



WASHINGTON COUNTY OREGON

May 8, 2006

To: Citizen Participation Organizations and Interested Parties

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

Subject: **PROPOSED ORDINANCE NO. 661**

The Washington County Planning Commission and the Board of County Commissioners (Board) will soon consider proposed land use Ordinance No. 661. Ordinance No. 661 proposes to amend the *Community Development Code* standards for the Future Development 20 Acre District (FD-20) to allow the creation of parcels less than twenty (20) acres to accommodate certain public services and facilities in the Bull Mt. and West Tigard Community Plan areas.

Ordinance 661 is available for inspection at the Washington County Planning Division and at the following web site: <http://www.co.washington.or.us/deptmts/lut/planning/ord2006/ord2006.htm>

The Washington County Planning Commission and Board will hold public hearings about the proposed ordinance on the dates listed below. The hearings will be held in the Shirley Huffman Auditorium in the Public Services Building, 155 N. 1st Avenue, Hillsboro, Oregon.

Planning Commission
7:30 pm
June 21, 2006

Board of County Commissioners
6:30 pm
June 27, 2006

On June 27th, the 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 July 27, 2006.

Written or oral testimony about the ordinance may be provided at the public hearings. Written testimony may be mailed or faxed in advance of the hearings in care of the Planning Division. At this time, we are unable to accept e-mail as public testimony.

Please contact Linda Schroeder at 503-846-3962 if you have questions about the ordinance or you would like additional information.

wpsare/2006ord/Ord661\Notices\CPO_Notice

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

3
4 ORDINANCE No. 661

An Ordinance Amending the
Community Development Code
Element of the Comprehensive Plan
Relating to Lot Area for Partitions
Within the Future Development 20-
Acre (FD-20) District in the Bull
Mountain and West Tigard Community
Plan Areas

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 Community Development Code (“CDC”) element of the
12 Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986,
13 by way of Ordinance No. 308, with portions subsequently amended by Ordinance Nos.
14 321, 326, 336-341, 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407,
15 412, 413, 415, 417, 421-423, 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457,
16 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512, 517-523, 525, 526, 528, 529,
17 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588, 589, 591-595, 603-605,
18 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635, 638, 642, 644, 645, 648, 649,
19 654, 659, and 660.

20 B. Subsequent ongoing planning efforts of the County indicate a need for
21 changes to the CDC element of the Comprehensive Plan to accommodate public facilities
22 and services associated with the provision of sewer, water, school, fire, and park and

1 recreation services in parcels less than twenty (20) acres in the Bull Mountain and West
2 Tigard Community Plan areas. The Board takes note that such changes are necessary to
3 assure consistency with state law and are for the benefit of the residents of Washington
4 County, Oregon.

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

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

16 SECTION 2

17 The following exhibits, attached and incorporated herein by reference, are hereby
18 adopted and made applicable to the West Tigard and Bull Mountain Community Plan area
19 as provided below:

- 20 1. Exhibit 1 – Map of the affected territory in the West Tigard and Bull Mountain
21 Community Plan areas (1 page); and
- 22 2. Exhibit 2 – Amendments to CDC Section 308-6.1 Lot Area in the Future
Development 20-Acre District (1 page).

1 SECTION 3

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

5 SECTION 4

6 All applications received prior to the effective date shall be processed in accordance
7 with ORS 215.427 (2005 Edition).

8 SECTION 5

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

14 SECTION 6

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

21 ////

22 ////

1 SECTION 7

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

3 ENACTED this 27th day of June, 2006, being the 1st reading
4 and 1st public hearing before the Board of County Commissioners of Washington
5 County, Oregon.

