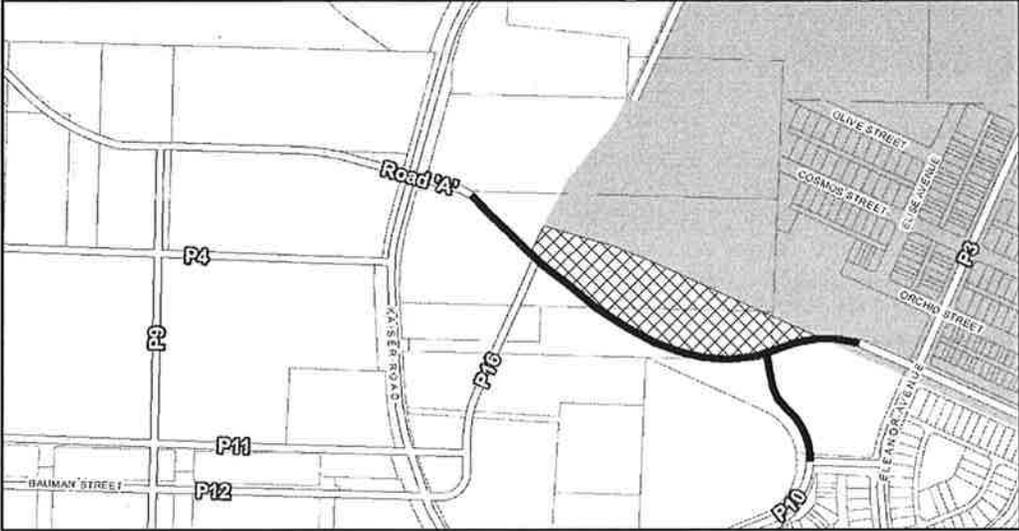
The 'Areas of Special Concern' Map is amended as shown:

Current Configuration



- Area of Special Concern (ASC) 6A
- Unchanged Primary Streets (Shown for Context)
- ✕✕ Primary Streets to be Removed (Shown for Context)

Proposed Configuration

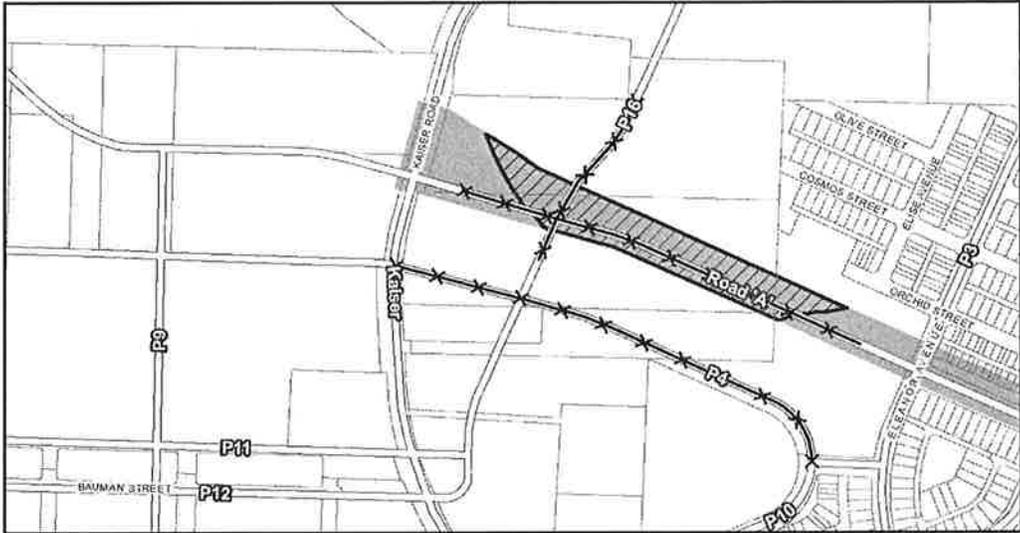


- Unchanged ASC 6A
- ▨ Proposed Area to be Added to ASC 6A
- Proposed Primary Streets (Shown for Context)
- Unchanged Primary Streets (Shown for Context)

abcdef Proposed additions
~~abcdef~~ Proposed deletions

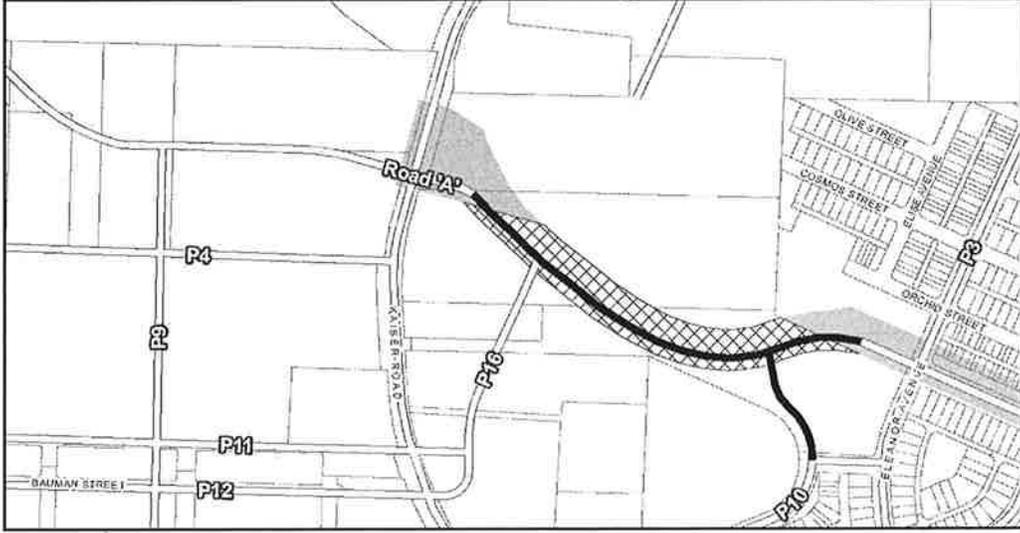
The 'Areas of Special Concern' Map is amended as shown:

Current Configuration



- Area of Special Concern (ASC) 8
- Segment of ASC 8 to be Removed
- Unchanged Primary Streets (Shown for Context)
- Primary Streets to be Removed (Shown for Context)

Proposed Configuration

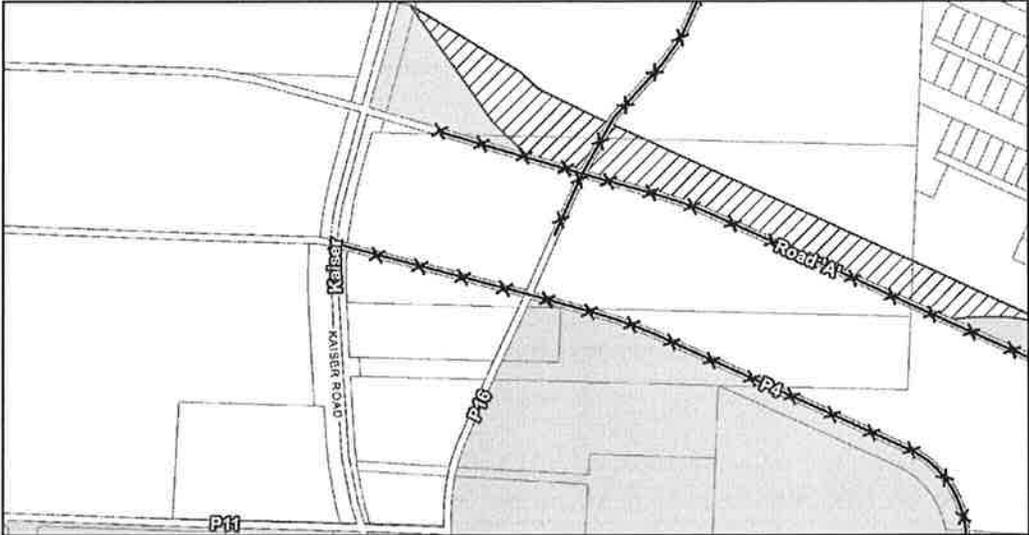


- Proposed area to be added as ASC 8
- Unchanged ASC 8
- Proposed Primary Streets (Shown for Context)
- Unchanged Primary Streets (Shown for Context)

