



July 26, 2004

To: Citizen Participation Organizations and Interested Parties

From: Brent Curtis, Planning Manager  
Department of Land Use and Transportation

Subject: **PROPOSED ORDINANCE No. 628**

Enclosed for your information is a copy of proposed Ordinance No. 628. Listed below is a description of the ordinance, hearing dates, and other relevant information. If you have any questions about the ordinance, or if you would like additional information, please contact the Planning Division.

### **Ordinance Purpose and Summary**

Proposed Ordinance No. 628 amends the Washington County Rural/Natural Resource Plan and the Community Development Code elements of the Comprehensive Plan relating to a State and Regional Park Overlay District. The State Park Overlay District will be amended to include regional parks and to allow regional parks to use the master planning process defined by the Oregon Administrative Rule applicable to state and local park planning.

### **Who Is Affected**

Property owners of land located within the boundaries of State or Regional parks.

### **What Land is Affected**

Land located within the boundaries of State or Regional parks.

### **Key Provisions**

- Ordinance No. 628 proposes to amend Implementing Strategy k in Policy 14, Recreation, of the Rural/Natural Resource Plan to state that a State and Regional Park Overlay District will be consistent with Oregon Administrative Rule 660-034, State and Local Park Planning.
- Ordinance No. 628 proposes to add two new implementing strategies to Policy 14, Recreation, of the Rural/Natural Resource Plan. Implementing Strategy l. would apply the State and Regional Park Overlay District to State parks, while Implementing Strategy m. would allow the State and Regional Park Overlay District to be applied to Regional parks.
- Ordinance No. 628 also proposes amendments to Community Development Code Sections 340 (Exclusive Farm Use), 342 (Exclusive Forest and Conservation District) and 344 (Agriculture and Forest – 20 Acre District) to change the title of the State Park Overlay District to “State and Regional Park Overlay District”.
- If adopted, Ordinance No. 628 would change the title of Community Development Code Section 383 from “State Park Overlay District” to “State and Regional Park Overlay District”. References to the State Park Overlay District would be amended throughout Section 383.

**Initial Public Hearings  
Time and Place**

**Planning Commission  
1:30 pm  
September 1, 2004**

**Board of County Commissioners  
10:00 am  
September 21, 2004**

Hearings will be held in the Shirley Huffman Auditorium in the Public Services Building, 155 N. 1st Avenue, Hillsboro, Oregon.

On September 21, the Board of County Commissioners (Board) may choose to adopt the ordinance, make changes to it, continue the hearing to a future date, or reject the ordinance. If it is adopted, it would become effective on November 26, 2004.

**Rural/Natural Resource  
Plan Policies Amended**

- Policy 14, Recreation

**Community  
Development Code  
Standards Amended**

- Section 340, Exclusive Farm Use District
- Section 342, Exclusive Forest and Conservation District
- Section 344, Agriculture and Forest – 20 Acre District
- Section 383, State Park Overlay District

**How to Submit  
Comments**

Submit oral or written testimony to the Board and/or the Planning Commission at one of the public hearings. Written testimony may be mailed or faxed to the Board or Planning Commission in advance of the public hearings in care of the Planning Division. **At this time, we are unable to accept e-mail as public testimony.**

Washington County, Planning Division  
155 N. 1<sup>st</sup> Ave., Suite 350-14, Hillsboro, OR 97124-3072  
Fax: 503-846-4412

Failure to submit oral or written testimony before the Board or Planning Commission may preclude appeal of a decision by the Board to adopt an ordinance as filed or amended.

**Staff Contact**

Aisha Willits, Associate Planner  
155 N. 1<sup>st</sup> Ave., Suite 350-14, Hillsboro, OR 97124-3072  
Telephone: 503-846-3961 Fax: 503-846-4412  
e-mail: aisha\_willits@co.washington.or.us

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

- The Washington County Department of Land Use and Transportation, Planning Division, 155 N. 1<sup>st</sup> Ave., Hillsboro, OR 97124-3072  
Telephone: 503-846-3519
- [www.co.washington.or.us/deptmts/lut/planning/ordhome.htm](http://www.co.washington.or.us/deptmts/lut/planning/ordhome.htm)
- Cedar Mill Community Library and Tigard Public Library
- Citizen Participation Organizations (CPOs); Call 503-725-2124 for a directory of CPOs.

