



October 10, 2008

To: Citizen Participation Organizations and Interested Parties

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

Subject: **PROPOSED A-ENGROSSED ORDINANCE NO. 702**

Enclosed for your information is a copy of proposed A-Engrossed Ordinance No. 702. 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 Anne Elvers, Associate Planner.

The Board of County Commissioners (Board) ordered changes to Ordinance No. 702 at their October 7, 2008 public hearing. These changes have been incorporated into proposed **A-Engrossed Ordinance No. 702** and are summarized below.

Ordinance Purpose and Summary

Ordinance No. 702 was filed to consider changes to the Bethany Community Plan to change the land use designation of two parcels at the southwest quadrant of the Bethany Blvd./NW Laidlaw Rd. intersection from residential to Community Business District (CBD).

Who Is Affected

Owners of land located in the Central Bethany Planned Development area within Area of Special Concern 1 (ASC 1).

What Land is Affected

Properties located in the Central Bethany Planned Development area within ASC 1.

Summary of Changes to Ordinance No. 702

- Changed the land use designation of the Providence Health and Services property at the southwest corner of the Bethany\Laidlaw intersection from R-15 to Office Commercial as shown on the attached map.
- Changed the land use designation of the retail buildings on the east side of NW 153rd Terrace from R-9 to CBD as shown on the attached map.
- Added building design requirements for new development of the Providence Health Services property and Parcels 1 and 2 on the attached map.
- Required development of Parcels 1 and 2 to include two public plazas that are subject to specific design requirements.
- Required a plan to show how the outstanding open space area of the Central Bethany Planned Development would be provided on Parcels 1 through 5 shown on the attached map.
- Required the property owner to show how the remaining 155 dwelling units will be provided on Parcels 1 through 5 shown on the attached map.

**Initial Public Hearings
Time and Place**

**Board of County Commissioners
10:00 am
October 21 , 2008**

**Board of County Commissioners
6:30 pm
October 28, 2008**

Hearings on A-Engrossed Ordinance No. 702 will be held in the Shirley Huffman Auditorium in the Public Services Building, 155 N. 1st Avenue, Hillsboro, Oregon.

On October 28, 2008 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 27, 2008.

**How to Submit
Comments**

Submit oral or written testimony to the Board at one of the public hearings. Written testimony may be mailed or faxed to the Board or in advance of the public hearings in care of the Planning Division. **We are unable to accept e-mail as public testimony.**

Washington County, Planning Division
155 N. 1st 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

