



August 30, 2004

To: Citizen Participation Organizations and Interested Parties

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

Subject: **PROPOSED ORDINANCE No. 631**

Enclosed for your information is a copy of proposed Ordinance No. 631. 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**

To amend the Washington County Rural/Natural Resource Plan, the Comprehensive Framework Plan for the Urban Area, the 2020 Transportation Plan, the Cedar Hills - Cedar Mill Community Plan and the Community Development Code to make housekeeping and general update changes.

### **Who Is Affected**

Residents in the rural and unincorporated urban areas of Washington County are potentially affected.

### **What Land is Affected**

Land in urban unincorporated (outside city limits) and land outside the Urban Growth Boundary (UGB).

### **Key Provisions**

- Amends Policies 1 and 6 of the Rural/Natural Resource Plan. Policy 1 is amended to require that property involved in a plan amendment request to the Exclusive Farm Use (EFU) and Exclusive Forest & Conservation (EFC) Districts be contiguous to the requested land use district or consist of 76 acres or more in area. Policy 6 is amended to exempt certain plan amendments from the requirement to submit well records as part of the application. Plan amendments that would not result in an increase in density will not be required to submit well records. Implementing Strategy h of Policy 6 is deleted. The Tualatin Project Phase II is no longer under consideration by the U.S. Bureau of Reclamation.
- Amends Policies 21 and 23 of the Comprehensive Framework Plan for the Urban Area to implement affordable housing requirements.
- Amends Policy 10, Functional Classification System, of the 2020 Transportation Plan to correct a previously adopted road alignment on the south side of Barnes Road near the Sunset Light Rail Station.
- Amends the Cedar Hills – Cedar Mill Community Plan to change the deadline for extending Science Park Drive from 2010 to 2015.
- Amends the Community Development Code (CDC) to make housekeeping and general update changes.

### **Initial Public Hearings**

#### **Time and Place**

**Planning Commission**  
**1:30 pm**  
**October 6, 2004**

**Board of County Commissioners**  
**10:00 am**  
**October 19, 2004**

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

On October 19, 2004, 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 thirty days later.

**Rural Plan Policies Amended**

- Policy 1, The Planning Process
- Policy 6, Water Resources

**Urban Comprehensive Plan Policies Amended**

- Policy 21, Housing Affordability
- Policy 23, Housing Condition

**Transportation Plan Policies Amended**

- Policy 10, Functional Classification

**Community Plan Policies Amended**

- Area of Special Concern No. 13a text for the Cedar Mill West Subarea

**Community Development Code Standards Amended**

- Section 106, Definitions
- Section 203, Processing Type I, II and III Development Actions
- Section 304, R-9 District
- Section 306, R-24 District
- Section 307, R-25+ District
- Section 375, Transit Oriented Districts
- Section 379, Mineral and Aggregate Overlay District
- Section 403, Applicability
- Section 421, Flood Plain and Drainage Hazard Area Development
- Section 430, Special Use Standards
- Section 431, Transit Oriented Design Principles, Standards and Guidelines
- Section 501, Public Facility and Service Requirements

**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: 503-846-3519 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.

1 IN THE BOARD OF COUNTY COMMISSIONERS

2 FOR WASHINGTON COUNTY, OREGON

3  
4 ORDINANCE NO. 631

An Ordinance Relating to a General Update and Housekeeping Changes to the Rural/Natural Resource Plan, the Comprehensive Framework Plan for the Urban Area, the Transportation Plan, the Cedar Hills-Cedar Mill Community Plan, and the Community Development Code Element of the Comprehensive Plan

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

9 SECTION 1

10 A. The Board of County Commissioners of Washington County, Oregon,  
11 recognizes that the Rural/Natural Resource Plan (Volume III) was readopted with  
12 amendments, by way of Ordinance No. 307, with portions subsequently amended by  
13 Ordinance Nos. 342, 383, 411, 412, 458, 459, 462, 480, 482, 499, 539, 547, 572, 574, 578,  
14 588, 598, 606, 609, and 615.

15 B. The Board of County Commissioners of Washington County, Oregon,  
16 recognizes that the Comprehensive Framework Plan for the Urban Area element of the  
17 Comprehensive Plan (Volume II) was readopted with amendments on September 9, 1986,  
18 with portions subsequently amended by Ordinance Nos. 343, 382, 432 (remanded), 444  
19 (remanded), 459, 471, 480, 483, 503, 516, 517, 526, 561, 571, 572, 588-590, 598, 608-610,  
20 612, 614, 615, and 620.