abcdef Proposed additions
~~abedef~~ Proposed deletions

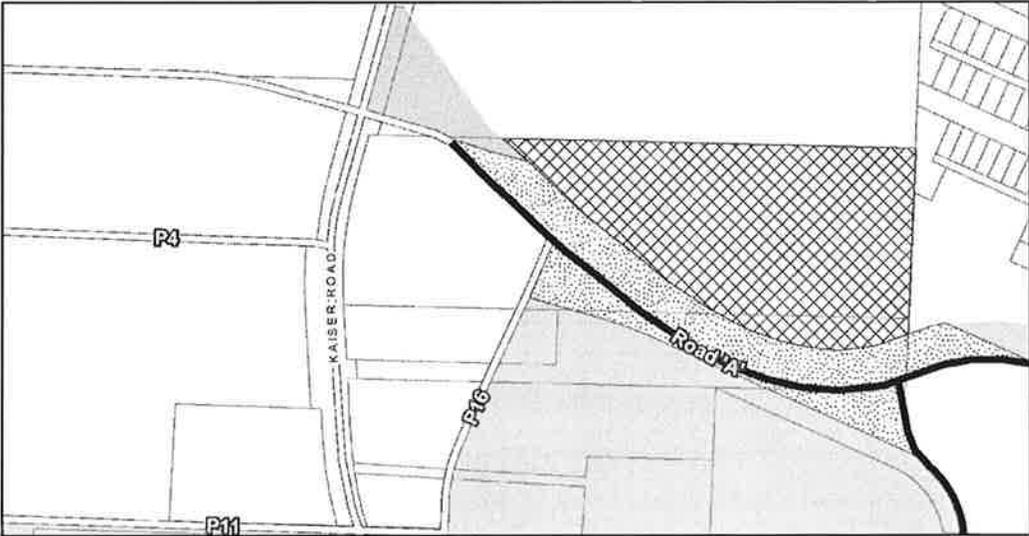
The 'Areas of Special Concern' Map is amended as shown:

Current Configuration



-  Fixed Park to be Removed (Shown for Context)
-  Unchanged Fixed Park (Shown for Context)
-  Primary Streets to be Removed (Shown for Context)
-  Unchanged Primary Streets (Shown for Context)

Proposed Configuration



-  Proposed Area to be added as Area of Special Concern 12
-  Proposed Areas to be Added as Fixed Park (Shown for Context)
-  Unchanged Fixed Park (Shown for Context)
-  Proposed Primary Streets (Shown for Context)
-  Unchanged Primary Streets (Shown for Context)

abcdef Proposed additions
~~abcdef~~ Proposed deletions

AGENDA

OFF DOCKET

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Land Use & Transportation (CPO 7)

Agenda Title: ADOPT FINDINGS FOR ORDINANCE NO. 843

Presented by: Andrew Singelakis, Director of Land Use & Transportation

SUMMARY:

Ordinance No. 843 amends the Comprehensive Framework Plan for the Urban Area, the Transportation System Plan, and Bethany Community Plan relating to the alignment of Road ‘A’ (known as Shackelford Road) in North Bethany. The ordinance also makes other changes necessary to address the revised alignment, including removal of segments of Primary Streets P4 and P16. The realignment is necessary in order to limit impacts to an identified wetland. Ordinance No. 843 is posted on the County's land use ordinance webpage at the following link:

www.co.washington.or.us/landuseordinances

Post acknowledgment comprehensive plan amendments are amendments made to the County’s Comprehensive Plan after it was acknowledged by the State Department of Land Conservation and Development as complying with the Statewide Planning Goals. ORS 197.615 requires such amendments be accompanied by findings setting forth the facts and analysis showing the amendments are consistent with the applicable Statewide Planning Goals, Oregon Revised Statutes, State Administrative Rules and the applicable provisions of Washington County’s Comprehensive Plan.

Additionally, as required by Title 8 of Metro’s Urban Growth Management Functional Plan (UGMFP), any amendment to a comprehensive plan or implementing ordinance shall be consistent with the requirements of the UGMFP.

Attached is the Resolution and Order to adopt the findings for Ordinance No. 843. Prior to the Sept. 25, 2018 meeting, the proposed findings will be provided to the Board, posted on the above land use ordinance webpage and available at the Clerk’s desk.

Attachment: Resolution and Order

RO Exhibit A (Ordinance Findings) is linked online.

DEPARTMENT’S REQUESTED ACTION:

Adopt the findings for Ordinance No. 843 and authorize the Chair to sign the Resolution and Order memorializing the action.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

RO 18-94

Agenda Item No.	_____
Date:	09/25/18

1 IN THE BOARD OF COMMISSIONERS
2 FOR WASHINGTON COUNTY, OREGON

3 In the Matter of Adopting) RESOLUTION AND ORDER
4 Legislative Findings in Support)
of Ordinance No. 843) No. 18-94

5 This matter having come before the Washington County Board of Commissioners (Board) at
6 its meeting of September 25, 2018; and

7 It appearing to the Board that the findings contained in "Exhibit A" summarize relevant facts
8 and rationales with regard to compliance with the Statewide Planning Goals, Oregon Revised
9 Statutes and Administrative Rules, Washington County's Comprehensive Plan, and titles of Metro's
10 Urban Growth Management Functional Plan relating to Ordinance No. 843; and

11 It appearing to the Board that the findings attached and herein incorporated as "Exhibit A"
12 constitute appropriate legislative findings with respect to the adopted ordinance; and

13 It appearing to the Board that the Planning Commission, at the conclusion of its public hearing
14 on September 5, 2018, made a recommendation to the Board, which is in the record and has been
15 reviewed by the Board; and

16 It appearing to the Board that, in the course of its deliberations, the Board has considered the
17 record which consists of all notices, testimony, staff reports, and correspondence from interested
18 parties, together with a record of the Planning Commission's proceedings, and other items submitted
19 to the Planning Commission and Board regarding this ordinance; it is therefore,

20 RESOLVED AND ORDERED that the attached findings in "Exhibit A" in support of Ordinance
21 No. 843 are hereby adopted.

22 DATED this 25th day of September, 2018.

	AYE	NAY	ABSENT
23 DUYCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24 SCHOUTEN	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
25 MALINOWSKI	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
26 ROGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27 TERRY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

BOARD OF COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON


Chairman

26 APPROVED AS TO FORM:

27 
County Counsel
For Washington County, Oregon

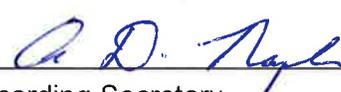
28 
Recording Secretary

EXHIBIT A

FINDINGS FOR ORDINANCE NO. 843

AN ORDINANCE AMENDING THE COMPREHENSIVE FRAMEWORK PLAN FOR THE URBAN AREA, THE TRANSPORTATION SYSTEM PLAN AND THE BETHANY COMMUNITY PLAN RELATING TO THE ALIGNMENT OF NORTH BETHANY ROAD 'A'

Sept. 25, 2018

- Part 1 - General Findings
- Part 2 - Statewide Planning Goal Findings
- Part 3 - Transportation Planning Rule Findings
- Part 4 - Oregon Highway Plan Findings
- Part 5 - Metro Urban Growth Management Functional Plan Findings
- Part 6 - Metro Regional Transportation Plan Findings

Part 1: GENERAL FINDINGS

Ordinance No. 843 amends the Comprehensive Framework Plan for the Urban Area, the Transportation System Plan (TSP) and the Bethany Community Plan relating to the alignment of North Bethany Road 'A.'

KEY ORDINANCE PROVISIONS

- Adjusts the alignment of Road A (Shackelford Road) and removes segments of Primary Streets P4 and P16 to limit wetland impacts.
- Amends the location of other North Bethany plan elements to account for the adjusted Shackelford Road alignment and removal of segments of Primary Streets P4 and P16.