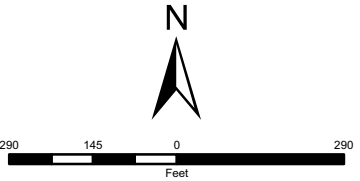
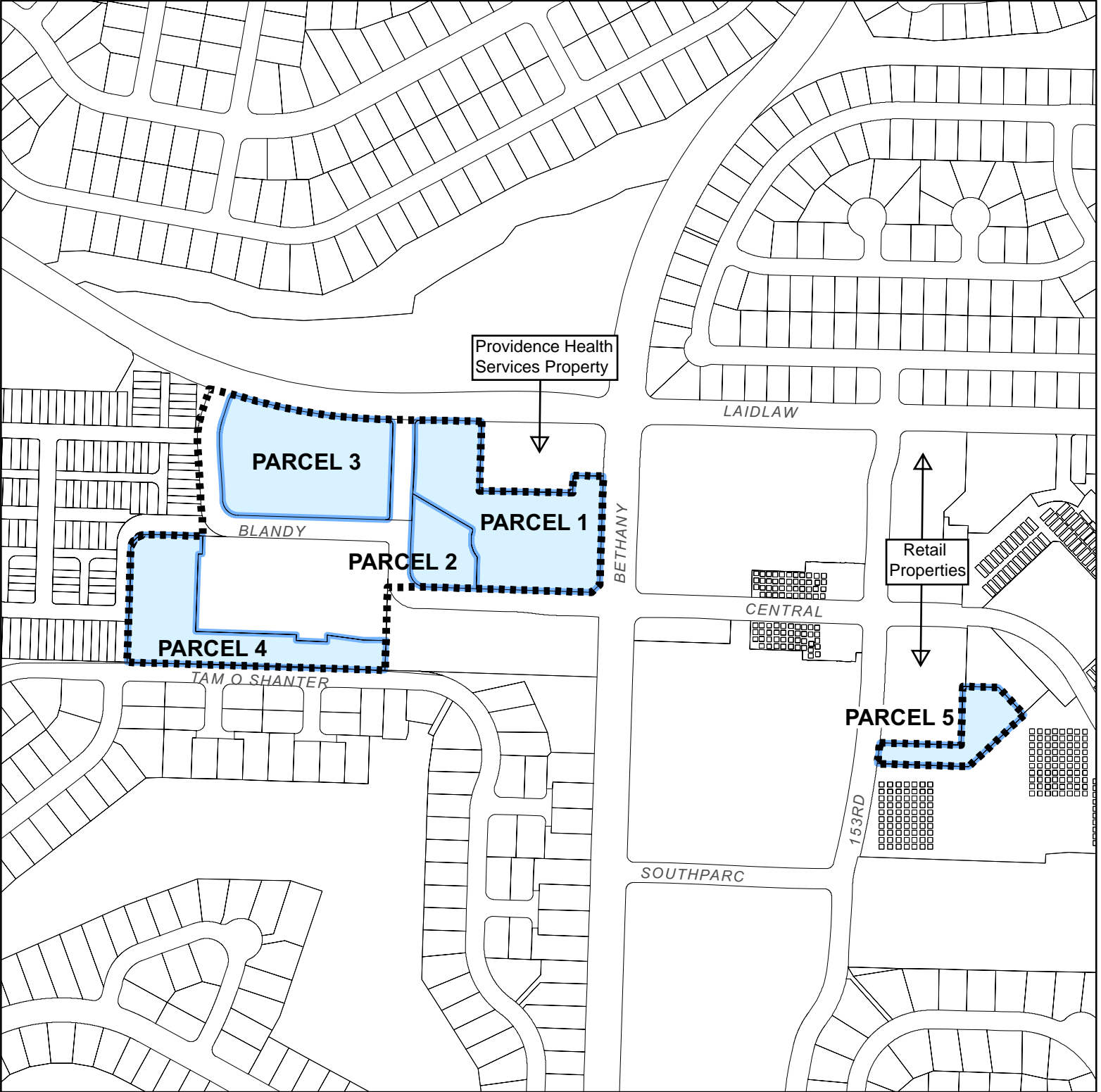
Anne Elvers, Associate Planner
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Telephone: 503-846-3583 Fax: 503-846-4412
e-mail: anne_elvers@co.washington.or.us

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

- The Washington County Department of Land Use and Transportation, Planning Division, 155 N. 1st Ave., Hillsboro, OR 97124-3072
Telephone: 503-846-3519
- 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.

The Bethany Community Plan
Area of Special Concern Map shall be
modified to reflect the creation of
Area of Special Concern 1A.

■ ■ ■ ■ Proposed Area of
■ ■ ■ ■ Special Concern 1A



FILED

OCT 09 2008

**Washington County
County Clerk**

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE NO. 702

An Ordinance Amending the Bethany
Community Plan Relating to New Design
Elements for Area of Special Concern 1 and
Creating Area of Special Concern 1A

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

SECTION 1

A. The Board recognizes that the Bethany Community Plan was adopted by Ordinance Nos. 263 and 265 and amended by Ordinance Nos. 345, 420, 471, 480, 551, 588, 610, 615, 620 and 649.

B. Subsequent ongoing planning efforts of the County indicate a need for an update to enhance the development of the community-village atmosphere in Central Bethany. These efforts include an expansion of the Community Business District to allow a greater mix of retail, service and business establishments together with guidelines that will facilitate unified design themes and development of public plaza areas. The Board takes note that such changes are necessary for the benefit of the residents of Washington County, Oregon.

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

1 D. The Board finds and takes public notice that it is in receipt of all matters and
2 information necessary to consider this Ordinance in an adequate manner, and that this Ordinance
3 complies with the Statewide Planning Goals and other relevant standards and criteria set forth in
4 Chapters 197 and 215 of the Oregon Revised Statutes, the Washington County Charter, and the
5 Washington County Community Development Code.

6 SECTION 2

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

- 9 A) Exhibit 1 (6 pages) amending the Central Bethany Subarea in the Bethany
10 Community Plan;
- 11 B) Exhibit 2 (1 page) modifying the Bethany Community Plan Land Use Districts Map
12 to Reflect the Land Use Designations for Area of Special Concern #1; and
- 13 C) Exhibit 3 (1 page) modifying the Bethany Community Plan Area of Special Concern
14 Map to Reflect the Creation of Area of Special Concern 1A.