21 C. The Board of County Commissioners of Washington County, Oregon,  
22 recognizes that the Transportation Plan Element of the Comprehensive Plan (Volume XV)

1 was adopted on October 25, 1988, by way of Ordinance Nos. 332 and 333, with portions  
2 subsequently amended by Ordinance Nos. 343, 382, 409, 419, 426, 432, 450, 463, 470, 471,  
3 473, 474, 480, 483-485, 493, 494, 503, 515, 526, 537, 542, 546, 552, 556, 588, 601, 609, and  
4 611.

5 D. The Board of County Commissioners of Washington County, Oregon, recognizes  
6 that the Cedar Hills-Cedar Mill Community Plan was adopted by Ordinance Nos. 263 and 265  
7 and amended by Ordinance Nos. 346, 369, 396, 418, 420, 450, 471, 480, 484, 526, 551, 553,  
8 588, 609, 610, and 620.

9 E. The Board of County Commissioners of Washington County, Oregon,  
10 recognizes that the Community Development Code element of the Comprehensive Plan  
11 (Volume IV) was readopted with amendments on September 9, 1986, by way of Ordinance No.  
12 308, with portions subsequently amended by Ordinance Nos. 321, 326, 336-341, 356-363, 372-  
13 378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423, 428-434,  
14 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489,  
15 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577,  
16 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, and 618.

17 F. Subsequent ongoing planning efforts of the County indicate a need for changes  
18 to the Rural/Natural Resource Plan, the Comprehensive Framework Plan for the Urban Area,  
19 the Transportation Plan, the Cedar Hills-Cedar Mill Community Plan, and the Community  
20 Development Code element of the Comprehensive Plan relating to a general update and  
21 housekeeping changes to improve its administration and to fix minor problems with the Plans.

22 ////

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

3 G. 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  
7 that this Ordinance is based on that recommendation and any modifications made by the Board,  
8 as a result of the public hearings process.

9 H. 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  
12 set forth in Chapters 197 and 215 of the Oregon Revised Statutes, the Washington County  
13 Charter, and the Washington County Community Development Code.

14 SECTION 2

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

- 17 (A) Exhibit 1 (3 pages) amending the Rural/Natural Resource Plan;
- 18 (B) Exhibit 2 (2 pages) amending the Comprehensive Framework Plan for the Urban  
19 Area;
- 20 (C) Exhibit 3 (1 page) amending the Washington County 2020 Transportation Plan;
- 21 (D) Exhibit 4 (1 page) amending the Cedar Hills-Cedar Mill Community Plan; and
- 22 (E) Exhibit 5 (5 pages) amending the Community Development Code.

1     SECTION 3

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

4     SECTION 4

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

7     SECTION 5

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

13    SECTION 6

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

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

3 SECTION 7

4 This Ordinance shall take effect thirty (30) days after adoption.

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

8 BOARD OF COUNTY COMMISSIONERS  
9 FOR WASHINGTON COUNTY, OREGON

10 \_\_\_\_\_  
11 CHAIRMAN

12 \_\_\_\_\_  
13 RECORDING SECRETARY

14 READING

PUBLIC HEARING

15 First \_\_\_\_\_  
16 Second \_\_\_\_\_  
17 Third \_\_\_\_\_  
18 Fourth \_\_\_\_\_  
19 Fifth \_\_\_\_\_  
20 Sixth \_\_\_\_\_

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VOTE: *Aye*: \_\_\_\_\_

*Nay*: \_\_\_\_\_

Recording Secretary: \_\_\_\_\_ Date: \_\_\_\_\_

The Rural/Natural Resource Plan is amended as shown below:

1. Implementing Strategy p. of Policy 1, THE PLANNING PROCESS, is amended as follows:

p. Require that plan map amendments meet the following criteria:

As used in the following sections a mistake means a clerical error, or a mistake in the current designation such that it probably would not have been placed on the property had the error been brought to the attention of the Board during the adoption process.