Because the ordinance would make changes that do not affect compliance with Oregon's Statewide Planning Goals (Goals), it is not necessary for these findings to address the Goals with respect to each amendment. The Washington County Board of Commissioners (Board) finds that the Goals apply to amendments covered by these findings only to the extent noted in specific responses to individual applicable Goals, and that each amendment complies with the Goals. Goals 15 (Willamette River Greenway), 16 (Estuarine Resources), 17 (Coastal Wetlands), 18 (Beaches and Dunes) and 19 (Ocean Resources) and related Oregon Administrative Rules (OARs) are not applicable because these resources are not located within Washington County.

The Board also finds that Goals 3 (Agricultural Lands), 4 (Forest Lands) and 14 (Urbanization) are not applicable because the area affected by this ordinance is wholly within the urban growth boundary.

The County is also required to make findings that the amendments are consistent with the requirements of Metro's Regional Transportation Plan (RTP) and Metro's Urban Growth Management Functional Plan (UGMFP). These findings are also addressed in this document.

Part 2:

STATEWIDE PLANNING GOAL FINDINGS

The purpose of the findings in this document is to demonstrate that Ordinance No. 843 is consistent with Statewide Planning Goals (Goals), Oregon Revised Statutes (ORS) and OAR requirements, Metro's UGMFP and the Washington County Comprehensive Plan. The Washington County Comprehensive Plan was adopted to implement the aforementioned planning documents and was acknowledged by the State of Oregon. The County follows the post-acknowledgement plan amendment (PAPA) process to update the Comprehensive Plan with new state and regional regulations as necessary and relies in part upon these prior state review processes to demonstrate compliance with all necessary requirements. No Goal compliance issues were raised in the hearing proceedings described below. In addition, none of the proposed changes to the map and text of the Plan implicate a Goal compliance issue. The following precautionary findings are provided to demonstrate ongoing compliance.

Goal 1 - Citizen Involvement

Goal 1 addresses Citizen Involvement by requiring the implementation of a comprehensive program to stimulate citizen participation in the planning process. Washington County has an acknowledged citizen involvement program that provides a range of opportunities for citizens and other interested parties to participate in all phases of the planning process. In addition, Chapter X of the County's Charter sets forth specific requirements for citizen involvement during review and adoption of land use ordinances. Washington County has followed these requirements for the adoption of Ordinance No. 843.

Goal 2 - Land Use Planning

Goal 2 addresses Land Use Planning by requiring an adequate factual base to support a decision as well as coordination with affected governmental entities. Washington County has an acknowledged land use planning process that provides for the review and update of the various elements of the Plan, which includes documents such as the Rural/Natural Resource Plan, Comprehensive Framework Plan for the Urban Area (CFP), Community Plans, Community Development Code (CDC), and Transportation System Plan (TSP). Washington County utilized this process to adopt Ordinance No. 843. Notice was coordinated with all affected governmental entities and no comments from governmental entities were received regarding the ordinance.

Goal 5 – Natural Resources, Scenic and Historic Areas and Open Spaces

Goal 5 addresses the protection of natural resources and the conservation of scenic, cultural, and historic areas and open spaces by requiring local programs to protect these resources in order to

promote a healthy environment and natural landscape that contributes to Oregon’s livability for present and future generations. Policies 10, 11 and 12 of the CFP, Policies 7, 9, 10, 11, 12 and 13 of the Rural/Natural Resource Plan and various sections of the Community Plans and the CDC include provisions for the protection of Goal 5 resources. In addition, OAR 660-023-0250 requires application of current Goal 5 provisions to post-acknowledgment plan amendments (PAPAs) when the PAPA: 1) creates or amends a resource list or a portion of an acknowledged plan or land use regulation that protects a significant Goal 5 resource, or 2) allows new uses that could be conflicting uses with a particular Goal 5 site.

As part of the comprehensive planning for the North Bethany Subarea, the County conducted a Local Wetland Inventory (LWI) for the area that was approved by the Department of State Lands (DSL) in 2012. The LWI identified a wetland north of the future planned East Community Park, within the geographic area addressed by Ordinance No. 843. However, the LWI concluded that the wetland was not significant from a Goal 5 (habitat) standpoint. For that reason, the wetland was not identified as a Goal 5 resource (Significant Natural Resource) in the North Bethany Subarea Plan. The only Goal 5 resource that requires review as part of Ordinance No. 843 is the proposed Open Space addition described below.

The North Bethany Subarea contains designated open space resources corresponding to future parks, an existing cemetery and existing powerline/trail corridors. Ordinance No. 843 proposes to designate an approximately half-acre area as open space. The location of this open space area is shown in Attachment A. This action would substantially preserve the area as open space for public enjoyment, as a complement to the adjacent active park space within the East Community Park.

In order for a determination regarding the potential protection of a resource to be done by a local government as a post acknowledgement plan amendment, the Goal 5 process laid out in Division 023 must be followed. The Goal 5 process requires that a local government inventory the potential Goal 5 resource; evaluate the potential protection of the resource through what is called an ESEE analysis (Economic, Social Environmental and Energy); and then develop a program to provide the level of Goal 5 protection of the resource that is determined appropriate. In the current situation, the referenced map provides the required inventory of the Open Space resource; see Attachment A.

The County’s Significant Natural and Cultural Resources Map and the implementing regulations of the North Bethany Subarea Plan and the Community Development Code provide the necessary protective measures.

Following is our ESEE assessment regarding fully protecting the proposed open space area; limiting conflicting uses of this area to open space uses and limited road development; or fully allowing conflicting uses of the area. The conflicting uses considered as full conflicting uses would be all elements of residential development as would currently be allowed under the North Bethany Subarea Plan including home, road, and utility development and related activities.

ESEE Analysis

This section considers the economic, social, environmental and energy consequences of the following:

- a. *Prohibiting conflicting uses*, thereby providing full protection of the resource site.
- b. *Limiting conflicting uses* by offering limited protection of the resource site (balance development and open space/conservation objectives).
- c. *Allowing conflicting uses* fully with no local County protection for the resource site. Prospective developers would still be subject to County permitting requirements.

In the current situation, the most significant potential conflicting uses for the proposed open space area are the related uses associated with residential development and use of the property including the construction and ultimate use of roads, utilities, and homes on the subject area. These conflicting uses would currently be allowed within the subject area under the residential land use designations of the North Bethany Subarea Plan's Land Use Designations map, and by the absence of development restricting designations on the Significant and Natural Resources Plan and the Density Restricted Lands maps of the North Bethany Subarea Plan.

A lesser degree of a potential conflicting use would be to allow for the area to be developed with open space uses which may include development of trails, interpretive displays, and possibly road improvements serving parks and open space uses and other nearby uses.

Finally, fully prohibiting conflicting uses would leave the area completely undevelopable – even prohibiting the development of trails within the proposed open space area.

Environmental Consequences

Prohibit Conflicting Uses: If all conflicting uses are prohibited, then the proposed open space area in its current condition would be conserved. The proposed open space area is privately owned. The property owner would have no incentive to enhance the property and its open space values should all conflicting uses be prohibited. Any proposed development adjacent to the proposed open space would be restricted to areas completely outside of the open space area.

Prohibiting all conflicting uses would provide continued open space protection – though likely in private ownership with no provisions for the public to interact with much of the potential open space values. The protected open space would also provide a visual buffer and separation amongst neighboring developed or developing areas.

Limit Conflicting Uses: If conflicting uses such as parks and open space uses are limited, there will be a balance of development and conservation objectives within this area. There would be short-term construction-related impacts due to construction of the planned primary streets. Those impacts would occur during land preparation and construction of the streets. Construction activities would result in the excavation and removal of vegetation. However, these disturbances

can be restored through plantings and an erosion control plan will ensure that impacts are limited to the footprint of the proposed development.

Allow Conflicting Uses: If conflicting uses such as residential development are allowed in the open space area, then theoretically a much larger proportion of the open space area could be impacted by development with a concomitant loss of open space values. As with allowing limited conflicting uses, there would be short-term construction-related impacts which occur when preparing land for and constructing the proposed development. Construction activity would result in the excavation and removal of existing vegetation. However, these disturbed areas could be restored through mitigating plantings.