15 SECTION 3

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

18 SECTION 4

19 All applications received prior to the effective date shall be processed in accordance with
20 ORS 215.427 (2007 Edition).

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1 SECTION 5

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

7 SECTION 6

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

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

3 SECTION 7

4 This Ordinance shall take effect on November 27, 2008.

5 ENACTED this 28 day of October, 2008, being the 5th reading and
6 5th public hearing before the Board of County Commissioners of Washington County, Oregon.

7 BOARD OF COUNTY COMMISSIONERS
8 FOR WASHINGTON COUNTY, OREGON

9 **ADOPTED** *Vic* *Dick Schouten*
10 CHAIRMAN

11 *Marian Larkin*
12 RECORDING SECRETARY

13 READING

PUBLIC HEARING

14 First September 2, 2008
15 Second September 16, 2008
16 Third October 7, 2008
Fourth October 21, 2008
Fifth October 28, 2008
Sixth _____

First September 2, 2008
Second September 16, 2008
Third October 7, 2008
Fourth October 21, 2008
Fifth October 28, 2008
Sixth _____

(Engrossment ordered October 7, 2008)

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

18 Recording Secretary: Marian Larkin Date: October 28, 2008

The Central Bethany Subarea in the Bethany Community Plan is amended to reflect the following:

CENTRAL BETHANY

The Central Bethany area is perhaps the most sensitive area in terms of achieving the overall development concept for Bethany. The Community Business District (CBD) at the southeast quadrant of the intersection of NW Laidlaw Road and NW Bethany Boulevard a 15-acre commercial area, provides the focus for development in Central Bethany. It is envisioned that a mix of local retail and small community-based office uses would provide a community-village atmosphere at the CBD. Following the adoption of this community plan, the area comprising the Central Bethany Planned Development was designated by Washington County and Metro as the Bethany Town Center.

Since the adoption of the Bethany Community Plan, the commercial area and nearby residential areas have developed as ~~the Bethany Village Center~~. ~~Bethany Village Center~~ was developed as apart of the Central Bethany Planned Development consistent with the provisions of the Community Plan and has become the core of the Bethany Town Center. ~~The Bethany Village Center~~ includes the Bethany Village ~~Shopping area~~ Center, which provides a grocery store and a variety of retail shops, offices, restaurants, mixed use retail/residential buildings bordering Central Drive, a day care and an education center as well as a popular ~~common~~ public plaza and fountain area used to hold public gatherings and concerts. The ~~development town center~~ provides a wide range of housing types – from the Duets (low scale single family attached housing) to the Arbor Parc Town Homes (medium density) to higher density apartments and the multi-story Promenade Condominiums. Open space amenities consisting of the Promenade Park and future plazas and park space aton the west endside of the development provide outdoor open space for residents, employees and visitors.

The presence of the CBD, coupled with the access provided by the transportation system in Central Bethany, provides the opportunity to locate medium and higher density residential uses in this area.

A number of elements warrant particular consideration in Central Bethany. These include:

- a. The forested ~~side~~area (approximately 35 acres) located at the western edge of Central Bethany;
- b. The development of the Community Business District in a manner compatible with the overall design of Central Bethany;
- c. The buffering of higher density and lower density residential development through the provision of open space and landscaping; and
- d. The transportation system in Central Bethany.

Because of these elements and the potential impact on Central Bethany if each area is developed without the benefits of the master planning process, the majority of Central Bethany has been designated as an Area of Special Concern (**Area of Special Concern No. 1**). The Bethany Community Plan requires that all development proposals within the area boundary be accomplished through the Master Planning-Planned Development process set forth in the Community Development Code. The Central Bethany Planned Development received land use approval by the Board of County Commissioners through Case File 93-333-PD/S/SU/D(R)/AV/MR. The application included a request for a Planned Development which allowed the land use districts identified on the Community Plan to be reallocated throughout the site as allowed by Central Bethany Subarea Design Element #6. Additionally, the application ~~fixed~~identified the

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alignments of Bethany Boulevard and Laidlaw Road, which determined the location of the Community Business District at the southeast quadrant of the Bethany Boulevard/Laidlaw Road intersection. For an accurate depiction of allowed uses and their locations, one must review the 1993 land use decision [and all subsequent applications associated with implementing the Central Bethany Planned Development, including applications approving revisions to the 1993 approval]. The appropriate land use decisions impacting the site are available for review at the Department of Land Use and Transportation.