1. Amendments from Exclusive Farm Use to Exclusive Forest and Conservation, or, Exclusive Forest and Conservation to Exclusive Farm Use shall:

A. Determine the appropriate District considering the following:

- I. soils types as related to Goal 3 and forest classifications as related to Goal 4;
- II. the predominant use of the property;
- III. the predominant use and land use district of the surrounding properties;
- IV. what kinds of crops or forest uses would be possible on the parcel given the size and conflicts with adjacent uses;
- V. physical characteristics of the site;
- VI. whether the site is or has been on a farm or forest deferral; and

B. Require that the parcel be contiguous to land with the same plan map designation being requested or be 76 acres or more in area. ~~found to be of sufficient size to fulfill the intent of the proposed Land Use District.~~

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8. Amendments from Mixed Agriculture and Forestry-20 to Exclusive Farm Use or Exclusive Forest and Conservation shall be based upon:

A. A mistake in this 1983 plan; or

B. Findings that the subject land is:

- I. in farm or forest use;
- II. on farm or forest deferral;
- III. agricultural or forest land as defined by LCDC Goal 3 or Goal 4; or
- IV. compatible with surrounding land uses.

C. Require that the parcel be contiguous to land with the same plan map designation being requested or be 76 acres or more in area.



9. Amendments from Agriculture and Forest-10, Agriculture and Forest-5, Rural Residential-5, Rural Industrial-5, Land Extensive Industrial, or Rural Commercial to Exclusive Farm Use or Exclusive Forest and Conservation shall be based upon:
  - A. A mistake in this 1983 plan; or
  - B. Findings that the subject land is:
    - I. contiguous to the proposed plan designations;
    - II. in conformance with the purpose and intent of the proposed land use district which would be applicable to the property;
    - III. in farm or forest use;
    - IV. on farm or forest deferral; and
    - V. agricultural or forest land as defined by LCDC Goal 3 or Goal 4; and
  - C. An amendment to the exception taken by LCDC Goal 2, or, Exclusive Farm Use.
  - D. Require that the parcel be contiguous to land with the same plan map designation being requested or be 76 acres or more in area.

2. Policy 6, WATER RESOURCES, is amended as follows:

- a. Strive to ensure adequate water supplies for all uses by:
  1. Encouraging water conservation programs by water users and purveyors;
  2. Reviewing and revising existing development regulations where necessary or limiting the location or operation of new wells as a condition of development approval, considering advice and/or recommendations received from the State Water Resources Department;
  3. Coordinating with State and Federal agencies in evaluating and monitoring ground water supplies;
  4. Complying with the May 17, 1974, Order of the State Engineer establishing and setting forth control provisions for the Cooper Mountain-Bull Mountain Critical Ground Water Area; and
  5. Requiring applicants for quasi-judicial Plan Map Amendments to provide well reports (well logs) filed with the Water Master for all Public Lands Survey (township and range system) sections within one-half (1/2) mile of the subject site and provide an analysis of whether ground water quality and quantity within the area will be maintained or improved. The analysis should include well yields, well depth, year drilled or other data as may be required to demonstrate compliance with this policy.

Well logs are not required for quasi-judicial plan amendments when the designation change will not result in an increase in density (i.e. EFU to EFC plan amendments).

- b. Ensure adequate quality of surface and ground water by:

1. Promoting compliance with Department of Environmental Quality water quality standards;
  2. Cooperating with the Soil and Water Conservation District in the implementation of effective methods of controlling non-point sources of water pollution in agricultural areas;
  3. Cooperating with the Oregon State Department of Forestry in the implementation of effective methods of controlling non-point sources of water pollution in forest areas; and
  4. Ensuring that the establishment of subsurface sewage disposal systems (e.g., septic tanks) will not adversely affect ground water quality.
- c. Protect and maintain natural stream channels wherever possible, with an emphasis on non-structural controls when modifications are necessary.
- d. Limit the alteration of natural vegetation in riparian zones and in locations identified as significant water areas and wetlands.
- e. Encourage property owners with lands which qualify as "Designated Riparian Land" as defined by the 1981 Riparian Habitat Act to apply for exemption of that land from ad valorem taxation.
- f. Support viable water resources projects which are proposed in the County upon review of their cost benefit analysis, alternatives, and environmental and social impacts.
- g. Coordinate land use actions regarding water projects with agencies and jurisdictions which may be impacted by such projects.
- ~~h. Notify and initiate appropriate coordination with the City of Gaston and the U.S. Bureau of Reclamation prior to the approval of any land use actions in the area of the proposed Tualatin Project Phase II.~~
- i.h. Support measures to conserve vegetation in drainage basin watersheds as a means of controlling the release of water to downstream farm lands and urban areas.
- j.i. Cooperate with the Division of State Lands, State of Oregon in their review and mitigation of projects that alter water areas and wetlands under their jurisdictions.
- k.j. Consistent with the recommendations of the Department of Environmental Quality, State of Oregon and the Unified Sewerage Agency, support the expansion of stormwater sampling in the Tualatin Basin and consideration of proper planning and management measures for non-point source problems.