Economic Consequences

Prohibit Conflicting Uses: Fully prohibiting conflicting uses would keep the area intact and limit the footprint of development activity. Prohibiting conflicting uses would impact the potential residential densities planned for by the North Bethany Subarea Plan of the Bethany Community Plan by a small amount, and the potential relocation of that residential development to other areas could lessen potential economic gains in the Bethany area. The economic benefits for local Bethany area businesses would be reduced unless this potential residential density decrease is offset by a corresponding increase elsewhere in the area. Likewise, anticipated systems development fees and taxes that would otherwise be paid by development in this area to Washington County and other local service-providing agencies would be reduced.

Numerous studies have concluded that living next to a permanent open space increases property values. As such, prohibiting conflicting uses could benefit property values for adjacent properties when those properties are developed - which may partially offset any loss of potential tax revenues from prohibiting development of the subject area.

Prohibiting development of the subject area could result in a loss in short-term construction jobs that otherwise could be anticipated to occur related to residential development of the subject area.

Limit Conflicting Uses: Balancing open space-related recreation and conservation goals for the affected property could result in an economic gain for local businesses, while ensuring that adjacent properties benefit from an enhanced and largely intact open space. Development of a portion of the subject area with planned roads could economically benefit businesses in the area, including residential homebuilders and future nearby businesses. There would be a gain in short-term jobs generated by road construction within or adjacent to the subject area.

Allow Conflicting Uses: Allowing conflicting uses would increase the population of people residing in the North Bethany area and would thus be expected to increase the economic gains of local businesses (including future businesses). There would be more short-term construction jobs required to develop the subject area than would occur if the area is restricted from development.

Nearby properties could be negatively impacted by the loss of nearby open space by reduction of the values of their residential property.

Social Consequences

Prohibit Conflicting Uses: Prohibiting conflicting uses would result in the development of nearby areas outside of the open space. The social benefits afforded from living adjacent to a permanent open space would be enhanced for adjacent residential properties to be developed if they knew that all conflicting uses of the area would be prohibited.

Limit Conflicting Uses: Limiting conflicting uses would allow limited development of the area with trails, possible boardwalks and road construction. The partially protected area would allow for the public to enjoy the open space and its proximity to a relatively large population would establish new connections for people to the outdoors.

Allow Conflicting Uses: Allowing conflicting uses would result in the loss of open space and views, which could negatively affect adjacent properties and the local area as a whole. The subject area will be largely visible from NW Shackelford Road, so the visual impact of a residential development with reduced open space area could have a negative social effect. Open space also provides opportunities for urban quiet and solitude, the lack of which has adverse social consequences.

By maintaining the amount of buildable residential land inside the Urban Growth Boundary (UGB) through allowing residential development of the area, expansion of the UGB onto farm and grazing land could be slightly delayed.

Energy Consequences

Prohibit Conflicting Uses: Prohibiting conflicting uses would limit residential development in the North Bethany area slightly. This could increase the pressure to expand the UGB elsewhere in the long term, which could result in people needing to travel farther to work, school and to shop, which would increase energy consumption. This could also result in the need for new roads and infrastructure further from population centers.

Limit Conflicting Uses: Limiting conflicting uses to public or private open space uses and limited planned-for road development could result in some additional residential development in the general area.

Allow Conflicting Uses: Allowing conflicting uses would increase the footprint and the density of residential development in North Bethany relative to prohibiting or allowing limited conflicting uses. This would diminish the need to expand the UGB and ensure that people were more centrally located to businesses, jobs and schools. The need for new infrastructure to support relocated increases in population would be less.

ESEE DECISION

Prohibiting conflicting uses within the impact area would provide for total preservation of the approximately half-acre area abutting the north side of the East Community Park as open space. The area could not be developed with residential development, with a potential result of additional pressure to expand the UGB as potential residents of the area need to find other areas in which to settle. Local businesses would not benefit from the larger population base that would result from development of this area. In addition, planned primary roads would need to be relocated, realigned, or elements of the planned roads such as sidewalks could be eliminated from road improvement plans.

Construction jobs would be fewer than would be anticipated from development of the subject area. The open space would be preserved in its current condition, which should enhance property values for adjacent property owners.

Limiting conflicting uses would allow for long-term protection of the open space values of the site while allowing for some human recreational uses and limited road development.

Allowing conflicting uses within the subject area would increase the population density and ensure that local businesses receive maximum economic gains. Short-term construction jobs would be increased. Impacts from residential development replacing the proposed open space area could negatively impact adjacent properties. The loss of a visual buffer and open space area could negatively impact adjacent property values and investment values. The loss of the open space could reduce recreational opportunities for residents of the area.

Recommendation: This analysis concludes that *limiting conflicting uses* to open space uses, including recreation, would result in the most positive consequences of the three decision options. A *limiting conflicting uses* decision will avoid many of the negative consequences attributed to either allowing or prohibiting conflicting uses. There will be a relatively high level of economic, social, environmental and energy benefits achieved. Limiting conflicting uses offers the most benefit to the open space (through its long-term protection) and to the community through allowing the public to enjoy the open space through the possible development of trails, boardwalks and adjacent roadways.

Based on the above ESEE analysis, Ordinance No. 843 proposes to add the approximately half-acre area lying north of the East Community Park to North Bethany's existing inventory of open space resources. The recommendation to limit conflicting uses will allow this area to be substantially preserved, while also allowing for limited public enjoyment of this area as an open space that will complement the adjacent active park space within the East Community Park.

Plan compliance with Goal 5 is maintained with the amendments made to the Comprehensive Plan by Ordinance No. 843. The amendments made by Ordinance No. 843 are consistent with the County's acknowledged policies and standards for the protection of Goal 5 resources, as well as those set forth in OAR 660 Division 23.

Goal 6 - Air, Water and Land Resources Quality

Goal 6 requires the maintenance and improvement of the quality of the air, water and land resources of the state through the implementation of local plans that address waste and process discharge. Policies 4, 5, 6, and 7 in the CFP and Policies 4, 5, 6 and 7 of the Rural/Natural Resource Plan provide for the maintenance and improvement of the quality of air, water and land resources.

Ordinance No. 843 does not amend the Plan policies or CDC standards related to air, water or land resources which impact the County's compliance with Goal 6. Ordinance No. 843 does not amend any provisions regarding Community Plan and CDC protections to significant wetlands, air quality or land resource quality. Plan compliance with Goal 6 is maintained with the amendments made by Ordinance No. 843. The amendments are consistent with the County's acknowledged policies and standards for the protection of Goal 6 resources.

Goal 7 – Areas Subject to Natural Hazards

Goal 7 requires the implementation of local land use programs that reduce the risk to people and property from natural hazards such as floods, landslides and earthquakes. Policy 8 in the CFP and Policy 8 in the Rural/Natural Resource Plan set out the County's policy to protect life and property from natural disasters and hazards.

Ordinance No. 843 did not amend the applicable Plan policies and strategies or CDC sections related to flood plain areas, or to natural disasters and hazards. Plan compliance with Goal 7 is maintained with the amendments made by Ordinance No. 843. The amendments are consistent with the County's acknowledged policies and standards for regulating development exposed to potential natural disasters and hazards addressed by Goal 7.

Goal 8 - Recreational Needs

Goal 8 requires local jurisdictions to satisfy the recreational needs of citizens and visitors by planning and providing for the siting of necessary recreational facilities. Policies 33, 34 and 35 of the CFP, Policy 24 of the Rural/Natural Resource Plan and the individual Community Plans address the recreational needs of the citizens of Washington County and visitors.

The North Bethany Subarea incorporates a plan for various park locations and sizes, accompanied by a network of multimodal off-street recreational trails and on-street connections. This program of land for recreational facilities is consistent with the level of service standards for the identified park service provider, as described in the Master Plan of the Tualatin Hills Park and Recreation District (THPRD).