/wpshare/2004ord/Ord628/Notices & Affidavits/CPO Notice

1 IN THE BOARD OF COUNTY COMMISSIONERS

2 FOR WASHINGTON COUNTY, OREGON

3 ORDINANCE NO. 628

An Ordinance Amending the Rural/Natural  
Resource Plan and the Community Development  
Code Elements of the Comprehensive Plan  
Relating to a State and Regional Park Overlay  
District

6  
7 The Board of County Commissioners of Washington County, Oregon, ordains:

8 SECTION 1

9 A. The Board of County Commissioners of Washington County, Oregon, recognizes  
10 that the Rural/Natural Resource Plan (Volume III) was readopted with amendments, by way of  
11 Ordinance No. 307, with portions subsequently amended by Ordinance Nos. 342, 383, 411, 412,  
12 458, 459, 462, 480, 482, 499, 539, 547, 572, 574, 578, 588, 598, 606, 609, and 615.

13 B. The Board of County Commissioners of Washington County, Oregon, recognizes  
14 that the Community Development Code element of the Comprehensive Plan (Volume IV) was  
15 readopted with amendments on September 9, 1986, by way of Ordinance No. 308, with portions  
16 subsequently amended by Ordinance Nos. 321, 326, 336-341, 356-363, 372-378, 380, 381, 384-  
17 386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423, 428-434, 436, 437, 439, 441-443,  
18 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512, 517-523, 525,  
19 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588, 589, 591-595, 603-  
20 605, 607-610, 612, 615, 617, and 618.

21 C. Subsequent ongoing planning efforts of the County indicate a need for changes to  
22 the Rural/Natural Resource Plan and the Community Development Code for purposes of amending

1 the State Park Overlay District. The Board takes note that such changes are necessary for the  
2 benefit of the health, safety, and general welfare of the residents of Washington County, Oregon.

3 D. Under the provisions of Washington County Charter Chapter X, the Land Use  
4 Ordinance Advisory Commission has carried out its responsibilities, including preparation of  
5 notices, and the County Planning Commission has conducted one or more public hearings on the  
6 proposed amendments and has submitted its recommendations to the Board. The Board finds that  
7 this Ordinance is based on that recommendation and any modifications made by the Board, as a  
8 result of the public hearings process.

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

14 SECTION 2

15 The following exhibits, attached and incorporated herein by reference, are hereby adopted as  
16 amendments to the designated documents:

- 17 (A) Exhibit 1 (1 page) amending Policy 24, Recreation, of the Rural/Natural Resource  
18 Plan Element;
- 19 (B) Exhibit 2 (1 page) amending the State Park Overlay District map title in Appendix F  
20 of the Rural/Natural Resource Plan;
- 21 (C) Exhibit 3 (2 pages) amending Community Development Code Section 340,  
22 Exclusive Farm Use District (EFU), Section 342, Exclusive Forest and

1 Conservation District (EFC), and Section 344, Agriculture and Forest 20-Acre  
2 District (AF-20); and

3 (D) Exhibit 4 (3 pages) amending Community Development Code Section 383, State  
4 Park Overlay District.

5 SECTION 3

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

8 SECTION 4

9 All applications received prior to the effective date shall be processed in accordance with  
10 ORS 215.427 (2003 Edition).

11 SECTION 5

12 If any portion of this Ordinance, including the exhibits, shall for any reason be held invalid  
13 or unconstitutional by a body of competent jurisdiction, the remainder shall not be affected thereby  
14 and shall remain in full force and effect, and any provision of a prior land use ordinance amended or  
15 repealed by the stricken portion of this Ordinance shall be revived and again be considered in full  
16 force and effect.

17 SECTION 6

18 The Office of County Counsel and Department of Land Use and Transportation are  
19 authorized to prepare planning documents to reflect the changes adopted under Section 2 of this  
20 Ordinance, including deleting and adding textual material and maps, renumbering pages or sections,  
21 and making any technical changes not affecting the substance of these amendments as necessary to  
22 conform to the Washington County Comprehensive Plan format.

1 SECTION 7

2 This Ordinance shall take effect on November 26, 2004.

3 ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2004, being the \_\_\_\_\_ reading  
4 and \_\_\_\_\_ public hearing before the Board of County Commissioners of Washington County,  
5 Oregon.