The Comprehensive Framework Plan for the Urban Area is amended as follows:

1. Implementing Strategy g. of Policy 21, HOUSING AFFORDABILITY, is amended as shown below:
  - g. Assist State and local public housing agencies in the development of ~~subsidized~~affordable housing opportunities throughout Washington County by continuing to fund the Department of Housing Services (DHS) and the Office of Community Development (OCD).
    1. DHS administers federal housing programs to fund affordable housing projects, provides rental assistance to low income households and affordable housing opportunities for low and moderate income households, and partners with local jurisdictions, non-profit corporations and private developers to develop other affordable housing opportunities. Further, DHS owns and manages affordable housing throughout Washington County.
    2. OCD manages, on behalf of the County and participating city consortium members the Community Development Block Grant (CDBG) and the Washington County HOME Consortium Grant programs. CDBG funds can finance housing projects that benefit low and moderate income persons; while HOME Consortium Grant funds can finance housing projects that serve low-income households and/or support Community Housing Development Organizations through operating grants.
2. Add a new Implementing Strategy g. and make amendments to the Summary Findings and Conclusions of Policy 23, HOUSING CONDITION, as shown below:
  - g. Encourage the housing industry, public and private housing agencies, and individual homeowners to preserve and maintain existing, viable affordable housing units within Washington County. The County will continue to promote the retention of affordable housing in Washington County by:
    1. Administering the Community Development Block Grant Program and the HOME Investment Partnerships Program for Washington County through the Office of Community Development in order to aid in housing rehabilitation and the construction of affordable housing throughout Washington County.
    2. Supporting Washington County's low and moderate-income homeowners with home repairs through continued administration of the County's Housing Rehabilitation Program managed by the Office of Community Development and funding of low-interest housing rehabilitation loans and grants.
    3. Administering the American Dream Downpayment Initiative through the Office of Community Development in order to assist low-income households achieve homeownership by providing down payment and closing cost assistance.

Summary Findings and Conclusions

The majority of the County's housing stock was built during the last twenty years and is generally in good condition. The need for repair and weatherization is higher for dwellings occupied by low and moderate income households, especially those renting their dwellings. The need for repair is also very high among mobile and/or manufactured housing in parks where the homeowners do not own the land.

Housing repair needs seem to be relatively more frequent in Cornelius, Hillsboro, Aloha, North Plains, older sections of Sherwood, Gaston and unincorporated rural communities such as Timber, Manning and Buxton. Throughout the ~~e~~County, roof, heating and plumbing repairs are the most often reported needs by all households.

Washington County's Office of Community Development-~~Office~~ (OCD) operates two programs to assist low and moderate-income families~~y~~ and senior households, and the disabled with housing rehabilitation and repair. The Washington County Community Action Organization (WCCAO) administers a weatherization program funded by the Federal Department of Energy for low-income households. Because of the existing level of need, the expansion of existing programs appears warranted.

The Housing Authority of Washington County operates two programs to improve the housing condition of rental properties -- moderate rehabilitation and substantial rehabilitation -- both funded through the Federal Department of Housing and Urban Development.

The Washington County 2020 Transportation Plan is amended as follows:

- 1. The Washington County Special Area Street Overlay Sunset Station Area Map in Policy 10 is amended as shown below:



———— Existing Proposed Special Area Commercial Street  
- - - - Proposed Road to be Removed



abcdef Proposed additions  
~~abcdef~~ Proposed deletions

The Cedar Hills – Cedar Mill Community Plan is amended as follows:

1. Amend the text for Area of Special Concern No. 13a of the Cedar Mill West Subarea as shown below:

Area of Special Concern No. 13a:

This is the portion of Area of Special Concern 13 at the southeast corner of Murray and Cornell Roads. This is one of the core areas of the Cedar Mill Town Center. Properties in this area are designated TO:RC and are likely to redevelop in the future. Portions of this area are already developed with commercial uses, while other parts are developed with apartment buildings and single family dwellings. There are multiple property owners in the area. In order for these properties to redevelop in a cohesive and complementary manner, they will either have to be consolidated under fewer ownerships, or the owners of the properties will have to cooperatively plan for the area's overall redevelopment. To assure that cooperative planning of the area's overall redevelopment will occur, no development application for a property in the area, other than for a limited expansion (no more than 20 percent of existing floor area), shall be approved prior to approval of an overall Master Plan for all properties that are within ASC No. 13a. This overall Master Plan shall be agreed to by 50 percent of the property owners in the area and property owners in the area representing at least 50 percent of the acreage. ASC 13a shall also meet all of the requirements of ASC 13.