Ordinance No. 843 shifts the location of a segment of the linear park mapped along the north side of Road A (Shackelford Road) southward, to accompany the southern shift in the alignment of a segment of Road A. Ordinance No. 843 also adds approximately one-half acre of park land to the north side of the East Community Park, between the proposed southern alignment of Road A and the existing mapped north edge of the park. The program of land for recreational facilities in North Bethany remains consistent with the level of service standards for THPRD.

Plan compliance with Goal 8 is maintained with the amendments made by Ordinance No. 843. The amendments are consistent with the County's acknowledged policies and strategies for satisfying recreational needs as required by Goal 8.

Goal 9 – Economic Development

Goal 9 requires the provision of adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of citizens. Policy 20 in the CFP and Policies 15, 16, 20 and 21 in the Rural/Natural Resource Plan set out the County's policies to strengthen the local economy. The CDC contributes to a sound economy by providing standards that facilitate development in an orderly and efficient fashion.

Ordinance No. 843 did not amend the applicable Plan policies and strategies or CDC sections related to economic development. Plan compliance with Goal 9 is maintained with the amendments made by Ordinance No. 843. The amendments are consistent with the County's acknowledged policies and strategies for strengthening the local economy as required by Goal 9.

Goal 10 - Housing

Goal 10 requires the provision of housing, including adequate numbers of units within a range of prices, types and densities that provide realistic options to meet citizen needs. Policies 21, 22, 23 and 24 of the CFP, and Policies 19 and 25 of the Rural/Natural Resource Plan address the provision of housing in the urban and rural areas of the county. The CDC contributes to the provision of adequate housing by establishing standards that facilitate development in an orderly and efficient fashion.

Ordinance No. 843 acknowledges that, based on preliminary feedback from the Department of State Lands (DSL) and the Army Corps of Engineers (Corps), a wetland under the jurisdiction of those agencies is located on property containing residential land use designations to the north of the East Community Park. The ordinance acknowledges that DSL and the Corps may limit or prohibit proposed future residential development within the jurisdictional wetland.

CDC Section 300-2.8 allows jurisdictional wetlands to be excluded from the acreage used to calculate minimum residential densities for all of the urban unincorporated county, with the exception of the North Bethany Subarea. Ordinance No. 843 adds an allowance for the jurisdictional wetland area located north of the East Community Park to be subtracted from the overall site area for purposes of the residential density calculation required by CDC Section 300-2.

Ordinance No. 843 places Open Space, Density Restricted Land, and Fixed Park overlays onto an approximately one-half acre of land that is designated as R-15 North Bethany District (R-15 NB). The R-15 NB designation allows for residential development at densities of no more than 15 units per acre and no less than 12 units per acre. This land is located between the north edge of the planned future East Community Park and the south edge of the proposed realignment for Road A (Shackelford Road). The placement of these overlays onto this approximately one-half acre of land means that it will no longer be eligible for residential development.

This approximate one-half acre of land is divided into two discrete areas rather than being one contiguous area. Its residential development potential is likely constrained by the small size of each area coupled with the fact that the areas would be located between the edge of a planned park and a collector road. Given the area's total size, the placement of the Open Space, Density Restricted Land, and Fixed Park overlays onto this land could result in a maximum decrease of six to eight residential units. However, even with this reduction in number of units, the North Bethany Subarea's minimum average net density will remain above 10 units per acre, thus remaining in compliance with the density requirements set by Metro. Ordinance No. 843 is consistent with Goal 10.

Goal 11 - Public Facilities and Services

Goal 11 requires a plan for the orderly and efficient provision of public facilities and services to serve as a framework for urban and rural development. Policies 15, 25, 26, 27, 28, 29, 30 and 31 of the CFP, and Policy 22 of the Rural/Natural Resource Plan address the provision of public facilities and services in the urban and rural areas of unincorporated Washington County.

The CDC requires that adequate public facilities and services be available for new development. Ordinance No. 843 is consistent with the County's acknowledged policies and strategies for the provision of public facilities and services as required by Goal 11. Plan compliance with Goal 11 is maintained with the amendments made by Ordinance No. 843.

Goal 12 - Transportation

Goal 12 requires the provision and encouragement of a safe, convenient, multimodal and economic transportation system. Policy 32 of the CFP, Policy 23 of the Rural/Natural Resource Plan and in particular the Washington County Transportation System Plan, describes the transportation system necessary to accommodate the transportation needs of Washington County. Implementing measures are contained in the TSP, Community Plans and the CDC.

Ordinance No. 843 amends the TSP and Bethany Community Plan. The amendments are consistent with the County's acknowledged policies and strategies for the provision of transportation facilities and services as required by Goal 12 (the Transportation Planning Rule (TPR), implemented via OAR Chapter 660, Division 12).

Plan compliance with Goal 12 is maintained with the amendments made by Ordinance No. 843. The amendments are consistent with the County's acknowledged policies and strategies for the provision of transportation facilities and services as required by Goal 12, the TPR and the Regional Transportation Plan (RTP). Brief summaries of the applicable TPR provisions followed by findings of compliance are contained in Part 3 of this findings document.

Goal 13 - Energy Conservation

Goal 13 requires developed land uses to be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles. Policies 36, 37, 38, 39 and 40 of the CFP, and Policy 25 of the Rural/Natural Resource Plan address energy conservation in the urban and rural areas of unincorporated Washington County. The CDC

implements the energy conservation policies by establishing standards that promote energy efficient development, especially in Article IV.

Ordinance No. 843 did not amend the applicable Plan policies and strategies or CDC sections related to energy conservation, therefore compliance with Goal 13 is maintained with the amendments made by Ordinance No. 843. The amendments are consistent with the County's acknowledged policies and strategies for promoting energy conservation as required by Goal 13.

Part 3:

TRANSPORTATION PLANNING RULE (OAR 660-012) FINDINGS

660-012-0010 Provides that transportation planning be divided into two phases, transportation system planning and project development.

FINDING: Ordinance No. 843 amended the Washington County's Transportation System Plan consistent with all applicable provisions of Division 12. Exhibit 6 of A-Engrossed Ordinance No. 783 describes the project prioritization process consistent with 660-012-0010. As provided under this subsection, project development is addressed separately under Article VII (Public Transportation Facilities) of the CDC, which has been previously adopted and acknowledged.

660-012-0015 Includes requirements for preparation and coordination of transportation system plans.

FINDING: Ordinance No. 843 complies with all of the applicable requirements for preparation, coordination and adoption of TSPs required under this section of the TPR.

- Ordinance No. 843 amends and is incorporated as part of Washington County's Comprehensive Plan.
- As described above, the preparation of Ordinance No. 843 followed the process in place for the development of A-Engrossed Ordinance No. 768 and was closely coordinated with affected government agencies and service providers.
- OAR 660-012-0015 also requires that regional TSPs, such as Metro's RTP, be coordinated with state transportation plans and policies, such as those found in the Oregon Highway Plan (OHP). Both ODOT and Metro assisted in the development of the plans incorporated into the Washington County TSP. As detailed elsewhere in these findings, Ordinance No. 843 is consistent with the RTP and the OHP.

660-012-0016 This section of the TPR describes coordination with federally-required transportation plans in metropolitan areas.

FINDING: As discussed elsewhere in these findings, Ordinance No. 843 is consistent with the RTP and therefore is consistent with OAR-660-012-0016.

660-012-0020 This section of the TPR describes the elements that TSPs must contain.

FINDING: Ordinance No. 843, together with previously adopted and acknowledged comprehensive plan and CDC provisions, includes all of the elements required by the TPR and Ordinance No. 843 amends the TSP consistent with OAR-660-012-0020.

- Ordinance No. 843 amends the roadway element of the TSP for Washington County. Exhibit 1 includes updates to the Functional Classification, Lane Numbers. The amendments to the TSP are consistent with Metro's RTP.
- The layout and standards for the spacing and extension of local streets and most neighborhood routes is controlled by Article V of the CDC. These standards are not amended by Ordinance No. 843.
- A-Engrossed Ordinance No. 783 updated the transit element of the TSP through Exhibit 4, which includes all the public transit services described in 660-012-0020(2)(c)(A)-(C). Amendments made by Ordinance No. 843 are consistent with the provisions described in 660-012-0020.