Ordinance No. 702

The Central Bethany Subarea was amended in 2008 by Ordinance No. 702 for the purpose of providing 4.38 acres of CBD land at the southwest quadrant of the Laidlaw\Bethany intersection [Parcels 1 and 2 of Area of Special Concern 1A]. A legislative plan amendment was necessary in order to remove the Central Bethany Subarea requirements that 1) no more than 15 acres of CBD land be provided in Area of Special Concern 1, and 2) that all CBD development be located in one quadrant of the Laidlaw\Bethany intersection. Ordinance No. 702 also changed the plan designation of the Providence Health and Services property at the southwest corner of the Bethany\Laidlaw intersection from R-15 to Office Commercial for the purpose of providing medical offices.

Ordinance No. 702 also amended the Central Bethany Subarea text and some plan designations in Area of Special Concern 1 (as described below) to recognize the development of ASC 1 that was developed as part of the Central Bethany Planned Development. The Central Bethany Planned Development reallocated some plan designations to other areas of ASC 1 pursuant to the Community Development Code standards for planned developments.

Plan designations:

1. Designated the Bethany Village shopping area, at the southeast quadrant of the Laidlaw\Bethany intersection, as CBD. The area of the original CBD plan designation was also increased from 15 acres to 16.46 acres to reflect the actual size of the shopping center as approved by the Central Bethany Planned Development.
2. Changed the plan designations of the following parcels to reflect the following non-residential land uses that were approved as Special Uses by the Planned Development:
 - a. Professional offices approved in the R-15 District on 1N120DB 01700;
 - b. Health\athletic club approved in the R-9 District on 1N120CA07600; and
 - c. Group care facility for seniors approved in the R-9 District on 1N120CA07200 and a portion of 1N120CA07300.

The land use designations for the residential developments in the Planned Development were not changed to reflect the density of each development because the Planned Development allows the minimum required 860 dwelling units to float throughout the Planned Development boundary, subject to compliance with its conditions of approval.

Design Elements:

Specific design elements which shall be considered during the preparation of development proposals in Central Bethany include the following:

1. The forested sidearea in the western portion of Central Bethany shall be considered for park and open space use. Because of the natural features of the site, passive recreational opportunities

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such as hiking or horse trails would be considered appropriate. The site should be examined to determine its recreational potential with the Tualatin Hills Park and Recreation District. Upon determining its recreational value, steps shall be taken through the design of the property to preserve as much of the area as possible. Areas preserved for park and open space will be eligible for density transfers in accordance with the provisions of the Community Development Code. Portions of the ~~Westside Trail Waterhouse Powerline Trail, Rock Creek Powerline Trail and Beaverton Powerline Trail~~ have been constructed in the Central Bethany area.

2. In order to achieve the intended commercial atmosphere envisioned in the Community Business District at the southeast quadrant of the Bethany Blvd./Laidlaw Road intersection, the site shall be developed in accordance with a unified theme, presenting consistent design features between buildings. The commercial atmosphere intended by the Bethany Community Plan is one of a community center or urban village which, ideally, could take advantage of the historical significance of the Bethany community. A mixture of retail uses or community-based office uses would be considered appropriate. Examples include: a full-service grocery store, specialty shops, restaurant, medical offices, and a branch bank. Additionally, institutional uses such as a library or small post office could be considered as well. The Tanasbourne Town Center is located two miles to the south and is considered adequate for the provision of regional and comparison shopping.

Because of the commercial area's proximity to residential uses, landscaping and buffering will be an important design element necessary to ensure an aesthetic transition between commercial and residential uses. In addition, the CBD is located in close proximity to the Bethany Baptist Church. The design of both the commercial and residential uses surrounding it should take into account existing views available to the Church as well as their relationship to the distinct architectural style of the Church.