6 BOARD OF COUNTY COMMISSIONERS  
7 FOR WASHINGTON COUNTY, OREGON

8 \_\_\_\_\_  
9 CHAIRMAN

10 \_\_\_\_\_  
11 RECORDING SECRETARY

12 READING

12 PUBLIC HEARING

13 First \_\_\_\_\_  
14 Second \_\_\_\_\_  
15 Third \_\_\_\_\_  
16 Fourth \_\_\_\_\_  
17 Fifth \_\_\_\_\_  
18 Sixth \_\_\_\_\_  
19 VOTE: Aye: \_\_\_\_\_

13 \_\_\_\_\_  
14 \_\_\_\_\_  
15 \_\_\_\_\_  
16 \_\_\_\_\_  
17 \_\_\_\_\_  
18 \_\_\_\_\_  
19 Nay: \_\_\_\_\_

20 Recording Secretary: \_\_\_\_\_ Date: \_\_\_\_\_  
21  
22

The Rural/Natural Resource Plan is amended as follows:

Implementing Strategy k under Policy 24, RECREATION, is amended as shown below:

- k. ~~Hereby create a State Park Overlay district and development under this designation shall be guided by the adoption of a State Park Master Plan.~~ Adopt and implement a State and Regional Park Overlay District consistent with Oregon Administrative Rule 660-034. When a State or Regional Park Master Plan is adopted, it shall be added to the appendix of the Rural/Natural Resource Plan.
- l. Apply the State and Regional Park Overlay District to State parks.
- m. Allow the State and Regional Park Overlay District to be applied to Regional parks.

The Rural/Natural Resource Plan is amended as follows:

1. The State Park Overlay District map title in Appendix F of the Rural/Natural Resource Plan is amended as shown below:

State and Regional Park Overlay District



The Community Development Code (CDC) is amended as follows:

1. Section 340, EXCLUSIVE FARM USE DISTRICT (EFU), is amended as shown below:

340 EXCLUSIVE FARM USE DISTRICT (EFU)

340-4 Uses Permitted Through a Type II Procedure

The uses listed in Sections 340-4.1 and 340-4.2 are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5. Unless the use is specifically exempted, the Review Authority shall make specific findings with respect to the standards in Section 340-4.3.

340-4.2 Permitted Uses which are subject to Section 340-4.3:

- S. State or Regional Park uses listed in a County-~~approved~~ Master Plan. See Section 383, State and Regional Park Overlay District.

2. Section 342, EXCLUSIVE FOREST AND CONSERVATION DISTRICT (EFC), is amended as shown below:

342 EXCLUSIVE FOREST AND CONSERVATION DISTRICT (EFC)

342-3 Uses Permitted Through a Type II Procedure

The uses listed in Section 342-3.1 and 342-3.2 are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5. Unless the use is specifically exempted, the Review Authority shall make specific findings with respect to the standards in Section 342.3.3.

342-3.2 Permitted Uses which are subject to Section 342-3.3:

- T. State or Regional Park uses listed in a County-~~approved~~ Master Plan. See Section 383, State and Regional Park Overlay District.

3. Section 344, AGRICULTURE AND FOREST DISTRICT (AF-20), is amended as shown below:

344 AGRICULTURE AND FOREST DISTRICT (AF-20)

344-4 Uses Permitted Through a Type II Procedure:

The uses listed in Section 344-4.1 and 344-4.2 are permitted subject to the specific standards for the use set forth below and in applicable Special Use Sections of Section 430, as well as the general standards for the District, the Development Standards of Article IV and all other applicable standards of the Code. Approval may be further conditioned by the Review Authority pursuant to Section 207-5. Unless the use is specifically exempted, the Review Authority shall make specific findings with respect to the standards in Section 344-4.3.

344-4.2 Permitted Uses which are subject to Section 344-4.3:

S. State or Regional Park uses listed in a County-~~approved~~ Master Plan. See Section 383, State and Regional Park Overlay District.