660-012-0025 This section of the TPR describes the requirements for Goal compliance and refinement plans.

FINDING: Ordinance No. 843 complies with the applicable provisions of Section 660-012-0025 of the TPR as demonstrated by the following facts:

- Chapter X of the County Charter sets forth specific requirements for citizen involvement during review and adoption of land use ordinances. The County has utilized these requirements for the adoption of Ordinance No. 843. The findings contained herein satisfy the requirement of OAR 660-12-0025(2) and have been adopted in conjunction with Ordinance No. 843.
- Ordinance No. 843 does not include any refinement planning nor an Environmental Impact Statement; OAR 660-12-0025(3) – (4) therefore does not apply.

660-012-0030 The provisions of this section set forth how needs shall be identified in TSPs.

FINDING: A-Engrossed Ordinance No. 783 identified transportation needs as required by OAR 660-012-0030.

- Washington County's transportation system needs are identified by the system designations in A-Engrossed Ordinance No. 783. Ordinance No. 843 makes adjustments to these designations consistent with the OHP and Metro's RTP; and findings of compliance with the OHP and RTP are included herein.

- The needs analyses included in A-Engrossed Ordinance No. 783 was based upon population and employment forecasts developed by Metro with local government participation (Exhibit 3 of A-Engrossed Ordinance No. 768 and Technical Appendix 1). These same regional forecasts have been used to inform the RTP and to implement Metro’s 2040 designations, which are part of the County’s adopted and acknowledged Comprehensive Plan. As described in the Aug. 3, 2018 staff report, Ordinance No. 843 amends several designations consistent with this analysis.
- A-Engrossed Ordinance No. 783 is consistent with the requirements for vehicle miles traveled (VMT) reduction set forth in OAR 660-012-0035(4) and referenced by OAR 660-012-0030(4). Appropriate findings are provided herein under OAR 660-012-0035. Ordinance No. 843 is based on the same analysis developed for A-Engrossed Ordinance No. 783 and incorporates the plans adopted by other jurisdictions and therefore is consistent with OAR 660-012-0030.

660-012-0035 This section concerns how the transportation system alternatives analysis was performed.

FINDING: Washington County has an acknowledged TSP consistent with the Transportation Planning Rule provisions of 660-012-0035 adopted by A-Engrossed Ordinance No. 768 and A-Engrossed Ordinance No. 783 in 2013 and 2014 respectfully. Ordinance No. 843 makes an adjustment to the TSP necessary to implement a planned facility.

- The Sept. 18, 2018, staff report reviews the process by which map amendments were considered. The evaluation included consideration of the components set forth in OAR 660-012-0035 and therefore is consistent with the requirements of OAR 660-012-0035.

660-012-0040 This section of the TPR requires that a TSP include a transportation financing program and sets forth what such a program is required to include.

FINDING: A-Engrossed Ordinance No. 783 updated the transportation funding element, which augments the funding goals, objectives and strategies adopted by A-Engrossed Ordinance No. 768. Together with the Technical Appendix, these documents create a transportation financing element meeting the standards identified in OAR 660-012-0040. Ordinance No. 843 does not amend or otherwise impact the funding element of the TSP.

- Exhibit 6 of A-Engrossed Ordinance No. 783 updated the funding element of the transportation system plan.
- Exhibit 16 of A-Engrossed Ordinance No. 768 discusses the funding goals, objectives and strategies, and includes an overview of existing revenue sources for capital improvements as well as operations and maintenance.

- Project lists and rough cost estimates for roadway, bicycle and pedestrian system improvements are included in TSP Technical Appendix 2, along with planning level order of magnitude costs, anticipated timing, and an assessment of established revenue sources compared to the identified costs.

660-012-0045 The provisions of this section concern how a TSP is implemented.

FINDING: Washington County has an acknowledged TSP adopted by A-Engrossed Ordinance No. 768 and A-Engrossed Ordinance No. 783 in 2013 and 2014 respectively. Ordinance No. 843, together with previously adopted and acknowledged ordinances fully implements all of the applicable provisions of OAR 660-012-0045.

- The CDC, together with Resolution and Order 86-95, provide a process for coordinated review of land use decisions affecting transportation facilities, corridors and sites as well as public notice.
- Article VII (Public Transportation Facilities) of the CDC, which is acknowledged to be consistent with the requirements of OAR 660-012-0050, provides a consolidated review process for land use decisions regarding permitting of transportation projects.
- CDC Article V (Public Facilities and Standards) includes provisions for access control. Article V and the Washington County Road Design and Construction Standards, provide for review and protection of roadway safety, infrastructure and operations.
- Local street connectivity standards, as well as the requirements for safe and convenient pedestrian, bicycle and vehicular circulation, have been adopted into the CDC.
- A-Engrossed Ordinance No. 768 provided that plan amendment requests be reviewed for consistency with the applicable provisions of the Transportation Planning Rule (Strategy 9.4.2 – Exhibit 15).
- Exhibit 5 of A-Engrossed Ordinance No. 783 updates the Transportation System Management and Operations Element of the TSP, which includes Transportation Demand Management (TDM). These elements are also included in Article V of the CDC.

660-012-0050 This section concerns transportation project development.

FINDING: Washington County has an acknowledged TSP adopted by A-Engrossed Ordinance No. 768 and A-Engrossed Ordinance No. 783 in 2013 and 2014 respectively, consistent with the Transportation Planning Rule provisions of 660-012-0050. Ordinance No. 843, together with previously adopted and acknowledged ordinances, fully implements all of the applicable provisions of OAR 660-012-0050.

- CDC Article VII provides a consolidated review process for review of land use decisions for permitting transportation projects; the goals, objectives and strategies related to the natural environment were updated in Exhibit 8 of A-Engrossed Ordinance No. 768.

660-012-0055 This section sets forth timelines for adoption of TSPs and for the specific requirements of OAR 660-012-0045(3), (4)(a)-(e) and (5)(d).

FINDING: Ordinance No. 843, together with previously adopted and acknowledged ordinances, is consistent with the applicable provisions of OAR 660-012-0055. There are no other provisions in subsection -0055 that are required to be addressed as part of these findings.

660-012-0060 This section sets forth requirements for plan and land use regulation amendments.

FINDING: Ordinance No. 843, together with previously adopted and acknowledged ordinances, fully implements all of the applicable provisions of OAR 660-012-0060 as detailed in the following findings of fact:

- Ordinance No. 843 does not change allowed land uses, zoning maps, density or type of development allowed to an extent that would add trips to the transportation system or change the existing or anticipated level-of-service or level-of-service standard for any facility.
- Ordinance No. 843 does not modify the functional classification or change the type or level of travel or access that would be inconsistent with the designation of an existing or planned facility.

660-012-0065 This section identifies the “transportation facilities, services and improvements” that may be permitted on rural lands without a goal exception.

FINDING: Ordinance No. 843 does not propose any new roadways, services or improvements on lands located outside of the UGB.

660-012-0070 This section identifies the requirements for exceptions to Goals 3, 4, 11, or 14 for transportation improvements on rural lands that do not meet the requirements of OAR 660-012-0065.

FINDING: This subsection is not applicable to Ordinance No. 843, as no rural transportation improvements have been identified in this ordinance.

Ordinance No. 843 amends the TSP previously updated by A-Engrossed Ordinance No. 768 and A-Engrossed Ordinance No. 783, and amended by A-Engrossed Ordinance No. 799. The amendments in Ordinance No. 843 are consistent with the County's acknowledged policies and strategies for the provision of transportation facilities and services as required by Goal 12 (the TPR, implemented via OAR Chapter 660, Division 12). Ordinance No. 843 complies with all of

the applicable requirements of OAR 660, Division 12. Only those provisions of Division 12 that require specific findings are summarized and addressed herein. Plan compliance with Goal 12 is maintained with the amendments made by Ordinance No. 843. The amendments are consistent with the provision of transportation facilities and services as required by Goal 12.