3. The smaller Community Business District at the southwest quadrant of the Bethany/Laidlaw intersection shall be designed as an urban, compact mixed use development with a mix of commercial uses fronting on two public plazas. The plaza shall be fronted by buildings with active ground floor uses throughout the day and evening.
34. The Master Planning-Primary Use or Planned Development procedures and standards shall be required for development on land which includes the Bronson Creek flood plain as a means of protecting the resource while allowing new development consistent with the provisions of the Community Development Code. An exception to this requirement shall be allowed if all of this Significant Natural Resource site is retained as open space. Public dedication of this open space is not required, but is encouraged. A density transfer from the resource area to the buildable portion shall be allowed as specified in the Community Development Code.
45. The western boundary of Central Bethany is defined by the existing power line easement which runs north/south. As with other power line easements in Bethany, the opportunity exists here to establish a multi-purpose trail system. Pedestrian or bicycle access to the proposed open space/forested site area in Central Bethany could be made via this section of power line easement. Tualatin Hills Park and Recreation District (THPRD) identifies a trail connection through the forested area along the western boundary of Central Bethany. For development that occurs adjacent to the power line easement, the opportunity to establish a multi-purpose trail system shall be considered an important design element in the development review process.
56. As Central Bethany develops, additional roads will be necessary to serve that development. The exact location will, in most cases, be determined through the development review process. The following guidelines are recommended:

- Individual access to Bethany Boulevard and Laidlaw Road by new development will be strongly discouraged. Access shall be achieved via well spaced connections to the major transportation system shown on the plan map. Access shall be consolidated unless demonstrated to not be feasible.
 - The preparation of the Master Plan for the area inside of the Area of Special Concern shall include the identification of the internal road system required to serve the entire development proposal as well as a description of the expected impacts on the major road system and key intersections. Areas which will merit special consideration from a transportation perspective include:
 - a. Laidlaw/Kaiser intersection;
 - b. Laidlaw/Bethany Boulevard intersection;
 - c. Bethany Boulevard/West Union intersection;
 - d. Access points to the Community Business District; and
 - e. Any additional road connections to West Union Road from the north.
 - Finally, development proposals in Central Bethany shall identify expected traffic impacts to the Cornell Road/Sunset Highway interchange and the segment of Bethany Boulevard between Cornell Road and West Union Road. Traffic impacts to this access point to the Sunset Highway may require consideration of phasing of development in Central Bethany until improvements to the Cornell/Sunset interchange have been made.
67. Locational adjustments to the development designations within the Area of Special Concern boundary may be approved during the Master Planning-Planned Development process. Such adjustments could potentially occur as a result of the engineering and construction of Bethany Boulevard and Laidlaw Road or in response to topographical or natural features of the property. Any adjustments, however, must recognize that the locations depicted on the Bethany Community Plan map are, in large part, a function of both the proposed transportation system as well as the Plan's expressed intent to protect existing residential areas. Therefore, any locational adjustments within the Area of Special Concern must reflect a continuation of the transportation/land use relationship depicted on the Plan map and described in the text. ~~The entire Community Business District shall be located within one quadrant of the Laidlaw/158th Avenue intersection.~~
78. Transit service is provided along Bethany Boulevard, connecting the Portland Community College campus with the Bethany Town Center and light rail transit. To take advantage of its presence, present and future transit service, residential and commercial development adjacent to these roads shall be arranged in a manner to take advantage of the availability of transit. This could include orienting buildings towards both roads, providing bike and pedestrian access through the development site to transit stops and locating parking areas away from the road rather than adjacent to it. Additional transit service to better connect the Bethany Town Center with the Cedar Mill Town Center and the Tanasbourne area is also recommended.
9. All development in ASC 1 shall comply with the conditions of approval for the Central Bethany Planned Development, including Design Guidelines (Exhibit G of Resolution and Order No. 94-104).
10. Development of the Providence Health Services' building shall comply with Area of Special Concern 1A Design Element 4.d.

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1140. A minimum of 860 dwelling units shall be provided in ASC 1. Upper story dwelling units provided in the CBD District shall be maintained for residential use.

1244. No additional commercial designations shall be provided in ASC 1.

Area of Special Concern 1A

Development in ASC 1A shall comply with the following Design Elements:

1. A minimum of 155 dwelling units out of the required 860 dwellings shall be provided in ASC 1A;
2. All development applications in ASC 1A shall be processed through the Type III procedure. Prior to the submittal of an application, the applicant shall conduct at least two public design workshops. Minutes of the workshops shall be included in the application materials.
3. Any application for development of Parcels 1, 2, 3, 4, or 5 shall include:
 - a. A plan for how the outstanding open space for the Central Bethany Planned Development will be provided. The plan shall identify the type and amount of open space that will be provided on each parcel. This plan shall be binding upon all future development unless the applicant provides additional open space in the initial development.
 - b. Information and site and building plans that demonstrate compliance, or demonstrate that it is feasible, for development of all five parcels to comply with a. above and provide the outstanding 155 dwelling units required in 1 above. Plans shall be consistent with all the requirements of the Central Bethany Subarea, the Central Bethany Planned Development, and Community Development Code Sections 404 through 413 and Section 429. Any development application for any one of these parcels shall include conceptual site plans, building floor plans and building elevations for all five parcels. The conceptual plans shall be drawn to scale and shall not exceed a scale of one inch to sixty feet (1":60').
4. Parcels 1 and 2 shall be developed as an urban, compact mixed use development centered by a main plaza along Central Drive. The plaza shall be fronted by buildings with active ground floor uses throughout the day and evening. The plaza shall be designed as year-round active, flexible space that is programmed to act as the 'outdoor living room' for the broader Bethany community. Adjacent retail and civic uses will activate its edges and spill out during special events. The development of both parcels shall contain a vertical mix of uses (housing and/or office over retail) with ample, safe and convenient pedestrian amenities, such as plazas, alleys, wide sidewalks, benches, or fountains.