6 BOARD OF COUNTY COMMISSIONERS
7 FOR WASHINGTON COUNTY, OREGON

8 **ADOPTED**

9 *John Luperfor*
CHAIRMAN

10 *Marian Larkin*
RECORDING SECRETARY

11
12 READING

PUBLIC HEARING

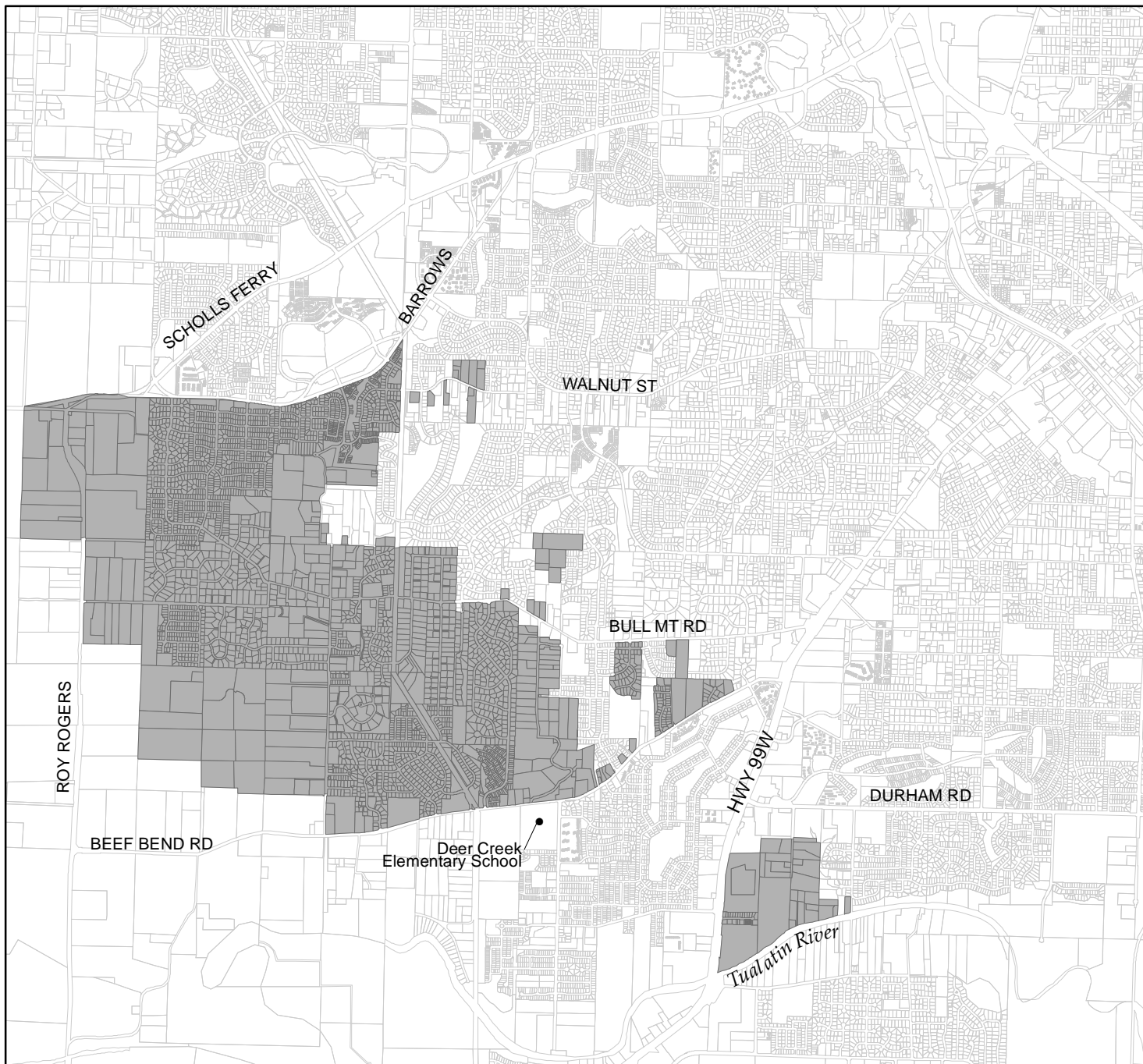
13 First June 27, 2006
14 Second _____
15 Third _____
16 Fourth _____
Fifth _____
Sixth _____

June 27, 2006

17 VOTE: Aye: Leeper, Duyck, Schouten Nay: _____

18 Recording Secretary: Marian Larkin Date: June 27, 2006

Bull Mountain Community Plan & West Tigard Community Plan Affected Territory



S:\P\ng\W\PSHARE\2006\ord\ord 661\Exhibis\Exhibit1_map.mxd DM 5/3/06

 Affected Territory



CDC Section 308-6 DIMENSIONAL REQUIREMENTS in the Future Development 20 Acre District is amended as shown below. These changes are only applicable to the unincorporated territory in the boundaries of the Bull Mt. and West Tigard Community Plans shown on Exhibit 1.

308 FUTURE DEVELOPMENT 20 ACRE DISTRICT (FD-20)

308-6 Dimensional Requirements

In applying the minimum lot size provisions of this District, the boundary lines used in the deed or sales contract shall be used. If a lot is bounded by a dedicated road, fifty (50) percent of the area of the road contiguous to the lot shall be considered as a portion of the lot. If the lot is severed by the road, one hundred (100) percent of the road area within the lot shall be considered a portion of the lot. This provision shall be liberally construed in favor of the landowner.

308-6.1 Lot Area:

A. The minimum lot area shall be twenty (20) acres unless specified otherwise by the applicable Community Plan, ~~or~~ Policy 41 of the Comprehensive Framework Plan for the Urban Area, or as provided below.

B. Partitions to create parcels less than twenty (20) acres may be allowed for public facilities and services associated with the provision of sewer, water, school, fire, and park and recreation services. If the partition is required to accommodate the sale of land for the noted public facilities and services, application submittal materials shall include the following in order to demonstrate proof of a qualified service provider's intent to purchase the parcel(s) created through such a partition:

(1) A letter of intent to purchase or signed purchase agreement from the applicable service provider for the proposed parcel(s), and

(2) Application by all the owners of the subject property and the service provider(s) intending to purchase the proposed parcel(s), or any person authorized in writing to act as agent of the owners or service providers.