Part 4

Findings of Consistency with the Oregon Highway Plan (OHP)

This section addresses the consistency of Ordinance No. 843 with the applicable policies of the OHP. The Board finds that the OHP applies to the amendments covered by these findings only to the extent noted in specific responses to the applicable elements of this plan, and that the amendments comply with the applicable goals and policies of the OHP.

Policy 1A: State Highway Classification System

Exhibit 1 of Ordinance No. 843 amends the County's Functional Classification map. No new functional classifications are introduced and no changes inconsistent with State Highway Classifications have been made. Therefore, the TSP is consistent with the OHP.

Policy 1B: Land Use and Transportation

Ordinance No. 843 does not change any land use designations. Exhibit 10 of A-Engrossed Ordinance No. 768 addresses mobility standards consistent with State Highway mobility standards. Exhibit 4 of A-Engrossed Ordinance No. 783 and Exhibit 13 of A-Engrossed Ordinance No. 768 both address Active Transportation. Taken together with the existing provisions of the CDC, these provide a coordinated land use and transportation system consistent with the OHP.

Policy 1C: State Highway Freight System

Exhibit 6 of A-Engrossed Ordinance No. 768 established the Economic Vitality goal of the TSP. Exhibit 3 of A-Engrossed Ordinance No. 783 updated the Freight System Element of the TSP, including a revised roadway freight map. These are consistent with the requirements of the OHP. Ordinance No. 843 does not change these elements of the TSP.

Policy 1D: Scenic Byways

No Oregon Scenic Byways are located with Washington County. Therefore, Ordinance No. 843 is consistent with the requirements of the OHP.

Policy 1F: Highway Mobility Standards

Exhibit 2 of A-Engrossed Ordinance No. 783 identifies the roadway system Functional Classification and Lane Numbers maps as adequate to meet anticipated travel needs. Technical Appendix 3 of the TSP includes a Countywide Motor Vehicle Deficiency Evaluation. This evaluation included all ODOT and other facilities within Washington County and assessed the system performance based on the applicable mobility standards, including OHP mobility targets and standards, as well as the Regional Transportation Functional Plan interim mobility deficiency thresholds and operating standards.

The potential Deficiency Locations identified in Technical Appendix 3 require additional monitoring and system performance evaluation over time. For such locations, the ultimate decisions regarding the modes, functions and general locations of solutions; and potential development of alternative mobility measures and standards, are deferred to future refinement planning to be incorporated into the next TSP update. Based on the system assessment, the TSP provides a plan for a transportation system consistent with the requirements of the OHP. Ordinance No. 843 does not change these elements of the TSP.

Policy 1G: Major Improvements

A-Engrossed Ordinance No. 768 identified transportation improvement procedures. Article VII of the CDC controls the land use processes necessary when implementing transportation improvements. Together, these regulations provide a TSP consistent with the requirements of the OHP. Ordinance No. 843 does not change these requirements.

Policy 2G: Rail and Highway Compatibility

A-Engrossed Ordinance 768 Exhibit 5, Objective 2.2 encourages the safe, efficient operation of railroad facilities. Ordinance No. 843 does not change these requirements or propose any new rail crossings. The adopted and acknowledged TSP is consistent with the requirements of the OHP.

Policy 3A: Classification and Spacing Standards

Article V of the CDC controls access spacing standards. Ordinance No. 843 makes no changes to the requirements associated with interim access locations and therefore is consistent with OHP classification and spacing standards.

Policy 3B: Medians

The County TSP does not identify any median locations or treatments. The Washington County Road Design and Construction Standards control the design and placement of medians on County roadways. Washington County Resolution and Order 10-107 adopted the County’s Mid-Block Crossing Policy. These previously adopted documents are consistent with the OHP and have not been modified by Ordinance No. 843.

Policy 3C: Interchange Access Management Areas

Ordinance No. 843 does not make any changes to the previously adopted plan for any interchange area. Therefore, the TSP is consistent with the requirements of the OHP.

Policy 3D: Deviations

Ordinance No. 843 does not make any requests for deviations to state highway standards. Therefore, the TSP is consistent with the requirements of the OHP.

Policy 4A: Efficiency of Freight Movement

A-Engrossed Ordinance No. 783, Exhibit 3, adopted a roadway freight system plan consistent with State Highway Freight System designations. Ordinance No. 843 does not change these designations. Therefore, the TSP is consistent with the requirements of the OHP.

Policy 4D: Transportation Demand Management

A-Engrossed Ordinance No. 768, Exhibit 10, Objective 5.4 and A-Engrossed Ordinance No. 783, Exhibit 5, adopted a TDM policy and system element that is consistent with the requirements of the OHP. Ordinance No. 843 does not change these elements of the TSP.

Part 5

Findings of Compliance with Metro’s Urban Growth Management Functional Plan

Section 3.07.810 of Title 8 of Metro’s Urban Growth Management Functional Plan (UGMFP) requires that County comprehensive plan changes be consistent with the UGMFP. The following Ordinance No. 835 findings have been prepared to address Title(s) 1, 3, 4, 6, 7, 8, 11, 12, 13 and 14 of the UGMFP.

Title 1 - Housing Capacity

Title 1 requires a city or county to maintain or increase its housing capacity (except as provided in Section 3.07.120) per the Regional Framework Plan which calls for a compact urban form and a “fair share” approach to meeting housing needs.

RESPONSE

Ordinance No. 843 acknowledges that, based on preliminary feedback from the Department of State Lands (DSL) and the Army Corps of Engineers (Corps), a wetland under the jurisdiction of those agencies is located on property containing residential land use designations to the north of the East Community Park. The ordinance acknowledges that DSL and the Corps may limit or prohibit proposed future residential development within the jurisdictional wetland.

CDC Section 300-2.8 allows jurisdictional wetlands to be excluded from the acreage used to calculate minimum residential densities for all of the urban unincorporated county, with the exception of the North Bethany Subarea. Ordinance No. 843 adds an allowance for the jurisdictional wetland area located north of the East Community Park to be subtracted from the overall site area for purposes of the residential density calculation required by CDC Section 300-2.

Ordinance No. 843 places Open Space, Density Restricted Land, and Fixed Park overlays onto an approximately one-half acre of land that is designated as R-15 North Bethany District (R-15 NB). The R-15 NB designation allows for residential development at densities of no more than 15 units per acre and no less than 12 units per acre. This land is located between the north edge of the planned future East Community Park and the south edge of the proposed realignment for Road A (Shackelford Road). The placement of these overlays onto this approximately one-half acre of land means that it will no longer be eligible for residential development.

This approximate one-half acre of land is divided into two discrete areas rather than being one contiguous area. Its residential development potential is likely constrained by the small size of each area coupled with the fact that the areas would be located between the edge of a planned

park and a collector road. Given the area’s total size, the placement of the Open Space, Density Restricted Land, and Fixed Park overlays onto this land could result in a maximum decrease of six to eight residential units. However, even with this reduction in number of units, the North Bethany Subarea’s minimum average net density will remain above 10 units per acre, thus remaining in compliance with the density requirements set by Metro. Ordinance No. 843 is consistent with Title 1.

Title 3 - Water Quality and Flood Management

Title 3 protects beneficial water uses and functions and values of resources within Water Quality and Flood Management Areas by limiting or mitigating impacts from development activities and protecting life and property from dangers associated with flooding.

RESPONSE

Ordinance No. 843 does not specifically amend any Plan policies or CDC standards related to water quality or flood management. The changes in Ordinance No. 843 are intended to avoid or minimize impacts to a wetland that would result from future road development. Ordinance No. 843 is consistent with Title 3.

Title 4 – Industrial and Other Employment Areas

Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of “clustering” to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region’s transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities.

RESPONSE

The amendments in Ordinance No. 843 do not affect protection of RSIAs or to the location of employment areas in Metro-designated Centers, Corridors, Main Streets and Station Communities. Ordinance No. 843 does not affect compliance with Title 4.