Regarding tax lots 1N133DB03700 and 01, the County shall not build the extension of Science Park between Murray and Joy prior to the year ~~2010~~2015. If prior to the year ~~2010~~2015, the owners of tax lot 1N133DB03700 or tax lot 1N133DB03701 or their successors want to sell their property (including contiguous parcels) to the County, the County shall negotiate to buy the property including the contiguous parcels to the extent permitted by law.

The Community Development Code is amended as follows:

1. CDC Section 106, DEFINITIONS, is amended to reflect the following:

106-1.3 Any word or term not herein defined shall be used as defined by "Webster's Third New International Dictionary", copyright ~~1974~~1993, located in the Washington County Law Library.

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106-220 Yard (Setback) An open space on a lot or parcel which is unoccupied or unobstructed by buildings or other structures from the ground upward, except by landscaping or vegetation or as provided in Section 418 or other sections of this Code, ~~or by landscaping or vegetation~~. Required yards shall be measured from the property line, sidewalk, or easement for public travel, whichever is closest to the building line of the lot or parcel a building will be constructed on, except as provided otherwise by the primary district.

2. CDC Section 203, PROCESSING TYPE I, II AND III DEVELOPMENT ACTIONS, is amended to reflect the following:

203-1.1 Type I, II and III development actions may be initiated only by:

- A. Application by all the owners or all the contract purchasers of the subject property, or any person authorized in writing to act as agent of the owners or contract purchasers. For development allowed within a recorded easement, the signature of the other party to the easement is not required. In case of an application for a plan designation which requires that an exception be taken to Statewide Goals 3 and 4 pursuant to Goal 2, only one owner/applicant's signature is required. Contract purchasers shall indicate in writing that the contract vendor(s) has been notified of the application. If a lot or parcel has been divided without the approval of the County and such approval was required at the time the division occurred, a development action for approval of the improper division may be initiated by the owners of a portion of the existing lot or parcel, notwithstanding that less than all of the owners of the existing legal lot or parcel have applied for the approval;

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203-5.6 The 120-day and 150-day period set in Section 203-5.3 may be extended for a reasonable period of time at the request of the applicant.

3. CDC Section 304, R-9 DISTRICT, is amended to reflect the following:

304-7.5 Required Outdoor Yard Area

- A. For detached dwellings, a minimum contiguous rear or side yard (does not include a street side yard) outdoor area of four-hundred and fifty (450) square feet shall be provided on each lot, of which no dimension shall ~~not~~ be less than ten (10) feet. A recorded outdoor yard use easement provided on an adjoining lot may also be used to satisfy the requirements of this Section.

4. CDC Section 306, R-24 DISTRICT, is amended to reflect the following:

306-7.5 Required Outdoor Yard Area

A minimum contiguous rear or side yard (does not include a street side yard) outdoor area of two-hundred and fifty (250) square feet shall be provided on each lot, of which no dimension shall be less than ten (10) feet. A recorded outdoor yard use easement provided on an adjoining lot may also be used to satisfy the requirements of this Section.

The required outdoor area may be reduced to one-hundred and forty (140) square feet when the following standards are met:

- A. The outdoor area shall consist of one-hundred and forty (140) contiguous square feet of which no dimension shall be less than ten (10) feet. The outdoor area shall be located within a side or rear yard;
- B. The development site shall be located within one-thousand (1,000) feet of an existing transit stop that has twenty (20) minute or more frequent service during the peak hour; and
- C. Common open space, as defined by Section ~~430-3.4~~431-3.4, is provided within the development site consistent with the standards of Sections 431-7.2 and 431-7.3. The common open space shall consist of at least one (1) acre of contiguous land that is developed for recreational uses.

5. CDC Section 307, R-25+ DISTRICT, is amended to reflect the following:

307-7.5 Required Outdoor Yard Area

A minimum contiguous rear or side yard (does not include a street side yard) outdoor area of two-hundred and fifty (250) square feet shall be provided on each lot, of which no dimension shall be less than ten (10) feet. A recorded outdoor yard use easement provided on an adjoining lot may also be used to satisfy the requirements of this Section.