The Community Development Code (CDC) is amended as follows:

1. Section 383, STATE AND REGIONAL PARK OVERLAY DISTRICT, is amended as shown below:

**383 STATE AND REGIONAL PARK OVERLAY DISTRICT**

**383-1 Intent and Purpose**

The intent of the State and Regional Park Overlay District is to facilitate the development of ~~S~~state and regional Pparks that meet the provisions of Oregon Administrative Rule 660, Division 34 and the applicable provisions of this Code.

**383-2 Applicability of the Overlay District**

The State and Regional Park Overlay District designation shall be applied on the appropriate Plan map once the Board of County Commissioners gives their final approval of a State or Regional Park Master Plan. Uses which are not consistent with ~~thean~~ approved Master Plan shall require an amendment to the State or Regional Park Master Plan before processing a development application.

**383-3 Conflicts**

The requirements of this section are in addition to the standards of the underlying district. In the event of a conflict between the requirements of this section and requirements of any other provision of the adopted State or Regional Park Master Plan, the requirements of this section shall control. In the event of a conflict between the requirements of ~~thean~~ adopted State or Regional Park Master Plan and requirements of the underlying land use district, the requirements of the Master Plan shall control.

**383-4 Uses Permitted Through a Type I Procedure**

- A. Park uses, consistent with ~~thea~~ State or Regional Park Master Plan subject to clear and objective standards of review.
- B. Park uses accessory to the uses identified in ~~thean~~ approved State or Regional Park Master Plan.
- C. Accessory buildings, not to exceed 120 (one-hundred twenty) square feet.

**383-5 Uses Permitted Through a Type II Procedure**

- A. Park Uses, consistent with ~~thea~~ State or Regional Park Master Plan subject to discretionary standards of review.

**383-6 Dimensional Requirements**

A. Setbacks:

The minimum setbacks shall be that of the underlying land use district except that the following facilities shall be a minimum of 200 (two-hundred) feet from the perimeter park boundary:

- (1) Day use areas;
- (2) Group camp;
- (3) Horse camp;
- (4) Tent/RV campground;
- (5) Group tent camp; and
- (6) Walk-in camp.

B. Height:

The maximum height for any structure shall be sixty (60) feet.

C. Parking and Landscaping:

The parking and landscaping standards shall be as provided in ~~the~~ approved State or Regional Park Master Plan.

**383-7 Minor Revisions to State or Regional Park Master Plans without Master Plan Amendments**

The purpose of minor revisions are to allow flexibility in site design in order to accommodate changes that inevitably occur between the master planning process and final plans. When revisions are proposed, the original master plan must remain fundamentally intact. For example, site plans, street layouts, and use areas may not be reversed (flip-flopped). The Type I minor revision process only allows changes that have no off-site impacts. Therefore, only limited changes are allowed through this process.

A. Minor revisions to an approved State or Regional Park Master Plan may be made through a Type I procedure to the location or size of structures, uses and roads, subject to the following:

- (1) The change will not result in the location of a use, structure, or road within 200 (two-hundred) feet of the perimeter park boundary;
- (2) The change will not result in an increase in average daily trips as compared to the average daily trips in the traffic analysis prepared for the State or Regional Park Master Plan.

- (3) A maximum of 20 (twenty) percent one-time increase in the number of planned parking spaces in any parking lot or park use area;
  - (4) Extension of a road to provide access to a planned use that is expanded or relocated only if the extension is needed to serve the expanded or relocated use; and
  - (5) Building locations, parking areas, and use areas shall not be relocated in areas designated Water Areas and Wetlands, Water Areas and Wetlands and Fish and Wildlife Habitat, or Significant Natural Areas.
- B. No reduction to the screening and buffering standards (Section 411) are allowed.
- C. All other revisions consistent with the approved State or Regional Park Master Plan shall be processed as a new Type II application, subject to the standards herein and those in effect at the time the new application is submitted. Allowed changes may include a maximum 20 (twenty) percent increase in the total number of campsites, a maximum 20 (twenty) percent increase in floor area of permanent buildings, except restroom and shower buildings, garbage and recycling collection buildings, campground registration buildings and storage buildings which may expand beyond 20 (twenty) percent, subject to land use review.
- D. Revisions to add uses, structures or roads not included the State or Regional Park Master Plan, or changes to the location or size of structures, uses and roads not allowed as specified above, will require an amendment to the Master Plan, per the standards in the State Park Administrative Rules.