Title 6 - Centers, Corridors, Station Communities and Main Streets

Title 6 calls for enhancements of Centers, Corridors, Station Communities and Main Streets as principal centers of urban life in the region via actions and investments by cities and counties, complemented by regional investments.

RESPONSE

The area impacted by Ordinance No. 843 is not within a Metro-designated Center, Corridor or Station Community. The area impacted by Ordinance No. 843 is located near a Main Street (the North Bethany Main Street area, located along both sides of Kaiser Road between Road A and

Brugger Road), but the ordinance amendments will not make any changes to this Main Street area. Ordinance No. 843 is consistent with Title 6.

Title 7 - Housing Choice

To increase the supply of affordable housing opportunities, Title 7 implements policies of the Regional Framework Plan regarding establishment of voluntary affordable housing production goals to be adopted by local governments.

RESPONSE

Ordinance No. 843 does not amend County policies regarding affordable housing production goals. Ordinance No. 843 is consistent with Title 7.

Title 8 - Compliance Procedures

Title 8 sets forth Metro's procedures for determining compliance with the UGMFP. Included in this title are steps local jurisdictions must take to ensure that Metro has the opportunity to review amendments to comprehensive plans. Title 8 requires jurisdictions to submit notice to Metro at least 35 days prior to the first evidentiary hearing for a proposed amendment to a comprehensive plan.

RESPONSE

Consistent with Title 8, a digital copy of proposed Ordinance No. 843 was sent June 11, 2018, to Metro, 35 days prior to the first evidentiary hearing. Metro provided no comments on Ordinance No. 843.

Title 11 - Planning For New Urban Areas

Title 11 guides planning of urban reserves and areas being added to the urban growth boundary for conversion from rural to urban use. Title 11 includes requirements that the development of areas added to the urban growth boundary implement the Regional Framework Plan and the 2040 Growth Concept.

RESPONSE

Ordinance No. 843 applies to lands within the urban growth boundary that are already designated for urban use. Title 11 is not applicable to Ordinance No. 843.

Title 12 – Protection of Residential Neighborhoods

Title 12 protects existing residential neighborhoods from air and water pollution, noise and crime, and provides adequate levels of public services.

RESPONSE

Ordinance No. 843 does not impact compliance with Plan policies or CDC standards related to air or water pollution, noise or crime, or adequate levels of public services.

Title 13 – Nature in Neighborhoods

Title 13 conserves, protects and restores a continuous ecologically viable streamside corridor system integrated with upland wildlife habitat and the urban landscape.

RESPONSE

Ordinance No. 843 does not impact Plan policies or CDC standards related to streamside corridors or upland wildlife habitat.

Title 14 – Urban Growth Boundary

Title 14 prescribes criteria and procedures for amendments to the urban growth boundary to provide a clear transition from rural to urban development, an adequate supply of urban land to accommodate long-term population and employment, and a compact urban form.

RESPONSE

The ordinance does not propose to amend the urban growth boundary. Title 14 is not applicable to Ordinance No. 843.

Part 6:

REGIONAL TRANSPORTATION PLAN FINDINGS

This section addresses the consistency of Ordinance No 843 with the applicable policies of Metro’s Regional Transportation Plan (RTP). The Board finds that the RTP applies to the amendments covered by these findings only to the extent noted in specific responses to the applicable elements of this plans, as provided below, and that the amendments comply with the applicable goals and policies of the RTP.

Ordinance No. 843 amends the County’s Transportation System Plan (TSP) consistent with the Regional Transportation Plan (RTP), the Regional Active Transportation Plan (RATP), and Title 2 “Development and Update of Transportation System Plans” of the Regional Transportation Functional Plan (RTFP) Sections 210, 220 and 230.

Ordinance No. 843 amends the existing TSP, including updates to the roadway and active transportation elements. The transportation system designations adopted in Ordinance No. 843 are consistent with the designations identified in Metro’s 2014 RTP. As described in the Goal 12 findings above, the TSP maps as amended by Ordinance No. 843 continue to provide a system of transportation facilities and services adequate to meet identified transportation needs consistent with the RTP. Brief summaries of the applicable RTFP provisions and findings of compliance follow.

Title 1 This section identifies the requirements for Transportation System Design, including provisions for complete streets, the transit system, pedestrian system, bicycle system, freight system and system management and operations.

FINDING: The Washington County Road Design & Construction Standards, together with A-Engrossed Ordinance No. 768 and A-Engrossed Ordinance No. 783, provide for a transportation system design consistent with all the requirements of Title 1. Ordinance No. 843 makes no changes to these requirements and therefore is consistent with Title 1.

Title 2 This section identifies the process for developing a TSP within the Metro region. Provisions include identification of transportation system performance, needs and solutions.

3.08.210 This section contains provisions regarding the assessment of transportation needs.

FINDING: Ordinance No. 843, as well as previously adopted and acknowledged ordinances, is consistent with the provisions.

- Ordinance No. 843 updates the transportation system elements consistent with the mobility principles identified in the 2014 RTP.
- Chapter 4 of the Regional Transportation Plan no longer contains the mobility corridors as described by 3.08.210.C. The mobility corridors are now in Appendix 3.1 of the 2014 RTP. Ordinance No. 843 is consistent with the needs identified in the mobility corridors.

3.08.220 This section contains provisions regarding the development of planned transportation solutions.

FINDING: Ordinance No. 843, as well as previously adopted and acknowledged ordinances, is consistent with the provisions.

- A-Engrossed Ordinance No. 768, Exhibit 10, Strategy 5.1.4 documents considerations prior to adding through travel lane motor vehicle capacity consistent with the RTFP and the OHP policy 1G.
- A-Engrossed Ordinance No. 768, Exhibit 15 identifies coordination strategies consistent with the RTFP.
- Transportation improvement projects were identified in Technical Appendix 2 of A-Engrossed Ordinance No. 783. No new projects or revisions to Appendix 2 have been incorporated into Ordinance No. 843.

3.08.230 This section contains provisions regarding transportation performance targets and standards.

FINDING: Ordinance No. 843, as well as previously adopted and acknowledged ordinances, is consistent with the provisions.

- A-Engrossed Ordinance No. 768, Exhibit 10 identified interim performance targets and standards consistent with the RTFP. Washington County has not adopted alternative targets, and has not applied mobility standards different from those identified in the RTFP.
- Technical Appendix 3 to A-Engrossed Ordinance No. 783 identified and calculated system performance measures consistent with the requirements of the RTFP. These measures were utilized to inform the planning processes necessary to develop Ordinance No. 843.
- Article IV, Section 413 of the CDC includes adopted provisions for parking minimums and maximums consistent with the RTFP.
- The County’s Road Design and Construction Standards provide for a transportation system design consistent with the requirements of the RTFP.
- A-Engrossed Ordinance No. 783, Exhibit 5 provided for the management and operation of the transportation system consistent with the requirements of the RTFP.
- As described previously in these findings, the analysis for the development of Ordinance No. 843 was based on the population and employment forecasts documented in Exhibit 3 of A-Engrossed Ordinance No. 768 and consistent with OAR 660-012-0035(2).

Title 3 This section pertains to the general location and size of transportation facilities.

FINDING: Ordinance No. 843 does not update the planned size of any transportation facility and therefore is consistent with the requirements of the RTFP.

Title 4 This section pertains to parking management and standards.

FINDING: Article IV, Section 413 of the CDC includes provisions for parking minimums and maximums consistent with the RTFP.

Title 5 This section pertains to amendment of the Comprehensive Plan and the TSP.

FINDING: Ordinance No. 843 was developed based on the policy framework identified in the TSP and the projects identified are consistent with the projects identified in the 2014 RTP. As described previously in these findings, this process is consistent with all of the requirements of the RTFP.

Title 6 This section pertains to requirements associated with amendments to the Washington County TSP.

FINDING: The adoption of A-Engrossed Ordinance No. 783 and its associated Technical Appendices complied with the RTFP requirement for an update of the Washington County TSP by the end of 2014. Ordinance No. 843 makes no amendments to the TSP that would be inconsistent with the RTFP.

Attachment A