A second plaza and open space area shall be provided at the western edge of Parcels 1 and 2. This area shall be designed to provide a passive pedestrian oriented area that will function as a quiet gathering spot for nearby residents. It shall be fronted by buildings with ground floor uses that are active during the day.



Pedestrian passages shall connect the plazas to each other and adjacent streets to provide a continuous walkway through Parcels 1 and 2.

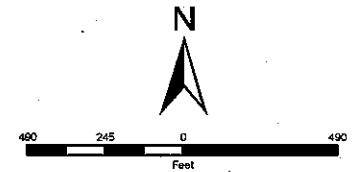
- a. Other main plaza design elements:

- (1) Be located approximately mid-block along Central Drive and be at least 10,000 square feet in size. Vehicular areas, including parking and loading areas, shall not be included in the plaza or counted as Planned Development open space.
 - (2) Be designed to have maximum visibility from Central Drive and adjacent buildings;
 - (3) Have multiple points of pedestrian ingress and egress;
 - (4) Have appropriately scaled exterior lighting to create a safe night time pedestrian environment;
 - (5) Include a focal element, such as a water feature or a sculpture;
 - (6) Hardscaped areas shall use textured paving to differentiate the plaza from adjacent vehicular areas. Bollards or similar elements shall also be used to visually differentiate the plaza from adjacent vehicular areas;
 - (7) Have areas with all weather protection that includes seating.
 - (8) Pedestrian seating that includes a mixture of types of all weather seating; and
 - (9) Have at least three of the following features: entry features, kiosks, low walls with seating or planters atop, free-standing planters, a drinking fountain, or in addition to 5 above, other public art.
- b. Other design elements of the second plaza and open space area:
- (1) Be at least 8,000 square feet in size;
 - (2) Have seating for pedestrians;
 - (3) Have appropriately scaled exterior lighting to create a safe night time pedestrian environment that is sensitive to nearby residents; and
 - (4) Have at least four of the following features: entry features, steps, low walls with seating or planters atop, free-standing planters, lawn area with trees, a drinking fountain, an ornamental fountain or public art.
- c. Pedestrian passages shall be at least ten feet wide and each passage shall include three of the following features: entry features, steps, a small courtyard, low walls with seating or planters atop, free-standing planters, a drinking fountain, or public art.
- d. Design elements for building façades facing streets and open space areas:
- (1) The dominant feature of the façades shall be the buildings' habitable areas with accompanying windows and doors. Darkly tinted windows and mirrored windows that block two-way visibility are prohibited on the ground floor;
 - (2) Facades shall be broken into multiple vertical elements; and
 - (3) Facades greater than two-hundred feet in length shall not be flat, monolithic walls but shall include architectural elements that break up the wall to create a ground floor pedestrian scale. Architectural elements include but are not limited to recessed entrances, an eight inch minimum vertical or horizontal wall relief, and changes in materials.
5. Provide a private or public street between Central Drive and Laidlaw Road, adjacent to Parcels 1, 2 and 3; and
6. Parcel 2 may be used for retail or office uses when it has been determined it is not needed to satisfy the open space requirements of the Central Bethany Planned Development.


The Bethany Community Plan
Land Use Districts Map shall be modified
to reflect the Land Use Designations
for A.S.C. #1 as shown on this map.

The Boundary of Area of Special Concern 1
shall be modified as shown on this map.

-  Area of Special Concern 1
-  Proposed Land Use Districts



The Bethany Community Plan
Area of Special Concern Map shall be
modified to reflect the creation of
Area of Special Concern 1A.

 Proposed Area of
Special Concern 1A