The required outdoor area may be reduced to one-hundred and forty (140) square feet when the following standards are met:



- A. The outdoor area shall consist of one-hundred and forty (140) contiguous square feet of which no dimension shall be less than ten (10) feet. The outdoor area shall be located within a side or rear yard;
- B. The development site is located within one-thousand (1,000) feet of an existing transit stop that has twenty (20) minute or more frequent service during the peak hour; and
- C. Common open space, as defined by Section ~~430-3.4~~431-3.4, is provided within the development site consistent with the standards of Sections 431-7.2 and 431-7.3. The common open space shall consist of at least one (1) acre of contiguous land that is developed for recreational uses.

6. CDC Section 375, TRANSIT ORIENTED DISTRICTS, is amended to reflect the following:

**375-7 Development Limitations for Permitted Uses in Transit Oriented Districts**

The following use or design limitations apply where specified in ~~Section 375-4~~Table A:

7. CDC Section 379, MINERAL AND AGGREGATE OVERLAY DISTRICT, is amended to reflect the following:

**379-7 Uses Permitted Through a Type II Procedure in District A**

The following uses are permitted subject to the applicable standards as set forth in Article IV and Sections 379-13 and 379-14.

- 379-7.1 Mining or quarrying operations for the extraction of rock, clay, soil, sand, gravel or other minerals;
- 379-7.2 The following uses when in conjunction with a mineral and aggregate extraction operation:
  - A. Crushing, washing and screening of mineral and aggregate materials;
  - B. Stockpiling of mineral and aggregate materials and earth products;
  - C. An office, shop or other accessory structure used for the management and maintenance of mineral and aggregate extraction and processing equipment;
  - D. Sale of products produced from a mineral and aggregate extraction and processing operation;
  - E. One detached dwelling unit (may be a manufactured dwelling) and accessory structures for a caretaker or watchman;

- F. Asphalt batch plant, except in the EFU and AF-20 Districts;
- G. Concrete batch plant;
- H. Asphalt batch plant in the EFU or AF-20 Districts, except when located within two (2) miles of a planted vineyard. Batch plants approved on or before October 3, 1989, or a subsequent renewal of an existing approval, are exempted from this limitation and may be located within two (2) miles of a vineyard; and
- I. Storage of equipment or machinery and supplies necessary for mineral and aggregate extraction or processing.

8. CDC Section 403, APPLICABILITY, is amended to reflect the following:

**403-3 Additional Standards Inside the UGB**

In addition to the requirements of Table I, all Master Plan and Site Analysis applications shall address the requirements of Sections 404-419, 421-423, 427 and 429.

9. CDC Section 421, FLOOD PLAIN AND DRAINAGE HAZARD AREA DEVELOPMENT, is amended to reflect the following:

421-5.5 Subdivisions and ~~major and minor land~~ partitions.

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421-7.12 Proposed partitions and subdivisions shall provide adequate drainage to reduce exposure to flood damage by complying with the standards of Section 410 and applicable standards of Section 605-~~5-23.2~~ or 610-~~5-23.2~~, whichever is applicable.

10. CDC Section 430, SPECIAL USE STANDARDS, is amended to replace all references to R&O 86-95 with "R&O 86-95 as modified or updated".

11. CDC Section 431, TRANSIT ORIENTED DESIGN PRINCIPLES, STANDARDS AND GUIDELINES, is amended to reflect the following:

**431-2 Conflicts**

In the event of a conflict between the requirements of this section and requirements of any other provision of the Code or a community plan, the requirements of this section shall control, except Area of Special Concern or Subarea provisions in a Community Plan, any code provision specific to Section 418-3 (Corner Vision), 421, 422 or 501-8.5 ~~EE~~. (Sight Distance).

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431-4.2 D. (11) Pedestrian crossings of streets, driveways, surface parking lots and loading areas shall be designed to be consistent with the provisions of Section 408-~~9-310.3~~ B. In transit oriented districts, striping alone is not an acceptable way to identify connections.

12. CDC Section 501, PUBLIC FACILITY AND SERVICE REQUIREMENTS, is amended as follows:

501-8.5 B. (2) Neighborhood Routes

All residential, commercial, institutional and industrial uses with seventy (70) feet or more of frontage will be permitted direct access to a Neighborhood Route. Uses with less than seventy (70) feet of frontage shall not be permitted a permanent single or separate direct access to a Neighborhood Route. Interim access which does not preclude a future common entrance with adjacent property may be permitted pursuant to the standards of Section 501-8.5 E. (Interim Access). Where a common access is available it shall be used, provided that such use will not result in serious operational or safety problems.

13. CDC Section 501-8, STANDARDS FOR DEVELOPMENT, is amended to replace all references to R&O 86-95 with "R&O 86-95 as modified or updated".